



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**Committee of the Whole Minutes**  
**July 26, 2016, 6:00 p.m.**  
**Sanford Council Chambers**

Present:	G. Cochrane	Chair
	R. Dauphinee	Warden
	S. Pineo	Councillor
	R. Matheson	Councillor
	T. Brown	Councillor
	J. Daniels	Councillor
	R. Zwicker	Councillor
	P. Morton	Councillor
	G. Miller	Councillor
	C. Osborne	CAO
	M. Laycock	Director of Finance
	K. Dempsey	Director of Planning
	R. Sherrard	Municipal Engineer
	B. Carrigan	Director of Public Works
	C. Lowe	Accountant
	R. Brown	Municipal Clerk
	J. Woodman	Administrative Assistant

Regrets: R. Allen Councillor

There were 7 members of the public in attendance.

1. Call to Order

Chair Cochrane called the meeting to order at 6:00 pm.

CAO Osborne introduced the new Director of Public Works, Brad Carrigan, and indicated that Rick Sherrard would now hold the position of Municipal Engineer.

2. Announcements

Chair Cochrane reviewed the fire evacuation procedures.

3. Approval of Agenda, including additions or deletions

**MOVED and SECONDED the agenda be approved as circulated.**

**Motion Carried.**

4. Approval of Minutes – June 28, 2016

**MOVED and SECONDED that the minutes of June 28, 2016 Committee of the Whole be approved as circulated, noting any errors or omissions.**

**Motion Carried.**

5. Presentation (s)

There were no presentations.

6. Hearing (s) – Dangerous & Unsightly

There were no hearings.

7. Business Arising from Minutes

There was no business arising from the minutes.

8. Report of CAO

a. Personnel Policy

CAO Osborne reported that staff made a commitment to review all policies of West Hants. She clarified the current Personnel Policy appears to have been implemented under the Clerk system, and Council retained responsibility for most operational decisions. The proposed new policy continues to reflect Council involvement in the oversight of personnel, under the function of the Chief Administrative Officer as identified under the MGA. She cautioned this does not allow the CAO to make any significant changes to personnel activities without Council being informed. She noted the new Human Resources Manual is an update and rewrite of a policy created by Council under the clerk/council committee structure. She advised there have been some updates made to it to reflect current legislation and practices.

She pointed out in the current policy there is a requirement to do a salary review, and added during the Hantsport transition funding was provided to do a Human Resource Study to look at the gaps or similarities between the former Town of Hantsport and West Hants. She confirmed this was completed and a final report and recommendations from the consultant were built into the Human Resource Manual. She advised a very extensive salary study was completed and it was found with the exception of two positions all other salaries met 50% of the market which is the suggested salary target for the Municipality. This appears to be predominately due to the automatic COLA Council implemented years ago to ensure the salaries stayed up to date with the cost of living.

**MOVED and SECONDED that the report regarding the Personnel Policy, January 1, 2010-December 2012 be received and placed on file.**

**Motion Carried.**

Councillor Matheson expressed concern that the CAO would be making decisions which will have a financial impact. CAO Osborne suggested that Council would still have control through the budgeting process. She felt this would eliminate administrative burdens for Council when minor changes needed to be made. Councillor Matheson cautioned decisions could be made that are long term and wouldn't have an immediate impact. Warden Dauphinee agreed that Council would remain in control during the budget process. Councillor Pineo advised that she would like to see the budgetary process be completed like it was in the past and go through it line by line. Councillor Daniels felt that this year's budgetary process was very open and forth right and very easy to understand, and didn't want it see it revert back.

Warden Dauphinee expressed concern about the grant process, and the fact that the Christmas Angels did not receive a grant as their application did not meet the policy requirements for grant funding. The CAO confirmed she is currently investigating the matter and she will report back to Council.

CAO Osborne reported the purpose of the policy is to identify that employees are the Municipality's partners in delivering the best service possible, and ensure that staff are treated in a fair, equitable way through hiring practices, working safely and healthy and that Council supports competitive and compensation benefit strategies which assists the organization in attracting and retaining a high caliber of employees. She explained the policy would apply to all employees and comply with all legal regulatory enactments.

