

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 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  
J. C. Reddy, Municipal Solicitor  
April Whynot-Lohnes, Municipal Clerk  
Heather Whynott, Administrative Assistant

THOUGHTS WITH  
FAMILY OF  
MISSING GIRL

Warden Wentzell spoke of everyone's concern for the missing girl, Karissa Boudreau, particularly in light of last weekend's news. Our thoughts go out to the family.

PUBLIC INPUT

Warden Wentzell noted that the first item on the agenda allows a 15 - minute period for public input.

In the audience was Ms. Karen Zinck who requested an opportunity to address Council.

**Moved by Counc. Nauss, seconded by Counc. Zwicker that Karen Zinck be permitted to address Council. Carried.**

CONCERN re  
MUNICIPAL DEBT

Ms. Zinck thanked Council for the letter she received in response to the presentation she made at the Council meeting in December. She has a few comments she would like to make regarding the municipal debt of \$17.3 million and the fact that the debt increases every year. She feels the Municipality is not operating a balanced budget, but is operating a deficit budget. She feels this should not continue and she explained some examples why. She concluded her presentation with the statements, "Buying things on credit must stop, for the sakes of our children. We cannot keep passing **them** the bill for our expenditures." (Copy of presentation attached to original Minutes)

Warden Wentzell thanked Ms. Zinck and said he was glad to hear she was pleased with some of the answers she received to the questions she asked during her last presentation, even though some may not have been what she wanted to hear.

Ms. Zinck thanked Council for listening and she left the meeting.

AGENDA

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

Counc. Dempsey requested an opportunity to make an announcement.

Counc. Palmer requested an opportunity to ask a question during the *In Camera* session.

**Moved by Counc. Zwicker, seconded by Counc. Veinot that the Agenda**

**be approved with the two additions requested by Councillors. Carried.**

## MINUTES

The Minutes of the January 8<sup>th</sup> meeting were considered.

**Moved by Counc. Young, seconded by Counc. Tanner that the Minutes of the meeting held January 8, 2008 be approved as circulated. Carried.**

POLICY (MDL-41)  
ADDRESSING  
PAYMENT FROM  
GEN. REVENUES  
FOR ST. LIGHT  
INTERSECTIONS

At the January 8<sup>th</sup> meeting, notice was given to Council that proposed Policy MDL-41, "A Policy Addressing Payment from General Revenues for Street Light Intersections in Street Light Areas", would be considered at the February 12<sup>th</sup> Council meeting.

Ms. Wilson reported that this Policy addresses the ability to pay for street lights at intersections from general revenues.

**Moved by Counc. Nauss, seconded by Counc. Moore that Council approves Policy MDL-41, "A Policy Addressing Payment from General Revenue for Street Light Intersections in Street Light Areas", as presented. Carried.** (Copy of Policy attached to original Minutes)

SNOW REMOVAL  
CONTRACT

Ms. Wilson reported that, in response to Council's enquiry as to whether or not we could remove any road from the snow removal contract, we received an opinion from the Municipal Solicitor, Mr. Reddy, who advises that we cannot remove any road from the contract unless there is breach of the contract.

Counc. Statton said this question was asked because there was a misunderstanding. A letter had been sent to the Department of Transportation asking them to do an extension of the Harold Whynot Road and they said they could. However, the tender call went out including that road which she had requested be removed.

Counc. Nauss said when the tender went out we had no answer from the Department of Transportation, so the road had to be included in case Transportation would not do it. When the contract was awarded, we did not make a motion to remove that road and Craig Chandler Drive.

No further action was taken on this matter.

BUILDING CANADA  
FUND -APPLICATION  
FOR NEW  
GERMANY PHASE  
2 IMPROVEMENTS

In attendance was Matt Davidson, Assistant Municipal Engineer.

Circulated with the agenda was a copy of the application that Council authorized staff to prepare and submit to the Building Canada Fund (BCF) for funding towards the New Germany wastewater treatment plant.

Ms. Wilson said this is here for information. She asked Mr. Davidson to explain the proposed project.

Mr. Davidson reported that the project cost is approximately \$1.1 million net for Phases 2 and 3. We are asking for two-thirds funding from BCF. He explained the work that is to be done.

Mr. Davidson answered Councillors' questions regarding the project.

Counc. Dempsey commented that there is a considerable amount of work that is required to complete these applications. However, she feels it's definitely worth pursuing.

Counc. Moore asked for a report when the actual work is going to be started for Phase 1.

Mr. Davidson reported that they have met with CBCL. They are 90% complete on the design. We should be ready to issue the tender around March 11.

Mr. Davidson was thanked and he left the meeting.

FIRE AND EMERGENCY SERVICES COMMITTEE - RECOMMENDATIONS

POLICY MDL-36 -  
AMENDED  
SCHEDULE A -  
APPLICATION TO  
REGISTER AS A  
FIRE &  
EMERGENCY  
SERVICES  
PROVIDER

In attendance was April Whynot-Lohnes, Municipal Clerk, for Council's consideration of recommendations from the Fire and Emergency Services Committee.

**Moved by Counc. Bell, seconded by Counc. Countway that we accept the recommendation of the Fire and Emergency Services Committee and approve the amended "Application to Register as a Fire and Emergency Services Provider" form, being Schedule A of Policy MDL-36, and authorize its distribution to Fire Departments within the Municipality of the District of Lunenburg.** (Copy attached to original Minutes)

Ms. Whynot-Lohnes reviewed the changes that were made to the Application form.

