

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, October 10, 2023 – 9:00 a.m.

Attendance

Mayor Carolyn Bolivar-Getson

Deputy Mayor Pam Hubley, District 4

Councillor Leitha Haysom, District 1

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

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

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 - Nil

3. Public Input - Nil

4. Approval of Agenda

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

5. Approval of Minutes – Special Council of August 15 and 29, 2023; Public Hearing and Council of September 12, 2023

Moved by Councillor Veinotte, seconded by Councillor Moore that the Minutes of the August 15, 2023 and August 29, 2023 Special Council meetings be approved as circulated. Carried unanimously.

Moved by Councillor Oickle, seconded by Councillor Bell that the Minutes of the September 12, 2023 Public Hearing and the September 12, 2023 Council meeting be approved as circulated. Carried unanimously.

6. Business Arising from Minutes - Nil

7. Awarding of Tenders/RFPs – Nil

11. Staff Reports

11.2 Engineering & Public Works

11.2.1 J Class Road Paving Priorities 2024-2025

A report from Jamie Burgess, Municipal Engineer, titled “J Class Road Paving Priorities 2024/2025” was circulated with the agenda.

2023-156 Moved by Councillor Bell, seconded by Councillor Veinotte that Municipal Council authorize staff to submit the following roads as J Class Road paving priorities for 2024/2025, in the following order, to the Nova Scotia Department of Public Works:

- **Darby’s Head Road (0.45km)**
- **St. Augustines Road (0.13km)**
- **Riverside Heights (0.10km)**
- **Freeman Crescent (0.37km)**
- **Riverview Drive (0.18km)**
- **Church Road (0.25km).**

It was noted that Darby’s Head Road was located in District 10 and the remainder of the roads were located in District 2.

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

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

12.4 Request for Review of Potential Nuisance By-law

Councillor Greek reported that in the absence of a Noise by-law, a request was made for the investigation of a Nuisance By-law. She explained that a Nuisance By-law would provide RCMP the tool they require to provide fines to residents who consistently create disturbances.

2023-157 Moved by Councillor Greek, seconded by Councillor DeLong that Municipal Council direct staff to present a report to Council on Nuisance By-laws. Carried unanimously.

12.1 MJSB Update

Councillor Oickle provided an update on the following MJSB matters:

- Business plan approval

- Salary Administration Policy
- Roof replacement costs
- Extended Producer Responsibility (EPR)
- Construction and Demolition Regulations

8. Presentations/Scheduled Times

8.1 FoodCycler Municipal Solutions

Kassia Régnier, Municipal Program Coordinator, was in attendance via TEAMS and gave a presentation on “FoodCycler Municipal Solutions” (circulated with the agenda), providing details on the FoodCycler, an electronic device that composts food waste overnight.

Ms. Régnier’s presentation highlighted the following:

- Food cycle science
- Municipal Impact
- Foodcycler Pilots
- Food Waste Reduction Challenge
- 12 week Pilot Program
- Funded Pilot Program Options

The following details about the Foodcycler device were noted:

- Estimated life of small unit is 5-7 years; large unit 7-10 years
- Unit has modular build for easy part replacement
- Unit pieces are recyclable
- Refillable carbon filters are washable and compostable
- Units manufactured in China

Ms. Régnier advised that she would provide “life cycle analysis” information to council.

Ms. Régnier left the meeting.

9. Consideration of Correspondence - Nil

10. Recommendations from Committees & Boards - Nil

11. Staff Reports

11.1 Administration

11.1.1 Petite Riviere Flood Mitigation Phase III Report

A report from Alex Dumaresq, Deputy CAO, titled “Petite Riviere Flood Mitigation Project, Phase III Report”, detailing the CBCL Final Report on “Flood Mitigation Concept Development” were both circulated with the agenda.

Mr. Dumaresq gave a presentation titled “Petite Riviere Flood Mitigation Project” (attached to Minutes), providing details on the following, with emphasis on Phase 3 - Options:

- History of flooding
- 4 Phases of Flood Risk project
 - Phase 1 – Flood Risk Identification
 - Phase 2 – Flood Mitigation Identification
 - Phase 3 – Options for Analysis & Selection
 - Phase 4 – Implementation
- Staff Recommendations

It was clarified that to date, the only decisions Council has made were in regards to land use planning as part of the mandatory planning project, MODL 2040.

Mr. Glen Hebb was in attendance at the meeting as a public member and asked that he be permitted to address Council.

