

A meeting of **MUNICIPAL COUNCIL** was held in the Council Chamber of the Municipal Administration Building on the above date at 9:30 a.m. with the following in attendance:

Warden Jack Wentzell - District 7
Deputy Warden Elmer Garber - District 4
Councillor Sherman Palmer - District 2 (arrived 11:15 a.m.)
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

Absent was Councillor Diane Tanner - District 1.

Also in attendance were:

Tammy Wilson, Chief Administrative Officer
J. C. Reddy, Municipal Solicitor
Heather Whynott, Administrative Assistant

AGENDA

Warden Wentzell called the meeting to order and asked if there were any requests for additions to the Agenda. The following additions were requested:

Prize for UNSM Golf Tournament (D. Zwicker)
Dept. of Transportation's land at Upper LaHave (E. Garber)
Local Food Supply (A. Young)
Announcement and a Thank-you (K. Dempsey)

Moved by Counc. Young, seconded by Counc. Moore that the Agenda be approved with the added items. Carried.

MINUTES

Moved by Counc. Zwicker, seconded by Counc. Nauss that the Minutes of the monthly Council meeting held July 10, 2007 and the special meetings held April 25, 2007 and July 19, 2007 be approved as circulated. Carried.

CAP re MTG. WITH MLAs

Ms. Wilson reported that Council had directed staff to arrange a meeting with the MLAs to discuss the Capped Assessment Program (CAP). Several dates had been suggested but no dates were able to be confirmed. We have received a written response regarding the CAP, which was signed by three of the MLAs (copy attached to original Minutes). They are aware of the concerns that municipalities have with the CAP. However, it has been confirmed that there will be no meeting date set at this time.

OWNERSHIP OF LAND - CROSS ISL. UPDATE

For information, Ms. Wilson reported that at the last meeting Counc. Tanner asked staff to look into the Municipality's possible ownership of a small piece of land on Cross Island where a school house had existed in years past. Staff has checked our municipal records and Property On Line but can find no record of the Municipality owning that land.

Counc. Nauss said if Property On Line had not picked it up we would not know about it. They have missed others.

Ms. Wilson reported that we have a file on all the pieces of land that we have on record. In the early 1990s, Philip Romney, former municipal solicitor, did some research on municipal owned land and there was no record in that

information. We have not asked Mr. Reddy to do a title search.

No further action was taken on this matter.

INTRODUCTION -
NDP OUTREACH
ASSISTANT

In attendance at this time was Ms. Ingrid Deon, Outreach Assistant for the NDP Caucus Office.

Ms. Deon introduced herself to Council and explained that her work as Outreach Assistant requires her to identify issues in rural areas and report back to the NDP office. She is also looking for candidates for the next Provincial election, whenever that may be. She can also help with other things, such as getting an MLA or their Leader, Darrell Dexter, to attend events. She pointed out that the NDP is the official opposition and, as such, can pressure the government to act on issues when the Cabinet sits. She then provided some information on her personal background, which included working as a reporter for the Chronicle Herald.

Counc. Nauss informed Ms. Deon of a small portion of land in the Municipality of the District of Lunenburg which would be in MLA Vicki Conrad's area. It seems to him that it's a forgotten piece of land. It has been a long time since the bushes have been cut which overhang the paved roads. He thinks this has happened because of the changeover in that riding a number of years ago and that portion of the Municipality was added to the area of the MLA for Queens. He has spoken to Ms. Conrad about it but nothing has happened. He asked Ms. Deon to look into that.

Counc. Dempsey said she concurs with Counc. Nauss, that it seems to be a forgotten area of the province. She feels that all parties need to work together. She is of the opinion that the opposition is not always included in working things out together.

Counc. Bell mentioned to Ms. Deon that upgrading of Highway 103 is important, as well as future twinning of that highway, particularly in the Shelburne and Barrington areas. There are safety and economic concerns that need to be considered. He feels it's a very important issue to communities along that highway and those who travel it.

Warden Wentzell thanked Ms. Deon for her visit and wished her well in her position.

Ms. Deon thanked Council for allowing her to introduce herself to Council and she left the meeting.

PERSONNEL POLICY
- AMENDMENTS re
PAY FOR TEMP.
ASSIGNMENTS

At the July 10, 2007 Council meeting, Council gave notice that they would consider proposed amendments to the Personnel Policy regarding pay to employees as it relates to temporary assignments.

Circulated with the agenda was the proposed amendments to add to the Personnel Policy Article 11A - Pay for Temporary Assignments (copy attached to original Minutes). Ms. Wilson reviewed the proposed amendments. She pointed out that this only applies to leave other than annual vacation.

Counc. Dempsey questioned why Council would get involved in something beyond 60 days. She thinks that would be for the CAO to decide. She feels this is not a lot of incentive to do someone else's job.

Ms. Wilson said there was a debate at the Committee of the Whole meeting as to whether it should be looked at as an opportunity to experience some professional development. The Committee was amenable to 10% of an employee's salary. In response to over 60 days and the CAO making a recommendation to Council, she reported that the CAO's authority is to make decisions within the budget. As an employer, the Municipality would want to ensure equal treatment to all employees.

