

RICHMOND MUNICIPAL COUNCIL

REGULAR MEETING

FEBRUARY 13, 2006

Warden Cotton called the meeting to order at 7:10 p.m. and asked everyone to stand for the singing of O'Canada.

The Clerk took roll call of Councillors.

Councillor Sampson indicated that he would like Council to send a letter of congratulations to the new Premier Rodney MacDonald.

Moved by Councillor Sampson, seconded by Councillor McNamara that a letter be written to the Premier Elect Rodney MacDonald, congratulating him on his new position and expressing the Municipality's pleasure with his success and willingness to work with him on issues dealing with Richmond County and the Strait Area. Motion carried.

Items Added to the Agenda

There were no items to be added.

Review of Minutes: January 9, 2006

Moved by Councillor Beaton, seconded by Deputy Warden Martell that the minutes of January 9, 2006 be adopted as presented. Motion carried.

Petitions and/or Delegations

(a) St. Martha's Regional Hospital Foundation (Wendell Schurman) re: Funding Request

Mr. David Moeller, President, and Mr. Paul Cameron, Co-Chair, presented on behalf of St. Martha's Regional Hospital Foundation.

Mr. Moeller indicated that Mrs. Barb Landry who was also supposed to participate in the presentation, was unable to attend tonight's meeting.

Mr. Cameron indicated that the uses of the MRI(magnetic resonance imaging) machine have increased, noting that within 5-10 years at least one person in this room will require the diagnostics of an MRI.

Mr. Cameron indicated that residents that are located outside of Halifax are seven times less likely to get an MRI than those who live in Halifax.

Mr. Cameron noted that there is currently an 8-12 month waiting list for an MRI.

Mr. Cameron indicated that the government hired a consultant to determine where the five new MRI machines for Nova Scotia should be located, noting that Antigonish was chosen because of its geographic location and also because there are currently two trained radiologists at St. Martha's, with a third to arrive this year, providing a strong foundation to incorporate the equipment.

Mr. Cameron indicated that when a hospital is able to provide these special services it seems to attract more specialists.

Mr. Cameron indicated that he has spoke with Dr. Michael Silver, Radiologist at St. Martha's, noting that Dr. Silver described a recent case that he encountered where a 65 year old woman complained of chronic head pain for last 2-3 years, indicating that he only had the capability of doing a catscan, which did not indicate the problem and he had to let her go and schedule her for another catscan in six months, which may end up being too late. Dr. Silver indicated that Halifax probably would not have even considered her for an MRI, noting that if Antigonish had an MRI machine the lady would not have even left the hospital without having the MRI.

Mr. Cameron noted that a stroke patient would have to wait 48 hours and get a catscan to determine the medication that they should have, indicating that if an MRI were available it could be done immediately and the medication determined and administered right away.

Mr. Cameron quoted that "the MRI is simply the best diagnostic imaging available in medicine today".

Mr. Moeller indicated that he, along with the rest of the board, are volunteers, noting that the foundation started with nothing and they are still last as far as regional hospitals, with approximately \$2 million in the foundation, which is low compared to hospitals such as New Glasgow where there is \$20 million in the foundation.

Mr. Moeller indicated that total patient registration from Richmond is just under 20%, noting that it is well used by the residents of Richmond.

Mr. Moeller indicated that they are seeking funding from the County towards the MRI unit.

Mr. Moeller thanked Council for allowing their presentation.

In response to a question from Warden Cotton, Mr. Moeller indicated that they have presented to six councils and have two left to do, noting that they have received notice from three Councils of their contributions as follows:

Guysborough – \$42,500 – one time contribution

Antigonish Town - \$400,000 over 10 years

Antigonish County - \$100,000 over 5 years

In response to a question from Warden Cotton, Mr. Moeller indicated that they have an \$8 Million equipment wish list, noting that the MRI machine costs \$3.2 Million and they are responsible for contributing 25%, which amounts to approximately \$850,000.

