

MUNICIPALITY OF THE DISTRICT OF LUNENBURG  
Minutes of a Meeting of  
**MUNICIPAL COUNCIL**  
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS  
**Tuesday, June 12, 2018 – 9:00 a.m.**

**ATTENDANCE**

Mayor Carolyn Bolivar-Getson  
Deputy Mayor Martin Bell, District 2  
Councillor Lee Nauss, District 3  
Councillor John Veinot, District 4  
Councillor Cathy Moore, District 5  
Councillor Claudette Garland, District 6 (left at 11:40 a.m.)  
Councillor Wade Carver, District 7  
Councillor Errol Knickle, District 10

Regrets: Councillor Eric Hustvedt, District 1  
Councillor Michael Ernst, District 8  
Councillor Reid Whynot, District 9

Staff: Kevin Malloy, Chief Administrative Officer  
Trudy Payne, Acting Deputy Chief Administrative Officer  
Sherry Conrad, Municipal Clerk  
Sarah Kucharski, Communications Officer  
Dave Waters, Director of Business Development  
Stephen Pace, Director of Engineering  
Rachel Eisenhauer, Executive Assistant

**1. CALL TO ORDER**

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

**2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION: (Nil)**

**3. PUBLIC INPUT:**

Philip Arenburg, Branch LaHave, was in attendance for public input to discuss the lack of high speed internet in the District. He feels the Municipal Government needs to own the infrastructure that will provide high speed internet to residents. Residents have had to pay for other projects, such as the golf course and the Lunenburg County Lifestyle Centre, which represents small portions of the population. High speed internet availability affects almost everyone. He feels the Municipality should be willing to borrow funds to pay for a project or projects to provide high speed internet to everyone in the District. He would be willing to pay for the provision of this service on his tax bill, if needed. The proposed new Municipal office would be a great place for a server room and IT staff.

Shanna Joudrey, Wagner Road, was also in attendance for public input to discuss the lack of high speed internet in the District. She acknowledged the Municipality's work with NCS Network to provide internet to some residents. However, she feels the community needs to work together to figure out a solution to provide all residents with high speed internet. She moved home from Toronto, and took the initiative to start her own business, which she runs from home, and internet is an essential service from the commercial perspective. She wants to have these essential services available to future generations. There are currently projects occurring to

provide internet in Midville Branch, and Newcombsville, and Trunk 10 has internet, so where she lives the residents feel left out as the service is being provided all around them. If we want people, families and businesses to come to Lunenburg County, we need to figure out a solution to the internet issue.

Jennifer Corson, Architect and Developer who lives in Second Peninsula, was in attendance for public input to discuss the proposed changes to the Subdivision Bylaw and Municipal Planning Strategy. She noted that Council will later deliberate on two options, one to accept the work completed so far and make the amendments noted, or to hold another workshop and continue discussions. She spoke in favour of option 2 as there are still issues that need to be finalized before a decision is final. One issue is around flag lots, which she feels will hamper development and place a huge financial burden on developers, including on her own development project. She noted that a lot of work has been completed so far, and steps have been made, but more work is needed, and a few more pieces of the Bylaw need further review.

Stephen O'Leary, Waters Edge Leisure Living, Barss Corner, was also in attendance for public input to discuss the proposed changes to the Subdivision Bylaw and Municipal Planning Strategy. He feels the current proposed Bylaw changes are drastically flawed and will end development in MODL. The District of Chester passed similar legislation 8 years ago, that the first 5 lots are exempt, and have had no development beyond 5 lots since. He also feels the current proposal is financially unviable, and developments are a great way to offset the declining and aging population and to bring in revenue for the District. The current proposal does not reflect the concerns of the development community and he feels having another workshop where stakeholders can exchange ideas is the next best step.

#### **4. APPROVAL OF AGENDA**

**Moved by Councillor Moore, seconded by Councillor Carver that the Agenda be approved as circulated. Carried unanimously.**

#### **5. APPROVAL OF MINUTES – May 22, 2018**

**Moved by Councillor Moore, seconded by Councillor Nauss that the Minutes of May 22, 2018 meeting be approved as circulated. Carried unanimously.**

#### **6. BUSINESS ARISING FROM THE MINUTES: (Nil)**

#### **8. PRESENTATIONS/SCHEDULED TIMES:**

##### **8.1 NOW Lunenburg County re Internet**

Tina Hennigar, Population Growth Coordinator, and Elspeth McLean-Wile, Team Member, NOW Lunenburg County, were in attendance and gave a presentation regarding rural internet (attached to original set of Minutes).

During their presentation, they stated the following goals:

1. To explain their willingness to work to bring a community voice to the development of a strategy on connectivity to Lunenburg County. This presentation addresses the MODL portion of the County, but they will also be presenting to the Municipality of the District of Chester. This is a county-wide issue that should be approached without regard for geographic boundaries. MODL and Chester have already collaborated on the IValley report and a staff committee is working on a draft report. It is important to get citizen review of the draft strategy as a Connectivity Strategy is finalized.