Deputy Warden Garber feels it's just recognizing the reality of what actually is happening within our organization. Employees are away for many reasons, such as sickness. This is just recognizing the fact that these things happen.

Moved by Deputy Warden Garber, seconded by Counc. Moore that we approve the amendments to the Personnel Policy by adding Article 11A - Pay for Temporary Assignments as presented. Carried.

BCAF re LIAISON -
LaHAVE WATER
RESCUE PROJECT

Circulated with the agenda was a letter from Wendy Rodenhizer, LaHave Water Rescue Project Coordinator at the Bluenose Coastal Action Foundation (BCAF). Ms. Rodenhizer thanked Council for their support of their newly established LaHave Water Rescue Project, which is a long-term water quality monitoring plan that will be set up for the LaHave River watershed in order to track changes in general water quality and provide an early warning system of environmental stressors. She advises that a Public Advisory Committee is being formed to help guide important project decisions as to where water quality sample sites will be located, what parameters will be tested, and so on. They would like the Municipality to be represented on the Public Advisory Committee and are inviting a Council member to act as a liaison between the Council and their Committee.

Ms. Wilson reported that we do have a Wastewater Management Committee that is involved in this project. She suggested that Council may want to consider appointing a member of that Committee as the liaison person.

Counc. Nauss questioned what area they will be covering in the project.

Ms. Wilson reported that when Council considered funding for this project, we were looking at the Cookville area in particular. How far beyond that she is not sure.

Warden Wentzell reported that he was at a meeting where this was discussed. He believes they were looking at quite an area inland. They are going to make recommendations to farmers if they find there are problems that need to be corrected.

Counc. Nauss commented that he hopes they don't do duplicate testing.

Counc. Bell said he presently sits on the Wastewater Management Committee. He is also a member of BCAF and is the secretary of the Executive. His opinion is that we should support the project financially but we should stay at arm's length. He would like to see a written report from this group to be free and independent, with no influence from this Municipality or any others if recommendations come forward.

Counc. Countway agreed with Counc. Bell's comments. In his area he is sitting on many committees and they are starting to overlap. He suggested that we thank them for the invitation but at this time we would just like to receive correspondence, findings and updates.

Moved by Counc. Countway, seconded by Counc. Moore that a letter be sent to the Bluenose Coastal Action Foundation advising that we don't wish to appoint a member to their committee at this time but would like to receive correspondence and any findings that come out of the LaHave Water Rescue Project. Carried.

HEALTH SERVICES
FOUNDATION re
CYCLE FOR ART

Circulated with the agenda was a letter to Council from the Health Services Foundation of the South Shore inviting Council to take part in the first *Cycle for Art*, a fundraising cycling event on September 22, 2007 in aid of the Dr. Arthur H. Patterson Centre for Restorative Care.

Counc. Dempsey commented that we did already make a donation to that Centre.

Council did not take any action on this matter.

THANKS FROM CPE
NATIONALS

For information, circulated with the agenda was a letter written on behalf of the CPE Nationals Committee thanking the Municipality for supporting their 2007 event.

Deputy Warden Garber reported that he attended the event. They were deeply appreciative of our support. He reported that all activities of the event were well attended. He believes there were at least 200 American attendants. All motels in Bridgewater were filled for that event and many went to hotels in Lunenburg and elsewhere in the Municipality.

MAYORS FOR
PEACE CAMPAIGN

Circulated with the agenda was a letter to Warden Wentzell regarding the Mayors for Peace Campaign. The letter explained that the Mayors for Peace is an international network of mayors, organized for the purpose of abolishing nuclear weapons. There are 49 Canadian member cities, but not a single city or community in Nova Scotia belongs to this network. Worldwide there are 1,651 member cities in 120 countries. This letter has been sent to all Mayors in Nova Scotia asking them to support the Campaign by signing and returning the Mayors for Peace Registration Form. There is no fee to join. Also included was a letter from the Mayor of Hiroshima and current head of the Mayors for Peace Campaign, Mayor Tadatoshi Akiba. (Copies of letters attached to original Minutes.)

Warden Wentzell said he didn't want to sign this without Council's authorization.

Counc. Countway commented that this is just to ban nuclear weapons. He questions how they are going to stop some of these countries from making them. He supports signing the form but doesn't know how much good it will do.

Counc. Young said he too feels it's a wonderful concept but, as Counc. Countway said, who's going to guarantee it. Some countries may say they will do it and sign papers to that effect, but will they actually do it? Some countries

have these weapons just to protect themselves from other countries. What he would like to see is all wars banned. Think of the money that could be used to feed and house people. This is a wonderful concept but he doesn't think it's doable.

Counc. Dempsey feels that banning nuclear weapons is a good thing. She thinks we need to demonstrate municipal democratic leadership. That is what the UN is there for. It's important that we add our voice, along with other municipal units, that we don't need nuclear weapons in this world.

Moved by Counc. Dempsey, seconded by Deputy Warden Garber that we endorse the Mayors for Peace Campaign and authorize the Warden to sign on behalf of the Municipality of the District of Lunenburg. Carried.