In response to a question from the CAO, Mr. Moeller indicated that they hope to have all of the items of the \$8 million equipment list funded on the 75/25 basis however there are some items on the list that are probably not even eligible for funding by the province.

Mr. Moeller indicated that St. Martha's is 20 years old and he can see the equipment list required growing because of changes in technology and from use.

In response to a question from Deputy Warden Martell, Mr. Moeller indicated that they are also soliciting funds from businesses and the contributions are tax deductible.

Councillor Rankin indicated that he was surprised to see the use of St. Martha's by Richmond residents so high, noting that this is the first time that he has seen representation from St. Martha's requesting funding from the Municipality.

Mr. Moeller indicated that everyone in Cape Breton outside of Industrial Sydney uses the hospital.

In response to a question from Councillor Rankin, Mr. Moeller indicated that when he met with Min. Angus Mac Isaac in December 2004, he indicated that the MRI should be at St. Martha's by March 31, 2007, but may be sooner considering everything, except for the funding is in place.

Moved by Councillor MacPhee, seconded by Deputy Warden Martell that the Council accept the presentation from St. Martha's Hospital Foundation and that their funding request be tabled until budget deliberations. Motion carried.

(b) St. Peter's Village Commission re: Drinking Water Strategy

Mr. Mark Vanderhoeden presented a power point presentation on behalf of the St. Peter's Village Commission, as attached.

Councillor Sampson questioned what really went wrong with the facilitation process, noting that he would think that a joint project between St. Peter's and Sampsonville would leverage more funds, then if done separately.

Mr. Vanderhoeden indicated that there were several preliminary meetings between both communities and they had agreed on a groundwater exploration study.

Mr. Vanderhoeden indicated that St. Peters had assumed that they would own and operate the system however when they found out that this was not the intention of the Municipality, things changed.

Mr. Vanderhoeden indicated that a stand alone system may be more expensive however St. Peter's must get things going in order to meet the 2008 compliance deadline, noting that they are not shutting the doors on future options.

In response to a question from Councillor Sampson, Mr. Vanderhoeden indicated that they have completed one test well which had 60 gal/min, however there was a sodium influence and they have now chosen another spot for the second test well, on the advice of their engineer.

In response to a question from Councillor Sampson. Mr. Vanderhoeden indicated that they do expect a contribution from the Municipality and they have also submitted an application for Infrastructure Funding through the Province.

Warden Cotton indicated that he attended one of the meetings however he made it clear at the time that he was not representing the "County", but simply attended as Warden.

Warden Cotton agreed that there was never an agreement in principle to include both communities in a common system.

Warden Cotton indicated that this issue has not been brought to Council yet, noting that during the meetings with the mediator assigned by the Province, there was no talk of the well fields but rather they spoke of an upgrade to the current system, for a water treatment plant, estimated to cost \$3 million.

The CAO inquired how the estimates that were provided on the second morning had been arrived at.

Mr. Vanderhoeden indicated that their consultant, Mr. Martell, extracted some figures from the Dillon report; and Ms. Waller-Hebb indicated that the VSA costs appeared to be accurate. The facilitator and the provincial staff then "crunched the numbers", and provided the costing sheet that was distributed to everyone on the morning of December 20th.

The CAO noted that Service Nova Scotia staff had spent most of the afternoon of December 19th, providing municipal representatives with an outline of the water treatment plant proposal for Lake Beauvais.

The Village Commission representatives indicated that this proposal had never been discussed with the Service Nova Scotia staff, and had briefly been considered a couple of years before, but had been discarded because it was too expensive to build and operate.

Councillor Rankin indicated that the meeting with the facilitator seemed like a worthless exercise indicating that they asked for no information and recommended on the morning of day 2 that a stand alone system would be best for St. Peter's.

Mr. Wambolt from the Village Commission joined the meeting

Mr. Wambolt indicated that in their meetings with the facilitator, there was no mention of the water treatment plant option of Lake Beauvois, noting that the water from this lake is very expensive to treat.

