

MUNICIPALITY OF THE DISTRICT OF LUNENBURG  
**MINUTES**  
**MUNICIPAL COUNCIL**  
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS  
**Tuesday, February 12, 2019 – 9:00 a.m.**

**ATTENDANCE**

Mayor Carolyn Bolivar-Getson  
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

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

**1. CALL TO ORDER**

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

**2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION**

Councillor Ernst thanked the members of the Blockhouse Area Advisory Committee and the Oakland Area Advisory Committee for their work on these committees and their contribution to the Municipality. He also thanked all community members who attended the meetings.

**3. PUBLIC INPUT**

Tom Lockwood, Oakland – Mr. Lockwood attended Public Input in his capacity as Chair of the Oakland Area Advisory Committee to publicly acknowledge the Municipality's staff in assisting the Committee with the proposed amendments to the By-law. He advised that 25 public meetings and an open house were held throughout the process which began in 2017.

**4. APPROVAL OF AGENDA**

**Moved by Councillor Nauss, seconded by Deputy Mayor Moore that the agenda be approved as circulated. Carried unanimously.**

5. **APPROVAL OF MINUTES – January 22, 2019**

Moved by Councillor Hustvedt, seconded by Councillor Bell that the Minutes of January 22, 2019 Council meeting be approved as circulated. Carried unanimously.

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

7. **AWARDING OF TENDERS/RFPs** (Nil)

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

10. **RECOMMENDATIONS FROM COMMITTEES & BOARDS**

10.3 **Police Advisory Board**

10.3.1 **Deer Crossing Signs – Northwest Road**

Moved by Councillor Nauss, seconded by Councillor Carver that Municipal Council accept the recommendation of the Police Advisory Committee and write a letter to the Department of Transportation and Infrastructure Renewal requesting Deer Crossing signs to be installed on the Northwest Road (Highway 324). Carried unanimously.

Councillor Ernst advised that Wanda Baxter with the Watch for Wildlife Program had been working with the Department of Transportation to determine suitable locations for the signs, and that contact should be made with her before writing the letter.

10.4 **Nominating Committee**

10.4.1 **Audit Committee Appointment**

Moved by Councillor Hustvedt, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Nominating Committee and appoint Stanley Rose to serve as a public member on the Municipality of the District of Lunenburg's Audit Committee for a three-year term.

It was noted that Mr. Rose was a former councillor, and has a background in banking and real estate.

It was suggested that an ad be placed in the Municipal Matters newsletter advising of an opening for a second public member position on the Committee, and that the newsletter be used to post any future openings. Ms. Kucharski advised that using the Municipal Matters newsletter for this type of posting would not be practical due to timelines, and that these postings are shared on other social medias.

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

#### **10.4.2 South Shore Agri-Innovation Park Association Board Appointment**

**Moved by Councillor Garland, seconded by Councillor Hustvedt that Municipal Council accept the recommendation of the Nominating Committee and appoint Fred Gilbert to serve as a member-at-large on the Board of the South Shore Agri-Innovation Park Association for a three-year term. Carried unanimously.**

It was noted that Mr. Gilbert was former President of Lakehead University and is an active organic gardener.

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

### **11. STAFF REPORTS**

#### **11.2 Recreation Department**

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

**Moved by Councillor Knickle, seconded by Councillor Whynot that Municipal Council grant the Lunenburg Yacht Club \$10,990 as per the criteria outlined in the Designated Community Project Fund Policy MDL-48. Carried unanimously.**

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

#### **8.1 Lyme Disease – Yvonne Mosley**

Yvonne Mosley of Bayview Drive, Garden Lots, was in attendance to address Council. Ms Mosley advised that she represents a group of people under the Canadian Lyme Disease Foundation. She reported that there is a considerable need for more information to be provided to both the public and health care professionals. She predicted that the disease will have a significant economic impact on tourism, the housing market, and the health care system.

Ms. Mosley showed a video discussing the effects of Lyme Disease and circulated statistics on the disease (attached to Minutes). She asked that Council consider supporting two upcoming conferences on Lyme Disease, slated for October/November 2019; one for the public and one designed for health care professionals. She explained that the health care professional conference would be held at the Cineplex and that “event cinema” would be available to permit them to broadcast to and/or connect with professionals around the world.

