

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, April 9, 2024 – 9:00 a.m.

Attendance

Mayor Carolyn Bolivar-Getson
Deputy Mayor Wendy Oickle, District 3
Councillor Leitha Haysom, District 1
Councillor Martin Bell, District 2
Councillor Pam Hubley, District 4
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 9:10 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

2.1 Proclamation – Volunteer Week

In recognition of the contribution of the many volunteers who dedicate their time and efforts to the residents of the Municipality, Mayor Bolivar-Getson proclaimed April 14 to 20, 2024 as Volunteer Week in the Municipality of the District of Lunenburg.

2.2 Proclamation – Daffodil Month

Mayor Bolivar-Getson proclaimed April 2024 as Canadian Cancer Society's Daffodil Month in the Municipality of the District of Lunenburg, acknowledging the research, services, and education provided by the Canadian Cancer Society on cancer related issues.

Councillor Veinotte reported that the 11th Annual Burg Classic Hockey Tournament was held over the Easter weekend and raised \$320,000 for the community.

3. Public Input

Andrew Himmelman, Newcombville, was in attendance for Public Input. Mr. Himmelman spoke on the following matters:

- Tax rate/assessment rate
- Property tax rebate program
- EV Vehicle fleet
- Indian Falls Staircase
- Proposed Bathroom complex at Mush-a-Mush Beach
- 2024 Municipal Election
- Foreign country aid donations
- Policy 033 Purchasing & Tendering
- Policy 037 Code of Conduct
- CAO's oversight on purchasing

Blair Moland, Whynott Settlement, was in attendance for Public Input. Mr. Moland spoke on the development proposed for the land farmed by the Langille's family, requesting that the land be designated as farmland only.

4. Approval of Agenda

It was requested that the following changes be made to the agenda:

- Addition of Item 12.5 Coastal Protection Resolution to NSFM
- Addition of Item 12.6 Community Development re Un-zoned Areas
- Addition of Item 12.7 Correction of Record re Vote
- Removal of Item 10.1.1 Demolition & Clean Up of Property, PID 60493012
- Addition of Item 14.2 Personnel Matter under Section 22(2)(c) of the MGA

Moved by Councillor Haysom, seconded by Councillor Veinotte that Item 12.5 Referral of Coastal Protection Resolution to the NSFM Committee re Climate Change be added to the agenda. Carried unanimously.

Moved by Councillor Bell, seconded by Councillor Haysom that Item 12.6 Community Development in Un-zoned Areas be added to the agenda. Carried unanimously.

Moved by Councillor Veinotte, seconded by Councillor DeLong that 12.7 Correction of Record re Vote be added to the agenda. Carried unanimously.

Moved by Councillor Greek, seconded by Councillor Moore that Item 10.1.1 Demolition & Clean Up of Property, PID 60493012 be removed from the agenda. Carried unanimously.

Moved by Councillor Statton, seconded by Deputy Mayor Oickle Item 14.2 Personnel Matter under Section 22(2)(c) of the MGA be added to the agenda. Carried unanimously.

Moved by Councillor Moore, seconded by Councillor Haysom that the Agenda be approved with the additions and deletions as noted. Carried unanimously.

- 5. Approval of Minutes - Nil**
- 6. Business Arising from Minutes**
- 7. Awarding of Tenders/RFPs - Nil**
- 8. Presentations/Scheduled Times**
- 8.1 Coastal Protection**

Reid Sheppard, Senior Planner, and Ella Gindi, Planner I, were in attendance.

Mr. Sheppard gave an overview of the steps that were taken to date with respect to the creation of a Coastal Protection Land Use By-law. He reported that the day prior to presenting the draft by-law to Council, the Province of Nova Scotia announced a provincial flood risk area hazard map, which differed from the map created by MODL staff.

The comparisons between the two maps were detailed in a presentation provided by Ms. Gindi (attached to these Minutes).

Meghan McMorris, Project Director, and Peter Horne, Coastal Program Administrator, both with the Department of Environment & Climate Change, were in attendance. Ms. McMorris clarified that although both hazard maps provided varying data, they were both correct. She noted that the map created by MODL staff would be the better map for residents of MODL to use as it had more context with the local areas. She further noted that the Coastal Protection regulations drafted by staff were very well done.