Counc. Nauss questioned if there should be a place in the Application to fill in a dollar value for liability insurance.

Mr. Reddy said, under the *Municipal Government Act*, there's no actual prescribed dollar value. If Council wants to discuss that requirement, that would be a decision Council would need to make.

Ms. Wilson pointed out that we do coordinate insurance through Cowan. Regarding personal liability insurance, we are in the process of gathering that information from Fire Departments, and looking at whether or not we need to standardize that.

Counc. Dempsey asked if this is an annual Application and if it can be e-mailed to the Fire Departments.

Ms. Whynot-Lohnes said it is an annual Application and it can be e-mailed to them.

**The motion was carried.**

AD re FIRE DEPTS'  
RATEPAYERS'  
MEETING DATES  
AND LOCATIONS

**Moved by Counc. Countway, seconded by Counc. Bell that we accept the recommendation of the Fire and Emergency Services Committee and**

- 1) Instruct staff to prepare a Municipal Fire Tax advertisement and article for the *Municipal Matters* newsletter;**
- 2) Instruct staff to compile and insert an advertisement in the local papers advising of Fire Departments' Ratepayers' meeting dates and locations; and**
- 3) Instruct staff to post same on the Municipality's web page.**

Counc. Nauss said each Fire Department was supposed to have been provided with a list of all people eligible to vote at the ratepayers' meetings, because there have been situations at some of these meetings when the right for some people to vote has been questioned.

Ms. Wilson reported that the offer was made to the Fire Departments that if they required a list they could get one from the office. If you want the lists automatically sent out, Council should make a decision to do that. Information was sent out to the Fire Departments as to who is eligible to vote.

Discussion followed regarding Fire Departments' ratepayers' meeting and who is eligible to vote at them.

Counc. Bell noted that a memo came to Council last year from Brian Keizer (former Manager of Protective Services) which tried to standardize a

protocol for voting and correct some of the problems in the past . He suggested that the information be again circulated to Councillors and also re-sent to the Fire Departments. Hopefully that would dispel some of the misunderstandings.

Mr. Reddy said according to Policy MDL-36 only the owner of the property gets to vote. There are pros and cons to every process as to who gets to vote and who doesn't. Council has adopted a policy that says only the owner of the property gets to vote at said meeting. The policy is the norm in other municipal units. You either follow the policy or go back and change the whole policy. All areas may not like it, but you have to set rules and you have to follow them. The policy is validated by the MGA.

**The motion was carried.**

RESPONSE -  
RESOLUTION re  
EXEMPTION OF  
CLASS 3 LICENSE  
FEES

Ms. Wilson informed Council that correspondence was received from Mr. Lyle Goldberg of UNSM with regard to Resolution 17a - Exemption of Volunteer Fire Departments from Air Brake/Class 3 License Fees, which was the Resolution that this Municipality recommended to the UNSM Annual Conference in November 2007 and it was passed. However, since then it has become problematic. Her memo to Council dated January 7, 2008 explained why (copy attached to original Minutes). Under the current provincial legislation Volunteer Firefighters do not require a Class 3 License to operate a Class 3 vehicle; they require only a Class 5 License (which is a regular driver's license). To ask the Province to cover the costs of Class 3 Licenses for Volunteer Firefighters, when they are not required by law to have such a license, would not be advantageous. However, it's understood that there may be liability issues associated with Volunteer Firefighters operating Class 3 vehicles with Class 5 Licenses. To avoid this situation, Mr. Goldberg has suggested that the Resolution be amended to state that the Province should require all Volunteer Firefighters to have a Class 3 License to operate Class 3 vehicles and that the Province should pay 100 percent of the cost for Volunteer Firefighters to obtain a Class 3 License. Mr. Goldberg has requested that the Municipality let him know how to proceed on this matter.

This matter was referred from the Committee of the Whole to the Fire and Emergency Services Committee for consideration.

In a memo from April Whynot-Lohnes, Municipal Clerk, she advises that the Fire and Emergency Services Committee considered Mr. Goldberg's suggestion and the Committee supported the amendment in principle. However, the Committee was not able to support such an amendment as the ability to receive training in Class 3 Licenses is limited in this area and can take up to two years to acquire.

Counc. Countway said one of the biggest problems with the Class 3 License is the time frame involved to get one. If firefighters had to have a Class 3 License, it would be years before everyone would be trained and licensed to operate the trucks. It was felt that it would be better to leave things as is, and let the Fire Departments continue to get members trained as they can.

**Moved by Counc. Countway, seconded by Counc. Bell that we are not in**

**favour of forcing Fire Department members to have a Class 3 License to operate Class 3 vehicles and that we inform the UNSM of this decision.**

Counc. Zwicker questioned why we don't request the UNSM to withdraw the Resolution. At the Conference we spoke in favour of it very strongly. To now say that we don't support it sends out a very convoluted message.

Ms. Wilson pointed out that the Resolution had asked that Volunteer Firefighters who have a Class 3 License be exempted from the Class 3 License fee. The proposed new Resolution changes the intent, as it would require all firefighters who operate a Class 3 vehicle to have a Class 3 License. The Fire and Emergency Services Committee was never asked for comments on the original Resolution.

Counc. Zwicker questioned if Council still supports the original Resolution when there is no requirement to have the Class 3 License under the Act.

Warden Wentzell said the problem is, when we submitted the original Resolution, we didn't know that they weren't required to have a Class 3 License.

