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Municipal Council Meeting Agenda

Tuesday, November 26, 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**
 - 2.1 Proclamation – Municipal Awareness Week
 - 2.2 Volunteer Firefighter 50 Years Awards – Aubrey McCarthy, Walter Joudrey, David Veinotte, Reid Whynot, and Charles Horstman
- 3. Public Input (15 Minutes)**
- 4. Changes/Approval of Agenda (as circulated)**
- 5. Approval of Minutes - October 8, 2024 Public Hearing; October 8, 2024 Council; November 12, 2024 Special Council**
- 6. Business Arising from Minutes**
- 7. Awarding of Tenders/RFPs**
 - 7.1 RFP 2024-05-403 Conquerall Bank Wastewater Collection System Inflow..... 2-4
- 8. Presentations/Scheduled Times**
 - 8.1 South Shore Hospice Palliative Care Society
Marlene Wheatly & Trudy Johnson 10:15 a.m. 5-15
- 9. Consideration of Correspondence - Nil**
- 10. Recommendations from Committees & Boards**
 - 10.1 Policy & Strategy Committee** **16**
 - 10.1.1 Repeal & Replace Policy MDL-037 Respecting a Code of Conduct 18-36
 - 10.1.2 Mandatory Code of Conduct Training for Elected Officials 18-21
 - 10.1.3 Amendments to Policy 004 Non-Council Appointments
and Honorariums 18-21 & 37-38
 - 10.1.4 Approval of Tax Relief for Damaged Property AAN 04635191..... 39-40
 - 10.1.5 Approval of Tax Relief for Damaged Property AAN 03339793..... 41-42
 - 10.1.6 Property Tax Sales..... 43-44
 - 10.1.7 Housing Market Data Study 45-47
 - 10.1.8 FCM Sustainable Communities Conference, Councillor Attendance 48

10.2 Nominating Committee

10.2.1 Annual Appointments to Boards & Committees 49-51

11. Staff Reports

11.1 Administration

11.1.1 Funding for Foodbanks and Shelters 52-53

11.2 Planning & Development Services

11.2.1 Appointment of Development Officers 54-55

11.3 Recreation, Parks & Tourism

11.3.1 Designated Community Fund – Friends of Cherry Hill Old Community Cemetery.. 56-60

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

12.1 MJSB Update
12.2 Deputy Mayor’s Update
12.3 Mayor’s Update

13. Added Items

14. In Camera - Nil

15. Adjournment

Council

Item: # 2.1

Date: November 26, 2024

Authorization: T. MacEwan

Municipal Awareness Week Proclamation

Whereas municipal government is responsible for the provision of services that enhance the quality of life of its citizens; and

Whereas dedicated Mayors, Wardens, Councillors and Staff are essential for the effective governance of their municipalities; and

Whereas citizen involvement is essential for an active community; and

Whereas it is fitting and proper to recognize and encourage the contribution of all who work diligently for the improvement of municipalities;

Therefore be it proclaimed that the week of November 25-December 1 be known as Municipal Awareness Week in the Municipality of the District of Lunenburg in recognition of the vital role of municipal government and in recognition of all whose efforts support it.

Council
Item: 7.1
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Council

Submitted by: Larry Feener P.Eng., Senior Municipal Engineer
Tyler Richardson, P.Eng., Municipal Engineer

Date: November 26, 2024

Re: Award of RFP 2024-05-403 Conquerall Bank Wastewater Collection System – Inflow and Infiltration Repair

Recommendation

Council authorize staff to close RFP 2024-05-403 Conquerall Bank Wastewater Collection System – Inflow and Infiltration Repair due to no submitted proposals. Council also authorize staff to approve the use of Alternative Procurement Practices as outlined in MDL 33 Purchasing and Tendering, Section 19, to engage Eastern Trenchless Ltd. to complete the work outlined in the posted Request for Proposal at an amount of \$52,000.00 plus net HST.

Executive summary

The Municipality of the District of Lunenburg (MODL) operates three wastewater treatment and collection systems located in Conquerall Bank, Cookville, and New Germany as well as a collection only system in Hebbville. The Conquerall Bank Wastewater Treatment Plant (WWTP) originally consisted of two separate plants, the Riverside WWTP and the Shore Drive WWTP. The two systems were combined in 2010 in an effort to consolidate municipal infrastructure and ensure uniform treatment. A study was undertaken by CBCL Ltd. in March of 2024 to investigate the extent of the Inflow and Infiltration (I and I) in the collection system. The study identified evidence of I and I issues in the collection system along the serviced section on Shore Drive.

The portion of the collection system on Shore Drive serves eleven (11) residences in total and is in need of repair at eight (8) of these properties. The majority of the work will focus on preventing unwanted stormwater from entering the wastewater system. Staff are seeking to

enter into a contract with a qualified contractor through alternative procurement to perform repair work on the infrastructure along Shore Drive after receiving no bids during posting.

Discussion

The Request for Proposals (RFP) 2024-05-403 Conquerall Bank Wastewater Collection System – Inflow and Infiltration Repair was issued on October 30, 2024, and closed at 2:00pm on November 13, 2024. No proposals were received by the deadline. Due to the lack of Proponent interest, alternative procurement through a selected contractor is the most advantageous method to remain on schedule for completion in this fiscal year and proceed with the necessary restoration work for the wastewater collection system.

Similar work was undertaken in New Germany last fiscal year as well as previously on the Cookville collection system to address I and I issues for the Municipality. This work was completed through a subcontract arrangement with Eastern Trenchless Ltd. and addressed a variety of damage to the collection system. Similar repairs are to be completed in the Conquerall Bank collection system as identified by the study.

Budget implications

The Conquerall Bank Wastewater Collection System – Inflow and Infiltration Repair was included in the 2024-2025 Capital Budget. The included Capital Budget figure for 2024-2025 was placed at \$50,000.00 which is lower than the received quote of \$52,000.00 to complete the work (an amount of \$2,000.00 plus net HST overbudget).

Strategic plan

N/A

Work plan

The expectation is to complete this work during the 2024-25 fiscal year. This work is weather dependent and may require a carryover if the proper weather conditions are not met.

Alternatives

An alternative option could include delaying the project to the next fiscal year and increasing the amount included in the Capital Budget.

Replacement of the tanks located on the collection system for Shore Drive was not recommended by our consultant, CBCL Ltd. The tanks did not meet their criteria for full replacement and could be repaired using alternative means. This method was comparable in price to replacement but included significant benefits regarding reinstatement and minimal disruption to residents' private property.

Conclusion

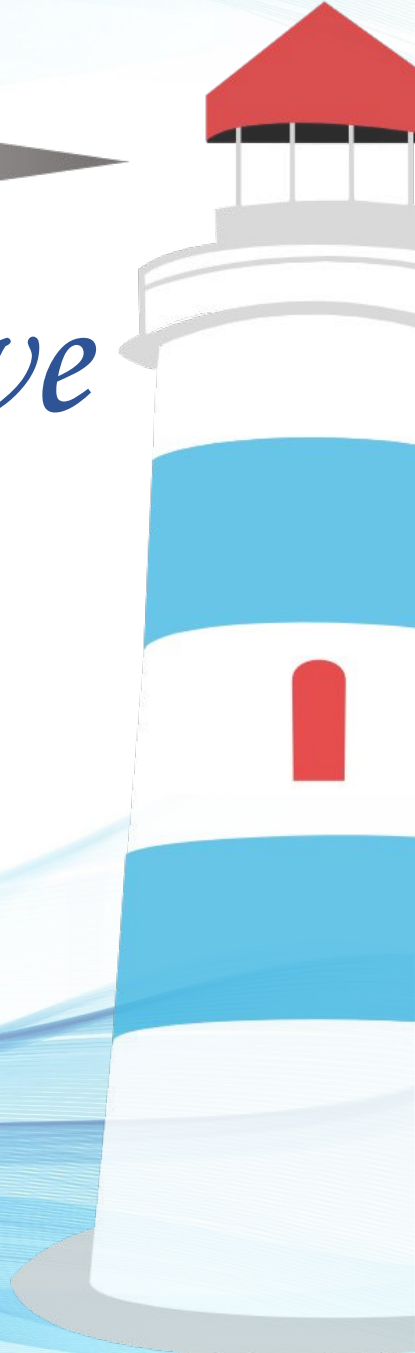
Limiting the ability for inflow and Infiltration to enter into the Conquerall Bank Collection System will allow for only wastewater to be treated which reduces both maintenance and cost.

Report Preparation	
Department	Engineering and Public Works
Report Prepared by	Larry Feener, P.Eng., Tyler Richardson P.Eng.
Report Approved by	Stephen W. Pace, MBA, P.Eng.
Date Reviewed by C.A.O.	