Mr. Horne advised that the data used to create the Province's version of the hazard map was correct at the time and would be updated as information is received.

Discussion followed regarding the following matters:

- Province working with the Department of Public Works to install notices and signs advising of the areas that are susceptible to flooding.
- Collaborations with other provincial departments, i.e., Environment
- Enforcement
- Work being done with NSF and AMA to assist units who do not have the capacity to move forward.
- Provincial hazard map is a resource for other communities that do not have mapping.

- 9. Consideration of Correspondence**
- 9.1 Concern re Condition of Green Bay Road**

Councillor Haysom reported on the correspondence received from Doug Ward, Colin Cooper, and Jerome Tanner (circulated with the agenda) regarding the conditions of the Green Bay Road in Green Bay.

Councillor Haysom noted that due to the latest storms and storm surges, the condition of the Green Bay Road had created both driving and safety hazards for the residents of the area. She requested that the Municipality urge the Department of Public Works to address the safety concerns raised by the residents of Green Bay.

2024-064 Moved by Councillor Haysom, seconded by Councillor Bell that Municipal Council direct the Mayor to write to the Provincial Minister responsible for Public Works, Kim Masland, with a copy to the MLA, Becky Durham, requesting that the Province consider improvements to the Green Bay Road that would address the safety concerns raised by residents. Opposed: Councillor Statton Motion Carried.

Council broke at 10:19 a.m. and resumed at 10:32 a.m.

11. Staff Reports

11.1 Administration Department

11.1.1 2024 Municipal & CSAP Elections

A report from April Whynot-Lohnes, Municipal Clerk, titled “2024 Municipal and CSAP Election”, providing details on alternative voting and poll/kiosks locations was circulated with the agenda.

Leah Zinck, the Municipality’s Returning Officer, was in attendance and was permitted to come forward to speak on the matter and answer questions.

Ms. Whynot-Lohnes gave a presentation (attached to Minutes) on the Municipal Elections 2024 providing details current and past election practices, including:

- Use of alternative voting & poll locations
- Alternative voting – voter turnout recap
- Alternative voting – voter method recap
- Data from previous elections
- Options for Poll/Kiosk locations
- Information on polling division descriptions and candidate deposit

Ms. Whynot-Lohnes advised that the advance poll date was set for October 10, 2024 and voting day was October 19, 2024.

It was requested that data on the number of residents that were eligible to vote be provided to Council.

It was confirmed that electronic voting:

- allows for continuous voting from advance poll date to the end of day on election day
- can vote from anywhere
- removes barriers
- immediate results are available at the close of election day
- reduces costs

Ms. Zinck clarified that in an electronic election, IP addresses and phone numbers are captured when voting online or by phone. Key pieces of personal information such as name and birthdate are required for both online and telephone voting. She also noted that with electronic voting there are measures to make duplicate voting impossible.

The following three options for proceeding with the 2024 election were discussed:

Option 1 Full electronic system

Kiosk located at returning office location throughout election period
2 mobile kiosks at long term care facilities on election day
Continuous voting for full election period

Option 2 4 voting kiosks – 1 in each quadrant on election day

2 mobile kiosks at long term care facilities on election day
Voting only on election day

Option 3 Full electronic system

2 mobile kiosks at long term care facilities on election day
1 Kiosks located centrally in each District, including 1 on Tancook Island, on election day
Continuous voting for full election period

Ms. Zinck advised that a telephone help line would be available to assist voters throughout the election period, as well as workers available at the returning office location.

It was noted that the locations of the kiosks were not yet known but that accessibility, connectivity and cell coverage, and convenience were factors in determining the locations.

2024-065 Moved by Councillor Veinotte, seconded by Councillor Whynot that Municipal Council approve the use of alternative (electronic and phone) voting as the voting methods in the 2024 Nova Scotia Municipal and CSAP elections from the first advanced poll day October 10, 2024 to the close of the Ordinary Poll Day on October 19, 2024. Opposed: Councillor Hubley Motion Carried.

2024-066 Moved by Councillor Moore, seconded by Councillor Haysom that Municipal Council accept Option 3 being a voting kiosk on ordinary polling day in each District plus one kiosk on Tancook Island, one kiosk at the Returning Office, and two mobile kiosks for the 2024-Municipal and CSAP elections. Carried unanimously.

