

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
MUNICIPAL COUNCIL
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS
Tuesday, May 23, 2017 – 9:00 a.m.

ATTENDANCE

Mayor Carolyn-Bolivar-Getson
Councillor Eric Hustvedt, District 1
Councillor Martin Bell, District 2
Councillor Lee Nauss, District 3
Councillor John Veinot, District 4
Councillor Cathy Moore, District 5
Deputy Mayor Claudette Garland, District 6
Councillor Wade Carver, District 7
Councillor Michael Ernst, District 8
Councillor Reid Whynot, District 9
Councillor Errol Knickle, District 10

Staff: Kevin Malloy, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
Sherry Conrad, Municipal Clerk
Rachel Eisenhauer, Administrative Assistant

1. CALL TO ORDER

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m.

2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION:

Councillor Hustvedt noted that he, along with Mayor Bolivar-Getson and Councillors Whynot, Nauss and Bell, attended the UNSM Spring Workshop and a report will be coming forward.

Councillor Ernst acknowledged the Indian Point Fire Department as they signed a 5-year lease with the Coast Guard to provide accommodation for an in-shore rescue unit. They have a water rescue unit that provides service year-round, providing there is not too much ice. He also acknowledged the Oakland/Indian Point Residents Association as they completed their first of two highway cleanups. The Lions Club will be cleaning up Route 3 on June 3.

Mayor Bolivar-Getson proclaimed the 1st Saturday in June as National Health and Fitness Day.

3. PUBLIC INPUT

There was no one present for public input.

4. APPROVAL OF AGENDA

Item 6.1 "Petite Riviere & Pentz Schools Update" will be discussed after item 10.4.1 "Pension Plan Amendment", to allow for the scheduled presentation at 9:15 a.m. Council will go In Camera at 11:30 a.m.

Councillor Ernst advised that he will declare a Conflict of Interest for item 8.2 “Economic Impact Study re Rum Runner Trail”.

Moved by Councillor Moore, seconded by Councillor Ernst that the Agenda be approved as noted. Carried unanimously.

5. APPROVAL OF MINUTES – April 25 Council, May 3 Public Hearing & Special Council, and May 9 Regular & Special Council

The following amendments were noted for the April 25 Council Minutes:

- Page 3, Item 8.2 “Citizens for Public Transit re Expansion of Rural Transit”, second paragraph, replace “and it may be time that Council request a meeting be called” with “but a Council can request a meeting at any time”. This will clarify that there is no intent to call a meeting at this time.
- Page 7, Item 12.4 “Update – Lunenburg County Lifestyle Centre”, replace “a presentation was received from the South Shore Tourism Team which noted increased economic activity in the area” with “a presentation was received from the Bridgewater Tennis Club which is growing and looking for a new site”.

Moved by Councillor Hustvedt, seconded by Councillor Carver that the Minutes of the April 25, 2017 Council meeting be approved with the above noted amendments. Carried.

Moved by Councillor Hustvedt, seconded by Councillor Nauss that the Minutes of the May 3, 2017 Public Hearing and Special Council meetings be approved as circulated. Carried.

Moved by Councillor Hustvedt, seconded by Councillor Veinot that the Minutes of the May 9, 2017 Regular and Special Council meetings be approved as circulated. Carried.

7. AWARDING OF TENDERS/RFPs (Nil)

8. PRESENTATIONS/SCHEDULED TIMES:

8.1 Youth Engagement

Laura Barkhouse, Trails and Open Space Coordinator, was in attendance and explained the Youth Engagement and Trails program.

Sophia Bruhm and Brianna Molyneaux, Grade 12 Students at New Germany Rural High School (NGRHS) were also in attendance to discuss one of the projects undertaken through this program.

Ms. Bruhm and Ms. Molyneaux gave a presentation (circulated with Agenda) on the work completed to date at River Ridge Commons and noted that the groups working on the River Ridge Commons project included the students and staff of NGRHS, staff from MODL, the Nova Scotia Community College, Nova Scotia Trails, River Ridge Commons Committee and the Department of Communities, Culture and Heritage. This project was a great example of engaging youth in a local community.

Mayor Bolivar-Getson and Councillor Moore thanked the students, and everyone else involved in the project, for their hard work and dedication to making River Ridge Commons possible. It is important to see youth take ownership in their community.

