

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, September 9, 2008 - 9:30 a.m.

ATTENDANCE

Councillors: Warden Jack Wentzell - District 7
Deputy Warden Elmer Garber - District 4
Councillor Diane Spinney - District 1 (arrived 11:10 a.m.)
Councillor Sherman Palmer - District 2
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 (arrived 9:40 a.m.)
Councillor Martin Bell - District 13

Absent: Councillor Donald Zwicker - District 3

Staff: Tammy S. Wilson, Chief Administrative Officer
April Whynot-Lohnes, Municipal Clerk
Heather Whynott, Administrative Assistant

1. CALL TO ORDER

Warden Jack Wentzell called the meeting to order at 9:34 a.m. He reported that Council is invited to attend the unveiling of a Memorial Bench at Miller Point at 12:15 p.m. The Bench has been donated by the Kinsmen family in memory of Edward Kinsmen.

2. PUBLIC INPUT - There were no requests from the public to address Council.

3. AGENDA

Requests for additions to the Agenda:

Councillor Countway - Report re Soccer event & Letter of congratulations (see item 13.1)
Councillor Statton - Reported change in date of Maitland Tea - Sept. 11 (not Sept. 18)
Councillor Young - Requested permission to circulate Terry Fox Run pledge sheet to Councillors. Council approved Councillor Young' s request.
Councillor Nauss - Plaque Request re Church' s 100th Anniversary (see item 13.2)
Nominating Committee - Appointments to Forest Management Comm. (see item 13.3)
Councillor Dempsey - Request to attend LBANS Conference (see item 13.4)

Moved by Councillor Bell, seconded by Councillor Palmer that the Agenda be approved with the addition requested. Carried.

4. APPROVAL OF MINUTES

Moved by Councillor Young, seconded by Councillor Nauss that the Minutes be approved as circulated for the July 8, 2008 regular Council meeting, the July 3, 2008 Special Council meeting, and the Public Hearing held by Council on August 13, 2008. Carried.

5. BUSINESS ARISING FROM MINUTES

5.1 Amendments to Policy MDL-43 "Community Grants Program"

Moved by Councillor Statton, seconded by Deputy Warden Garber that Municipal Council approves amendments to Policy MDL-43, Community Grants Programs, as presented. Carried.

5.2 Second Reading - Blockhouse Secondary Planning Strategy and Land Use By-law

Ms. Wilson reported that, subsequent to First Reading of the document, staff have identified some non-substantive revisions which have been circulated with today's agenda. They should be approved before Second Reading is conducted.

Moved by Councillor Countway, seconded by Councillor Young that Municipal Council approves the non-substantive revisions to the draft 2 Blockhouse Secondary Planning Strategy and Land Use By-law, of which Council conducted First Reading on July 8, 2008, as outlined in the Staff report dated September 8, 2008. Carried.

In attendance were Ed Curran, Director of Planning and Development Services, and Jeff Merrill, Planner.

Moved by Councillor Countway, seconded by Deputy Warden Garber that Municipal Council approves Second Reading of the Blockhouse Secondary Planning Strategy and Land Use By-law as revised. Carried.

5.3 Drews Hill Road - Extension Request to Letter of Offer (For Information)

This memo from Ms. Wilson informs Council that the Letter of Offer has been extended until September 1, 2009.

9. CORRESPONDENCE

9.1 UNSM - Report of the Resolutions Committee

Councillors commented on a number of the resolutions as follows:

Resolution 1A - Protection of Farmland (submitted by District of West Hants)
The Resolutions Committee recommends this resolution.
It was agreed that this Resolution should be supported at the Conference.

Resolution 11A - Municipal Auditor General (submitted by District of Lunenburg)
The Resolutions Committee does not recommend this resolution.
As this is our Council' s resolution, it will be supported at the Conference.

Resolution 4A - Support of Municipal Participation in RCMP Contract Renewal Negotiations (submitted by Town of Berwick)
The Resolutions Committee recommends this resolution.
Councillor Nauss feels this Resolution should be supported at the Conference.