South Shore Hospice Palliative Care Society

*Working towards compassionate, accessible, end-of-life care
for all residents of Lunenburg and Queens Counties*

**Presented By:
Trudy Johnson
Marlene Wheatley Downe**



South Shore Hospice Palliative Care Society

Vision

Compassionate end-of-life care in an environment of choice

Mission

To promote compassionate end-of-life care through partnerships, education, advocacy and the provision of resources.

What is Palliative Care?

Examples of palliative services:

- Pain Management
- Personal Support Services
 - Meal Preparation
 - Home Cleaning
 - Wound Care & Dressing
- Psychological & Bereavement Support
- Respite & Caregiver Support



Palliative Care Compared to Hospice Care

Hospice is available closer to end-of-life. Hospice is available when the decision is made to stop curative and life-prolonging treatments. Generally, a patient receiving hospice care has been given a prognosis of less than 6 months to live.

Hospice provides all the same services as palliative care, but focuses on quality of life, rather than the treatment of the illness or disease.



office@southshorehospice.ca

Professional Palliative Services

Lunenburg & Queens Counties

The palliative care team is a dedicated group of health care providers who provide specialized, complex care planning and symptom management. Their support can complement the care that patients receive from their primary care provider and other members of their care team, but does not replace them.

Referral to the South Shore Palliative Care Team can be made by your primary care provider.



South Shore Area Palliative Care

Phone: (902) 634-7369
Fax: (902) 527-5413

2023 Palliative Care Statistics

Lunenburg & Queens Counties

South Shore Palliative Care Statistics (2023)

- 325 New Referrals Received
- 247 Deaths
 - SSRH 97 deaths, 25 in ER (26%)
 - QGH 42 deaths
 - FMH 16 deaths
 - Total in hospital deaths 155
 - Other 8
 - 56% (155) of Palliative Deaths Occurred in Hospitals
- Patients Ranged Between 20 -90+ Years of Age



SSHPCS Programs

Beacon of Hope

Coffee Club for Widows

Cooking for Care

Solace Fund

Food Bank Support

Art as a Part of Healing

Comfort Kits & Mouth Care Kits

Volunteer Visitation Program

Education

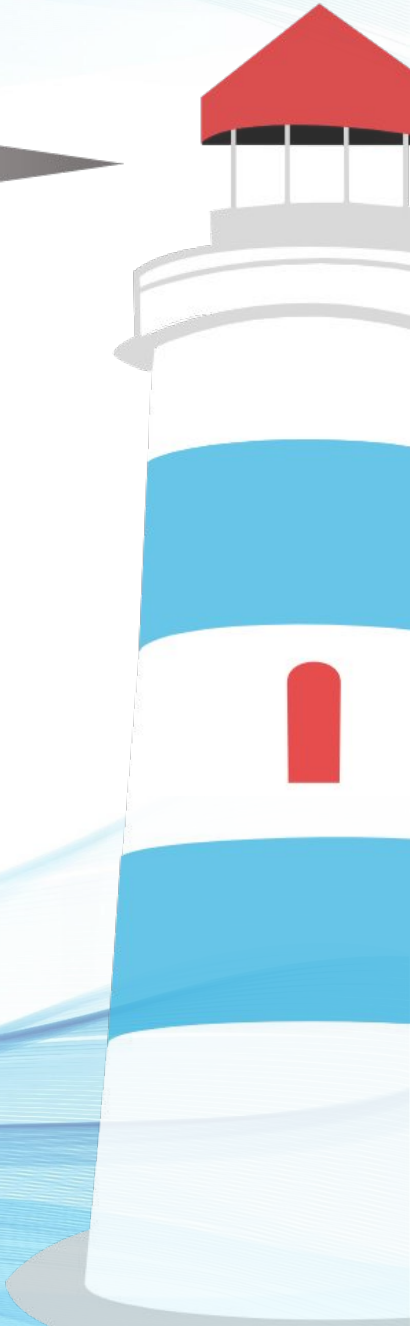
Dedicated Beds at Fisherman's Memorial Hospital

SSHPCS worked in cooperation with the Fisherman's Memorial Auxiliary and Health Services Foundation to fund the renovation and retrofit of 5 individual patient rooms and a family room at Fisherman's Memorial Hospital, in Lunenburg.



Future Initiatives

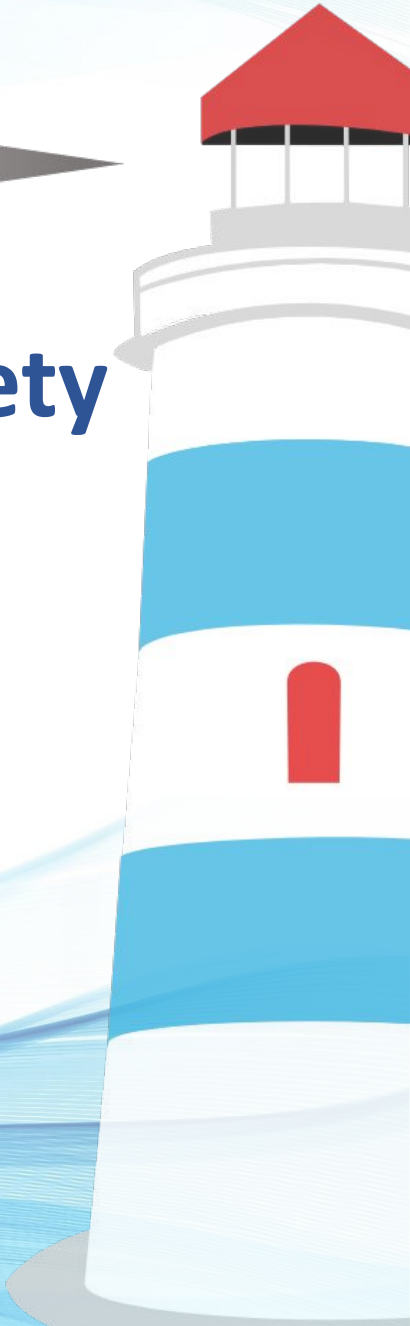
- Acquire land to build free standing hospice*
- Establish Palliative Care beds at 3 hospitals sites*
- Establish a Men's Shed*
- Grow programming across Lunenburg and Queens County*
- Continue Advocacy*



South Shore Hospice Palliative Care Society

*Office Hours:
Monday- Friday
10:00am -4:00pm*

*821 King Street, Unit 7
Bridgewater, NS
(902) 527-0000
office@southshorehospice.ca*





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

November 19, 2024

To Her Worship, Mayor McLean-Wile, and Councillors
of the Municipality of the District of Lunenburg

Dear Mayor and Councillors:

The Policy & Strategy Committee, in session on Tuesday, November 19, 2024, made the following recommendations to Council:

1. That the Policy & Strategy Committee recommends to Council that Municipal Council repeal Policy 037 Respecting a Code of Conduct and replace it with new Policy 037 Code of Conduct for Elected Officials, and further, gives 7 days' notice of Council's intention to adopt the new Policy at the November 26, 2024, Council meeting.
2. That the Policy & Strategy Committee recommends to Council that Councillors will complete mandatory training on the Code of Conduct within 30 days of the Province providing the training, notwithstanding Section 21(1) of Policy 037 Code of Conduct for Elected Officials.
3. That the Policy & Strategy Committee recommends to Council that Municipal Council approve the amendments to Policy 004 Non-Council Appointments and Honorariums to include that Committee Members are subject to the same code of conduct as Council members and gives 7 days' notice of its intention to adopt at the November 26, 2024 Council meeting.
4. That the Policy & Strategy Committee recommends to Council that Municipal Council approve tax relief in the amount of \$734.21 for the property located at 88 Lakeview Haven Drive, Hebbville, AAN 04635191 as per Policy 012 Tax Exemption/Reduction Policy.
5. That the Policy & Strategy Committee recommends to Council that Municipal Council approve tax relief in the amount of \$786.11 for the property located at 25 Barss Corner Road, New Germany AAN 03339793 and as per Policy 012 Tax Exemption/Reduction Policy.

6. That the Policy & Strategy Committee recommends to Council that Municipal Council authorize the Treasurer to proceed with a tender call for the March 3, 2025, Tax Sale, and further, that all future tax sales be conducted using a tender call process.
7. That the Policy & Strategy Committee recommends to Council that Municipal Council direct staff to prepare a Request for Proposals for a study to provide updated housing market information and address known data gaps that will support affordable housing initiatives within the region, and further, that Council send a formal request to neighbouring municipalities within Lunenburg County to participate in the study.
8. That the Policy & Strategy Committee recommends to Council that Municipal Council authorize the attendance of Councillors Oickle and DeLong to attend the FCM Sustainable Communities Conference to be held in Fredericton, New Brunswick on February 10 to 13, 2025.

