

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 Spinney - 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
Heather Whynott, Administrative Assistant

PUBLIC INPUT

Warden Wentzell called the meeting to order. He noted that the first item on the agenda allows 15 minutes for public input. There were no requests to address Council.

AGENDA

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

Counc. Moore requested that the repainting of the New Germany crosswalks be added to the Agenda.

Moved by Counc. Nauss, seconded by Counc. Spinney that the Agenda be approved with the addition of Counc. Moore' s item. Carried.

MINUTES

As the Minutes of July 8, 2008 were not yet circulated to Councillors, they were deferred until the next meeting.

**CANADA POST
CORPORATION**

Circulated with the agenda was a letter from Mr. Denis Lemelin, National President of the Canadian Union of Postal Workers (CUPW), advising municipalities across Canada that the federal government is conducting a very quick and potentially damaging review of our public post office called the Canada Post Corporation Strategic Review. The letter states, " The review is looking at fundamental questions such as should our public post office continue to have an exclusive privilege to handle letters so that it has the money to provide universal service, or should the letter market be open to competition. That is, it is looking at deregulation." He advises that CUPW is very concerned that the government' s review includes an examination of deregulation; and he points out that deregulation in other countries has led to post office closures, less service, fewer jobs and higher postal rates for the public and small businesses. He also points out that, as the government is not holding public hearings and is proceeding at a fast pace with its review, it suggests that it is not really interested in hearing from the real owners of the post office - the public. CUPW is urging municipalities to write a letter or submission to the Canada Post Corporation Strategic Review opposing deregulation of Canada

Post and insisting that the government hold public hearings and properly consult with the public.

Counc. Young questioned what is behind this review. He noted that we all know what happened to CNR in rural Canada. He can see the same thing happening with mail delivery in rural Canada. If it's not used enough then they will disband it. He noted a change that's already taking place with many addresses and postal codes. In the future, if addresses aren't precise on the letter or package it will end up going back to the sender or to a dead letter file.

Warden Wentzell said at this year's FCM Conference he attended the presentation that Canada Post gave. The percentage of their business with rural mail boxes was only 8%. If they start looking at these figures and don't look at who the service is for, it's hard to say what will happen.

Councillors' comments expressed the importance of the smaller Post Offices in rural Canada and the delivery of mail to roadside mailboxes and that these services should continue.

Moved by Counc. Dempsey, seconded by Counc. Young that a letter be written to the Canada Post Corporation Strategic Review Advisory Panel as a formal submission and that the letter specifically cite the Public Policy Obligations that Canada Post is required to meet, as outlined in Appendix C - Background of Postal Services in Canada (copy attached to original Minutes); and further, that the letter express Council's concern and opposition to deregulation of Canada Post and requests that the government hold public hearings and properly consult with the public.

Counc. Nauss reported that he called the 1-800 number when he received a notice about his address change. They informed him that he had no need for concern. All you get is 8 change-of-address cards, no matter how many live at one address; and they are giving 12 months for your address changes to be made. His wife has started to do address changes and so far have done 35 - 40. He thinks that the ones who made the decision about address changes do not live in rural areas, so they really don't know what is happening in rural Canada. It doesn't matter who's sitting in government, they make the decisions for the largest population.

Counc. Bell is of the opinion that there was a misrepresentation by Canada Post, because the literature they provided to residents about the address changes indicated the Municipality as a call-back source if they had any questions; and therefore, people thought the Municipality was endorsing this move. He knew the difference because it has never been discussed by Council. He checked with Municipal Office staff and was informed that staff had been receiving calls from people who had questions about these address changes. He just wanted to make note of that.

Warden Wentzell commented that the message we got at the FCM Conference was that they were going to keep municipalities informed.

Counc. Countway said he knows they're doing address changes in the

Bridgewater and outlying areas. However, he also understands they're in the middle of a safety study. If they determine roadside mailboxes are unsafe, are they going to change addresses again?

Warden Wentzell said if roadside mailboxes are deemed unsafe, they will put community mailboxes somewhere on the road.

Counc. Nauss said if they use community mailboxes he expects they would use civic house numbers on them.

The motion was carried.

REQUEST re
CHARITY DORY
CHALLENGE

Circulated with the agenda was a letter from the Health Services Foundation of the South Shore informing Council of their fundraising event during the Lunenburg Waterfront and Seafood Festival, the *Charity Dory Challenge*, on September 13. To enter a 2 man/woman team, the cost is \$250.

Council decided not to enter a team in this charity event.

LOW-LEVEL FLYBY -
LETTER OF
SUPPORT

Circulated with the agenda was a request from Mr. Michael Graves asking Council for a letter of support to again allow a low-level flyby over communities in the Municipality for this year's Remembrance Day Ceremonies.

Moved by Counc. Countway, seconded by Counc. Nauss that we provide a letter of support for a low-level flyby on Remembrance Day but pointing out that they should keep in mind the locations of the poultry farms along the LaHave River. Carried.

AWARDING OF TENDERS

In attendance were Gordon Pettipas, Director of Financial Services and Municipal Treasurer; Pierre Breau, Director of Engineering and Public Works, Matt Davidson, Assistant Municipal Engineer; and Laura Barkhouse, Trails and Open Space Coordinator.

TEN. 2008-05-006
CONCRETE
FOUNDATION EXT.

The first tender to be considered was the construction of an extension to the existing concrete floor and foundation system of the Compost Building Facility at the Lunenburg Regional Community Recycling Centre (LRCRC).

