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Municipal Council Meeting Agenda

Tuesday, January 23, 2024 – 9:00 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

- 1. Call to Order**
 - 1.1 Mi'kma'ki Territorial Acknowledgement
- 2. Announcements, Acknowledgements, Recognition**
- 3. Public Input (15 Minutes)**
- 4. Changes/Approval of Agenda (as circulated)**
- 5. Approval of Minutes - Public Hearing and Council meeting of January 9, 2024**
- 6. Business Arising from Minutes**
- 7. Awarding of Tenders/RFPs – Nil**
- 8. Presentations/Scheduled Times**
 - 8.1 Hillside Cemetery, Yvonne Rafuse & Betty Rhodenizer..... 9:15 a.m. 1-10
- 9. Consideration of Correspondence - Nil**
- 10. Recommendations from Committees & Boards**
 - 10.1 Policy & Strategy Committee 11**
 - 10.1.1 MODL Policy 076 Signing Authority – Proposed Amendments 12-15
 - 10.1.2 Low Income Property Tax Rebate Program – Additional Funding..... 16-19
 - 10.2 Lunenburg County Accessibility Advisory Committee**
 - 10.2.1 Appointments to Lunenburg County Accessibility Advisory Committee 20
 - 10.3 Nominating Committee**
 - 10.3.1 Appointments to Planning Advisory Committee – Ann Mech & Keith Drysdale..... 21-23
 - 10.4 REMO Advisory Committee**
 - 10.4.1 2024-2025 REMO Operating Budget 24-25
- 11. Staff Reports**
 - 11.1 Administration**
 - 11.1.1 2024 Municipal & CSAP Elections 26-30

11.2 Planning & Development Services

- 11.2.1 Renaming Portion of Logan Road 31-38
- 11.2.2 Proposed Amendments to TOR-039 Hebbville Area Advisory Committee 39-43

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

- 12.1 LCLC Update
- 12.2 Region 6 Update
- 12.3 Deputy Mayor's Update
- 12.4 Mayor's Update

13. Added Items

14. In Camera

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

15. Adjournment

The Forgotten of Hillside Cemetery

Dayspring, Lunenburg County, Nova Scotia



Presentation by
Betty Rhodenizer and Yvonne Rafuse

History of the Cemetery

The ***Dayspring Poor Farm*** was established in the late 1880s when the Nova Scotia government was burdened with a cumbersome and costly patchwork of social welfare responsibilities.

It was decided that the formal institutionalization of poor, physically sick and mentally ill individuals would be a fiscally responsible and generally acceptable solution.

<https://www.saltwire.com/atlantic-canada/news/local/monument-approved-for-hillside-cemetery-in-district-of-lunenburg-264904/?fbclid=IwAR0DYi0VO-E-KDCXdN0Sgu5z39eaTfN-Zg9JbAtyLzC6PLRcj9JMs8R4bgc>

People sent to the *Dayspring Poor Farm* had no choice in the matter. Many had no employment prospects, were ill, and could not look after themselves, including the elderly who had no option of nursing homes at that time.

Individuals deemed to be **criminally insane** were also housed there.

The residents were called “**inmates**” at that time. Many occupied their days tending to the extensive vegetable gardens, and taking care of the farm’s chickens, pigs, cows and other livestock. This meant that the criminally insane mingled with fellow residents of all ages during the day, and then they were locked in cells at night.

<https://www.saltwire.com/atlantic-canada/news/local/monument-approved-for-hillside-cemetery-in-district-of-lunenburg-264904/?fbclid=IwAR0DYi0VO-E-KDCXdN0Sgu5z39eaTfN-Zg9JbAtyLzc6PLRcj9JMs8R4bgc>

Residents being called **inmates** is the same term commonly used to describe criminals in prison.

Some prisons buried their dead with only their prisoner number... There was no name, date of birth/death or other identifying information.



This is a grave marker in New Westminster, B.C. Penitentiary Cemetery.



This is a similar grave marker at Hillside Cemetery.

The ***Dayspring Poor Farm*** was closed in 1980 when the provincial government dismantled this one-size-fits-all health-care model and transitioned to specific-care facilities such as nursing homes for the elderly, homes for troubled youth, and forensic hospitals for people with severe mental disabilities.

The remaining 65 'residents' were moved to their new home...

LaHave Manor, located just up the road from the old building.

<https://www.saltwire.com/atlantic-canada/news/local/monument-approved-for-hillside-cemetery-in-district-of-lunenburg-264904/?fbclid=IwAR0DYi0VO-E-KDCXdN0Sgu5z39eaTfN-Zg9JbAtyLzc6PLRcj9JMs8R4bgc>

History of the Burials in the Cemetery

- + People who passed away, and whose remains were not claimed by families to be buried in their home communities, were interred at Hillside Cemetery. **Death records show 188 burials there. We have located 2005 names in our research.**
- + The first recorded burials were noted as being in the late 1800s, while the last burial occurred on Feb. 27, 1959. It is thought to be that the youngest person buried there was a boy, less than a day old. The oldest was believed to be a 106-year-old man.

<https://www.saltwire.com/atlantic-canada/news/local/monument-approved-for-hillside-cemetery-in-district-of-lunenburg-264904/?fbclid=IwAR0DYi0VO-E-KDCXdN0Sgu5z39eaTfN-Zg9JbAtyLzc6PLRcj9JMs8R4bgc>

The Cemetery Today

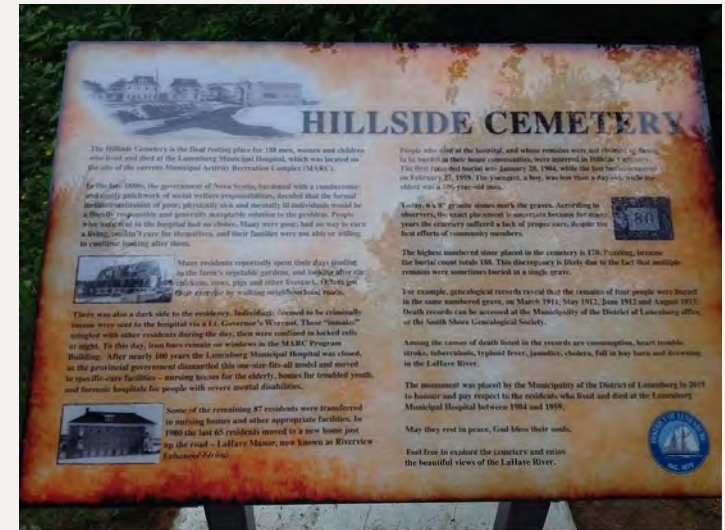
At its Nov. 27 2018 meeting, the Municipality of the District of Lunenburg Council approved the placement of a memorial monument and interpretive signage on the grounds of the Hillside Cemetery, located above the ball fields at the Municipal Activity Recreation Complex (MARC).

