

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS
Tuesday, February 27, 2018 – 9:00 a.m.

ATTENDANCE

Mayor Carolyn Bolivar-Getson
Deputy Mayor Martin Bell, District 2
Councillor Eric Hustvedt, District 1
Councillor Lee Nauss, District 3 (left at 12:10 p.m.)
Councillor John Veinot, District 4 (absent from 10:00 a.m. to 11:40 a.m.)
Councillor Cathy Moore, District 5
Councillor Claudette Garland, District 6
Councillor Wade Carver, District 7
Councillor Michael Ernst, District 8
Councillor Reid Whynot, District 9
Councillor Errol Knickle, District 10

Staff: Kevin Malloy, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
Sarah Kucharski, Communications Officer
Rachel Eisenhauer, Administrative Assistant

1. CALL TO ORDER

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m.

2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION:

Councillor Hustvedt recognized Ronnie Whynot, Chief of Italy Cross/Middlewood & District Fire Department, as he is stepping down as Chief after approximately 20 years of service. He also recognized Judy Jensen, Treasurer for Italy Cross/Middlewood & District Fire Department, who is also stepping down. He announced that Events Lunenburg County is looking for private sector people to be on their new Board.

Carroll Randall and Robin Scott, Co-Chairs, 55+ Games, were in attendance and presented Council with a plaque for their donation and efforts toward the 55+ Games. Mr. Randall noted that there were 782 participants, 23 sports, 16 venues and 150 volunteers over 4 days. He noted that MODL was invaluable for their financial contribution, help with equipment, facilities and staffing. He also noted that the partnership with the Lunenburg County Lifestyle Centre (LCLC) was critical as without the facility and staff there, the Games would have been much more difficult to hold. The 55+ Games Committee will be donating equipment that was purchased and will also help fund another health fair and construction of a shuffleboard floor. The Games were a great success, due to the help of all involved, including the volunteers.

Mayor Bolivar-Getson thanked Mr. Randall and Mr. Scott for their hard work and dedication in ensuring the Games were possible.

3. PUBLIC INPUT

Bruce Dickinson, Hemford Forest, was in attendance to discuss item 11.2.2 "Receipt of Petition Requesting Land Use Planning - Hemford Forest", under Policy MDL-21. Mr. Dickinson is a long-time resident of Hemford Forest and has been on the Board of Directors for 20 years. He

noted the petition was well supported and there is strong interest in taking advantage of the Policy to develop Planning in their area.

4. APPROVAL OF AGENDA

It was requested that an update on the Building Shared Service be added to the Agenda.

Moved by Councillor Nauss, seconded by Councillor Moore that the Agenda be approved with the addition of item 12.4 "Update - Building Shared Services". Carried unanimously.

5. APPROVAL OF MINUTES – February 13, 2018

Moved by Councillor Hustvedt, seconded by Councillor Carver that the Minutes of February 13, 2018 Council Meeting be approved as circulated. Carried unanimously.

6. BUSINESS ARISING FROM MINUTES – Nil

8. PRESENTATIONS/SCHEDULED TIMES

9. CONSIDERATION OF CORRESPONDENCE - Nil

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS:

10.1 Audit & Finance Committee

10.1.1 Uncollectible Accounts for Write Off Consideration

Moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Audit & Finance Committee and approve the write off of accounts totaling \$1,173.09. Carried unanimously.

10.1.2 Approval of 5-Year Financial Strategy & Debt Affordability Model

Moved by Deputy Mayor Bell, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Audit & Finance Committee and adopt the modified Debt Affordability Model, as presented, as its 5-Year Financial Strategy.

A question arose regarding whether development of parks, acquisition of properties, and remediation of Center and Riverport Schools were included in the financial strategy. Mr. Malloy advised that the five-year capital plan outlined each of the projects that Council has currently committed to and are included in this strategy. Any commitments that Council makes going forward will be added to this plan and Council will receive an updated copy each time a project is added.

The motion on the floor was voted on and carried unanimously.