9. CONSIDERATION OF CORRESPONDENCE (Nil)**10. RECOMMENDATIONS FROM COMMITTEES & BOARDS****10.1 Dangerous & Unsightly Property Committee****10.1.1 Clean up of Property at 3749 Highway 332, Riverport**

Jeff Merrill, Director of Planning and Development Services, was in attendance at this time.

Moved by Councillor Whynot, seconded by Councillor Moore that Municipal Council accepts the recommendation of the Dangerous & Unsightly Property Committee and approves that the lowest bid from William A. Gerhardt Property Improvement be accepted for the clean up of the Risser property at 3749 Highway 332, Riverport, PID#60187002 at a cost of \$2500.00 plus \$375.00 HST for a total cost of \$2875.00. Carried Unanimously.

10.1.2 Clean up of Property at 23 MacKay Road, Union Square

Moved by Councillor Carver, seconded by Councillor Moore that Municipal Council accepts the recommendation of the Dangerous & Unsightly Property Committee and approves that the lowest bid from Gerald DeLong Construction be accepted for the clean up of the Gave property at 23 MacKay Road, Union Square, PID#60285723 at a cost of \$1722.00 plus \$258.30 HST for a total of \$1980.30.

A question arose regarding if the demolition materials were trucked to an appropriate landfill site. Mr. Merrill advised that after the job is complete, copies of the tipping receipts are required proving that the material went to an approved site, such as landfill or Construction & Demolition.

The motion on the floor was voted on and carried unanimously.

Mr. Merrill left the meeting.

10.2 Policy & Strategy Committee**10.2.1 Proposed Amendments to Policy MDL-68 "PACE Program Lending Rate"**

Moved by Councillor Knickle, seconded by Councillor Whynot that Municipal Council accepts the recommendation of the Policy & Strategy Committee and approves the proposed amendments to Policy MDL-68 PACE Program Lending Rate as presented. Carried Unanimously.

10.2.2 Council Summer Break

Moved by Deputy Mayor Garland, seconded by Councillor Nauss that Municipal Council accepts the recommendation of the Policy & Strategy Committee and approves the summer break from Council and Council committee meetings from July 31 – August 25, 2017. Carried Unanimously.

10.2.3 Council Meeting Schedule

Moved by Councillor Veinot, seconded by Councillor Carver that Municipal Council accepts the recommendation of the Policy & Strategy Committee and continues with the daytime Council meeting schedule with Council meetings commencing at 9:00 a.m., as Council can call a Council meeting in the evening if required; and further, that this decision be reviewed in four years' time.

Concern was raised that during Election times, there is often need to hold evening meetings to allow for prospective residents to attend. It was clarified that evening meetings and Special Council meetings can be called at the request of Council at any time, with two days notice.

Councillors felt that it would be more appropriate to review this decision after the next Election in 2020, so the new Council can decide how they wish to proceed with evening meetings.

Moved by Councillor Hustvedt, seconded by Councillor Veinot that the motion on the floor be amended by deleting the words "in four years' time" and replacing them with "after the 2020 Municipal Election". Carried Unanimously.

MOTION ON THE FLOOR AS AMENDED: Moved by Councillor Veinot, seconded by Councillor Carver that Municipal Council accepts the recommendation of the Policy & Strategy Committee and continues with the daytime Council meeting schedule with Council meetings commencing at 9:00 a.m., as Council can call a Council meeting in the evening if required; and further, that this decision be reviewed after the 2020 Municipal Election. Carried Unanimously.

10.2.4 Municipal Office Summer Hours

Moved by Councillor Nauss, seconded by Councillor Hustvedt that Municipal Council accepts the recommendation of the Policy & Strategy Committee and changes the Municipal Office hours to 8:00 a.m. to 4:00 p.m. during the months of July and August. Carried Unanimously.

10.2.5 2017/2018 Canada 150 Grant Funding

Mayor Bolivar-Getson declared a Conflict of Interest for this item, as she is Chair of one of the committee's requesting funding, and left the Chair. Deputy Mayor Garland took the Chair.

