

Municipal Council Meeting Agenda

Tuesday, October 12, 2021 – 9:00 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville
and via Audio & Video Teleconference

1. **Call to Order**
 - 1.1 Mi'kma'ki Territorial Acknowledgement
2. **ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION**
3. **Approval of Agenda** (as circulated)
4. **Approval of Minutes** (Nil)
5. **Business Arising from Minutes** (Nil)
6. **Awarding of Tenders/RFPs**
 - 6.1 Award of RFP # 2021-01-401 - Equity, Diversity and Inclusion
Assessment & Training..... 1-3
7. **Presentations/Scheduled Times**
 - 7.1 Broad Cove Community Association
Mary Frier, Chair BCCA & Shelley Scott 9:15 a.m. 4-14
8. **Consideration of Correspondence** (Nil)
9. **Recommendations from Committees & Boards**
 - 9.1 **Finance Committee**
 - 9.1.1 Nova Scotia Power Inc. (NSPI) LED Street Light Conversion Costs(15)16-18
 - 9.1.2 Tax Relief-Damaged Property, Dublin Shore(15)19-21
10. **Staff Reports**
 - 10.1 **Administration Department**
 - 10.1.1 Approval of Amendments to Policy MODL 036 Fire & Emergency Services 22-34
 - 10.1.2 Award of Contract – Phase 3 Petite Rivière Watershed Flood Mitigation Project..... 35-36
 - 10.2 **Recreation Department**
 - 10.2.1 Designated Community Fund – South Shore Annapolis Valley Trail Assoc. 37
11. **Mayor's/Deputy Mayor's/Councillors' Matters**
 - 11.1 MJSB Update
 - 11.2 LCLC Update
 - 11.3 Deputy Mayor's Update
 - 11.4 Mayor's Update
 - 11.5 Appointment of Nominating Committee by Mayor

12. Added Items

13. In Camera

- 13.1 Sale of Land re Osprey Village under Section 22(2)(a) of the MGA
- 13.2 Litigation/Potential Litigation re Judicial Review Application under Section 22(2)(f) of the MGA
- 13.3 Litigation/Potential Litigation re Tax Sale Matter under Section 22(2)(f) of the MGA
- 13.4 Personnel Matter under Section 22(2)(c) of the MGA

14. Adjournment



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Council
SUBMITTED BY: Sarah Kucharski, Manager, Corporate Services & Communications
DATE: October 1, 2021
RE: RFP # 2021-01-401 Equity, Diversity, and Inclusion Assessment and Training

RECOMMENDATION

That Municipal Council authorizes the CAO and the Administration Department to accept the proposal from Chrysalis Human Rights Agency for Equity, Diversity, and Inclusion (EDI) Assessment and Training, RFP # 2021-01-401 at the proposal price of \$36,070 + HST.

BACKGROUND

By selecting Anti-Racism as a Strategic Priority, Council has made a commitment to investing in funding and staff resources to explore anti-racism and inclusion issues in the Municipality. This will involve working cooperatively with other municipalities or external consultants to identify barriers to full economic and social inclusion.

DISCUSSION

The Administration Department created an RFP document for Equity, Diversity, and Inclusion Assessment and Training. Our goal in engaging an EDI consultant is to support MODL in ensuring that EDI is integrated across the organization within our policies, procedures, practices, culture, and norms.

The consultant will complete a comprehensive assessment and review of our equity, diversity, and inclusion policies and procedures, and provide EDI training to staff and Council and develop and provide tools to support ongoing EDI work in the organization.

This training will give MODL staff and Council members the base from which they can then hold EDI conversations in the community from an informed perspective and decrease the potential to unknowingly contribute to the marginalization of community members.

The department received a total of 10 submissions. All the submissions were scored in accordance with the RFP scoring criteria issued in the RFP document.

PROPOSAL EVALUATION CRITERIA

The proposal content was graded out of 80 points, with the remaining 20 points coming from the cost evaluation. The proposal with the lowest cost shall receive the maximum points allowed. All other proposals shall receive a cost score based on their cost relationship to the lowest. The points for the financial evaluation will be allocated as follows: $\text{Lowest Price} / \text{Cost Proposal} \times \text{Maximum Price Score} = \text{Price Score}$

Category	Maximum Points Awarded
Methodology and Workplan	40
Previous Work Experience	30
References	10
Cost	20

PROPOSAL EVALUATION RESULTS

Company	Ranking	Score	Price
Chrysalis	1	90.64	\$36,070
MC Advisory	2	83.5	\$25,550
CultureAlly	3	80.87	\$35,500
MNP	4	78.71	\$52,500
BDO	5	73.27	\$55,000
CCD	6	72.25	\$40,000
CultureIQ	7	64.78	\$119,031
PACT	8	61.19	\$62,240
Tara Beaton	9	60.58	\$38,988
People Rocket	10	50.65	\$139,685

BUDGET IMPLICATIONS

\$36,070 + HST.

WORK PLAN IMPLICATIONS

The Manager, Corporate Services & Communications will work with the successful proponent to ensure the project is moving along in a timely manner, along with structured communication to supply any information from the Municipality required. This will ensure the objectives are being achieved.

CONCLUSION

The Administration Department received 10 proposals for Equity, Diversity, and Inclusion (EDI) Assessment and Training. The selected proponent was not the lowest price, but during the scoring process, Nova Scotia's Chrysalis Human Rights Agency had the best alignment with our requirements as stated within the RFP document.