Resolution 12A - Registration of Mobile Homes (submitted by Dist. of East Hants)
The Resolutions Committee recommends this resolution.
Councillor Young feels this Resolution should be supported at the Conference.

Resolution 13A - Remedies for Orders (submitted by District of Lunenburg)
The Resolutions Committee recommends this resolution.
As this is our Council' s resolution, it will be supported at the Conference.

Resolution 19A - Rural Public Transportation (submitted by Rural Caucus)
The Resolutions Committee recommends this resolution.
Warden Wentzell feels that Councillors attending the Conference will need to listen to the discussion on this resolution, and then from the discussion determine how to vote on this resolution.

Resolution 1D - Municipal Insurance Coverage (submitted by District of Barrington)
The Resolutions Committee recommends this resolution.
Councillor Countway requested Councillors to support this resolution as it relates to municipal insurance coverage for volunteer fire departments.

Warden Wentzell noted that all Councillors are not going to the Conference. Those who are going have heard the comments about some of the resolutions and should vote accordingly.

6. AWARDING OF TENDERS

In attendance at 10:00 a.m. were Pierre Breau, Director of Engineering and Public Works, and Matt Davidson, Assistant Municipal Engineer.

6.1 Compost Carts - Tender 2008-05-007

Moved by Councillor Statton, seconded by Councillor Dempsey that Municipal Council awards Tender 2008-05-007 for the purchase of Compost Carts and Mini-Bins to IPL Inc., Quebec, for the price of \$28,169.21, including HST. Carried.

6.2 Roof Replacement - AEF/AES Building - Tender 2008-05-008

Moved by Councillor Dempsey, seconded by Councillor Bell that Municipal Council

awards Tender 2008-05-008 for the supply and installation of a Metal Roof at 417 Harold Whynot Road to Nova Pro Builders Ltd. for the price of \$43,184.83, including HST. Carried.

9. CORRESPONDENCE

9.2 Oakland-Indian Point Residents Assoc. - Request to extend term of current AAC Chair

A letter dated August 19, 2008 was received from the Oakland-Indian Point Residents Association recommending and requesting that the current chair of the Oakland Area Advisory Committee, Mr. Ron Myers of Oakland, be extended in that capacity beyond the end of his mandate.

Council had a lengthy discussion regarding the process and procedures to be followed regarding appointments to Area Advisory Committees.

Moved by Councillor Countway, seconded by Councillor Statton that Municipal Council allow the term of the Executive of the Oakland Area Advisory Committee to be extended for a term of two months or until another meeting of the Oakland Area Advisory Committee is called to have the new election and appointments made; and in that time, the letters are to be sent out giving them an opportunity to publish advertisements inviting expressions of interest from those interested in becoming a member of the Area Advisory Committee. DEFEATED.

Moved by Councillor Dempsey, seconded by Deputy Warden Garber that we direct staff to contact the Oakland Area Advisory Committee members and ask them to set up a meeting to deal with appointments to their Committee. Carried.

Ms. Wilson said staff will respond to the Oakland-Indian Point Residents Association advising them that the matter has been referred to the Oakland Area Advisory Committee. Mr. Curran left the meeting.

9.3 Invitation to Candidates for Mayor from New Germany Area Promotion Society

A **conflict of interest** was declared regarding item 9.3 by **Deputy Warden Garber** and he left the meeting.

A letter was received from the New Germany Area Promotion Society asking Council for \$150.00 towards costs to advertise that the Society has invited the candidates for the mayoralty election to participate in a forum at the end of September in New Germany.

Ms. Wilson reported that the Municipality does not have a funding program in place for this type of initiative.

Moved by Councillor Nauss, seconded by Councillor Young that the Municipality not provide funds for the New Germany Area Promotion Society to hold a debate between the candidates running for the Mayor' s position and that the Society be

advised of this decision. Carried.

Deputy Warden Garber returned to the meeting.