2. Table some ideas that are currently not in the connectivity strategy documents. These include: a comprehensive public connectivity plan to deliver middle and last mile solutions, based on the needs of the community, cost efficiencies, population densities, existing networks, etc.; what role MODL should play, as an advocate, investor, project lead, independent ISP, and possibly other roles; including the Municipal Joint Services Board in the solution; working collaboratively with communities on specific projects; have a community owned business take responsibility for infrastructure and delivery of internet service – MODL could be a partner; financing of solutions, such as borrowing, or creating a tax levy.

NOW Lunenburg County is willing to work with the Municipality to create any possible partnerships with businesses and/or communities to help create a comprehensive solution to internet delivery.

Ms. McLean-Wile and Ms. Hennigar were thanked for their presentation and left the meeting at this time.

## **9. CONSIDERATION OF CORRESPONDENCE:**

### **9.1 12 Month Notice Letter – Nova Scotia Federation of Municipalities**

Ms. Payne reviewed the 12 Month Notice Letter from the Nova Scotia Federation of Municipalities (circulated with Agenda) which outlined any provincial legislation, regulation or administrative action that have an affect on revenues and expenditures of municipalities. She reviewed her report which addressed the impact of those changes. The following points were noted:

- The Department of Health and Wellness, Nova Scotia Health Authority is looking at how municipalities invoice the Health Authority and how payment is made, to create a uniform method. It was noted that, while MODL does not technically have a hospital, it did cost-share with the Town of Bridgewater to create South Shore Regional Hospital. Anything relating to the hospital does affect MODL and its residents.
- Department of Natural Resources, Bill 32, is an Act that is set to be repealed, which was an Agreement between Scott Maritimes and Halifax Regional Municipality for payment in lieu of taxes for Crown Land for timber revenue. It was noted that there is Crown Land in MODL, and it should be looked at whether this will impact Lunenburg County. Ms. Payne will contact the Department of Natural Resources for further information.
- The Accessibility Act will require the creation of an Accessibility Committee. It is recommended that the municipal units work together to create a joint committee regionally. This way one committee will be drawing from the best resources available. A letter has been sent to the other units for their response.
- Housing Nova Scotia, Affordable Housing is important, and although it is not a municipal responsibility, municipal units could access funds through programs being managed by the Federation of Canadian Municipalities. For example, MODL could donate land to an organization to create affordable housing, and then those funds can be used.

## **10. RECOMMENDATIONS FROM COMMITTEES & BOARDS**

### **10.1 Nominating Committee**

#### **10.1.1 Act of Bravery – New Germany Fire Department Banquet**

**Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council accept the recommendation of the Nominating Committee and recognize Mr. Richard**

**Joudrey with an Act of Bravery Award for his quick response to a choking incident at the New Germany Firefighter's Banquet on April 28, 2018. Carried unanimously.**

#### **10.1.2 Saw Pit Wharf Committee Appointments**

**Moved by Councillor Knickle, seconded by Deputy Mayor Bell that Municipal Council accept the recommendation of the Nominating Committee and appoint Richard Mosher and Graham Mowbray to the Saw Pit Wharf Committee for a three-year term and reappoint Ian Fraser for a three-year term. Carried unanimously.**

### **10.3 Finance Committee**

#### **10.3.1 Sponsorship Ad Grant – Mahone Bay Founder's Society**

**Moved by Councillor Garland, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Finance Committee and approve a \$250 Sponsorship Ad Grant for the Mahone Bay Founder's Society's Home and Garden Tour on July 7 and 8, 2018 to be held in Mahone Bay and the Municipality of the District of Lunenburg. Carried unanimously.**

#### **10.3.2 Nat./Prov. Event Grant – Riverport Duathlon Classic**

**Moved by Deputy Mayor Bell, seconded by Councillor Knickle that Municipal Council accept the recommendation of the Finance Committee and approve a \$250 grant from the National/Provincial Event Grant account for the Riverport Duathlon Classic sponsored by the Bridgewater Triathlon Club to be held in Riverport on September 30, 2018. Carried unanimously.**

#### **10.3.3 Rescind Motion re Approval of Lease Agreement – CEF/CES**

**Moved by Deputy Mayor Bell, seconded by Councillor Carver that Municipal Council accept the recommendation of the Finance Committee and rescind the Council motion of April 26, 2016 approving and authorizing the execution of the lease between the Municipality of the District of Lunenburg and Her Majesty the Queen in the Right of Canada (Minister of National Defence) for CEF/CES for the period ending October 13, 2019 as it was never finalized or executed by both parties. Carried unanimously.**