11.2 Planning & Development

11.2.1 Renaming Portion of Logan Road, Wileville to White Pine Drive

Jeff Merrill, Director of Planning & Development Services, was in attendance and reviewed the report, "Renaming Logan Road (the portion from St. Phillips Street to Highway 325) Wileville, to White Pine Drive (circulated with the agenda).

2024-067 Moved by Deputy Mayor Oickle, seconded by Councillor DeLong that Municipal Council recommend to the Nova Scotia Department of Public Works the renaming of a portion of Logan Road from the Town of Bridgewater boundary near St. Phillips Street to Highway 325, Wileville to White Pine Drive, as per the Municipality's Civic Address Bylaw. Carried unanimously.

11.3 Recreation Department

11.3.1 Project Volunteer

Sandra Challis was in attendance and gave a presentation on Project Volunteer (circulated with the agenda), providing details on the following:

- Background of the project
- Overall Results
- MODL Results
- Who We Heard From
- Workshops
- Municipal Help
- Responses from Other Units
- Next Steps

It was noted that the COVID 19 pandemic had affected the number of volunteers.

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

12.1 Ceasefire & Financial Aid to Palestinians

Mr. Dumaresq declared a conflict of interest and left the table.

Councillor DeLong spoke about the request received from the South Shore Ceasefire Now organization requesting that funds be provided to the Canadian Red Cross to help in the relief

campaign and asked for comments from fellow Councillors. She noted that the Municipality provided a donation to the Canadian Red Cross for the Ukrainian relief in 2022.

Moved by Councillor DeLong, seconded by Councillor Greek that Municipal Council pass a resolution in support of the Canadian Government as it works towards its goal of a comprehensive, just, and lasting peace in the Middle East and its support of an immediate humanitarian ceasefire in Gaza.

It was noted that councillors were elected to make municipal decisions and that this matter was a federal matter.

The Motion on the floor was voted on and defeated. Those Opposed: Councillors Statton, Whynot, Veinotte, Bell, Hubley, Deputy Mayor Oickle, and Mayor Bolivar-Getson

Moved by Councillor DeLong, seconded by Councillor Haysom that Municipal Council provide a donation of \$10,000 to the Canadian Red Cross for aid in relief efforts in Palestine, and further, that the funds come from the Council Contingency Fund.

It was noted that funds were needed in the local area and that the Municipality should concentrate its funding efforts to local establishments helping local residents.

Concerns were raised that funds had been provided to other war relief efforts and therefore precedents have been set.

It was requested that a policy for providing financial aid be developed for Council's review.

The Motion on the floor was voted on and defeated. Those Opposed: Councillors Statton, Whynot, Veinotte, Bell, Hubley, Moore, Deputy Mayor Oickle, and Mayor Bolivar-Getson

Mr. Dumaresq returned to the table.

Council recessed at 12:15 p.m. and resumed at 1:20 p.m.

12.5 Coastal Protection Resolution

Councillor Haysom requested that the Municipality refer the coastal protection plan with hazard mapping tools to the NSFM to allow the committee on climate change to review it (attached to Minutes).

2024-068 Moved by Councillor Haysom, seconded by Councillor Statton that Municipal Council pass a resolution requesting the NSFM Board of Directors to consider the Coastal Climate Action Plan, and the replacement of the Coastal Protection Act, as an advocacy priority for NSFM, and further given the urgent nature of this issue, and the developing

information coming from the Province, that the Committee call a special meeting to immediately begin work and discussion.

It was explained that the NSFM can have experts clarify issues.

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

12.6 Community Development in Un-zoned Areas

Information was circulated regarding the concerns of residents in the Pleasantville area regarding an unwanted development in an un-zoned area which included several shipping containers being modified into RVs. (attached to Minutes)

Councillor Bell stressed that the Municipality look at municipal wide planning before other communities are faced with the same unwanted developments.

It was clarified that any structure on wheels does not fall under the Building Code regulations. The Director of Planning and Development Services advised that a building official would attend the property to determine if building permits were required for the structures.

