

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS
Tuesday, April 10, 2018 – 9:00 a.m.

ATTENDANCE

Mayor Carolyn Bolivar-Getson
Deputy Mayor Martin Bell, District 2
Councillor Eric Hustvedt, District 1
Councillor John Veinot, District 4
Councillor Cathy Moore, District 5
Councillor Claudette Garland, District 6 (left at 11:55 a.m.)
Councillor Wade Carver, District 7
Councillor Michael Ernst, District 8
Councillor Reid Whynot, District 9
Councillor Errol Knickle, District 10

Regrets: Councillor Lee Nauss, District 3

Staff: Kevin Malloy, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
Sherry Conrad, Municipal Clerk
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:

Mayor Bolivar-Getson noted that April 15-22, 2018 is National Volunteer Week. She recognized the importance of all volunteers and noted that Devan Naugler is this year's nominee by the Municipality of the District of Lunenburg, who will be recognized at the Provincial Volunteer Awards.

Deputy Mayor Martin Bell, on behalf of Mayor Bolivar-Getson and Council, recognized the recent tragedy where 15 players of the Humboldt Bronco Hockey Team were killed, and others injured in a bus accident. A moment of silence was held.

Moved by Councillor Ernst, seconded by Deputy Mayor Bell that Mayor Bolivar-Getson, on behalf of Council, send a letter to the residents of Humboldt, giving Council's condolences. Carried unanimously.

Councillor Hustvedt noted that he attended the Petite Riviere Fire Department Banquet, and this was their 60th Anniversary.

3. PUBLIC INPUT: Nil

4. APPROVAL OF AGENDA:

A request was made to add item 12.4 "Update – Lunenburg County Lifestyle Centre (LCLC)".

Moved by Councillor Ernst, seconded by Councillor Hustvedt that the Agenda be approved with the above noted addition. Carried unanimously.

5. APPROVAL OF MINUTES – March 27, 2018

It was noted that under section 13.3 “Contract Negotiations re Economic Development under Section 22(2)(e) of the MGA”, the motion should read seconded by Councillor Whynot, rather than seconded by Councillor Ernst.

Moved by Councillor Hustvedt, seconded by Councillor Whynot that the Minutes of March 27, 2018 be approved with the above noted amendment. Carried unanimously.

6. BUSINESS ARISING FROM MINUTES – Nil

7. AWARDING OF TENDERS/RFPs

7.1 Award of Tender 2018-05-001 and 2018-05-002 “On-Site Sewage Disposal System Installations for LaHave River – Group 2 & 3”

Maria Butts, LaHave River Coordinator was in attendance and reviewed a report titled “Tender Award: On-Site Sewage Disposal System Installations for LaHave River Properties. Project – Group #2 and Group #3” (circulated with Agenda).

Ms. Butts noted that 105 applications have been received to date and the final round of site assessments will take place on April 11. After that, the focus will be on installations, with the first installation scheduled for April 30. The Department of Environment will be present at the next LaHave River Project update to Council.

During the last discussions, a question arose regarding using crushed glass in septic systems. Stephen Pace, Director of Engineering, noted that a report was completed by Dalhousie University which looked at different parameters of glass versus sand. The crushed glass does have similar qualities to sand, however, consistency in the size of the glass after it is crushed is an issue. The materials would have to be sent to Halifax C&D to be crushed, and this is dangerous work. The Lunenburg Regional Community Recycling Centre would not have the volume of material that would likely be required to meet the project needs.

Ms. Butts added that eight bids were received for Group 2 and one was rejected due to not including the addendum.

Moved by Councillor Whynot, seconded by Deputy Mayor Bell that Municipal Council award Tender 2018-05-001 to Town and Country Property Improvement Ltd. in the amount of \$55,341.91 plus HST.

A question arose regarding local procurement. Mr. Dumaresq noted that these project values are over the local procurement preference, according to MODL Policy. Generally, for purchases staff allow a 5% preference for local bidders. Council decided to do this project in smaller bundles to allow local bidders to make bids. This will also ensure the work is spread out among various companies.

It was also noted that a map should be included for the next update.

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

Ms. Butts noted that for Group 3 five bids were received and were all accepted.

Moved by Deputy Mayor Bell, seconded by Councillor Hustvedt that Municipal Council award Tender 2018-05-002 to Town and Country Property Improvement Ltd. in the amount of \$98,651.95 plus HST.