**Warden Dauphinee gave notice to rescind the Municipality of West Hants Personnel Policy January 1, 2010 – December 31, 2012.**

**Warden Dauphinee gave notice to rescind the former Town of Hantsport Human Resources Management Policy, Revised August 30, 2013 and Town of Hantsport Employee Manual, Revised August 30, 2013.**

**Warden Dauphinee, subject to the rescinding of Personnel Policy January 1, 2010 – December 21, 2012; the Town of Hantsport Human Resources Management Policy, Revised August 30, 2013 and Town of Hantsport Employee Manual, Revised August 30, 2013, gave notice to adopt Human Resources Policy COHR-XXX.00.**

b. Tax Exemption By-law & Exemption Under Water Utilities By-law

**MOVED and SECONDED that the report regarding Tax Exemption By-law and Tax Exemption Under Water Utilities By-law be received and placed on file.**

**Motion Carried.**

The Municipal Clerk reported that exemption of properties from taxes is currently done through the by-law procedure which is time consuming and not required by the MGA. Staff is recommending that Council rescind the by-laws and then move to adopt a policy which makes it easier for properties to be added or removed from the listings of exemptions. She advised that currently the Falmouth and Three Mile Plains water utility properties are exempted from taxation. She stated that staff is asking Council to remove this exemption and require the water utilities to pay taxes; the value of which would be embedded in the rates as done for all operational expenses for the water utilities. The change would not affect the Hantsport Water Utility as it currently pays property tax which is already incorporated into the rates.

The Director of Finance indicated there are seven properties that would be taxable for water utilities currently exempt for both Falmouth and Three Mile Plains which would bring in an additional \$31,000 in tax revenue for the Municipality if this is repealed.

Warden Dauphinee expressed concern about rates for residents in his community and about the water being taken out of the utility via the hauling stations.

**MOVED and SECONDED that a recommendation be made to Council that the Tax Exemption By-law and Tax Exemption Under Water Utilities By-law be repealed through the by-law repeal process.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council that staff be directed to draft a Tax Exemption Policy that includes exemption of properties currently exempt in accordance with tax records but which does not include properties of water utilities.**

**Motion Carried.**

Councillor Pineo requested a list of all the properties to be exempted.

c. Noise By-law, Swimming Pool By-law and Tax By-law of the former Town of Hantsport

CAO Osborne reported that staff determined these are three by-laws from the former Town of Hantsport they were not sure what to do with and are seeking direction from Council.

**MOVED and SECONDED that the report regarding Noise By-law, Swimming Pool By-law and Taxi By-law of the former Town of Hantsport be received and placed on file.**

**Motion Carried.**

The Municipal Clerk confirmed these three by-laws are only enforced in the former Town of Hantsport and are often difficult to enforce by the By-law Enforcement Officer and Building Inspector.

Warden Dauphinee understood that the Municipality has noise unlike the Town of Windsor, however suggested that there are concerns within West Hants. He suggested that the RCMP should better enforce the issue and asked that the matter be addressed at the Police Advisory Board. Councillor Miller agreed to contact the Staff Sergeant to address the issue.

**MOVED and SECONDED that a recommendation be made to Council that the Noise By-law, Swimming Pool By-law and Taxi By-Law of the former Town of Hantsport be recommended for repeal through the by-law process.**

**Motion Carried.**

d. Police Advisory Board By-law

**MOVED and SECONDED that the report regarding the Police Advisory Board By-law be received and placed on file.**

**Motion Carried.**

The CAO reported that Council had approved an amendment to the 2008 Police Advisory Board By-law which confirmed that the By-law was subordinate to the Police Act and Regulations. She explained the amendment was approved by Council as a resolution and not through the by-law process and wasn't sent for Ministerial approval.

The Municipal Clerk advised that she recently received comments from the solicitor who made a minor change to section 4.2 of the draft by-law. She requested to amend the draft version before Council's approval. The request was granted.

**MOVED and SECONDED that a recommendation be made to Council to approve the First reading of the Police Advisory By-law and proceed to a public hearing and Second Reading.**

**Motion Carried.**

e. Permit Tracking System for Planning and Development Department and By-law Enforcement

**MOVED and SECONDED that the report regarding the Permit Tracking System for Planning and Development Department and By-law Enforcement be received and placed on file.**

**Motion Carried.**

CAO Osborne reported that the Planning Department currently operates with a paper based permitting system for building and development permits, applications and inspections. She added the department felt that this is a labour intensive and researched a more efficient option. She explained that it is being identified under the purchasing and tendering guidelines that it is in the best interest to have a service which is compatible with the existing operating system. She suggested that she was confident that staff has ensured this is an appropriate solution.

The Director of Planning added that Council had authorized this expenditure as part of the capital budget for 2016/17 with the monies coming out of Gas Tax funding, which has been confirmed with the province.

