

Municipality of the District of Lunenburg Minutes of a Meeting of Municipal Council

Held in Council Chamber, 10 Allée Champlain Drive, Cookville, N.S.
Tuesday, March 28, 2023

Attendance

Mayor Carolyn Bolivar-Getson
Deputy Mayor Pam Hubley, District 4
Councillor Leitha Haysom, District 1 (via TEAMS)
Councillor Martin Bell, District 2
Councillor Wendy Oickle, District 3
Councillor Cathy Moore, District 5
Councillor Sandra Statton, District 6
Councillor Michelle Greek, District 7 (via TEAMS and In-Person)
Councillor Reid Whynot, District 9
Councillor Chasidy Veinotte, District 10

Regrets

Councillor Kacy DeLong, District 8

Staff

Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy CAO (via TEAMS)
April Whynot-Lohnes, Municipal Clerk
Tina Robichaud-Bond, Executive Assistant

1. Call to Order

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

2. Announcements/Acknowledgements/Recognition

Councillor Bell congratulated Lee and Vera Baker of Pleasantville on their 65th wedding anniversary this past March.

2.1 Proclamation – World Autism Month and Day

Mayor Bolivar-Getson proclaimed April 2023 as World Autism Month and April 2, 2023 as World Autism Awareness Day in the Municipality of the District of Lunenburg to create a more inclusive world for people with autism spectrum disorder. Mayor Bolivar-Getson advised that a flag raising ceremony would be held on April 4 at 11:00 a.m. at the Administration Building and invited the public to attend.

3. Public Input - Nil

4. Approval of Agenda

It was requested that the agenda be amended as follows:

Add - Item 13.1 Coastal Protection Land Use Planning

Remove - Item 10.3.1 Appointment of Provincial Volunteer Representative

Moved by Councillor Whynot, seconded by Councillor Oickle that the Agenda be approved as amended with the addition and removal of the items noted above. Carried unanimously.

5. Approval of Minutes – March 14, 2023

Moved by Councillor Veinotte, seconded by Councillor Moore that the Minutes of the March 14, 2023 Council meeting be approved as circulated. Carried unanimously.

6. Business Arising from Minutes - Nil

7. Awarding of Tenders/RFPs

7.1 Award of RFP #2022-05-404 Cookville Wastewater Treatment Facility

A report from Larry Feener, Municipal Engineer, titled “RFP Award 2022-05-404 Cookville Wastewater Treatment Facility Phase 3 Upgrade – Design, Construction and Contract Administration Services” providing details on the project and the submissions received was circulated with the agenda.

2023-044 Moved by Councillor Statton, seconded by Councillor Whynot that Municipal Council award Request for Proposal #2022-05-404 Cookville Wastewater Treatment Facility Phase 3 Upgrade – Design, Construction and Contract Administrative Services, and resident inspection to exp Services Inc. for an amount of up to \$1,097,800, including a 15% contingency and net HST. Carried unanimously.

7.2 Award of RFP #2022-01-403 Legal Services Contract

A report from Alex Dumaresq, Deputy CAO, titled “Award of Legal Services Contract” providing details on the request for proposal and the submissions received was circulated with the agenda.

Mr. MacEwan reported that the current legal services contract would expire at the end of March. He noted that of the seven submissions received, two were incomplete and one was an intentional non-compliant submission. Of the five compliant submission, PLRR Law scored the highest scores in both technical and price.

2023-045 Moved by Councillor Moore, seconded by Councillor Statton that Municipal Council award RFP 2022-01-403 Legal Services Contract to PLRR Law for a five-year term with the option to extend for a further two years. Carried unanimously.

7.3 Award of RFP #2022-01-402 Scanning Services Phase II

A report from April Whynot-Lohnes, Municipal Clerk, titled “Award of Document Scanning Services (Phase II) RFP 2022-01-402” providing details on the scanning project and the submissions received was circulated with the agenda.

2023-046 Moved by Councillor Veinotte, seconded by Deputy Mayor Hubley that Municipal Council award RFP 2022-01-402 Scanning Services Phase II to DOCUdavit Solutions for \$106,636.95, inclusive of taxes.

It was noted that DOCUdavit was the same company that provided scanning services for Phase I.

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

8. Presentations/Scheduled Times

8.1 Sherbrooke Lake 2022 Water Quality Monitoring Program

Blake McNeely, Watersheds & Water Quality Team Lead with Coastal Action, and Robin McAdam, Vice-Chair, Sherbrooke Lake Stewardship Committee member, were in attendance.

Mr. McAdam noted that 2022 marked the fourth of a five-year program.