Mr. Vanderhoeden indicated that of the 6 or 7 different scenarios they had prepared, the upgrade of the current system at Lake Beauvais was not included.

The CAO indicated that SNSMR regulates the Municipality as they would everyone else in the Province, noting that they have the authority/responsibility and they produced the financial breakdown that indicated that it would be preferable for the Village of St. Peter's to go on it's own.

Mr. Vanderhoeden noted that their application for Infrastructure Funding will be in the same pool of applications as the Municipality's.

Deputy Warden Martell commented that the long term figures should be examined, noting that sometimes the benefits are not always monetary.

Mr. Vanderhoeden indicated that they like to think they are working towards the best for everyone in the long term, noting that down the road all options are open.

Mr. Wambolt indicated that the intention of the facilitator was to bring the two communities together, where in actuality they brought them apart.

Warden Cotton indicated that he fears that neither project will get funded from the Infrastructure Fund, noting that the Municipality has submitted three applications, in case the Sampsonville project is rejected.

In response to a question from Deputy Warden Martell, Mr. Wambolt indicated that public meetings were held and the residents made it clear that they want to go on their own, noting that they want to own/operate their own system.

Councillor Johnson indicated that it is quite clear to her that the Village has no choice than to go on a stand alone basis, noting that the project is less expensive and allows some possibilities in the future, expressing that they are going in the right direction.

Councillor J. Boudreau indicated that he sees the potential to serve a greater number of residents of Richmond in one project, noting that the Village Commission have proved that they are able to manage the infrastructure, noting that he would still like to believe that the option is still open to service Sampsonville in one project.

Councillor J. Boudreau questioned how an application for Infrastructure funding could go through without a proven source of water.

Councillor J. Boudreau expressed concern that considering the close geographic location of the two projects he is afraid that the two projects will be declined.

Councillor J. Boudreau suggested that there be further work between the communities and more scenarios be worked out, questioning the Village Commission on how they could get back to the table, urging them to further meet and negotiate.

Councillor McNamara indicated that she agreed to forego the possibility of a sewage treatment plant for her district so that the issue of safe drinking water could be addressed, urging the Village Commission to give this project a second look.

Mr. Vanderhoeden indicated that he sees the project with St. Peter's as a beginning of a phased approach.

The CAO thanked the Village Commission for initiating the effort of communications by attending tonight's meeting and providing the presentation.

Notice of Motion - Councillor Sampson: to amend the Grants to Charitable Organizations Policy, attached as Appendix "A"

Moved by Councillor Sampson, seconded by Councillor Rankin that the Grants to Charitable Organizations Policy, attached as Appendix "A", be adopted as amended. Motion carried as amended.

Moved by Councillor J. Boudreau, seconded by Councillor S. McNamara that the motion be amended to reflect that Section 4, subsection 7 be amended by adding a sentence at the end of the clause; "Failure to approach Council with the financial information for the completed project, within the two year period following approval, will result in forfeiture of the grant approved by Council". Amendment carried.

Councillor J. Boudreau noted that he felt that the Committee of the Whole had agreed, regarding failure to apply to Council for funding for the completed project within two years, should clearly indicate that the outcome would be forfeiture of the approved grant.

Committee Reports

Deputy Warden Martell gave notice that he will introduce a motion at the next regular Council Meeting to adopt the Municipal District Fund \$17,000 Policy, as attached in Appendix "B".

Moved by Deputy Warden Martell, seconded by Councillor C. Boudreau that Council accept the recommendation of the Committee of the Whole and that the grant request in the amount of \$2,500 be approved for the Canso Causeway Anniversary Committee, conditional on the provision of required financial information. Motion carried.

Moved by Deputy Warden Martell, seconded by Councillor Rankin that Council accept the recommendation of the Committee of the Whole and that the resignation of Councillor Johnson be accepted and that a new representative be appointed to the Airport Committee. Motion carried.

Warden Cotton noted that Councillors who may be interested in becoming part of this Committee may approach him.