Moved by Councillor Moore, seconded by Deputy Mayor Hubley that Municipal Council permit Glen Hebb to speak before Council regarding the recommended options. Carried unanimously.

Mayor Bolivar-Getson called a Point of Order and asked Mr. Hebb to keep his comments to the discussion of the recommended options and to refrain from referencing council members.

Mr. Hebb noted that the Hebbville Village Commissioners’ preferred solution to the flooding issues would be a wide berm dam with a pre-set height which would allow a more gradual water release.

2023-158 Moved by Councillor Oickle, seconded by Councillor Haysom that Municipal Council proceed with the Building Resiliency Option to mitigate flood risk in the Lower Petite Riviere Watershed area, outlined as Option 1 in the Flood Mitigation Concept Development report from CBCL dated June 2023.

Discussions followed on the following:

- Effective communication plan
- MODL representation at Bridgewater Public Service Commission
- Direct notification system – opted in service
- Public perception of significant risk

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

Council recessed at 11:00 a.m. and resumed at 11:17 a.m.

14. In Camera

At 11:17 a.m., it was moved by Councillor Greek, seconded by Councillor Whynot that Municipal Council go In Camera to discuss the following items:

14.1 Contract Negotiations under Section 22(2)(e) of the MGA

14.2 Contract Negotiations under Section 22(2)(e) of the MGA

Carried

Municipal Council In Camera in session.

At 12:23 p.m., it was moved by Councillor Whynot, seconded by Deputy Mayor Hubley that Municipal Council come out of In Camera and return to open session. Carried unanimously.

Municipal Council in session.

11. Staff Reports

11.2 Engineering & Public Works

11.1.2 Construction and Installation of EV Chargers

Jamie Burgess, Municipal Engineer, was in attendance and reviewed the report, "Construction and Installation of EV Chargers" (circulated with the agenda).

Mr. Burgess noted that the current chargers were a 45 amp design. The newly acquired EV trucks were designed for a 90 amp charger.

It was noted that an "off grid charging station" was a more expensive route and solar panels would not provide enough power to charge the EV trucks.

It was noted that in the next 5 years, several of the municipal fleet vehicles would be replaced with electric vehicles.

2023-159 Moved by Councillor Haysom, seconded by Councillor DeLong that Municipal Council authorize staff to use Alternative Procurement, as permitted in MODL Policy 033, Purchasing and Tendering, to award the construction and installation of EV chargers to Black and McDonald and Dexter Construction for a combined estimated cost of \$386,014.63, including net HST.

It was requested that future development of solar charging stations be put on a future Policy & Strategy Committee agenda for further discussions.

The Motion on the floor was voted on and carried. Those Opposed Councillors Greek, Whynot, and Bell.

Mr. Burgess left the meeting.

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

12.2 LCLC Update

Councillor Statton reported that she did not receive minutes of the last LCLC Board meeting but could advise that the Board was in the process of hiring a General Manager.

12.3 Police Association Conference Update

Councillor Bell provided an update on the Police Association Fall Conference held at Best Western in Cookville in September. He explained that the conference was a yearly opportunity for municipal units with their own police force or those who have a contract with RCMP to meet and discuss policing services and gave details on the topics covered.

12.5 Deputy Mayor's Update

Deputy Mayor Hubley advised that she attended agenda briefing meetings; Truth & Reconciliation activities; the NSFM information session on EPR; tour of hospital expansion; a fundraiser for the New Elm Church; and signed cheques.

12.6 Mayor's Update

Mayor Bolivar-Getson advised that she attended a meeting regarding cluster development; a tour of new hospital expansion; the Truth & Reconciliation activities; NSFM Board meetings; Employment Solutions Open House; Housing for Health Care event; Cadet flag raising; various community events.

12.7 Appointment of Nominating Committee

Mayor Bolivar-Getson appointed Councillor Moore, Councillor Oickle, and Councillor Bell as members of the 2023/2024 Nominating Committee.