Concern was raised regarding the difference in price between the two groups. Ms. Butts noted that the price difference is due to the materials being used in this group of systems, as the systems are different and higher end. Different systems have been designed for the needs of different properties. Costs could be higher for commercial systems and the third type of systems, called BioPro, will be more costly. These systems will be done in a bundle.

Mr. Dumaresq added that in MODL's budget, staff used an average cost for systems based on costs in Richmond County, which was approximately \$17,000 per system. This average was higher than anticipated as staff expected complex and commercial systems. There was also a flat contingency on the total budget in case costs increased. The program also has a \$19,000 limit in the first year, therefore the homeowner is responsible for any additional costs. The homeowner is also responsible for any work done inside the dwelling.

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

8. PRESENTATIONS/SCHEDULED TIMES:

8.1 Nancy Green re South Shore Housing Action Coalition

Nancy Green, Planning Team Member, South Shore Housing Action Coalition, gave a presentation titled "Municipality of the District of Lunenburg Households, Income & Housing Census Highlights: 2006-2016" (circulated with Agenda).

A question arose regarding how the low income value is determined. Ms. Green noted that it is a fixed percentage of the median households in the area. It accounts for the needs of the household, including the number of people. The value is generally around \$36,000 depending on family size. As there is an increasing number of seniors, and an increasing number of one-person households, this has been lowering median household income.

Ms. Green noted that MODL residents have the lowest core housing needs and, compared to other units, have good income levels.

It was noted that municipalities will be discussing priorities for the Union of Nova Scotia Municipalities (UNSM) and one of the priorities is housing. It was asked what the most effective role is for Council. Ms. Green advised that Council should: continue to advocate for housing to be on the Agenda at other levels of government; talk to anyone interested in developing or providing housing in the community; continue to support the Property Assessed Clean Energy Program; promote programs of Housing Nova Scotia and Canada Mortgage and Housing Corporation to support affordable housing; and, increase awareness to homeowners that these supports are available.

Ms. Green added that there are now two Housing Support Workers and they have reported that there are 40 people in the assisted housing program, and there is a waitlist.

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS**10.1 Finance Committee****10.1.1 Clean Energy Finance Program Contract with Clean Foundation**

Moved by Councillor Ernst, seconded by Deputy Mayor Bell that Municipal Council accept the recommendation of the Finance Committee and renew the Clean Energy Financing Program and enter into a 1-year contract with Clean Foundation for the continued delivery of the Clean Energy Financing Program to MODL homeowners. Carried unanimously.

10.1.2 Clean Energy Finance Program Ceiling

Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Finance Committee and establish a Clean Energy Financing Ceiling of \$100,000 in the 2018/19 Municipal Budget. Carried unanimously.

10.1.3 Sponsorship Ad Grant – Federation of Can. Mun. (FCM) Conference

Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council accept the recommendation of the Finance Committee and approve a Sponsorship Ad Grant in the amount of \$1,000 for the FCM Conference to be held in Halifax from May 31 to June 3, 2018.

A question arose regarding whether municipal units could provide a combined grant of \$5,000 to reach bronze contribution status. Mr. Malloy advised that Ms. Payne is pursuing this.

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

10.1.4 FCM Board of Directors

Deputy Mayor Bell declared a Conflict of Interest and left the table.

Moved by Councillor Hustvedt, seconded by Councillor Whynot that Municipal Council accept the recommendations of the Finance Committee and endorse a member of Council to be nominated for membership on the FCM Board; and that Deputy Mayor Martin Bell be endorsed for a nominee for the FCM Board of Directors and that the cost incurred for this position be covered by Council; and further, that Council approve the following resolution:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government;

WHEREAS FCM's Annual Conference and Trade Show will take place from May 31 to June 3, 2018, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED that the Council of the Municipality of the District of Lunenburg endorse Deputy Mayor Martin Bell to stand for the election on FCM's Board of Directors for the period starting in June 2018 and ending June 2019; and,

BE IT FURTHER RESOLVED that Council assumes all costs associated with Deputy Mayor Martin Bell's attending FCM's Board of Directors meetings. Carried unanimously.

Deputy Mayor Bell returned to the table.

10.1.5 Comfort Centre Generator Grant Policy Revisions

Moved by Councillor Veinot, seconded by Councillor Knickle that Municipal Council accept the recommendation of the Audit & Finance Committee and approve the proposed amendments to Policy MDL-53 Funding Electrical Connections for Community Generators as attached.

