

**AGENDA**  
**SPECIAL MEETING OF MUNICIPAL COUNCIL**  
**Via TELE & VIDEO CONFERENCE**

**Tuesday, July 14, 2020 – 9:00 a.m.**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITIONS**
  - 3.1 Pride Month - Rainbow Flag Raising
- 4. AWARDING OF TENDERS/RFPs**
  - 4.1 Award of Tender 2020-05-002 Riverport School – Demolition & Site Remediation ..... 1-2
- 5. RECOMMENDATIONS FROM COMMITTEES & BOARDS**
  - 5.1 Finance Committee**
    - 5.1.1 Award of Annual Operating Grant to Lunenburg County 4H ..... (3)
    - 5.1.2 Transfer of Funds (Recreation Grant Fund to Council Contingency Fund ..... (3)
    - 5.1.3 Award of Special Grant to Mahone Bay Centre..... (3)
    - 5.1.4 Award of Special Grants to Middlewood United Church and Riverport Fire Department ..... (3)
    - 5.1.5 2019-20 Capital Funding and Gas Tax Investment ..... (3) 5-8
- 6. STAFF REPORTS**
  - 6.1 Administration Department**
    - 6.1.1 Proposed Amendments to Policy MDL-01 “Proceedings of Council” ..... 9-40
    - 6.1.2 Repeal of Section 4 of Policy MDL-02 “Committees” ..... 41-48
    - 6.1.3 Proposed Amendment to Section 1 of Policy MDL-04 “Non-Council Appointments & Honourariums” ..... 49-51
    - 6.1.4 Adoption of Proposed Policy MDL-90 “Planning Advisory Committee” ... 52-55
    - 6.1.5 Repeal & Replace Policy MDL-66 “Policy respecting Public Participation Program and Public Engagement on Planning Matters..... 56-64
    - 6.1.6 Repeal of Policy MDL-21 “Procedure for Formation of a Planning Area, the Extension of an Existing Planning Area, or the Abolishment of All or a Portion of a Planning Area” ..... 65-69
    - 6.1.7 Repeal of Policy MDL-56 “Area Advisory Committee Membership Selection” ..... 70-72
    - 6.1.8 Proposed Amendment to Article 18 of Personnel Policy MDL-51 ..... 73-75
- 7. IN CAMERA**
  - 7.1 Land Negotiations re 210 Aberdeen Road under Section 22(2)(a) of the MGA
  - 7.2 Potential Litigation under Section 22(2)(g) of the MGA
  - 7.3 Contract Negotiations re Road Paving under Section 22(2)(e) of the MGA
  - 7.4 Personnel Matter under Section 22(2)(c) of the MGA

**8. ADJOURNMENT**



# Municipality of the District of Lunenburg

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## REQUEST FOR DECISION

**REPORT TO:** Council

**SUBMITTED BY:** Jamie Burgess, P.Eng., Municipal Engineer  
Stephen W. Pace, MBA, P. Eng., Director of Engineering  
& Public Works

**DATE:** July 14, 2020

**RE:** Riverport School – Demolition and Site Remediation

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### RECOMMENDATION

*That Council authorize staff to award Riverport School – Demolition and Site Remediation TENDER 2020-05-002 to Leading Edge Excavation and Trucking Ltd. for \$119,900, plus HST, and concurrently approve a change order contingency of 10% for a total construction value of \$131,890, plus HST.*

### BACKGROUND

The property is a vacant commercial property formerly operated as the Riverport District Consolidated Elementary School from 1968 to July 2011. Upon closure of the school, the property and building were turned over to the Municipality. The objective of this work is to demolish, decommission and remove the former Riverport School building and associated water (including well decommissioning), sewer facilities, utilities, playground equipment and to complete full property remediation to achieve unconditional site closure from Nova Scotia Environment.

### DISCUSSION

The tender document was issued on May 29, 2020 and closed at 2:00 pm on June 18, 2020, five (5) bids were received. One (1) bid was received beyond the closing time and rejected. Another bid was rejected due to incomplete portions of the tender document.

The three (3) accepted bids are summarized in the table below:

<b>Contractor</b>	<b>Price (excl. HST)</b>	<b>Contingence (10%)</b>	<b>Total Price (excl. HST)</b>
Leading Edge Excavation and Trucking Ltd.	\$119,900	\$11,990	\$131,800
Mid Valley Construction (1997) Ltd.	\$173,000	\$17,300	\$190,300
Volcano Construction Services Ltd.	\$395,000	\$39,500	\$434,500

The Engineering Department at MODL has not worked with Leading Edge Excavation and Trucking Ltd. in the past, however their bid met all requirements and is competitive. Company representatives were present for an onsite meeting, prior to tender closing, to examine the existing structure and grounds. Leading Edge has also completed a similar demolition project for a school in Sheet Harbour, NS.

### **BUDGET IMPLICATIONS**

The Riverport School – Demolition and Site Remediation project was included in the 2020/21 Capital Budget with a budget estimate of \$1,069,000. This estimate was based on a 2015 *Costing Proposal for Regulatory Closure Options* by Strum Consulting. The price Leading Edge Trucking and Excavation Ltd. has submitted, including a 10% contingency and net HST, is within MODL’s budgeted amount for this project. Additional costs for the project include consulting fees of Strum Consulting Ltd. at \$38,745 + HST, tipping fees of the construction and debris (C&D) waste at the MJSB and any extra quantity of materials beyond the estimates in the original Strum Environmental Site Assessment Reports.

### **CONCLUSION**

*Recommendation: That Council authorize staff to award Riverport School – Demolition and Site Remediation TENDER 2020-05-002 to Leading Edge Excavation and Trucking Ltd. for \$119,900, plus HST, and concurrently approve a change order contingency of 10% for a total construction value of \$131,890, plus HST.*



# Municipality of the District of Lunenburg

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July 7, 2020

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 7, 2020, made the following  
recommendations to Council:

1. that Municipal Council approves the late application from Lunenburg County 4H Council for an Annual Operating Grant in the amount of \$2,500 with funding to come from the \$9,200 remaining in the Annual Operating & Recreation Capital Grant accounts.
2. that Municipal Council approve the transfer of the \$6,700 remaining in the Annual Operating Grant and Major Recreation Capital Grant accounts to the Council Contingency Fund Account.
3. that Municipal Council award a special grant of an additional \$5,000 to the Mahone Bay Centre with funding for same to come from the Council Contingency Fund.
4. that Municipal Council approves the division of the remaining \$1,700 in grant funding into a special grant in the amount of \$850 to the Middlewood United Church and a special grant in the amount of \$850 to the Riverport Fire Department and that the funding for same come from the Council Contingency Fund.
5. that Municipal Council approve the funding of 2019/20 completed capital projects and Gas Tax Investment as noted in staff's 2019-20 Capital Funding and Gas Tax Investment Report dated July 7, 2020 and as summarized on the attached 2019/20 Capital Project & Gas Tax Investment Plan.

Respectfully submitted,

Chairman and Members  
Finance Committee

/rh  
Attachments



## MEMORANDUM

**TO:** Elana Wentzell, Director of Finance  
Tissy Bolivar, Acting Director of Recreation

**cc:** Alex Dumaresq, Deputy CAO

**FROM:** Tom MacEwan, Chief Administrative Officer

**DATE:** June 23, 2020

**RE:** 2020/21 Grants

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Please be advised that, Municipal Council, in session on Tuesday, June 23, 2020, made the following motion:

**“that any late or special grant applications be considered at the next Finance Committee meeting.”**

Please advise Councillors Ernst, Nauss, and Whynot to let their organizations know of this decision.

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Tom MacEwan  
Chief Administrative Officer

/trb



## Municipality of the District of Lunenburg

### Request for Decision

**REPORT TO:** Finance Committee  
**SUBMITTED BY:** Elana Wentzell, CPA, CMA  
**DATE:** July 7, 2020  
**RE:** 2019-20 Capital Funding and Gas Tax Investment

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#### **RECOMMENDATION**

It is recommended that the Finance Committee recommend that Municipal Council approve the funding of 2019/20 completed capital projects and Gas Tax investment as noted in this report and as summarized on the enclosed 2019/20 Capital Project & Gas Tax Investment Plan.

#### **EXECUTIVE SUMMARY**

The financing of the completed 2019/20 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.

#### **DISCUSSION**

Many of the 2019/20 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 \$13,097,200 approved 2019/20 Capital Budget, projects in the amount of \$7,315,276 were completed. Financing of these projects included \$1,657,628 in Depreciation Reserves, \$1,269,616 in Provincial and Federal Grants, \$3,360,306 from Reserves, and \$582,883 from donations and Lunenburg County Community Fund.

Gas Tax spending for 2019/20 totals \$1,856,156 consisting of capital projects of \$444,843, contributions to non-owned trails \$53,815, Rural Broadband Project Costs \$194,089, \$174,075 for paved shoulders under the Active Transportation Plan and \$1,411,313 in paving costs for non-owned roads in the Operating Fund.

The Lunenburg County Community Fund (LCCF) has paid the balance of the one Million pledged contribution. We utilized \$578,714 of this for the LaHave River Straight Pipe project for costs not paid by the Small Build Canada Fund grant. This equals the funds received from residents which will be transferred to the Trust Fund as per the MOU with LCCF. There is a remaining liability of \$234,876 (balance of \$1M to be transferred) to the LCCF Trust at year end. Annual resident contributions will continue to be transferred to the Trust until it reaches \$1,000,000.

**CONCLUSION**

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

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Department:

Report Prepared By: Elana Wentzell

Date: June 29, 2020

Report Approved By:

Date:

Reviewed By CAO:

Date:

Municipality of the District of Lunenburg - Capital Budget & Gas Tax Investment Plan		2019-20 Budget	2019-20 Actual	Budget Funding	Proposed Funding
<b>GGS - General Government Services</b>					
	Asset Management Plan	50,000	-	Gas Tax	-
	Municipal Services Building	6,544,000	2,933,321	Capital & Operating Reserves & Sale Proceeds \$500,000	Capital Reserves 2,578,097
					Dep'n Reserve 355,224
<b>PS - Planning Services</b>					
	Flood Risk Mapping phase 2 of LiDAR Project	80,000	119,291	Gas Tax/FRIIP Grant	FRIIP 55,763 Gas Tax 63,528
<b>TS - Transportation Services</b>					
	Road Paving Projects	20,000	18,218	Gas Tax	18,218
<b>EHS - Environmental Health Services</b>					
	Aerated Compost Carts	20,000	-	Gas Tax	-
	Riverport school demolition & remediation (Oct 8/18 deadline)	1,083,900	-	Environmental Liability + Potential Grant	
	Lahave River Straight Pipe Replacement Program	2,352,000	1,747,452	BCF/Dep'n Reserve/LCCF	BCF 1,135,556 Lun Co Community Fund 578,714 Dep'n 33,182
	Garden Lots Sewer & Water Upgrades	75,000	25,407	Gas Tax	Gas Tax 12,703 PCAP (50% to max \$39,107) 12,703
	New Germany Collection System Refurbishment	20,000	-	Gas Tax & Swr Reserve	
	New Germany WWTP Controls/SCADA	-	-	Gas Tax & Swr Reserve	
	Hebville Pump Station Renewals	50,000	-	Gas Tax & Swr Reserve	
	Conquerall Bank WWTP Upgrades	25,000	-	Gas Tax & Swr Reserve	
<b>EDS - Economic Development Services</b>					
	Osprey Village - Nathan Cirillo Rd Extension	1,750,400	1,783,602	Osprey Village Reserve, Potential Grant & Dep'n Reserve	Osprey Village Reserve 644,135 Dep'n 1,139,467
	CEF Building & Parking Lot	165,000	121,909	CES Reserve	CES Reserve 121,909
	Highway 103 Signage Program	20,000	27,052	Operating Surplus Reserves	Provincial Beautification Grant 15,500 Operating Surplus Reserve 11,552

