

MUNICIPALITY OF THE DISTRICT OF LUNENBURG  
Minutes of a Meeting of  
**MUNICIPAL COUNCIL**  
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS  
**Tuesday, September 24, 2019 – 9:00 a.m.**

**ATTENDANCE**

Deputy Mayor Cathy Moore, District 5  
Councillor Eric Hustvedt, District 1  
Councillor Martin Bell, District 2  
Councillor Lee Nauss, District 3  
Councillor John Veinot, District 4  
Councillor Claudette Garland, District 6  
Councillor Wade Carver, District 7  
Councillor Michael Ernst, District 8  
Councillor Reid Whynot, District 9  
Councillor Errol Knickle, District 10

Regrets: Mayor Carolyn Bolivar-Getson

Staff: Tom MacEwan, Chief Administrative Officer  
Alex Dumaresq, Deputy CAO  
Sherry Conrad, Municipal Clerk  
Sarah Kucharski, Communications Officer  
Tina Robichaud-Bond, Executive Assistant

**1. CALL TO ORDER**

Deputy Mayor Moore called the meeting to order at 9:00 a.m.

**2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION**

**2.1 Proclamation – Right to Know Week in Nova Scotia**

Deputy Mayor Moore read the Right to Know Week proclamation and proclaimed, on behalf of Mayor Bolivar-Getson, September 23-29, 2019 as Right to Know Week in the Municipality of the District of Lunenburg.

**3. PUBLIC INPUT (Nil)**

**4. APPROVAL OF AGENDA**

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

**5. APPROVAL OF MINUTES – September 10, 2019**

Councillor Hustvedt clarified his statement at Item #2 of the Minutes of September 10, 2019 stating that the Lieutenant Governor of Nova Scotia presented the Community Spirit Award to the eleven communities that make up the Petite Riviere School District.

**Moved by Councillor Hustvedt, seconded by Councillor Whynot that the Minutes of the September 10, 2019 Council meeting be approved as amended. Carried unanimously.**

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

**7. AWARDING OF TENDERS/RFPs**

**7.1 Award of Tender 2019-05-008 On-Site Sewage Disposal System Installation Project Group #28**

Maria Butts, Project Coordinator, LaHave River Straight Pipe Replacement Project, was in attendance.

Ms. Butts introduced Engineering student, Mubbashir Umar, and advised that he would be helping with the LaHave Straight Pipe project.

Ms. Butts reviewed her report, “Tender 2019-05-008 On-site Sewage Disposal System Installation, Project Group #28” (circulated with the Agenda) and advised that due to timelines involved in this installation, work would have to be carried out late in fall and unpredictable weather could have an impact on timelines for completing the project.

**Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council rescind Tender 2019-05-008 On-Site Sewage Disposal System Installations for LaHave River Properties, Project Group #28 and not award thereby rejecting all received tenders.**

Ms. Butts advised that over 250 inspections had been completed to date.

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

Ms. Butts and Mr. Umar left the meeting.

**7.2 Award of RFP 2018-004 General Insurance**

Elana Wentzell, Director of Finance, was in attendance.

Ms. Wentzell reviewed her report, “Award of General Insurance RFP 2018-004” (circulated with the Agenda) that outlined the evaluation of the proposals received and staff’s recommendation to award to BFL Canada Risk and Insurance Inc. She advised that the Municipality had participated in a joint RFP for General Insurance with the Municipal Joint Services Board.

**Moved by Councillor Knickle, seconded by Councillor Carver that Municipal Council award the Insurance RFP 2018-004 to BFL Canada Risk and Insurance Inc. Carried Unanimously.**

Ms. Wentzell left the meeting.

**8. PRESENTATIONS/SCHEDULED TIMES**

### **8.1 David Clarke, District Manager, Department of Environment**

David Clark, District Manager; Barry Gillis, Regional Engineer; and Mike MacDonald, Inspector, were in attendance.

Mr. Clark gave a presentation on “Inspection, Compliance & Enforcement Division”, (circulated with the Agenda), highlighting the following points:

- Determining the Compliance Path
- Compliance Policy Objectives
- Approach to Compliance
  - Willingness & Ability to Comply
  - Risk
- Approvals & Notifications Issued
  - Bridgewater District includes Lunenburg & Queens Counties
- Malfunction Applications and Notifications

It was noted that the Inspection, Compliance & Enforcement Division of the Nova Scotia Environment Department was complaint driven, and proof of the complaint was required before any enforcement could be taken.

Mr. Clark, Mr. Gillis, and Mr. MacDonald left the meeting.

### **9. CONSIDERATION OF CORRESPONDENCE (Nil)**

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

#### **10.1 Policy & Strategy Committee**

##### **10.1.1 Repeal of Land Leased-Community By-law**

Jeff Merrill, Director of Planning & Development Services, and Byung Jun Kang, Planner, were in attendance.

