

A meeting of **MUNICIPAL COUNCIL** was held in the Council Chamber of the Municipal Administration Building on the above date at 9:00 a.m. with the following in attendance:

Warden Jack Wentzell - District 7  
Deputy Warden Elmer Garber - District 4  
Councillor Diane Tanner - District 1  
Councillor Sherman Palmer - District 2  
Councillor Donald Zwicker - District 3  
Councillor Milton Countway - District 5  
Councillor Sandra Statton - District 6  
Councillor Cathy Moore - District 8  
Councillor John Veinot - District 9  
Councillor Arthur Young - District 10  
Councillor Lee Nauss - District 11  
Councillor Karen Dempsey - District 12  
Councillor Martin Bell - District 13

Also in attendance were:

Tammy Wilson, Chief Administrative Officer  
Erica Green, Municipal Solicitor  
Heather Whynott, Administrative Assistant

IN CAMERA

**Moved by Counc. Nauss, seconded by Counc. Zwicker that Council go *In Camera In Committee*. Carried.**

Council *In Camera In Committee*. The purpose of the *In Camera* meeting was to discuss the following:

- (1) CAO Evaluation, in accordance with section 22 (2) (c) of the *Municipal Government Act*;
- (2) New Initiative re Hockey League, in accordance with section 22 (2) (e) of the *Municipal Government Act*; and
- (3) Land Acquisition/Disposal, in accordance with section 22 (2) (a) of the *Municipal Government Act*.

**Moved by Counc. Zwicker, seconded by Counc. Bell that Council resume. Carried.**

Council in session.

During the *In Camera* session, Counc. Young declared a conflict of interest and he left the meeting. He returned at 11:10 a.m.

SYMPATHY

Warden Wentzell informed Council that the former Deputy Warden of Kings recently passed away. He extended sympathy to Kings in their loss.

AGENDA

Warden Wentzell asked if there were any requests for additions to the agenda.

Counc. Statton requested the addition of two items - Amalgamation and Recreation Complex Money.

Counc. Countway requested an opportunity for an update regarding the Development Application in Oakland.

Counc. Dempsey requested that agenda items 7 (A) (2) & (3) be dealt with at 1:00 p.m. Council agreed to this request.

Counc. Zwicker requested an opportunity to give a report from the Highway 103 Committee.

Ms. Wilson requested the addition of an information item regarding an AMA session tomorrow in Bridgewater's Council Chamber.

**Moved by Council. Dempsey, seconded by Council. Moore that the agenda be approved with the additions requested by Councillors and staff. Carried.**

MINUTES

**Moved by Council. Statton, seconded by Council. Moore that we approve the Minutes of the February 13, 2007 meeting and the Special Council meetings held on August 1, 2006 and December 21, 2006. Carried.**

#### AWARDING OF TENDERS

At 10:00 a.m. Pierre Breau, Director of Engineering and Public Works, was in attendance for Council's consideration of three tender awards for the Lunenburg Regional Community Recycling Centre (LRCRC).

TRANSFER STATION

The first tender for consideration was for the Supply of Transfer Station Solid Waste Disposal Cartage Services for 2007/08, Tender 2007-01 -001.

SOLID WASTE

DISPOSAL CARTAGE

Mr. Breau reviewed the tender analysis information (copy attached to original Minutes). He reported that only one bid was received in response to this tender call, and it was from Bernard L. Mailman Projects Limited for the estimated price of \$59,205.90, including HST, which is slightly below what they expected it to cost this year. The bid meets all tender specifications. The tenderer was last year's contractor for this service.

SERV.

TEN. 2007-01-001

Deputy Warden Garber noted that the quantity is just an estimate. What happens if it goes over that?

Mr. Breau said the price is \$6.11 per ton. He is planning to put \$55,000 in the Solid Waste budget. The Waste Management Committee can discuss what happens if we go over that.

Deputy Warden Garber, referring to his comment about going over the estimated quantity, said it's a budget issue and not a contract issue.

**Moved by Council. Zwicker, seconded by Council. Veinot that we accept staff's recommendation and award Tender 2007-01-001 for the Supply of Transfer Station Solid Waste Disposal Cartage Services for 2007/08 to Bernard L. Mailman Projects Limited for the estimated price of \$59,205.90, including HST. Carried.**

BALER WIRE

TEN. 2007-01-002

Mr. Breau then reviewed the tender analysis information for the bids received for the Supply of Baler Wire for the baling of recyclable materials, Tender 2007-01-002 (copy attached to original Minutes). He reported that two bids were received and both bids meet the specifications. The low bidder was last year's supplier.

**Moved by Council. Moore, seconded by Council. Statton that we accept staff's recommendation and award Tender 2007-01-002 for the Supply of Baler Wire for the LRCRC to Gerrard Oval Strapping Limited, Fredericton, N. B., for the price of \$19,907.82, including HST.**

Council. Moore asked if the other bidder, Tennant Strapping, is a local company.

Mr. Breau said there are no steel factories in Nova Scotia. Gerrard Oval Strapping is a national company. He's not sure about Tennant.

Counc. Dempsey asked if the wire is recyclable.

Mr. Breau said the wire is used to bundle material that we ship. He expects it's difficult to deal with, but doesn't know if it's recycled or sent to landfill.

**The motion awarding the tender to Gerrard Oval Strapping Limited was carried.**

TRUCKING SERV.

Mr. Breau reported that the submitted bid for the Supply of Trucking Services, Tender 2007-01-003, is still being reviewed. A recommendation on the award of this tender will be presented at a future Council meeting.

REPORT FROM  
HIGHWAY 103  
COMMITTEE

Counc. Zwicker reported to Council that the Highway 103 Committee met with officials of the Department of Transportation and Public Works to discuss what plans are in place now that the Barrington Bypass is completed and open. One project they are looking at is twinning the highway between Exits 5 and 6 in Hubbards. The Highway 103 Committee is more excited about acquiring a Danesville corridor. Hopefully, by keeping discussions going on it, they will get some support and action. The Committee would like to see them complete Highway 103 to a 100 series standard before they do any more twinning. He hopes that Councils on the South Shore write Minister MacIsaac in support of improving the road structure between here and Yarmouth, as Shelburne's Warden has done.

SHELBURNE DIST. re  
SUPPORT TO H'WAY  
103 COMM.

Circulated with the agenda was a copy of a letter that the Warden of the Municipality of the District of Shelburne sent to the Honourable Angus MacIsaac, Minister of Transportation and Public Works, advising of their Council's support to the Highway 103 Committee with respect to the completion of Highway 103 running through Sable River to Broad River Hill in Port Mouton.

Counc. Nauss said he supports Shelburne's letter to the Minister. If an accident occurs on that section of highway and the highway is closed, there's no other way to travel around it.

**Moved by Counc. Nauss, seconded by Counc. Bell that we support the letter from the Municipality of the District of Shelburne and that we write a letter to the Minister of Transportation and Public Works indicating our support. Carried.**

Counc. Bell said he thinks it's important that we continue to support upgrading Highway 103. He reported that he recently received an invitation from Destination Southwest Nova Scotia to attend one of their functions. The travel directions that were provided with the invitation were for the Valley route only.

