

RICHMOND COUNTY MUNICIPAL COUNCIL

REGULAR MEETING

SEPTEMBER 10, 2007

Location: St. Peter's Fire Hall, St. Peter's

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

Warden Boudreau asked everyone to remain standing to observe one minute of silence for the Late Austin Nickerson, a former Councillor.

The Clerk took roll call of Councillors.

Items Added to the Agenda

Warden Boudreau indicated that Councillor Boudreau wished to add Community Service Recognition and recognition of "Continuing Care" Month and the CAO wished to add French Legion of Honor to Robert Pettigrew. Warden Boudreau indicated that Councillor Johnson had requested to add drinking water county-wide, but has requested that this request be removed, pending further research.

Councillor Boudreau requested and received unanimous consent to add recognition for the "Come Glow With Us" Campaign.

Moved by Councillor MacPhee, seconded by Councillor Rankin that the items added be accepted as presented. Motion carried (unanimously).

Review of Minutes: (a) June 18, 2007 (Annual Session)

(b) July 17, 2007 (Special Council)

Moved by Councillor Beaton, seconded by Deputy Warden McNamara that the minutes of June 18, 2007 (Annual Session) and July 17, 2007 (Special Council) be adopted as presented. Motion carried.

Presentations/Staff Reports:

(a) Executive Director, Eastern District Planning Commission re: Annual Report

Mr. John Bain summarized his annual report, which had previously been distributed to Councillors; and gave a quick overview of the 2006/07 fiscal year (copy attached).

A question and answer period followed.

Warden Boudreau thanked Mr. Bain for presenting his annual report.

(b) CAO/Deputy Clerk Treasurer re: MLA Presentation

The CAO and the Deputy Clerk Treasurer addressed Council as a result of the MLA presentation to the June 18th Annual Session regarding his rent arrears and several other issues, which contained many accusations about Council and personal accusations regarding senior staff. Mr. Digout and Mr. MacDonald provided Council with information relating to the MLA's accusations and also audited information confirming the MLA's rental arrears.

Moved by Councillor MacPhee, seconded by Councillor Johnson that Richmond Municipal Council go on record as having complete support and confidence in Stewart MacDonald and in Louis Digout. Motion carried.

Notice of Motion – Deputy Warden McNamara: to amend the Personnel Policy Regarding Vacations (attached as Appendix “A”)

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that the Personnel Policy regarding vacations be amended 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). Motion carried.

Second Reading Approvals:

(a) to amend By-Law #17, Solid Waste Management By-Law, as recommended by the Adhoc Solid Waste By-Law Review Committee, attached as Appendix “B”

The CAO indicated that the Solicitors had drafted wording to provide clarity regarding penalties, and requested that they address Council to brief Council on these amended changes.

Ms. Lindsay MacDonald summarized Section 17 (Prohibited Deposit); Section 18 (Prohibited Dumping); Sections 46-49 (Offences and Penalties); and Sections 50 & 51 (Payment in Lieu of Prosecution), which relate to housekeeping changes made to provide clarity to the proposed amended By-Law #17.

Moved by Councillor Sampson, seconded by Councillor Martell that Municipal Council adopt the amendment to By-Law #17, Solid Waste Management By-Law, as outlined by the Solicitor (copy attached). Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Municipal Council give Second Reading approval to amend By-Law #17, Solid Waste Management By-Law, as recommended by the Adhoc Solid Waste By-Law Review Committee, to include the adopted amendment in the previous motion. Motion carried. (Ayes: Deputy Warden McNamara, Councillors Boudreau, Beaton, Martell, MacPhee, Rankin, Sampson and Johnson; Nay: Councillor Cotton).

(b) to approve the St. Peter's Plan Area Municipal Planning Strategy and Land Use By-Law, attached as Appendix "C"

Moved by Deputy Warden McNamara, seconded by Councillor Boudreau that Municipal Council give Second Reading approval to adopt the St. Peter's Plan Area Municipal Planning Strategy and Land Use By-Law, with the exception of the rezoning request for Lot PID # 75114728. Motion carried.