It was noted that in the first sentence of the Policy, under "Purpose", the word "a" should be added between "as" and "Comfort". It was agreed this change would be made.

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

10.1.6 Canada Day Events, Municipal Celebration Account

Moved by Councillor Garland, seconded by Councillor Hustvedt that Municipal Council accept the recommendation of the Audit & Finance Committee and pre-approve \$4,700 from the Municipal Celebrations Account in the 2018/19 Municipal Budget and authorize the expenditures for community Canada Day Events on July 1, 2018 as follows:

- **New Germany Canada Day Committee** \$1,000
- **Riverport & District Fire Department** \$1,000
- **Canada Day on the LaHave (Bridgewater)** \$1,000
- **Petite Riviere Fire Department** \$700
- **Tancook Island Recreation Centre Association** \$500
- **Lunenburg Yacht Club** \$500

Carried unanimously.

8. PRESENTATIONS/SCHEDULED TIMES:

8.2 Sean Sears re South Shore Agri-Innovation Park

JC Reddy, Municipal Solicitor, was in attendance at this time.

Sean Sears, CEO, Ogden Pond Capital and Partner Petite Riviere Vineyards; Dan Thimot, President of South Shore Wine Growers Association; and, Lief Helmer, Community Activist and NSCC Faculty Member, were in attendance and gave a presentation on the South Shore Agri-Innovation Park Association (circulated with Agenda).

Mr. Sears advised that the Board of the South Shore Agri-Innovation Park will be the investors. The partners have found funds for the study that is required, they just need to go through the process of speaking to the community and finalizing the cluster definition. The Co-op will be funded through private sector investment and there is Provincial funding available for the expansion of the vineyards. The intent is to have the people in place who are ready to invest and plant next spring.

Mr. Sears added that there is no start date for the project, however, the objective is to begin before the end of Summer and have a consultant starting in August or September.

9. CONSIDERATION OF CORRESPONDENCE:

9.1 Letter from UNSM re UNSM Priorities

Mr. Dumaresq advised that the five priorities identified by UNSM are Internet, Physician Recruitment, Roads, Municipal Funding and the CAP. Council has the opportunity to provide an additional five priorities for UNSM to consider.

The following priorities were noted: Return/Disposal of Schools, HST Rebates for Septic and Well Installations, an Independent Integrity Commissioner for Councillors re Code of Conduct and Council Procedures, Municipal Modernization, Age Friendly Communities, Housing, Immigration, Ticks, the Regional Enterprise Network (REN) model, Cannabis Legislation, Police Services Costs, and Solid Waste Issues.

A discussion was held regarding the Independent Integrity Commissioner. It was noted that there is a need for a more defined Code of Conduct Policy that holds Councillors accountable. Councillors need tools to deal with egregious events and it is important to have an independent person that can help both sides. Mr. Reddy noted that if UNSM or the Province creates a Code of Conduct Policy or an advisory position for Councillors, all that position could do is provide general advice regarding legislation. The Councillor could still end up in a position where they need their own legal representation. It was also suggested that a College of Councillors Board could be considered, and that body could have authority to deal with more serious cases.

After discussion, it was agreed that Provincial Septic and Well HST Rebates and Point of Sale Requirement - Confirmation of Functioning Septic System; Surplus Schools; Code of Conduct; Lyme Disease; and, the REN Model would be MODL's top 5 priorities. Also to be noted is Age Friendly Communities, Housing and Immigration.

It was noted that Councillors who are attending the UNSM meeting on April 23 should get together and create a collaborative approach to speak to these issues.

It was noted that projects like the South Shore Agri-Innovation Park should be included as part of the REN, but under the current model, they cannot. Council feels that the REN does not provide the benefits expected.

Moved by Councillor Ernst, seconded by Deputy Mayor Martin Bell that in addition to the five priorities identified in UNSM's correspondence dated March 22, 2018, Municipal Council has identified their additional five priorities:

- 1. Provincial HST Rebate for homeowners for installation of septic systems and wells and Point of Sale Requirement for Proof of Functioning System.**
- 2. Code of Conduct Issues – establishment of an Independent Integrity Commissioner for Councillors**
- 3. Surplus Schools**
- 4. Lyme Disease**
- 5. Economic Development – REN Model**

Carried unanimously.

