

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Special Tele/Video Conference Meeting of
MUNICIPAL COUNCIL
Tuesday, July 14, 2020 – 9:00 a.m.

ATTENDANCE

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

Staff: Tom MacEwan, Chief Administrative Officer
Sherry Conrad, Municipal Clerk
Tissy Bolivar, Acting Director of Recreation
Sarah Kucharski, Communications Officer
Elana Wentzell, Director of Finance
Angela Veinot, Accounting Manager
Jeff Merrill, Director of Planning & Development Services
Byung Jun Kang, Planner
Joanne Powers, Executive Assistant

1. CALL TO ORDER

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m. and advised that the meeting was being held by tele and video conference.

2. APPROVAL OF AGENDA

A request was made that an additional item be added to the In Camera portion of the meeting.

Moved by Councillor Knickle, seconded by Councillor Bell that, Item 7.5 - Discussion of LCLC Auditor Report, be added to the In Camera agenda. Carried unanimously.

Moved by Councillor Nauss, seconded by Deputy Mayor Hustvedt that the agenda be approved as amended. Carried unanimously.

3. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITIONS

3.1 Pride Month – Rainbow Flag Raising

Mayor Bolivar-Getson read the following:

“Today we raised the Rainbow flag at our Municipal building.

The Municipality of the District of Lunenburg is proud to be an inclusive community, and to support the Pride movement.

Flying the rainbow flag contributes to building a community where everyone can participate in society as equals.

The Rainbow Flag Raising is one of the many ways we can reflect on the importance of advancing the rights and quality of all people to become a truly inclusive community.

In normal times, we would have invited local elected officials, Pride volunteers and supporters, and the community to join us to celebrate Pride. Given the impacts of COVID-19, we are celebrating virtually this year.

We will be posting a photo of the flag on our Facebook page today, and I encourage everyone to show their support by sharing their own Pride photos on the social media platform of their choice. Take a selfie with a rainbow, or whichever symbol best represents them during Pride, post it publicly, and use the hashtag #MODLPride so we can see everyone’s photos. Thank you, and Happy Pride.

On July 1, Governor General Julie Payette recognized 123 Canadians for their excellence, courage, or exceptional dedication to service. Mayor Bolivar-Getson acknowledged Councillor Whynot for receiving the Sovereign’s Medal for Volunteers. He was recognized for his community dedication, with over 40 years of volunteering and community service with more than a dozen organizations, including 46 years of fire service in the Bridgewater Fire Department.

4. AWARDING OF TENDERS/RFPs

4.1 Award of Tender 2020-05-002 Riverport School – Demolition & Remediation

Stephen Pace, Director of Engineering & Public Works; Jamie Burgess, Municipal Engineer; Tyler Richardson, Engineer-in-Training; and Jeff Faulkner, Strum Consulting, were in attendance. Mr. Pace reviewed the report, “Riverport School – Demolition and Site Remediation” (circulated with the Agenda) and gave details on the recommendation he put forth.

Moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council award the Riverport School – Demolition & 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 + HST.

Discussion was held regarding the substantial difference in the original estimate and the actual bid prices. Mr. Pace ensured all scope of the work was well mapped out in the tender document and advised a kickoff meeting will take place as well.

Stephen Pace, Jamie Burgess, Tyler Richardson and Jeff Falkner left the meeting.

Carried unanimously.

5. RECOMMENDATIONS FROM COMMITTEES & BOARDS

5.1 Finance Committee

5.1.1 Award of Annual Operating Grant to Lunenburg County 4-H

Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Finance Committee and approve 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.” Carried unanimously.

5.1.2 Transfer of Funds (Recreation Grant Fund to Council Contingency Fund)

Moved by Councillor Knickle, seconded by Deputy Mayor Hustvedt that Municipal Council accept the recommendation of the Finance Committee and 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”.

Staff was requested to provide the balance of the contingency fund at the next Council update.

Carried unanimously.

5.1.3 Award of Special Grant to Mahone Bay Centre

Moved by Deputy Mayor Hustvedt, seconded by Councillor Ernst that Municipal Council accept the recommendation of the Finance Committee and 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. Carried unanimously.

5.1.4 Award of Special Grants to Middlewood United Church and Riverport Fire Department

Moved by Councillor Moore, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Finance Committee and approve 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. Carried unanimously.

5.1.5 2019-20 Capital Funding and Gas Tax Investment

Ms. Wentzell reviewed the report "2019-20 Capital Funding and Gas Tax Investment" (circulated with the Agenda) .