13. Added Items – Nil

14. Adjournment

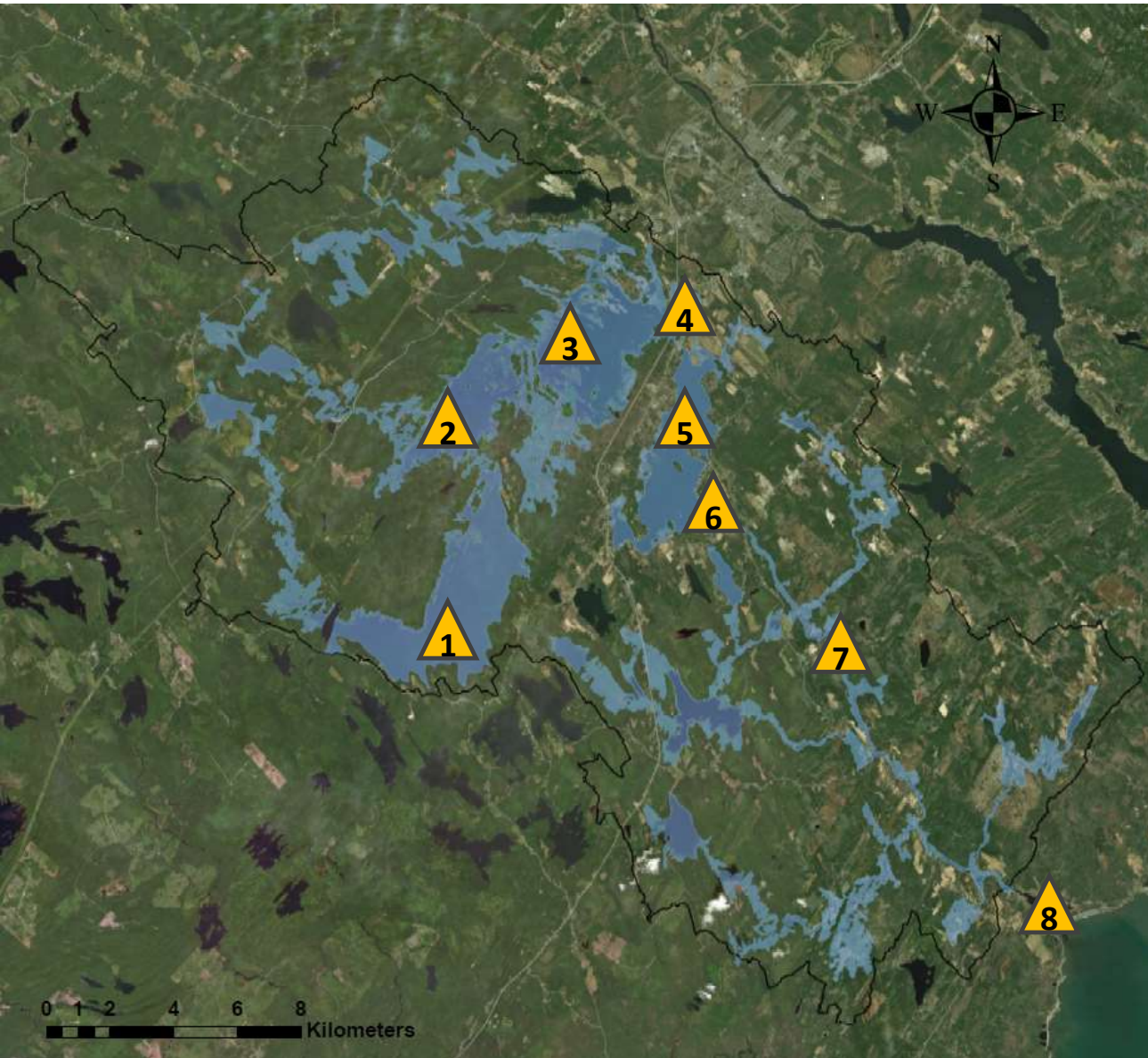
There being no further business, the meeting adjourned at 1:14 p.m.

Petite Riviere Flood Mitigation Project

Phase 3 Final Report &
Staff Recommendations
October 2023



Background



Petite Watershed

- 1) Minamkeak Lake
- 2) Millipisigate Lake
- 3) Hebb Lake
- 4) Hebb Dam
- 5) Fancy Lake
- 6) Outlet of Fancy Lake
- 7) Petite Riviere
- 8) Outlet of the Petite Riviere

Municipality of the District of Lunenburg



History

- **Flooding incident 2005**
- **Petite riviere Watershed Advisory Committee**
- **2019 request from Hebbville Village commission**
- **Council agreement to investigate flood risk and mitigation options**



4-phased Flood Risk Project:

Objective: identify and mitigate risk of flooding in Petite

- Phase 1: Flood Risk identification
- Phase 2: Flood mitigation identification
- Phase 3: options analysis and selection
- Phase 4: implementation
- **Note on scope limitation:**
 - Project focus is flood mitigation only
 - Council also has not endorsed an option or solution to date



Phase 1 Summary – Flood risk

- **Developed flood model for Fancy Lake area**
- **27 buildings at risk of flooding:**
 - Includes all types of structures (ie homes, sheds, barns)
- Public input suggested that 1 in 100-year flood line in some cases exceeds the extent of the 2005 event.