Counc. Tanner reported that she brought that to the attention of the Tourism Association. She was told that it was an oversight and it will not happen again.

ANNUAL RRFB  
N. S. MOBIUS  
ENVIRONMENTAL

Circulated with the agenda was information from UNSM regarding the Call for Nominations for the 9<sup>th</sup> Annual RRFB Nova Scotia Mobius Environmental Awards. Nominations will be accepted until March 19, 2007 in the following

AWARDS - CALL award categories: 1) Business of the Year; 2) Institution of the Year; 3)  
FOR NOMINATIONS Innovation in Waste Reduction; 4) Waste Reduction Education Program; 5)  
Individual Excellence in Waste Reduction; 6) Region/Municipality/ Authority of  
the Year; 7) Enviro-Depot of the Year; 8) School of the Year; and  
9) Best Community-Based Project.

For Council's information, Ms. Wilson reported on the nominations that will be made for various awards (list attached to original Minutes) .

COMMITTEE OF THE WHOLE - RECOMMENDATIONS

LAND REQUEST -  
KARL & LINDA  
SMALL

**Moved by Counc. Countway, seconded by Counc. Nauss that we accept the recommendation of the Committee of the Whole and instruct the Municipal Solicitor to notify Karl and Linda Small that the Municipality is not interested in conveying to them any of the Municipal land adjacent to their property, and that Karl and Linda Small be given 180 days, if required, to build a new driveway on their own property.**

Counc. Statton said she doesn't agree with this motion. Karl and Linda Small have been using this driveway for quite some time. She doesn't see any reason to stop the use of that driveway unless they request subdivision or the Municipality has a use for it.

Counc. Countway said he's not totally in agreement with the motion either, unless there's a reason that Karl and Linda Small cannot use the land. If we have a reason to use it, then put a time limit on it but not now .

Counc. Bell pointed out that if the Smalls' would not have identified to us their thoughts on subdividing their property, we would probably not have been requesting this. He doesn't have a problem with them continuing to use it, as long as they are not trying to receive a benefit from the Municipality in using it. It's really two separate issues being addressed in the motion. We have to consider that we might be putting a hardship on the Smalls' by cutting off their driveway.

**Moved by Deputy Warden Garber, seconded by Counc. Statton that we deal with the motion on the floor as two separate issues.**

Counc. Zwicker questioned what the statute of limitations is on the continuous use of a right-of-way. Could they claim that they have legitimate usage?

Ms. Green reported that the statute of limitations is 20 years (40 years for crown land). However, she spoke to April Whynot-Lohnes about this situation and the Smalls' had permission to use the right-of-way. The 20 years would be in effect only if they did not have permission.

Circulated with the agenda was a report that was prepared by April Whynot-Lohnes, Municipal Development Officer, which outlined three options for Council's consideration prior to making a commitment to renew the existing agreement with Karl and Linda Small. Ms. Wilson reviewed the information in April's report (copy attached to original Minutes).

**The motion to deal with the motion on the floor as two separate issues was carried.**

**Moved by Deputy Warden Garber, seconded by Counc. Nauss that Karl and Linda Small be notified that the Municipality is not interested in conveying to them any of the Municipal land adjacent to their property. Carried.**

**Moved by Counc. Zwicker, seconded by Counc. Countway that Karl and Linda Small be given 180 days, if required, to build a new driveway on their own property.**

Counc. Nauss feels we should look at the existing agreement with the Smalls' and have it updated so that they can use the driveway until the Municipality needs the land.

**The motion was defeated.**

**Moved by Counc. Bell, seconded by Counc. Statton that staff be instructed to prepare a revised license agreement to present to Karl and Linda Small as outlined in option 1 of the February 22, 2007 Planning report.**

Counc. Statton said she would like the license fee to be only \$1.00.

Warden Wentzell said the revised agreement will come back for approval.

Counc. Dempsey suggested that, before doing this, someone should check with the Smalls'. They may not want a license agreement.

Counc. Statton said she thinks this covers it all. They only want to be able to use it.

**The motion was carried.**

#### DATA LINKAGE AGREEMENT

**Moved by Counc. Statton, seconded by Deputy Warden Garber that we accept the recommendation of the Committee of the Whole and authorize the Chief Administrative Officer to enter into a Data Linkage Agreement with Service Nova Scotia and Municipal Relations with the same terms as the previous Data Linkage Agreement signed on June 23, 2006; that the total cost to the Municipality, after Provincial reimbursement, be \$19,361; and further, that to ensure the completion of this project within the fiscal year, pre-budget approval be given for this project and staff be directed to include the funds in the 2007-2008 Operating Budget. Carried.**

#### TAX RELIEF - K. & L. GRONDIN

**Moved by Deputy Warden Garber, seconded by Counc. Veinot that we accept the recommendation of the Committee of the Whole and approve tax relief in the amount of \$219.27 to Kevin and Lisa Grondin as per submitted applications under Policy MDL-12 "Tax Exemption/Reduction Policy". Carried.**

#### PROPOSED POLICY MDL-35 - "STREET LIGHTS"

**Moved by Counc. Veinot, seconded by Counc. Tanner that we accept the recommendation of the Committee of the Whole and approve Policy MDL-35 "Street Lights", as presented. Carried. (Copy of Policy MDL-35 attached to original Minutes)**

#### PLANNING ADVISORY COMMITTEE - RECOMMENDATIONS

#### OAKLAND AAC - APPOINTMENT

**Moved by Counc. Zwicker, seconded by Counc. Countway that we accept the recommendation of the Planning Advisory Committee and approve the appointment of Michael Ernst for a 2-year term to the Oakland Area Advisory Committee. Carried.**

#### AMENDMENTS TO MPS & SUBDIVISION

**Moved by Counc. Palmer, seconded by Counc. Statton that we accept the recommendation of the Planning Advisory Committee and not accept staff's**

BY-LAW re ACCESS recommendation which was to not amend the Municipality's Planning Strategy  
EXEMPTION and Subdivision By-law to include an access exemption provision for multiple  
PROVISION ownerships of land, and that we approve the following:

- 1) Amend the Municipal Planning Strategy in Part 8.4, immediately following the seventh paragraph by adding text and punctuation as follows:

**Council is also aware of difficult situations in which land cannot be subdivided under the Provincial Subdivision Regulations because of inadequate access. Council is prepared to provide relief from the strict access requirements where a division of property would resolve problems of joint tenancy or tenancy in common.**

- 2) Amend the Municipal Planning Strategy in Part 8.4 by inserting Policy 8.4.7 as follows:

**8.4.7 Notwithstanding Policy 7.2.5(d), to enable the division of lots, which are owned and have been so owned prior to January 1, 2007 by joint tenants or tenants-in-common, into as many lots as there are owners which do not meet the frontage requirement of the Subdivision By-law.**

- 3) Amend the Subdivision By-law in Part 5 by inserting Section 5.17 as follows:

**5.17 Access Exemption - Multiple Ownership**

**Any area of land held in joint tenancy or tenancy in common may be divided into lots without regard to the requirements of Section 5.1 or the frontage requirements of clause 5.3(a) provided that**

- a) the area of land was so held prior to January 1, 2007; and  
b) the number of lots created does not exceed the number of tenants in the area of land prior to January 1, 2007.**

Council was informed that Ms. Green has proposed further amendments to section 5.17 of the Subdivision By-law .