Department: Administration

Report Prepared By: Sarah Kucharski

Date: October 1, 2021

Report Approved By:

Date:

Reviewed By CAO:

Date:



BROAD COVE COMMUNITY ASSOCIATION

Council

Date: October 12, 2021

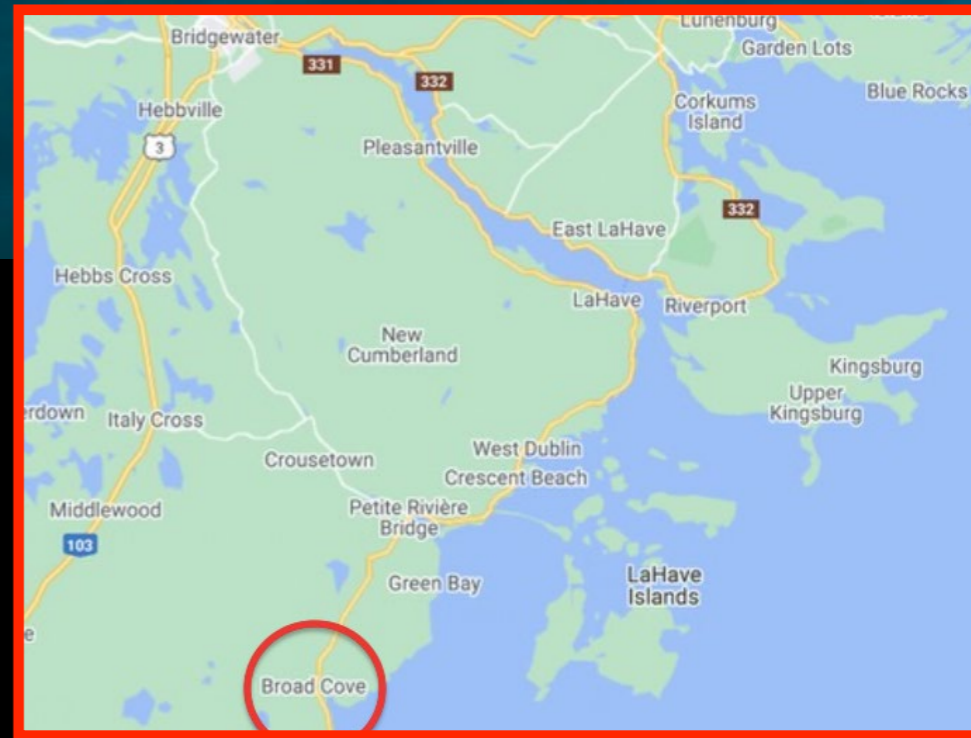
Item: # 7.1

Authorization: T. MacEwan





7197 Highway 331
Broad Cove



BCCA MANDATE



- (a) To provide hall facilities for the residents and various organizations of the community of Broad Cove and for other persons or organizations as may wish to rent said facilities.
- (b) To protect and preserve the Broad Cove beach and adjacent common lands in their natural state for the enjoyment of the residents of Broad Cove and any such persons who share this objective.

ACTIVITIES

- ✦ Yoga & Fitness
- ✦ Concerts
- ✦ Play Group
- ✦ Adopt-A-Highway Clean Up
- ✦ Lectures
- ✦ Socials
- ✦ Community Welcome Program
- ✦ Workshops
- ✦ Craft Nights
- ✦ Community Walking Challenge



FUNDRAISING



- ✦ Rockabilly Picnic
- ✦ Rentals
- ✦ Charitable Donations

- ✦ Social Events
- ✦ Raffles
- ✦ Suppers

PARTNERSHIPS

- ✦ MODL
- ✦ Nova Scotia Dept. Community Culture and Heritage
- ✦ Petite Riviere Elementary School
- ✦ Family Resource Centre
- ✦ Greater Petite Area Community Association
- ✦ Local Community Organization Collaboration



REVITALIZATION PROCESS 2008 TO PRESENT



New roof, insulation, propane furnace, heat pump, windows and doors, water treatment system, replacement front deck and signage, new storage shed, new message board and planter, landscaping, refinished flooring, painted building

PLAN FOR THE FUTURE



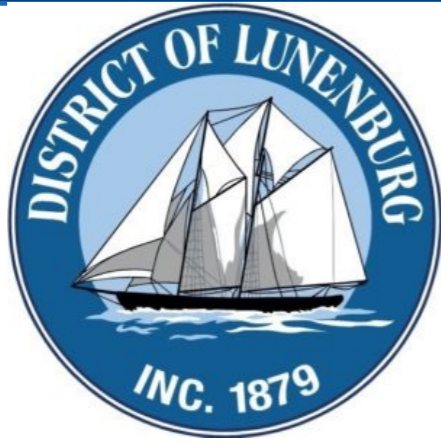
LOOKING TOWARD FRONT DOOR



LOOKING TOWARD REAR STAGE

ACHIEVING OUR VISION

SOURCE	AMOUNT
RESERVE FUNDS (BCCA)	\$10,000
CAPITAL FUNDRAISING CAMPAIGN	\$27,100
SUPPORT FROM OTHER LEVELS OF GOVERNMENT	\$20,000
	\$125,756.25
* OTHER FUNDING SOURCE	
TOTAL	\$182,856.25



Working Towards Accessibility



* "It is essential to continue to collaborate with other municipal units, the accessibility advisory committee, the nova scotia accessibility directorate, and community partners to advance this plan and work towards **IMPROVED ACCESSIBILITY IN OUR COMMUNITIES**"

* Lunenburg County Accessibility
Plan,
March 9, 2021

Providing a warm and welcoming place for **all ages and abilities** to enjoy our beautiful seaside location."

THANK YOU!



