

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 8, 2009 - 9:00 a.m.**

**ATTENDANCE**

Mayor Don Downe (present 9:00 a.m. - 10:30 a.m.)  
Deputy Mayor Donald Zwicker - District 2  
Councillor Basil Oickle - District 1  
Councillor Frank Fawson - District 3  
Councillor Milton Countway - District 4  
Councillor Sandra Statton - District 5  
Councillor Wade Carver - District 6  
Councillor Cathy Moore - District 7  
Councillor John Veinot - District 8  
Councillor Arthur Young - District 9  
Councillor Lee Nauss - District 10  
Councillor Martin Bell - District 11  
Councillor Eric Hustvedt - District 12

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

**1. CALL TO ORDER**

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

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

**3. AGENDA**

Requests for additions to the Agenda:

Ms. Wilson requested the addition of the item "Infrastructure Funding for the New Germany Sewer System Phase II Project".

**Moved by Councillor Moore, seconded by Councillor Nauss that the Agenda be approved with the addition requested by staff. Carried.**

**4. MINUTES**

**Moved by Councillor Nauss, seconded by Councillor Fawson that the Minutes of July 14, 2009 be approved as circulated. Carried.**

**5. BUSINESS ARISING FROM MINUTES**

5.1 COMMUNITY PROGRAM GRANT - CANADIAN MENTAL HEALTH ASSOC. (L.Q.)

In attendance was Carroll Randall, Recreation Coordinator.

At the July 14<sup>th</sup> meeting, Council deferred a motion approving a Community Program Grant for the Canadian Mental Health Association (L.Q.) until further information is provided to Council regarding this organization and the programs they provide.

Circulated with the agenda was an explanation provided by Mr. Randall as to why this Association applied for a grant to expand their programs. Ms. Wilson reviewed the information.

MOTION ON THE FLOOR (from Page 13 of July 14, 2009 Council Minutes)

**Moved by Councillor Nauss, seconded by Councillor Moore that Council approves a Community Program Grant in the amount of \$500.00 for the Canadian Mental Health Association (L.Q.) to expand their program to families and clients from once a year to twice a year. Carried.**

**10. RECOMMENDATIONS/REFERRALS FROM COMMITTEES, BOARDS, FOCUS Grs.**

**10.5 COMMUNITY SERVICES FOCUS GROUP**

**10.5.1 - Application under Policy MDL-48 - Designated Community Project Fund**

Circulated with the agenda was a copy of Policy MDL-48, Designated Community Project Policy, which Council approved earlier this year.

Mr. Randall reviewed the program and process that has been set up to issue charitable donation receipts for donations to organizations that are unable to issue a tax deductible receipt under the Income Tax Act.

Circulated with the agenda from the Community Services Focus Group was a report providing details of the application from the Lunenburg Yacht Club and their proposal to run a three-year campaign to raise \$450,000 to acquire an adjacent property to the Yacht Club.

**Moved by Councillor Bell, seconded by Councillor Young that Council accepts the application from the Lunenburg Yacht Club under the Designated Community Project Fund and directs staff to implement the procedure under Policy MDL-48. Carried.**

**11. STAFF MATTERS**

**11.3 RECREATION MATTERS**

**11.3.1 - Community Capital Grant Application - Tancook Island Recreational Centre Assoc**

An application for a Community Capital Grant of \$1,000.00 was received from the

Tancook Island Recreational Centre Association for their Community Hall project. Mr. Randall explained the work to be done, which involves replacing roof shingles, replacing exit door, installing outside light, replacing wheelchair ramp, and repairing overhead lights. He reported that the project fits our program criteria.

**Moved by Councillor Oickle, seconded by Councillor Fawson that Council approves a Community Capital Grant in the amount of \$1,000.00 to the Tancook Island Recreational Centre Association towards their project to do repairs to the Community Hall. Carried.**

#### 11.3.2 - Community Capital Grant Application - SS Chapter of the Council of Canadians

An application for a Community Capital Grant of \$959.37 was received from the South Shore Chapter of the Council of Canadians to continue and enlarge the Movie Night at the documentary series' presentations by purchasing an LCM Projector. These presentations are provided at the Mahone Bay Centre and are open to the public.

