

TOWN OF LUNENBURG
COUNCIL MEETING AGENDA
Tuesday, September 10, 2024 | 6 pm
Lunenburg Town Hall – Council Chamber
120 Townsend Street



NOTICE: Council meetings are open to the public and held in Town Hall. **Please use the back entrance at 120 Townsend Street.**

The public can also watch meetings through Zoom. To livestream this meeting starting at 6 pm, use this Zoom link: <https://us06web.zoom.us/j/88956545878>

Meeting recordings are also available on the Town's [YouTube](#) channel.

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT

This meeting takes place in the traditional and ancestral territory of the Mi'kmaq people. We are all Treaty people.

3. ADDITIONS/ DELETIONS TO AGENDA

4. APPROVAL OF AGENDA

4.1 September 10, 2024 Council Meeting Agenda

Recommendation: That Council approve the agenda for the September 10, 2024 meeting as presented.

5. APPROVAL OF MINUTES

5.1 August 13, 2024 Council Meeting Minutes

Recommendation: That Council approve the August 13, 2024 Council meeting minutes as presented.

5.2 August 27, 2024 Committee of the Whole Meeting Minutes

Recommendation: That Council approve the August 27, 2024 Committee of the Whole meeting minutes as presented.

6. PRESENTATIONS

7. PUBLIC INPUT AND QUESTIONS – 20 MINUTES

- Each person is limited to 3 minutes
- Each person must state their name
- Questions or comments are directed to the Chair

- Comments and questions are limited to items on today's agenda

8. CORRESPONDENCE

Unless a recommendation has been provided, correspondence items are for information only. Should Council wish to act on something within a correspondence item, a motion of Council must be made.

8.1 Noise By-law Exemption Request: Oktoberfest – Lunenburg Board of Trade

Recommendation: That Council approve a Noise By-law exemption for the Lunenburg Board of Trade to accommodate the Oktoberfest event at the Fisheries Museum of the Atlantic parking lot, including concert activities and post-event cleanup, from 11:00 p.m. on October 5, 2024, until 12:00 a.m. on October 6, 2024.

8.2 Noise By-law Exemption Request: September Classic

Recommendation: That Council approve a Noise By-law exemption to allow a fireworks display for the 21st Annual September Classic wooden boat regatta on September 21, 2024, at 9:00 p.m. at the Lunenburg Harbour.

8.3 Funding Request: Town Crier Competition – Stephen Findlay

8.4 Funding Request: Canadian Fallen Fire Fighters Ceremony – Darren Romkey, Lunenburg Fire Chief

9. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS AND APPEALS

10. BUSINESS ARISING AND UNFINISHED BUSINESS

10.1 Electric Utility Budgets 2024/2025

Recommendation 1: That Council approve the 2024/25 Electric Utility Operating Budget as presented for a total amount of \$7,518,700.

Recommendation 2: That Council approve the 2024/25 Electric Utility Capital Budget as presented for a total amount of \$2,626,000.

10.2 Fire Department Request for #6 Tanker Replacement – Tender Award

Recommendation: That Council approve the purchase of the #6 Tanker Replacement from Battleship Industries in the amount of \$754,873 plus net HST for a total of \$787,226 and a contingency of \$10,774 for a total budget of \$798,000.

10.3 Council Meeting Submissions and Public Input Policy – *Notice*

Recommendation: That Council give notice to approve the new Council Meeting Submissions and Public Input Policy as presented, repealing and replacing Policy #68, the Public Presentations at Town Council, Committee of the Whole Council and Committee Meetings Policy.

11. NEW BUSINESS

11.1 Council Procedural Policy – *Notice*

Recommendation: That Council give notice to approve the new Council Procedural Policy as presented, repealing and replacing, Policy #96, the Council and Committee Meetings and Proceedings Policy.

11.2 Sewer Service Proposals for Lot 2A Centennial Avenue – *Information Report*

11.3 Civic Square Condition Assessments / Bandstand Restoration – *Budget Reallocation*

Recommendation: That Council reallocate \$20,000 from the Old Fire Hall Operating Budget and \$20,000 from the Town Hall Operating Budget to the Bandstand Restoration, totalling \$40,000 for Bandstand Restoration Engineering.

11.4 Wastewater Treatment Plant Upgrades and Expansion – *Information Report*

11.5 Dares Lake Dam and Spillway Upgrades – *Project Deferral*

Recommendation: That Council defer the Dares Lake Dam and Spillway Upgrades Project for Capital Year 2024/25 with the intention of Staff revising the budget for this item and presenting it within the Water Utility's 2025/26 Capital Budget.

11.6 Amendment to the Lunenburg County Inter-Municipal Regional Anti-Racism and Diversity Agreement

Recommendation: That Council extend the end date of the Lunenburg County Inter-Municipal Regional Anti-Racism and Diversity Agreement to September 30, 2026.

12. NOTICES OF MOTION, INFORMATION REQUESTS AND COUNCILLOR REPORTS

13. MOTION ACTION LIST

14. IN CAMERA

15. ADJOURNMENT

TOWN OF LUNENBURG
COUNCIL MEETING MINUTES

August 13, 2024 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



Present	Mayor Jamie Myra, Deputy Mayor Stephen Ernst, Councillors Jenni Birtles, Peter Mosher, Ed Halverson and Melissa Duggan
Also present	Tyson Joyce, Director of Public Works Hilary Grant, Interim CAO Marc Kiely, Interim Director of Community Development Laura LeGresley, Community Development Staff Maya Mills, Community Development Staff Kayla Byrne, Municipal Clerk
Call to Order	The meeting was called to order at 6:01 p.m.
Land acknowledgment	It was acknowledged that Lunenburg is located in the unceded territory of the Mi'kmaq people.
Approval of Agenda	Moved by Councillor Duggan, seconded by Councillor Mosher, that Council approve the agenda for the August 13 meeting, 2024 meeting with the following deletion: <ul style="list-style-type: none"> • Agenda item 13.1 Renaming of Cornwallis Street Discussion <p style="text-align: right;">Motion carried unanimously</p>
Approval of Minutes	Moved by Councillor Birtles, seconded by Deputy Mayor Ernst, that Council approve the July 16, 2024 meeting minutes as presented. <p style="text-align: right;">Motion carried unanimously</p>
2024/24 Electric Utility Operating and Capital Budgets presentations	Staff presented the proposed operating and capital budget for the electric utility, highlighting key aspects such as the utility's borrowing limitations, the current contract with Nova Scotia Power, and the shared salary allocations across departments. Staff recommended a \$1.9 million investment in infrastructure upgrades to address system overloads and support future growth. The budget projects a deficit, which will be offset by retained earnings, but a potential rate increase may be necessary, likely not taking effect until 2025.

Public Input	<p>Alison Strachan expressed her appreciation for the completed work on Tannery Road. She commented on the Civic Square Design Project, suggesting that it should be addressed by incoming Council. Additionally, she inquired about any updates or news regarding the bandstand in Civic Square.</p> <p>Paula Rennie asked Council about the hiring of a new heritage officer, specifically inquiring whether the position requires familiarity with UNESCO World Heritage Site Operational Guidelines and responsibility for maintaining or developing the World Heritage Site Management Plan.</p>
Public Input for Electric Utility Budgets	<p>Jesse Ward addressed Council regarding concerns about the electric utility's capital and operating budgets. He emphasized the need for more detailed information on the utility's current capacity and future needs, particularly in light of previous studies and recommendations about its long-term viability and asked several questions regarding the current capacity and future needs of the electric utility.</p> <p>Andrew Himmelman expressed concerns about the town's electric utility. He questioned whether the town is considering selling the utility to Nova Scotia Power and inquired about the potential financial impact of such a decision on the town's budget.</p>
Correspondence	<p>Council received the following correspondence:</p> <ul style="list-style-type: none"> • An update from the South Shore Hospice Palliative Care Society. • A thank-you letter from the Brighter Days Capital Campaign via the Health Services Foundation. • A letter regarding the coordination of the Emergency Alert System from the Minister of Municipal Affairs and Housing. • Information about the Canada Community-Building Fund (CCBF) from the Minister of Municipal Affairs and Housing. • A request to waive rental fees for the Lunenburg Community Centre from the Bridgewater Sports and Cultural Association. • An invitation to the official opening of the gardens at Fishermen's Memorial Hospital from the Lunenburg Hospital Auxiliary & Lunenburg Garden Club.
Noise By-law Exemption Request	<p>Moved by Deputy Mayor Ernst, seconded by Councillor Mosher, that Council approve a Noise By-law exemption for August 15th, 2024, starting at 11:00 p.m. until 12:00 a.m. on August 16th, 2024, to</p>

accommodate filming by GEP Liars Inc., located at 94 Pelham Street, Lunenburg.

Motion carried unanimously

Moved by Councillor Duggan, seconded by Councillor Mosher, that Council approve a Noise By-law exemption for August 16th, 2024, starting at 11:00 p.m. until 3:00 a.m. on August 17th, 2024, to accommodate filming by GEP Liars Inc., located at the Bluenose Wharf.

Motion carried unanimously

Noise By-law
Exemption
Request

Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that Council approve a Noise By-law exemption for August 15th, 2024, starting at 11:00 p.m. until 05:00 a.m. on August 16th, 2024, to accommodate filming by 'Ghosting Season 2', located indoors at the Lunenburg Academy.

Motion carried unanimously

Moved by Councillor Birtles, seconded by Deputy Mayor Ernst, that Council approve a Noise By-law exemption for August 16th, 2024, starting at 11:00 p.m. until 12:00 a.m. on August 17th, 2024, to accommodate filming by 'Ghosting Season 2', at the exterior grounds of the Lunenburg Academy.

Motion carried unanimously

Councillors asked about posting noise by-law exemption notices on the Town's social media pages. They also suggested that for future requests, staff should ask for details about the type of noise that will be made under the exemption.

Public Statements
Policy

Moved by Deputy Mayor Ernst, seconded by Councillor Birtles, that Council approve the new Public Statements Policy as presented, repealing and replacing Policy #80, the Commemorative Flags and Proclamations Policy.

Motion carried unanimously

Electric Utility
Operating and
Capital Budgets

Following the presentation on the Electric Utility Operating and Capital Budgets, Council referred the budgets to a future Committee of the Whole meeting for further discussion.

Councillors asked if a representative from the consulting firm that prepared the Electric Utility Financial Evaluation and Sustainability Assessment of Future Options could attend the upcoming Committee of

the Whole meeting to answer Council’s questions.

Montague Street Retaining Wall

Moved by Councillor Mosher, seconded by Deputy Mayor Ernst, that Council increase the budget for the Montague Street Retaining Wall Repairs project to \$220,000, funded by \$100,000 from long-term borrowing and \$120,000 from the Surplus Asset Retirement Reserve.

Motion carried unanimously

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council award the Montague Street Retaining Wall Tender to J. Mason Contracting Limited for the amount of \$152,961 + HST.

Motion carried unanimously

Civic Square Compatibility & Accessibility Project

Staff brought forward a request for direction, asking Council to decide whether to proceed with the next phase of the Civic Square Compatibility and Accessibility Project. This phase involved preparing detailed tender documents to clarify construction expenses and help staff pursue funding opportunities. However, staff recommended halting the project due to several concerns, such as the lack of current funding programs that align with the project's scope, upcoming capital assessments that may shift Council's investment priorities, and Vigilant Atlantic's inability to complete the project within the budget.

Following staff’s report, Council made the following motion:

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council not proceed with the Civic Square Compatibility & Accessibility Project at this time.

Motion carried unanimously

Sustainable Cultural Tourism Plan and Cultural Tourism Economic Impact Study

Moved by Deputy Mayor Ernst, seconded by Councillor Halverson, that Council award 21 FSP Advisory Inc. \$59 918.63 +HST to fulfill the Sustainable Cultural Tourism Plan RFP (TOL 2024013).

Motion carried unanimously

Moved by Councillor Halverson, seconded by Councillor Birtles, that Council award ASBB Economics and Research Ltd. \$59 650.00 +HST to fulfill the Cultural Tourism Economic Impact Study (TOL 2024014); and that this contract include an assessment of the economic impact of the Old Town Lunenburg World Heritage Site listing.

Motion carried unanimously

Heritage Officer Appointment Moved by Councillor Mosher, seconded by Councillor Halverson, that Council appoint Laura LeGresley as a Heritage Officer for the Town of Lunenburg per Section 19 of the Heritage Property Act.

Motion carried unanimously

Notices of Motion and Councillor Reports Moved by Councillor Birtles, seconded by Councillor Halverson, that Council direct staff to prepare a report with recommendations for revising the Land-Use By-law's Main Street Form Zone requirements, with the aim of encouraging more varied development within this zone.

Motion carried unanimously

Motion Action List Council received the motion action list for information.

In Camera Moved by Councillor Mosher, seconded by Deputy Mayor, that Council move in camera at 7:32 p.m. to discuss agenda item 15.1 Acquisition, sale, lease and security of municipal property per the Municipal Government Act.

Motion carried unanimously

Before the Council entered closed session, a brief recess was called.

Revert to public meeting Council reverted to open meeting at 8:39 p.m. and made the following motion in public session:

Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that Council amend the motion made at the July 16, 2024, Council meeting to award the Lunenburg Academy Roof Upgrades Request for Proposal (RFP) to Fishburn Sheridan Atlantic Inc. for the total amount of \$109,238 plus HST, pending receipt of \$54,619 plus HST from the Lunenburg Academy Foundation, to now state: "That Council award the Lunenburg Academy Roof Upgrades Request for Proposal (RFP) to Fishburn Sheridan Atlantic Inc. for the total amount of \$109,238 plus HST, pending receipt of \$58,131 from the Lunenburg Academy Foundation."

Motion carried unanimously

Adjournment There being no further business, the August 13, 2024 Council meeting adjourned at 8:39 p.m.

The minutes were read and approved.

zTOWN OF LUNENBURG
COMMITTEE OF THE WHOLE MEETING MINUTES

August 27, 2024 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



Present Mayor Jamie Myra, Deputy Mayor Stephen Ernst, Councillors Jenni Birtles, Peter Mosher, Ed Halverson and Melissa Duggan

Also present Hilary Grant, Interim CAO
Trevor Hume, Planner
Curtis Bell, Procurement & Electric Coordinator
Kayla Byrne, Municipal Clerk
Darin Lamont, CIMA+

Call to Order The meeting was called to order at 6:01 p.m.

Land acknowledgment It was acknowledged that Lunenburg is located in the unceded territory of the Mi'kmaq people.

Approval of Agenda Moved by Councillor Mosher, seconded by Councillor Birtles, that Committee of the Whole approve the agenda for the August 27, 2024 meeting as presented.

Motion carried unanimously

Electric Utility Budgets Staff provided an overview of the electric utility budgets and addressed questions from councillors and the public that were raised during the initial budget presentation at the last regular Council meeting. Darin Lamont from CIMA+ also responded to questions from councillors.

Moved by Deputy Mayor Ernst, seconded by Councillor Birtles, that Committee of the Whole refer the 2024/25 Electric Utility Operating Budget as presented to Council for approval.

FOR 4 Councillors AGAINST 2 Councillors (Councillors Duggan & Birtles)

Motion carried

Moved by Deputy Mayor Ernst, seconded by Councillor Mosher, that Committee of the Whole refer the 2024/25 Electric Utility Capital Budget as presented to Council for approval.

FOR
4 Councillors

AGAINST
2 Councillors (Councillors Mosher & Birtles)

Motion carried

Moved by Councillor Halverson, seconded by Councillor Mosher, that the Committee of the Whole refer the Council Meeting Submissions and Public Input Policy to a regular Council meeting for consideration and notice of the policy.

Motion carried unanimously

With respect to a request to review Council's current procedural policy, councillors suggested the following be included in a revised policy:

- Detailed guidelines for the Committee of the Whole procedures.
- A requirement for public hearings on all new bylaws or amendments, beyond those mandated by the MGA.
- Continuation of the practice of seconding motions.
- Clarification on handling amendments to motions.
- A rule that Council receives the finalized agenda package 24 hours before public release.
- Guidelines for electronic meetings, with a preference for in-person attendance and a limit of three consecutive remote meetings without Council approval.

Moved by Councillor Halverson, seconded by Councillor Mosher, that Committee of the Whole direct staff to present a revised Council Procedural Policy at a regular Council meeting for possible notice.

Motion carried unanimously

Adjournment

There being no further business, the August 27, 2024 Committee of the Whole meeting adjourned at 6:54 p.m.

The minutes were read and approved.

From: [Kandace Forward / Lunenburg Board of Trade](#)
To: [Kayla Byrne](#)
Subject: Re: Oktoberfest Noise Exemption
Date: August 13, 2024 9:43:07 AM

CAUTION: THIS IS AN EXTERNAL MAIL

Hi Kayla
Yes this will be an outside event . I'm the museum parking lot .
Kandace

From: Kayla Byrne <kbyrne@townoflunenburg.ca>
Sent: Tuesday, August 13, 2024 9:41:18 AM
To: Kandace Forward / Lunenburg Board of Trade <office@lunenburgns.com>
Subject: RE: Oktoberfest Noise Exemption

Hi Kandace,

Thanks for this.

I'm just looking to confirm – will this be an outdoor event?

Thanks again!

Kayla

From: Kandace Forward / Lunenburg Board of Trade <office@lunenburgns.com>
Sent: Wednesday, August 7, 2024 4:00 PM
To: Kayla Byrne <kbyrne@townoflunenburg.ca>
Subject: Oktoberfest Noise Exemption

CAUTION: THIS IS AN EXTERNAL MAIL

Hi Kayla,

I hope this message finds you well.

I am writing to request the form to apply for a noise exemption for our Oktoberfest event at the Fisheries Museum on October 5th. The concert will take place from 6:00 PM to 12:00 AM.

Could you please provide the necessary form and any additional information we need to complete the application?

Thank you for your assistance!

Best regards,

Kandace Forward

Executive Director

Lunenburg Board of Trade

(902) 634 3170

(902)514-4097 cell

office@lunenburgns.com

From: [Edward](#)
To: [Kayla Byrne](#)
Subject: FW: 21st Annual September Classic - Noise By-law Exemption Request for Fireworks
Date: September 3, 2024 9:35:09 AM
Attachments: [2024 SEPTEMBER CLASSIC INVITATION SEPT 3 2024 FINAL.pdf](#)

CAUTION: THIS IS AN EXTERNAL MAIL

From: Edward
Sent: Tuesday, September 3, 2024 9:05 AM
To: kbyrne@townoflunenburg.ca
Cc: Michael Best <Mbest@townoflunenburg.ca>; JAMIEMYRA@EASTLINK.CA; Hilary Grant (heritagedev@townoflunenburg.ca) <heritagedev@townoflunenburg.ca>
Subject: 21st Annual September Classic - Noise By-law Exemption Request for Fireworks

Good Morning All,

I'm writing with regards to the upcoming 21th Annual September Classic wooden boat regatta being held in Lunenburg on Saturday September 21. As per last year, I'd like to request an exemption to the Noise By-Laws to have a fireworks display in conjunction with the event.

The September Classic is a celebration of wooden boats and for the past 21 years, it has grown to become the largest gathering of wooden boats in Eastern Canada attracting 18-20 vessels and up to 200 participants. Once again this year, the shore operations will be based at the Bluenose Shed (aka The Big Red Boatshed) on Burma Drive.

I've attached a copy of the invitation and here's the Facebook event page which is open to the public:

https://www.facebook.com/events/1585203545538561?context=%7B%22event_action_history%22%3A%22left_rail%22%2C%22surface%22%3A%22bookmark%22%7D%2C%7B%22extra_data%22%3A%22%22%2C%22mechanism%22%3A%22surface%22%2C%22surface%22%3A%22create_dialog%22%7D%2C%7B%22extra_data%22%3A%22%22%2C%22mechanism%22%3A%22your_upcoming_events_unit%22%2C%22surface%22%3A%22bookmark%22%7D%2C%22ref_notif_type%22%3Anull%7D

We anticipate the fireworks display will start at 9 PM and be less than 10

minutes in duration. The fireworks will be launched from a metal barge in the harbour and won't pose any risk to property on shore or to any vessels in the harbour.

I want to thank Council in advance for considering this request at your upcoming Sept. 10 council meeting and if you require any additional information, please let me know.

Regards,
Edward Peill

www.telltale.tv

Tell•Tale
PRODUCTIONS

A Request To Council

Submitted by Stephen Findlay- Town Crier

I'm sure all of you are aware that I'm Lunenburg's Town Crier, and have been for a few years now. In that time, I've written numerous Cries, and have opened numerous events on behalf of the town. It's been a fun, community, volunteer side project for me.

I've been invited to a Town Crier Competition in Provincetown. This would be a very exciting opportunity not only for myself, but also for Lunenburg. I know I'd be a good ambassador representing the town at this event, and it would be a unique way to promote heritage, culture, and tourism, in a place that many consider to be our sister town.

Given that Lunenburg is a UNESCO World Heritage Site, it would be very forward thinking for the town of Lunenburg to consider hosting a competition such as this in the future, in say a month like October where tourism starts to decline. Therefore the competition could also be a good research opportunity as well.

So I'd like to inquire if there is any sponsorship available for this? It would only require me being there for perhaps three days. The competition is just around the corner, so time is of the essence.

Below is a basic budget. I have not yet decided whether I'll be flying or driving, but it is my estimation the costs associated would be similar given I'd do the drive over two days, which would require an overnight stay both there and back. However, I did base the budget below on flying.

Please note, although I am certain unexpected expenses may arise, I am only requesting travel and lodging.

Return Flight Taxes Included	= \$590.25
Luggage both ways	= \$70.00
Hotel in Provincetown	= \$506.85
Total Requested	= \$1167.10

Thank you for your consideration.

Stephen Findlay



Lunenburg & District Fire Department

25 Medway Street, P.O. Box 1478

Lunenburg, Nova Scotia

Chief Darren Romkey

Cell- 212-0476 dromkey@eastlink.ca

David John Lobb joined the Lunenburg and District Fire Department in June of 2018 and instantly fit in with members young and old.

David enjoyed his short time with the fire department and took part in everything he could, Unfortunately in October of 2021, David John suffered a cardiac arrest and died at home.

Because his death occurred within 24 hours of our last emergency call, this made David John eligible to be considered a Line of Duty Death to be placed on the Canadian Fallen Fire Fighters monument.

This process took a couple years and in June of this year, his widow was informed that he has been accepted to be placed on the monument.

The ceremony takes places annually in Ottawa the first weekend of September.

This year it is September 6th and 7th.

As Chief, I feel it is important for me to attend, but Julie has also asked I accompany her to the family dinner on Friday evening.