Respectfully submitted,

Chairperson and Members
Policy & Strategy Committee

/jp

Council
Item: 10.1.1; 10.1.2; 10.1.3
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report To: Policy & Strategy Committee

Submitted By: Tina Robichaud-Bond, Executive Assistant to the CAO
April Whynot-Lohnes, Municipal Clerk
Alex Dumaresq, Deputy CAO

Date: November 19, 2024

Re: MDL-37 Policy Respecting a Code of Conduct
MODL Policy 004 Non Council Appointments & Honorariums

Recommendations

“that Municipal Council repeal Policy MDL-037 A Policy Respecting a Code of Conduct and replace it with the new MODL Policy 037 Code of Conduct for Elected Officials, and hereby gives 7 days’ notice of its intention to repeal and replace Policy MDL-037 with the new MODL Policy 037 Code of Conduct for Elected Officials at the November 26, 2024 Council meeting”.

“that Municipal Council amend MODL Policy 004 Non-Council Appointments and Honorariums, as presented, to apply the code of conduct to committee members and give 7 days’ notice of its intention to amend same”.

“that notwithstanding Section 21(1) of the new Code of Conduct, whereas the provincial training on the Code of Conduct will not be available within 30 days of Council swearing-in, that Municipal Council members will complete training on the Code of Conduct within 30 days of the Province providing the training”.

Executive Summary

In August 2024, the Department of Municipal Affairs and Housing provided a model code of conduct and advised that this new legislation be adopted by all municipalities within 60 days of the October 2024 municipal election.

The current Policy MDL-037 Policy Respecting a Code of Conduct includes provisions for elected officials, municipal staff, and citizen appointments to committees. Due to the specific provincial requirements of the code of conduct for elected officials, staff is proposing that the current Policy be repealed and replaced with the new MODL Policy 037 Code of Conduct for Elected Officials, and that MODL Policy 004 Non Council Appointments and Honorariums be amended to include a Code of Conduct section for citizen appointments to standing, special or advisory committees, as well as updated to the accessible document format.

Background

In January 2022, a Code of Conduct Working Group was established to develop a set of recommendations on the code of conduct framework. This Group is comprised of representatives from the Nova Scotia Federation of Municipalities (NSFM), the Association of Municipal Administrators (AMANS), the Association of Nova Scotia Villages (ANSV), and the Department of Municipal Affairs and Housing (DMAH). The framework included content for the code, sanctions that could be imposed should a breach occur, and options for an investigator model. In October of 2024 the regulations requiring the adoption of the model code were published. Municipal Councils across Nova Scotia have until December 19, 2024 to adopt the code.

Contents of the code

The code includes some guiding principles for council conduct, including: collegiality, respect, integrity, professionalism, transparency, and responsibility. The code then specifies prohibitions or requirements for behaviour in each of the following areas: general conduct, protecting confidential information, receiving gifts and benefits, improper use of municipal equipment and services, support from a building planning or procurement proponent, improper use of influence, improper business relations, improper influence on employment, improper consideration for a group, adherence to law/policy/procedure, respect for council decisions, improper direction of staff, harassment and discrimination, and reprisals.

The regulations requires that Council appoint an independent investigator and publicly post contact information for the investigator. The code lays out an investigative process that produces an independent report for Council to consider, along side a response, should the respondent wish to provide one. Council is then tasked with the responsibility of determining if a breach occurred. If Council determines a breach did occur, Council must then consider a set of criteria for sanctions before applying one or more of a prescribed list. The possible sanctions range from a letter of warning, to training, to removing a member from committees for up to 6 months, to financial penalties.

Analysis

There are significant advantages and improvements to the new model code of conduct over previous versions offered by the Province and the NSFM. The new code provides consistency across municipalities. More importantly, the code and regulations provide for independent

review along with a framework for sanctions, addressing major gaps in the previous system of governing Council behavior.

Codes of conduct can be challenging in their interpretation and application of codes to actual behaviors and incidents. The code provided by the Province attempts to strike a balance between transparency for the public and privacy for the individuals involved. It also sets out to create a respectful council environment while respecting the critical function of expressing dissenting opinions. In response to inquiries, the province confirmed that they conducted several legal reviews prior to finalizing the code of conduct, including their internal legal review and the legislative services review prior to the adoption of the regulations. The province will also be monitoring the results of the new code of conduct to determine its effectiveness.

While lacking in investigative and enforcement components, Council's previous code did apply to non-council members of committees as well as staff. The model code presented by the Province does not apply to either of these groups. Staff recommend this be addressed by revising MODL Policy 004 Non-Council Appointments and Honorariums. The addition of a new clause, stating that Non-Council members will be held to the same professional code of conduct standards as established in Policy 037 Code of Conduct for Elected Officials is sufficient. The Personnel Policy already provides for a system of investigation, performance management and enforcement for staff conduct. To ensure that the standards of behaviour are clearly expressed for staff, an operational procedure outlining the guiding principles and conduct (i.e. sections 5 through 17 of the model code) will be adopted for staff.

Budget Implications

Procurement of a third party to conduct investigations will be required and staff have been working with joint partners to determine if this could be a shared procurement initiative.

Strategic Plan

Not applicable.

Work Plan

The new and amended policies are required to be approved and implemented.

Alternatives

New Regulations to the **Municipal Government Act** require the adoption of the model code of conduct. Failing to adopt the model code or adopting a revised code of conduct is therefore not a legal alternative. If Council has a concern with an element of the code, then following adoption Council could direct staff to prepare an issue paper on the matter in preparation for advocacy with the province.

The model code does not explicitly extend to keeping the code of conduct requirements for elected officials, municipal staff, and citizen appointees as one document. Staff have

recommended applying the model code to non-council appointees through a policy amendment. Council could choose not to apply the code to at large members or adopt a modified code for this class of committee member.

Conclusion

The new model code represents an improvement over existing Council policy based on previous model codes. Staff is recommending that the current Code of Conduct be repealed and replaced and amend the current policy for non-council appointments and honorariums to include a section for the conduct expected of citizen appointees.

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

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

MODL POLICY 037

A POLICY RESPECTING A CODE OF CONDUCT

1. This policy is entitled “A Policy Respecting a Code of Conduct” and applies to Members of Municipal Council, citizens appointed by Council to serve on a Committee of Council and Municipal staff.

PURPOSE

2. The purpose of this Policy is to establish Council’s standards of professional conduct for Council Members, Municipal Staff and citizens appointed by Council to serve on a Committee of Council. The standards of professional conduct established in this Policy are built on the following Core Values of Municipal Council:
 - a) Customer Service
 - b) Community Participation and Consultation
 - c) Equality and Respect
 - d) Openness and Accountability
 - e) Integrity and Impartiality.

PROFESSIONAL CONDUCT STANDARDS - GENERAL

3. All Municipal Council members, citizen appointees to Committees of Council and Municipal staff shall adhere to the following Professional Conduct Standards in carrying out their respective duties:
 - a) Council members, citizen appointees and Municipal staff will act in good faith at all times, putting public interest above personal interest
 - b) Council members, citizen appointees and Municipal staff will be cognizant of issues involving Conflict of Interest (either direct or indirect) and will declare such Conflict of Interest when they occur.
 - c) No member of Municipal Council, citizen appointees or Municipal staff shall, without proper legal authorization, disclose confidential information of the Municipality, property of the Municipality or employees of the Municipality where such information was discussed in an In-Camera Session.
 - d) Council members, citizen appointees and Municipal staff shall not exceed their authority, breach the law or ask others to do so.

e) Council members, citizen appointees and municipal staff will recognize that the expenditure of municipal funds is a public trust and will endeavor to ensure that such funds are expended efficiently, economically and in the best interest of the Municipality of the District of Lunenburg.

PROFESSIONAL CONDUCT STANDARDS – MUNICIPAL COUNCIL MEMBERS

4. In addition to the Professional Conduct Standards in section 3, all Members of Municipal Council shall follow the Professional Conduct Standards in carrying out their duties as a Municipal Councillor of the Municipality of the District of Lunenburg, as follows:

a) Council members shall be able to seek information from Municipal Staff without receiving authorization from the Chief Administrative Officer. However, if the information being sought will impact on Municipal staff's workload or not enable Municipal staff to complete scheduled work, the request for information shall be made through the Chief Administrative Officer.

b) As per the Municipal Government Act, no member of Municipal Council or Committee member shall give direction to Municipal staff. All instructions shall be made by Council or the Committee of the Whole or other Committees of Council, through the Chief Administrative Officer.

c) Council members will avoid hostility and bitterness during meetings; will observe proper decorum and behavior; will encourage full and open discussions in all matters; and, will not withhold or conceal from Council members any information or matter in which they should be concerned.

d) Council members will make no disparaging remarks (in or out of Council) about other members of Council or their opinions, but will reserve the right to make respectful and honest criticism.

e) Council members will respect that the role of Municipal staff is to provide Council with the information deemed necessary for Council members to make decisions and carry out the duties of Council. Council members shall treat staff with respect and shall not display hostility or bitterness to Municipal staff while receiving Municipal staff's advice.

f) Council members will not pursue any procedure calculated to embarrass a fellow member of Council or a member of Municipal Staff.

g) Council members will abide by the majority decisions of Municipal Council.