Mr. Randall reported that this application fits our criteria; however, they are asking for a grant of \$959.37 and we only provide 75% of the total, which would be \$719.50.

**Moved by Councillor Nauss, seconded by Councillor Fawson that Council approves a Community Capital Grant in the amount of \$719.50 to the South Shore Chapter of the Council of Canadians towards the purchase of an LCM Projector. Carried.**

Mr. Randall was thanked and he left the meeting.

## 9. CORRESPONDENCE

### 9.1 FCM - UPDATE ON FCM FAIR TRADE RESOLUTION

Ms. Wilson reported that at this year's FCM Annual Conference a Fair Trade Resolution was passed. The Resolution encourages fair and open trade between Canada and the US and encourages municipalities to support it as well. She explained the 120-day grace period (which expires October 4) that the Resolution asks for to allow Canada and the United States to reach a negotiated solution of the problem and eliminate Buy American restrictions that are impacting Canadian companies. She also explained what the letter from the Town of Halton Hills is asking of all FCM members ... "be prepared to take a stand and to strongly voice our objection to one-way trade and the resulting damage done to our local economies."

Councillor Countway feels we have to get rid of restrictions to make it fair on both sides of the border.

**Moved by Councillor Countway, seconded by Councillor Nauss that Council write a letter supporting the efforts of the Canadian Government to negotiate an end to Buy American restrictions and open local procurement**

**markets in Canada and the United States to suppliers from both countries. The motion was carried** after Councillors commented on fair trade and pointing out that some of our industries, such as Christmas trees, depend on foreign exporting.

#### 9.2 TOWN OF WOLFVILLE - INVITATION TO " COMPOST TEA FIELD DAY" , SEPT. 23

Circulated with the agenda was a letter from the Mayor and Councillors of the Town of Wolfville inviting Mayor Downe and Councillors to a " Compost Tea Field Day" on Wed., September 23, 2009. They are holding this event to celebrate that for the past 12 years their Town has complied with a pesticide-free approach and has maintained their sports fields and public spaces using their own compost and compost teas. At the event, they would like to share their success and offer some useful tips and suggestions to other members of the UNSM.

Mayor Downe asked if there were any Council members interested in attending this event. Councillor Nauss and Deputy Mayor Zwicker indicated that they were interested. Councillor Fawson suggested that a staff person should also attend this event. Ms. Wilson said the invitation will be extended to applicable staff.

#### 9.3 SENIORS SAFETY COORDINATOR re SENIOR FRIENDLY PROGRAM & MUN. REP.

Circulated with the agenda was a letter from Ms. Beth George, Seniors Safety Coordinator, Bridgewater Police Service. She informs Council that the Bridgewater Police Service is working with local community members to bring a new program to our community called the Senior Friendly Program. The purpose of the program is to help communities, businesses and organizations learn about the special needs of the aging population, and provide services to meet those needs. The letter invites a representative from Municipal Council to join their steering committee.

Mayor Downe reported that Councillor Statton is interested in being Council' s representative to attend meetings regarding the Senior Friendly Program.

**Moved by Councillor Nauss, seconded by Deputy Mayor Zwicker that Council refers this matter to the Nominating Committee to make a recommendation back to Council on a representative to attend meetings regarding the Senior Friendly Program. Carried.**

Councillors were asked to submit their name to the Nominating Committee if they are interested in this appointment.

#### 9.4 JOHN & DEBBIE HILTZ re RURAL DELIVERY SAFETY ASSESSMENT - PUBLIC MEETING REQUEST

For information, circulated with the agenda was the letter received from John & Debbie Hiltz, Auburndale, regarding Canada Post' s Rural Delivery Safety Assessment. Their letter requests that a public meeting be held for all residents who are affected by this.