Municipality of the District of Lunenburg - Capital Budget & Gas Tax Investment Plan					
		2019-20 Budget	2019-20 Actual	Budget Funding	Proposed Funding
<b>RS - Recreation Services</b>					
	MARC Improvements				
	Soil Remediation	25,000	22,056	Dep'n reserve	Dep'n 22,056
	Water System/Floor	25,000	12,202	Dep'n reserve	Dep'n 12,202
	Tractor/Mower	15,000	12,504	Dep'n reserve	Dep'n 12,504
	Ballfield Upgrades	20,000	19,572	Dep'n reserve	Dep'n 19,572
	Active Transportation Plan (see below paved shoulders) Champlain Drive Sidewalk	15,000	173,855	Gas Tax	Gas Tax 173,855
	Cookville Trail Connector (carry over)	36,900	33,630	Gas Tax/ OHV Fund	Gas Tax 19,537
					OHV/Connect 2 14,093
	Riverport Playground	40,000	-	Dep'n reserve	
	River Ridge Common	320,000	192,540	Gas Tax	Gas Tax 152,371
					Donations 4,169
					Province - Trail upgrades 36,000
	Miller Point Kiosk Replacement	10,000	6,049	Dep'n reserve	Dep'n 6,049
	Future Land Purchases	225,000	3,280	Open Space	Open Space 3,280
	LaHave Sunset Park Walking Path & Parking	15,000	1,334	Open Space	Open Space 1,334
	MARC - Truck (2008 Ford)	75,000	57,372	Dep'n reserve	Dep'n reserve 57,372
	Side by Side			Dep'n reserve	
	Sawpit Switchback Trail	20,000	4,630	Gas Tax	Gas Tax 4,630
<b>Total Capital Projects</b>		<b>13,097,200</b>	<b>7,315,276</b>		<b>7,315,276</b>
<b>Funding of Capital Projects</b>					
	Depreciation Reserves	6,086,168			1,657,628
	Gas Tax Reserves	644,400			444,843
	Provincial/Federal Grants	2,096,677			1,269,616
	Other Reserves - Capital Reserves	3,332,232			3,223,566
	Other Reserves - Operating Reserves	342,500			136,741
	Other Contributions (Riverport School Liability)	595,223		River Ridge Donations/Lun Co Commuity Fund	582,883
<b>Total Funding Capital Projects</b>		<b>13,097,200</b>			<b>7,315,276</b>
<b>GAS TAX INVESTMENT - OPERATING FUND</b>					
	Non- owned Trails	55,000	53,815		53,815
	Rural Internet Projects	500,000	194,089		194,089
	AT Plan Paved Shoulders	400,000	174,075	} Budgets moved from Capital fund	174,075
	Non-owned Roads NSTIR partnership	1,079,000	989,334		989,334
		<b>2,034,000</b>	<b>1,411,313</b>		
				Gas Tax Operating	1,411,313
				Gas Tax Capital	444,843
				<b>TOTAL GAS TAX</b>	<b>1,856,156</b>



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Proposed Amendments to Policy MDL-01 "Proceedings of the Council"**

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Municipal Council, in session on June 23, 2020, reviewed proposed amendments to the Proceedings of Council Policy MDL-01 and gave notice to approve the proposed amendments at the July 14, 2020 Council meeting. The proposed amendments were to allow Council the opportunity to conduct its Council and committees of Council meetings electronically by telephone and internet conference as well as via a live-streamed facility and to allow a Councillor to attend a meeting electronically subject to criteria being met. During the review, an amendment was made to proposed subsection 3.6 that would include wording for a generic livestreaming platform in addition to Facebook and housekeeping amendments were noted to change the words "he/she" to "they" or "their".

Section 48(1) of the *Municipal Government Act* states, "Before a policy is passed, **amended** or repealed, the Council shall give at least seven days' notice to all council members." Therefore, in accordance with Section 48(1), the attached amended Policy MDL-01 will be presented for Council's approval at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council's notice.

If Council approves of the attached Policy amendments, the following motion would be necessary.

**"That Municipal Council approve the proposed amendments to the Proceedings of Council Policy MDL-01, as presented"**.

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Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg

## POLICY

Title: <b>Proceedings of the Council</b>	
Policy No. <b>MDL-01</b>	
Effective Date: November 9, 2010, February 10, 2016	Amended Date: Jan. 26, 2016; Oct. 11, 2016, July 14, 2020

### 1 Definitions

In this policy all words shall have their meanings as described in Standard English dictionaries except for the following:

- 1.1 "Ballot" means:  
A written vote that assures the secrecy of an individual's election decision.
- 1.2 "Chair" means:
- (a) the Mayor; or
  - (b) in the absence of the Mayor, the Deputy Mayor; or
  - (c) in the absence of the Mayor and the Deputy Mayor, the Member appointed by Council to preside; or
  - (d) until a Mayor has been elected, the Clerk.
- 1.3 "Meeting" means a regular or special meeting of Council and covers the period of time in which Members are actually sitting, from the official opening of a meeting until the final adjournment thereof, regardless of the number or length of sessions which may be held and then terminated by temporary recesses or adjournments.
- 1.4 "Point of Order" means:
- (a) any breach of the rules of order of Council; or
  - (b) any defect in the constitution of any meetings of the Council; or
  - (c) the use of improper, offensive or abusive language; or
  - (d) any other informality or irregularity in the proceedings of Council.
- 1.5 "Procedural Motion" means any motion dealing strictly with procedure and, without limiting the generality of the foregoing, includes the following: motions to adopt an agenda, motions to approve minutes, motions to extend the time of a meeting, motions to refer, motions to amend, motions to table, motions to postpone for a period of time or indefinitely, motions for points of order, motions to defer, motions to adjourn. (amended Jan. 26/16)

- 1.6 “Rescind a Motion” is a motion to nullify a vote taken at a previous meeting. It may be made by any Council member, but only if no action has been taken on the motion.
- 1.7 “Rules of Order” means the parliamentary rules followed by Council when conducting meetings of business, which are the practices under *Robert’s Rules of Order*.
- 1.8 "Session" means the proceedings of Council held on any one day
- 1.9 "Substantive Motion" means any motion other than a procedural motion, a question of privilege or a point of order.

## **2 Elections**

- 2.1 The Council shall elect a Deputy Mayor in accordance with municipal policy MDL-11.
- 2.2 The nomination of Deputy Mayor shall be by ballot.
- 2.3 Upon nomination, if a Council member does not wish to accept the nomination, they should decline at once, by stating “I respectfully decline the nomination”. [amended July 14, 2020]
- 2.4 Where only one person is nominated for an office and nominations have been closed by resolution, the chair shall declare that person elected to the office in question, by acclamation.
- 2.5 Where more than two persons are nominated for election of Deputy Mayor and no nominee receives, on the first vote or ballot, a majority of the votes of the Members present, the name of the nominee who receives the least number of votes shall be dropped from the vote or ballot and the Council vote again.

The Council shall vote up to three times after the number of candidates still on the ballot has been reduced to two or until one of the nominees has a majority of the votes of the Members present.

In the event of a tie vote for two or more candidates for the office being voted upon and the addition of one vote would entitle one or more of the candidates to be declared elected and where Council has voted up to three times to break the tie vote, the Clerk shall determine the candidate to be declared elected by Lot.

“Lot” means the method of determining the successful candidate by placing the names of the candidates on equal size pieces of paper and placed in a box and one name being drawn by a person chosen by the Clerk.

### **3 Meetings**

- 3.1 Except as otherwise provided in *Subsection 22(2) of the MGA*, all Council meetings and meetings of committees appointed by Council are open to the public. [amended July 14, 2020]
- 3.2 Regular meetings of the Council shall be held on the second and fourth Tuesdays of each month. Public notice of regular Council meetings is not required. (amended Jan. 26/16. Oct. 11/16 & July 14/20)
- 3.3 In addition to regular meetings, Council may hold such other meetings as may be necessary or expedient for the conduct of business provided that each member of Council is notified at least three (3) days in advance and the Clerk gives at least two (2) days notice to the public. [amended July 14, 2020]
- 3.4 Council may meet without notice if the Mayor determines that there is an emergency. [amended July 14, 2020]
- 3.5 A meeting of Council is not illegal or invalid for a failure to give notice; or meeting elsewhere than provided in the by-laws, a policy, or a notice of meeting. [amended July 14, 2020]
- 3.6 Council meetings may be live streamed using Facebook (FB) Live Streaming or other suitable streaming facility or similar technology. Public participation in live-streamed meetings is limited to messaging or other similar communication methods. Members of the public do not require a FB Account to watch live-streamed. Live-streamed Council meetings shall be recorded and the video recording shall be available on the MODL website. [amended July 14, 2020]
- 3.7 As an alternative to in-person meetings, Council meetings may be conducted by electronic means such as telephone conferencing or internet conferencing provided that the following criteria are met:
  - 3.7.1 notice of the alternative form of meeting is provided to the public at least two (2) days prior to the meeting;
  - 3.7.2 the alternative form of meeting chosen permits all members of Council to effectively communicate with each other during the meeting;

- 3.7.3 all votes are taken as recorded votes; and,
- 3.7.4 the meeting is recorded and the recording is made available on the MODL website within 24 hours of the end of the meeting.  
[amended July 14, 2020]
- 3.8 A member of Council may attend and participate in an in-person meeting of Council by electronic means provided that the following criteria are met:
- 3.8.1 the member has made a request to Council based on planned unavailability;
- 3.8.2 the member of Council is away due to work or family commitments;
- 3.8.3 there is inclement weather and business cannot be postponed;
- 3.8.4 the member is not on extended vacation or unexcused leave of absence;
- 3.8.5 the member is not able to attend in person for health reasons but is able to attend by electronic means; and,
- 3.8.6 Any councillor participating by electronic means is deemed present at the meeting. Otherwise shall be marked absent if:
- 3.8.6.1 a technology problem prevents participation; and
- 3.8.6.2 communication is lost and cannot be reconnected.  
[amended July 14, 2020]
- 3.9 When a Council meeting falls upon a holiday or upon a day deemed to be inappropriate, Council shall set a new date by resolution. [amended July 14, 2020]
- 3.10 The Mayor shall preside at all meetings of the Council or, in their absence, by the Deputy Mayor. (See Section 15, MGA) [amended July 14, 2020]
- 3.11 If both the Mayor and the Deputy Mayor are absent, the Council may appoint a chair from the Members present. (See Section 15, MGA)  
[amended July 14, 2020]
- 3.12 Meetings shall convene at a time established by a resolution of Council. [amended July 14, 2020]

#### 4 Quorum of Council

- 4.1 A majority of the members of Council (Mayor or Chair is considered a member of Council) shall constitute a quorum for the transaction of business in accordance with *Section 20(1) of the MGA*.
- 4.2 At any meeting of the Council, if ten minutes elapse without a quorum being present, the Members present shall meet, and
- (a) Adjourn the meeting; or
  - (b) Recess; or
  - (c) Extend the time for the meeting of the Council for one half hour from the hour fixed for such meetings, if a quorum is still not present, the meeting shall stand adjourned.
- 4.3 A Mayor or Member who, without leave of Council, is absent from three consecutive regular meetings of Council, shall there by vacate their office, and the office shall be declared vacant by the Council in accordance with *Section 17(4) of the MGA and Section 18(6) of the Municipal Elections Act*.
- 4.4 Council may excuse, by resolution, the absence of a Member if there is just cause.

#### 5 Voting

- 5.1 No motion shall be voted upon unless seconded and any un-seconded motion shall not be made again during the session.
- 5.2 A motion may be withdrawn by the mover with the consent of the seconder at any time before the Council has voted on it.
- 5.3 When a division on any question is demanded, the chair shall call for the yeas and nays and the chair shall then declare the result.
- 5.4 All votes other than votes on procedural motions shall be recorded.
- 5.4.1 Unanimous votes shall be recorded as Carried unanimously.
  - 5.4.2 Where vote results are not unanimous, only the names of the Councilors voting against the motion will be recorded.  
(amended Jan. 26/16)
- 5.5 Subject to the *Municipal Conflict of Interest Act* and *Sections 205(7) and*

230(3) of the MGA, all Members present including the person presiding, shall vote on a question.

- 5.6 Any Member who fails or refuses to vote and who is required to vote, except in accordance with subsection 5.5, shall be deemed to have voted in the negative.
- 5.7 As to the proceedings of Council, unless otherwise prescribed by statute, all questions arising in the Council shall be decided by a majority of votes. In the event of a tie, the question voted on shall be deemed to be determined in the negative.

## **6 Minutes**

- 6.1 Upon the opening of each meeting of the Council, regular or special, the minutes of the last preceding meeting shall be considered and after all necessary corrections and amendments have been made, and the minutes approved, a copy of the same shall be entered in the Minute Book and shall be deemed to be the original minutes of the Council.
- 6.2 The minutes shall:
- (a) record the date, time and place of the meeting, and the kind of meeting;
  - (b) record the time when any Council member joins or leaves a meeting which is in progress;
  - (c) contain all resolutions, and motions, with the name of the mover and seconders; and record outcome of the vote;
  - (d) all elections and results;
  - (e) mention reports, petitions and other papers submitted to the Council only by their respective titles, or a brief description of their purport, except verbal reports which shall be entered at length; and
  - (f) time of adjournment.