PROFESSIONAL CONDUCT STANDARDS - CITIZEN APPOINTMENTS

5. Individuals appointed by Municipal Council as Members at Large (Citizen Appointments) on Committees of Municipal Council shall adhere to the professional conduct standards as established for Municipal Council Members

PROFESSIONAL CONDUCT STANDARDS - MUNICIPAL EMPLOYEES

6. Municipal staff shall adhere to the following Professional Conduct Standards in carrying out their duties as employees of the Municipality of the District of Lunenburg:
 - a) Municipal staff will carry out their duties in accordance with their job descriptions and will do so with the utmost respect for each other, Council and for public which they serve.
 - b) No Municipal employee shall grant any special consideration, treatment or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.
 - c) Municipal staff will make no disparaging remarks about other employees, Council members or members of the public in the carrying out of their duties.
 - d) Upon the request of a Council Member for information, a Municipal staff member shall provide the requested information within a reasonable time frame. If a Municipal staff member feels that in order to provide the requested information their respective workload and ability to meet specific deadlines will be impacted, the employee shall forward the request, on behalf of the Councillor, to the Chief Administrative Officer. The Chief Administrative Officer shall then make a determination as to whether the requested information can be provided and when.
 - e) Municipal staff shall not receive direction from a Municipal Council member, but rather shall receive direction from a Committee or Council, through the Chief Administrative Officer.
 - f) All recommendations/reports communicated to Council or a Committee of Council shall be in writing and shall be brought to Council through the Chief Administrative Officer, or to the applicable Committee through the Chief Administrative Officer, or the Committee Chair, as applicable. Verbal reports shall be used as a method of communicating advice to Council or a Committee only on the rare occasion, when time constraints provide no other option. Recommendations/Reports shall be based upon the best information available to Municipal Staff at the time of forwarding the same to Council.
 - g) Municipal staff shall respect that the role of Municipal staff is to advise Council on policy matters. Municipal staff shall further respect that the role of Municipal Council is to receive the advice and then make decisions respecting policy matters. Municipal staff shall

respect the decision of Council, and shall not make disparaging remarks (in or out of Council) about Councillors or individual Council Members opinions.

7. **REPORTING BREACHES OF THIS CODE**

Members of Municipal Council, citizen appointees on Committees of Council and Municipal staff shall act in accordance with this Code of Conduct. The following procedure shall be followed in reporting a breach of this Code:

Municipal Employees

- a) An employee who wishes to report a breach of this Code or seek clarification as to whether the Code of Conduct was breached shall consult with his/her supervisor.
- b) If a supervisor determines that a breach to this Code has occurred, the supervisor shall report the same to his/her Department Head. The Department Head, in consultation with the Chief Administrative Officer, shall determine what steps shall be taken to rectify the matter, including whether disciplinary action shall be taken.
- c) A Municipal Councillor who wishes to report a breach of this Code by a Municipal Employee, or seek clarification as to whether the Code of Conduct was breached shall do so by consulting with the Chief Administrative Officer.

Municipal Council Members / Citizen Appointees

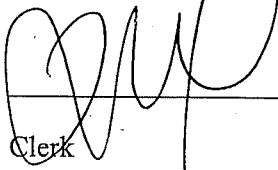
- d) A Municipal Council Member or Citizen Appointee, who wishes to report a breach of this Code by a Council Member or a Citizen Appointee, or seek clarification as to whether the Code of Conduct was breached, shall consult with the Head of Council.
- e) If the Head of Council determines that a breach of this Code has occurred, the Head of Council shall discuss the breach with the Councillor or Citizen Appointee whom made the breach to determine what steps will be taken to rectify the matter.
- f) A Municipal Employee who wishes to report a breach of this Code by a Municipal Councillor or Citizen Appointee, or seek clarification as to whether the Code of Conduct was breached shall do so by consulting with his/her supervisor. Upon receipt of the notice by the employee, the supervisor shall report the same to the Chief Administrative Officer, who, in turn shall refer the matter to the Head of Council.
- g) A Municipal Councillor who wishes to report a breach of this Code of Conduct by the Head of Council shall do so by bringing the matter to Council. The Head of Council shall grant the request to place the item on the Agenda. Council members shall discuss the concern with the Head of Council.

Clerks Annotation for Official Policy Book

Date of Notice of Council Members: September 11, 2007

Date of Passage of Current Policy: October 9, 2007

I certify that this Policy was adopted by Council as indicated above:



Clerk

October 17, 2007

Date

Municipality of the District of Lunenburg

Policy Details	
Name	Code of Conduct for Elected Officials
Number	037
Legislative Authority	
Effective Date	

Purpose

- 1 (1) The purpose of the Code of Conduct Policy is to establish standards of professional conduct for elected officials. The Code of Conduct operates together and as a supplement to other applicable laws, including the bylaws and policies of the Municipality.
- (2) This Policy applies to elected officials at all times with respect to their behaviour regarding any action that negatively impacts the Municipality or tarnishes its reputation.
- (3) Nothing in this Policy is intended to silence elected officials from sharing or expressing dissenting opinions.
- (4) This Policy applies to elected officials from the time they are declared elected until:
 - a) their resignation;
 - b) their disqualification while in office;
 - c) their successor is sworn into office; or
 - d) if there is no successor, until the meeting at which the successor would have been sworn into office.

Guiding Principles

- 2 (1) Collegiality – Members of Council will work together to further the best interests of the Municipality in an honest and honourable way.
- (2) Respect – Members of Council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- (3) Integrity – Members of Council are expected to act lawfully and adhere to strong ethical principles by giving the Municipality's interests priority over private individual interests.
- (4) Professionalism – Members of Council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, and supporting and encouraging others to participate in council activities.

(5) Transparency – Members of Council will be truthful and open regarding their decisions and action and make every effort to accurately communicate information openly to the public.

(6) Responsibility – Members of Council are responsible for the decisions that they make and must be held accountable for their actions and outcomes. They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

General Conduct

- 3 (1) Members of Council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.
- (2) Members of Council will respect the presiding officers, colleagues, staff, and members of the public that present during the Council meeting or other proceedings or meetings of the Municipality.
- (3) Members of Council will adhere to procedure and direction of presiding officers in respect of rules of procedure.
- (4) Members of Council must conduct Council business and all of the members' duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- (5) Members of Council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the Municipality.

Confidential Information

- 4 (1) Members of Council will not disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law, or authorized by the Council to do so.
- (2) Members of Council will not use confidential information for personal or private gain or for the gain of any other person or entity.
- (3) Members of Council should not access or attempt to access confidential information in the custody of the Municipality unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the Municipality.

(4) Members of Council must not discuss any matters relating to an active investigation under this Policy with anyone other than the investigator or their own legal representative, unless required by law.

Gifts and Benefits

- 5 (1) Members of Council will not accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
- a) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - b) a suitable memento of a function honouring the Member of Council;
 - c) sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a Member of Council;
 - d) compensation authorized by the Municipality.

Use of Municipal Property, Equipment, and Services

- 6 (1) Members of Council will not use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
- a) available for such use by the public generally and the member of Council is receiving no special preference in its use; or
 - b) made available to the Member of Council in the course of carrying out council activities and duties.
- (2) Members of Council will not use, or request the use of, for personal purposes, any municipal property, equipment, services, supplies or other municipally-owned materials, other than for purposes connected with the discharge of municipal duties.
- (3) Members of Council will not obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
- (4) Members of Council will not use information, or attempt to use information, gained in the execution of their duties that is not available to the public for any purposes other than carrying out their official duties.
- (5) Members of Council, or person closely connected to a member, will not tender on items such as the sale of older and extra equipment.

Building, Development, Planning, or Procurement Proposals before Council

- 7 Members of Council will not solicit or accept support in any form from an individual, group or corporation, with any building, development, planning, or procurement proposal before Council.

Improper Use of Influence

- 8 Members of Council will not use the influence of their office for any purpose other than for the exercise of their official duties.

Business Relations

- 9 (1) Members of Council will not allow the prospect of their future employment by a person or entity to affect the performance of their duties to the Municipality.
- (2) Members of Council will not borrow money from any person who regularly does business with the Municipality, unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- (3) Members of Council will not act as an agent of a person or entity before Council or a Committee of Council or any agency, board or committee of the Municipality.

Employment of Persons Closely Connected to Members of Council

- 10 (1) Members of Council will not attempt to influence any municipal employee to hire or promote a person closely connected to the Member.
- (2) Members of Council will not make any decision or participate in the process to hire, transfer, promote, demote, discipline, or terminate any person closely connected to the Member.

