

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in the Council Chamber, 210 Aberdeen Road, Bridgewater, N. S.
Tuesday, March 11, 2014 - 9:00 a.m.

ATTENDANCE

Mayor Don Downe
Deputy Mayor Eric Hustvedt - District 12
Councillor Errol Knickle - District 1
Councillor Donald Zwicker – District 2
Councillor Frank Fawson – District 3
Councillor Michael Ernst - District 4
Councillor Claudette Garland - District 5
Councillor Terry Dorey - District 6
Councillor Cathy Moore - District 7
Councillor John Veinot - District 8
Councillor Carolyn Bolivar-Getson - District 9
Councillor Lee Nauss - District 10
Councillor Martin Bell - District 11

STAFF: Alex Dumaresq, Deputy CAO/Strategic Projects Coordinator
April Whynot-Lohnes, Municipal Clerk
Heather Whynott, Administrative Assistant

1. **CALL TO ORDER** - 9:00 a.m.
Mayor Downe called the meeting to order.
2. **PUBLIC INPUT (nil)**
3. **AGENDA** -

Staff requested that the following items be added to the agenda:

- 1) Item 9.4 – Recommendation from Audit/Finance Standing Committee – Funding Request – South Shore Opportunities
- 2) In Camera Item 13.3 – Land Negotiations – Riverport – Update [MGA 22 (2) (a)]

Moved by Councillor Zwicker, seconded by Councillor Nauss that the Agenda be approved with the additions requested by staff. Carried.

4. **MINUTES**

Moved by Deputy Mayor Hustvedt, seconded by Councillor Dorey that the Minutes of the meeting held February 10, 2014 be approved as circulated. Carried.

5. **BUSINESS ARISING FROM MINUTES (nil)**
6. **PRESENTATIONS (nil)**
7. **AWARDING OF TENDERS/RFPs (nil)**

8. CORRESPONDENCE (nil)**9. RECOMMENDATIONS/REFERRALS FROM COMMITTEES & BOARDS****9.1 COMMITTEE OF THE WHOLE – RECOMMENDATIONS****9.1.1 – Revised Strategic Priorities Chart**

Moved by Deputy Mayor Hustvedt, seconded by Councillor Bell that Council accepts the recommendation of the Committee of the Whole and approves the revised Strategic Priorities Chart as presented. Carried.

9.1.2 – Maintenance Charges – Botany Woods Landowners Association

Moved by Councillor Bell, seconded by Councillor Nauss that Council accepts the recommendation of the Committee of the Whole that Municipal Council levy maintenance Charges on 23 lots (as shown on map 2) of the 31 lots identified by and petitioned by the Botany Woods Landowners Association:

that the six properties requesting an exemption are excluded from the charge area being PIDs: 60347481, 60642907, 60604360, 60686706, 60686714, and 60685526; and further,

that the two properties owned by Botany Woods Developments Inc. that are not eligible for membership in the Botany Woods Landowners Association, being PIDs 60588142 and 60683422, also be excluded from the charge area;

That the charges for the fiscal year April 1, 2014 to March 31, 2015 be set at \$600.00 per lot; and,

**Subject to an Agreement being entered into between the Municipality and the Botany Woods Landowners Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.
Motion Carried.**

9.1.3 – MOU and Management Agreement – Rose Bay Marine Park Society

Moved by Councillor Zwicker, seconded by Councillor Veinot that Council accepts the recommendation of the Committee of the Whole that Municipal Council authorize the execution of the Memorandum of Understanding between Her Majesty The Queen in Right of Canada and the Municipality of the District of Lunenburg subject to:

- i) The finalizing of the easement as discussed In Camera (by Committee of the Whole);**
- ii) The revision of Clause 4(c) and (d) of the Memorandum of Understanding to reflect that the repair of the wharf due to damage is at the Municipality of the District of Lunenburg's sole discretion; and,**
- iii) That there be an execution of a Management Agreement between the Municipality of the District of Lunenburg and the Rose Bay Marine Park Society prior to the execution of the Memorandum of Understanding between the Municipality of the District of Lunenburg and Her Majesty The Queen in Right of Canada.**

Councillor Ernst expressed concern regarding the action that the motion is proposing and would like to see it referred back to the Committee of the Whole for further discussion and consideration.

Moved by Councillor Ernst, seconded by Councillor Dorey that we defer the motion and refer this matter back to the Committee of the Whole for a more open discussion before bringing forward to Council.

The reasons were presented as to why some members of Council feel this matter needs more discussion in a public meeting, as most of the discussions on it have been In Camera.

It was pointed out by a Council member that, according to the *Municipal Government Act*, it's appropriate to have the negotiations In Camera.

Councillors Fawon and Knickle requested a recorded vote on the motion to defer.

VOTE ON MOTION TO DEFER THE MOTION ON THE FLOOR AND REFER THE MATTER BACK TO COMMITTEE OF THE WHOLE FOR FURTHER DISCUSSION:

IN FAVOUR – Councillors Knickle, Fawson, Ernst, and Dorey.

