

**AGENDA**  
**MEETING OF MUNICIPAL COUNCIL**  
Bridgewater, NS  
Tuesday, July 9, 2019 – 9:00 a.m.

Time & Page

1. CALL TO ORDER
2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION
3. PUBLIC INPUT (15 Minutes)
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - June 25, 2019
6. BUSINESS ARISING FROM MINUTES
7. AWARDING OF TENDERS/RFPs
  - 7.1 Tender Award Revision 2019-05-003: On-Site Sewage Disposal System Installations for LaHave River Properties, Project Group #23.....1-4
  - 7.2 Tender Award Revision 2019-05-004: On-Site Sewage Disposal System Installations for LaHave River Properties, Project Group #24.....5-8
  - 7.3 Award of Tender #2019-05-006 LaHave River On Site Sewage Disposal System Installations Project Group #26 .....9-11
8. PRESENTATIONS/SCHEDULED TIMES
9. CONSIDERATION OF CORRESPONDENCE
10. RECOMMENDATIONS FROM COMMITTEES & BOARDS
  - 10.1 Finance Committee
    - 10.1.1 2018/19 Capital Funding ..... (12) 13-18
  - 10.2 Lunenburg County Multi-Purpose Centre Corporation Board
    - 10.2.1 Use of LCMPC 2018-19 Surplus for Operations Review & Interim Management..... 19
11. STAFF REPORTS
  - 11.1 Administration Department
    - 11.1.1 Signs on Highway 103.....20-22
  - 11.2 Recreation Department
    - 11.2.1 Designated Community Project Fund - POPA .....23-49
12. MAYOR’S/DEPUTY MAYOR’S/COUNCILLORS’ MATTERS
  - 12.1 MJSB Update
  - 12.2 Deputy Mayor’s Update
  - 12.3 Mayor’s Update
13. ADDED ITEMS
14. IN CAMERA
  - 14.1 Contract Negotiations re Eastlink Service Level Agreement under Section 22(2)(e) of the MGA
15. ADJOURNMENT





# Municipality of the District of Lunenburg

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## MEMORANDUM

**REPORT TO:** Council

**SUBMITTED BY:** Maria Butts, LaHave River Project Manager

**DATE:** June 9, 2019

**RE:** Tender Award Revision: On-Site Sewage Disposal System Installations for LaHave River Properties. Project Group #23

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### RECOMMENDATIONS

*As CK Earthworks Ltd has chosen not to accept the award of Tender 2019-05-003, it is recommended that Council authorize staff to award tender 2019-05-003 to Dennis Lively Construction and Backhoe Services, the next lowest bidder, in the amount of \$99,106.00 plus HST.*

### EXECUTIVE SUMMARY

Three bids were received for *Tender 2019-05-003 On-Site Sewage Disposal System Installations for LaHave River Properties, Project Group #23*. On May 14, 2019, Council authorized staff to award the tender to CK Earthworks Ltd, the lowest bidder. Since that time, CK Earthworks Ltd as elected not to accept the award citing that they will not be able to install the systems within the required contracted timeframe given the high volume of work they are undertaking in other areas.

The scope of work consists of the supply and installation of five septic systems located on private property belonging to homeowners who have applied to participate in the LaHave River Straight Pipe Replacement Program (SPRP), administered by the Municipality of the District of Lunenburg (MODL).

Tender 2019-05-003 is a bundle of five alternative treatment units (ATUs).

### BACKGROUND

In the Spring of 2016, *Our Living Future* campaign was launched to bring awareness and education around the issue of straight pipes and their impact on the LaHave River and Council authorized staff to make an application to the New Build Canada Fund for a SPRP. Staff were directed to prepare a Wastewater Management District (WWMD) By-Law and policies to

implement such a program. The drafted By-Law and policies have since been adopted by Council.

On June 29, 2017, federal and provincial authorities announced joint funding along with the Municipality for the replacement of straight pipes with on-site sewage disposal systems along the LaHave River.

Replacement of straight pipes with functioning septic systems required the services of a qualified engineer to select, design, and oversee the installation of approved septic systems. As such, council authorized staff to award of *RFP 2017-05-400 On-Site Sewage Disposal System Design for Lahave River properties* to ABLE Engineering Services Inc (ABLE) on August 22, 2017.

To date, MODL has received 188 applications for replacement from property owners within the WWMD and has installed one hundred and fifteen (115) On-Site Sewage Disposal Systems.

Over the past number of months, MODL has been working with ABLE to produce sewage disposal designs for each property owner enrolled in the SPRP. Five designs were selected from those completed to date for inclusion in tender 2019-05-003.

No Municipal dollars are being spent on this program as the federal and provincial grants cover up to two thirds of the cost and all eligible homeowners are required to pay the remaining one third.

## DISCUSSION

Tender 2019-05-003 was posted on Thursday, April 18, 2019 and closed on Thursday, May 2, 2019.

Three bids were received by the deadline. CK Earthworks Ltd has chosen not to accept the award of Tender 2019-05-003 in the amount of \$93,940.00 plus HST, as previously approved by Council on May 14, 2019.

Following the removal of CK Earthworks Ltds bid, the following two bids still stand:

<b>Funding</b>	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
Dennis Lively Construction and Backhoe Services Ltd	\$99,106.00
Town and Country Property Improvement Ltd	\$104,601.41

Table 1: Accepted Bids for Tender 2019-05-003

Under the scope of work for this tender, the successful bidder is required to complete all excavation, bedding, pipe laying, backfill and compactions. They are to supply all septic tanks, miscellaneous fittings, filter sand, stone and concrete. The successful bidder is also required to

complete leakage testing, and all surface restoration and any other work as specified and shown on the design drawings.

## **CONCLUSION**

Tender 2019-05-003: Lowest bid still standing was submitted by Dennis Lively Construction and Backhoe Services of Beaver Bank, NS.

### **Tender Award Recommendation**

**Tender:** 2019-05-003 On-Site Sewage Disposal System Installation for LaHave River Properties. Project Group #23.

**Scope of Work:** Install five On-Site Sewage Disposal Systems on five properties along the LaHave River.

**Closing Date:** May 2, 2019

<b>Funding</b>	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
<b>Funding</b>	Total Bid (w/o HST)
Dennis Lively Construction and Backhoe Services Ltd	\$99,106.00
Town and Country Property Improvement Ltd	\$104,601.41

Table 1: Standing Bids for Tender 2019-05-003

<b>Tenderers</b>	
CK Earthworks Ltd	\$93,940.00

Table 2: Bids Withdrawn from Tender 2019-05-003

#### **Tender Award Recommendation:**

As a result of the removal of CK Earthworks Ltd. bid, it is recommended that Council award Tender 2019-05-003 to the next lowest bidder, Dennis Lively Construction and Backhoe Services Ltd for the cost of \$99,106.00 plus HST.



# Municipality of the District of Lunenburg

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## MEMORANDUM

**REPORT TO:** Council

**SUBMITTED BY:** Maria Butts, LaHave River Project Manager

**DATE:** June 9, 2019

**RE:** Tender Award Revision: On-Site Sewage Disposal System Installations for LaHave River Properties. Project Group #24

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### RECOMMENDATIONS

*As CK Earthworks Ltd has chosen not to accept the award of Tender 2019-05-004, it is recommended that Council authorize staff to award tender 2019-05-004 to Dennis Lively Construction and Backhoe Services, the next lowest bidder, in the amount of \$67,000.00 plus HST.*

### EXECUTIVE SUMMARY

Three bids were received for *Tender 2019-05-004 On-Site Sewage Disposal System Installations for LaHave River Properties, Project Group #24*. On May 28, 2019, Council authorized staff to award the tender to CK Earthworks Ltd, the lowest bidder. Since that time, CK Earthworks Ltd as elected not to accept the award citing that they will not be able to install the systems within the required contracted timeframe given the high volume of work they are undertaking in other areas.

The scope of work consists of the supply and installation of five septic systems located on private property belonging to homeowners who have applied to participate in the LaHave River Straight Pipe Replacement Program (SPRP), administered by the Municipality of the District of Lunenburg (MODL).

Tender 2019-05-004 is a bundle of four traditional systems and one alternative treatment unit (ATU).

### BACKGROUND

In the Spring of 2016, *Our Living Future* campaign was launched to bring awareness and education around the issue of straight pipes and their impact on the LaHave River and Council authorized staff to make an application to the New Build Canada Fund for a SPRP. Staff were directed to prepare a Wastewater Management District (WWMD) By-Law and policies to

implement such a program. The drafted By-Law and policies have since been adopted by Council.

On June 29, 2017, federal and provincial authorities announced joint funding along with the Municipality for the replacement of straight pipes with on-site sewage disposal systems along the LaHave River.

Replacement of straight pipes with functioning septic systems required the services of a qualified engineer to select, design, and oversee the installation of approved septic systems. As such, council authorized staff to award of *RFP 2017-05-400 On-Site Sewage Disposal System Design for Lahave River properties* to ABLE Engineering Services Inc (ABLE) on August 22, 2017.

To date, MODL has received 188 applications for replacement from property owners within the WWMD and has installed one hundred and fifteen (115) On-Site Sewage Disposal Systems.