I am asking council to consider covering my travel and accommodations for this event.

I will have to take 4 days vacation and will cover any other costs myself.

Flights are \$380

Hotel for 3 nights \$920

Total \$1300

Thank you for considering my request

Darren Romkey

Fire Chief,

Lunenburg and Districts Fire Department



Subject: Electric Utility Budgets 2024/2025
From: Electric Utility
Date: August 13, 2024 – first presentation
August 27, 2024 – *COTW discussion*
September 10, 2024 – consideration

Recommendation

That Council approve the 2024/25 Electric Utility Operating Budget as presented for a total amount of \$7,518,700.

That Council approve the 2024/25 Electric Utility Capital Budget as presented for a total amount of \$2,626,000.

Alternatives

- Approve the 2024/2025 Electric Utility Budget Operating Budget with amendments.
- Approve the 2024/2025 Electric Utility Budget Capital Budget with amendments.
- Defer a decision.

Background

The Town of Lunenburg electric utility is responsible for distributing electricity to its residents and businesses. The utility operates under regulations set by the Nova Scotia Utility and Review Board, ensuring compliance with provincial standards.

The utility manages the town's electrical infrastructure; however, this work is covered under a service agreement with Nova Scotia Power for the operations and maintenance of the Town's Electric Utility infrastructure. Space in Town Hall, the Old Fire Hall and the Exhibition Building on Victoria Road are used by the electric utility.

The Electric Utility budgets were first presented by staff at the August 13, 2024, Council meeting, which included a public input and question session where community members could comment on the proposed budgets. After the discussion, Council decided to refer the Electric Utility budgets to the Committee of the Whole for further review, which took place on August 27, 2024.

Discussion

The draft 2024/2025 Electric Utility Budget projects total budgeted revenue of \$7,518,700 and total budgeted expenditures of \$8,030,100, for a projected net deficit of \$511,400. There is a budget change of \$347,700 or 4.8% compared to the 2023/2024 budget. The budget deficit is \$297,900 more than the projections for 2023/2024.

As in the 2023/2024 Budget, there is a substantial increase in Power Costs. \$6,143,600 is budgeted for 2024/2025. While \$5,761,000 was budgeted for 2023/2024, this cost is projected at \$6,066,400 for 2023/2024. \$127,257 represents the monthly charge for the highest power demand.

The total capital funds budgeted for 2024/2025 is \$2,626,000. The Electric Utility has some large capital expenditures in its foreseeable future.

A major part of the proposed 2024 capital spending is \$1.896 million out of the total \$3.8 million to upgrade the feeder 81W-223 to support new projects in the Knickle Road area. The project includes:

- Upgrading and extending feeder 81W-233 to Dufferin Street
- Rebuilding Kissing Bridge Road to 3-phase power
- Extending Victoria Road along Hall Street
- Adding a loop on Knickle Road

This upgrade is essential to support future customers and new service requests. We need approval for this project now so it can be included in Nova Scotia Power's 2024/2025 work schedule.

\$100,000 is allocated for engineering support (preliminary design) and another \$100,000 for the land for the proposed new substation on Green Street.

To fund these expenditures, a General Rate Application will need to be prepared and submitted to the Nova Scotia Utility and Review Board, the cost of which will be amortized over three years. Note, however, that the draft budget does not reflect any rate changes from a General Rate Application.

Salaries for all Corporate Services Administration and Finance Staff are shared with other departments based on actual time spent working. These allocations are reviewed annually to ensure their continued relevance and accuracy. The budget for Engineering Consulting fees is for operational support. If additional specialized support, such as engineering support, is needed for specific capital projects these costs are included in the line item for the capital project.

Strategic Plan Relevance

- Servicing a Facilities: A town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

Relevant Legislation

Public Utilities Act

Electricity Act

Financial

The Electric Utility Budget sets the utility's operational and capital spending.

Communications

There is no communication plan. More information about a possible rate increase will be shared as it becomes available.

Attachments:

- A. 2024/2025 Draft Electric Utility Budget.

TOWN OF LUNENBURG ELECTRIC UTILITY
2024/25 BUDGET

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ELECTRIC UTILITY OPERATING BUDGET						
ACCOUNT #	Notes	DESCRIPTION	2024/25 Budget	2023/24 Approved Budget	2023/24 Projections	2022/23 Actual
		Revenue				
		Operating Revenue				
07-1-51-1000	2	Domestic Service	\$ 3,484,000	\$ 3,143,000	\$ 3,395,400	\$ 2,936,584
07-1-51-2000	3	General Service - Small	180,900	191,000	177,700	178,154
07-1-51-2500	3	General Service - Demand	2,256,600	2,166,000	2,210,300	2,024,336
07-1-51-3000	4	General Service (IND)	1,277,600	1,350,000	1,268,500	1,262,101
07-1-51-4000	5	Street Lighting	150,100	147,000	140,600	137,015
07-1-51-5000		Misc. Electric Light	9,000	8,000	10,100	7,380
07-1-51-6000	6	Late Payment Interest	35,000	30,000	42,800	32,629
07-1-51-7000	7	Pole Attachment Fees	28,000	28,000	27,800	27,620
07-1-51-8000	8	69 KV Line Lease	58,000	58,000	56,500	56,511
		Total Operating Revenue	7,479,200	7,121,000	7,329,700	6,662,330
		Non-Operating Revenue				
07-1-51-9000		Expired Line Extension Deposits	-	-	-	-
07-1-52-1000	9	Sale of Service - Permits	20,000	35,000	16,300	33,652
07-1-52-1010	9	Sale of Service - Jobbing & Contract	7,500	5,000	8,000	7,590
07-1-52-3000		Interest Revenue	12,000	10,000	15,500	17,201
		Total Non-Operating Revenue	39,500	50,000	39,800	58,443
		Total Revenue	\$ 7,518,700	\$ 7,171,000	\$ 7,369,500	\$ 6,720,773
		Expenditures				
		Power Purchases				
07-2-61-1000	10	Power Cost - NSPI	\$ 6,143,600	\$ 5,761,000	\$ 6,066,400	\$ 5,300,756
		Substations				
		Substations (3)				
07-2-62-1100	11	Labour-Utility	26,100	25,400	25,100	25,052
07-2-62-1200	12	Repairs & Maintenance	20,000	20,000	1,900	1,394
07-2-62-1300	13	Transformer Testing	-	-	-	-
07-2-62-1500		Substation Insurance	12,500	12,500	11,900	11,876
			58,600	57,900	38,900	38,322
		Operation & Maintenance				
		Superintendence				
07-2-63-1100	11	Manager/Portion of Super. Salary	202,700	125,000	119,000	114,428
07-2-63-1200	14	Telephone/ Cellular/ Internet	7,000	4,000	6,000	6,873
07-2-63-1400		Radio Repairs/License	200	200	200	202
		Overhead				
07-2-63-2100	11	Labour - Utility	75,800	73,800	72,900	72,920
07-2-63-2200		Supplies	-	-	-	-
07-2-63-2310	15	Vegetation MGMT-Contractor	100,000	100,000	138,600	41,518
07-2-63-2600		Contracted Repairs/Flagmen	2,000	2,500	-	1,810
		Poles & Fixtures				
07-2-63-3100	11	Labour - Utility	12,100	11,800	12,000	11,768
07-2-63-3200		Supplies	1,500	3,000	-	96
		Services				
07-2-63-4100	11	Labour - Utility	28,200	27,400	27,100	26,525
07-2-63-4200		Supplies	3,000	6,000	2,100	2,877
		Streets & Highway Lighting				
07-2-63-5100	11	Labour - Utility	25,500	24,800	24,500	23,971
07-2-63-5200		Supplies	-	-	-	-
		Maintenance of Building				
07-2-63-6200		Fuel	5,000	6,500	4,400	4,686
07-2-63-6300		Electric	1,100	1,100	1,000	1,016
07-2-63-6310		Water	500	500	400	348
07-2-63-6320		Sewer	1,000	900	1,000	1,060
07-2-63-6400	16	Repairs & Maintenance	3,000	4,000	1,800	2,581
07-2-63-6600	17	Rental- Victoria Road Building	5,000	5,000	5,000	5,000
		Customer Premises Expenses				
07-2-63-7100		Electrical Inspections	20,000	35,000	18,000	36,281
			493,600	431,500	434,000	353,960

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ELECTRIC UTILITY OPERATING BUDGET						
			2024/25	2023/24	2023/24	2022/23
ACCOUNT #	Notes	DESCRIPTION	Budget	Approved Budget	Projections	Actual
		Transformers				
		Setting and Removing				
07-2-64-1100	11	Labour - Utility	2,900	2,800	2,800	2,751
		Maintenance of Transformers				
07-2-64-2100	18	Labour - Utility	3,500	3,400	3,400	3,340
07-2-64-2150	18	Contracted Repairs	75,000	40,000	23,600	9,000
07-2-64-2200	18	Supplies	-	-	-	-
			81,400	46,200	29,800	15,091
		Meters				
		Setting and Removing Meter				
07-2-65-1100	11	Labour - Utility	7,400	7,200	7,100	7,073
		Testing Meters (Expenses)				
07-2-65-2100	11	Labour - Utility	11,700	11,400	11,300	11,003
		Maintenance of Meters				
07-2-65-4200		Supplies	1,000	1,000	200	1,545
			20,100	19,600	18,600	19,621
		General Overhead				
		Supervision				
07-2-66-1100	20	Portion FD Salary	7,100	6,700	6,600	6,100
		Contracts				
07-2-66-2100	20	Portion of Town Office Salaries	21,500	20,000	21,100	19,300
			28,600	26,700	27,700	25,400
		Accounting				
		Accounting Supervision				
07-2-67-1100	20	Portion FD Salary	10,700	10,100	9,900	7,900
		Revenue Accounting				
07-2-67-2100	20	Portion of Town Office Salaries	75,900	69,500	69,600	51,835
		Plant Accounting				
07-2-67-3100	20	Portion of Town Office Salaries	50,100	46,700	48,500	54,500
		Billing				
07-2-67-4100	20	Portion of Town Office Salaries	50,100	46,700	47,100	51,700
07-2-67-4200		Supplies	12,500	12,000	12,200	11,450
		Auditing				
07-2-67-5100		Audit Fees	7,000	7,500	6,500	6,500
		Collecting				
07-2-67-6050	21	Electronic Banking Services	5,000	5,500	4,800	4,895
07-2-67-6100	20	Portion of Town Office Salaries	21,500	20,000	20,100	16,600
07-2-67-6200		Postage	15,400	14,800	14,800	13,500
07-2-67-6300		Collection Costs (Small Claim Fees)	1,000	1,000	-	-
		Meter Reading				
07-2-67-7100	11	Labour - Utility	45,000	35,000	48,600	59,227
			294,200	268,800	282,100	278,107
		General				
		Supervision				
07-2-68-1100	21	Portion CAO & Clerk Salaries + supports	67,200	61,600	61,900	72,497
07-2-68-1200	22	Council Honorariums	37,100	34,900	31,300	47,909
07-2-68-1400	23	Council Conventions/Training	3,600	3,600	2,900	2,271
		Professional Services				
07-2-68-2100	24	Engineering	50,000	30,000	10,000	5,135
07-2-68-2200		Legal Fees	40,000	20,000	6,200	21,458
07-2-68-2210	25	Communications	10,000	10,000	7,200	5,661
07-2-68-2300		Payroll Administration	1,500	1,500	1,500	1,500
		Advertising				
07-2-68-3100	26	Power Interruptions & Promotions	2,500	5,000	400	860
		Uncollectible Bills				
07-2-68-4100	27	Provision - Uncollectible Accts.	15,000	15,000	15,000	22,511

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ELECTRIC UTILITY OPERATING BUDGET						
			2024/25	2023/24	2023/24	2022/23
ACCOUNT #	Notes	DESCRIPTION	Budget	Approved Budget	Projections	Actual
		<i>Rentals, Lights, etc.</i>				
07-2-68-5100		Office Rental - Town	10,200	10,200	10,200	10,200
07-2-68-5200		Supplies/Printing/Paper	17,000	16,000	17,700	16,481
07-2-68-5300		Postage	15,400	14,800	14,800	13,500
07-2-68-5600	28	Maint & Contract - Computer	42,000	40,000	54,000	39,207
07-2-68-5700		Lease - Postage Meter	2,000	2,000	2,000	1,197
07-2-68-5800		Service Charges - Photocopier	4,300	4,000	4,300	4,107
		<i>General Insurance</i>				
07-2-68-6600	29	Insurance	20,000	16,500	19,000	14,989
		<i>Employee Welfare</i>				
07-2-68-9200	30	Employment Benefits	67,400	68,300	62,800	60,266
07-2-68-9300		Clothing/Safety	500	1,000	-	-
07-2-68-9400		Other Employee Benefits	2,000	4,800	600	545
07-2-68-9450		Meeting - Travel/Expense	1,500	1,500	1,300	1,206
07-2-68-9500	31	Training and Memberships	10,000	10,000	1,700	10,080
07-2-68-9600		Meeting Supplies	3,000	3,000	2,500	2,697
			422,200	373,700	327,300	354,277
		<i>Office Supplies/Expenses</i>				
07-2-69-1100		Telephone - Town Hall	2,000	2,000	2,700	1,949
07-2-69-1200		Fax Machine	500	500	400	413
07-2-69-1350	33	Small Capital - Office Equipment	15,000	15,000	11,500	12,197
		<i>Regulatory Comm. Expense</i>				
07-2-69-3100	34	BD. of Public Utilities	8,000	8,000	7,200	7,297
07-2-69-3200	35	Consultant Fees	35,000	40,000	16,300	49,020
			60,500	65,500	38,100	70,876
		Department Total	\$ 7,602,800	\$ 7,050,900	\$ 7,262,900	\$ 6,456,410
		<i>Depreciation</i>				
07-2-70-2100	36	Depreciation Expense	323,000	215,000	215,000	181,228
		<i>Interest on Consumer Deposits</i>				
07-2-70-3100		Accrued Interest Expense	500	500	500	1,115
		<i>Interest on Long-Term Debt</i>				
07-2-70-4100	37	Borrowing Interest	3,800	4,600	4,600	4,878
		<i>Debt Repayment</i>				
07-2-70-5100	37	Long-Term Debt Principal	100,000	100,000	100,000	100,000
		Department Total	\$ 427,300	\$ 320,100	\$ 320,100	\$ 287,221
		<i>Transfers to Other Funds</i>				
07-2-80-1000		<i>Capital Reserves</i>				
07-2-80-1200		Trf. To (from) Capital Reserve	-	-	-	-
		Department Total	\$ -	\$ -	\$ -	\$ -
07-2-90-0100		Surplus (Deficit)	\$ (511,400)	\$ (200,000)	\$ (213,500)	\$ (22,858)
		Section Total				
		Total Expenditures	\$ 7,518,700	\$ 7,171,000	\$ 7,369,500	\$ 6,720,773
		Budget Change	\$ 347,700			
			4.8%			

NOTES TO ELECTRIC UTILITY BUDGET

1. Currently the Utility’s kWh consumption rate for power purchases is \$0.10877 including FAM rider. The Utility’s current peak ratchet monthly demand cost for kVa is \$127,257. The Utility’s current demand rate is \$13.108. The Utility receives a \$0.32 per kVa discount in demand costs for owning its own substation (see table below).

	2024/25 Budget	2023/24 Budget	2022/23 Actual	2021/22 Actual
Purchases (kWh)	42,098,000	40,451,116	40,541,899	42,299,239
Sales (kWh)	40,414,000	39,024,038	39,024,038	40,780,742
Purchases as % Sales	104%	104%	104%	104%
Billed Demand (kVa) monthly	10,750	10,171	9,947	9,163

kWh: Kilowatt hour - the basic measurement of power per hour.

kVa: Kilovolt amperes – the basic unit for measurement of apparent power. It is the greatest amount of power, averaged over a 15 minute period, supplied to the Town during the billing period of December, January or February. It is adjusted annually and billed at highest kVa for following year.

Date	Time	Peak (kVa)
January 16, 2012	8:30 am	8,673
January 24, 2013	8:30 am	9,429
January 2, 2014	5:30 pm	9,982
February 11, 2015	9:00 am	9,520
January 13, 2016	10:00 am	9,800
December 16, 2016	5:45 pm	9,947
January 2, 2018	6:45 pm	9,338
February 27, 2019	8:00 am	9,842
February 21, 2020	8:15 am	9,632
February 12, 2021	9:30 am	9,163
January 12, 2022	9:00 am	9,947
February 4, 2023*	6:00 pm	10,171
February 21, 2024	8:00am	9,898

The Town’s Electric Utility has approximately 2,200 customers in various rate classifications as noted below.

*Historical low temperatures.

2. **#07-1-51-1000 Domestic Service**

Budget based on projected sales and existing rates. There are approximately 1,800 customers billed under the Domestic Service rate. There are currently 21 customers billed under the Domestic Service Time-of-Day rate. There are currently 32 customers billed under the Self Generation Offset (SGO) rate.

3. **#07-1-51-2000 & 07-1-51-2500 General Service**

Budget based on projected sales and existing rates. There are approximately 250 Small General customers and approximately 180 General Service customers billed under General Service.

4. **#07-1-51-3000 Industrial**

Budget based on projected sales and existing rates. The Town has 3 customers billed under this rate.

5. #07-1-51-4000 Street Lighting

Budget based on projected sales and existing rates. The Town has approximately 60 customers billed under this rate.

6. #07-1-51-6000 Late Payment Interest

Interest revenue is based on 1.5% per month on outstanding balances.

7. #07-1-51-7000 Pole Attachment Fees

An agreement with Maritime Tel & Tel was reached in 1987. Ratio of pole ownership to be shared at 60% Utility, 40% Bell Aliant (formerly MT&T). At that time there were 592 poles (60% Utility = 355 and 40% Aliant = 237). Aliant has not maintained their 40% ownership and pole attachment fees are charged for the difference. Currently there are approximately 1,128 poles. Aliant is charged for the number of poles over the Utility's original 355 (773 poles).

This revenue budget includes attachment fees of \$14.15 per pole for Eastlink Cable (1,169 poles = \$16,541) and Bell Aliant (773 poles = \$10,938).

8. #07-1-51-8000 69 KV Line Lease

Lease agreement with High Liner Foods Inc. to lease our 69 KV line for power supplied by Nova Scotia Power Inc. The lease renewed in October 2020.

9. #07-1-52-1000 & #07-1-52-1010 Sale of Services

Includes wiring permit fees, electrical inspections and any other work performed by the Electric Utility staff for external customers.

10. #07-2-61-1000 Power Purchased

This is budgeted based on the Utility's power purchase requirements.

11. Labour Utility

The Town of Lunenburg has a service agreement with Nova Scotia Power for the operations and maintenance of the Town's Electric Utility infrastructure. The arrangement was effective June 1, 2018 for a renewable five-year term and will provide a wide range of technical expertise to ensure a reliable and sustainable electricity supply. All on site work is now carried out by Nova Scotia Power personnel. The cost of this service arrangement is allocated within the various cost centers of the Utility.

12. #07-2-62-1200 Repairs & Maintenance Substations

Budget has been included for routine repairs and maintenance.

13. #07-2-62-1300 Transformer Testing

While the substation transformers require periodic testing these costs are now included in the substation repairs and maintenance budget. There are three transformers at the substation, a dual voltage main and a backup for each voltage.

14. #07-2-63-1200 Telephone/Cellular/Internet

Includes the basic rates, cellular phones for the Corporate Services staff who manage the Utility and internet lines in the Town Office/Electric Department.

15. 07-2-63-2310 Line Vegetation Management Contractor

It is important that the vegetation be managed to maintain power during weather events. The budget includes costs for annual contracted tree trimming and removal.

16. #07-2-63-6400 Maintenance of Building

Includes estimate for annual repairs.

17. #07-2-63-6600 Rental Victoria Road Building

Space is required at the Victoria Road exhibition building for storage of large spools of wire, etc.

18. #07-2-64-2100 to 2200 Maintenance of Transformers

Budget estimate for maintenance including any required testing for PCB's of older transformers. All line transformers must be tested for PCBs by 2025.

19. #07-2-65-3100 Testing Meters - Third Party Charges

Included in the fees for the service contract.

20. #07-2-66-1100/2100, 67-1100/2100/3100/4100/6100 and 68-1100 Portion of Salaries

Salaries for all Corporate Services Administration and Finance Staff are shared with other departments based on actual time spent working for them. These allocations are reviewed annually to ensure their continued relevance and accuracy. Allocations include General Government Services, Transportation Services, Community Development, Water and Electric Utilities.

21. #07-2-67-6050 Electronic Banking Services

This cost is for the lease of two debit machines located in the Finance Office and one third of all banking fees. This is deemed reasonable based on monthly electric billings vs quarterly billings for other Town Utilities.

22. #07-2-68-1200 Honorariums

Honorariums for members of Council for their oversight of Electric Utility. Allocated at 25%.

23. #07-2-68-1400 Conventions/Training – Council

Conferences, training and professional development for the Mayor and Councillors. Approximately 50% of costs is allocated to the Electric and Water Utility budgets.

24. #07-2-68-2100 Engineering

The budget for Engineering Consulting fees for operational support. If support is needed to capital projects those costs are allocated to the capital project.

25. #07-2-68-2210 Communications

Budget for a portion of the Communications Manager's salary and related supplies.

26. #07-2-68-3100 Advertising

Budget for outage notices and supplies.

27. #07-2-68-4100 Uncollectible Accounts

A valuation of aged receivables is performed annually and an allowance for uncollectible accounts is established as per national accounting guidelines.

28. #07-2-68-5600 Maintenance/License - Computers/Printers

Budget includes maintenance and licensing of computers including the accounting software license fee. The accounting software license fee is an all-inclusive annual fee for program updates and improvements and IT support for the software. Other departments pay the Electric Utility for a portion of this license fee.

29. #07-2-68-6600 General & Liability Insurance

Insurance costs are budgeted at estimated rates for the upcoming year.

30. #07-2-68-9200 Employment Benefits

The Utility reimburses the Town for a portion of the Employment Benefit costs for the Town office staff. This account also includes an accrual for retirement benefits based on the Town's personnel policy.

31. #07-2-68-9500 Training and Memberships

Budget for various staff training, seminars/conferences and memberships.

33. #07-2-69-1350 Small Capital – Office Equipment

This has been transferred from the Capital Budget to Operations based on the Town’s Tangible Capital Asset threshold of \$2,500. Includes replacement computers as required (generally replaced every 3 years).

34. #07-2-69-3100 Board of Public Utilities

Budgeted based on previous year actuals.

