

RICHMOND COUNTY MUNICIPAL COUNCIL

REGULAR MEETING

SEPTEMBER 9, 2002

Location: Court House, Arichat

Warden Cotton called the meeting to order at 7:00 p.m. and requested that everyone stand for the singing of O'Canada.

The Clerk took roll call of Councillors.

Warden Cotton indicated that Deputy Warden Johnson was unable to attend tonight's meeting because of a death in the family.

Items Added to the Agenda

Warden Cotton indicated that Councillor McNamara wished to add Nova Scotia Power Service Problems and he wished to add Festival & Events Funding Pilot Project (E.C.B.C), a letter to Steve Lund, NSBI re: Paul Boutlier and the 10th Annual US-Canada Energy Trade & Technology Conference.

Moved by Councillor MacPhee, seconded by Councillor McNamara that the items added be accepted as presented. Motion carried.

Review of Minutes: (a) June 17, 2002 (Annual Session)
(b) August 15, 2002 (Special Meeting)

Moved by Councillor Beaton, seconded by Councillor Sampson that the minutes of June 17, 2002 (Annual Session) and August 15, 2002 (Special Meeting) be adopted as presented. Motion carried.

Committee Reports

(a) Committee of the Whole Report

Moved by Councillor MacPhee, seconded by Councillor McNamara that Council accept the recommendations of the Committee of the Whole and the Deputy Clerk and authorize a one year lease for Bay #3 at the Industrial Mall to Island Radio Systems; and further authorize a one year lease for Bay #5 at the Industrial Mall to C.K. Samson Contracting. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor MacNeil that Council accept the recommendation of the Committee of the Whole and that staff approach local economic development groups (La Picasse, CDENE, DIMA, and the Richmond County Literacy Network), and cap sites, in order to make strong representation to Aliant Telecom and the Cable providers to commence providing high speed internet service in Richmond County, as soon as possible. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Bourque that Council accept the recommendation of the Committee of the Whole and that Municipal Council approve of a \$1,000 contribution towards the cost of the operations of the Pitupaq Committee regarding the Municipal and First Nations Sewage Strategy for the Bras D'or Lake. Motion carried.

Warden Cotton indicated that the process of adopting the new Non-Smoking By-Law prepared by the Solicitor would be to first give notice of motion, then hold a series of public hearings.

In response to a question from Councillor MacPhee, the Solicitor indicated that the Municipality only has the right to regulate smoking in "public places" as defined by the Provincial Government, noting that the Provincial Statute does not allow the Municipality to prohibit smoking workplaces.

In response to a question from Councillor Goyetche, the Solicitor noted that in regards to public vs. private clubs, which are restricted by membership, that each facility would have to be assessed individually to determine if they fall into the category of a "public place", meaning determining if they allow access to the public.

The Clerk indicated that Council had agreed that there be no exceptions to the Non-Smoking By-Law as prepared by the Solicitor.

Councillor MacPhee gave notice that he will introduce a motion at the next regular Council Meeting to give First Reading approval to adopt the Non-Smoking By-Law as a By-Law of the Municipality.

Warden Cotton suggested that Council establish public hearing dates.

In response to a question from Councillor Boudreau, the Solicitor indicated that only Councillors that are present at both public hearings are permitted to vote on the Non-Smoking By-Law in Council, and that a motion should probably establish the Hearings.

Moved by Councillor MacPhee, seconded by Councillor McNamara that Public Hearing dates for the review of the Non-Smoking By-Law be set for 6:30 p.m. on October 7 and October 15, 2002 at the Arichat Court House. Motion carried.

Moved by Councillor MacPhee, seconded by Councillor Sampson that the Committee of the Whole Report for the month of September 2002 be accepted as presented. Motion carried.

Correspondence:

(a) Guysborough Antigonish Strait Health Authority/Cape Breton District Health Authority re: Thank you

For information.

(b) Medical Society re: Smoking Ban in Public and Workplaces

For information.

