

RICHMOND COUNTY MUNICIPAL COUNCIL
THIRD ANNUAL SESSION OF THE 46TH COUNCIL

JUNE 18, 2007

Location: Council Chambers, Municipal Office

Warden Boudreau 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.

Warden Boudreau indicated that Councillor Sampson was not present, due to illness in the family.

Items Added to the Agenda

Warden Boudreau indicated that the CAO wished to add additional information regarding the MLA presentation; Councillor Cotton wished to add UARB hearings regarding Council Boundaries; he wished to add a request for participation in the Cape Breton Marketing Plan and a reminder of the three month travel claim procedure; and Deputy Warden McNamara wished to add a short statement of information regarding the wastewater management in Evanston.

Councillor Rankin requested and received unanimous consent to add grant requests from Camp Rankin, MacAskill House Museum and the St. Peter's Lions Club for funding from the Municipal District Fund - \$17,000; and a grant request from the Village on the Canal Association for funding from the Councillors' District Activity Fund - \$3,000.

Moved by Councillor Johnson, seconded by Councillor Martell that the items added be accepted as presented. Motion carried (unanimous).

Review of Minutes: May 14, 2007

Moved by Councillor Beaton, seconded by Deputy Warden McNamara that the minutes of May 14, 2007 be adopted as presented. Motion carried.

Presentations and/or Delegations:

(a) Development Isle Madame re: CED Officer Funding Proposal/Update on Isle Madame Focus Sessions

Councillor Martell declared a conflict of interest indicating he is an employee of Development Isle Madame, and he left his seat during the presentation by Development Isle Madame.

Warden Boudreau welcomed Mr. Joel Bowen to the meeting.

Mr. Bowen addressed Council on behalf of Development Isle Madame and requested that Municipal Council support DIMA's application/proposal to Enterprise Cape Breton for funding.

A question and answer period followed.

Moved by Councillor Cotton, seconded by Councillor Boudreau that a letter be written to Enterprise Cape Breton Corporation, expressing Municipal Council's support regarding Development Isle Madame's application/proposal to Enterprise Cape Breton Corporation which requests funding for a Development Officer position. Motion carried.

Warden Boudreau thanked Mr. Joel Bowen for his presentation.

(b) Michel Samson, MLA re: Industrial Mall Office Space

Warden Boudreau welcomed Mr. Michel Samson, MLA to the meeting.

Mr. Samson addressed Council regarding his industrial mall office space/rental arrears, indicating that he was not in arrears on his past rent, as alleged by staff; and he criticized senior staff.

A question and answer period followed.

Warden Boudreau noted that a recent Committee of the Whole Meeting had adopted a motion that the CAO be authorized to handle the outstanding issues regarding the MLA's office rental and arrears.

The consensus of Council was that the motion of Committee of the Whole regarding this issue be confirmed, and that the CAO be authorized to handle the issues regarding the MLA's office rental.

Warden Boudreau thanked Mr. Samson for his presentation.

First Reading Approval - Deputy Warden McNamara: to give First Reading Approval to the amendments to By-Law #17, Solid Waste Management By-Law, as recommended by the Adhoc Solid Waste By-Law Review Committee, attached as Appendix "A"

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Richmond Municipal Council give First Reading approval to amend By-Law #17, Solid Waste Management By-Law, as recommended by the Adhoc Solid Waste By-Law Review Committee, attached as Appendix "A". Motion carried.

Notice of Motion – Deputy Warden McNamara: to establish a policy that will guide staff and Council with regard to the manner in which the Municipality will respond to requests for conveyance of roads in the Gillies subdivision, attached as Appendix "B".

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Richmond Municipal Council adopt the Conveyance of Gillies Subdivision Streets Policy (attached as Appendix "B"), as a policy of the Municipality. Motion carried.

Reports:

(a) Committee of the Whole re: Estimates/Tax Rates/Other

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

Councillor Martell declared a conflict of interest indicating his employer, Development Isle Madame, is listed as being recommended for receiving grant funding, and he left his seat during voting and discussion of this item.