Moved by Deputy Warden Martell, seconded by Councillor J. Boudreau that Council accept the recommendation of the Committee of the Whole and that a representative of Richmond County be appointed to the Marketing Levy Committee and further moved that the Recreation Director be requested to contact other municipal units and determine their practice, with regard to this appointment. Motion carried

Moved by Deputy Warden Martell, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and that an Adhoc Committee for Strategic Planning be appointed comprised of three Councillors and one staff person and that Warden Cotton be given authority to appoint individuals to these positions, including the Committee Chairperson. Motion carried.

Moved by Deputy Warden Martell, seconded by Councillor McNamara that Council accept the recommendation of the Committee of the Whole and that an Adhoc Committee be established by Council, to be comprised of Council and staff representation, for the purposes of reviewing the Solid Waste By-Law and proposing amendments, if necessary. Motion carried.

Deputy Warden Martell gave notice that he will introduce a motion at the next regular Council Meeting to adopt the proposed protocol for solid waste collection services on certain private roads, based on the Solicitor's recommendation, as attached in Appendix "C".

Moved by Deputy Warden Martell, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that the computer purchase program be extended for a three year period. Motion carried.

Moved by Deputy Warden Martell, seconded by Councillor C. Boudreau that Council accept the recommendation of the Committee of the Whole and that the Warden be given

authority to approach the Councillor for the district or a Recreation staff person to serve on the East Richmond Education Centre School Steering Team. Motion carried

Moved by Deputy Warden Martell, seconded by Councillor Beaton that Council accept the recommendation of the Negotiating Committee, and of the Committee of the Whole, and that a two year settlement be approved with staff, commencing January 1, 2006, for a total two year salary increase of 7% effective January 1, 2006; and further moved that the settlement include a reopener clause applicable to the second year, if the annual Canadian consumer price index exceeds 3.5% for the period January 1 to December 31, 2006, with the difference to be adjusted to wages effective January 1, 2007. Motion carried.

Moved by Deputy Warden Martell, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that the invoice for the 2004 annual Pitu'paq contribution, in the amount of \$2,000 be approved. Motion carried.

Councillor J. Boudreau indicated that it must be made clear in the "Councillors District Activity Fund Policy - \$3,000" that after the two year window that all money will be "forfeited" to the applicant if the project is not completed.

Councillor McNamara indicated that the money from these unused allotments that are forfeited, should be referred back to general revenue.

Moved by Councillor J. Boudreau, seconded by Councillor McNamara that Council accept the recommendation of the Committee of the Whole and that the Solicitor be approached with respect to the recently adopted "Councillors District Activity Fund - \$3,000", for the purpose of providing options with respect to amending the provision in the By-Law that indicates that funding is not carried forward to future years, if unexpended by the Councillor. Motion carried.

Moved by Deputy Warden Martell, seconded by Councillor Sampson that the Committee of the Whole Report for the month of February 2006 be adopted as presented. Motion carried.

Correspondence

(a) Nova Scotia Assessment Management Board re: 2006/07 Budget for Assessment Services

The CAO reviewed the correspondence indicating that Richmond's Assessment Recovery for 2006/07 will be \$259,364; however these numbers are not finalized, because uniform assessment figures may change.

(b) Premier John Hamm re: Thank you

For information

(c) Sergeant Brian London re: Thank you

For information.

(d) Canadian Federation of Independent Business re: Cape Breton Marketing Levy

The CAO indicated that the CFIB is objecting to the process by which initial support for the Cape Breton Marketing Levy was determined, also posing a series of questions for Council to respond to.

Councillor MacPhee indicated that this issue has been receiving a fair amount of publicity noting that other municipal units have circulated correspondence indicating that Council seek more information on this issue, in particular the town of Port Hawkesbury and Victoria County.

Councillor MacPhee objected to the way support on this issue was determined; noting that the one room, one vote rule favoured the larger organizations.