Fairness

- 11 (1) Members of Council will not give special consideration, treatment, or advantage to any individual or entity beyond that which is accorded to all.
- (2) Members of Council will not give special consideration, treatment, or advantage to an organization or group due to the Member or person closely connected to the Member being involved with or a member of the organization or group.

Adherence to Policies, Procedures, Bylaws, and Other Laws

- 12 (1) Members of Council will adhere to the Code of Conduct and to the applicable national and provincial legislation.

(2) Members of Council will adhere to the procedures, policies, and bylaws of the Municipality.

(3) Members of Council will adhere to the expense and hospitality policy of the Municipality.

Respect for Council as a Decision-making Body

13 (1) Members of Council must abide by the Act in accordance with any decision made by Council, whether or not the Member voted in favour of the decision.

(2) Members of Council must not encourage non-compliance with a statute, regulation, bylaw, policy, or procedure.

Communicating on Behalf of Council

14 (1) A Member, other than the Mayor, must not claim to speak on behalf of Council unless the Member has been authorized to do so.

(2) The Mayor or designated individual may speak on behalf of Council and must make every effort to accurately convey the intent of Council's decision.

Interactions of Council with Staff and Service Providers

15 (1) Members of Council must respect the role of the CAO as head of the administrative branch of the government of the Municipality and must not involve themselves directing in the administration of the affairs of the Municipality, including, without limitation, the administration of contracts.

(2) Members of Council will not direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.

(3) Members of Council will be respectful of the role of the CAO and municipal employees to advise based on political neutrality and objectivity and without undue influence from any individual member or fraction of the Council.

(4) Members of Council must not direct or influence, or attempt to direct or influence any municipal employees in the exercise of their duties or functions.

(5) Council cannot direct municipal employees except through the CAO.

(6) Members of Council are not to issue instructions to any of the contractors, tenderers, consultants or other service providers to the Municipality.

(7) Members of Council will not require or request that a municipal employee undertake personal chores or tasks for the Council Member unrelated to municipal business.

(8) Members of Council will refrain from making public statements that are critical of specific and/or identifiable municipal employees and/or service providers.

Respectful Interactions

- 16 (1) Members of Council must not engage in discrimination or harassment on the grounds articulated in the **Human Rights Act** of Nova Scotia.
- (2) Members of Council must not sexually harass any person.
- (3) Members of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that create a poisoned environment.

Reprisal

- 17 Members of Council must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under the Code of Conduct or any person providing relevant information in relation to a matter under this Code of Conduct.

Sanctions Framework

- 18 (1) Council will consider all of the following criteria prior to imposing a sanction or sanctions:
- a) The nature of the contravention of the code.
 - b) The length or persistence of the contravention of the code.
 - c) Intentional contravention of the code.
 - d) Remediation of the contravention of the code.
 - e) Prior incidents of contravention of the code.
 - f) External factors that exist to the contravention of the code, i.e., family situation, mental health.
 - g) Resources that may be required for the Member to complete their job.

Breaching the Code of Conduct

- 19 (1) Possible sanctions to be imposed on a Member of Council for breaching the Code of Conduct are as follows:
- a) Member will receive a letter of formal reprimand or warning, as directed by Council.

- b) Member will issue a letter to include acknowledgement of breach of code and an apology withing 15 days.
 - c) Member will be required to attend training, appropriate to the incident, as directed by Council.
 - d) The Member will be censured publicly.
 - e) Limit the Member's access to certain local government facilities, equipment and/or property.
 - f) Suspend or remove the Member as Deputy Mayor and/or the Chair of a committee, if applicable.
 - g) Suspend or remove the Member for no longer than 6 months from some or all committees and/or boards.
 - h) Impose a limit on the Member's participation on behalf of the Municipality.
 - i) Impose a limit on the Member's travel and/or expense reimbursement on behalf of the Municipality.
 - j) Impose a fine on the Member for up to \$1,000 per occurrence, which is to be paid no later than 6 months from the decision of Council and to be collected in the same manner as other taxes.
 - k) Impose an appropriate reduction in remuneration to the Member for no longer than 6 months.
 - l) Require that the Member repay any direct monetary loss realized by the Municipality as a result of the Member's action in any amounts determined by an investigator.
 - m) Require that the Member repay any direct monetary gain they obtained from their actions in any amounts determined by an investigator.
- (2) Failure to comply with a sanction imposed is considered to be a breach of the Code of Conduct and will go to Council with the investigator's recommendation only.

Complaint and Investigative Process

- 20 (1) The Municipality will appoint a person or entity with experience in conducting investigations and applying the principles of natural justice and procedural fairness. No conflict of interest can exist between the investigator and the parties involved.
- (2) The Investigator's contact information is available on the MODL website.
- (3) The complaint must be submitted to the Investigator no later than 6 months from discoverability.
- (4) A complaint brought forward during a municipal election period, from nomination day until ordinary polling day, will not be investigated until the election has concluded. Investigations already in progress at the time of the nomination day will continue.

- (5) The Investigator will notify the CAO/Clerk of a complaint upon receipt.
- (6) The Investigator will determine the validity of the complaint. If not valid, the complaint will be dismissed. If valid, the Investigator will:
 - a) notify the Member that a complaint has been made against them and advise that an investigation is proceeding; and
 - b) notify Council through a confidential email or brought to an in camera session of Council of the fact that a complaint is proceeding to the investigation phase.
- (7) The Investigator will protect the confidentiality of the complainant, the subject of the complaint, and all persons involved in the investigation, to the greatest extent possible, while still applying the principles of natural justice and ensuring procedural fairness.
- (8) No later than 6 months after the receipt of the complaint, the Investigator will present a report to Council on the investigation, including a recommendation regarding the validity of the complaint and, if applicable, a recommendation regarding an appropriate sanction.
- (9) Under extenuating circumstances, Council may grant an extension of the 6-month deadline of the report. These circumstances could include a delay due to a municipal election.
- (10) The report to Council falls under the criteria for In Camera.
- (11) The Member who is the subject of the complaint will have an opportunity to review and respond to the Investigator's report and make submissions to Council, prior to Council's decision.
- (12) Council determines the validity of the breach and the sanction(s) to be imposed.
- (13) The Member who is the subject of the complaint under this Code of Conduct will:
 - a) leave the room if the discussion is being held in camera;
 - b) leave the room or remove themselves from the table if the discussion is part of the regular public session;
 - c) refrain from voting on any question relating to the matter.
- (14) The Member who has made the complaint under this Code of Conduct will:

- a) leave the room if the discussion is being held in camera;
- b) leave the room or remove themselves from the table if the discussion is part of the regular public session;
- c) refrain from voting on any question relating to the matter.

(15) Any breach of this Code of Conduct will automatically retrigger the required Code of Conduct training.

(16) The section under the Code of Conduct under which the complaint was lodged and the Investigator’s recommendations will be made public.

(17) Council’s decision or penalty on a Code of Conduct matter is final and binding on all parties.

Code of Conduct Training

- 21 (1) Elected officials are required to complete the training within 30 days of being sworn into office and failure to do so is considered a breach of the Code of Conduct. The matter of this breach may go to Council without investigation.
- (2) Any breach of this Code of Conduct will result in additional training for the Member who committed the breach.
- (3) The training will be developed and delivered in an online module format with quizzes and a minimum pass rate to ensure a minimum level of understanding.

Review of Code of Conduct Policy

22 A review and re-adoption of the Code of Conduct will take place every 4 years.

Repeal & Replace

23 Policy MDL-37 A Policy Respecting a Code of Conduct dated October 17, 2007 is repealed and replaced with the new Policy 037 Code of Conduct for Elected Officials.

Policy Adoption	
Date of Original Passage	October 9, 2007
Date of Notice of Intent to Repeal & Replace	November 19, 2024
Date of Council Approval	
Date of Effective Date (if different from approval date)	

I certify that this Policy 037 Code of Conduct for Elected Officials was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Approval Date
Original V1	A Policy Respecting a Code of Conduct	Oct 9, 2007
	Repeal & Replace with new provincial standards	
Original V1	Code of Conduct for Elected Officials. New version includes conduct standards for elected officials only.	

Municipality of the District of Lunenburg

Policy Details	
Name	Non-Council Appointments and Honorariums
Number	004
Legislative Authority	
Effective Date	

Purpose

- 1 The purpose of this policy is to establish a procedure for the appointment of Non-Council Members to a standing, special or advisory committee and a method for calculation of an honorarium for such appointment.

Procedure for Appointment of Non-Council Members

- 2 (1) The following procedure shall be followed for the appointment of Non-Council members:
 - a) Councillors shall nominate non-council persons for members of Committees, Boards or Commissions in writing to the Nominating Committee.
 - b) The Nominating Committee shall recommend Non-Council members for Committees, Boards or Commissions to the Council. If the Nominating Committee's recommendation is not accepted by Council, then nominations shall be made in writing to the Council who will accept nominations and appoint such members.