Councillor Beaton declared a conflict of interest indicating his employer, Strait Area Transit Cooperative Ltd., is listed as being recommended for receiving grant funding, and he left his seat during voting and discussion of this item.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that the following grant requests be approved:

- \$2,500 to Cape Breton Crime Stoppers Association
- 1,000 to Cape Breton Help Line
- 2,000 to Development Isle Madame Association (Eco Trail Maintenance)
- 4,875 (plus \$7,725 from last year) to Development Isle Madame Association
(Core funding)
- 1,500 to Isle Madame Historical Society
- 920 to Isle Madame Tourism and Trade Association
- 5,000 to Leaside Society
- 1,000 to Oceanview Wildlife Museum
- 1,000 to Point Tupper Heritage Association (museum)
- 12,600 to Richmond County Early Childhood Education Assoc.
- 25,000 to Richmond County Literacy Network
- 5,000 to Petit De Grat Beautification Society
- 2,000 to Strait Richmond Health Care Foundation

3,500 to Village on the Canal Association
16,360 to Strait Area Alternative Transportation Project
5 000 to Red Caps Baseball Team

\$89,255

Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that the grant request from the Fourchu Development Association be approved in the amount of \$5,000 and that funds be taken from the Municipal District Fund - \$17,000 for District #10. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Martell that Council accept the recommendation of the Committee of the Whole and that the grant request from the Petit De Grat Beautification Society for renovations to the cemetery grounds be approved in the amount of \$3,000 and that funds be taken from the Municipal District Fund - \$17,000 for District #2. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Martell that Council accept the recommendation of the Committee of the Whole and that the following grant requests be approved:

- Red Caps Baseball Club - \$1,200 to be taken from the Councillors' District Activity Fund - \$3,000 for District #2
- Red Caps Baseball Club - \$6,000 to be taken from the Municipal District Fund - \$17,000 for District #2
- Little Anse/Samson's Cove Social Action Centre - \$7,000 to be taken from the Municipal District Fund - \$17,000 for District #2

Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Beaton that Council accept the recommendation of the Committee of the Whole and that the grant request from the D'Escousse Civic Improvement Society be approved in the amount of \$200 and that this money be taken from the Councillors' District Activity Fund - \$3,000 for District #3. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that the grant request from the River Bourgeois Community Services Society in the amount of \$6,000 be approved pending the additional information required is received by Friday June 15th and that the application meets the requirements of the Policy and is deemed complete by staff and that this money be taken from the Municipal District Fund - \$17,000 for District #7. Motion carried.

The CAO indicated that staff had confirmed that this grant application was satisfactorily completed.

Moved by Deputy Warden McNamara, seconded by Deputy Warden McNamara, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that the grant requests from the Loch Lomond Presbyterian Church for \$2,500 and the Grand River Presbyterian Church for \$6,700 be approved pending the additional information required is received by Friday June 15th and that the application meets the requirements of the Policy and is deemed complete by staff and that this money be taken from the Municipal District Fund - \$17,000 for District #10. Motion carried.

The CAO indicated that staff had confirmed that this grant application was satisfactorily completed.

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Council accept the recommendation of the Committee of the Whole and proceed with the proposed Memorandum of Understanding (copy attached) with Destination Richmond Tourism Cooperative. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and of the Vested Property Clerk and that the Municipality tender the removal of the building that is part of the Estate of Bernadette Babin in District #2, which was acquired as a tax sale property. Motion carried.

Deputy Warden McNamara gave notice that she will introduce a motion at the next regular Council Meeting that a “No Idle” policy for municipal vehicles be implemented.

Deputy Warden McNamara gave notice that she will introduce a motion at the next regular Council Meeting that a “Hands-Free” cellular phone policy be implemented and apply to all municipal staff.

