

**RICHMOND COUNTY MUNICIPAL COUNCIL**

**REGULAR COUNCIL**

**JANUARY 9, 2006**

Location: Council Chambers, Municipal Office

Deputy Warden Martell called the meeting to order at 7:00 p.m. and asked everyone to stand for the singing of O'Canada.

The Clerk took roll call of Councillors.

Deputy Warden Martell indicated that Warden Cotton and Councillor Rankin were on their way from a meeting, and would be arriving shortly.

Items Added to the Agenda

Deputy Warden Martell indicated that Councillor Rankin wished to add recognition of "Top Driver" award.

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

Review of Minutes: December 12, 2005

Moved by Councillor Beaton, seconded by Councillor McNamara that the minutes of December 12, 2005 be adopted as presented. Motion carried.

Petitions and/or Delegations

(a) Pitu'paq Partnership (Sharon Carter) re: Funding Request

Deputy Warden Martell welcomed Ms. Carter to the meeting.

The CAO indicated the Pitu'paq Partnership had been invited to attend a Council Meeting in order to address questions/concerns regarding their funding request.

Ms. Carter addressed Council indicating she is the Bras D'Or Coordinator with the Department of Environment and Labour, and she indicated that as part of the

Coordinator's duties, she facilitates the Pitu'paq Partnership between the Strait Area Mayors and Wardens and the 5 First Nations Chiefs of Cape Breton. She indicated that the partnership has been formed since 2001 and its focus is working towards bettering the health of the Bras D'Or Lakes through initiating and facilitating programs around sewage management, and noted the work being done on sewage management from three perspectives, namely, boating sewage, centralized sewage treatment plants and malfunctioning on-site sewage disposal systems and she indicated that the Pitu'paq Committee in the past, has been working on the Canadian Shipping Act designation to have the Bras D'Or designated as a non-discharge zone for boating sewage. She noted the Committee is also putting together a project proposal called "The Pitu'paq Sewage Remediation Project for the Bras D'Or Lakes, and indicated she wished to update Council on the project and what they hope to accomplish.

Ms. Carter indicated that since the fall of 2001, a remarkable and unprecedented set of relationships have been formed to address the current serious and critical issues facing the Bras D'Or Lakes and surrounding communities.

Ms. Carter indicated that the Pitu'paq partnership is based on a vision of standing with each other, regardless of racial, political or economic boundaries to care for a community and its people. She indicated that Pitu'paq meaning "flowing into oneness" is a unique partnership between the five municipal units and the five First Nation communities of Cape Breton. She also indicated that this partnership was formed to deal with the remediation of sewage problems around the Bras D'Or Lakes.

Ms. Carter indicated that the Pitu'paq's vision is to restore the Bras D'Or Lakes to their former pristine state free of contaminants from shoreline use, and to manage these waters and the lands around the Lakes to maintain the waters so that they will support aquaculture, wild fisheries and tourism. She noted that the Pitu'paq Committee is committed to addressing all three sources of sewage contamination, the malfunctioning of onsite sewage disposal systems, sewage treatment plants and boating sewage.

Ms. Carter indicated that the project is titled "Pitu'paq Bras D'Or Lakes Sewage Remediation Project", and its aim is to address challenges of managing rural on-site sewage disposal systems in a sustainable manner; and assist the partnership in developing policy, financial and technical options for addressing on-site issues in communities surrounding the Bras D'Or. She indicated the project will allow the Committee to explore the options and applicability of innovative technologies, using partnerships with companies developing new technologies in sewage management.

Ms. Carter indicated that five municipal communities (Orangedale/River Denys, East Bay, Dundee, Sampsonville and Big Pond) and three First Nation communities (We'koqma'q, Chapel Island and Malagawatch) were involved in the project.

Ms. Carter indicated that over the two year period, site by site designs will be developed with construction costing in place and the models identified through the feasibility study

in conjunction with the unique partnership of Pitu'paq will create a bank of information that can be shared with communities to address their on-site sewage disposal problems.

Ms. Carter noted the project outcomes as follows:

- Establish responsibilities among partners through directed meetings;
- Develop a broad based plan based on community consultations/site visits;
- Conduct public meetings to secure public input and support;
- Identify opportunities to incorporate innovative technologies;
- Identify pollution prevention opportunities such as water conservation;
- Develop management options for the remediation and the long term maintenance of on-site sewage disposal systems and select the best option based on community specific needs;
- Assess a full range of financial options to support the preferred management option and select one which best meets the needs and capacity of the community;
- Develop a long-term public education/awareness program;
- Establish an implementation budget;
- Identify sources of funding;
- Prepare a final report of findings and recommendations

Ms. Carter indicated that the total cost of the project was \$153,420; with the Green Municipal Fund providing 50% of eligible costs (\$76,710) and the partners providing the other 50% of funding (\$76,710). She noted that to date, notification has been received from the Cape Breton Regional Municipality of support for the project in the amount of \$30,000; the Nova Scotia Department of Environment and Labour in the amount of \$8,000; and Health Canada-First Nation Environmental Health Branch in the amount of \$8,710. Ms. Carter further indicated that requests for additional funding have been submitted to the County of Richmond in the amount of \$20,000 and the County of Inverness in the amount of \$10,000.

Ms. Carter indicated the project adheres to mandate of partnership to address sewage from three perspectives and complements work completed on the CSA designation.

Councillor Rankin entered the meeting at 7:15 p.m.

A question and answer period followed.

In response to a request from Councillor J. Boudreau, Ms. Carter indicated that she will forward a copy of the application and work plan to the CAO's office, for distribution to Councillors.

In response to a question from the CAO regarding site by site design and requesting who will carry out the work, Ms. Carter indicated that one site is called one community and she noted that a consultant will be engaged to carry out the work necessary.

The CAO indicated that the community of Sampsonville is experiencing water quality problems, and noted that Municipal Council has recently received a presentation from a Dundee group who have also identified water quality problems.

Councillor J. Boudreau indicated that a lot of problems in the Bras D'Or Lakes area are individual specific as opposed to community specific, noting that there are more cottages that line the Bras D'Or Lakes than households.

Ms. Carter indicated that the approach of the project is to look at the communities and develop an overall management plan for that community and also develop the option that best manages the sewage in that area to include both permanent residences and seasonal residences, which would be part of the work plan.

In response to an inquiry, Ms. Carter indicated that the management plan will depend partly on community needs and desires, and the plan will be coordinated with each community's ability to fund the plan.

Ms. Carter also indicated that the Pitu'paq Steering Committee is communicating directly with the various municipal engineering departments.

Councillor MacPhee requested that public meetings be well publicized in order to secure public input and support.

In response to a question from the CAO, Ms. Carter indicated they were hopeful in securing all funding for the project by the end of this fiscal year.

In response to a question from Councillor Rankin, Ms. Carter indicated that this phase of the project was to develop a management plan, which might include fixing some identified systems or a management system like a pumping program, but will depend on what the community's needs are.

Moved by Councillor MacPhee, seconded by Councillor C. Boudreau that Richmond Municipal Council accept the presentation of the Pitu'paq Partnership and that their request for \$20,000 be referred to the Committee on budget deliberations. Motion carried.

Deputy Warden Martell thanked Ms. Carter for her informative presentation.

Ms. Carter thanked Municipal Council for the opportunity to appear before Council, and she presented Councillor MacPhee, who is the Council representative on the Pitu'paq Committee, with a copy of the Bras D'Or Lakes atlas, prepared by 10 young interns (five First Nation students and five non-First Nation students), who worked on a project to map the areas around the Bras D'Or Lakes.

Warden Cotton entered the meeting at 7:25 p.m.

## Committee Reports:

### (a) Committee of the Whole

Councillor Sampson presented the monthly report of the Committee of the Whole (copy attached).

Councillor Sampson gave notice that he will introduce a motion at the next regular Council Meeting to amend the Grants to Charitable Organizations Policy, attached as Appendix "A".

Councillor Sampson indicated that the Committee reviewed a report from the Director of Public Works, that included information on the new provincial garbage restrictions, that took effect on January 1, 2006.

Mr. Sampson reported that changes were included in provincial legislation and regulations, that were passed in 1996, and they have resulted in the forced closure of the garbage landfilling portion of our West Arichat facility. These provincial laws require that recyclables and organics be removed from the garbage stream, and the remaining garbage is to be disposed of in a new second generation landfill (the closest is in Guysborough, which will serve all of Cape Breton and Northern Nova Scotia).

Councillor Sampson indicated that the Municipality wishes to express appreciation for the time and effort that Richmond residents are expending to separate their garbage, and attempt to comply with the provincial laws. The Municipality has told staff to work with residents, to try to make it easier to comply with the new provincial garbage bans that came into effect on January 1, 2006.

Councillor Sampson reported that residents may place 3 bags of residual garbage, 3 bags of general recyclables and 3 bags of paper recyclables for collection each week.