## **7 Agenda**

- 7.1 The order of business shall be at the discretion of the Chairperson, unless majority of Members consent to a different order of business. Otherwise, at each regular meeting of Council, Council shall conduct its business in the following order:

- (a) Call to order and opening;
- (b) Announcements, Acknowledgements, Recognition;
- (c) Public Input;
- (d) Approval of agenda, including additions thereto or deletions there from;
- (e) Approval of minutes;
- (f) Business arising from the minutes;
- (g) Awarding of tenders;
- (h) Presentations;
- (i) Consideration of correspondence;
- (j) Recommendations/referrals from committees and boards;
- (k) Staff reports;
- (l) Mayor's/Deputy Mayor's/Councillors' Matters;
- (m) In camera;
- (n) Adjournment.

(amended Jan. 26/16)

7.2 Notwithstanding (7.1), the first meeting after an election the order shall be;

- (a) Call to order by the Clerk;
- (b) Declaration of results of election;
- (c) Administration of the Oaths of Office for Mayor and Members elect and/or acclaimed candidates;
- (d) Nomination and election by ballot for the Deputy Mayor.

7.3 Deadline for agenda items and accepting material for same is seven (7) days in advance of the meeting date. (amended Jan. 26/16)

- 7.4 Agendas shall be circulated four (4) days in advance of scheduled meeting dates. (amended Jan. 26/16)
- 7.5 In the case of urgent and/or pressing necessity, items may be added to a meeting agenda on the day of the meeting, without previous debate or notice being given, with a 2/3 majority vote of Council to add the item to the agenda. It must be demonstrated that the item is of an urgent nature (i.e. time sensitive). (amended Jan. 26/16)
- 7.6 Added items to an in-camera agenda shall be identified by the type of matter to be discussed, with additional information, where possible, to further identify the item but not as to disclose the confidential information and the reference under the *MGA* shall be stated. (amended Jan. 26/16)
- 7.7 No new items are permitted to be added or discussed at an in-camera meeting unless the matter has been previously added and approved as an addition prior to moving in-camera. (amended Jan. 26/16)

## **8 Rules of Debate**

- 8.1 The rules and regulations contained in this policy shall be observed in all proceedings of Council and any of its committees; and in any case for which provision is not made herein the procedure to be followed shall be as set out in "*Robert's Rules of Order*" as revised from time to time.
- 8.2 The Council or a committee, by unanimous vote, may suspend any rule of order provided for in this policy and such suspension shall apply to all sessions of that particular meeting.
- 8.3 It shall be the duty of the chair to:
- (a) open the meeting of Council by taking the chair and calling the members to order;
  - (b) announce the business before the Council in the order in which it is to be acted upon;
  - (c) receive and submit, in the proper manner, motions presented by a member of Council;
  - (d) put to vote a question which is regularly moved and seconded or necessarily arises in the course of the proceedings and to announce the result of the vote;

- (e) restrain the members, when engaged in debate, within the rules of order;
  - (f) enforce on all occasions, the observance of order and decorum;
  - (g) call by name any member persisting in a breach of the rules of order of the Council thereby ordering them to vacate the Council Chamber;
  - (h) inform the Council when necessary, or when referred to, on a point of order;
  - (i) permit questions to be asked through the chair of any official of the Municipality to provide information to assist any debate when they deem it proper; [amended July 14, 2020]
  - (j) provide information to members on any matter touching on the business of the Municipality; and
  - (k) adjourn the meeting when the business is concluded;
- 8.4 Every member, prior to speaking to any question or motion, shall raise their hand and wait to be recognized by the chair. When two or more Members have so indicated their desire to speak, the chair shall designate the Member who has the floor.
- 8.5 No Member shall speak more than twice on any motion, except in explanation of their remarks; however, the mover of a substantive motion shall have the right to speak a third time, if necessary, to reply and sum up in closing the debate.
- 8.6 No Member shall speak more than fifteen minutes upon any matter at any one time, without the leave of Chair.
- 8.7 No Member shall move about the chambers unnecessarily, nor speak or whisper so as to interrupt any member or delegate who has the floor.
- 8.8 If a Member wishes to explain a misunderstanding of a point they have made, they shall ask leave of the chair; if permitted, they shall explain only the misunderstanding of their words, without any further comment.
- 8.9 When a Member speaks they shall address their remarks to the chair, confine themselves to the matter in question, avoid mentioning personalities and avoid unbecoming language.

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- (a) while speaking, questions the motives of another Member;
  - (b) while speaking, treats another Member with personal disrespect;
  - (c) passes between the chair and a Member who is speaking;
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  - (f) willfully violates any rule of order.
- 8.11 If a Member feels they have been personally aggrieved by a censure of the chair, they may appeal from such censure to the Council.
- 8.12 Any such Member may speak on their own behalf in relation to any such censure being appealed to Council, but shall withdraw from the Council Chambers before the Council proceeds to consider and vote on the matter.

## **9 Points of Order**

- 9.1 The chair shall, and any Member may, call to order any Member who violates any rule of order. A Member raising a point of order shall verbally state "Point of Order".
- 9.2 When a Member speaks to a point of order, the question of order shall be decided before the matter under discussion is proceeded with, and when any Member is called to order the Member shall refrain from speaking until the point of order is determined.
- 9.3 The chair shall decide on points of order and the chair may make a decision immediately or may permit debate on the point of order before making a decision.
- 9.4 The decision of the chair may be challenged by a motion from the floor, which must be duly seconded, to dissent from the ruling of the chair. Such a motion is not debatable and the chair shall forthwith put the question in this manner "Shall the decision of the chair be upheld?"
- 9.5 If the question does not receive majority support, the ruling of the chair on the point is not sustained and is overturned.

## **10 Motions**

- 10.1 When a motion is before the Council and under debate no other motion shall be entertained until the motion under debate is decided, except for the following:
- (a) a motion to amendment;
  - (b) a motion to refer;
  - (c) a motion to close debate at a specified time;
  - (d) a motion to call for the question;
  - (e) a motion to table;
  - (f) a motion to postpone;
  - (g) a point of order;
  - (h) a point of privilege;
  - (f) a motion to adjourn.
- 10.2 A motion to refer a matter for further information shall state to whom the matter is referred, what information is desired.
- 10.3 Motions used to suppress debate such as, referring, postponing to a certain time, or tabling motions shall be ruled out of order.
- 10.4 A motion to adjourn shall always be in order, except in the following cases:
- (a) When a Council member is in possession of the floor;
  - (b) While the Council members are voting;
- 10.5 No debate shall be allowed on the following motions:
- (a) a motion that the debate be closed at a specified time;
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  - (c) a motion to reconsider an earlier decision of Council; except as allowed in Section 13

- (d) a motion for leave for any person, not a Member, to address the Council;
- (e) a motion to change or suspend the order of business;
- (i) a motion to allow a Member to speak more than the prescribed number of times; and
- (g) a motion to dissent from the ruling of the chair on a point of order.

10.6 Limited Debate shall be allowed on the following motions:

- (a) A motion to refer a matter to a committee, staff or Council members may be debated only as to whom the matter is to be referred, what specific information is desired, or when the matter shall be brought back to the floor of Council;
- (b) A motion calling for the question shall not be voted on until after every Member who has not spoken on the motion already, and who wishes to speak, has been heard.

10.7 Deleted (amended Oct. 11/16)

## **11 Amendments**

- 11.1 An amendment shall be relevant to the subject matter of the motion under debate and no amendment shall be allowed which, in the opinion of the chair, has the effect of nullifying the motion under debate.
- 11.2 No more than one amendment and a sub-amendment shall be received by the chair or considered by Council at any one time;
- 11.3 The chair shall make all efforts to clarify the wording being voted on when Council is ready to vote on a sub-amendment, an amendment and then the main motion.

## **12 Resume Consideration**

- 12.1 A motion to resume consideration shall be in order when a matter comes up on the agenda as a result of being earlier referred from the floor of Council to be studied by a board or committee or staff member or Councils.

## **13 Motion to Reconsider**

- 13.1 After a question has been decided, either in the affirmative or negative, and after the decision has been announced from the chair, any member who voted with the majority may at that meeting or the next regular scheduled meeting give notice of intention to move a reconsideration.
- 13.2 Unless reconsideration is moved at the meeting or the next regular meeting the right of reconsideration shall be lost.
- 13.3 The main or substantive motion to be reconsidered does not come back on the floor of Council for debate until the motion to reconsider has been moved, seconded and has received the majority vote of Council.
- 13.4 A motion to reconsider shall not be debatable except where the question to be reconsidered was debatable and that the Member who gave the notice of motion to reconsider has the privilege of stating new information on the motion.
- 13.5 No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.
- 13.6 No motion to reconsider shall be allowed in regard to a motion approving all or part of the annual budget.

#### **14 Motion to Rescind or Repeal**

- 14.1 Any Council member may make a motion to rescind a main motion, and voting requirements for rescinding or repealing are as follows:
  - (a) if notice given, a majority vote is required;
  - (b) if notice not given, a 2/3 vote is required.
- 14.2 Any action may be rescinded or repealed except where action has been taken that cannot be undone.
- 14.3 A motion to rescind may be used if the opportunity for reconsideration has lapsed. (See section 13.2)

#### **15 Motion to Renew**

- 15.1 After a motion has been rejected, the maker of the motion may renew their motion at a future meeting, only if the option for reconsideration has expired. [amended July 14, 2020]
- 15.2 A motion to be renewed may not be made until a clear 6 month period has passed.

## 16 Petitions

- 16.1 Every ratepayer or resident of the Municipality, and every corporation doing business therein, shall have the right to be heard before Council by petition and every petitioner shall be entitled to be heard at the time of presentation of the petition.
- 16.2 Persons accompanying the petitioner may be heard, in support of such petition, if they have obtained consent by a majority vote of the Council. A total of 15 minutes shall be allotted to the petitioner and accompanying persons to speak to the petition at the Council meeting. (amended Jan. 26/16)
- 16.3 The petition must be addressed to the Council of the Municipality of the District of Lunenburg and request a particular action within the authority of Council. (amended Jan. 26/16)
- 16.4 Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk. (amended Jan. 26/16)
- 16.5 The filing of a petition with the Clerk shall be done at least one week before the first day of the meeting of Council at which it is to be considered. (amended Jan. 26/16)

## 17 Verbal Presentations

- 17.1 Any persons who are not Members or officers of the Municipality shall observe silence and order in the Council Chambers, unless given permission to speak on behalf of a petition or otherwise allowed in this policy. Any such persons disturbing the proceedings of Council shall be called to order by the chair and, if they fail to comply, shall be ordered, by the chair to leave the Council Chambers.
- 17.2 At the beginning of regular meetings of the council, fifteen (15) minutes for non-scheduled public input shall be available. (amended Oct. 11/6)
- 17.3 For scheduled presentations, any delegation wishing to address Council shall:
- (a) give notice of such request to the Clerk at least one week prior to the scheduled meeting at which such delegation is to appear;
  - (b) be provided fifteen (15) minutes to appear.

17.4 No motions shall be brought to the floor, until; such time as the delegation has ended and the matter has been placed on an agenda thus providing for the opportunity to debate and/or discuss the matter in question.

**18 Repeal**

18.1 Previous policy MDL-01 is hereby repealed and replaced with new policy MDL-01. (amended Jan. 26/16)

<b>Clerk’s Annotation for Official Policy Book</b>	
Date of Adoption	<u>November 9, 2010</u>
Date of Notice to Council Members of Intent to Consider (7 days minimum):	<u>October 21, 2010</u>
Date of Passage of Amendments:	<u>November 9, 2010</u>
Date of Notice to Council Members of Intent to Consider Amendments:	<u>January 19, 2016</u>
Date of Passage of Amendments:	<u>January 26, 2016</u>
Date of Notice to Council Members of Intent to Consider:	<u>September 30, 2016</u>
Date of Passage of Amendments:	<u>October 11, 2016</u>
Date of Notice to Council Members of Intent to Consider:	<u>June 23, 2020</u>
Date of Passage of Amendments:	<u>July 14, 2020</u>
<p>I certify that this MDL-01 “<b><i>Proceedings of Council</i></b>” was adopted and amended by Council as indicated above.</p>	
<p>_____</p> <p>Municipal Clerk</p>	<p>_____</p> <p>Date</p>

# Municipality of the District of Lunenburg

## POLICY

Title: <b>Proceedings of the Council</b>	
Policy No. <b>MDL-01</b>	
Effective Date: November 9, 2010, February 10, 2016	Amended Date: Jan. 26, 2016; Oct. 11, 2016

### 1 Definitions

In this policy all words shall have their meanings as described in Standard English dictionaries except for the following:

- 1.1 "Ballot" means:  
A written vote that assures the secrecy of an individual's election decision.
  