CONFLICT OF INT.

Counc. Statton declared a conflict of interest regarding this tender and removed herself from the discussion.

Mr. Breau reviewed the tender analysis information which was circulated with the agenda (copy attached to original Minutes). He reported that this foundation extension to the Compost Building is part of the million dollars that is budgeted to do improvements to the compost facility. He informed Council that the lowest bidder, Plyform Construction, had to be disqualified in accordance with clause 12.1 (F) of our Purchasing Policy. He also noted that the tender prices received are over \$40,000; and therefore, the tender award is subject to the approval of the Waste Management Committee.

Counc. Young asked for clarification as to why the lowest bidder is being disqualified.

Ms. Wilson reported that the Municipality has a Purchasing Policy. Section 12.1 of the Policy deals with not being able to award a contract to an employee or employee's family and that also applies to a Councillor or

Councillor' s family. The proponent was made aware of that but the tender had already closed and there-fore had to stay on the list.

Counc. Nauss asked how long this policy has been in place.

Ms. Wilson said it' s been in place since the fall of 2006. The policy prior to that did not make reference to that.

Counc. Nauss asked if this contractor has received any contracts since 2006.

Mr. Breau said to his knowledge it' s been some time since this contractor received a direct contract. He believes they have been a sub-contractor to general contractors.

Moved by Counc. Nauss, seconded by Counc. Zwicker that the “ Concrete Foundation Extension Compost Building Tender #2008-05-006 for the LRCRC” be awarded to Novopro Builders Ltd., Windsor, N. S. for the price of \$56,362.14, including HST, subject to the approval of the Waste Management Committee.

Counc. Countway expressed his concern that we have a local business that is not allowed to bid because of relationship to a Councillor. I think we better take a look at our policy, because this has cost us money. He cannot see spending extra money where there' s no need for it.

Warden Wentzell said the discussion about a change to the policy is for another time.

Counc. Dempsey pointed out that we are obligated by the MGA to follow our policy. Did we seek a legal opinion on this?

Ms. Wilson said the wording in the policy is quite clear, but she did obtain a legal opinion from our Solicitor and he has confirmed that our policy requires that it be disqualified.

The motion was carried.

WASTE MANAGEMENT COMMITTEE - RECOMMENDATIONS

Council then considered recommendations from the Waste Management Committee for the award of Tender Nos. 2008-05-004 and 2008-05-005.

TEN. 2008-05-004
MEMBRANE-COVER
COMPOST BUILDING

Mr. Breau reviewed the analysis information for Tender No. 2008-05-004 “ Membrane-Cover Compost Building” (copy attached to original Minutes). Treeline Project Management Limited in Bridgetown was the only company that submitted a tender. He noted that all of the HST is returned for Solid Waste projects.

Counc. Dempsey asked if there is only one company within the province that could do this.

Mr. Breau reported that to his knowledge there are two companies in Atlantic Canada. The other company was aware of the project but chose not to bid on it.

Counc. Countway asked how much time they had to put the tender together.

Mr. Breau reported that for both this tender and the demolition tender

bidders had about a week and a half. Usually they have about two weeks, but the people in Aylesford knew this was coming up.

Moved by Counc. Statton, seconded by Counc. Dempsey that we accept the recommendation of the Waste Management Committee and award LRCRC Tender #2008-05-004 “ Membrane-Cover Compost Building” to Treeline Project Management Limited in Bridgetown, Nova Scotia for the net cost of \$446,647.91 plus HST for a total tender price of \$504,712.14. Carried.

TEN. 2008-05-005
EXISTING COMPOST
BUILDING
DEMOLITION

Mr. Breau reviewed the analysis information for Tender #2008-05-005 “ Existing Compost Building Demolition” (copy attached to original Minutes). He reported that this project and the preceding one have to be done at the same time. The lowest price was less than we expected and is recommended for award.

Moved by Counc. Young, seconded by Counc. Veinot that we accept the recommendation of the Waste Management Committee and award LRCRC Tender #2008-05-005 “ Existing Compost Building Demolition” to Sea Coast HVAC (2004) Limited in Bridgewater for the net cost of \$68,395.00 plus HST for a total tender price of \$77,286.35.

Deputy Warden Garber noted that this is a public document and it makes reference to a budget of \$1,000,000. We, as a Council, know this project is part of a number of different tenders to come out of that \$1,000,000. For clarity and so that the public will understand, he suggested that it be broken down so that the budget price and variance price are more accurate.

Mr. Breau said that was also requested by the Waste Management Committee. As future tenders come forward a breakout will be shown.

The motion was carried.

TEN. 2008-05-003
CRUSHER DUST AT
MARC

Ms. Laura Barkhouse reviewed her memo which informed Council of the final tender submissions received for Tender #2008-05-003 for the supply and placement of crusher dust over the MARC trails. Her memo noted that this tender also requested a list of provisional pricing for a culvert, large-type gravel for drainage areas and a backhoe. Gerald W. Veinot offered the lowest provisional pricing for this portion. Based on the prices offered, staff recommends that Gerald W. Veinot be awarded the MARC trails’ project contract.

Moved by Counc. Veinot, seconded by Counc. Spinney that Council awards to Gerald W. Veinot Excavating Ltd. the tender for the supply and placement of crusher dust over the MARC trail, Tender 2008-05-003, at the price of \$17,187.30 plus the provisional pricing to replace the culvert.