Options identified in Phase 2

1) land-Use Planning

- Prevents development in floodplain; Council proceeding with comprehensive land-use planning (MODL 2040 project)
- Addresses issue going forward, does not protect existing development

2) Flow Control

- Potential to reduce flood risk; High capital cost & environmental intrusion
- Stakeholder consultation highly supportive of this option

3) Increase Conveyance Capacity

- Potential to reduce flood risk; High capital cost & environmental intrusion
- Some stakeholder support for this option* (based on historical narrowing of current outlet)

4) Berms

- Only feasible in smaller localized areas (ie only partially protects against flooding)
- No stakeholder support for this option

5) Raising/Relocation of Vulnerable Structures

- Significant upfront cost, social displacement, Some of affected infrastructure is private
- No stakeholder support for this option

6) Building resilience

- Water level monitoring, forecasting and public notification;
- Some stakeholder support for this option

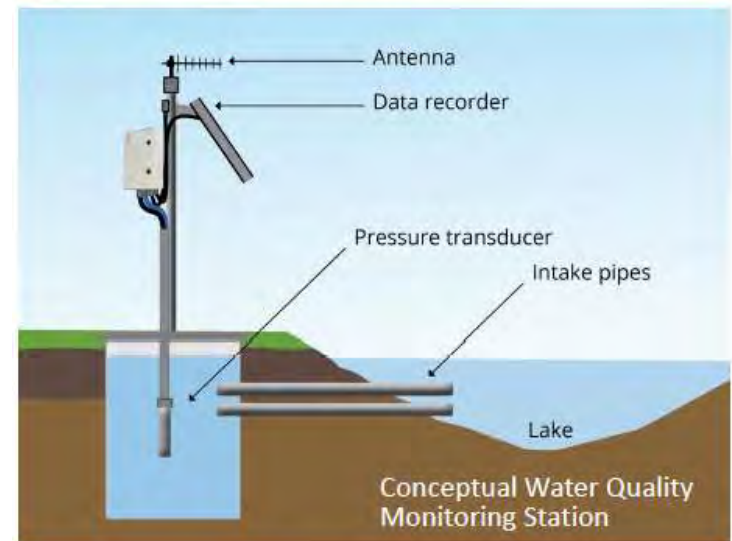
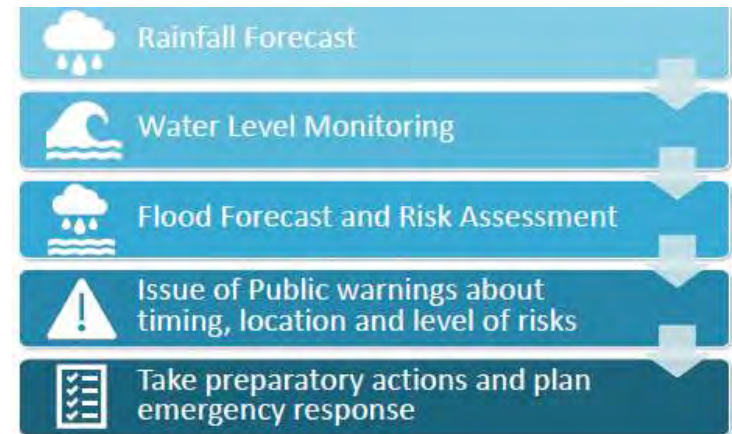


Phase 3: examination of
recommended options

Option 1: Monitoring

- **Use flood model and BPSC data to anticipate flooding**
 - Could include Fancy Lake monitoring station
- **Issue public warnings during times of elevated risk**
- **Enhanced EMO contingency plan for flooding in Fancy lake area**

- **Environmental impact: Low or None**
- **Flood mitigation: modest**
- **Construction costs: 0-\$200,000**
- **Annual costs: Staff time**



Option 2a: Conveyance capacity (Widen outlet)