- 1.2 "Chair" means:
  - (a) the Mayor; or
  - (b) in the absence of the Mayor, the Deputy Mayor; or
  - (c) in the absence of the Mayor and the Deputy Mayor, the Member appointed by Council to preside; or
  - (d) until a Mayor has been elected, the Clerk.
  
- 1.3 "Meeting" means a regular or special meeting of Council and covers the period of time in which Members are actually sitting, from the official opening of a meeting until the final adjournment thereof, regardless of the number or length of sessions which may be held and then terminated by temporary recesses or adjournments.
  
- 1.4 "Point of Order" means:
  - (a) any breach of the rules of order of Council; or
  - (b) any defect in the constitution of any meetings of the Council; or
  - (c) the use of improper, offensive or abusive language; or
  - (d) any other informality or irregularity in the proceedings of Council.
  
- 1.5 "Procedural Motion" means any motion dealing strictly with procedure and, without limiting the generality of the foregoing, includes the following: motions to adopt an agenda, motions to approve minutes, motions to extend the time of a meeting, motions to refer, motions to amend, motions to table, motions to postpone for a period of time or indefinitely, motions for points of order, motions to defer, motions to adjourn. (amended Jan. 26/16)

- 1.6 “Rescind a Motion” is a motion to nullify a vote taken at a previous meeting. It may be made by any Council member, but only if no action has been taken on the motion.
- 1.7 “Rules of Order” means the parliamentary rules followed by Council when conducting meetings of business, which are the practices under *Robert’s Rules of Order*.
- 1.8 "Session" means the proceedings of Council held on any one day
- 1.9 "Substantive Motion" means any motion other than a procedural motion, a question of privilege or a point of order.

## 2 Elections

- 2.1 The Council shall elect a Deputy Mayor in accordance with municipal policy MDL-11.
- 2.2 The nomination of Deputy Mayor shall be by ballot.
- 2.3 Upon nomination, if a Council member does not wish to accept the nomination, ~~he or she~~ they should decline at once, by stating “I respectfully decline the nomination”.
- 2.4 Where only one person is nominated for an office and nominations have been closed by resolution, the chair shall declare that person elected to the office in question, by acclamation.
- 2.5 Where more than two persons are nominated for election of Deputy Mayor and no nominee receives, on the first vote or ballot, a majority of the votes of the Members present, the name of the nominee who receives the least number of votes shall be dropped from the vote or ballot and the Council vote again.

The Council shall vote up to three times after the number of candidates still on the ballot has been reduced to two or until one of the nominees has a majority of the votes of the Members present.

In the event of a tie vote for two or more candidates for the office being voted upon and the addition of one vote would entitle one or more of the candidates to be declared elected and where Council has voted up to three times to break the tie vote, the Clerk shall determine the candidate to be declared elected by Lot.

“Lot” means the method of determining the successful candidate by placing the names of the candidates on equal size pieces of paper and placed in a box and one name being drawn by a person chosen by the Clerk.

### 3 Meetings

- 3.1 ~~Until otherwise decided by Council, Council shall meet at the Council Chamber located at 210 Aberdeen Road.~~ Except as otherwise provided in Subsection 22(2) of the MGA, all Council meetings and meetings of committees appointed by Council are open to the public.
- 3.2 Regular meetings of the Council shall be held on the second and fourth Tuesdays of each month, ~~unless Council decides otherwise and provides reasonable public notice of such change pursuant to the MGA.~~ Public notice of regular Council meetings is not required. (amended Jan. 26/16 & Oct. 11/16)
- 3.3 In addition to regular meetings, Council may hold such other meetings as may be necessary or expedient for the conduct of business provided that each member of Council is notified at least three (3) days in advance and the Clerk gives at least two (2) days notice to the public.
- 3.4 Council may meet without notice if the Mayor determines that there is an emergency.
- 3.5 A meeting of Council is not illegal or invalid for a failure to give notice; or meeting elsewhere than provided in the by-laws, a policy, or a notice of meeting.
- 3.6 ~~Except as otherwise provided in Subsection 22(2) of the MGA, Council meetings and meetings of committees appointed by Council are open to the public.~~  
 Council meetings may be live streamed using Facebook (FB) Live Streaming or other suitable streaming facility or similar technology. Public participation in live-streamed meetings is limited to messaging or other similar communication methods. Members of the public do not require a FB Account to watch live-streamed. Live-streamed Council meetings shall be recorded and the video recording shall be available on the MODL website.
- 3.7 As an alternative to in-person meetings, Council meetings may be conducted by electronic means such as telephone conferencing or internet conferencing provided that the following criteria are met:

- 3.7.1 notice of the alternative form of meeting is provided to the public at least two (2) days prior to the meeting;
- 3.7.2 the alternative form of meeting chosen permits all members of Council to effectively communicate with each other during the meeting;
- 3.7.3 all votes are taken as recorded votes; and,
- 3.7.4 the meeting is recorded and the recording is made available on the MODL website within 24 hours of the end of the meeting.
- 3.8 A member of Council may attend and participate in an in-person meeting of Council by electronic means provided that the following criteria are met:
  - 3.8.1 the member has made a request to Council based on planned unavailability;
  - 3.8.2 the member of Council is away due to work or family commitments;
  - 3.8.3 there is inclement weather and business cannot be postponed;
  - 3.8.4 the member is not on extended vacation or unexcused leave of absence;
  - 3.8.5 the member is not able to attend in person for health reasons but is able to attend by electronic means; and,
  - 3.8.6 Any councillor participating by electronic means is deemed present at the meeting. Otherwise shall be marked absent if:
    - 3.8.6.1 a technology problem prevents participation; and
    - 3.8.6.2 communication is lost and cannot be reconnected.
- 3.39 When a Council meeting falls upon a holiday or upon a day deemed to be inappropriate, Council shall set a new date by resolution.
- 3.410 The Mayor shall preside at all meetings of the Council or, in ~~his~~ their absence, by the Deputy Mayor. (See Section 15, MGA)
- 3.511 If both the Mayor and the Deputy Mayor are absent, the Council may appoint a chair from the Members present. (See Section 15, MGA)
- 3.712 Meetings shall convene at a time established by a resolution of Council.

#### **4 Quorum of Council**

- 4.1 A majority of the members of Council (Mayor or Chair is considered a member of Council) shall constitute a quorum for the transaction of business in accordance with *Section 20(1) of the MGA*.
- 4.2 At any meeting of the Council, if ten minutes elapse without a quorum being present, the Members present shall meet, and
- (a) Adjourn the meeting; or
  - (b) Recess; or
  - (c) Extend the time for the meeting of the Council for one half hour from the hour fixed for such meetings, if a quorum is still not present, the meeting shall stand adjourned.
- 4.3 A Mayor or Member who, without leave of Council, is absent from three consecutive regular meetings of Council, shall there by vacate their office, and the office shall be declared vacant by the Council in accordance with *Section 17(4) of the MGA and Section 18(6) of the Municipal Elections Act*.
- 4.4 Council may excuse, by resolution, the absence of a Member if there is just cause.

#### **5 Voting**

- 5.1 No motion shall be voted upon unless seconded and any un-seconded motion shall not be made again during the session.
- 5.2 A motion may be withdrawn by the mover with the consent of the seconder at any time before the Council has voted on it.
- 5.3 When a division on any question is demanded, the chair shall call for the yeas and nays and the chair shall then declare the result.
- 5.4 All votes other than votes on procedural motions shall be recorded.
- 5.4.1 Unanimous votes shall be recorded as Carried unanimously.
  - 5.4.2 Where vote results are not unanimous, only the names of the Councilors voting against the motion will be recorded.  
(amended Jan. 26/16)

- 5.5 Subject to the *Municipal Conflict of Interest Act* and *Sections 205(7) and 230(3) of the MGA*, all Members present including the person presiding, shall vote on a question.
- 5.6 Any Member who fails or refuses to vote and who is required to vote, except in accordance with subsection 5.5, shall be deemed to have voted in the negative.
- 5.7 As to the proceedings of Council, unless otherwise prescribed by statute, all questions arising in the Council shall be decided by a majority of votes. In the event of a tie, the question voted on shall be deemed to be determined in the negative.

## **6 Minutes**

- 6.1 Upon the opening of each meeting of the Council, regular or special, the minutes of the last preceding meeting shall be considered and after all necessary corrections and amendments have been made, and the minutes approved, a copy of the same shall be entered in the Minute Book and shall be deemed to be the original minutes of the Council.
- 6.2 The minutes shall:
- (a) record the date, time and place of the meeting, and the kind of meeting;
  - (b) record the time when any Council member joins or leaves a meeting which is in progress;
  - (c) contain all resolutions, and motions, with the name of the mover and seconders; and record outcome of the vote;
  - (d) all elections and results;
  - (e) mention reports, petitions and other papers submitted to the Council only by their respective titles, or a brief description of their purport, except verbal reports which shall be entered at length; and
  - (f) time of adjournment.

## **7 Agenda**

- 7.1 The order of business shall be at the discretion of the Chairperson, unless majority of Members consent to a different order of business. Otherwise,

at each regular meeting of Council, Council shall conduct its business in the following order:

- (a) Call to order and opening;
- (b) Announcements, Acknowledgements, Recognition;
- (c) Public Input;
- (d) Approval of agenda, including additions thereto or deletions there from;
- (e) Approval of minutes;
- (f) Business arising from the minutes;
- (g) Awarding of tenders;
- (h) Presentations;
- (i) Consideration of correspondence;
- (j) Recommendations/referrals from committees and boards;
- (k) Staff reports;
- (l) Mayor's/Deputy Mayor's/Councillors' Matters;
- (m) In camera;
- (n) Adjournment.

(amended Jan. 26/16)

7.2 Notwithstanding (7.1), the first meeting after an election the order shall be;

- (a) Call to order by the Clerk;
- (b) Declaration of results of election;
- (c) Administration of the Oaths of Office for Mayor and Members elect and/or acclaimed candidates;
- (d) Nomination and election by ballot for the Deputy Mayor.

7.3 Deadline for agenda items and accepting material for same is seven (7) days in advance of the meeting date. (amended Jan. 26/16)

- 7.4 Agendas shall be circulated four (4) days in advance of scheduled meeting dates. (amended Jan. 26/16)
- 7.5 In the case of urgent and/or pressing necessity, items may be added to a meeting agenda on the day of the meeting, without previous debate or notice being given, with a 2/3 majority vote of Council to add the item to the agenda. It must be demonstrated that the item is of an urgent nature (i.e. time sensitive). (amended Jan. 26/16)
- 7.6 Added items to an in-camera agenda shall be identified by the type of matter to be discussed, with additional information, where possible, to further identify the item but not as to disclose the confidential information and the reference under the *MGA* shall be stated. (amended Jan. 26/16)
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  - (c) receive and submit, in the proper manner, motions presented by a member of Council;
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- (e) restrain the members, when engaged in debate, within the rules of order;
  - (f) enforce on all occasions, the observance of order and decorum;
  - (g) call by name any member persisting in a breach of the rules of order of the Council thereby ordering them to vacate the Council Chamber;
  - (h) inform the Council when necessary, or when referred to, on a point of order;
  - (i) permit questions to be asked through the chair of any official of the Municipality to provide information to assist any debate when ~~s/he~~ **they** deem~~s~~-it proper;
  - (j) provide information to members on any matter touching on the business of the Municipality; and
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  - (c) a motion to reconsider an earlier decision of Council; except as allowed in Section 13

- (d) a motion for leave for any person, not a Member, to address the Council;
- (e) a motion to change or suspend the order of business;
- (i) a motion to allow a Member to speak more than the prescribed number of times; and
- (g) a motion to dissent from the ruling of the chair on a point of order.

10.6 Limited Debate shall be allowed on the following motions:

- (a) A motion to refer a matter to a committee, staff or Council members may be debated only as to whom the matter is to be referred, what specific information is desired, or when the matter shall be brought back to the floor of Council;
- (b) A motion calling for the question shall not be voted on until after every Member who has not spoken on the motion already, and who wishes to speak, has been heard.

10.7 Deleted (amended Oct. 11/16)

## **11 Amendments**

- 11.1 An amendment shall be relevant to the subject matter of the motion under debate and no amendment shall be allowed which, in the opinion of the chair, has the effect of nullifying the motion under debate.
- 11.2 No more than one amendment and a sub-amendment shall be received by the chair or considered by Council at any one time;
- 11.3 The chair shall make all efforts to clarify the wording being voted on when Council is ready to vote on a sub-amendment, an amendment and then the main motion.