(c) Department of Transportation and Public Works re:

(i) Roads

The Clerk indicated that this letter is in response to a letter written on behalf of Council to the Hon. Ron Russell regarding the conditions of roads in Richmond County, which was referred to Mr. Fitzner.

(ii) Rehabilitation of the West Bay Road (Scott's River to west Bay)/List of Potential Projects

For information.

(iii) West Bay Road (St. Peter's to County Line Road)

Moved by Councillor McNamara, seconded by Councillor MacNeil that this item be referred back to the Planning Advisory Committee for further review. Motion carried.

(d) Mr. Rodney MacDonald, MLA re: Future Needs of Roads Throughout Nova Scotia

Warden Cotton indicated that he has been contacted by the Minister's Office and was informed that there is a meeting set for Thursday morning with the Strait Area Mayors and Wardens to discuss the issue of twinning, noting that he will have additional information for Council after this meeting.

Councillor Sampson indicated that it is crucial to have the support of both levels of government.

Moved by Councillor Sampson, seconded by Councillor MacPhee that a letter be written to the Hon. Ron Russell, expressing support for the twinning of the Highway 104, particularly with respect to completion from River Tillard to Sydney, and requesting

information on the provincial financial commitment to this section of highway. Motion carried.

Moved by Councillor MacPhee that Council set up a meeting with Mr. Bruce Fritzner and Department of Transportation and Public Works officials to discuss road conditions within Richmond County.

Warden Cotton noted that such a meeting will have to be held at an “In-Camera” session because Mr. Fitzner wished to discuss matters in a more private setting.

Councillor Boudreau indicated that he would oppose this motion if the meeting takes place at an “In-Camera” session and required clarification regarding the intent of Councillor MacPhee’s motion.

Councillor MacPhee withdrew his motion.

Moved by Councillor MacPhee, seconded by Councillor Boudreau that Department of Transportation officials be invited to attend a meeting of Richmond County Council to discuss road conditions in Richmond County, as well as service delivery, in anticipation of the upcoming winter season. Motion carried.

(e) Cape Breton Regional Municipality re: Future Needs on Roads Throughout Nova Scotia

Moved by Councillor MacPhee, seconded by Councillor Bourque that Municipal Council write a letter of support to the appropriate federal and provincial Ministers, supporting the views expressed by Mayor Morgan, CBRM, with regards to the twinning of Highway 104 from the Strait of Canso to Sydney. Motion carried.

(f) Aliant Telecom re:

- (i) Broadband Network Upgrades
- (ii) Cellular Coverage

The Clerk expressed concern regarding the quality of cellular coverage in Richmond County noting that service in the St. Peter’s area is quite poor.

Warden Cotton noted that cellular coverage from River Bourgeois through to Irish Cove is almost impossible, noting there are areas of Dundee where there is no service.

Warden Cotton indicated that cellular service on Isle Madame has depleted since digital service was implemented in Port Hawkesbury.

Moved by Councillor MacPhee, seconded by Councillor Beaton that Council invite representatives of Aliant Telecom to meet with Richmond County Council to discuss broadband service and cellular coverage in Richmond County. Motion carried.

(g) Mr. Rodger Cuzner re:

- (i) French Services for Elderly Residents
- (ii) Royal Bank Closures

Moved by Councillor Boudreau, seconded by Councillor Goyetche that, since there has been no response at the federal level, that Municipal Council write a letter to the Federal Minister responsible for financial institutions expressing their displeasure with the announcement of the Royal Bank closure in Arichat and the repercussions of the closure on residents and staff, demanding a timely response to their concerns. Motion carried.

(h) Royal Bank of Canada re: Arichat Branch Closure

For information.

(i) Department of Community Services Housing Services re: Housing Services

Warden Cotton noted that he had not been contacted by staff from the Housing Authority regarding any concerns he may have regarding housing in his district.

Councillor MacPhee indicated that he had written a letter to the Housing Authority concerning issues with seniors housing in River Bourgeois, noting that he was contacted in regard to his letter and assured that the issues would be addressed with representatives from the seniors housing in River Bourgeois, noting that since then he has not been contacted and the issues outlined in his letter have not been addressed.