Mr. Jeff Merrill, Planner, was in attendance.

Ms. Green reviewed the amendments she is proposing which, if approved, would change the wording of 5.17 (a) and (b) as follows:

5.17 (a) "the area of land was so held *by a deed recorded at the Registry of Deeds or Land Registration Office* prior to January 1, 2007 *or by a will dated prior to October 1, 2001 and recorded at the Registry of Deeds or Land Registration Office* prior to January 1, 2007; and

5.17 (b) the number of lots created does not exceed the number of tenants *holding title* in the area of land prior to January 1, 2007.

Counc. Veinot said he believes what we have asked for is in the amendments. He thinks this will make it a little clearer for what people want to do. Once it's approved, we may have an influx for awhile, but after that it will level out. The Municipality of Chester doesn't seem to have a big problem with their by-law. He thinks it's a good amendment. You can leave the land to as many as you want, but then they have to meet the requirements to do that. Anything after January 1, 2007 would have to meet the access requirements in the Subdivision By-law. This is saying that anything prior to that you can divide as many times as there are owners, subject to septic approval.

Counc. Bell asked what initiated this amendment and are there any other solutions? Did we follow the normal steps to amend this by-law? He would like

to be assured there are no Councillors that would have a vested interest and would qualify under this.

Warden Wentzell said the amendments went to the Planning Advisory Committee and are recommended by that Committee.

Mr. Merrill reported that on February 1, 2007 the Committee of the Whole made a motion that staff prepare the amendments. The amendments were discussed at the March 1, 2007 meeting of the Planning Advisory Committee. Regarding other solutions, currently there is an access exemption in the by-law. You could change that date ahead to allow a lot to be created.

At 11:10 a.m. Counc. Young returned to the meeting.

Counc. Bell asked what initiated this amendment. He enquired about this approximately two years ago and was advised that a stamp goes on the plan that warns that a lot cannot be subdivided further without meeting the access requirements. If, in the mean time, the situation has changed or we're not completely satisfied with the original amendment, we should question ourselves why we didn't make the right amendment two years ago.

Deputy Warden Garber said there is a purpose for doing this. Who does it help to do this? We are going to subdivide a lot that will then have no access. Who does this help and how does it help?

Counc. Nauss said there is already a road there in the situation we're trying to help, but it doesn't meet all the standards. It's a lot of land owned by two brothers. It's over 9 acres in size. They now want to divide it. The road going into that piece of land is between two and three kilometres. In order to subdivide, they would have to design that road to a standard from the main highway in, which would cost \$25,000 to \$30,000. There are some other lots throughout the Municipality that people would like to do something with but cannot. We could generate some tax revenue; but because they cannot do it, that won't happen. If this amendment is approved, that could happen. This is what Chester put in place to allow it to happen in their Municipality. He said he doesn't own any land that would fall under this, so he has no conflict. He feels the amendment will benefit the land owners that we represent. It will also benefit the Municipality because it would generate new assessments.

Counc. Dempsey pointed out that one land holding has initiated this amendment which is a major change to our by-law. This came to Council about a month ago. Usually it would be referred to the Planning Advisory Committee to investigate and come back with a report. In this case, staff was directed to prepare the amendment by Council. This is a very big change to the subdivision rules. A change was made once already in the 90's to basically solve a similar situation. In this instance, there are a variety of other options to solve the situation at hand. There is an option to change the access exemption date. In her opinion we are opening a huge barn door. She is concerned about how we keep track of it. When people own land, at some time they are going to want to get to it. She is concerned about protecting the public's interest. Regarding the property that initiated this change, the people bought it as an access exemption

lot in the first place. The members at large on the Planning Advisory Committee had a great deal of concern with this. Mr. Bruce Hyson, NSLS, spoke of options that are not mentioned here. She thinks it's dangerous to compare to another municipal unit. She also questions whether or not we have to be concerned about any liability created with this access exemption regarding joint tenancy and tenancy in common.

Warden Wentzell said, regarding the comment about Councillors' vested interest, he would assume that none of the Councillors have a situation that would give them a conflict. He hopes they would have spoken up if they did.

Counc. Dempsey said she was just asking if owning a piece of land as joint tenants or tenancy in common could be perceived as being a conflict of interest by passing this motion.

Ms. Green said there is potentially an issue there. The amendment would open it up to all, including Councillors if they owned land that could not meet current access requirements, even if they do not intend to use it now.

Ms. Wilson said the concern that staff identified in the report was that we would be approving lots with no guaranteed access. The date was changed to 1994 from 1991 several years ago. We had concern with that amendment but the amendment was approved. There were 77 lots that used that access exemption between 2003 and 2006. Using Chester as an example is not quite fair because we have more lots subdivided within a year than Chester does. It's a concern for the buyer in the future who purchases land not knowing that there is no guaranteed access to it. When they go to get a building permit, they need a guaranteed safe access. That could be a huge stumbling block ...to get a permit. This amendment would be increasing the chances that we would not be providing guaranteed access. People could buy land only to find out later that they couldn't get a safe access/driveway approved by the Department of Transportation. It's a buyer-beware approach. It's up to Council to determine if we want to increase that possibility. She spoke to Geoff MacDonald, Planner for Chester, as to why Chester doesn't have many that come under this. Under Chester's private road standards, they can create up to six lots before they have to design or construct. After six lots they have to. They have not had to use that exemption because they fall under the six lots. In our Municipality they only have to design a private road, not construct, after the access exemption lot is used up.

Counc. Veinot said we are trying to do this amendment because people want to pass on land to their children, and children don't always see eye to eye. Eventually you would have a piece of land that you can't do anything with. He feels he was elected to try to work with the residents in any way we can. The ones that have approached him are not in his constituency. He is trying to help people out in different situations. He thinks we have come up with a solution that is fairly good. Nothing will be perfect but he thinks it's a good idea to do what is being proposed.

Counc. Statton reported that this was discussed at length by the Planning

Advisory Committee. She too feels that Councillors are put here by the residents to represent them. Councillors have an obligation to try to work with them and solve their problems. It may cause some problems with staff, but Councillors have been asked to try to help some people. They cannot legally subdivide their land according to our present Subdivision By-law. The question was asked if any Councillors have a conflict with this. She said she owns a lot of land but doesn't know if any would qualify for this. At this time she knows of nothing that would put her in a conflict. She feels the amendment should be approved to help those who are asking.

Deputy Warden Garber feels this is a complex issue. It's not simple. He's still struggling with helping one and hindering another. We have a Municipal Planning Strategy and Subdivision By-law. What is the purpose for the Subdivision By-law we have? We try to protect access and on-site sewage. What is the purpose of the Subdivision By-law and how does it carry out that purpose?

Ms. Wilson reviewed what is in the Municipal Planning Strategy as it relates to subdivision of land and what controls are in place to protect public health and safety.

Deputy Warden Garber asked, if it's health and safety that we want to protect and this diminishes that, is that not creating a conflict?

