

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, N.S.
Tuesday, February 23, 2016 - 9:00 a.m.

ATTENDANCE

Deputy Mayor Claudette Garland
Councillor Errol Knickle
Councillor Don Zwicker
Councillor Frank Fawson
Councillor Michael Ernst
Councillor Terry Dorey
Councillor Cathy Moore
Councillor John Veinot
Councillor Martin Bell
Councillor Eric Hustvedt

Regrets: Mayor Don Downe
Councillor Carolyn Bolivar-Getson
Councillor Lee Nauss

Staff: Kevin Malloy, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
Rachel Eisenhauer, Administrative Assistant

1. CALL TO ORDER

Deputy Mayor Garland called the meeting to order at 9:00 a.m.

2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION:

There were no announcements, acknowledgements or recognitions.

3. PUBLIC INPUT:

There were no members of the public in attendance to address the Committee.

4. APPROVAL OF AGENDA:

The following item was requested to be added to the In Camera agenda:

13.4 Land Negotiations under Section 22(2)(a) of the *Municipal Government Act*

Moved by Councillor Moore, seconded by Councillor Zwicker that the agenda be approved with the above noted addition. Carried.

5. APPROVAL OF MINUTES – Council Minutes & Public Hearing Minutes for January 26, 2016

Councillor Hustvedt noted that on page one of the Council Minutes, there is a repeated paragraph, which should be removed. Also, under item 9.4.2 “Municipal Joint Services Board – Citizen Appointments”, the minutes should be revised to reflect that the one year term is due to a decision whether the additional member on the Board should be a Councillor or a member-at-large.

Moved by Councillor Hustvedt, seconded by Councillor Zwicker that the Council Minutes and Public Hearing Minutes of January 26, 2016 be approved with the above noted amendments. Carried.

6. BUSINESS ARISING FROM MINUTES:

There was no business arising from the minutes.

7. AWARDING OF TENDERS/RFPs:

There were no tenders/RFPs.

9. CONSIDERATION OF CORRESPONDENCE:

There was no correspondence.

10. RECOMMENDATIONS/REFERRALS FROM COMMITTEES/BOARDS:

10.1 AUDIT & FINANCE COMMITTEE

10.1.1 Audit & Finance

Mr. Dumaresq reviewed the report regarding the revised Terms of Reference for the Audit and Finance Committee (attached to original set of minutes). These revisions were a result of the direction given at a previous Committee of the Whole meeting. He noted the following major changes:

- The membership of the Committee will include all Council members.
- There will not be two Members-At-Large on the Committee. This decision will be reconsidered after the Election, when the new Council is in place.
- The meeting structure will be the same as Council, for example, there will be public input and presentations and all non-procedural votes will be recorded.
- There will also be training for all Councillors regarding finances, including financial statements and budgets. Every four years there will be more extensive training.

A question arose regarding how agenda items are to be brought forward to the Committee. Mr. Dumaresq advised that agenda items can be brought to Gordon Pettipas, Kevin Malloy or himself and they will determine if the item goes on the agenda.

A discussion was held regarding the training for Councillors. Mr. Dumaresq noted that the Municipal Finance Corporation (MFC) and the Department of Municipal Affairs (DMA) are working together, with other municipal units to determine appropriate training for Councillors. The Committee will have input on what the training will be; and, if they feel they need more information on a specific topic, further training can be arranged. Mr. Malloy added that the

training is not to replace expertise, but is to help Councillors better understand the topics being discussed. Every four years there will be a “crash course” for the new Council.

Moved by Councillor Bell, seconded by Councillor Hustvedt that Municipal Council approve the revised Terms of Reference of the Audit and Finance Committee as presented.

Councillor Fawson requested that the motion on the floor be amended to include two members-at-large to the Committee.

It was moved by Councillor Fawson, seconded by Councillor Dorey that the motion on the floor be amended to reflect that Council approve the revised Terms of Reference of the Audit and Finance Committee with an amendment to Section 4.0 Committee Membership & Procedures to include two members-at-large.

It was noted that the addition of two members-at-large was not included in this version of the Terms of Reference, however, this would be reconsidered after the Election, when the new Council was in place.

All those opposed: Councillors Knickle, Zwicker, Moore, Veinot, Bell, Hustvedt and Deputy Mayor Garland.

Motion to amend defeated.

MOTION ON THE FLOOR: Moved by Councillor Bell, seconded by Councillor Hustvedt that Municipal Council approve the revised Terms of Reference of the Audit and Finance Committee as presented.

All those opposed: Councillor Fawson and Councillor Ernst.

Motion Carried.

10.2 MUNICIPAL GOVERNANCE REVIEW COMMITTEE

10.2.1 2016/2017 Budget

Mr. Dumaresq advised that the Municipal Governance Review Committee is a Committee operating with the Towns of Lunenburg, Mahone Bay and Bridgewater and the Municipality of the District of Lunenburg to explore governance change in Lunenburg County. The Committee has an approved work plan, which involves extensive research and outcomes including possible amalgamation, dissolution, etc. There is also consideration for a Plebiscite on structural change. The original budget for the work plan totalled \$435,000 and the units could not get a consensus to approve this level of funding. The Committee revised the work plan and the budget and is now proposing a total budget of \$217,500. Funding is being requested from the Provincial Government. If the proposed amount does not get fully funded, the Committee will do as much work as possible with the funds available. The cost-share formula is being used based on populations, dwelling units and uniform assessments, as well as capital assets and staffing. The two most expensive studies will be regarding the capital assets and human resources. The Municipality of the District of Lunenburg's share of the cost is \$98,931 and gas tax can be used for some of this cost.

A question was raised regarding the Marathon Report completed several years ago. Mr. Dumaresq noted that the critical question that is being asked by the public is what impact amalgamation will have on the tax rate, and this was not included in that report.

A question also arose regarding the cost for a debt affordability model, which is no longer included in the new budget. Mr. Dumaresq stated that, if a decision is made to move forward without the Utility and Review Board (URB), the debt affordability model will be done by the Municipal Finance Corporation for free. However, if the (URB) process is used, additional costs are incurred for a review of the debt affordability model.

It was asked if all four units' approval is required to move forward with the proposed work plan. Mr. Dumaresq noted that, per the Memorandum of Understanding, all four units must agree in order to move forward. A partner can choose to withdraw due to budget implications, which is why the Committee tried to find compromises to get all units to agree.

Moved by Councillor Knickle, seconded by Councillor Hustvedt that Municipal Council approve the Municipal Governance Review Committee budget as recommended, and direct the Audit and Finance Committee to incorporate MODL's funding requirement of \$98,931 into the 2016/17 budget. Motion carried unanimously.

11. STAFF REPORTS:

11.1 ACTIVE LIVING COORDINATOR

11.1.1 Update by T. Bolivar (Ms. Vegsund's Replacement) – Letter of Support

Tissy Bolivar, Active Living Coordinator, and Trudy Payne, Director of Recreation Services, were in attendance at this time.

Mr. Malloy introduced Ms. Bolivar to Council. He noted that it is great to see previous summer recreation staff members, who learned from the ground up, grow to take on new challenges. Ms. Payne added that Ms. Bolivar has a Recreation Degree from Acadia University and was the Recreation Director and Active Living Coordinator for the Town of Parrsboro for the last five years.

Ms. Bolivar reviewed the presentation regarding the Provincial Active Transportation Policy Framework (attached to original set of minutes). She explained that a letter to the Minister of the Department of Health and Wellness is being signed by many municipal units, to show support for the Provincial Active Transportation Policy framework. It is requested that this Municipality also send a letter regarding same.

A discussion was held regarding water-based active transportation, including canoeing, kayaking, paddle boarding, etc. It was noted that these are forms of active transportation and it was recommended that staff include this in the letter. Ms. Payne noted that she has brought this point up at various consultations and agrees it should be included.