APPEAL re

VARIANCE FROM

FRONT & SIDE YARD

SETBACKS -

MacDONALD PPTY.

OAKLAND

Circulated with the agenda was a letter to the CAO from Carol (Snyder) Roache advising that she and her husband are in receipt of the letter advising them, as a neighbouring property owner, that a variance was granted by the Municipal Development Officer to Geoffrey and Roberta MacDonald, and that they are objecting to the granting of the variance from the front and side yard setbacks of the Ocean Shoreline Zone under the Oakland Land use By-law (copy of letter attached to original Minutes). Their property adjoins the MacDonald property along the side yard where the 7 foot setback has been allowed. They feel the proposed boat shed would be too close to their property with only a 7 foot setback between the boat shed and their property and it will eventually become an area used for outside storage. Ms. Roache spoke to April Whynot-Lohnes about the proposed variance and she suggested to her that they would be willing to drop their objections if the Municipality would require, as part of granting this variance, that a hedge (5 to 10 ft. in height) be maintained in the side setback area alongside the proposed boat shed as a permanent buffer.

The time of 10:30 a.m. was scheduled on the agenda for Ms. Roache's appeal. Ms. April Whynot-Lohnes, Municipal Development Officer, was in attendance.

Ms. Wilson explained that Council's role is to either grant the appeal and direct the Development Officer to not grant the variance, or confirm the decision of the Development Officer.

In the audience were Geoff and Roberta MacDonald.

Ms. Whynot-Lohnes reported to Council that this matter is brought forward again because of the appeal that has come forward. Ms. Roache has requested it be put in the variance grant about the requirement for a hedge to give a visual barrier between the properties to prevent it being used for outside storage. She reported that the Oakland Land Use By-law doesn't allow her to grant that request. She is not sure if Council has the authority to put in that requirement.

Ms. Wilson said it's just the variance of the yard requirement that can be approved. She reported that the Land Use By-law and the *Municipal Government Act* (MGA) don't allow for the attachment of conditions to the variance.

Mr. MacDonald explained the property improvements and drainage work that was done between the two properties. He said that approximately 10 - 12 years ago spruce seedlings were planted on his side of the property line in the drainage hollow. Other than keep it as drainage swale and buffer, there is not much else they could do there.

Counc. Statton feels that if the Roache's want to make sure there is a buffer they should be willing to plant it themselves.

Counc. Countway said it appears there is already a buffer of trees there and that is what the neighbours want.

Moved by Counc. Countway, seconded by Counc. Zwicker that we confirm the decision of the Municipal Development Officer to grant a variance from the Front and Side Yard Setbacks of the Ocean Shoreline Zone under the Oakland Land Use By-law for PID #60231008, Property of Geoffrey and Roberta MacDonald, Oakland Road, Oakland. Carried.

COMMITTEE OF THE WHOLE - RECOMMENDATION/REFERRAL

DIST. 3 LAND USE
BY-LAW VIOLATION
re W. & M. GIBSON

Moved by Counc. Bell, seconded by Counc. Zwicker that we accept the recommendation of the Committee of the Whole and provide the solicitor for William and Margaret Gibson a further thirty (30) days to get the title of their property clarified before taking action in regard to a violation to the District Three Land Use By-law, and further, that staff report back to the Committee of the Whole after the 30 days have expired. Carried.

YOUTH SUBSIDY
PROGRAM

Ms. Whynot-Lohnes was thanked and she left the meeting.

In attendance was Janice Rand, Acting Recreation Coordinator.

On August 2, 2007, the Committee of the Whole reviewed Ms. Rand's memo regarding the depleted funds of the Youth Subsidy Program. Councillors requested some further information on this and requested that it be presented at the earliest possible meeting so that they can consider a possible increase to the amount budgeted for the 2007-08 Youth Subsidy Program.

Circulated with the agenda was a further memo from Ms. Rand providing the following information regarding the Youth Subsidy Program Grant account:

- 1) Number of applications anticipated for the remainder of the fiscal year -25-30
- 2) Average value of each grant - \$117 (based on fall/winter of 2006)
- 3) Recommended increase for this fiscal year - \$2,500 (current budget \$3,000)

Ms. Rand reported that this is the third year since this program began. In the first two years, the program was not used to a great extent. The program has now become known and very popular and we have already used the budget allotment for this year. She suggests increasing the budget by \$2,500 which would make a total of \$5,500 for 2007-08.

Counc. Dempsey asked how many individual grants have been given.

Ms. Rand reported that 41 have been given so far this year. In the first year there were 13 and it about doubled in the second year.

Counc. Nauss feels that this is a program for our youth and we should try to keep them involved in these activities. At budget time we didn't know the other sponsor was going to drop their funding.

Moved by Counc. Nauss, seconded by Deputy Warden Garber that we approve an increase of \$2,500 to the budget account for the Youth Subsidy Program.

Counc. Young asked if there is any possibility that the other sponsor will come back. Ms. Rand reported that they are going in another direction and putting money in the Kid Sport Program.