Annual Honorariums

- 3 Annual honorariums paid to Non-Council members appointed by Council shall be \$55 per meeting plus appropriate mileage.

Code of Conduct

- 4 Non-Council members will be held to the same professional code of conduct standards as established in Policy 037 Code of Conduct for Elected Officials.

Policy Adoption	
Date of Original Passage	October 9, 2007
Date of Notice of Intent to Amend	
Date of Council Approval	
Date of Effective Date (if different from approval date)	

I certify that this Policy 004 Non-Council Appointments and Honorariums was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Approval Date
Original V1	Non-Council Appointments and Honorariums	Apr 1, 1999
V2	Amended to add Lunenburg/Queens R.D.A to list of annual honorariums paid to non councillors	Aug 3, 1999
V3	Amended to add Waste Water Management Committee to list of annual honorariums paid to non councillors	Feb 22, 2000
V1	Repealed & Replaced with new Policy 004 Non-Council Appointments and Honorariums	Oct 9, 2007
V2	Removed old fee structure and created a set meeting rate.	Apr 9, 2013
V3	Section 1 amended to remove “excluding Area Advisory Committee”	July 14, 2020
V4	Amended to add a section for Code of Conduct	

Council
Item: #10.1.4
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy & Strategy Committee
Submitted by: Elana Wentzell, CPA, CMA, Director of Financial Services
Date: November 19, 2024
Re: TAX RELIEF – DAMAGED PROPERTY

Recommendation

It is recommended that Municipal Council approve tax relief in the amount of \$734.21 as per the submitted application for the property located at 88 Lakeview Haven Drive, Hebbville, AAN 04635191 and as per MDL-12 Tax Exemption/Reduction Policy.

Executive Summary & Discussion

The following taxpayer has completed application for tax relief due to fire loss of residential property:

Name	Property Tax Billing		Re-assessment	Tax Relief Amount
Bennie & Anne Hargreaves AAN 04635191	2024-25	\$2,904.66	\$2,170.45	\$734.21

As per Policy MDL-12, a property destroyed by fire or other natural disaster is eligible for a reduction in property taxes if proof of claim is received and if the PVSC makes an assessment change based on the damage. Staff have reviewed the application and have received the re-assessment for the property. Property tax adjustments have been pro-rated based on the date of destruction. Because the adjustment is over \$500, staff must seek Council approval.

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

Council
Item: #10.1.5
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy & Strategy Committee
Submitted by: Elana Wentzell, CPA, CMA, Director of Financial Services
Date: November 19, 2024
Re: TAX RELIEF – DAMAGED PROPERTY

Recommendation

It is recommended that Municipal Council approve tax relief in the amount of \$786.11 as per the submitted application for the property located at 25 Barss Corner Rd AAN 03339793 and as per MDL-12 Tax Exemption/Reduction Policy.

Executive summary & Discussion

The following taxpayer has completed application for tax relief due to fire loss of residential property:

Name	Property Tax Billing		Re-assessment	Tax Relief Amount
Patrick Fudge AAN 03339793	2023-24	\$796.23	\$628.96	\$167.27
	2024-25	\$821.34	\$202.50	\$618.84

As per Policy MDL-12, a property destroyed by fire or other natural disaster is eligible for a reduction in property taxes if proof of claim is received and if the PVSC makes an assessment change based on the damage. Staff have reviewed the application and have received the re-assessment for the property. Property tax adjustments have been pro-rated based on the date of destruction. Because the adjustment is over \$500, staff must seek Council approval.

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

Council
Item: #10.1.6
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy & Strategy Committee
Submitted by: Elana Wentzell, CPA, CMA, Director of Finance & Municipal Treasurer
Date: 2024-11-19
Re: 2025 Tax Sale

Recommendation

The Policy & Strategy Committee recommend that Municipal Council authorize the Treasurer to proceed with a tender call for the March 3, 2025 Tax Sale and all future tax sales.

Executive summary

The annual Tax Sale is scheduled for March 3, 2025. Prior to the COVID pandemic, all tax sales were held as a public auction per Section 141 (1) of the Municipal Government Act (MGA).

For the past four years, Council approved that the Treasurer proceed with the annual Tax Sale through a tender call as per section 141 (2) of the MGA. The use of a tender call was successful. Most properties that went into these tax sales received bids and were sold.

Discussion

The Municipality's annual public auction tax sale has been historically well attended, with upwards of 90 people present. This can be cumbersome to manage, RCMP security is required, and it does not lend itself to be fully accessible to bidders who cannot attend in person on the tax sale day.

Staff have discussed annual tax sales with other municipal units at the recent Tax Collectors Conference – many who used an auction prior to the pandemic are continuing to use a tender process – mainly for the safety of their staff.

Because we have been successful with the tender tax sale process over the past 4 years, staff are suggesting that the upcoming tax sale in March 2025 proceed in this manner.

Alternatives

1. Tax Sale by Public Auction - Council can decide to proceed instead with a public auction for the upcoming tax sale.
2. Defer the Tax Sale - Council also has the authority to defer tax sales for up to two years. However, that could create a collections problem, where property owners could defer payment even longer. As well, it would become an administrative burden to let more property payments lapse.

The tax sale collection process is legislated by the MGA and includes preliminary and final tax sale notices, posting of properties in the tax sale as well as advertising in late January and again in February.

Staff make collection calls and payment arrangements to reduce the number of properties that are in the tax sale. Deferring the tax sale would mean additional resources would be required to manage a subsequent tax sale that would most likely include more properties.

Budget implications

There would be additional costs if the tax sale was deferred. These costs are passed on to the properties in the tax sale.

Conclusion

Staff recommend that due to four consecutive tax sales via a tender process, that the 2025 Tax Sale be held by a tender call as legislated in the MGA. Staff also recommend that this becomes a permanent process so Council approval need not be sought in future years.

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

Council
Item: #10.1.7
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Policy and Strategy Committee

Submitted by: Reid Shepherd, Deputy Director of Planning and Development Services

Date: November 19, 2024

Re: Housing Market Data to Support Affordable Housing Development

Recommendation

“That the Policy and Strategy Committee recommend that Council provide direction to staff to prepare a Request for Proposals for the completion of a study to provide updated housing market information and address known data gaps that will support affordable housing within the region, and further, that Council send a formal request to neighbouring municipalities within Lunenburg County to participate in the study.”

Executive summary

The Canada Mortgage and Housing Corporation (CMHC) and other agencies rely on local housing market data to verify that needs exist and to ensure projects can remain viable when determining whether to fund affordable housing projects. Due to major gaps in local housing data, current and future affordable housing projects are potentially at risk. A staff recommendation to hire a consultant to collect additional local housing data is proposed.

Discussion

Over the past several years, the South Shore Housing Action Coalition (SSHAC) has reported that residents have been experiencing dramatic housing price increases, rental rate increases, increased homelessness and energy poverty. These challenges have highlighted the need for new affordable housing in the region. As stated above, CMHC plays a significant role in meeting those needs. Through the financing of different types of affordable housing construction, CMHC offers different funding streams such as the Apartment Construction Loan Program (targeting private sector) and Affordable Housing Fund (targeting non-profit sector).

Housing market data, such as the average median rental rates or average vacancy rates are key factors that are considered by CMHC when determining whether to finance an affordable housing project. Low rental vacancy rates put upward pressure on rental rates, while high vacancy rates can ease pressures and drive down rates. Rental rates are reviewed when calculating the viability of an affordable housing project. These rates help funders (such as CMHC) determine what “affordable” looks like in the local context and how much below the Average Median Rent (AMR) units must be offered. They also help determine the viability of a housing project by ensuring that the proposed rental rates that will be charged once the building is complete are sufficient to pay back the cost of the financing and avoid default.

Existing housing market data within the region is either insufficient, outdated or non-existent. CMHC does not have any current statistics on rental rates within the region, and when reviewing funding proposals, uses aggregated data from a few select parts of the province where sufficient data exists. The housing needs assessment provided by the provincial government in 2023 (based on 2021 data) used the same CMHC data and some additional information from Property Valuation Services Corporation (PVSC). It stated that MODL had a rental vacancy rate of 7%, and that average rents had only risen by 2% since 2018. Anecdotally and through conversations with community members, staff are aware of very different realities being experienced, including very low rental vacancy rates and high rental rates. There appears to be a significant disconnect between the data being used and the experiences of community members, yet there is no local data to back this up.

