

**MUNICIPAL COUNCIL
MONDAY, SEPTEMBER 12, 2011
1:30 P.M.**

A meeting of Municipal Council of the County of Inverness was held on Monday, September 12, 2011, at 1:30 p.m. at the Court House in Port Hood with the following in attendance:

Warden Duart MacAulay
Deputy Warden Gloria LeBlanc
Councillor Susan Mallette
Councillor Jim Mustard
Councillor Dwayne MacDonald
Councillor Daniel Boudreau

Staff: Joe O'Connor, CAO
Eveylena Gillis, Council Recorder

Media: Bill Dunphy, Inverness Oran
Matt Raper, Reporter
Kerri Penney, The Hawk

CALL TO ORDER

Warden MacAulay called meeting to order at 1:35 p.m.

APPROVAL OF MINUTES

Moved by: Councillor Dwayne MacDonald
Seconded by: Deputy Warden Gloria LeBlanc
Carried.

That the minutes of the Municipal Council meeting of July 4, 2011, be approved.

BUSINESS ARISING FROM MINUTES

Page 1 - Presentation by Derek MacLellan - Garrett Beaton reported that the tenders for Meat Cove will be closing on Thursday, September 15th.

Page 3 - Residents of Banks Road - Water Connection - Joe O'Connor reported that the residents on Banks Road, Inverness, have all been connected to the new water service.

PRESENTATION BY CECIL CASHIN - STRAIT AREA GROUND SEARCH & RESCUE

Warden MacAulay welcomed Cecil Cashin who provided information on the Strait Area Ground Search & Rescue. Mr. Cahsin advised that they have been in existence for thirty years and have approximately 80 members. Mr. Cashin reviewed their coverage area which includes several areas in Inverness County.

The Strait Area Ground Search & Rescue is requesting that the County designate them as an emergency service provider which will then qualify them for Provincial and Federal grants and funding.

Mr. Cashin also advised that they are registered with the Project Lifesaver Association of Nova Scotia and have purchased the necessary equipment to assist Project Lifesaver clients who are at risk of wandering.

Moved by: Councillor Dwayne MacDonald
Seconded by: Councillor Susan Mallette
Carried.

That the Strait Area Ground Search & Rescue be classified as an Emergency Services Provider for the County of Inverness in accordance with the Municipal Government Act.

PRESENTATION BY CINDY BRITTEN - COME GLOW WITH US CAMPAIGN

Warden MacAulay welcomed Cindy Britten who provided information on the "Come Glow With Us Campaign" which is a worldwide campaign started in 2006.

This campaign is in recognition of the thousands of primary caregivers around the world who give of their time and compassion to ease the journey of those they love, many of who have long term illnesses.

Ms. Britten asked that the Warden and Councillors spread the word for constituents to place a string of Christmas lights somewhere prominent and turn them on at 8pm on October 1st in remembrance of primary caregivers.

COMMITTEE REPORTS

POLICY MEETINGS

Moved by: Deputy Warden Gloria LeBlanc
Seconded by: Councillor Susan Mallette
Carried.

Resolved that the minutes of the Policy Committee meetings of July 21 and

September 7, 2011, be approved and that the recommendations made to Council therein, and the motions passed therein are hereby adopted, approved and passed by Council.

Page 3 - Noise By-Law - Councillor Dwayne MacDonald advised that he was in contact with the Province and their Noise By-Law does not cover around the clock pulp cutting in a residential area.

Page 1 - E.D. MacKinnon Trucking - Councillor Jim Mustard reported that he wrote a letter to the Premier's aid but has received no response and he has been unable to contact Mr. MacKinnon.

AUDIT COMMITTEE

Moved by: Councillor Daniel Boudreau
Seconded by: Councillor Dwayne MacDonald
Carried.

Resolved that the minutes of the Audit Committee meeting of July 21, 2011, be approved and that the recommendations made to Council therein, and the motions passed therein are hereby adopted, approved and passed by Council.