35. #07-2-69-3200 Consultant Fees

The Utility is undertaking a General Rate Application (GRA) and the cost of which is to be amortized over three years.

36. #07-2-70-2100 Depreciation Expense

All capital items are depreciated at an average rate of 3.5%. as per NSURB.

37. #07-2-70-4100 Interest Expense & Long Term Debt Principal #07-2-70-5100

The Electric Utility has a 20-year debenture for the substation upgrade with Municipal Finance Corporation with an original average interest rate 4.319%. This debenture was refinanced in fiscal 21-22 for the remaining five years and now has an average interest rate of 0.7%.

Payment	Original Loan	Principal	Interest	End Balance
18 of 20	\$2,000,000	\$100,000	\$3,800	\$200,000

It is estimated that the Electric Utility will need to finance significant debt for capital upgrades in the next five years and this will have an impact on rates.

TOWN OF LUNENBURG CAPITAL BUDGET - ELECTRIC UTILITY

DESCRIPTION	24/25 Year 1	25/26 Year 2	26/27 Year 3	27/28 Year 4	28/29 Year 5
Meters	\$10,000	\$10,000	\$200,000	\$100,000	\$100,000
Overhead Conductors	\$220,000	\$230,000	\$240,000	\$250,000	\$250,000
Poles & Fixtures	\$95,000	\$105,000	\$115,000	\$125,000	\$125,000
Services	\$55,000	\$65,000	\$75,000	\$85,000	\$85,000
Transformers - Line	\$140,000	\$150,000	\$160,000	\$170,000	\$170,000
Street Lighting	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
81W-322 feeder upgrade (5.333 Kv to 15kV standards)					\$1,700,000
81W-321 feeder upgrade (5.333 Kv to 15kV standards)				\$1,000,000	
Upgrade and Extend 81W-233 to Dufferin Street (Option B)	\$1,896,000				
Green St New Double Circuit		\$1,904,000			
Substation design/re-design	\$100,000	\$100,000			
Existing Substation Yard Cleanup (grass, grounding, crushed rock, etc.)		\$ 100,000	\$100,000		
New HV Switches 69kv/138 kV (3)			\$200,000		
Land for new Substation on Green St.	\$100,000				
New Substation Yard prep (overburden removal and fill, crushed rock)		\$ 200,000			
Existing Substation Ground grid repairs			\$100,000		
Existing Substation Buss work (5.33 kv to 12.47kv conversion accommodation)			\$100,000		
New Substation Foundation Structures			\$200,000		
Existing Substation Fence repairs		\$100,000			
New Substation Fence			\$100,000		
15 Kv Reclosers and associated equipment for New Sub				\$200,000	
Existing Substation Ground grid			\$150,000		
New Substation Oil Containment				\$300,000	
New Substation Overhead Buss Work				\$250,000	
New 20MVA 69kV/138kV - 12.47 kv Power transformer for Sub 81W			\$500,000	\$1,000,000	
New Substation relaying, protection, metering, battery bank			\$100,000	\$100,000	\$100,000
New Substation Control building				\$200,000	
TOTAL	\$2,626,000	\$2,974,000	\$2,350,000	\$3,790,000	\$2,540,000
Fiscal 2024/25 Capital Funding					
Electric Utility Deprecation Reserve	\$160,000				
Debt Financing	\$2,466,000				
	<u>\$2,626,000</u>				
<i>Projected Financing 25/26 to 28/29</i>					
Electric Utility Deprecation Reserve		\$180,000	\$390,000	\$310,000	\$310,000
Debt Financing		\$2,794,000	\$1,960,000	\$3,480,000	\$2,230,000
		<u>\$2,974,000</u>	<u>\$2,350,000</u>	<u>\$3,790,000</u>	<u>\$2,540,000</u>

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ELECTRIC UTILITY CAPITAL BUDGET DESCRIPTIONS

The bulk of the capital expenditure for 2024 is \$1.896M out of \$3.8M that is required for the upgrade of feeder 81W-223 to support the new projects in the Knickle Road area. The project involves upgrading and extending 81W-233 to Dufferin Street, rebuild Kissing Bridge Road to 3-phase, extend Victoria Road along Hall Street and add the Knickle Road loop. This upgrade is critical for future customer support and new service requests. This project requires approval so that it can fit into NS Power's work schedule for the 2024/2025 year.

The allocated funds of \$100k for engineering support (preliminary design) for the proposed new substation on Green Street, and \$100k for the land for the proposed new substation.

Meters

In 2017 the Utility began the first of a multi-year Smart Meter conversion program. Approximately 300 meters were swapped. Additional Smart Meter conversions are currently on hold while other capital priorities are completed. The 2024/25 budget for meters allows for the purchase of any replacement meters that are required during the fiscal year.

Overhead Conductors

This item is for yearly replacement, as well as new and emergency repairs.

Poles & Fixtures

This item is for yearly replacement, as well as new and emergency repairs.

Services

For replacement and new installation of overhead service wires and fixtures (both residential and commercial).

Transformers – Line/Installation

This item is for yearly replacement, as well as new and emergency repairs. As part of our service agreement NSP purchases and maintains the transformer inventory for the utility.

Street Lighting

In fiscal 2022/23 all street lights were converted to LED. The 2024/25 budget for street lights allows for the installation of any potential new requests.

Subject: Fire Department Request for #6 Tanker Replacement – Tender Award

Prepared by: Kathleen Rafuse, Accountant

Date: September 10, 2024



Recommendation

That Council approve the purchase of the #6 Tanker Replacement from Battleshield Industries in the amount of \$754,873 plus net HST for a total of \$787,226 and a contingency of \$10,774 for a total budget of \$798,000.

Alternatives

- That Council defer the purchase until the 2025/26 budget process.

Background

On November 15, 2023, the Lunenburg Fire Chief submitted a letter to the Protective Services Committee requesting the Fire Department be allowed to work on the RFP for the #6 Tanker Replacement for release in late winter/early spring 2024.

At the January 17, 2024 the Committee recommended that Tanker 6 replacement remain in the 2025/26 capital budget and that the Fire Department proceed with the drafting of a tender package and that the draft tender package be returned to the Committee for consideration before release.

At the July 16, 2024 Council meeting Council approved issuing the RFP for the #6 Tanker replacement for the for the 2025/26 capital budget in the amount of \$798,000, with 50% of the cost to be covered by Fire District 1 & 2.

Discussion

A Request for Proposals (“RFP”) was issued for a Tanker Truck was issued on July 17, 2024. The RFP closing time was August 19, 2024. Four proposals were received in response to this RFP. Due to the value of the proposed vehicle value being over \$100,000, Council must award the RFP in accordance with the Town's Purchasing Policy.

Five bids were received and the pricing (before HST) is as follows:

Bidder	Price
Battleshield Industries Limited	\$ 754,873.00
Safety Source Fire Inc. Pierce	\$ 809,033.00
Fort Garry Fire Trucks Ltd.	\$ 823,949.00
Rocky Mountain Phoenix Atlantic	\$ 856,636.00
Safety Source Fire Inc. Maxi Metal	\$1,045,148.00

As the November 15, 2023 Protective Services Meeting it was noted that Fire District 1&2 have already agreed to finance half of the cost of the #6 Tanker.

As previously discussed, the Town established a Fire Truck Reserve in 2019 for a portion of the future truck funding. It is anticipated that the balance of that reserve will be \$180,000 on March 31, 2025, to be used towards the Town's portion of #6 Tanker purchase. The balance of the Town's funding will be through a 15-year capital borrowing.

Strategic Plan Relevance

Comprehensive Community Plan, 4.9 Emergency Services, Fire Protection a) Continue to work with the Lunenburg and District Fire Department to ensure it is able to efficiently and effectively respond to fires and other emergencies.

Financial

As noted above.



Lunenburg & District Fire Department

25 Medway Street, P.O. Box 1478

Lunenburg, Nova Scotia

Lunenburg Town Council

We are currently in the process of replacing our 2002 GMC Tanker which was due to be replaced in 2022/23. Since then it has been moved to the 2025/26 Capital budget, at a cost of \$798 000.

In January of 2024 it the recommendation from Protective Services to town council was passed to allow the RFPs to be sent in the spring/early summer of 2024.

At this meeting, I stated that due to the increasing costs, this number may be low and could expect RFPs to come back in the low to mid \$900 000 range.

5 bids were returned for the August 19th deadline and copies were given to the truck committee.

Bids ranged from \$754 873.00 + tax, up to \$1 045 148.00 + tax.

We reviewed each bid for costs, delivery date, meeting the required spec and references.

The committee found that every truck met our requirements on the most part. Each are reputable companies and delivery dates ranged from 3 months to 40 months.

After several hours of meetings, the committee has decided to recommend to council that the bid from Battleshield Industries be awarded the bid at a cost of \$754 873.00 + municipal tax for a total of \$787 226.86.

We are happy to say that this is actually below the projected 10 year plan price of \$798 000.

We would ask that council approve the full cost of up to the \$798 000 to cover any additional changes during the final build.

We decided on this truck not only for the price, but;

-the bid filled well over 90% of our specifications

-delivery of 12 months puts us within the 2025/26 budget year and will arrive in the summer during warmer weather to train in

-although this is a fairly new company based out of Ontario, (making it a 100% Canadian business), there is only 1 other truck in Nova Scotia.

This truck is in Chester, where they took delivery of it less than 2 years ago.

The committee traveled to Chester and met with Chief Cody Stevens, who is a Supervisor for HRM fire and works on trucks from all companies.

He stated this truck is one of the best he has seen for workmanship and quality.

To date, they have had minor issues with the truck, and the ones they had they have received top notch service from Battleshield.

-Battleshield is willing to work with our local Emergency Vehicle Technician in every way.

Thank you

Darren Romkey

Fire Chief

Lunenburg and District Fire Department

Subject: Council Meeting Submissions and Public Input Policy
From: Kayla Byrne, Municipal Clerk
Date: August 27, 2024 – *COTW*
Sept. 10, 2024 – *Notice*
Sept. 24, 2024 – *Decision*



Recommendation

That Council give notice to approve the new Council Meeting Submissions and Public Input Policy as presented, repealing and replacing Policy #68, the Public Presentations at Town Council, Committee of the Whole Council and Committee Meetings Policy.

Alternatives

- Provide edits to the policy. Please note Council may still provide notice of policy while also providing edits before final approval.
- Defer this item.

Background

Council initially reviewed this policy on July 16, discussing key points such as expanding the public input section to allow comments on any municipal matter, not just agenda items. This proposed change is highlighted in yellow in the attached policy. Councillors also requested a clearer understanding of operational matters, leading to the addition of a new definition, also highlighted in yellow.

Following the July 16 discussion, Council referred the proposed policy to the Committee of the Whole (COTW) for further review. At the August 27 COTW, Council voted to return the policy to a regular meeting for notice

Discussion

Council's current [Public Presentations at Town Council, Committee of the Whole Council and Committee Meetings Policy](#) lacks clarity on presentation parameters, such as the review and approval process and handling prohibited or subsequent presentation requests. The proposed policy aims to better capture our existing practices, which have not been clearly documented, by:

- Defining allowable presentation types
- Detailing information required for presentation requests
- Outlining a clear review and approval process

The policy also addresses respect and decorum during meetings, sets deadlines for documentation submission, and allows for both in-person and virtual presentations.

Currently, Council agendas include correspondence and a 20-minute "Public Input and Questions" item, but no policy guides these practices. The proposed policy seeks to formalize these procedures, focusing on:

- Presentations at Council meetings
- Public input during Council meetings
- Correspondence for information or action in Council agendas
- Public hearing submissions
- Petitions
- Accommodations
- Respect and conduct at Council meetings
- Public record and livestreaming

Policy Highlights:

Presentations at Council Meetings:

- Maximum of two presentations per meeting
- Categories include local/regional updates, community initiatives, significant public interest, and local achievements
- Presentations must be respectful, with a 15-minute limit
- Requests reviewed by the CAO and Municipal Clerk; in-person preferred, virtual option available

Prohibited Presentation Requests:

- Promotions of private businesses or individuals, topics outside Town jurisdiction, matters requiring or having had a public hearing, CAO/staff responsibilities, duplicate topics

Public Input at Council Meetings:

- "Public Input and Questions" as a standing agenda item, 20-minute limit, 3 minutes per speaker

Correspondence:

- "Correspondence for Action or Information" included in agendas, must be respectful and relevant

- Anonymous/unsolicited correspondence not acknowledged
- Operational matters directed to staff, with a process for handling correspondence related to pending matters

Public Hearing Submissions:

- Included in the agenda package, late submissions circulated but not part of the public record, unlimited speakers with a five-minute limit per speaker

Relevant Legislation

Municipal Government Act

Financial

There is no additional cost to approve or implement this policy.

Communications

If approved, this policy will be published on the Town's website.

Attachments

Proposed Council Meeting Submissions and Public Input Policy

Council Meeting Submissions and Public Input Policy

Date adopted by Council: **TBD**



1. POLICY STATEMENT

This policy aspires to create an open and inclusive environment where the public can actively participate in Council meetings and share feedback on relevant Town matters. By offering multiple avenues for engagement, the Town of Lunenburg aims to foster transparent communication, meaningful community involvement, and well-informed decision-making processes.

2. PURPOSE

The purpose of this policy is to establish clear procedures for presentations, public input, and correspondence at Council meetings.

3. SCOPE

This policy applies to all individuals and organizations wishing to participate in or engage with the Town of Lunenburg's Council meetings. This includes, but is not limited to, presentations, public input, correspondence, public hearing submissions, and petitions.

4. DEFINITIONS

"Accommodation Request" is a formal request submitted by an individual seeking modifications or adjustments to facilitate their participation in public meetings.

"Input" refers to any comments, questions, or feedback provided by individuals or organizations regarding municipal affairs during Council meetings. This includes verbal contributions during public input sessions, written submissions, and other communication directed toward Council.

"Operational responsibilities of the CAO and staff" refer to the duties and activities that fall within the scope of the day-to-day administration, management, and execution of municipal plans, policies, and programs.

"Presentation" is an organized and formal delivery of information to the Council during a Council or Committee of the Whole meeting

"Public Hearing" refers to a formal process held during a regular or special Council meeting where Council considers public input on specific matters, such as proposed bylaws or other significant issues.

5. PRESENTATIONS AT COUNCIL MEETINGS

Presentations are made at Council meetings or, when practical, at Committee of the Whole meetings.

A maximum of two presentations may be made at any meeting.

For the purpose of this policy, Council will only hear presentations that fall into one of the following four categories:

- Updating Council on local or regional initiatives, projects, budgets, or operations.
- Raising Council's awareness of community initiatives or projects.
- Highlighting topics of significant public interest or impact on the community that affect the broader community rather than individual concerns.
- Celebrating successes and achievements of local or regional volunteer-based or not-for-profit organizations with a social, cultural, economic, or environmental well-being in their mandate.

Presentations must be respectful and free of personal attacks, defamatory statements, or offensive language.

These presentations will be allotted 15 minutes (10 minutes for the presentation and 5 minutes for questions from Council to the presenter).

Presentations are deemed to be for informational purposes only. Should Council desire to take action based on the content of a presentation, a notice of motion is required.

6. PROHIBITED PRESENTATION REQUEST

The following types of presentation requests will be refused without further consultation:

- Promotion of private businesses, groups, or individuals.
- Subjects that do not fall within the jurisdiction of the Town of Lunenburg.
- Matters that legislatively require a public hearing, matters for which a public hearing has been or will be scheduled, or for which a public hearing has already been held.
- Topics that fall within the operational responsibilities of the CAO and staff.

A presentation request will also be denied if it pertains to a duplicate or identical topic recently presented by another individual or organization.

The CAO will inform the Council of any presentation requests not granted and provide the

rationale for the refusal.

6.2 Subsequent Presentation Requests

Requests to present again on a specific matter will only be permitted if the information is a new topic or significantly different from what was previously presented. For clarity, "significantly different" means that the new presentation must introduce substantive new information, perspectives, or data not included in the previous presentation. This includes but is not limited to, updated data or research, different focus or scope, new evidence or insights, and changed circumstances.

7. PUBLIC INPUT AT COUNCIL MEETINGS

At regular Council meetings, the public can comment and ask questions during the agenda item titled "Public Input and Questions." This will be a standing item on all regular Council agendas.

During this period, the public may address any municipal matter relevant to the Town of Lunenburg, following these general guidelines:

- The topic should pertain to Town affairs, services, or community issues.
- Comments and questions should be respectful and constructive.

The "Public Input and Questions" portion of the meeting will be limited to 20 minutes. Individual members of the public may speak for a maximum of three minutes each.

The public will address their questions and comments directly to the Chair.

7.2 Follow-up for Public Input and Questions

When information is readily available and practical to provide, staff and Council will address comments or provide clarifying information during the "Public Input and Questions" section upon Council's.

For any follow-up request, documents or analysis that do not exist or detailed information reports that require significant staff time must be directed to staff by Council.

8. CORRESPONDENCE

The public may submit correspondence items for possible inclusion in a Council public agenda package. To be considered, correspondence items must:

- Be addressed to the Mayor and Council.
- Include the sender's full name and contact information.
- Be relevant to an issue within Council's jurisdiction.

- Be respectful and free of personal attacks, defamatory statements, or offensive language.

To facilitate effective communication and ensure that all correspondence is given due consideration, the Town accepts submissions in the following formats:

- **Written Submissions:** This includes letters, emails, and other text-based documents. Written submissions should not exceed two pages in length.
- **Audiovisual Submissions:** This includes videos and voice recordings without video. Audiovisual submissions must not exceed three minutes in length.

All correspondence on the Council agenda will be listed under the item titled "Correspondence for Action or Information." Correspondence aligning with existing Town policies or practices, such as letters of support, proclamations, and flag raisings, will include a recommendation from staff and be classified as correspondence for action. All other correspondence will be classified as correspondence for information.

If a Council member wishes to act on a correspondence item listed for information, they must either propose an amendment to the agenda at the start of the meeting, provided the addition is aligned with Council's meeting procedures and does not contravene the Municipal Government Act, or provide a notice of motion during the designated section of the meeting.

Correspondence related to a public hearing or a matter awaiting a staff report for Council's consideration will be held until that item is scheduled on a Council meeting agenda. At that time, the correspondence will be included as background information and attached to the corresponding agenda item.

Subsequent correspondence from the same author on the same topic will not be included in an agenda package unless it contains significantly new information on the matter.

Anonymous correspondence will not be acknowledged.

Correspondence regarding unsolicited goods and services will not be acknowledged.

Correspondence related to operational matters, including letters of inquiry and/or complaints from the public, will first be directed to the applicable staff for resolution and response. The matter will be escalated to the CAO if it is not resolved. Staff may advise when operational matters should be escalated to Council for consideration of potential policy or by-law amendments.

9. PUBLIC HEARING SUBMISSIONS AND PARTICIPATION

Submissions received for a public hearing will be included in the agenda package for the

meeting at which the public hearing is scheduled. Public hearing attendees may sign up to speak in person at the scheduled public hearing meeting or request to participate virtually.

If an audio or visual submission is received, it will be played at the meeting for which the public hearing is scheduled.

Regardless of whether a submission was received or not, public hearing attendees may sign up to speak in person at the scheduled public hearing meeting or request to participate virtually.

Speakers will have five minutes to discuss the item. The number of speakers at a public hearing is unlimited.

10. PETITIONS

Petitions are deemed presented to Council when filed with the Municipal Clerk. A petition to Council must include each petitioner's full name and residential address.

11. ACCOMMODATIONS

The Town will make reasonable accommodations for individuals with disabilities to facilitate their participation in public meetings per relevant regulations and up to the point of undue hardship, which occurs when all reasonable means of accommodation have been exhausted, leaving only options that pose significant financial, operational, or safety burdens on the Town.

12. RESPECT AND CONDUCT AT COUNCIL MEETINGS

All participants in Council meetings, including presenters, individuals speaking during public input opportunities, and members of the public gallery, are expected to conduct themselves respectfully. Shouting, applause, or any form of audience participation that disrupts the proceedings is prohibited.

The Chair has the authority to maintain order during Council meetings. If a presentation or public input does not conform to the guidelines set out in this policy or if a participant behaves disrespectfully, the Chair may interrupt or stop the presentation or input. If the disrespectful behaviour continues, the Chair may request that the speaker or member of the gallery leave the meeting.

13. PUBLIC RECORD AND LIVESTREAMING

All items included in a Council meeting agenda package, including presentations and correspondence, become part of the public record and will be published on the Town's website. The author's name will be made public, but other personal information, such as full street addresses, personal phone numbers, and personal email addresses, will be redacted. However, staff will not edit audio-visual submissions to redact personal information. The person

submitting the audio-visual content is responsible for ensuring that it does not contain information they do not wish to be publicly shared.

Council meetings are live-streamed and archived on an online public platform. By participating in the meeting or submitting content, individuals acknowledge and consent to their submissions and participation is included in the public record and the live-stream.

ADMINISTRATIVE PROCEDURES

Public Submission Policy

Date approved by the CAO: **TBD**



1. MAKING A PRESENTATION REQUEST

Presentation requests must be made to the Municipal Clerk in writing. The request must include the following:

- Individual's name or the name of the organization
- Contact information of the presenter(s)
- The subject matter and a summary of the presentation
- Provide information on any requests being made by the Town
- Any other relevant background information

Upon receipt of a presentation, the Municipal Clerk will outline the process to the presenter, explaining that presentations are for informational purposes only. Should any follow-up action be directed by Council, the Municipal Clerk will ensure that the presenter is informed of any developments.

Based on this policy, the Chief Administrative Officer (CAO) and Municipal Clerk will review presentation requests to determine their suitability for a Council meeting. If approved, the CAO and Municipal Clerk will decide at which Council meeting the presentation will be scheduled.

The CAO may determine that a matter will be addressed through written submissions instead of a live presentation to optimize the Council's time and resources. Written submissions provide a detailed, precise, and documented account of the subject matter, allowing Council members to review the information at their convenience.

1.2 Approved Presentation Requests

Once a presentation request has been approved, all documentation intended for Council must be submitted to the Municipal Clerk at least eight days before the meeting. These documents will be included in the public Council agenda package. Failure to meet this deadline may result in rescheduling the presentation to a later Council meeting.

The preferred method for presentations is in person. However, presenters may request to present virtually. Anyone wishing to present virtually must notify the Municipal Clerk at least 24 hours before the meeting.

1.3 Prohibited Presentation Requests

The Municipal Clerk will notify the requester if a presentation request is refused. The notification will include the reason(s) for the refusal and, if applicable, suggestions for resubmitting the request or other avenues for presenting the information to Council. The CAO will be informed of all refusals and ensure the rationale aligns with this policy.