Ms. Wilson asked if the project is within budget. Ms. Barkhouse said yes.

Deputy Warden Garber asked what the budget figure is and what the variance is.

Ms. Barkhouse reported that we have approximately \$36,000 for this particular project. However, there is a very large culvert that has to be done but she expects it will still be under budget.

Counc. Dempsey asked for clarification on what is meant by provisional pricing.

Ms. Barkhouse reported that for the main part of the project we need to put down crusher dust. There are some additional projects that we wanted to do along the way which she explained, such as the replacement of the old culvert. Staff are working with the solicitor to get permission from the adjoining property owner to do that.

Discussion followed regarding this project and all it entails.

Ms. Wilson indicated to Council that the tender analysis needs to be put in a format that will enable Council to see all that they are approving. This can be brought back later in this meeting.

Moved by Counc. Dempsey, seconded by Counc. Spinney that the motion be tabled until after lunch. Carried. (This item continues on Page 10)

TEN. 2008-05-002

Mr. Davidson reviewed the analysis information for Tender 2008-05-002 "New Germany Wastewater Treatment Plant Upgrades - Phase 1" (copy attached to original Minutes).

NEW GERMANY

WASTEWATER

TREATMENT PLANT

UPGRADES-PHASE 1

Mr. Pettipas reported that there is a reserve in restricted surplus for the sewer systems. At the end of fiscal year 2008, New Germany had \$202,276 and we are putting a little over \$50,000 in reserve this year. That could be used to fund part or all of the over-expenditure. We didn't spend all of the Gas Tax money. There's about \$20,000 - \$25,000 that was not spent last year.

Moved by Counc. Moore, seconded by Counc. Nauss that Council awards Tender 2008-05-002 "New Germany Wastewater Treatment Plant Upgrades - Phase 1" to Mid Valley Construction (1987) Limited for the amount of \$897,751.10, including HST.

Discussion followed as to where the money is coming from to pay for the upgrades, and using reserve funds and Gas Tax money for this purpose. The need for more discussion on a global sewer rate was also noted.

Moved by Deputy Warden Garber, seconded by Counc. Bell that we amend the motion by adding the wording "and that the shortfall in funds for the tender be covered by using the Gas Tax money of \$25,000 and the remainder to be taken from the New Germany Reserve fund." Amendment Carried.

MOTION WAS AMENDED - that Council awards Tender 2008-05-002 "New Germany Wastewater Treatment Plant Upgrades - Phase 1" to Mid Valley Construction (1987) Limited for the amount of \$897,751.10, including HST, and that the shortfall in funds for the tender be covered by using the Gas Tax money of \$25,000 and the remainder to be taken from the New Germany Reserve fund. Carried. [Later in this meeting (page 9 of these Minutes) a further motion was passed regarding a contingency amount.]

PRESENTATION re

AIRFIELD ENGINEER-

ING ACTIVITIES

At 11:00 a.m. three Airfield Engineering (AE) personnel were in attendance to make a presentation regarding AE activities.

Moved by Counc. Nauss, seconded by Counc. Young that we permit Airfield Engineering personnel to address Council. Carried.

Capt. Brian Boss, Acting CO for 14 AES (Airfield Engineering Squadron) thanked Council for the opportunity to attend the meeting and give a presentation on AE activities. He provided a PowerPoint presentation which included information on:

- 14 AES Vision
- Squadron History
- Organization Structure
- History on Airfield Engineers (now called "Construction Engineers" since January 1, 2008)
- Explanations of various Construction Engineering Trades
- Logistical Support Trades
- Individual Training
- Collective Training
- AE Reserve Partnerships
- Advisory Board Mandate
- Community Projects Criteria
- Economic Benefits within Local Area
- Statistics on 14 AES Training
- Statistics on 14 AES Deployments in 2007/08 and 2008/09
- Statistics on 14 AES - OP Taskings
- 14 AES - Recruitment

The PowerPoint presentation also included pictures of several locations where AE personnel have been deployed to provide their trades' abilities.

Warden Wentzell asked, when recruiting for people for the carpentry, electrical, or plumbing trades, if they take people with no experience in those trades.

Capt. Boss reported that most people they bring in off the street do not have any experience. If they went to Community College and has some training, they would make every attempt to get the accreditation for that training.

Discussion followed regarding recruiting, aptitude tests and screening potential recruits.

Capt. Boss explained the importance of community projects in providing training and experience to AE tradesmen. He reported that getting projects that involve the mechanical trade are not readily available. As recruits are away for much of their training and are often on deployment, they prefer that recruits get their OJT (on-the-job training) locally so they can spend as much time at home as possible.

Also provided in the PowerPoint presentation was information regarding the AE Reserve Partnership with the Municipality. The 5-year lease they have with the Municipality for the facility at 417 Harold Whynot Road expires October 31, 2009. They have identified that they need an 840 square metre expansion. The current partnership Memorandum of Understanding was signed on December 5, 2005.

Counc. Dempsey asked if Airfield Engineering is a resource to the local community in emergency situations.

Capt. Boss said if an emergency is declared they would normally get their instructions through the chain of command. If there is a local emergency, they could be asked to go. If they are in the middle of deployment, a big part of their

resources would be gone, but otherwise they could be available.

Counc. Statton asked what their minimum education requirements are for people to join the Flight and do they get basic pay.