Counc. Dempsey said she supports the original Resolution, but not the amendment. She agrees with the Fire and Emergency Services Committee, that it would be problematic. She asked why we don't ask UNSM to go forward with the Resolution the way it was presented.

Counc. Bell said the Resolution met the concern that we had. If you go above what is required, then it costs you. He's not in favour of the change that the UNSM is suggesting. It would be a hardship to some of the Fire Departments. It would take too long to go through the process to get the license.

**The motion was carried.**

Circulated with the agenda was a letter from Mr. Michael Graves advising that on Sat., March 29, 2008 cities and communities around the world will be turning off their lights and appliances between the hours of 8:00 p.m. and 9:00 p.m. to show solidarity for the condition of our world's environment. This worldwide initiative is called "Earth Hour" 2. He is asking for a commitment from all Lunenburg County governments to participate in this project.

**Moved by Counc. Countway, seconded by Counc. Dempsey that this Council promote Earth Hour on March 29, 2008 between the hours of 8:00 p.m. and 9:00 p.m. by promoting it on the Municipality's website and asking people to use as little power as possible and only for safety reasons. Carried Unanimously.**

At 11:00 a.m. in attendance was Ms. Valda Walsh, Regional Coordinator for Region 6 Solid Waste Management, to present the Region 6 Waste Management 2008/09 budget (copy attached to original Minutes).

Ms. Walsh used a PowerPoint presentation to provide information on the Region 6 Waste Management 2008/09 budget.

At the request of Deputy Warden Garber, Ms. Walsh explained how diversion credits are dispersed to the Waste Management Committee.

Deputy Warden Garber also asked about the use of funds for approved programs.

EARTH HOUR -  
MARCH 29<sup>TH</sup> -  
8:00 pm - 9:00 pm

REGION 6 SOLID  
WASTE  
MANAGEMENT  
2008/09 BUDGET

Ms. Walsh reported that there is still money for their approved programs. It's dictated by the needs of the municipalities. Approved programs are for new and innovative ideas. Over the last couple of years their focus is maintaining programs. Everybody in the province should now be up to an even keel. Now the RRFB should be looking at that and where the money can be best used. Our Region sent a letter to the RRFB asking that 60% of their money be put into diversion credits. When you come up with a new program then you have to sustain it.

**Moved by Deputy Warden Garber, seconded by Council. Nauss that Council approves the 2008/09 Region 6 Solid Waste Management Budget as presented. Carried.**

Warden Wentzell thanked Ms. Walsh for her presentation on the budget and she left the meeting.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS

PARTIAL TAX  
EXEMPTION -  
OSPREY RIDGE  
GOLF CLUB

**Moved by Council. Dempsey, seconded by Council. Zwicker that we accept the recommendation of the Committee of the Whole and, in accordance with the Municipality's Partial Tax Exemption By-law, provide partial tax exemption to the Osprey Ridge Golf Club and, further, that the Osprey Ridge Golf Club be added to Schedule A-1 of the Partial Tax Exemption By-law for the 2008/2009 taxation year. Carried.**

TAX RELIEF -  
DENISE FORWARD

**Moved by Council. Nauss, seconded by Council. Young that we accept the recommendation of the Committee of the Whole and approve tax relief in the amount of \$122.07 to Denise E. Forward as per submitted application under Policy MDL-12 "Tax Exemption/Reduction Policy". Carried.**

CITIZEN  
ENGAGEMENT &  
CONSULTATION  
WORKSHOP

**Moved by Council. Young, seconded by Council. Tanner that we accept the recommendation of the Committee of the Whole and approve Deputy Warden Garber's request to attend the Citizen Engagement and Consultation Workshop on March 27 and 28, 2008 at a cost of \$395.00 plus expenses and the expenses of any other Councillor that puts forth a request to Council to attend the same Workshop. Carried.**

POLICY - CRITERIA  
FOR AWARDS re  
ACTS OF BRAVERY  
AND SUBSTANTIAL  
ACHIEVEMENT

**Moved by Council. Veinot, seconded by Council. Dempsey that we accept the recommendation of the Committee of the Whole and approve the criteria for the Acts of Bravery Award and the Substantial Achievement Award to be put forth in a policy of Council and that Council give notice of its intention to consider the same at the March 11, 2008 Council meeting. Carried.**

OSPREY VILLAGE  
DESIGN CONCEPT

In attendance was Dave Waters, Community Economic Development Officer, for Council's consideration of the recommendation regarding the Osprey Village Design Concept.

Ms. Wilson reported that the Economic Development Focus Group was asked to bring forth a proposal on options for the location of a Municipal Administration Building at Osprey Village. The Focus Group met early this morning and the concept that is now being proposed is the original one; therefore, the recommendation before Council, which is to change the location of the Administration Building to a location where the building is visible from Highway 10, is not what is now being proposed.

Counc. Statton asked if the original concept design was ever approved by motion.

Ms. Wilson said it wasn't. The Committee had asked that it be altered and brought to Council for approval.

Counc. Palmer thought plans were talked about to possibly put an addition on this building. He asked what happened with those plans.

Warden Wentzell said the plan is, if we build a Municipal Building at Osprey Village, that is the area where it would be located. Approving the plan that is before Council does not mean it will definitely go there.

Counc. Statton pointed out that, by approving this plan and if the building is put there, it's not visible from Highway 10.