## **12 Resume Consideration**

- 12.1 A motion to resume consideration shall be in order when a matter comes up on the agenda as a result of being earlier referred from the floor of Council to be studied by a board or committee or staff member or Councils.

## **13 Motion to Reconsider**

- 13.1 After a question has been decided, either in the affirmative or negative, and after the decision has been announced from the chair, any member who voted with the majority may at that meeting or the next regular scheduled meeting give notice of intention to move a reconsideration.
- 13.2 Unless reconsideration is moved at the meeting or the next regular meeting the right of reconsideration shall be lost.
- 13.3 The main or substantive motion to be reconsidered does not come back on the floor of Council for debate until the motion to reconsider has been moved, seconded and has received the majority vote of Council.
- 13.4 A motion to reconsider shall not be debatable except where the question to be reconsidered was debatable and that the Member who gave the notice of motion to reconsider has the privilege of stating new information on the motion.
- 13.5 No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.
- 13.6 No motion to reconsider shall be allowed in regard to a motion approving all or part of the annual budget.

#### **14 Motion to Rescind or Repeal**

- 14.1 Any Council member may make a motion to rescind a main motion, and voting requirements for rescinding or repealing are as follows:
  - (a) if notice given, a majority vote is required;
  - (b) if notice not given, a 2/3 vote is required.
- 14.2 Any action may be rescinded or repealed except where action has been taken that cannot be undone.
- 14.3 A motion to rescind may be used if the opportunity for reconsideration has lapsed. (See section 13.2)

#### **15 Motion to Renew**

- 15.1 After a motion has been rejected, the maker of the motion may renew ~~his or her~~ **their** motion at a future meeting, only if the option for reconsideration has expired.
- 15.2 A motion to be renewed may not be made until a clear 6 month period has passed.

## 16 Petitions

- 16.1 Every ratepayer or resident of the Municipality, and every corporation doing business therein, shall have the right to be heard before Council by petition and every petitioner shall be entitled to be heard at the time of presentation of the petition.
- 16.2 Persons accompanying the petitioner may be heard, in support of such petition, if they have obtained consent by a majority vote of the Council. A total of 15 minutes shall be allotted to the petitioner and accompanying persons to speak to the petition at the Council meeting. (amended Jan. 26/16)
- 16.3 The petition must be addressed to the Council of the Municipality of the District of Lunenburg and request a particular action within the authority of Council. (amended Jan. 26/16)
- 16.4 Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk. (amended Jan. 26/16)
- 16.5 The filing of a petition with the Clerk shall be done at least one week before the first day of the meeting of Council at which it is to be considered. (amended Jan. 26/16)

## 17 Verbal Presentations

- 17.1 Any persons who are not Members or officers of the Municipality shall observe silence and order in the Council Chambers, unless given permission to speak on behalf of a petition or otherwise allowed in this policy. Any such persons disturbing the proceedings of Council shall be called to order by the chair and, if they fail to comply, shall be ordered, by the chair to leave the Council Chambers.
- 17.2 At the beginning of regular meetings of the council, fifteen (15) minutes for non-scheduled public input shall be available. (amended Oct. 11/6)
- 17.3 For scheduled presentations, any delegation wishing to address Council shall:
- (a) give notice of such request to the Clerk at least one week prior to the scheduled meeting at which such delegation is to appear;
  - (b) be provided fifteen (15) minutes to appear.

17.4 No motions shall be brought to the floor, until; such time as the delegation has ended and the matter has been placed on an agenda thus providing for the opportunity to debate and/or discuss the matter in question.

**18 Repeal**

18.1 Previous policy MDL-01 is hereby repealed and replaced with new policy MDL-01. (amended Jan. 26/16)

**Clerk’s Annotation for Official Policy Book**

Date of Adoption November 9, 2010

Date of Notice to Council Members of Intent to Consider (7 days minimum): October 21, 2010

Date of Passage of Amendments: November 9, 2010

Date of Notice to Council Members of Intent to Consider Amendments: January 19, 2016

Date of Passage of Amendments: January 26, 2016

Date of Notice to Council Members of Intent to Consider: September 30, 2016

Date of Passage of Amendments: October 11, 2016

Date of Notice to Council Members of Intent to Consider: June 23, 2020

Date of Passage of Amendments:

I certify that this MDL-01 “**Proceedings of Council**” was adopted and amended by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Repeal of Section 4 of Policy MDL-02 “Committees”**

---

Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Section 4 of Policy MDL-02 “Committees” be repealed as the Planning Advisory Committee will now have its own Policy and made a motion to give notice of its intention to repeal Section 4 of Policy MDL-02 at the July 14, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, “Before a policy is passed, amended or repealed, the Council shall give at least seven days’ notice to all council members.” Therefore, in accordance with Section 48(1), the attached amended Policy MDL-02, with the repeal of Section 4, will be presented for Council’s approval at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council’s notice.

If Council approves of the repeal of Section 4 of MDL-02, the following motion would be necessary.

**“That Municipal Council approve the repeal of Section 4 of Policy MDL-02 Committees”.**

---

Sherry Conrad  
Municipal Clerk

/sac  
Attachments

## Municipality of the District of Lunenburg POLICY

Title: <b>Committees</b>	
Policy No. <b>MDL-02</b>	
Effective Date: March 27, 2012, February 10, 2016	Amended Date: Jan. 22, 2013, Sept. 23, 2014, Jan. 26, 2016, Oct. 11, 2016, Nov. 8, 2016, July 14, 2020

### 1. Committees of Council

- 1.1 Council may, under Section 24 of the *Municipal Government Act*, establish standing, special and advisory committees. Each committee shall perform the duties conferred on it by the Act, any other Act of the Legislature, the by-laws or policies of the Municipality, or their Terms of Reference approved by Council.  
(amended Jan. 26/16)

### 2. Nominating Committee

- 2.1 The first Committee to be appointed shall be the Nominating Committee, which shall consist of the Mayor and three members of Council appointed by the Mayor.
- 2.2 Each Committee member shall serve for a one year term and all Council members shall serve at least one term on the Nominating Committee. (amended Oct.11/16)
- 2.3 The Nominating Committee shall make all Council appointments to MODL Committees and Standing Committees.
- 2.4 The Nominating Committee shall also recommend appointments to all other Committees, Commissions and Boards to which the Council may appoint members, except the public members-at-large of the Fire Service Committee for which this Committee shall recommend appointments directly to Council. (amended Sept. 23, 2014)
- 2.5 The Nominating Committee shall receive letters of nomination for awards of Acts of Bravery and Substantial Achievement and shall recommend those deemed worthy of the award to Council as outlined in Policy MDL-42 "Acts of Bravery and Substantial Achievement Awards. (amended Jan. 26/16)
- 2.6 The Nominating Committee shall review nominations and make recommendations to Council for all Community Achievement Awards. (amended Jan. 26/16)

### **3. Policy and Strategy Committee**

- 3.1 The purpose of the Policy and Strategy Committee is to hold debate and discussion on by-law and policy review, strategy, land and any other matters not dealt with by the Audit and Finance Committee.
- 3.2 The Committee shall meet monthly on the third Tuesday of the month. The Chair, in consultation with staff, may add or cancel meetings as required based on the volume and complexity of agenda items.
- 3.3 Membership of the Committee shall consist of the whole of Council.
- 3.4 The Deputy Mayor shall chair the Committee.
- 3.5 The Vice-Chair shall be selected annually at the November meeting of the Committee in accordance with the election procedures outlined in Policy MDL-01. The sitting Vice-Chair may re-offer for the same position.
- 3.6 All meetings shall be conducted in accordance with Policy MDL-01 unless otherwise stated in this section.

(amended Oct. 11/16)

### **4. Planning Advisory Committee [Repealed July 14, 2020]**

### **5. Ex Officio**

Except where the Mayor is specifically appointed to a Committee, the Mayor shall be a member “ex officio” of all committees, but as an “ex officio” member, the Mayor shall not vote, except in the absence of one or more members of the Committee.

### **6. Conflict of Interest**

Where personal or professional involvement or association could result in an actual or perceived conflict of interest for a member of a Committee, the member shall declare the conflict and abstain from debate on the related topic, or where appropriate, remove themselves from a meeting and shall not vote on any motion applying to the declared conflict.

### **7. Terms of Reference**

- 7.1 The Municipal Clerk will maintain the Terms of Reference for all MODL committees.
- 7.2 Members of a committee may propose amendments to their Terms of Reference by majority vote. Council shall consider proposed amendments but retains final authority to amend or retain the existing Terms of Reference. (amended Jan. 26/16)

**8. Repeal**

Any previous version of policy MDL-02 is hereby repealed and replaced with new policy MDL-02.

<b>Annotation for Official Policy Book</b>	
Date of Adoption:	<u>March 27, 2012</u>
Date of Notice to Council Members of Intent to Amend (7 days minimum)	<u>September 9, 2014</u>
Date of Passage of Amendments:	<u>September 23, 2014</u>
Date of Notice to Council Members of Intent to Amend (7 days minimum)	<u>January 19, 2016</u>
Date of Passage of Amendments	<u>January 26, 2016</u>
Date of Notice to Council Members of Intent to Amend	<u>September 30, 2016</u>
Date of Passage of Amendments	<u>October 11, 2016</u>
Date of Notice to Council Members of Intent to Amend	<u>November 1, 2016</u>
Date of Passage of Amendments	<u>November 8, 2016</u>
Date of Notice to Council Members of Intent to Amend	<u>June 23, 2020</u>
Date of Passage of Amendments	<u>July 14, 2020</u>
I certify that policy MDL-02 “Committees” was adopted and amended by Council as indicated above.	
_____	_____
Municipal Clerk	Date

## Municipality of the District of Lunenburg POLICY

Title: <b>Committees</b>	
Policy No. <b>MDL-02</b>	
Effective Date: March 27, 2012, February 10, 2016	Amended Date: Jan. 22, 2013, Sept. 23, 2014, Jan. 26, 2016, Oct. 11, 2016, Nov. 8, 2016

### 1. Committees of Council

- 1.1 Council may, under Section 24 of the *Municipal Government Act*, establish standing, special and advisory committees. Each committee shall perform the duties conferred on it by the Act, any other Act of the Legislature, the by-laws or policies of the Municipality, or their Terms of Reference approved by Council.  
(amended Jan. 26/16)

### 2. Nominating Committee

- 2.1 The first Committee to be appointed shall be the Nominating Committee, which shall consist of the Mayor and three members of Council appointed by the Mayor.
- 2.2 Each Committee member shall serve for a one year term and all Council members shall serve at least one term on the Nominating Committee. (amended Oct.11/16)
- 2.3 The Nominating Committee shall make all Council appointments to MODL Committees and Standing Committees.
- 2.4 The Nominating Committee shall also recommend appointments to all other Committees, Commissions and Boards to which the Council may appoint members, except the public members-at-large of the Fire Service Committee for which this Committee shall recommend appointments directly to Council. (amended Sept. 23, 2014)
- 2.5 The Nominating Committee shall receive letters of nomination for awards of Acts of Bravery and Substantial Achievement and shall recommend those deemed worthy of the award to Council as outlined in Policy MDL-42 “Acts of Bravery and Substantial Achievement Awards. (amended Jan. 26/16)
- 2.6 The Nominating Committee shall review nominations and make recommendations to Council for all Community Achievement Awards. (amended Jan. 26/16)

### 3. Policy and Strategy Committee

- 3.1 The purpose of the Policy and Strategy Committee is to hold debate and discussion on by-law and policy review, strategy, land and any other matters not dealt with by the Audit and Finance Committee.
- 3.2 The Committee shall meet monthly on the third Tuesday of the month. The Chair, in consultation with staff, may add or cancel meetings as required based on the volume and complexity of agenda items.
- 3.3 Membership of the Committee shall consist of the whole of Council.
- 3.4 The Deputy Mayor shall chair the Committee.
- 3.5 The Vice-Chair shall be selected annually at the November meeting of the Committee in accordance with the election procedures outlined in Policy MDL-01. The sitting Vice-Chair may re-offer for the same position.
- 3.6 All meetings shall be conducted in accordance with Policy MDL-01 unless otherwise stated in this section.

(amended Oct. 11/16)

### 4. Planning Advisory Committee

~~4.1 The Planning Advisory Committee shall be appointed as a Standing Committee of Council. (amended Jan. 26/16)~~

~~4.2 Membership of the Planning Advisory Committee shall consist of 5 Councillors and 3 members at large from the public. (amended Jan 22, 2013, Nov. 8, 2016)~~

~~4.3 Public member terms shall be non-coincidental two-year terms such that no more than two positions expire in the same year. Public members shall be sought by a publically advertised Expression of Interest and recommended to Council for appointment by the Nominating Committee. Public members may re-offer for the Committee when their term expires. (amended Jan 22, 2013, Sept. 23, 2014)~~

~~4.4 Public members have full membership in the Committee and as such are afforded the same rights as any member of Council on the Committee.~~

~~4.5 The Planning Advisory Committee may create an ad-hoc subcommittee to deal with an issue which the membership feels would be better served by a smaller number of people.~~

~~4.5.1 A subcommittee may only be created following a seconded motion passed by a majority vote of the Committee Membership.~~

- ~~4.5.2 Any subcommittee that is created must have a declared start date, end date and required decision upon its creation.~~
- ~~4.5.3 Any decision brought back to the Planning Advisory Committee by a subcommittee must be passed by a majority vote of the Planning Advisory Committee before being referred to Council.~~  
~~(amended Jan. 26/16)~~
- ~~4.6 On each matter on the Planning Advisory Committee's Agenda, the Chair will seek public comment upon the completion of staff's presentation. (amended Jan. 26/16)~~
- ~~4.7 All meetings should be conducted in accordance with Policy MDL-01 unless otherwise stated in this section. (amended Jan. 26/16)~~

## 5. Ex Officio

Except where the Mayor is specifically appointed to a Committee, the Mayor shall be a member "ex officio" of all committees, but as an "ex officio" member, the Mayor shall not vote, except in the absence of one or more members of the Committee.

## 6. Conflict of Interest

Where personal or professional involvement or association could result in an actual or perceived conflict of interest for a member of a Committee, the member shall declare the conflict and abstain from debate on the related topic, or where appropriate, remove themselves from a meeting and shall not vote on any motion applying to the declared conflict.

## 7. Terms of Reference

- 7.1 The Municipal Clerk will maintain the Terms of Reference for all MODL committees.
- 7.2 Members of a committee may propose amendments to their Terms of Reference by majority vote. Council shall consider proposed amendments but retains final authority to amend or retain the existing Terms of Reference. (amended Jan. 26/16)

## 8. Repeal

Any previous version of policy MDL-02 is hereby repealed and replaced with new policy MDL-02.

<b>Annotation for Official Policy Book</b>	
Date of Adoption:	<u>March 27, 2012</u>
Date of Notice to Council Members of Intent to Amend (7 days minimum)	<u>September 9, 2014</u>
Date of Passage of Amendments:	<u>September 23, 2014</u>
Date of Notice to Council Members of Intent to Amend (7 days minimum)	<u>January 19, 2016</u>
Date of Passage of Amendments	<u>January 26, 2016</u>
Date of Notice to Council Members of Intent to Amend	<u>September 30, 2016</u>
Date of Passage of Amendments	<u>October 11, 2016</u>
Date of Notice to Council Members of Intent to Amend	<u>November 1, 2016</u>
Date of Passage of Amendments	<u>November 8, 2016</u>
I certify that policy MDL-02 " <i>Committees</i> " was adopted by Council as indicated above.	
_____	_____
Municipal Clerk	Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Proposed Amendment to Section 1 of Policy MDL-04 “Non-Council Appointments and Honourariums”**

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Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Policy MDL-04 Non-Council Appointments and Honourariums be amended and made a motion to give notice of its intention to amend Section 1 of Policy MDL-04 by striking out “(excluding Area Advisory Committees)” at the July 14, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, “Before a policy is passed, amended or repealed, the Council shall give at least seven days’ notice to all council members.” Therefore, in accordance with Section 48(1), the attached amended Policy MDL-04, with the proposed amendment to Section 1, will be presented for Council’s approval at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council’s notice.

If Council approves of the proposed amendment to Section 1 of Policy MDL-04, the following motion would be necessary.

**“That Municipal Council approve the proposed amendment to Section 1 of Policy MDL-04 Non-Council Appointments and Honourariums by deleting “(excluding Areas Advisory Committees)”.**

---

Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg POLICY

Title: <b>Non Council Appointments and Honorariums</b>	
Policy No. <b>MDL- 04</b>	
Effective Date: October 9, 2007	Amended Date: April 9, 2013, July 14, 2020

**1.0 Purpose**

The purpose of this policy is to establish a procedure for the appointment of Non-Council Members to a standing, special or advisory committee and a method for calculation of an honorarium for such appointment. [amended July 14, 2020]

**2.0 Procedure for Appointment of Non-Council Members**

The following procedure shall be followed for the appointment of Non-Council members:

- a) Councillors shall nominate non-council persons for members of Committees, Boards or Commissions in writing to the Nominating Committee.
- b) The Nominating Committee shall recommend Non-Council members for Committees, Boards or Commissions to the Council. If the Nominating Committee's recommendation is not accepted by Council, then nominations shall be made in writing to the Council who will accept nominations and appoint such members.

**3.0 Annual Honorariums**

Annual honorariums paid to Non-Council members appointed by Council shall be \$55 per meeting plus appropriate mileage. [Amended April 9, 2013]

**4.0** Policy MDL-04 approved on April 1, 1999 is hereby repealed and replaced with this Policy MDL-04.

Clerk's Annotation for Official Policy Book	
Date of Adoption	<u>October 9, 2007</u>
Date of Notice to Council Members of Intent to Consider Amendments	<u>March 20, 2013</u>
Date of Passage of Amendments:	<u>April 9, 2013</u>
Date of Notice to Council Members of intent to Consider Amendments	<u>June 23, 2020</u>
Date of Passage of Amendments	<u>July 14, 2020</u>
I certify that this " <i>Non Council Appointments and Honorariums Policy</i> " was adopted and amended by Council as indicated above.	
_____	_____
Municipal Clerk	Date

# Municipality of the District of Lunenburg POLICY

Title: <b>Non Council Appointments and Honorariums</b>	
Policy No. <b>MDL- 04</b>	
Effective Date: October 9, 2007	Amended Date: April 9, 2013

**1.0 Purpose**

The purpose of this policy is to establish a procedure for the appointment of Non-Council Members to a standing, special or advisory committee (~~excluding Area Advisory Committees~~), and a method for calculation of an honorarium for such appointment.

**2.0 Procedure for Appointment of Non-Council Members**

The following procedure shall be followed for the appointment of Non-Council members:

- a) Councillors shall nominate non-council persons for members of Committees, Boards or Commissions in writing to the Nominating Committee.
- b) The Nominating Committee shall recommend Non-Council members for Committees, Boards or Commissions to the Council. If the Nominating Committee's recommendation is not accepted by Council, then nominations shall be made in writing to the Council who will accept nominations and appoint such members.

**3.0 Annual Honorariums**

Annual honorariums paid to Non-Council members appointed by Council shall be \$55 per meeting plus appropriate mileage. [Amended April 9, 2013]

**4.0** Policy MDL-04 approved on April 1, 1999 is hereby repealed and replaced with this Policy MDL-04.

<b>Clerk's Annotation for Official Policy Book</b>	
Date of Adoption	<u>October 9, 2007</u>
Date of Notice to Council Members of intent to Consider Amendments:	<u>March 20, 2013</u>
Date of Passage of Amendments:	<u>April 9, 2013</u>
I certify that this " <i>Non Council Appointments and Honorariums Policy</i> " was adopted by Council as indicated above.	
_____	_____
Municipal Clerk	Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Adoption of Proposed Policy MDL-90 Planning Advisory Committee**

---

Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Council adopt Policy MDL-90 respecting the Planning Advisory Committee and made a motion to give notice of its intention to adopt Policy MDL-90 at the July 14, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, "Before a policy is passed, amended or repealed, the Council shall give at least seven days' notice to all council members." Therefore, in accordance with Section 48(1), the attached proposed Policy MDL-90 "Planning Advisory Committee" will be presented for Council's approval at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council's notice.

If Council approves of the adoption of Policy MDL-90, the following motion would be necessary.

**"That Municipal Council approve the adoption of proposed Policy MDL-90 respecting the Planning Advisory Committee, as presented".**

---

Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg

## POLICY

<b>Title</b> Planning Advisory Committee Policy	
<b>Policy No.</b> MDL-90	<b>Legislative Authority</b> <b>Municipal Government Act, Section 202</b>
<b>Effective Date</b> July 14, 2020	<b>Amended Dates</b> N/A

### Short title

- 1 This Policy may be cited as the **Planning Advisory Committee Policy** and be referenced as the terms of reference of the Committee.

### Definition

- 2 In this Policy,
  - (a) “Act” means the **Municipal Government Act**; and
  - (b) “Committee” means the Planning Advisory Committee of the Municipality.

### Purpose

- 3
  - (1) The purpose of this Committee is to advise respecting the preparation or amendment of planning documents and respecting planning matters generally.
  - (2) The duties assigned to the Committee by the Act must only be carried out by the Committee.

### Membership

- 4
  - (1) Membership of the Committee must consist of 5 Councilors and 3 public members appointed at-large.
  - (2) Public members have full membership in the Committee and are given the same rights as a Council member on the Committee.
  - (3) A member ex-officio of the Committee may be appointed and has the rights as defined in Section 5 of Policy MDL-02.

### **Appointment and reappointment**

- 5 (1) Terms of public members are non-coincidental two-year terms so that no more than two public member positions expire in the same calendar year.
- (2) Public members must be sought by a publicly advertised Expression of Interest and recommended to Council for appointment by the Nominating Committee by following the procedure in Section 2 of Policy MDL-04.
- (3) Council must appoint members of the Committee by resolution.
- (4) Public members may re-offer for the Committee when their term expires.

### **Officers**

- 6 (1) The committee members must, at their first meeting after an annual appointment by Council, elect a chair and vice-chair by secret ballot.
- (2) The chair must preside at all meetings of the Committee.
- (3) The vice-chair will act in the absence or inability of the chair or in the event of the office of chair being vacant.
- (4) The sitting chair and vice-chair may re-offer for the same position.

### **Procedures**

- 7 (1) A meeting of the Committee may take place on an as-needed basis or at the call of the Chair.
- (2) A meeting is conducted by following the procedure on Policy MDL-01, unless otherwise stated in this Section or the Act.

### **Open meetings**

- 8 (1) All meetings of the Committee are open to the public unless a meeting is private as determined by the procedure in subsection 203(1) of the Act.
- (2) All public meetings of the Committee must be notified to the public according to the procedure in Sections 9 and 10 of Policy MDL-66.
- (3) On each item on an agenda of the Committee, the Chair must seek public comments after a presentation by staff.

### **Public discussion**

- 9 Committee may hold a meeting for public discussion on a planning topic in the manner decided by the Council or the Committee.

**Ad-hoc subcommittees**

- 10 (1) Committee may create an ad-hoc subcommittee to deal with an issue in which the membership feels it would be better served by a smaller number of people.
- (2) When an ad-hoc subcommittee is established, the subcommittee must have a declared start date, end date, and required recommendation.
- (3) Any recommendation returned to the Committee by an ad-hoc subcommittee must be passed by the Committee before being referred to Council.

**Staff support**

- 11 The Director of Planning & Development Services is the primary contact for the Municipality, and may assign a staff member to
  - (a) develop and distribute an agenda, recording, and minutes of a meeting;
  - (b) conduct research related to an item on the agenda; and
  - (c) notify the Committee members of the result of their recommendations.

**Remuneration**

- 12 Remuneration paid to a public member is stated in Section 3 of Policy MDL-04.

<b>Clerk's Annotation for Official Policy Book</b>	
Date of notice to Council members	June 23, 2020
Date of passage of original Policy	July 14, 2020
Date of notice to Council members of intent to consider amendments	N/A
Date of passage of amendments	N/A
I certify that this <b>Policy MDL-90</b> was adopted by Council as indicated above.	
_____	_____
Municipal Clerk	Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Repeal and Replace Policy MDL-66**

---

Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Policy MDL-66 “Public Participation Program” be repealed and replaced with a new policy MDL-66 respecting Public Participation Program and Public Engagement on Planning Matters.

Section 48(1) of the *Municipal Government Act* states, “Before a policy is passed, amended or repealed, the Council shall give at least seven days’ notice to all council members.” Therefore, in accordance with Section 48(1), the attached existing Policy MDL-66 Public Participation Program will be presented for approval for repeal and the new Policy MDL-66 Public Participation Program and Public Engagement on Planning Matters will be presented for approval for adoption at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council’s notice.

If Council approves of the repeal and adoption, the following motion would be necessary.