Ms. Payne advised that by signing the letter, which shows Council's support of Active Transportation initiatives, it is hoped that the partnership between the Municipality and the Province will continue to grow and that they will extend their financial support to such initiatives.

Councillor Dorey noted that the Active Living Committee has had some turnover with the Active Living Coordinator, which has caused some changes, but he feels all of the people who have been in the role have been competent and great assets for the Active Living Strategy. He noted that he has expressed to Ms. Bolivar that he wishes to see the Committee reach out beyond the core of the Municipality and that there needs to be focus on the older age groups, as they have forms of active living that may be lesser than that of their younger counterparts.

Moved by Councillor Dorey, seconded by Councillor Bell that the Municipality of the District of Lunenburg send a letter to the Minister of the Department of Health and Wellness and the Department of Seniors supporting the development and inter-departmental implementation of a Provincial Active Transportation Policy Framework for Nova Scotia. Motion carried unanimously.

Ms. Bolivar and Ms. Payne left the meeting at this time.

8. PRESENTATIONS:

8.1 Susan Rosborough re Business Retention and Expansion

Susan Rosborough, Community Volunteer, and Ida Scott, BRE Professional, with Business Retention and Expansion, Bridgewater Area were in attendance. Dave Waters, Economic Development Officer, was also in attendance.

Ms. Rosborough gave a presentation regarding Business Retention and Expansion (BRE) (attached to original set of minutes). She explained that BRE has conducted surveys with local businesses and will also be doing interviews with some of those businesses. The results of the surveys will be shared publically, however, they will not identify specific businesses. These statistics will help acquire funding for businesses from government and other organizations as it shows what those businesses really want.

A question arose regarding the services offered by BRE. Ms. Scott advised that BRE does not provide direct assistance to businesses but, upon completion of the surveys, they will be able to create an implementation plan to deal with the items noted as concerns for the majority of businesses, providing a collaborative voice for the businesses, so they do not feel as though they are the only ones facing an issue.

11.2 PLANNING DEPARTMENT:

11.2.1 Plebiscite re Land Use Planning in Wileville

Jeff Merrill, Director of Planning and Development Services, reviewed a report regarding holding a plebiscite to determine interest for land use planning in Wileville. Staff are recommending that the Plebiscite be held during the regular Election to minimize the costs associated with same. There will need to be two public information meetings held prior to the plebiscite.

A question arose regarding public interest in land use planning for Wileville. Councillor Veinot noted that he spoke to residents about their concerns and there doesn't seem to be any issues that will arise from the plebiscite. Holding the plebiscite during the regular Election will hopefully encourage more response as people will already be interested in voting for the Mayor and their Councillor.

Moved by Councillor Veinot, seconded by Councillor Zwicker that Municipal Council conduct a Plebiscite to determine public opinion concerning whether land use planning should be established for the community of Wileville; and further, that Municipal Council conduct the Wileville plebiscite during the ordinary polling day and the advanced polling days, to be set for the 2016 Municipal Election. Motion carried unanimously.

11.2.2 Request to Levy Private Road Maintenance Charge – Forest Lake

Norma Schiefer, Development Officer, reviewed a report regarding a request to levy a private road maintenance charge for the Forest Lake Lot Owners Association. A petition was received and 73% of those were in favour of the levy.

Moved by Councillor Veinot, seconded by Councillor Moore that Municipal Council levy a maintenance charge within the Charge Area identified by the Forest Lake Lot Owner's Association as follows:

- **An amount per lot – cottage and land only**
- **An amount per lot – land only**

Further, that the charge amount is to be identified annually, based on the residency of the lot for each property owner.

With the 2016-17 charge being set at:

- **\$210.00 per lot – cottage and land**
- **\$105.00 per lot – land only**

Subject to an Agreement being entered into between the Municipality and the Forest Lake Lot Owner's Association that satisfies the requirements of Clause 3.1(e) of the *By-law Respecting the Maintenance and Improvements of Private Streets*.

A question arose regarding charging a different amount for properties with cottages than those that are land only. Ms. Schiefer noted that the By-law identifies this as one of the ways the charge can be set up and it is quite common.