It was noted that the work being done on the Coastal Protection and Cluster Development projects was taking time from the municipal wide planning project. It was further noted that the estimated completion date of the MODL2040 project was 2025.

12.7 Correction of Record re Vote

Councillor Veinotte reported that at the Tuesday, April 2, 2024 Special Council meeting, her opposing vote on the motion made regarding reducing the tax rate by 3, 4 or 5 cents was not counted at the meeting.

She requested that her opposing vote be reflected in the Minutes of the Special Council meeting of April 2, 2024.

12.2 MJSB

Deputy Mayor Oickle provided an update on the following matters of the Municipal Joint Services Board:

- Review of MJSB agreement – final review to board in May 2024
- Strategic priorities – list of 12 strategic priorities were reviewed
- Budget - 2 partners have approved to date
- Activities and timing

12.3 Deputy Mayor's Update

Deputy Mayor Oickle advised that she attended assigned meetings; the agenda briefing meeting; cheque signing; and the Frederick Lake Estates Ground Breaking; and various community events.

12.4 Mayor's Update

Mayor Bolivar-Getson advised that she attended the Kidney flag raising; the Autism flag raising; the Dangerous & Unsightly meeting; the signing of the Service Exchange MOU; the NSFM Executive meetings; the MJSB meeting; various breakfasts and fundraisers.

13. Added Items

The following items were added to the agenda and discussed above:

- 12.5 Coastal Protection Resolution to NSFM
- 12.6 Community Development in Un-zoned Areas
- 12.7 Correction of Record re April 2, 2024 Minutes

The following item was added to the In Camera portion of the agenda:

- 14.2 Personnel Matter under Section 22(2)(c) of the MGA

14. In Camera

At 2:01 p.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council go In Camera to discuss the following:

- 14.1 Contract Negotiations under Section 22(2)(e) of the MGA**
- 14.2 Personnel Matter under Section 22(2)(c) of the MGA**

Carried.

Municipal Council In Camera in session.

At 2:21 p.m., it was moved by Councillor DeLong, seconded by Councillor Haysom that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

14.1 Option to Purchase Agreement

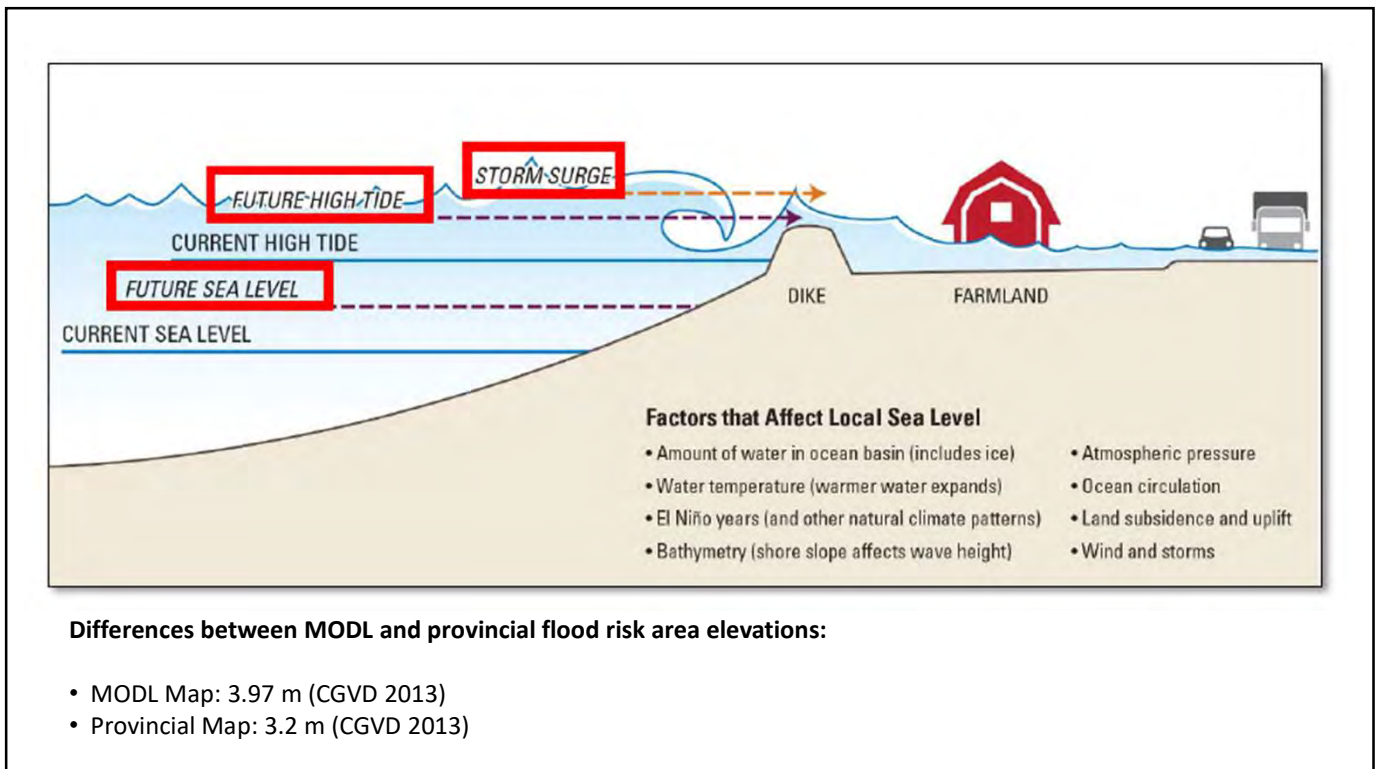
2024-069 Moved by Councillor Statton, seconded by Councillor Whynot that Municipal Council direct staff to proceed with the execution of the Option to Purchase Agreement with Titan Atlantic Properties Ltd. Carried unanimously.