In response to the concerns expressed by many residents, a public meeting was arranged by staff for this evening (September 8) at 7:00 p.m. at the Oakhill Fire Hall.

Mayor Downe reported that Canada Post has declined our invitation to attend the public meeting. He is meeting with a Canada Post representative this afternoon at 3:30 p.m. and he will be expressing his disappointment to that representative about them not having anyone in attendance at the meeting. For those who attend the meeting tonight, a comment form will be available for them to fill out and express their concerns. He hopes a lot of people come to the meeting tonight to make their views known.

## **10. RECOMMENDATIONS/REFERRALS FROM COMMITTEES, BOARDS, FOCUS GRs.**

### **10.1 COMMITTEE OF THE WHOLE - RECOMMENDATIONS**

#### **10.1.1 - Engineering Firm re Phase II of the Asphalt Shingle Project**

**Moved by Deputy Mayor Zwicker, seconded by Councillor Veinot that Council accepts the recommendation of the Committee of the Whole and permits staff to retain Inspec-Sol Ltd. as the engineering firm to provide their services as needed and as budgeted for in Phase II of the Asphalt Shingle Project, and further waive the requirement for an Expression of Interest and/or Request for Proposals. Carried.**

#### **10.1.2 - Amendments to Policy MDL-35 Street Lights**

**Moved by Councillor Hustvedt, seconded by Councillor Moore that Council accepts the recommendation of the Committee of the Whole and approves the amendments to Policy MDL-35 Street Lights as presented. Carried.**

#### **10.1.3 - Municipality' s Lot on Harold Whynot Road to be Re-appraised**

**Moved by Councillor Statton, seconded by Councillor Young that Council accepts the recommendation of the Committee of the Whole and approves that the lot owned by the Municipality of the District of Lunenburg on Harold Whynot Road be re-appraised to reflect current market conditions. Carried.**

#### **10.1.4 - Attendance at Lun. Queens Business Excellence Awards on Sept. 24**

**Moved by Councillor Nauss, seconded by Councillor Carver that Council accepts the recommendation of the Committee of the Whole that the Municipality book a table and have members of Municipal Council, the Chief Administrative Officer, and the Community Economic Development Officer attend the upcoming Lunenburg Queens Business Excellence Awards on September 24, 2009 at the Days Inn. Carried.**

10.1.5 - Written Reports from Councillors re Items discussed at Conf., Workshops, etc.

**Moved by Councillor Fawson, seconded by Councillor Bell that Council accepts the recommendation of the Committee of the Whole that Municipal Councillors be required to submit to Council Members a written report outlining items discussed or reviewed at conferences, workshops, training sessions or seminars in which all Councillors are not provided the option to attend. Carried.**

10.1.6 - Explore Options for Budget Timeline and Financing re New Admin. Building

**Moved by Councillor Moore, seconded by Councillor Hustvedt that Council accepts the recommendation of the Committee of the Whole to explore options for a budget timeline and financing for the construction of a new Administration Building. Carried.**

10.1.7 - Grant to NS Nature Trust towards Purchase of Selig Island

**Moved by Councillor Countway, seconded by Councillor Hustvedt that Council accepts the recommendation of the Committee of the Whole and approves a grant in the amount of \$25,000 to the Nova Scotia Nature Trust towards the purchase of Selig Island. Carried.**

10.1.8 - Proposal denied re Centre Jail Property

**Moved by Councillor Veinot, seconded by Deputy Mayor Zwicker that Council accepts the recommendation of the Committee of the Whole that Council not support the proposal by Mr. Varrick Day concerning the Centre Jail property. Carried.**

10.1.9 - Advise NSDOTIR re Not Assuming Costs of the Phase III Power Line

**Moved by Councillor Oickle, seconded by Councillor Young that Council accepts the recommendation of the Committee of the Whole to advise the Nova Scotia Department of Transportation and Infrastructure Renewal that the Municipality is not prepared to assume any of the costs of the Phase III power line. Carried.**

**6. AWARDING OF TENDERS/RFPs**

6.1 RFP 2009-05-401 - COMPOST FACILITY ENGINEERING STUDY

10.2 WASTE MANAGEMENT COMMITTEE - RECOMMENDATION

In attendance was Pierre Breau, Director of Engineering and Public Works.