WWW.BROADCOVEHALL.CA



Broad Cove Community Association

Council

Date: October 12, 2021

Item: # 9.1

Authorization: T. MacEwan



Municipality of the District of Lunenburg

10 Allée Champlain Drive, Cookville, Nova Scotia, Canada, B4V 9E4

Phone: 902.543.8181 Fax: 902.543.7123 Web Site: www.modl.ca

October 5, 2021

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, October 5, 2021, made the following
recommendations to Council:

1. That Municipal Council direct staff to contact Nova Scotia Power Incorporated (NSPI) to request that the LED street light conversion bill be spread over the next three (3) years and further, that these costs be included in upcoming municipal budgets and recovered through the street light districts' area rates.
2. That Municipal Council approve tax relief in the amount of \$1,915.65, as per the submitted application for the property located at 3839 Highway 331, Dublin Shore, Assessment Account Number 08217769, and as per section 2.0(b) of MODL Policy 012 Tax Exemption/Reduction Policy

Respectfully submitted,

Chairman and Members
Finance Committee

/rh

Attachments

Council

Date: October 12, 2021

Item: # 9.1.1

Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Finance Committee
SUBMITTED BY: Elana Wentzell, CPA, CMA
DATE: October 5, 2021
RE: NSPI LED Street Light Conversion Costs

RECOMMENDATION

The Finance Committee recommends that Municipal Council direct staff to contact NSPI and ask for the LED street light conversion bill to be spread over the next 3 years and further that these costs be included in upcoming municipal budgets and recovered through the street light districts' area rates.

EXECUTIVE SUMMARY

On September 2, 2021 a letter was received from Nova Scotia Power Inc (NSPI) indicating that the LED street light conversion for Municipal Street Lights has been completed. This conversion was Provincially mandated and required NSPI to retire existing street light assets that had not yet reached the end of their useful life. Most of the cost of the asset retirement has been recovered through the monthly street light billing. However, an undepreciated amount was left unrecovered through the billing process. A cost recovery plan has been approved by the Nova Scotia Utility and Review Board. The NSUARB decision MO9778 dated December 16, 2020 states:

“In 2020 NS Power has determined an appropriate methodology to calculate the undepreciated streetlight asset amount by municipality, and appropriate municipal recovery options. NS Power intends to offer either a lump sum payment or monthly installment plan to municipalities, but will discuss other reasonable arrangements raised by municipalities. The Company recognizes the impacts that COVID has had on these customers in 2020 and intends to engage individual municipalities starting in Q1 2021. NS Power confirms that the overall undepreciated asset amount of \$676,173 will remain out of rate base; furthermore, no interest will be applied to that amount or any subset of that amount owed by each municipality.

The Board approves this course of action and requests a final report once discussions with the municipalities have been concluded.”

DISCUSSION

Pursuant to the NSUARB decision, NSPI has presented MODL a bill of \$12,418.00 + HST for payment. This bill is for conversion of 745 street lights located in MODL at \$16.67 per light.

Of the 745 street lights within MODL, 61 street lights are located at Municipal road intersections and Municipal parks. The balance, 684 lights, are attached to an area rate billing. Please see the attached spreadsheet for more details.

As per MODL’s Street Light Policy 035 Section 3.1 “The Municipality shall recover the cost of installing, removing, operating and maintaining the street lights...”

Based on the current area rate base, the costs NSPI is seeking would have an estimated effect of between \$4 and \$24 per property in the various street light districts if the bill was paid in one fiscal year.

Based on the NSUARB ruling, the Municipality has the ability to negotiate payment terms without interest penalties on the outstanding amount.

BUDGET IMPLICATIONS

This bill arrived with no prior notice and was not budgeted in the current fiscal year. The Street Light policy states that the charges for the street lights in street light districts shall be recovered through area rates. Spreading the costs over multiple years would mitigate the cost increase to existing street light taxpayers and would allow MODL to budget for it.

ALTERNATIVES

Council can determine how they would like to pay these costs: as a one-time payment or staggered over multiple years. Staggering the bill payment over two or more fiscal years would smooth out the burden to the ratepayers. NSPI has been contacted and are willing to accept payment over 3 years.

CONCLUSION

Staff believe that payment of the NSPI bill could be split over multiple budget years to alleviate the burden on existing street light area rate payers.

Department:

Report Prepared By:

Date:

Report Approved By:

Date:

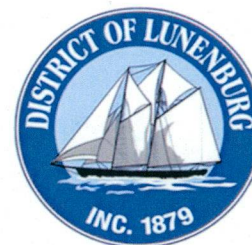
Street Lights		NSPI Recovery	Muni Cost	Muni Rate Base	<i>Effect on</i>	<i>Assessment</i>	<i>Cost per</i>	<i>Estimate</i>	<i>Estimate</i>	
MODL Billings		\$ 16.67	to recover	2021	<i>Rate Base</i>	<i>Example</i>	<i>Assessed</i>	<i>2 Years</i>	<i>3 Years</i>	
Area Rates	NSP Acct #	# lights billed								
Tancook	1088264-5	10	166.69	173.83	38	4.57 per bill		2.29	1.52	
Whitley/Jenny	1319705-8	4	66.67	69.53	16	4.35 per bill		2.17	1.45	
Pinehaven	332115-5	13	216.69	225.98	4,091,800	0.006 per \$100/assessment	250,000	13.81	6.90	4.60
Dayspring	339815-3	191	3,183.68	3,320.14	34,619,000	0.010 per \$100/assessment	250,000	23.98	11.99	7.99
Catidian Place	476364-5	12	200.02	208.59	12,574,200	0.002 per \$100/assessment	250,000	4.15	2.07	1.38
Pinegrove Rd	518695-2	10	166.69	173.83	25	6.95 per bill		3.48	2.32	
Broad Cove	327075-8	146	2,433.60	2,537.91	373	6.80 per bill		3.40	2.27	
Chelsea	334126-0	133	2,216.91	2,311.93	210	11.01 per bill		5.50	3.67	
New Germany	340440-7	121	2,016.89	2,103.33	38,494,300	0.005 per \$100/assessment	250,000	13.66	6.83	4.55
Barss Corner	342531-1	24	400.04	417.19	64	6.52 per bill		3.26	2.17	
Oakhill Acres	680450-4	10	166.69	173.83	40	4.35 per bill		2.17	1.45	
Westside Drive	1562595-9	10	166.69	173.83	10	17.38 per bill		8.69	5.79	
		<u>684</u>	<u>11,401.25</u>	<u>11,889.91</u>						
MODL Lights										
Wile's Lake Park	1902540-2	1	16.67	17.38						
Nathan Cirillo	2173659-0	1	16.67	17.38						
Intersection Lights	1474803-2	52	866.76	903.91						
MARC	339820-3	2	33.34	34.77						
Chesley Lane WWTP	1393738-8	5	83.34	86.91						
		<u>61</u>	<u>1,016.78</u>	<u>1,060.36</u>						
		<u>745</u>	<u>12,418.03</u>	<u>12,950.27</u>						