15. Adjournment

There being no further business, the meeting adjourned at 2:22 p.m.



1



2

02

Coastal Flooding: Sea Level Rise

Sea Level Rise	Province	MODL
Total Projection	1.2m	1.57m
Time Frame	2100	2100
Percentile	95 th Percentile	95 th Percentile
Climate Change Model	CMIP5 (2013)	CMIP6 (2021)
Emission Scenario	RCP 8.5	SSP5 8.5

3

02

Coastal Flooding: Storm Surge

Storm Surge	Province	MODL
Storm Surge Allowances	1m	1.63m
Reference Study	Richard and Daigle (2011)	Richard and Daigle (2011)
Precautionary Principle (Benchmark Storm Event)	No	Yes

4

02**Coastal Flooding: High Higher
Water Large Tide (HHWLT)**

Province	MODL
1m	0.77m



District of Lunenburg Municipal Council

Municipal Elections 2024

1

Decisions to be made

Use of Alternative Voting

- Internet and phone

Poll Location(s)

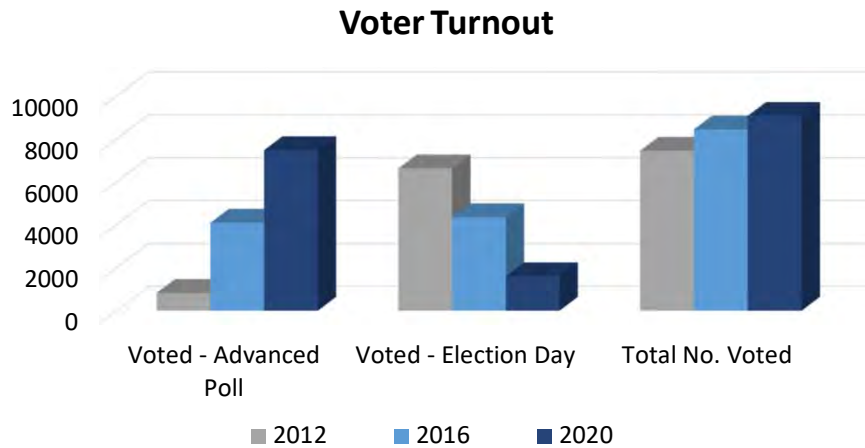
- Ordinary Election Day

Municipality of the District of Lunenburg



2

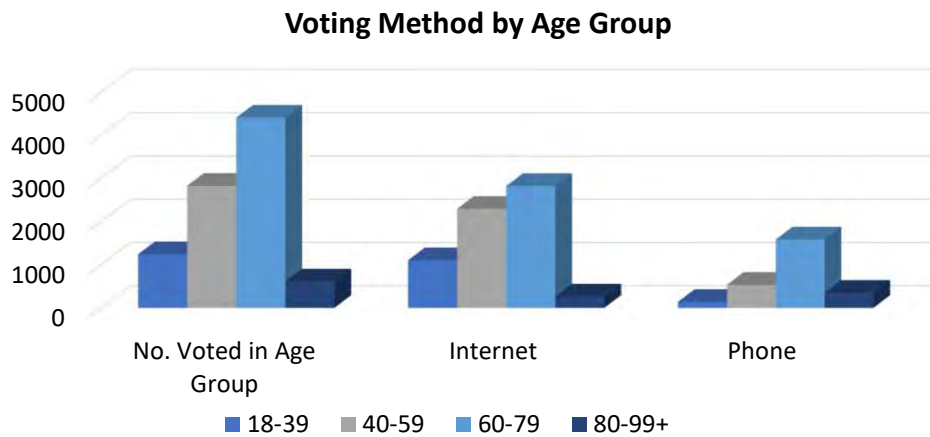
Alternative Voting (recap voter turnout)



Municipality of the District of Lunenburg

3

Alternative Voting (recap voter method - 2020)



Municipality of the District of Lunenburg

4

Poll/Kiosk Location(s)

one voting kiosk
 Returning Office (TBD)
 two mobile (LTC facilities) election day
 continuous voting throughout election period

• **Option 1**

four voting kiosk
 one each quadrant of Municipality (TBD)
 two mobile (LTC facilities) election day
 voting only on election day

• **Option 2**



Information Only (no decision to be made)

Polling Division Descriptions

- new descriptions completed
- reflect approved URB boundaries

Candidates Deposit

- No bylaw in place to set rate
- remains at \$200 as per Municipal Elections Act



Motions Proposed

- That Municipal Council approves the use of alternative voting (internet and phone) voting as the voting methods in the 2024 Municipal and CSAP elections from the first advance poll day, October 10, 2024, to the close of polls on the ordinary election day, October 19, 2024.