Mr. McNeely gave a presentation on the results of the 2022 water quality monitoring program, (circulated with the agenda) and reported on the test levels of the following:

- Total Phosphorus & Nitrogen
- Total Suspended Solids
- E coli bacteria
- Water temperature
- pH (acidity)
- Dissolved Oxygen
- Total dissolved solids
- Chlorophyll-a & Phycocyanin
- Sediment Samples
- Trophic State Index

It was recommended that the project continue into its final year at the same capacity as 2022.

Discussions followed on the following:

- Department of Environment’s role
- Purpose of the program
- Timing of water quality testing

- Challenges to the water quality (warming of waters)
- Considerations for lake zone initiatives (setbacks, natural vegetation)

Mr. McNeely and Mr. McAdam left the meeting.

9. Consideration of Correspondence - Nil

10. Recommendations from Committees & Boards

10.1 Policy & Strategy Committee

10.1.1 MODL Policy 006 Loan Guarantees for Community Organizations – Amendments

A copy of the proposed MODL Policy 006 Loan Guarantees was circulated with the agenda.

2023-047 Moved by Deputy Mayor Hubley, seconded by Councillor Bell that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the amendments to MODL Policy 006 Loan Guarantees for Community Organizations, as presented. Carried unanimously.

10.1.2 Proposed Regional Anti-Racism & Anti-Discrimination Committee

A report from the Municipality of the District of Chester and draft Terms of Reference for the proposed Regional Anti-Racism & Anti-Discrimination Committee was circulated with the agenda.

2023-048 Moved by Councillor Whynot, seconded by Deputy Mayor Hubley that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve, in principle, the Terms of Reference for the Regional Anti-Racism & Anti-Discrimination Committee, as presented. Carried unanimously.

2023-049 Moved by Deputy Mayor Hubley, seconded by Councillor Moore that Municipal Council accept the recommendation of the Policy & Strategy Committee and authorize staff to begin the recruitment process for an Anti-Racism & Anti-Discrimination Regional Coordinator for a two-year term shared position with the partner municipal units, based on the funding formula and budget presented by the Municipality of the District of Chester, with the Municipality of Lunenburg's share being \$67,165.

It was noted that hiring a Regional Coordinator was more cost beneficial than contracting a consulting firm-

The Motion on the floor was voted on and carried. Opposed: Councillor Statton

2023-050 Moved by Councillor Oickle, seconded by Councillor Veinotte that Municipal Council accept the recommendation of the Policy & Strategy Committee and give direction to the CAO to work with the CAOs of the partner municipal units to develop a Memorandum of

Understanding for the management of the Anti-Racism & Anti-Discrimination Regional Coordinator position, to be presented to each municipality for approval. Carried. Opposed: Councillor Statton

Councillor Greek left the meeting (via teams) at 9:58 a.m. and arrived in the Council chambers at 10:14 a.m.

Council recessed at 10:00 a.m. and resumed at 10:14 a.m.

8. Presentations/Specified Times

8.2 Plastic Pollution & Municipal Action

Michelle Brake, Environmental Policy Analyst, and Natasha Tucker, Executive Director, both with Mind Your Plastic were in attendance via TEAMS.

Ms. Tucker gave a presentation on “The Circular Economy, Plastic Pollution, and Municipal Action, (circulated with the agenda), providing details on how to decrease the amount of plastics pollution in Canada.

Ms. Tucker provided details on the following:

- the issue
- linear economy vs circular economy
- the Municipality’s roll in plastic pollution reduction
- policy action by municipalities
- plastic pollution problem at local events
- municipal plastic-free events policy
- reusable alternatives

Discussions followed regarding:

- standards for using re-usable alternatives
- increased waste since COVID
- tool kits for businesses

Ms. Brake and Ms. Zwicker left the meeting.

10.1.3 MODL Policy 065 Divestiture of Surplus Land – Repeal & Replace

A report from Elizabeth Carr, Planner I, titled “Repeal & Replace MODL Policy 065 Divestiture of Surplus Land” providing details on the proposed amendments to the new policy was circulated with the agenda.

2023-051 Moved by Councillor Greek, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Policy & Strategy Committee and repeal and replace MODL Policy 065 Divestiture of Surplus Land, as presented. Carried unanimously.

10.1.4 MODL Policy 043 Community Grants Program – Amendments

A report from Trudy Payne, Director of Recreation, Parks & Tourism, Tissy Bolivar, Program Coordinator, and Ruth Wawin, Tourism & Event Development Officer, titled “Change to Community Grants Program and Sponsorship Request Policy Eligible Applicant Criteria” providing details on the proposed amendments to MODL Policy 043 Community Grants Program was circulated with the agenda.

2023-052 Moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the amendments to MODL Policy 043 Community Grants Program, as presented. Carried unanimously.

2023-053 Moved by Councillor Veinotte, seconded by Councillor Moore that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the extension of the deadline for the Annual Operating and Major Recreation Capital grant to April 28, 2023 for this fiscal year only.