Warden Wentzell said there are a few pieces of land in this Municipality owned by two or three people. It doesn't matter if it remains in two or three names for them travelling to that property. All the members of the family can go and use the cabin on that piece of land. If they want to divide and use that piece of land, the same amount of people would still be using it. If they want to build, they will still need to get sewer approval. If we don't do anything, they are going to will it in some way and the same people will be using it. Chester has done it in another way. They have an exemption of six.

Counc. Nauss said access to these lots is already established onto the public highway. We may increase a few along the public highways. There may be people here that own land on a public highway that the Department of Transportation may not approve because of site distances. He thinks we are trying to make a mountain out of a mole hill, instead of thinking about the benefits to our residents and to the Municipality that we could get from more revenue from a few extra homes.

Counc. Dempsey said she's not trying to make it difficult for people. She doesn't think the ramifications of this amendment are fully understood. It doesn't have anything to do with access on a public road. It's buyer beware. There's no guarantee that there will be an access road of any kind. She thinks we need to think beyond this specific situation. We are proposing to make what she considers a major change to our Municipality's Planning Strategy and our responsibility to the public. This is about safety. Engineers in this province have been sued because they didn't do the correct site distances and people have been killed. She thinks we need to think carefully about this amendment.

She also thinks we need more information.

Deputy Warden Garber pointed out that there is a process for amending by-laws.

Ms. Wilson reviewed the process. We have to do First Reading of the amendment and then a date for a Public Hearing has to be set. After the Public Hearing then Council does Second Reading.

**Moved by Counc. Statton, seconded by Counc. Veinot that we amend the motion on the floor to include the Solicitor's proposed amendments to section 5.17 (a) and 5.17 (b) of the Subdivision By-law. Amendment Carried.**

**MOTION AS AMENDED - that we accept the recommendation of the Planning Advisory Committee and not accept staff's recommendation which was to not amend the Municipality's Planning Strategy and Subdivision By-law to include an access exemption provision for multiple ownerships of land, and that we approve the following:**

- 1) Amend the Municipal Planning Strategy in Part 8.4, immediately following the seventh paragraph by adding text and punctuation as follows:**

**Council is also aware of difficult situations in which land cannot be subdivided under the Provincial Subdivision Regulations because of inadequate access. Council is prepared to provide relief from the strict access requirements where a division of property would resolve problems of joint tenancy or tenancy in common.**

- 2) Amend the Municipal Planning Strategy in Part 8.4 by inserting Policy 8.4.7 as follows:**

**8.4.7 Notwithstanding Policy 7.2.5(d), to enable the division of lots, which are owned and have been so owned prior to January 1, 2007 by joint tenants or tenants-in-common, into as many lots as there are owners which do not meet the frontage requirement of the Subdivision By-law.**

- 3) Amend the Subdivision By-law in Part 5 by inserting Section 5.17 as follows:**

**5.17 Access Exemption - Multiple Ownership**

**Any area of land held in joint tenancy or tenancy in common may be divided into lots without regard to the requirements of Section 5.1 or the frontage requirements of clause 5.3(a) provided that**

- a) the area of land was so held by a deed recorded at the Registry of Deeds or Land Registration Office prior to January 1, 2007 or by a will dated prior to October 1, 2001 and recorded at the Registry of Deeds or Land Registration Office prior to January 1, 2007; and**
- b) the number of lots created does not exceed the number of tenants holding title in the area of land prior to January 1, 2007.**

**Motion as amended - Carried.**

**Moved by Counc. Statton, seconded by Counc. Zwicker that we conduct First Reading of these amendments to the Municipality's Planning Strategy and Subdivision By-law. Carried.**

**Moved by Counc. Nauss, seconded by Counc. Zwicker that the Public Hearing for the amendments to the Municipality's Planning Strategy and Subdivision By-law be held on April 10, 2007 at 11:00 a.m. Carried.**

PUBLIC HEARING  
DATE

LETTER TO PROV.  
GOV. re HERITAGE  
PROPERTIES AND  
BILL NO. 132

**Moved by Council. Bell, seconded by Council. Statton that we accept the recommendation of the Planning Advisory Committee and write a letter to the Provincial Government suggesting that, in order to help preserve heritage properties, the Provincial Government should offer more financial incentives so heritage property owners will want to have their buildings remain registered as heritage properties; and with reference to Bill No. 132, if there are two sets of rules for municipal and provincial heritage properties, and if this Bill is not covering both, then the Bill should not be passed. Carried.**

BILL NO. 132 -  
PROPOSED  
AMENDMENT re  
HERITAGE PPTYS.

**Moved by Council. Nauss, seconded by Council. Zwicker that we accept the recommendation of the Planning Advisory Committee and voice concern with regard to Bill No. 132 and the proposed amendment to restrict a property owner's rights to alter or demolish a heritage property under the Heritage Property Act.**

Council. Dempsey asked staff to explain what the amendment is requiring.

Mr. Merrill explained that under the present Heritage Property Act the owner of a municipal heritage property can apply for an alteration to or demolition of a heritage property. If Council doesn't approve the request, the owner just has to wait one year (but no more than two years) and then can go ahead with the alteration or demolition they requested. The proposed amendment removes this right. Mr. Merrill said he spoke to someone with the Province and this amendment brings the rules for Municipal heritage properties in line with the requirements for Provincial heritage properties.

Council. Bell asked, as an example, if he purchased a church property on the river, could he tear it down and build a new home?

Mr. Merrill said, if it's a Municipal heritage property and this amendment goes through, you would still have to make an application to Municipal Council; and if Council didn't want to approve it, you could not walk away and wait a year and then do the alteration or demolition.

Council. Dempsey pointed out that the motion is to object to the strengthening of the Heritage Property Act. She feels that would be a step backwards. We encourage registration of heritage properties. The amendment strengthens the ability to protect heritage properties. It does restrict people's rights, but they have to apply for registration. In this Municipality properties are only registered at the owner's request. She sees enough heritage properties disappearing and she thinks it's incumbent upon us to try to protect them for our children and grandchildren.

**The motion was carried.**

At 12:00 noon Council recessed for lunch.

At 1:07 p.m. the meeting resumed.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS (continued)

RESCIND AUG. 8,  
2006 MOTION re  
MUN. INTEREST IN  
DNR SITES

**Moved by Council. Zwicker, seconded by Council. Veinot that we accept the recommendation of the Committee of the Whole and rescind the following motion made at the August 8, 2006 Council meeting:**

**"Moved by Council. Zwicker, seconded by Council. Tanner that we accept**

**the recommendation of the Committee of the Whole that Council confirms with the Department of Natural Resources the Municipality's interest in the Saw Pit site, the Fancy Lake site, the 1<sup>st</sup> Peninsula Boat Launch site, the Nineveh Day Park site and that staff negotiate either ownership, a management agreement or long-term lease for each property; and further, that Council express interest to the Department of Natural Resources in acquiring the road at Sperry's Beach once the community has settled the land dispute."**

In attendance was Carroll Randall, Recreation Coordinator.