It was noted that the issue of Lyme Disease is one of Council’s strategic priorities. It was further noted that funds for a conference could be obtained through the Events Promotion Grant.

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

### 10.1 **Planning Advisory Committee**

#### 10.1.2 **Oakland Plan Review – Draft version 3.1, Oakland Secondary Planning Strategy & Land Use By-Law**

Jeff Merrill, Director of Planning and Development Services, was in attendance. Mr. Merrill gave a presentation, “Oakland Plan Review” (attached to Minutes), highlighting the following points:

- Plan Review Process
  - Public Input
  - Development Activity
  - Existing Land Use
  - Noted Changes from existing SPS/LUB
- Highlights of the draft Secondary Planning Strategy & Land Use By-law
  - Zoning Designations
  - Purpose of Ocean Shoreline Zone
  - Proposed Focus
  - Noted Changes re Environmental Provisions
  - Identified Items – Administrative Elements
  - Rural Zones
  - New “Listed Uses” Framework
  - Proposed Listed uses
- Next Steps
  - Other Identified Rural Zone – related changes
  - Review Process at Council
  - Following Council Approval

Mr. Merrill was asked to clarify the “Ocean Shoreline” zoning designation. He explained that the areas in this zone have development restrictions which do not allow for development that would interfere with the view of the ocean.

**Moved by Councillor Ernst, seconded by Councillor Knickle that Municipal Council accept the recommendation of the Planning Advisory Committee and give Public Notice of its intention to adopt Draft Version 3.1 of the Oakland Secondary Planning Strategy and Land Use By-law, as presented to Council on February 12, 2019, and conduct First Reading of same; and further, that Municipal Council hold a Public Hearing in regard to this matter on Tuesday, March 12, 2019 at 7:00 p.m. at the Mahone Bay Centre, and that staff hold a Public Information Session prior to the Public Hearing date. Carried unanimously.**

#### 10.1.1 **Blockhouse Development Agreement Application**

Jeff Merrill, Director of Planning and Development Services, was in attendance. Mr. Merrill gave a presentation, “Development Agreement Application – Municipal Enterprises Ltd”, (attached to Minutes). He advised that the Planning Advisory Committee is recommending that Council enter

into a Development Agreement with Municipal Enterprises Ltd., the land owner of 204 Cornwall Road, and highlighted the following points:

- What is a Development Agreement?
- Proposal from Municipal Enterprises Ltd.
- Property details of proposed site
- Change of Use of proposed site
- Adjacent properties to proposed site
- Outcome of Public Input
- Policy considerations
- Consideration of external comments
- Identified use & substantive conditions
- Recommendations
- Council's Review

Mr. Merrill advised that all policies surrounding this agreement can be satisfied, and recommended that the Municipality enter into the Development Agreement. He suggested that it is important that all Council members attend the Public Hearing.

**Moved by Councillor Ernst, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Planning Advisory Committee and give notice of its intention to enter into a Development Agreement with Municipal Enterprises Limited to allow for the proposed change of use at civic address 204 Cornwall Road, Blockhouse, to permit for the development of a courier services facility; and further, that Council set a Public Hearing date of Tuesday, March 12, 2019 at 11:00 a.m. in the Council Chambers. Carried unanimously.**

## **8.2 ProKids Promoter – Karl Marsters**

Britt Vegsund, Active Living Coordinator, and Karl Marsters, Owner/Operator of Pleasant Paddling, were in attendance.

Ms. Vegsund provided an overview of the ProKids Program, and reported that Mr. Marsters has been supporting and fundraising for ProKids for several years by hosting community events such as community paddles and, more recently, the 1<sup>st</sup> annual Blue Rocks Skipping competition.

Ms. Vegsund provided photographs of the various events and a video of the champion rock skipper at the July 2018 competition. She explained that Mr. Marsters charges a registration fee for his events which most, and sometimes all, is donated to the ProKids Program.

