

Municipality of the District of Lunenburg

Minutes of a Meeting of Municipal Council

Held in Council Chamber, 10 Allée Champlain Drive, Cookville, NS
April 26, 2022 – 9:00 a.m.

Attendance

Mayor Carolyn Bolivar-Getson
Deputy Mayor Cathy Moore, District 5
Councillor Leitha Haysom, District 1
Councillor Martin Bell, District 2
Councillor Wendy Oickle, District 3
Councillor Pam Hubley, District 4
Councillor Sandra Statton, District 6
Councillor Michelle Greek, District 7 (virtual attendance)
Councillor Kacy DeLong, District 8
Councillor Reid Whynot, District 9
Councillor Chasidy Veinotte, District 10

Staff

Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy CAO
Stephen Pace, Director of Engineering
Dave Waters, Director of Economic Development (via Teams)
Jeff Merrill, Director Planning and Development Services (via Teams)
Elana Wentzell, Director of Finance
Bill Schurman, Direction of Recreation, Parks & Tourism (via Teams)
Jamie Burgess, Municipal Engineer
Mark Strickland, Business Development Officer
Tissy Bolivar, Recreation Program Coordinator (via Teams)
Abhi Jain, sustainability Coordinator
Chris Kennedy, Fire & Emergency Services Coordinator
Angela Veinot, Accounting Manager (via Teams)
April Whynot-Lohnes, Municipal Clerk
Sarah Kucharski, Communications Officer

1. Call to Order

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

2. Announcements/Acknowledgements/Recognition

Mayor Bolivar-Getson proclaimed May to be Lyme Disease Awareness month, noting the health issues caused by the bacteria found in ticks and the importance of raising awareness of the issue.

Mayor Bolivar-Getson acknowledged April 24 to 30, 2022 as Volunteer Week, noting the importance of volunteers and thanked all the volunteers recognized at the Volunteer Awards reception. Judy Comeau was congratulated as the Municipality's volunteer of the year.

Mayor Bolivar-Getson observed a moment of silence in recognition of the Day of Mourning for those who lost their lives in their workplaces.

Michael Graves, Coordinator of the Lunenburg County United Way was in attendance to present an \$8,000 donation to the ProKids program. Mr. Graves noted the valuable contributions that the Municipality has made towards positive social and recreational opportunities.

3. Public Input

Keith Gebhardt of Hebb's Cross was in attendance to oppose the proposed forestry operations in the Petite Riviere watershed. He noted the need for conservation and the importance of the watershed as the only known home of the Atlantic Whitefish. He indicated that he had solicited information from several fisheries experts who agreed that the forestry work was not appropriate for the area, and shared correspondence from a Dalhousie University professor outlining the habitat risks of the proposed cutting.

4. Approval of Agenda

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

5. Approval of Minutes – Public Hearing of April 12, 2022

Moved by Councillor Oickle, seconded by Councillor Veinotte that the Minutes of the Public Hearing of April 12, 2022 be approved as circulated. Carried unanimously.

6. Business arising from Minutes - Nil

7. Awarding of Tenders/RFPs

Councillor Veinotte declared a Conflict of Interest for Items 7.1 and 7.2 and removed herself from the table.

7.1 Award of Tender #2021-01-004 Municipal Services Bldg - Property Maintenance

2022-068 Moved by Councillor Statton, seconded by Councillor DeLong that Municipal Council award Tender 2021-01-004 Municipal Building Property Maintenance to William A. Gerhardt Property Improvement for an amount of \$75,037.80 including net HST. Carried unanimously.

7.2 Award of Tender #2021-01-005 Grass & Brush Cutting

2022-069 Moved by Deputy Mayor Moore, Seconded by Councillor Oickle that Council award Tender 2021-01-005 - Grass and Brush Cutting Municipal Roads and Properties to Nature's Reflections Landscaping Limited Ltd. For an estimated amount of \$95,439.42 including net HST. Carried unanimously.

Councillor Veinotte returned to the Council table.

