

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 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 9:55 a.m.)
Councillor Martin Bell - District 13

Absent were:

Councillor Diane Tanner - District 1
Councillor Donald Zwicker - District 3

Also in attendance were:

Tammy Wilson, Chief Administrative Officer
J. C. Reddy, Municipal Solicitor
Heather Whycott, Administrative Assistant

AGENDA

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

Counc. Moore asked to have an opportunity to do a plaque presentation to Council.

Moved by Counc. Palmer, seconded by Counc. Countway that the agenda be approved with the requested addition. Carried.

MINUTES

Moved by Deputy Warden Garber, seconded by Counc. Moore that we approve the Council Minutes of the August 14, 2007 meeting as circulated. Carried.

MUNICIPAL CLERK PROPOSED JOB DESCRIPTION

Ms. Wilson noted that at the July 10th meeting, Council approved the creation of the positions for a Municipal Clerk and REMO Coordinator. Both positions were combined in the previous Manager of Protective Services' position. Council had requested that qualifications and a proposed job description be prepared for the new Municipal Clerk's position. This was done and is circulated with the agenda for Council's consideration (copy attached to original Minutes). Ms. Wilson reviewed the information and answered Councillors' question for clarification.

Moved by Counc. Moore, seconded by Deputy Warden Garber that Council approves the job description and salary range for the Municipal Clerk's position as presented. Carried.

RESOLUTION re BUY LOCAL CAMPAIGN

Ms. Wilson reported that at the August 14th meeting Council approved a resolution with respect to agricultural products and "buy local" and requested that the resolution be forwarded to UNSM for consideration at the Fall Conference (copy of Resolution attached to original Minutes). In discussion with Lyle Goldberg, UNSM Policy Analyst, she was informed that the Province has started a buy local campaign and, therefore, Council may wish to consider withdrawing the resolution or amending it to encourage municipal buy-local policies.

Counc. Young said, when he brought up this matter at the last meeting, what he was attempting to do is to try to get the local area alerted and the public informed so that they will ask questions about where their food supply is coming from. If what the Province is doing will achieve that, then maybe we can withdraw our resolution.

Ms. Wilson said there have been some recent articles in the Chronicle and Daily News about buy local, so the process has started.

Warden Wentzell said there has been talk about getting institutions, like hospitals, to buy local beef. He feels we have to retain the federally inspected abattoir in PEI ...it's an important part if the local beef industry is to continue.

Councillors reiterated the concerns they express at the last meeting with respect to buying local agricultural products.

Moved by Counc. Countway, seconded by Counc. Young that the Resolution be amended to encourage municipalities to support local businesses by buying locally as it relates to agricultural products. Carried.

PANS re CRIME
PREVENTION
GUIDE

Information was received from PANS (Police Association of Nova Scotia) regarding their annual Crime Prevention Guide and asking if the Municipality wishes to again sponsor an ad in this publication. In the past, the Municipality has sponsored a 1/4 page ad at the total cost of \$375.00.

Moved by Counc. Nauss, seconded by Counc. Moore that we sponsor a 1/4 page ad in the PANS 37th Annual Crime Prevention Guide at the cost of \$375.00 (includes HST).

Counc. Dempsey said she doesn't object to doing this, but at budget time we allotted a certain amount for advertising and gave it to a committee to determine how it's spent rather than deal with them individually.

Warden Wentzell pointed out that some requests to sponsor ads come in part way through the year.

Ms. Wilson said the cost of the ad would come out of the advertising budget.

The motion was carried.

LUN. QUEENS
MUN. UNITS MTG.

Council was informed that the next LQRDA meeting of Municipal Units is scheduled for September 21, 2007 from 9 a.m. to 11 a.m. at the Lunenburg Town Hall. They are asking Councils if they have any agenda items for this meeting.

Counc. Statton reported that on the weekend they closed the emergency unit at the Fishermen's Memorial Hospital.

It was agreed that the item "Hospital Ward Closure" be forwarded to the LQRDA for inclusion on the agenda for the municipal units' meeting.

COMM. ECONOMIC
DEV. OFFICER -
INTERVIEWS

Ms. Wilson informed Council that interviews were conducted for the Community Economic Development Officer's position and Mr. Dave Waters was selected. Mr. Waters accepted the position and will start work on Monday, September 17, 2007.

AWARDING OF TENDERS

At 10:00 a.m. Matt Davidson, Assistant Municipal Engineer, was in attendance.

TENDER - BULK

PROPANE SUPPLY
#2007-01-004

Mr. Davidson reviewed the tender analysis information for Tender No. 2007-01-004 for the supply and delivery of bulk propane to the Lunenburg Regional Community Recycling Centre (LRCRC) for the period September 1, 2007 to August 31, 2012 (copy attached to original Minutes).

Counc. Bell asked if the tender call specified if the product comes from the local supply or imported from the Middle East. Mr. Davidson said we didn't specify that.

It was noted that the budget figure for this product was \$80,000 and it came in at \$52,366.89.

Moved by Counc. Moore, seconded by Counc. Nauss that we accept staff's recommendation and award Tender No. 2007-01-004 to Scotia Propane Ltd. for a total of \$52,366.89 (incl. HST) for the supply and delivery of bulk propane to the LRCRC for the period September 1, 2007 to August 31, 2012 subject to an annual review and acceptance of yearly locked unit prices.

Counc. Dempsey noted that this company is not the one that had the previous tender. She asked if the price includes the cost of replacing the tanks. Mr. Davidson said it does ...it includes removing the tanks and replacing them with theirs.

Counc. Young asked how much latitude the company has to increase the price each year. Mr. Davidson said 1 1/2% above the average local market price.

The motion was carried.

TENDER - SAWPIT
WHARF - TIMBER
REPAIRS
#2007-05-010

Mr. Davidson reviewed the tender analysis information for Tender No. 2007-05-010 for timber repairs to Sawpit Wharf at Back Harbour, Garden Lots (copy attached to original Minutes).

Moved by Counc. Nauss, seconded by Counc. Veinot that we accept staff's recommendation and award Tender No. 2007-05-010 to Willfield Construction for a total of \$127,213.74 (incl. HST) for the work involved to do the Sawpit Wharf Timber Repairs and we further approve a construction contingency in the amount of \$9,500.00 net HST.

In response to some questions from Counc. Nauss about the contingency figure, Mr. Davidson explained the reason for including the \$9,500 contingency.

Counc. Dempsey said it concerns her when there is a large difference between prices. She asked Mr. Davidson if he is familiar with this company's work. Mr. Davidson said he is and reported on some of the work that they've done.

Counc. Palmer asked when the work is to be done. Mr. Davidson said it will be done this fall. It will take about 8 weeks to do and is proposed to be completed by October 31, 2007.

The motion was carried.

Mr. Davidson was thanked and he left the meeting.

UNITED WAY
PRESENTATION

In attendance on behalf of the United Way of Lunenburg County were:

Mr. Don Downe
Mr. Mark Winfield, Board member
Mr. Michael Graves, Coordinator

Moved by Deputy Warden Garber, seconded by Counc. Palmer that we permit a presentation on behalf of the United Way of Lunenburg County.

Carried.

Mr. Winfield gave some background history on the United Way organization. He reported that all of the money that is raised by United Way of Lunenburg County stays here ...only 75¢ of \$100 goes to United Way Canada. Last year their fund-raising costs were under 10%. The way they raise money is to ask employers to allow donation deductions from employees who choose to donate. Approximately 70% comes from employee givings and about 25% comes from corporate givings whereby employers match the employee donations. He explained some of the projects and organizations that the United Way has funded and made possible (list attached to original Minutes), such as Buster the Bus (school bus safety program); Kids and Kops Summer Camp; and Baby Think it Over (an anti-teen pregnancy program).

Mr. Downe reported that the United Way of Lunenburg County is a volunteer organization that started in 2003. Last year about 25 companies worked with the United Way. They didn't have Councils involved last year but plan to go to all Councils this year. They have the support of the Provincial and Federal Departments that are in the local area. They are here today to offer an opportunity to partner with the United Way. They are asking Council and the Municipality to commit to the following:

- Provide a statement on the Municipality website homepage asking people to support their local United Way and link to their website
- Conduct and support a workplace payroll deduction campaign for municipal employees
- Provide a payroll deduction \$ (dollar) match for all employees who contribute to the United Way of Lunenburg County
- As individual Council members act as Ambassadors for the United Way of Lunenburg County and encourage people to support the organization, as a strong United Way is good for the residents of the Municipality of the District of Lunenburg and the County as a whole

The United Way representatives then answered Councillors' questions with regard to projects and how they are selected; how projects qualify for funds; how funds are dispersed throughout the County; and what is involved with payroll deductions.

Deputy Warden Garber asked what is expected to be an Ambassador for the United Way. Does it mean flying a flag?

Mr. Downe said that we don't have to fly a flag, but if the Municipality wanted to fly a United Way flag that would show that you believe in supporting the organization. Another way of being an Ambassador would be to put an ad in the paper saying that you're a supporter of the United Way of Lunenburg County and telling people that every dollar donated stays here in the County. Regarding the question about payroll deductions, he said that they are voluntary ...there's no imposition on anybody to have to give.

Mr. Winfield said that donors also have the choice to specify designations for the money they donate. If a donor wants \$2 of \$5 to go to the Cancer Society that is where it goes. The other \$3 goes to the community. In Lunenburg County only a small amount is designated to certain charities. \$135,000 was pledged last year.

Mr. Graves reported on some of the programs the United Way of Lunenburg County has funded, such as the Kids for Kops Summer Camp, and how they are going to expand that particular program.

Mr. Downe thanked Council for allowing their presentation. He encouraged Council to work with them and said they will be going to all the Councils in Lunenburg County.

Mr. Winfield said they hope Council supports the payroll deduction campaign, but suggested that it should be someone from the workplace that runs the campaign. They can provide a DVD for that purpose.

Warden Wentzell thanked them for their presentation and told them Council will be discussing their request later in the meeting.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS

COMM. CAPITAL
GRANT-ST. MARKS
LUTHERAN CHUR.

Moved by Council. Statton, seconded by Council. Dempsey that we accept the recommendation of the Committee of the Whole and award a Community Capital Grant in the amount of \$1,000.00 to St. Mark's Lutheran Church, Cornwall, towards their project to repair and paint the steeple and southeast exterior wall. Carried.

UNITED WAY re
PAYROLL
DEDUCTIONS

Council considered the request of the United Way of Lunenburg County regarding payroll deductions.

Moved by Council. Bell, seconded by Council. Statton that we authorize the Payroll Department to accommodate the provisions necessary to participate in the United Way's voluntary payroll deduction plan.

Council. Statton feels that the employees should be approached first to see if they want to participate in this program.

Mr. Reddy suggested that there should be some discussion with the Payroll Department employees to see if they are prepared to put the resources into the program.

Moved by Deputy Warden Garber, seconded by Council. Dempsey that the motion be amended by inserting after the word "that" the wording "we authorize a presentation to staff in relation to the United Way's fund-raising initiatives and the resources required from staff to provide a voluntary payroll deduction plan; and if there is interest from staff".

Council. Countway noted that the United Way is asking for some other items and not just the payroll deduction plan.

Council. Dempsey noted that the motion doesn't address deductions from Councillors.

The amendment to the motion was carried.

Moved by Deputy Warden Garber, seconded by Council. Dempsey that the motion be amended by adding to the end of the motion the wording "for staff and Councillors."

Council. Nauss asked if staff doesn't agree to this, then is all lost if Councillors want to participate. Ms. Wilson said it's voluntary.

The second amendment to the motion was carried.

MOTION AS AMENDED - that we authorize a presentation to staff in relation to the United Way's fund-raising initiatives and the resources required

from staff to provide a voluntary payroll deduction plan; and if there is interest from staff we authorize the Payroll Department to accommodate the provisions necessary to participate in the United Way's voluntary payroll deduction plan for staff and Councillors. Carried.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS (continued)

FIRST READING -

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

AMENDMENTS TO

STREET

Ms. Wilson reported that at the August 2, 2007 meeting of the Committee of the Whole, Councillors considered proposed amendments to the Street Improvement By-law, as outlined in Mr. Breau's memo dated July 23, 2007.

IMPROVEMENT BY-

LAW

Councillors concurred with the intent of the proposed amendments and asked that the amendments be revised to require that the valid building permit required under clause (2) (d) be a valid building permit issued for a residential occupancy (Group C) or a main building. The objective being that the permit has to be for more than an accessory building, such as a shed. The refinement revisions were completed by the Municipal Infrastructure Focus Group and reviewed by the Municipal Solicitor.

Moved by Counc. Nauss, seconded by Counc. Statton that we approve the proposed amendments to the Street Improvement By-law as presented and conduct First Reading of the amendments.

Counc. Countway noted in section 1.3 that the word "form" should be "from".

The motion was carried with the noted change in section 1.3.

Ms. Wilson reported that the Second Reading will take place at the October 9, 2007 Council meeting. A notice will be published in the local papers to notify the public of the Second Reading.

TENDER FOR ISSUE

FLOORING - MUN.

ADMIN. BUILDING

#2007-05-011

Mr. Breau reviewed the proposed tender specifications for Tender No. 2007-05-011 for Flooring for the Municipal Administration Building (copy attached to original Minutes). He noted that the CAO has suggested that the area in front of the Council Chamber doors and entrance area in the Tax Office should also be included, which would bring the total square footage to 700 - 750 square feet.

Moved by Counc. Dempsey, seconded by Counc. Statton that we approve the tender specifications and issue the tender call for Flooring for the Municipal Administration Building and that the tender call include flooring for the areas outside the Council Chamber doors and front entrance. Carried.

Mr. Breau was thanked and he left the meeting.

COMMITTEE OF THE WHOLE - RECOMMENDATIONS (continued)

ONE-TIME SEWER

CONNECTIONS -

INSTALLMENT

PAYMENTS

(Recorded Res. 14)

Moved by Counc. Countway, seconded by Counc. Moore that we accept the recommendation of the Committee of the Whole and approve that charges levied under Section 50 of the Municipal Sewer By-law permit a schedule of installments payment option over a 10 year period, with an annual interest rate of 10 percent per year and the first installment due 30 days from the invoice date, thereafter installments are due June 30th of each year; and further, that

we approve Recorded Resolution Number 14. Carried. (Copy of Recorded Resolution No. 14 attached to original Minutes)

COMM. CAPITAL GRANT - BULL RUN TRAIL ASSOC. **Moved by Deputy Warden Garber, seconded by Counc. Nauss that we accept the recommendation of the Committee of the Whole and award a Community Capital Grant in the amount of \$1,000.00 to the Bull Run Trail Association towards their project to put a rest station (benches, picnic table, garbage bin) along the trail at Fancy Lake. Carried.**

COMM. CAPITAL GRANT - LaHAVE RIVER TRAIL ASSOC. **Moved by Counc. Palmer, seconded by Counc. Young that we accept the recommendation of the Committee of the Whole and award a Community Capital Grant in the amount of \$1,000.00 to the LaHave River Trail Association towards their project to carry out trail improvements from Wentzell Road to Salmon Run Road. Carried.**

COMM. PROGRAM GRANT - TANCOOK ISL. REC. CENTRE **Moved by Counc. Bell, seconded by Counc. Palmer that we accept the recommendation of the Committee of the Whole and award a Community Program Grant in the amount of \$500.00 to the Tancook Island Recreation Centre Association towards their program to train a fitness leader and develop a fitness program for Tancook Island. Carried.**

INDIAN FALLS PARK - PROPOSED PHASE 1 **Moved by Counc. Dempsey, seconded by Counc. Bell that we accept the recommendation of the Committee of the Whole and approve the proposed Phase 1 of the development of the Indian Falls Park as presented but with a change to the contingency allowance from 20% to 10% for a total cost of \$66,000.00. (Sept. 5/07 memo from Community Services Focus Group listing costs attached to original Minutes)**

Warden Wentzell asked if the work will be done this fall.

Ms. Wilson reported that \$72,000 was included in the budget to start the work this fall and \$6,000 of that is for contingency.

Counc. Young said he had the understanding that when the contingency was reduced to 10% we were reducing the budget also from \$72,000 to \$66,000.

It was agreed that the total cost of \$66,000 be included in the motion.

The motion was carried.

BCAF re LaHAVE WATER RESCUE PROJECT **Moved by Counc. Nauss, seconded by Deputy Warden Garber that we accept the recommendation of the Committee of the Whole and advise the Bluenose Coastal Action Foundation that the Municipality of the District of Lunenburg will provide staff resources and support towards their LaHave Water Rescue Project as deemed appropriate and subject to the availability of staff to do same.**

Counc. Dempsey asked what staff resources we envision as being required.

Ms. Wilson said primarily Engineering to review test results. We will commit some staff resources as we are able, also the use of the lab, if they can use it for testing of the various components.

The motion was carried.

FIRST READING - AMENDMENTS - **Moved by Counc. Young, seconded by Counc. Countway that we accept the recommendation of the Committee of the Whole and approve the By-law to**

BY-LAW re MAIN. & IMPROVEMENT OF PRIVATE STREETS **Amend the By-law Respecting the Maintenance and Improvement of Private Streets and conduct First Reading of same. Carried.**

Ms. Wilson reported that a notice will be published in the local papers to notify the public that the Second Reading will take place at the October 9, 2007 meeting of Council.

NOTICE OF INTENTION - CODE OF CONDUCT POLICY and

Moved by Council. Veinot, seconded by Deputy Warden Garber that we accept the recommendation of the Committee of the Whole and give notice of Council's intention to consider the draft Code of Conduct Policy (Policy MDL - 37) at the October 9, 2007 Council Meeting. Carried.

POLICY re PUBLIC PRESENTATIONS TO COUNCIL/CoW

Moved by Council. Moore, seconded by Council. Dempsey that we accept the recommendation of the Committee of the Whole and give notice of Council's intention to consider the draft Public Presentations to Council/Committee of the Whole Policy (Policy MDL - 38) at the October 9, 2007 Council Meeting.

Council. Dempsey noted that clause 8 of the Policy allows for a 15 minute "comment period" at the beginning of every Committee of the Whole and/or Council Meeting which will allow Council to receive citizen input. She asked if prior notice needs to be given for the 15 minutes. Ms. Wilson said no, that is like an open mike.

Deputy Warden Garber clarified that the 15 minutes is for members of the public to present to Council and for Council to receive.

The motion was carried.

NOTICE OF INTEN. re POLICY MDL-04 - NON-COUNCIL APPOINTMENTS & HONOURARIUMS

Moved by Council. Statton, seconded by Council. Nauss that we accept the recommendation of the Committee of the Whole and give notice of Council's intention to consider the draft Policy MDL - 04 Non-Council Appointments and Honourariums, at the October 9, 2007 Council Meeting. Carried.

Moved by Council. Countway, seconded by Council. Moore that we accept the recommendation of the Committee of the Whole and approve the Dog By-law Signs, being #1 and #3, with a wording change to Sign #1 being the removal of the word "after" and adding the word "waste" after the word "DOG's". (Copy of Signs attached to original Minutes)

Council. Bell questioned if it's necessary to have an exclamation mark after the word ATTENTION at the top of the signs. It was agreed that the exclamation mark be removed from both signs.

Council. Countway asked if these are just going to be laminated signs. Ms. Wilson said yes.

Council. Nauss asked if these signs are to be posted by Councillors and not by staff. Warden Wentzell said yes.

The motion was carried.

MUN. WEBSITE CONTEST

Moved by Deputy Warden Garber, seconded by Council. Countway that we accept the recommendation of the Committee of the Whole and approve the Municipal Website Contest with the advertising of prizes as specified in the recommendation from the PR Committee. Carried. (Copy of PR Committee's recommendation attached to original Minutes)

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

At 1:15 p.m. the meeting resumed.

LRCRC -

IMPLEMENTATION
OF NEW FEES

In attendance were Jim Annand, Waste Site Operations Manager, and Sally Steele, Assistant Operations Manager. They were in attendance to update Council on changes that have been made at the Waste Site as a result of the implementation of the new fees that were effective September 4, 2007.

Mr. Annand reported that, to accommodate the changes in the materials and the charges, they had to change the traffic flow around the Site, which he explained. As well as the sign changes, in an effort to make things go smoothly, they held a number of orientation meetings for staff, which covered the following topics:

- Tipping Fee Changes
- Managing Site Traffic
- Traffic Routing Changes
- New Fencing and Gates
- Site Logistics
- Their Responsibilities
- Customer Communication

Ms. Steele explained the public outreach that has been done, which included:

- Radio - "Talkin' Trash" and formal announcements
- Newspaper
- Newsletter (to go out with *Municipal Matters* newsletter)
- Face-to-Face
- Telephone

Council was informed that, according to Statistics Canada 2007, Nova Scotia residents recycle 40% more than the average Canadian.

Councillors' questions about how to dispose of specific waste items were answered by Mr. Annand.

Counc. Palmer asked if a resident has to pay to dispose of pure iron.

Mr. Annand said his understanding is that it's very difficult to get a market for it. The fees were left as is ...there's a charge to dispose of iron.

Counc. Nauss said that bundles of tree limbs 3 feet long are not billable. Are large limbs on back of a truck billable.

Ms. Steele said that would be billable as construction waste.

Counc. Dempsey asked if there has been any feedback since the new charges went into effect.

Ms. Steele said there has been positive feedback. There have been very few complaints. Most people understand that we need to charge fees to operate the facility and provide the services.

Ms. Wilson informed Council that Mr. Annand's and Ms. Steele's presentations were for information just to let Council know about the implementation changes and how they are being handled.

Ms. Steele was thanked and she left the meeting.

WASTE MANAGEMENT COMMITTEE - RECOMMENDATION

POLICY ON

SECURING LOADS
ON VEHICLES

Moved by Counc. Statton, seconded by Deputy Warden Garber that Municipal Council accepts the recommendation of the Waste Management Committee and approves the "Policy on Securing Loads on Vehicles" as a policy of the Lunenburg Regional Community Recycling Centre.

Mr. Annand reviewed the content of the policy.

Ms. Wilson reported that the starting point for this policy was when the Waste Management Committee received a presentation from a resident in the community who expressed concern about the problem and suggested that the Committee consider developing a policy.

Counc. Countway said he agrees there is waste falling off vehicles. He asked if the staff is trained and know the Department of Transportation regulations regarding proper tie-down of loads. Regarding unsecured loads, when a person is asked to leave the third time, will they be charged with an unsecured load or will they be leaving with their load of waste? If they leave with it, they may find a place on the roadside to dump it. What do those people do with their waste after it's refused?

Mr. Annand said the employees are versed on the Motor Vehicle Act. It's very vague in the Act. It really comes down to whether or not the load has been tied securely, and that can occur with whatever they use to cover the load. They have no jurisdiction on the highways. What they are looking for are the ones that have no tarp at all. Regarding the third offence and being turned away from the Site, they will be getting a visit from the RCMP and they will be charged accordingly. That is the communication he received from the Lilydale RCMP office. If they secure their load, they are welcome to come back to the Site with a secured load.

Deputy Warden Garber thanked Mr. Annand and the staff involved in the development of this policy. He said he received calls about this because it's in his District where there is quite a bit of roadside littering. He thinks the policy is fair and it's graduated. Illegal dumping is aside from this and will be addressed separately. This is to deal with unintentional littering.

Counc. Statton said this is not the result of just one presentation to the Committee. She remembers bringing the concern to Council several years ago about garbage blowing off of trucks. You only have to look along the Mullock Road and the 325 road and you will see the problem. After the third time she feels they need to be sent home to secure the load properly. She fully supports this policy and hopes Council will stand behind it.

Counc. Palmer suggested that this is something that should be put in the newsletter. He has concern that with all these regulations we are going to start annoying people and they will dispose of garbage in places where it shouldn't be.

Counc. Nauss questioned if it's a third offence if it would not be better to take that load off the vehicle and fine that person, rather than let the person leave with it and dispose of it somewhere else. He noted the use of tie-downs but couldn't see in the policy where a person can use a rope. He asked if he used a rope to tie down a load of waste, will the staff accept that? He also asked if he can use a net over the load of waste to keep items from blowing off. If you use a tarp, it has to be secured every six inches so the wind doesn't get under it and blow it off.

Mr. Annand said netting can be used and rope can be used if it's fastened securely. He agreed that it would be a good idea to take the load

after a third offence.

Ms. Wilson said to unload the truck for a third offence would require a revision to the policy.

Mr. Reddy said that Counc. Nauss' concern can be address by unloading on the third offence, but they are still going to get charged. Staff, at their discretion, can unload it if they feel comfortable doing it.

Counc. Young said he thinks the comments about the third offence make sense. There has been a lot of discussion on this by the Waste Management Committee. If we adhere strictly to the Department of Transportation regulations, it would be almost impossible for some people to meet those regulations with their type of vehicle. He hopes staff use some discretion and common sense when they are dealing with customers coming to the Site.

Counc. Dempsey said, although she sees where people are coming from regarding the third offence, she thinks the only option we have is to refuse the load, otherwise people are still going to come with them. She is happy with the policy the way it is.

Counc. Moore asked what kind of fine or process is there after the third offence.

Mr. Reddy said his understanding of what would happen is that the RCMP would issue the SOT (Summary Offence Ticket) and there would be a fine on it. If the fine is not paid, he believes that under the provisions of Summary Proceedings legislation, the Province has downloaded to the Municipality to do the actual prosecution. If Council wants the policy revised to give staff the discretion to unload, you have to make sure you have evidence for reporting to the RCMP. Staff has no authority to keep people there.

Moved by Deputy Warden Garber, seconded by Counc. Moore that the motion be amended by adding the wording “subject to the Third Offence section of the Policy being amended to ensure that the driver reports to the administration office at the site; and then, at the discretion of the Operations Manager or the Assistant Operations Manager, the waste will be permitted to be disposed of at the site. Before disposing of the load, LRCRC staff will take the necessary evidence for reporting to the RCMP. Upon the occurrence of the third offence, the RCMP will be notified.”

Counc. Statton questioned if we need to have some research done as to whether that load needs to be witnessed or not.

Mr. Reddy said all the RCMP will use is the staff's testimony, pictures, or whatever they may want to do to gather information on an illegal load. The RCMP are not actually going to gather the evidence for us. We have no jurisdiction to maintain the vehicle at the site. All we can do is get the license plate number and try to charge them with an illegal load.

Counc. Statton said it's still at the discretion of the RCMP whether they lay a charge or not.

Counc. Bell feels that a picture says many words. It would be easy to put a camera in place.

Mr. Annand said they don't have a budget figure in place for that, but they are getting prices for a security camera.

Counc. Statton suggested that we should have our Solicitor help draft the amendments before it goes back to the Waste Management Committee.

The amendment was carried.

MOTION AS AMENDED - that Municipal Council accepts the recommendation of the Waste Management Committee and approves the “Policy on Securing Loads on Vehicles” as a policy of the Lunenburg Regional Community Recycling Centre subject to the Third Offence section of the Policy being amended to ensure that the driver reports to the administration office at the site; and then, at the discretion of the Operations Manager or the Assistant Operations Manager, the waste will be permitted to be disposed of at the site. Before disposing of the load, LRCRC staff will take the necessary evidence for reporting to the RCMP. Upon the occurrence of the third offence, the RCMP will be notified. Carried.

Mr. Annand was thanked and he left the meeting.

SEAVIEW
DEVELOPMENT
AGREEMENT
APPLICATION

Circulated with the agenda was a memo to the CAO from Ed Curran, Director of Planning and Development Services, providing an update regarding the Seaview Development Agreement Application under the Oakland Secondary Planning Strategy and Land Use By-law. Mr. Curran advises that Seaview Properties Ltd. has advised him by e-mail on September 10, 2007 to proceed via the subdivision approval process, seeking “as-of-right” development permission. The final Plan of Subdivision was endorsed September 10, 2007 and forwarded to the Registry Office. The Plan should be filed on Wednesday, September 12, 2007. Endorsement of the subdivision plan results in the Development Agreement Application becoming null and void. The applicant is aware of this consequence and will be forwarding a formal request to withdraw the Development Agreement Application.

Ms. Wilson reported that by approving the subdivision plan the application for a Development Agreement will be null and void. Therefore, Council no longer has a development application pending with Seaview Properties Ltd. There is no matter left outstanding with the Oakland Area Advisory Committee. The Area Advisory Committee wants staff to amend the Land Use By-law and to review what is permitted as-of-right. There is no report to seek from the Area Advisory Committee anymore because the Development Agreement Application is cancelled.

Mr. Curran was in attendance. He reported that the Area Advisory Committee still wishes to prepare amendments to the Land Use By-law and Council will need to approve of staff working with the Area Advisory Committee as they have requested.

Counc. Dempsey asked if the Area Advisory Committee has been notified that the Development Agreement Application has been withdrawn.

Mr. Curran said it will be going out today.

Counc. Statton asked how any amendments will affect this development.

Ms. Wilson said we don't know what the amendments are at this point in time. Before Council gives notice of intention to amend, there is a process to be followed which she reviewed. Council is the one that decides to give notice

of intention.

Moved by Counc. Countway, seconded by Counc. Statton that staff work with the Oakland Area Advisory Committee to develop an amendment to the Oakland Secondary Planning Strategy and Land Use By-law and forward a recommendation to the Planning Advisory Committee. Carried.

Mr. Curran was thanked and he left the meeting.

REMO REGIONAL UNIFIED COMMAND GROUP - RECOMMENDATION

AMENDMENTS -
INTER-MUNICIPAL
EMERGENCY
SERVICES
AGREEMENT

In attendance at this time was Brian Keizer, REMO Coordinator, for Council's consideration of proposed amendments to the Inter-Municipal Emergency Services Agreement.

Ms. Wilson informed Council that Mr. Keizer and the CAOs of the four municipal units involved in the Agreement prepared the proposed amendments which were made to clarify a few issues that arose once the new REMO Regional Unified Command Group started to work under the Agreement. The proposed amendments were reviewed by the Group on August 23, 2007 and the Group has recommended them to the four Councils.

Mr. Keizer reviewed the proposed amendments.

Deputy Warden Garber noted on the first page of the Agreement that it states that the Municipality of the District of Lunenburg is the Host and is to provide a Communications Room, Emergency Operations Centre, and an office for the Emergency Management Coordinator at 210 Aberdeen Road, Bridgewater. He questioned if it is necessary to state that those facilities will be provided at 210 Aberdeen Road.

Mr. Reddy said there's nothing in the Agreement that says those facilities must be maintained in the Town of Bridgewater. The wording could be more general and say the intention is to have the Host site wherever the Municipality of the District of Lunenburg Office is located.

Deputy Warden Garber thinks that a specific location should be mentioned and that the Agreement should just say that the Municipality of the District of Lunenburg will provide a site.

Warden Wentzell feels that everyone would have to agree to where it is located.

Moved by Counc. Moore, seconded by Counc. Dempsey that we accept the proposed amendments to the Inter-Municipal Emergency Services Agreement with a revision to remove the Municipality of the District of Lunenburg's address, being 210 Aberdeen Road, Bridgewater, from clause 3 of the Agreement. Carried.

NOTICE TO ADOPT
POLICY MDL - 36
FIRE AND
EMERGENCY
SERVICES

Circulated with the agenda was proposed Policy MDL - 36 dealing with Fire and Emergency Services. In accordance with section 48 (1) of the *Municipal Government Act*, Council was notified by memo on June 26, 2007 that proposed Policy MDL - 36 would be presented at a Council meeting for Council's consideration and approval if deemed appropriate. The proposed Policy was recommended to Council for approval at the June 21, 2007 meeting of the Committee of the Whole.

Moved by Counc. Young, seconded by Counc. Nauss that Council

approves Policy MDL - 36 "Fire and Emergency Services" as presented.

Carried. (Copy attached to original Minutes)

Mr. Keizer was thanked and he left the meeting.

GIFTS FOR UNSM
CONF. EARLY BIRD
DRAWS

Ms. Wilson asked Council if they again wish to provide gifts for the Early Bird Draws at the UNSM Conference. In the past, the Municipality has provided two gifts at an approximate total cost of \$50.00.

Moved by Counc. Nauss, seconded by Counc. Palmer that the Municipality purchase two gifts to be donated to the UNSM Conference for the Early Bird Draws; that the cost of the two gifts total \$50.00; and that staff be authorized to obtain the two gifts. Carried.

BUILDING REPORT
FOR AUGUST 2007

For information, circulated with the agenda was a summary of the Municipality's building activities for the month of August 2007 (copy attached to original Minutes). This report showed that the value of building permits issued in August totalled \$5,043,358.43, bringing the year-to-date value of permits issued to \$20,656,156.36.

LUN CO LIFESTYLE
CENTRE SOCIETY
re STAFF ASSIST.