Capt. Boss said ideally they would like recruits to have a high school education including Math and Science. They don' t need Math and Science to be on the logistical side but the majority of those positions are filled. Anyone coming off the street would get minimum pay as a Private recruit.

Counc. Statton asked if the object is to get recruits and have them go up the ladder to other positions.

Capt. Boss said they believe in progression. When they have people that show and demonstrate leadership, they will move up the ranks. However, if there are civilians interested in joining who have the qualifications and their trade' s ticket, they can come to the Unit. That is the ideal candidate because then they have someone who can come in and go right to work at that trade.

Warden Wentzell thanked Capt. Boss and commended him on the presentation which has been enlightening. He said the Municipality looks forward to the future with them and is well aware that the AE organization is an important and valuable asset. He said the Municipality is willing to do whatever it can in cooperation with them and their future plans, and more specifically what the Municipality' s involvement could be with them.

Capt. Boss said he has been involved with the Reserve program on both sides of the fence. He is impressed with the strong relationship that has been developed in the community and looks forward to enhancing that.

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

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

REMO - EMERGENCY
MANAGEMENT -
SELF-ASSESSMENT
DOCUMENT

In attendance was Heather McKenzie-Carey, REMC (Regional Emergency Measures Coordinator).

In a letter from Ms. Wilson, Council was informed that on July 4, 2008 the REMO Advisory Committee received a Self Assessment Document prepared by Ms. McKenzie-Carey. The Document is a requirement of the *Emergency Management Act* which must be completed by Municipal Units. Staff were advised that a Regional Self Assessment of the Regional Emergency Management Organization (REMO) is sufficient to fulfill a Municipal Unit' s obligations to complete the same. The Self Assessment Summary and Document were circulated with the agenda (copy attached to original Minutes). At their July 4th meeting, the REMO Advisory Committee approved the Self Assessment Document as completed and reviewed, and it was recommended to the REMO partner units for endorsement.

Ms. McKenzie-Carey reviewed the Self Assessment Summary and the recommendations in the Document and answered questions throughout the review.

Counc. Dempsey reported that, as a result of the weather advisory down-grading Noel from a hurricane to a tropical storm, she noticed that people did

not take too serious the effect that storm could have. She asked if we have the ability at the municipal level to suggest that people still need to be aware of the consequences of a storm, even if it is downgraded.

Ms. McKenzie-Carey explained REMO' s role to educate the public pre, during and after a storm. We would be specific to our area and give that information to the public.

Ms. Wilson said she thinks the Self Assessment Document has been very well done and does give us an idea where our priorities should be with REMO and what we should tackle first.

Moved by Counc. Countway, seconded by Counc. Dempsey that we accept the recommendation of the Regional Advisory Committee and approve the Self Assessment Document as completed and reviewed. Carried.

Warden Wentzell thanked Ms. McKenzie-Carey and she left the meeting.

MUN. OF EAST
HANTS' REQUEST
FOR TWO RESOLU-
TIONS AT UNSM

For information, circulated with the agenda was a letter from the Municipality of East Hants informing all municipal units in Nova Scotia of two resolutions they have passed, for which they are seeking support at the UNSM Conference in September. The one resolution deals with the issue of mobile homes and the difficulty experienced by all units collecting taxes on these properties. The other resolution deals with the challenges in moving through the water rate setting process under the regulations governing the UARB.

Ms. Wilson reported that there is a Resolutions' package coming shortly which will include all Resolutions to be considered at the UNSM Conference. There will be an opportunity at the next Council meeting to make comments on the Resolutions.

CONTINGENCY re
TEN. 2008-05-002
NEW GERMANY
WASTEWATER
TREATMENT PLANT
UPGRADES-PHASE 1

In attendance was Matt Davidson, Assistant Municipal Engineer.

Ms. Wilson informed Council that the motion passed earlier in the meeting to award the tender for the New Germany Wastewater Treatment Plant Upgrades - Phase 1 didn' t include the 10% construction contingency allowance. A motion is required approving a contingency allowance of \$82,171.08.

Counc. Countway asked where the money is coming from to cover the contingency and why is it needed.

Ms. Wilson reported that, as Mr. Pettipas explained earlier in the meeting, there was sufficient money in the reserve funds. She explained the options where the funds can come from.

Mr. Davidson reported that it' s needed because there may be change orders during the project, so the contingency is there to cover that possibility, but that' s not to say it will be spent.

At the request of Counc. Dempsey, Mr. Davidson explained what could occur to require a change order in the project, e.g., change in configuration of concrete forming.

Mr. Davidson said 10% is the normal contingency when we do projects in-house.

Moved by Counc. Moore, seconded by Counc. Dempsey that Council approves the 10% construction contingency allowance that is requested for Tender 2008-05-002 " New Germany Wastewater Treatment Plant Upgrades - Phase 1", with the funds to be taken from the same sources as the shortfall for Tender 2008-05-02. Carried.

Mr. Davidson was thanked and he left the meeting.

CANADIAN RED

CROSS AUXILIARY

ROLE PROJECT

Circulated with the agenda was a letter distributed to municipal units by FCM regarding the Canadian Red Cross Auxiliary Role Project. The Canadian Red Cross (CRC), like other national societies has a unique status under national and international law. The release of the final report on the Auxiliary Role Project to Public Safety Canada in the early fall of 2008 will set the stage for concrete actions by the federal government to revitalize the relationship with the CRC. The report, which will contain draft legislation for a new Canadian Red Cross Act, will require additional public and governmental consultations. CRC is prepared to assist municipal government in understanding this process and is anxious to obtain the support of municipal governments for this initiative. CRC is asking municipal governments to pass motions expressing support for the CRC Auxiliary Role Project.