Councillors indicated that they have received no phone calls initiated by Housing Authority staff to address their concerns.

Moved by Councillor MacPhee, seconded by Councillor Bourque that a letter be written to Mr. Louis de Montbrun, Executive Director of Housing Services, indicating that no contact has been made with Richmond Municipal Councillors initiated by Housing Authority staff and further moved that Municipal Council request the names and positions of the two bilingual staff, as well as clarification regarding office hours in the St. Peter's area and that copies of this correspondence be sent to the Minister of Community Services, the MLA, the MP and the Secretary of State for La Francophonie. Motion carried.

(j) Breakwater Fisheries Limited/North Atlantic Seafood Corporation Limited re: Crab Leaving Province

For information.

(k) Isle Madame Residents re: Petition to Keep Municipal Office in Arichat

Councillor MacPhee expressed frustration with the wording of the petition indicating that he has never witnessed any indication that Council has ever intended that the municipal office be located anywhere other than in Arichat, further indicating that he compliments residents for their support, noting that he would never vote to re-locate the municipal office from Isle Madame.

Warden Cotton noted that the petition was circulated by an individual whose proposal to sell a parcel of land to the Municipality had been refused.

Councillor Beaton indicated that he had seen the petition at several locations throughout Isle Madame and noted a problem with the wording.

Councillor McNamara indicated that the individual who circulated the petitions should be written a letter and made aware of the falsity in the wording of the petition.

Councillor Sampson noted that since tonight's discussions are in a public setting he hopes that the word gets out to the public that Council is supporting that the Municipal office remain in Arichat.

Councillor Sampson noted that he reviewed the signatures on the petitions and noticed that there were signatures from municipal staff, who should be more aware of Council's position.

Councillor MacNeil expressed his support for the municipal office to remain in Arichat.

Councillor Boudreau indicated that he saw the petition at several locations in the community and expressed his displeasure with the owners of the facilities that agreed to display the petitions and made them aware of the falsehoods in the wording.

Councillor Boudreau commended residents for wanting to have the office remain on Isle Madame noting that many were unaware of the retaliation involved with the circulation of the petition.

Councillor Boudreau and Councillor Bourque thanked the Mainland Councillors for their support, from the beginning, to have the municipal office remain in Arichat if sufficient land is available.

Councillor MacPhee suggested returning the petition to the petitioner to correct the erroneous facts that have been indicated.

Councillor Goyetche indicated that he also witnessed the petition being circulated in the community and spoke with organizations urging them not to display the petition because

it was not valid, noting that organizations should be responsible for determining the validity of any petitions before they display them to the public.

Warden Cotton suggested that the petition be tabled until further information can be obtained.

Moved by Councillor MacPhee, seconded by Councillor Boudreau that the petition regarding the municipal office be tabled and that the individual who created the petition be requested to appear before Council to present the petition and address Council's concerns. Motion carried.

Councillor Boudreau indicated that he had delivered the petition to the Municipal Office and that he will attempt to verify the origin of the petition.

(l) Rural Cape Breton District Planning Commission re: Fire Safety Regulations

The Clerk indicated that the proposed Fire Safety Regulations would require significant training for staff and the costs of inspections would result in significant financial costs.

Moved by Councillor Beaton, seconded by Councillor Bourque that Municipal Council support the views of the District Planning Commission and that a letter be written to Mr. Robert J. Cormier, with a copy to the Premier, expressing these concerns for the lack of available training for Building Inspectors, as well as the financial implications of the fire inspections. Motion carried.

(m) Rural Cape Breton District Planning commission re: Appointment of New Area Advisory Committee for St. Peter's

Moved by Councillor McNamara, seconded by Councillor MacNeil that this item be referred to the Planning Advisory Committee for review. Motion carried.

(n) Department of Environment and Labour re: Natural Radionuclides in Well Water

The Clerk indicated that the Department of the Environment is requesting that the Municipality test its public drinking water supply for Total Uranium, Radium-226 and Lead-210.

The Clerk indicated that he has forwarded this correspondence to the Director of Public Works, noting that the municipal water supply will be tested.