Counc. Dempsey reminded Council why the August 8, 2006 motion was passed in the first place. We were approached by DNR (Department of Natural Resources) at that time to consider some negotiations for other DNR parcels and they offered additional parcels as part of a package deal. At that time she insisted that, before proceeding, the Community Services Focus Group meet with the Sperry's Beach Committee. On July 27 a meeting was held with the Friends of Crescent Beach and the Sperry's Beach Committee. On August 8, 2006 Council passed a motion that Council is now considering rescinding. On August 16, 2006 the Friends of Crescent Beach held their annual general meeting and passed the following motion which she read: "that the *Friends of Crescent Beach, Green Bay and Area Society* will enthusiastically support the Municipality obtaining title to the Old Drew's Hill Road property from the Province of Nova Scotia on the understanding that the Municipality declares its intention by Restrictive Covenant and the lands conveyed will remain dedicated in perpetuity for the benefit, education and enjoyment of present and future generations and is protected as a significant, public and sensitive environmental and recreational resource and an affirmation of our cultural and natural heritage so as to leave it unimpaired for the benefit and enjoyment of future generations." She noted that Deputy Warden Garber made a comment this morning concerning "respect". She pointed out that you earn respect by demonstrating respect, and by doing what you say you will do. Why are we changing a decision we made seven months ago? What has changed since August 2006? What is the status of the other parcels that Council expressed an interest in acquiring? What are the Municipality's intentions if Council is not prepared to guarantee that it will remain in the public domain?

Mr. Randall reported that the Province is now offering us a piece of property and there is a contract on the books that if we want this piece of property there are some things we have to do. We can no longer sit and wait until the land dispute is settled to accept that offer. This is a direct land transfer. It has to go for Ministerial consent. It's a package deal. As part of the package, we have to settle this first because we don't have a motion on record to say that we are interested in acquiring that piece of property.

Counc. Young asked what happens if we don't accept it? Does DNR offer it to someone else?

Mr. Randall said he can't speak on what DNR's procedure is. In other land negotiations, when it gets to the point of disposing of land, DNR offers it to a municipal unit first before offering to a private entity. We have no

confirmation saying that is the case in this one, but we are thinking it is in our best interest to say yes to this so it stays in the public domain and that it stays as a municipal property.

Counc. Dempsey said she objected to the way DNR is doing business in this particular instance. She contacted the Sperry's Beach Committee to let them know this was coming forward today. As she understands it, there was some undertaking by the Municipality to have a meeting with the Sperry's Beach Committee. At the July 27<sup>th</sup> meeting, they offered to share information to substantiate their position regarding public access to that beach. That meeting never took place. She read from a letter written by Tom Daly to the Municipality on behalf of the Sperry's Beach Committee offering to share their information with the Municipality. If we accept title with the understanding that it remains in the public domain, then that is okay. However, she didn't get that understanding last week at the Committee of the Whole meeting. She tried to make an amendment to the motion to guarantee that Drew's Hill Road will remain in the public domain, but she was not successful. She reviewed the history of this old road that gives public access to the shore at this location which dates back centuries. Champlain explored these shores in 1604. His first European maps of the new world showed Mi'kmaq settlements in this area. Since the time of European settlement in the early 1600's access to the shore has existed at this location. A public wharf existed with access from Drews Hill Road. Present day history has seen the public access in the form of the Old Shore Road blocked. It was the persistence of the local community in ensuring that DNR do their job and protect the public interest in this public access by having the adjacent land owner remove his agricultural fence from blocking the old road. This road gives access to more than Sperry's Beach. It is important not only to the community but the Municipality as a whole. It gives public access to the shoreline.

Counc. Bell said he wants to ensure public access to public saltwater. He feels obtaining title to that will ensure this access. It could go into ownership of somebody other than the Municipality. If we want to guarantee access to the water, then we have to act on this. If we don't act on this, it would put us in the same situation of another unit that had an opportunity to act but didn't.

Counc. Zwicker feels Council is acting in a very responsible way in doing what we are doing with these two motions. It's incumbent on us to see that the land is kept in the public domain. Maybe we will not have the option to spin again. Once it's gone it's gone, and he is not willing to take that risk. The Focus Group is in favour of this rescinding and bringing in a new motion. Before there would be any change, there would still have to be discussion by this Council or another Council. We are tying the hands of future Councils with reference to this road. He thinks it's an honourable intent to keep that road in the public domain. It is the greater area beach that is in question here. Access to the burial grounds would still be there. It's not restricting anybody. The letter that Counc. Dempsey read from also states that the whole issue of

ownership of the sand spit will be addressed before the end of summer.

Counc. Nauss reported that when DNR has an old right-of-way that they decide to dispose of and the Municipality is given an opportunity to obtain it, then we have to act on it. Counc. Bell made reference to a municipal unit not accepting an opportunity. He said the same opportunity was also made to the Municipality and we also didn't take the opportunity to get it. He hopes this will remain in the public domain forever. He referred to the Cape LaHave Islands and what was done there to keep them in the public domain. He hopes that this piece of land, once we accept it, will remain in the hands of the public at large, because it provides access to a very nice beach area.

Counc. Statton said she didn't realize that we could lose the ability to have that piece of land and that it could go to adjacent property owners. She's hesitant to let that happen. With that in mind, she will be supporting the motion.

Deputy Warden Garber pointed out that it may be necessary to have an amendment to the motion to ensure that it stays in the public domain.

Counc. Dempsey said her concern is that we are here to represent the residents. They are not opposed to the Municipality acquiring title if it is intended to keep it public.

Question was called.

**The motion to rescind the motion of August 8, 2006 was carried.**

**Moved by Counc. Zwicker, seconded by Counc. Veinot that Council confirm with the Department of Natural Resources the Municipality's interest in the Saw Pit site, the Fancy Lake site, the 1<sup>st</sup> Peninsula Boat Launch site, the Nineveh Day Park site and that staff negotiate either ownership, a management agreement, or long-term lease for each property.**

Counc. Statton said, before staff negotiates, she would like to know what the financial implications are. Ms. Wilson said that staff would be required to come back to Council and Council would make the final decision.

**The motion was carried.**

**Moved by Counc. Veinot, seconded by Counc. Countway that we accept the recommendation of the Committee of the Whole that the Municipality of the District of Lunenburg enter into an agreement with the Department of Natural Resources to acquire the right-of-way of the abandoned portion of Drews Hill Road in Petite Riviere subject to title search ensuring good title.**

**Moved by Counc. Dempsey, seconded by Deputy Warden Garber that the motion on the floor be amended by adding the wording "and with the understanding that the old Drews Hill Road will stay in the public domain in perpetuity."**

Counc. Zwicker pointed out that this would tie the hands of this Council or any future Council with reference to planning. If this is required, then there is no faith put in this Council or any Council to deal with it in a satisfactory way. This would mean rescinding another motion so you could move forward. He has been on this Council since '91 and he feels this Council has acted honourably.

He feels this amendment is not appropriate.

Deputy Warden Garber said it's his intention to tie the hands of future Councils, just as the hands of future Councils were tied when Miller Point was acquired. He is pleased that the deed for Miller Point has covenants in it to remain as a passive park in perpetuity. That was the intent of it and that is exactly what it should do.

Counc. Dempsey said she doesn't see that the amendment would jeopardize the acquisition of this property. We are obtaining this for public open space. The amendment guarantees that. She thinks there is a responsibility on this Council to do that if its intention is to obtain it as public open space. She has been asked quite clearly to ask this Council what their intentions are with this acquisition. She fails to understand what the intentions are if Council doesn't support the amendment that it remain in the public domain.