2. REGISTRATION FOR PUBLIC INPUT

Individuals wishing to speak must register at the start of the Council meeting by filling out the sign-in sheet available at the meeting venue. Registration is on a first-come, first-served basis. Staff may adjust this process when necessary, provided it continues to offer the same opportunity for public input as outlined in this policy.

2.1 Follow-up Process for Public Input and Questions

When members of the public sign up to speak during the "Public Input and Questions" portion of the meeting, on the sign-up sheet, they have the option to request a follow-up from staff in writing regarding any questions posed. If the follow-up request is outside the scope of the report on the Council agenda or requires significant staff time to answer, staff will provide a rationale to the requestor and Council explaining why their request cannot be accommodated.

3. SUBMITTING CORRESPONDENCE FOR A COUNCIL AGENDA

Submissions must be received at least eight business days before the meeting to be included in the agenda. Failure to meet this deadline may result in the submission being added to a later Council agenda.

Upon receipt of incomplete or ambiguous correspondence, the Municipal Clerk will contact the sender to request additional information or clarification. If the sender does not respond or provide the required information, the correspondence will not be included in the Council agenda package and will not be considered for further action. The Municipal Clerk will inform the sender of this outcome.

The Municipal Clerk will confirm with those who have submitted correspondence whether they intend to include their letter in a public agenda package or if they prefer it to be sent directly and solely to Council for information.

Upon receipt of correspondence, the Municipal Clerk will outline the process to the sender, explaining that correspondence is initially considered for informational purposes only unless a request aligns with existing Town legislation or practices. Should any follow-up action be directed by Council, the Municipal Clerk will ensure that the sender is informed of any developments.

3.2 Handling of Correspondence Received by Individual Council Members

All correspondence addressed to any Council member, including the Mayor, will be handled at the recipient's discretion. A copy of the correspondence may be shared with other Councillors for their information.

If a Council member, including the Mayor, receives correspondence directly and wishes to bring it forward for consideration by Council, they must submit the correspondence to the Municipal Clerk to be considered for a future meeting agenda, in accordance with this policy.

3.3 Correspondence Received by All Council Members

When a correspondence item has been sent to all Council members, but staff have not been included, it is the responsibility of Council to forward the correspondence to the Municipal Clerk for staff follow-up or consideration for inclusion in a Council agenda package.

3.4 Correspondence Received by the CAO

If the CAO receives information they deem relevant as correspondence, it may be included in the agenda package.

3.5 Anonymous Correspondence

The CAO will determine whether an investigation is warranted if any anonymous correspondence raises potential safety, liability, or health issues.

3.6 Handling of Inappropriate or Disrespectful Content

Staff reserve the right to withhold or redact any written correspondence, audio recordings, or audio-visual recordings deemed inappropriate or disrespectful. This includes:

- Profane or vulgar language
- Hate speech or discriminatory remarks based on race, ethnicity, gender, sexual orientation, religion, disability, or any other protected characteristic
- Personal attacks or threats against individuals or groups
- Sexual content or explicit imagery
- Insults or name-calling

The submitter will be notified if their content is withheld or redacted, provided with an explanation, and given an opportunity to revise and resubmit their contribution. A record of all withheld content and the reasons for withholding will be maintained.

4. PUBLIC HEARING SUBMISSIONS AND PARTICIPATION PROCEDURES

The Municipal Clerk must receive any submissions at least eight days before the meeting. Submissions received after this deadline will be circulated to Council and relevant staff but will not be included in the public record.

Unless otherwise stated in this section, submitting submissions for a public hearing adheres to the rules outlined in the correspondence sections of this policy and procedures.

Anyone wishing to participate virtually in the public hearing must notify the Municipal Clerk at least 24 hours before the meeting.

5. PETITIONS

To protect personal information, the Municipal Clerk will create a summary of any petitions received, noting their rationale and the number of signatures they received. This summary will be included as correspondence within a Council agenda package.

6. ACCOMMODATION REQUESTS

Requests for accommodations should be submitted to the Municipal Clerk at least seven days before the meeting to ensure appropriate arrangements can be made. The Town will evaluate these requests in consultation with relevant personnel and may seek documentation as necessary to understand the needs and requirements.

Subject: Council Procedural Policy – *Notice*
From: Kayla Byrne, Municipal Clerk
Date: August 27, 2024 – *COTW*
Sept. 10, 2024 – *Notice*
Sept. 24, 2024 – *Decision*



Recommendation

That Council give notice to approve the new Council Procedural Policy as presented, repealing and replacing Policy #96, the [Council and Committee Meetings and Proceedings Policy](#).

Alternatives

- Give notice to the policy with amendments. *Please note that Council can still give notice to a policy while directing amendments to be made before the policy returns for decisions.*
- Defer this item or refer it back to Committee of the Whole for further discussion
- Not make any changes to the current policy

Background

Setting clear rules for running meetings is an important part of municipal governance. The Municipal Government Act (MGA) allows councils to create policies that guide how they operate. Municipalities usually choose from four options for their Rules of Order: adopting Bourinot's or Robert's Rules of Order, creating their own, or using a combination of these. Whatever option is chosen must follow the MGA, ensuring no conflict with the Act.

At the August 27 Committee of the Whole (COTW) meeting, staff asked the outgoing Council to review the Council and Committee Meetings and Proceedings Policy to highlight areas needing clarification and identify any gaps to help the incoming Council run its meetings more smoothly. At the same meeting, COTW made the following motion: That Committee of the Whole direct staff to present a revised Council Procedural Policy at a regular Council meeting for possible notice.

Discussion

At the August 27 COTW meeting, Council asked for the following to be included in the revised policy:

- **Committee of the Whole:** More detailed guidelines on how the Committee of the Whole functions and its procedures.
- **Public Hearings:** A formal requirement that Council will hold public hearings for any new

bylaw or amendment, not just planning documents as required by the Municipal Government Act (MGA).

- **Motion Seconding:** Continuation of the practice where motions need a second to proceed.
- **Secondary Amendments:** A clear explanation of how to handle secondary amendments (changing a main motion that's being debated). Appendix B is provided as a guide for common secondary motions.
- **Agenda Distribution:** A requirement that Council receives the finalized agenda package 24 hours before it's made available to the public. This would mean that Council receives the packages six days before the meeting and the public would now receive it five days before (a change of one day for the public).
- **Electronic Meetings:** Guidelines for electronic meetings and remote participation, stating that in-person attendance is preferred but remote participation is allowed under certain conditions. No Councillor can attend remotely for more than three consecutive meetings without Council's approval.

These requests have been highlighted in yellow in the proposed policy for easy reference.

Additionally, there was a discussion on finalizing agendas. The proposed policy states that all Council agendas must follow the Agenda List in Schedule "A." Council can change the Agenda List through a motion without changing the policy. The Municipal Clerk can also adjust the agenda for non-standard items.

The proposed policy states that the CAO, in consultation with the Municipal Clerk, decides what items go on the agenda based on:

- Directions given during Council meetings
- Requests made according to policies and bylaws
- Operational needs identified by staff
- Relevant legislative requirements
- Notices of motion and discussion requests from Council members

Before the agenda is finalized, the Mayor may make adjustments by:

- Removing items with legal or legislative concerns
- Eliminating redundant or repetitive items
- Deferring items that need more information or preparation
- Postponing politically sensitive items that may not be appropriate to discuss at the time

If the Mayor removes an item from the agenda, they must inform all Council members and

explain why.

Beyond these requests and discussions of Council, Staff have incorporated other aspects into the policy. A detailed summary of the proposed policy is as follows.

1. Meeting Types and Procedures (Parts 3 & 4):

- **Organizational Meetings:** Specifies that an Organizational Meeting is held annually in October (or November in an election year) to set the schedule for Council meetings, appoint Committee members, and review the procedural policy.
- **Regular, Special, and Additional Meetings:** Defines the circumstances and procedures for each meeting type, including how and when they may be called.
- **Electronic Meetings (Part 15):** Details the conditions under which electronic meetings can be conducted, including public notification, platform requirements, and handling technical difficulties (e.g., if connection is lost, a recess of up to 15 minutes will be called; if not restored, the meeting will be adjourned).
- **Agenda Preparation (Part 10):** Outlines the process for finalizing and distributing agendas, including deadlines for submissions, and procedures for adding urgent items.
- **Quorum (Part 4.7):** Establishes the requirement for a quorum (majority of members) for Council and Committee meetings to proceed and outlines steps if quorum is lost.

2. Motions and Amendments (Part 11):

- **Main Motion Procedures:** Describes the process for introducing, debating, and voting on Main Motions, emphasizing that a motion must be moved and seconded before discussion.
- **Amendments to Motions:** Provides detailed steps for proposing, seconding, debating, and voting on amendments to a Main Motion, including the process for handling "Friendly Amendments" and formal amendments.
- **Withdrawal of Motions:** Clarifies that only the mover of a motion can withdraw it, with Council's consent.
- **Reconsideration and Rescission:** Explains the conditions under which a previously adopted motion can be reconsidered or rescinded.

3. Public Participation and Hearings (Part 7):

- **Public Hearings:** Outlines the procedures for conducting Public Hearings, including the

requirement to hear from affected individuals who follow Council's procedures for participation. Specifies that no further submissions will be accepted once a hearing is closed unless new information or legal requirements necessitate reopening the hearing.

4. Minutes and Record-Keeping (Part 10.8):

- **Preparation and Approval:** Details the process for preparing and approving minutes of Council and Committee meetings. Council minutes are presented at the next regular meeting, while Committee minutes are posted online and circulated as drafts within one week before being approved at the next scheduled Committee meeting.
- **Committee of the Whole Minutes:** States that these minutes are treated like regular Council minutes and require Council approval at the next regular meeting.

5. Closed Sessions (Part 6):

- **Confidential Matters:** Specifies the conditions under which meetings or portions of meetings may be closed to the public, in compliance with the MGA. It details the prohibition on making binding decisions during these sessions.
- **Post-Closed Session Procedures:** Outlines how Council may make motions following a closed session.

6. Bylaws and Policies (Parts 8 & 9):

Bylaw Adoption and Amendment (Part 8) : Proposed bylaws must have a clear title and be reviewed by Council before the first or second reading. If the second reading fails or isn't completed within two years, the bylaw is nullified and considered abandoned, though a similar bylaw can be reintroduced.

Policy Adoption and Amendment (Part 9): Policies must be presented for notice before adoption, with amendments considered during this period. Significant changes to a policy require a new notice period. If a policy is not adopted within two years, it is considered abandoned, but similar policies can be introduced later. Adopted policies can only be amended or rescinded through a formal Council motion, following the same procedures as for new policies.

7. Voting Procedures (Part 13):

- **Voting on Motions:** Details the process for voting on motions, including how votes are recorded and the handling of tie votes.
- **Division of Motions:** Explains that motions can be divided and voted on separately, provided each part can stand on its own as a distinct decision.

The proposed Council Procedural Policy provides a clearer, more organized approach to running Council and Committee meetings. It covers important topics like electronic meetings, preparing agendas, and handling motions, with more detail and structure than the current policy. The new policy also includes specific steps for dealing with technical issues during virtual meetings and offers a more straightforward process for adopting, amending, or dropping policies and bylaws. Overall, the proposed policy aims to make Council operations more efficient, transparent, and compliant with legal requirements, offering an updated framework for how meetings are run.

Relevant Legislation

Municipal Government Act

Financial

There is no additional cost to approve or implement this policy.

Communications

If approved, this policy will be published on the Town's website.

Attachments

Draft Council Procedural Policy

Council Procedural Policy

POLICY STATEMENT

The Town of Lunenburg is committed to ensuring that all Council and Committee meetings are conducted consistently, transparently, and in full compliance with legislative requirements. This policy supports orderly and effective decision-making processes that uphold the Town’s governance standards.

POLICY PURPOSE

The purpose of this policy is to establish a clear and structured framework for conducting Council and Committee meetings.

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PART 1: DEFINITIONS

“Additional Meeting” refers to a meeting scheduled to address regular business that could not be completed during a regular meeting, often due to the need for more discussion or a full agenda. It can also be used for detailed presentations, such as budget reviews or public consultations on significant projects.

“Agenda List” refers to the structured order of items to be addressed during a Council or Committee meeting, as outlined in Schedule "A" of the policy.

“Closed Session” refers to a private portion of a Council or Committee meeting where confidential matters are discussed, as permitted by the Municipal Government Act.

“Committee of the Whole” refers to a meeting format where all Council Members convene for informal discussion on various topics.

“Council Committees” refer to the Town of Lunenburg’s internal advisory committees of Council.

“Friendly amendment” is a minor change or adjustment to the wording of a motion proposed during a meeting and accepted by the original mover without requiring a formal vote. This type of amendment is typically made with the general consent of the Council and does not alter the intent or substance of the motion

“Leave of Council” refers to the permission granted by a majority of Council Members to allow an action that would otherwise not be permitted under standard procedures.

“Main Motion” is the primary proposal presented by a Council Member during a meeting to bring a specific issue, policy, or action to the floor for discussion and decision. A Main Motion introduces a topic for consideration, unlike a Secondary Motion, which addresses procedural aspects or modifies the handling of the Main Motion.

“Meeting Calendar” refers to the official schedule that outlines the dates, times, and locations of all regular Council meetings.

“Municipal Clerk” is the Town of Lunenburg staff person designated by the CAO to fulfill the duties and responsibilities of the clerk as outlined in the Municipal Government Act.

“Non-binding Motion” is a motion that allows Council to express an opinion or position on an issue without creating a legal obligation. These motions often direct staff to bring back a report or provide further information, but they do not require immediate action.

“Notice of Motion” refers to an advance notice given by a Council Member to introduce a motion at a future meeting.

“Point of Order” is a motion raised by a Council member to call attention to violating the rules or procedures governing the meeting.

“Point of Personal Privilege” is a motion raised by a Council member to address an issue that affects their rights, comfort, or integrity during the meeting. This could involve physical environment (e.g., temperature, noise), personal safety, or correcting a misrepresentation.

“Public Hearing” refers to a formal process held during a regular or special Council meeting where Council considers public input on specific matters, such as proposed bylaws or other significant issues.

“Procedural Motion” refers to a motion that deals with the organization and management of the meeting rather than the substantive issues being debated. It is typically used to control the

meeting's process, such as determining the order of business, ending debate, or postponing a discussion.

“Reconsider” refers to a motion to bring a previously approved or defeated motion back to Council for a new debate and vote.

“Recorder” is the individual designated to document the attendance and proceedings of a meeting.

“Refer” refers to a motion to direct a matter to a committee, staff, or another body for further consideration or action, with the expectation that it will return to Council with additional input or recommendations.

“Regular Council Meetings” are scheduled, recurring meetings where Council conducts routine business, discusses agenda items, and makes decisions. These meetings are open to the public and are scheduled as part of the Council's meeting calendar per the Organizational Meeting.

“Rescind” refers to a motion to nullify a previously adopted motion, effectively reversing a prior decision.

“Secondary Motion” refers to a procedural motion related to the handling of the main motion or meeting conduct, such as amendments or points of order.

“Special Meeting” refers to a meeting called to address urgent, time-sensitive, or specific issues requiring immediate attention and that cannot wait until the next regular meeting.

“Urgent matters” are issues that require immediate attention or action by the Council and cannot be reasonably deferred to a future meeting without causing significant harm or delay to the Town’s operations, legal standing, or public safety

“Waiver of Notice” refers to a motion that allows an item to be considered at the current meeting without prior notice, requiring a two-thirds majority vote, except for policies or bylaws.

PART 2: APPLICATION AND INTERPRETATION

This policy applies to all meetings of Council, Committee of the Whole and Council Committees.

If the Municipal Government Act or this policy does not cover a matter or definition, Council will refer to *Robert’s Rules of Order Newly Revised*.

The rules for Council procedures are prioritized as follows:

- a) The Municipal Government Act;
- b) Other provincial legislation;
- c) This policy;
- d) *Robert’s Rules of Order Newly Revised*.

2.2 Compliance with the Municipal Government Act

Council will comply with all provisions of the Municipal Government Act. If any part of this policy contradicts the Act, the Act will take precedence.

2.3 Suspension of Rules

Council may temporarily suspend any part of this policy for a specific meeting if all Council members unanimously agree. However, rules required by the Municipal Government Act or other provincial legislation cannot be suspended. Before any suspension, Council will consult with the Municipal Clerk to confirm that the proposed suspension adheres to all legislative requirements.

PART 3: ORGANIZATION OF COUNCIL

3.1 Organizational Meetings

Council will hold an Organizational Meeting each October. In an election year, this meeting will held in November.

At this meeting, Council will:

- Establish the position and term or schedule of the Deputy Mayor.
- Set the dates, times, and locations for regular Council Meetings.
- Appoint Council members to Council Committees and representatives to inter-municipal and external boards and committees.
- Review its procedural policy, except at the organizational meeting following a regularly scheduled municipal election.
- Address any other business listed on the Organizational Meeting agenda.

3.2 Inaugural and Oath of Office Meeting

The first meeting following a regularly scheduled municipal election is called the Inaugural Meeting. The only matter of business at this meeting is for the Mayor and each Councillor to take the prescribed oath of office. This Inaugural Meeting may be combined with Council's swearing-in ceremony.

In the event of a special municipal election, the newly elected Mayor or Councillor must take the prescribed oath of office as the first order of business at the next Council meeting following the election.

PART 4: MEETINGS

Council will hold regular meetings on the dates established at the Organizational Meeting. A regular meeting scheduled on a statutory holiday will be rescheduled to the next business day.

The Mayor serves as the Chair of all Council meetings. If the Mayor is absent, the Deputy Mayor will assume the role of Chair. In the absence of both the Mayor and Deputy Mayor, the Councillors present will select one among them to chair the meeting before the start of the meeting.

Unless otherwise approved by Council, all Council meetings, Public Hearings, Council Committee meetings, and Committee of the Whole meetings will be held in Council Chambers at the Town Hall for the Town of Lunenburg.

Council and Committee meeting dates, along with any changes, must be coordinated with the input of the Municipal Clerk to avoid conflicts and ensure proper public notification.

The Chair may cancel a scheduled meeting, in consultation with the Municipal Clerk, if the deadline for agenda submissions has passed and there is no time-sensitive business to address.

4.2 Additional Meetings

Council may schedule additional meetings beyond Regular meetings when there is a need for more discussion on specific issues that cannot be accommodated within the Regular meeting schedule. These additional meetings are not as urgent as special meetings but are necessary when the volume of regularly scheduled business exceeds the time available during regular Council meetings.

To formally arrange an additional meeting, a Council member should make a procedural motion during a regular meeting, proposing the specific date, time, and purpose of the additional meeting. Once the motion is seconded and approved by the majority, the Municipal Clerk will update the meeting schedule and ensure proper public notification is provided.

If it is not possible to arrange an additional meeting during a Regular Council meeting, all Council Members may be polled by phone or email to reach a consensus on the date and time. Once agreed upon, the Municipal Clerk will update the schedule and notify the public accordingly.

4.3 Special Meetings

A Special Council meeting is a meeting outside the regular meeting schedule to address urgent or specific matters requiring the Council's immediate attention. Special meetings can be called under the following circumstances:

- **By the Mayor:** The Mayor, in consultation with the Municipal Clerk, may call a Special Council meeting whenever it is deemed necessary. This might occur when an urgent issue arises that cannot wait until the next regular meeting, such as a critical decision on a time-sensitive matter.
- **By Request of Council Members:** If a majority of Council Members believe a special meeting is necessary, they can submit a written request to the Mayor, outlining the

specific purpose of the meeting. Upon receiving this request, the Mayor is required to call a Special Council meeting within 14 days.

Special meetings are convened to address a specific issue or set of issues. The notice for the meeting must clearly describe the purpose to ensure that Council Members and the public are aware of the focus of the meeting.

Council Members must be notified at least three days before the Special meeting. The Municipal Clerk must provide at least two days' public notice.

Only the issues specified in the notice of the Special meeting can be discussed and decided upon. No new business may be introduced unless directly related to the purpose outlined in the meeting notice.

4.4 Providing Notice of Meetings

Council meetings listed on the adopted Meeting Calendar from the Organizational Meeting will be advertised on the Town's website. Additional notices will be posted on the Town's website and social media pages once the meeting agendas are published online five days in advance of the meeting.

For emergency meetings, the Mayor can call a meeting with whatever notice is possible.

4.5 Meeting Duration

Council and Committee meetings are limited to a maximum duration of three hours. If the meeting reaches this time limit and additional time is required to complete the agenda, a motion to extend the meeting must be made and approved by a majority of Members present. This motion to extend is considered a secondary motion and must specify the additional time allotted for the meeting. If the motion to extend is not approved, the meeting will adjourn, and any remaining agenda items will be carried over to the next scheduled meeting.

4.6 Livestreaming and Recording of Council Meetings

All Council meetings held in Council Chambers will be livestreamed. These meetings will be broadcast to the public, and recordings will be available on the municipality's YouTube channel indefinitely.

If technical difficulties prevent the livestream from being enabled or if livestreaming is otherwise not possible, the meeting will continue as scheduled without interruption.

4.7 Quorum

A quorum is a majority of Council members, meaning more than 50% of all members must be present for the meeting to proceed.

If a quorum is present at the scheduled start time, the Chair will call the meeting to order.

If a quorum is not achieved within 15 minutes of the scheduled start time, the Recorder will record the names of those present, and the meeting will be adjourned and rescheduled.

If a quorum is lost during a meeting, the meeting will be recessed. The meeting will be considered adjourned if a quorum is not restored within 15 minutes.

4.8 Adjourning the Meeting

The Chair may adjourn the meeting without a motion if all scheduled business has been completed.

In cases where there is disagreement or where the meeting is being adjourned before all business is concluded, a motion to adjourn is required.

PART 5: COMMITTEE OF THE WHOLE

The Committee of the Whole includes all Members of Council. It serves as a forum for in-depth discussion, question-asking, and detailed exploration of issues before making decisions at a regular Council meeting.

Council may appoint a Council Member or the Deputy Mayor to serve as the Chair of the Committee of the Whole. If no appointment is made, the Mayor will assume the role of Chair.

The Mayor, in consultation with the Municipal Clerk, may call a Committee of the Whole meeting as needed.

When staff identify items for consideration under the Committee of the Whole, in line with this policy, the topic will initially be presented as part of a Regular Council agenda without a staff report. However, if staff deem it relevant, they may choose to prepare a report. During the Regular meeting, staff will provide either a verbal update or present the report, explaining why the item is being proposed for discussion at a Committee of the Whole meeting. Council will then decide through a motion whether to refer the item to a Committee of the Whole meeting.

Council Members can also request that an item be referred to the Committee of the Whole during the "Council Reports" or "Items for Consideration at a Committee of the Whole" sections of a regular Council meeting.

Council may refer any item from a regular meeting to a Committee of the Whole for further discussion. The Committee of the Whole may consider a wide range of matters, including but not limited to:

- Operating and capital budgets
- Audit matters
- Development matters

- Strategic planning
- Legislative reform
- Policy and by-law formulation

The Committee of the Whole is limited to making two types of motions:

1. Referring matters back to a Regular Council meeting.
2. Directing staff to prepare reports for future consideration at a Council meeting or for further discussion at a Committee of the Whole meeting.

5.2 Process Committee of the Whole

During the Committee of the Whole meeting, Council Members can engage in open discussion without the formal structure of a regular Council meeting. Members can ask questions, raise concerns, and thoroughly discuss the details of each agenda item.

No binding decisions are made during a Committee of the Whole meeting. The primary goal is to explore the issues fully and gather information that will inform later decisions at a regular Council meeting.

Council Members are encouraged to speak multiple times during the discussion, provided all Members have had an opportunity to contribute.

The Chair is responsible for:

- Ensuring that all Members have an equal opportunity to speak.
- Making sure that Members take turns speaking and that the conversation flows in an organized manner.
- The Chair may also participate in the discussion and ask questions without relinquishing chairing duties.

Once the discussion is complete, the Committee of the Whole can refer items back to a regular Council meeting for a formal decision. This referral is done through a motion outlining the recommendations or next steps.

PART 6: CLOSED SESSIONS

All Council and Council Committee meetings must be open to the public. However, a portion of a meeting may be closed to the public when necessary, but only to discuss matters that fall under the exceptions to disclosure outlined in the Municipal Government Act.

Before entering a closed session, Council or the Committee must pass a motion during the public meeting. This motion must cite the specific sections of the Municipal Government Act that justify the closed session.

Staff, legal counsel, and hired contractors or consultants may attend a closed session if their involvement is relevant without needing a formal invitation. Council or the Committee may allow other third parties to attend if their presence relates to the discussion, but this must be approved by a vote during a closed session before the invitation is sent.

Remote participation in closed sessions must comply with the rules outlined in this policy's "Participation from Remote Locations" section.

In consultation with the CAO and/or at the request of Council, the Municipal Clerk or their designate may prepare agenda packages and keep notes of discussions during closed sessions to assist Council in their deliberations. These notes should capture key discussion points, decisions, and any actions that need to be taken, ensuring that Council Members clearly understand the matters discussed. However, formal agenda packages and the adoption of formal minutes are not required for closed sessions.

Except when done by the Municipal Clerk or their designate for note-taking or record retention purposes, sharing, copying, printing, photographing, saving, or otherwise recording closed session information is strictly prohibited.

6.2 Decision-Making in Closed Sessions

In accordance with the Municipal Government Act, Council and Committees must not make binding decisions during closed sessions. The only motions that can be made in a closed session are:

- A motion to revert back to public session,
- A motion to extend the meeting when required,
- A motion to direct staff for further investigation or preparation of a report.

Within a closed session, Council can also direct staff to take specific actions such as:

- Gather additional information or data on a topic discussed.
- Conduct further research or analysis.
- Prepare a draft policy or bylaw for future consideration.
- Consult with external experts or legal counsel.
- Develop potential options or recommendations for Council's review.
- Negotiate contracts.

6.3 Making Motions Following a Closed Session

Council should only make motions after reverting back to a public meeting if there isn't enough time to include the matter in a staff report for the next regular Council meeting. The preferred approach is to bring the issue back to a regular Council meeting with a staff report, ensuring transparency and giving the public notice of potential decisions.

Motions made immediately following a closed session should only occur if immediate action is required and cannot be delayed until the next regular meeting.

PART 7: PUBLIC HEARINGS

Public Hearings will comply with all requirements outlined in the Municipal Government Act. In addition to these mandated requirements, Council will hold public hearings for any new bylaws or amendments to existing bylaws.

Beyond legislative obligations, Council may also choose to hold public hearings for other significant matters through a motion of Council.

Public Hearings must be conducted during a regular, additional or special Council meeting.

During a Public Hearing, Council:

- Must hear from anyone who claims to be affected by the proposed bylaw, amendment, or matter and who has adhered to the participation procedures established by Council.
- May also hear from others who wish to speak at Council's discretion.

The Public Hearing for any proposed bylaw, amendment or matter must occur before the second reading of the bylaw or before Council makes a decision on the matter for which the public hearing is being held.

7.2 Procedures for Public Hearings

1. The Chair opens the Public Hearing.
2. Staff introduces the bylaw, amendment, or matter under consideration.
3. If an applicant is involved and has coordinated with Staff, they may present together. If not, the applicant may present independently for up to 10 minutes following Staff's introduction.
4. Council may ask questions of both Staff and the applicant, if applicable.
5. The Chair invites members of the public to speak on the bylaw, amendment or matter.
6. Each speaker has five minutes to present.
7. No presentation should exceed the allotted time unless:

- The Chair extends the time at their discretion.
 - Council votes by resolution to extend the time.
8. If requested by a Council Member, a vote may be held to approve any extension granted by the Chair.
 9. Council may ask questions of public speakers.
 10. Council may ask additional questions of Staff based on the public's input.
 11. The Chair closes the Public Hearing.

If multiple Public Hearings are on the agenda, the Chair must close one hearing before opening the next.

All matters related to the same topic can be addressed in a single Public Hearing.

Once a public hearing is officially closed, Council will not accept any further public submissions or comments specifically regarding passing a bylaw, passing a bylaw amendment, or the specific motion related to the item for which the public hearing was held. However, the public may still provide input or request amendments to the bylaw or related issues after it has been passed or provide input on related matters if the item has been defeated.

Council will only accept additional public submissions under the following exceptional circumstances related to the specific item for which the public hearing was held:

- **New Information:** If significant new information, unavailable during the original public hearing, comes to light and could materially impact Council's decision, Council may, by majority vote, choose to schedule a new public hearing to allow for further public input.
- **Legal Requirements:** If legal advice or a court ruling requires further public consultation on the matter, Council will schedule a new public hearing to comply with such directives.
- **Council Motion:** If, by a majority vote, Council determines that further public input is necessary to make an informed decision, they may resolve to schedule a new public hearing at a future meeting.

In all cases where Council decides to allow further public input, a new public hearing will be scheduled. Appropriate notice must be provided to the public, and the same procedures for public participation will apply.

7.3 Voting After a Public Hearing

Members who were absent for the entire Public Hearing are not allowed to vote on the matter.

Members who missed part of the Public Hearing may choose to abstain from voting.

PART 8: BYLAWS

All proposed bylaws must have a clear title that reflects their purpose.

Council Members must be given the opportunity to review the entire proposed bylaw before any meeting where the first or second reading is being considered.

8.2 Bylaw Readings

Before the first reading, Council may debate the content of the proposed bylaw.

A proposed bylaw is formally introduced at a Council meeting through a motion for the first reading.

After the first reading, any Council Member may move for the second reading, following the requirements of the Municipal Government Act.

A bylaw is passed after it receives two distinct and separate readings at two separate meetings, per the Municipal Government Act.

8.3 Amendments to a Proposed Bylaw

After the first reading and before the second (final) reading, Council can propose and consider amendments to the bylaw.

Once all amendments are addressed, Council will vote on the second (final) reading of the amended bylaw.

After a bylaw is passed in the second reading, it can only be changed or repealed by another bylaw or bylaw amendment that follows the same process.

8.4 Bylaw Readings and Rescission

If the second reading of a proposed bylaw fails, the first reading is automatically nullified.

If a proposed bylaw does not receive a second reading within two years of the first reading, the first reading is nullified, and the bylaw is considered abandoned.

The failure of a proposed bylaw does not prevent a new bylaw with similar terms from being introduced in the future.

PART 9: POLICIES

As required by the Municipal Government Act, all policies must be presented to Council for notice before adoption. Council may give notice of a policy and simultaneously direct staff to incorporate suggested amendments without delaying the notice. The policy, including any amendments, will then be brought back for a final decision at a future Council meeting.

9.2 Significant Amendments to Proposed Policies

If the proposed amendments significantly alter the original intent or core provisions of the policy, such as changes to the policy's objectives, scope, or fundamental principles, the revised policy must be brought back to Council for a new notice period before it can proceed to final adoption.

9.3 Policy Adoption Process

A policy is adopted after it receives Council approval following the notice period. Once adopted, the policy becomes effective immediately unless otherwise specified within the policy itself.

9.4 Policy Abandonment

If a proposed policy is not adopted within two years of the notice being given, the notice is considered abandoned and nullified. However, the abandonment of the policy does not prevent a new policy with similar terms from being introduced in the future.

9.5 Rescinding or Amending Adopted Policies

Once a policy is adopted, it can only be changed or repealed through a Council motion. Any proposal to rescind or amend an existing policy must follow the same notice and adoption procedures outlined in this section.

PART 10: AGENDAS & MINUTES

Items on Council agendas must follow the Agenda List outlined in Schedule "A" of this policy. Council can change the established standing agenda items through a motion without requiring an amendment to this policy. The Municipal Clerk may make occasional adjustments to the Agenda List to accommodate non-standard items that may arise.

The CAO, in consultation with the Municipal Clerk, will determine agenda items based on the following:

- Directions provided during Council meetings.
- Agenda item requests submitted in accordance with Council's policies and bylaws.
- Operational needs identified by staff.
- Any relevant legislative requirements that need to be addressed.
- Notices of motions and requests received from Council members.

The Mayor, in collaboration with the CAO and the Municipal Clerk, may adjust the draft agenda before it is finalized, guided by the following considerations:

- Legal or Legislative Concerns: Items that may present legal issues or do not comply with legislative requirements can be removed after consulting with legal counsel or relevant authorities.

- **Redundant Items:** Items that have already been addressed or are repetitive may be removed.
- **Operational Necessity:** Items may be deferred if they require additional information or preparation. This decision will be made in consultation with the CAO and the Municipal Clerk, with a plan for when the item will be presented to Council.
- **Political Sensitivity:** If an item is considered politically sensitive and inappropriate to address at the current time, the Mayor may suggest deferring it. This decision should be made in consultation with other Council Members to ensure consensus and to establish a plan for when the item will be presented to Council.
- **Extensive Meeting Agenda:** If the draft agenda is particularly lengthy and some items are not urgent, they may be deferred to a future meeting. This decision will be made in consultation with the CAO and the Municipal Clerk, and a plan will be established for when these items will be presented to Council.

In all cases, if the Mayor removes an item from the draft agenda, the proposed item and why it was removed must be shared with all Council Members.

An agenda is considered finalized once the Mayor, or the Deputy Mayor in their absence, has reviewed the draft agenda. This finalization must occur at least six days before the scheduled meeting to ensure that Council Members receive their agenda at least six days in advance.

10.2 Agenda Submission Deadlines

Council Members can submit a notice of motion or request to add a discussion item to the agenda by contacting the Municipal Clerk at least eight days before the agenda is finalized. These submissions are limited to notices of motion or discussion topics. Any requested agenda item requiring a staff report must be directed by Council through a motion.

When a Council Member submits a notice of motion, the Municipal Clerk will ensure the motion is clear, properly formatted, and meets procedural requirements.

If the agenda submission deadline falls on a statutory holiday, it will be extended to the next business day.

10.3 Motion Action List

The Motion Action List is included in every regular agenda package and tracks motions passed by Council that need follow-up. It provides the status and updates on each motion to ensure accountability and transparency. This list helps prevent motions from being overlooked, keeping Council and Staff informed of ongoing and pending actions.

10.4 Provision of Agendas

The Municipal Clerk or their designate will send Council agendas to Members electronically at least six days before a meeting. Twenty-four hours after Council receives the agenda, it will be published on the Town's website and shared on social media for public access.

10.5 Confirming the Agenda Order / Changes to a Finalized Agenda

Once the agenda has been finalized and distributed to Council, it cannot be changed prior to the meeting. Any amendments to the agenda must be proposed and approved by a majority vote during the agenda approval process at the start of the Council meeting.

10.6 Additions and Deletions to Agenda

Additions to the agenda at the start of a Council or Council Committee meeting should be minimized and reserved for urgent matters. An urgent matter is defined as an issue requiring immediate action or attention that cannot be reasonably deferred to a future meeting without risking significant harm or delay to the Town's operations, legal standing, or public safety.

A Council Member may propose a motion to add urgent business to the agenda at the start of the meeting, either during the additions and deletions section or through the agenda approval process. However, the item can only be added if a majority of Council votes in favour. The Chair will consult with the CAO or lead committee staff to determine if the item qualifies as urgent.

If time permits, and the Council Member becomes aware of the urgent matter after the agenda has been finalized and published but in advance of a Council meeting, they should submit the proposed urgent matter to the CAO and Municipal Clerk. The CAO and Municipal Clerk will make every effort to distribute any related materials before the meeting; however, the finalized and published agenda will not be altered.

If Council plans to make a decision on an item added at the start of the meeting, it must first pass a motion to waive the notice of motion requirement. The Council Member proposing the waiver must clearly explain the reason for urgency, and the waiver must be approved by a two-thirds majority vote of Council before the item can be discussed.

At the start of the meeting, before approving the agenda, Council may also make a motion to remove any agenda items by a majority vote.

10.7 Process for Addressing Agenda Items

The process for addressing each agenda item where a motion is recommended will be as follows:

1. Introduction/Presentation by Staff
2. Questions from Council Members to Staff
3. Informal Discussion among Members

4. Formal Motion
5. Formal Discussion/Debate
6. Vote

For information reports, requests for direction, or other reports where a motion may not be recommended, this process will be followed as closely as appropriate, except the steps for a formal motion and vote, which may not apply.

10.8 Minutes

The Municipal Clerk is the official record keeper responsible for verifying and maintaining the minutes of all Council meetings. In consultation with the CAO, other staff may be assigned to record minutes.

Minutes will be taken for all Council and Committee meetings, documenting all resolutions, decisions, and proceedings. Meeting minutes will include:

- The type, place, date, and time of the meeting.
- The names of all Council members, staff, and presenters in attendance.
- The times of any late arrivals or early departures of voting Members.
- The substantive decisions made and actions taken.
- The results of votes on all motions, including the names of members voting in the minority.
- The times the meeting entered and exited a closed session.

The minutes of each Council meeting will be presented to Council for approval at the next Regular meeting.

The draft minutes of each Committee meeting will be posted on the Town's website and circulated to all committee members within one week after the meeting. These minutes will then be presented for approval at the next committee meeting.

Minutes from Committee of the Whole meetings will be treated like regular Council minutes and presented to Council for approval at the next Regular meeting.

PART 11: MOTIONS

11.1 Main Motions

Unless otherwise specified by this policy, or if a notice of motion has been waived, all main draft motions must be provided in writing to Council Members and the public as part of the meeting agenda. Non-binding or procedural motions do not require notice or a waiver of notice.

During the meeting, Council may modify the wording of a proposed motion through discussion and amendments. Even if the wording is changed from the original draft, notice of the decision is still considered to have been given, as Council and the public were informed that the matter would be debated and decided based on the agenda package.

The Municipal Clerk, at their discretion, may suggest administrative edits to motions and amendments. These edits:

1. Will not change the intention of the motion.
2. May include grammatical and typographical corrections.
3. Will maintain or clarify the original intent of the motion.
4. Can occur during or after the meeting.
5. If after the meeting, these changes will be confirmed by Council through approval of the minutes at a subsequent meeting.

All draft motions presented to Council or Committees must be concise, clear, and thoughtfully consider any previously adopted directions to minimize potential conflicts. However, Council retains the authority to change or override past decisions through new motions, provided these overrides or changes adhere to the procedures outlined in the Motions Section of this policy.

11.2 If a Motion is Not Seconded

If a motion is not seconded after being moved by a Council Member, it will not proceed to discussion or a vote. The Chair will declare that the motion has failed due to the lack of a seconder, and the meeting will move on to the next agenda item. The motion is effectively dropped and will not be recorded in the minutes as a formal motion.

11.3 Friendly Amendments

Once debate on a main motion has begun, the Council Member who moved the motion may, with general consent, make minor changes to its wording or agree to minor changes proposed by another Council Member. This is known as a "Friendly Amendment".

11.4 Amendments to a Motion

Any Council Member may propose an amendment to a motion that has already been moved, seconded, and is under debate. Unlike a "friendly amendment," this type of amendment requires both a mover and a seconder before it can proceed to debate.

The sequence for handling amendments is as follows:

1. Move and Second the Amendment: A Council Member proposes an amendment to the main motion under debate, and another Member seconds it to bring the amendment forward for discussion.

2. **Debate the Amendment:** The debate focuses solely on the specific changes proposed in the amendment. The original motion is not discussed until the amendment is resolved.
3. **Vote on the Amendment:** After the debate on the amendment, Council will vote on it. If the amendment passes, the original motion is modified to include the approved changes.
4. **Return to the Original Motion (As Amended):** Once the amendment is resolved, Council will resume debate on the original motion, now incorporating any approved amendments.
5. **Final Vote on the Main Motion:** After any further debate, if needed, Council will take a final vote on the main motion, as amended.

Only one amendment to the main motion may be considered and voted on at a time. Additional amendments can be proposed and will be handled in the same sequence after each previous amendment is resolved.

11.5 Withdrawal of a Motion

Once a motion has been moved and seconded, only the Council Member who moved it can withdraw the motion. The Council Member must request to withdraw the motion, and the withdrawal must be approved by either general consent or a majority vote of Council.

If no Council Member objects, the Chair may allow the motion to be withdrawn without a formal vote. However, if any Council Member objects, the Chair will call for a formal vote, requiring a majority to approve the withdrawal.

If the motion is withdrawn, it is no longer considered, and Council moves on to the next agenda item. If the withdrawal is not approved, the motion remains on the floor and will proceed to debate and a vote as originally proposed.

11.6 Stating the Motion

Before a vote, the Chair or the Municipal Clerk must restate the motion to ensure that all Council Members and the public fully understand what is being voted on.

11.7 Questions During Debate

Council Members may ask questions during the debate to clarify the motion or issues being discussed. All questions should be directed through the Chair and addressed to the appropriate person.

Staff should provide their best professional judgment on the issues. Council Members should avoid debating with Staff or asking argumentative questions.

11.8 Secondary Motions

Secondary Motions are used to manage the Main Motion or address the conduct of the meeting. They include:

- Subsidiary motions (such as amendments or referrals)
- Privileged motions (such as a Point of Personal Privilege to address a Council member's rights, comfort, or integrity during the meeting)
- Incidental motions (such as points of order)

These motions take precedence over the main motion and must be resolved before the main motion can proceed. Secondary motions are introduced, debated, and voted on in the order they are raised, with the most recent motion being addressed first.

Unless specified otherwise in this policy, secondary motions do not require a notice of motion. They are made during the meeting to address immediate procedural needs and are handled as they arise.

Common secondary motions not covered in detail in this policy can be found in Appendix B, which serves as a guide for Council Members during meetings.

11.9 Motion to Reconsider an Approved or Defeated Motion

Council may make a motion to reconsider a previously approved or defeated motion under the following conditions:

- A motion to reconsider does not require prior notice. It can be introduced at the same meeting where the original motion was decided or at the next regular Council meeting.
- The motion to reconsider must be made by a Council Member who voted in favour of the original motion if it was approved or against it if it was defeated.
- A motion to reconsider requires a majority vote of the Council Members present to proceed.
- If the motion to reconsider is approved, the original motion is reopened for debate and may be amended, affirmed, rescinded, or re-voted.

A motion to reconsider cannot be applied to actions that have already been carried out due to the original motion or where legal or contractual obligations have been incurred.

11.10 Motion to Amend a Previously Adopted Motion

Council may amend a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to amend a previously adopted motion. This allows the Council to modify, add to, or remove parts of the original motion.

- Unless the amendment is urgent, notice of intent to amend should be given in advance, following the standard notice of motion procedures.
- A motion to amend a previously adopted motion requires a majority vote of the Council Members present to proceed.
- If the motion to amend is approved, the debate will focus on the proposed changes, not on re-discussing the entire original motion.

An amendment cannot be used to reverse actions that have already been taken based on the original motion or where legal or contractual obligations have been incurred.

11.11 Motion to Rescind a Previously Adopted Motion

Council may consider rescinding a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to rescind, allowing the Council to nullify a previously approved motion.
- Unless the matter is urgent, notice of intent to rescind should be given in advance, following the standard notice of motion procedures.
- A motion to rescind requires a majority vote of the Council Members present to proceed.
- If the motion to rescind is approved, the debate will center on whether to nullify the original motion, focusing on the reasons for and consequences of rescinding it.

A motion to rescind cannot be applied to actions that have already been carried out based on the original motion or where legal or contractual obligations have been incurred.

11.12 Chair's Ability to Make Motions

The Chair may make motions if they relinquish the chair to the Deputy Mayor. If the Deputy Mayor is unavailable, the Chair may appoint another Council Member to act as Chair while they make a motion.

11.13 Notice of Motion

A Council Member who wishes to introduce a motion must submit a notice of motion in writing to the Municipal Clerk at least eight days before the meeting they want the item to be discussed. If the notice is received within this timeframe, it will be included on the Council's agenda under the notice of motion section, with the requesting Councillor's name attached. Alternatively, the Member may present the notice of motion verbally during the notice of motion portion of a Council meeting. The Municipal Clerk will then add the motion to the agenda for the next meeting or whichever meeting the Council member requests.

Staff will not prepare a report for a notice of motion. Work on the matter will begin only after Council has passed a motion approving the request.

11.14 Waiving a Notice of Motion

Council may waive the requirement for a notice of motion in certain circumstances, allowing an item to be considered at the current meeting without the usual advance notice. A two-thirds vote of the Council Members present and voting is required for the waiver, except for Policy and Bylaw matters, which cannot be waived.

Conditions for Waiver:

- **Urgent Matters:** Council may vote to waive the notice of motion if a matter is deemed urgent and requires immediate action—defined as an issue that cannot reasonably be deferred without causing significant harm or delay to the Town’s operations, legal standing, or public safety.
- **General Correspondence Requests:** If a request is made within general correspondence and no recommendation has been proposed by staff because it does not align with existing policy, practice, or bylaw, Council may vote to waive the notice of motion requirement to consider the request at that meeting.

Before waiving a notice of motion, Council must confirm with the Municipal Clerk that doing so does not contravene any legislation or other Council policies.

PART 12: Debate and Speaking Procedures

12.1 Speaking limits

Council Members may speak for up to 10 minutes on any matter or motion under discussion, referred to as "the question." Each Council Member can only speak once on a question until all other Members who wish to speak have had their turn; after that, a second round of discussion may be permitted.

12.2 Rules of Debate

After Staff present a report or information on a matter, the Chair will open the floor for Council Members to ask questions directly to Staff. This is followed by an informal discussion among Council Members.

Once the informal discussion and questions have concluded, the Chair will request a formal motion from Council.

After a motion has been made and seconded, the Chair will open the floor for formal discussion and debate on the motion. Council Members may speak only after being recognized by the Chair, who will indicate when it is their turn.

When recognized, a Council Member must direct their questions or comments to the Chair and focus solely on the matter under consideration. The Chair will recognize Council Members in the order they indicate their desire to speak.

When a Council Member is speaking, others may not interrupt except to raise a point of personal privilege or point of order.

Any Council Member may request that the question or motion under discussion be read at any time during the debate, as long as it does not interrupt another speaker.

A Council Member may speak only once on a question until all other Members have had their turn. The Chair will speak last, after all other Members have contributed. Exceptions are allowed for clarifying misunderstandings, but no new information should be introduced. No Member may speak on the same question more than four times without Council's approval.

A Council Member may speak to the same question or in reply for no longer than 10 minutes without Council's permission.

Council Members must limit their questions and comments to those directly related to the matter under discussion.

Once the Chair has called for a vote, no Council Member may speak on the question or make any other motion until after the vote is taken and the result is declared.

12.3 Points of Order and Points of Privilege (Secondary Motions)

A Council Member may raise a point of order, a secondary motion, during a meeting if they believe the rules of procedure are being violated. This must be done immediately after the perceived breach occurs.

A Council Member may also raise a point of privilege, another secondary motion, if they feel their rights, privileges, or integrity—or those of the Council as a whole—are being infringed upon. Points of privilege can include issues like the comfort of the meeting environment or a personal attack on a Member's character.

When raising a point of order or privilege, the Council Member must be recognized by the Chair and clearly state the issue.

The Chair must then immediately rule on the point of order or privilege. The Chair may uphold, dismiss, or take other appropriate action to address the issue.

If a Council Member disagrees with the Chair's ruling, they may appeal it. This appeal, also a secondary motion, must be seconded and will be put to a vote by the Council. The Council's decision on the appeal is final.

A point of order or privilege may interrupt a speaker, but it should not be used to engage in debate or unnecessarily delay the meeting. The Chair will ensure the meeting remains orderly and respectful.

PART 13: VOTING

Every voting Member present at a meeting of Council or a Council Committee must vote on every matter put to a vote unless a Member declares a Pecuniary Interest or abstains due to absence from a Public Hearing. If a Member refuses to vote for any other reason, their refusal will be recorded as a negative vote.

A motion will be carried out when a majority of Members at the meeting vote in favour of it.

If a motion cannot be voted on due to a loss of quorum, the matter will be postponed to the next meeting as unfinished business.

Voting Members must be present in their designated seat in Council Chambers or attending via remote access with their video turned on when the Chair calls for the vote to begin.

Voting Members must submit their vote verbally or by a show of hands at the call of the Chair.

The Chair must declare the result of the vote immediately after it is concluded.

13.2 Voting Results

If there is any doubt about the results of a vote, the Chair may immediately call for a revote to clarify the outcome. Additionally, the Recorder may request that the vote be clarified to ensure accurate recording.

A motion is declared defeated if it does not receive the required number of votes or if the vote is tied.

13.3 Division of a Motion

A Member may request, or the Chair may direct, that a motion be divided and voted on separately. This can only occur if each part of the divided motion is complete and independent, meaning it can be acted upon or decided without requiring the other parts to be valid or effective. Each divided portion must represent a distinct decision or action that does not depend on the approval or rejection of the other portions.

PART 14: DISCLOSURE OF PECUNIARY INTEREST

Each Council or Committee member is responsible for identifying and disclosing any Pecuniary Interest in any item or matter before the Council or Committee, as defined by the Municipal Conflict of Interest Act.

When a Member has a direct or indirect pecuniary interest in any matter under consideration at a Council or Committee meeting and is present at the meeting, they must:

- Disclose the interest and its general nature before any discussion begins.
- Leave their seat and sit in the gallery for the discussion on the matter.
- Not participate in the discussion or vote on the matter.

- Refrain from attempting to influence the voting on the matter before, during, or after the meeting.

If the meeting is not open to the public, the Member must leave the meeting during the discussion and comply with the other requirements listed above.

PART 15: ELECTRONIC MEETINGS AND VIRTUAL PARTICIPATION

15.1 Electronic meetings

Council and Council Committee meetings may be conducted entirely by electronic means under the following conditions:

- Electronic meetings may be conducted when in-person attendance is impractical or impossible due to circumstances such as emergencies, public health concerns, inclement weather, or other situations where physical presence would pose a risk or significant inconvenience.
- At least two days before the meeting, the public must be notified of how the meeting will be conducted and how to access it. This notice must include clear instructions on how to join the meeting electronically and any technical requirements needed.
- The electronic platform used for the meeting must allow the public to see and hear the meeting in real-time.
- The electronic platform must enable all meeting participants, including Council Members and staff, to see and hear each other throughout the meeting. This ensures effective communication and the smooth conduct of the meeting.
- All additional requirements established by relevant regulations must be adhered to, ensuring that electronic meetings are conducted legally and effectively.

The Mayor, or Deputy Mayor in their absence, has the authority to decide if a meeting will be conducted electronically, provided it aligns with this policy. The CAO and Municipal Clerk should be consulted ahead of this decision being made to address any logistical arrangements.

Solely electronic meetings will adhere to this policy for all other procedural rules.

15.2 Participation from Remote Locations

In-person attendance at Council and Council Committee meetings is required whenever possible. Council Members may not attend more than three consecutive meetings remotely unless they have received approval from Council.

Members participating in a meeting via remote access are considered present at the meeting.

Remote participation is allowed only under the following conditions:

- The Member is in a location outside of Lunenburg County.
- The Member is unable to attend in person due to illness, medical reasons, family medical matters, or other personal obligations, such as unforeseen travel or emergencies.

Any Member planning to attend a meeting via remote access must:

- Notify the Chair or Municipal Clerk, in writing or by email, in advance.
- Specify which meeting they will attend remotely.

When a Council Member participates remotely, all individuals present in Council Chambers must be able to see and hear the remote attendee clearly throughout the meeting. If a Member attending remotely is not visible and audible at the time of a vote, their vote will not be counted, and the minutes will reflect their non-participation in that vote.

Members may participate in closed sessions via remote access under the following conditions:

- The Member must be in a secure and private location.
- The Municipal Clerk or their designate will provide instructions and access links for remote participation. The Member must attempt to reconnect if the connection is lost during the meeting.

15.3 Technical Difficulties

If the connection for an electronic meeting is lost, a recess of up to 15 minutes will be called to allow time to restore the connection. If the connection cannot be re-established within this 15-minute period, the meeting will be adjourned, and any remaining business will be moved to a subsequent meeting.

If an individual participant experiences connection difficulties, they must make every effort to reconnect. If unable to reconnect, if possible, they should notify the Chair or relevant Staff immediately. Unless Council decides to call a brief recess, the meeting will continue without the participant, and their absence will be noted in the minutes.

PART 16: ROLES AND CONDUCT

All Council Members, including the Mayor, Deputy Mayor, and other Members, are expected to fulfill their roles in accordance with this policy and adhere to any established Code of Conduct.

16.2 The Chair

The Mayor chairs Council meetings, ensuring they are conducted orderly and fairly.

The Chair is responsible for maintaining order, ruling on procedural questions, and ensuring that all Members who wish to speak have the opportunity to do so.

If the Chair wants to make a motion, they must temporarily relinquish chairing duties to the Deputy Mayor or another appointed Council Member for the discussion and decision on that motion.

The Chair will speak last in any debate after all other Council Members have had the opportunity to contribute.

16.3 The Deputy Mayor

The Deputy Mayor serves as Chair in the Mayor's absence, taking on all the responsibilities and duties of the Mayor during meetings.

If both the Mayor and Deputy Mayor are unavailable, the available Council Members will appoint a Councillor to act as Chair.

16.4 Council Members

Council Members must direct their questions and comments through the Chair and remain relevant to the topic under discussion.

A Council Member may speak only after being recognized by the Chair and must not interrupt another speaker except to raise a point of order or privilege.

16.5 Enforcement of Rules

The Chair is responsible for enforcing the rules of procedure during meetings. If a Member violates these rules, the Chair may interrupt the Member, explain the violation, and cite the relevant rule.

If the Member continues to breach the rules, the Chair may call a recess or invite a motion for the Member's removal from the meeting.

If a motion to remove a Member passes, the Chair will direct the Member to leave the meeting.

PART 17: ANNUAL REVIEW OF PROCEDURAL POLICY

This policy will be reviewed annually during the Organizational Meeting to ensure it remains current and effective. However, this review will not take place at the Organizational Meeting immediately following a regularly scheduled municipal election.

Appendix A: Agenda List Order

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. ADDITIONS/ DELETIONS TO AGENDA
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. PRESENTATIONS
7. PUBLIC INPUT AND QUESTIONS – 20 MINUTES
8. CORRESPONDENCE FOR ACTION OR INFORMATION
9. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS, AND APPEALS
10. BUSINESS ARISING AND UNFINISHED BUSINESS
11. NEW BUSINESS
12. NOTICES OF MOTION, INFORMATION REQUESTS, AND COUNCILLOR REPORTS
13. ITEMS FOR CONSIDERATION AT COMMITTEE OF THE WHOLE
14. MOTION ACTION LIST
15. CLOSED SESSION
16. ADJOURNMENT

Appendix B: Secondary Motions

Definitions

"Not debatable" refers to a type of motion that cannot be discussed or argued by the members of a meeting before a vote is taken. Once a "not debatable" motion is made, the meeting proceeds directly to a vote without any discussion on the motion itself. This is usually applied to procedural motions that need quick resolution.

"Chair Rules" refers to the authority of the meeting's Chairperson to make decisions or rulings on procedural matters during the meeting. These rulings may include decisions on points of order, procedural motions, or any other issue that requires interpretation of the rules of procedure. The Chair's ruling is typically final unless successfully appealed by Council Members.

"Majority against the ruling" means that more than half of the voting members must disagree with the Chair's decision in order to overturn it. If the majority votes against the ruling, the Chair's decision is overturned; if not, the ruling stands.

"Negative vote only" means that a motion can only be reconsidered or brought back for discussion if the vote on it was negative (i.e., the motion was originally defeated).

Motion	Function	Rules of Debate	Vote	Eligibility for Reconsideration
Lay on the Table or Set Aside Temporarily	To temporarily pause discussion on a pending main motion during the meeting.	Not debatable, Not amendable	Majority to pass	No
Previous Question (Close Debate)	To close debate and immediately vote on the motion.	Not debatable, Not amendable	2/3 to pass	Only before the vote is taken. Once voting starts, it's too late to request to close the debate.
Limit/Extend Time for Debate	To set a time limit or extend the time limit for debate.	Not debatable, Amendable	Majority to pass	Yes

Postpone to a Certain Date/Time	To postpone consideration of a motion to a later date/time in the same or another meeting.	Debatable, Amendable	Majority to pass	Yes
Refer to Committee / Staff	To send the motion to a committee or staff further consideration.	Debatable, Amendable	Majority to pass	Yes
Amend	To change the wording of a motion before voting on it.	Debatable, Amendable	Majority to pass	Yes
Postpone Indefinitely	To effectively kill the main motion for the current Council Term.	Debatable Not amendable	Majority to pass	If the motion was passed originally, it can be brought back for reconsideration.
Amend/Rescind a Previous Decision	To amend or rescind a previous decision made by the Council.	Debatable, Amendable	2/3 to pass	Yes
Question of Privilege	To address matters affecting the rights and privileges of the members.	Not debatable, Not amendable	Chair rules	No
Point of Order	To alert the Chair that a rule of procedure has been violated during the meeting, prompting the Chair to	Not debatable, Not amendable	Chair rules	No

	address and correct the breach.			
Appeal	To challenge a ruling made by the Chair.	Not debatable, Not amendable	Majority against the ruling	No
Divide a Motion	To divide a multi-part motion into separate motions.	Not debatable, Amendable	Majority to pass	No
Withdraw a Motion	To withdraw a motion from consideration.	Not debatable, Not amendable	Majority to pass	Negative vote only

INFORMATION REPORT

Subject: Sewer Service Proposals for Lot 2A Centennial Avenue
From: Tyson Joyce, Director of Public Works
Date: September 3, 2024



Recommendation

This Report is for information only.

Background

Staff have been in ongoing discussions with a property owner regarding the servicing of Lot 2A on Centennial Avenue.

Lot 2A is located on Centennial Avenue, heading down the hill within the S-turn. The Town's existing sewer main on Centennial ends at the top of the S-turn, with the sewer main running back down Centennial in the direction of Victoria Road (refer to attached diagram in Appendix A). The elevation of Lot 2A relative to that of the existing sewer main presents a challenge for a conventional gravity fed sewer service.

Discussions with the property owner about the servicing for Lot 2A Centennial have been ongoing since December 2023, from which time the property owner asked Public Works for advice on several details associated with this (mainly sewer, but also including water and driveway access). Dialogue and correspondence on these items continued until recently, with Public Works offering guidance based on documents such as the Town's Land Use By Law, Streets Services Extension Policy, Water Utility Rules and Regulations, Engineering Specifications, etc.

On May 8, 2024, the property owner provided Public Works with an engineered concept for a potential lateral connection to the existing manhole on Centennial (including pumping system), and on July 18 we received an e-mail from a different Engineering Consultant employed by the property owner to clarify some point from our response to the May 8 concept. It was on receiving the response from Public Works to the July 18 correspondence that the property owner withdrew that proposal for the connection to the existing sewer main on Centennial (including pumping system) and made the following alternative proposals:

".....My new proposal is this....."

The Town, at Town expense, extend the Centennial sewer towards Green St, with a pumping station at the bottom. This would be done on the Town's right of way. I would pay for a simple lateral from Lot 2A to the new sewer line.

Alternately, I will proceed with the installation of a bio filter septic system.....”

Discussion

In terms of the property owner’s two (2) proposals, no other supporting engineering details were provided at that time or up to the writing of this Report. It is reasonably expected for a potential Developer to provide Public Works with these engineering details in support of their proposal for proper review and to ensure compliance with the Town’s Bylaws and Policies. Based on the lack of detail provided by the property owner, Public Works cannot properly review either of the proposals that have been made by the property owner.

If we are to lower the expected standard of submissions for any potential Developers, it may set a precedent for the Town for any future development opportunities.

Staff currently hold concerns over whether either of the proposals (if fully formed) would be in direct conflict with the Land Use By Law and Streets Services Extension Policy. If this was the case for either proposal, they would be unable to be supported by Staff. However, if a request or proposal contravenes a Town by-law or policy, members of the public have the option to make a formal request to Council to consider amending the by-law or policy. In addition, a motion was carried on April 23, 2024, that *Council defer reviewing cost-sharing requests made under the Street Extension Policy until after the Sustainable Infrastructure Fund is created.*

Alternatively, if the property owner is to proceed with the bio filter septic system as outlined in their proposal without approval, it may conflict with the Water Utility Rules and Regulations and prevent him from receiving a water service if there are concerns over potential contamination of the Town’s system.

Strategic Plan Relevance

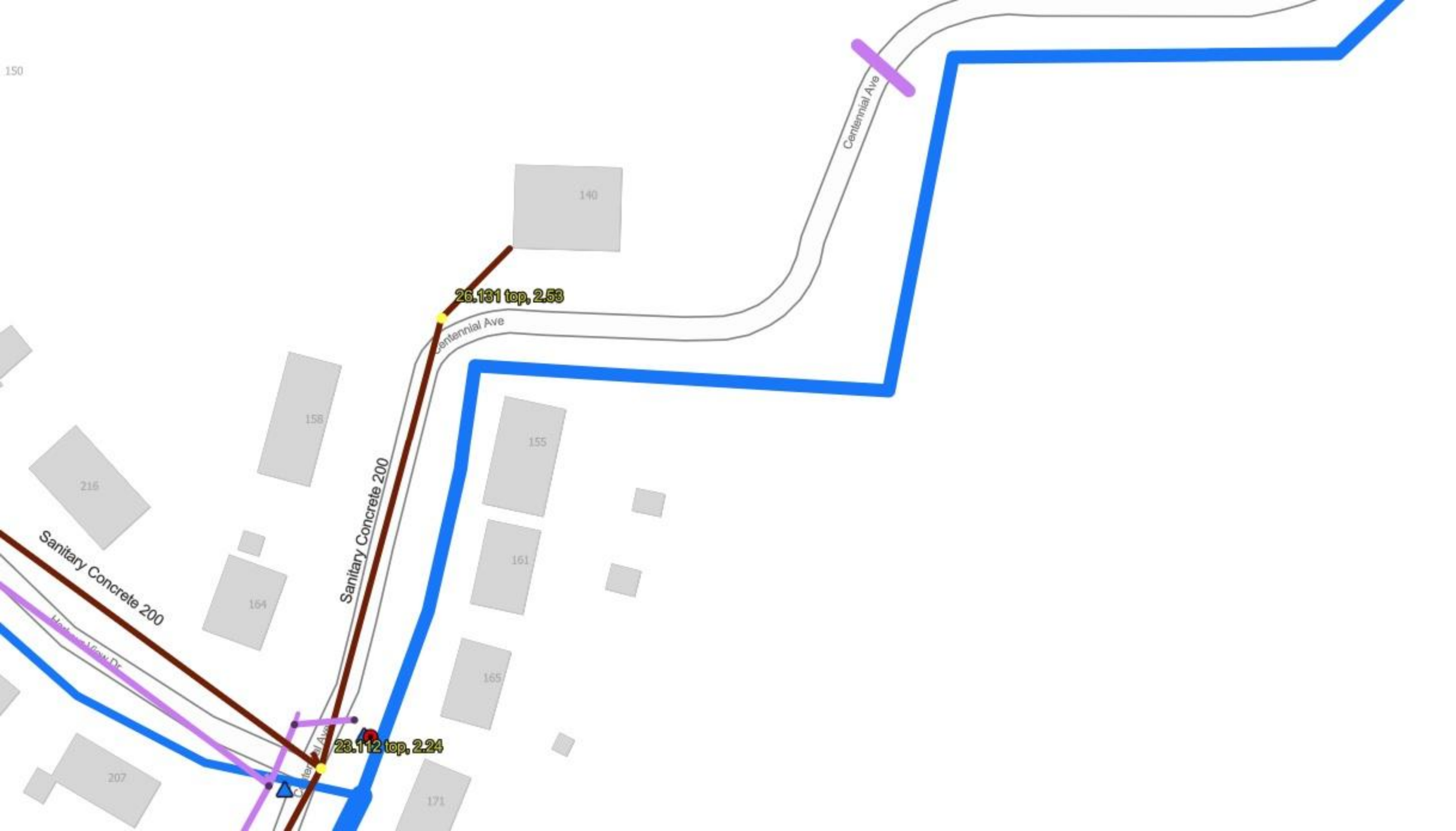
Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town’s Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

Financial

There is insufficient detail to provide an accurate summary of any possible cost implications.

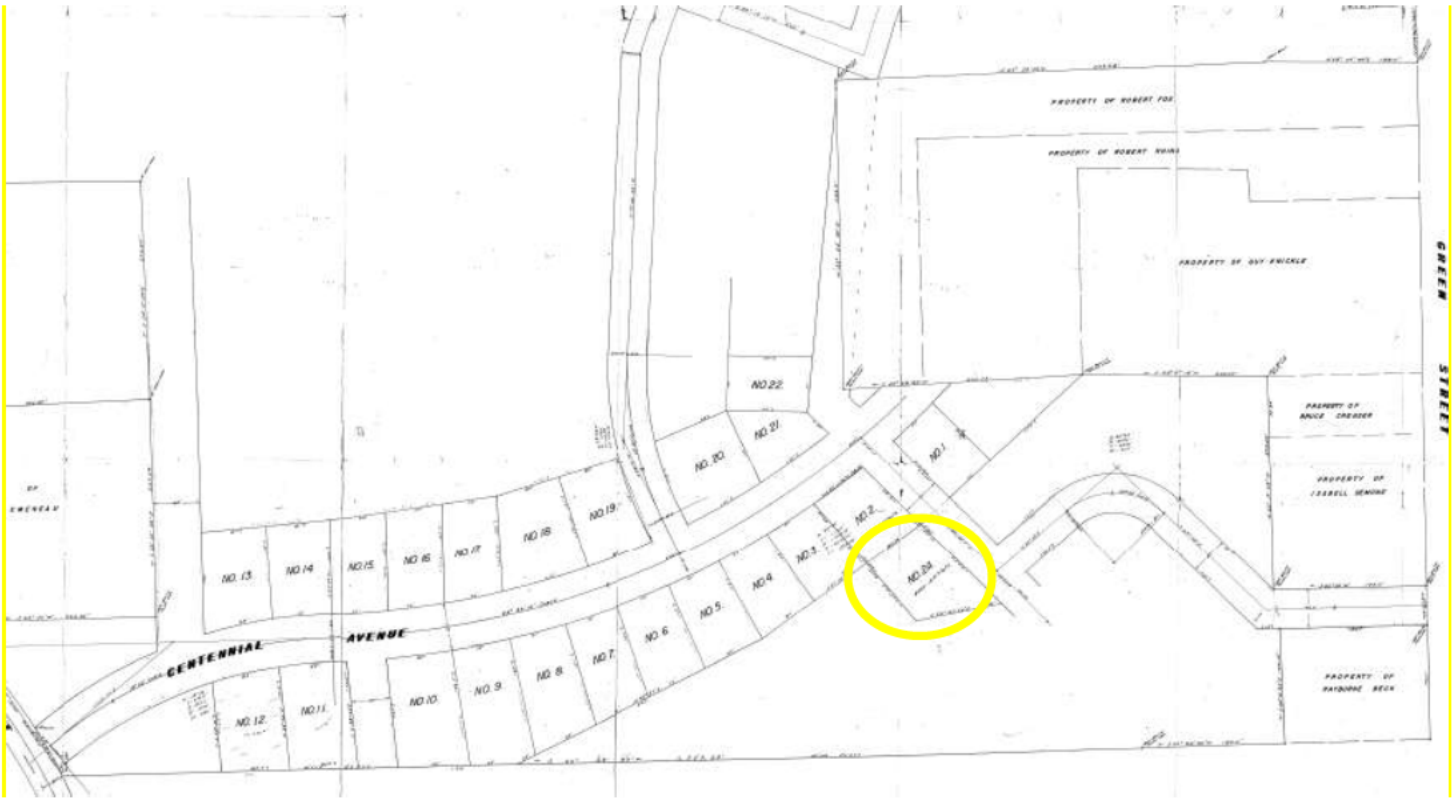
Attachments

- Town’s existing water and sewer servicing relative to Lot 2A
- Correspondence from the property owner regarding the request



Council Background Information

Jo and I own a vacant lot on a Centennial Ave. We would like to build a senior friendly residence on the property. This lot was approved as part of the subdivision around 1968.



Lot in question is circled.

Approved by Town of Lunenburg
Planning Board at meeting held
on Sept. 17/68.

[Signature] Chairman
[Signature] Secretary

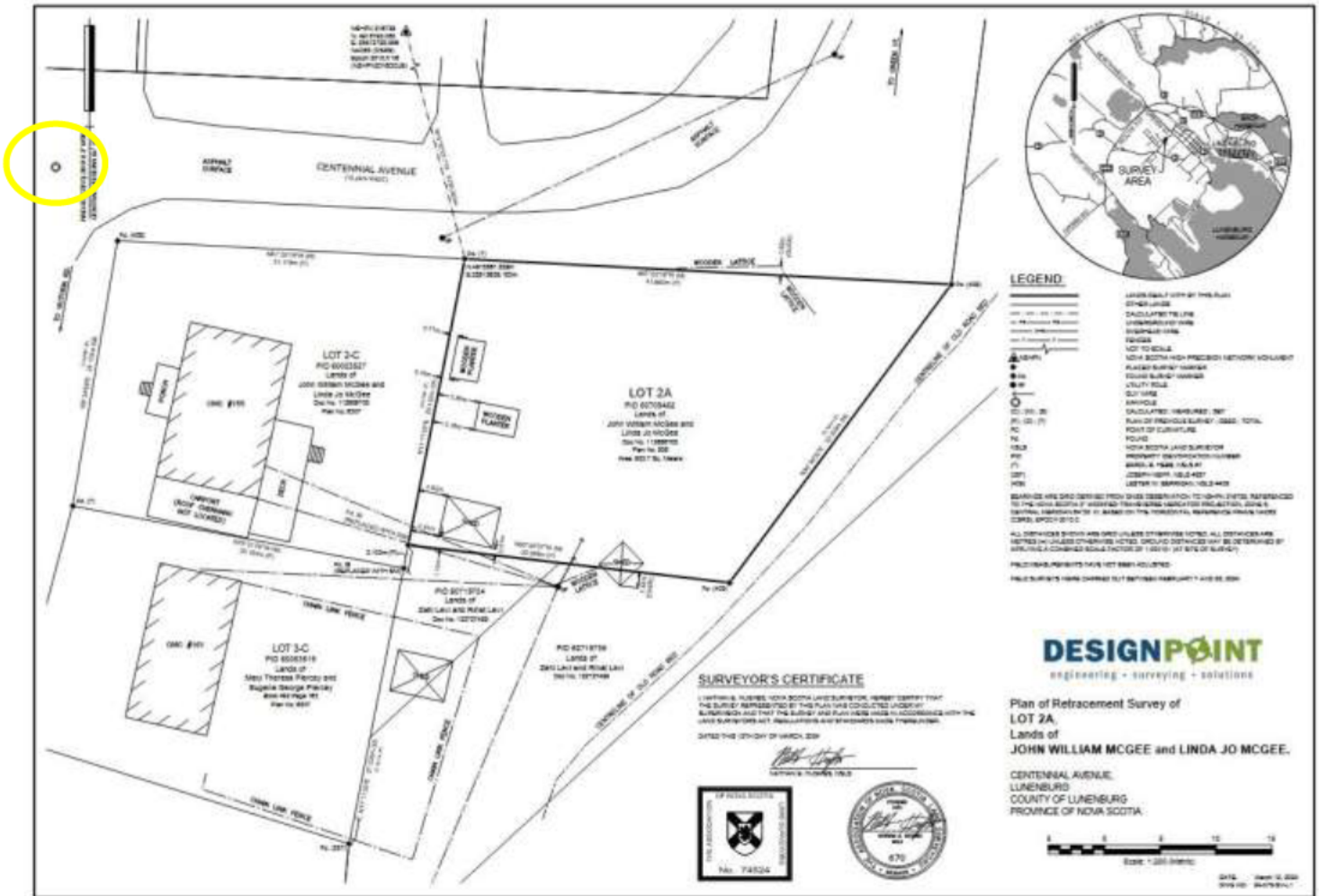
LUNEBURG COUNTY LAND REGISTRATION OFFICE
I certify that this plan was registered or recorded as shown here.
Jean Plattell - Registrar
936
Plan #
Oct 3 1968 9:30
MM DD YYYY

PLAN OF SURVEY.
SHOWING PROPERTY OF D & E INDUSTRIES LIMITED
IN THE TOWN OF LUNEBURG AND DISTRICT OF CENTRE, LUN. CO., N.S.
SURVEYS OF MARCH 3RD. TO JUNE 16TH, 1967
SCALE: - 1 INCH = 40 FEET.
SURVEY & PLAN BY: -
Carl B. Hill P.L.S. NO. 7.
BRIDGEWATER, N.S., 21ST. JUNE, A. D., 1967.

Our first step was to talk to the Town Engineer about services. Currently, the lot does not have water and sewer service.

Water service is readily available. There is an 8" main line that runs thru Centennial Ave up to Green St.

The nearest sewer line is on Centennial Ave. It ends well short of the end of the street. Access from our lot is around 200' away with an elevation drop of around 20'.



Very recent survey shows the lot in question and the relative position of the end on the sewer line marked by circle. From the sewer line to the Lot 2A there is an elevation drop of around 15-20 feet.

At the Town Engineer's suggestion we hired a professional engineer to determine our options for sewer service. His advice was to install a bio filter septic system. There being no direct access to the sewer line. The lot is large enough for the needed setbacks and would easily be approved by the Department of Environment. The estimated cost is \$25,000.

The Town Engineer was opposed to this. It was suggested that if we proceed with this we may not be given water service or a development permit may not be approved.

Bylaw 35 was in effect at that time.

TOWN OF LUNENBURG

BY-LAW NO. 35

A BY-LAW RESPECTING DRAINS

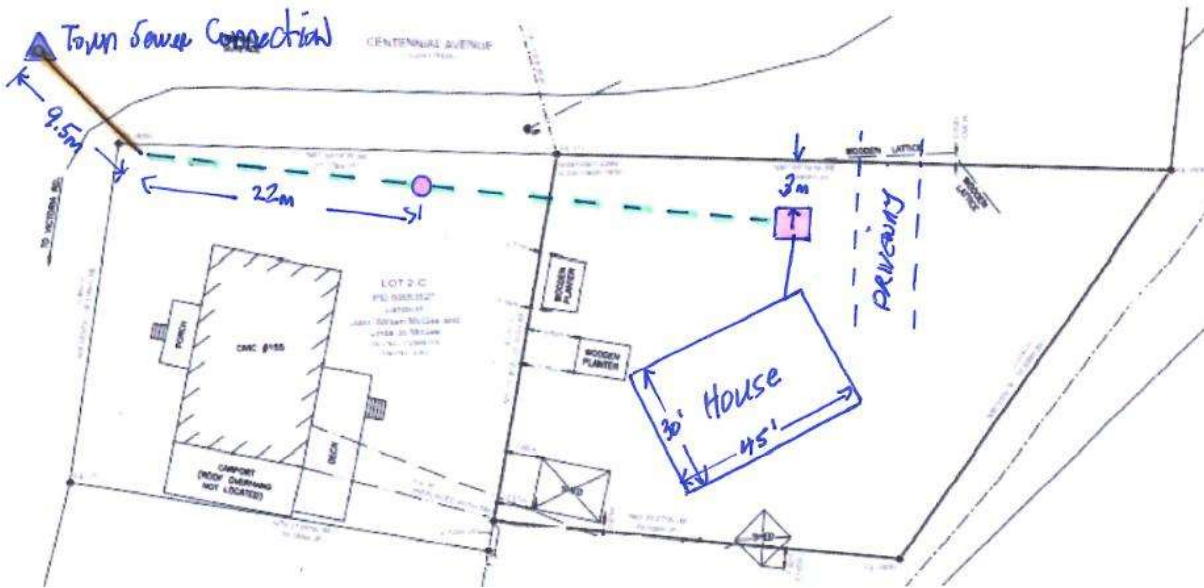
Short title 1.1 This by-law shall be known as and may be cited as the "Drains By-law".

Connection may be considered 2.1 The Council may, at any time, order by notice in writing, the owner of any dwelling house, shop or other building, lots or premises in the Town, fronting on any street in which there is a public sewer within one hundred feet of the building to make and establish a drain connection with said sewer in accordance with the by-laws relating to the construction of sewers in the Town and such drain connections shall be made and established by the owner of said property within thirty days after service of said order upon said owner or his authorized agent.

Bylaw 35 that permitted the installation of the septic system was repealed in April 2024. Work on our vacant lot started in January 2024. The town was notified of my intent in January 2024. There was no application process. I was never informed that the bylaw could be repealed. I was informed of the bylaw being repealed in June 2024. As the survey and engineering was done prior to the repealing of the bylaw, we believe this project should be grandfathered with the other septic systems already in place in the Town of Lunenburg.

We looked for other options.

We could seek a right of way through the adjacent property, install a holding tank with a pumping system to elevate the waste water some 20' and attach to a lateral up on Centennial at the top of the hill. The cost for this is estimated to be \$12,000 for the pumping system, \$7,000 for the lateral to the sewer line and an unknown devaluation of the adjacent property. I suggest this to be around \$30,000. The hired engineer drew up a plan. Total estimate cost of \$49,000.



NOTE: I currently also own the adjacent property. That does not negate its devaluation.

We proposed this to the Town. The Town's response prompted my "Enough, Enough, Enough" response of August the 2nd. The Town Engineers comments only added to already excessive costs and difficulties with connecting. It also added to my belief that the Town sewer line was inaccessible.

Immediately below Lot 2A is roughly 4 acres that is slated for development of multi unit residences in the next few years, somewhere between 40-60 units. In addition there are several acres next to the 4 acres that would become desirable development properties should there be access to Town sewer service.

The Town should consider being proactive and jump start housing development on these lands by extending the sewer line down Centennial and installing a pumping station. There is sufficient Town owned land for this installation.

Then, my issue disappears. I would merely pay for the lateral to attach to the extension.

At this time, without the Centennial sewer line being extended, my best option is to install a septic system. I ask Council to consider my belief that this project was started well before Bylaw 35 was repealed.

If there are other options or partnerships, I am more than willing to participate in the conversation.

I appreciate this is somewhat complicated and I appreciate your taking the time to understand my situation.

From: [John Mcgee](#)
To: [Hilary Grant](#)
Cc: [Tyson Joyce](#); [Kayla Byrne](#); [Jamie Myra](#); [Peter Mosher](#); [ED Halverson](#)
Subject: Re: Lot 2A Centennial Avenue - Wastewater servicing
Date: August 9, 2024 2:19:32 PM

CAUTION: THIS IS AN EXTERNAL MAIL

A little confused. There is no application process that I'm aware of. Tyson kept asking me for a proposal. We did propose a pumping system that is proving too costly and complicated. So that's what I'm withdrawing. This lot was approved in the sixties as part of the subdivision.

I've asked Tyson a few times for his proposal to back up his assertion that connecting to the town sewer is an option. I'm just told that I have to make the proposal.

By all means bring my previous email to Council.

John

Sent from my iPad

On Aug 9, 2024, at 11:41 AM, Hilary Grant <heritagedev@townoflunenburg.ca> wrote:

Good morning. Apologies for the delay in responding.

An application that has been withdrawn cannot be refused. Town Staff are not refusing your application.

I understand Council paying for servicing is how you would like to proceed. As you know, Staff cannot spend funds that have not been approved by Council. You are very welcome to ask Council to pay to extend the Centennial sewer towards Green Street, with a pumping station at the bottom. I could have the Town Clerk add your August 2 email to the Council agenda for the September 10 meeting. Alternatively, you could send a new email to the Town Clerk for inclusion. Kayla can also work with you to present your funding request on September 10.

You could also submit correspondence or present before the Council on the issue of septic tanks. Currently, Council cannot provide exemptions to allow

septic tanks in Lunenburg. You could propose by-law and/or policy amendments to make this possible.

Please let Kayla know whether you would like to have the August 2 email added to the Council agenda, new correspondence added to the agenda, or to come and present before Council in person on September 10.

Thank you again for your patience, and I look forward to reading your submission to Council.

All my best,

Hilary Grant (She/Her)

Interim CAO

Town of Lunenburg

119 Cumberland Street, PO Box 129

Lunenburg, NS Canada B0J 2C0

T 902-634-4410 x252

heritagedev@townoflunenburg.ca

cao@townoflunenburg.ca

www.townoflunenburg.ca

<Outlook-koh4r3t5.png>

Please be aware that any communications made to the Town of Lunenburg will become records subject to the freedom of information and protection of privacy provisions contained in Part XX of the [Municipal Government Act](#). Depending on the nature of the information and the subject matter, such communications may become part of the public record. If you are sending confidential business information or personal information, please mark it as such.

The Town of Lunenburg is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. We are all Treaty people.

From: John Mcgee [REDACTED]
Sent: Friday, August 9, 2024 10:39 AM
To: Tyson Joyce <tjoyce@townoflunenburg.ca>
Cc: Hilary Grant <heritagedev@townoflunenburg.ca>; Jamie Myra <jmyra@townoflunenburg.ca>; Peter Mosher <PMosher@townoflunenburg.ca>; ED Halverson <ehalverson@townoflunenburg.ca>
Subject: Re: Lot 2A Centennial Avenue - Wastewater servicing

CAUTION: THIS IS AN EXTERNAL MAIL

I haven't heard back from you. I'm assuming you are refusing my proposal.

Sent from my iPad

On Aug 2, 2024, at 12:12 PM, John Mcgee [REDACTED] wrote:

Enough! Enough! Enough!

Your last email below just highlights the difficulty in accessing the existing sewer line.

I withdraw my proposal to access the town sewer system. With all the objections and conditions and costs placed on the proposal by the Town, I am now convinced that access is unavailable. I have spent several thousand dollars on engineering and survey services to try and access the Centennial sewer line which ends far from Lot 2A.

My new proposal is this.....

The Town, at Town expense, extend the Centennial sewer towards Green St, with a pumping station at the bottom. This would be done on the Town's right of way. I would pay for a simple lateral from Lot 2A to the new sewer line.

Alternately, I will proceed with the installation of a bio filter septic system. The bylaw in place at the beginning of this project, December 2023, stated that I only needed to attach to the Town system if the property was within 100 feet. Lot 2A is substantially more than that.

When that bylaw was repealed in April, my project was started and should be grandfathered similar to other septic systems already installed.

Please advise,

John McGee



Sent from my iPad

On Aug 1, 2024, at 4:04 PM, Tyson Joyce
<tjoyce@townoflunenburg.ca> wrote:

Hi Andrew

In terms of the list in red, it seems you have mostly acknowledged the information that we provided John back on May 23 when he previously submitted a concept for our review. In terms of the other items:

- There is an apparent risk in taking a service across another piece of private property without a recognized easement to allow it. Currently the McGee's are the owners of the two pieces of property but possibly this will not always be the case. Having an easement registered would protect the interests of the property owner at Lot 2A and generally provide greater clarity on where the service is located for the Owner's of #155 and Lot 2A going forward for the relatively irregular configuration.

- As we have indicated throughout this process to John, he (or you on his behalf) are free to submit a proposal (with details, supporting documents, etc.) for the sewer service. In this case, if the E-One grinder pump package c/w chamber you have outlined is what is included in the potential proposal, please provide all the details, supporting documents, etc. in the submission. Alternatively, if you would prefer us to review the specifics of the E-One grinder pump package c/w chamber prior to you proceeding further with the design, please forward along the details, supporting documents, etc. for that specific equipment at your convenience.

With the other questions you have asked, we provide the following responses:

1. The proposed extension of the lateral within the right of way shown in your sketch appears to conflict with Clause 9.6 of the Town's Street Services Extension Policy (<https://townoflunenburg.ca/1248-street-services-extension-policy/file.html>). If I have misunderstood the sketch or the intent, please let me know.
2. The as built information for the watermain in this section of Town is limited. We do have some swing tie measurements for the watermain heading from adjacent to 155 Centennial in the eastward direction up around the sewer manhole. Previously it was discussed with John that exploratory excavation along his proposed service alignment prior to construction may be a way to better ensure the new lateral would not be impacted by the existing services, and that clearances could be either maintained or allowed for if not possible.

If you need any additional details at this time relating to the above, please let me know.

Thanks

Tyson Joyce, P.Eng., PMP
Town Engineer

Town of Lunenburg
119 Cumberland Street, PO Box 129
Lunenburg, NS Canada B0J 2C0
T 902-634-8992 ext 1
C 902-527-6321
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Please be aware that any communications made to the Town of Lunenburg will become records that are subject to the freedom of information and protection of privacy provisions contained in Part XX of the Municipal Government Act. Depending on the nature of the information and the subject matter, such communications may become part of the public record. If you are sending confidential business information or personal information, please mark it as such.

The Town of Lunenburg is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. We are all Treaty people.

Subject: Civic Square Condition Assessments / Bandstand Restoration
– *Budget Reallocation*

From: Lisa Kendall, Municipal Engineer

Date: August 23, 2024



Recommendation

That Council reallocate \$20,000 from the Old Fire Hall Operating Budget and \$20,000 from the Town Hall Operating Budget to the Bandstand Restoration, totaling \$40,000 for Bandstand Restoration Engineering.

Alternatives

- That Council does not reallocate funds for the Bandstand and defer this work to a later time.

Background

The Civic Square Condition Assessments Project is intended to assess the condition of the building envelope of the Town Hall and Old Fire Hall, complete with cost estimates for the prescribed scope of work to rectify the deficiencies. The scope of this project also intends to assess the condition of and prepare drawings and tender documents for the restoration of the Bandstand. The scope of the Bandstand portion of the project includes preliminary investigations, design and tender document preparation, and quality insurance reviews during construction.

The amount approved in the 2024/25 Town Operating Budget for the Town Hall Condition Assessment is \$40,000, including net HST, and the amount approved in the 2024/25 Town Operating Budget for the Old Fire Hall Condition Assessment is \$40,000, including net HST. There are no funds currently allocated to the Bandstand Restoration in the 2024/25 Capital nor Operating Budgets.

The poor condition of the structure of the Bandstand was identified in May 2024, at which time the Town acted on engineering recommendations to close and not allow access for safety reasons.

Discussion

The RFP for the Civic Square Condition Assessments closed on August 7, 2024 and has validity for 90 days. Four proposals were received. Staff reviewed proposals and the highest scoring proposal is from Read Jones Christoffersen Ltd (RJC). The projected price of RJC's proposal is \$53,695 +HST.

The cost breakdown per facility is as follows:

	RJC's Proposal Cost	24/25 Budget	Recommended Budget Reallocation
Old Fire Hall	\$12,605 +HST	\$40,000	-\$20,000
Town Hall	\$12,605 +HST	\$40,000	-\$20,000
Bandstand	\$28,485 +HST	\$0	\$40,000

Staff are recommending that the Old Fire Hall Condition Assessment Budget be reduced from \$40,000 to \$20,000, and the Town Hall Condition Assessment Budget be reduced from \$40,000 to \$20,000. Staff are also recommending that the \$20,000 from each the Old Fire Hall Budget and Town Hall Budget be reallocated to the Bandstand engineering phase; for a total of \$40,000 for the Bandstand Restoration.

It is anticipated for the Bandstand Assessment and Engineering work to commence in the Fall and run into the Winter, with Tendering to be planned for within the 2025/26 Budget cycle, and construction likely for the Spring of 2025.

Strategic Plan Relevance

Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

Financial

The costs for the Old Fire Hall and Town Hall Condition assessments were originally funded by the general tax rate. The approval to reallocate these funds to the Bandstand Engineering Phase will not change the funding source or require extra funding outside of those originally assigned to the Condition Assessments.

INFORMATION REPORT



Subject: Wastewater Treatment Plant Upgrades and Expansion
– Project Update

From: Tyson Joyce, Director of Public Works

Date: August 26, 2024

Recommendation

This Report is for information only.

Background

The Wastewater Treatment Plant (WWTP) Upgrade and Expansion Project is a critical project for the long-term viability of Lunenburg. Adding capacity to the existing WWTP to be able to service the projected 50% population growth for the Town over the next 40 years outlined in the Comprehensive Community Plan is a substantial undertaking.

Following a funding application in March 2022, this Project first appeared in our Town Capital Budget in 2022/23 through support from Canada's Investing in Canadian Infrastructure Plan (ICIP). The Federal and Provincial funding components for the Project were secured in March 2023. Council awarded the RFP for WWTP Upgrade and Expansion Design and Engineering Services to CBCL in December 2023 and have been working with Town Staff on the design and other portions of their scope since that time.

Key components for the WWTP Upgrades and Expansion include:

- Construction of new concrete SBR tanks.
- Modification of the existing bioreactor to serve as an aerobic sludge digester.
- Replacement of the fine screen, washer compactor, blowers, and UV disinfection system.
- Removal of the DAF units and auxiliary equipment.
- Expansion of the sludge dewatering by installing a third rotary press channel.
- Installation of a backup power supply generator to provide emergency power to key treatment equipment in the event of a power outage.

Once the design is completed and the Contract documents have been prepared, the construction work shall be tendered and awarded to a Contractor to execute. The Project shall also require approvals and coordination with Nova Scotia Environment and Climate Change (NSECC) to facilitate certain milestones.

The amount approved in the 2024/25 Town Capital Budget for the Spillway Project is \$9.982M including net HST. This budget includes the Consultant's design work and tendering and construction support and the performance of the construction work by the Contractor.

Discussion

The Consultant and Town Staff have been working on the preliminary aspects of the Project. Below is a summary of these items:

i) Status of Design for Upgrades and Expansion

The Town reviewed, provided comments and further information on the 60% complete design Drawings for the Project we received in June. The 90% Drawings are expected from the Consultant in early September for another stage of review, before proceeding to the 100% set that would form part of the Tender.

ii) Pre-selection of Items

In March, a Request for Quotation was issued to potential suppliers for the UV disinfection system, screening equipment and SBR equipment. The aim of this was to allow the Town to have control over the type and quality of the supply items, advance the design, ensure components are complimentary, as well as providing pricing information.