Counc. Countway asked what the requirements are to apply for this grant. Ms. Rand reported that we just require community reference verifying financial need.

Warden Wentzell feels we should do whatever we can to keep kids on the right track.

The motion was carried.

MUNICIPAL
CELEBRATIONS
ACCOUNT

Circulated with the agenda was a memo from Ms. Rand providing Council with breakdown information of the \$10,000 that was approved in the 2007-08 budget for the "Municipal Celebrations" account. The allocation of the monies was not provided at the budget meeting. It is proposed as follows:

- \$2,000 - Canada Day
- \$2,000 - Pumpkin Fests
- \$3,000 - Christmas Celebrations
- \$2,000 - Take the Roof Off Winter
- \$1,000 - Community Events (to be announced)

Ms. Rand's memo noted that funds for Canada Day celebrations at New Germany, Tancook Island and Riverport & District have already been completed and total \$1,900.

Moved by Counc. Young, seconded by Counc. Dempsey that Council approves the allocation of the \$10,000 in the "Municipal Celebrations" account as presented. Carried.

Ms. Rand was thanked and she left the meeting.

NOMINATING COMMITTEE - RECOMMENDATIONS

Counc. Nauss, Chair of the Nominating Committee, reported that the Committee met on August 8, 2007 and have several recommendations to present regarding appointments required for several committees.

POLICE ADVISORY
BOARD - MEM. AT
LARGE
APPOINTMENTS

The first recommendation is for the appointments of Members at large on the Police Advisory Board. Counc. Nauss reported that he has checked all references but one and they have all been good.

Moved by Counc. Nauss, seconded by Counc. Veinot that we accept the recommendation of the Nominating Committee and approve the appointments of Michael Robar, Kevin Clayton and Mark Crouse as the three (3) Members at large to the Police Advisory Board, subject to reference checks and signing of oaths. Carried.

RFP REVIEW
COMMITTEES -
APPOINTMENTS

Moved by Counc. Nauss, seconded by Counc. Zwicker that we accept the recommendation of the Nominating Committee and approve the appointments to the following three RFP Review Committees:

- Councillor Cathy Moore - New Germany Sewer RFP;
- Councillor Lee Nauss - MacCulloch Road Waterline Extension RFP;
- Councillor Lee Nauss - Osprey Village Water Master Plan RFP.

Motion Carried.

AUDIT COMM. -
APPOINTMENTS

Moved by Counc. Nauss, seconded by Counc. Dempsey that we accept the recommendation of the Nominating Committee and approve the membership of the Audit Committee as follows:

**Councillor Don Zwicker
Councillor Arthur Young
Deputy Warden Elmer Garber
Councillor Sandra Statton
Warden (ex officio); and**

that the Audit Committee draft the Committee's Terms of Reference for Council's consideration. Carried.

BUILDING REPORT
FOR JULY '07

For information, circulated with the agenda was a summary of the Municipality's building activities for the month of July 2007 (copy attached to original Minutes). This report showed that the value of building permits issued in July totalled \$3,979,832.00, bringing the year-to-date value of permits issued to \$15,612,797.93.

Counc. Countway commented that this report on building activity is good but a lot of the building is going along the coast. He feels very sorry for property owners who live next to the properties where the building is going on because their property values are increasing and many are being forced out of their waterfront homes. He sees a lot of it in his area.

TENDER FOR ISSUE -
WORK AT SAW PIT
WHARF

In attendance was Matt Davidson, Assistant Municipal Engineer.

Mr. Davidson reviewed the proposed tender specifications for the Timber Repairs at Sawpit Wharf, Back Harbour, Lunenburg (copy attached to original Minutes). The approved capital construction budget is \$125,000. There is also an engineering budget of \$20,000. The project construction is anticipated to begin in September 2007, and work is to be completed by October 31, 2007.

Moved by Counc. Zwicker, seconded by Counc. Countway that Council approves the tender specifications for the Timber Repairs at Sawpit Wharf and authorizes the issuance of the tender call for the work as outlined in the specifications. Carried.

Mr. Davidson was thanked and he left the meeting.

UNSM FALL CONF.
ROOM ACCOMM.

Council was informed that reservations for room accommodations for the UNSM Fall Conference will be able to be made on September 7, 2007. The following Councillors indicated that they would like a room reserved: Counc. Zwicker; Counc. Nauss; Counc. Countway; Counc. Moore (subsequently informed staff that she will not be attending); Counc. Dempsey; and Counc. Bell. It was noted that UNSM has reserved a room for Warden Wentzell; however, as he indicated that he will not be attending the Conference, the reservation will be changed and reserved in Deputy Warden Garber's name. (Councillors Palmer and Tanner are to be contacted to see if they require room accommodations.)

UNSM FALL CONF.
RESOLUTIONS

Ms. Wilson reported that, as directed by Council, two Resolutions were drafted for Council's consideration, one deals with the "Implementation of Compost Quality Standards" and the other has to do with the "Exemption of

Volunteer Fire Departments from Air Brake License Fees” (Resolutions attached to original Minutes). She noted that the deadline for submitting Resolutions for the UNSM Conference is August 17, 2007.