It was clarified that the deadline was being extended due to the amendments to the Policy.

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

10.1.5 Riverport & District Community Park Association – Management Agreement

A report from Trudy Payne, Director of Recreation, Parks & Tourism, titled “Riverport & District Community Park Association Management Agreement” providing details on the proposed agreement was circulated with the agenda.

2023-054 Moved by Councillor Whynot, seconded by Councillor Veinotte that Municipal Council accept the recommendation of the Policy & Strategy Committee and enter into a 5-year Management Agreement with the Riverport & District Community Park Association for the purposes of establishing a park for community use on PIDs 60456506 and 60193802; and further that the Agreement will include, but not be limited to, the following conditions:

- **The Agreement will be for a 5-year term with a review period by year 5; and**
- **There will be no financial commitment by the Municipality for the concept plan, capital costs or ongoing operating costs; and**
- **There is no guarantee of any financial assistance from the Municipality, which does not preclude the Association from applying for Municipal funds through its grant program.**

Carried unanimously.

Councillor Greek left the meeting at 10:50 a.m.

10.1.6 Letter to Province re Coastal Protection Act Regulations

Moved by Councillor Bell, seconded by Councillor Haysom that Municipal Council accept the recommendation of the Policy & Strategy Committee and direct the Mayor to write to the Provincial Government (Premier and all Ministers) demanding that the Province immediately approve and adopt the Coastal Protection Act Regulations.

Motion to Amend

Moved by Councillor Statton, seconded by Councillor Veinotte that the Motion on the floor be amended by replacing the word “demanding” with word “requesting”. Carried. Opposed: Councillor Haysom

Amended Motion

2023-055 Moved by Councillor Bell, seconded by Councillor Haysom that Municipal Council accept the recommendation of the Policy & Strategy Committee and direct the Mayor to write to the Provincial Government (Premier and all Ministers) requesting that the Province immediately approve and adopt the Coastal Protection Act Regulations. Carried unanimously.

Councillor Bell advised that he wrote to the Premier and Department of Natural Resources and read his letter for the record.

13. Added Item

13.1 Coastal Protection Land Use Planning

Mayor Bolivar-Getson read a statement on the development on Crescent Beach and described gaps between municipal by-laws and provincial legislation with respect to the protection of coastal eco-systems.

Mayor Bolivar-Getson suggested that staff prepare a report on expediting municipal planning for coastal shoreline protection and that a request be sent to the provincial government permitting the Municipality to pass a moratorium on coastal development until it can adopt a coastal protection land use by-law or the Coastal Protection Act and Regulations are adopted.

Jeff Merrill, Director of Planning & Development Services, was in attendance.

Mr. Merrill explained that a moratorium would prevent coastal development while the Municipality is developing a Coastal Protection By-law. He also noted that a moratorium would only affect permit applications received after it was put in place.

It was clarified that the Municipality was requesting a moratorium on coastal beach front property only and not inland lakes and rivers.

It was noted that going through this process would pause the MODL 2040 project for at least nine (9) months.

2023-056 Moved by Councillor Bell, seconded by Councillor Moore that Municipal Council direct staff to prepare a report, for the April 11, 2023 Council meeting, on the creation and adoption of coastal protection land use planning, including a timeline for implementation. Carried unanimously.

2023-057 Moved by Councillor Bell, seconded by Councillor Moore that Municipal Council direct the Mayor to write the Province requesting that the Provincial Government permit MODL to pass a moratorium on coastal development until the earlier of a) the adoption of our Municipal Coastal Protection Land use Bylaw or b) the adoption of the Coastal Protection Act and Regulations.

It was clarified that an interim planning area had to be created first before a moratorium could be approved.

The Motion on the floor was voted on and carried. Opposed: Councillor Statton

10.2 Fire & Emergency Services Committee

10.2.1 2023-2024 Fire Department Grants

2023-058 Moved by Councillor Oickle, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and approve a 2% increase (totaling \$3,797) over the 2022/2023 amounts, with the 2023/2024 fiscal year grants being:

Matching Grant	\$44,998.00
Municipal Grant	\$68,032.00
Training Grant	\$11,570.00
Insurance Grant	\$57,430.00
Personnel Insurance Grant	<u>\$11,570.00</u>
For a total grant amount of	\$193,600.00

Carried unanimously.

10.2.2 Regional Fire Training Station

A report from Chris Kennedy, Fire Services Coordinator, titled "Regional Fire Training Station" was circulated with the agenda. The report provided details on strategic priorities of the Fire & Emergency Services Committee, including the creation of a regional fire facility focusing on increasing safety and training for volunteers.

