

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Tuesday, February 14, 2017, at 7:00 p.m.

Present:

Mayor D. Devenne
Deputy Mayor Nauss
Councillor J. Bain
Councillor P. Carver
Councillor S. Chia-Kangata
Councillor J. Feeney
Councillor R. Nowe
CAO J. Wentzell
Deputy Clerk M. Hughes
Planning and Development Assistant, Garth Sturtevant

Gallery:

Minutes

A Motion by Deputy Mayor Nauss, seconded by Councillor Bain, **“THAT the Minutes of the January 26, 2017 regular meeting be approved as presented.”** Motion carried.

Correspondence – Information Items

1. Jacqueline Mingo, President of Canadian Postmasters and Assistants Association, with information about postal banking in rural areas.
2. Municipal Advocacy Group, with information about the potential effects of marijuana legislation on municipalities.
3. Lyle Goldberg, Manager Member Relations, UNSM, with information about a meeting to be held on accountability and transparency on February 24, 2017.
4. Lyle Goldberg, Manager Member Relations, UNSM, providing dates for UNSM Regional Meetings.

A motion by Deputy Mayor Nauss, seconded by Councillor Nowe, **“THAT Council receive and file the above correspondence, numbered 1-4.”** Motion carried.

Committee and Other Reports

Planning Advisory Committee

Council received the minutes of the February 7, 2017 meeting of Planning Advisory Committee. Planning Assistant, Garth Sturtevant, reviewed the request for a development agreement which was received from the owner of the property at 103 Pine Grove Street, Pamela Saunders. Ms. Saunders has requested the development agreement to renovate an existing accessory structure on her property and make it a second main dwelling to increase her living space.

Mr. Sturtevant noted that parking and town services are sufficient for the additional dwelling unit. The draft development agreement includes the maintenance of the fence or some other type of screening as well as language prohibiting the use of the property for boarding/rooming houses and tourist rentals. Staff believe that the proposed development is in keeping with the established residential character of the neighbourhood and recommend the approval of the development agreement for the consideration of Council.

A motion by Councillor Feeney, seconded by Councillor Nowe, **“THAT Council accept the recommendation of the Planning Advisory Committee and that the Town express its intention to enter into a development agreement with Pamela Saunders for PID 60372208 to permit the conversion of an existing accessory structure to become a second main dwelling on the property.”** **Motion carried.**

It is agreed by Council that the Public Information Meeting be held at 7:00pm on March 1, 2017 in the Council Chambers and that a Public Hearing be held at 7:00 pm on April 11, 2017 to be followed by the regularly scheduled meeting of Town Council.

Staff confirmed that neighbouring residents within 30m of the property boundaries of 103 Pine Grove Street will be advised of the requested development agreement and the dates for the Public Information Session and Public Hearing.

Lunenburg County Seniors Safety Program

Council received the 2016 Annual Report and the January 2017 monthly report from the Lunenburg County Seniors Safety Program. Councillor Carver noted that the report included a comment about recent requests for service outside of the service area and suggested that this is an example of the necessity of stable province-wide funding to support this programming.

Region 6 Solid Waste Management

Council reviewed draft 2017-18 budget for Region 6 Waste Management. Deputy Mayor Nauss provided Council with an overview of the January 27th meeting of the Region 6 Board at which time they reviewed the budget and noted that every unit will be receiving a diversion credit.

A motion by Deputy Mayor Nauss, seconded by Councillor Bain, **“THAT Council approve the 2017/18 budget for Region 6 in the amount of \$689,290.”** **Motion carried.**

Mahone Bay Playground Committee

Councillor Chia-Kangata updated Council on the progress of the Mahone Bay Natural Playground. The work is 90% complete; most of what remains to be done is landscaping and a sod-laying event will be planned for the spring. The Mahone Bay Playground Committee (MBPC) has discussed having a grand opening, possibly an event to link to Canada Day celebrations.