Mr. Waters said it was agreed that the concept was acceptable with the exception of where the Municipal Building is proposed to be located. The Focus Group was asked to look at making it more visible. He went to the Focus Group with three options. The Focus Group feels it should go where originally proposed.

Counc. Dempsey pointed out that there is a location within that 7.7 acres that would be visible from trunk 10.

Mr. Waters said what is being proposed by the Focus Group is the original location, but no study has been done as to whether it's a good location.

Counc. Nauss said it's 150 feet from Highway 10 down to the beginning of the lot. You could see the sign, but may not see the entire building. You can have a sight distance on a corner lot. We talk about costs and money. The most valuable land we have are the corner lots and the ones facing the highway. He thinks the people would like to see the most money generated from the land we're going to sell, and locate the Municipal Building where it's still visible. Where they locate many of the municipal offices throughout the province are not in open and visible locations from main roads. He supports where it was originally proposed to locate it.

Counc. Statton doesn't think that is the right place for an Administration Building that people visit on a regular basis. In the interest of long-term planning, you are asking to put the building in behind where possibly two other large complexes could go. That building could be there 40 to 50 years and she thinks it's a big mistake to put an Administration Building back in behind.

Counc. Zwicker said he cannot support a building on the front lots on Highway 10. We talk about it being totally obstructed. Whatever is built there will not cover every total inch. That will not happen. There's a view plane across the corner. He cannot support using prime property for a Municipal Office that commerce can use. We don't merchandise so we don't have to be on Highway 10.

Warden Wentzell said there will have to be a motion of Council to either approve the recommendation from the Committee of the Whole or change the location for a Municipal Building as recommended by the Focus Group.

Counc. Dempsey said the last time we talked about a concept design for this property, the whole 20 acres on which the Administration Building is located would be institutional use.

Mr. Waters said it's actually larger than that now.

Counc. Dempsey said she brings that up because this is a change to that concept plan. This is a fairly major decision. Once it's approved, then potentially we can have offers on those lots. She agrees with Counc. Statton. We should have space that is clearly visible to the public. She is not necessarily opposed to a change to our original decision. She thinks we have a responsibility to our taxpayers that we provide a location that is accessible and visible to our constituents.

Counc. Dempsey asked if the Focus Group gave consideration to the removal of parcel 641, and hence removing it from the market at this point in time.

Mr. Waters said it was considered as one of the three options presented, but it was felt the value of the corner lot was too valuable to give up.

Deputy Warden Garber feels plans can be modified later. We can always put it up for sale later.

Counc. Nauss said the real estate people are looking at the clientele. The most valuable pieces of land that move first to business and commercial people are the corner lots.

Counc. Statton asked why the Focus Group's recommendation would not go to Committee of the Whole first as opposed to directly to Council.

Warden Wentzell said it was brought directly to Council because we want the real estate people able to work on it.

Counc. Statton feels there is no reason to have those in the proposal to sell. They can market the land without it.

Ms. Wilson said they also want to incorporate it in the sign on site, so buyers know what the vision would be when the land is sold.

Counc. Young commented that we have a habit of shooting ourselves in the foot. To put a Municipal Building on the most valuable piece of property he thinks would be short-sighted. It doesn't have to be visible from all sides. The public will get to us. Other municipal buildings are not on the most valuable and visible pieces of land.

Counc. Countway said, looking through the Osprey Village plan, it shows how different things are zoned. In the institutional zone, we are allowing for a recreation multi-use facility or an office in that zone. He doesn't know of any recreation groups or municipal units wanting to come in there and buy that land. Would not the first action be to change the zone?

Ms. Wilson explained that if Council changes its concepts you have to change the zones, so Council will have to look at that, depending on your decision.

Counc. Countway said he doesn't vision a Municipal Office going there for a few years.

Deputy Warden Garber commented that sometimes we make decisions that we regret later. He doesn't mind parcel 641 being included. It would limit what we might be able to do if we decide to put a Municipal Office there. Before we make a decision, we have to look at building options and what goes there. He feels we should keep our options open until that point in time,



because once you sell it, your options are not open and it restricts what you do. He feels parcel 641 should be taken out.

Warden Wentzell feels we need to do something with it. We need to plan what we want to sell and do not want to sell.

**Moved by Council. Veinot, seconded by Council. Tanner that Council approves the original Osprey Village Design Concept plan as recommended by the Economic Development Focus Group to allow for marketing and design work to commence. Carried.**

2008-09 CAPITAL  
BUDGET - TENDER  
READY DESIGNS -  
PHASE 1 ROADS -  
OSPREY VILLAGE

**Moved by Council. Statton, seconded by Council. Nauss that we accept the recommendation of the Committee of the Whole and direct staff to include funds in the 2008-09 Capital Budget for the preparation of tender ready designs for Phase 1 roads, the full intersection on Highway 10, and water and sewer extension within Phase 1 of the new Osprey Village concept that has been proposed. Carried.**

UNBUDGETED  
\$20,000 re CROSS  
SECTION DESIGNS

**Moved by Deputy Warden Garber, seconded by Council. Moore that we accept the recommendation of the Committee of the Whole and approve an unbudgeted expenditure of \$20,000 to allow the undertaking of the cross section designs to investigate the feasibility of installing water and sewer lines on the outer edge of the Highway 10 roadbed as the cross section design will indicate if the Nova Scotia Department of Infrastructure and Renewal is able to begin upgrades to Highway 10 irrespective of the laying of water and sewer lines by the Municipality. Carried.**

LAND FOR SALE  
AS SERVICED LOT

**Moved by Council. Zwicker, seconded by Council. Nauss that we accept the recommendation of the Committee of the Whole and advise the proponent that the parcel of land in question will be offered for sale as a serviced lot, subject to caveats regarding services, at the price discussed *In Camera* by the Committee of the Whole.**

Ms. Wilson said this is part of the land negotiations. It's an offer being made. It's the 12 acres that we just discussed as institutional.

