

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS
Tuesday, March 10, 2020 – 9:00 a.m.

ATTENDANCE

Mayor Carolyn Bolivar-Getson
Deputy Mayor Eric Hustvedt, District 1
Councillor Martin Bell, District 2
Councillor Lee Nauss, District 3
Councillor John Veinot, District 4
Councillor Cathy Moore, District 5
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: 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

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m. and began by acknowledging that the meeting was held in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION (Nil)

3. PUBLIC INPUT

David Mossman, First South – Mr. Mossman was in attendance to speak on the topic of building permits. He reported that he could not sell land lots in his subdivision due to a building permit having been issued for a utility shed being used a dwelling. He advised that an inspector from Nova Scotia Power had attended the property to inspect the electrical connections and deemed it unsafe. He asked that the building permit be revoked.

4. APPROVAL OF AGENDA

Moved by Councillor Moore, seconded by Councillor Nauss that the following two items be added to the In Camera portion of the agenda:

14.2 Contract Negotiations re LaHave River Properties Project under Section 22(2)(e) of the MGA

14.3 Contract Negotiations re J Class Roads Priority List under Section 22(2)(e) of the MGA

Carried unanimously.

Moved by Councillor Moore, seconded by Councillor Nauss that the Agenda be approved as amended. Carried unanimously.

5. APPROVAL OF MINUTES – February 25, 2020

Moved by Deputy Mayor Hustvedt, seconded by Councillor Carver that the Minutes of the February 25, 2020 Council meeting be approved as circulated. Carried unanimously.

6. BUSINESS ARISING FROM MINUTES

At the February 25, 2020 Council meeting, a question arose regarding municipal vehicle maintenance around undercoating. Mr. Dumaresq confirmed that municipal vehicles follow a scheduled maintenance and undercoating is part of that maintenance.

7. AWARDING OF TENDERS/RFPs**7.1 Award of RFP #2019-05-405 On-Site Sewage Disposal System Installation**

Maria Butts, LaHave River Project Manager, was in attendance.

Ms. Butts reviewed her report, "RFP Award: 2020 On-Site Sewage Disposal System Installations for LaHave River Properties" (circulated with the Agenda) and reported that three proposals were accepted and evaluated. Dennis Lively Construction and Backhoe Services Ltd. was recommended as the successful proponent.

Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council award RFP 2019-05-405 2020 On-Site Sewage Disposal System Installations for LaHave River Properties to Dennis Lively Construction & Backhoe Services Ltd. at the unit pricing outlined in the Proposal.

It was noted that the unit pricing for the installations under this grouping were within budget.

Carried Unanimously.

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS**10.1 Finance Committee****10.1.1 Tax Relief – Damaged Property – Petite Riviere Property**

Moved by Deputy Mayor Hustvedt, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Finance Committee and approve tax relief in the amount of \$1,731.31 as per the submitted application for the property located at 5752 Highway 331, Petite Riviere, AA #03182436 and as per Section 2(b) of Policy MDL-12 Tax Exemption / Reduction Policy. Carried unanimously.

8. PRESENTATIONS/SCHEDULED TIMES**8.1 LaHave River Trail Association Update**

Helen Ferns, President of the LaHave River Trail Association, and David Ferns, were in attendance.

Ms. Ferns gave a presentation, “LaHave River Trail Association” (circulated with the Agenda) and provided a history of the construction and an update on the status of the LaHave River Trail, which runs from New Germany to Cookville, including:

- Approximately 16kms of trail completed
- Approximately 8kms of trail remain to be completed
- Plan is to connect the Salmon Run Road to the Bruhm Road
- Need to renovate a couple of bridges and negotiate agreements with landowners

Mr. and Mrs. Ferns left the meeting.

9. CONSIDERATION OF CORRESPONDENCE (Nil)**10. RECOMMENDATIONS FROM COMMITTEES & BOARDS****10.1 Finance Committee****10.1.2 River Ridge Common Budget – Carry Over**

Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council accept the recommendation of the Finance Committee and approve \$130,000 to be carried forward from the 2019/2020 River Ridge Common Budget to complete Phase 3 of the park development, as budgeted. Carried unanimously.

10.1.3 Approval of MJSB's Organization Structure re COO & Controller Positions

Moved by Councillor Garland, seconded by Councillor Bell that Municipal Council accept the recommendation of the Finance Committee and approve the change to the Municipal Joint Services Board's Organization Structure; and further, that the Mayor write a letter to the Municipal Joint Services Board requesting that the decision regarding the addition of the two new shared services be deferred until the Board has replaced the Chief Operating Officer. Carried unanimously.