2023-059 Moved by Councillor Bell, seconded by Deputy Mayor Hubley that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and explore

a regional fire training station with the Town of Bridgewater and other regional municipal units for the local area.

It was noted that one of the concerns heard from the fire departments was the training for volunteer fire fighters. It was clarified that a regional training facility would improve the safety of volunteers and new recruits.

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

Moved by Councillor Oickle, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Fire & Emergency Services Committee and establish a reserve fund separate from other fire service grants and funds for the purpose of constructing a regional fire training facility.

It was noted that the request for establishing a reserve fund should be referred to the Finance Committee for further discussion.

2023-060 Moved by Councillor Statton, seconded by Councillor Bell that Municipal Council refer to the Finance Committee the recommendation of the Fire & Emergency Services Committee to establish a reserve fund separate from other fire service grants and funds for the purpose of construction a regional fire training facility, for discussion during budget deliberations. Carried unanimously.

10.3 Nominating Committee

10.3.1 Appointment of Provincial Volunteer Representative, Allen Sullivan

This item was removed from the agenda as the proposed recipient had previously been appointed as the Municipality's representative. It was noted that Mr. Sullivan had been advised that he was ineligible to be appointed a second time.

11.2 Engineering Department

11.2.1 Grub Control, Repair & Maintenance – MARC Ballfields

A report from Jamie Burgess, Municipal Engineer, titled "Grub Control, Repair and Maintenance of the MARC Ballfields", was circulated with the agenda.

2023-061 Moved by Councillor Whynot, seconded by Councillor Moore that Municipal Council provide pre-budget approval for grub control, repair and maintenance of the MARC ballfields, and use Alternative Procurement Practice to authorize staff to award this work to Elmsdale Landscaping Limited for a cost of \$163,118.43, including net HST.

Stephen Pace, Director of Engineering and Public Works, and Trudy Payne, Director of Recreation, were in attendance.

It was noted that two ballfields would be unavailable until early July and the third ballfield would be available in late September. These timelines were dependent on the weather.

Ms. Payne confirmed that all ball groups had been notified of the ballfield closures.

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

14. In Camera

At 12:14 p.m., it was moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council go In Camera to discuss Item 14.1 Personnel Matter under Section 22(2)(c) of the MGA. Carried.

Municipal Council In Camera in session.

At 12:33 p.m., it was moved by Councillor Whynot, seconded by Councillor Statton that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

11. Staff Reports

11.1 Administration Department

11.1.1 Extension of Medical Leave – Councillor K. DeLong

A report from Tom MacEwan titled, “Request for Extended Medical Leave – Councillor DeLong” was circulated at the meeting and attached to the Minutes.

2023-062 Moved by Councillor Statton, seconded by Councillor Moore that Municipal Council approve the extension of the medical leave request submitted by Councillor DeLong for the period from March 15, 2023 to April 21, 2023 which includes, but is not limited to, the regular meetings of MODL Council scheduled for March 28 and April 11, 2023. Carried. Those Opposed: Councillor Bell and Deputy Mayor Hubley.

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

12.1 Deputy Mayor’s Update

Deputy Mayor Hubley advised that she attended the Mayors/Wardens/CAOs/Deputies meeting; the NSFM Mass Casualty Commission Report; the REMO meeting; volunteered at the Gary Wentzell Hockey Tournament; the agenda briefing meeting; and the Crescent Beach information meeting.

12.2 Mayor’s Update

Mayor Bolivar-Getson advised that she attended the expansion announcement at Michelin Tire; the Mayors/Wardens/CAOs/Deputies meeting; the public meetings regarding Crescent Beach as well as responding to media inquiries and calls with provincial representative and residents; the CAO evaluation meetings; and various meetings with resident.

15. Adjournment

There being no further business at 12:37 p.m. the meeting adjourned.



Memorandum

To: Municipal Council
From: Tom MacEwan, CAO
Date: March 28, 2023
Re: Request for Extended Medical Leave – Councillor DeLong

Municipal Council, in session on February 14, 2023, approved Councillor DeLong's request for medical leave from the regular meetings of Council scheduled from February 28, 2023 to March 14, 2023.

Councillor DeLong has requested an extension of the approved medical leave to April 21, 2023.

The Municipal Government Act at section 17(4) provides that a mayor or councillor, who without leave of council, is absent from three consecutive regular meetings of the council, ceases to be qualified to serve as mayor or as a councillor.

Recommendation

It is recommended that Council approve the requested extension of medical leave submitted by Councillor DeLong.

Recommended Motion

Council approves the extension of the medical leave request submitted by Councillor DeLong for the period from March 15, 2023 to April 21, 2023 which includes, but is not limited to, the regular meetings of MODL Council scheduled for March 28 and April 11, 2023.

Tom MacEwan, CAO