Council

Date: October 12, 2021

Item: # 9.1.2

Authorization: T. MacEwan



Municipality of the District of Lunenburg

Memorandum

To: FINANCE COMMITTEE
From: ELANA WENTZELL
Date: October 5, 2021
Re: TAX RELIEF-DAMAGED PROPERTY

Recommendation

That Finance Committee recommends to Council that Municipal Council approve tax relief in the amount of \$1,915.65 as per the submitted application for the property located at 3839 Highway 331, Dublin Shore Assessment Account Number 08217769 and as per the Municipality's Damaged Property Relief Policy.

Background

The following taxpayer has completed application for tax relief due to fire loss of residential property:

<u>Name</u>	<u>Property Tax Billing</u>	<u>Property Tax Reduction</u>
Herman & Johanna Knopf	2021/2022 \$3,094.20	\$1,915.65

Conclusion

Staff have reviewed the application and are satisfied they meet the requirements of the Damaged Property Relief Policy.

RELIEF CALCULATION
Herman Franz Julius Knopf & Johnna Elisabeth Knopf
08217769

2021/2022 Taxes Billed (Assessment multiplied by tax rate):

\$ 382,000 x .81----- \$3,094.20

Calculation for tax relief (assessed value reduced for 365 days):

\$ 145,500 x .81 (for 365 days) \$1,178.55

\$1,915.65

TOTAL ELIGIBLE FOR RELIEF IS \$1,915.65 for 2021/2022

Jan 10, 2021

Municipality of the District of Lunenburg
10 Allee Champlain Dr.
Cookville, N.S. B4V 9E4

Re: Fire Damaged Property: Aan 08217769, Hermann & Joanna Knopf, 3839 Highway 331

Dear Annette Nowe,

Our records indicate the above referenced property sustained significant fire damage on December 20, 2020. The Assessor inspected the Property on January 19, 2021.

The *Municipal Government Act* (MGA) 1998, c. 18, s.1 provides at s. 69A that a municipal council may, by policy, provide for reduction or re-imbusement of taxes payable in cases of property destroyed or damaged by fire. This section of the MGA sets out that Property Valuation Services Corporation (PVSC) provide a new opinion of value reflecting the damage or destruction upon request of the Clerk, to support such a policy.

Further to your request respecting the above referenced property, please find below a revised opinion of value reflecting damage or destruction for taxation purposes pursuant to the municipality's policy in this regard. Pursuant to the legislation, the revised value below will not be reflected on the current year assessment roll.

2021 Assessed Value	Class	Revised opinion of Value Reflecting Damage or Destruction (use for tax purposes)	Class
\$577,800	01 Residential	\$145,500	01 Residential

If you have any questions or require anything further, please contact me at 1-800-380-7775.

Sincerely,



Paul Beazley, Regional Manager
Property Valuation Services Corporation

Council

Date: October 12, 2021

Item: # 10.1.1

Authorization: T. MacEwan



Municipality of the District of Lunenburg

Report to Council

Report To: Mayor and Municipal Council Members
Submitted By: Tina Robichaud-Bond, Acting Municipal Clerk
Date: October 12, 2021
Re: **Proposed Amendments to MODL Policy 036 "Fire & Emergency Services"**

Municipal Council, in session on September 28, 2021, reviewed proposed amendments to MODL Policy 036 Fire and Emergency Services that were recommended by the Fire & Emergency Services Committee. Council made a motion to accept the recommendation of the Fire & Emergency Services Committee to approve the proposed amendments and gave notice of its intention to consider approval of the amendments at the October 12, 2021 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 proposed amended Policy 036 will be presented for Council's approval at the October 12, 2021 Council session.

If Council approves of the proposed Policy amendments, the following motion would be necessary:

"That Municipal Council approve the proposed amendments to MODL Policy 036 Fire and Emergency Services as presented".

A handwritten signature in blue ink, appearing to read "TRB", followed by a horizontal line extending to the right.

Tina Robichaud-Bond

Attachments

Municipality of the District of Lunenburg

Policy

Title: Fire and Emergency Services	
Policy No. 036	
Effective date: September 11, 2007	Amended date: Feb. 12, 2008, Oct. 13, 2009, Feb. 8, 2011, Jan. 28, 2014, May 9, 2017, Feb. 27, 2018, Apr. 13, 2021

Preamble

Council of the Municipality of the District of Lunenburg hereby adopts the following policy respecting fire and emergency services in the Municipality of the District of Lunenburg.