10.1.3 Development of Policy for User Fees

Moved by Councillor Nauss, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Audit & Finance Committee and direct staff to develop a policy on user fees that includes the review of the user fees every three (3) years with increases based on the 3-year cumulative CPI for Nova Scotia. Carried unanimously.

10.1.4 Letter to DOTIR re Land Hell's Point, Kingsburg

Moved by Councillor Whynot, seconded by Deputy Mayor Bell that Municipal Council accept the recommendation of the Audit & Finance Committee and write a letter to the Department of Transportation and Infrastructure Renewal for confirmation, description and detailed mapping of a right-of-way along the coast in Kingsburg, specifically the point of land at Hell's Point. Carried unanimously.

11. STAFF REPORTS

11.1 LaHave River Project Team

11.1.1 Update on LaHave River Project

Maria Butts, LaHave River Project Coordinator, was in attendance and gave a presentation updating Council on the status of the LaHave River Project (attached to original set of Minutes).

A discussion was held and the following points were noted:

- It would be beneficial to have a Department of Environment representative present during a future update on this project. Staff will arrange this.
- Staff can issue a tender for one to ten systems. It was felt that 5 systems was appropriate at this time. If large batch tenders were issued, it would likely be too much work for one contractor, and could potentially cause smaller, local contractors to be unable to bid. As well, there are several systems that will be used due to geographical and size challenges of some of the properties. These small batches will be system-type specific, as they use different types of materials and require different skill sets. Staff will have multiple tenders going at the same time.
- It was noted that there are septic systems that can use crushed glass. MODL, at the Riverside Waste Treatment Plant, used four different types of pods, including one glass type. It was found that this was highly effective. As glass cannot currently go into the landfill, this may be a beneficial option. Ms. Butts will discuss this with the designer.
- It was requested that Ms. Butts bring forward maps for future updates, that show where the systems have been installed. She noted that the applications, so far, have been well spread out through the Wastewater Management District.

7. AWARDING OF TENDERS/RFPs

7.1 Award of Tender #2017-05-006 "On-Site Sewage Disposal System"

Ms. Butts advised that 12 bids were received from across the Province, and two were rejected as they did not include the addendum. The bids ranged from \$51,000 to \$189,000, and the variance in cost was due to the location of the business versus the job site, as some of the companies are quite far and would have higher trucking costs, and some have their own aggregate materials. She added that part of the requirement to be a successful bidder is a septic installers license.

Moved by Deputy Mayor Bell, seconded by Councillor Nauss that Municipal Council award Tender 2017-05-006 "On-Site Sewage Disposal System Installations for LaHave River Properties Project – Group #1" to Gerhardt Property Improvement in the amount of \$51,740.00 plus HST.

A question arose regarding selecting the successful bidder. Ms. Butts noted that the bidder has to meet all criteria outlined in the Tender, based on specifications from ABLE Engineering, and then the award goes to the lowest bidder, per our Policy.

A further question arose regarding the \$51,000 cost to install 5 septic systems, including tanks. Generally, septic systems cost much more than this. Ms. Butts advised that Gerhardt's Property Improvement is a local company that has their own source of material, so they are able to be more competitive. She also noted that they have a valid septic installers license, so they have a certain amount of hours of experience in the field, which is required to get such a license. Under the license, unlicensed people can work on the site, but the licensed person must be present.

The motion on the floor was voted on and carried unanimously.

Ms. Butts left the meeting at this time.

10.2 Fire & Emergency Services Committee

Chris Kennedy, Fire Services Coordinator/Administrator, was in attendance at this time.

10.2.1 Proposed Amendments to Policy MDL-36 "Fire & Emergency Services"

Moved by Councillor Garland, seconded by Councillor Hustvedt that Municipal Council approve the proposed amendments to Policy MDL-36 "Fire and Emergency Services" as presented. Carried unanimously.

A question arose regarding whether Rate Payers Meeting Minutes are made publicly available. Mr. Kennedy noted that he is unaware if all Departments have a website, and if they post their Minutes on the site, but they are required to have Minutes, and must provide them if the public asks for them.