Mr. Kang summarized his report, “PL190052: Land-Leased Community By-law Review” (circulated with the Agenda). He advised that further to the review, staff were recommending that the By-law be repealed.

**Moved by Councillor Nauss, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Policy & Strategy Committee and give notice of their intention to adopt a By-law Respecting the Repeal of the Land-Leased Community By-law and Conduct First Reading of same and give Notice of Intent to conduct Second Reading. Carried unanimously.**

David Waters, Director of Business Development, Tourism and Infrastructure, joined the meeting.

### **11.3 Planning Department**

### **11.3.1 Request to Levy Private Road Maintenance Charge – Gilbert’s Lane and Area Road Association**

Norma Schiefer, Development Officer, was in attendance.

Ms. Schiefer reviewed her report, “Request to Levy Private Road Maintenance Charge – Gilbert’s Lane and Area Road Association” (circulated with the Agenda) and advised that the submission satisfied the requirements of the By-law.

**Moved by Councillor Carver, seconded by Councillor Veinot that Municipal Council levy a maintenance charge within the Charge Area identified by the Gilbert’s Lane and Area Road Association as follows:**

- **A uniform amount per lot**

**With the 2020-21 charge being set at:**

- **\$450.00 per lot**

**Subject to an Agreement being entered into between the Municipality of the District of Lunenburg and the Gilbert’s Lane and Area Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.**

Ms. Schiefer explained that applications can be received any time prior to March 1<sup>st</sup> of each year to permit changes on the spring tax bill.

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

Ms. Schiefer left the meeting.

## **10.3 Audit Committee**

### **10.3.1 Approval of Financial Statements for period ending March 31, 2019**

Elana Wentzell, Director of Finance, was in attendance.

**Moved by Councillor Garland, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Audit Committee and approve the Municipality of the District of Lunenburg’s Consolidated Financial Statements for the year ended March 31, 2019. Carried unanimously.**

Ms. Wentzell left the meeting.

## **8.2 Nature Trust Lunenburg Municipality, Jessica Bradford & Ross Firth Re: Exploring Conservation Options for Cape LaHave Island**

Trudy Payne, Director of Recreation Services, was in attendance.

Jessica Bradford, Conservation Project Coordinator, and Ross Firth, Director of Conservation, were in attendance.

Ms. Bradford gave a presentation, “Exploring Conservation Options for Cape LaHave Island” (circulated with the Agenda), highlighting the following points:

- Who is the Nova Scotia Nature Trust?
- How does the Nature Trust work?
- Regional Context
- Work within MODL

Ms. Bradford advised that the Nova Scotia Nature Trust was seeking to work with the Municipality to protect and conserve Cape LaHave Island by placing a conservation easement on the lands and entering into a stewardship agreement for the land.

Mr. Firth explained that Conservation Easements are permanent and transcend to the owners.

Discussions followed on the various species that inhabit the island and if a species evaluation study had been carried out. Ms. Bradford noted that no formal surveys or studies had been done to date.

**Moved by Councillor Hustvedt, seconded by Councillor Bell that Municipal Council refer the request of the Nova Scotia Nature Trust to a future Policy & Strategy Committee meeting. Carried unanimously.**

Ms. Bradford and Mr. Firth left the meeting.

Ms. Payne left the meeting.

## **10.2 Fire & Emergency Services Committee**

### **10.2.1 Fire Department General/Liability Insurance**

Chris Kennedy, Fire Services Coordinator, was in attendance.

**Moved by Councillor Veinot, seconded by Councillor Carver that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and approve BFL Canada Risk and Insurance Inc. as the new insurance provider for the Group Fire Department General/Liability Insurance Program as outlined in Option 2 of their proposal; and further, that Municipal Council adopt the revised insurance grant distribution so that no department pays more in net premiums in this fiscal year (2019/20). Carried unanimously.**

### **10.2.2 Amended Terms of Reference**

**Moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and approve the proposed amendments to Section 6 of the Fire and Emergency Services Committee Terms of Reference as presented. Carried unanimously.**

### **10.2.3 Pump Testing Cistern Proposal**

**Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and provide funding of \$25,000.00 to the Town of Bridgewater for the fire apparatus test cistern, and that Municipal Council require proof of annual pump testing of fire apparatus as part of MODL's annual Fire and Emergency Services Provider Registration process, beginning in June of 2021, and further, that the funding for same come out of the Municipality's contingency fund. Carried unanimously.**

Mr. Kennedy left the meeting.

## **10.4 Dangerous & Unsightly Committee**

### **10.4.1 Award of Property Clean up – 597 Oakhill Road, Oakhill**

Jeff Merrill, Director of Planning & Development Services; Kyle Whynot, Building Official/Fire Inspector; and Ryan Whynot, Assistant Building Official/Fire Inspector, were in attendance.