Councillor Chia-Kangata noted that the MBPC is discussing signage to showcase the new natural playground in Mahone Bay, both on and off site. Signage for the trail system in Jubilee Park is also being discussed and committee members are looking into funding available to highlight trail systems.

South Shore Tourism Team

Council received the February update from the South Shore Tourism Team.

Unfinished Business

Town of Mahone Bay 2017 Representative Volunteer

Councillor Feeney declared a conflict of interest and left Council Chambers.

Council reviewed the nominees for the Town of Mahone Bay Representative Volunteer.

A motion by Deputy Mayor Nauss , seconded by Councillor Carver, **“THAT Lloyd Westhaver be named Town of Mahone Bay Representative Volunteer for 2017.”**

Motion carried

Councillor Feeney returned to the Council meeting.

Municipal Governance Review Steering Group

The CAO advised Council that a Municipal Governance Review Steering Group (MGRSG) was struck in 2016, with representatives from the Municipality of the District of Lunenburg and the Towns of Bridgewater, Lunenburg and Mahone Bay, to look at governance, sharing services, and other ways in which municipalities could work together. A budget was not approved for studies to find information for the group to make recommendations to their individual Councils. Without the budget to move forward, and with upcoming municipal elections, it was agreed that the committee would be suspended until the new year (2017).

Council discussion focused on the lack of funding for studies, the lack of provincial push toward amalgamation and the continuing discussions of sharing services among municipalities. It was decided that Council would not appoint new representatives to the MGRSG as no new issues had been brought forward but would reconsider appointing representatives if the group moved forward. In the meantime the Town of Mahone Bay will continue to participate in shared services in a variety of ways.

Review of MJSB Service Agreement

Council will meet on February 19, 2017 at 9am to review the Municipal Joint Service Board Agreement.

Review of Audited Financial Statements

Council will meet on February 23, 2017 at 7:00 pm in Council chambers to review the Town's Audited Financial Statements. Councillor Feeny will lead a presentation to explain the financial statements.

New Business

Temporary Borrowing Resolutions – Bridge Reconstruction (Kinburn) \$300,000

A motion by Deputy Mayor Nauss, seconded by Councillor Bain,

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65 (aa) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of streets, culverts, retaining walls, sidewalks, curbs and gutters;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Municipality borrow a sum or sums not exceeding Three Hundred Thousand Dollars (\$300,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding Three Hundred Thousand Dollars (\$300,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve Months (12) from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;
and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

Motion carried

Temporary Borrowing Resolution Renewals

A motion by Councillor Carver, seconded by Councillor Nowe,

Fire Truck \$82,500

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65(g) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of equipping and maintaining fire departments or emergency services providers;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 26th day of March, 2009, the Council postponed the issue of debentures and with the approval of the Minister of Service Nova Scotia and Municipal Relations dated the 21st day of April, 2009, borrowed from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding Two Hundred Seventy-Five Thousand Dollars (\$275,000) for the purpose set out above for a period not exceeding twelve months;

AND WHEREAS the twelve month period has expired since the date of the last approval of the Minister of Municipal Affairs of this borrowing;

AND WHEREAS the said Town has repaid a sum leaving a balance of Eighty Two Thousand Five Hundred Dollars (\$82,500) to be borrowed for the purpose set out above;

AND WHEREAS it is deemed expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town of Mahone Bay borrow a sum or sums not exceeding Eighty Two Thousand Five Hundred Dollars (\$82,500) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and the Town borrow from time to time a sum or sums not exceeding Eighty Two Thousand Five Hundred Dollars (\$82,500) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;

THAT the amount borrowed by repaid from the proceeds of the debentures when sold.