Committee Reports

(a) Committee of the Whole

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

Moved by Deputy Warden McNamara, seconded by Councillor Sampson that Council accept the recommendation of the Committee of the Whole and that the basic recommendations of the Richmond Arena Business Plan be accepted by Council, including the transfer of the Richmond Arena to the Municipality of Richmond, and the establishment of a contract as outlined by staff between the Richmond Arena Commission and the Municipality, to the effect that the Arena Commission will operate the rink on a contract basis for Municipal Council; and further moved that the actual arrangement arrived at with the Richmond Arena Commission be referred to Council for final approval. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor Martell that Council accept the recommendation of the Committee of the Whole and that correspondence be sent to the Arichat Recreation Committee indicating that the Municipality will be reviewing further their request for assistance with the skateboard park, and that this will require some time because skateboard parks are facilities that are perceived as involving significant risks, and also noting that the skateboard park is constructed, owned and operated by the Arichat Recreation Commission, who advised Council a few weeks ago that they are unable to secure insurance. Motion carried.

Councillor Martell declared a conflict of interest indicating that his son is involved with the Arichat Recreation Commission, 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 bill of \$639 from the Ladies Auxiliary for the DIMA event, with regards to the businessmen's dinner be paid. Motion carried.

Councillor Martell declared a conflict of interest indicating he is an employee of Development Isle Madame, and he left his seat during voting on this item.

Moved by Deputy Warden McNamara, seconded by Councillor Rankin that Council accept the recommendation of the Committee of the Whole and that the request for sponsorship from SPEDO for the businessman's dinner be approved to a maximum of \$1,512. Motion carried.

Moved by Deputy Warden McNamara, seconded by Councillor MacPhee that Council accept the recommendation of the Committee of the Whole and that Council appoint Councillor Clair Rankin (District Councillor), Darrin McLean (Director of Public Works), and a third representative to be named by the Samsonville Water Committee; and that these three individuals be the municipal representatives on the Board of Directors of the St. Peter's, Samsonville and Area Water Utility. 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 grant request from DIMA be approved in the amount of \$394.98, and that funds be taken from the Councillors District Activity Fund \$3,000 for District #1. Motion carried.

Councillor Martell declared a conflict of interest indicating he is an employee of Development Isle Madame, and he left his seat during voting on this item.

Moved by Deputy Warden McNamara, seconded by Councillor Cotton that Council accept the recommendation of the Director of Public Works and the Committee of the Whole and that the contract for the Evanston water storage tank valve replacement be awarded to C.J. MacLellan at a cost of \$9,700, plus taxes. Motion carried.

Councillor MacPhee requested that it be duly noted that he felt Consultant Engineers should be unionized.

Moved by Deputy Warden McNamara, seconded by Councillor Cotton that Council accept the recommendation of the Committee of the Whole and that the proposal of G.A. Isenor Consulting Ltd. be accepted, for carrying out a water rate study for the Richmond County water utility. 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 Municipality agree to taking the "lead" role in the application for federal/provincial infrastructure funding for purposes of purchasing the capital equipment by the Strait Area Transit Cooperative, estimated at \$191,000;

AND FURTHER MOVED that Municipal Council provide agreement that the Richmond County share will be acknowledged as a portion of our federal/provincial infrastructure funding allotment;

AND FURTHER MOVED that the municipal agreement is contingent on the Transit Cooperative providing the funds for the one-third local share, and the other three municipal units involved agreeing to this arrangement. Motion carried.

Councillor Beaton declared a conflict of interest indicating he is an employee of the Strait Area Transit Cooperative, and he left his seat during voting on this item.