#### **10.3.4 Approval of New Lease Agreement – CEF/CES**

**Moved by Councillor Nauss, seconded by Councillor Veinot that Municipal Council accept the recommendation of the Finance Committee and approve the new CEF/CES Lease for the period April 1, 2018 to March 31, 2024, as presented In Camera, between the Municipality of the District of Lunenburg and Her Majesty the Queen in the Right of Canada (Minister of National Defence); and further, that the Mayor and Clerk be authorized to execute same upon receipt from HMQ/DND. Carried unanimously.**

#### **10.3.5 Connect to Innovate Proposal**

**Moved by Councillor Garland, seconded by Councillor Moore that Municipal Council accept the recommendation of the Finance Committee and approve the conditional approval of the Connect to Innovate Proposal as discussed In Camera. Carried unanimously.**

**11. STAFF REPORTS:****11.1 Administration Department****11.1.1 Comfort Centre Generator Grant Award**

Moved by Councillor Carver, seconded by Deputy Mayor Bell that Municipal Council award the 2018/19 Comfort Centre Generator Grants to the Dayspring Fire Department in the amount of \$7,000 and to the Riverport Fire Department in the amount of \$7,000. Carried unanimously.

**13. IN CAMERA**

At 10:20 a.m., it was moved by Councillor Moore, seconded by Councillor Knickle that Municipal Council go In Camera to discuss item "13.1 Contract Negotiations re LaHave River Project under Section 22(2)(e) of the MGA". Carried.

Municipal Council In Camera in session.

At 10:50 a.m., it was moved by Councillor Moore, seconded by Councillor Carver that Municipal Council rise and report. Carried.

Municipal Council in session.

**7. AWARDING OF TENDERS/RFPs:****7.1 Tender #2018-05-005 - Group 6 – LaHave River Project**

Moved by Councillor Veinot, seconded by Deputy Mayor Bell that Municipal Council award Tender #2018-05-005 On-Site Sewage Disposal System Installations for LaHave River Properties – Group #6 to Dennis Lively Construction and Backhoe Services Ltd. in the amount of \$50,900 plus HST. Carried unanimously.

**11. STAFF REPORTS:****11.2 Recreation Department****11.2.1 Annual Operating and Major Recreation**

Moved by Councillor Knickle, seconded by Councillor Carver that Municipal Council approves the 2018-2019 Annual Operating Grant applications in the amount of \$51,500 and the Major Recreation Capital Grant applications in the amount of \$30,500, as presented, for a total amount of \$82,000 of which \$80,000 will be funded from the allocated grant funds in the 2018-19 budget and \$2,000 will be funded from the contingency fund. Carried. Those opposed: Councillor Garland.

Councillor Garland noted that she is opposed to the motion as she feels Council should stay within the budget amount approved for these grants in the 2018-19 Budget.

**12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS****12.1 Request Leave of Absence (M. Ernst)**

**Moved by Councillor Moore, seconded by Councillor Knickle that Municipal Council approve Councillor Ernst's request for a Leave of Absence from Friday, June 8 to Monday, July 2, 2018. Carried unanimously.**

## **12.2 Update – Municipal Joint Services Board (MJSB)**

Councillor Knickle provided an update on the Municipal Joint Services Board (MJSB). The following topics were discussed: a new (used) tractor was purchased for the landfill; the second quarter report was presented with no deficit; compost pad upgrades were required; IT Services are working with the Lunenburg County Lifestyle Centre, YMCA, Districts of Chester and Shelburne, the Regional Enterprise Network and Region 6 and billing is being discussed; the Agreement has been reviewed and will soon be sent to the units for approval; and, the Waste Collection RFP expires March 2020 and work is beginning.

## **10. RECOMMENDATIONS FROM COMMITTEES & BOARDS:**

### **10.2 Planning Advisory Committee**

#### **10.2.1 Subdivision Bylaw and Municipal Planning Strategy Reports and Correspondence Received at PAC**

Doug Reid, Municipal Planner, Norma Schiefer, Development Officer, Brock Jeans, Engineer, and Stephen Pace, Director of Engineering, were in attendance.

Mayor Bolivar-Getson gave an introduction and history of the Subdivision Bylaw and Municipal Planning Strategy review process.

Ian Watson, MCIP, LPP, Planner, UPLAND Planning + Design Studio, and Jeff Merrill, Director of Planning and Development Services, were in attendance and gave a presentation on the Subdivision Bylaw and Municipal Planning Strategy review (attached to original set of Minutes). Mr. Merrill advised that staff are recommending Council approve option 2, which is to have a stakeholder session outside of the Planning Advisory Committee and Council meeting format, to allow stakeholders to come forward and discuss issues.