Counc. Young referred to the item “Local Food Supply”, which he had added to today’s agenda, and questioned if Council should also be sending a resolution to UNSM about this. It was on the news last night about the abattoir in PEI and the hardships they are having. They are proposing that a study will be done on food supply. Most of the beef that consumers buy comes from Alberta and Argentina. He feels this is wrong. He would like to see a resolution go to UNSM to get support of the major food suppliers to purchase local products. It’s brought in from as far as 3000 miles away, and we all know the cost of transportation. If a local person sells an animal for beef, we know the price they get to put in their pockets and what it costs in the store to buy that same product. The public is going to have to start asking questions and raising concerns about this. It’s the only way something is going to happen. By him standing here and talking about it will not make a difference, but 1000 people will. If we don’t do something about it, local producers are going to disappear. If you break even on your expenses you’re fortunate.

Warden Wentzell said this is a Maritimes’ problem but it affects us as a Municipality as well. If that facility in PEI is allowed to fold, that will be complete devastation to the producers. There is one grocery chain that buys exclusively Atlantic beef, but they are not a big chain. If the consumers could learn about it and voice concern, then maybe something could be done about it.

Counc. Nauss agreed with what has been said. He too feels that if we don’t support something and get the other units behind it, we will lose our local producers. If the whole region of Atlantic Canada could get together, we would all save. Maybe an Atlantic cooperative should be developed and market to Atlantic Canada. We would have a lot of advantages if we would only work together as Atlantic Canada.

Warden Wentzell said the government of PEI has asked the other provinces to assist with the situation of their beef plant.

Counc. Zwicker said he thought there was a buy local campaign underway. Is that not what we’re talking about?

Counc. Nauss said the problem is that anything that can reach the store within 24 hours is considered a local product. By air, many products can get here within 24 hours.

Warden Wentzell said he thinks there is another buy local campaign and it’s within a radius of 100 miles.

Counc. Young said he knows there is a campaign but it doesn’t seem to be having much of an impact. We have to get people asking managers of stores where their beef and products are coming from. He tried to sell to an outlet once ...it had to be government inspected. He was told they buy beef from Alberta.

Warden Wentzell said one of the largest egg producers is DeLong’s. You

would be very surprised what they have to go through to keep their market in the large grocery stores.

As it was 11:15 a.m. and a presentation was scheduled for that time, the matter of Resolutions was deferred until later in the meeting.

CBCL re PARK

In attendance were Janice Rand, Acting Recreation Coordinator, and

DESIGN CONCEPTS

Laura Barkhouse, Trails Coordinator.

re SAW PIT PARK

Council then received a PowerPoint presentation by CBCL which updated

AND INDIAN FALLS

Council on proposed park design concepts for Saw Pit Park and Indian Falls

PARK

Park. The presenter was Mr. Clinton Pinks.

Estimated costs for the work to be done at these Parks were:

Saw Pit Park

Phase 1 Total (including HST) - \$368,220

Phase 2 Total (including HST) - \$309,000

Indian Falls Park

Phase 1 Total (including HST) - \$115,140

Phase 2 Total (including HST) - \$363,000

Ms. Barkhouse pointed out to Council that each of the components in the presentation were brought up as a result of the Open Space Strategic Plan meetings that were held in communities.

Counc. Moore asked if we will be including concession stands.

Ms. Wilson said we would have to explore the possibility of the component suggested and determine which ones would work best for us.

Counc. Zwicker commented that the price tag seems fairly large; but as pointed out, it can be done as small parts of the whole package. He hopes Council doesn't get hung up on the total price. These are two major jewels and both worthwhile working on.

Counc. Dempsey asked what components are essential.

Mr. Pinks said, when doing earthwork, there is a cost for mobilization. Council may want to do all work involving equipment. He said he can address that in a report.

Counc. Palmer questioned why the boat launch is being proposed to be relocated on the opposite side of the road from where it is now. He was surprised that they got approval for a controlled access entrance off the highway.

Mr. Pinks said the entrance was not approved as a full movement intersection. The approval is for access off the service road. However, exit only from the new parking lot to the controlled access highway has been approved and they have that in writing. He said the reason for the concept to change the location of the boat launch was to move it away from the recreational family and children area, reducing conflicts.

Warden Wentzell said this is a good report and he can see it as projects that we can phase. It's a good foundation for us to discuss and move forward with. He commended CBCL on the work they've done.

Mr. Pinks said it's a tool for Council to work with.

Moved by Counc. Young, seconded by Counc. Moore that we refer

CBCL's report on Saw Pit Park and Indian Falls Park to the Community Services Focus Group to analyse and to come back to Council with recommendations as to how to proceed with the projects. Carried.

UNSM FALL CONF.
RESOLUTIONS
(continued)

Council continued their discussion on a proposed resolution to forward to the UNSM Conference as it relates to buying local products.

Counc. Countway said he supports the local producers, but we have to remember that we are dealing with national companies that deal in bulk. He knows there are a lot of products grown in Atlantic Canada, but he doesn't think we realize how much product goes out of the stores. Trying to tell these big companies what to buy and sell is a challenge. They control the market. He sympathizes with the local producers but he's not sure how and if we can change it.