Moved by Deputy Warden McNamara, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that the MLA be permitted to listen to the audio tapes from the May 28th Committee of the Whole Meeting; and further moved that members of the public requesting access to audio tapes from Council/Committee of the Whole Meetings, be permitted to do so for regular meetings (but not “In-Camera”), conditional on the individual having a direct interest in the topic discussed. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Council accept the recommendation of the Committee of the Whole and that those staff that have capacity for lateral movement on their salary scale be provided with a 2.5% merit increase for the current year. Motion carried.

Deputy Warden McNamara gave notice that she will introduce a motion at the next regular Council Meeting to amend the personnel policy regarding vacations, to provide

that staff will not be permitted to defer more than two weeks of vacation in total, with staff who currently exceed the two week deferment to be given a two year period to reduce their deferment to two weeks or less (i.e. prior to December 31, 2009), and with the understanding that unused vacation in excess of two weeks will not be considered or compensated for by the employer (after December 31, 2009).

Moved by Deputy Warden McNamara, seconded by Councillor Martell that Council accept the recommendation of the Committee of the Whole and that the following area rates be approved for the 2007-08 fiscal year:

- St. Peter's Volunteer Fire Department - 11¢
- West Bay Road and District Volunteer Fire Department - 10¢
- L'Ardoise and District Volunteer Fire Department - 16¢
- Isle Madame Volunteer Fire Department - 11¢
- Louisdale and District Volunteer Fire Department - 10¢
- Grand River Volunteer Fire Department - 15¢
- Loch Lomond Volunteer Fire Department - 12¢
- Framboise-Fourchu Volunteer Fire Department - 15¢
- District #10 Volunteer Fire Department - 15¢
- Louisdale Sidewalks - 10¢
- District #2 - 4¢
- District #4 - 5¢
- St. Peter's Village Commission – collect whatever rate they establish conditional of them providing their rate to the Municipality prior to August 1, 2007

Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Boudreau that Council accept the recommendation of the Committee of the Whole and give approval to the municipal estimates of revenues and expenditures for the year ending March 31, 2008 in the amount of \$11,004,002 (copy of budget attached as Appendix "A");

AND FURTHER MOVED THAT WHEREAS pursuant to the Municipal Act, the Municipal Council of the Municipality of Richmond estimates that sums amounting to \$7,662,400 are required for the lawful purpose of the said Municipality for the year ending March 31, 2008, after crediting the probable revenue from all sources other than rates for the said year and making due allowance for the abatement and losses which may occur in the collection of the taxes and for taxes for the said year which may not be collectible or collected;

BE IT THEREFORE RESOLVED that Richmond Council hereby authorizes the levying and collection of a residential rate of .68¢ on each \$100 of the assessed value of residential property assessed on the assessment roll and a commercial rate of \$1.57; which rates said Council deems sufficient to raise the sums required to defray the expenditures of the said Municipality for this year, and any deficit from the preceding years;

AND BE IT FURTHER RESOLVED that Richmond Council hereby imposes an additional percentage charge of 18 percent per annum on all rates and taxes remaining unpaid.

AND BE IT FURTHER RESOLVED that Richmond Council hereby fixes the 30th day of September, 2007 as the day on which the Tax Collector or Treasurer may proceed to issue warrants for the collection of all rates and taxes then unpaid. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Cotton that Council accept the recommendation of the Committee of the Whole and that the request of the Richmond Housing Corporation (former Richmond Villa property), the St. Peter's Lion's Club (Big Pond Boat Builders) and Michael Sampson (Teralee Bird), be approved and that the Municipality convey the requested portions of Gillies subdivision streets to them in the form of quit claim or confirmatory deeds, and that the authorization be conditional on the property owners agreeing and complying with the terms of the policy on conveyance of Gillies subdivision streets, to be approved by Council on June 18th. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and approve a \$60,000 contribution to the Strait Highlands RDA for their e-business project. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Martell that Council accept the recommendation of the Committee of the Whole and that Warden Boudreau, Councillor Martell and Councillor Rankin be appointed to represent Municipal Council on the DRTC/County Tourism Board. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that Deputy Warden McNamara serve as the alternate representative of Richmond Council on the Pitu'paq Committee. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Boudreau that Council accept the recommendation of the Committee of the Whole and that the road name change request presented for changing the "Lower Road" in Arichat to "Veterans Memorial Scenic Route", or alternate for 9-1-1 purposes "Veterans Way", be approved and that the change be passed on to the District Planning Commission and Department of Transportation for processing. Motion carried.