**“That Municipal Council approve the repeal of the existing Policy MDL-66 Public Participation and approve the adoption of the new Policy MDL-66 Public Participation and Public Engagement on Planning Matters, as presented”.**

---

Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg

## POLICY

<b>Title</b> Policy respecting Public Participation Program and Public Engagement on Planning Matters	
<b>Policy No.</b> MDL-66	<b>Legislative Authority</b> <b>Municipal Government Act</b> , Sections 203-207 and 214 <b>Minimum Planning Requirements Regulations</b> , Sections 3-4
<b>Effective Date</b> July 14, 2020	<b>Amended Dates</b> N/A

WHEREAS the public engagement is a critical part of the Municipality’s planning process;

AND WHEREAS the Municipality is responsible for seeking the public opinions about the proposed planning documents, such as the Municipal Planning Strategy, Land Use By-law, Subdivision By-law, and their amendments;

AND WHEREAS the **Municipal Government Act** mandates the Municipality to identify opportunities and to establish ways and means of seeking the public opinions, as well as to complete the public participation program before placing the first notice for a public hearing;

AND WHEREAS the **Municipal Government Act** further mandates the Municipality to engage with abutting municipalities when the Council is adopting or amending the Municipal Planning Strategy;

AND WHEREAS the **Minimum Planning Requirements Regulations** mandate the Municipal Planning Strategy to provide for public consultation and notice during its plan review;

AND WHEREAS the **Minimum Planning Requirements Regulations** allow the Municipal Planning Strategy to provide a general direction on engaging with provincial and federal departments, First Nations communities, and non-abutting municipalities:

### Short title

**1** This Policy may be cited as the **Public Engagement Policy**.

### Definitions

**2** In this Policy,

(a) “Act” means the **Municipal Government Act**; and

- (b) “planning document” means the Municipal Planning Strategy, Land Use By-laws, Subdivision By-law, and their amendments, including rezoning.

### **Inclusive engagement and exceptions**

- 3** Municipality must facilitate the involvement of public to encourage public participation on a planning matter in a variety of formats as much as feasible, except when the public participation is
  - (a) excessively or intentionally delaying the process of approving a planning document after reasonable engagement; or
  - (b) placing a financial burden on the Municipality.

### **Access to information**

- 4**
  - (1)** Except for the information on planning matters stated under subsection 203(1) of the Act, all available information related to a proposed planning document must be accessible by the public.
  - (2)** If feasible, public may obtain a paper copy of the information in subsection (1) at a fee set in Policy MDL-58.

### **Online engagement**

- 5**
  - (1)** In addition to the public notice requirements under this Policy or the Act, the Municipality may post information in subsection 4(1) and a public notice related to a proposed planning document on the official website, online engagement website, or social media platform operated by the Municipality.
  - (2)** The online websites and platforms in subsection (1) are considered as conspicuous places under the Act.

### **Ad-hoc planning committees**

- 6** Council may establish, by policy, the following ad-hoc committees to discuss about a planning matter that applies to a specified topic or area of the Municipality:
  - (a) a special or advisory committee of Council under Section 24 of the Act;
  - (b) a citizen advisory committee under Section 26 of the Act;
  - (c) a community committee under Section 27 of the Act;
  - (d) an ad-hoc subcommittee of the Planning Advisory Committee under Policy MDL-90.

### **Public opinion poll**

- 7** Council may direct staff to seek public opinion on a planning matter before a proposed planning document is submitted to the Planning Advisory Committee, such as by conducting an opinion poll.

### **Public information session**

- 8** (1) Council may hold, or direct staff or a committee of Council to hold, a public information session to discuss with the public about a planning matter.
- (2) When the Council directs staff to prepare a plan review by replacing an existing planning document, the Municipality must hold a public information session to discuss with the public about a plan adoption or review.
- (3) If a public information session is held under subsections (1) or (2), the Municipality must hold at least 1 session before the proposed planning document is submitted to the Planning Advisory Committee.

### **Public notice of plan reviews**

- 9** (1) When the Council initiates a plan review process by resolution, public notice of the Council resolution must be posted on a newspaper circulating in the area, at least once a week for two successive weeks, in which the first notice must be posted at least 14 days before the first public information session.
- (2) Before the Municipality holds a public information session under subsection 8(2), the Municipality must provide a summary of proposed planning document available to the public.

### **Public notice of the Planning Advisory Committee**

- 10** If the Planning Advisory Committee holds a public meeting to consider a proposed planning document, notice of the meeting must be posted on a newspaper circulating in the Municipality at least 5 days before the meeting by stating the following:
- (a) the date, time, and location of Planning Advisory Committee meeting;
  - (b) a brief summary or the purpose of proposed planning document;
  - (c) a method of obtaining information about the proposed planning document.

**Notification of rezoning by re-designation to affected landowners**

**11** On or after the date that the Council reads a proposed planning document for a first time, and before the date that the Municipal Clerk gives notice of the public hearing, the Municipality must notify about the Council’s intention to rezone of a proposed site by changing a land use designation to the landowners of all properties within 30 metres of the proposed site.

**Public input at a Council or its committee meeting**

**12** Municipality must reserve time on a meeting held by the Council, a committee of Council, or a municipal staff for a presentation, commentary, or question the public on a planning matter.

<b>Clerk’s Annotation for Official Policy Book</b>	
Date of notice to Council members	June 23, 2020
Date of passage of original Policy	July 14, 2020
Date of notice to Council members of intent to consider amendments	N/A
Date of passage of amendments	N/A
I certify that this <b>Policy MDL-66</b> was adopted by Council as indicated above.	
<hr style="width: 100%;"/>	<hr style="width: 100%;"/>
Municipal Clerk	Date

# Municipality of the District of Lunenburg POLICY

<b>Title:</b> Public Participation Program on Planning Matters	
<b>Policy No.</b> MDL-66	<b>Note:</b> <i>date of original Council Resolution: April 1, 1999 amendments to original Resolution in 2002 &amp; 2015.</i>
<b>Effective Date:</b> February 10, 2015	<b>Amended Date:</b>

## Establishment.

The Municipality of the District of Lunenburg shall establish a public participation program on identified planning matters, pursuant to Section 204 of the Municipal Government Act, for the purpose of preparing a Municipal Planning Strategy, a Land Use By-law, or a Subdivision By-law, and their subsequent revision, or amendment.

### 1.0 SOLICITATION OF PUBLIC INPUT.

- 1.1 Council shall conduct opinion surveys, request written briefs or submissions, or use any other means that is available and appropriate, as deemed necessary, to solicit the views and opinions of residents and ratepayers of the affected area.
- 1.2 Time on the agenda of any meeting conducted by Council, a Committee of Council, or staff, that is relevant to any planning matter affecting the Municipality, shall be reserved for presentation, commentary, or questions from any interested resident or ratepayer of the Municipality.
- 1.3 Public meetings, as deemed by Council to be necessary and appropriate, shall be conducted by Council, a Committee of Council, or staff, for the purpose of discussing with residents and ratepayers, any matter that is relevant to planning in the Municipality.
- 1.4 Council shall make every reasonable effort to facilitate the involvement and participation of residents and ratepayers in all matters relevant to planning in the Municipality, to the extent that the planning process is not unduly or intentionally delayed or that the costs incurred do not place an undue financial burden on the Municipality.

## 2.0 NOTICE OF MEETINGS AND PLANNING ACTIVITIES.

### 2.1 New Planning Strategies and Land Use By-laws, Subdivision By-laws or Planning Strategy and Land Use By-law Reviews

#### 2.1.1 Notice of Council's Intention - Plan Review

Where Council is initiating the preparation of a review of a Municipal Planning Strategy, a Land Use By-law, or a Subdivision By-law, a notice of Council's intention to undertake such activities shall be inserted in a newspaper circulating in the area, at least once a week for two successive weeks, the first notice to be inserted fourteen (14) clear days before:

- a) any scheduled public meeting respecting the activity is to be held
- b) any scheduled Planning Advisory Committee meeting, respecting the activity is to be held

#### 2.1.2 Notice of Area Advisory Committee meeting - Plan Review

Notice of any Area Advisory Committee meeting in which the review of a Municipal Planning Strategy or Land Use By-law is to be discussed or considered, shall be posted on the municipality's website, or by use of the respective Plan Area's e-mail distribution list, or in conspicuous locations within the Plan Area, or by advertisement in a local newspaper seven (7) clear days before the meeting.

#### 2.1.3 Notice of an AAC Public Information Meeting - Plan Review

Prior to an Area Advisory Committee recommending a new Planning Strategy and Land Use By-law, or amendments to an existing Planning Strategy and Land Use By-law resulting from a review, the Area Advisory Committee and Municipal Staff shall:

- a) Develop and circulate to all the assessed landowners an information brochure summarizing main highlights of the proposed or amended Planning Strategy and Land Use By-law;
- b) Upon circulation of the brochure, host a Public Meeting to present to the public the proposed new or amended Planning Strategy and Land Use By-law. Notice of this public meeting shall be inserted into a newspaper circulating in the area, at least once a week, for two successive weeks, the first notice to be inserted fourteen (14) clear days before the scheduled public meeting.

#### 2.1.4 Notice of a Council Public Information Meeting - Plan Review

Prior to Municipal Council conducting a Public Hearing regarding a new Planning Strategy and Land Use By-law, a Subdivision By-law or amendments to an existing Planning Strategy and Land Use By-law resulting from a review, Municipal Council shall conduct a Public Information Meeting. The purpose of this meeting shall be to inform the public the proposed or amended Planning Documents.

## **2.2 Amendments to Planning Strategies, Land Use By-laws or Subdivision By-law**

### 2.2.1 Public Notice - Planning Advisory Committee / Area Advisory Committee

Where Council is considering a proposal for an amendment to the text of a Municipal Planning Strategy, a Secondary Planning Strategy, the Subdivision By-law, a Land Use By-law, or an application for a re-zoning, public notice of any meeting of the Planning Advisory Committee, at which the matter is to be discussed, shall be given in a newspaper circulating in the area. The notice shall appear five (5) clear days before the date of the meeting and shall clearly identify the proposal, state where further information can be obtained, and include the date and time of the meeting at which the matter will next be considered.

Notice of any Area Advisory Committee meeting, at which such a proposal is to be discussed, shall be posted on the municipality's website, or by use of the respective Plan Area's e-mail distribution list, or in conspicuous locations within the Plan Area, or by advertisement in a local newspaper seven (7) clear days before the meeting.

### 2.2.2 Notice to Neighbouring Landowners re: Rezoning, following First Reading

Upon first reading of proposed amendments to a Land Use By-law to grant a re-zoning, Council shall notify, by regular mail, the assessed owners shown on the records of the Regional Assessment Office, of property within 100 feet of the property that is being re-zoned. This notice shall be mailed prior to placing the first notice for a public hearing in a newspaper circulating in the area.

### 2.2.3 Public Information Meetings regarding Amendments or Rezoning applications

Council shall, at their discretion, direct staff to conduct a public information meeting in regards to a particular development proposal, as a means to generate increased awareness of the implications of specific development applications. Information meetings may take place following Council's receipt of a development proposal, and/or prior to Council holding a Public Hearing on the specific application.

## **3.0 AVAILABILITY AND DISTRIBUTION OF INFORMATION**

- 3.1 Where possible, Council shall allow public access to all available reports, studies, maps, aerial photographs, and other documents and materials that are relevant to planning in the affected area and where feasible, copies of all such material will be made available for purchase, distribution, inspections, or loan as appropriate.

**Clerk's Annotation for Official Policy Book**

Date of Adoption: February 10, 2015

Date of Notice to Council Members:  
of Intent to Adopt Policy January 28, 2015

Date of Passage February 10, 2015

I certify that this "Public Participation Program on Planning Matters Policy" was adopted by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Repeal of Policy MDL-21 Procedure for Formation of a Planning Area, the Extension of an Existing Planning Area, or the Abolishment of All or a Portion of a Planning Area**

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Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Policy MDL-21 Procedure for Formation of a Planning Area, the Extension of an Existing Planning Area, or the Abolishment of All or a Portion of a Planning Area be repealed and made a motion to give notice of its intention to repeal Policy MDL-21 at the July 14, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, "Before a policy is passed, amended or **repealed**, the Council shall give at least seven days' notice to all council members." Therefore, in accordance with Section 48(1), the attached Policy MDL-21 will be presented for approval for repeal at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council's notice.

If Council approves of the repeal of the Policy MDL-21, the following motion would be necessary.