Warden Wentzell agreed that we just can't get all products from one area year round. We can buy Ontario fruit right now, but in winter it comes from California.

Counc. Palmer said right now there is more farmland than there are farmers. There are fewer and fewer farmers, but the land is still there. In five years time who is going to be making hay in our own area, or growing vegetables? We have to give livelihood to local producers.

Warden Wentzell thinks the first thing we need to do is try to persuade the Premier and Cabinet to give support to the beef plant in PEI.

Counc. Young said any support for the plant in PEI has to be done very soon in order to be of any good. He thinks we need to write a letter to the Premier to provide support to that plant. He would also like to see a resolution prepared to present to the UNSM regarding support for local products. He feels the consumers have to be the ones to push this.

BEEF PLANT IN PEI
HARDSHIPS

Moved by Counc. Young, seconded by Counc. Bell that a letter be written to the Premier outlining our concerns about the hardships being faced by the beef plant in PEI and asking him to consider financial support to that business, and that copies of the letter be sent to the Nova Scotia Federation of Agriculture and the MLAs. Carried.

RESOLUTION re
ATLANTIC CANADA
AGRICULTURE
PRODUCERS

Counc. Nauss feels we need to try to get support through our Atlantic representatives to the Federation of Canadian Municipalities to support a resolution to buy locally in Atlantic Canada.

Moved by Counc. Nauss, seconded by Counc. Young that a Resolution be drafted asking UNSM to support and set up a Task Force to research the plight of Atlantic Canada agriculture producers and find ways to promote the purchase by consumers of locally produced agriculture products. Carried.

RES. - VOL. FIRE
DEPTS. re AIR
BRAKE LICENSE
FEES and
IMPLEMENTATION
OF COMPOST

Circulated with the agenda were proposed Resolutions dealing with the following:

- i) Exemption of Volunteer Fire Departments from Air Brake/Class 3 License Fees; and
- ii) Implementation of Compost Quality Standards.

Moved by Counc. Bell, seconded by Counc. Countway that we endorse

QUALITY
STANDARDS

the Resolution re Exemption of Volunteer Fire Departments from Air Brake/Class 3 License Fees as presented and that it be forwarded to the UNSM for consideration at the Fall Conference. Carried.

Moved by Counc. Young, seconded by Counc. Dempsey that we endorse the Resolution re Implementation of Compost Quality Standards as presented and that it be forwarded to the UNSM for consideration at the Fall Conference. Carried.

At 12:05 p.m. Council recessed for lunch.

At 1:10 p.m. the meeting resumed.

Warden Wentzell asked if there were any further resolutions that Councillors wanted to put forward to the UNSM Conference.

No further resolutions were presented at this time.

WASTE MANAGEMENT COMMITTEE - RECOMMENDATIONS

AMENDMENT TO SCHEDULE OF USER FEES OF *Regulations for Admission/Disposal of Waste at Whynotts Settlement*

In attendance was Jim Annand, Solid Waste Operations Manager, for Council's consideration of recommendations from the Waste Management Committee.

The first recommendation was for amendments to Schedule A "Schedule of User Fees" of the *Regulations for the Admission and Disposal of Waste at Whynotts Settlement Waste Disposal Site* that would implement a minimum tipping fee payment schedule effective September 1, 2007 that would require a \$5.00 per transaction fee for all waste loads up to 140 pounds and a rate card that would scale the tipping fee in increments of 20 pounds.

Counc. Zwicker asked if this amendment includes the Household Hazardous Waste Depot. Mr. Annand said it doesn't ...that waste comes in at no charge.

Counc. Countway feels there should not be a minimum weight. If he has a 10 pound bag of garbage, instead of costing 50¢ it will cost \$5.00 to dispose of it. He feels this is going to cause roadside dumping. He was not in favour of eliminating the free weight.

Deputy Warden Garber noted that this doesn't apply to household hazardous waste. He asked if there are any other categories that it doesn't apply to, such as compost or blue bags. The amendment is stating "for all categories". If we say \$5.00 for all categories, he questions if it will be misunderstood.

Ms. Wilson said when the amendment is put in the context of where it fits in the Regulations, it will be clear that it's all billable categories.

Councillors asked a number of questions which were answered by staff to clarify the types of waste items that are affected by this amendment.

Moved by Counc. Statton, seconded by Counc. Veinot that we accept the recommendation of the Waste Management Committee and approve the following amendment to the "Notes" section of Schedule A - Schedule of User Fees of the *Regulations for the Admission and Disposal of Waste at Whynotts Settlement Waste Disposal Site*:

"Add the following Note 2 after Note 1:

2. Minimum tipping fee is \$5.00 for all categories. Scaled weights are adjusted to the next highest 20 pound increment for calculation of applicable charge.”

provided the wording “all categories” in Note 2 is explained in the Regulations. Carried.