7.3 Award of EOI #2021-05-500 Standing Offer Wayfinding

2022-070 Moved by Councillor Hubley, seconded by Deputy Mayor Moore that Municipal Council award EOI 2021-05-500 to both Eye Candy Signs and New Century Signs on a one year standing offer list for wayfinding with costs for each signage to be selected from the table as presented.

It was clarified that the proponents were scored based on a combined score of pricing, quality of presentation, and experience.

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

8. Presentations/Scheduled Times - Nil

9. Consideration of Correspondence - Nil

10. Recommendations from Committees & Boards

10.1 Finance Committee

10.1.1 Bill 149 – Financial Measures Act

2022-071 Moved by Councillor Veinot, seconded by Councillor Whynot that Municipal Council write a letter to the NS Premier, Ministers of Finance and Treasury Board and Economic Development, with a copy to the local MLAs on the need to undertake a full analysis of the short and long-term impacts of Bill 149, Financial Measures (2022) Act on both the supply and affordability of housing in Nova Scotia and on individuals, families, communities, businesses and the economy of MODL, rural areas and all of Nova Scotia. Carried unanimously.

11. Staff Reports

11.1 Administration Department

11.1.1 Approval of Proposed MODL Policy 094 Fire Scene Security

A report from Chris Kennedy, Fire Service Coordinator, titled "Policy 094, Fire Scene Security", rationalizing the need for a Fire Scene Security policy, was circulated with the agenda.

2022-072 Moved by Councillor Whynot, seconded by Councillor DeLong that Municipal Council approve Policy 094 - Fire Scene Security, as presented.

Mr. Dumaresq reported on the role fire departments play in securing the scene of a fire that may require investigation by the Nova Scotia Office of the Fire Marshal. He noted that the policy enables fire departments to use the Municipality's standing offer for scene security to procure a firm to secure the scene.

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

11.1.2 Council Member Remuneration

A presentation titled "2022-2023 Council Remuneration Review" was circulated with the agenda.

2022-073 Moved by Councillor Greek, seconded Councillor DeLong that pursuant to MODL Policy 003 – Council Members' Remuneration, Benefits and Expense Policy, that Municipal Council set the following remuneration for the 2022-2023 fiscal year: Mayor: \$68,095 Deputy Mayor: \$50,750 Councillors: \$44,026.

Mr. MacEwan explained that the purpose of the recent review was to compare the remuneration of the council members, using the Counties of Kings and Colchester as comparable units. Factors used as comparators included the geographic size, dwelling units, population density, and population per councillor. Based on the analysis, revised remuneration was proposed for Council to consider, using Colchester as the closest comparison, and applying a 5% reduction given the variables analysis.

It was noted that the workload was high based on the time and effort required, and it was necessary to provide adequate remuneration to attract candidates for municipal office.

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

Mayor Bolivar-Getson left the meeting at 9:40 a.m. and Deputy Mayor Moore assumed the chair.

11.1.3 Proposed Timber Harvest

Moved by Councillor Oickle, seconded by Councillor Bell that Municipal Council forward a letter outlining its concerns to the Minister of Natural Resources and Renewables with copies to Ryan McIntyre, Resource Manager, Western Region, Department of Natural Resources and Renewables and the local MLAs.

Mr. MacEwan reviewed his report, "Application for Harvest in Petite Riviere Watershed", (attached to Minutes) noting that the whitefish habitat was unique in the world.

The areas of concern brought forward by Council and residents were identified and based on these concerns, it was recommended that a letter of concern be sent to the Minister of Natural Resources and Renewables.

It was noted that the province was reprimanded by the Supreme Court for failing to protect species at risk. The Department of Natural Resources requires an integrated resource management be done but it does not include on site, which means they do not see all the potential loss of habitat and endangered species.

It was also noted that the area was under special protection since 2006 via provincial regulation and that the Bridgewater Watershed Protection Alliance group was formed.

Moved by Councillor Haysom, seconded by Councillor DeLong that the motion on the floor be amended by inserting the words “and opposition” after the word “concerns” in the first line. Carried unanimously.