Another question arose regarding the 5% administrative fee and whether this covers the costs associated with these levies. Mr. Merrill stated that the 5% administrative fee does cover the ongoing costs to administer a levy, however, it does not cover the full cost for the implementation of same.

Motion carried unanimously.

12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS:

12.1 Update – Deputy Mayor

As Mayor Downe is away, Deputy Mayor Garland gave an update. She noted that a reception was held for the World Sledge Hockey volunteers, which was an extremely successful event, and it was very positive to recognize all of those volunteers who made the event a success. She attended a meeting that was held on Tancook Island regarding the possible closure of the

school. Councillor Knickle added that there is currently only one five year old who will be at the school this coming Fall, however, in upcoming years more students will be entering the school. By closing the school, this would mean that a Teacher's Assistant would have to travel on the ferry with very young children and stay on the mainland all day until the ferry takes them back to the Island. There can be complications if a student got ill during the day, or if the ferry does not run due to weather and the student cannot get home for the night.

12.2 Update – REN (M. Ernst)

Councillor Ernst advised that the REN met on February 16, 2016. The budget will be coming to Council in April and they are aiming for a zero-based budget. The role of the REN is evolving and they are learning more about what they are and what they are not, but they are hoping to become a place where a business owner can go for advice on any topic, and they will be able to re-direct that person to the appropriate person or organization for further assistance. He is also hoping to have Mayor Downe provide updates at upcoming meetings, as he sits on the Steering Committee and can give a different perspective. Also, his term as an appointee of Council will expire in April and others are welcome to apply.

A comment was made regarding the Nova Scotia Boat Builders Association, which has an on-the-job apprenticeship program that leads to a certificate. Councillor Ernst was speaking to an individual regarding this and he is interested in giving a presentation to Council regarding same.

13. IN CAMERA

- 13.1 Land Negotiations re Unused Road in Blockhouse under Section 22(2)(a) of the MGA**
- 13.2 Contract Negotiations re Wind Energy Project under Section 22(2)(e) of the MGA**
- 13.3 Lease Negotiations re Centre School under Section 22(2)(a) of the MGA**

At 11:45 a.m., it was moved by Councillor Moore, seconded by Councillor Zwicker that Municipal Council go In Camera to discuss the above noted items. Carried.

Municipal Council In Camera in session.

At 12:50 p.m., it was moved by Councillor Moore, seconded by Councillor Hustvedt that the Committee of the Whole come out in In Camera and return to open session. Carried.

Committee of the Whole in session.

- 13.1 Land Negotiations re Unused Road in Blockhouse under Section 22(2)(a) of the MGA**

Moved by Councillor Ernst, seconded by Councillor Bell that the Municipality of the District of Lunenburg acquire the unused provincial roadway identified as PID 60550142, that has been deemed surplus by Transportation and Infrastructure Renewal; and further, to direct staff to communicate with local landowners and the community to develop options and opportunities for the use of the property. Motion carried unanimously.

- 13.2 Contract Negotiations re Wind Energy Project under Section 22(2)(e) of the MGA**

Moved by Councillor Hustvedt, seconded by Councillor Moore that Municipal Council explore a joint wind energy project with the District of Chester and approve the use of up to \$12,000 to fund the feasibility stage of the Project.

Some Councillors expressed concern that the information that will be provided from this stage of the project will not provide the appropriate comparisons and the project is high risk. Others supported the motion, and noted that they wish to receive information from all proponents.

All those opposed: Councillors Knickle, Fawson, Ernst and Dorey.

Motion Carried.

13.3 Lease Negotiations re Centre School under Section 22(2)(a) of the MGA

Moved by Councillor Knickle, seconded by Councillor Hustvedt that Municipal Council accept the terms of a one year extension with the Lunenburg Marine Museum Society as per the attached lease extension addendum. Motion carried unanimously.

There being no further business at 12:55 p.m., it was moved by Councillor Moore, seconded by Councillor Zwicker that the meeting adjourn. Carried.