

RICHMOND COUNTY MUNICIPAL COUNCIL

REGULAR MEETING

FEBRUARY 9, 2004

Location: Court House, Arichat

Warden Johnson 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.

Items Added to the Agenda

Warden Johnson indicated that Councillor MacNeil wished to add the St. Peter's Fire Department.

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

Review of Minutes: January 12, 2004

Moved by Councillor Beaton, seconded by Councillor Goyetche that the minutes of January 12, 2004 be adopted as presented. Motion carried.

Committee Reports

Deputy Warden Bourque presented the monthly report of the Committee of the Whole (copy attached).

Moved by Deputy Warden Bourque, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and of the Deputy Clerk Treasurer and sell Lot #12 in the Industrial Park to Mr. Albert Touesnard, at the appraised value of \$14,000; conditional on a two year time limit for development whereby the Municipality would have the option to purchase the land back for the sale price if development stipulations are not met. Motion carried.

Moved by Deputy Warden Bourque, seconded by Councillor Cotton that Council accept the recommendation of the Committee of the Whole and that:

(i) The amount that has been allotted to the Municipality's Infrastructure Projects since its inception be divided into two parts:

Part I would be eligible for water, wastewater management, subdivisions, trailer parks county wide and we would indicate to federal/provincial authorities that these areas are to be first allocated for federal/provincial/municipal infrastructure funding programs.

Part II would be eligible for community building for items such as sidewalks, waterfront and other development that the Municipality can contribute to under the M.G.A. These funds would be allotted on a district-by-district basis and could be used for Part I projects in that particular district.

Start up funding would be \$40,000 per district for a total of \$400,000. The balance in our total funds would remain for Part I projects.

(ii) Each year that the Municipality allot additional monies for the infrastructure fund, 50% would go to Part I funding and 50% to Part II (District) funds.

(iii) Staff would be asked to draft a policy for district fund spending.

(iv) Maximum funding for all capital projects is 50%.

Motion carried.

In response to a question from Councillor Boudreau requesting how funds will be distributed, the CAO indicated there is still a lot of groundwork to be done and that a policy will be developed and all information will go to Council for a decision.

Moved by Deputy Warden Bourque, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and that Richmond Municipal Council contribute \$100,000 towards the establishment of the new Civic Centre in Port Hawkesbury to be disbursed in amounts of \$10,000 per year, for a ten year period, with the first allotment to be paid in the 2003/2004 fiscal year. Motion carried (5-4; Nays - Councillors Boudreau, Goyetche, Beaton and MacPhee)

Deputy Warden Bourque requested from the Chair that he speak last on the motion.

Councillor Cotton indicated the mover has the right to speak first and last.

Councillor Bourque asked the Solicitor for ruling on the motion.

After Mr. MacDowell read Section 13(6) of the Rules of Debate, Warden Johnson agreed that Deputy Warden Bourque could speak last.

Moved by Councillor Goyetche that the ruling of the Chair be challenged because he felt that Deputy Warden Bourque should not speak last on this motion. There being no seconder, the motion was lost.

Councillor MacPhee indicated he felt that by challenging the chair, this will show a lack of confidence.

Councillor Boudreau noted that Councillors had all agreed at a recent informal quarterly Council session not to fund the Civic Centre, and noted he was absent at last week's meeting, but then read a newspaper article that the vote was 6-1 to provide funding. He indicated he has great difficulty in supporting this motion because our local arena and local halls continually struggle, and also because there is no agreement that stipulates the Municipality will not be required to fund the maintenance on the civic centre. He indicated meetings were held regarding regional tax sharing, and Warden Johnson had not been invited to attend. He noted he will not be supporting this motion.

Councillor Beaton indicated that although he strongly supports regional cooperation, he would not be supporting this motion because residents have made it quite clear that the needs are within their own communities and Richmond County. He noted the success of the Richmond Arena to date has been attributed to the large number of volunteers and their many hours of volunteer work. He noted many grant requests are received from non-profit organizations each year, and a lot of the times, Municipal Council are unable to entertain all requests. He indicated he feared the grant would impact our 1% total limit.

Councillor Sampson indicated he felt the decision to support this project should not be taken lightly because the immediate or direct benefit is hard to see presently. He noted this project has received tremendous community support by both businesses and industry and noted Council must consider partnership because of the social, cultural and recreation impacts of this project. He indicated that if it weren't for Port Hawkesbury, the Festival Project that he has been involved with for 31 years, would not have such a success story. He indicated he sees further growth for the Richmond Arena from the Civic Centre project. He indicated he feels that in order to encourage residents to settle in the Strait Area, Municipal Council must support endeavors such as the Civic Centre, and he indicated he fully supports this project.