Over the past number of months, MODL has been working with ABLE to produce sewage disposal designs for each property owner enrolled in the SPRP. Five designs were selected from those completed to date for inclusion in tender 2019-05-004.

No Municipal dollars are being spent on this program as the federal and provincial grants cover up to two thirds of the cost and all eligible homeowners are required to pay the remaining one third.

## DISCUSSION

Tender 2019-05-004 was posted on Thursday, May 2, 2019 and closed on Thursday, May 16, 2019.

Three bids were received by the deadline. CK Earthworks Ltd has chosen not to accept the award of Tender 2019-05-004 in the amount of \$65,088.00 plus HST, as previously approved by Council on May 28, 2019.

Following the removal of CK Earthworks Ltds bid, the following two bids still stand:

<b>Funding</b>	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
Dennis Lively Construction and Backhoe Services Ltd	\$67,000.00
Town and Country Property Improvement Ltd	\$89,538.60

Table 1: Accepted Bids for Tender 2019-05-004

Under the scope of work for this tender, the successful bidder is required to complete all excavation, bedding, pipe laying, backfill and compactions. They are to supply all septic tanks, miscellaneous fittings, filter sand, stone and concrete. The successful bidder is also required to

complete leakage testing, and all surface restoration and any other work as specified and shown on the design drawings.

## **CONCLUSION**

Tender 2019-05-004: Lowest bid still standing was submitted by Dennis Lively Construction and Backhoe Services of Beaver Bank, NS.

### **Tender Award Recommendation**

**Tender:** 2019-05-004 On-Site Sewage Disposal System Installation for LaHave River Properties. Project Group #24.

**Scope of Work:** Install five On-Site Sewage Disposal Systems on five properties along the LaHave River.

**Closing Date:** May 16, 2019

<b>Funding</b>	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
<b>Funding</b>	Total Bid (w/o HST)
Dennis Lively Construction and Backhoe Services Ltd	\$67,000.00
Town and Country Property Improvement Ltd	\$89,538.60

Table 1: Standing Bids for Tender 2019-05-004

<b>Tenderers</b>	
CK Earthworks Ltd	\$65,088.00

Table 2: Bids Withdrawn from Tender 2019-05-004

**Tender Award Recommendation:**

As a result of the removal of CK Earthworks Ltd. bid, it is recommended that Council award Tender 2019-05-004 to the next lowest bidder, Dennis Lively Construction and Backhoe Services Ltd for the cost of \$67,000.00 plus HST.



# Municipality of the District of Lunenburg

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## MEMORANDUM

**REPORT TO:** Council

**SUBMITTED BY:** Maria Butts, LaHave River Project Manager

**DATE:** July 9, 2019

**RE:** Tender Award: On-Site Sewage Disposal System Installations for LaHave River Properties. Project Group #26

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### RECOMMENDATIONS

*Authorize staff to award tender 2019-05-006 to Town and Country Property Improvement Ltd in the amount of \$111,985.89 plus HST.*

### EXECUTIVE SUMMARY

Two (2) bids were received and accepted for *Tender 2019-05-006 On-Site Sewage Disposal System Installations for LaHave River Properties. Project Group #26.*

The scope of work consists of the supply and installation of seven septic systems located on private property belonging to homeowners who have applied to participate in the LaHave River Straight Pipe Replacement Program (SPRP), administered by the Municipality of the District of Lunenburg (MODL).

Tender 2019-05-006 is a bundle of five traditional systems and two alternative treatment units (ATUs).

### BACKGROUND

In the Spring of 2016, *Our Living Future* campaign was launched to bring awareness and education around the issue of straight pipes and their impact on the LaHave River and Council authorized staff to make an application to the New Build Canada Fund for a SPRP. Staff were directed to prepare a Wastewater Management District (WWMD) By-Law and policies to implement such a program. The drafted By-Law and policies have since been adopted by Council.

On June 29, 2017, federal and provincial authorities announced joint funding along with the Municipality for the replacement of straight pipes with on-site sewage disposal systems along the LaHave River.

Replacement of straight pipes with functioning septic systems required the services of a qualified engineer to select, design, and oversee the installation of approved septic systems. As such, council authorized staff to award of *RFP 2017-05-400 On-Site Sewage Disposal System Design for Lahave River properties* to ABLE Engineering Services Inc (ABLE) on August 22, 2017.

To date, MODL has received 188 applications for replacement from property owners within the WWMD and has installed 115 new On-Site Sewage Disposal Systems.

Over the past number of months, MODL has been working with ABLE to produce sewage disposal designs for each property owner enrolled in the SPRP. Seven designs were selected from those completed to date for inclusion in tender 2019-05-006.

No Municipal dollars are being spent on this program as the federal and provincial grants cover up to two thirds of the cost and all eligible homeowners are required to pay the remaining one third.

**DISCUSSION**

Tender 2019-05-006 was posted on Tuesday, June 18, 2019 and closed on Tuesday, July 2, 2019.

Two (2) bids were received and accepted by the deadline. Accepted tenderer names and bids are described in Table 1 below:

Funding	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
Town & Country Property Improvements Ltd.	\$111,985.89
Dennis Lively Construction & Backhoe Services	\$142,000.00

Table 1: Accepted Bids for Tender 2019-05-006

Under the scope of work for this tender, the successful bidder is required to complete all excavation, bedding, pipe laying, backfill and compactions. They are to supply all septic tanks, miscellaneous fittings, filter sand, stone and concrete. The successful bidder is also required to complete leakage testing, and all surface restoration and any other work as specified and shown on the design drawings.

**CONCLUSION**

Tender 2019-05-006: Two (2) bids were submitted and accepted. Of the two accepted bids, the lowest bid was received by Town and Country Property Improvement Ltd, of Cookville, NS.

### **Tender Award Recommendation**

**Tender:** 2019-05-006 On-Site Sewage Disposal System Installation for LaHave River Properties. Project Group #26.

**Scope of Work:** Install seven On-Site Sewage Disposal Systems on seven properties along the LaHave River.

**Closing Date:** July 2, 2019

Funding	Total Bid (w/o HST)
Provincial/Federal Grants	2/3
Property Owner	1/3
<b>Tenderers</b>	
Town & Country Property Improvements Ltd.	\$111,985.89
Dennis Lively Construction & Backhoe Services	\$142,000.00

Table 1: Accepted Bids for Tender 2019-05-006

**Tender Award Recommendation:**

Council award Tender 2019-05-006 to Town and Country Property Improvement in the amount of \$111,985.89 plus HST.



# Municipality of the District of Lunenburg

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210 Aberdeen Road Bridgewater Nova Scotia Canada B4V 4G8  
Phone: 902-543-8181 / Fax: 902-543-7123 / Web Site: [www.modl.ca](http://www.modl.ca)

July 2, 2019

To Her Worship, Mayor Bolivar-Getson, and Councillors  
of the Municipality of the District of Lunenburg

Dear Mayor and Councillors:

The Finance Committee, in session on Tuesday, July 2, 2019, made the following  
recommendations to Council:

1. that Municipal Council approve the funding of 2018/19 completed capital projects with  
variances as noted in staff's report dated July 2, 2019 and as summarized on the  
attached 2018/19 Capital Investment Plan

Respectfully submitted,

Chairman and Members  
Finance Committee

/rh  
Attachments



# Municipality of the District of Lunenburg

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## REQUEST FOR A DECISION

**REPORT TO:** Finance Committee

**SUBMITTED BY:** Elana Wentzell, CPA, CMA

**DATE:** July 2, 2019

**RE:** 2018/19 Capital Funding

**ORIGIN:** Staff

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### RECOMMENDATION

It is recommended that the Finance Committee recommend that Municipal Council approve the funding of 2018/19 completed capital projects with variances as noted in this report and as summarized on the enclosed 2018/19 Capital Investment Plan.

### EXECUTIVE SUMMARY

The financing of the completed 2018/19 capital projects has been allocated as per the approved budget with some exceptions that are noted in this report. Changes in financing can occur when a project is completed over budget or new sources of financing are found. A summary of all completed projects compared to budget is enclosed. Notes are included for any projects where funding varied from the approved budget.

### BACKGROUND

Many of the 2018/19 capital projects were budgeted to be funded from Reserve funds. Under Section 99 (4) of the Municipal Government Act, Council approval is required for all withdrawals from capital reserves. As well, Council must approve all Gas Tax expenditures. Compliance occurs when Council approves the capital budget that shows withdrawals from reserves to fund capital expenditures. When funding changes are made at year end, Council should be made aware of them, and approval should be sought.

**BUDGET IMPLICATIONS**

Several projects were completed under budget, some were over budget, re-evaluated or deferred to a future year.

Of the \$12,818,400 approved 2018/19 Capital Budget, projects in the amount of \$3,324,934 were completed. Financing of these projects included \$1,195,966 in Provincial and Federal Grants, \$633,037 from Reserves, \$934,144 from donations and resident contributions for road paving and \$78,479 in Depreciation Reserves.

Gas Tax spending for 2018/19 totals \$744,208 consisting of capital projects of \$679,917, and contributions to non-owned trails \$56,956 and Rural Broadband Project Costs \$7,335 budgeted in the Operating Fund.

The Lunenburg County Community Fund (LCCF) was billed \$652,504 for the LaHave River Straight Pipe project for costs not paid by the Small Build Canada Fund grant. Funds received from residents totaled \$186,410 which will be transferred to the Trust Fund as per the MOU with LCCF.