**"That Municipal Council approve the repeal of Policy MDL-21 Procedure for Formation of a Planning Area, the Extension of an Existing Planning Area, or the Abolishment of All or a Portion of a Planning Area".**

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Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg

## POLICY

Title: <b>PROCEDURE FOR FORMATION OF A PLANNING AREA, THE EXTENSION OF AN EXISTING PLANNING AREA, OR THE ABOLISHMENT OF ALL OR A PORTION OF A PLANNING AREA</b>	
Policy No. <b>MDL-21</b>	
Effective Date: October 9, 2001	Amended Date: Aug. 13, 2002, June 11, 2004, Nov. 8, 2005, Jan. 11, 2011

Council of the Municipality of the District of Lunenburg hereby adopts the following procedure for the formation of new planning areas, the extension of existing planning areas or the abolishment of a planning area or portion thereof:

### **1 REQUEST INITIATED BY THE COMMUNITY**

The following are the steps that shall be followed, in order of occurrence.

#### **1.1 Request Made**

Request for a new Planning Area, the extension of an existing planning area or the abolishment of a planning area or portion thereof is forwarded to the Council representative for the area in which the request is being made. The request shall be in written form, and bear the signature of:

- a) where the request is for the establishment of a new planning area for a Municipal Polling District or a community within the Municipality, a minimum of 5% of the eligible voters, as defined in the Municipal Elections Act, in each Municipal Polling District or community for which the request is being made;
- b) where the request is for an extension to the boundaries of an existing planning area, a minimum of 5% of the eligible voters, as defined in the Municipal Elections Act, in the area in which the expansion is requested;  
or
- c) where the request is for the abolishment of a planning area or a portion thereof, a minimum of 5% of the eligible voters, as defined in the Municipal Elections Act, in the area for which the request is made.

## 1.2 Request Forwarded to Council

The Council representative forwards this request to Municipal Council for consideration, within 30 days of receipt of the request.

If a request for planning or the abolishment of planning in the same area was previously received, and a plebiscite was held within 24 months prior to the receipt of the new request, it is at discretion of Municipal Council to accept the new request and proceed in accordance with this policy. After a period of 24 months has elapsed since the date of the plebiscite any new request received must follow this procedure.

## 1.3 Public Meeting

Council shall authorize the conducting of two (2) public meetings including associated costs. The public meetings shall be the forum through which the concept of planning is introduced to the community. **[Amended Jan.11, 2011]**

The public meetings shall be advertised in the local papers, for two consecutive weeks prior to the date of the meeting and notices of the public meetings shall be posted in conspicuous places throughout the community. Staff shall conduct the public meetings.

## 1.4 Plebiscite

### 1.4.1 Plebiscite Held

To gauge the community's opinion respecting planning, Council shall conduct a plebiscite for the area in which planning or the abolishment of planning is requested. If the request for land use planning or the abolishment of planning is made within 12 months prior to the date of a Municipal Election, Council shall conduct the plebiscite in conjunction with the Municipal Election.

### 1.4.2 Results of Plebiscite – Request for Planning

- (a) Council shall proceed with the steps necessary to form a planning area where:
  - i) for a Municipal Polling District or community a minimum of 66.66 percent of the ballots cast are in favor of land use planning. For greater clarity where the request is for planning in more than one Municipal Polling District or community, Council shall only proceed with the steps necessary to form a planning area in the Municipal Polling Districts or communities in which 66.66 percent of the ballots cast are in favor of land use planning; **[Amended Jan.11, 2011]**

- ii) for an extension to an existing planning area, a minimum of 66.66 percent of the ballots cast are in favor of land use planning; **[Amended Jan.11, 2011]**
  - b) Where pursuant to subclause 1.4.2(a)(i) and 1.4.2(a)(ii), less than 66.66% of the ballots cast are in favor of land use planning, Council shall not proceed with the establishment of a planning area, except in accordance with Part 2 of this Policy. **[Amended Jan.11, 2011]**
- 1.4.3 Results of Plebiscite – Request to Abolish Planning
- a) Council shall proceed with the steps necessary to abolish a planning area, or in accordance with the Municipal Government Act where a minimum of 66.66 percent of the ballots cast are in favor of abolishing planning, except in accordance with Part 2 of this Policy. **[Amended Jan.11, 2011]**
  - b) Where pursuant to clause 1.4.3(a), less than 66.66% of the ballots cast are in favor of the abolishment of a planning area or portion thereof. Council shall not proceed with the establishment of a planning area. **[Amended Jan. 11, 2011]**

**1.5 Formation of an Area Planning Advisory Committee**

- 1.5.1 If the results of the Plebiscite are such that a minimum of 66.66% of the votes cast were in favor of planning, Council shall establish an Area Planning Advisory Committee, by policy. The policy shall define the geographical area to which the Area Planning Advisory Committee shall apply, the purpose of the Committee, and the conduct of the Committee; and **[Amended Jan. 11, 2011]**
- 1.5.2 Council shall appoint by resolution, members of the public to serve on the Area Planning Advisory Committee. Appointments shall be sought by public advertisement with a subsequent application made to Council; or
- 1.5.3 Council shall appoint members of the proposed expanded Planning Area to serve on the Area Planning Advisory Committee, and if necessary rescinds the former resolution and adopt a new resolution establishing the revised Area Planning Advisory Committee. Appointments shall be sought by public advertisement with a subsequent application made to Council.

**1.6 Commencement of Planning Process**

Staff and the Area Planning Advisory Committee work together to draft proposed land use policy and regulations.

**1.7 Adoption / Amendment Procedure; Public Participation Procedure**

Previously established procedures for the adoption or amendment of Planning Documents, and the Public Participation Program shall be subsequently followed.

**2.0 ACTION INITIATED BY MUNICIPAL COUNCIL**

In the event that Municipal Council deems it necessary, for the betterment of a community, to implement land use planning within a community, or to not abolish a planning area or portion thereof, Municipal Council is exempt from satisfying the requirements of Subsections 1.1 to 1.4, inclusive, as listed above.

**Clerk's Annotation for Official Policy Book**

Date of Adoption	<u>October 9, 2001</u>
Date of Notice to Council Members of Intent to Consider Amendments (7 days minimum)	<u>December 29, 2010</u>
Date of Passage of Amendments	<u>January 11, 2011</u>

I certify that this MDL-21 "**PROCEDURE FOR FORMATION OF A PLANNING AREA, THE EXTENSION OF AN EXISTING PLANNING AREA, OR THE ABOLISHMENT OF ALL OR A PORTION OF A PLANNING AREA**" was adopted by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date



## Municipality of the District of Lunenburg

### Report to Council

**Report To:** Mayor and Municipal Council Members  
**Submitted By:** Sherry Conrad, Municipal Clerk  
**Date:** June 24, 2020  
**Re:** **Repeal Policy MDL-56 “Area Advisory Committee Membership Selection”**

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Municipal Council, in session on June 23, 2020, reviewed a report, as part of the Planning Review to implement a Planning Advisory Committee model, recommending that Policy MDL-56 respecting the Area Advisory Committee Membership Selection and made a motion to give notice of its intention to repeal Policy MDL-56 at the July 14, 2020 Council meeting.

Section 48(1) of the *Municipal Government Act* states, “Before a policy is passed, amended or **repealed**, the Council shall give at least seven days’ notice to all council members.” Therefore, in accordance with Section 48(1), the attached Policy MDL-56 will be presented for approval for repeal at the July 14, 2020 Council session. The Council meeting of June 23, 2020 was hereby considered as Council’s notice.

If Council approves of the repeal of the Policy, the following motion would be necessary.

**“That Municipal Council approve the repeal of Policy MDL-56 Area Advisory Committee Membership Selection”.**

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Sherry Conrad  
Municipal Clerk

/sac  
Attachments

# Municipality of the District of Lunenburg

## POLICY

<b>Title:</b> Area Advisory Committee Membership Selection	
<b>Policy No.</b> MDL-56	
<b>Effective Date:</b> February 8, 2011	<b>Amended Date:</b> April 24, 2012

**1.0 Title**

The Municipality of the District of Lunenburg shall establish a procedural policy concerning Area Advisory Committee Member Selection.

**2.0 Administration**

The policy concerns all Area Advisory Committees established by Municipal Council involved with Plan Areas. This Policy will be identified in each of the Area Advisory Committee's Terms of Reference, regarding Appointment.

**3.0 Purpose**

The Municipality will undertake an effective and consistent selection process for any Area Advisory Committee appointments.

The mandate of Area Advisory Committees is to advise the Municipality's Planning Advisory Committee regarding land development decisions in defined local communities. Before any applicant is selected, it is in the Municipality's interests that all applicants demonstrate:

- an understanding of land use issues,
- a willingness to commit to a period of time on the Committee, and
- an ability to represent the interests of the local residents.

**4.0 Application Procedure**

For the purposes of consistency, all applicants will be asked to submit a letter that can respond to the selection criteria, so as to assist Council in this process, and Council's nominating committee asked to review applicants on the Council's behalf, and make recommendation thereto.

**(Amended April 24, 2012)**

**5.0 Selection Criteria**

The following conditions are considered mandatory in evaluation:

- The Applicant is a tenant or a property owner in the planning area. (includes commercial or residential tenants)

The following conditions are considered qualitative in any evaluation:

- The applicant has demonstrated their understanding of the community's ongoing development, its history, and future opportunities and constraints regarding local land use issues. The applicant has cited their willingness to commit to the designated term, and is available to attend Committee meetings during that time.

5.1 All letters of interest will be treated as confidential documents and shall be forwarded to Council along with recommendation for appointment from Council's nominating committee. **(Amended April 24, 2012)**

**6.0 Discretion**

The selection of any Committee members remains at the discretion of Municipal Council pursuant to the provisions of the Municipal Government Act.

**Clerk's Annotation for Official Policy Book**

Date of Adoption: February 8, 2011

Date of Notice to Council Members:  
of Intent to Consider April 17, 2012

Date of Passage of Amendments: April 24, 2012

I certify that this "*Area Advisory Committee Membership Selection Policy*" was adopted by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date



## **Municipality of the District of Lunenburg**

### **Request for Decision**

**REPORT TO:** Mayor Bolivar- Getson and Councillors  
**SUBMITTED BY:** Sherry Conrad, Municipal Clerk  
**DATE:** July 14, 2020  
**RE:** **Proposed Amendment to Article 18 of Personnel Policy MDL-51**

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#### **RECOMMENDATION**

“that Municipal Council gives notice of its intention to approve the proposed amendment to Article 18 “Retirement and Pension Plan” of Personnel Policy MDL-51 at the July 28, 2020 Council meeting”.

#### **EXECUTIVE SUMMARY**

Council approved the transfer of all Municipal employees to the Public Service Superannuation Plan (PSSP). The transfer date was set at March 1, 2020.

Article 18 “Retirement and Pension Plan” of Personnel Policy MDL-51 refers to the old pension plan and needs to be updated to reflect the PSSP.

#### **DISCUSSION**

The proposed amendment is required to reflect the current requirements of the PSSP.

#### **BUDGET IMPLICATIONS**

There are no budget implications.

#### **STRATEGIC PLAN**

N/A

## **WORK PLAN**

No impact.

## **ALTERNATIVES**

Reword the proposed amendment.

## **CONCLUSION**

The proposed amendment is required to reflect the current PSSP, therefore, notice should be given that Council will consider approving the proposed amendment to Article 18 of Personnel Policy MDL-51 at the July 28, 2020 Council meeting.

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Department:

Report Prepared By: Sherry Conrad

Date: July 7, 2020

Report Approved By:

Date:

Reviewed By CAO: Tom Mac Ewan

Date: July 8, 2020

## ARTICLE 18 - RETIREMENT AND PENSION PLAN

- ~~18.01 The Pension Plan is mandatory to all new employees who meet the criteria of eligibility upon completion of the waiting period specified in the Pension Plan rules.~~
- ~~18.02 Eligible employees hired after June 25, 2013 are required to join the Defined Contribution Pension Plan. Eligible employees hired prior to June 25, 2013 are members of the Defined Benefit Pension Plan.~~
- ~~18.03 Contributions required are based on pension plan rules.~~
- ~~18.04 If a member of the Defined Benefit Pension Plan terminates employment with the Municipality, they may be entitled, per the Pension Plan, to a lump sum termination benefit. Any Transfer Deficiencies in the Municipal Pension Plan will not cause a deferral of this benefit and will be funded by the Municipality as needed.~~
- 18.01 Effective March 1, 2020, the Municipality became a participant in the Nova Scotia Public Service Superannuation Plan ("PSSP") as an employer.
- 18.02 All new and current Permanent Full-time Employees and Permanent Part-time Employees shall participate in the PSSP in accordance with the eligibility and other rules of the PSSP.
- 18.03 Temporary Employees shall not be entitled to participate in the PSSP, unless otherwise expressly permitted by the Municipality pursuant to the terms of their Employment Contract or Letter of Hire.