Moved by Councillor MacPhee, seconded by Councillor Sampson that a letter be written to the Department of the Environment to determine if there is Provincial funding available for municipalities and individuals who test their water supplies for radionuclides. Motion carried.

(o) Service Nova Scotia & Municipal Relations re: Municipal Advisor

For information.

(p) Chapel Cove Wharf Preservation Society re: Grant request

(q) Isle Madame Boat Club re: Grant Request

Moved by Councillor MacPhee, seconded by Councillor Bourque that the grant requests from the Chapel Cove Wharf Preservation Society and the Isle Madame Boat Club be tabled to the Committee of the Whole. Motion carried.

(r) Warden Cotton/Warden MacDougall re: UCCB/Sponsorship of the North Atlantic Forum

Moved by Councillor MacPhee, seconded by Councillor McNamara that this item be tabled to the Committee of the Whole. Motion carried.

(s) Erin MacIntosh (Bursary Recipient) re: Thank you

For information.

Items Added to the Agenda

(1) Councillor McNamara re: Nova Scotia Power Service Problems

Councillor McNamara indicated that she has received several complaints from residents in her district regarding the difficulty contacting individuals with Nova Scotia Power, noting that all calls now go through a call center, and with the time lapse between reporting a problem and receiving service.

Warden Cotton indicated that he has also witnessed poor service from Nova Scotia Power in getting residential hook-ups as well as having streetlights installed.

Moved by Councillor McNamara, seconded by Councillor Sampson that Municipal Council request representatives of Nova Scotia Power to appear before Council in order to address concerns regarding time frames for service delivery, as well as installation of streetlights. Motion carried.

(2) Warden Cotton re:

(i) Festival & Events Funding Pilot Project (E.C.B.C.)

Warden Cotton indicated that Mr. Beaton is seeking some direction/feedback regarding the Festivals & Events Funding Pilot Project.

Councillor Sampson expressed his pleasure with the funding that was received for his community, noting that not only did it help with ordinary expenses, it allowed for some capital equipment investment for the community.

Warden Cotton noted that 9 applications were received from Richmond County, of which 7 were approved and one was partially funded.

Councillor MacPhee indicated that River Bourgeois received \$7,500, which allowed them to build a patio on their community center and well as the establishment of a website for next year's 25th anniversary.

Councillor MacPhee expressed his appreciation for the work by E.C.B.C. on the Festivals & Events Funding Pilot Project.

Moved by Councillor MacPhee, seconded by Councillor Sampson that a letter be written to Mr. Rick Beaton, E.C.B.C., expressing Council's support to have this funding continued for future years, expressing its importance to local festivals throughout Richmond County. Motion carried.

(ii) Letter to Steve Lund, NSBI re: Paul Boutlier

Moved by Councillor MacNeil, seconded by Councillor McNamara that a letter be written to Mr. Steve Lund, Nova Scotia Business Inc., applauding the work of Mr. Paul Boutlier within the Strait Area-Cape Breton, and further that Mr. Boutlier be encouraged to remain working in the area. Motion carried.

(iii) 10th Annual US-Canada Energy Trade & Technology Conference

Warden Cotton indicated that he is recommending that two Councillors attend this conference and that registration be completed as soon as possible.

In response to a question from Councillor MacPhee, Warden Cotton indicated that he was unsure of the exact costs associated with this conference.

Council agreed that two Councillors represent the Municipality at the 10th Annual US-Canada Energy Trade & Technology Conference in Boston.

Fifteen Minute Question Period

In response to a question from Ms. Cindy Britten, Warden Cotton indicated that Council had not received a response to their correspondence from the Minister of Transportation directly, however the correspondence was referred to others in the department to respond.

In response to a question from Ms. Allena MacDonald, Warden Cotton indicated that he was unsure if the Minister referred the letters to other individuals within the department to address or if they were intercepted.

Moved by Councillor MacPhee, seconded by Councillor Beaton that the meeting be adjourned. Motion carried.

There being no further business the meeting was adjourned at 8:40 p.m.