Title

1 This Policy is titled the **Fire and Emergency Services**.

Definitions

2 In this Policy,

- (a) **Fire Department** means the incorporated entity that provides the service, assists others in providing the service or works with others to provide the service or a combination of means to properties in the Municipality of the District of Lunenburg.
- (b) **Municipality** means the Municipality of the District of Lunenburg.
- (c) **Rate Payer** means the name(s) of the person assessed for the property.
- (d) **Registration** means the acceptance of the Municipality to permit a Fire Department to provide fire and emergency services to a prescribed area within the Municipality.
- (e) **Body Corporate** refers to the incorporated organization requesting to be registered as a fire and emergency services provider.
- (f) **Incorporated Organization** refers to those organizations that are set up to provide Fire Protection and are incorporated by way of an Act of Legislature, **The Rural District Fire Act**, or the **Societies Act**.
- (g) **Acts of Incorporation** refer to the organization's Memorandum of Association and/or articles of incorporation and/or by-laws. **[amended Apr. 13/21]**

(h) **Pump Testing** means testing to assess that apparatus pump pressure and flows meet the ULC plate or manufacturers requirement for the pump being tested.
[amended Apr. 13/21]

Form of Request

3 Requests for registration as a fire and/or emergency services provider shall be made through the completion of the Fire and Emergency Services Provider Registration package. The registration package can be found on the Municipality's website. [amended Feb. 27, 2018] Requests must be accompanied with the organization's Act of Incorporation and a description of the area of coverage. The application must be signed by the individual(s) as assigned with signing authority under the incorporation document.

Consideration for Approval

4 The Municipality must be satisfied that the body corporate is capable of providing the services it has applied to provide and has to meet the requirements outlined in **Section 5 Sections 19 to 24** of this Policy. [amended Apr. 13/21]

5 The Municipality will pay the Workers' Compensation Board (WCB) premiums for all registered volunteer fire department firefighters and junior firefighters. This will be at the minimum yearly salary used by WCB and set by the Municipality to calculate premiums for all registered volunteer firefighters. [amended Apr. 13/21]

6 The Body Corporate carries group liability insurance in the minimum amount of \$10,000,000. [amended Jan.28/14, Apr. 13/21]

7 The Body Corporate does not provide the fire and/or emergency services for profit. [amended Apr. 13/21]

8 The Municipality does not provide the same service for the same area. [amended Apr. 13/21]

9 The Body Corporate carries a group personnel (accident and sickness insurance) policy for active volunteer firefighters and for volunteers assisting during non-firefighting activities. [amended Feb. 8/11, Apr. 13/21]

Department Requirements

Pump Testing

10 Fire Apparatus pump testing results are required starting on the June 15, 2021 registration cycle and continuing each fiscal year after.

11 Apparatus ~~mounted~~ pumps required to produce fire flows of 625 gallons per minute and greater shall meet their pumping requirements as per section 2(h) and shall be tested annually. Portable pumps may be tested although not a requirement for registration.

12 Pump maintenance and testing shall be performed by a certified Emergency Vehicle Technician (EVT).

13 The Fire Services Coordinator will work with any Fire Department towards a plan if issues arise from pump testing.

14 In the event a pump fails its annual pump testing, registration may remain in effect if the registered fire department does the following:

- (a) The Department provides the Fire Services Coordinator with a written plan for repairs required to the pump(s); or
- (b) A temporary replacement apparatus in good standing can be found and is in place.

15 If repairs are extensive and the fire department is unable to afford repairs or, on the advice of the EVT, repairs are not cost justifiable due to the condition of said apparatus pump, the fire department shall put a neighbouring department(s) on automatic callout for any/all emergency calls requiring the use of a pumper/pumpertanker including, but not limited to, structure fires of any kind, motor vehicle fires, wildland fires, emergencies, etc.

16 Failure to complete a pump test in advance of the registration deadline may result in the Municipality withholding grants to the department until a successful pump test is completed.

17 Where a total disregard for pump testing occurs, the Fire Services Coordinator will notify Council and recommend the de-registration of the department and options for alternative fire service coverage.

18 Council may de-register the department on recommendation of the Fire Services Coordinator. Council shall not consider re-registration of the department until the department re-applies for registration with a satisfactory pump test. **[amended Apr. 13/21]**

Registration [amended Apr 13/21]

19 The Municipality, if satisfied by all categories of Sections ~~3 and 4~~ 4 to 18, shall register the Body Corporate as a fire and emergency services provider. This registration shall continue in force until withdrawn by the Municipality for cause or the fire department requests that the registration be revoked. **[amended Apr. 13/21]**

20 Annual updates of the registration form shall be submitted to the Municipality no later than June 15th of each year. **[amended Jan. 28/14, Apr. 13/21]**

21 Any changes to the services provided by the body corporate shall be filed immediately with the Municipality throughout the year. **[amended Jan. 28/14, Apr. 13/21]**

22 All other required forms and documentation, including the annual registration form updates, financial statements, officer **information**, rate and grant forms shall be submitted to the Municipality no later than June 15th of each year, in order to receive collected fire taxes and grant monies. **[amended Jan. 28/14, Apr. 13/21]**

23 All fire tax payments shall be made available to approved fire and emergency service providers 30 days from the due date of municipal taxes. **[amended Jan. 28/14, Apr. 13/21]**

Notification [amended Apr. 13/21]

24 The Municipality shall advise any new Body Corporate, by providing a letter stating approval as a registered Fire and Emergency Services provider as per sections **19-23 of this Policy**. **[amended Feb. 27, 2018]**

Rate Payers Meeting [amended Apr. 13/21]

25 Every registered fire and emergency services provider must have an annual ratepayer meeting. Minutes of these meetings **[amended Feb. 27, 2018]** must be maintained in the minutebooks of the organization.