11. STAFF REPORTS

11.1 Planning Department

11.1.1 Request to Levy – Joudrey Lane Road Association

Moved by Councillor Garland, seconded by Councillor Carver that Municipal Council levy a maintenance charge within the Charge Area Identified by the Joudrey Lane Road Association as follows:

- A uniform amount per lot based on occupancy

With the 2020-21 charge being set at:

- \$250.00 per lot – full-time resident
- \$175.00 per lot – seasonal resident
- \$150.00 per lot – vacant lot

Subject to an Agreement being entered into between the Municipality and the Joudrey Lane Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets. Carried unanimously.

11.1.2 Request to Levy – Lakeview Drive & Area Road Association

Moved by Councillor Carver, seconded by Councillor Nauss that Municipal Council levy a maintenance charge within the Charge Area Identified by the Lakeview Drive and Area Road Association as follows:

- A uniform amount per lot

With the 2020-21 charge being set at:

- \$200.00 per lot

Subject to an Agreement being entered into between the Municipality and the Lakeview Drive 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. Carried unanimously.

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

12.1 MJSB Update

Councillor Moore reported that the February meeting of the MSJB was postponed and, therefore, no update was available.

12.2 Deputy Mayor's Update

Deputy Mayor Hustvedt reported that he attended agenda briefings.

12.3 Mayor's Update

Mayor Bolivar-Getson reported that she attended a special LCLC meeting; the 2020 NS Men's Curling Championship; the NSAAF Provincial Girls' Hockey Championships; the Corporal Davis Ceremony at the Junior High School; met with a potential fundraiser regarding fundraising for the South Shore Hospital expansion; met with the Manager of Michelin Tires; and attended various community events.

8.2 2020/2021 LCLC Budget

Kent Walsh, General Manager, LCLC, and Andrew Tanner, Chair, LCLC Board, were in attendance.

Mr. Walsh reviewed the proposed 2020/2021 LCLC Budget and noted the following:

- the amount under the "Concessions" line would require adjustment as there had been changes to the food and beverage service arrangements since the budget was prepared
- projected revenue increases and decreases in regular expenses
- increase in capital budget re upgrades to systems
- increase in utility expense re summer ice
- possible provincial and federal funding

10.3 Lunenburg County Multi-Purpose Centre Corporation Board

10.3.1 LCLC Budget

Moved by Councillor Ernst, seconded by Councillor Bell that Municipal Council accept the recommendation of the Lunenburg County Multi-purpose Centre Corporation Board and approve the proposed 2020/21 LCLC Capital Budget of \$825,000 to the respective Councils for approval, with each Council's contribution being \$412,500, less any approved surplus carry

over of unspent capital funds from 2019-20 and less any external funding secured. Carried unanimously.

Moved by Councillor Knickle, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Lunenburg County Multi-purpose Centre Corporation Board and approve the proposed 2020/21 LCLC Operating Budget of \$768,823 to the respective Councils for approval, with each Council's contribution being \$384,411.50 each. Carried unanimously.

Moved by Councillor Nauss, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Lunenburg County Multi-purpose Centre Corporation Board that the unspent capital funds from 2019-20, estimated to be \$121,997, be used to offset the 2019-20 operating deficit forecasted to be \$46,238 with the remainder to be carried over as revenue in 2020-21 Capital Budget to reduce the partners' contributions. Carried unanimously.

Mr. Walsh and Mr. Tanner left the meeting.

8.3 New Administration Building Update

Andrew Amos, Project Manager, Catalyst Engineering, was in attendance.

Mr. Amos referred to the IBI Group Field Review Report, No. A-006 (circulated with the Agenda) and provided an update on the status of the new administration building. He reported that all deficiencies from the Report had been addressed and that the project was still under budget.

Discussions followed regarding the following:

- Use of local companies for supplies and labour
- Power efficiency of building
- Accessible building

Staff was directed to arrange a site visit for Council members.

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS

10.2 Planning Advisory Committee

10.2.1 Stonemont Retirement Living Complex – Osprey Village SPS & LUB Amendment

i) Recommendation re Further Information for Fire Protection & Parking Spaces

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

Mr. Kang reviewed his report, "PL200002-Stonemont Retirement Living Complex Planning Advisory Committee's Feedback & Information" (circulated with the Agenda) and confirmed that there was enough space to accommodate the required number of parking spaces and the perimetral access to the building for emergency services.

