

Municipality of the County of Inverness
Committee of the Whole Meeting
Thursday, September 16th, 2021
9:30 am
Council Chambers

MINUTES

Council: Deputy Warden Bonny MacIsaac
Councillor Alfred Poirier
Councillor John MacLennan
Councillor Lynn Chisholm
Councillor Catherine Gillis

Regrets: Warden Laurie Cranton

Staff: Keith MacDonald, CAO
Christine Murray, Manager of Legal and Governance
Debbie Nicholson, Administrative Assistant to Council
Tanya Tibbo, Director of Finance
Karolyn Aucoin, Communications and Community Engagement Specialist
Donna MacDonald, Director of Tourism and Culture
Chestley Carr, Director of Public Works
Charlotte MacDonald, Manager of Recreation

1. CALL TO ORDER

Deputy Warden MacIsaac called the meeting to order at 9:30 am and welcomed all in attendance. Roll call was taken. Acknowledgement was made that the land on which we gather is located in the ancestral and unceded territory of the Mi'kmaq people.

2. APPROVAL OF AGENDA

MOTION: *That the agenda be approved as presented.*
MOVED BY: Councillor Gillis
SECONDED BY: Councillor Poirier
MOTION CARRIED

3. PRESENTATION: Dale MacNeil, Bell Aliant

Dale MacNeil participated in today's Regular Meeting via Video Conference to address questions and concerns of Council. Of particular concern was the lengthy power outages that occurred in April of 2021 and the resulting loss of land line telephone service. Mr. MacNeil indicated that all batteries in cabinet locations were tested, and any found operating at or below 80% were

replaced. Scotsville and Mason's Point were two locations that experienced loss of land line service and both of these locations had batteries replaced. Other technical issues were addressed through an upgrade to a Fiber connection during the month of May. Fiber Op projects are planned for various locations throughout the County in the near future. Deputy Warden MacIsaac suggested inviting a Bell Representative to future meetings of Council, perhaps every three months or so.

4. STAFF REPORTS

(a) Water and Wastewater Operations, Chestley Carr

Monthly highlights in water/wastewater operations unit include the temporary installation of production well # 8 in Inverness and the completion of hauling water to service Inverness, tree clearing near the Whycocomagh Water Treatment Plant, and water leak detection and repair in the villages of Port Hood and Inverness. Multiple projects are ongoing including SCADA upgrades, lift station control panel replacements, and the Inverness PW8 project. Multiple meetings within the department and with external partners continue.

(b) Infrastructure Unit, Ellen Murphy

Monthly highlights include the employment of seasonal labourers within the Infrastructure Unit. Water, sewer and asphalt repairs continue. Water and wastewater facility repairs and maintenance are ongoing. Additional projects include lawn maintenance, streetlight repairs, JCB skid steer repair, and serving prep work. Multiple water line repairs are planned for the fall of this year. Action items resulting from monthly Occupational Health and Safety meetings are being addressed. Multiple meetings within the department and with external partners continue.

(c) Operations and Occupational Health and Safety, Erin Gillis

Final stages of the ReCollect app development is nearing completion with the education and communication phases coming soon. The Clean Foundation Student has completed her work term with the Municipality. A household hazardous waste drop off is being scheduled for October. The scale house operator position has been posted. Waste education initiatives continue, with site audits, visits to public spaces, and an online campaign. There are many additional projects underway within the Kenloch and Strathlorne facilities. Multiple meetings within the department and with external partners continue.

(d) Environmental Compliance, Trudy Gillis

Trudy Gillis was absent from today's meeting and did not submit a report.

(e) Department of Finance, Tanya Tibbo

Recent highlights for the Department of Finance include the 2021 Audit, Tax Collection, and Provincial Reports. Ongoing projects and tasks include cash receipting, Neptune updates, accounts payable, water arrears collection, name and address changes, mail distribution, telephone reception, land inquiries, RFP administration, water meter install and replacement, tax certificates, deposits, invoicing, payroll updates, customer inquiries, arrears notices, payroll, deposits, meter install, inspection and replacements, HST rebates and returns and pension and benefit plan administration. Multiple meetings within the department and with external partners continue.