The Town received multiple submissions for each of the three categories of supply items, and these were individually reviewed, assessed and recommendations made. The following components have been chosen for each:

- UV Disinfection System – Trojan UV3000Plus
- Screening Equipment – Veolia ESCALATOR Perforated Fine Screen and ROTOPAC Screw Washer Compactor
- SBR Equipment – Xylem Sanitaire ICEAS System

At this point, the Town has committed to paying the upfront costs for the individual sets of Shop Drawings for each these items to advance the design. The remainder of the supply costs will be contained within the Contractor's bid for the construction.

iii) Phase 2 Environmental Site Assessment

The Consultant has proceeded with the Phase 2 Environmental Site Assessment to investigate contamination of the site. Soil samples and groundwater samples were taken at five (5) locations around the existing WWTP site and assessed for petroleum hydrocarbons (PHCs), metals, polycyclic aromatic hydrocarbons (PAHs) at four of the locations, glycol, pesticides, dioxins, cyanide, polychlorinated biphenyls (PCBs) at one of the locations and volatile organic compounds (VOCs) at one of the locations.

In several of the soil samples taken, there were exceedances measured in metals and dioxins when compared to the NSECC Tier 1 Environmental Quality Standards (EQS), but no other exceedances were measured in either the soil or groundwater samples. The Town is required to notify NSECC of these exceedances and has done so.

Follow-up testing is required to further investigate and a strategy for disposal shall need to be developed prior to construction.

iv) Other Items

Staff and the Consultant have also been working on the following tasks associated with the preliminary stage of the Project:

- A Water Ingress Study has been performed to better understand the approximate elevation of groundwater in the section of the site planned for excavation and an estimate for pumping rates required to execute this portion of the Project.
- A scoping meeting with NSP to understand how the expanded WWTP can be serviced and to assist with the electrical design.
- A copy of the 60% design plans has been shared with NSECC for their awareness of the Project and allow an opportunity for any feedback from them.

v) Looking Ahead

We are getting closer to having a final design for construction that we can put out for Tender. The Tender period is likely to run through October & November and then we can provide Council with an update on what we receive from Bidders.

The latest Project schedule provided by the Consultant has an expected completion date into July 2026. Whilst this is a placeholder and will be set and largely controlled by the Contractor once they are awarded the work, it is something that we intend to identify as a risk to our ICIP funding partners in our September Progress Report. We can also work with the successful Contractor to see if there are ways to shorten timelines (e.g. running tasks in parallel rather than series) without incurring extra costs for acceleration.

Strategic Plan Relevance

Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

Financial

There are no new financial details to report.

Subject: Dares Lake Dam and Spillway Upgrades – Tender Results
From: Tyson Joyce, Director of Public Works
Date: September 3, 2024



Recommendation

That Council defer the Dares Lake Dam and Spillway Upgrades Project for Capital Year 2024/25 with the intention of Staff revising the budget for this item and presenting it within the Water Utility's 2025/26 Capital Budget.

Background

Council may recall that the Dares Lake Dam and Spillway Upgrades Project was presented before them in August 2023, to replace the Town's existing spillway that has deteriorated over the years. At that time the Motion was carried by Council to defer the work to the Water Utility's 2024/25 Capital Budget to allow the incorporation of an eel passage as a new last-minute requirement from the Department of Fisheries and Oceans (DFO).

Staff has worked with our Engineering Consultant to redesign the spillway to incorporate this measure. This has proved to be a challenging and time-consuming scope change, as designing eel passages for this application is uncommon, with no clear design codes to follow or many similar examples to draw from. The revised civil scope now includes:

- Supply and install of precast concrete sections in place of the existing spillway;
- Excavate and backfill the section of the existing dam surrounding the spillway;
- Supply and install of eel passage supporting infrastructure and fish passage;
- Water control and erosion sediment control.

The revised design has been reviewed by both DFO and Nova Scotia Environment and Climate Change (NSECC) and has been deemed by both Regulators to be acceptable.

The amount approved in the 2024/25 Water Utility Capital Budget for the Spillway Project is \$450,000 including net HST. This budget includes the Consultant's Tendering and Construction Support and the performance of the civil work by the Contractor.

In terms of the performance of the Project, work in Nova Scotia watercourses requires a permit to be issued by NSECC, and regular practice is for this permit to limit construction impacting watercourses to the period from June to the end of September each year. It is possible to apply for extensions, but generally these need to be special circumstances and are not always simple to receive.

Discussion

The Tender for the civil work associated with the Dares Lake Spillway closed on August 13 and has a validity period for acceptance of ninety (90) days from tender closing.

The Town received a single Tender submission but based on legal and engineering advice it has been considered non-conforming, so the Town is unable to Award the work at this time.

Notwithstanding the above, the value of the submission we did receive would have placed the Project Budget well in excess of the \$450,000 (including net HST) Budget. In addition, the Contractor has advised the precast box culvert sections has a 20-week supply lead time, pushing the construction window into the Winter, which would create concerns for execution and quality for this type of construction. This potential schedule would also be likely to create issues with the NSECC watercourse alteration permit. The combination of these factors indicates re-tendering the construction work immediately is not the correct path for the Project.

At the time of the 2024/25 Water Utility Budget being approved, the redesign was still evolving. Now that the design has been approved, Staff are in a better position to budget for the scope of work.

In the attachments to this Report, the Consultant has provided their opinion based on the existing condition of the dam and spillway supporting the deferring of the work to 2025/26 and has considered it to be a moderate risk. In deferring this work from 2024/25, it is planned to have the Tender released and awarded much earlier in the year to mitigate any supply lead time constraints and allow Contractors some additional flexibility for the work to be performed within the typical June to September window.

Strategic Plan Relevance

Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

Financial

The amount approved in the 2024/25 Water Utility Capital Budget for the Dares Lake Spillway Project is \$450,000 funded with \$365,000 from Water Utility Depreciation Funds and \$85,000 from Grants. It is important to note that the grant funding is not expected to be lost if the project is delayed and the work is not undertaken this year, allowing flexibility in the project timeline.

Deferring the Project to 2025/26 based on the Consultant's assessment of the low immediate risk would allow Staff to revise the Budget to fit the budget to the now better known scope and should also encourage a more competitive tendering process.

In the meantime, Staff shall contact the existing Grant provider to try to retain their contribution into 2025/26, as well as looking for opportunities to obtain grants that can be stacked to offset the additional costs to the Town.

Attachment

Consultant's Analysis and Recommendation Letter

August 22, 2024

File: 101263.002

Town of Lunenburg
119 Cumberland Street
Lunenburg, NS
B0J 2C0

Attention: Tyson Joyce, P.Eng., PMP, Town Engineer

**Re: Dares Lake Spillway - Project Update
Town of Lunenburg, Nova Scotia**

This letter presents a summary of the recent changes to the project based on the regulatory recommendations related to eel passage at the dam site, the updated project timeline options, and the dam safety risks associated with delaying the project until 2025.

1.0 PROJECT UPDATE & CURRENT TIMELINE

Following the Department of Fisheries and Oceans (DFO) request to include eel passage as part of the refurbishment of the Dares Lake dam and spillway in 2023, the design of the spillway was modified to accommodate this request. The current design incorporated the eel passage ramp within a box culvert design, where the ramp can be adjusted to meet the flow requirements. Given the complexities of developing an eel passage at this site, the design timeline was longer than anticipated; therefore, tendering process for the project was also delayed until July/August of 2024.

The Town of Lunenburg received one proposal for the dam and spillway construction project. One main component of the design was the procurement of the concrete box culvert sections that will be used as the spillway. Based on the proposal, the timeline to receive the box culvert sections from the supplier, is estimated to be 20 weeks after award. This timeline would result in the construction of the spillway to take place in December 2024 or later.

It's GEMTEC's opinion that undertaking dam construction activities in the late fall and winter months adds significant risk to the project based primarily on weather conditions. The combination of rain, snow, and colder temperatures makes it difficult to compact dam fill materials in these conditions. It should also be noted that constructing the spillway will require the use of a cofferdam on the upstream side of the dam. The initial intent of the cofferdam was to construct a sandbag cofferdam at the site, which would be ideal in the spring, summer or early fall months. However, fall rain and storms can be unpredictable and could cause water control issues at the site in the later fall/winter months, which could further impede the construction activities.

2.0 DAM SAFETY RISKS

As noted in GEMTEC's Dares Lake Project Update memo, dated July 28, 2023, the current Dares Lake spillway is approximately 130 years old and is in a poor state of repair. Failure of the spillway will likely damage the pumphouse for the Town of Lunenburg municipal water supply, located approximately 165 m downstream of the spillway, and likely render the pumphouse inoperable. The failure of the spillway is most likely to result from high flows during either a spring freshet (less likely) or late summer hurricane (more likely). This statement is still valid given the unchanged condition of the structure.

Delaying the construction to 2025 will expose the spillway to a low risk of a failure during the 2025 spring freshet and expose the spillway to a moderate risk of failure for the remainder of the 2024 hurricane season; should it not be under construction.

3.0 REGULATORY RISKS

In terms of regulatory permitting risks, DFO was advised that construction of the dam may be completed in 2025 given the anticipated supply issues with procuring the box culverts and bevel gear. DFO approved the extension into 2025 in their Letter of Advice, dated June 13, 2024. DFO will be notified of the project changes once the Town of Lunenburg has decided if it will proceed or delay the project in 2024.

4.0 RECOMMENDATION

Based on the above information, GEMTEC recommends cancelling the current tender and re-tendering it in early 2025, which will delay the construction until early summer 2025. This timeline will allow the successful proponent to procure the box culvert sections, bevel gear, and other supplies in early 2025, potentially limiting construction delays for supply issues.

We remain available to discuss the above. Please contact the undersigned if you require additional details.

Sincerely,



Aaron Alderman, M.Eng., P.Eng., PMP
Senior Dam Engineer

AA/rh

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Subject: Amendment to the Lunenburg County Inter-Municipal Regional Anti-Racism and Diversity Agreement

From: Hilary Grant, Interim CAO

Date: September 10, 2024



Recommendation

That Council extend the end date of the Lunenburg County Inter-Municipal Regional Anti-Racism and Diversity Agreement to September 30, 2026.

Alternatives

- That Council not extend the end date of the Lunenburg County Anti-Racism & Diversity Inter-Municipal Regional Agreement to September 30, 2026 (no motion necessary).
- Defer a decision.

Background

On January 12, 2024, the five municipal units in Lunenburg County signed the Inter-Municipal Regional Anti-Racism and Diversity Agreement (Attachment A). This collaborative effort is dedicated to advancing anti-racism and anti-discrimination initiatives while promoting equity, diversity, and inclusion. The agreement aims to identify and address systemic racism and inequities within government policies, legislation, programs, and services across Lunenburg County.

The agreement includes the hiring of a regional coordinator and the establishment of a regional advisory committee. This committee will provide guidance to each municipality, aiming to advance, strengthen, support, and unify the five municipal units in adopting and implementing anti-racism and anti-discrimination initiatives across the region.

The host municipality, the Municipality of the District of Chester, led a three-month recruitment effort for the new Lunenburg County Anti-Racism & Diversity Coordinator position. Seven applications were received, and four candidates shortlisted and interviewed, ultimately hiring the successful candidate on April 3. Unfortunately, the coordinator resigned from the position on June 14 to focus on family matters. The Municipality of the District of Chester will need to repeat the recruitment process.

The current end date outlined in the Lunenburg County Anti-Racism & Diversity Inter-Municipal Regional Agreement is March 31, 2026. Staff propose to extend this deadline to September 30, 2026, to account for the need to re-initiate recruitment efforts for the position. The term of the agreement can be amended if all the Council's agree.

Discussion

The Anti-Racism & Diversity Advisory Committee will consist of up to 13 voting members, including political and community representatives, and designated positions for Wasoqopa'q First Nation and Sipekne'katik First Nation. The recruitment process will include receiving applications, conducting interviews, and submitting recommendations to Mayors and Wardens for Council consideration.

To account for the delay, the timeline for the committee recruitment is as follows:

- Recruitment for committee members will be initiated in advance, without waiting for the new Coordinator to be hired.
- Appointments by the new councils are anticipated to take place in November.
- The committee is expected to start meetings in January.

Strategic Plan Relevance

Inclusion: We work to ensure a sense of belonging, acceptance and value for all in our community.

Collaborative Relationships: We facilitate strong social connections and citizen engagement, locally and beyond.

Financial

Municipalities share the annual cost of the Anti-Racism and Diversity Coordinator and Lunenburg County Anti-Racism and Anti-Discrimination Committee proportionately based on the previous year's assessment. Thus, for this year, the Town of Lunenburg covers 5.15% or about \$6,940. Surplus funds are credited back to each municipality such that extending the agreement to offset the hiring delay should not substantially impact the contract's overall cost to the Town of Lunenburg.

Communications

There is no communications plan for this item.

Attachments

- A. Inter-Municipal Regional Anti-Racism and Diversity Agreement

AN INTER-MUNICIPAL REGIONAL ANTI-RACISM AND DIVERSITY AGREEMENT

THIS AGREEMENT is made in five copies this on (DATE) January 12, 2024

AMONG:

The **Municipality of the District of Lunenburg**, a municipal body corporate pursuant to the *Municipal Government Act*;

-and-

The **Municipality of the District of Chester**, a municipal body corporate pursuant to the *Municipal Government Act*;

- and -

The **Town of Bridgewater**, a municipal body corporate pursuant to the *Municipal Government Act*;

-and-

The **Town of Mahone Bay**, a municipal body corporate pursuant to the *Municipal Government Act*.

-and-

The **Town of Lunenburg**, a municipal body corporate pursuant to the *Municipal Government Act*.

WHEREAS the parties wish to jointly support and advance anti-racism and anti-discrimination initiatives and promote equity, diversity and inclusion initiatives to identify and address systemic racism and inequity in government policy, legislation, programs and services in Lunenburg County.

NOW THEREFORE witness in consideration of the mutual promises and covenants contained herein the parties hereto agree as follows:

General

1. The Purpose of this inter-municipal services agreement, hereafter called (Agreement) is to provide for coordinated Anti-Racism and Diversity services referred to in this Agreement as the (region).

Host Municipality

2. The Municipality of the District of Chester is hereafter called the Host Municipality, and as such, will provide office space and support.
3. The Host Municipality will be responsible for all administrative functions including financial, record keeping, minute taking and reporting on behalf of the Lunenburg County Anti-Racism & Anti-

training and other forms of support.

Anti-Racism and Diversity Coordinator

1. All parties agree that an Anti-Racism and Diversity Coordinator shall be hired for a term ending March 31, 2026.
2. All parties agree that the Anti-Racism and Diversity Coordinator shall be a contractor of the Municipality of the District of Chester and shall serve as the coordinator and administrative support for the Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) and shall provide support for the development of local anti-racism and diversity plans to each Municipal Unit based on additional hours purchased by each unit.
3. The Anti-Racism and Diversity Coordinator will provide anti-racism and diversity expertise and inform municipal administrators of their professional responsibilities to ensure inclusive practices at each municipal unit.
4. The Anti-Racism and Diversity Coordinator may speak on behalf of the ARADAC and provide updates to respective councils. During the first year of the initiative, the Committee shall report to Councils once per quarter and thereafter, at least twice per year.
5. Not less than quarterly, the Anti-Racism and Diversity Coordinator shall meet with the CAO, or designate, of each municipal unit to assess overall service delivery in the preceding quarter and to plan for the anticipated needs of the upcoming quarter.
6. The Host Municipality is empowered to acquire or contract for the use of equipment, facilities, and personnel necessary or advisable to carry out the responsibilities assigned to the Anti-Racism and Diversity Coordinator by this Agreement.
7. Should the position of the Anti-Racism and Diversity Coordinator become vacant, it will be the responsibility of the CAO of the Municipality of the District of Chester to fill the vacancy in accordance with the hiring policies of the Municipality of the District of Chester. The selection committee shall be determined by the CAOs of the participating municipalities.
8. The parties shall share the cost of operations of the Anti-Racism and Diversity Coordinator based on an annual budget.
 - a. The cost sharing formula will be based on the Uniform Assessment of the previous year and will be adjusted annually. For 2023-24 budget year the following formula applies:

	22-23 Uniform Assessment	%
Town of Mahone Bay	\$145,777,562	2.52%
Town of Lunenburg	\$298,368,092	5.15%
Town of Bridgewater	\$715,142,664	12.35%
Municipality of the District of Chester	\$1,741,116,861	30.08%

Municipality of the District of Lunenburg	\$2,887,963,821	49.89%
TOTAL	\$5,788,369,000	100.00%

- b. The CAOs of the participating units shall recommend to the parties of this Agreement an Operating and Capital Budget by February 1 of the fiscal year prior to the fiscal year of the recommended budget. The approving parties must represent more than half of the approved budget.
 - c. Actual dollar contribution of the Municipalities shall be based on the annual budget of the Anti-Racism and Diversity Coordinator and Lunenburg County Anti-Racism and Anti-Discrimination Committee.
 - d. The Host Municipality will invoice the other contributing Municipality(s) for their portion of the actual costs that are additional to their annual contribution. Actual expenditures will be reviewed yearly and surplus funds, if any, will be credited against the participating units' following year's contribution, based on the cost sharing formula referenced to in this section herein.
 - e. In the event Anti-Racism and Diversity Coordinator requires additional money for capital or operating purposes, any such increase shall require the approval of all parties to the agreement.
9. The fiscal year of the Anti-Racism and Diversity Coordinator shall be from April 1 to March 31 of the following year.

Termination of Agreement

- 10. This Agreement has effect commencing August 1, 2023, and ending April 1, 2026.
- 11. By motion of each Council, the term of the agreement may be extended by mutual agreement.

Indemnification

- 12. Each party shall indemnify its representatives from any liability that may arise as a result of that member.

Dispute Resolution

- 13. If any disagreement arises among the parties as to the proper interpretation of this agreement that cannot be resolved, the parties shall submit the area of disagreement to an arbitrator as provided by the *Arbitration Act*.
- 14. The parties acknowledge and agree that all headings are inserted for convenience only and do not form part of the agreement.
- 15. This Agreement is governed by the laws of Nova Scotia.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by the hands of their duly authorized officers and the affixing of their respective seals the day and year first above written (15)

Dated this 12 day of January, 2024 A.D.

Signed, sealed and delivered in the presence of;

Per: [Signature]
Witness

Per: [Signature]
Witness

Municipality of the District of Lunenburg

Per: [Signature]
Carolyn Bolivar-Getson, Mayor

Per: [Signature]
April Whynot-Lohnes, Municipal Clerk

Municipality of the District of Chester

Per: [Signature]
Witness

Per: [Signature]
Witness

Per: [Signature]
Allen Webber, Warden

Per: [Signature]
Pamela M. Myra, Municipal Clerk

The Town of Bridgewater

Per: [Signature]
Witness

Per: [Signature]
Witness

Per: [Signature]
David Mitchell, Mayor

Per: [Signature]
Amanda Shupe, Municipal Clerk

The Town of Mahone Bay

Per: [Signature]
Witness

Per: [Signature]
David Devenne, Mayor

Per: [Signature]
Witness

Per: [Signature]
Kelly Redden, Town Clerk

The Town of Lunenburg

Per: [Signature]
Witness

Per: [Signature]
Jamie Myra, Mayor

Per: [Signature]
Witness

Per: [Signature]
Kayla Byrne, Municipal Clerk

MOTION ACTION LIST

TITLE	REQUESTED DATE	COUNCIL MOTION OR DESCRIPTION	RESPONSIBLE	TARGET DATE	STATUS & UPDATES
Community Grants Policy Amendment	Sept. 26, 2023	Amend the Community Grants Program Policy to add criteria for Lunenburg students needing extra funds for provincial or national recreational or cultural activities, allocating \$2,000 from the Community Grants Fund exclusively for qualifying student applicants.	Director of Finance / Recreation Manager	Spring 2024	
Lunenburg RV Park and Campground Benefits	Sept. 26, 2023	CAO will seek detailed financial and community benefit reports from the Lunenburg Board of Trade about the Lunenburg RV Park and Campground.	CAO	To be completed after Economic Impact Study	
Marketing Levy By-law	Feb. 27, 2024	Bring forward a draft Marketing Levy By-law for first reading.	Community Development	TBD	
Short Term Housing Report	April 9, 2024	Prepare a comprehensive report on the Town's responsibilities and options concerning short-term housing. This report should address potential taxing and zoning options and an evaluation of both positive and negative impacts of short-term housing within TOL.	Community Development	To be completed after Economic Impact Study	
Sustainable Infrastructure Fund	April 23, 2024	Revise the Street Extension Policy and create a Sustainable Infrastructure Fund in 2024/25.	Community Development	Fall 2024	
NSUARB application to amend Regulation 5.14	April 23, 2024	Amend Electric Utility Regulations to include energy storage alongside renewable low-impact generators, limited to devices with a capacity of 27kW or less.	Finance	TBD	
Canada Housing Infrastructure Fund	April 23, 2024	Review the Canada Housing Infrastructure Fund for financing the next phase of the Town's stormwater/wastewater separation. If it aligns with the fund's criteria, submit an application.	Finance & Public Works	TBD	

Streets By-law Review	May 14, 2024	Review all by-laws and policies governing Town streets, including street rights-of-way, and prepare a report for Council.	Community Development/ Public Works/Municipal Clerk	Upon completion of Traffic and Parking Study	
Pest Control Measures	May 28, 2024	Draft regulations mandating pest control measures for all building demolitions within the Town of Lunenburg.	Community Development	TBD	
Municipal Archive	May 28, 2024	Explore the creation of a Municipal Archive.	Community Development/ Municipal Clerk	TBD	
Paid Parking Infrastructure	May 28, 2024	Prepare a report on paid parking infrastructure, which accepts various payment options for consideration in conjunction with the 2025/26 budget deliberations.	Multi-departmental	Upon completion of Traffic and Parking Study	
Property Standards/ Dangerous and Unsightly By-law	June 25, 2024	Create a comprehensive property/ dangerous and unsightly by-law that also includes lawn standards, following the presentation of vegetation standards by-law to allow for lawn naturalization.	Municipal Clerk/Community Development	TBD	
LUB Amendments: Main Street Form Zone	Aug. 13, 2024	Prepare a report with recommendations for revising the Land-Use By-law's Main Street Form Zone requirements, with the aim of encouraging more varied development within this zone	Community Development	TBD	