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

(b) Clerk re: Annual Report

The CAO reported on another successful year for the Municipality (copy of annual report attached).

Moved by Councillor MacPhee, seconded by Councillor Rankin that the Clerk's annual report be accepted as presented. Motion carried.

(c) Planning Advisory Committee

Deputy Warden McNamara presented the monthly report of the Planning Advisory Committee (copy attached).

Councillor Rankin requested and received unanimous consent to hold the Public Hearing regarding the St. Peter's Plan Area Municipal Planning Strategy and Land Use By-Law and the September Council Meeting in St. Peter's (at a location to be determined by Councillor Rankin).

Moved by Deputy Warden McNamara, seconded by Councillor Boudreau that Council accept the recommendation of the Planning Advisory Committee and give First Reading approval to the St. Peter's Plan Area Municipal Planning Strategy and Land Use By-Law (attached as Appendix "A"), with the exception of the re-zoning request for lot PID # 75114728; and further moved that Council establish a Public Hearing date of 6:30 p.m., September 10, 2007 in St. Peter's. Motion carried.

Annual Appointments:

(a) Signing Officers

Moved by Councillor Johnson, seconded by Councillor Martell that Municipal Council appoint the Warden, the CAO and the Deputy Clerk Treasurer (alternate) as signing officers for the Municipality. Motion carried.

Moved by Deputy Warden McNamara that all Council representatives be re-appointed to the Committees they currently serve. Deputy Warden McNamara withdrew her motion after several Councillors indicated they were no longer interested in serving on some of these Committees.

Councillors Rankin and Councillors Boudreau withdrew their names from the Heritage Advisory Committee.

Councillor Martell withdrew his name from the Planning Advisory Committee.

Warden Boudreau indicated the Richmond/Port Hawkesbury Joint Development Commission has not met in the past 2½ years.

(b) Representative – Eastern Counties Regional Library Board

Moved by Councillor Boudreau, seconded by Councillor Johnson that Councillor Rankin be re-appointed as the Council representative on the Eastern Counties Regional Library Board. Motion carried.

(c) Heritage Advisory Committee (3 Councillors)

Moved by Councillor Cotton, seconded by Deputy Warden McNamara that the Heritage Advisory Committee be referred to Committee of the Whole, in order to determine its future. Motion carried.

(d) Eastern District Planning Commission (2 Councillors)

Moved by Councillor Rankin, seconded by Councillor Cotton that Municipal Council re-appoint Councillor Beaton and Deputy Warden McNamara as the Council representatives on the Eastern District Planning Commission. Motion carried.

(e) Representative – Strait Regional Airport Committee

Moved by Councillor Martell, seconded by Councillor Boudreau that Municipal Council re-appoint Councillor Rankin as the Council representative on the Strait Regional Airport Committee. Motion carried.

(f) Planning Advisory Committee (5 Councillors)

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Municipal Council appoint Deputy Warden McNamara, Councillor MacPhee, Councillor Boudreau, Councillor Johnson and Council Rankin as the Council representatives on the Planning Advisory Committee. Motion carried.

(g) Richmond/Port Hawkesbury Joint Development Commission (Warden plus 2 Councillors)

Moved by Councillor Cotton, seconded by Deputy Warden McNamara that the Richmond/Port Hawkesbury Joint Development Commission be referred to the Committee of the Whole, in order to determine its future. Motion carried.

Correspondence:

(a) Hon. Barry Barnet re: New Leadership Program

Moved by Councillor Rankin, seconded by Councillor Martell that the Recreation Adhoc Committee be authorized to proceed with an application for funding from the Department of Health Promotion and Protection through the Municipal Physical Activity Leadership Program. Motion carried.