**CONCLUSION**

Staff has made this recommendation to ensure the Municipal Government Act is followed regarding withdrawals from capital reserves.

Department: Finance and Administration	
Report Prepared By: Elana Wentzell	Date June 27, 2019
Report Approved By: _____	Date _____
Reviewed By CAO: _____	Date _____

Municipality of the District of Lunenburg - Capital Budget Investment Plan		2018-19		2018-19	
PROJECT DESCRIPTION		BUDGET		Actual Cost	Proposed Funding that varies from Budget
<b>GGS - General Government Services</b>					
	Financial Reporting/HR Accounting Software	42,000	SNSMR Grant		
	Phone System Replacement	11,000	Dep'n reserve	12,551	
	Administration Building	7,200,000	Capital & Operating Reserves & Sale Proceeds	515,377	
<b>PS - Planning Services</b>					
	Flood Risk Mapping phase 2 of LiDAR Project	100,000	Depn Res/FRIIP Grant (50%)	19,874	
	GPS unit Replacements	19,000	Dep'n reserve	11,977	
	Vehicle Replacement (2012 Jeep)	35,000	Dep'n reserve	34,680	
	Vehicle Replacement (2011 Ford Escape)	35,000	Dep'n reserve	34,680	
<b>TS - Transportation Services</b>					
	Stonehurst, Tanner, & Southside Roads (Southside Road only)	560,000	NSTIR 50%/ Gas Tax 50%	208,410	
	Whitely Lane Culvert Replacement	80,000	Gas Tax	53,417	Gas Tax savings applied to White Ave below

Municipality of the District of Lunenburg - Capital Budget Investment Plan		2018-19		2018-19	
PROJECT DESCRIPTION		BUDGET		Actual Cost	Proposed Funding that varies from Budget
	White Avenue Paving & Culvert Installation	135,000	\$64,000 divided 40% Road Reserve, 60% property owners; \$71,000 for culvert replacement from Gas Tax	154,333	\$36,890 Resident Recovery, \$25,600 Road Reserve Budget \$91,843 Gas Tax
	Future Road Paving	250,000	Gas Tax	-	
<b>EHS - Environmental Health Services</b>					
	Aerated Compost Carts	20,000	Gas Tax	20,814	
	Riverport school demolition & remediation (Oct 8/18 deadline)	10,000	Environmental Liability	-	
	New Germany I&I Mitigation	7,000	Gas Tax	6,434	
	Lahave River Straight Pipe Replacement Program	2,321,400	BCF/Dep'n Reserve/Donations	1,692,166	Resident Pymts \$186,410 LCCF \$652,504 BCF \$1,096,102 PCAP \$15,618 Trans LCCF Trust \$186,410 Credit Dep'n Fund \$72,058
	SCADA for Cookville and Hebbville and Update New Germany Controls	30,000	Gas Tax	27,309	
	Garden Lots Sewer & Water Upgrades	75,000	Potential Grant & Dep'n Reserve	-	
	New Germany WWTP Equipment Replacements	60,000	Gas Tax	22,342	
	Cookville WWTP Refurbishment & Upgrades	20,000	Gas Tax & Swr Reserve	16,740	
	New Germany Collection System Refurbishment	15,000	Gas Tax & Swr Reserve	16,990	
	Conquerall Bank WWTP Upgrades	25,000	Gas Tax & Swr Reserve	9,334	

Municipality of the District of Lunenburg - Capital Budget Investment Plan		2018-19		2018-19	
PROJECT DESCRIPTION		BUDGET		Actual Cost	Proposed Funding that varies from Budget
<b>EDS - Economic Development Services</b>					
	Rural Internet	250,000	Gas Tax	Moved to Operating Fund for non-owned asset projects	
	Cookville Trail Connector	43,000	Gas Tax & OHV Fund	6,061	OHV Fund \$6,061
	Centre School Demolition	800,000	Dep'n Reserve	25,965	
	Osprey Village - Nathan Cirillo Rd Extension	50,000	Osprey Village Reserve & Dep'n Reserve	55,675	Osprey Village Reserve
	CEF Building & Parking Lot	85,000	CEF Reserve	2,503	
	Highway 103 Signage Program	10,000	Operating Surplus	9,596	
<b>RS - Recreation Services</b>					
	MARC Improvements	30,000	Dep'n Reserve	3,432	
	Sherbrooke Lake - Park Design & implementation	75,000	Gas Tax	45,773	
	Water Quality Sampling & Monitoring Meter	10,000	Dep'n Reserve & Contribution from MODC	9,379	Prov NS \$3,448 MODC \$5,000 Dep'n \$931
	River Ridge Common (Council approved budget increase)	200,000	Gas Tax \$150K	280,047	Prov NS \$64,800 Donations \$43,141 Gas Tax \$172,106
	Miller Point	10,000	Dep'n Reserve	-	
	Lahave Sunset Park	15,000	Open Space	-	

Municipality of the District of Lunenburg - Capital Budget Investment Plan		2018-19		2018-19	
PROJECT DESCRIPTION		BUDGET		Actual Cost	Proposed Funding that varies from Budget
	Land Purchase - Conquerall Bank - included in prior year	145,000	Open Space	-	
	MARC Equipment	30,000	Dep'n Reserve	26,322	
	Hirtles Beach	15,000	\$5K Hirtles Reserve; \$10,000 depreciation	2,754	\$2,754 Hirtle's Reserve
<b>Total Capital Projects</b>		<b>12,818,400</b>		<b>3,324,934</b>	
<b>Funding of Capital Projects</b>					
	Depreciation Reserves	3,637,686		78,479	
	Gas Tax Reserves	1,606,000		679,917	
	Provincial/Federal Grants	1,597,600		1,195,966	
	Other Reserves - Capital Reserves	2,543,614		571,052	
	Other Reserves - Operating Reserves	2,357,600		61,985	
	Other Contributions	1,075,900		934,144	
	Transfer to LCCF Trust	-		(196,609)	
<b>Total Funding Capital Projects</b>		<b>12,818,400</b>		<b>3,324,934</b>	
<b>Gas Tax Funding - Operating Fund</b>					
	Grants to Trail Organizations	58,700		56,956	
	Rural Broadband ISP Projects	250,000		7,335	
		<u>308,700</u>		<u>64,291</u>	
<b>Total Gas Tax - Capital &amp; Operating</b>				<b>744,208</b>	



# Municipality of the District of Lunenburg

June 21, 2019

To the Mayors and Councillors  
of the Municipality of the District of Lunenburg and  
the Town of Bridgewater

Dear Mayors and Councillors:

The Lunenburg County Multi-Purpose Centre Corporation Board, in session on  
Thursday, June 20, 2019, made the following recommendation to the respective  
Councils:

“that the Town of Bridgewater and the Municipality of the District of Lunenburg  
Councils approve the use of the estimated \$45,000 surplus from the 2018-19  
budget to engage the services of Nustadia Recreation to provide an operations  
review and interim management of the LCLC until March 2020”.

Respectfully submitted,

Chairman and Members  
Lunenburg County Multi-purpose Centre Corporation Board

/sac



# MUNICIPALITY OF THE DISTRICT OF LUNENBURG

**REPORT TO:** Council

**SUBMITTED BY:** Dave Waters Director of Business Development Tourism and Infrastructure

**DATE:** June 28, 2019

**SUBJECT:** Highway 103 Signage

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## **DISCUSSION**

Over the past two years the Economic Development Department has moved forward on a 3-year plan to install signs on Highway 103. The first year (2018/19) the Municipality installed two large Visitor Information Centre signs on Highway 103 on either side of Exit 11 to direct people to the Visitor Information Centre and also replaced the Municipal Industrial Sign with a new Municipal Business Park sign coming from Exit 11 toward exit 12.

In the second year (2019/20) we had planned to replace the Municipal Industrial Sign coming from Exit 13 toward Exit 12 and install the first of two Municipal Community Identification signs to be installed at the entrance to the Municipality coming from Halifax. The budget for this was set at \$20,000 covering the cost of design and installation of the replacement Business Park Sign and the first Community Identification sign.

Earlier this year the Province of Nova Scotia released a Beautification and Streetscape program grant. To provide additional value to our highway signage plan, our Grant Coordinator submitted an application on behalf of the Municipality which would see not only one, but two Community Identification Signs installed this year.

Due to the great work of the Grants Coordinator we were successful in securing \$15,500 that will go towards design and installation of the second Community Identification sign. This means we will be ahead of schedule on our Highway 103 signage plan *and* save \$15,500.

## **SIGNAGE DESIGN**

Part of doing a new Highway 103 Community Identification Sign is coming up with the right image or images that speak to what the Municipality of the District of Lunenburg is. We want to show our pride and give the public a reason to explore the area. The Economic Development Department has recognized over the past 12 years that people in general do not recognize or have a clear understanding of the difference between;

- Lunenburg County and the District of Lunenburg
- Town of Lunenburg and the District of Lunenburg, or even
- The Town of Bridgewater and the District of Lunenburg

In our efforts to find an image that would effectively represent the District, we conducted two Facebook campaigns and reviewed our past tourism and marketing efforts. Some of the more significant comments that came back were as follows;

- The People
- Beaches
- Lakes
- Scenery
- Artisans
- Ocean

Taking this information, we worked with a design firm to put together three sign concepts for the Municipality to consider:

- An image of a beach in the District of Lunenburg
- An image of an artist painting a picture of one of our most well-known areas, and
- An image of our rural agriculture lifestyle

We recognize that we could have come up with many different images to represent the municipality, but it was felt that these three images would be the strongest and speak best to visitors to the area.