2022-074 Moved by Councillor Oickle, seconded by Councillor Bell that Municipal Council forward a letter outlining its concerns and opposition to the Minister of Natural Resources and Renewables with copies to Ryan McIntyre, Resource Manager, Western Region, Department of Natural Resources and Renewables and the local MLAs. Carried unanimously.

14. In Camera

At 10:15 a.m., it was moved by Councillor Hubley, seconded by Councillor Oickle that Municipal Council go In Camera to discuss the following items:

- 14.1 Presentation - Contract Negotiations re HVAC System under Section 22(2)(e) of the MGA**
- 14.2 Request for Direction – Contact Negotiations re HVAC System under Section 22(2)(e) of the MGA**

Carried.

Municipal Council In Camera in session.

At 11:05 a.m., it was moved by Councillor Veinotte, seconded by Councillor DeLong that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

11.2 Building Department

11.2.1 Approval of MODL Policy 066 Engagement Program

2022-075 Moved by Councillor DeLong, seconded by Councillor Oickle that Municipal Council adopt Policy 066 Engagement Program Policy, as stated in Appendix B of the staff report of February 24, 2022. Carried unanimously.

11.2.2 Second Reading - By-law 031 Amendments to Property Assessed Clean Energy

A report from Abhi Jain, Sustainability Planner, titled “Second Reading re Amendments to the Property Assessed Clean Energy By-law” was circulated with the Agenda.

2022-076 Moved by Councillor Haysom, seconded by Councillor DeLong that Municipal Council conduct Second Reading and approve By-law 031A Amendments to the Clean Energy Financing By-law (2022), as presented. Carried. Opposed: Councillor Hubley

11.2.3 Appointment of Bruce Parks as Building Official

A report from Jeff Merrill, Director of Planning & Development Services, titled “Appointment of Building Official – Bruce Parks” was circulated with the Agenda.

2022-077 Moved by Councillor Hubley seconded by Councillor Bell that Municipal Council appoint Bruce Parks as a Building Official for the Municipality of the District of Lunenburg. Carried unanimously.

12. Mayor’s/Deputy Mayor’s/Councillors’ Matters

12.1 LCLC Update

Councillor Hubley provided an update on the Lunenburg County Multi-Purpose Lifestyle Community Centre as follows:

- Strategic priorities workshop was held with further sessions planned;
- The Board completed a review of the General Manager’s performance;
- Year-end financial information being prepared;
- Total memberships to over 1000 members;
- The dehumidification construction project has begun;
- March Break camps were well attended, and staff are working with Autism Nova Scotia to make them more welcoming;
- 435 registrants in swimming lessons this spring; and
- Recruitment for pool staff ongoing.

12.2 Deputy Mayor’s Update

Deputy Mayor Moore reported that she attended to cheque signing and agenda briefings, and complimented the organizers of the volunteer recognition event.

12.3 Mayor’s Update

Mayor Bolivar-Getson summarized meetings and events she had attended including interviews for the COO of the Municipal Joint Services Board, Nova Scotia Federation of Municipalities meetings, and the Municipal Volunteers Awards. She also offered congratulated the volunteers for their efforts.

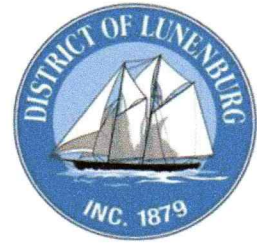
13. Added Items - Nil

14.2 Request for Decision - Contract Negotiations re HVAC System

2022-078 Moved by Councillor Whynot, seconded by Deputy Mayor Moore that Council direct staff to work with Roscoe Construction Limited, Baxter Group and others as required on the Municipal Services Building – HVAC System Modifications with a cost of up to \$400,000, including net HST, for interim financing of the modification work required on the HVAC system. Carried unanimously.

15 Adjournment

There being no further business at 11:14 a.m., it was moved by Councillor Whynot, seconded by Councillor Oickle that the meeting adjourn. Carried.