The monument and signage serve as long-overdue expressions of respect and recognition of some of the men, women and children who lived and died at the Lunenburg Municipal Hospital.

<https://www.saltwire.com/atlantic-canada/news/local/monument-approved-for-hillside-cemetery-in-district-of-lunenburg-264904/?fbclid=IwAR0DYi0VO-E-KDCXdN0Sgu5z39eaTfN-Zg9JbAtyLzc6PLRcj9JMs8R4bgc>

Secured at the entrance to the cemetery, the interpretative signage includes a history of the home and cemetery, as well as historical photographs of the buildings.

The signage states...



“Hillside Cemetery — This memorial is dedicated to the residents who lived and passed at the Lunenburg Municipal Hospital and were buried here between 1904 and 1959.

Remembrance placed by the Municipality of the District of Lunenburg.”

Apart from three weathered headstones, individuals' final resting places are designated in rows of 6"x8" flat numbered granite stones to mark their graves, much like those at the BC penitentiary.

No names of interred individuals are referenced on the monument or the signage...

ONLY NUMBERS.



Should a family member or other individual be searching for their relatives or ancestors, death records can only be accessed at the South Shore Genealogical Society, located at the Lunenburg Academy.

People are buried, sometimes in graves with others, identified only by a number, not a name or any identifying information...

much like forgotten prisoners.

This is the grave of John L. Sanders.
He died the 4th of Nov 1907 – age unknown.
It is also the grave of Eliza Davis.
She died on the 18th of Feb 1916 - age 84 yrs.



Council

Item: #10.1

Date: January 23, 2024

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

January 16, 2024

To Her Worship, Mayor Bolivar-Getson, and Councillors
of the Municipality of the District of Lunenburg

Dear Mayor and Councillors:

The Policy & Strategy Committee, in session on Tuesday, January 16, 2024, made the following recommendations to Council:

1. That Municipal Council approve the amendments to MODL Policy 076, Signing Authority and give 7 days' notice of the proposed changes.
2. That Municipal Council approve \$10,000 in additional funds for the low-income property tax rebate program and further, that these funds come out of the General Operating Reserves if required at year end.

Respectfully submitted,

Chairperson and Members
Policy & Strategy Committee

/jp

Council
Item: #10.1.1
Date: January 23, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy & Strategy Committee
Submitted by: Elana Wentzell, CPA, CMA
Date: January 17, 2023
Re: Amendments – MODL Policy 076, Signing Authority

Recommendation

That Municipal Council approve the amendments to Policy MODL-076, Signing Authority and give 7 days' notice of the proposed changes.

Executive summary

The Municipality has a signing authority policy that was adopted by Council in 2017. This policy details what positions can act as Municipal Signatories. This policy is important for internal control purposes, segregation of duties, audit testing and fraud risk mitigation. The policy contains some outdated references that need to be updated and staff believe a change in the third "elected official signatory" should be made.

Discussion

Section 3 of the policy discusses payments of HST and references the Assistant Treasurer; that position is now referred to as the Manager of Accounting and should be updated.

Section 4 details what positions are signatories on Municipal Bank accounts. All payments require two signatures: one elected official and one senior staff member. The elected officials named in the policy are:

1. Mayor,
2. Deputy Mayor and
3. Chair of the Audit & Finance Committee or Vice Chair if the Chair is the Deputy Mayor.

This third signatory designate has not been updated with the bank since the COVID pandemic started and the name of the Committee was changed from Audit & Finance Committee to Finance Committee. Staff erred in not annually updating the third elected signatory. The third signatory is rarely called upon, however, it is still good practice to have a 3rd alternate.

Alternatives

Staff believe changing the 3rd elected official from the Chair of the Committee to the outgoing Deputy Mayor may make more sense; the outgoing Deputy Mayor has experience in being a signatory, and it would alleviate the issue if the Chair of the Finance Committee is also the Deputy Mayor.

However, if Council wants the Chair of the Finance Committee to be the alternate, then the policy needs to be updated to change the name of the Committee from the Audit and Finance Committee to the Finance Committee as the Audit and Finance Committee no longer exists.

Conclusion

Staff believe that continuing with a 3rd elected official as a named bank signatory is still a good practice. Changing that official from the Chair of a Committee to the outgoing Deputy Mayor is recommended.

Report Preparation	
Department	
Report Prepared by	
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Policy Details	
Name	Signing Authority
Number	076
Legislative Authority	MGA s. 13(3), 48
Effective Date	January XX, 2024

Purpose

- 1 The purpose of the Signing Authority Policy is to permit Council to authorize designated officials to sign cheques and other forms of payments as permitted in Section 13 (3) of the Municipal Government Act.

Policy Statement

2

- 1 The separation of duties is a powerful internal control. To increase the chance an error is caught before a transaction is complete, it is important to establish internal controls that prevent one person from controlling a process from start to finish. A clear policy around signing authority is one way to reduce the risk of error or fraud.
- 2 All cheques and other forms of payment, regardless of value, ~~shall~~ **will** be signed by two signing officers.
- 3 Payments based on HST returns prepared by the ~~Assistant Treasurer~~ **Accounting Manager** ~~shall~~ **will** be authorized by the Municipal Treasurer. If the payment is of an unusual nature, the Municipal Treasurer ~~shall~~ **will** immediately inform the ~~CAO~~ **Chief Administrative Officer** and Council.
- 4 For all Municipal bank accounts, one of the following three elected officials ~~shall~~ **will** have signing authority:
 - a) Mayor
 - b) Deputy Mayor
 - c) **Outgoing Deputy Mayor** ~~Chair of the Audit & Finance Committee, or Vice-Chair if the Chair is the Deputy Mayor~~
- 5 With one of the following three Senior Staff having co-signing authority:
 - a) Chief Administrative Officer
 - b) Deputy Chief Administrative Officer
 - c) Municipal Treasurer

Policy Adoption	
Date of Original Passage	December 12, 2017
Date of Notice of Intent to Amend	January 16, 2024
Date of Council Approval	January XX, 2024
Date of Effective Date	January XX, 2024
I certify that this Policy 076 was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Approval Date
Original V1	076, Signing Authority	December 12, 2017
V2	Revise title of assistant treasurer and third elected signing authority and update for accessibility formatting and clear language.	January XX, 2024

Council
Item: #10.1.2
Date: January 23, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy & Strategy Committee
Submitted by: Elana Wentzell, Director of Finance
Date: 2024-01-16
Re: Low Income Property Tax Rebate Budget Request

Recommendation

That the Policy & Strategy Committee recommend Council approve \$10,000 in additional funds for the low-income property tax rebate program and further, that these funds come out of the General Operating Reserves if required at year end.

Executive summary

On September 26, 2023, Council approved \$20,000 in additional budget funds for the low-income property tax rebate program. This additional budget has been almost fully utilized with 61 property owners benefiting from the rebate. This brings the total to 725 property owners who have received the rebate in this fiscal year.

Discussion

The property tax rebate program provides compassionate property tax relief for low-income property taxpayers residing in their own principal residences. We had a significant increase in qualifying applicants in this fiscal year and were able to approve more applicants based on Council's budget approvals. There is \$141 remaining in the \$254,740 approved budget. Staff are aware of more applicants who have verbally asked about the rebate however, no new applications have been received.

Budget implications

The original 2023-24 budget was \$213,400. The Treasurer approved rebates in the amount of \$254,599 using the 10% budget overage allowance per policy and the \$20,000 additional budget amount approved by Council.

To continue processing applications, more budget is required. Staff estimate that an additional \$10,000 may be appropriate.

The additional budget monies could be taken from the Council approved contingency or General Operating reserve if required at year end.

Alternatives

Council may approve additional funds to ensure staff can continue to process rebates for applicants or decide against approving any more funds for this program.

Staff believe a \$10,000 budget addition would ensure that new applications received can be processed or Council could approve a different amount.

Conclusion

Staff recommend that Council approve \$10,000 in additional funds for the low-income property tax rebate program.

Report Preparation	
Department	Finance
Report Prepared by	Elana Wentzell, CPA, CMA
Report Approved by	
Date Reviewed by C.A.O.	

The Municipality of the District of Lunenburg
Property Tax Rebate Application and Household Income Certification
Application Deadline – August 1



I/We _____

(names of all property owners and their spouses, including common law spouses living at the property)

Of

(civic number, street name)

Assessment Account Number _____

Phone Number _____

Mailing Address _____

Email Address (if available) _____

In the Municipality of the District of Lunenburg, in the Province of Nova Scotia do certify that:

1. I/We are the property owner(s) and live at the above civic address or I am making the application on behalf of a deceased property owner who received the property tax rebate in the prior fiscal year.
2. The total income of all property owners, those that have an interest in the property and their spouse (including common-law spouse) living at the property excluding War Veterans Allowance Act (Canada) or pension paid by the Pension Act (Canada) is within the following income brackets:

Please check the box that corresponds to the Total Household Income for last year

- Under \$25,699 – maximum rebate value up to \$570, up to 100% of the bill
- \$25,700 - \$32,099 – maximum rebate value up to \$285, up to 100% of the bill
- \$32,100 - \$40,700 – maximum rebate value up to \$115, up to 100% of the bill

3. I/We have included documentation for proof of income for all persons living in the household who contribute to household expenses. A copy of the previous year's Notice of Assessment from Canada Revenue Agency for each household member is required to be attached to this application. Please note, Income Tax Returns/T4 Slips will not be accepted. Failure to supply household members' Notices of Assessment will make the application ineligible.

4. I understand that where a property is assessed to more than one owner other than persons whose income is included in the calculation of income, any who are entitled to a rebate may receive only the part of the rebate equal to that person's share of the assessment for the property. If the different interests are not separate, then the part will be decided by the Treasurer, whose determination is final.

5. I consent to the Municipality of the District of Lunenburg carrying out such inquiries as it believes necessary to assess this claim and I agree that the Municipality of the District of Lunenburg has my authorization and consent to obtain information from any third-party source whatsoever and I will execute any necessary documentation needed to show information to the Municipality of the District of Lunenburg.

6. I understand that late applications will be considered only after the regular review of those applicants that gave an application on time. Late applications will be subject to annual budget constraints as decided by Municipal Council.

7. AND I make this certification in good faith, believe it to be true and know that it has the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature (property owner/representative)

Date

Signature (property owner/representative)

Date

Completed forms can be dropped off, mailed, or emailed to:

Municipality of the District of Lunenburg, 10 Allée Champlain Drive, Cookville, NS B4V 9E4

Attention: Angela Corkum Phone: 902-541-1348 Email: Angela.Corkum@modl.ca



Lunenburg County Accessibility Advisory Committee (LCAAC)

January 17, 2024

Municipal Councils of:

Town of Mahone Bay

Town of Bridgewater

Town of Lunenburg

Municipality of the District of Chester

Municipality of the District of Lunenburg

RE: Appointment of Lunenburg County Accessibility Advisory Committee Community Members

Dear Members of Council,

The Lunenburg County Accessibility Advisory Committee (LCAAC) currently has two vacancies for community members.

On January 17, 2024, the Lunenburg County Accessibility Nominating Committee comprised of the Mayors and Wardens of the five Lunenburg County municipalities (or their designates) reviewed the applications received from the public call for volunteers and makes the following recommendation to the five Municipal Councils in Lunenburg County:

To appoint Gregory Novak and Louise Hopper to the Lunenburg County Accessibility Advisory Committee, each for a term of three years.

With regards,

Ellen Johnson, MSc(OT), OT Reg(NS)

Regional Accessibility Coordinator

ejohnson@chester.ca

902-277-0456



Municipality of the District of Lunenburg

Report to Council

Report To: Mayor and Municipal Council
Submitted By: Nominating Committee Chair
Date: January 23, 2024
Re: Appointments to Planning Advisory Committee

The Nominating Committee met on Tuesday, January 16, 2023 to review expression of interest letters from residents interested in sitting on the Planning Advisory Committee.

The Nominating Committee made the following recommendation:

Moved by Deputy Mayor Oickle, seconded by Councillor Bell that Municipal Council re-appoint Ann Mech and appoint Keith Drysdale to the Planning Advisory Committee, both for two year terms, ending November 2026.

Report Preparation	
Department	Administration
Report Prepared by	
Report Approved by	
Date Reviewed by C.A.O.	



Municipality of the District of Lunenburg Nominating Committee

Report To: Nominating Committee

Submitted By: Jeff Merrill, MCIP, LPP, Director of Planning & Development Services

Date: January 10, 2024

Re: Planning Advisory Committee (PAC) Member-at-large Appointments 2024

Two of the four Planning Advisory Committee (PAC) member-at-large terms expired in November 2023, being Ms. Ann Mech and Ms. Kathleen Long Gray.

As per Section 5(2) of Policy 090, Planning Advisory Committee, Public members must be sought by a publicly advertised expression of interest (EOI)

Staff issued an EOI of members to serve on the PAC. Staff received two (2) submissions from the following: Ms. Ann Mech and Mr. Keith Drysdale. All applicants are residents and property owners within the Municipality, in which staff validated through a provincial property database.

The Nominating Committee should review the two applications received and recommend, to Council, the appointment of two candidates to each serve a two-year term on the PAC. All attachments are confidential and will not appear as part of the public agenda of Council.

Draft Recommendation

That the Nominating Committee recommends that Municipal Council appoint the following applicants to serve as members-at-large on the Planning Advisory Committee with terms ending in November 2026, Ms. Ann Mech and Mr. Keith Drysdale.

Attachments

Appendix A: PAC EOI Mech, Ann

Appendix B: PAC EOI Drysdale, Keith

Report Preparation	
Department	Planning & Development Services
Report Prepared by	Jeff Merrill, Director
Report Approved by	
Date Reviewed by C.A.O.	

Council
Item: #10.4.1
Date: January 23, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

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

Administration

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

January 15, 2024

Mayor Carolyn Bolivar-Getson & Council
10 Allée Champlain Drive
Cookville, NS B4V 9E4

Dear Mayor Bolivar-Getson:

RE: 2024/25 REMO Operating Budget

At the January 15, 2024, Regional Emergency Management Organization (REMO) Advisory Committee meeting, the Committee passed the following motion:

“that the Regional Emergency Management Advisory Committee recommends a total 2024/25 representing the core budget of \$410,418 to partner Municipal Units for approval.”

Please find attached the recommended Operating Budget for REMO for the fiscal year 2024/25, indicating the Municipality of Lunenburg’s share of \$204,182.36. Please note there is no Capital Budget for the fiscal year 2024/25.

Please forward this budget to your Council for consideration and approval. Once approved, please forward a copy of Council’s motion approving the budget to Angela Henhoeffler, REMO Manager to angela.henhoeffler@LunenburgREMO.ca.

Sincerely,

A handwritten signature in blue ink, appearing to be "Tom MacEwan".

Tom MacEwan
Chief Administrative Officer

Attachment

cc: Angela Henhoeffler, REMO

Regional Emergency Management Budget 2024/25

	2023/2024			CORE		ENHANCED	
	YTD	Commitment	Budget	Proposed 2024/2025		Proposed 2024/2025	
TRAINING/ TRAVEL	4,787.42	9,897.96	11,000.00	19,000.00		23,500.00	
ADMINISTRATION	87,356.06	52,739.90	142,100.00	314,918.00	2FTE computers, phones, 4 TMRs increased Comms support	448,366.00	3 FTE computers, phones 7 TMRs Comms Support for projects
PROJECTS	6,383.17	0.00	12,400.00	52,500.00	Be Ready Training ECC To Go Boxes Generator Engineering	313,700.00	Volunteer Roster Vulnerable Persons Registry Capital Generator Evacuation Routes
GRANTS & CONTINGENCY	29,552.78		26,500.00	24,000.00		24,000.00	
TOTAL REMO BUDGET	128,079.43	62,637.86	192,000.00	410,418.00		809,566.00	

Core Budget

Cost Sharing	2023/24 Proposed Budget			2024/25 Proposed Budget			
	UA 2022/23	share	Contribution	UA 2023/24	share	Contribution	Increase
District of Lunenburg	2,887,963,821	49.89253140%	\$ 85,715.37	3,129,872,293	49.74985526%	\$ 204,182.36	\$ 118,466.99
District of Chester	1,741,116,861	30.07957615%	\$ 51,676.71	1,894,549,276	30.11418468%	\$ 123,594.03	\$ 71,917.32
Town of Bridgewater	715,142,664	12.35482161%	\$ 21,225.58	772,045,224	12.27179084%	\$ 50,365.64	\$ 29,140.06
Town of Lunenburg	298,368,092	5.15461423%	\$ 8,855.63	329,745,875	5.24136707%	\$ 21,511.51	\$ 12,655.89
Town of Mahone Bay	145,777,562	2.51845662%	\$ 4,326.71	165,006,224	2.62280214%	\$ 10,764.45	\$ 6,437.74
Totals	5,788,369,000	100.0%	\$ 171,800.00	6,291,218,892	100.00000000%	\$ 410,418.00	\$ 238,618.00

Enhanced Budget

Cost Sharing	2023/24 Proposed Budget			2024/25 Proposed Budget			
	UA 2022/23	share	Contribution	UA 2023/24	share	Contribution	Increase
District of Lunenburg	2,887,963,821	49.89253140%	\$ 85,715.37	3,129,872,293	49.74985526%	\$ 402,757.91	\$ 317,042.54
District of Chester	1,741,116,861	30.07957615%	\$ 51,676.71	1,894,549,276	30.11418468%	\$ 243,794.20	\$ 192,117.49
Town of Bridgewater	715,142,664	12.35482161%	\$ 21,225.58	772,045,224	12.27179084%	\$ 99,348.25	\$ 78,122.66
Town of Lunenburg	298,368,092	5.15461423%	\$ 8,855.63	329,745,875	5.24136707%	\$ 42,432.33	\$ 33,576.70
Town of Mahone Bay	145,777,562	2.51845662%	\$ 4,326.71	165,006,224	2.62280214%	\$ 21,233.31	\$ 16,906.61
Totals	5,788,369,000	100.0%	\$ 171,800.00	6,291,218,892	100.00000000%	\$ 809,566.00	\$ 637,766.00

Council
Item: #11.1.1
Date: January 23, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

To: Mayor Bolivar-Getson and Members of Council

Submitted By: April Whynot-Lohnes, Municipal Clerk

Date: January 23, 2024

Subject: 2024 Municipal and CSAP Election: Appointment of Returning Officer, Delegation of Authorities, and use of Provincial List of Electors

Recommendation

It is recommended that Council:

1. **Appoint Leah Zinck as the Returning Officer to conduct all regular and special elections required under the Municipal Elections Act, including both municipal and CSAP elections.**
2. **Direct that the provincial list of electors be used in conducting the 2024 Municipal and CSAP Elections; and further authorize the Municipal Clerk to enter into the Agreement with Elections Nova Scotia.**
3. **For the 2024 Municipal and CSAP Elections, in accordance with the Municipal Elections Act, delegate the following authorities to the Clerk,**
 - (a) **the authority to appoint one or more Assistant Returning Officers; and**
 - (b) **the authority to make, revise, and amend the tariff of fees and expenses.**
4. **For the 2024 Municipal and CSAP Elections, in accordance with the Municipal Elections Act, delegate the following authority to the Returning Officer, the authority to set the first advance polling date.**

Legislative Authority

Municipal Elections Act (Act), sections 4, and 114, clause 30(1)(b), and subsections 114 (4), (4A), and 139(1)(1A).

Background

Appointment of Returning Officer

The Act requires Council to appoint a Returning Officer. The Returning Officer is responsible for all matters related to the conduct of the Elections, including voting procedures, division and location of polls, and any other matters that ensures voting is conducted and reported in a fair and accurate manner and in compliance with the legislation.

Use of the Provincial List of Electors

Subsection 30(1) of the Act requires, by April 15, 2024, Council to decide to either use the provincial or federal list of electors for the Election or undertake an enumeration. The preliminary list of electors is provided by Elections Nova Scotia and is the starting point for the list of electors who may vote in the Election. Once the preliminary list of electors is received, it is then amended and revised throughout the election period.

Delegations

The Act was amended in 2011, SNS. C.68 to allow Council to delegate administrative matters related to the Election. The delegations grant the authority to appoint assistant returning officers, and the authority to set and amend the tariff of fees and expenses to the Clerk or Chief Administrative Officer, and the authority to set the first advance poll to the Returning Officer.

Discussion

This report is before Council to comply with the legislative requirements of the Act regarding the Election, and to seek Council direction on matters respecting the Election.

Appointment of Returning Officer

Section 4 of the Act requires Council to appoint a Returning Officer to conduct the Election by **March 15, 2024**. The Returning Officer may be the Clerk, another municipal employee, or another person who is not a municipal employee. Once appointed, the returning officer does not have to be reappointed for subsequent regular or special elections unless the original appointment is for a fixed term. It is recommended that Council not have a fixed term to ensure a commitment if there is a byelection and sourcing a returning officer may be difficult.

Staff is recommending that Leah Zinck, be appointed as the Returning Officer to conduct all regular and special elections required under the Act until the appointment is revoked.

List of Electors

The Act provides two options for using elector data:

- that the Municipality conduct an enumeration; or
- that the Municipality use the provincial list of electors from Elections Nova Scotia.

Council has used the provincial list of electors since 2000 and staff is recommending continuing this practice as the list is the most accurate and up to date list. The information is provided by Elections Nova Scotia. Before the data can be provided by Elections Nova Scotia, the Act requires a data sharing agreement be signed with Elections Nova Scotia and Council. If Council directs the use of the preliminary list of electors, staff can bring forward the draft agreement with Elections Nova Scotia to Council for approval or Council can authorize the Municipal Clerk to enter into the Agreement on their behalf.

Staff is recommending that the authority to enter into the Agreement with Election Nova Scotia to use the preliminary list of electors be given to the Municipal Clerk as it is a standard agreement, that outlines the protocols for using the preliminary list.

Delegation - Assistant Returning Officer

The Act allows Council to appoint one or more Assistant Returning Officers. An Assistant Returning Officer assists the Returning Officer in carrying out their duties and acts in the place of the Returning Officer when the Returning Officer is absent or at their request. Since 2011, the Act has allowed Council the option to delegate its authority to appoint one or more Assistant Returning Officers to the Clerk or Chief Administrative Officer.

Staff are also recommending that Council delegate the authority to appoint Assistant Returning Officers to the Municipal Clerk.

Delegation – Tariff of Fees

The Act requires a tariff of fees be set. The tariff sets the amounts that are paid for various positions, such as a deputy returning officer, and a poll clerk. Since 2011, the Act allows Council the option to delegate its authority to make and amend the tariff of fees to the Clerk or Chief Administrative Officer. Staff are currently reviewing the 2024 Tarriff of Fees and Expenses in relation to changes in Consumer Price Index and will report back to Council in early 2024 with an updated Tarriff of Fees report.

Tariff of Fees expenses relate to the: Deputy Returning Officers (DRO), Poll Clerks (PC), Polling Location Rentals, Training for DRO and PC. The decision to have poll workers has not been discussed at this time and will come forward in the early spring as part of the discussion on voting methods. However, it is felt that having the tariff of fees and expenses set now to be proactive.

Staff is recommending that the Council delegate the authority to the Municipal Clerk to prepare a tariff of fees and expenses schedule.

Delegation - Advance Polling Date

Section 114 of the Act requires two days for advance polls. The Act specifies that the advance polls must be held on:

- either Thursday, October 10, 2024, or Saturday, October 12, 2024 (date to be set by Council or, if delegated, the Returning Officer); and
- Tuesday, October 15, 2024 (set by the Act).

Since 2011, the Act has allowed Council the option to delegate the authority to set the first advance poll to the Returning Officer and staff is recommending this be done as with the potential of alternate voting methods no one day is better as voting is continuous throughout the period until the close on the official election day, October 19, 2024.

Staff is recommending that the Council delegate the authority to set the first advance polling date to the returning officer.

Financial Implications

There are financial implications associated with the recommendations in this report related to the hiring of a returning officer and assistant returning officer. The Municipality allocates funds yearly in an election reserve during non-elections years to finance expenditures in an election year. As of March 31, 2024, there will be \$150,000 in the reserve and an additional \$50,000 will be included in the 2024/25 operating budget, which will allow for the full 200,000 election budget. The cost for the 2020 election was \$134,100. Typically, some costs are able to be recovered for the Conseil Scolaire Acaden Provincial (CSAP) Election, but this is contingent on whether the seat is acclaimed or not.

The recommendations coming forward in future reports will have cost estimates for other election workers and for rental space for the Election Offices. In addition, if Council chooses to do an enumeration and not use the Elections Nova Scotia voters list, there will be additional costs of approximately \$30,000-35,000.

Alternatives

These recommendations are per the Act and therefore there are few alternatives.

1. Council may decide to complete enumeration instead of using the elector data from Elections Nova Scotia, but that would not be recommended due to time, costs associated with completing enumeration and the challenges with hiring enough enumerators.
2. Council could appoint another person as the Returning Officer for the 2024 Municipal and

CSAP Election.

3. Council could retain the authority of setting the first day for the advance polls, the power to appoint the assistant returning officers, the tariff of fees, or a combination of them. Council would then need to make motions to reflect these decisions.

Conclusion

Having the Council’s approval in advance will provide the opportunity for staff to begin preparations for the recruitment of staff, and to commence preparations for the 2024 Municipal Election.

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes
Report Approved by	
Date Reviewed by C.A.O.	

Council
Item: #11.2.1
Date: January 23, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report To: Municipal Council

Submitted By: Melissa Deveau, Civic Addressing Coordinator

Date: January 23, 2024

Re: Renaming of Logan Road (the portion from St. Phillips Street to Highway 325), Wileville to Westwood Drive

Recommendation

“That Council provide a positive recommendation to the Nova Scotia Department of Public Works that the portion of Logan Road from the Town of Bridgewater boundary near St. Phillips Street to Highway 325 in Wileville be renamed to Westwood Drive, as per the Municipality’s Civic Address Bylaw.”

Background

Due to the reconfiguration of roads for the new Highway 103 exit, Logan Road will no longer continue from the Town of Bridgewater into Wileville. Thus, the portion of Logan Road from St Phillips Street to Highway 325 must be renamed.

Discussion

As per the Municipality’s procedure, affected property owners were notified, resulting in a completed petition choosing a new name - Westwood Boulevard with two alternates – Westwood Drive and Westwood Road. There was 72.7% (8 out of 11 properties) support, surpassing the required 66.6%.

The Town of Bridgewater has taken this name change on January 17th to their Heritage Advisory Committee, as a portion of Logan Road from St. Phillips Street to Highway 325 is within town limits. Once Municipal Council gives approval, this will then be taken to Town Council.

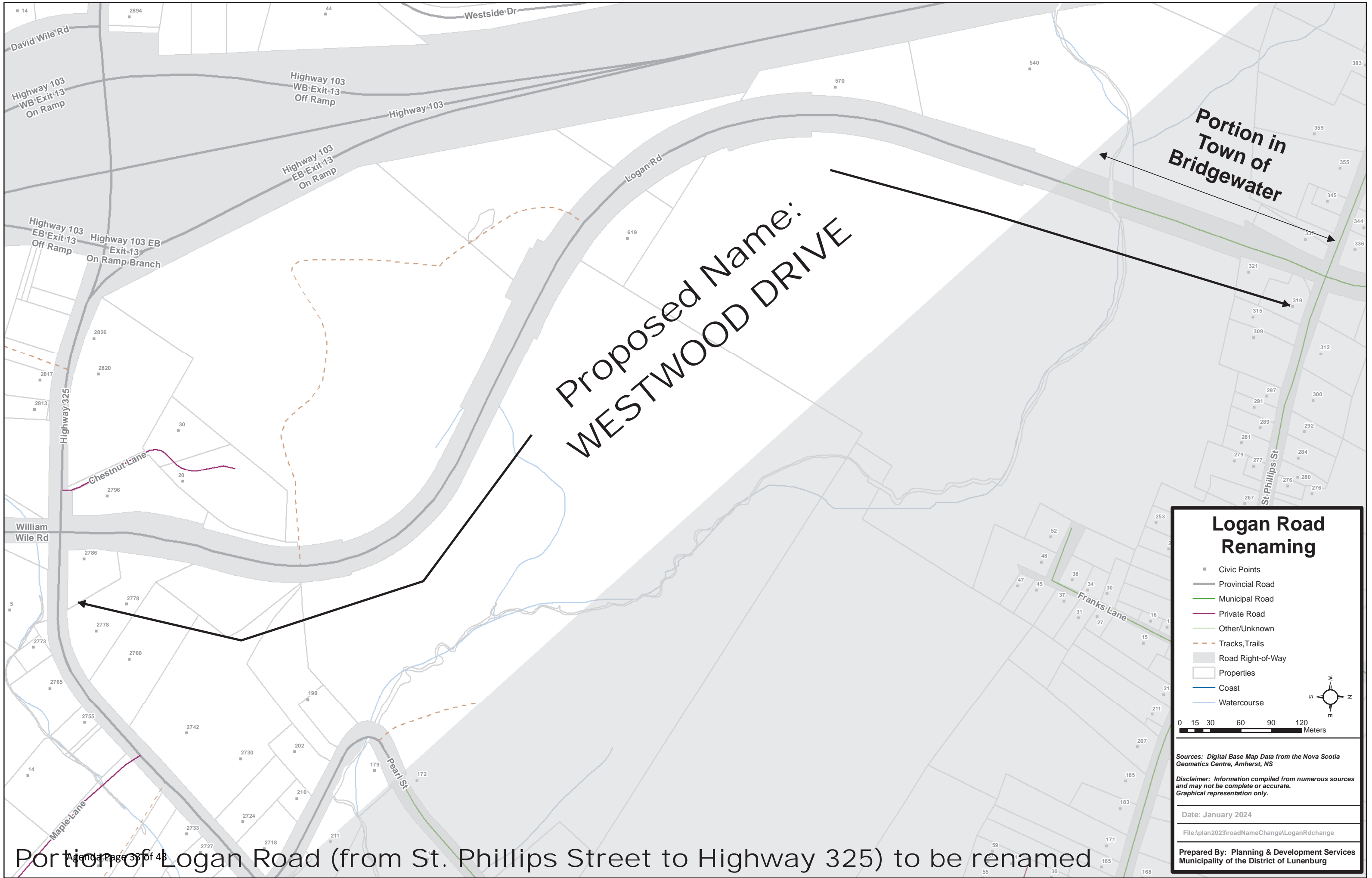
On January 17th, the Town of Bridgewater’s Heritage Advisory Committee voted in favour of the Westwood name, however, they were not in favour of Boulevard to be use as a street type and requested the street type be changed from Boulevard.

Because the road is a Provincial Road, the Nova Scotia Department of Public Works (NSPW) needs to approve the road name change. Once NSPW approves this name change, staff will request that the road signage be posted.

Conclusion

The suggested name change adheres to the criteria established in the Council's Civic Addressing Bylaw. Following a comprehensive examination of the requisite road indexes stipulated by the Civic Addressing Bylaw, and in light of the advice provided by the Town of Bridgewater Heritage Advisory Committee, staff recommendation to the Municipal Council is to endorse the proposed renaming of the road as Westwood Drive.

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Melissa Deveau, Civic Addressing Coordinator
Report Approved by	
Date Reviewed by C.A.O.	



Portion in
Town of
Bridgewater

Proposed Name:
WESTWOOD DRIVE

Logan Road Renaming

- Civic Points
- Provincial Road
- Municipal Road
- Private Road
- Other/Unknown
- - - Tracks, Trails
- Road Right-of-Way
- Properties
- Coast
- Watercourse

0 15 30 60 90 120 Meters

Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS

Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.

Date: January 2024

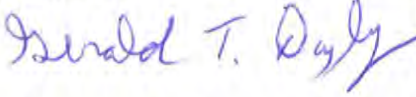



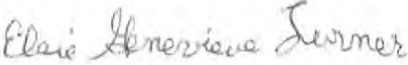
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Prepared By: Planning & Development Services
Municipality of the District of Lunenburg

Portion of Logan Road (from St. Phillips Street to Highway 325) to be renamed

- ① Westwood Boulevard
- ② Westwood Drive
- ③ Westwood Road

We, the undersigned property owners, hereby request that the portion of provincial road known as Logan Road, Wileville, from St. Phillips Street to Highway 325, be renamed to “ Westwood Blvd. ”.

Property Location	Name	Signature
Pid# 60662087	Gerald Dagley	
	Nancy Dagley	
Pid# 60305190	Mary Boudreau	
	Jonathan Boudreau	
Pid# 60668068	West Nova Fuels Limited	
Pid# 60720745 and Pid# 60305185	Municipal Enterprises Limited	
Pid# 60414091	G.W. Mosher Motors Ltd	
Pid# 60305208	Vast – Auto Distribution Atlantic Ltd/ Vast – Auto Distribution Atlantique Ltee	
Pid# 60304854	Addee Developments Limited	
Pid# 60024031	E. Turner	


Pid# 60305174	Mirzaagha Investments Inc.	
Pid# 60666690	Fleck Holdings Limited	<i>Camren Fleck</i>

Note: One vote per property

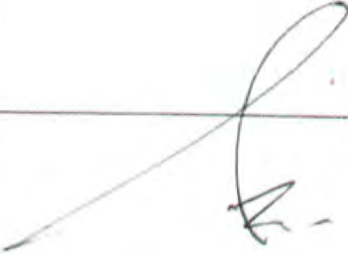
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Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council
Submitted by: Ella R. Gindi, Planner I
Date: January 24, 2024
Re: Amendments to Hebbville Area Advisory Committee Terms of Reference

Recommendation

That Council will approve the proposed amendments to the Hebbville Area Advisory Committee Terms of Reference and that will direct staff to update all the Area Advisory Committee terms of reference in accordance with the terms of reference brought forward today.

Background

A comprehensive review by staff revealed essential adjustments needed for the Hebbville Area Advisory Committee terms of reference. The rationale behind these modifications includes:

1. The existing terms of references date back to 2010 and have become outdated and irrelevant.
2. Policies referenced in the 2013 draft have since become obsolete and have been replaced by new, updated policies.

Should Council endorse the attached amendments to the terms of reference, the necessary adjustments will be applied to all Area Advisory Committees. These revisions will then be presented as a consolidated package.

Report Preparation	
Department	Building & Planning Services
Report Prepared by	Ella R. Gindi, Planner I
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Terms of Reference	
Name	Hebbsville Area Advisory Committee
Number	039
Effective Date	September 11, 2010
Amendment Date(s)	January XX, 2024

Committee Type

Advisory. See Section 201-204 of the **Municipal Government Act (MGA)**.

Formation/Duration ~~[MGA 201-202]~~

Municipal Council Resolution to form an Area Advisory Committee for the Hebbsville Plan Area, dated 8 May 2001.

The Committee's duration is indefinite, based on:

- Council's continued support of the 2001 resolution.
- The existence of a secondary planning strategy and land use bylaw for the defined Hebbsville Plan Area.