Staff have consulted with several other rural municipalities across Nova Scotia and the Maritimes, and many are experiencing the same challenges with data gaps that are painting incomplete or inaccurate pictures of the housing needs in our communities. Staff have also spoken with CMHC representatives and planning consultants who have acknowledged this lack of data and pointed to major flaws in how surveys are carried out in rural communities. The South Shore Housing Action Coalition recently presented to MODL Council and called on the municipality to undertake additional data collection to help better understand our housing needs and to support affordable housing development in our region. Finally, staff are aware of a local housing project that was denied CMHC funding - a lack of local data was stated by CMHC as a reason for the denial.

Staff are recommending that additional housing market data be collected as soon as possible, to help attract new affordable housing developments, and ensure their viability in our local market. As these issues and the various organizations within the sector are regional in nature, staff are also proposing that the data be collected on a county-wide basis and include the District of Chester, Town of Mahone Bay, Town of Lunenburg and Town of Bridgewater. Staff have discussed the request with counterparts at all other municipalities. The Town of Bridgewater has confirmed their support and funding, while a formal request is included in the included motion to obtain support from the other municipal units.

Budget implications

Staff are estimating that a budget of \$50,000 would be sufficient to complete the necessary work, based on a high-level estimate provided by a consultant. This work was not considered during the normal budget process. However, given the urgent nature and need in this case, the Administration Department has funds within their budget that can accommodate the study. MODL’s costs would likely be lower once contributions from other municipal units are confirmed.

Work plan

Upon direction from the Policy and Strategy Committee and Council, staff would prepare an RFP to be posted in the coming weeks. Council would be required to award the work once proposals are evaluated. Staff recommend that the work be completed over the winter, with a report and data provided in the spring.

Alternatives

The Policy and Strategy Committee may choose not to recommend this data collection. This potentially puts current and future affordable housing projects at risk, due to denied funding requests or inadequate funding due to these data gaps.

Conclusion

Successful affordable housing requires participation and contribution from all levels of government. Addressing data gaps is an urgent issue that needs to be addressed to help projects obtain funding from other levels of government that have the means to provide meaningful loans and grants. Helping to fill gaps in local housing market data is one small piece of the puzzle that can be addressed by MODL and other municipal partners in our region.

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Reid Shepherd, LPP, MCIP, Deputy Director of Planning and Development Services
Report Approved by	
Date Reviewed by C.A.O.	

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

Council
Item: 10.1.8
Date: November 26, 2024
Date: T. MacEwan

TO: Chief Administrative Officer
FROM: Wendy Oickle
DATE: Nov 5/24

1. Agenda Item
Councillors' Matters

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

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.

Refer to FCM Emails

4. What is its relevance to Council or the committee?
Knowing that education, information + networking can help a Council with their initiatives in housing + climate attending a conference that is focusing on sustainability in these areas

5. What outcome(s) are you seeking? can be beneficial to council and our municipality

That the FCM Sustainable Communities Conference in Fredericton NB Feb 10-13 2025 be offered to any councillor who wishes to attend. I know that I would like to attend as does a few other councillors who are aware of the conference. Rather than each of us asking individually I propose that

Councillor's Signature

Date

Approval for agenda: Yes No

Reason for Denial:

Nov 5 / 24
there be a blanket motion for allay council who wish to attend can do so. Thank you.

Mayor or Chair of Committee

Date

Council
Item: #10.2.1
Date: November 26, 2024
Authorization: T. MacEwan



Memorandum

To: Mayor and Council
From: Nominating Committee
Date: November 19, 2024
Re: 2024-2025 Appointments to Committees and Boards

The Nominating Committee met on Tuesday, November 19, 2024, and made the following recommendation to Council:

1 “that Municipal Council accept the recommendation of the Nominating Committee and approve the appointments to Committees and Boards for the period of November 2024 to November 2025, as presented”

Respectfully submitted,

Chair Nominating Committee

2024-2025 – Nominating Committee Recommendations

Councillor Reinhardt

CAO Evaluation Committee
Fire & Emergency Services Committee
Internal Transportation Committee
Lunenburg County Accessibility Committee - Alternate
South Shore Regional Library Board - Alternate

Councillor Bell

CAO Evaluation Committee
Dangerous and Unsightly Property Committee (2 years)
Fences and Arbitration Committee (4 years)
Fire & Emergency Services Committee
Nominating Committee
Planning and Heritage Advisory Committee
Police Advisory Board
REMO - Regional Advisory Committee - Alternate

Councillor Oickle

Hebville Area Advisory Committee
Bridgewater Source Water Protection Advisory Committee
Dangerous and Unsightly Property Committee (2 years)
Municipal Joint Services Board (2 years)
Nominating Committee

Councillor Hubley

Hemford Forest Area Advisory
Fire & Emergency Services Committee
Internal Transportation Committee
Lunenburg County Lifestyle Committee (2 years)
Municipal Joint Services Board – Alternate (2 years)

Councillor Moore

CEF/CES Southwest Regional Advisory Board
Dangerous & Unsightly Property Committee (2 years)
Planning and Heritage Advisory Committee
Police Advisory Board
Region 6 Waste Management Committee - Alternate

Councillor Smith

Fire & Emergency Services Committee
Internal Transportation Committee
Lunenburg County Senior Safety Partnership Society
Nominating Committee
South Shore Regional Library Board

Councillor Burns

Bridgewater and Area Chamber of Commerce (2 years)
Dangerous and Unsightly Property Committee (2 Years)
Municipal Joint Services Board (2 years)
Police Advisory Board

Councillor Delong

Blockhouse Area Advisory (4 years)
Oakland Area Advisory (4 Years)
Princes Inlet Area Advisory (4 years)
Lunenburg County Accessibility Committee
Lunenburg County Lifestyle Committee – Alternate (2 years)
Oakland Lake Watershed (4 years)
Planning and Heritage Advisory Committee
Region 6 Waste Management Committee

Councillor Brooks

Riverport Area Advisory (4 years)
CAO Evaluation Committee
Indian Path Common Committee (4 years)
Internal Transportation Committee
Miller Point Peach Park (4 years)
Planning and Heritage Advisory Committee

Councillor Veinotte

CEF/CES Southwest Regional Advisory Board
Common Land Committee – Lunenburg Peninsula (4 years)
Dangerous & Unsightly Property Committee (2 years)
Events Lunenburg County
Lunenburg County Lifestyle Centre (2 years)
Lunenburg Source Water Protection Advisory Group (4 years)
REMO – Regional Advisory Committee
Sawpit Wharf Advisory Community Committee (4 years)

MAYOR:

CAO Evaluation Committee (4 years)
Dangerous & Unsightly Property Committee (4 years)
Fire & Emergency Services Committee (4 years)
Internal Transportation Committee (4 years)
Lunenburg County Lifestyle Centre (4 years)
Municipal Joint Services Board (4 years)
Nominating Committee (4 years)
Planning and Heritage Advisory Committee (4 years)
REMO – Regional Advisory Committee (4 years)



Municipality of the District of Lunenburg

Request for Decision

Report To: Municipal Council
Submitted by: Alex Dumaresq, Deputy CAO
Date: November 26, 2024
Re: Funding for Foodbanks and Shelters

Recommendation

That Municipal Council approve matching funds for the Wellness Committee food drive up to a maximum of \$1,000 per food bank, and further that Council approve funding in the amount of \$6,000 for the overnight shelter operated by the South Shore Open Doors Association.

Background

Economic conditions have increased the prevalence of housing and food insecurity in the Municipality of the District of Lunenburg (MODL). The combined impact of post-pandemic inflation and the housing crisis have increased the instability for many households within MODL. While Municipal Council pursues policy, advocacy, and infrastructure work to address housing and economic growth, many households are experiencing acute pressure and are relying on service organizations to meet basic needs.

Foodbanks

Statistics Canada Income Survey data released in the Spring of 2024 shows that 28.9% of households in Nova Scotia are experiencing food insecurity. Feed NS also reports that one third of the Nova Scotia population supported by food banks are children. Staff and Council have regularly completed food drives in previous years, accepting donations for the four food banks serving MODL residents.

Staff on the MODL Wellness Committee are organizing a cash-based food drive this holiday season and similar to last year are requesting Council consider matching some of the funds raised: a campaign raising \$1000 from staff and council would result in a matching donation to each of the 4 foodbanks serving MODL residents, to a maximum contribution of \$4000.

Housing-Related Services

South Shore Open Doors Association (SSODA) works to identify citizens who do not have stable housing and connect them with services to address housing insecurity. They have completed intake for 643 citizens since May of 2022, with 28% of those citizens coming from MODL. In response to demand in the local area last year, SSODA opened an overnight shelter for people experiencing homelessness. The shelter supports up to 15 people and receives base funding from the Department of Community Services but is currently engaged in fundraising initiatives to provide basic services including food, and toiletries.

Budget implications

There is \$10,000 in grant funding available for support of foodbanks and shelters in the 2024/25 budget.

Alternatives

Municipal Council could determine to proceed with donations regardless of the staff fundraising efforts.