Mayor Bolivar-Getson presented Mr. Marsters with a Certificate of Recognition and thanked him for his work and commitment to ProKids. Mr. Marsters informed Council that he chose the ProKids Program because it fit in with his company's philosophy of community and physical activity.

Ms. Vegsund and Mr. Marsters left the meeting.

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

### **10.2 Finance Committee**

#### **10.2.1 Draft Recruitment & Retention Strategy**

Elana Wentzell, Director of Finance, was in attendance.

**Moved by Councillor Carver, seconded by Deputy Mayor Moore that Municipal Council accept the recommendation of the Finance Committee and authorize the Fire & Emergency Services Committee to conduct public engagement with fire services on the amended Recruitment and Retention Strategy.**

It was noted that this matter would be brought to the Lunenburg Regional Fire & Emergency Services (LRFES) as an information session for the representatives from each fire department who, in turn, could provide the information back to their membership. A second meeting would be scheduled with LRFES to have a more in-depth discussion. Both these meetings were tentatively planned to take place before June to enable the matter to come back to Council before the summer break.

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

#### **10.2.2 Region 6 2019/2020 Budget Approval**

**Moved by Deputy Mayor Moore, seconded by Councillor Hustvedt that Municipal Council accept the recommendation of the Finance Committee and approve the Region 6 Solid Waste Resource Management Budget for fiscal 2019-2020 in the amount of \$829,018 with the Municipality of the District of Lunenburg's contribution being \$20,413.39. Carried unanimously.**

#### **10.2.3 2019/20 Proposed Area Rates – Street Lights & Hydrants**

**Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Finance Committee and approve:**

- **the 2019/20 Fire Hydrant Rate at \$0.1358 per \$100 of assessment; and,**
- **the 2019/20 Street Light Rates as presented.**

**Carried unanimously.**

#### **10.2.4 Proposed Amendments to MDL Policy 58-Fee Policy**

**Moved by Councillor Nauss, seconded by Councillor Carver that Municipal Council accept the recommendation of the Finance Committee and approve the proposed amendments to MDL-58 Fee Policy as presented. Carried unanimously.**

#### **10.2.5 Tax Relief – Damaged Property**

**Moved by Councillor Veinot, seconded by Councillor Bell that Municipal Council accept the recommendation of the Finance Committee and approve tax relief in the amount of \$191.27**

as per the submitted application for the property located at 8 Oakes Road, Branch LaHave, #04868358, and as per Section 2(b) of Policy MDL-12 Tax Exemption/Reduction. Carried unanimously.

## **11. STAFF REPORTS**

### **11.1 Administration Department**

#### **11.1.1 Second Reading – A By-law Amending the By-law Respecting the LaHave River Wastewater Management District**

On January 22, 2019, Municipal Council conducted First Reading of a By-law to Amend the By-law respecting the LaHave River Wastewater Management District. The amendments would create a formal appeal process and to deal with two housekeeping items. Advertisements were published in the local papers notifying residents that Council would be considering Second Reading of the amendments at the February 12, 2019 Council meeting. No written submissions were received.

Councillor Nauss declared a conflict of interest on Items 11.1.1, 11.1.2, and 11.1.3 and left the table.

**Moved by Councillor Whynot, seconded by Deputy Mayor Moore that Municipal Council approve the By-law to Amend the By-law Respecting the LaHave River Wastewater Management District as presented and hereby conduct Second Reading. Carried unanimously.**

#### **11.1.2 Proposed Amendments to MDL Policy 73 – LaHave River Straight Pipe Replacement Program**

**Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council approve the proposed amendments to Policy MDL-73 LaHave River Straight Pipe Replacement Program as presented. Carried unanimously.**

#### **11.1.3 Proposed Amendments to MDL Policy 72 – LaHave River Wastewater Management District Cost Recovery**

**Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council approve the proposed amendments to Policy MDL-72 LaHave River Wastewater Management District Cost Recovery as presented. Carried unanimously.**

Councillor Nauss rejoined the table.