- **Extend the width of the river by 5m for approximately 160m in length**
- **Decrease peak water level and flood extents around Fancy Lake for the 1 in 100 year event**
- **May result in a slight increase of flow velocity downstream and flood extents**
- **Likely to decrease average water levels by approximately 0.0 -0.5 metres**



Option 2a assessment

- **Does reduce Flood risk in Fancy Lake**
- **Medium project footprint and associated environmental effects**
- **Environmental Approvals required including:**
 - Assessment of impact
 - Justification of intrusion
 - Application for approval
 - If approved - Offset loss of Fish Habitat
- **Timeline for Design, Approvals and Construction : 3 –4 years**
- **Cost –Greater than \$3,000,000 | Annual Cost –less than \$100,000**



Option 2b: Conveyance Capacity - Dredging

- Dredge / excavate appropriately 700m long section from the outlet of Fancy Lake
- Decrease peak water level and flood extents around Fancy Lake for the 1 in 100 year event
- May result in an increase of flow velocity downstream and flood extents
- Likely to decrease average water levels approximately 0.1 to 2.0 metres



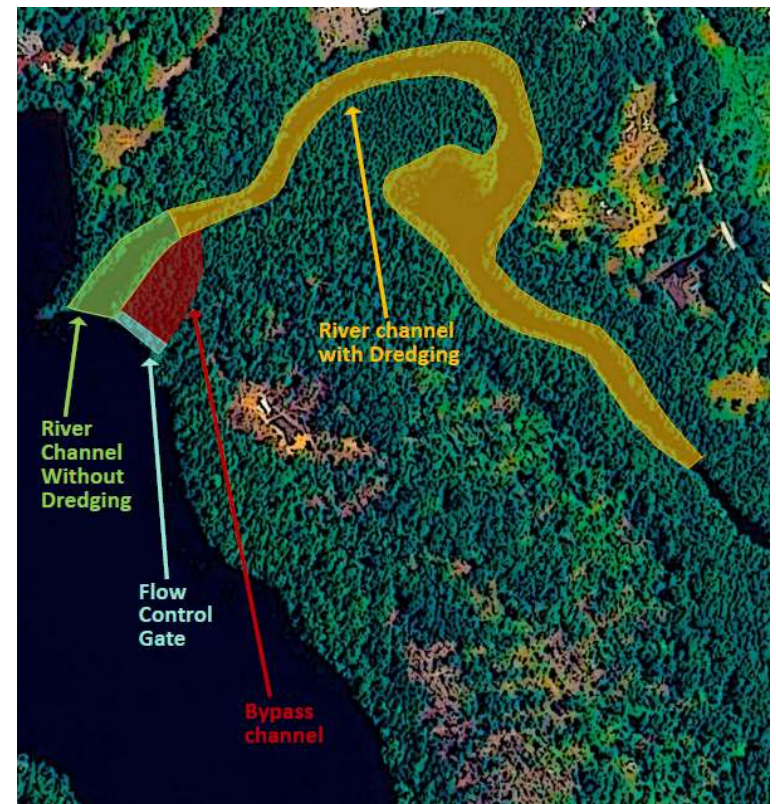
Option 2B: assessment

- **Does reduce flood risk in Fancy Lake**
- **Large project footprint and associated environmental effects**
- **Environmental Approvals required (as noted above)**
- **Timeline for Design, Approvals and Construction : 3 –4 years**
- **Cost –Greater than \$7,000,000 | Annual Cost –less than \$100,000**



Option 3a: Partial Dam at outlet

- Dredging -appropriately 700m long section from the outlet of Fancy Lake
- Installation of a flow control gate and a 30m wide bypass channel next to the existing stream.
- Decrease water levels in advance of a storm event
- The flow control gate would be closed in normal conditions and does not affect lake levels