10. RECOMMENDATIONS/REFERRALS FROM COMMITTEES, BOARDS & FOCUS GR.

10.1 COMMITTEE OF THE WHOLE RECOMMENDATIONS

10.1.1 - Write Letter to Prov. Dept. requesting two-year Nursing Program be reinstated

Moved by Councillor Countway, seconded by Councillor Nauss that Municipal Council approves the recommendation of the Committee of the Whole and directs staff to write a letter to the appropriate Provincial Department requesting that the two-year Nursing Program be reinstated.

**Moved by Councillor Nauss, seconded by Councillor Bell that the motion be amended by adding the word “Registered” before the word “Nursing”.
Amendment Carried.**

MOTION AS AMENDED - that Municipal Council approves the recommendation of the Committee of the Whole and directs staff to write a letter to the appropriate Provincial Department requesting that the two-year Registered Nursing Program be reinstated. Carried.

10.1.2 - Economic Dev. Strategy Plan - Completion of Components 1 & 2 and 3 & 4

Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council approves the recommendation of the Committee of the Whole that Council accept the proposed Economic Development Strategy Plan and complete Components 1 and 2 as approved in the 2008/09 budget for \$20,000; and further, that an additional \$15,000 to \$30,000 be included in the 2009/10 budget to complete Components 3 and 4 for the final development of the Economic Development Strategy. Carried.

10.1.3 - Approved Budget Amount re Branding

Moved by Councillor Spinney, seconded by Councillor Nauss that Municipal Council approves the recommendation of the Committee of the Whole and approves using the 2008/09 approved budget amount of \$6,000 for Branding instead of the Tourism Master Plan. Carried.

10.1.4 - Repainting of two Crosswalks in New Germany

Moved by Councillor Moore, seconded by Councillor Spinney that Municipal Council approves the recommendation of the Committee of the Whole and authorizes the repainting of the two crosswalks in New Germany and that the Municipality request that this be done in a timely fashion as school will soon be starting. Carried.

10.1.5 - Provision of High-Speed Internet Service - Use Industry Canada' s Standard

Moved by Deputy Warden Garber, seconded by Councillor Dempsey that Municipal Council approves the recommendation of the Committee of the Whole that Municipal Council use Industry Canada' s Standard for Public Consultation with respect to the provision of high-speed internet service within the Municipality of the District of Lunenburg. Carried.

10.1.6 - Establishment of a Global Sewer Rate for Municipality

Moved by Councillor Bell, seconded by Councillor Nauss that Municipal Council approves the recommendation of the Committee of the Whole that Municipal Council establish a Global Sewer Rate for the Municipality of the District of Lunenburg' s sewer/wastewater systems to be phased in over a 10 year period. Carried.

10.1.7 - Reserve Funding re Municipal Sewer/Wastewater Systems

Moved by Councillor Nauss, seconded by Councillor Bell that Municipal Council approves the recommendation of the Committee of the Whole that the present reserve funding in place for each Municipal sewer/wastewater system remain with that respective Municipal sewer/wastewater system until that reserve funding is required for use to fund capital improvements to that system. Carried.

10.1.8 - Reserve Contribution Funding re Municipal Sewer/Wastewater Systems

Moved by Councillor Young, seconded by Deputy Warden Garber that Municipal Council approves the recommendation of the Committee of the Whole that the reserve contribution funding amount for the Municipal sewer/wastewater systems in the Municipality of the District of Lunenburg be established at 33 percent of the estimated costs. Carried.

10.2 PLANNING ADVISORY COMMITTEE RECOMMENDATIONS

In attendance were Ed Curran, Director of Planning and Development Services, and Jeff Merrill, Planner.

Ms. Wilson reported that it is staff' s recommendation that Council defer the following items until the October Council meeting so that one meeting can be held in the area:

10.2.1 - Renaming of " District Three" planning area

10.2.2 - Draft 1D - Keeping of Livestock Amendments to District Three SPS & LUB

10.2.4 - District Three SPS & LUB - Proposed Amendment re Golet Score Wetlands

Moved by Councillor Young, seconded by Councillor Countway that Council defers items 10.2.1, 10.2.2, and 10.2.4 on today' s agenda until the October meeting. Carried.