- That Municipal Council accepts Option 1, as presented for the poll location(s) for the 2024 Municipal and CSAP elections.



Municipality of the District of Lunenburg

7



Questions

Leah Zinck, Returning Officer
April Whynot-Lohnes, Municipal Clerk

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



Municipality of the District of Lunenburg

8

**Request for Agenda Items under
Mayor's/Deputy Mayor's/Councillors' Matters**

TO: Chief Administrative Officer
FROM: Leitha Haysom
DATE: March 27

1. Agenda Item

Refer Coastal Action to NSFM as an advocacy priority for NSFM

2. On what agenda do you want the item placed?

Next available

3. Do you have written material to circulate with the agenda? Yes No

If you do, please attach it to this form. If you do not, please explain.

Council received a presentation from NSFM regarding the flood mapping and coastal plan as presented by the Province.

Proposed motion is attached.

4. What is its relevance to Council or the committee?

We have been leaders in developing our own coastal bylaw, NSFM will now be the interface for other municipalities working with the province and this should be highlighted as a priority topic for NSFM committee on Climate Change.

5. What outcome(s) are you seeking?

The MODL council refer the motion to NSFM requesting the Board of Directors to consider the Coastal Climate Action Plan as an advocacy priority for NSFM, referring it to the Climate Change Committee with a request to call a special meeting to immediately begin work and discussion, given the urgent nature of the issue.

Leitha Haysom Digitally signed by Leitha Haysom
Date: 2024.03.26 09:54:47 -03'00'

Councillor's Signature

March 27 2024

Date

Approval for agenda: Yes No

Reason for Denial:

Mayor or Chair of Committee

Date

Be it resolved that the council of Municipality of the District of Lunenburg request the NSFM Board of Directors to consider the Coastal Climate Action Plan, the replacement of the Coastal Protection Act, as an advocacy priority for NSFM.

