

## **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, May 28, 2024

#### **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 9:00 a.m. and began by acknowledging that the meeting was held in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

#### **2. Announcements/Acknowledgements/Recognition**

Councillor Greek recognized Pastor Sam Jess and his family for all the time and commitment they have provided the communities of Barss Corner, Maplewood, and Parkdale, and his service as pastor of both the Emanuel Baptist Church and the Barss Corner Baptist Church over the past 12 years. She advised that they would be leaving the community for a new venture and wished them all the best.

Councillor Haysom acknowledge all volunteers with the Petite Riviere Spring Fair and congratulated them on a successful event.

Councillor DeLong recognized the Waldorf School for their Mayfair event and thanked the staff and volunteers for a successful event.

Mayor Bolivar-Getson recognized the Northfield Elementary School for their Mayday event and congratulated the Recreation staff for a successful fishing derby.

## **2.1 Proclamation – Parks and Recreation Month**

Mayor Bolivar-Getson proclaimed June 2024 to be Park and Recreation Month in the Municipality of the District of Lunenburg to recognize the year-round benefits of recreation and parks.

## **3. Public Input - Nil**

Tabitha DesChamps of West Northfield and Nick Foley of Hebbs Cross, were in attendance to discuss the proposed replacement of the MARC ballfields playground. Ms. DesChamps reported that the company she reached out to regarding an inclusive playground could have one installed by July. She suggested that a ball tournament could be organized to raise funds towards the cost.

## **4. Approval of Agenda**

It was requested that the following item be added to the agenda.

13. 1 Tri-District Fire Rescue & the former Wileville Fire Hall

**Moved by Councillor Hubley, seconded by Councillor DeLong that Item 13.1 Tri-District Fire Rescue & the Former Wileville Fire Hall be added to the agenda. Carried unanimously.**

**Moved by Deputy Mayor Oickle, seconded by Councillor Bell that the agenda be approved as amended. Carried unanimously.**

## **5. Approval of Minutes – May 14, 2024**

**Moved by Councillor DeLong, seconded by Councillor Haysom that the Minutes of the May 14, 2024 Council meeting be approved as circulated. Carried unanimously.**

## **6. Business Arising from Minutes - Nil**

## **7. Awarding of Tenders/RFPs**

### **7.1 Award of Design of Facilities at Mush-a-Mush Beach**

Stephen Pace, Director of Engineering & Public Works, reviewed the report, “Mush-a-Mush Beach Park – Design of Accessible Vault Washrooms and Change Rooms” (circulated with the agenda) providing details on the bids received for the design of accessible washrooms and changerooms at Mush-a-Mush Beach Park.

A concern was raised regarding the cost. Mr. Pace clarified that the cost included the design of the facility along with other items as laid out in the scope of work listed in the report. He noted that the environmental field review was the costliest feature.

**2024-094 Moved by Councillor Statton, seconded by Councillor Greek that Municipal Council award the design of accessible vault washrooms and change rooms at Mush-a-Mush Beach Park to Stantec Consulting Ltd. in the amount of \$30,295, including a 15% contingency and net HST. Carried Unanimously.**

**8. Presentations/Scheduled Times - Nil**

**9. Consideration of Correspondence – Nil**

**11. Staff Reports**

**11.1 Planning & Development**

**11.1.1 5 year Transit Operational & Business Plan**

David McCuster, Senior Transportation Engineer with WSP, and Ella Gindi, Planner II, were in attendance.

Mr. McCuster gave a presentation on “MODL Transit Strategy and 5-Year Business Plan”, (circulated with the agenda), providing details on the following:

- Project objectives
- Reasons for a transit system
- Reasons for a transit system for Osprey Village
- Reasons for a transit system for Wileville and Hebbville
- Two Service Approaches
- Principle of Coverage vs Frequency
- Process for the analysis
- Options for Service Operation – 6 options
- Preferred Routing – schematic map
- Vehicle options – recommended bus for 18-20 passengers
- Start-up Capital Costs
- Annual Operating Costs
- Cost Considerations

Discussions followed regarding the following items:

- Bus vs van
- Gas vs electric vehicles
- Funding opportunities
- Accessibility issues
- Timeframe of pilot project

**10. Recommendations from Committees & Boards**

**10.1 Policy & Strategy Committee**

**10.1.1 Annual Operating and Major Recreation Capital Grants**

A recommendation from the Policy & Strategy Committee was circulated with the agenda.

**2024-095 Moved by Deputy Mayor Oickle, seconded by Councillor Whynot that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the applications for the 2024-2025 Annual Operating Grant program in the amount of \$80,064, as presented. Carried unanimously.**

Trudy Payne, Director of Recreation, Parks & Tourism, noted that the number of applications received this fiscal year and the total amount of funds requested had increased, and clarified that the \$394,037.46 was a combined amount for both grants.

**2024-097 Moved by Councillor Greek, seconded by Councillor Moore that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve the applications for the 2024-2025 Major Recreation Capital Grant program in the amount of \$67,861, as presented. Carried unanimously.**

#### **10.1.2 Sawpit Wharf Lease Renewal**

A recommendation from the Policy & Strategy Committee was circulated with the agenda.