Longhill Road Sewer \$34,500

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65(ak) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of wastewater facilities and stormwater systems and water systems;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 12th day of January, 2010, the Council postponed the issue of debentures and with the approval of the Minister of Service Nova Scotia and Municipal Relations dated the 27th day of January, 2010, borrowed from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding Three Hundred Sixty Thousand Five Hundred Fifty Dollars (\$360,550) for the purpose set out above for a period not exceeding twelve months;

AND WHEREAS the twelve month period has expired since the date of the last approval of the Minister of Municipal Affairs of this borrowing;

AND WHEREAS the said Town has repaid a sum leaving a balance of Thirty Four Thousand Five Hundred Dollars (\$34,500) to be borrowed for the purpose set out above;

AND WHEREAS it is deemed expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town of Mahone Bay borrow a sum or sums not exceeding Thirty-Four Thousand Five Hundred Dollars (\$34,500) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and the Town borrow from time to time a sum or sums not exceeding Thirty-Four Thousand Five Hundred Dollars (\$34,500) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;

THAT the amount borrowed by repaid from the proceeds of the debentures when sold.

Longhill Road Water \$15,000

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65(a) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of water systems;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 12th day of January, 2010, the Council postponed the issue of debentures and with the approval of the Minister of Service Nova Scotia and Municipal Relations dated the 27th day of January, 2010, borrowed from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding One Hundred Sixty-Five Thousand Dollars (\$165,000) for the purpose set out above for a period not exceeding twelve months;

AND WHEREAS the twelve month period has expired since the date of the last approval of the Minister of Municipal Affairs of this borrowing;

AND WHEREAS the said Town has repaid a sum leaving a balance of Fifteen Thousand Dollars (\$15,000) to be borrowed for the purpose set out above;

AND WHEREAS it is deemed expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town of Mahone Bay borrow a sum or sums not exceeding Fifteen Thousand Dollars (\$15,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and the Town borrow from time to time a sum or sums not exceeding Fifteen Thousand Dollars (\$15,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;

THAT the amount borrowed by repaid from the proceeds of the debentures when sold.

Street Paving Edgewater Street \$44,000

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65(aa) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of streets, culverts, retaining walls, sidewalks, curbs and gutters;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 8th day of February, 2011, the Council postponed the issue of debentures and with the approval of the Minister of Service Nova Scotia and Municipal Relations dated the 16th day of March, 2011, borrowed from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding One Hundred Ten Thousand Dollars (\$110,000) for the purpose set out above for a period not exceeding twelve months;

AND WHEREAS the twelve month period has expired since the date of the last approval of the Minister of Municipal Affairs of this borrowing;

AND WHEREAS the said Town has repaid a sum leaving a balance of Fourty Four Thousand Dollars (\$44,000) to be borrowed for the purpose set out above;

AND WHEREAS it is deemed expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town of Mahone Bay borrow a sum or sums not exceeding Fourty Four Thousand Dollars (\$44,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and the Town borrow from time to time a sum or sums not exceeding Fourty Four Thousand Dollars (\$44,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;

THAT the amount borrowed by repaid from the proceeds of the debentures when sold.

Old Edgewater Street (Paving, including sidewalks) \$245,700

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Mahone Bay, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65(aa) of the Municipal Government Act authorizes the Town of Mahone Bay to expend funds for the purpose of streets, culverts, retaining walls, sidewalks, curbs and gutters;

AND WHEREAS pursuant to a resolution passed by the Municipal Council on the 12th day of April, 2016, the Council postponed the issue of debentures and with the approval of the Minister of Service Nova Scotia and Municipal Relations dated the 6th day

of May, 2016, borrowed from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding Three Hundred and Twenty Thousand Dollars (\$320,000) for the purpose set out above for a period not exceeding twelve months;

AND WHEREAS the twelve month period has expired since the date of the last approval of the Minister of Municipal Affairs of this borrowing;

AND WHEREAS the said Town has repaid a sum leaving a balance of Two Hundred Fourty Five Thousand and Seven Hundred Dollars (\$245,700) to be borrowed for the purpose set out above;

AND WHEREAS it is deemed expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town of Mahone Bay borrow a sum or sums not exceeding Two Hundred Fourty Five Thousand and Seven Hundred Dollars (\$245,700) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and the Town borrow from time to time a sum or sums not exceeding Two Hundred Fourty Five Thousand and Seven Hundred Dollars (\$245,700) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon;

THAT the amount borrowed by repaid from the proceeds of the debentures when sold.