Moved by Councillor Whynot, seconded by Councillor Bell that Municipal Council accept the recommendation of the Planning Advisory Committee that a concept plan to incorporate the 360 Access for fire protection and a layout showing an adequate number of parking spaces from the developer be submitted to Council, prior to First Reading. Carried unanimously.

ii) Recommendation re First Reading of Proposed Amendments

Moved by Councillor Garland, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Planning Advisory Committee and give notice of its intention to approve a By-law amending the Osprey Village Secondary Planning Strategy and Land Use By-law and conduct First Reading of the same; and further, that Council gives notice of its intention to approve the proposed amendments and hold a Public Hearing on Tuesday, April 14, 2020 at 8:30 a.m. in the Municipality's Council Chambers. Carried unanimously.

Mr. Kang, Mr. Merrill, and Mr. Amos left the meeting.

10.3.2 LCLC Intermunicipal Service Agreement Amendments

Mr. MacEwan reviewed his report, "Proposed Amendments to Lunenburg County Multi-Purpose Centre Corporation Agreement regarding the composition of the Management Board and for the appointment of alternate Board members by MODL and TOB" (circulated with the Agenda).

Mr. MacEwan reported that the proposed amendments would officially and formally update the agreement to incorporate past changes.

Moved by Councillor Ernst, seconded by Councillor Whynot that Municipal Council approve that the Intermunicipal Service Agreement, dated November 10, 2009, to incorporate the Lunenburg County Multi-Purpose Centre Corporation, Article 6A (Management Board) is amended by deleting Article 6A in its entirety and replacing it with the following:

"6. The administration and services of the body corporate shall be carried out as follows:

A. Management Board

The management and administration of the centre shall be carried out under the jurisdiction of a Management Board, which shall consist of:

- a) **Three (3) representatives appointed by TOB and an alternate representative which shall consist of:**
 - a. **Three (3) elected representatives of TOB Council to serve on the Management Board and one (1) elected representative of TOB Council to serve as an alternate member on the Management Board.**
- b) **Three (3) representatives appointed by MODL and an alternate representative which shall consist of:**
 - a. **Three (3) elected representatives of MODL Council to serve on the Management Board and one (1) elected representative of MODL Council to serve as an alternate member on the Management Board.**

The term of office for the Management Board shall be as follows:

- **Elected representatives shall be appointed for a two-year term and may be reappointed for a second two-year term.**

Appointments shall be made by the end of November in the relevant year.”

Carried unanimously.

Moved by Councillor Knickle, seconded by Deputy Mayor Hustvedt that Municipal Council approve the attached Amending Agreement (as drafted) and direct the Mayor and Clerk to execute same in accordance with the Intermunicipal Service Agreement (dated November 10, 2009), Article 9. Carried unanimously.

13. ADDED ITEMS

14. IN CAMERA

At 11:12 a.m., it was moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council go In Camera to discuss the following items:

- 14.1 Contract Negotiations re Pump Testing under Section 22(2)(e) of the MGA.**
- 14.2 Contract Negotiations re LaHave River Properties Project under Section 22(2)(e) of the MGA**
- 14.3 Contract Negotiations re J Class Roads Priority List under Section 22(2)(e) of the MGA**

Carried.

Municipal Council In Camera in session.

At 12:38 p.m., it was moved by Councillor Moore, seconded by Deputy Mayor Hustvedt that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

14.1 Contract Negotiations re Pump Testing under Section 22(2)(e) of the MGA

Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council approve the Pump Testing Facility Agreement, as presented, and authorize the Mayor and the Clerk to execute the Agreement. Carried unanimously.

14.3 Contract Negotiations re J Class Roads Priority List

Moved by Councillor Garland, seconded by Councillor Bell that Municipal Council authorize staff to resubmit to the Nova Scotia Department of Transportation and Infrastructure Renewal the following roads as the Municipality's J Class Road Paving priorities in this order:

- 1. Charlie Lane**
- 2. Dawson Heights**
- 3. Lohnes Drive**
- 4. Levi Hebb Road**
- 5. Hillside Drive**
- 6. Pernette Drive**
- 7. Bell Avenue**
- 8. Cove Road**
- 9. Darius Wile Road**
- 10. Pearl Street.**

Opposed: Councillor Ernst. Carried.

15. ADJOURNMENT

There being no further business at 12:41 p.m., it was moved by Councillor Whynot, seconded by Councillor Knickle that the meeting adjourn. Carried.