Counc. Nauss noted that Council looks for access to water and it's almost impossible to find unless you pay for it. He suggested that we could add that it stays in perpetuity until the residents of the region which it serves have agreed that it can be used for other purposes.

Counc. Zwicker feels that using Miller Point is not comparable. Council did not put covenants on Miller Point. The family that gave it to the Municipality put the covenants on it. What some are trying to do now is put restrictions on ourselves. He feels we should rely on the good judgment of this Council or in a future Council to do the right thing if it comes to making any change. Let's get the right-of-way, tell the Province we want it subject to good title, and move forward from there.

Counc. Veinot feels that each piece of land should stand on its own merit. He thinks we should acquire it and make a decision down the road on what we should do with it. Leave it open and if something arises, we may have to do something to make sure it stays in the public domain.

Counc. Nauss said Miller Point had two prices on it. If it didn't stay in perpetuity, then it was going to the highest bidder. One family member didn't agree to it at first, but after negotiations they did.

Counc. Dempsey said if Council's intention is to keep it in the public domain, then she fails to understand why the amendment would not be supported. In her opinion this community has been failed by DNR. Therefore, they are a little suspect of what governments do. She made reference to some other beach areas that the community had to stand up for. If Council is not prepared to make sure it remains in the public domain, then what are Council's intentions?

Warden Wentzell said there are no detailed long-term plans if we acquire this land. Once we do, he is sure there will be discussions on that. If the amendment is passed, that is fine. If we get the land without the amendment, we are not going to move it out of the public domain. We intended that it stay in the public domain until we find something better that works for the community. If we don't, then it remains in the public domain.

Counc. Young feels we have to be careful what we do here. It's the intention of this Council to obtain the property for the public's use.

Deputy Warden Garber thinks some clarification needs to be made as to what our intentions are. That area is one of the 26 properties in our Strategic Plan which we hope to obtain for public open space.

Warden Wentzell again stated that we have not worked out details of what we want to see.

Counc. Nauss said he thinks the problem is the fear of what a future Council will do. We can say with good intention that it will never leave the public domain. There could be 9 or 10 new faces here next year. The statement we make today has no bearing on that. Counc. Dempsey just wants to make sure that it remains in the public domain always.

As there were two in the audience who wanted to address Council, **it was moved by Counc. Nauss, seconded by Deputy Warden Garber that we table the amendment to allow members of the public to address Council. Carried.**

**Moved by Counc. Dempsey, seconded by Counc. Bell that we permit Don Sedgwick and Bill Carter to address Council. Carried.**

Don Sedgwick - He told Council that their children and grandchildren have to go around barbed wire fences to use the beach. He feels that Council has to know this to fully appreciate what their Councillor (K. Dempsey) is saying today.

Bill Carter - He feels that DNR has failed them in many ways. They don't have confidence in what the government has done in that area. They are in favour of keeping that as a public domain and access. He personally sees people from the area going under the fence to get to the beach. It's Council's chance to get public access to the beach if they acquire it. As a community group, they want to see it left in the public domain. They would like to have a meeting with the Council to see if they are in sync with their thinking.

**Moved by Counc. Nauss, seconded by Counc. Tanner that we remove from the table the amendment to the motion. Carried.**

**AMENDMENT TO THE MOTION ON THE FLOOR - that the motion on the floor be amended by adding the wording "and with the understanding that the old Drews Hill Road will stay in the public domain in perpetuity."**

Councillors Dempsey and Nauss requested a recorded vote by name.

IN FAVOUR OF THE AMENDMENT - Councillors Tanner, Palmer, Deputy Warden Garber, Statton, Nauss, Dempsey and Bell.

OPPOSED TO THE AMENDMENT - Councillors Zwicker, Countway, Warden Wentzell, Moore, Veinot, and Young.

**Amendment Carried.**

**MOTION AS AMENDED - that the Municipality of the District of Lunenburg enter into an agreement with the Department of Natural Resources to acquire the right-of-way of the abandoned portion of Drews Hill Road in Petite Riviere subject to title search ensuring good title and with the understanding that the old Drews Hill Road will stay in the public domain in perpetuity.**

Councillors Dempsey and Nauss requested a recorded vote by name.

IN FAVOUR OF THE MOTION AS AMENDED - Councillors Tanner, Palmer, Deputy Warden Garber, Statton, Young, Nauss, Dempsey and Bell.

OPPOSED TO THE MOTION AS AMENDED - Councillors Zwicker, Countway, Warden Wentzell, Moore and Veinot.

**The motion as amended was carried.**

At 2:15 p.m. Counc. Moore left the meeting.

MEMBER-AT-LG  
APPOINTMENTS -  
PLANNING ADV.

**Moved by Counc. Tanner, seconded by Counc. Dempsey that we accept the recommendation of the Planning Advisory Committee and appoint Elsbeth McLean-Wile for another term on the Planning Advisory Committee and appoint Bruce Hyson to represent the Nova Scotia Land Surveyors Association on the Planning Advisory Committee for another term. Carried.**

LaHAVE MANOR CORP. BOARD OF DIRECTORS - RECOMMENDATIONS

MEMBER-AT-LG  
APPOINTMENT -  
LaHAVE MAN. BD.

**Moved by Counc. Tanner, seconded by Counc. Young that we accept the recommendation of the LaHave Manor Corporation Board of Directors and approve the appointment of Mrs. Ellen Burt as a Member at large for her second three-year term commencing February 10, 2007. Carried.**

LaHAVE MANOR  
ARC - FIRST  
RELOCATION SITE

**Moved by Counc. Young, seconded by Counc. Tanner that we continue to allow the LaHave Manor Adult Residential Centre to use the Municipal Activity and Recreation Complex (MARC) as the first relocation site in the event of an emergency. Carried.**

NOMINATING COMMITTEE - RECOMMENDATIONS

COUNCIL REP. ON  
COMM. re LONG-  
TERM CARE BEDS  
SHORTAGE

Counc. Dempsey, Chair of the Nominating Committee, reported that the Committee nominates Councillor Don Zwicker to serve on the Committee that the Maughans' established to look into the shortage of long-term care beds.

**Moved by Counc. Dempsey, seconded by Deputy Warden Garber that Councillor Don Zwicker be appointed as Council's representative on the Committee that is looking into the shortage of long-term care beds. Carried.**

TOURISM FOCUS  
GROUP MEMBERS

Counc. Dempsey reported that the Nominating Committee considered nominations for members on the new Tourism Focus Group. The Committee is suggesting that we wait until all Committee appointments are considered for 2007/08 to make appointments to the Tourism Focus Group. In the mean time, the Committee suggests that the PR Committee take on the responsibilities of the Tourism Focus Group and add one member to the PR Committee just until the new appointments are considered to Committees, Boards and Focus Groups. The Committee nominates Councillor Martin Bell to be the additional member on the PR Committee.