LRCRC TENDER #
2007-05-007 -
SEPARATION
BUILDING
EXPANSION

Ms. Wilson informed Council that, as a result of the tender call, the lowest bid received for the LRCRC Separation Building Expansion was \$858,746 which was over the project budget of \$647,000; and the Waste Management Committee is therefore recommending that the tender not be awarded. We did receive some funding through SWSMR. If the recommendation is approved, we will contact SWSMR to see if the funding can be used for a solution to the storage area for the recycling plant, as was the intention with the tipping floor expansion.

Moved by Counc. Young, seconded by Counc. Statton that we accept the recommendation of the Waste Management Committee and not award Tender #2007-05-007 “LRCRC Separation Building Expansion” based on the Engineer’s recommendation outlined in his memorandum dated July 18, 2007.

Counc. Dempsey said what concerns her is that we paid an engineering firm to prepare a cost estimate which is not very outdated, but the price came in more than \$200,000 higher than the estimate.

Counc. Statton reported that, when we received the estimate, it was based on an expansion of 500 square feet. We didn’t go back and get a new estimate for 750 square feet. Also, we tendered during the peak of the construction season which drove up the price.

Question was called and **the motion was carried.**

Mr. Annand was thanked and he left the meeting.

CAO re CERT. IN
SUPERVISORY
DEVELOPMENT

Ms. Wilson informed Council that they are required to approve any training that the CAO may wish to undertake. She is requesting that Council consider approving her enrollment in Dalhousie University’s program entitled *Certificate in Local Government Supervisory Development*. This program is a 7 day program, offered over a period of 6 months. The program is offered in Halifax and costs \$2,450. She feels this program will benefit her and the Municipality, as it will enable her to learn new techniques in team building, performance management, employee motivation, and conflict resolution. She feels this is a good opportunity for professional development in a local government context, as many seminars are generic to the business world. To cover the cost of this program, there would be about \$1,500 that would not be included in the CAO expenses.

Counc. Statton asked if there had been enough in the budget to do this and if some got spent.

Ms. Wilson said some was spent. The cost for FCM and UNSM came out of those funds. However, this program was not announced at that time.

Deputy Warden Garber said he is in favour of professional development of our staff.

Moved by Deputy Warden Garber, seconded by Counc. Bell that we approve the amount of money required for the CAO to attend the program entitled *Certificate in Local Government Supervisory Development*.

Counc. Zwicker asked if the program cost includes expenses.

Ms. Wilson said it's in Halifax and her mileage account is sufficient to cover that cost. Because it is in Halifax, there will be no accommodation expense.

The motion was carried.

REGION 6 SOLID
WASTE MAN.
INTER-MUNICIPAL
SERVICE
AGREEMENT

Circulated with the agenda was a memo from Valda Walsh, Regional Coordinator of Region 6 Solid Waste Management, and a copy of the Region 6 Solid Waste Management Inter-Municipal Service Agreement, which is being circulated to all 13 municipal units for signature (copy attached to original Minutes).

Ms. Wilson reported that this Agreement has not been reviewed by our Municipal Solicitor yet. She recommended that Council authorize the signing of the Agreement pending the Solicitor's review. If he has any issues, it would have to come back to Council.

Counc. Statton asked if we have a new budget for this.

Ms. Wilson said it's within the existing budget that Council agreed to in April. The Agreement had to be rewritten to include the Town of Clark's Harbour and the Municipality of Barrington.

Moved by Counc. Dempsey, seconded by Counc. Nauss that we authorize the signing of the Region 6 Solid Waste Management Inter-Municipal Service Agreement subject to the Solicitor's review. Carried.

UPDATE - WARDEN

Warden Wentzell provided an update of his Warden's activities since the last meeting. He reported that he and Deputy Warden Garber and Counc. Young attended a meeting with the MLAs from our area. At that meeting they went over some of the plans for municipal lands at Osprey Village. He was also invited to a meeting of the organization which will be making a presentation to the Committee of the Whole on a multi-purpose facility, and he will report on that Thursday.

PRIZE FOR UNSM
GOLF TOURNAMENT

Counc. Zwicker reported that UNSM had sent a request to municipalities asking for the donation of prizes for the UNSM golf tournament in Amherst on September 14th. He tried to put a team together but couldn't, so he will be a member of the Town of Lunenburg's team.

Warden Wentzell asked how much money would be needed for a prize.

Counc. Zwicker suggested an amount of \$20 - \$30.

Counc. Statton said she doesn't think taxpayers' dollars should be used for that.

Counc. Zwicker reported that he is personally paying the registration fee of \$65 to represent the Municipality in this tournament.

Moved by Counc. Zwicker, seconded by Counc. Palmer that the Municipality approve an expenditure up to \$30.00 for the purchase of a prize for the UNSM Golf Tournament in Amherst on September 14, 2007. Defeated.

DoT LAND - UPPER
LaHAVE

Deputy Warden Garber brought up the matter of the Department of Transportation's land in Upper LaHave which was talked about before. It has been traditionally used to launch boats and to take down smelt shacks. He understands we can apply for this land to keep it for what it has been traditionally used for. He suggested that we move that file forward and apply for that small piece of land.

Counc. Bell thinks whenever we have the ability to get public access to water we should pursue the opportunity with vigour.