OPPOSED – Councillors Zwicker, Garland, Moore, Veinot, Bolivar-Getson, Nauss, Bell, Deputy Mayor Hustvedt, and Mayor Downe.

Motion Defeated.

There was some further discussion regarding the motion to accept the recommendation of the Committee of the Whole to authorize the execution of the Memorandum of Understanding re Rose Bay Wharf.

It was pointed out that there are already a number of public properties and beaches in the Rose Bay area and, therefore, questioned if this wharf property is needed. Concern was also expressed as how much this property could cost the Municipality in the future for maintenance or possible replacement if a storm washes it away.

The Councillor for the area spoke of what the community has been doing as their commitment regarding this property.

Councillors Fawson and Knickle requested a recorded vote on the motion.

VOTE ON MOTION TO ACCEPT THE RECOMMENDATION TO AUTHORIZE THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING re ROSE BAY WHARF:

IN FAVOUR – Councillors Zwicker, Garland, Moore, Veinot, Bolivar-Getson, Nauss, Bell, Deputy Mayor Hustvedt, and Mayor Downe.

OPPOSED – Councillors Knickle, Fawson, Ernst, and Dorey.

Motion Carried.

9.2 COMMUNITY & CULTURAL SERVICES STANDING COMM - RECOMMENDATION

9.2.1 – LCLC – Community Designated Funds

Mr. Dumaresq reported that the Community & Cultural Services Standing Committee met prior to the Council meeting and passed a motion to recommend to Council that the Lunenburg

County Lifestyle Centre Corporation be granted the amount of \$70,000.00 in accordance with the Designated Community Funds Policy.

Moved by Deputy Mayor Hustvedt, seconded by Councillor Veinot that Council accepts the recommendation of the Community & Cultural Services Standing Committee to grant to the Lunenburg County Lifestyle Centre Corporation the amount of \$70,000.00 as per the criteria outlined in the Designated Community Funds Policy. Carried.

9.3 NOMINATING COMMITTEE – RECOMMENDATION

9.3.1 – Appointments to Boundary Review Committee

Moved by Councillor Zwicker, seconded by Councillor Moore that Council accepts the recommendation of the Nominating Committee and appoints the following as the members of the Boundary Review Committee:

Councillor Lee Nauss

Councillor John Veinot

Councillor Carolyn Bolivar-Getson

Councillor Cathy Moore

Carried.

9.4 AUDIT/FINANCE STANDING COMMITTEE - RECOMMENDATION

9.4.1 – Funding Request – South Shore Opportunities

Moved by Councillor Fawson, seconded by Councillor Bell that Council accepts the recommendation of the Audit/Finance Standing Committee and approves a funding request from South Shore Opportunities for phase 2 of the Climate Data Study Project in the amount of up to \$3,000 per year for three years, commencing in the fiscal year 2014/2015.

It was suggested that if any promotional material is produced regarding this project, we should request that MODL be listed as a funding partner. Council agreed that this suggestion be made to South Shore Opportunities.

The motion was carried.

10. STAFF MATTERS (nil)

11. MAYOR'S/COUNCILLORS' MATTERS

11.1 MAYOR'S UPDATE

Mayor Downe reported on meetings he has attended as a member of the FCM Board of Directors and as a member of the FCM GMF (Green Municipal Fund) Council. He reported that, on the Municipality's behalf, Deputy Mayor Hustvedt attended the One Billion Rising event held in Bridgewater and Councillor Zwicker attended the event held in Lunenburg.

11.2 FCM SUSTAINABLE COMMUNITIES CONFERENCE – REPORT

Deputy Mayor Hustvedt, Councillor Fawson, Councillor Bell, Councillor Nauss, and Mayor Downe reported on sessions and workshops they attended at this year’s FCM Sustainable Communities Conference held in PEI in February.

12. ADDED BUSINESS – Dealt with under items 9.4 and In Camera item 13.3.

13. IN CAMERA – 10:10 a.m.

Moved by Councillor Bolivar-Getson, seconded by Deputy Mayor Hustvedt that Council go In Camera In Committee. Carried.

The following items were discussed In Camera:

13.1 Land Negotiations - Oakhill, in accordance with section 22 (2) (a) of the *Municipal Government Act* (MGA)

13.2 Land Negotiations – Osprey Ridge, in accordance with section 22 (2) (a) of the MGA

13.3 Land Negotiations – Riverport – Update, in accordance with section 22 (2) (a) of the MGA

Moved by Deputy Mayor Hustvedt, seconded by Councillor Zwicker that Council return to open session. Carried.

13.3 LAND NEGOTIATIONS – RIVERPORT - UPDATE (discussed In Camera)

Moved by Councillor Zwicker, seconded by Councillor Bell that Council authorizes the signing of a revised Development Agreement application with Yardarm Brewery Ltd. re Riverport school property as discussed In Camera. Carried.

14. ADJOURNMENT – 11:50 a.m.

There being no further business, it was moved by Deputy Mayor Hustvedt, seconded by Councillor Bolivar-Getson that the meeting adjourn. Carried.

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MAYOR DON DOWNE, CHAIRMAN

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ALEX DUMARESQ, DEPUTY C. A. O.