Councillor Goyetche indicated he admires the Town of Port Hawkesbury for their initiative, but noted that Richmond Municipal Council did not solicit for financial assistance with the construction of our new municipal office facility. He indicated the Town of Port Hawkesbury has never provided our Council with a financial statement, and he noted that Stora Forest Industries, who is located in Richmond County, is a direct benefit to the Town of Port Hawkesbury. He indicated Richmond only received our fair share of Stora taxes in 1988, and also indicated that his district had to pay \$18.00 per foot for water and sewer. He noted he cannot justify giving \$10,000 per year for the next 10 years to the Town of Port Hawkesbury, when organizations within Richmond County so desperately need funding, and also the Congress Mondial, which will be taking place this

year. He noted cooperation does not mean dollars, and indicated the majority of the population in Richmond is a senior population on a fixed income, and cannot justify a tax increase. He indicated he doesn't see any benefits from supporting the civic centre and therefore he will not be supporting this motion.

Councillor Cotton indicated there is great pride in the commitment given to regional cooperation through the \$500,000 received from E.C.B.C. for oil and gas. He indicated the convention centre is a major component of the facility, which will have a net benefit to the residents of Richmond County. He noted there are not enough fixed beds for tourism, and Dundee have indicated they see a benefit for their facility from this project, and have indicated they will extend their season to accommodate events/conventions that will take place. He noted that one half of our taxes comes from the Industrial Park and he noted that many residents have indicated to him that they support this project and were encouraging Municipal Council to support it. Councillor Cotton indicated that the Municipalities of Antigonish, Mulgrave, Inverness and Guysborough have already supported this project, and he noted that he will be supporting this motion.

Councillor MacNeil indicated this topic has been ongoing at his workplace, noting the spirit of cooperation and regional cooperation, and he feels that the amount being recommended is reasonable. He noted that residents in his district have expressed their support for this project, and he indicated he will be supporting this motion.

Warden Johnson indicated this project is not a direct benefit for her district, but indicated she sees this project to be a direct benefit for the whole county. She indicated she felt it would look bad if Municipal Council stepped back at this point with all other municipal units supporting the project, and she indicated she would be supporting the motion.

Councillor MacPhee questioned if the Town of Port Hawkesbury were still interested in tax sharing or regional cooperation. He noted the Municipality has been forced to tax share with the Town of Port Hawkesbury (i.e. Stora/fire services for Point Tupper/etc.). He indicated he felt that the civic centre would bring in more business to Port Hawkesbury businesses/hotels, but wonders how much business will come to Richmond. He noted there always exists the threat of annexation. He noted he fears there will be operational costs in the future, whereby they will indicate that Municipal Council must provide funding for operational costs, because it supported the project from the onset. He indicated he would not be supporting this motion.

Deputy Warden Bourque indicated he felt it was important to continue to entice new development, expand our tax base and create new jobs. He noted this civic centre will be a tremendous positive tool for our oil & gas office staff when organizing meetings/conferences, while exploring new opportunities, and promoting Point Tupper to new companies and their employees. He noted that approximately \$4.5 million out of the \$8.5 million collected in taxes comes from our heavy industrial park in Point Tupper. He noted these industries see much promise in what this facility will mean to their respective employees. He noted Richmond presently has the second lowest residential rate in the province, and indicated he felt it was important to support this project because 53% of

our annual street light costs of approximately \$280,000 is being paid by our commercial taxpayers in Point Tupper, and noted it is now time that Municipal Council support their cause and beliefs by helping to potentially expand our tax base. He indicated he fully supports this motion.

Councillor MacPhee gave notice that he wished to propose a motion at the next meeting, with the motion being that the decision on the grant for the Civic Centre funding would be reconsidered.

Several Councillors suggested that this did not conform with accepted rules on conduct and proceedings of meetings.

The Warden requested information from the Solicitor.

The Solicitor referred to the By-Laws, indicating that he would need some time to provide advice, if that is what is being requested by Council or the Chair.

The CAO noted that the By-Law referred to, regarding Council process, is partly based on the old Council system of meeting once or twice a year (in annual session and sometimes semi-annual session).

The CAO suggested that the meeting continue with the Committee of the Whole Report, and that a five minute recess take place after the correspondence items.

Moved by Deputy Warden Bourque, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and that the former L'Ardoise School property be appraised and that the Municipality enter into discussions with the East Coast Credit Union Ltd., as to how the Municipality could assist them with their project of constructing a new Credit Union in West L'Ardoise, and that findings be reported back to Council. Motion carried.

Warden Johnson opened the floor to nominations for the appointment of a Council member to replace Deputy Warden Bourque on the Board of the Strait-Highlands Regional Development Agency, in accordance with the recommendation of Committee of the Whole.

Several Councillors suggested that the Warden be authorized to select a Member, based on Councillors who express an interest on serving on the Board (Councillor Bourque noted that the difficulty was in the Board holding their meetings during day time working hours).

Councillor Cotton expressed his interest as serving as the municipal representative on the Strait-Highlands R.D.A.

Councillor MacPhee expressed his interest as serving on the Strait-Highlands R.D.A.

Warden Johnson indicated that she would open the floor to Councillors who are properly nominated by Council, because of the interest of more than one Councillor.

Councillor Cotton was nominated by Councillor Steve Sampson (seconded by Councillor MacNeil).