Staff and Upland were thanked for their work done on this project, as it was very thorough. These discussions were important to be held and there has been great participation so far by stakeholders, and there are still further discussions required. This consultation should continue in an open session to get further input from the stakeholders

**Moved by Deputy Mayor Bell, seconded by Councillor Nauss that Municipal Council selects option 2, as presented, and directs staff and the Consultant to hold a stakeholder meeting to discuss the outstanding issues, as presented in option 2, with the draft Subdivision By-law and report back to Council.**

It was noted that the stakeholder meeting should be held outside of MODL Council Chambers, with a bigger facility.

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

Mr. Watson, Mr. Merrill, Mr. Reid, Ms. Schiefer, and Mr. Jeans left the meeting at this time.

**12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS:****12.3 Update – Deputy Mayor**

Deputy Mayor Bell advised that, aside from his normal Council duties, he also attended the Mahone Bay Fire Department Banquet and FCM Conference.

**12.4 Update – Mayor**

Mayor Bolivar-Getson advised she attended the following: the Internet For All meeting; teleconference with NS Forest Products Association Chair; Hebbville Flood Meeting; FCM Conference; Relay for Life; Mayors/Wardens/Deputies/CAOs Meeting; NOW Lunenburg County meeting; teleconference re Last Mile Internet Strategy with Nova Scotia Federation of Municipalities; electric bike training; and, various breakfasts, penny auctions, and community events.

Mayor Bolivar-Getson advised that July 10 and July 12 are being proposed for stakeholder meetings regarding the Subdivision Bylaw and Municipal Planning Strategy. Ms. Kuchaski added that she is suggesting Council have two meetings, offsite, to allow stakeholders to discuss items in small group discussions with experts. If numerous people attend, having both nights will allow for more discussion in those small groups. It is also suggested these be evening meetings, to not interfere with the developers and contractors busy season.

Concern was raised that only aggregate for the road surface is allowed to be discussed. There are other issues that need further discussion, such as flag lots. It was felt that the stakeholder session should be open to the flag lots issue.

Concern was also raised that evenings may not provide enough time for lengthy discussion, and day meetings should be considered. Also, if there are two meetings, Councillors should attend both. It was suggested that one meeting could be on the three points that are outstanding, and the second meeting could be for other issues. Ms. Kucharski noted that a day meeting can be held, and both meetings need to be the same so that stakeholders are not required to attend both meetings to ensure they don't miss anything.

Ms. Kucharski will bring back a proposed schedule for the meetings, for Council's review.

**13. IN CAMERA:**

**At 11:40 a.m., it was moved by Councillor Moore, seconded by Councillor Carver that Municipal Council go In Camera to discuss the following items:**

- 13.2 Contract Negotiations re Internet - Kingsburg under Section 22(2)(e) of the MGA**
- 13.3 Contract Negotiations re Internet – Big Tancook under Section 22(2)(e) of the MGA**
- 13.4 Contract Negotiations re Internet – Lun. Reg. Community Recycling Centre under Section 22(2)(e) of the MGA**
- 13.5 Contract Negotiations re Centre School under Section 22(2)(e) of the MGA**

**Carried.**

Municipal Council In Camera in session.

Councillor Garland left the meeting at 11:40 a.m.

**At 1:05 p.m., it was moved by Councillor Nauss, seconded by Councillor Moore that Municipal Council rise and report. Carried.**

Municipal Council in session.

### **13.2 Contract Negotiations re Internet - Kingsburg**

**Moved by Councillor Knickle, seconded by Councillor Carver that Municipal Council provide a letter of support to the Kingsburg Community Association (KCA) for their coaxial internet service expansion project and commit to funding a maximum of \$28,000 provided the conditions discussed In Camera are satisfied. Carried unanimously.**

### **13.3 Contract Negotiations re Internet – Big Tancook**

**Moved by Deputy Mayor Bell, seconded by Councillor Knickle that Municipal Council direct staff to release a Request for Proposal for a Fixed Wireless Internet project located on Big Tancook Island. Carried unanimously.**

### **13.4 Contract Negotiations re Internet – Lun. Reg. Community Recycling Centre**

**Moved by Councillor Nauss, seconded by Councillor Veinot that Municipal Council direct staff to release a Request for Proposal for a Fixed Wireless Internet project at the Lunenburg Regional Community Recycling Centre. Carried unanimously.**

### **13.5 Contract Negotiations re Centre School**

**Moved by Councillor Knickle, seconded by Councillor Nauss that Municipal Council proceed with the quantity survey and cost estimate for the demolition of the Centre School Building by Scott Hoeg Construction Management Inc. at an estimated cost of between \$9,000 to \$11,000 plus HST. Carried unanimously.**

## **14. ADJOURNMENT**

**There being no further business at 1:10 p.m., it was moved by Councillor Knickle, seconded by Councillor Nauss that the meeting adjourn. Carried.**