Councillor MacPhee expressed displeasure with the way Destination Cape Breton surveyed businesses in Cape Breton, noting that businesses have indicated that they have not received surveys and had not been notified.

Warden Cotton indicated that the legislation on this issue has been passed but has not yet been proclaimed and the municipality would still be required to pass a by-law, in order to implement the levy, noting that until there is further information received Council should table this to the Committee of the Whole.

Councillor MacPhee indicated that Destination Cape Breton is already sending out registration packages to tourist organizations.

The CAO indicated that more information is required from the Province however the legislation must be proclaimed and then the municipality must seek legal advice on the process that the Municipality would have to go through to implement the levy, noting that there is a significant amount of work required that will take some time.

In response to a question from Councillor C. Boudreau, Councillor MacPhee indicated that businesses in Richmond are receiving these packages from Destination Cape Breton.

Moved by Councillor Rankin, seconded by Councillor C. Boudreau that Municipal Council direct that a letter be written to Destination Cape Breton, requesting information regarding their plans for implementing the marketing levy, and explain to them that the provincial legislation must be proclaimed, and a by-law adoption process must then be undertaken, which will take several months to fully implement. Motion carried.

Warden Cotton indicated that he will call Destination Cape Breton tomorrow and express Councils position.

Councillor McNamara indicated that she heard on CBC, Mayor McLean expressing his hesitance regarding the marketing levy.

The CAO indicated that it should be determined what neighbouring municipal units are doing in regards to this issue.

Councillor J. Boudreau indicated that businesses in Richmond should be notified of the Municipality's opinion and position on this issue.

Councillor Boudreau indicated that operators in Richmond should be copied on the letter to Destination Cape Breton

Councillor MacPhee indicated that Destination Richmond will not clean up the mess of Destination Cape Breton, indicating that it should be up to Destination Cape Breton to correct their wrong.

Councillor MacPhee suggested that a press release be prepared to notify operators.

It was agreed that the message that must get to tourism operators in Richmond is that the Provincial legislation enabling the marketing levy to be collected has not yet been proclaimed and until that time the Municipality will not be moving forward with its legislation.

Warden Cotton indicated that he will look into getting a list of the tourism operators in Richmond.

(e) Bras D'Or Stewardship Society re: Land use Planning, Bras D'Or Lake Watershed

Councillor McNamara requested that this item of correspondence be referred to the Planning Advisory Committee.

(f) Hon. Davis Morse re:

(i) Provincial Emergency Repair Program

Councillor Sampson expressed concern, indicating that it is about time to make representation on this issue with the new Minister and Premier, noting that there have been some improvements, however Richmond is still well below other regions.

(ii) Leaside Transition House Funding

For information.

(g) Department of Justice re: New Police Act Regulations

For information.

(h) Destination Richmond Tourism Co-Operative Ltd. re:

(i) Grant Request

Councillor J. Boudreau expressed concern that if this grant request is tabled until budget deliberations that a great opportunity will be missed, indicating that the Gros Morne tourism course takes place from February 28th to March 3rd.

In response to a question from Councillor J. Boudreau, the CAO indicated that he is not sure how much money is available in the recreation budget and he is not sure if the municipality would be eligible for the ACOA funding, noting that the Co-op should be applying for this rebate.

Councillor Rankin indicated that he would like to make a motion that the Municipality fund the Gros Morne course and that the money that was budgeted for Mr. Wall's position be used to fund this.

Warden Cotton indicated that he will not accept that motion.

In response to a question from the CAO, Councillor Rankin indicated that Destination Richmond was unable to apply for the funding from ACOA until the course is paid for.

The CAO indicated that he met with DRTC and Mr. Boudreau, noting that they requested that Destination Richmond apply for this funding at that time.

Moved by Councillor Rankin, seconded by Councillor Johnson that the Municipality of Richmond provide financial support to the Destination Richmond Tourism Co-Op for the "Gros Morne" tourism course, conditional on Destination Richmond Tourism Co-Op or the Municipality of Richmond receiving prior confirmation from ACOA/the Province of 60% to 80% recovery of the \$12,000 cost. Motion carried."

(ii) Additional Information

For information.

(iii) Information Requested

For information.

(i) Village of St. Peter's re: Request for Tax Exemption

Councillor Rankin noted that the medical centre did not only house health offices, but also the offices of the Village Commission.

Moved by Councillor Rankin, seconded by Councillor Rankin that this request be referred to Committee of the Whole, for budget deliberations. Motion carried.

(j) Richmond County Early Childhood Education Association re: Request for Tax Exemption

Moved by Councillor Rankin, seconded by Councillor C. Boudreau that this item be tabled to the Committee of the Whole for budget deliberations. Motion carried

(k) Inverness/Richmond Island Community Justice Society re: Family Violence Awareness Week

Moved by Councillor McNamara, seconded by Councillor MacPhee that Council declare the week of February 12-18, 2006 Family Violence Awareness Week. Motion carried.

(l) Industry Canada re: Capsite Funding

The CAO indicated that Industry Canada is responding to correspondence that was sent to them from Richmond Council requesting that funding for CAP sites be extended, indicating that they responded by saying that this will be noted and taken into consideration.

Councillor Boudreau indicated that CAP sites in neighbouring municipalities have changed to Community Work Sites, noting that they contract workstations to call centre work, noting that the Municipality should further look into this option for the CAP sites in Richmond.

Items added to the Agenda

There were no items added.

Fifteen Minute Question Period

Ms. Pauline Bona, operator of the L'Auberge Acadienne approached Council.

Ms. Bona indicated that she received a package from Destination Cape Breton regarding the Marketing Levy, noting that she is not objecting to the tax levy; however she is objecting to the manner in which input was gathered, namely the one room, one vote system, which is unfair to the smaller operators.

Ms. Bona indicated that she can foresee a decrease in bookings in Richmond because of this.

Ms. Bona indicated that in order to not lose business from a significant buyer she had to agree to swallow the 1.5% in order to retain their business, noting that they have indicated that they require a two year window to incorporate the increases.

Ms. Bona indicated that in the package from Destination Cape Breton it indicates that they will be performing audits of the operators, expressing her objection to this, indicating that she will not allow these people to come into her organization and go through her records.

Ms. Bona indicated that the Industry should be more involved in this process, noting that that of the 26 operators in Richmond 20 are uncomfortable with this.

Councillor J. Boudreau indicated that exemptions should be made if this legislation comes thorough, for foreign businesses to allow for time required to incorporate the increases in their rates.

Ms. Bona indicated that Destination Cape Breton has set up a meeting on Thursday at 10:00 a.m. in St. Peter's for operators to attend in order to assist them to complete the documentation in the packages.

Warden Cotton indicated that he will call Destination Cape Breton in the morning, expressing the Municipality's stance on this and if they still insist on holding this meeting, he will attend.

The CAO thanked Ms. Bona for her comments and indicated that the Municipality wants to represent what the Industry wants.

Mrs. Rosemary Burns, part owner of Bras D'Or Shores Resort, approached Council.

Mrs. Burns expressed her displeasure with the entire proceedings having to do with the room levy, questioning why tourist operators were not properly surveyed, noting that those businesses that were not surveyed did receive the package from Destination Cape Breton.

Mrs. Burns indicated that she brought this issue up with her accountant who was astounded with the package provided from Destination Cape Breton.

Mrs. Burns expressed concern that this legislation was railroaded through the House and they were not made aware of the opposition to the legislation, indicating that whole process was not done correctly.

Councillor Johnson noted that she received the video from Mrs. Marchand regarding the LNG plant, commenting that it was very well done, indicating that she has distributed to the "powers that be" at ECBC.

Adjournment

Moved by Councillor Rankin, seconded by Deputy Warden Martell that the meeting be adjourned. Motion carried.

There being no further business, Warden Cotton adjourned the meeting at 9:55 p.m.