Councillor MacPhee was nominated by Councillor Goyetche (seconded by Councillor Beaton).

Moved by Councillor Boudreau, seconded by Councillor MacNeil that nominations cease. Motion carried.

Warden Johnson requested that staff provide ballots to each Councillor, and report the results to her.

Warden Johnson received the report from the CAO, and indicated that Councillor Cotton had been elected to serve as the Municipal Representative on the Strait-Highlands Regional Development Agency.

Moved by Deputy Warden Bourque, seconded by Councillor MacNeil that the monthly report of the Committee of the Whole be accepted as presented. Motion carried.

Correspondence:

(a) Nova Scotia Utility & Review Board re: Nova Scotia Power Inc. – Complaint Filed by Annapolis Group Inc.

(b) C.J.F.X. re: FM Service

The CAO noted that was in response to our letter regarding the weak signal being received in Richmond County. He noted the correspondence notes the recent switch over of CJFX Radio from a combined AM/FM service to a strictly FM service, and they advise that they will be looking at installing a broadcast repeater in areas that experience reception problems.

(c) U.N.S.M. re: General Agreement on Trade in Services

The correspondence indicates that FCM is actively working on this issue through its Standing Committee on Finance, and the U.N.S.M. have requested an update.

(d) Service Nova Scotia & Municipal Relations re: Municipal Election 2004

The CAO indicated that the correspondence summarizes the changes that have occurred in the Municipal Elections Act since the last election. He noted the first step is to appoint a Returning Officer, which is now being advertised. The C.A.O. also noted that the

Province was requiring municipalities to have a second issue on the October election ballot, that being a plebiscite on Sunday shopping.

Several Councillors noted that a decision would be required regarding the method of preparing the list of electors, and all Councillors noted the difficulty with utilizing a permanent federal or provincial register, or the list that they used in the last election.

The CAO indicated that it would be difficult to “match” the federal or provincial enumeration with our municipal districts.

Moved by Councillor Beaton, seconded by Councillor Boudreau that Richmond Municipal Council indicate to the Returning Officer that the enumerations for the October, 2004 Municipal Elections in Richmond County are to be carried out by a local enumeration, rather than the use of federal or provincial lists. Motion carried.

(e) Department of Environment & Labour re: Sprinkler Requirements

Moved by Councillor Goyetche, seconded by Deputy Warden Bourque that the correspondence be forwarded to the Rural Cape Breton District Planning Commission, for their information. Motion carried.

(f) Office of the Minister of Fisheries & Oceans re: Acknowledgement

(g) Rural Cape Breton District Planning Commission re: 2004/05 Budget

The CAO indicated the Commission is required to submit their budget to the Municipality by January 15th each year.

(h) St. Francis de Sales C.W.L. re: Bullying in Richmond County Schools

Councillor MacPhee indicated this is an education issue.

The CAO indicated he is not aware of any legislation passed.

Councillor Boudreau indicated that the Strait Regional School Board is presently working on a policy regarding bullying in schools.

(i) Isle Madame Historical Society re: Funding Request

(j) East Richmond ATV Riders re: Grant Request

(k) Eastern Regional Help Line re: Grant Request

Moved by Councillor Beaton, seconded by Councillor MacPhee that the requests from the Isle Madame Historical Society; the East Richmond ATV Riders and the Eastern Regional Help Line be referred to the Committee on grant requests. Motion carried.

(1) Smoke-Free Nova Scotia re: National Non-Smoking Week

Item Added to the Agenda

(i) Councillor MacNeil re: St. Peter's Fire Department

Councillor MacNeil read a letter received from Mr. Wilf Cude (copy attached) expressing his appreciation and gratitude for the services offered by the St. Peter's Fire Department in using their pumper truck to recharge dry wells, due to excessive drought and excessive winter chill.

Warden Johnson indicated that she would recess the meeting for a few minutes at 8:30 p.m., in order to provide her with time to review the relevant municipal by-law regarding the timing of the notice of motion to reconsider.

Warden Johnson reconvened the meeting at 8:40 p.m. and indicated that she had reviewed the relevant by-law, and received advice.

Warden Johnson noted that Councillor MacPhee had given notice of a motion to reconsider the issue of the grant to the Civic Centre, and the motion was not to debate the grant again, because this would occur at the next meeting; if the notice of motion to reconsider the issue was successful.

Warden Johnson indicated that the by-law was unclear, and her decision was that the notice of the motion to reconsider should be carried out at the conclusion of this meeting, and if the motion were successful, then the item of the grant to the Civic Centre would be debated, again, at the next Council Meeting.

Moved by Councillor MacPhee, seconded by Councillor Goyetche that Richmond Municipal Council reconsider the motion regarding funding to the Port Hawkesbury Civic Centre. Motion lost (7-2; Nays – Councillor Cotton, Councillor Sampson, Councillor MacNeil, Deputy Warden Bourque, Warden Johnson, Councillor Beaton, Councillor Boudreau).

Fifteen Minute Question Period

There were no questions.

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

There being no further business, Warden Johnson adjourned the meeting at 8:45 p.m.