Whereas coastal communities all over Nova Scotia will be affected by sea level rise, storm surge and coastal erosion, and Nova Scotians need help to navigate the information provided by the province, the lack of regulation and enforcement, and the inevitable patchwork of rules that will be provided; and

Whereas the province proposes to provide template wording for municipal land use bylaws, but also acknowledges that there is no “one size fits all solution”, leaving municipalities with an outsized undertaking to provide adequate and responsible planning to residents; and

Whereas municipalities will require ongoing guidance, support plans and consultation with the province to adequately understand the suggestions included in the Province's Plan, and will also need to frequently advocate for additional funding sources to implement the actions required to protect Nova Scotian citizens and infrastructure;

Be it further resolved that this council believes that this issue would be best reviewed by the Climate Change Advisory Committee, and further given the urgent nature of this issue, and the developing information coming from the Province, that the Committee call a special meeting to immediately begin work and discussion.

From: Martin Bell <Martin.Bell@modl.ca>
Sent: Monday, April 8, 2024 8:00 AM
To: Joanne Powers <Joanne.Powers@modl.ca>
Subject: Added agenda item - Council April 9th (9 a.m.)

Re: Unwanted Development at 1680 Highway 331
Date: March 28th, 2024 / Request for April 2nd Council Meeting (denial)
April 3rd, 2024 / Resubmitted for April 9th Council Meeting (denial or missed)
April 5th, 2024 / Requested that it be an added item for April 9th 09:00h meeting.

Recently I have been contacted by five different individuals who are concerned by what they refer to as unwanted development in their neighbourhood which is in the community of Pleasantville an unzoned area without an area planning committee. While back prior to March 2023 MODL was preparing to address municipal wide planning under MODL2040. We heard concerns of an RV Park in Cherry Hill and coastal development concerns in Green Bay. Then we heard of cluster developments in Second Peninsula and Masons Beach. While all these projects were already underway it was deemed that they were unwanted development by local residents. We were not able to assist these local Councillors address the needs of their communities but were underway with community input via our web site and the MODL2040 project. Then in February 2023 a rock wall was built on George Island at what is known as Little Crescent Beach and our attention to municipal wide planning switched to Coastal Development protection and planning policies for what could be future MODL By-laws on Coastal Development. At the time it seemed an important action to address this concern. So on March 28th the MODL Council directed 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. This was Carried unanimously. The Municipal Council recognized that several "gaps" currently existed that needed to be addressed including the creation of coastal protection land use planning by the Municipality and the adoption of the Coastal Protection Act Regulations by the Province. We moved forward with this and put all our eggs in one basket. Other municipal wide development started to move forward unchecked.

I gave five examples above and now I want to point out an example of a small one-acre lot home in Pleasantville that was sold in May 2021. During the past year the owner has started a trailer part using the shipping vehicle trailer section of transport trucks.



Picture:

Currently one shipping container and two shipping trailers with information that at least one additional trailer will be located on the lawn of this one-acre residential lot does not fit into the esthetics of this community. This is my opinion, and it is the opinion of several other individuals living next to this mess.