Moved by Councillor Ernst, seconded by Councillor Bell that Municipal Council accept the recommendation of the Finance Committee and 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. Carried unanimously.

6. STAFF REPORTS

6.1 Administration Department

6.1.1 Proposed Amendments to Policy MDL-01 "Proceedings of Council"

Ms. Conrad reported that 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 included 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".

Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council approve the proposed amendments to the Proceedings of Council Policy MDL-01, as presented.

It was agreed that the reference to "Facebook (FB)" in Item 3.6 and the sentence "Members of the public do not require a FB Account..." be removed.

Carried unanimously.

6.1.2 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.

Moved by Councillor Bell, seconded by Councillor Carver that Municipal Council approve the repeal of Section 4 of Policy MDL-02 Committees.

Planning staff was requested to prepare a page outlining the existing PAC and AAC model and the proposed new model.

Carried unanimously.

6.1.3 Proposed Amendment to Section 1 of Policy MDL-04 “Non-Council Appointments & Honourariums”

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.

Moved by Councillor Garland, seconded by Councillor Nauss that Municipal Council approve the proposed amendment to Section 1 of Policy MDL-04 Non-Council Appointments and Honourariums by deleting the wording “(excluding Areas Advisory Committees)”. Carried unanimously.

6.1.4 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.

Moved by Councillor Nauss, seconded by Councillor Carver that Municipal Council approve the adoption of proposed Policy MDL-90 respecting the Planning Advisory Committee, as presented.

Concern was raised with regard to the number of members-at-large on the Committee. It was felt that more members-at-large should be on the Committee as there will no longer be Area Advisory Committees.

Staff advised that Council could increase the number of members-at-large on the Committee at any time with an amendment to the Policy.

Opposed – Councillors Knickle & Ernst. Motion carried.

6.1.5 Repeal & Replace Policy MDL-66 “Policy respecting Public Participation Program and Public Engagement on Planning Matters”

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.

Moved by Councillor Bell, seconded by Deputy Mayor Hustvedt 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. Opposed – Councillor Ernst. Motion carried.

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”

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.

Moved by Councillor Carver, seconded by Councillor Nauss 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. Carried unanimously.

6.1.7 Repeal of Policy MDL-56 “Area Advisory Committee Membership Selection”

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.

Moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council approve the repeal of Policy MDL-56 Area Advisory Committee Membership Selection. Opposed – Councillors Knickle & Ernst. Motion carried.

6.1.8 Proposed Amendment to Article 18 of Personnel Policy MDL-51

Mayor Bolivar-Getson declared a Conflict of Interest and stepped away from the table. Deputy Mayor Hustvedt chaired the meeting.

Ms. Conrad reported that 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. The proposed amendment reflects the current requirements of the PSSP.

Moved by Councillor Whynot, seconded by Councillor Moore 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.

It was agreed that the word "participate" in the proposed Article 18.01 be changed to read "participant".

Carried unanimously.

Mayor Bolivar-Getson returned to the table and resumed chairing the meeting.

Jeff Merrill, Byung Jun Kang and Tissy Bolivar left the meeting.

7. IN CAMERA

At 10:25 a.m., it was moved by Councillor Whynot, seconded by Councillor Carver that Municipal Council go In Camera to discuss the following items:

- 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**
- 7.5 Discussion of the LCLC Auditor Report under Section 22(2)(e) of the MGA**

Carried.

Municipal Council In Camera in session.

At 12:24 p.m., it was moved by Deputy Mayor Hustvedt, seconded by Councillor Whynot that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

7.3 Contract Negotiations re Road Paving under Section 22(2)(e) of the MGA

Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council agree to enter into the cost-sharing arrangement for the paving of the back portion of Delong Lane with the Province / TIR to a maximum funding amount of \$60,000 (representing 50% of the estimated costs); and further, that Municipal Council agree to enter into a contribution agreement for the paving of the back portion of Delong Lane with Ralph Delong and Jim Delong to a maximum funding amount of \$30,000 (representing 25% of the estimated costs). Opposed – Councillor Ernst. Motion carried.

Moved by Councillor Carver, seconded by Councillor Moore that Municipal Council reallocate \$30,000 from the Trail Bridge Project to the Delong Lane Paving Project.

Councillor Moore advised that reallocating \$30,000 from the Trail Bridge Project does not deter the project from continuing.

Carried unanimously.

8. ADJOURNMENT

There being no further business at 12:28 p.m., it was moved by Councillor Whynot, seconded by Councillor Carver that the meeting adjourn. Carried.