**Moved by Counc. Dempsey, seconded by Counc. Tanner that we wait until all Committee appointments are considered for 2007/08 to appoint members to the Tourism Focus Group; that we include the responsibilities of the Tourism Focus Group in those of the PR Committee until a Tourism Focus Group is appointed; and that Councillor Martin Bell be appointed as a member on the PR Committee. Carried.**

WASTE MANAGEMENT COMMITTEE - RECOMMENDATIONS

TIPPING FLOOR EXPANSION PROJECT - DESIGN DRAWINGS In attendance was Pierre Breau, Director of Engineering and Public Works, for Council's consideration of recommendations from the Waste Management Committee.

**Moved by Deputy Warden Garber, seconded by Counc. Young that we accept the recommendation of the Waste Management Committee and approve the design drawings of the Tipping Floor Expansion Project, based on Mr. Breau's comments; and further, that we approve the Tender Specifications for the Tipping Floor Project and issue the tender as per the Municipality's Purchasing Policy.**

Counc. Nauss asked if the Waste Management Committee saw the design drawings or just what we have with the Council agenda.

Mr. Breau said the Waste Management Committee had the full size design plan.

Counc. Statton requested that Councillors view the full size design plan before voting on the motion.

**Moved by Counc. Young, seconded by Counc. Dempsey that the motion be tabled until later in the meeting. Carried.**

Mr. Breau was asked to have the design plans available during the afternoon break.

REGULATIONS - ADMISSION AND DISPOSAL OF WASTE - SEC. 7 AMENDMENTS Mr. Breau reported that the next recommendation deals with amendments to the *Regulations for the Admission and Disposal of Waste at Whynotts Settlement Waste Disposal Site*. Municipal Council wanted to be specific and requested that the amendments relate to the disposal of waste material generated exclusively by the fire departments.

**Moved by Counc. Countway, seconded by Counc. Statton that we accept the recommendation of the Waste Management Committee and approve amendments to Section 7 of the *Regulations for the Admission and Disposal of Waste at Whynotts Settlement Waste Disposal Site* as follows:**

**Section 7 USER PAY CHARGES**

**1) Amend Section 7(e) by adding the following wording shown in italics:**

*Loads of any acceptable waste, as defined in Section 4 of these Regulations, received from Owner operations or facilities are received at no charge. Where the Owner operation or facility is a fire department, the loads received at no charge must be generated exclusively from a fire department's property.*

**2) Add new Subsection 7(f) after 7(e) as follows:**

*Loads of any acceptable waste, as defined in Section 4 of these Regulations, received from fire departments located within the Municipality of the District of Lunenburg, are received at no charge, subject to these loads being generated exclusively from a fire department's property.*

**Motion Carried.**

TENDER SPECS - SOLID WASTE GRINDING SERVICES 2007/10 Circulated with the agenda were proposed Tender Specifications for the Supply of Solid Waste Grinding Services for the period 2007 - 2010, being Tender 2007-01-004.

Mr. Breau reviewed the proposed Tender Specifications.

**Moved by Counc. Statton, seconded by Counc. Young that we approve the specifications and the issuing of the tender for the Supply of Solid Waste Grinding Services for 2007 to 2010 (Tender 2007-01-004). Carried.**

RFP 2007-01-400 -  
OCCUPATIONAL &  
SAFETY CONSULT-  
ING SERVICES

Ms. Wilson reported that, as per Council's Purchasing Policy, a Review Committee has to be established to review the proposals received for the RFP that was issued for the provision of Occupational Health and Safety Consulting Services, RFP 2007-01-400. Council has to appoint a member to that Committee.

**Moved by Counc. Young, seconded by Deputy Warden Garber that Councillor Sandra Statton be appointed to the Review Committee to evaluate the proposals received for the RFP for Occupational Health and Safety Consulting Services. Carried.**

BUILDING REPORT  
FOR FEB. '07

Mr. Breau was thanked and he left the meeting.

For information, circulated with the agenda was a summary of the Municipality's building activities for the month of February 2007 (copy attached to original Minutes). This report showed that the value of building permits issued in February totalled \$967,300.00, bringing the year-to-date value of permits issued to \$31,788,142.92.

POLICE ADVISORY  
COMMITTEE - AD re  
MEMBERS

Council then considered appointments to the Police Advisory Committee.

**Moved by Counc. Nauss, seconded by Counc. Statton that we advertise for members at large for the Police Advisory Board and that the Council members on the Police Advisory Committee be considered when the Nominating Committee presents their report for annual appointments. Carried.**

BILL NO. 122 re ST.  
PAUL'S UNITED  
CHURCH

Circulated with the agenda was a letter from the Honourable Michael Baker in response to Council's letter addressing concerns about Bill No. 122 - An Act Respecting the Lands of St. Paul's United Church of Blue Rocks. Minister Baker advises that the concerns have been duly noted; however, this Bill has come before the Private and Local Bills Committee and has received both second and third reading. For future reference, he suggests that, once the ad had been placed in the paper which serves as notice to the public regarding the introduction of the Bill, the onus is on any concerned individual to contact the Legislative Counsel's office to indicate their interest in appearing before the Private and Local Bills Committee when the Bill will be dealt with.

Counc. Zwicker feels we should be raising our concerns with Minister Jamie Muir.

**Moved by Counc. Zwicker, seconded by Counc. Dempsey that a letter be written to the Minister of Service Nova Scotia and Municipal Relations informing him of our concern with the passing of the Private Members Bill No. 122 and the impact it has on our Subdivision By-law. Carried.**

MUNICIPAL  
INFRASTRUCTURE  
FOCUS GROUP re  
ALT. MEMBER

Counc. Nauss had requested an item on the agenda regarding the Municipal Infrastructure Focus Group and a request for the addition of another member or alternate on that Focus Group.

Counc. Nauss reported that this is not necessary now and the item can be removed from the agenda.

COMMONWEALTH Counc. Bell had requested an item on the agenda for some discussion on  
GAMES IN 2114 the Commonwealth Games in 2114.

Counc. Bell said on February 15<sup>th</sup> he had asked that this matter be included on today's agenda. Since then, the application by HRM to host the Commonwealth Games has been withdrawn. This item can also be removed from the agenda.

HOUSEBOAT IN Counc. Zwicker had requested that the matter of the houseboat in  
RIVERPORT Riverport be included on today's agenda. He reported that the house has been separated from the floatation and placed on the wharf.

Ms. Wilson reported that the owner has appealed our Development Officer's decision to refuse the permit. Our Council Chamber has been booked by the NSURB (Nova Scotia Utility and Review Board) on April 17, 2007 to hear the appeal.

Counc. Zwicker asked, if the decision is not favourable, do they have another avenue of appeal?

Ms. Green said they do. They can appeal to the Supreme Court.

Counc. Zwicker asked if the Municipality is imposing any restrictions on the occupancy.

Ms. Wilson said they have no permit to locate or occupy. She will check to see if an order was posted on the site to that effect.

UPDATE - WARDEN Warden Wentzell reported that he recently attended a meeting of Mayors and Wardens that was held in our Council Chamber. He and the CAO attended the UNSM meeting of Mayors and Wardens. The meeting was called to deal with two items. One was the report on the CAP program. There was strong support for the means test from the other Mayors and Wardens that were there. They also dealt with an Agriculture resolution which was straight forward. It's asking the government to work with farmers to sustain the industry.

