

MUNICIPALITY OF THE DISTRICT OF LUNENBURG  
Minutes of a Meeting of  
**MUNICIPAL COUNCIL**  
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS  
**Tuesday, March 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, Deputy 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 (Nil)**

**3. PUBLIC INPUT**

**Bruce Dickinson** – Mr. Dickenson advised that he is the Chairperson of the Hemford Forest Property Owners Association and was in attendance to speak to his opposition of the removal of a property from the Hemford Forest Private Road Association. Mr. Dickenson provided the opinion that allowing a property to leave the Association would set a precedent for other properties in a similar circumstance, creating a financial hardship on the remaining members.

**4. APPROVAL OF AGENDA**

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

**5. APPROVAL OF MINUTES – February 26, 2019**

It was recommended that the Minutes of February 26, 2019, at Item #7.2, reflect that the new agreement could save up to \$300,000 per year for residents for the term of the agreement.

**Moved by Councillor Hustvedt, seconded by Councillor Ernst that the Minutes of the February 26, 2019 Council meeting be approved as amended. Carried unanimously.**

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

**7. AWARDING OF TENDERS/RFPs**

**7.1 Tender Award: On-site Sewage Disposal System Installation  
Project Group 19**

Jeff Merrill, Director of Planning and Development Services, and Maria Butts, LaHave River Project Coordinator, were in attendance.

Ms. Butts reviewed her report, "Tender Award: On-site Sewage Disposal System Installations for LaHave River Properties Project Group #19" (circulated with the Agenda).

**Moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council award Tender #2018-05-019 On-site Sewage Disposal System Project Group #19 to CK Earthworks Limited in the amount of \$77,283 plus HST. Carried Unanimously.**

Ms. Butts and Mr. Merrill left the meeting.

**10. RECOMMENDATIONS FROM COMMITTEES & BOARDS**

**10.1 Finance Committee**

**10.1.1 2019/2020 Sewer Rates**

**Moved by Councillor Nauss, seconded by Councillor Bell that Municipal Council accept the recommendation of the Finance Committee and approve the following rates for the 2019/2020 fiscal year:**

- **Hebville Sewer Rate at \$0.43 per \$100 of assessment; and**
- **Cookville, New Germany & Conquerall Bank Sewer Rates at \$0.73 per \$100 of assessment.**

**Carried unanimously.**

**10.1.2 2017/2018 Lunenburg County Lifestyle Centre Surplus Fund**

**Moved by Councillor Ernst, seconded by Councillor Carver that Municipal Council accept the recommendation of the Finance Committee and approve the transfer of the 2017-2018 Lunenburg County Lifestyle Centre (LCLC) Surplus Funds in the amount of \$26,994.21 to a Municipality of the District of Lunenburg LCLC Operating Reserve; and further, that any future LCLC surpluses or deficits be added or deducted from this Reserve.**

It was clarified that the LCLC surplus funds would be held in a MODL reserve account because in order for the surplus to stay with the LCLC, the Memorandum of Understanding would have to be changed.

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

### **10.1.3 Public Transit Gas Tax Allocation**

**Moved by Councillor Hustvedt, seconded by Deputy Mayor Moore that Municipal Council accept the recommendation of the Finance Committee and stop making contributions to the specific capital reserve for public transit.**

Councillor Hustvedt clarified the reason for the recommendation was that the attempts to work with other units have subsided. The funds in the reserve are adequate, at this time, to facilitate a future contribution to public transit.

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

### **10.1.4 Pesticide Use on MARC Ballfields**

**Moved by Councillor Veinot, seconded by Deputy Mayor Moore that Municipal Council accept the recommendation of the Finance Committee and make an exception and engage the services of professionals to apply a pesticide on the MARC ballfields to address the issue of crows destroying the ballfields to get the grubs underneath the grass, and to receive professional advice on a long-term maintenance plan for the ballfields to help prevent this problem from reoccurring. Carried unanimously.**

### **10.1.5 Pre-Budget Approvals – River Ridge Commons Project & MARC Ballfield Project**

**Moved by Deputy Mayor Moore, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Finance Committee and give pre-budget approval in the 2019-2020 Municipal Budget for the River Ridge Commons project in the amount of \$300,000 and the MARC Ballfield Project in the amount of \$20,000. Carried unanimously.**