10.2 Dangerous & Unsightly Property Committee**10.2.1 Clean Up of Hake Property at Beeler Road, Elmwood, PID 60282910**

Moved by Councillor Carver, seconded by Councillor Veinot that Municipal Council approve the lowest bid from Gerald Delong Construction for the clean-up of the Hake property at Beeler Road, Elmwood, PID 60282910 in the amount of \$3,160.00 plus \$474.00 HST for a total cost of \$3,634.00. Carried unanimously.

11. STAFF REPORTS:**11.1 Building Department****11.1.1 Joint Service Delivery for Building/Fire/Dangerous & Unsightly Services**

Jeff Merrill, Director of Planning and Development Services, was in attendance.

Moved by Deputy Mayor Bell, seconded by Councillor Carver that Municipal Council enter into the Memorandum of Understanding for Joint Service Delivery for Building/Fire/Dangerous and Unsightly Services with the District of Chester and the Towns of Mahone Bay and Lunenburg as presented and authorize the Mayor and the Municipal Clerk to execute same.

Concern was raised regarding the funding formula, as MODL will be paying the highest cost. It should be that all partners contribute equally, and then costs are determined based on services used.

Concern was further raised that there is information missing from the MOU, such as costs, Terms of Reference, etc. Also, there are numerous grammatical and spelling errors in the document. It was felt that this document needs to be further finalized before being approved. Also, without the Town of Bridgewater, geographically there will be inefficiencies.

Moved by Councillor Ernst, seconded by Councillor Knickle that the motion on the floor be withdrawn. Those opposed: Councillor Moore and Councillor Hustvedt. Motion Carried.

Motion on the floor withdrawn.

Mr. Malloy advised that staff will correct the inadequacies in the document and a workshop will be set for Council.

12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS:**12.1 Update – Municipal Joint Services Board (MJSB) (E. Knickle/C. Bolivar-Getson/C. Moore)**

Councillor Knickle provided the following update on the Municipal Joint Services Board (MJSB): Ms. Secord requested an extension on the grant for the Recreation Study; the IT Office is moving and will be ready by mid-April; there will be a free compost awareness week the second week in May; and, on May 12 free compost will be given out to residents.

12.4 Update – Lunenburg County Lifestyle Centre (LCLC)

The following update was given on the Lunenburg County Lifestyle Centre (LCLC): the Marketing Coordinator has been hired; the operating and capital budgets were reviewed and will be brought forward to the municipal units together for approval; and, the total contribution by the partner units will be lower this year.

12.2 Update – Deputy Mayor

Deputy Mayor Bell advised he attended the LaHave and Pleasantville Fire Department banquets, where service awards were given out.

12.3 Update – Mayor

Mayor Bolivar-Getson advised she attended the following: Subdivision Bylaw Review Meetings; the Pleasantville and Petite Riviere Fire Department Banquets; the 101st Anniversary of Vimy Ridge; various birthdays, and community events. She added that the Esso Cup will be held at the LCLC April 22-28; and, that various acts of condolences have been ongoing in relation to the Humboldt Tragedy. Council discussed providing a financial contribution.

Moved by Councillor Hustvedt, seconded by Councillor Moore that Municipal Council provide financial assistance in the amount of \$2,500 to the Humboldt Broncos, in support of the community, through the means determined by the CAO to be most appropriate. Carried unanimously.

Mr. Malloy added that the Wellness Committee has requested that staff be allowed to participate in National Jersey Day, and the office will be participating on Thursday, April 12.

13. IN CAMERA:

At 11:50 a.m., it was moved by Councillor Whynot, seconded by Councillor Moore that Municipal Council go In Camera to discuss item 13.1 “Contract Negotiations re Office Space under Section 22(2)(e) of the MGA”. Carried.

Municipal Council In Camera in session.

At 11:55 a.m., it was moved by Councillor Moore, seconded by Councillor Carver that Municipal Council rise and report. Carried unanimously.

Municipal Council in session.

Moved by Councillor Knickle, seconded by Councillor Moore that Municipal Council approve the Addendum/Extension to the Lease dated January 1, 2017 for office space with 3021386 NS Limited at 373 King Street, Bridgewater, Nova Scotia and authorize the Mayor and Municipal Clerk to execute same. Carried unanimously.

14. ADJOURNMENT:

There being no further business at 11:56 a.m., it was moved by Councillor Ernst, seconded by Councillor Veinot that the meeting adjourn. Carried.