Moved by Counc. Nauss, seconded by Counc. Bell that we proceed with whatever action is necessary to acquire the piece of land at Upper LaHave owned by the Department of Transportation. Carried.

THANKS FROM
VOGLER'S COVE
COMM. HALL

Counc. Dempsey, on behalf of the Vogler's Cove Community Hall, thanked Council for the financial support to Maggie's Playground which is a memorial playground to the family that suddenly lost their daughter last year. She invited Councillors to visit the playground if they get an opportunity.

PASSING OF
H. WOLTER

Counc. Dempsey informed Council of the passing of Helmut Wolter, a resident who was very much involved in many community events throughout the Municipality.

BROAD COVE
BREAKWATER

Counc. Dempsey brought to Council's attention that an e-mail was received today about a decision Council made in July about the Broad Cove Breakwater. The decision was to not accept it. She thinks this item fell through the cracks a bit. There was a meeting held with our Recreation Coordinator and the community, and they thought there would be follow-up feedback discussions on this. They would like some support from Council to make sure that the breakwater will remain in the public domain.

Ms. Wilson reported that the Focus Group had sent her and Laura Barkhouse to meet with Mr. Gerald Keddy, MP, to express those concerns.

Moved by Counc. Dempsey, seconded by Counc. Bell that a letter be written to the federal Minister of Fisheries and Oceans expressing our concern that the breakwaters should remain in public hands, and that a copy of the letter be sent to Mr. Gerald Keddy, MP. Carried.

Ms. Wilson noted that the e-mail asks about engineering reports. She reported that there are no engineering reports on the structure.

At 2:20 p.m. it was **moved by Counc. Palmer, 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) Potential Litigation, in accordance with section 22 (2) (f) of the MGA (*Municipal Government Act*);
- (2) Land Negotiations, in accordance with section 22 (2) (a) of the MGA;
- (3) Land Negotiations - Petite Riviere, in accordance with section 22 (2) (a) of the MGA;
- (4) Land Negotiations, in accordance with section 22 (2) (a) of the MGA;
- and (5) Personnel Matter, in accordance with section 22 (2) (c) of the MGA.

Moved by Council. Moore, seconded by Council. Nauss that Council resume. Carried.

Council in session.

As a result of *In Camera* discussions, Council dealt with a number of motions in open session.

OAKLAND
RESIDENTS re
ADDITIONAL 30-
DAY EXTENSION

Moved by Council. Countway, seconded by Council. Moore that, in addition to the 60-day extension given to the Oakland Area Advisory Committee to review the proposed Development Agreement Application by Seaview Properties Limited, Council grants a further 30-day extension for the residents to look over the Application. After a brief discussion to clarify the request for a further extension, the motion was carried.

PARTNERSHIP
AGREEMENT re
LAND
NEGOTIATIONS AND

Moved by Council. Dempsey, seconded by Council. Veinot that Municipal Council authorizes the CAO and the Warden to enter into the Partnership Agreement, as discussed *In Camera*, as part of the ongoing land negotiations. Carried.

APPRAISAL OF
LAND

Moved by Council. Zwicker, seconded by Council. Bell that, upon signing of the Partnership Agreement discussed *In Camera*, an appraisal be conducted on the parcel of land subject to the Partnership Agreement. Carried.

MOU TO BE REVISED
re LAND - OSPREY
VILLAGE

Moved by Council. Young, seconded by Deputy Warden Garber that Municipal Council directs the Solicitor to revise the Memorandum of Understanding for the sale of land at Osprey Village as discussed *In Camera* and authorizes the CAO and the Warden to execute the same. Carried.

COMPENSATION TO
ACTING REC.
COORDINATOR

Moved by Council. Nauss, seconded by Council. Dempsey that Municipal Council approves the recommended compensation to the Acting Recreation Coordinator, in accordance with the recently approved amendments to the Personnel Policy, and further, that the administration of this policy be retroactive to the date of appointment of the Acting Recreation Coordinator. Carried.

Moved by Council. Dempsey, seconded by Deputy Warden Garber that Municipal Council approves the compensation of the Acting Recreation Coordinator, in accordance with Article 11A of the Personnel Policy, for days worked as the Acting Recreation Coordinator beyond 60 continuous working days, as 50 percent of the difference between the Acting Recreation Coordinator's existing salary and the Recreation Coordinator's current salary, that this compensation remain in place until the Recreation Coordinator's return from leave, and that the funds be taken out of the Employee Reserve. Carried.

EXTENSION OF
ADDITIONAL STAFF
SUPPORT TO REC.
DEPT.

Moved by Deputy Warden Garber, seconded by Council. Zwicker that Municipal Council approves the extension of the additional staff support to the Recreation Department to assist in the ongoing duties of the Department, and further, that this position remain in place until the Recreation Coordinator's return from leave. Carried.

There being no further business, at 3:45 p.m. it was moved by Council. Zwicker, seconded by Council. Nauss that the meeting adjourn.

.....

.....

WARDEN JACK WENTZELL, CHAIRMAN TAMMY WILSON, CHIEF ADMINISTRATIVE OFFICER