Counc. Statton suggested that Council should be a little leery of this and questioned if supporting this is like giving them a blank cheque. She commented that one of their initiatives is that everyone is to wear a life jacket at all times while on the water.

Discussion followed with regard to legislation and passing rules and regulations that people must follow to protect themselves.

Moved by Counc. Dempsey, seconded by Deputy Warden Garber that we approve the following resolution:

Be it resolved that the Council of the Municipality of the District of Lunenburg expresses its support for the Canadian Red Cross Auxiliary Role Project and in particular the renewal of the framework for cooperation between public authorities and the Canadian Red Cross to better address the humanitarian challenges of the 21st century by:

- a) working to reinforce the status and roles of the Canadian Red Cross as auxiliary to public authorities in the humanitarian field;**
- b) and reviewing existing measures, arrangements and instruments supporting the relationship.**

Motion Carried.

TEN. 2008-05-003

CRUSHER DUST AT

MARC

In attendance was Laura Barkhouse, Trails and Open Space Coordinator.

Moved by Counc. Zwicker, seconded by Counc. Spinney that we remove from the table the motion dealing with the tender award for Crusher Dust at the MARC. Carried.

MOTION ON THE FLOOR - **Moved by Counc. Veinot, seconded by Counc. Spinney that Council awards to Gerald W. Veinot Excavating Ltd. the tender for the supply and placement of crusher dust over the MARC trail, Tender 2008-05-003, at the price of \$17,187.30 plus the provisional pricing to replace the culvert.**

Councillors were provided with a copy of the revised tender analysis information which provided details on the provisional pricing. This information was reviewed by Ms. Barkhouse.

Moved by Deputy Warden Garber, seconded by Counc. Dempsey that the motion be amended to approve the total pricing of \$25,762.50, which includes HST and provisional pricing for Tender 2008-05-003. Amendment Carried.

MOTION AS AMENDED - that Council awards to Gerald W. Veinot Excavating Ltd. the tender for the supply and placement of crusher dust over the MARC trail, Tender 2008-05-003, plus the provisional pricing to replace the culvert at the total price of \$25,762.50, including HST. Carried.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS

REVISED STRATEGIC
PLAN

Moved by Counc. Nauss, seconded by Counc. Zwicker that we accept the recommendation of the Committee of the Whole and approve the Revised Strategic Plan as presented, and that Council directs the Focus Groups to review their applicable goals, objectives and actions and adjust the Group' s priorities accordingly. (Copy of Revised Strategic Plan attached to original Minutes)

Ms. Wilson said this Revised Strategic Plan was reviewed with Committee of the Whole. Council has seen this document a number of times. All the Focus Groups will take the actions that are slated for them. The task is to review that and advise of any concerns and work with departments for developing action plans and implementing them.

Counc. Dempsey pointed out that Council went through a fairly extensive process to develop this very important document which will guide Council in the future.

The motion was carried unanimously.

COMMUNITY
CAPITAL GRANTS -
CENTRAL NOVA
ATV CLUB, UPPER
COUNTY SOCCER
SAINTS ASSOC., &
SAINT BARNABAS
ANGLICAN CHURCH

Moved by Counc. Spinney, seconded by Counc. Veinot that we accept the recommendation of the Committee of the Whole and provide a Community Capital Grant to the Central Nova ATV Club in the amount of \$1,000.00 towards the purchase of a dump trailer, generator, ½ inch drill and spreader. Carried.

Moved by Counc. Palmer, seconded by Counc. Moore that we accept the recommendation of the Committee of the Whole and provide a Community Capital Grant to the Upper County Soccer Saints Association in the amount of \$1,000.00 for the construction of a set of portable aluminum soccer goal posts and netting. Carried.

Moved by Counc. Zwicker, seconded by Counc. Spinney that we accept the recommendation of the Committee of the Whole and provide a Community Capital Grant to Saint Barnabas Anglican Church in the amount of \$1,000.00 towards scraping and painting the Church.

Counc. Dempsey pointed out that this Church is a municipal heritage property; and typically the only type of building we can give a grant to is one that is a registered municipal heritage property.

The motion was carried.

- AGREEMENT WITH LUN. CO. WILDLIFE **Moved by Deputy Warden Garber, seconded by Counc. Zwicker that we accept the recommendation of the Committee of the Whole and commence negotiations to develop an Agreement with the Lunenburg County Wildlife Association to acquire the site on Sucker Lake and develop the site when monies are available through the budget process. Carried.**
- ENERGY INVENTORY AND AUDIT re ECOTRUST APP. **Moved by Counc. Countway, seconded by Counc. Young that we accept the recommendation of the Committee of the Whole and approve the allocation of financial and staff resources necessary to complete and Energy Inventory and Audit for the Ecotrust Application; and further, that Council approves the appropriate strategies concerning greenhouse gas/air pollutant emissions' reductions be included in the development of the Municipality' s Integrated Community Sustainability Plan. Carried. (Copy attached to original Minutes)**
- COMMUNITY ECON. DEV. GRANT CRITERIA **Moved by Counc. Statton, seconded by Counc. Moore that we accept the recommendation of the Committee of the Whole and accept the Community Economic Development Grant criteria and direct staff to prepare the necessary Policy amendments. Carried. (Copy attached to original Minutes)**
- INFO. BULLETIN re MAYOR SYSTEM, ELECTION PROCESS & VOTERS CARDS **Moved by Counc. Moore, seconded by Counc. Veinot that we accept the recommendation of the Committee of the Whole and direct staff to prepare an information bulletin for the local paper on the new Mayor system, election process, and voter' s cards. Carried.**