10.2.1 - Award of RFP 2009-05-401 - Compost Facility Engineering Study for LRCRC

**Moved by Councillor Young, seconded by Councillor Nauss that Council accepts the recommendation of the Waste Management Committee that**

**the Compost Facility Engineering Study for the Lunenburg Regional Community Recycling Centre RFP 2009-05-401 be awarded to ABL Environmental Consultants Limited, Dartmouth, NS, for the proposed price of \$49,500.00, plus HST, in accordance with the issued RFP Terms of Reference. The motion was carried after Mr. Breau answered questions as to why the RFP was awarded to the highest bidder.**

## 6.2 TENDER 2009-01-002 - WASTE GRINDING & REMOVAL SERVICES 2009-2012

Mr. Breau reviewed the analysis information for Tender 2009-01-002 for the supply of Waste Grinding and Removal Services for wood waste and asphalt waste at the LRCRC for the period 2009 - 2012.

There was some discussion regarding this service. Mr. Breau answered Councillors' questions about being able to retain shingles for the continuation of the Asphalt Shingle Project which Council approved earlier in today's meeting, which he indicated was at our discretion.

**Moved by Councillor Young, seconded by Councillor Nauss that Council accepts the recommendation of the Engineer and awards Tender 2009-01-002 for the Supply of Waste Grinding and Removal Services at the LRCRC for the period 2009 - 2012 to Halifax C & D Ltd., Goodwood, Halifax County, NS, for the estimated price of \$481,300.00, including HST. Carried.**

## 11. STAFF MATTERS

### 11.2 ENGINEER' S MATTERS

#### 11.2.1 - Tender for Issue - 2009-05-010 - Water Supply Building Improvements, MARC

Mr. Breau explained the work to be done for Tender 2009-05-010 which is a capital project involving improvements to the water supply building at the Municipal Activity and Recreation Complex (MARC) in Dayspring.

**Moved by Councillor Nauss, seconded by Councillor Countway that Council authorizes the issuance of Tender 2009-05-010 - Water Supply Building Improvements, MARC. Carried.**

#### 11.2.2 - Tender for Issue - 2009-01-003 - Transfer Station Solid Waste Disposal Cartage Service 2009 - 2014 - LRCRC

Mr. Breau informed Council that Tender 2009-01-003 is a renewal of the operations' service contract for the existing cartage service contract for transportation of solid wastes from the LRCRC transfer station to the Kaiser Meadows landfill in Chester District. In the past, this contract has been on a one-year basis. It has been almost four years since we instituted the project. Staff would like a five-year contract. We have an existing trailer,

but this tender calls for the supply of a trailer. The existing trailer could be kept as a spare or offered for sale.

There was some discussion regarding the existing trailer and why we would need to keep it. Mr. Breau is of the opinion that once the contract is awarded and if it is working, then he would recommend disposing of the existing trailer. He reported that there is \$20,000 in the budget to fix it this year, and noted that we are constantly supplying tires for it.

**Moved by Councillor Young, seconded by Councillor Nauss that Council authorizes the issuance of Tender 2009-01-003 for the supply of Transfer Station Solid Waste Disposal Cartage Service for the period 2009 - 2014 under the conditions outlined by Mr. Breau. The motion was carried** after Mr. Breau answered questions regarding the horizontal compaction system.

Mr. Breau was thanked and he left the meeting.

## **10. RECOMMENDATIONS/REFERRALS FROM COMMITTEES, BOARDS & FOCUS GRs.**

### **10.3 BUDGET/FINANCE COMMITTEE - RECOMMENDATION**

In attendance was Mr. Gordon Pettipas, Director of Financial Services and Municipal Treasurer.