Dissolution of Area Advisory Committee

The Area Advisory Committee is dissolved on the effective date of the MODL 2040 Municipal Planning Strategy and/or Land Use By Law per the 2020-12-08 motion of council:

~~The procedure for abolishing [or extending] any Plan Area, including the Hebbsville Plan Area [or a portion thereof], is set out in Municipal Policy MODL-021~~

Membership ~~[Resolution]~~

The Committee consists of a minimum of three and maximum of eight members.

- One [1] Municipal Councillor for the area.
- Two [2] members of the Hebbsville Village Commission
- Up to five [5] members of the public.

Appointment ~~[Resolution]~~ [MODL-002, MODL-021, MODL-056]

All members of the Committee are appointed by Council resolution as stated in Policy 002 - Committees. ~~A Councillor is appointed to the Committee directly by Council, following Municipal Policy MODL-004.~~ The Councillor for the area is deemed a member on the AAC.

Hebbsville Area Advisory Committee

TOR # 039

January XX, 2024

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The selection process of all other Committee members [1-7 public representatives] is determined on the basis of an evaluation process, and a recommendation of the Nominating Committee to Council.

Village Commission representatives are identified through communications with the Hebbsville Village Commission. ~~Identified terms in the Committee's evaluation process are outlined in Municipal Policy MODL 056.~~

Each member appointed by Council serves the Committee for a designate term. ~~Members are eligible for reappointment.~~

All positions, whether or not an existing member has re-offered, will be reviewed through the evaluation process when the designate term is over.

In the case of any unexpected vacancy, Council can choose to undertake the identified selection process to fill the position, with that new person appointed to serve the remainder of the term of the person replaced.

Officers ~~[Resolution]~~

The Chair, the Vice-Chair, and the Secretary of the Committee are elected by a majority of the members at the annual meeting. Those persons elected hold office until the next annual meeting, when such officers are again to be elected/re-elected.

The Chair of the Committee acts as the liaison in providing recommendations to the Planning Advisory Committee, as required from time to time.

Mandate ~~[Resolution]~~

The Committee advises the Municipality's Planning Advisory Committee on matters pertaining to the Hebbsville Secondary Planning Strategy and Land Use Bylaw.

Responsibilities ~~[Definition of above]~~

Committee Duties ~~in meeting its Mandate~~ are as follows:

Development of the SPS/LUB

1. The Committee works with staff to develop draft land use policy and regulations for the Hebbsville Plan Area, for recommendation to the Planning Advisory Committee.
2. The Committee makes recommendation to the Planning Advisory Committee concerning any rezoning applications, development agreement applications, and Planning Strategy amendments specific to the Hebbsville Plan Area.

Hebbsville Area Advisory Committee

TOR # 039

January XX, 2024

Page 3 of 4

General

3. The Committee may advise staff and Planning Advisory Committee regarding any public participation program **engagement** respecting planning matters in the Hebbsville Plan Area.

~~4. The Committee may advise the Planning Advisory Committee with respect to other planning issues affecting the Hebbsville Plan Area, as deemed necessary.~~

~~54. Committee members may generally serve to act as a communications conduit to residents of the Hebbsville Plan Area, in raising public awareness on planning matters.~~

~~65. The Area Advisory Committee may jointly meet with the Planning Advisory Committee once a year, to discuss any local planning issues or related concerns.~~

Code of Conduct [~~MODL-037~~]

The Committee conducts business in accordance with the Municipality's Code of Conduct, following Municipal Policy MODL-037.

Recommendations of the Committee reflect the best interests of both the Municipality of the District of Lunenburg and the Hebbsville Plan Area, as interpreted in the Hebbsville Secondary Planning Strategy and Land Use By-law.

On appointment, ~~new~~ Committee members are provided an introductory workshop: "What is Planning?" to be organized by staff, to assist them in their duties.

Dismissal of Members

Committee members who fail to attend three [3] consecutive meetings, without good reason accepted by the Committee Chair, may be dismissed from the Committee.

Committee members can only be dismissed by Council, on recommendation of the Planning Advisory Committee. If it is considered that they have breached the Municipal Code of Conduct or have failed to fulfill adequately the identified responsibilities/mandate of the Committee.

Remuneration [~~Resolution, MODL-004~~]

Area Advisory Committee members are, by both Council resolution and municipal policy 004, Non-Council Appointments and Honorariums, ineligible to be paid for their services to the Committee.

Meetings [MGA 203] [~~Resolution MODL-002~~]

Committee Meetings take place on an as-needed basis, or as directed by Council.

Hebbsville Area Advisory Committee

TOR # 039

January XX, 2024

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Members are informed of all meetings, and supplied with an Agenda by planning staff, prior to the scheduled meeting date.

A quorum ~~shall~~ **will** be constituted as being:

- a majority of number of appointed members at the time of the meeting.

Orders (how you conduct meeting) and rules of conduct for debate for Committee meetings ~~shall~~ **will** be the same as those for Municipal Council, following Municipal Policy MODL-0021

Communications ~~[MGA 203-204] [M]DL-039 [PPP Resolution]~~

~~Approved Minutes~~ **Meeting Notes** of any Committee meetings are available to the public, upon request, through municipal planning staff.

All Committee meetings are open to the public, except where it may be defined in the Municipal Government Act, Section 203.

Public notice of meetings follows the Municipality's ~~Resolution concerning Public Participation Program~~ **Engagement Policy MODL 066** for Planning Matters as amended 9 April 2002.

Committee Agendas may follow, at their discretion, ~~Municipal~~ Policy MODL-038, Public Presentations to Council and Committees of Council, which allows committees of the Municipality to set aside a period of time at the meeting's commencement, for public presentation.

Resources ~~[Defining staff support]~~

Municipal planning staff provides ongoing support to the Committee. In particular:

- Arranges meeting times and venues.
- Circulates meeting agendas and ~~minutes~~ **notes**.
- Provides reports or status updates on identified projects/applications.
- Makes public presentations, on behalf of the Committee, as may be required from time to time.

January XX, 2024

Council Approval Date

Municipal Clerk