Council. Dempsey commented that that would seem to fly in the face of the motion just made.

Ms. Wilson said the value of a serviced lot is quite high in that area.

Warden Wentzell said it would only be offered for sale as a serviced lot.

Deputy Warden Garber asked if this is a legal motion, because it's in conflict with a motion we just passed.

Ms. Wilson said the whole concept is that it's a concept. It's proposed as a concept. It will not preclude the Municipality from selling all of the land at once.

Mr. Reddy said once land is subject to a listing agreement, you will end up paying commission on the sale.

Council. Dempsey questioned if we're operating in bad faith by previously approving a concept plan that shows it as commercial and now it's to the contrary and would not be commercial.

Mr. Reddy said the land is presently zoned as institutional which would permit the possible use that was discussed in the other situation. We have not

taken any steps to actually subdivide or change the zoning. He would expect that with the other scenario Council is going to get a reply very quickly as to whether there's interest there or not. If there is interest, it's a permitted use and you don't follow through with your concept. If the offer is declined, then you follow through with your concept. If Council wants to take active steps to subdivide right away, you would have to change the zoning now, and not make an offer to the proponent.

Counc. Veinot said he doesn't feel this is at all contrary to the first motion.

**The motion was carried.**

At 12:03 p.m. Council recessed for lunch.

At 1:15 p.m. the meeting resumed. (Absent were Warden Wentzell and Councillors Palmer, Nauss and Moore - they returned at 1:22 p.m.)

Deputy Warden Garber was in the chair.

#### PLANNING ADVISORY COMMITTEE - RECOMMENDATIONS

In attendance was Jeff Merrill, Planner.

Before Council for consideration and First Reading were proposed amendments to the Hebbville Secondary Planning Strategy and Land Use Bylaw. The proposed amendments are being recommended as a result of an amendment application from Olde Town Golf Course. On December 5, 2007 the Hebbville Area Advisory Committee passed a motion recommending to the Planning Advisory Committee that Municipal Council approve the Olde Town Golf Course Amendment Application; and on January 24, 2008, the Planning Advisory Committee accepted the recommendation from the Hebbville Area Advisory Committee and recommended to Municipal Council that Municipal Council approve the proposed amendments.

Using a PowerPoint presentation, Mr. Merrill reviewed the proposed amendments (copy of PowerPoint presentation attached to original Minutes).

**Moved by Counc. Zwicker, seconded by Counc. Nauss that we accept the recommendation of the Planning Advisory Committee that, in the best interest to allow this land to be zoned for the highest and best use, Council approves the following:**

- a) that the Hebbville Secondary Planning Strategy policies and the relevant provisions of the Land Use By-law be amended by rezoning the subject property from the Rural Zone to the High Density Residential Zone;
- b) that the High Density Residential Zone list multiple single-unit detached dwellings on the same lot as being subject to Site Plan Approval criteria, to be developed by staff, which will adequately address the matters discussed in this Staff Report (copy attached to original Minutes);
- c) that a "Golf Course" be listed as a permitted use in the High Density Residential Zone; and
- d) that Schedule "C", Significant Watercourse Map of the Land Use By-law be amended to remove the portion of the watercourse shown on the map that is not present on the ground.

**Motion Carried.**

**FIRST READING - PROPOSED AMENDMENTS TO** Moved by Counc. Nauss, seconded by Counc. Bell that Municipal Council conduct the First Reading of the proposed amendments, being Amendments to the Hebbville Secondary Planning Strategy and Land Use By-

HEBBVILLE SPS & LAND USE BY-LAW **law, as provided by staff and dated January 3, 2008; and further, that Municipal Council give public notice of their intention to hold a Public Information Session prior to holding a Public Hearing on March 5, 2008 in the Municipality's Council Chamber.**

Ms. Wilson reminded Councillors that in order to vote on the Second Reading of the amendments Councillors need to attend the Public Hearing.

Counc. Statton said she would like to vote on the Second Reading but she's not available on March 5<sup>th</sup>.

**Moved by Counc. Nauss, seconded by Counc. Dempsey that the motion be amended by specifying that the Public Information Session will be held on March 5, 2008 and changing the date of the Public Hearing to March 20, 2008 at 2:00 p.m.**

The question was asked about a time for the Public Information Session.

Counc. Nauss said he didn't specify a time as he thought that should be left up to staff.

Counc. Countway said he cannot support the motion because a Public Hearing is held for the public to attend and many people can't attend through the day.

Counc. Zwicker said, for clarification, you don't have to be at the Public Information Session in order to vote on the Second Reading. Ms. Wilson said that's right.

**The amendment to the motion was carried.**

**MOTION AS AMENDED - that Municipal Council conduct the First Reading of the proposed amendments, being Amendments to the Hebbville Secondary Planning Strategy and Land Use By-law, as provided by staff and dated January 3, 2008; and further, that Municipal Council give public notice of their intention to hold a Public Information Session on March 5, 2008 and that the Public Hearing be held on March 20, 2008 at 2:00 p.m. in the Municipality's Council Chamber. Carried.**

Warden Wentzell resumed the chair.