**Moved by Councillor Garland, seconded by Councillor Carver that Municipal Council accept the recommendation of the Dangerous & Unsightly Property Committee and approve the lowest bid from FancyGreen Property Maintenance for the clean-up of the property located at 597 Oakhill Road, Oakhill, PID 60248374 at a cost of \$2,050 plus \$307.50 HST for a total amount of \$2,357.50.**

In response to a question, Mr. Whynot advised that FancyGreen Property Maintenance's work for the Municipality had been up to standard in the past.

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

### **10.4.2 Award of Property Clean up – 328 South Side Road, Stonehurst**

**Moved by Councillor Knickle, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Dangerous & Unsightly Property Committee and approve the lowest bid from FancyGreen Property Maintenance for the clean-up of the property located at 328 South Side Road, Stonehurst, PID 60173796 at a cost of \$1,640 plus \$246 HST for a total amount of \$1,886.00.**

It was noted that the boats and fishing equipment would not be removed from the property.

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

#### **10.4.3 Award of Property Clean up – 150 Ernst Road, Blockhouse**

Moved by Councillor Ernst, seconded by Councillor Knickle that Municipal Council accept the recommendation of the Dangerous & Unsightly Property Committee and approve the lowest bid from FancyGreen Property Maintenance for the clean-up of the property located at 150 Ernst Road, Blockhouse, PID 60219607 at a cost of \$2,080 plus \$312 HST for a total cost of \$2,392.00. Carried unanimously.

#### **10.4.4 Approval of Application re Clean Up Assistance Program**

Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Dangerous & Unsightly Property Committee and approve the application for the Clean-up Assistance Program (MDL-74) in the amount of \$500 for the properties located at 3214 Highway 208, Colpton, PID 60319381 and Highway 208, Colpton, PID 60617347. Carried unanimously.

### **11. STAFF REPORTS**

#### **11.1 Administration Department**

##### **11.1.1 Strategic Priorities Update**

Mr. Dumaresq reviewed his report, “Strategic Priorities Update – September 2019” (circulated with the Agenda), highlighting the following points:

- Rural High-Speed Internet
- Five-Year Financial Strategy
- LaHave River Straight Pipes
- Recreation Infrastructure
- Roads Strategy
- Fire Services Recruitment and Retention
- Accessibility Plan
- LCLC Governance
- Lyme Disease
- Municipal Services Building
- Flood Mitigation

#### **11.2 Recreation Department**

##### **11.2.1 Designated Community Project Fund – Petite Riviere Community Park**

Trudy Payne, Director of Recreation Services, was in attendance.

Moved by Councillor Hustvedt, seconded by Councillor Nauss that Municipal Council grant the Petite Riviere Community Park \$100.00 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48”. Carried unanimously.

**11.2.1 Designated Community Project Fund – Pinegrove Outdoor Play Assoc.**

**Moved by Councillor Garland, seconded by Councillor Veinot that Municipal Council grant the Pinegrove Outdoor Play Association \$2,410 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48”. Carried unanimously.**

**11.2.1 Designated Community Project Fund – Lunenburg Yacht Club**

**Moved by Councillor Ernst, seconded by Councillor Whynot that Municipal Council grant the Lunenburg Yacht Club \$10,810 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48”.**

A question was asked as to the total amount raised for the Lunenburg Yacht Club under the project fund. Ms. Payne advised that the goal was to raise \$450,000 and that she would forward to Councillors the amount raised to date.

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

Ms. Payne left the meeting.

**12. MAYOR’S/DEPUTY MAYOR’S/COUNCILLORS’ MATTERS****12.1 Update – Deputy Mayor**

Deputy Mayor Moore reported that she attended a meeting with the property owner regarding a dangerous/unsightly matter; agenda briefings; the Mayors/Wardens meeting; the accessibility workshop; and the private roads workshop.

**12.2 Update – Mayor**

Mayor Bolivar-Getson was not in attendance at the meeting and, therefore, the Mayor’s Update was not available.

**13. ADDED ITEMS****14. IN CAMERA**

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

- 14.1 Contract Negotiations re Lumberjacks Contract under Section 22(2)(e) of the MGA**
- 14.2 Contract Negotiations re LaHave River Project under Section 22(2)(e) of the MGA**

**Carried.**

Municipal Council In Camera in session.

**At 12:07 p.m., it was moved by Councillor Whynot, seconded by Councillor Carver that Municipal Council come out of In Camera and return to open session. Carried.**

Municipal Council in session.

**15. ADJOURNMENT**

**There being no further business at 12:07 p.m., it was moved by Councillor Carver, seconded by Councillor Hustvedt that the meeting adjourn. Carried.**