Councillor Sampson also reported that a concern has been expressed that a few residents may commence to illegally dump their garbage, in remote areas; or that residents of other communities may do the same within Richmond County. The Municipality has a By-Law which deals with illegal dumping, and the minimum fine available to the Court is \$5,000.

Moved by Councillor Sampson, seconded by Councillor Rankin that Council accept the recommendation of the Committee of the Whole and that the Solicitor carry out the work necessary to register the Solid Waste By-Law with the appropriate authorities, in order to be able to issue summary offence tickets for offences under the By-Law. Motion carried.

In response to a question from Councillor C. Boudreau requesting how an ordinary citizen would report a site that an individual has dumped illegally, the CAO indicated that this can be reported to the Director of Public Works or to their individual Councillors.

He noted if someone catches an individual dumping illegally, then it can be reported to either the police or to the Director of Public Works. The CAO indicated that illegal dumping and the issuance of summary offence tickets were two separate issues.

In response to a comment from Councillor Sampson, Warden Cotton indicated that one item discussed at the last Regional Chairs Committee was whether there was a need to continue with the Regional Chairs if not all the standards were applied as mandated by the Province. He noted the conversation had been directed to DEL personnel that were present at the meeting and they indicated they would provide further information at the next Regional Chairs Meeting.

Moved by Councillor Sampson, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that an application be made for funding under the new Federal/Provincial Infrastructure Program, for each of the three major capital projects identified as priorities by Council, being the Sampsonville Water System (Priority #1), the Evanston Sewer Treatment Plant Project (Priority #2), and the Arichat Pumping Station Project (Priority #3); and further that the priorities established by Municipal Council for these projects be noted in the application. Motion carried.

Warden Cotton indicated that information from the conciliation process that took place regarding the St. Peter's/Sampsonville Groundwater Study Project will be distributed to the Councillors for their information. He noted that the St. Peter's Village Commissioners provided costing that showed that two individual projects would cost less than one large project, therefore the St. Peter's Village Commission will be proceeding with their own application.

Warden Cotton indicated that the need in Sampsonville is great because they have contaminated drinking water, and he stressed the need for government officials to understand what Council understands regarding the serious situation that exists, when submitting the application for federal/provincial infrastructure funding.

Councillor McNamara indicated that the water pollution problem in Evanston should also be expressed very clearly to government officials when submitting the application.

Moved by Councillor Sampson, seconded by Councillor McNamara that the monthly report of the Committee of the Whole be accepted as presented. Motion carried.

#### Correspondence:

(a) Municipality of the District of Yarmouth re: Youth Criminal Justice Act

The CAO indicated the correspondence to the Minister of Justice requests a total overhaul of the new Youth Criminal Justice Act, and a review of the age of prosecution for youth that commit serious crimes.

Councillor MacPhee expressed a concern in that there seems to be a growing movement amongst the municipalities or the people of Canada, and indicated he felt if the government was going to overhaul the new Youth Criminal Justice Act, then they should look seriously at the types of crimes being committed, and indicated he felt that youth must be treated separately, and he noted that he supports the present Youth Criminal Act.

Councillor J. Boudreau and Councillor C. Boudreau expressed their support for the District of Yarmouth's request to have the Minister look at the Youth Criminal Justice Act.

(b) Canada Post re: Post Office Closures

The correspondence indicated that Canada Post respects the moratorium on closure of rural post offices, but implemented a new initiative in June, 2005, which deals with situations such as the death of a postmaster or a fire.

Moved by Councillor Rankin, seconded by Councillor J. Boudreau that a letter be written to Canada Post requesting clarification of their December 20, 2005 correspondence regarding a new initiative commenced in June, 2005 (third paragraph) and also requesting if closure of the rural post office is one of the options considered in these situations. Motion carried.

#### Items Added to the Agenda

(1) Councillor Rankin re: Recognition of "Top Driver" Award

Moved by Councillor Rankin, seconded by Councillor McNamara that WHEREAS the trucking sector of the transportation industry is an integral part of our economy;

AND WHEREAS driving a tractor trailer all over North America securely and safely is comparable to piloting a 747, 24 hours a day/7 days a week;

THEREFORE the Municipality of the County of Richmond does hereby congratulate Norman LeBlanc of St. Peter's for his award "Driver of the Year" as presented by his employer, Fastrak, a subsidiary of Day & Ross. Motion carried.

#### Fifteen Minute Question Period

There were no questions.

Moved by Councillor Sampson, seconded by Councillor C. Boudreau that the meeting be adjourned. Motion carried.

There being no further business, Deputy Warden Martell adjourned the meeting at 7:50 p.m.