POLICE ADVISORY BOARD - RECOMMENDATION

- FALSE ALARM BY-LAW **Moved by Counc. Nauss, seconded by Counc. Spinney that we accept the recommendation of the Police Advisory Board and instruct staff to make the preparation and presentation of a False Alarm By-law a top priority on the list of actions to be completed by staff.**

Ms. Wilson reported that the position tasked with the preparation of a False Alarm By-law was the Municipality' s former Manger of Protective Services. When that person left it was not completed. It is now on the desk of the Municipal Clerk, April Whynot-Lohnes. Ms. Wilson had a discussion with her as to what she would need to be put aside to work on this by-law. She doesn' t see any negative impacts in doing this.

Counc. Countway pointed out that this policy will also involve the Fire Departments.

Ms. Wilson said it depends on the nature of the by-law and what Council puts in it. The RCMP are looking at it strictly from responding to false alarms and how much of Officers' time is involved, which translates to an expense. Council will have that debate when the by-law is brought back.

Counc. Nauss said the RCMP are looking at the number of false alarms they receive from alarm systems people have in their homes. Some are not maintained, but when an alarm is set off the RCMP have to respond. Many times people are not home when it happens. The RCMP are looking at the number of calls they get each year and they are considerable.

Warden Wentzell said he remembers some of the reports brought in by

the RCMP and the number of calls they make for these false alarms. We really pay the bill for that section of the report and it's costing us considerable for the RCMP to answer those false alarms. Do we really want to continue to pay them for answering those calls?

Counc. Young feels it's a waste of resources to answer false alarms.

Counc. Dempsey commented that we don't have to reinvent the wheel. There are already municipal units in the province that have well established false alarm by-laws for a number of years. We can tap those resources.

The motion was carried.

Counc. Bell suggested that the Municipal Clerk be asked to contact or involve police, fire, EMS and local alarm sales and service providers to give them an opportunity for input or suggestions. The reason being that at some future time when this is brought back before Council, if those stakeholders feel they didn't have input ahead of time, it may be more difficult to enforce.

Warden Wentzell said staff will take that into consideration when compiling this by-law.

PLANNING ADVISORY COMMITTEE - RECOMMENDATIONS

AMENDMENTS TO
DIST. 3 SPS & LUB

The following two recommendations were received from the Planning Advisory Committee regarding the District 3 Secondary Planning Strategy and Land Use By-law:

that Municipal Council approve that the " District 3" Planning Area be renamed " Riverport and District" and that Council amend the District 3 Secondary Planning Strategy and Land Use By-law to reflect this name change; and

that Municipal Council approve the Keeping of Livestock amendments to the District 3 Secondary Planning Strategy and Land Use By-law as presented, subject to District 3 Area Advisory Committee's approval of the addition of Category " B" to the table in section 9.39A of the Land Use By-law.

The above two recommendations were deferred at this time, as recommended in a memo from Jeff Merrill, Planner. He indicates that the reason for deferring them is because there are other proposed amendments currently in the process, and recommends that Council deal with all amendments at the same time.

Mr. Ed Curran, Director of Planning and Development Services, was in attendance.

AMENDMENT TO
SUB. BY-LAW re
APPLICATION FEE

Moved by Counc. Veinot, seconded by Counc. Statton that we accept the recommendation of the Planning Advisory Committee and refuse the proposed amendment to charge an application/processing fee for subdivision final approval in the By-law Respecting the Subdivision of Land in the Municipality of the District of Lunenburg.

Counc. Zwicker questioned the validity of this motion. He pointed out that Council did approve the municipal budget and there was a dollar value in reference to this in the budget. Therefore, he feels this motion is out of order.

Ms. Wilson reported that Council is required to approve amendments to the Subdivision By-law to reflect the revenue that is shown in the budget, which

is why it went to the Planning Advisory Committee (PAC) because PAC advises Council on these matters. In theory, Counc. Zwicker is correct. Council had pretty well made that decision when it approved that revenue source. The recommendation that has come from another Committee is that you not approve the revenue source. Council in the end has to decide. The revenue source doesn' t happen until Council approves amendments to the document.

A lengthy discussion followed regarding the budget process and recommendations from Committees that don' t support decisions already made by Council.

Mr. Curran reported that some of the PAC members were uncomfortable with the idea of charging a fee of \$100. From staff' s perspective, it' s a useful amendment because it would establish a fee schedule.

Counc. Dempsey reported that it' s her understanding that most units do charge a fee.

Mr. Curran reported that the fee charged by other units is anywhere from \$50 to \$500.

Counc. Statton commented that Councillors are here to serve the public. She feels that by charging \$100 we are not serving the public very well. You can subdivide into 100 lots or 2 lots. The fee is the same. If you want to give a son or daughter a lot, you have to pay \$100. If you are a developer who is subdividing 100 lots, they pay the same fee. She suggested that there be an exemption for subdividing two lots. She noted that there are three members at large on PAC and they didn' t support charging a fee. She doesn' t think the fee is fair or equal.