To brand the Municipality we used the Council approved Economic Development brand. The tag line was removed as there was a concern that it would be hard to recognize on a Highway Community Identification Sign.

## **THE SIGN**

The Province of Nova Scotia's signage program allows municipalities to provide large-scale identification where the community can erect two blue and white Community Identification signs on the 100-series highway near the exits directly leading into the community. These signs typically display the community's name, a slogan, and names of major destinations within the community.

Note: The two signs that can be installed do not have to be the same image.

The signs are 17'-0" x 10'-0".

## **OTHER OPTIONS UNDER SIGN**

There has been interest expressed by the Municipality regarding promoting recreational facilities on highway signage.

The Community Identity Sign Program is coordinated by NS Transportation and Infrastructure Renewal and the Major Tourist Attractions Program is coordinated by Tourism Nova Scotia.

The only signage that is currently permitted to appear under the Community Identity Sign is for Festival & Events. The Province's guidelines for what constitutes Festival & Events are:

*The event should draw a significant number of visitors from outside the local area (more than 80km away). Applicants must provide attendance for the previous three years (where applicable) and any research available showing origin of attendees.*

In respect of the Lunenburg County Lifestyle Centre, it is not a Festival or Event, so under the current guidelines of the program, it does not qualify.

The L.C.L.C. also does not meet the criteria for a blue and white sign under the Major Tourist Attractions program. We will be looking for other options to promote and direct people to the L.C.L.C.



# Municipality of the District of Lunenburg

Recreation Services

## MEMORANDUM

TO: Municipal Council  
FROM: Trudy Payne, Director of Recreation Services  
DATE: July 9, 2019  
RE: Designated Community Project Fund

### RECOMMENDED MOTIONS

That the Municipality of the District of Lunenburg approve establishing a Designated Community Project Fund, pursuant to Policy MDL-48, to the Pine Grove Outdoor Play Association to assist them in raising capital funds for a splash pad and future capital projects approved by the Municipality of the District of Lunenburg Council.

That Council direct staff to prepare amendments to section 12.0 titled Administration Charge of Policy MDL-48 - Designated Community Project Fund to waive the 5% administration fee up to a maximum of \$5.00 per contribution for non-profit groups that have a management agreement in place with the Municipality.

### BACKGROUND

The Pine Grove Outdoor Play Association has a management agreement in place with the Municipality of the District of Lunenburg to manage property owned by the Municipality located at 72 Charlie Lane, Pine Grove, NS, as a day park. They have been managing the Municipal property since 2011. The features they have added to the park is an outdoor ice rink and cement play surface during the warmer months; basketball court; storage building; soccer field, gazebo and washroom and some walking trails.

They are currently working on securing funding to install a splash pad. This park provides something for all ages.

They are now seeking approval of their application to establish a Designated Community Project Fund and have requested that Council consider waiving the administration fee as outlined in Policy MDL-48 as the property is owned by the Municipality of the District of Lunenburg.

## **BUDGET IMPLICATIONS**

There would be no implications to the budget.

## **ALTERNATIVES**

The alternative would be to not approve the Designated Community Project Fund application submitted by the Pine Grove Outdoor Play Association.

## **CONCLUSION**

The Designated Community Project Fund was developed and approved by MODL to aid non-profit groups in raising capital funds for projects. The Pine Grove Outdoor Play Association has been providing a great recreational opportunity for residents in the area and beyond. This Association is a great example of a successful partnership between the Municipality and a non-profit group and reinforces MODL's motto of "In the Community, By the Community, For the Community".

Pine Grove Outdoor Play Association  
72 Charlie Lane, Pine Grove, NS

Mailing Address:  
Stephanie Mailman-Crouse  
143 Dawson Heights  
Pine Grove, NS. B0J 1E0

June 30, 2019

Please accept the attached application for the Designated Community Project Fund.

We would ask that MoDL waiver the 5% administration fee, in consideration the organization is adding to the asset of land owned by MoDL.

Our insurance provider is Arthur J. Gallagher Canada Limited.

Our Board of Directors Executive is as follows:

Stephanie Mailman-Crouse, Chairperson  
Ashley Veinot, Vice-Chair  
Kaitlin Richard, Treasurer  
Amy Cohoon-Swim, Secretary





# DESIGNATED COMMUNITY PROJECT FUND

## APPLICATION FORM

Name of Organization

Pine Grove Outdoor Play Association

Applicant/Contact Person

Stephanie Mailman --Crouse

Mailing Address

143 Dawson Heights, Pine Grove, NS B0J 1E0

Business telephone

Home telephone

Email

902-212-0328

### Organization Details

Is Organization a Registered Society under the NS Society Act?

Yes

No

Registration # 3253258

Is the Organization a Registered Charity under Federal authority?

Yes

No

Registration #

Public

Private

Membership Driven

Do you have a Junior Program?  Yes

No

Do you have a Subsidy Program?

Yes

No

Please attach a copy of your Memorandum of Association and a list of your current Executive Board Members.

### Financial Details

What is the date of your Fiscal Year End?

Dec. 31, 2019

Please attach a copy of your latest Financial Statement

### Facility Information

Civic Address

72 Charlie Lane, Pine Grove, NS

Please provide an overview of the Property and Buildings

Property is a park setting with ice/hall rink, play equipment, storage buildings, soccer field, gazebo and washroom

Are there Assets Owned or Leased?

Yes

No

Itemize

MoDL own the land

All other assets are owned by the association

Please describe the services provided by the Association \_\_\_\_\_

The association provides a play park for all ages.

There is no charge to use the park.

Please describe the benefits to the Residents of Lunenburg Municipality \_\_\_\_\_

The park is open for all ages to use unsupervised. The park offers opportunity for physical activities as well as quiet places.

**Insurance Details**

Does your Association have Insurance on its structures and on its liability coverage? \_\_\_\_\_

Yes  No

Please include insurance provider name and coverage limits \_\_\_\_\_

**Project Details and Financing**

Please provide a project overview \_\_\_\_\_

We are adding to the park by providing a splash pad. We have raised funding except for the balance of \$13,160.50 from a budget of \$71,457.50

How will this benefit the Association and Residents? \_\_\_\_\_

This splash pad will provide another activity at the park that is well used by residents of Lunenburg county.

Please provide details on the cost of the project (include expenses and revenue sources).

Splash pad budget and pricing is \$71,457.50. We have raised \$58,297.17 through grants, and fundraising.

Total amount desired to collect with this Campaign? \$13,160.50

Please provide a start and end date for your campaign.

Started spring of 2018 and hoping for installation of Summer 2019.

What is the Strategy to raise the money? (ie members only, public capital campaign, corporate campaign)

Fundraising, grants, donations, members, public.

Have you used this community project fund before?

Yes

No

If yes, please explain? \_\_\_\_\_

**PLEASE NOTE: Funds received by D.C.P.F. will be dispersed at the discretion of Council. Any organization that fundraised on behalf of D.C.P.F. will not be guaranteed that they will receive a grant from this fund.**

Date of application:

June 30, 2019

Signature:

[Redacted Signature]

Print name and Position:

Stephanie Mailman-Crouse, Association Chairperson

Representatives from your organization may be requested to supply additional information or to make an appearance before Council to present your request.

Advertisement: Council will publish a list of the grants approved from the Designated Community Project Fund in accordance with Section 65(AU) of the Municipal Government Act.

**This Application Includes:**

- Completed Signed Application
- Copy of Latest Financial Statement
- Insurance Provider name and coverage

- Copy of Memorandum of Association
- List of Executive Board Members
- Signed Letter of Understanding

**\*\* Attach any additional supportive information\*\***

Return to: Lunenburg Municipal Recreation  
210 Aberdeen Rd.  
Bridgewater, NS B4V 4G8  
Fax: (902)527-1135

For information: (902) 541-1343 email [recreation@modl.ca](mailto:recreation@modl.ca)

**MEMORANDUM OF  
ASSOCIATION  
OF**

**PINEGROVE OUTDOOR  
PLAY ASSOCIATION**

MEMORANDUM OF ASSOCIATION

OF

**Pinegrove Outdoor Play Association**

- 1.0 The name of the Society is: **Pinegrove Outdoor Play Association**
- 2.0 The objects of the society are:
  - A. To develop and maintain recreation lands within the community of Pine Grove
  - B. To Facilitate, Host and Promote Recreation and Leisure Programs and Services
  - C. To foster and encourage community spirit and a safe play environment for the community
  - D. To acquire by way of grant ,gift, purchase, bequest, devise or otherwise real and personal property and to use and apply such property to the realization of the objectives of the Society
  - E. To buy, own, hold, lease ,mortgage, sell and convey such real and personal property as may be deemed necessary or desirable in carrying out of the objectives of the Society

**PROVIDED** that nothing herein contained shall permit the society to carry on any trade, industry, or business  
**and the society shall be carried on without purpose of gain to any of the members and that any surplus or any accretions of the society shall be used solely for the purpose of the Society and its object.**