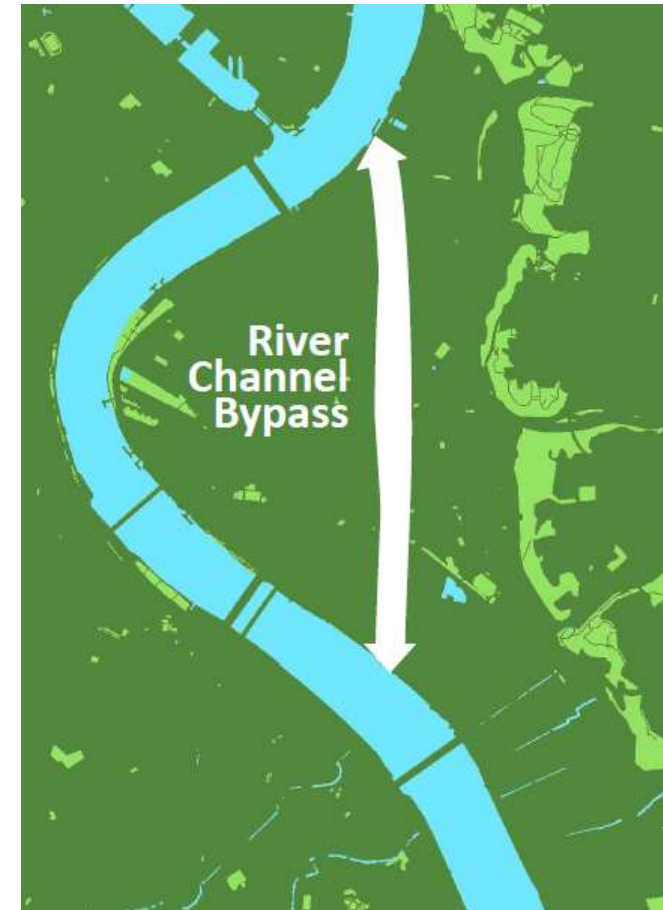
Option 3b: Assessment

- **Does reduce flood risk in Fancy Lake**
- **Large project footprint and associated environmental effects**
- **Environmental Approvals required (as noted above)**
- **Timeline for Design, Approvals and Construction : 4 – 5 years**
- **Cost –Greater than \$12,000,000,**
 - Annual Cost –Greater than \$100,000



Option 3b: Bypass natural outlet

- Do not interfere with existing outlet
- Install flow control gate to a bypass channel away from natural outlet
 - 17m wide, 1m deep, and 500-600m long
- Decrease peak water level and flood extents around Fancy Lake for the 1 in 100 year event
- The flow control gate would be closed in normal conditions and does not affect the existing hydraulics at the outlet in normal conditions



Option 3b: Assessment

- **Does reduce flood risk in Fancy Lake**
- **Large project footprint and associated environmental effects**
- **Preserves fish habitat during construction and regular conditions**
- **Environmental Approvals still required**
- **Timeline for Design, Approvals and Construction : 4 –5 years**
- **Cost Construction –Greater than \$11,000,000, Annual Cost –Greater than \$100,000**



Alternative proposals received from the Hebbville Village Commission

- **Widen outlet, add a berm to outlet to increase water levels in dry season**
 - Similar to option 2a, but adds a berm
 - Requires intensive work in whitefish habitat
 - Cost anticipated to be similar to \$3M option proposed by CBCL,
 - Berm may decrease the effectiveness of the flood mitigation
- **Install full dam across outlet from Fancy Lake**
 - Change to stop logs from gate structure would not materially change cost estimates
 - Regulator unlikely to approve where less intrusive flow control options are available that achieve same flood mitigation