BLOCKHOUSE AAC APPOINTMENT **Moved by Counc. Palmer, seconded by Counc. Countway that we accept the recommendation of the Planning Advisory Committee and approve the appointment of Jason Martell for a three-year term on the Blockhouse Area Advisory Committee. Carried.**

STUDENT re INTEGRATED COMMUNITY SUSTAINABILITY PLAN **Moved by Counc. Tanner, seconded by Counc. Zwicker that we accept the recommendation of the Planning Advisory Committee and give pre-budget approval in the 2008/09 Budget in an amount up to \$4,500.00 to engage a student to assist the ICSP Steering Committee (PAC) with the preparation of the Municipality's Integrated Community Sustainability Plan, providing that the application to the Cooperative Student Employment Summer Program 2008 for cost-shared funding is approved. Carried.**

Counc. Dempsey asked if all members of the Planning Advisory Committee are on the ICSP Steering Committee. Ms. Wilson said yes.

Mr. Merrill was thanked and he left the meeting.

N. S. POWER In attendance at 1:45 p.m. representing Nova Scotia Power was Mr.

PRESENTATION re Darrell Emberly, Customer Service Manager for the Western territory.

POWER OUTAGES Warden Wentzell said Mr. Emberly is here today in response to a letter that Council requested be sent to Nova Scotia Power regarding concerns about the length of time of power outages, particularly the outages on two weekends in November.

Mr. Emberly thanked Council for the opportunity to make a presentation, which he provided using a PowerPoint program (copy attached to original Minutes). He provided some background information on Nova Scotia Power's Emergency Service Restoration Plan (ESRP) ...a plan that has been developed as a result of Hurricane Juan. Outage response is now company-wide. He explained their four different Response Levels as it relates to outages; the number of customers impacted by each Response Level; and what their procedures are for responding to each of the four Response Levels. Response Levels 1 or 2 are managed by the Regional Operations Team. Response Levels 3 or 4 are managed by the EOC (Emergency Operations Centre) Storm Lead, with company-wide response. For example, if it's predicted that 50,000+ customers will be impacted for up to 24 hours or overall restoration is up to 36 hours, a Level 3 or 4 company-wide ESRP response is initiated.

Mr. Emberly answered Councillors' questions throughout his presentation.

Counc. Countway explained the situation that Fire Departments are in during power outages. When power lines are down, firefighters and trucks are sent out to direct traffic because they don't know if these lines are live with power or not. Some Fire Departments are keeping record of how many times they are out there doing that. He suggested that Nova Scotia Power should be authorizing supervisors to go out and tell these Fire Departments whether or not they should be staying around the downed power lines. Counc. Countway also commented that some power outages only require a fuse replacement to put the line back in service and that should only take 5 minutes to do.

Mr. Emberly explained why it takes much longer than 5 minutes to replace a fuse. The power lines with the greater number of customers without power are serviced first. He knows it difficult for the customer when they see NSP trucks drive by and they don't stop to replace a fuse.

Counc. Dempsey asked if Nova Scotia Power is going to participate in Earth Hour on March 29<sup>th</sup>.

Mr. Emberly said they are, but he's not sure what their approach will be. They cannot participate to the point of turning off peoples' power. People themselves have to do that. As far as their own office, they are looking at what they can do corporately. Their system is not such that they can turn off the street lights on a certain street.

Warden Wentzell thanked Mr. Emberly for his presentation which he found to be enlightening.

Mr. Emberly thanked Council and said any time more details are wanted Council should just contact him.

#### WASTE MANAGEMENT COMMITTEE - RECOMMENDATION

In attendance was Pierre Breau, Director of Engineering and Public

Works.

TENDER SPECS -  
AMDIN. BUILDING  
EXPANSION AT  
LRCRC

Circulated with the agenda was a recommendation from the Waste Management Committee asking Council to approve the tender specifications for the Administration Building Expansion at the Lunenburg Regional Community Recycling Centre (LRCRC).

Mr. Breau reported that the LRCRC Administration Building Expansion is a capital project that has been looked at for some time, since 2005. This project is not affected by whatever we do with regard to future possible changes at the Waste Site.

**Moved by Counc. Dempsey, seconded by Counc. Zwicker that we accept the recommendation of the Waste Management Committee and approve the tender specifications for the Tender for the Administration Building Expansion at the Lunenburg Regional Community Recycling Centre and authorize the issuance of same. Carried.** (Copy attached to original Minutes)

RESPONSE re  
CREDIT CARD  
PAYMENTS AT  
LRCRC

For information, circulated with the agenda was a letter from the Waste Management Committee advising that the Committee, at their January 16, 2008 meeting, discussed this Council's request to investigate the feasibility of accepting credit card payments at the LRCRC. The Committee reviewed staff's report and concluded that there is no need for credit card payments to be received at the LRCRC at this time. (Copy of staff's report attached to original Minutes)

RRFB GRANT re  
ILLEGAL DUMPING  
SURVEY

Ms. Wilson reviewed what Council had discussed at the December 6, 2007 meeting of the Committee of the Whole regarding ways to deal with illegal dumping. The matter was concluded with the following motion: "that the approval of funding for the Illegal Dumping Survey - Municipal Approved Program Funding Application for 2008 to the Resource Recovery Fund Board be deferred to budget deliberations, and further, that if approval is required prior to the budget deliberations that the matter be brought back to the table for consideration." She reported that we have received notification that the grant for the Illegal Dumping Survey was approved and the RRFB has given us until February 15, 2008 to accept the offer. The project total is \$77,750 (\$35,125 cash from the Municipality; \$7,500 in-kind donation from the Municipality; and \$35,125 cash from the RRFB). A decision on this could not wait until budget deliberations, as we have to let them know by February 15<sup>th</sup>.