PROVIDED, further that for any reason the operations of the Society are terminated or are wound up, or are dissolved and there remains, at that time, after satisfaction of and debts and liabilities, any property whatsoever,  
The same shall be paid to some other charitable organization in Canada, having objects similar to those of the Society

- 3.0 The activities of the Society are to be carried out within the community of Pine Grove Lunenburg County  
Nova Scotia
- 4.0 The registered office of the Society is at  
409 Aulenback Pt Rd (street number)  
(city or town) NOVA SCOTIA (province) B0J 1E0 (postal code)

We the several persons whose names, addresses, and occupations are subscribed , desire to be formed into a Society,

OF

## PINEGROVE OUTDOOR PLAY ASSOCIATION

1.0 In these by-laws unless there is something in the subject or context inconsistent there with

- A) "Society means **PINEGROVE OUTDOOR PLAY ASSOCIATION**
- B) "Registrar" means the Registrar of Joint Stock Companies appointed under the Nova Scotia

Companies Act

- C) "Special Resolution" means a resolution passed by not less than three-fourths of such members entitled to vote in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to propose the resolution as a special resolution has been duly given

### MEMBERSHIP

2.0 The subscribers to the Memorandum of Association and such other persons as shall be admitted to membership in accordance to these by-laws, and none other, shall be members of the Society, and their names shall be entered in the Register of Members accordingly.

3.0 For the purposes of registration, the number of members of the Society is unlimited.

4.0 Every member of the Society shall be entitled to attend any meeting of the Society and to vote at any meeting of the Society and to hold any office. Voting by proxy shall be permitted.

5.0 Membership in the Society shall not be transferable.

6.0 The following shall be admitted to membership in the Society:

A) Any individual over the age of 18 years residing in Pine Grove who upholds the objects of the Society and contributes to the support of the Society an amount to be determined annually at the General Meeting.

B) Membership is to include all residents, organizations and businesses within the community of Pine Grove which is defined as those located on Pine Grove Road and all current or future subdivisions and roads branching off and terminating off this road. Membership will also include those residing within 1 Km of Pine Grove Road including Maitland Road, Naugler Road, MacCulloch Road, Highway #10, and the Dauphnee Road.

C) Associate memberships will be extended to those residing outside the defined community boundaries who wish to support and uphold the objectives of the society.

This membership does not have voting privileges, nor are they able to hold office.

7.0 No formal admission to membership shall be required and the entry in the Register of Members by the Secretary of the name and address of any organization or individual shall constitute an admission to membership in the Society.

8.0 Membership in the Society shall cease upon the death of a members, or if, by notice in writing to the

Society, he resigns his membership, or if he ceases to qualify for membership in accordance with these by-laws.

#### FISCAL YEAR

9.0 The fiscal year of the Society shall be the period from **JANUARY 1 to DECEMBER 31.**

#### MEETING

- 10.0 A) The ordinary or annual general meeting of the Society shall be held within three months after the end of each fiscal year of the Society;
- B) An extraordinary general meeting of the Society may be called by the Chairman or by the directors at any time, and shall be called by the directors if requisitioned in writing by at least twenty-five per centum (25%) in number of the members of the Society.

11.0 Seven days notice of a meeting, specifying the place, day and hour of the meeting and, in the case of special business, the nature of such business, shall be given to the members. **Notice shall be given in writing and delivered to each household.** The non-receipt of any notice by any member shall not invalidate the proceedings at any general meeting.

12.0 At each ordinary or annual general meeting of the Society, the following items of business shall be dealt with and shall be deemed to be ordinary business:

Minutes of preceding general meeting;  
Consideration of the annual report of the directors;  
Consideration of the financial statements, including balance sheet and operating statement and the report of the auditors thereon;  
Election of directors for the ensuing year;  
Appointment of Auditors.

All other business transacted at an ordinary or annual general shall be deemed to be special business and all business shall be deemed special that is transacted at an extraordinary general meeting of the Society.

13.0 No business shall be transacted at any meeting of the Society unless a quorum of members is present at the commencement of such business and such quorum shall consist of 25% of the members.

14.0 If within one-half hour from the time appointed for the meeting, a quorum of members is not present, the meeting, if convened upon the requisition of the members, shall be dissolved. In any other case, it shall stand adjourned to such time and place as a majority of the members then present shall direct and if at such adjourned meeting a quorum of members is not present, it shall be adjourned sine die.

- 15.0 A) The Chairperson of the Society shall preside as Chairperson at every general meeting of the Society;
- B) If there is no Chairperson or if at any meeting he/she is not present at the time of holding the same, the Vice-Chairperson shall preside as Chairperson;
- C) If there is no Chairperson or Vice-Chairperson or if at any meeting neither the Chairperson nor the Vice-Chairperson is present at the holding of the same, the members present shall choose someone of their number to be Chairperson.

- 16.0 **The Chairperson shall have no vote except in the case of any equality of votes. In the case of any equality of votes, he/she shall have a casting vote.**
- 17.0 The Chairperson may, with the consent of the meeting, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting, other than the business left unfinished at the meeting from which the adjournment took place, unless notice of such new business is given to the members.
- 18.0 At any meeting, unless a poll is demanded by at least three members, a declaration by the Chairperson that a resolution has been carried and an entry to that effect in the book of proceedings of the Society shall be sufficient evidence of the fact, without proof of the number or proportion of the members recorded in favour of or against such resolution.
- 19.0 If a poll is deemed in manner aforesaid, the same shall be such manner as the Chairperson may prescribe and the result of such poll shall be deemed to be the resolution of the Society in general meeting.

#### VOTES OF MEMBERS

- 20.0 Every member shall have one vote and no more. **There shall be only one vote per household, organisations or business membership. Furthermore, associate membership shall have no voting privileges.**

#### DIRECTORS

- 21.0 Unless otherwise determined by general meeting, the number of directors shall not be less than five or more than fifteen. The subscribers to the Memorandum of Association of the Society shall be the first directors of the Society.
- 22.0 Any member of the Society shall be eligible to be elected a director of the Society. **Associate members shall not be eligible to hold office.**
- 23.0 Directors shall be elected by the members at each ordinary or annual general meeting of the Society.
- 24.0 The members shall elect as a director, a representative nominated by each of the organisations which support the work of the Society and the remaining directors shall be elected by the members from among their number.
- 25.0 At the first ordinary or annual general meeting of the Society and at every succeeding ordinary or annual general meeting, all the directors shall retire from office but shall hold office until the dissolution of the meeting at which their successors are elected and retiring directors shall be eligible for re-election.
- 26.0 In the event that a director resigns his/her office or ceases to be a member of the Society, whereupon his/her office as director shall ipso facto be vacated, the vacancy thereby created may be filled for the unexpired portion of the term by the Board of Directors from among the members of the Society.
- 27.0 The Society may, by special resolution, remove any director before the expiration of the period of office and appoint another person in his/her stead. The person appointed shall hold office during such time only as the director in whose place he/she is appointed would have held office if he/she had not been removed.
- 28.0 Meetings of the Board of Directors shall be held as often as the business of the Society may require and shall be called by the Secretary. A meeting of directors may be held at the close of every ordinary or annual general meeting of the Society without notice. Notice of all other meetings, specifying the time and place thereof, shall be given either orally or in writing to each director within a reasonable time before the meeting is to take place, but non-receipt of such notice by any director shall not invalidate the proceedings.

at any meeting of the Board of Directors.

- 29.0 No business shall be transacted at any meeting of the Board of Directors unless at least <sup>5</sup> ~~one-third~~ in number of the directors are present at the commencement of such business.
- 30.0 The Chairperson or, in his/her absence, the Vice-Chairperson or, in the absence of both of them, any director appointed from among those directors present shall preside as Chairperson at meetings of the Board.
- 31.0 The Chairperson shall be entitled to vote as a director and, in the case of an equality of votes, he/she shall have casting vote in addition to the vote to which he is entitled as a director.

#### POWERS OF DIRECTORS

- 32.0 The management of the activities of the Society shall be vested in the directors who, in addition to the powers and authorities by these by-laws or otherwise expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the Society and are not hereby or by Statute expressly directed or required to be exercised or done by the Society in general meeting. In particular, the directors shall have power to engage a co-ordinator and to determine his/her duties and responsibilities and his/her remuneration. The directors may appoint an executive committee, consisting of the officers and such other persons as the directors decide.

#### OFFICERS

- 33.0 The officers of the Society shall be a Chairperson, a Vice-Chairperson, a Treasurer and a Secretary. The officers of treasurer and secretary may be combined.
- 34.0 The members shall elect one of their number to be the Chairperson of the Society. The Chairperson shall have general supervision of the activities of the Society and shall perform such duties as may be assigned to him by the members from time to time.
- 35.0 The members may also elect from their number a Vice-Chairperson. The Vice-Chairperson shall, at the request of the members and subject to its directions, perform the duties of the Chairperson during the absence, illness or incapacity of the Chairperson, or during such period of the Chairperson may request him to do so.
- 36.0 A) There shall be a Secretary of the Society who shall keep the minutes of the meetings of members and directors and shall perform such other duties as may be assigned to him/her by the members. The members shall appoint the secretary and may also appoint a treasurer of the Society to carry out such duties as the members may assign. If the members think fit, the same person may hold both offices of secretary and treasurer.
- B) The directors may appoint a temporary substitute for the secretary who shall, for the purpose of these by-laws, be deemed to be the secretary.