#### **10.3.1 - Write-off of Interest on Tax Account 08183481**

**Moved by Deputy Mayor Zwicker, seconded by Councillor Nauss that Council accepts the recommendation of the Budget/Finance Committee and approves writing off the interest in the amount of \$11.79 on tax account 08183481 as per Section 38 of the *Municipal Government Act* for Uncollectible Receivables. Carried.**

Mr. Pettipas was thanked and he left the meeting.

### **10.4 PR COMMITTEE - RECOMMENDATIONS**

#### **10.4.1 - Municipal National/Provincial Event Grant - Recreation Nova Scotia Conference**

This Conference will be held at the Oak Island Inn, October 14 - 17, 2009.

**Moved by Councillor Countway, seconded by Councillor Hustvedt that Council accepts the recommendation of the PR Committee and supports the Recreation Nova Scotia Conference through the Municipal National/Provincial Event Grant Policy with a \$1,000.00 contribution. Carried.**

#### **10.4.2 - Municipal National/Provincial Event Grant - Assoc. of Mun. Admin., NS Conf.**

This Conference will be held at the Oak Island Inn, September 29 - October 2, 2009.

**Moved by Councillor Fawson, seconded by Councillor Hustvedt that**

**Council accepts the recommendation of the PR Committee and supports the Association of Municipal Administrators, Nova Scotia Conference through the Municipal National/Provincial Event Grant Policy with a \$1,000.00 contribution. Carried.**

## **11. STAFF MATTERS**

### **11.1 CHIEF ADMINISTRATIVE OFFICER' S MATTERS**

11.1.1 - Building Report for July ' 09 - This report was circulated for information.

There was some discussion regarding the number of building inspections carried out at this point in time last year as compared to this year. Ms. Wilson reported that she has not received complaints about inspections; but if Councillors received complaints, she requested that they see her about them.

11.1.2 - Reappointment of Sheep Valuer for 2009-2010 and Compensation for Service

Ms. Whynot-Lohnes reviewed the procedure whereby Council annually appoints a Sheep Valuer.

Questions were answered regarding the use of the Sheep Valuer' s services and bills paid by the Municipality in the past for the Sheep Valuer' s services.

**Moved by Councillor Statton, seconded by Councillor Bell that Council appoints Mr. Lloyd Fitch as the Municipality of the District of Lunenburg' s Sheep Valuer for the 2009 - 2010 fiscal year with a compensation for service to be \$50.00 per diem plus mileage and actual expenses. Carried.**

11.1.4 - Lunch with Staff - December Council Meeting

Ms. Wilson asked Council if they wish to continue their past practice and have a meal with staff during the lunch break of the Council meeting in December.

**Moved by Councillor Nauss, seconded by Councillor Moore that staff arrange a dinner at the Oakhill Fire Hall for the noon break of the December 8, 2009 Council meeting. Carried.**

## **12. MAYOR' S/COUNCILLORS' MATTERS**

### **12.1 MAYOR' S UPDATE**

Mayor Downe gave updates on the following events/meetings that he attended:

- Royal Golf Senior Ladies' Competition at Osprey Ridge Golf Course - Approximately 170 participated from across the country
- event held at the Fort Point Museum at which he presented a cheque on behalf of the Municipality to the Mi' kmaq Society
- meetings with staff and Council representatives in preparation for tonight' s

- meeting regarding rural mail delivery
- interviews for the Recreation Director' s position, which the Deputy Mayor has also been involved in
- meeting of Mayors, Warden, Deputies & CAOs - still working on procurement issue - Town of Lunenburg invited to join REMO
- Lunenburg Queens RDA get-together
- foundation has been poured for Staples - we' ll work with them re grand opening

At 10:30 a.m. Mayor Downe left the meeting to attend a funeral.  
Deputy Mayor Zwicker was in the chair.