Page 1 - Strait Area Transit Funding Request - Deputy Warden Gloria LeBlanc questioned whether the Transit group in Cheticamp would be eligible for the per capita funding the County provided to the Strait Area Transit. Mr. O'Connor will investigate whether this group is eligible for funding.

COMMUNITY DEVELOPMENT COMMITTEE

Moved by: Councillor Dwayne MacDonald
Seconded by: Councillor Jim Mustard
Carried.

Resolved that the minutes of the Community Development Committee meeting of July 21, 2011, be approved and that the recommendations made to Council therein, and the motions passed therein are hereby adopted, approved and passed by Council.

CORRESPONDENCE

TRANSPORTATION & INFRASTRUCTURE RENEWAL

An update was received from Transportation & Infrastructure Renewal with respect to the

upgrading of the Port Hastings Rotary which is still in the planning and design process.

CONTINUING CARE MONTH

Moved by: Deputy Warden Gloria LeBlanc
Seconded by: Councillor Susan Mallette
Carried.

That the month of September be declared "Continuing Care Month".

EXCESS FEDERAL PROPERTY - PETIT ETANG

Correspondence was received from Public Works & Government Services with respect to the disposal of excess Federal Property - staff houses (2) and garage in Petit Etang.

Moved by: Councillor Daniel Boudreau
Seconded by: Councillor Susan Mallette
Carried.

That Public Works & Government Services be advised that the County has no use for this Excess Federal Property in Petit Etang.

TAX WRITE-OFF

The following tax account was provided from the tax department for write-off:

Dist #2, Acct #03044904 - Karen Michelle Chapman & Duane Richard Tingley in the amount of \$202.98 plus interest (house damaged in flood).

Moved by: Deputy Warden Gloria LeBlanc
Seconded by: Councillor Daniel Boudreau
Carried.

That the tax account as provided be approved for write-off.

TRANSPORTATION & INFRASTRUCTURE RENEWAL COST SHARED AGREEMENT - HIGH ROAD - PORT HOOD

Joe O'Connor advised that he received the cost shared agreement with the Dept. Of Transportation & Infrastructure Renewal for their contribution to the cost of the storm sewer system on the High Road in Port Hood to a maximum of (\$15,000).

Moved by: Councillor Susan Mallette

Seconded by: Councillor Dwayne MacDonald
Carried.

That the Warden and the CAO be authorized to sign Construction Agreement No. 2011-005 for the installation of four catch basins and ditching along the new sidewalk on High Road in Port Hood.

TRANSPORTATION & INFRASTRUCTURE RENEWAL - COST SHARED AGREEMENT - J CLASS STREETS

Joe O'Connor advised that the current three year agreement for the paving of J Class subdivision street expires in March, 2012, and a copy of the new three year agreement was received for approval.

Moved by: Councillor Susan Mallette
Seconded by: Councillor Dwayne MacDonald
Carried.

That the three year (2012-2015) cost shared agreement with Transportation & Infrastructure Renewal for paving of J Class subdivision streets be approved.

MOUNTAIN VIEW ROAD

Garret Beaton advised that a survey was carried out with the residents of Mountain View Road with respect to the paving of their road. Of the surveys returned only one resident was in favour of paving therefore no paving will be carried out.

TEMPORARY BORROWING RESOLUTION

Moved by: Councillor Jim Mustard
Seconded by: Councillor Dwayne MacDonald
Carried.

That a Temporary Borrowing Resolution and the issuing of a debenture in the amount of 1 million dollars subject to the approval of the Minister of Service Nova Scotia and Municipal Relations for the purpose of water systems be approved.

PETITIONS AND RESOLUTIONS

STORM SEWAGE REVIEW - INVERNESS

Councillor Jim Mustard requested that a review be carried out of the storm sewage system in Inverness and in particular on John Campbell's property.

INVERNESS PLAN REVIEW

Moved by: Councillor Jm Mustard
Seconded by: Councillor Susan Mallette
Carried.