10.2.3 - Hebbville SPS & LUB - Amendment Application - Charles & Sandra Powers

Regarding this item, Mr. Merrill noted that the recommendation from the Planning Advisory Committee was subject to the Applicant receiving preliminary subdivision approval for the proposed lot prior to Council conducting First Reading. He reported that the preliminary subdivision approval has not yet been received.

Moved by Councillor Nauss, seconded by Councillor Dempsey that Council defers item 10.2.3 on today' s agenda until we receive the preliminary subdivision approval. Carried.

10.2.5 - Request to review 75% requirement to create, expand or abolish a planning area
10.2.6 - Request to petition a change to alter the definition of " development" in the MGA

Items 10.2.5 and 10.2.6 are recommendations that the District Three Area Advisory Committee made to the Planning Advisory Committee (PAC) but PAC was not prepared to recommend them to Municipal Council. The recommendations were:

10.2.5 - that Municipal Council review the 75 percent requirement to create, expand, or abolish all or a portion of a planning area.

10.2.6 - that Municipal Council either directly or via the UNSM petition the Provincial Government to alter the definition of development in the *Municipal Government Act* to better protect areas of environmental concern.

Ms. Wilson said it' s Council' s option if they want to consider the Area Advisory Committee' s recommendations, even though they are not recommended by PAC.

10.2.5

Moved by Councillor Countway, seconded by Councillor Dempsey that Council review the 75 percent requirement to create, expand, or abolish all or a portion of a planning area. After discussion, the motion was DEFEATED.

10.2.6

Council took no action on item 10.2.6.

11. STAFF MATTERS

11.1 C.A.O. MATTERS

11.1.1 - Building Report for July ' 08 - This Report was circulated for information.

11.1.2 - Councillors (by Dist. No.) to present Wreaths at Remembrance Day Services

Council considered the presentation of wreaths on behalf of the Municipality at the various Remembrance Day Services in the County.

Moved by Councillor Countway, seconded by Councillor Nauss that the presentation of Wreaths on behalf of the Municipality at Remembrance

Day Services be appointed as follows:

<u>SERVICE LOCATION</u>	<u>WREATH TO BE PRESENTED BY</u>
Bridgewater	Mayor or Deputy Mayor
Lunenburg	Councillor for District 1
Mahone Bay	Councillor for District 4
New Germany	Councillor for District 7
Northfield	Councillor for District 5
Parkdale/Maplewood	Councillor for District 6
Riverport	Councillor for District 2

Motion Carried.

11.1.3 - Lunch with Staff at December Council Meeting

Moved by Councillor Nauss, seconded by Councillor Palmer that Council approves a dinner for Council and Staff for the noon break of the December 9, 2008 Council meeting and that staff arrange the dinner at the Oakhill Fire Hall as it is a convenient location for the staff of both the Municipal Office and the Whyntott's Settlement Waste Site. Carried.

RECESS

Council recessed for lunch at 12:00 p.m.

The meeting resumed at 1:15 p.m. Deputy Warden Garber was absent at this time.

11.1.4 - Next Rural Caucus Meeting - Any Agenda Items

An e-mail was received from the Municipality of the District of Shelburne asking Councils if they have any agenda items for the next Rural Caucus meeting which will be held during the Fall UNSM Conference.

Councillors had no items at this time. Councillors were asked to let staff know before Friday, Sept. 12th if they think of any agenda items, so that staff can forward them to the Municipality of the District of Shelburne.

11.2 RETURNING OFFICER'S MATTERS11.2.1 - Notice of Poll in *Municipal Matters* Newsletter

Moved by Councillor Young, seconded by Councillor Nauss that the Notice of Poll be placed in the "Municipal Matters" newsletter that is circulated to all households within the Municipality in September and post the Notice of Poll on the municipal website. Carried.

11.3 ENGINEER'S MATTERS

11.3.1 to 11.3.6 - Tenders for Issue - Snow Plowing/Sanding Services

In attendance was Matt Davidson, Assistant Municipal Engineer. He reviewed the six Tenders for Issue for Snow Plowing/Sanding Services.