### **11.3 Planning Department**

#### **11.3.1 Botany Woods Landowners Association Charge Area**

**Moved by Councillor Bell, seconded by Councillor Nauss that Municipal Council approve the addition of PID's 60707759, 60707767 and 60708377 to the Botany Woods Private Road**

**Maintenance Charge Area; and further, that the Municipal Clerk and Mayor be authorized to sign an addendum to the Private Road Maintenance Agreement with the Botany Woods Landowners Association to implement the same. Carried unanimously.**

It was clarified that the properties owned by the developer are exempt from paying fees to the Botany Woods Landowners Association (Association). This decision was made by the members of the Association, with the condition that new property owners would be responsible for paying the charge. It was further clarified that this type of agreement is not recommended by staff.

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

## **12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS**

### **12.1 MJSB Update**

Councillor Garland provided an update on the Municipal Joint Services Board as follows:

- The new waste app is available for download at [www.communityrecycling.ca](http://www.communityrecycling.ca). The app provides information on waste pickup and other related items, and includes an interactive recycling game. To date 735 dwellings have searched collection dates and 152 dwellings have signed up for reminders.
- Budget timeline for the 2019/2020 budget.
  - The draft Capital 5 year and Operating Budget was reviewed with the CAOs on February 11<sup>th</sup> and by the Finance and Budget Committee the week of February 14<sup>th</sup>. The Board's review and approval is scheduled for February 28<sup>th</sup>, and Council's approval sometime in March/April 2019.
  - There are three units for the budget – Waste site, IT Department, and HR Services.
    - Town of Mahone Bay
    - Town of Bridgewater
    - Municipality of the District of Lunenburg
  - Tipping fees will not increase
- Discussions around the possibility of bi-weekly bulk collection in an attempt to reduce illegal dumping
- 2-bag free program
  - Program is available to residents of the Municipality of the District of Lunenburg only
  - 2 bags up to 55lbs are free
  - Bags are inspected
- Tower Structures – Sweetland and Covey Lake residents
  - A request for a letter of affirmation to support TNC wireless
  - Two 40 metre towers will be installed – one in Whynott's Settlement and one on Tancook Island
- HR Services Update & Next Steps
  - The Town of Mahone Bay and the Municipal Joint Services Board's hourly cost recovery was \$32/hour
  - The Town of Bridgewater and the Municipality of the District of Lunenburg have opted for a 60/40 split

- Discussions around banning single use plastics – determined that more discussion is required
- Multi-cart green bin system for recyclables and garbage
  - Logistically difficult for rural areas
  - Possibility of this system being phased in over time. It was noted that there were long waits for additional carts

## **12.2 Deputy Mayor's Update**

Deputy Mayor Moore reported that she attended the municipal planning sessions in Liverpool, the Alzheimer breakfast held at the Best Western, and agenda briefings.

## **12.3 Mayor's Update**

Mayor Bolivar-Getson attended the municipal planning session in Liverpool which was held for input for minimal standards for planning throughout Nova Scotia. Attended the Alzheimer's breakfast, the Nova Scotia Electoral Boundary Review meeting, the 165<sup>th</sup> Anniversary of St. Paul's Lutheran Church, a meeting with Deputy Minister Paul Flesch, Minister of Transportation Infrastructure Renewal regarding concerns surrounding J-class roads, a variety of breakfasts, suppers, and community events.

Mayor Bolivar-Getson further advised that she attended the Mayors/Wardens meeting and provided Council with the agenda topics.

## **13. ADDED ITEMS (Nil)**

## **14. IN CAMERA**

**At 10:57 a.m. it was moved by Councillor Whynot, seconded by Councillor Hustvedt that Municipal Council go In Camera to discuss the following matter:**

### **14.1 Legal Advice re Tender Matter under Section 22(2)(g) of the MGA**

**Carried.**

J.C. Reddy, Municipal Council, was in attendance.

Municipal Council In Camera in session.

**At 11:24 a.m., it was moved by Councillor Garland, seconded by Deputy Mayor Moore that Municipal Council come out of In Camera and return to open session. Carried.**

Municipal Council in session.

## **14. ADJOURNMENT**

**There being no further business at 11:24 a.m., it was moved by Councillor Whynot, seconded by Councillor Knickle that the meeting adjourn. Carried.**