Council could also decline to contribute municipal funds to these service organizations.

Conclusion

Both the visibility and incidence of food and housing insecurity have increased in recent years in our communities. Providing financial support to the service organizations noted in this report will help bridge some of the worst impacts of the housing crisis currently affecting MODL citizens.

Report Preparation	
Department	Administration
Report Prepared by	Nadia Dahlbeck, A/Executive Assistant to the CAO
Report Approved by	Alex Dumaresq, Deputy CAO
Date Reviewed by C.A.O.	

Council
Item: #11.2.1
Date: November 26, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council
Submitted by: Jeff Merrill, LPP, MCIP, Director of Planning & Development Services
Date: November 26, 2024
Re: Appointment of Development Officers

Recommendation

That Council appoint the following staff as Development Officers for the Municipality of the District of Lunenburg:

Anna Giblin
Jacob Macpherson
Carin Mahon

Discussion

A Development Officer administers the Municipality's Land Use By-laws and the Subdivision By-law. The **Municipal Government Act** requires that Council appoint a person or persons as the development officer [MGA s. 191(d) & s.243(1)].

Currently, Norma Schiefer has been appointed as the Municipality's Development Officer and Melissa Deveau as Acting Development Officer.

With the introduction of mandatory minimum planning, the workload for our Development Officers is expected to increase. To ensure that our service standards are maintained, staff recommend that Council appoint our three Planners as Development Officers.

The Manager of Development has been training planning staff on development control processes.

Budget implications

No budget implications. Development Officer duties are included in the Planner job description.

Conclusion

Appointing our three Planners as Development Officers will ensure that the Municipality can effectively manage the increased workload due to mandatory minimum planning. This proactive measure will help maintain our service standards and support the efficient administration of our Land Use By-laws and Subdivision By-law. The training provided by our Manager of Development ensures that the appointed staff are well-prepared to undertake their new responsibilities.

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



Municipality of the District of Lunenburg

Request for Decision

Report To: Mayor and Council
Submitted By: Trudy Payne, Director of Recreation, Parks & Tourism
Date: November 26, 2024
Re: Designated Community Fund Project
Friends of Cherry Hill Old Community Cemetery

Recommended Motion

That the Municipality of the District of Lunenburg grant the Friends of Cherry Hill Old Community Cemetery \$1,190 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48.

Background

Friends of Cherry Hill Old Community Cemetery are raising capital funds to cover costs to restore, preserve and maintain the Cherry Hill Old Community Cemetery. Recently, there were two donations totalling \$1,200. The amount of \$1,190 is being recommended as \$10.00 (\$5.00 per contribution) will be retained by MODL for administrative charges as per Policy MDL-48.

Budget Implications

There would be no implications to the budget.

Alternatives

The alternative would be to not issue the Friends of Cherry Hill Old Community Cemetery this grant.

Conclusion

The Designated Community Project Fund was developed and approved by MODL to aid non-profit groups in raising capital funds for projects.

Report Preparation	
Department	Recreation, Parks & Tourism
Report Prepared by	Trudy Payne, Director of Recreation, Parks & Tourism
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg POLICY

Title: Designated Community Project Fund	
Policy No. MDL-48	
Effective Date: April 14, 2009	Amended Date: July 23, 2019

1.0 Title

The Municipality of the District of Lunenburg shall establish a procedural policy known as the Designated Community Project Fund (D.C.P.F).

2.0 Administration

The fund shall be a segregated fund administered by the Municipality of the District of Lunenburg,

3.0 Eligibility

The intention of the fund is to assist eligible organizations who do not place restrictions on membership (save for minimal restrictions such as membership fees). Any expenditure from the D.C.P.F. is at the sole discretion of Municipal Council.

Persons (including, without limiting the foregoing, individuals, corporations, organizations, trusts and partnerships) may make donations to the Municipality of the District of Lunenburg with a direction that the donation(s) be added to the D.C.P.F. The following wording must be included in D.C.P.F. solicitations by any individual organization:

The (name of organization) is unable to issue a tax deductible receipt under the Income Tax Act. However, the Municipality of the District of Lunenburg has established a Fund entitled the Designated Community Project Fund (D.C.P.F.). Municipal Council may by Resolution make a grant or contribution from this Fund pursuant to Section 65(a) of the Municipal Government Act, for facilities located within the Municipality of the District of Lunenburg.

The (name of organization) may make an application to the Municipality of the District of Lunenburg for a grant, equivalent to the money collected from their campaign (less applicable administrative charges) for capital expenditures on facilities from this Fund.

If individuals wish to receive a tax deductible receipt, acknowledging that any grant to the (name of organization) from the Municipality of the District of Lunenburg is at the discretion of Municipal Council, then they should make the cheque payable to "Municipality of the District of Lunenburg" with a notation on the "memo" portion of the cheque that it is for the D.C.P.F.

4.0 Deposit of Funds

The funds shall be deposited in a segregated account at a financial institution in conformance with the banking arrangements of the Municipality of the District of Lunenburg.

5.0 Receipts

A charitable donation receipt, where and to the extent permissible under the Income Tax Act (Canada), will be issued to donors, for donations of \$100.00 dollars or more.

6.0 Grants or Contributions

Council may by Resolution:

- 6.1. Make a grant or contribution from the D.C.P.F. pursuant to Section 65(a) of the Municipal Government Act, for facilities located within the Municipality of the District of Lunenburg; or
- 6.2. Expend money from the D.C.P.F. on any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting, or social facilities owned by the Municipality of the District of Lunenburg.

7.0 Capital Expenditures

Grants or contributions to an organization (or utilization of funds by the Municipality of the District of Lunenburg on its own land) may only be made for capital expenditures on facilities and not for operating expenses, chattels or equipment (whether capital equipment or not). Notwithstanding the foregoing, fencing, playgrounds, playground equipment and the purchase of land shall be deemed to be qualified expenditures.

8.0 Application

Pursuant to clause 6.0, a written application to the Municipality of the District of Lunenburg for a grant or contribution must be made and include, an explicit description of the capital project for which the monies are requested, the amount sought, the estimated date when funds would be required, and confirmation that the organization meets the criteria of Section 65(a) of the Municipal Government Act (see Schedule "A" attached).

A grant or contribution would be paid either after completion of the capital project, or by the discretion of the Council, through progress payments after satisfactory proof of completed work.

9.0. Decision

The Recreation Department will receive, review, report upon and make recommendations to Council for grants to qualified organizations. (amended July 23/19)

The Recreation Department will also make recommendations to Council for capital expenditures by the Municipality of the District of Lunenburg on facilities owned by the Municipality of the District of Lunenburg that are to be funded by the D.C.P.F. (amended July 23/19)

10.0 Advertisement

Pursuant to Section 65(au) of the Municipal Government Act, Council shall annually publish in a newspaper circulating within the Municipality of the District of Lunenburg a list of the organizations and the amounts each received as a grant or contribution from this Fund.

11.0 Records

Receipts and receipt books shall be under the supervision and control of the Municipal Treasurer or designate of the Municipality of the District of Lunenburg.

12.0 Administration Charge


The Municipality of the District of Lunenburg will charge a 5% administrative fee up to a maximum of \$5.00 per contribution, and this amount will be deducted from the initial contribution with the exception of non-profit organizations that have a management agreement with the Municipality. (amended July 23/19)

For greater clarity: \$100.00 contribution x 5% admin fee = \$5.00, \$95.00 would be deposited into the D.C.P.F.

Clerk’s Annotation for Official Policy Book

Date of Adoption:	<u>April 14, 2009</u>
Date of Notice to Council Members off Intent to Consider:	<u>March 19, 2009</u>
Date of Notice to Council Members of Intent to Amend:	<u>July 16, 2019</u>
Date of Passage of Amendment:	<u>July 23, 2019</u>

I certify that this “*Designated Community Project Fund Policy*” was adopted and amended by Council as indicated above.



Municipal Clerk

July 23, 2019
Date

Schedule "A"

MGA Part 4 (IV): (As Amended)
April 2006 Finance
PART IV
FINANCE

Power to expend money

65 The council may expend money required by the municipality for

(au) a grant or contribution to

- (i) a society within the meaning of the *Children and Family Services Act*,
- (ii) a mental health clinic in receipt of financial assistance from the Province,
- (iii) an exhibition held by an educational institution in the municipality,
- (iv) a club, association or exhibition within the meaning of the *Agriculture and Marketing Act*,
- (v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, *fraternal, recreational, religious, sporting* (change effective April 1, 2006) or social organization within the Province,
- (va) *a day care licensed under the Day Care Act* (change effective April 1, 2006),
- (vi) a registered Canadian charitable organization,

and the municipality shall publish annually a list of the organizations and grants or contributions made pursuant to this clause in a newspaper circulating in the municipality;