A question arose regarding Rate Payers meetings, and whether these are meetings of the Rate Payers, or the Fire Departments. For example, are rate payers allowed to make motions at these meetings. Mr. Dumaresq advised that the meetings are put on by the Fire Department, to go over budgets and financials, and to approve the tax rate for the year. As this is a Fire Department meeting, the bylaws and policies of the Fire Department are upheld. The meetings are a way to have two-way conversation with the residents, and to provide information on what the Department does with the tax money. A motion is made at the meeting to approve the tax rate, and the Department is responsible to hold the Rate Payer meeting each year.

Mr. Kennedy left the meeting at this time.

Councillor Veinot left the meeting at 10:00 a.m. to attend a funeral.

11. STAFF REPORTS

11.2 Planning Department

11.2.1 Request from Rhyno Lake Road Improvement & Maintenance Association

Norma Schiefer, Development Officer, was in attendance and reviewed a report titled "Request from the Rhyno Lake Road Improvement and Maintenance Association" (circulated with Agenda).

Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council approve PID 60476934 be added to the Rhyno Lake Road private road maintenance charge area; and further, that the Municipal Clerk and Mayor be authorized to sign an addendum to the private road maintenance agreement with the Rhyno Lake Road Improvement and Maintenance Association to implement the same. Carried unanimously.

Ms. Schiefer left the meeting at this time.

11.2.2 Receipt of Petition Requesting Land Use Planning – Hemford Forest

Jeff Merrill, Director of Planning and Development Services, and Doug Reid, Planner, were in attendance at this time. Mr. Reid gave a presentation regarding the receipt of a petition requesting Land Use Planning in Hemford Forest (attached to original set of Minutes).

A discussion was held and the following points were noted:

- A petition can be initiated by 5% of eligible voters of a community. The petitioners in this case self identify as residents of the Hemford Forest Subdivision. This petition has sufficient signatures.
- It was clarified that residents are only requesting Planning in the Hemford Forest Subdivision, not all of Hemford. The Subdivision has 115-120 lots, of which 49 are developed, however, there could be a larger number of residents in the future.
- There is concern that if each area that considers itself a community requests Planning in their own area, MODL could have a significant number of plan areas, all with different regulations. Council needs to review planning as a whole, as it has been brought up in the past that existing plan areas could be merged. A decision needs to be made if MODL will continue to allow plan areas, or if a municipal wide planning strategy should be considered. Administrative costs of developing and administering these plan areas also needs to be considered.
- It was noted that there are different levels of planning that can be included in a plan area, some areas can have complicated regulations, while others are very simple.
- The Hemford Forest Subdivision request meets current Policy.

Moved by Councillor Moore, seconded by Councillor Ernst that Municipal Council direct staff to conduct two public information meetings to introduce the concept of land-use planning in the Hemford Forest subdivision. Carried unanimously.

Moved by Councillor Moore, seconded by Deputy Mayor Bell that Municipal Council conduct a Plebiscite to determine the public's opinion concerning whether land use planning should be established for the Hemford Forest subdivision, with the date of the plebiscite to be set no later than December 1, 2018. Carried unanimously.

Mr. Reid and Mr. Merrill left the meeting at this time.

12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS:

12.1 Update – Lunenburg County Lifestyle Centre (LCLC) (M. Ernst/E. Hustvedt)

The following update was provided:

- The last meeting was held on February 22 and the financial statements showed a small surplus.
- ~~The Board received a letter from Town of Bridgewater, requesting the LCLC Board create a more accountable budget. Mr. Malloy noted that the Board reviewed the budget~~

~~process at the last meeting. Typically, the LCLC capital and operating budgets are approved through separate processes. The Town is looking to change the process to approve both budgets at the same time. This is causing a delay in receiving the capital budget. There are concerns that it is almost March 1 and there is no operating budget yet. The Board is encouraging the organization to provide the budgets quickly so units can include the figures in their own budgets. The capital budget will be brought to the March 6, 2018 Audit & Finance Committee meeting for review.~~