## **10.2 Nominating Committee**

### **10.2.1 Appointments to Area Advisory Committees**

**Moved by Councillor Hustvedt, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Nominating Committee and appoint the following applicants to the respective Area Advisory Committees, each individual for a term ending November 2020:**

**Blockhouse AAC**

**William Young**

**Paula MacDonald**

**Riverport & District AAC**

**Jens Laursen**

**Sidney Strowbridge**

**Carried unanimously.**

### **10.2.2 Appointment to Lunenburg County Accessibility Committee**

**Moved by Councillor Knickle, seconded by Councillor Hustvedt that Municipal Council accept the recommendation of the Nominating Committee and appoint Deputy Mayor Cathy Moore and Councillor Reid Whynot, as an alternate, as Council's representatives to the Lunenburg County Accessibility Committee for two-year terms. Carried unanimously.**

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

Trudy Payne, Director of Recreation, and Tissy Bolivar, Program Coordinator, joined the meeting.

### **8.1 Madison Beck, Under 18 Women's World Hockey Championship – Gold Medalist**

Madison Beck, Under 18 Women's World Hockey Gold Medalist, was in attendance.

Ms. Beck gave a presentation (attached to Minutes) of her experiences at the Under 18 Women's World Hockey Championships in Japan, and her journey to being selected for the Under 18 Women's team.

Mayor Bolivar-Getson congratulated Ms. Beck and provided her with a Certificate of Recognition for her achievements.

Ms. Payne and Ms. Bolivar left the meeting.

## **9. CONSIDERATION OF CORRESPONDENCE**

### **9.1 Letter from Town of Shelburne re Provincial HST**

Mr. Dumaresq provided a summary of the letter received from the Town of Shelburne regarding the Provincial HST (circulated with the Agenda). He clarified that the purpose of the letter was to solicit support to put their proposal forth to the NSF. M.

**Moved by Councillor Carver, seconded by Councillor Nauss that Municipal Council write a letter to the Town of Shelburne supporting their proposal that a portion of the Provincial HST be paid to municipalities.**

It was clarified that the request was not for a greater rebate from the province but for a share of the sales tax revenues to be returned to the respective units.

It was suggested that the Letter of Support note that the distribution be based on population. Municipalities are responsible for 75% of infrastructure with little access to money to spend on it. It was also noted that Towns receive a HST refund on water and sewer, which rural municipalities do not receive.

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

## **9.2 Letter from Nancy Murray, QC – Shoreham Village**

Mr. Dumaresq provided a summary of the letter received from Nancy Murray, Q.C. (circulated with the Agenda) requesting a letter of support to demonstrate political support for the renovations project at the Shoreham Village Senior Citizens facility in Chester.

**Moved by Councillor Knickle, seconded by Councillor Whynot that Municipal Council forward a letter of support for the project Shoreham Village is undertaking to get approval and funding for their renovation plan.**

It was discussed that further information would be required before a letter of support could be provided. Council requested information be sought out regarding the writer of the letter and her role with Shoreham Village, and that the proposed renovation plans for the facility be provided.

**Moved by Councillor Nauss, seconded by Councillor Bell that the motion on the floor be deferred until further information can be provided from Shoreham Village. Carried unanimously.**

## **11. STAFF REPORTS**

### **11.2 Planning Department**

#### **11.2.1 Request to Levy Private Road Maintenance Charge – Red Hill Road Lot Owners' Association**

Jeff Merrill, Director of Planning and Development Services, and Norma Schiefer, Development Officer, were in attendance.

Ms. Schiefer reviewed her report, "Request to Levy Private Road Maintenance Charge – Red Hill Road Lot Owner's Association" (circulated with the Agenda), advising that the information required by the Private Road Maintenance and Improvement By-law had been submitted by the Association.

**Moved by Councillor Veinot, seconded by Councillor Bell that Municipal Council levy a maintenance charge within the Charge Area identified by the Red Hill Road Lot Owners' Association as follows:**

- **A uniform amount per lot**

**further, that the charge amount is to be identified annually, based on the occupancy of the lot for each property owner;**

**with the 2019-20 charge being set at:**

- **\$200.00 per lot with a residence**
- **\$100.0 per lot vacant**

**subject to an Agreement being entered into between the Municipality and the Red Hill Road Lot Owners' Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets. Carried unanimously.**

### **11.2.2 Hemford Forest Private Road Association – Request to Remove Property**

Ms. Schiefer reviewed her report, “Hemford Forest Private Road Association – Request to Remove Property” (circulated with the Agenda).