C) *Treasurer*

#### AUDIT OF ACCOUNTS

- 37.0 The auditor of the Society shall be appointed annually by the members of the Society at the ordinary or annual general meeting and, on failure of the members to appoint an auditor, the directors may do so.

- 38.0 The Society shall make a written report to the members as to the financial position of the Society and the report shall contain a balance sheet and operating account. The auditors shall make a written report to the members upon the balance sheet and operating account, and in every such report, he shall state whether, in his opinion, the balance sheet is a full and fair balance sheet containing the particulars required by the Society and properly drawn up so as to exhibit a true and correct view of the Society's affairs, and such report shall be read at the annual meeting. A copy of the balance sheet, showing the general particulars of its liabilities and assets and a statement of its income and expenditure in the preceding year, audited by the auditor, shall be filed with the Registrar within fourteen days after the annual meeting in each year, as required by law.
- 39.0 The Society has power to repeal or amend any of these by-laws by a special resolution passed in the manner prescribed by law.

#### MISCELLANEOUS

- 40.0 The Society shall file with the Registrar with its Annual Statement a list of its directors with their addresses, occupations and dates of appointment or election, and within fourteen days of a change of directors, notify the Registrar of the change.
- 41.0 The Society shall file with the Registrar a copy in duplicate of every special resolution within fourteen days after the resolution is passed.
- 42.0 The seal of the Society shall be in the custody of the Secretary and may be affixed to any document upon resolution of the Board of Directors.
- 43.0 Preparation of minutes, custody of the books and records, and custody of the minutes of all the meetings of the Society and of the Board of Directors shall be the responsibility of the Secretary.
- 44.0 The books and records of the Society may be inspected by any member at any reasonable time within two days prior to the annual general meeting at the registered office of the Society.
- 45.0 Contracts, deeds, bills of exchange and other instruments and documents may be executed on behalf of the Society by the Chairman or the Vice-Chairman and the Secretary, or otherwise as prescribed by resolution of the Board of Directors.
- 46.0 The borrowing powers of the Society may be exercised by special resolution of the members.

## BY-LAWS FOR A NON-PROFIT SOCIETY

### Definitions

1. In these by-laws:
  - (a) "Society" means PINE GROVE OUTDOOR PLAY ASSOCIATION  
(society name)
  - (b) "Registrar" means the Registrar of Joint Stock Companies appointed under the Nova Scotia Companies Act.
  - (c) "Special Resolution" means a resolution passed by not less than three-fourths of such members entitled to vote as are present in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to propose the resolution as a special resolution has been duly given.

### Membership Rights and Responsibilities

2. The Society is ultimately accountable to the members of the Society.
3. Every member is entitled to attend any members' meeting of the Society.
4. Every member may vote at any members' meeting of the Society after they have attended at least one previous members' meeting.
5. Any member of legal age, or with their guardian's written consent, is entitled to hold any office.
6. Membership in the Society shall consist of:
  - (a) the minimum of 5 subscribers to the Memorandum of Association,
  - (b) those who support the objects of the Society,
  - (c) those whose name and address is written in the Register of Members by the secretary,
  - (d) those who pay an annual fee in an amount to be determined by the Society, and/or
  - (e) those who reside in the geographic area of PINE GROVE, MAITLAND, NORTHFIELD and/or Cookville
  - (f) other: \_\_\_\_\_
7. Membership in the Society is not transferable.
8. Membership in the Society shall cease:
  - (a) upon death, or
  - (b) if the member resigns by written notice to the Society, or
  - (c) if the member ceases to qualify for membership in accordance with these by-laws, or
  - (d) if, by a vote of the majority of the members of the society or a majority vote of the Directors of the Society at a meeting duly called and for which notice of the proposed action has been given, the Member's membership in the Society has been terminated.
9. The members may repeal, amend or add to these by-laws by a special resolution. No by-law or amendment to by-laws shall take effect until the Registrar approves of it.
10. No funds of the society shall be paid to or be available for the personal benefit of any member.

Registry of Joint Stock Companies PO Box 1529 Halifax, NS B3J 2Y4

Need help? Contact us at 902-424-7770 (toll-free in Nova Scotia: 1-800-670-4357) or at [www.rjsc.ca](http://www.rjsc.ca)  
Society Incorporation Forms Page 5 of 13 v0609

## Members' Meetings

11. Every member, subject to by-law 4, shall have one vote and no more and there shall not be proxy voting
12. A general or special meeting of the members may be held at any time and shall be called:
  - (a) if requested by the chair, or
  - (b) if requested by a majority of the directors, or
  - (c) if requested in writing by 4 of the members.
13. Notice to members is required for general or special meetings. The notice must:
  - (a) specify the date, place and time of the meeting,
  - (b) be given to the members seven (7) days prior to the meeting,
  - (c) be given to the members by newsletters, newspapers, television, radio, e-mail, telephone, fax and/or other electronic means,
  - (d) specify the nature of business, such as the intention to propose a special resolution, and
  - (e) the non-receipt of notice by any member shall not invalidate the proceedings.
14. An annual general meeting shall be held within three months after every fiscal year end and notice is required which must:
  - (a) specify the date, place and time of the meeting,
  - (b) be given to the members thirty (30) days prior to the meeting,
  - (c) be given to the members by newsletters, newspapers, television, radio, e-mail, telephone, fax and/or other electronic means,
  - (d) specify the intention to propose a special resolution, and
  - (e) the non-receipt of notice by any member shall not invalidate the proceedings.
15. At the annual general meeting of the Society the following items of business shall be dealt with and shall be deemed ordinary business and all other business transacted shall be deemed special business:
  - (a) minutes of the previous annual general meeting,
  - (b) consideration of the annual report of the directors,
  - (c) consideration of the annual financial report of the Society,
  - (d) the appointment of auditors for the ensuing year, and
  - (e) election of directors,
16. Quorum shall consist of 4 of members. No business shall be conducted at any meeting unless a quorum is present to open the meeting and, upon request, before any vote.
17.
  - (a) If a meeting is convened as per by-law 12(a) or 12(b) and quorum is not present within one-half hour from the time appointed for the meeting, it shall be adjourned to such time and place as a majority of the members present shall decide. Notice of the new meeting shall be given and at the adjourned meeting the members present shall constitute quorum only for the purpose of winding up the Society.
  - (b) If a meeting is convened at the request of the members as per by-law 12(c) and quorum is not present within one-half hour from the time appointed for the meeting, it shall be dissolved.

18. The President, or in his/her absence, the Vice-President, or in the absence of both of them, any member appointed from among those present, shall preside as Chair at members' meetings.
19. Where there is an equality of votes  
the motion shall be lost.
20. The Chair may, with the consent of the meeting, adjourn any meeting. No business shall be transacted at the subsequent meeting other than the business left unfinished at the adjourned meeting unless notice of such new business is given to the members.
21. At any meeting a declaration by the Chair that a resolution has been carried is sufficient unless a poll is demanded by at least three members. If a poll is demanded it shall be held by show of hands or by secret ballot as the Chair may decide.

#### **Directors**

22. Any member of the society shall be eligible to be elected a director of the Society and a director of the society shall be a member.
23. The number of directors shall be 5 (not less than 5). The subscribers to the Memorandum of Association of the Society shall be the first directors of the Society.
24. Directors shall retire from office at the end of each annual general meeting at which their successors are elected. Retiring directors shall be eligible for re-election. Directors shall be elected to  
two year terms, with one-half of the directors elected each year.
25. If a director resigns his/her office or ceases to be a member in the Society, his/her office as director shall be vacated and the vacancy may be filled for the unexpired portion of the term by the board of directors from among the members of the Society.
26. The members may, by special resolution, remove any director and appoint another person to complete the term of office.
27. The management of the Society is the responsibility of the directors. In particular, the directors may engage a General Manager, and determine his/her duties, responsibilities and remuneration.
28. The directors may appoint an executive committee and other committees as they see fit.
29. Directors who have, or could reasonably be seen to have, a conflict of interest have a duty to declare this interest. The declaration should be made to the members
  - (a) upon nomination, and
  - (b) if serving as a director, when the possibility of a conflict is realized.
30. A conflict of interest does not prevent a member from serving as a director provided that he/she withdraws from the decision making on matters pertaining to that interest. The withdrawal should be recorded in the minutes.

## Directors' Meetings

31. The board of directors shall meet no less than \_\_\_\_\_ times each year.
32. A meeting of directors may be held at the close of every annual general meeting without notice for the purpose of electing officers. For all other board meetings, notice is required and must:
  - (a) specify the date, place and time of the meeting,
  - (b) be given to the directors seven (7) days prior to the meeting,
  - (c) be given to the directors by newsletters, radio, public bulletin boards, e-mail, telephone, fax and/or other electronic means,
  - (d) the non-receipt of notice by any director shall not invalidate the proceedings.
  - (e) Notice can be waived for board meetings with the unanimous approval of the Board.
33. Quorum shall consist of 4 of the directors. No business shall be conducted at any meeting of the board of directors unless a quorum is present to open the meeting and, upon request, before any vote.
34. The President or, in his/her absence, the Vice-President or, in the absence of both of them, any director appointed from among the directors shall preside as Chair of the Board.
35. At directors' meetings, where there is an equality of votes  
the motion shall be lost.