(f) Department of Tourism and Culture, Donna MacDonald

Monthly highlights include the Judique Branding project, Promotional Video, and Cape Breton Island Year of Music celebration in 2022. Ongoing projects include Margaree, Judique and Whycocomagh Brand and signage projects, the We'koqma'q Skye River Trail project, the Gypsum Mine Trail project, the Welcome Network, Judique Brand and Streetscapes, and the Coastal Experiences Wayfinding Signage. Multiple meetings within the department and with external partners continue.

(g) Department of Recreation, Charlotte MacDonald

Preparation has begun for the Fall Programming Season, with events such as Multi Sport, a Fall Hike Series, and Biking Buddies events being planned. The Physical Activity and Recreation Master Plans are ongoing. The Walking Wednesdays Walking Group will soon be launched in Port Hood. The Cape Breton University Basketball Clinics were held in Inverness recently. Multiple projects are ongoing, and funding applications are being prepared for future initiatives. Meetings within the department and with external partners continue.

(h) Special Projects, Melanie Beaton

Special Projects continues to advance the work of cross functional internal teams, in partnership with various consultant teams, stakeholders and regulatory bodies. Multiple projects within various Municipal Water and Wastewater facilities are ongoing. The Sanitary Sewer and Water Main Replacement Project from Strathlorne to Inverness has begun. Department staff are participating in training through the Sustainable Energies Program and Asset Management and Governance. Multiple community projects are in progress. Meetings within the department and with external partners continue.

5. PRESENTATION: Emily Pond, Office of Regulatory Affairs and Service Effectiveness

The Office of Regulatory Affairs and Service Effectiveness, (the "Office"), together with the Cape Breton Regional Municipality, the Town of Port Hawkesbury, and Inverness, Richmond and Victoria Counties have partnered to make it easier for Island businesses to start, operate and expand. With financial support from the Department of Municipal Affairs and Housing and with the help of the Cape Breton Partnership, a high-level review of all by-laws was completed.

Businesses across Cape Breton can now quickly and easily access the most up-to-date municipal By-laws online.

With support from the Office, participating municipalities, along with the Town and County of Antigonish, were awarded funds to create and harmonize municipal planning strategies and land-use bylaws by the Department of Municipal Affairs. This funding will position municipalities to align approaches and better serve businesses and residents alike. The Business Satisfaction and Red Tape Reduction survey asks business owners about their experiences with the Municipality regarding permits, customer service and timeliness. The information collected can inform the next stage of the Regulatory Modernization Pilot.

6. VENDING BY-LAW: DISCUSSION OF PUBLIC HEARING SUBMISSIONS

Concerns and questions were raised through submissions received at the August 5th Public Hearing for the Vending By-Law. As a result of these questions and concerns municipal staff has provided responses and recommendations.

MOTION: *That Council take a five minute break at 10:42 am to research a policy regarding recording of Council proceedings.*

MOVED BY: Councillor Chisholm

SECONDED BY: Councillor Gillis

MOTION CARRIED

Council resumed at 10:50 am

(a) Criminal Record and Vulnerable Sector checks

Recommendation that no changes be made in the Vending By-Law to the requirement for applicants to provide a Criminal Record check and a Vulnerable Sector check when applying for a Vending Permit.

Recommendation that that the language in the Vending By-Law be changed at Section 16.3(r) from *“a Criminal Record/Vulnerable Sector Check report”* to *“a Criminal Record check and a Vulnerable Sector check”* to clarify that these are two separate reports.