Moved by Deputy Warden McNamara, seconded by Councillor Johnson that Council accept the recommendation of the Committee of the Whole and that the Municipality of Richmond consent to the assignment to Eastlink of the broadband contract between RuSh and the Municipality of Richmond; conditional on Eastlink providing written confirmation that they will fulfill the terms of the broadband contract regarding reporting, audit, oversight etc. Motion carried.

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

Correspondence:

(a) Cape Breton Marketing Levy:

- (i) E.C.B.C. re: Appointment
- (ii) CBRM re: Support
- (iii) Destination Cape Breton re: Marketing Strategy

It was the consensus of the Council members that the correspondence from Destination Cape Breton regarding the marketing strategy be placed on the agenda for a Committee of the Whole Meeting, prior to the next Council Meeting.

(b) Department of Environment & Labour re:

- (i) Environmental Registry on Line – Phase I
- (ii) Herbicide Spraying

(c) Hon. Jamie Muir re:

- (i) Arichat/Petit De Grat Water Facility – Backup Power Supply Project
- (ii) Evanston Valve Chamber Replacement – Richmond Water Utility

(d) Department of Transportation & Public Works re:

- (i) Bicycle Route Signs Installed on Provincial Highways
- (ii) Road Name Change, Lower L'Ardoise

(iii) Road Name Change, Lower Road, Arichat

Moved by Councillor Boudreau, seconded by Councillor Beaton that a letter be written to the Department of Transportation indicating that Richmond Municipal Council wish to change the name of Lower Road in Arichat (District #1), to “Veterans Memorial Drive”. Motion carried.

(e) Town of Port Hawkesbury re: Alternate Airport Council Appointment

Moved by Councillor Cotton, seconded by Councillor Rankin that the Warden appoint an alternate Council member to serve on the Airport Committee. Motion carried.

(f) Canadian Radio-television and Telecommunications Commission

(g) Warden Lloyd Hines, Chair, Property Services Valuation Corporation re: Cap Regulation Change

(h) Strait Richmond Health Care Foundation re: Letter of Support

Moved by Deputy Warden McNamara, seconded by Councillor Cotton that a letter be written to the Strait Richmond Health Care Foundation indicating Municipal Council’s support in the initiative that the Foundation is undertaking to raise funds to purchase a Direct Digital X-Ray unit for the Strait Regional Hospital. Motion carried.

Items Added to the Agenda

(1) Councillor Boudreau re:

(i) Community Service Recognition

Moved by Councillor Boudreau, seconded by Councillor MacPhee that Richmond Municipal Council recognize September 23, 2007 as “Lorna George Day” in Richmond County, and that an appropriate form of tangible recognition be presented on September 23, 2007. Motion carried.

(ii) Recognition of “Continuing Care” Month

Moved by Councillor Boudreau, seconded by Councillor Martell that Richmond Municipal Council recognize the month of September as “Continuing Care Month” in Richmond County. Motion carried.

(iii) “Come Glow With Us” Campaign

Moved by Councillor Boudreau, seconded by Councillor Johnson that Richmond Municipal Council support the initiative of the “Come Glow With Us” Campaign and efforts of recognizing/saluting caregivers, and all individuals affected by the Alzheimer

disease, by encouraging Richmond County residents to shine a light (Christmas lights or outside lights) at 8:00 p.m., October 1, 2007. Motion carried.

(2) CAO re: French Legion of Honor to Robert Pettigrew

Moved by Councillor MacPhee, seconded by Councillor Johnson that Richmond Municipal Council acknowledge Mr. Robert Pettigrew's award of the French Legion of Honor Medal, which is France's highest military award; and provide Mr. Pettigrew, who is a distinguished World War II Veteran, community volunteer and leader, with an appropriate recognition award for his achievements. Motion carried.

Fifteen Minute Question Period

Mrs. Rosemary Burns commented on negotiations regarding the marketing levy, and the request to appear before Council in June, 2006.

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

There being no further business, Warden Boudreau adjourned the meeting at 9:20 p.m.