Counc. Young said he initially was opposed to the fee, but once Council accepted it, he feels he should support it. The PAC has the right to make recommendations to Council; but due to the fact it' s part of our revenue for the coming year, he feels this motion should be defeated.

Counc. Dempsey asked if she understood correctly that, if amending the Subdivision By-law is approved, Council can change the fee schedule by motion so that we could have a sliding scale.

Mr. Curran said, if this amendment is approved, it initiates the section of the MGA so that Council can set up the fee by policy.

Counc. Dempsey said she doesn' t see this as any different than charging a fee for a building permit. They all require staff time.

The question was called and **the motion was defeated.**

Ms. Wilson reported that the amendments have not yet been prepared in by-law form to bring back to Council for First Reading. We need direction from Council to prepare those amendments to come back to Council.

Moved by Counc. Zwicker, seconded by Counc. Dempsey that we direct staff to prepare amendments to the Subdivision By-law to establish an application/processing fee for subdivision final approval. Carried.

Counc. Dempsey asked if the Planning Director could look at the

possibility of a sliding scale and not just the \$100 fee.

Ms. Wilson said Council has not approved the amendments yet, so Council can look at other options for that.

Mr. Curran was thanked and he left the meeting.

IN CAMERA

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 items:

1) Land Negotiations - Osprey Village, in accordance with section 22 (2) (a) of the *Municipal Government Act*;

2) Land Negotiations - Osprey Village, in accordance with section 22 (2) (a) of the *Municipal Government Act*;

3) Contract Negotiations - Lunenburg Back Harbour, in accordance with section 22 (2) (a) and (e) of the *Municipal Government Act*;

4) Contract Negotiations - Osprey Village, in accordance with section 22 (2) (e) of the *Municipal Government Act*; and

5) Contract Negotiations - LRCRC, in accordance with section 22 (2) (e) of the *Municipal Government Act*.

Moved by Counc. Dempsey, seconded by Counc. Palmer that Council resume its public meeting. Carried.

Council in session.

Council then considered motions that were required as a result of *In Camera* discussions.

LAND

Moved by Counc. Dempsey, seconded by Counc. Zwicker that Municipal Council not accept the offer that was made on the piece of land at Osprey Village (PID No. 60487824) and that a new offer be presented as discussed *In Camera*. Carried.

NEGOTIATIONS -
OSPREY VILLAGE

Moved by Counc. Zwicker, seconded by Counc. Dempsey that Municipal Council accepts the Buy-Back Agreement as presented *In Camera* as it relates to Lot 1015 A (PID 60630076) at Osprey Village. Carried.

CONTRACT

Moved by Counc. Young, seconded by Counc. Spinney that Municipal Council authorizes the execution of the Letter of Offer - Lands at Lunenburg Back Harbour as discussed *In Camera*, subject to certification of title by the Municipal Solicitor. Carried.

NEGOTIATIONS -
LUN. BACK HARBOUR

CONTRACT

Moved by Counc. Bell, seconded by Counc. Zwicker that Municipal Council authorizes the issuance of an addendum to the NSDOTIR Highway 10 Tender call, with the addendum being for a sewer and waterline extension to the proposed Northern Intersection; and that this authorization be subject to the purchaser of Parcel 1 satisfying the August 15, 2008 conditions as specified in the Agreement of Purchase and Sale for this same parcel of land; and further, that Municipal Council approves the unbudgeted expenditure for the same, estimated to be \$880,400 net HST. Carried. (Motion rescinded August 14/08)

NEGOTIATIONS -
OSPREY VILLAGE -
ADDENDUM TO
NSDOTIR HIGHWAY
10 TENDER CALL

MEMBER APPOINT. PLANNING ADVISORY COMMITTEE - RECOMMENDATIONS (continued)

BLOCKHOUSE AAC **Moved by Council. Countway, seconded by Council. Spinney that Council accepts the recommendation of the Planning Advisory Committee and approves the reappointments of Harry Balcome, John Croft and Jeffrey Kaulback, each for a two-year term, on the Blockhouse Area Advisory Committee. Carried.**

BUILDING REPORT FOR JUNE 2008 For information, circulated with the agenda was a summary of the Municipality' s building activities for the month of June 2008 (attached to original Minutes). The report showed that the value of building permit applications issued in June totalled \$3,885,930.08, bringing the year-to-date value to \$14,092,931.92.

PRIZES FOR UNSM EARLY BIRD DRAWS Ms. Wilson reported that in the past the Municipality has donated two gifts to the UNSM Conference for the Early Bird Draws. She asked if Council wishes to do that again this year. The total value of the two gifts has been approximately \$50 - \$60.

Moved by Council. Nauss, seconded by Council. Palmer that staff and the PR Committee select two gifts to be donated for the Early Bird Draws at the 2008 UNSM Conference. Carried.

2008-09 FIRE TAX RATES Circulated with the agenda was a list of the requested fire tax rates from the Municipality' s Fire and Emergency Services' providers for the year 2008-09. Those fire departments highlighted on the list have requested a change to their rate.

Moved by Council. Spinney, seconded by Council. Zwicker that Municipal Council approves the projected Fire Tax Rates per \$100 of assessment for the year ending March 31, 2009 as presented. Carried. (List attached to original Minutes)

ANNUAL REPORT OF FIRE & EMER. SERV. For information, circulated with the agenda was the Annual Report of the Chair of the Fire and Emergency Services Committee (copy attached to original Minutes).