Recommendation that that Section 16.3(r) of the Vending By-Law be revised to require the Criminal Record check and Vulnerable Sector check *be dated within 30 days of the date of the application.*

(b) Fire Inspection

Recommendation that no changes are made to the Fire Inspection sections of the Vending By-Law, found at Article 9.

(c) Location and Planning

Recommendation that the underlined language below be added to Section 8.2 of the Vending By-Law:

8.2 In reviewing an application for a Permit, the Permit Administrator will provide a copy of the application to the Eastern District Planning Commission. If an Applicant has already applied for and/or obtained a development permit for a particular location through Eastern District Planning Commission, then Eastern District Planning Commission will advise the Permit Administrator.

(d) Site Plan Clarification

Recommendation that the term “site plan” at Sections 16.3(m) and (n) of the Vending By-Law be removed and replaced with the language underlined below:

(m) if the Applicant is proposing to Vend on Private Property owned by the Applicant:

- i. a detailed description of the Private Property identifying the civic number and specific parcel(s) of land including a site plan(s) diagram or sketch of the location. Each site plan diagram or sketch of the location shall show the area to be utilized by the Applicant in the operation of the business, ingress and egress, and the location of all buildings on the property. The diagram or sketch should include measurements and be to scale;

(n) if the Applicant is proposing to Vend on Private Property not owned by the Applicant:

- i. a detailed description of the Private Property identifying the civic number and specific parcel(s) of land including a site plan(s) diagram or sketch of the location. Each site plan diagram or sketch of the location shall show the area to be utilized by the Applicant in the operation of the business, ingress and egress, and the location of all buildings on the property. The diagram or sketch should include measurements and be to scale;

(e) Fair Competition

Recommendation to change the special event permit section of the Vending By-Law to allow for Vendors to vend past 10:00 pm for special events, with the permission of the Permit Administrator. The following language is suggested:

13.20 An Applicant intending to Vend at a special event such as a festival, private occasion, or wedding in the Municipality must hold a Permit issued pursuant to this By-Law. Such a Permit may allow the Permit Holder to Vend later than 10:00pm as long as the Permit states the time when the Vendor must stop Vending on the

date(s) of the special event. The Applicant must meet all other requirements of the Vending By-Law in order to be eligible for a Permit.

13.21 The Permit Administrator is authorized to determine the time when the Vendor must stop Vending during a special event.

13.22 If the Applicant does not already hold a Permit for the location of the special event, then the Applicant must pay the Municipality the special event fee set out in the "Vending Permit Fees Policy", as amended from time to time.

13.23 If the Applicant does not already hold a Permit for the location of the special event, any Permit issued for such a special event must include:

- (a) the date(s) for which it is valid;
- (b) the date of expiry; and
- (c) the time when the Permit Holder must stop Vending.

13.24 If a Permit Holder already holds a Permit for the location of the special event, then the Permit Holder does not need to pay the additional special event fee set out in the "Vending Permit Fees Policy", as amended from time to time.

13.25 If a Permit Holder already holds a Permit for the location of the special event and wishes to Vend later than 10:00pm during the special event, then the Permit Holder must submit a written request to the Permit Administrator in advance of the special event, asking to Vend later than 10:00pm on the particular date(s) of the special event. In this circumstance, the Permit Administrator may issue an additional Permit to the Vendor for the special event, stating:

- (a) the date(s) for which it is valid;
- (b) the date of expiry; and
- (c) the time when the Permit Holder must stop Vending.

(f) Advertising and Signage

Recommendation to remove Section 20.1(e) of the Vending By-Law, which states:

- (e) install more than one portable sign advertising the Mobile Unit or Non-Mobile Unit. The portable sign shall be placed within 3.5 metres of the location of the Mobile Unit or Non-Mobile Unit, shall be no more than 1 metre high and no more than 0.6 metres in width, and shall have surfaces and finishes that are well maintained;

(g) Exemptions from the Vending By-Law

Recommendation that no changes be made to the exemptions listed in Section 6.5 of the Vending By-Law.