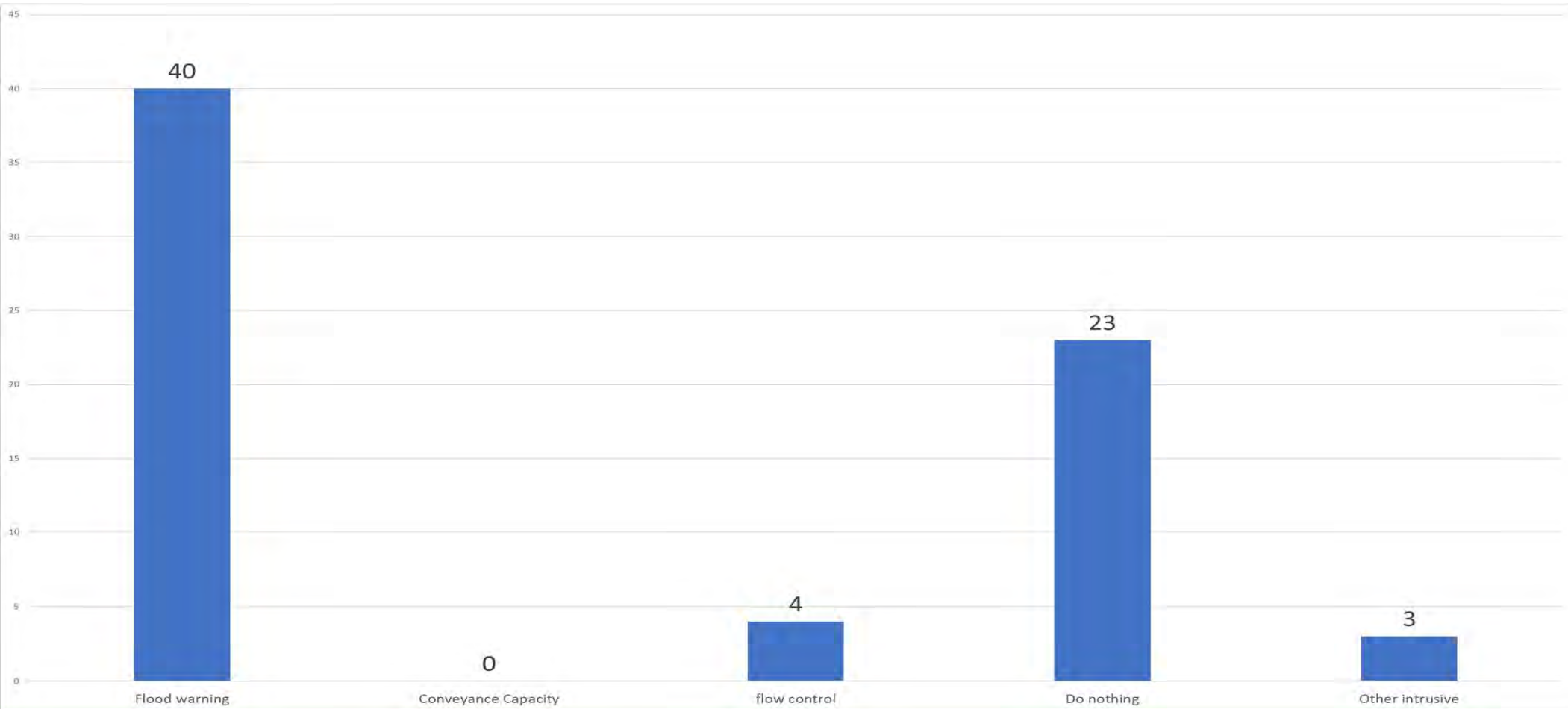
Phase 3 Public input

Stakeholder engagement to date:

- Hebbville Village Commission:
 - **All phases**
- Public engagement
 - **Open Houses, Phases 1 & 3**
- NS Environment & Climate Change & Department of Fisheries and Oceans:
 - **phases 2,3**
- Initial notification to First Nations groups
 - **Phase 3**



Phase 3 open house/Survey Responses



Staff Recommendations

Proceed with Non-Intrusive Approaches to Reduce Risk

- **Dredging widening and flow control options are high cost**
- **Environmental approval process is daunting and regulator is predisposed against intrusive options**
- **Public input not supportive of intrusive measures**



Increase Cooperation with dam operator (BPSC)

- **The Bridgewater public Service Commission (BPSC) has begun:**
 - Proactively sharing information about water releases
 - Met with MDOL and REMO staff to increase understanding and cooperation
- **The BPSC will:**
 - Develop a public communication protocol for ease of public communication
 - Share further information on emergency planning
- **MODL, with BPSC information can**
 - Create consistent triggers for public notification
 - Develop an opt-in emailing list
 - Formalize communication of potential flood impacts



Enhanced Preparedness

- **Develop Site specific evacuation plan in the event of severe flooding (e.g.):**
 - Criteria for emergency response
 - Mapping of Flood and evacuation zones
 - Delineate routes
 - Shelter locations and alternatives
 - Communication plan
- **Enhance Emergency Management messaging**
 - Increase promotion of 72-hour preparedness messaging
 - Communicate site specific plan with stakeholders and residents



Consider water level monitoring station

- **Purpose:**
 - Collect data on water level/storage capacity of Fancy Lake
 - May improve precision of criteria in emergency plan
- **Issues**
 - Location siting required
 - Some environmental approvals required
- **Further investigation of potential location and costs required before commitment to installation.**



Summary of recommended steps

- Encourage BPSC to continue with the development of a public communication process;
- Develop and implement a communications protocol for flood risk in the Petite Riviere;
- Invest in more emergency preparedness education in MODL; and
- Create a contingency plan specifically for the lower Petite watershed area.
- **Council may also consider water monitoring station pending further investigation**



Discussion