

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Tuesday, December 12, 2017, at 7:00 p.m.

**Present:**

Mayor D. Devenne  
Deputy Mayor K. Nauss  
Councillor J. Bain  
Councillor S. Chia-Kangata  
Councillor J. Feeney  
Councillor R. Nowe  
Councillor P. Carver  
CAO J. Wentzell  
Deputy Clerk M. Hughes

**Regrets:**

**Gallery:** Four

The meeting opened with a moment of silence in honour of Lila O'Connor, former MLA and Councillor of the Town of Mahone Bay.

**Minutes**

A motion by Deputy Mayor Nauss, seconded by Councillor Bain, **“THAT the Minutes of the November 14, 2017 regular meeting be approved as presented.” Motion carried.**

A notation that an In Camera meeting was held on November 14, 2017, to discuss contract negotiations, as permitted by the MGA 22(2)(e).

**Correspondence – Information Items**

1. Jim Eisenhauer, Acting Chair, SSREN, informing Council that Charles Otter has been named the new manager of the SSREN and that Annette St. Onge is scheduled to return to her previous roles as Chairperson of the SSREN Board of Directors.
2. Rev. Lee Simpson, Chair of Love Mahone Bay, advising Council that Love Mahone Bay will not take place in 2018, as previously hoped, and returning the grant cheque with gratitude.

A motion by Deputy Mayor Nauss, seconded by Councillor Carver, **“THAT the correspondence be received and filed.” Motion carried.**

**Correspondence – Action Items**

3. Andrew Tanner, Saltbox Brewing Company, requesting permission to extend hours of operation for New Year's Eve.

The CAO advised Council that a request had been received from Mr. Tanner in late November that Saltbox Brewery be granted permission to stay open until 12:30am on January 1, 2018. Mr.

Wentzell stated that based on the terms of the Development Agreement between the Town of Mahone Bay and Saltbox Brewing, which specify the hours of operation, the request from Mr. Tanner was denied. Mr. Wentzell stated that two previous requests for extended hours were approved by Council, one of New Year's Eve 2016 and one for Super Bowl Sunday 2017, on a 'non-prejudice' basis, as the developers had requested an Amending Development Agreement to address hours of operation. A third request for extended operation hours for Easter 2017 was denied as the public participation process for the requested Amending Development Agreement had not yet been completed.

George Anderson of Saltbox Brewery, present in the gallery, stated to Council that the developers did not realize that when they requested an amending development agreement to address hours of operation that it would need to include allowances for special occasions.

A motion by Deputy Mayor Nauss, seconded by Councillor Bain, **“THAT the Council write a letter to Saltbox granting permission for their request and that the Saltbox developers come in to the office at the first of the year to discuss an amendment for the operating hours.”**  
**Motion carried**

Mr. Anderson announced his intention to review their Development Agreement with the Town in the new year.

4. Norman Haslett, Citizens for Public Transit, requesting that Mahone Bay rejoin the Joint Transportation Committee and that Citizens for Public Transit be given a non-voting position on the Joint Transportation Committee.

Megan Williams, from Citizens for Public Transit (CPT), spoke to the letter addressed to Council, stating that the hope of the CPT is that with the Bridgewater public transit system in place, a system can be put in place that would link other communities to the Bridgewater fixed route system. It is the wish of the CPT that the Joint Transit Committee (JTC) be reactivated to address this goal and that the CPT be invited to sit as non-voting members.

Ms. Williams stated that the Towns of Lunenburg and Bridgewater, as well as the Municipality of the District of Lunenburg, have appointed representatives to the JTC and CPT would like the Town of Mahone Bay to appoint representatives to the JTC as well.

Councillor Carver noted that though there are no issues at this time that would cause the JTC to be reactivated, appointing representatives from the Town of Mahone Bay would ensure that those two members of Council would be ready and attentive to transportation issues should the JTC ever be reactivated.

Motion by Councillor Carver, seconded by Councillor Chia-Kangata, **“THAT the Town of Mahone Bay appoint two Council members to act as representatives on the JTC should it be reconvened.”** **Motion defeated**

Council requested that the CAO consult with the other CAOs to determine if there is an interest in restarting the JTC and that the CAO report back at the next meeting of Council. It was also requested that Mr. Wentzell also report back with the names of the appointees from other municipalities.

### **Committee and Other Reports**

#### Economic Development Committee

Council received the minutes of the November 22, 2017 meeting of the Economic Development Committee. Councillor Chia-Kangata advised Council the Terms of Reference and Strategic Work Plan were reviewed and it was agreed that both would be reviewed. One of the initiatives that will appear on the work plan is an inventory of property zoned commercially for in the Town.

#### Bylaw and Policy Review Working Group

Council received the minutes of the November 27, 2017 meeting of the Bylaw and Policy Review Working Group. Deputy Mayor Nauss discussed some of the policies and bylaws that had been reviewed, including the policy in respect to Conducting Meetings by Electronic Facilities, the Citizen Appointments to Committees Policy and the Solid Waste Management Bylaw, all of which will be discussed later in the meeting.

#### Changing Demographic Profile of Nova Scotia

Mayor Devenne provided Council with a verbal report on a one-day symposium that he attended on November 17, 2017, hosted by staff from the office of the Department of Municipal Affairs, to address the future of work and housing in Atlantic Canada in light of the changing distribution of the population.

Council was advised that speakers included representatives from both the Federal and Provincial government. Discussion focused on the impact that the shifting demographics will have an impact on the population as symposium participants were advised that the population will continue to decrease until 2042. It was noted that the number of full time permanent jobs is declining, highlighting the importance of immigration in maintaining the GDP, the importance of seniors as a resource in the community.

### Lunenburg County Senior Safety Program

Council received the November 2017 monthly report of the Lunenburg County Senior Safety Partnership. Councillor Carver noted that coordinator, Chris Acomb, will be away on leave as of January 7<sup>th</sup>, and that Shona Brown will be fulfilling the duties of Senior Safety Coordinator in Ms. Acomb's absence.

### Region 6 Solid Waste Management

Council received the November 2017 Board Room Brief from Region 6 Solid Waste Management. Deputy Mayor Nauss noted that a \$782,000 budget was approved at the November 24, 2017 meeting, and that the information will be forwarded to the CAOs in the new year for the review of Councils.

Deputy Mayor Nauss noted that the money returned from Divert NS, the diversion credit, no longer is returned to Region 6, it now is sent to the municipal units. The refund for the Towns of Bridgewater and Mahone Bay, and the Municipality of the District of Lunenburg is sent to the Municipal Joint Services Board. Council discussion focused on how this redirection of the diversion credit affects operation fees as it was traditionally used to fund the Town of Mahone Bay portion of the Region 6 operating budget.

### Municipal Finance Corporation

Council received the December 2017 Quarterly Newsletter from the Municipal Finance Corporation.

### UNSM Board Report

Council received the December 1, 2017 Board Report from the Union of Nova Scotia Municipalities (UNSM).

### **Notice of Motions**

#### Citizen Appointment to Committees Policy

Notice was given that a revised Citizen Appointments to Committees Policy will be revisited at the January 9, 2018 meeting of Council.

#### Conducting Meetings by Electronic Facilities Policy

Notice was given that a revised Conducting Meetings by Electronic Facilities Policy will be revisited at the January 9, 2018 meeting of Council.

#### First Reading – Revised Solid Waste Management Bylaw #46

**I, Karl Nauss, give notice that at a meeting of Town Council to be held on January 9, 2018, I will move or cause to be moved a motion to adopt amendments to the Town of Mahone Bay Solid Waste Management Bylaw #46.**

## **Unfinished Business**

### **Update on Traffic Speed Signs**

Council received an update from the CAO stating that the mobile Traffic Speed Signs would be placed after the winter. Council was also advised that Town staff also need to determine how to download the data from the signs. Council has requested that the speed signs be placed in quarter one of 2018.

### **MJSB Agreement**

Council received correspondence from the Town of Bridgewater indicating several changes that they would like to see made to the agreement.

### **2017 Road Reconstruction Update**

Council received a verbal report from the Deputy Clerk on the progress of the reconstruction project on Pleasant Street and Clairmont Street. Council was advised that the project has now been completed.

### **Bayview Cemetery Mapping Project**

Council received a link to the new pages on the Town of Mahone Bay website dedicated to the Bayview Cemetery and a demonstration of the site by the Deputy Clerk. The mapping project was explained, including the volunteers who catalogued the stone information, the GPS mapping of the stones and the joining of the two facets to create a searchable online map which can be used to review stone and plot information on Bayview Cemetery.

## **New Business**

### **2018 Representative Volunteer**

Council received information on the 2018 Volunteer Recognition program. Information seeking nominations for the Town of Mahone Bay Representative Volunteer will be distributed to the residents of Mahone Bay in January 2018, with nominations due by February 1, 2018.

### **New Year's Levee**

Council received information on the 2018 New Year's Levee, co-sponsored by the Town, the Legion and the Lions Club, which will be held at the Mahone Bay Legion on January 1, 2018 from 12:30 – 2:30pm. Included in the information from Branch #49, Royal Canadian Legion, was a request for volunteers for a work party to prepare for the levee.

### **Mahone Bay Pool Society**

Council received information from the Mahone Bay Pool Society, requesting that the Town of Mahone Bay purchase a replacement pool liner for the Mahone Bay pool.

A motion by Deputy Mayor Nauss, seconded by Councillor Feeney, **“THAT Council purchase a new liner for the Mahone Bay swimming pool to be replaced prior to the 2018 pool opening.”**  
**Motion carried.**

Petition to NSUARB – Net Metering (solar power)

Council received a draft resolution petitioning the NSUARB to establish Solar Net Metering regulations for the Mahone Bay Electric Utility.

The CAO advised Council that a residence in Town is being constructed and the owners have requested to be able to install solar panels and that the Mahone Bay Electric Utility buy the excess power produced by the solar power system.

Mr. Wentzell noted that Riverport Electric successfully petitioned the NSUARB to set a rate for solar power metering, and provided Council with a draft resolution to petition NSUARB for a similar rate for the Mahone Bay Electric Utility.

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

**Resolution of the Town Council of the Town of Mahone Bay regarding an Application by the Town on behalf of its electric utility, for an amendment to its Schedule of Rates and Regulations for Electricity and Electrical Services to the Nova Scotia Utility and Review Board.**

**Town of Mahone Bay  
Nova Scotia  
December 12, 2017**

**WHEREAS the Town of Mahone Bay has received a request from a potential customer for a Net Metering for Solar power generated by the customer, and**

**WHEREAS the Province of Nova Scotia is promoting the generation of renewable energy from solar power, and**

**WHEREAS the NSURB has approved rules and regulations for NSPI and some of the municipal electric utilities in the province, and**

**WHEREAS the Utility does not presently have rates and regulations for Net Metering;**

**BE IT RESOLVED THAT Town Council approve an application to the Nova Scotia Utility and Review Board for revisions to regulations for the Mahone Bay Electric Utility by adding regulations that would establish rules for Solar heating installations and rates to be paid for net metering by Solar generation**

**Motion defeated.**

Council directed the CAO to gather further information on net metering for the Town of Mahone Bay to be discussed at a future meeting of Council.

Petition to NSUARB for LED Street Lighting Rates

**A motion by Deputy Mayor Nauss, seconded by Councillor Feeney:**

**Resolution of the Town Council of the Town of Mahone Bay regarding an Application by the Town on behalf of its electric utility, for an amendment to its Schedule of Rates for Electricity and Electrical Services to the Nova Scotia Utility and Review Board.**

**Town of Mahone Bay  
Nova Scotia  
December 12, 2017**

**WHEREAS the province of Nova Scotia has mandated that all street lighting in the province be converted to LED lighting, and**

**WHEREAS from 2013-2016 the Mahone Bay Electric Utility changed all street lights and yard lights in the town to various wattage of LED street lights to reduce energy consumption by the Utility, and**

**WHEREAS the NSURB has approved rate changes to NSPI for 2017,2018 and 2019, and corresponding Flow Through rates for the Mahone Bay Electric Utility for 2017, 2018 and 2019, and**

**WHEREAS the Utility does not presently have rates for LED street lighting and LED yard lighting, 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 establish LED street and yard lighting rates effective January 1, 2018 and an increase in rates effective January 1, 2019.**

**Motion carried.**

Government of Canada – Smart Cities Challenge

The CAO reviewed the information that was distributed to municipalities from the federal government regarding the Smart Cities Challenge for infrastructure funding.

Motion by Councillor Carver, seconded by Deputy Mayor Nauss, **“THAT the Smart Cities Challenge outlined by Infrastructure Canada be referred to the Mayors, Deputies and CAOs for further discussion.”**

**Motion carried.**

**Accounts**

A motion by Councillor Carver, seconded by Councillor Feeney, **“THAT the accounts be approved in the amount of \$353,985.22.”** **Motion carried.**

A motion by Deputy Mayor Nauss, seconded by Councillor Feeney, to go In Camera, at 9:14 pm, to discuss contract negotiations and personnel relations as permitted by the MGA 22(2)(e) and (c). **Motion carried.**

**Council returned to Open Session at 10:10 p.m.**

A motion by Councillor Feeney, seconded by Councillor Carver, **“THAT staff be directed to develop a Respectful Workplace policy for presentation to Council on February 13, 2018 and for consideration for approval at the following Council meeting.”** **Motion carried.**

**There being no further business, the meeting adjourned upon motion at 10:15 p.m.**

**TOWN OF MAHONE BAY**

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CAO, James A. Wentzell

Mayor, David Devenne