Trudy Payne, Director of Recreation, Parks & Tourism, explained that the lease would end in August 2024 and at least three months notice was required to renew the lease.

**2024-097 Moved by Councillor Veinotte, seconded by Councillor DeLong that Municipal Council accept the recommendation of the Policy & Strategy Committee and approve sending a letter to the Department of Natural Resources and Renewables, Land Services Branch, notifying them of the Municipality's intent to renew Lease #4814 for an additional 15 years, which pertains to lands owned by the Province of Nova Scotia, currently forming part of the Sawpit Wharf Park. Carried unanimously.**

#### **11.2.2 MARC Playground Equipment**

A report from Trudy Payne, Director of Recreation, Parks & Tourism, titled "MARC Playground Equipment" was circulated with the agenda.

Mr. MacEwan explained that staff was seeking direction to explore an alternate resource for a playground at the MARC ballfields that would incorporate some accessibility features and to set a tentative budget of \$100,000.

Ms. Payne reviewed the inspection process and noted that the insurer conducted an inspection and recommended the equipment be removed.

Comments were made in relation to various social media posts regarding the removal of the playground equipment at the MARC ballfields.

Councillor DeLong called for Point of Order as she felt it was inappropriate decorum for a colleague to speak ill of another member across the table.

Mayor Bolivar-Getson clarified that the discussion was about the playground and to give direction to staff on how to proceed and that the discussion must be done in a respectful manner.

**2024-098 Moved by Councillor Whynot, seconded by Councillor Greek to direct staff to explore options for accessible playground equipment at the MARC ballfields, and allocate up to \$100,000 for the replacement of the playground, and to bring an options report to June 11, 2024 Council meeting.**

It was explained that an earlier recommendation for a playground at the MARC ballfields with a budget of \$400,000 was for a fully accessible playground. With a smaller budget, the playground would be designed to the minimum accessibility standards. It was noted that other aspects of accessibility could be phased in over time. Ms. Payne explained that a rubberized service would be the most accessible surfacing but the most expensive. A wood chip surface would be considered the minimum standards.

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

Councillors were reminded of Policy 001 Proceedings of the Council, Section 8.1 Rules of Debate, and asked that comments be confined to the agenda items.

Council recessed at 10:25 p.m. and resumed at 10:34 a.m.

## **11.2 Recreation, Parks & Trails**

### **11.2.1 Sherbrooke Lake 5-Year Water Quality Report**

Garth Bangay, Chair of the Sherbrooke Lake Stewardship Committee, and Kaleigh MacLeod, Project Coordinator with Coastal Action, were in attendance.

Mr. Bangay provided an update on the Stewardship Committee's accomplishments to date. He noted that part of the Committee's mandate was to have a baseline understanding of the water quality of the lake, review the changes over a five-year period to detect and address any changes to the water quality, with the help of the scientific knowledge of the Coastal Action group.

Ms. MacLeod gave a presentation on the results of the 5 year water quality monitoring program (circulated with the agenda) and provided details on the following data:

- Levels of Chlorophyll-a & Phycocyanin (blue green algae)
- Total phosphorus & Nitrogen
- Surface water temperature

- Dissolved Oxygen
- pH levels
- Total Dissolved & Suspended Solids
- E. coli
- Sediment samples
- Conclusions

It was explained that the exceeded sediment levels measured in 2023 were due to the heavy rainfall and flooding experienced that summer.

Ms. MacLeod confirmed that although blue/green algae does not always contain toxins, it was prudent to always exercise caution.

Mr. Bangay reported that there was a more comprehensive report available to the public which included information about what property owners can do to protect the integrity of the lake.

Mr. Bangay provided 4 recommendations made by the Stewardship Committee:

- Recommendation #1 – establish a 3-year cycle to continue with the monitoring program with Coastal Action as a key player.
- Recommendation #2 – urge the Province to continue educating residents about phycocyanin bacteria
- Recommendation #3 – prioritize establishing setback regulations such as vegetative buffers to limit the nutrients that get into the lake
- Recommendation #4 – establish a committee charged with the education of lakeside homeowners on how they can improve the resources.

### **11.2.3 Major Recreation Grant – Ground Search & Rescue**

Trudy Payne, Director of Recreation, Parks & Tourism, reviewed the report, “Major Recreation Capital Grant – Ground Search & Rescue”, circulated with the agenda.

**2024-099 Moved by Councillor Statton, seconded by Councillor Moore that Municipal Council approve a Major Recreation Capital grant to Lunenburg County Ground Search & Rescue in the amount of \$2,545 to upgrade electrical and lighting systems, and that these funds be taken from the Council Contingency Fund. Carried unanimously.**

## **13. Added Items**

### **13.1 Tri-District Fire Rescue & the former Wileville Fire Hall**

Mr. Dumaresq reviewed the report, "Tri-District Fire Rescue & the former Wileville Fire Hall (attached to Minutes).