**MOVED and SECONDED that a recommendation be made to Council to authorize the purchase and installation of the Town Suite Mapping and Planning software for \$56,000, plus net HST, to be funded from the Gas Tax Reserve.**

**Motion Carried.**

f. Three Mile Plains Water Study

The Director of Finance reported that Three Mile Plains is due for a water rate study, with the last one being done in 2014. He explained that G.A. Isenor Consulting was hired to complete the study to determine the needs of the utility for the next three years, and establish rates that they believe are necessary for the water utility. He advised the requirement is that the

study be presented to Council and for Council to pass a motion indicating the study be sent to the Utility and Review Board for review. He confirmed that it shows an increase for Three Mile Plains which are deemed necessary.

The Director of Finance pointed out the significant increase for the utility is from the purchasing of water from the Town of Windsor and the number of leaks that have occurred.

**MOVED and SECONDED that the report regarding the Three Mile Plains Water Study be received and placed on file.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council that the Municipality of the District of West Hants apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection to the Municipality of the District of West Hants, and changes to its rules and regulations for customers served by the Three Miles Plains/Wentworth Water Utility, as set out in the water rate study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited.**

**Motion Carried.**

g. Valley Waste Temporary Borrowing Resolution

The Director of Finance advised that Valley Waste is seeking a Temporary Borrowing Resolution of approximately \$400,000 and requesting that the Municipality guarantee 1.32% of the loan. He explained the loan will be for capital purchases which were approved in the Valley Waste Budget.

**MOVED and SECONDED that the report regarding Valley Waste Temporary Borrowing Resolution be received and placed on file.**

**Motion Carried.**

Councillor Pineo inquired when the contract with Valley Waste was going to be reviewed. CAO Osborne reported that Council granted permission to extend the contract with the current provider GFL for one year in order to look at the best value for both West Hants and Hantsport, adding that Valley Waste has to be given 1-year notice of withdrawal of service. She confirmed staff will discuss and bring a recommendation to Council for consideration.

**MOVED and SECONDED that a recommendation be made to Council to approve a temporary borrowing resolution for Valley Waste Resource Management Authority in the amount of \$399,000 for capital purchases and guarantee a maximum of \$5,299 of the loan.**

**Motion Carried.**

h. Procurement & Tendering Policy

**MOVED and SECONDED that the report regarding Procurement & Tendering Policy be received and placed on file.**

**Motion Carried.**

CAO Osborne introduced Carlee Lowe, CPA, CCA - Accountant for West Hants since October, adding that she has been working with the Director of Finance on revamping the Procurement and Tendering Policy. She explained that Ms. Lowe has spent time researching and identifying areas of clarity needed in the current policy.

Carlee Lowe reported the prior policy was dated 2007 and amended in 2009, however since then there has been changes in the financial system and other practices for efficiency. She

confirmed the most significant change is related to the signing authority, which was undocumented in the prior policy, to provide better guidelines for staff and improved governance for Council as it puts more emphasis on the CAO report and budget allocation approval process.

The Director of Finance suggested this is a critical step in allowing staff to move towards a paperless order system. CAO Osborne added that this policy outlines the minimum that must be in a tender document to ensure the Municipality is not giving up its right to change its mind during the process. She noted that Ms. Lowe has created an appendix 1 which shows process step by step.

Councillor Pineo suggested that the Grants to Others section needed clarification regarding when they need to follow our procurement policy.

**Warden Dauphinee gave notice to rescind the current Purchasing and Tendering Guidelines, as amended to August 2009.**

**Warden Dauphinee gave notice to adopt the updated Procurement and Tendering Policy for the Municipality of the District of West Hants as amended.**

i. CAO Report # 5

**MOVED and SECONDED that the CAO Report #5 and Appendix 1 - Parks & Recreation Report be received and placed on file.**

**Motion Carried.**

CAO Osborne reported that she circulated Appendix 1 to the report titled Parks and Recreation Department which is the full report of the work that has been completed in the department.

Councillor Matheson asked what action the Municipality will be taking for the fire rates which were voted against in Kings County. CAO Osborne responded that staff has requested to present at Kings County Council, adding she will be following up for a confirmation of a date.