Moved by Councillor Hustvedt, seconded by Councillor Bell that Municipal Council accepts the recommendation of the Policy & Strategy Committee and approves the 2017-2018 Canada 150 grant funding as presented and that the funds not allocated remain in the Canada 150 budget with grant applications being reviewed on a first come, first serve basis until the funds are depleted or until December 31, 2017, whichever comes first. Carried Unanimously.

Mayor Bolivar-Getson returned to the table and resumed the Chair.

10.2.6 Administration Building Project Manager

Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council accepts the recommendation of the Policy & Strategy Committee and authorizes staff to procure a project manager to solidify cost estimates and work with the Communications

Officer to develop a public consultation process that is acceptable to Council to determine the best way forward to address the issues with the existing Administration Building at 210 Aberdeen Road and the proposed accessibility legislation.

Question arose regarding the proposed position and how the standing offer for Project Managers would work. Mr. Malloy advised the following:

- all the major projects currently ongoing or proposed to begin will go through the standing offer process;
- the project requirements will be determined, and standing offers for those projects selected will be put out for Project Managers to come back with their proposals;
- the process will not cost the Municipality anything, and money will only be spent when we choose the Project Managers for the appropriate projects;
- Council will have an opportunity to review the list of projects before they go out for offers and the final budget for the projects will be approved individually;
- the intent is to hire Project Managers to deal with the projects separately, but this will be determined based on the skill sets available; and,
- the motion on the floor is specific to the administration building, but the other projects will follow the same process and further approvals will be sought.

The motion on the floor was carried unanimously.

10.3 Nominating Committee

10.3.1 South Shore Regional Library Appointment

Moved by Councillor Moore, seconded by Councillor Whynot that Municipal Council accepts the recommendation of the Nominating Committee and appoints Councillor Michael Ernst as Council's representative on the Board of the South Shore Regional Library for the remainder of the 2016/17 term. Carried Unanimously.

10.4 Pension Committee

10.4.1 Pension Plan Amendment

Mayor Bolivar-Getson declared a Conflict of Interest, as she has a sister that works for the Municipality, and left the Chair, removing herself from the discussion. Deputy Mayor Garland took the Chair.

Moved by Councillor Ernst, seconded by Councillor Moore that Municipal Council accepts the recommendation of the Pension Committee and approves the Municipal Pension Plan Amendment No. 2 to the Pension Plan text as Amended and Restated effective April 1, 2013.

Mr. Malloy clarified that in the current Agreement, it states that a member of the Defined Benefit Pension Plan can draw on the plan and continue working. This clause is erroneous and the Superintendent of Pensions determined this practice was not permissible. The Agreement operates under Legislation, and the Legislation supersedes our Agreement. It is, therefore, recommended that this clause be removed from the Municipality's Agreement.

The motion on the floor was voted on and carried unanimously.

Mayor Bolivar-Getson returned to the table and resumed the Chair.

11. MAYOR'S/DEPUTY MAYOR'S/COUNCILLOR'S MATTERS:**11.3 Update – Regional Enterprise Network (REN) Liaison & Oversight Committee (M. Ernst)**

Councillor Ernst advised that Council received an email advising that Annette St. Onge has been appointed as the Acting CEO of the REN for the interim. The next REN meeting will be June 14, 2017.

11.4 Update – Lunenburg County Lifestyle Centre (LCLC) (E. Hustvedt)

Councillor Hustvedt gave the following update on the Lunenburg County Lifestyle Centre (LCLC):

- the Board continued to consider a marketing position and a resolution was passed to come before Council, with a presentation, to seek budget authority to hire same;
- registrations for summer activities and Summer Day Camp are increasing;
- the Bridgewater Tennis Club is looking at opportunities to move and are working with the Board to explore the possibilities of having courts and a small club house at the LCLC.

A question arose regarding the length of the pool and if it can be used for official purposes. This information will be brought forward to another meeting.

11.2 Update – Deputy Mayor

Deputy Mayor Garland had no report to provide.

11.1 Update – Mayor

Mayor Bolivar-Getson advised that she attended the UNSM Conference, a REMO Meeting, the Atlantic Mayors Congress and the Nova Scotia/Nunavut Command 53th Biennial Convention, Royal Canadian Legion, and various breakfasts and community fundraisers.