It was estimated that the process to appoint new trustees to clear up the title could take up to six months depending on the court schedule.

**2024-100 Moved by Councillor Hubley, seconded by Councillor Bell that Municipal Council authorize staff to proceed with legal assistance in addressing the conveyance of the property and property rights questions relating to the former Wileville Fire Hall for Tri-District Fire Rescue. Carried unanimously.**

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

**12.1 Deputy Mayor's Update**

Deputy Mayor Oickle advised that she attended all assigned meetings; agenda briefing meetings; South Shore Library events; the Community Solar Garden Site tour; the Community Solar Garden public session; and the Bridgewater Kinsman Royal Canadian Army Cadets Corps annual ceremonial review.

**12.2 Mayor's Update**

Mayor Bolivar-Getson advised that she attended a tour of the Lunenburg County Wheels bus; the Internal Transportation meeting; the NSFM meeting; the MJSB meeting; the Coastal Protection public information session in Riverport; Eric Corkum's retirement get-together; the Midville Fire Department open house; the Community Solar Garden tour; the Dinner and Learn in Dayspring; and various community events and fundraisers.

**14. In Camera**

**At 11:25 a.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council go In Camera to discuss the following items:**

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

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

**14.3 Potential Litigation under Section 22(2)(f) of the MGA**

**14.4 Potential Litigation under Section 22(2)(f) of the MGA**

**Carried.**

Municipal Council In Camera in session.

**At 2:13 p.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council come out of In Camera and return to open session. Carried.**

Municipal Council in session.

#### **14.2 Regional Shared Inspection Services**

**2024-101 Moved by Councillor Whynot, seconded by Councillor DeLong that Municipal Council agree, in principle, to signing the Regional Inspection Services Agreement with the Town of Bridgewater, the Town of Lunenburg, and the Region of Queens, and authorize the Mayor and Clerk to sign the Agreement, upon final legal review. Carried unanimously.**

**2024-102 Moved by Councillor DeLong, seconded by Councillor Hubley that Municipal Council give 90 days' notice of their intention to terminate the existing agreements with the District of Chester, the Town of Bridgewater, and the Region of Queens that provide building inspection and/or fire inspection services based on an hourly rate. Carried unanimously.**

#### **15. Adjournment**

There being no further business, the meeting adjourned at 2:15 p.m.



## **Municipality of the District of Lunenburg**

### **Request for Decision**

**Report to:** Municipal Council

**Submitted by:** Alex Dumaresq, Deputy CAO, MODL

**Date:** May 28, 2024

**Re:** Tri-District Fire Rescue & the former Wileville Fire Hall

---

#### **Recommendation**

**“that Council authorize staff to proceed with legal assistance in addressing the conveyance of the property and property rights questions relating to the former Wileville Fire Hall for Tri-District Fire Rescue”.**

#### **Background**

Fire Services in Rural Nova Scotia are facing tremendous challenges both in terms of the changing nature of volunteerism in Canadian society and in the increasing levels of complexity, specialization, and cost in the fire service. In 2021, Tri-District Fire Rescue and the Wileville Fire Department merged, with the former welcoming the Wileville volunteers and assuming management of the assets. The merger allowed for continued fire protection in the Wileville area, in the face of the challenging trends in the volunteer fire service. Council authorized municipal support for the merger both in terms of staff and legal support.

Throughout the merger process, Tri-District Fire Rescue had been clear that they would not continue to operate the Wileville Fire Hall as a sub-station. Since the merger, the department has been seeking to divest the property to allow for a new use and to remove the maintenance and insurance obligation from the department.

## Discussion

An issue arose with the legal title to the hall property which has delayed the divestment. The property is held in the name of Trustees appointed several decades ago. As the title to the property is held by these Trustees, any conveyance of the property (including any transfer on the sale of the property) must be done by the named Trustees. Municipal staff have made efforts to locate the Trustees and/or their heirs so that the sale of the property could proceed but the Trustees are deceased as are all their immediate heirs that Municipal staff could identify.

In such circumstances, approval from the Supreme Court of Nova Scotia is needed to approve the conveyance of property held by the deceased Trustees. Tri-District Fire Rescue have requested Municipal assistance, and staff believe this to be a reasonable continuance of the support that was extended by Council during the merger. Staff are seeking confirmation from Council to proceed.

## Budget Implications

Staff anticipate there will be sufficient funds in the advisory services budget to cover the cost associated with the Supreme Court application.

## Alternatives

Council could decline to provide municipal assistance in the efforts to clarify the title to the former fire hall.

## Conclusion

Tri-District Fire Rescue has done an admirable job providing fire service in the District of Lunenburg and has demonstrated commendable foresight and leadership in adjusting the governance structure of the fire service in their communities. Legal assistance would be a considerable help to the Department in the management of its assets and responsibilities, and a reasonable conclusion to the efforts of the Municipality in supporting the merger of the departments.

Report Preparation	
Department	Administration
Report Prepared by	Alex Dumaresq, Deputy CAO
Report Approved by	
Date Reviewed by C.A.O.	