## Officers

36. The officers shall be elected by the directors and shall be a President, a Vice-President, a Treasurer and a Corporate Secretary. The offices of Treasurer and Corporate Secretary may be combined.
37. One of the officers shall be the President. The President shall be responsible for the effectiveness of the board and shall perform other duties as assigned by the members or the directors.
38. One of the officers shall be the Vice-President. The Vice-President shall perform the duties of the Chair during the absence, illness or incapacity of the President, or when the Chair may request him/her to do so.
39. One of the officers shall be the Corporate Secretary. The Corporate Secretary shall:
  - (a) have responsibility for the preparation and custody of all books and records including:
    1. the minutes of members' meetings,
    2. the minutes of directors' meetings,
    3. the register of members, and
    4. filing the annual requirements with the office of the Registrar, and
  - (b) have custody of the Seal, if any, which may be affixed to any document upon resolution of the board of directors, and
  - (c) file with the Registrar:
    1. within fourteen (14) days of their election or appointment, a list of directors with their addresses, occupations, and dates of appointment or election

2. a copy of every special resolution within fourteen (14) days after the resolution is passed, and
  - (d) have other duties as assigned by the board.
40. The directors may also appoint a Recording Secretary
    - (a) who is responsible for taking minutes of all board and members' meetings, and
    - (b) who need not be a director.
  41. One of the officers shall be the Treasurer. The Treasurer shall have responsibility for the custody of all financial books and records of the Society, and carry out all other duties as assigned by the board.
  42. Contracts, deeds, bills of exchange and other instruments and documents may be executed on behalf of the Society by the President or the Vice-President and the Corporate Secretary, or otherwise as prescribed by resolution of the Board of Directors.

### Finance

43. The fiscal year end of the Society shall be the last day of December  
(month)
44. The directors shall annually present to the members a written report on the financial position of the Society. The report shall be in the form of:
  - (a) a balance sheet showing its assets, liabilities and equity, and
  - (b) a statement of its income and expenditure in the preceding fiscal year.
45. A copy of the financial report shall be signed by the auditor or by two directors.
46. A signed copy of the financial report shall be filed with the Registrar within fourteen (14) days after each annual meeting.
47. An auditor of the Society may be appointed by the members at the annual general meeting and, if the members fail to appoint an auditor, the directors may do so.
48. The Society may only borrow money as approved by a special resolution of the members.
49. The members may inspect the annual financial statements and minutes of membership and directors meetings at the registered office of the Society with one week's notice. All other books and records of the Society may be inspected by any member at any reasonable time within two days prior to the annual general meeting at the registered office of the Society.
50. Directors and officers shall serve without remuneration and shall not receive any profit from their positions. However, a director or officer may be paid reasonable expenses incurred in the performance of his/her duties.
51. The Society shall not make loans, guarantee loans or advance funds to any director.

THIS AGREEMENT dated the 6<sup>th</sup> day of July, A.D., 2011

BETWEEN:

**MUNICIPALITY OF THE DISTRICT OF LUNENBURG**, a municipal body corporate, pursuant to the Municipal Government Act, S.N.S., 1998, chapter 18, with its office in the Town of Bridgewater, in the County of Lunenburg and Province of Nova Scotia

(Hereinafter called "MODL")

-and-

**PINEGROVE OUTDOOR PLAY ASSOCIATION**, a society registered pursuant to the Societies Act of Nova Scotia, having its head office in Blockhouse, in the County of Lunenburg; County and Province of Nova Scotia;

(Hereinafter called "POPA")

**WHEREAS:**

1. MODL presently owns lands known as PID 60252533 ("the property"), a depiction of which is attached as Schedule "A" hereto;
2. MODL has designed the property as "open space" pursuant to their "Open Space Strategic Plan";
3. POPA is a non-profit Society registered under the Societies Act of Nova Scotia, whose objects are, among other things, to work in partnership with MODL;
4. MODL, by motion of Municipal Council on March 8, 2011, accepted the recommendation of the Committee of the Whole that Municipal Council enter into a "lease agreement" with POPA;
5. MODL and POPA wish to enter into an agreement for the creation, design, and management of an outdoor play park to be situated on the property;

**WITNESSETH THAT** in consideration of mutual promises herein and other good and valuable consideration, the sufficiency of which is acknowledged, MODL and POPA hereby agree as follows:

1. POPA will develop an outdoor play park at the property for the use and enjoyment of the residents of Pinegrove and its surrounding communities.
2. The possible uses for the outdoor play park include, but are not limited to, an outdoor ice surface, a baseball/softball field, a basketball court, a playground, or open space.
3. All possible uses, whether present or future, for the park must be reviewed and agreed upon by both parties before being implemented.
4. POPA shall be responsible to procure all necessary building and/or development permits from MODL, and must abide by all municipal, provincial and/or federal bylaws, statutes, and regulations in procuring permits and performing in connection therewith.

5. POPA shall be responsible to inform themselves of and follow any safety guidelines relevant to the installation, assembly, and/or use of any outdoor play park related equipment, structures, and/or venues.
6. POPA shall be responsible for Commercial General Liability insurance in a nature and an amount satisfactory to MODL and MODL's insurer. Such insurance shall name MODL as an additional insured, with MODL to be given 30 days notice of any material change or cancellation of such insurance.
7. POPA shall immediately advise MODL of any incidents of damage or injuries which have occurred at the property.
8. This agreement shall extend to the subject property only.
9. MODL agrees to indemnify, save and hold harmless POPA from actions and/or causes of action, and/or legal things, and damages arising therefrom, whether real or incorporeal, arising from the conduct of MODL in the course of MODL's duties as outlined in this Agreement.
10. POPA agrees to indemnify, save and hold harmless MODL from any actions and/or causes of action, and/or legal thing, and any damages arising therefrom, whether real or incorporeal, arising from the course of duties of the Society as outlined in this Agreement and/or any acts and/or negligence caused by POPA, occurring on the property, or otherwise. This indemnity shall be binding on all members (including, but not limited to, directors and officers) of the Society, past, present or future, and their heirs, successors, administrators, or assigns of the Society (POPA).
11. Development of the park shall only proceed once all necessary insurance policies have been procured and all necessary agreements have been reviewed by the parties' mutual insurers. Failure to procure proper insurances or reach an agreement satisfactory to the parties' insurers shall render this agreement and any agreements collateral hereto as null and void.
12. Once development has commenced any failure by POPA to:
  - (a) take reasonable care of the grounds and/or any equipment located on the property;
  - (b) maintain any standards established by any of the parties insurers;
  - (c) follow any safety guidelines which are relevant to the installation, assembly, and/or use of any outdoor play park related equipment, structures and/or venues;
  - (d) comply with any municipal, provincial and/or federal bylaw, statutes, or regulations;shall be grounds for immediate termination by MODL of this agreement and any agreements collateral hereto, as well as repossession of the property;
13. Upon reasonable notice to POPA, MODL shall have the ability to inspect POPA's corporate and/or financial records, including but not limited to financial statements and minutes of any meetings held by POPA
14. It is acknowledged and agreed that it is the intention of the parties to review and amend this agreement, if necessary, at least every three years, the first review date being May 31, 2014, or sooner as agreed by the parties.

15. The parties agree that this Agreement will be binding upon the parties, their respective successors and/or assigns.

IN WITNESS WHEREOF MODL and POPA has hereunto caused this Agreement to be duly executed and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in the presence of:

) MUNICIPALITY OF THE DISTRICT OF  
) LUNENBURG

Witness

) Per:

) Donald R. Downe  
) Donald R. Downe, Mayor

Heather A. Whynot  
Witness

) Per:

) April Whynot-Lohnes  
) April Whynot-Lohnes, Clerk

) PINEGROVE OUTDOOR PLAY ASSOCIATION

Witness

) Per:

) Cory Boudreau  
) Cory Boudreau, Chairperson

Witness

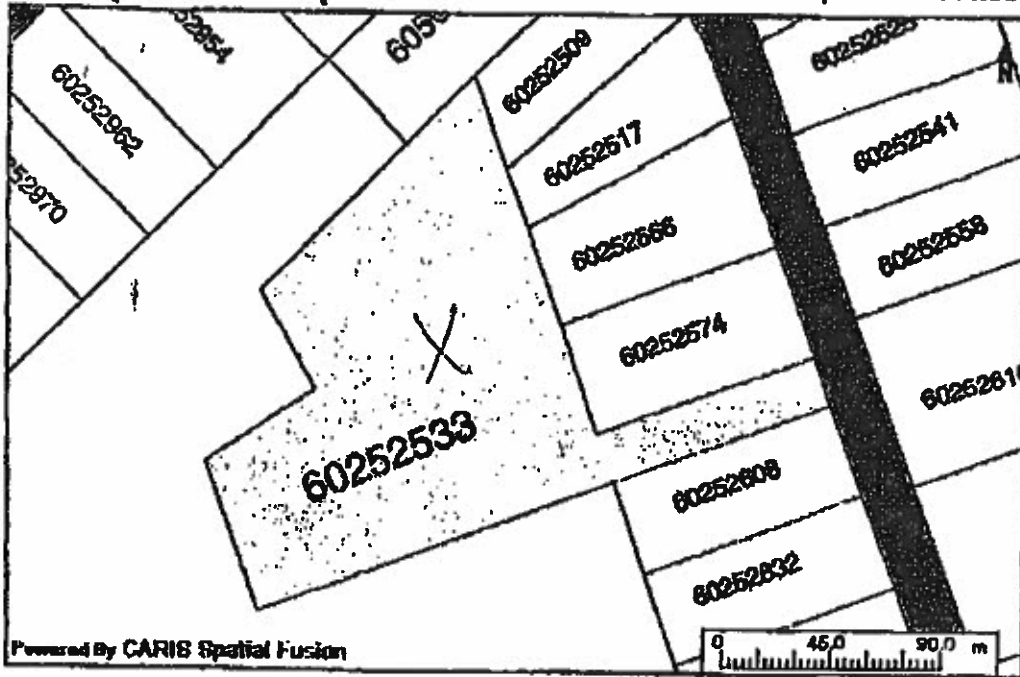
) Per:

) Robin Lepine  
) Robin Lepine, Secretary/Treasurer



Property Online Map

Date: Jun 21, 2011 10:44:53 AM



PID: 60252533	Owner: MUNICIPALITY OF THE DISTRICT OF LUNENBURG	AAN: 08147655
County: LUNENBURG COUNTY	Address: CHARLIE LANE PINE GROVE	Value: \$20,000 (2011 RESIDENTIAL EXEMPT)
LR Status: NOT LAND REGISTRATION		

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

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## BY-LAWS FOR A NON-PROFIT SOCIETY

### Definitions

1. In these by-laws:
  - (a) "Society" means **Pine Grove Outdoor Play Association**
  - (b) "Registrar" means the Registrar of Joint Stock Companies appointed under the Nova Scotia Companies.
  - (c) "Special Resolution" means a resolution passed by not less than three-fourths of such members entitled to vote as are present in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to propose the resolution as a special resolution has been duly given.

### Membership Rights and Responsibilities

2. The Society is ultimately accountable to the members of the Society.
3. Every member is entitled to attend any members' meeting of the Society.
4. Every member may vote at any members' meeting of the Society after they have attended at least one previous members' meeting.
5. Any member of legal age, or with their guardian's written consent, is entitled to hold any office.
6. Membership in the Society shall consist of:
  - (a) the minimum of 5 subscribers to the Memorandum of Association,
  - (b) those who support the objects of the Society,
  - (c) those whose name and address is written in the Register of Members by the secretary,
  - (d) those who pay an annual fee in an amount to be determined by the Society, and/or
  - (e) those who reside in the geographic area of **Pine Grove, Maitland, Northfield and/or Cookville**
  - (f) other: \_\_\_\_\_
7. Members in the Society is not transferable.
8. Membership in the Society shall cease:
  - (a) upon death, or
  - (b) if the member resigns by written notice to the Society, or
  - (c) if the member ceases to qualify for membership in accordance with these by-laws or
  - (d) if, by a vote of the majority of the members of the Society or a majority vote of the directors of the Society at the meeting duly called and for which notice of the proposed action has been given, the Member's membership in the Society has been terminated.
9. The members may repeal, amend or add to these by-laws by a special resolution. No by-law or amendment to by-laws shall take effect until the Registrar approves of it.
10. No funds of the society shall be paid to or be available for the personal benefit of any member.

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Registry of Joint Stock Companies PO Box 1529 Halifax B3J 2Y4  
Need help? Contact us at 902-424-7770 (toll-free in Nova Scotia: 1-800-670-4357) or at [www.rjsc.ca](http://www.rjsc.ca)



**Nova Scotia**

**CERTIFICATE OF INCORPORATION**

**Societies Act**

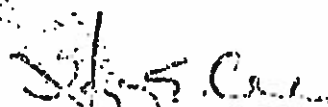
Registry Number

3253258

Name of Society

PINEGROVE OUTDOOR PLAY ASSOCIATION

I hereby certify that the above-mentioned society was incorporated this date under the Societies Act.

  
\_\_\_\_\_  
Registrar of Joint Stock Companies

March 30, 2011  
Date of Incorporation

**Line Grove Outdoor Play Association**  
**Income Statement 01/01/2018 to 12/31/2018**

**REVENUE**

<b>Sales Revenue</b>	
Donations - Individual	5,263.00
Donations - Corporate	0.00
Operating Revenue from Fund R...	0.00
Operating Revenue from MODL	5,300.00
5K Walk/Run Fundraiser	2,335.00
<b>Total Revenue</b>	<u>12,898.00</u>
<b>Other Revenue</b>	
Gain/Loss	0.00
Interest Revenue	0.00
Miscellaneous Revenue	0.00
<b>Total Other Revenue</b>	<u>0.00</u>
<b>TOTAL REVENUE</b>	<u>12,898.00</u>

**EXPENSE**

<b>Program Costs</b>	
5K Walk/Run Fundraiser	843.33
Program B Cost	0.00
Program C Cost	0.00
<b>Total Programs Cost</b>	<u>843.33</u>
<b>General &amp; Administrative Expe...</b>	
Accounting & Legal	0.00
Advertising & Promotions	0.00
Bad Debts	0.00
Business Fees & Licenses	31.15
Cash Short/Over	0.00
Courier & Postage	0.00
Credit Card Charges	0.00
Meals	30.83
Park Events	139.96
Amortization Expense	4,280.83
Insurance	1,250.00
Interest & Bank Charges	5.00
Office Supplies	228.98
Property Taxes	0.00
Motor Vehicle Expenses	15.69
Miscellaneous Expenses	10.00
Park Equipment	836.52
Repair & Maintenance	1,925.97
Snow Removal	200.00
Lawn Maintenance	1,168.40
Rink Flooding	1,332.31
Utilities	129.09
<b>Total General &amp; Admin. Expen...</b>	<u>11,584.73</u>
<b>TOTAL EXPENSE</b>	<u>12,428.06</u>
<b>NET INCOME</b>	<u>469.94</u>

**Line Grove Outdoor Play Association  
Balance Sheet As at 12/31/2018**

<b>ASSET</b>		
<b>Current Assets</b>		
Petty Cash	0.00	
Items to be deposited	880.00	
Chequing Bank Account	9,582.46	
Total Cash		10,462.46
Donated Time and Material		3,884.50
Accounts Receivable	0.00	
Total Receivable		0.00
Prepaid Expenses		0.00
<b>Total Current Assets</b>		<b>14,346.96</b>
<b>Capital Assets</b>		
Shed	2,400.00	
Accum. Amort - Shed	-48.00	
Net - Shed		2,352.00
Soccer Nets	1,366.08	
Accum. Amort. - Soccer Nets	-133.61	
Net - Soccer Nets		1,232.47
Snowblower	2,023.99	
Accum. Amort - Snowblower	-202.40	
Net - Snowthrower		1,821.59
Well	4,609.16	
Accum. Amort. - Well	-446.31	
Net - Well		4,162.85
Mogules	11,836.06	
Accum. Amort. - Mogules	0.00	
Net - Mogules		11,836.06
Fire Pit	569.32	
Accum. Amort. - Fire Pit	-359.66	
Net - Fire Pit		209.66
BBQ	568.68	
Accum. Amort. - BBQ	-159.23	
Net - BBQ		409.45
Basketball Court	465.36	
Accum. Amort. - Basketball Court	-170.91	
Net - Basketball Court		294.45
Trail	12,057.51	
Accum. Amort. - Trail	-3,422.29	
Net - Trail		8,635.22
Playground Equipment	19,445.01	
Accum. Amort. - Playground Eq...	-12,276.75	
Net - Playground Equipment		7,168.26
Gazebo	2,213.13	
Accum. Amort. - Gazebo	-1,397.27	
Net - Gazebo		815.86
Building	22,946.21	
Accum. Amort. -Building	-3,846.70	
Net - Building		19,099.51
Land		0.00
<b>Total Capital Assets</b>		<b>58,037.38</b>
<b>Other Non-Current Assets</b>		
Computer Software		0.00
<b>Total Other Non-Current Assets</b>		<b>0.00</b>
<b>TOTAL ASSET</b>		<b>72,384.34</b>

**LIABILITY**

**Current Liabilities**

Printed On: 07/01/2019

**ine Grove Outdoor Play Association  
alance Sheet As at 12/31/2018**

Accounts Payable	0.00
Bank Loan - Current Portion	0.00
<b>Total Current Liabilities</b>	<u>0.00</u>
<b>Long Term Liabilities</b>	
Loans from Owners	0.00
<b>Total Long Term Liabilities</b>	<u>0.00</u>
<b>TOTAL LIABILITY</b>	<u>0.00</u>
<b>EQUITY</b>	
<b>Owners Equity</b>	
Owners Contribution	0.00
Owners Withdrawals	0.00
Retained Earnings - Previous Year	71,914.40
Current Earnings	469.94
<b>Total Owners Equity</b>	<u>72,384.34</u>
<b>TOTAL EQUITY</b>	<u>72,384.34</u>
<b>LIABILITIES AND EQUITY</b>	<u>72,384.34</u>