8. PRESENTATIONS/SCHEDULED TIMES**8.2 Economic Impact Study re Rum Runners Trail – Gordon Tate (Active Living/Transportation Coordinator – Mun. of Chester)**

Councillor Ernst declared a Conflict of Interest and left the table.

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

Gordon Tate, Active Living/Transportation Coordinator, District of Chester; and Sandy Hamilton, Chair of the Dynamite Trail Association and Rum Runners Committee, were in attendance and gave a presentation on the Economic Impacts of the Rum Runners Trail (circulated with Agenda) and answered questions posed by Councillors.

Concern was expressed regarding the need to advertise the trails, including where they start and end. It was noted that the promotion of the trails needs to be clear as there are various trails, all organized by different trail groups, and there are "Blue Route" trails, which are a network of cycling trails. They want to avoid confusion between the different trail groups and systems.

A question arose regarding the possibility of having accessible trails for wheelchairs and other special needs. Mr. Tate advised this would have to be a policy decision by Council, but the new accessibility legislation may push these decisions forward.

Mayor Bolivar-Getson thanked Mr. Tate and Mr. Hamilton for their presentation.

6. BUSINESS ARISING FROM MINUTES

6.1 Petite Riviere and Pentz Schools Update

Sarah Kucharski, Communications Officer, was in attendance at this time. Ms. Kucharski and Mr. Dumaresq gave a presentation regarding the Petite Riviere and Pentz Schools process (circulated at meeting and attached to Agenda).

A discussion was held and the following points were noted:

- On May 15, 2017, the Nova Scotia Court of Appeal dismissed an appeal from the South Shore Regional School Board that argued that the Town of Bridgewater, or a municipal unit, ~~has~~ **does not have** legal standing to challenge South Shore Regional Board rulings. **This means that municipalities do have a standing to challenge School Board decisions.** (amended June 13, 2017).
- the *Municipal Government Act* states that municipalities should act in the best interest of the citizens they represent and Council should work towards assisting these communities.
- There is a need for children and families in rural communities to regenerate these communities.
- There is an economic benefit to having rural schools, especially to the rural communities.
- Closing schools will provide no cost savings for the Municipality, as education is funded based on uniform assessment. MODL would be paying the same amount for less service.
- A meeting is required with the Education Minister to discuss school closures as a whole and the importance of keeping rural schools open.
- Council needs to provide solid support to these communities, and others that may be affected in the future.
- There is a possibility of a chain reaction. If these rural schools close, other rural schools may close, sending more children to the Town school systems.

It was suggested that a Special Council meeting be held to provide adequate time to discuss this topic. The meeting should include representatives from the Department of Education, MLA's, South Shore Regional School Board, home and school associations, community activists and legal counsel. The meeting should be held after the Election to get Department of Education representation.

Moved by Councillor Hustvedt, seconded by Councillor Bell that Municipal Council direct staff to work toward a meeting that involves all relevant participants in the issue of potential school closures within our Municipality, with special attention to the schools slated for closure; and further, that the meeting be held at a local school if available. Carried Unanimously.

At 11:30 a.m., it was moved by Councillor Moore, seconded by Councillor Carver that Council go In Camera to discuss:

- 12.1 Land Negotiations re Conquerall Bank under Section 22(2)(a) of the MGA**
- 12.2 Land Negotiations re Jacob Ernst Road under Section 22(2)(a) of the MGA**

Motion Carried.

Council In Camera in session.

At 12:25 p.m., it was moved by Councillor Whynot, seconded by Councillor Knickle that Council rise and report. Carried.

Council in session.

12.1 Land Negotiations re Conquerall Bank

Moved by Councillor Bell, seconded by Councillor Veinot that Municipal Council approves the expenditure for the purchase of the property PID 60336256 and PID 60628849, No. 331 Highway, Conquerall Bank, as per Council's direction In Camera to obtain an agreement for purchase at a price of \$295,000 to be expensed over two years; and further, that the expenditure for same be approved as follows: \$150,000 to come out of the 2016/17 Open Space Reserve and the remaining balance of \$145,000 to come out of the 2017/18 Open Space Reserve. Carried Unanimously.

There being no further business at 12:30 p.m., it was moved by Councillor Knickle, seconded by Councillor Whynot that the meeting adjourn. Carried.