Councillor Daniels asked if the delays in rescheduling for the arbitration process were from the Windsor Fire Department. CAO Osborne confirmed some of the delays are from the Windsor Fire Department and their solicitor's ability to provide a response from his client, as the chief was not available for a number of months.

j. Municipal Election Update

**MOVED and SECONDED that the report regarding Municipal Election Update be received and placed on file.**

**Motion Carried.**

The Municipal Clerk reported that as Returning Officer for the Municipality, she has the authority to subdivide electoral districts. However, due to the timing of confirming electoral boundaries she has decided not to subdivide and when electors go to vote they will all go to one location with the electoral list being divided by last name as needed. Councillor Pineo expressed concern that the distance is too far to expect residents to drive to get to a poll station. The Municipal Clerk reminded Council that it is a rural district and residents are used to driving a distance for services. She also suggested if residents are not able to get to the poll they can apply for a proxy vote if they meet certain criteria. Councillor Daniels agreed it would be an inconvenience for residents to have to drive a significant distance to vote and suggested looking at a specific encompassing area that could piggyback on the District Six to go vote.

CAO Osborne suggested the Municipal Clerk tried to balance the potential of an election in every district with the limited resources at this time. She suggested that that the Clerk would give consideration to Council's thoughts on the matter. There was a brief discussion on advanced polls and the fact that better education is needed.

k. Director of Finance – Financials

**MOVED and SECONDED that the report of the Director of Finance – Financials be received and placed on file.**

**Motion Carried.**

The Director of Finance reported last year there was a significant savings in RCMP costs and he has since been advised that an officer was hired this fiscal year that was scheduled to be hired last fiscal year but was not accounted for in the estimate he was given on March 29<sup>th</sup>. He was provided a figure that was approximately \$150,000 less than what it should be. He indicated that he has expressed his disappointment through the Municipal Advisor about getting erroneous and late information. He confirmed that there is money set aside in the reserves that can cover the error.

9. Reports – Other Committees

a. Fire Restructuring Committee

Chair Cochrane reported there was a meeting on July 13<sup>th</sup> and another is scheduled for July 27<sup>th</sup>. He explained the CAO provided an update on a location for a second station in Falmouth and circulated designs from other facilities that have recently been built for comparison purposes. He indicated that Rick Sherrard and representatives from the fire departments prepared a rough design for a proposed fire station. He confirmed the geotechnical work in Three Mile Plains has been completed and the preliminary report will be discussed at tomorrow's meeting.

The question was asked why more priority is not on a substation in Falmouth. CAO Osborne suggested that Three Mile Plains has more progress as the Municipality owns the land in that area. She advised staff has contacted a number of property owners in Falmouth and are in the process of discussing possible land options. She stated that the committee agreed that whatever design is made it should be conducive and used for the template for the Falmouth station to be cost effective.

10. Correspondence

a. June 24, 2016 – Municipal Affairs

**MOVED and SECONDED that the correspondence dated June 24, 2016 – Municipal Affairs be received and placed on file.**

**Motion Carried.**

11. Miscellaneous/New Business

a. Windsor Birthplace of Hockey Arena

Chair Cochrane confirmed the committee is still waiting to hear on funding from the Federal Government, adding there is a meeting scheduled for July 28. Councillor Matheson stated that he voted against the project due to the location. He stated that he has heard speculation that the land will be purchased from Kings Edgehill not from the Dill property. He reminded when the proposal was made it was quoted at a price with one ice surface and since then he felt that it has significantly changed from the original plans and therefore Council has the right to withdrawal their financial commitment. He also reminded at a meeting at the Municipality the Principal of Kings Edgehill indicated that the school was

willing to donate a second ice surface to the facility. He advised that he has since heard that this is not true and asked Chair Cochrane for clarification.

Chair Cochrane clarified that the land will be leased for 50 years and most of the facility will be on Kings Edgehill property in order to claim services. He confirmed there is some land being purchased from the Dill property for the parking lot portion. He advised the project has two ice surfaces; however legal complications would come from Kings Edgehill paying for a second surface. He encouraged continuing to think positive about the project as it will benefit everyone.

Councillor Daniels expressed concern that the facility is going to be run by an outside source and suggested that it is being paid for by public funds which in turn should be a community own facility. Chair Cochrane suggested asking the Windsor Birthplace of Hockey Arena committee chair and solicitor to attend the next council meeting to address concerns.

12. Date of Next Meeting

The next meeting is scheduled for August 23, 2016 at 6:00 p.m.

12. Adjournment

**MOVED and SECONDED that the meeting adjourn.**

**Motion Carried.**

Meeting adjourned at 8:46 p.m.

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Gary Cochrane, Chair

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Rhonda Brown, Municipal Clerk