

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, February 27, 2024

Attendance

Mayor Carolyn Bolivar-Getson
Deputy Mayor Wendy Oickle, District 3
Councillor Leitha Haysom, District 1
Councillor Martin Bell, District 2
Councillor Pam Hublely, District 4
Councillor Cathy Moore, District 5
Councillor Michelle Greek, District 7
Councillor Kacy DeLong, District 8
Councillor Reid Whynot, District 9
Councillor Chasidy Veinotte, District 10

Regrets

Councillor Sandra Statton, District 6

Staff

Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy CAO
April Whynot-Lohnes, Municipal Clerk
Joanne Powers, 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

Mayor Bolivar-Getson read a statement regarding the provincial government's announcement on the future of Nova Scotia's coastline. She reported that the Province created resources and planning tools to help property owners plan for the effects of climate change; that is, a Coastal Hazard Map, a Navigator Service, and a Coastal Adaptation Toolkit.

Mayor Bolivar-Getson advised that a draft Coastal Protection Land Use By-law was scheduled to proceed to First Reading at today's meeting, but that staff had not had access to the resources and tools announced by the Province prior to completing this draft by-law. She noted that there appeared to be discrepancies between the scientific information that was relied upon in creating the draft by-law and the information that the Province relied upon in creating the Coastal Hazard Map.

Mayor Bolivar-Getson recommended pausing the First Reading of the draft by-law to allow staff time to review the new information released by the Province, and further recommended that the First Reading of the Cluster Development Land Use By-law be paused also to allow for additional public engagement with residents.

3. Public Input

Doug Cleveland, 350 Oakland Road, Indian Point, was in attendance for Public Input. Mr. Cleveland spoke on his concerns regarding governance and the pending approval of the Coastal Protection Municipal Planning Strategy and Land Use By-law.

4. Approval of Agenda

The following additions/revisions to the agenda were requested:

- Addition of Item 11.2.2 Request for Tax Sale Deferment re AAN 04447093;
- Addition of In Camera Item 14.4 – Acquisition of Land under section 22(2)(a); and
- Removal of Item 11.1.1 First Reading – Coastal & Cluster MPS/LUB.

Moved by Councillor Veinotte, seconded by Councillor Hubley that the Agenda be approved as amended above.

Councillor Haysom requested that the Coastal and Cluster MPS/LUB be brought back to a Council agenda in the future.

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

5. Approval of Minutes – February 13, 2024

Moved by Councillor DeLong, seconded by Deputy Mayor Oickle that the Minutes of the February 13, 2024 Council meeting be approved as circulated. Carried unanimously.

6. Business Arising from Minutes - Nil

7. Awarding of Tenders/RFPs

7.1 Award of RFP#2023-05-046 Sawpit Wharf Park Community Plan

Trudy Payne, Director of Recreation, Parks & Tourism, was in attendance and reviewed the report, "Sawpit Wharf Park Community Plan RFP 2023-05-406" (circulated with the agenda).

It was clarified that an "addendum" is used to provide for changes in the scope of work or changes to an RFP. The "posted addendum" as referred to in the report was to provide clarification to the consultants on questions that did not affect the scope of work or intent.

2024-032 Moved by Councillor Veinotte, seconded by Councillor Bell that Municipal Council award RFP #2023-05-406 for the development of a community plan for Sawpit Wharf Park to Mills & Wright Landscape Architecture in the amount of \$37,090, plus HST.

It was noted that the anticipated completion date for this project would be the end of June 2024.

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 Policy & Strategy Committee**
 - 10.1.1 Proposed Amendments to MODL Policy 043 Community Grants Program Sponsorship Request**

Ms. Payne reviewed the report, "Amend MODL Policy 043 Community Grants Program/Sponsorship Request", circulated with the agenda.

Ms. Payne reviewed the changes that was requested by council at the Policy & Strategy Committee, which were:

- Cap amounts to be removed from community recreation, community events/major events community capital grants.
- Clarified applicants could only apply for one grant (Elite Athlete or Travel grant).
- Clarification regarding proof of qualifying for event/competition and that it must be an invitation from the competition organizers.

2024-033 Moved by Councillor Hubley, seconded by Councillor Greek that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the amendments to MODL Policy 043 Community Grants Program/Sponsorship Request, as presented with the requested amendments. Carried unanimously.

10.1.2 Adoption of MODL Policy 098 Recreation Subsidy Program

Ms. Payne reviewed the report, "Adopt Policy MDL-098 Recreation Subsidy Program", circulated with the agenda.

It was noted that the program would launch on April 1, 2024.

2024-034 Moved by Councillor Greek, seconded by Councillor Haysom that Municipal Council accept the recommendation of the Policy & Strategy Committee and adopt MODL Policy 098 Recreation Subsidy Program, as presented. Carried unanimously.

10.1.3 Adoption of Anti Racism Charter

A presentation on “Anti-Racism Charter in Recreation” was circulated with the agenda.

2024-035 Moved by Councillor DeLong, seconded by Councillor Hubley that Municipal Council accept the recommendation of the Policy & Strategy Committee and adopt the Anti-Racism Charter, as presented; and further, authorize the Mayor to sign the Charter. Carried unanimously.

10.1.4 Adoption of MODL Policy 097 Anti-Idling Policy

A report from Kayla Winsor, Climate Action Coordinator, titled “Adoption of Policy MODL-097 Anti-idling Policy was circulated with the agenda.

2024-036 Moved by Councillor Haysom, seconded by Councillor DeLong that Municipal Council accept the recommendation of the Policy & Strategy Committee and adopt MODL Policy 097 Anti-Idling Policy, as presented.

It was clarified that the Policy was created as an information/education policy to promote and encourage anti-idling at all MODL parks and properties and that signage will be designed through the wayfinding project strategy to ensure consistency and will be part of the budget process.

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

10.1.5 NSCC Well Water Quality Pilot Project

Mr. Dumaresq reviewed the report, “NSCC Well Water Quality Pilot Project”, circulated with the agenda, providing an overview of the project.

It was clarified that the “well device” measures the level of water in the well and various aspects of water quality.

It was noted that the required volunteers for the project will represent a wide geographic range throughout the Municipality.

2024-037 Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the proposed “Well Water Resource Management under Climate Change” pilot project with the Nova Scotia Community College.

Mr. Dumaresq advised that he would provide a list of the various data the sensors would measure.

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

11. Staff Reports

11.1 Planning & Development Services

11.1.2 AIM Network Request for Funding

Councillor DeLong declared a Conflict of Interest and removed herself from the table.

Jeff Merrill, Director of Planning & Development Services, reviewed the report, “AIM Network’s Request for MODL Support and Funding”, circulated with the agenda, regarding AIM Network’s request for a letter of support and funding for the AT & E-Bike Share Network Study.

Mr. Merrill reported that upon review of the AIM Network’s proposal, it was staff’s recommendation that Council not provide the letter of support nor the requested funding, as part of the scope of the project was currently being done by the Municipality’s Active Transportation Plan.

Ms. Payne reported that the AIM Network presenter was advised of staff’s recommendation and noted his agreement.

It was noted that this project should be viewed as a regional undertaking.

Councillor DeLong returned to the table.

11.2 Finance Department

11.2.1 Property Tax Rebate Policy – Annual CPI Adjustment

Elana Wentzell, Director of Finance, reviewed the report, “Property Tax Rebate Policy – Annual CPI Adjustment”, circulated with the agenda, advising of the annual CPI adjustment to the property tax rebate for the 2024-2025 year.

It was noted that due to the increase in property assessments, the budget was not high enough, and that the policy be reviewed. It was requested that the minimum household income be set at \$50,000.

It was clarified that that the term “low income” was added to the literature to ensure residents understood the criteria for the program.

Staff were directed to review the criteria of the Property Tax Rebate policy regarding income thresholds and bring back to Council for consideration.

Council recessed at 10:06 a.m. and resumed at 10:23 a.m.

11.2.2 Request for Tax Sale Deferment re AAN 04447093

Mr. MacEwan reported that a request to defer a property from tax sale for two years (under Section 134(4) of the MGA) was received from Raymond Schultz, 1459 Italy Cross Road, AAN 04447093.

Ms. Wentzell reported that Mr. Schultz first made contact in November 2023 and noted that for various reasons he did not qualify for any of the property tax rebate programs.

Councillor Haysom reported that Mr. Schultz had financial challenges and had been working with other agencies to find solutions. She noted that the two-year deferral provides the necessary timeline to put a plan in place to address the challenges. It was noted that interest will continue to be charged during the deferral process.

2024-038 Moved by Councillor Haysom seconded by Councillor Bell that Municipal Council exercise its authority under Section 134(3) of the Municipal Government Act and defer the tax sale proceedings for AAN 04447093 for a two-year period. Carried unanimously.

11.3 Engineering & Public Works

11.3.1 Pre-Budget Approval re Alternate Procurement for Replacement of Indian Falls Staircase

Stephen Pace, Director of Engineering & Public Works, reviewed the report, “Indian Falls Stairway Replacement”, circulated with the agenda, providing details on the condition of the staircase at Indian Falls and replacement of same.

The following were discussed:

- cost of a galvanized steel staircase versus wooden staircase
- steel staircase in a natural setting
- safety of emergency responders

It was noted that the insurance company determined that the existing staircase was not safe and required replacement immediately. It was further noted that installing steel staircase minimizes the on-site construction.

It was clarified that the Procurement Policy provides a benefit in scoring for local goods and services, although trade agreements limit the process.

2024-039 Moved by Councillor Greek, seconded by Councillor Whynot that Municipal Council grant pre-capital budget approval to procure professional design services, fabrication, and installation for stairway replacement at Indian Falls Park through alternate procurement method as per Section 19.1.1 of MODL Policy 033 – Purchasing and Tendering Policy, to a

maximum capital budget of \$330,000, including net HST. Motion Carried. Opposed: Deputy Mayor Oickle

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

12.1 LCLC Update

Councillor Moore provided an update on the following matters of the Lunenburg County Multi-purpose Lifestyle Community Centre:

- Status of sound system adjustments
- Solar panels operating
- Status of power used by air handling units
- Auditing fees have doubled
- Concession wait times concerns
- Daily traffic counter concerns
- Website updates required
- Financial Statements to December 31, 2023
- Budget may be delayed
- Projected operating deficit of approximately \$250K to be split between partners

12.2 Deputy Mayor's Update

Deputy Mayor Oickle advised that she attended assigned meetings; the agenda briefing meetings; events at the South Shore Regional Library; the DesBrisay Museum Partnership event; and various community events.

12.3 Mayor's Update

Mayor Bolivar-Getson advised that she attended NSFM Advisory Committee meetings; the Internal Transportation Committee meeting; the IIHF Girls Hockey game; the Heritage Day activities at Maple Creek Centre; the July 21 flood meeting with DOT; the Atlantic Regional Caucus meeting for FCM; the Brookfield Rails to Trails meeting; the Planning Advisory Committee meeting; the LCLC Board meeting; various phone calls regarding the provincial press release regarding the Coastal Protection MPS/LUB; and various community breakfasts.

13. Added Items

Item 11.2.2 was discussed under Section 11.2 Finance Department.

Item 14.4 Acquisition of Land was discussed in camera.

14. In Camera

At 11:01 a.m., it was moved by Deputy Mayor Oickle, seconded by Councillor Veinotte 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 Public Security Matter under Section 22(2)(h) of the MGA**
- 14.3 Contract Negotiations under Section 22(2)(e) of the MGA**
- 14.4 Acquisition of Land under Section 22(2)(a) of the MGA**
- 14.5 Personnel Matter under Section 22(2)(c) of the MGA**

Carried.

Municipal Council In Camera in session.

At 1:25 p.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

14.3 Provincial Flood Line Mapping Program Grant

2024-040 Moved by Deputy Mayor Oickle, seconded by Councillor DeLong that Municipal Council direct the Municipal Clerk and Mayor to sign a funding agreement with the Province to receive \$500,000 in funding, with no matching municipal funds required, for the following:

- **Conduct a gap analysis on the Municipality's last flood risk study;**
- **Install water level, river flow and rainfall measurement equipment;**
- **Collect bathymetric data;**
- **Surveying culvert locations, elevations and sizing as well as bridge dimensions;**
- **Produce watercourse cross-sections.**

Motion carried. Those Opposed: Councillors Bell, Hubley, Whynot, and Greek.

14.5 CAO Evaluation

2023-041 Moved by Councillor Hubley, seconded by Councillor Whynot that Municipal Council accept the CAO evaluation as presented. Carried unanimously.

15. Adjournment

There being no further business, the meeting adjourned at 1:30 p.m.