## 11.1 CHIEF ADMINISTRATIVE OFFICER' S MATTERS

### 11.1.3 - Presentations of Remembrance Day Wreaths

It was agreed that Wreaths be presented at the various Remembrance Day Services in the Municipality as follows:

<u>SERVICE LOCATION</u>	<u>WREATH TO BE PRESENTED BY</u>
Bridgewater	Mayor or Deputy Mayor (to be determined)
Lunenburg	Councillor for District 1 (Basil Oickle)
Mahone Bay	Councillor for District 4 (Milton Countway)
New Germany	Councillor for District 7 (Cathy Moore)
Northfield	Councillor for District 5 (Sandra Statton)
Parkdale/Maplewood	Councillor for District 6 (Wade Carver)
Riverport	Councillor for District 2 (Dep. Mayor Don Zwicker)

## 13. **ADDED BUSINESS**

### 13.1 INFRASTRUCTURE FUNDING - NEW GERMANY SEWER SYSTEM PHASE II

In attendance was Pierre Breau, Director of Engineering and Public Works.

Ms. Wilson informed Council that she received an e-mail advising that the Municipality' s application for Infrastructure Funding for the New Germany Sewer System Phase II project is being considered for approval in the 2009 - 2010 fiscal year.

Council questioned why they chose this project, as it was our priority #6 out of six projects; and if this project goes forward, how will it impact on the other capital projects that had higher priority?

Mr. Breau explained why he feels the New Germany sewer system project came to the top for them. He feels if we don' t accept this funding and come up with our one-third of the money, it may be a long time before we get it again.

**Moved by Councillor Moore, seconded by Councillor Nauss that Council confirms the Municipality' s application for funding of Phase II of the New Germany Sewer System project, and that the Municipality' s \$30,000 for this project in 2009 -2010 be taken from the Reserve fund or some other appropriate fund. Carried.**

**NOMINATING COMMITTEE' S RECOMMENDATION - COUNCIL' S REPRESENTATIVE TO ATTEND MEETINGS re SENIOR FRIENDLY PROGRAM**

Councillor Veinot, Chair of the Nominating Committee, reported that the Committee met and recommends to Council that Councillor Sandra Statton be appointed as Council' s representative to attend meetings regarding the Senior Friendly Program.

**Moved by Councillor Veinot, seconded by Councillor Oickle that Council accepts the recommendation of the Nominating Committee and appoints Councillor Sandra Statton as Council' s representative on the Senior Friendly Program' s steering committee. Carried.**

**14. IN CAMERA IN COMMITTEE - 11:08 a.m.**

**Moved by Councillor Nauss, seconded by Councillor Veinot that Council go *In Camera In Committee*. Carried.**

The purpose of the *In Camera* meeting was to discuss Personnel Matters, in accordance with section 22 (2) (c) of the *Municipal Government Act*.

**Moved by Councillor Nauss, seconded by Councillor Hustvedt that the public Council meeting resume. Carried.**

**14.2 PERSONNEL MATTER re RETIREMENT**

This matter was discussed *In Camera*.

**Moved by Councillor Hustvedt, seconded by Councillor Oickle that a budget of \$1,000.00 be set for a retirement event to honour long-serving Recreation Director Carroll Randall and that staff look after the arrangements for the event. Carried.**

**14.3 PERSONNEL MATTER re RNS NOMINATION**

This matter was discussed *In Camera*.

**Moved by Councillor Nauss, seconded by Councillor Carver that Council authorizes staff to nominate Carroll Randall for Recreation Nova Scotia' s Honorary Life Membership Award. Carried.**

**ADJOURNMENT**

There being no further business, at 11:38 a.m. it was moved by Councillor Moore, seconded by Councillor Statton that the meeting adjourn.

.....  
MAYOR DON DOWNE, CHAIRMAN

.....  
TAMMY WILSON, CHIEF ADMIN. OFFICER