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor Bolivar-Getson and Council
Submitted by: Tom MacEwan, CAO
Date: April 22, 2022
Re: Application for Harvest in Petite Riviere Watershed

Recommendation

Municipal Council forward a letter outlining its concerns to the Minister of Natural Resources and Renewables with copies to Ryan McIntyre, Resource Manager, Western Region, Department of Natural Resources and Renewables and the local MLAs.

Executive summary

As Council is aware, there has been an application filed to harvest timber on Crown lands within the Petite Riviere watershed. The Department of Natural Resources and Renewables is receiving public comments regarding the application.

We have been in contact with Ryan McIntyre, Resource Manager, Western Region, and have permission to provide any concerns that MODL has with respect to the proposed harvest directly to him.

Background Information

The following information (provided by DNRR) may be of value in Council's deliberations:

- The Atlantic whitefish is an endangered species endemic to Nova Scotia, meaning that it breeds nowhere else in the world. It is found only in the Petite Riviere watershed.
- The Province takes steps to protect and conserve biodiversity, including species at risk. A new recovery plan for the Atlantic whitefish was put in place last year and core habitat has been identified.

- The Petite lakes have been protected since 2006 by a Protected Water Area designation under the Nova Scotia Environment Act. As part of this designation, regulations are in place which address activities in the watershed that could impact water quality, such as agriculture, forestry, road construction, development and certain aspects of mining.
- Sectors such as agriculture and forestry already undertake land-based activities in the Petite watershed. There has been no evidence linking these activities to aquatic habitat degradation or negative effects on Atlantic Whitefish.
- This is a proposed harvest block under review and no final decisions have been made yet.
- Department of Natural Resources and Renewables resource management professionals (foresters, biologists, surveyors, technicians) must complete an Integrated Resource Management (IRM) review of the proposed harvest plan to determine if the plan meets all requirements for operating on Crown lands. The IRM team considers adjacency to protected areas, wildlife habitat, and other values before a harvest approval is granted.
- If approved, the proposed harvest will follow the new ecological forestry based management guide, called the Silviculture Guide for the Ecological Matrix.
- The proposed harvest block is open for public comment until April 23, 2022. Public comments will also be reviewed before the block is considered for approval.

As indicated above, although the public comment period expires on April 23, 2022, we have permission from DNRR to submit any concerns that Council may have with respect to the proposed harvest after the Council meeting on April 26, 2022.

Discussion

Staff have reviewed the matter and the following areas of concern have been identified:

1. The proposed activity would appear to be contrary to the provisions of the Provincial Statement of Interest regarding the protection of sources of drinking water;
2. Any necessary road construction and the impact of the construction on the watershed;
3. Any necessary bridge or culvert construction with associated impact on watercourse and watershed area;
4. Future use of roads constructed in watershed areas;

5. Potential for spillage of gas or other fuels from vehicles travelling through watershed area;
6. Possible application of any pest control products or biocides in watershed area;
7. Possible activity that could cause soil erosion resulting in sedimentation of watercourse within the watershed area;
8. Possible future risk to wildlife should the shelter trees become unhealthy following the cut;
9. Possible risk of removal of shelter trees (in the future) as a perceived resource;
10. Possible introduction of foreign material into the ecosystem which could negatively impact the healthy reintroduction of natural biological breakdown catalysts such as mosses, lichens and mycelium;
11. Possible loss of carbon sequestration potential as well as filtration for both oxygen and water; and
12. Potential impact on the habitat of the Atlantic Whitefish.

Conclusion

Given the areas of concern as identified above, it is recommended that Municipal Council forward a letter outlining the above concerns (together with any additional concerns raised during Council deliberations) to the Minister of Natural Resources and Renewables with copies to Ryan McIntyre, Resource Manager, Western Region, Department of Natural Resources and Renewables and the local MLAs.

Department: Administration

Report Prepared By: Tom MacEwan

Date: April 22, 2022

Report Approved By:

Date:

Reviewed By CAO:

Date: