

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
Minutes of a Meeting of
POLICY & STRATEGY COMMITTEE
Held in Bridgewater, NS
Tuesday, January 21, 2020 – 9:00 a.m.

ATTENDANCE

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

Staff: Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy Chief Administrative Officer
Sherry Conrad, Municipal Clerk
Sarah Kucharski, Communications Officer
Joanne Powers, Executive Assistant

1. CALL TO ORDER

Deputy Mayor Hustvedt called the meeting to order at 9:00 a.m. and began by acknowledging that the meeting was held in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION

Dave Waters, Director of Business Development, Tourism and Infrastructure introduced Mark Strickland, the new Business Development Officer.

Mr. Dumaresq introduced Andrew MacDonald, the new IT Technician with the Municipal Joint Services Board.

3. PUBLIC INPUT

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

4. APPROVAL OF AGENDA

Moved by Councillor Moore, seconded by Councillor Whynot that the Agenda be approved as circulated. Motion carried.

5. APPROVAL OF MINUTES

Moved by Councillor Ernst, seconded by Mayor Bolivar-Getson that the Minutes of the December 17, 2019, 2019 Policy & Strategy Committee meeting be approved as circulated. Motion Carried

A question was raised regarding whether or not letters were written, and responses received from the local Member of Legislative Assembly (MLA) and Member of Parliament (MP) regarding “Working Draft Horses” as discussed at a previous meeting. The Committee was advised that a letter was sent but no response was received to date. The response will be circulated when received.

6. BUSINESS ARISING FROM MINUTES – NIL

7. PRESENTATIONS

Alex Dumaresq, Deputy Chief Administrative Officer, declared a Conflict of Interest and left the table as a family member was one of the presenters.

7.1 Twin Bays Coalition re Proposed Open Net Pen Fish Farming on St. Margaret’s & Mahone Bays – Geoff Le Boutillier & Syd Dumaresq

Geoff Le Boutillier and Syd Dumaresq gave a PowerPoint presentation, “Twin Bays Coalition...Helping Lead Nova Scotia’s Blue Revolution, Keeping Our Bays Clean” (included in the agenda package).

Mr. Dumaresq explained that Twin Bays Coalition was formed recently to spread the word about aquaculture. They are pro aquaculture but feel strongly that open pen salmon farming should not be allowed anywhere in Nova Scotia.

Included in the presentation were the following topics:

- Backstory
- Mission Statement
- Open-Net Pens
- The Dirty Dozen
- Fish Facts
- Sustainable Blue
- Synergistic Corporate Info-Graphic

They reported that they visited four Nova Scotian companies who are using innovative technology, including Sustainable Blue, who has perfected the technology to recycle fresh water for young salmon and saltwater for older salmon.

Mr. Dumaresq encouraged everyone to promote the types of high-tech industries that are working towards feeding the world rather than, what in his opinion, is an industry that pollutes the ocean.

There was discussion around Cermaq’s proposed local operation and the levels of government having jurisdiction over these types of operation.

Alex Dumaresq returned to the table.

10. STAFF REPORTS

10.1 Administration Department

10.1.1 2020 Municipal Election Report

Ms. Conrad reviewed the 2020 Municipal Election Report (included in the agenda package). She reported that the 2020 Municipal Election will be held on Saturday, October 17, 2020.

Hiring of Returning Officer and Assistant Returning Officer

Ms. Conrad spoke to the roles of the positions and recommended that a Returning Officer (RO) and Assistant Returning Officer (ARO) be hired for the 2020 election, with the RO position starting on March 2, 2020 and the ARO position starting on May 4, 2020.

Moved by Councillor Moore, seconded by Councillor Bell that the Policy & Strategy Committee recommends to Council that Municipal Council approve the hiring of a Returning Officer and an Assistant Returning Officer for the 2020 Municipal Election. Carried unanimously.

Establishment of Elections Office

Ms. Conrad noted that the 2016 Election Office was located at the MARC Administration Building in Dayspring, but there were a number of issues identified with this location. The main issues were that it was not wheelchair accessible, and that during the summer months the facility housed the summer Recreation staff, therefore, was very busy.

Ms. Conrad reviewed several options available in Bridgewater, Hebbville and at Exit 12. For two offices and a meeting room the rental fees ranged from \$800 per month to \$1,800 per month. It was recommended to the Committee that office space at 373 King Street in Bridgewater be leased. It is the current location of the MODL's Business Development, Tourism and Infrastructure staff, the REMO Coordinator, and the Manager of Wastewater Services. The additional space can be rented for \$800 per month for the period of May 1 to October 31, 2020.

There was discussion around other possible locations within the Municipality. It was the Committee's decision that this item be brought back to a future meeting in order to investigate other possible options.

Use of Provincial Voters' List

Ms. Conrad reported that a Preliminary List of Voters must be completed by July 31, 2020. The options available to Municipal Council are to use the Provincial List of Electors or to have an enumeration.

Historically, the costs associated with enumeration versus other lists has been higher. Ms. Conrad pointed out that the last Nova Scotia Provincial Voters' List was prepared for the May 2017 election, and there would be no additional cost to the Municipality to use this list.

Moved by Councillor Carver, seconded by Councillor Nauss that the Policy & Strategy Committee recommends to Council that Municipal Council authorize the Returning Officer to contact Elections Nova Scotia to request the use of the Provincial Voters' List for the 2022 Municipal Election and authorize the Municipal Clerk to enter into an Agreement with the Province of Nova Scotia for same. Carried unanimously.

Establishment of the Tariff of Fees and Expenses

Ms. Conrad reported that Section 139(1A) of the *Municipal Elections Act* allows Council to delegate its authority to make, revise and amend the tariff of fees and expenses and to provide for a method of rendering and verifying accounts for payment to the Clerk or Chief Administrative Officer. Tariffs of fees and expenses pertain to Deputy Returning Officers (DRO), Poll Clerks, polling location rentals, and training for DROs and Poll Clerks.

Moved by Councillor Veinot, seconded by Councillor Carver that the Policy & Strategy Committee recommends to Council that Municipal Council authorize the Chief Administrative Officer to establish the Tariff of Fees and Expenses for the 2020 Municipal Election and that Council be provided with a report on same. Carried unanimously.

8. REFERRAL FROM COUNCIL - NIL

9. RECOMMENDATIONS FROM COMMITTEES & BOARDS

9.1 Municipal Joint Services Board

9.1.1 Proposed Solid Waste Bylaw Amendments – Stephanie Smits, Supervisor Outreach & Communication & Angela Taylor, Outreach & Compliance Officer

Stephanie Smits, Supervisor, Outreach & Communication and Angela Taylor, Outreach & Compliance Officer, were in attendance and reviewed their PowerPoint presentation “Waste Collection By-law Amendments” (included in the agenda package).

Ms. Conrad explained that Municipal Council already approved the new Solid Waste Collection Contract, but the Solid Waste Collection By-law requires amendments as a result of new services being introduced.

Ms. Smits advised that the new contract will be in effect from April 1, 2020 to March 31, 2024 and will include the following:

- Bi-weekly bulky landfill collection on public roads, private roads and Tancook Island. This allows residents an option to put out two bulky landfill items every two weeks, and would include items such as mattresses, sofas, chairs, rugs, etc.
- Annual fall wood and metal collection on public roads, private roads and Tancook Island. A dedicated fall pickup on residents’ regular collection day during a two-week period. These materials are reusable and recyclable and would include items such as wooden furniture, pallets, metal-framed furniture, hot water heaters, etc.
- Annual fall curbside electronics collection allowing residents to put out three items accepted by the Provincial electronics program. Items to be picked up on residents’ regular collection day during a two-week period.

In the case that residents do not follow the new guidelines, Ms. Smits explained that education and enforcement will be used to assist them. Ms. Taylor will visit with residents and provide follow-up inspections in order to encourage compliance.

The new By-law includes some wording changes around privacy vs non-transparent bags, and plastic shopping bags were deleted in consideration of upcoming plastic shopping bag bans. Ms. Taylor discussed two wording changes to the Solid Waste By-law. The first change is that the word “vehicle” has been added to the Reverse Onus clause. This reference will enable the Compliance Officer to issue a Summary Offense Ticket when an identifiable vehicle is used to commit a Waste By-law offence. The second change is that Section 21.6 “Accumulation of Waste” has been added to the by-law. This will enable the Compliance Officer to issue clean up orders, administrative tickets or summary offence tickets.

A Curbside Giveaway Event is being proposed for October 3 to 4, 2020 where reusable items such as furniture, clothing, appliances, etc., can be placed curbside for a weekend, marked as “Free”. Items not taken must be pulled back by dusk when the event ends. This could be useful for residents closing cottages for the fall or tidying up before winter.

Moved by Councillor Garland, seconded by Councillor Bell that the Policy & Strategy Committee recommends to Council that Municipal Council give Notice of its Intention to repeal the Solid Waste Collection and Disposal By-law that was adopted by Council on February 19, 2014 and amended on June 24, 2014 and to replace it with a new Solid Waste Collection and Disposal By-law; and further, that Council conducts First Reading of same and gives notice of Second Reading.” Carried unanimously.

Ms. Smits and Ms. Taylor were commended for their great work and it was felt that Solid Waste Collection is one of the best services put in place by MODL.

Councillor Ernst had passed along several wording changes regarding the draft By-law and they will be implemented into the final copy.

Ms. Smits and Ms. Taylor left the meeting.

10. STAFF REPORTS

Jeff Merrill, Director of Planning & Development Services; Norma Schiefer, Development Officer; Byung Jun Kang, Planner; and J.C. Reddy, Municipal Solicitor; were in attendance at the meeting.

10.1 Planning Department

10.1.1 Private Road Maintenance Consultation Report

Mr. Kang advised that the Private Roads By-law Review was made up of two parts. The first part was public engagement sessions conducted in September 2019 and the second part was what to do moving forward based on the feedback from the public sessions.

As a review, Mr. Merrill explained that a Subdivision By-law Review was done last year, and as part of that review, private road maintenance, came up as an issue. Because the Subdivision By-law could not deal directly with the maintenance of private roads or newly created roads, Council decided to finish the Subdivision By-law Review and deal with the matter of private roads later.

Mr. Kang reported that six open houses were held in September 2019 with 120 attendees in total, where people were able to express their opinions regarding private road maintenance. As well, 219 comments were received via written correspondence and/or emails. To gauge the general consensus of the public, staff analyzed the comments using statistical methods. Overall, there were mixed feeling, with many agreeing that some kind of maintenance standards were needed for ensuring public service delivery and emergency protection, but they were skeptical about having those standards as mandatory by-laws.

Planning staff recommended that Council consider amending the existing By-law through a repeal and replace process that could include the following:

1. Alternative Process – For those private roads with less than 5 landowners who cannot form an incorporated association due to the *Societies Act*, Section 5, enter into an Agreement with the Municipality whereby a maintenance area could be imposed along with an area rate charge.

- Committee Discussion:
 - The issue of liability insurance was brought up as a concern for associations
- 2. Lower Petition Threshold – Lower the threshold for petitions from 66.7% to 50%.
 - Committee Discussion:
 - It is difficult to contact property owners when they only visit for very short periods
 - Perhaps in these cases, Council could put a maintenance charge on that road and bill it back to the owners
- 3. Lower Budget Approval Threshold – Road maintenance or improvements budgets are passed each year at an Annual General Meeting of the association. Lower the threshold from 75% to 50% at the Annual General Meeting.
 - Committee Discussion:
 - The Committee was in agreeance with this amendment

Councillor Garland and Councillor Whynot declared a Conflict of Interest as they both belong to Private Road Associations and stepped away from the table.

- 4. Reduction of Administrative Fees – Reduce or waive the required 5% administration fee as it adds to the financial burden faced by private road residents.
 - Committee Discussion:
 - The Committee discussed the possibility of eliminating or reducing the 5% administration fee, but the decision was made to leave it as is
- 5. By-Law Simplification – The current By-law was written in 2009 and requires updating. Proposed changes include shortening the title to Private Roads By-law, and removing the charge methods by road frontage, area and assessment values.
 - Committee Discussion:
 - The Committee was in agreeance with the proposed housekeeping changes including shortening the title

Planning staff were given direction to make the proposed changes and bring the changes to the next Policy & Strategy Committee meeting.

11. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS

11.1 NSFM Spring Workshop Suggestions (Deputy Mayor Eric Hustvedt)

Deputy Mayor Hustvedt advised that Nova Scotia Federation of Municipalities (NSFM) was looking for three spring workshop suggestions from each municipality. The following topics were suggested and will be forwarded to the January 28, 2020 Council meeting to determine which three would be forwarded to NSFM:

- Overview of where the Province stands with waste matters
- Mandatory planning
- Overview of what different rural municipalities are doing to facilitate transportation
- A model demonstrating an Extended producer Responsibility (EPR) System
- Discussion around the forestry industry

Mayor Bolivar-Getson noted that she already forwarded the suggestion of “point-of-sale legislation” to NSFM.

11.2 Report to Council on Police Advisory Board Proceedings (Councillor Michael Ernst)

Councillor Ernst discussed that it was his opinion that Police Advisory Board proceedings should be reported back to Council.

Councillor Nauss, Chair of the Police Advisory Board, advised that the Police Advisory Board meets four times a year and the minutes and RCMP reports are already circulated to all Council members.

It was suggested that all boards and committees that Council members sit on should be reported back to either a Committee meeting or a Council meeting, and it was agreed that the Police Advisory Board be the first to be reported back to a Council meeting following their quarterly meetings.

It was also suggested that the newly formed Accessibility Committee report back to Council on a regular basis as an accessibility plan has to be in place by 2021.

12. ADDED ITEMS - NIL

13. IN CAMERA

At 11:51 a.m., it was moved by Mayor Bolivar-Getson, seconded by Councillor Whynot that the Policy & Strategy Committee go In Camera to discuss:

- 13.1 Land Negotiation - Bridgewater under Section 22(2)(a) of the MGA**
- 13.2 Personnel Matter under Section 22(2)(c) of the MGA**
- 13.3 Legal Advice re LaHave River Straight Pipe Project under Section 22(2)(g) of the MGA**

Motion carried.

Policy & Strategy Committee *In Camera* in session.

At 12:52 p.m., it was moved by Councillor Moore seconded by Councillor Nauss that the Policy & Strategy Committee come out of *In Camera* and return to open session. Motion carried.

Policy & Strategy Committee in session.

14. NEXT MEETING – February 18, 2020 – 9:00 a.m.

15. ADJOURNMENT

There being no further business at 12:52 p.m., it was moved by Councillor Whynot, seconded by Councillor Carver that the meeting adjourn. Carried.