**Moved by Deputy Mayor Moore, seconded by Councillor Veinot that Municipal Council deny the request to remove PID 60267747, 4449 Upper Branch Road from the Hemford Forests Property Owners Association.**

Discussions followed regarding the following:

- How and when are new property owners advised of covenants on the properties
- Do covenants form part of the deed
- Are covenants automatically transferred to new property owners

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

### **8.2 Mahone Bay Museum/The Founders Society – Ann Palfreyman**

Ann Palfreyman, Chair of the Mahone Bay Founders Society, was in attendance to give a presentation in support of their operating grant request.

Ms. Palfreyman advised that the Mahone Bay Museum (Museum) is run by the Mahone Bay Founders Society. She provided a short history on the Museum and gave a presentation (circulated with the Agenda) highlighting the following:

- Activities held at the Museum include group programs and children's programs such as crafts
- Exhibits
- Museum is home to documentary archives and artifacts
- Museum has a Facebook page where unidentified photos are posted
- Museum collects oral histories
- Fundraising efforts

Ms. Palfreyman advised that the Museum requires an operating budget of \$105,000 per year. She noted that the Museum receives funding through fundraising efforts, from the Town of Mahone Bay, through the Province's Community Museum Assistance Program, and from the Municipality of Lunenburg.

Ms. Palfreyman left the meeting.

## 11. STAFF REPORTS

### 11.1 Administration Department

#### 11.1.1 Administration Building

Elana Wentzell, Director of Finance, arrived at the meeting.

Stephen Pace, Director of Engineering and Public Works, Sarah Kucharski, Communications Officer, and Andrew Amos, Senior Partner, Catalyst Consulting Engineers Inc., were in attendance.

Mayor Bolivar-Getson provided the following details regarding the proposed new administration building:

- Building located on municipally owned land at Osprey Village
- Cost of a new building - \$7.2 million
- Locally sourced materials and trades people used when possible
- Energy use 30% less than the National Building Code requirements
- Fully accessible design
- Improved services
- All staff under 1 roof
- Safe and healthy environment for staff
- Funds have been set aside for several years, therefore, no debt or raised taxes
- Catalyst Consulting prepared an Options Report which determined that renovating/expanding the existing building to meet accessibility and building code requirements would be more costly than investing in a new building

Ms. Kucharski reviewed her report, “Administration Building - Engagement Report” (circulated with the Agenda), highlighting the steps taken from Fall 2017 to date, i.e., open houses, YGYI meetings, public input through surveys, advertising through Facebook, municipal matters newsletter, newspaper ads, radio, MODL website, and direct email mailouts. She noted that the Municipality received a wide range of public opinion in response to the need for a new administration building.

Mr. Amos reported that the design phase of the project was near completion with the budget remaining consistently at or below the total budget. He provided a timeline for the next two phases, Site Development and Main Construction, and details on the building construction.

**Moved by Councillor Nauss, seconded by Councillor Bell that Municipal Council approve the construction of a new municipal administration facility on Champlain Drive in Cookville and authorize the Project Manager to proceed to the construction tender phase of the project; and further, that the construction will consist of a Phase 1 - Site Development Contract and a Phase 2 – Main Construction Contract.**

Discussions followed regarding the following:

- Requirement for a fully accessible building
- Importance of having a sprinkler system in the building
- Renovating & expanding existing building vs new build
- Existing structure and space issues
- Pros and cons of a plebiscite
- Space requirements/analysis

**The Motion on the floor was voted on. Those Opposed: Councillors Ernst and Knickle. Motion carried.**

Mr. Amos left the meeting.

At 11:15 a.m., the Council meeting recessed to hold a Public Hearing to deal with a proposed Development Agreement that was scheduled for 11:00 a.m.

At 11:28 a.m., the Council meeting was resumed.

### **11.2.3 Blockhouse Development Agreement**

Jeff Merrill, Director of Planning & Development Services, and Norma Schiefer, Development Officer, were in attendance.

Mayor Bolivar-Getson advised that a Public Hearing was just held regarding the Development Agreement matter before Council.