26 Fire Service providers shall have proposed budget documents available to the public seven (7) days prior to their ratepayer meeting and the budget shall be linked to the service levels being provided. **[amended Jan. 28/14, Apr. 13/21]**

27 Fire Service providers may conduct an information session on the proposed budget seven (7) days prior to the ratepayers meeting to assist the ratepayers in understanding the fire service levels being provided and any costs associated with providing such service. **[amended Jan. 28/14, Apr. 13/21]**

28 All proposed fire tax rates shall be supported by the service provider's budget, which is to be presented to the ratepayers at the annual ratepayers meeting. **[amended Jan. 28/14, Apr. 13/21]**

29 Ratepayers shall have the opportunity to discuss service level expectations during a ratepayer meeting. **[amended Jan. 28/14, Apr. 13/21]**

30 Ratepayers shall not request a reduction in the proposed fire rate that diminishes the overall operation of the fire service provision. **[amended Jan. 28/14, Apr. 13/21]**

31 The notice of the annual ratepayers meeting must be advertised in the local paper (a weekly circular) for a minimum of (2) two weeks prior to the annual meeting date. This advertisement shall include the following:

- (a) fire service provider name
- (b) date of meeting
- (c) location of meeting
- (d) contact name and phone number; and
- (e) where proposed budget documents may be viewed. **[amended Jan. 28/14, Apr. 13/21]**

32 For the departments that are required to have an annual ratepayer's meeting to set the fire tax rate that must be specified as well.

33 All annual ratepayer's meetings must be conducted before June 15th of the following fiscal year. **[amended Apr. 13/21]**

34 Requests shall be made to the Municipality for appropriate rate payer's list a minimum of (2) weeks prior to the meeting date.

- (a) This list will provide the chair of the meeting with information to confirm that only those who are ratepayers may vote on motions that are made at the meeting. **[amended Jan. 28, 2014]**
- (b) The Municipality will also provide upon request a property civic report to help the department locate properties. **[amended Jan. 28, 2014]**
- (c) Since fire departments members do not need to be a ratepayer or a resident of the area, a member of the fire department can move motions but the seconder shall be a ratepayer.
- (d) Once the question has been called, only ratepayers can vote on the motion. 50% + one of the ratepayers in attendance at the meeting in favor of the motion shall be required to pass a motion.
- (e) Voting may be done by secret ballot. **[amended Oct. 13, 2009][amended Apr. 13/21]**

35 All fire tax requests by a registered fire and emergency services provider shall be provided to the Municipality on the approved registration package forms found on the Municipal website no later than June 15th of the current year. **[amended Jan. 28/14, Feb. 27/18, Apr. 13/21]**

36 For all registered fire and emergency services providers who do not have fire taxing power provided by their Act of Incorporation, the Municipality shall approve the rates.

37 For those providers that have taxing power for fire tax, these approved rates will be added to the fire tax schedule for inclusion with approved rates for that fiscal year. **[amended Apr. 13/21]**

Annotation for Official Policy Book

Date of first reading	September 11, 2007
Date of Notice to Council Members of Intent to Consider (7 Days Minimum)	January 21, 2014
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I certify that the amendments to this Fire and Emergency Services Policy was adopted and amended by Municipal Council as indicated above.	
_____	_____
<< >>, Municipal Clerk	Date

Municipality of the District of Lunenburg Policy

Title: Fire and Emergency Services	
Policy No. 036	
Effective date: September 11, 2007	Amended date: Feb. 12, 2008, Oct. 13, 2009, Feb. 8, 2011, Jan. 28, 2014, May 9, 2017, Feb. 27, 2018, Apr. 13, 2021, Oct. 12, 2021

Preamble

Council of the Municipality of the District of Lunenburg hereby adopts the following policy respecting fire and emergency services in the Municipality of the District of Lunenburg.

Title

1 This Policy is titled the **Fire and Emergency Services**.

Definitions

2 In this Policy,

- (a) **Fire Department** means the incorporated entity that provides the service, assists others in providing the service or works with others to provide the service or a combination of means to properties in the Municipality of the District of Lunenburg.
- (b) **Municipality** means the Municipality of the District of Lunenburg.
- (c) **Rate Payer** means the name(s) of the person assessed for the property.
- (d) **Registration** means the acceptance of the Municipality to permit a Fire Department to provide fire and emergency services to a prescribed area within the Municipality.
- (e) **Body Corporate** refers to the incorporated organization requesting to be registered as a fire and emergency services provider.
- (f) **Incorporated Organization** refers to those organizations that are set up to provide Fire Protection and are incorporated by way of an Act of Legislature, **The Rural District Fire Act**, or the **Societies Act**.
- (g) **Acts of Incorporation** refer to the organization's Memorandum of Association and/or articles of incorporation and/or by-laws. **[amended Apr. 13/21]**

- (h) **Pump Testing** means testing to assess that apparatus pump pressure and flows meet the ULC plate or manufacturers requirement for the pump being tested.
[amended Apr. 13/21]

Form of Request

3 Requests for registration as a fire and/or emergency services provider shall be made through the completion of the Fire and Emergency Services Provider Registration package. The registration package can be found on the Municipality's website. [amended Feb. 27, 2018] Requests must be accompanied with the organization's Act of Incorporation and a description of the area of coverage. The application must be signed by the individual(s) as assigned with signing authority under the incorporation document.