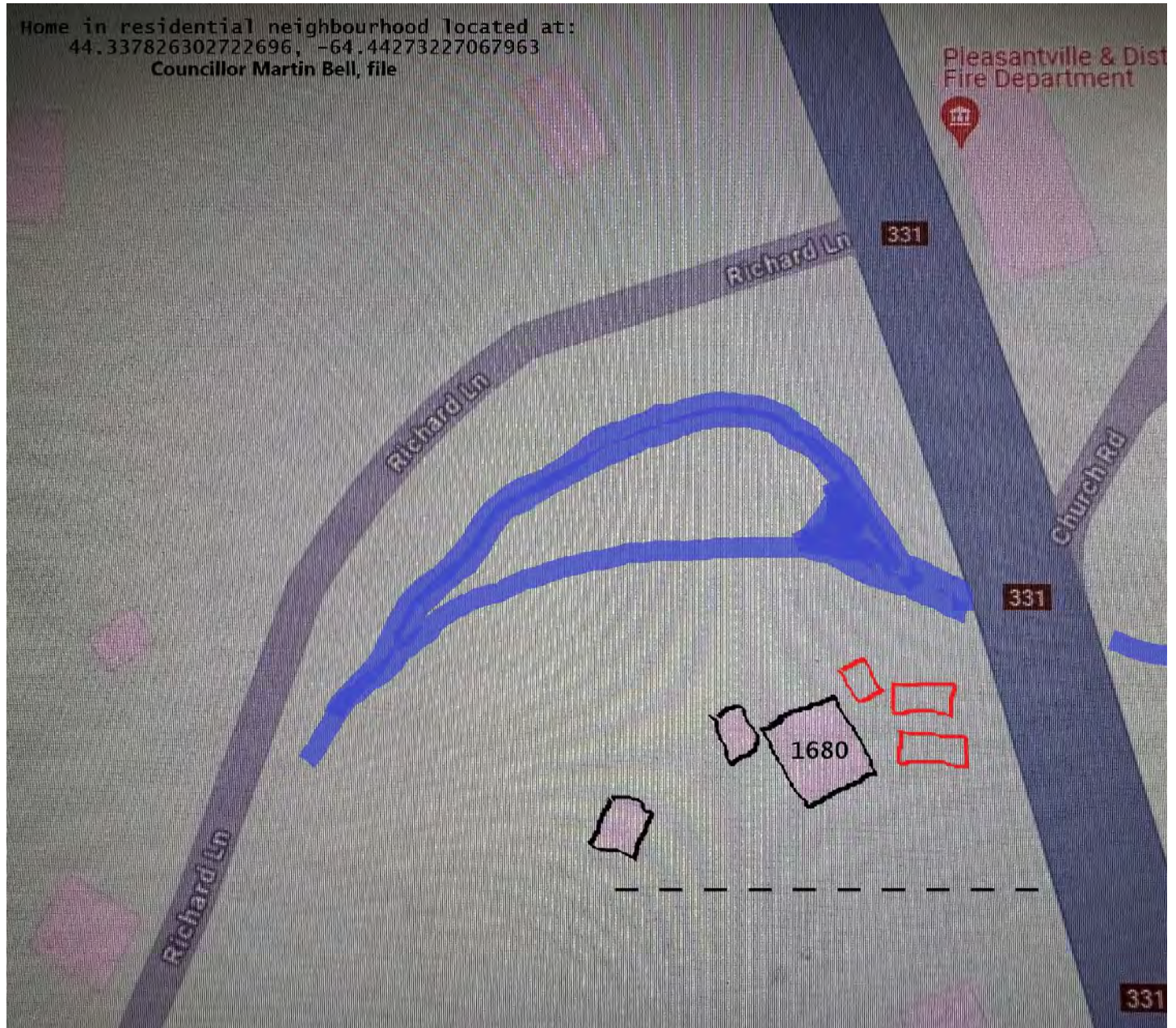
1680 Highway 331
Pleasantville

March 21st 2024

File photo
Councilor Martin B.

Currently MODL has no regulations regarding RV parks. If the owner of civic 1680 was building additional structures on the property he/she would require a building permit. I am not sure how the additional population within this lot will dispose of the sewage and wastewater. It is the province of Nova Scotia that regulates septic systems. This property has a brook on two of the four sides of the property.

Picture:



At least one shipping container has been located to the property and it is my understanding that once they are placed on the ground a footing or foundation would be considered a building and would be subject to the same permitting requirements as any other building. Now one must consider how close the trailers are to NS public highway 331. Again, that is a provincial consideration and not municipal regulations. It would appear that the shipping container will except power supply from Nova Scotia Power Inc. I expect a licensed electrical contractor would need to apply for a permit and be inspected before hooking up. If power is provided to the shipping container is extension cords to the three trailers permitted? Again, this too is not regulated by MODL.

It is my opinion that MODL needs to get back on track looking at municipal wide planning before some other community faces these same issues. If indeed we continue to work on just Coastal Development protection and allow municipal wide planning to slide, then we need to increase staff in the planning department to address these issues or we as Councillors need to better support our Planning Advisory Committee or both.

I do not come with any plan or action, nor do I suggest any motion here today, but I ask Council to be aware what is happening and make suggestions or to refer this matter to Policy and Strategy for continued action.

Regards,

Photos sent separate

Martin E. Bell

Councillor Martin E. Bell, CMG, PCPRet'd, District #2

Municipality of the District of Lunenburg

10 Allée Champlain Drive

Cookville NS B4V 9E4



Any correspondence with elected officials, employees or other agents of MODL may be subject to disclosure under the provisions of the Right to Information and Protection of Privacy Act of the Province of Nova Scotia