(b) Nova Scotia Utility and Review Board re:

- (i) Village of St. Peter's/Municipality of the County of Richmond Water Project

Moved by Councillor Rankin, seconded by Councillor Cotton that Municipal Council authorize staff to make application to the Nova Scotia Utility and Review Board to create a new water utility, including rates, regulations, etc. for the area to be served by the St. Peter's and Samsonville area water system; and further moved that staff be authorized to engage the resources necessary to carry out the study and calculations, etc. Motion carried.

- (ii) Application for Licensed Premises, St. Louis Pastoral Council

(c) Department of Justice re: R.C.M.P. Services Budget

(d) Strait-Highlands Regional Development Agency re: FCM Green Funds

Councillor Beaton declared a conflict of interest indicating his son is employed with the Strait-Highlands Regional Development Agency, and he left his seat during discussion of this item.

(e) Eastern Counties Regional Library Board re: Travel Expenses for Representatives

Moved by Councillor MacPhee, seconded by Councillor Martell that a letter be written to the Eastern Counties Regional Library confirming that the Municipality will reimburse travel expenses for the Council representative to attend their Board Meetings. Motion carried.

Items Added to the Agenda

(1) CAO re: Additional information regarding the MLA Presentation

The CAO indicated he had provided the information discussed at the May 28th Committee of the Whole Meeting, together with correspondence that had been exchanged with the MLA, for information purposes.

(2) Councillor Cotton re: UARB Hearings re: Council Boundaries

Councillor Cotton advised Council of his intention to make a personal appearance at the UARB Hearings regarding Council Boundaries, because the Council presentation includes two districts outside the maximum 25% variance.

(3) Warden Boudreau re:

- (i) Request for Participation in Cape Breton Marketing Plan

Moved by Councillor Rankin, seconded by Councillor Johnson that a letter be written to Enterprise Cape Breton Corporation, expressing Municipal Council's support for the concept of a generic marketing plan and strategy for Cape Breton Island. Motion carried.

Moved by Councillor Cotton, seconded by Councillor Johnson that the meeting proceed beyond 10:00 p.m. Motion carried.

(ii) Reminder of 3 month travel claim procedure

Warden Boudreau reminded Councillors of the three month travel claim procedure and requested that claims be submitted by the end of June.

(4) Deputy Warden McNamara re: Short statement of information regarding wastewater management, Evanston

Deputy Warden McNamara briefed Council on the proposed wastewater management project for the community of Evanston.

(5) Councillor Rankin re: Grant Requests from Camp Rankin, MacAskill House Museum and the St. Peter's Lions Club for funding under the Municipal District Fund - \$17,000; and grant request from the Village on the Canal Association for funding under the Councillors' District Activity Fund - \$3,000

Moved by Councillor Rankin, seconded by Deputy Warden McNamara that the following grants be approved, with funds to be taken from the Municipal District Fund - \$17,000 for District #8:

- Camp Rankin - \$5,000.00
- MacAskill House Museum - \$9,709.00
- St. Peter's Lions Club - \$6,050.25

AND FURTHER MOVED that the following grant be approved, with funds to be taken from the Councillors' District Activity Fund - \$3,000 for District #8:

- Village on the Canal Association - \$1,400.00

Motion carried.

The CAO indicated that staff had confirmed that these grant applications were satisfactorily completed.

Fifteen Minute Question Period

Mr. Doug Landry thanked Municipal Council for the four grants approved by Council this evening for District #8.

Mr. Lorenzo Boudreau requested that Municipal Council observe one minute of silence in memory of the Late Margot Landry, and Municipal Council observed one minute of silence in her memory.

Mr. Michel Samson, MLA indicated that the Property Assessment Bill was passed which capped assessments at CPI.

Moved by Councillor Boudreau, seconded by Deputy Warden McNamara that the meeting be adjourned. Motion carried.

There being no further business, Warden Boudreau adjourned the meeting at 10:10 p.m.