Counc. Zwicker pointed out that they don't deal with resolutions at the UNSM Spring Workshop. They have to be dealt with at the Annual Conference.

Ms. Wilson said her understanding was the Province asked for the report to be tabled at the Spring Sitting of the House. These resolutions will be presented at that time.

LETTER TO RCMP re Counc. Countway reported that on March 5, 2007 he arranged an  
SENIORS' INFO. information night for Seniors at the Blockhouse Fire Hall. The RCMP's  
NIGHT Community Policing Officer, Steve Mills, comes out to communities to do these meetings. He thinks it's a great program and there are a lot of benefits to having the RCMP do this.

**Moved by Counc. Countway, seconded by Counc. Statton that a letter of thanks be sent to Staff Sgt. Steve Mills for the community program they offer through their Community Policing Officer. Carried.**

At 3:00 p.m. Warden Wentzell and Counc. Palmer left the meeting. During the afternoon break, Councillors viewed the full size design drawings for the Tipping Floor Expansion Project.

Deputy Warden Garber was in the chair.

TIPPING FLOOR In attendance was Pierre Breau, Director of Engineering and Public Works.  
 EXPANSION **Moved by Counc. Young, seconded by Counc. Veinot that we remove**  
 PROJECT - DESIGN **from the table the motion approving the design drawings of the Tipping Floor**  
 DRAWINGS **Expansion Project. Carried.**

MOTION ON THE FLOOR (from Pg. 17 of these Minutes) - **Moved by Deputy Warden Garber, seconded by Counc. Young that we accept the recommendation of the Waste Management Committee and approve the design drawings of the Tipping Floor Expansion Project, based on Mr. Breau's comments; and further, that we approve the Tender Specifications for the Tipping Floor Project and issue the tender as per the Municipality's Purchasing Policy.**

Counc. Countway feels that someone needs to come up with a way so that we don't keep putting money in this. He questioned if it would be cheaper for us to have Chester do it.

Deputy Warden Garber said it's an important part of our operation. We take in revenue from a contract that we have with the RRFB. This is for all the blue bag material that comes in. Without the floor functioning properly, that revenue would not be realized.

**The motion was carried.**

AMALGAMATION

Counc. Statton said, after speaking with various Councillors and the public, she would like to see this Municipality set up a committee to look into the pros and cons of amalgamation, whether it's municipalities or departments of municipalities. She would like us to look at the advantages and disadvantages.

**Moved by Counc. Statton, seconded by Counc. Nauss that we set up a committee of Councillors to investigate the advantages and disadvantages of either amalgamating our Municipality with our neighbouring municipalities or the amalgamation of services between municipalities.**

Counc. Zwicker feels if we're going to do this, there should be Councillors from all units involved.

Counc. Nauss commented that he believes back in the early 90's there was a report done on amalgamation.

Counc. Statton feels we can only make a motion for our Municipality. We can ask the others if they want to be involved, and someone would have to initiate that.

Counc. Bell said he would like to see us extend an invitation to the other units. He would only support it if we have input from the other units so we can hear pros and cons from them. We're discussing a multi-purpose facility and a new library. All these services are needed as a region.

Counc. Zwicker thinks this would be a topic that could be discussed at a meeting of the Mayors and Wardens to see how they would accept it. If they are very much opposed to it, then he doesn't know how it would be accepted.

Counc. Nauss suggested that we should know where this Council stands before attempting to negotiate with anyone else.

Counc. Statton said the intent of the motion is to find out how much

support there is from this Council. She doesn't agree that it should go to a Mayors' and Wardens' meeting because how they feel may not be how their Council feels.

Counc. Veinot said he's not against amalgamation. However, he feels if we set it up we may be perceived as being the ones to take over. He made reference to a situation where a fire department initiated talks about amalgamation and what happened in that situation.

Counc. Young pointed out that we do a fair number of services cooperatively now. He would feel better if we invited other units to a meeting with that being the topic of discussion.

Counc. Nauss noted that three Councillors are missing from the meeting. He suggested that this matter go on the agenda for another meeting. He feels we have to handle it properly or we may not get the support we need from our own Council.

Counc. Dempsey said this is a sensitive issue. She's interested in investigating it. What are the financial implications? What does it mean to the day-to-day delivery of services? She needs to know this before she knows if she can support it.

Counc. Bell thinks it is quite clear that we're extending an olive branch. We first need to ask ourselves if we want to discuss this and then if we want to discuss it with our neighbours.

**The motion was carried.**

Deputy Warden Garber requested that any Councillors interested in serving on the committee to investigate amalgamation should give their names to the Nominating Committee. (Councillors Statton, Nauss, Young and Deputy Warden Garber indicated their interest in serving on this committee.)

Counc. Statton said, now that HRM is no longer bidding for the Commonwealth Games, the financial commitments that were made by the Federal and Provincial governments should be available for other purposes. She believes the commitments were \$400 million and \$300 million, respectively.

**Moved by Counc. Statton, seconded by Counc. Bell that we write to Prime Minister Harper and Premier MacDonald (with copies to Minister Baker, Minister Bolivar-Getson and Minister Barnett) asking them to dedicate a minimum of \$10 million each towards a recreation facility for Lunenburg County.**

Counc. Dempsey questioned if by doing this it would be perceived in any way as stepping on the toes of the Recreation Facility Committee.

Counc. Zwicker commented that this Council is one of the sponsors.

Counc. Bell said there is already a preliminary program out there as to what we would like to see in that building. For us to suddenly raise the figure might be seen as being unrealistic.

Counc. Statton said that is why she picked \$10 million. We said it will cost between \$20 and \$25 million. We are not saying to give it to us right now but to commit it.

MONEY FOR  
RECREATION  
FACILITY

Counc. Young said the two governments pledged \$400 million and \$300 million ...but is it there? It's like our \$2.5 million ...we committed it.

Ms. Wilson reported that we had a facility assessment done by DMA. She asked if that can be forwarded with the request.

**Moved by Counc. Statton, seconded by Counc. Nauss that we table the motion and request our members on the Multi-Purpose Facility Committee to take our suggestion to the meeting tonight for discussion. Carried.**

UPDATE re  
DEVELOPMENT  
APPLICATION

At the request of Counc. Countway, Ms. Wilson gave a brief update on what is happening with the development application that the Municipality received in September '06 for a condominium development in Oakland.

AMA MTG. -  
SESSION ON MGA

Ms. Wilson informed Council that an AMA meeting will be held at the Bridgewater Town Office on March 14, 2007 at 9:30 a.m. There will be a general session on the MGA. Councillors are invited to attend. Counc. Statton indicated that she will be attending.

RELAY FOR LIFE  
FUND-RAISER

Counc. Countway informed Council that, if the Municipality's team in the *Relay for Life* doubles their pledges from last year, he will allow the person who raises the most pledges to shave his head. To do that, \$2,670 will need to be raised by the team this year.

There being no further business, at 3:50 p.m. it was moved by Counc. Young, seconded by Counc. Zwicker that the meeting adjourn.

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WARDEN JACK S. WENTZELL, CHAIRMAN

TAMMY WILSON, CHIEF ADM. OFFICER