- The Board received a letter from the Town of Bridgewater requesting the LCLC Board build a budget based on a total \$390,000 grant, including operating and capital, for fiscal year 2018/2019. Mr. Malloy noted that the LCLC Board reviewed the budget process at the last meeting. Currently, the LCLC capital and operating budgets are approved through separate processes by the Town and MODL. The Town is looking to approve a combined LCLC operating and capital budget. Bridgewater had earlier agreed to approve a total amount for LCLC capital budget rather than approve it item by item. Our Council did not agree to this approach. The different approaches are causing a delay in approving an LCLC capital budget. Meanwhile, Mr. Malloy expressed concerns that it is almost March 1 and there is no LCLC operating budget yet. The LCLC capital budget will be brought to the March 6, 2018 Audit & Finance Committee meeting for review. (amended March 27, 2018).
- A discussion was held regarding ventilation problems in dressing rooms and residents have brought forward concerns regarding lighting issues in the library, which are being addressed.
- Upcoming events include the Gary Wentzell March Break Hockey Tournament, the School Board Science Fair, Ninevah Gospel Hall, and Esso Cup Hockey Tournament.
- The Municipal Joint Service Board IT Department gave a presentation, which was well received. They found deficiencies in the operating systems, that if corrected, could save \$5,000-\$6,000. There would also be cost savings for the 25% IT position currently at the LCLC.
- An Ad Hoc Committee was created to look at the Memorandum of Understanding and operations. They had their third meeting and have made significant progress. They will bring forward a report in April, which will go to the Board first, then be presented to both Councils jointly.

12.2 Update – Deputy Mayor

Deputy Mayor Bell attended the following: Mayors/Wardens/CAOs meeting in Mahone Bay, several in-office meetings, and regular work as a Councillor within the committees he serves on.

12.3 Update – Mayor

Mayor Bolivar-Getson attended the following: Shrove Tuesday pancake supper in Chelsea; the Rural NS Health Care Crisis meeting in Shelburne; an Esso Cup Meeting; a benefit breakfast in Pinehurst, a Special Olympics breakfast, regular staff meetings, council meetings, and community meetings.

12.4 Shared Services Building Update

Jeff Merrill, Director of Planning and Development Services, was in attendance and advised that a draft Memorandum of Understanding (MOU) has been created and has been reviewed by legal counsel. It is currently being reviewed by the insurance companies. The plan is to bring forward the MOU to the Joint Committee, and then it will come forward to Councils.

Mr. Merrill left the meeting at this time.

13. IN CAMERA

At 11:00 a.m., it was moved by Councillor Moore, seconded by Councillor Carver that Municipal Council go In Camera to discuss the following items:

- 13.1 Contract Negotiations re Indian Falls under Section 22(2)(e) of the MGA**
- 13.2 Contract Negotiations re Wile's Lake under Section 22(2)(e) of the MGA**
- 13.3 Land Negotiations re Green Bay/Broad Cove Trail under Section 22(2)(a) of the MGA**

Carried.

Municipal Council In Camera in session.

Councillor Veinot returned to the meeting at 11:40 a.m.

Councillor Nauss left the meeting at 12:10 p.m.

At 12:36 p.m., it was moved by Councillor Hustvedt, seconded by Councillor Knickle that Municipal Council rise and report. Carried.

Municipal Council in session.

13.2 Contract Negotiations re Wile's Lake

Moved by Councillor Veinot, seconded by Councillor Moore that Municipal Council enter into a Lease Agreement, as discussed In Camera, with the Nova Scotia Community College, Lunenburg Campus, pertaining to PID # 60307931, the Wile's Lake Park; and, authorize the Mayor and the Clerk to execute same. Carried unanimously.

14. ADJOURNMENT

There being no further business at 12:40 p.m., it was moved by Councillor Knickle, seconded by Councillor Carver that the meeting adjourn. Carried.