POLLING DIVISION CHANGE IN DISTRICT 5 For information, circulated with the agenda was a memo from Heather Veinotte, Returning Officer, advising Council of the details as to why it was decided to change Polling Division 529 in District 5 to extend to the Cookville Bridge and in a straight line to the northeasterly point of Randall Lake (copy of memo attached to original Minutes).

Council. Zwicker said he has a little problem with this because he had pointed out a concern in his area which was not addressed.

Ms. Wilson said this is a Polling Division boundary which was set by the Returning Officer. Council. Zwicker' s concern was with a Polling District boundary. These boundaries are approved by the NSUARB.

Council. Statton pointed out that it' s not a boundary change. It' s a Polling Division change.

TENDER FOR ISSUE - ASPHALT ROOF REPLACEMENT ON In attendance was Matt Davidson, Assistant Municipal Engineer. Mr. Davidson reviewed the proposed specifications for Tender No. 2008-05-008 for the replacement of the existing asphalt roof on the Municipality' s

BLDG. LEASED BY AIRFIELD ENG. building at 187 Harold Whynot Road, Pine Grove, which is leased to the Airfield Engineering Squadron and Flight. The estimated cost to do this is \$40,000.

Counc. Nauss reported that he spoke to Capt. Brian Boss, Acting CO for 14 AES, about the roof replacement and he was surprised that it needed to be replaced. Counc. Nauss asked Capt. Boss if AEF could do the work. Capt. Boss said had they known about the project it could have provided good training for them, particularly if it was replaced with a metal roof. Counc. Nauss questioned if it was too late for AEF to do it.

Counc. Young agreed that we should be giving AEF the opportunity to work this project into their schedule. He thinks that it's not an emergency situation to replace the roof, and it makes good sense to ask AEF if they can do it.

Mr. Davidson reported that some shingles have been replaced in the past few years. He reported that there is no ridge vent in the roof, so the heat has caused some of the problems with the shingles. He can discuss it with AEF.

Counc. Young said he thinks it should be discussed with AEF, and we should have the materials ready when they can work it into their schedule.

Mr. Davidson said they have had leaks and he has had calls about the condition of the roof. He would like to have the work done before November.

Ms. Wilson asked if delaying this for another month creates any problems.

Mr. Davidson said the best time to do a roof is September or October. By delaying it a month there is the potential that it may not get done before winter.

Counc. Nauss pointed out that we only got 13 years from the shingles. He suggested that we look at replacing it with metal roofing material, and that can be done at any time. When sun hits the asphalt shingles, they break down. He thinks we should look at a metal roof and see if AEF has the time to do it as a work project.

Counc. Palmer questioned how many years we expect to get out of a metal roof. He had one that didn't last because of condensation.

Warden Wentzell said he expects the problem wasn't condensation but rather ammonia.

Counc. Young said he has a metal roof that has been on at least 75 years and it's good yet. He does paint it occasionally. A metal roof will outlast shingles 10 to 1.

Council directed Mr. Davidson to meet with someone at AEF and come back with a report, including a metal roof as an option.

At 4:45 p.m. Councillors Nauss and Palmer left the meeting.

ECOLOGY ACTION CENTRE - CHARETTE SERVICES, and Doug Reid, ICSP Coordinator.

EXERCISE Mr. Reid reviewed the information in his report dated August 12, 2008. The report informs Council that the Ecology Action Centre (EAC) has invited municipalities to partner with them to review, through a public 'Charette' exercise, the issue of sustainable transportation best practices as part of their

ICSP (copy of report attached to original Minutes). Mr. Reid states, “ Staff considers that the use and assistance of EAC in a potential public participation exercise is an option for the Municipality to explore. In particular, such an exercise might be able to combine the objectives in the ICSP process with a further review concerning the feasibility of the proposed transit system identified with the Citizens for Public Transit proposal, as presented to Council, and revised over the last year.

Counc. Countway asked if the application would be made in conjunction with the other units that were discussing a public transit system.

Mr. Reid said they are asking that one unit make the application. Part of a successful process would be to assure the inclusion of the other units in the Charette exercise.

Counc. Dempsey said she thinks they are well positioned to do this exercise in the Valley area. People there can get along without a car. You cannot do that in Lunenburg County. She thinks we should be at least putting our Municipality’ s name in the hat to do this kind of exercise.

Deputy Warden Garber commented that certainly transportation is a significant factor in your carbon footprint; and if this is going to be a method of reducing that, it could go well towards making our community more sustainable in that regard. Therefore, he thinks this is a worthwhile thing for us to do.

Moved by Deputy Warden Garber, seconded by Counc. Dempsey that Municipal Council authorizes the submission of an application to be involved with the Charette exercise as proposed by the Ecology Action Centre respecting public transit. Carried.

WARDEN’ S UPDATE

Warden Wentzell provided an update regarding his activities as Warden since the last meeting. He reported that he participated in only one event, and that was the opening ceremonies of the Centre School Reunion.

There being no further business, at 4:52 p.m. it was moved by Deputy Warden Garber, seconded by Counc. Dempsey that the meeting adjourn.

.....
WARDEN JACK WENTZELL, CHAIRMAN

.....
TAMMY WILSON, CHIEF ADMINISTRATIVE OFFICER