That a request be forwarded to the Eastern District Planning Commission for a review of the Inverness Plan Area.

MARBLE MOUNTAIN SIGNAGE

Councillor Dwayne MacDonald asked that a request be forwarded to Transportation & Infrastructure Renewal for a Marble Mountain sign in English and Gaelic.

ROAD NAME CHANGE

Moved by: Councillor Dwayne MacDonald
Seconded by: Councillor Jim Mustard
Carried.

That the enclosed request received from the residents of "Fox Road" located in New Town for road to be named "Mildred's Lane" be forwarded to the Eastern District Planning Commission and Transportation & Infrastructure Renewal for approval.

ROAD NAME CHANGE

Moved by: Councillor Dwayne MacDonald
Seconded by: Councillor Susan Mallette
Carried.

That the request received from the residents of "Chisholm Road" and "MacLean Road" located in Long Point for road to be named "Chisholm-MacLean Road" be forwarded to the Easter District Planning Commission and Transportation & Infrastructure Renewal for approval.

RESOLUTION TO REMOVE ILLEGAL SIGNAGE FROM PORT HASTINGS PLAN AREA, PURSUANT TO PORT HASTINGS PLAN AREA BY-LAW

Councillor Dwayne MacDonald presented the following resolution:

Whereas : The Municipality of the County of Inverness asked the people of the Port Hastings Plan Area to give of their time, and energy to develop a plan for their community, and,

Whereas: The members of the Port Hastings Advisory Committee freely gave their time to do the same, and,

Whereas: The Municipality of the County of Inverness endorsed their plan for the Port Hastings Plan Area in the form of By-Laws, and,

Whereas: Part 6, Section 1, subsection (b) of the Port Hastings Plan Area By-Law states, "No sign shall be erected without obtaining a development permit from the Municipal Development Officer," and,

Whereas: Part 6, Section 5, of the Port Hastings Plan Area By-Law states, "Notwithstanding signs which do not conform with provisions of Sections 6, 7, 8, and 9 of this Part, the following signs shall not be permitted in any zone," and,

Whereas: Part 6, Section 5, subsection (m) of the Port Hastings Plan Area By-Law states, "Signs not related to any business or use located on the lot or premises," and,

Whereas: Part 6, Section 5, subsection (g) the Port Hastings Plan Area By-Law states, "Any sign which no longer advertises a bona fide business conducted, or a product sold," and,

Whereas: Part 6, Section 4, subsection (e) of the Port Hastings Plan Area By-Law states, "Signs erected by a government body, or under the direction of such body, and *bearing no commercial advertising*, such as traffic signs, railroad crossing signs, safety signs, signs identifying public schools, or public election lists," and,

Whereas: Part 6, Section 2, subsection (b) of the Port Hastings Plan Area By-Laws states, "All signs and all parts thereof shall be kept in a good state of repair and maintenance," and,

Whereas: More than 30 signs have been erected in the Port Hastings Plan Area without permit, (Part 6, Section 1, subsection (b)), and,

Whereas: Two of these signs have been erected for, or by, a neighbouring municipal government and bear commercial advertising, (Part 6, Section 4, subsection (e)), and said signs no longer advertise a bona fide business conducted, or a product sold (Part 6, Section 5, subsection (g)), and

Whereas: The remaining sign from the neighbouring municipality, while allowed under Part 6, Section 4, subsection (e), is in a state of obstruction, and disrepair, (Part 6, Section 2, subsection (b)) and,

Whereas: The people of Port Hastings feel that they were asked to perform a fruitless task, because the Municipality of the County of Inverness has failed to keep it's commitment to the people of the Port Hastings Plan area, by failing to enforce the Port Hastings Plan Area By-Law,

Be It Resolved: That the Municipality of the County of Inverness enforces the Port Hastings Plan Area By-Law. That the following actions be taken:

1. That the District Planning Officer send notice to all offenders, notifying them of their breach of the By-Law, along with a copy of the By-Law, and the Part, Section, and Subsection of the By-Law of which they are in breach, and demanding compliance within a 30 day period, and
2. That any sign in breach of the By-Law after the 30 day period be removed by the Municipality of the County of Inverness' Public Works Dept. as a priority, without delay, and,
3. That notice be posted on the Municipality of the County of Inverness' website, and printed for two consecutive weeks in local, regional, and provincial newspapers, advertising of the intention of the Municipality of the County of Inverness to rigorously enforce the Port Hastings Plan Area By-Law; that any sign erected in violation of the Port Hastings Plan Area By-Law will be removed after 30 days without notice, and,
4. That after this notice is given on the Municipality of the County of Inverness' website, and in local, regional, and provincial newspapers, any signs erected in violation of the Port Hastings Plan Area By-Law be removed without notice, as a priority, and without delay by the Public Works Dept. of the Municipality of the County of Inverness, after thirty days.

Moved by: Councillor Dwayne MacDonald

Seconded by: Councillor Susan Mallette

Carried.

1 Nay Vote (Warden MacAulay)

That the previous resolution as put forward by Councillor Dwayne MacDonald be approved.

DEPARTMENT OF NATURAL RESOURCES

Moved by: Councillor Susan Mallette

Seconded by: Councillor Dwayne MacDonald

Carried.

1 Nay Vote (Warden MacAulay)

That a letter be forwarded to the Dept. Of Natural Resources in appreciation of their work carried out in the Mabou, Whycocomagh, and Lake Ainslie Provincial Parks.

DEPARTMENT OF TRANSPORTATION & INFRASTRUCTURE RENEWAL

Moved by: Councillor Susan Mallette
Seconded by: Councillor Dwayne MacDonald
Carried.

That correspondence be forwarded to the Dept. Of Transportation requesting that paving on Route 19 from Civic #964 - Civic #3601 be added to the priority list for the upcoming year.

ADVENTURE TOUR - CAPE BRETON

Deputy Warden Gloria LeBlanc provided information with respect to an adventure tour across Cape Breton Island which was to include various destinations on the western side of Cape Breton Island. Deputy Warden LeBlanc was advised that the itinerary was changed and several tours in the Margaree area previously scheduled were cancelled.

Deputy Warden LeBlanc questioned why these tours were cancelled and whether it was Destination Cape Breton that changed the itinerary.

Moved by: Deputy Warden Gloria LeBlanc
Seconded by: Councillor Susan Mallette
Carried.

That correspondence be forwarded to Destination Cape Breton requesting an explanation as to why the previously scheduled tours in the Margaree area were cancelled.

MARGAREE VOLUNTEER FIRE DEPARTMENT

Deputy Warden Gloria LeBlanc advised that the Margaree Volunteer Fire Dept. are in the process of replacing their tanker truck and are requesting a loan guarantee in the amount of \$170,305.50 from the County.

Moved by: Deputy Warden Gloria LeBlanc
Seconded by: Councillor Jim Mustard
Carried.

That a loan guarantee in the amount of \$170,305.50 be approved for the Margaree Volunteer Fire Department for the purpose of purchasing a new tanker truck.

ROAD NAME CHANGE

Moved by: Councillor Jim Mustard
Seconded by: Councillor Susan Mallette
Carried.

That "Unnamed Road" located in Inverness be named "Cabot Lane" as approved by the Eastern District Planning Commission.

Council adjourned for a five minute break.

Warden MacAulay called meeting back to order at 3:15 p.m.

A motion was made by Councillor Mustard, seconded by Councillor MacDonald that Council adjourn to "In Camera".

A motion was made by Councillor Boudreau, seconded by Councillor Mallette that Council re-convene to "Open Council".

RECOMMENDATION S OF "IN CAMERA"

There were no recommendations from "In Camera".

ADJOURNMENT

With no further business to discuss, Warden MacAulay adjourned meeting.

CLERK

WARDEN