Consideration for Approval

4 The Municipality must be satisfied that the body corporate is capable of providing the services it has applied to provide and has to meet the requirements outlined in Sections 19 to 24 of this Policy. [amended Apr. 13/21]

5 The Municipality will pay the Workers' Compensation Board (WCB) premiums for all registered volunteer fire department firefighters and junior firefighters. This will be at the minimum yearly salary used by WCB and set by the Municipality to calculate premiums for all registered volunteer firefighters. [amended Apr. 13/21]

6 The Body Corporate carries group liability insurance in the minimum amount of \$10,000,000. [amended Jan.28/14, Apr. 13/21]

7 The Body Corporate does not provide the fire and/or emergency services for profit.
[amended Apr. 13/21]

8 The Municipality does not provide the same service for the same area. [amended Apr. 13/21]

9 The Body Corporate carries a group personnel (accident and sickness insurance) policy for active volunteer firefighters and for volunteers assisting during non-firefighting activities.
[amended Feb. 8/11, Apr. 13/21]

Department Requirements

Pump Testing

10 Fire Apparatus pump testing results are required starting on the June 15, 2021 registration cycle and continuing each fiscal year after.

11 Apparatus pumps required to produce fire flows of 625 gallons per minute and greater shall meet their pumping requirements as per section 2(h) and shall be tested annually. Portable pumps may be tested although not a requirement for registration. **[amended Oct. 12/21]**

12 Pump maintenance and testing shall be performed by a certified Emergency Vehicle Technician (EVT).

13 The Fire Services Coordinator will work with any Fire Department towards a plan if issues arise from pump testing.

14 In the event a pump fails its annual pump testing, registration may remain in effect if the registered fire department does the following:

- (a) The Department provides the Fire Services Coordinator with a written plan for repairs required to the pump(s); or
- (b) A temporary replacement apparatus in good standing can be found and is in place.

15 If repairs are extensive and the fire department is unable to afford repairs or, on the advice of the EVT, repairs are not cost justifiable due to the condition of said apparatus pump, the fire department shall put a neighbouring department(s) on automatic callout for any/all emergency calls requiring the use of a pumper/pumpertanker including, but not limited to, structure fires of any kind, motor vehicle fires, wildland fires, emergencies, etc.

16 Failure to complete a pump test in advance of the registration deadline may result in the Municipality withholding grants to the department until a successful pump test is completed.

17 Where a total disregard for pump testing occurs, the Fire Services Coordinator will notify Council and recommend the de-registration of the department and options for alternative fire service coverage.

18 Council may de-register the department on recommendation of the Fire Services Coordinator. Council shall not consider re-registration of the department until the department re-applies for registration with a satisfactory pump test. **[amended Apr. 13/21]**

Registration [amended Apr 13/21]

19 The Municipality, if satisfied by all categories of Sections 4 to 18, shall register the Body Corporate as a fire and emergency services provider. This registration shall continue in force until withdrawn by the Municipality for cause or the fire department requests that the registration be revoked. **[amended Apr. 13/21, Oct. 12/21]**

20 Annual updates of the registration form shall be submitted to the Municipality no later than June 15th of each year. **[amended Jan. 28/14, Apr. 13/21]**

21 Any changes to the services provided by the body corporate shall be filed immediately with the Municipality throughout the year. **[amended Jan. 28/14, Apr. 13/21]**

22 All other required forms and documentation, including the annual registration form updates, financial statements, officer information, rate and grant forms shall be submitted to the Municipality no later than June 15th of each year, in order to receive collected fire taxes and grant monies. **[amended Jan. 28/14, Apr. 13/21, Oct. 12/21]**

23 All fire tax payments shall be made available to approved fire and emergency service providers 30 days from the due date of municipal taxes. **[amended Jan. 28/14, Apr. 13/21]**

Notification [amended Apr. 13/21]

24 The Municipality shall advise any new Body Corporate, by providing a letter stating approval as a registered Fire and Emergency Services provider as per sections 19-23 of this Policy. **[amended Feb. 27, 2018, Oct. 12/21]**

Rate Payers Meeting [amended Apr. 13/21]

25 Every registered fire and emergency services provider must have an annual ratepayer meeting. Minutes of these meetings **[amended Feb. 27, 2018]** must be maintained in the minutebooks of the organization.

26 Fire Service providers shall have proposed budget documents available to the public seven (7) days prior to their ratepayer meeting and the budget shall be linked to the service levels being provided. **[amended Jan. 28/14, Apr. 13/21]**

27 Fire Service providers may conduct an information session on the proposed budget seven (7) days prior to the ratepayers meeting to assist the ratepayers in understanding the fire service levels being provided and any costs associated with providing such service. **[amended Jan. 28/14, Apr. 13/21]**

28 All proposed fire tax rates shall be supported by the service provider's budget, which is to be presented to the ratepayers at the annual ratepayers meeting. **[amended Jan. 28/14, Apr. 13/21]**

29 Ratepayers shall have the opportunity to discuss service level expectations during a ratepayer meeting. **[amended Jan. 28/14, Apr. 13/21]**

30 Ratepayers shall not request a reduction in the proposed fire rate that diminishes the overall operation of the fire service provision. **[amended Jan. 28/14, Apr. 13/21]**

31 The notice of the annual ratepayers meeting must be advertised in the local paper (a weekly circular) for a minimum of (2) two weeks prior to the annual meeting date. This advertisement shall include the following:

- (a) fire service provider name
- (b) date of meeting
- (c) location of meeting
- (d) contact name and phone number; and
- (e) where proposed budget documents may be viewed. **[amended Jan. 28/14, Apr. 13/21]**

32 For the departments that are required to have an annual ratepayer's meeting to set the fire tax rate that must be specified as well.