(h) Permit Expiration

Recommendation that no changes be made to the Vending By-Law regarding the date for expiration of Vending Permits.

(i) Fees

Recommendation that no changes be made to the fees for Vending Permits set out in the Vending Permit Fees Policy.

(j) Providing Notice

Recommendation that no changes be made to the Vending By-Law that would require the Municipality to provide notice of a Vending Permit being issued.

(k) Concern received after the Public Hearing

Recommendation that no changes be made to the Vending By-Law that would permit an exception to the requirement to obtain a development permit during an extreme weather event.

(l) First Reading

Recommendation that Council approve First Reading of the Vending By-Law as presented in today's Council Package at the October 7th Regular Meeting of Council.

7. NATIONAL DAY FOR TRUTH AND RECONCILIATION – SEPTEMBER 30, 2021

Recommendation that the Municipality observe September 30th as a statutory holiday following the provisions of the Federal and Provincial guidelines.

8. J CLASS ROADS 2022-2023 SUBMISSION

Councillors were asked to provide their list of three priority J Class Roads for improvements in advance of the October 7th Regular Meeting.

9. VACANCY FOR ACCESSIBILITY ADVISORY COMMITTEE

Recommendation to advertise the current vacancy on the Municipal Accessibility Advisory Committee and to approve the following requirements:

1. One (1) member of the public must be appointed to the Accessibility Advisory Committee, for a term of three (3) years;
2. Must be at least 18 years of age;
3. Must be a resident of the Municipality of the County of Inverness for at least the last six (6) months before making an application and must continue to be a resident of the Municipality throughout the term of the appointment;
4. Must not be ineligible for an appointment pursuant to the Municipality's *Public Appointment Policy*;
5. All members of the Accessibility Advisory Committee shall serve without pay; and
6. The Accessibility Advisory Committee must meet at least six (6) times per year, or otherwise as needed to fulfill its duties.

The deadline for submissions will be November 19th, 2021 at 4 pm.

10. CHARITABLE TAX EXEMPTION

Recommendation to Council to approve a charitable tax exemption for the Mabou Hall Committee of \$3,280.20 for assessment account number 02636506 for the 2021 and 2022 fiscal years. In addition, it is recommended that interest on this account be written off in the amount of \$84.87.

11. CORRESPONDENCE

- **Eastern District Planning Commission** – August 2021 Building Permit Statistics were included in today's Council Package
- **Little Spirits Society of Cape Breton – Global Wave of Light Event**

Recommendation to Council to support this initiative with the following:

- i. Purchase of Lights and hosting the Lighting Ceremony at the Municipal Building on October 15, 2021;
- ii. The use of Council Chambers for the October 15 event in the event of inclement weather; and
- iii. Promotion of the Event by the Municipality via Facebook.

12. NEXT MEETING DATE

September 28th, 2021 11:30 am – Special Meeting of Council
October 7th, 2021 3:00 pm – Regular Meeting of Council

Recommendation that any references made today to the next Regular Meeting of Council occurring on October 2nd, 2021 be corrected to October 7th, 2021 which was the intended date.

13. "IN CAMERA"

The purpose of entering into “In Camera” at today’s meeting is to discuss matters relating to:

- a) The acquisition, sale, lease or security of Municipal Property

MOTION: *That Council move to “In Camera” at 12:21 pm.*
MOVED BY: Councillor Gillis
SECONDED BY: Councillor Chisholm
MOTION CARRIED

Councillor Gillis declared a conflict of interest and left Council Chambers at 12:31 pm.

MOTION: *That Council move out of “In Camera” at 12:51 pm.*
MOVED BY: Councillor Chisholm
SECONDED BY: Councillor Poirier
MOTION CARRIED

14. ADJOURNMENT

MOTION: *That Council adjourn at 12:52 pm.*
MOVED BY: Councillor Poirier
MOTION CARRIED