**Moved by Counc. Young, seconded by Counc. Bell that we accept the funding from the Resource Recovery Fund Board to do the Illegal Dumping Survey.**

Counc. Dempsey reported that she was going through some old Petite Riviere Watershed files and there was a report in there on some illegal dumping. Mr. Breau said Sally Steele at the LRCRC is looking after that, and he will let her know.

Counc. Countway asked, when illegal dump sites are found, does the land owner have to pay for getting rid of the waste?

Mr. Breau said there is a little amount of money for some cleanup to help some property owners. We would have to take it to the Waste Management

Committee if we want to do more than that and waive tipping fees.

Counc. Statton said she's getting the understanding that the survey is to map where the illegal dump sites are. She was of the assumption that someone was going to clean up the waste for \$77,000.

Mr. Breau said this is a pilot program. We don't know where the illegal dumps are. This is a Municipality only project, not a Waste Management Committee project. This was previously provided to the Committee of the Whole. This is for an illegal dumping survey. He reviewed what the project entails so that Councillors would be aware of what they are voting on. To get the project started, we need to get people to communicate with us as to where the illegal dump sites are. We are asking people to voluntarily make us aware of where the sites are. We got \$35,000 from the RRFB to do this, but the Municipality has to use \$35,000 from general tax revenues to proceed with it.

**The motion was carried.**

PROCESSING OF  
RECYCLABLES -  
RFP REVIEW  
COMMITTEE

Ms. Wilson reported that Mr. Breau is in the process of drafting a Request for Proposals document for processing of recyclables. A committee to review the proposals is required; and in accordance with the Purchasing Policy, an elected person is to sit on that committee.

**Moved by Counc. Young, seconded by Counc. Veinot that the Nominating Committee be requested to submit a nomination to Council for a member on the Review Committee of the RFP for processing of recyclables. Carried.**

Mr. Breau was thanked and he left the meeting.

UPDATE - CURLING  
COMPETITION

For information, Counc. Moore reported that Janice Rand, Acting Recreation Coordinator, will be notifying the curling team members on Thursday if the Curling Competition is going to take place on Saturday, February 16<sup>th</sup>.

AD re PUBLIC  
BOATING SAFETY  
PRESENTATION  
ON MARCH 6<sup>th</sup>

Counc. Statton reported that at the March 6, 2008 meeting of the Committee of the Whole a presentation will be made at 11:30 a.m. regarding Public Boating Safety. She requested Council to authorize the publishing of an advertisement to notify the public of that presentation, because boaters come from all over and not just from her District.

**Moved by Counc. Statton, seconded by Counc. Countway that Council authorizes the placement of an ad in the local papers to notify the public of the presentation to be made on March 6, 2008 regarding Public Boating Safety. Carried.**

TOURISM FOCUS GROUP - RECOMMENDATION

REGIONAL  
TOURISM COMM.  
re VISITOR  
INFORMATION  
CENTRE

In attendance was Dave Waters, Community Economic Development Officer.

Mr. Waters reported that the Tourism Focus Group had a meeting this week with Vernon Cornish and Judy Koster, President and Past President, respectively, of the Bridgewater and Area Chamber of Commerce (BACC), to discuss future options for a Visitor Information Centre (VIC). The BACC would like a regional committee to be formed to explore both short-term and long-term options to operate a VIC. They have suggested that the committee consist of representatives from the BACC, Town of Bridgewater, and the Municipality of

the District of Lunenburg. The Tourism Focus Group is recommending that two representatives be appointed to that committee.

**Moved by Counc. Statton, seconded by Deputy Warden Garber that Council appoint two members to meet with representatives from the Bridgewater and Area Chamber of Commerce and the Town of Bridgewater to explore both short-term and long-term options for a Visitor Information Centre. Carried.**

Mr. Waters was thanked and he left the meeting.

BUILDING REPORT  
FOR DEC. '07

For information, circulated with the agenda was a summary of the Municipality's building activities for the month of December 2007 (attached to original Minutes). The report showed that the value of building permit applications issued in December totalled \$656,042.31, bringing the year-to-date value to \$28,897,892.30.

MODL  
GENERATOR  
GRANTS

Ms. Wilson reported that the Municipality has budgeted \$4,000 for generator grants to assist Fire Departments with the cost of electrical connections to enable generators to be used. Two requests for assistance have been received. The Municipality's Emergency Measures Coordinator, Andy Wentzell, has reviewed these applications and he recommends that we allot the \$4,000 funds to the New Germany and Pleasantville Fire Departments in the amounts of \$1,719.30 and \$2,280.70, respectively. Once the funding is approved, and as part of the approval, applications will be sent to these Fire Departments for them to complete to become a comfort station that can be used in the event of an emergency.

**Moved by Counc. Moore, seconded by Counc. Bell that we approve the payment of funds in the amount of \$1,719.30 to the New Germany Fire Department and \$2,280.70 to the Pleasantville Fire Department for electrical connections to enable generators to be used.**

Mr. Andy Wentzell, EMC, was in attendance.