Motion carried

Electric Utility Flow Through Rates 2017, 2018, 2019

Council received information on Electric Utility Flow Through Rate Calculation and comparison electric utility comparison rates for 2017, 2018 and 2019. The CAO advised Council that there is a formula for municipal utilities to recover the interest charged by Nova Scotia Power Inc. Mr. Wentzell advised Council that an application is required to recover costs that would be charged by Nova Scotia Power.

oved by Councillor Feeney, seconded by Deputy Mayor Nauss:

WHEREAS in 2016 the Nova Scotia Utility Review Board approved no change in the total rates charged by Nova Scotia Power Inc and recognized the amount that was shown as a Fuel Adjustment Mechanism (FAM) in 2015 as part of the total rates charged by Nova Scotia Power Inc to municipal electric utilities in the province, and

WHEREAS the total municipal rate charged by Nova Scotia Power Inc to municipal customers in 2016 did not change from the total rate charged to municipal customers in 2015

that therefor the Mahone Bay Electric Utility did not apply for any changes to rates charged to their Utility's customers in 2016 and continued to charge the NSURB approved 2015 rates, and

WHEREAS the Nova Scotia Utility Review Board had approved a Fuel Adjustment Mechanism (FAM) adjustment as a rider to the rates charged by Nova Scotia Power Inc that include charges to municipal electric utilities in the province, and

WHEREAS it has been determined that the FAM charge for all Nova Scotia Power Inc rate classes has been set at 0.0000 cents per KWH effective January 1, 2017 as well as January 1, 2018 and January 1, 2019, and

WHEREAS the NSURB has approved rate changes to NSPI for 2017, 2018 and 2019, and

WHEREAS the general increase of the total rate for the municipal class results in increases of 1.2% for 2017, 1.2% for 2018 and 1.2% for 2019, and

WHEREAS the Utility wishes to recover any additional net costs by amending the Utility's rates by amending the Flow through Formula to apply to charges as a result of the increases in the municipal rate charged by Nova Scotia Power Inc, and

WHEREAS the Flow Through Formula would allow a 0.95% increase to the utility's rates for the years 2017, and a further 0.95% increase in 2018 and a further 0.95% increase in 2019,

BE IT RESOLVED THAT Town Council approve an application to the Nova Scotia Utility and Review Board for a revised Schedule of Rates for electric supply of its Electric Utility that would recover through a service charge and per KWH change in rates on all electric services rendered on or after January 01, 2017 to recover the charges assessed the Utility associated with the NSURB approved rates for Nova Scotia Power Inc including further increase in the Utility rates on services rendered on or after January 01, 2018 and including a further increase in the Utility rates on services rendered on or after January 1, 2019,

BE IT FURTHER RESOLVED for clarification and certainty that the base rate for the requested increases be the total rates being charged by the Utility as of January 1, 2015 including a FAM charge and that being the same total rates charged by the Utility in 2016.

Motion carried

Town of Mahone Bay 2016 Census

Council received information from the 2016 Census which shows that the Town of Mahone Bay showed a 9.9% population increase, the largest population increase of any municipality in the province, since the last census. Mayor Devenne attributed the population increase to the age friendly attitude in Mahone Bay and noted that the Town has seen both new seniors and many new young families. An additional growth of 3% is expected in the next year based on approved new developments.

Accounts

A motion by Deputy Mayor Nauss, seconded by Councillor Nowe , "THAT the accounts be paid in the amount of \$265,338.74."

Motion carried

The meeting adjourned upon motion at 8:41 pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

CAO, James A. Wentzell

Mayor David Devenne