**Moved by Councillor Ernst, seconded by Councillor Carver that Municipal Council 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 the development of a courier services facility.**

Mr. Merrill explained the steps required before the development could proceed.

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

Mr. Merrill and Ms. Schiefer left the meeting.

### **11.1.2 January 22, 2019 Council Motion re Access to In Camera Minutes**

**Moved by Councillor Bell, seconded by Councillor Garland that Municipal Council rescind the motion of Council that was made at the January 22, 2019 Council meeting that Councillors who do not attend an In-Camera meeting of Council, Finance and Policy & Strategy Committee can view notes by appointment with the Clerk.**

Clarification was provided that if the motion of January 22, 2019 was rescinded, the ability to review In Camera notes would revert back to the current practice. It was noted that the current practice does not permit Councillors who are absent from a meeting to review the notes as to the outcome. It was noted that this does not allow for Councillors to stay informed.

**The Motion on the floor was voted on. Those Opposed: Councillors Ernst, Knickle, Nauss and Hustvedt. Motion is carried.**

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

### **12.1 Water Levels on Fancy Lake**

Councillor Nauss provided an overview of the flooding issues on Fancy Lake. He advised that the Hebbville Village Commission was seeking support from the Municipality in their efforts to establish a water control system on Fancy Lake.

**Moved by Councillor Nauss, seconded by Councillor Bell that Municipal Council suspend its procedural rules to permit Glenn Hebb and Lem Hebb, both of the Hebbville Village Commission, to address Council on the matter of Water Levels on Fancy Lake. Carried unanimously.**

It was noted that the Municipality has submitted an application to the National Disaster Mitigation Program. Mr. Dumaresq provided an update on the project noting that the vacant position in the Planning Department has now been filled and staff can be more active on this file.

**Glenn Hebb, Hebbville** – Mr. Hebb advised that he is a member of the Hebbville Village Commission. He made note of the following:

- Berrigan Surveys Limited was hired to observe water elevations on Fancy Lake and provide a report (circulated with the Agenda).
- The Hebbville Village Commission was working on establishing water control structures which would be located both on Fancy Lake and the Petite Riviere.
- Property owners on the lake should be informed of flooding issues when application is made for a building permit.

**Lem Hebb, Hebbville** – Mr. Hebb advised that he is a property owner on Fancy Lake. He questioned whether building permits should be provided to property owners building on flood plains. He further advised that an ad hoc committee was formed to work on a feasibility study.

Jeff Merrill, Director of Planning & Development Services joined the meeting.

Further discussions followed regarding the following topics:

- Mandatory Land-use planning
- Communication with residents, i.e., app
- Background on water reservoir and dam

Mr. Merrill advised that the flood risk mapping project was awarded to CBCL Limited. He explained that a report would be available by the end of July which would provide information on the flood extent. At that time Council would be updated and asked to make a decision on the next

steps, i.e., policy. Mr. Merrill further advised that he would be forwarding Berrigan Surveys Limited's report of December 8, 2018 to CBCL.

It was requested that a map of the area in question be provided to Council detailing the various channels and basins, with suggested solutions to mitigate the problem. It was further requested that Mr. Hebb provide, in writing, his idea on solving the flooding issue.

### **12.2 Update – Deputy Mayor**

Deputy Mayor Moore advised that she attended several agenda briefings. Councillor Bell reported that he attended the Nova Scotia Men's Curling Club Championship to bring greetings on behalf of Council.

### **12.3 Update – Mayor**

Mayor Bolivar-Getson advised that she attended several meetings; St. Paul's Lutheran 165<sup>th</sup> anniversary; several pancake suppers; and the Lunenburg Queens Business Excellence Awards. Mayor Bolivar-Getson congratulated Tilia Builders (Liam Finney and Mike Mandell) for receiving the "Best Small Business Award".

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

## **14. IN CAMERA**

**At 12:24 p.m., it was moved by Councillor Whynot, seconded by Councillor Hustvedt that Municipal Council go In Camera to discuss Contract Negotiations re HB Studios Sports Centre under Section 22(2)(e) of the MGA.**

**Carried.**

Municipal Council In Camera in session.

**At 1:18 p.m., it was moved by Councillor Hustvedt, seconded by Deputy Mayor Moore 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 1:18 p.m., it was moved by Councillor Hustvedt, seconded by Councillor Knickle that the meeting adjourn. Carried.**