At 1:20 p.m. Deputy Warden Garber returned to the meeting.

Moved by Councillor Nauss, seconded by Councillor Spinney that Council approves the tender specifications and issuance of tenders for Snow Plowing/Sanding Services for the period 2008 - 2011 as follows:

Tender 2008-01-005 - New Germany Wastewater Treatment Plant/Pump Stations

Tender 2008-01-008 - Municipal Administration Building

Tender 2008-01-009 - MARC and Miller Point Peace Park

Tender 2008-01-010 - Centre Jail

Tender 2008-01-011 - 14 AES/143 AEF, Harold Whynot Road

Tender 2008-01-012 - Municipal Wastewater Treatment Plants and Pump Stations

Motion Carried.

11.3.7 - Cleaning Services Contract for 14 AES/143 AEF

Council considered the one-year renewal option for Tender 2005-01-013 "Cleaning Services Contract for 14 AES/143 AEF".

Moved by Councillor Nauss, seconded by Councillor Bell that Council employ the one (1) year renewal option, for the period of November 1, 2008 to October 31, 2009, as detailed in Tender 2005-01-013 "Cleaning Services Contract for 14 AES/143 AEF" with Inside Out Cleaning Services for the monthly amount of \$1,318.00 plus HST. Carried.

12. WARDEN' S/COUNCILLORS' MATTERS

12.1 Warden' s Update

Warden Wentzell reported that he attended the following events: Centre School Reunion on August 2, 2008; the Lunenburg Queens RDA' s annual planked salmon dinner; and the 4-H Awards Ceremony on August 21, 2008.

13. ADDED BUSINESS

13.1 Report re Soccer Event and Letter of Congratulations

Councillor Countway reported that, at the Provincial Soccer Championships held last weekend at Bayview Community School in Mahone Bay, the Under 12 (Tier 2) Girls Team took 3rd place in the Province. The Boston Pizza - South Shore United Under 14 Boys (Tier 1) Soccer Team won the Provincial Championship and will be going to the National Under 14 Boys Soccer Championships in Charlottetown, PEI. He pointed out that 11 of the 16 players on this team are from the Municipality.

Moved by Councillor Countway, seconded by Councillor Palmer that Council

send a letter to the South Shore United Under 14 Boys (Tier 1) Soccer Team congratulating them on winning the Provincial Championship and wishing them success in the National Soccer Championships. Carried.

13.3 Appointments to Forest Management Committee (Nominating Committee)

Moved by Councillor Bell, seconded by Councillor Dempsey that Council accepts the recommendation of the Nominating Committee and appoints the following as members of the Forest Management Committee:

- Councillor Lee Nauss**
- Councillor Arthur Young**
- Councillor John Veinot**
- Warden Jack Wentzell**

Motion Carried.

13.2 Plaque Request re Church' s 100th Anniversary (Councillor Lee Nauss)

Moved by Councillor Nauss, seconded by Deputy Warden Garber that the Municipality provide a plaque recognizing the 100th Anniversary of the Calvary Lutheran Church of Middlewood on September 28, 2008. Carried.

13.4 Request to attend LBANS Conference (Councillor Karen Dempsey)

Moved by Councillor Young, seconded by Councillor Spinney that Council authorizes Councillor Karen Dempsey to attend the annual Conference of the Library Boards Association of Nova Scotia on October 4 and 5, 2008, and that she be reimbursed any out-of-pocket expenses. Carried.

Councillor Nauss reminded Councillors of the Guest Speaker Presentation on Rural Planning to be held tonight at 7:00 p.m. in the Municipality' s Council Chamber. It' s open to anyone interested in attending.

Councillor Dempsey asked if a new date has been set for the Council/Staff Fun Day at the MARC. Ms. Wilson said another date has not been set. Before setting a date, an e-mail will be sent to staff to see if there is interest in another date.

At 1:50 p.m. it was moved by Councillor Young, seconded by Councillor Dempsey that the meeting adjourn.

.....
WARDEN JACK WENTZELL, CHAIR

.....
TAMMY WILSON, CAO