Circulated with the agenda was a letter from the Lunenburg County Lifestyle Centre Society which was originally received by Council at a Committee of the Whole meeting, at which time a presentation was also made to the Committee by representatives of the Society. Ms. Wilson reviewed the information in the letter (copy attached to original Minutes). The Society is asking for staff assistance in compiling applications forms to submit for funding. The staff person that would be required to assist them would be Laura Barkhouse, Trail Coordinator. Ms. Wilson reported that she spoke to Ms. Barkhouse about this. It is felt it could take a week of staff time and, therefore, she is bringing it to Council for authorization of staff's time to assist with this, as it is not assistance we would provide.

Counc. Statton pointed out that Council is always being told how limited staff's time is. She asked if this would be done in overtime.

Ms. Wilson said it could delay completion of ongoing projects.

Deputy Warden Garber asked if the Society has an alternate plan if we don't approve this.

Ms. Wilson reported that the Town of Bridgewater has agreed to allow their employee Carol Anthony Pickings to assist them. If Council doesn't approve our staff's assistance, then she suspects it would all be on Ms. Pickings' plate.

Counc. Statton noted that the Municipality has some substantial projects to be done and she feels we better make sure those projects will be completed before winter before we agree to this request.

Ms. Wilson said if it appears it will compromise any of our projects, then she would have Laura withdraw from working on completing the application. She dis express that concern to the Society ...that the amount of assistance we can provide will be limited because of that.

Counc. Young feels we should provide whatever assistance we can if at all possible, because a lot of people think this Municipality should be involved in that project.

Deputy Warden Garber asked if the provision of information and use of our staff's time is necessary in order to bring a business plan forward to us.

Ms. Wilson said she was told it was necessary to get the funding application completed. It's not to prepare the business plan.

Moved by Counc. Young, seconded by Counc. Veinot that the CAO, at her discretion, offer the services of Laura Barkhouse to the Lunenburg County Lifestyle Centre Society.

Counc. Statton pointed out that we make a motion to look at their business plan when they provided it to us. We did not make a motion to provide assistance to them. She feels we are jumping ahead again.

The motion was defeated.

WREATHS -
REMEMBRANCE
DAY

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

The following were appointed:

LOCATION

Bridgewater - Deputy Warden Elmer Garber

Lunenburg - Councillor Diane Tanner

Mahone Bay - Councillor Milton Countway

New Germany - Councillor Cathy Moore

Parkdale/Maplewood - Warden Jack Wentzell

Riverport - Councillor Don Zwicker

Upper Northfield - Councillor Sandra Statton

Counc. Statton requested that they be permitted to use the flags at the Upper Northfield service as they did in the past. She also requested that a letter be written to the RCMP asking them to have an Officer at the service, and that they reply back as there was no RCMP representation last year.

UPDATE - WARDEN

Warden Wentzell provided an update regarding his Warden's activities since the last meeting. The only function he attended was a noon luncheon sponsored by the Bridgewater & Area Chamber of Commerce. MP Gerald Keddy was the guest speaker.

MAHONE BAY
SOCCER TEAM -
4TH PLACE

Counc. Countway reported that last weekend he attended the Provincial Under 14 Soccer Tournament games in Mahone Bay. The Mahone Bay Tier 2 Soccer Team placed fourth overall.

Moved by Counc. Countway, seconded by Counc. Bell that a letter be sent to the Mahone Bay Tier 2 Soccer Team congratulating them on their fourth place achievement at the Provincial Under 14 Soccer Tournament in Mahone Bay. Carried.

ILLEGAL DUMPING
re POLICY

Counc. Countway said he would like to see a policy drafted that would establish fines for illegal dumping of waste in the Municipality, and that the fine be at least \$1,000.

Ms. Wilson said it would have to be a by-law and suggested that staff draft a report on the issues that would surround it, how we would enforce it, and what would be the best options.

Warden Wentzell is of the opinion that any discussion on this needs to take place between the Municipality, RCMP, and Department of Environment.

Counc. Countway said he's agreed to the process that has been suggested.

PLAQUE

Counc. Moore then presented a plaque that had been given to her to

PRESENTATION present at the Council meeting. The plaque is from the youth and leaders of the 1st New Germany Scout Troop in appreciation and recognition of the funds given to them by the Municipality to use towards their travel cost to attend the Jamboree.

IN CAMERA **Moved by Counc. Palmer, seconded by Counc. Moore 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:

- 1) Land Negotiations, in accordance with section 22 (2) (a) of the *Municipal Government Act*;
- 2) Land Negotiations, in accordance with section 22 (2) (a) of the *Municipal Government Act*;
- 3) Update - Land Negotiations, in accordance with section 22 (2) (a) of the *Municipal Government Act*; and
- 4) Personnel Matter, in accordance with section 22 (2) (c) of the *Municipal Government Act*.

Moved by Counc. Young, seconded by Counc. Dempsey that Council resume. Carried.

Council in session.

There being no further business, at 4:25 p.m. it was moved by Counc. Bell, seconded by Counc. Palmer that the meeting adjourn.