Counc. Zwicker asked if all Fire Departments were aware that these funds were available.

Mr. Wentzell said he contacted the Municipality's former EMC, Brian Keizer, and he was told that the Fire Departments were notified.

Counc. Countway questioned an electrical hook-up for a generator at the New Germany Fire Department as it was built quite recently. Mr. Wentzell said it was built in 2006. Counc. Countway also questioned the big cost variance to do the electrical connections for these two Fire Departments.

Ms. Wilson said those costs were based on quotes.

**The motion was carried.**

Mr. Wentzell was thanked and he left the meeting.

LUN. CO.  
LIFESTYLE  
CENTRE SOCIETY -  
PUBLIC  
INFORMATION  
MEETING

Warden Wentzell reported that the Lunenburg County Lifestyle Centre Society is requesting Council's approval to hold a public information meeting on February 27, 2008 to present the business plan to the community. They would like the Warden and Mayor involved in the process and the planning for that meeting. The location of the meeting would be Park View Education Centre if it's available.

**Moved by Counc. Young, seconded by Counc. Countway that we concur with the Lunenburg County Lifestyle Centre Society's request to hold a public information meeting and that the Warden, if available, attend and be involved in the planning of the public information meeting.**

Counc. Zwicker questioned how many of our Councillors will be able to attend the meeting on February 27<sup>th</sup>. His concern is that, if only a few Councillors show up, the public could think of that as lack of support. He cannot be there on the 27<sup>th</sup>, and he believes there are a number of others who cannot be there.

Those able to attend a meeting on February 27<sup>th</sup> were Warden Wentzell, and Councillors Tanner, Young, Veinot and Bell.

**The motion was carried.**

Council requested that alternate dates for the public meeting be suggested to the Lifestyle Centre Society. Suggested dates were March 11 and 12, 2008. (All Councillors could attend on the 11<sup>th</sup> and nine on the 12<sup>th</sup>.)

VALENTINE TEA

Counc. Dempsey reported that she was asked to announce to Council that a Valentine Tea will be held at the United Church in Pentz from 11:15 a.m. to 1:15 p.m.

UPDATE - WARDEN

Warden Wentzell gave an update on his Warden's activities since the last meeting. He, as well as a number of other Councillors, attended the meeting at the Blockhouse Fire Hall to hear the presentation made by Kings County on their public transit system. Last week he and the Deputy Warden met with Stephen McNeil, Liberal leader, for a briefing session. He and the Deputy Warden also attended a rural caucus meeting in Liverpool which was hosted by the Municipality of Shelburne. He asked Deputy Warden Garber to give a report on what was discussed at that meeting.

Deputy Warden Garber reported that the rural caucus meeting began with a presentation by the Queen's Mayor on the amalgamation process. Their amalgamation was voluntary as opposed to forced; and therefore, they had more input into how it was done. That amalgamation took place April 1, 1996. The provincial government put money on the table for that particular amalgamation. Another item talked about at the rural caucus meeting was the AIMS (Atlantic Institute for Market Study) "Report Card". Most units are saying no, they are not going to participate. Other items discussed were Certification of Building Inspectors and changes for qualifications for Wastewater Treatment Operators. The UNSM Spring Workshop will be held May 8 & 9 in Antigonish.

#### NOMINATING COMMITTEE - RECOMMENDATIONS

REPS re RFP  
REVIEW COMM.  
AND COMMITTEE  
re VISITOR INFO.  
CENTRE

Counc. Nauss reported that the Nominating Committee met and have recommendations for appointments to the regional committee that is to look at the matter of a Visitor Information Centre, as well as a Council member to sit on the Review Committee of the RFP for Processing of Recyclables.

**Moved by Counc. Nauss, seconded by Counc. Zwicker that we accept the Nominating Committee's recommendations and approve the following appointments:**

**Committee to look at options re Visitor Information Centre**

**Dave Waters, Community Economic Development Officer**



**Councillor Diane Tanner  
Alternates - Councillors Martin Bell and Karen Dempsey**

**Review Committee re RFP- Processing of Recyclables - Counc. Sandra Statton  
Motion Carried.**

IN CAMERA

**Moved by Deputy Warden Garber, 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) Personnel Matter, in accordance with section 22 (2) (c) of the *Municipal Government Act*;
- 2) Tax Sale Matter, in accordance with section 22 (2) (g) of the *Municipal Government Act*;
- 3) Labour Relations, in accordance with section 22 (2) (d) of the *Municipal Government Act*;
- 4) Contract Negotiations, in accordance with section 22 (2) (e) of the *Municipal Government Act*; and
- 5) Legal Advice, in accordance with section 22 (2) (g) of the *Municipal Government Act*.

**Moved by Counc. Dempsey, seconded by Counc. Nauss that Council  
resume. Carried.**

The motion that follows was made as a result of the *In Camera* discussions.

TAX SALE MATTER

**Moved by Counc. Young, seconded by Counc. Bell that we direct the  
Municipal Solicitor to not prepare any Confirmatory Tax Sale Deed with  
respect to property PID 60466851 and that the Municipal Solicitor report to Mr.  
Philip Romney that the Municipality is not prepared to take any further action  
regarding that property. Carried unanimously.**

There being no further business, at 4:53 p.m. it was moved by Counc. Zwicker, seconded by Counc. Tanner that the meeting adjourn.