33 All annual ratepayer's meetings must be conducted before June 15th of the following fiscal year. **[amended Apr. 13/21]**

34 Requests shall be made to the Municipality for appropriate rate payer's list a minimum of (2) weeks prior to the meeting date.

- (a) This list will provide the chair of the meeting with information to confirm that only those who are ratepayers may vote on motions that are made at the meeting. **[amended Jan. 28, 2014]**
- (b) The Municipality will also provide upon request a property civic report to help the department locate properties. **[amended Jan. 28, 2014]**
- (c) Since fire departments members do not need to be a ratepayer or a resident of the area, a member of the fire department can move motions but the seconder shall be a ratepayer.
- (d) Once the question has been called, only ratepayers can vote on the motion. 50% + one of the ratepayers in attendance at the meeting in favor of the motion shall be required to pass a motion.
- (e) Voting may be done by secret ballot. **[amended Oct. 13, 2009][amended Apr. 13/21]**

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_____	_____
Municipal Clerk	Date

Council

Date: October 12, 2021

Item: # 10.1.2

Authorization: T. MacEwan



Municipality of the District of Lunenburg

Memorandum

To: Council

From: Alex Dumaresq, Amy Wamboldt, Jeff Merrill

Date: October 12, 2021

Re: Contract Award – Phase 3 – Petite Rivière Flood Risk Mitigation Project

Recommended Motion

That Municipal Council award the contract for Phase 3 of the Petite Rivière Flood Risk Mitigation Project to CBCL Limited for 89,800 + HST and include a 20% (\$17,960) contingency to ensure the achievement of Phase 3 objectives.

Background

Council has been working with the Hebbville Village Commission, MODL residents and other stakeholders on examining the flood risk in the Petite Rivière watershed and examining possible mitigation options. Phase 1 of the work summarized the extent of flood risk in the watershed, while Phase 2 examined possible solutions and provided some preliminary screening to determine a limited range of mitigation solutions for further study.

Phase 3 Scope

Phase 3 of the project focuses on the top three ranked flood mitigation options (the options exclude Land Use planning as this planning is required and will be completed as part of the MODL 2040 project regardless of the results of the flood mitigation project). The top 3 options are:

1. Building Resilience (i.e. water level monitoring and flow coordination with the Bridgewater Public Service Commission, BPSC);
2. Flow Control (i.e. constructing and operating a dam at the outlet of Fancy Lake); and
3. Increasing Conveyance Capacity (i.e. dredging to increase the outflow from Fancy Lake).

For each of the 3 options, the consultants will provide:

- High-level description of the concept;

- Outline of capital and operating requirements (Class D estimates);
- Estimated cost and timelines for engineering studies and design;
- Anticipated regulatory approvals, including required studies and estimated timelines; and
- Estimated time for construction.

The consultant will also lead a series of public and stakeholder engagement sessions, including a public open house and a public survey; consultation with BPSC and regulatory bodies; and engagement with First Nations. The working group from the Hebbville Village Commission will be invited to participate in a focus group prior to the completion of the consultative report, as well as invited to participate in the open house and survey portion of the project.

Council will receive a final report for discussion in March of 2022.

Contract Award

In November of 2019, Council awarded Phase 2 of the Petite Rivière Watershed Flood Risk Assessment and Mitigation Study to CBCL. For both Phases 1 and 2, CBCL received the highest scores for price, technical and overall proposal among the proponents. Given their experience, results in the previous phases of the project and their existing knowledge of the details of the flood risk and possible options, staff invited the firm to submit a proposal for the final study phase of the project using the alternative purchasing provisions of the Purchasing Policy.

Budget

The Province of Nova Scotia has awarded 50% matching funds up to \$73,000 for the completion of Phase 3 of the project. Accordingly, Municipal Council has a budget of \$146,000 to complete the work. The proposal from CBCL is not expected to surpass the capital budget.

Alternatives

Should Council not be satisfied with the CBCL proposal, they retain the right to not award the work as presented. Alternatives available include:

- 1) Delay the award of the contract and direct staff to negotiate with the proponent on a revision to the scope of work.
- 2) Decline to award Phase 3 to CBCL and direct staff to issue an RFP for the upcoming phase of the work. This would likely result in an increase of the cost of the work required but is within Council's authority should it feel that alternative procurement under the Purchasing Policy is not appropriate at this time.
- 3) Decline to award the work and discuss alternatives to completing Phase 3 of the project.

Conclusion

The Petite Rivière Flood Risk Mitigation Project has been a focus for Council for a number of years. The proposed contract award will provide Council with a final report identifying the best mitigation option given the identified flood risk.

Council

Date: October 12, 2021

Item: # 10.2.1

Authorization: T. MacEwan



Memorandum

To: Municipality of the District of Lunenburg Council

From: Bill Schurman, Director of Recreation Services

Date: September 29, 2021

Re: Designated Community Fund Project – South Shore Annapolis Valley Trail Assoc.

RECOMMENDED MOTION

That the Municipality of the District of Lunenburg grant the South Shore Annapolis Valley Trail Association \$430.00 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48.

BACKGROUND

The South Shore Annapolis Valley Trail Association is raising capital funds to cover capital costs to the trail, primarily the capital cost associated with the bridge project over the LaHave River. Recently, there were four donations totalling \$450.00. The amount of \$430.00 is being recommended as \$20.00 (\$5.00 per contribution) will be retained by MODL for administrative charges as per Policy MDL-48.

BUDGET IMPLICATIONS

There would be no implications to the budget.

ALTERNATIVES

The alternative would be to not issue the South Shore Annapolis Valley Trail Association this grant.

CONCLUSION

The Designated Community Project Fund was developed and approved by MODL to aid non-profit groups in raising capital funds for projects.