



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Committee of the Whole Minutes
October 24 , 2017, 6:00 p.m.
Sanford Council Chambers**

Present:	P. Morton	Deputy Warden
	A. Zebian	Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	T. Leopold	Councillor District 4 (arrived 6:20 p.m.)
	D. Francis	Councillor District 5
	J. Daniels	Councillor District 7
	R. Zwicker	Councillor District 10
	C. Osborne	Chief Administrative Officer
	M. Laycock	Director of Finance
	R. Brown	Municipal Clerk
	B. Carrigan	Director of Public Works
	R. Sherrard	Municipal Engineer
	M. LeMay	Director of Planning and Development
	C. McClare	Waste Coordinator
	J. Woodman	Administrative Assistant
Guests:	J. Adamsson	Analytic-OR
Regrets:	R. Hussey	Councillor District 6

There were 9 members of the public in attendance.

1. Call to Order

Chair Morton called the meeting to order at 6:00 p.m.

2. Announcements

Chair Morton reviewed the standard fire evacuation procedure.

3. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved with the following changes:

- **Item 11.a Traffic Authority – Councillor Leopold be moved to 7. a.**
- **Item 8. a. Naming of Avon Valley High School Bursary – Jeanne Bourque Carpe Diem Memorial Bursary be moved to 8.f**
- **Item 8. f. Anti Littering Report Information Report be moved to 8. a.**

Motion Carried.

4. Approval of Minutes

MOVED and SECONDED that the Committee of the Whole minutes of September 26, 2017 & Special Council October 10, 2017 be approved, noting any errors or omissions.

Motion Carried.

5. Presentation (s)

a. Review of Council Remuneration Municipality of the District of West Hants – Analytic-OR

CAO Osborne reported in the budget Council approved funding for an independent review of Council Remuneration. An open tender process was held with Analytic-OR as the successful bidder. Dr. Jay Adamsson provided a brief background on the company and presented the findings and recommendations of the remuneration review.

Councillor Zwicker asked what criteria was used to recommend continuing with the warden system versus the mayoral system. Dr. Adamsson responded they suggested continuing with the warden system unless there was a reason to change. He indicated they reviewed the precedence among other municipalities and very few had switched to the mayoral system. He noted they also considered the relationship with the Town of Windsor and how this could change the governance structure in the future. CAO Osborne clarified the company was asked to provide the financial impact of switching to a mayoral system. Dr. Adamsson stated the financial impact would be the additional cost of another councillor.

MOVED and SECONDED that the report on the Review of Council Remuneration Municipality of the District of West Hants – Analytic OR be received and placed on file.
Motion Carried.

Chair Morton asked for direction on the recommendations from the report.

MOVED and SECONDED that the recommendations from Review of Council Remuneration Municipality of the District of West Hants – Analytic-OR be added to the November 28th Committee of the Whole agenda for discussion.

Motion Carried.

b. Littering vs Illegal Dumping – Christine McClare, Waste Reduction Coordinator

C. McClare reported that Kirk Symonds from Region 6 Solid Waste Management was supposed to present this evening; however he was unable to attend. She noted she would

give a brief overview of his section of the presentation. She presented a PowerPoint presentation on the psychology of illegal dumping.

Councillor Leopold asked about the Municipality's authority for illegal dumping. C. McClare advised the Municipality can be involved in these types of cases and often collaborate with the Department of Environment as they have stricter legislation, fines, and enforcement.

Councillor Monroe inquired if residents should contact the RCMP if they find illegal dumping sites. C. McClare suggested that the scene should not be disturbed, and it could be reported to the By-law Enforcement Officer in cooperation with the RCMP. CAO Osborne cautioned the RCMP normally do not enforce municipal by-laws except after hours. She confirmed the By-law Enforcement Officer has been trained in dealing with evidence, adding often there is none, and the By-law Officer cleans up what he can. She noted if the RCMP finds evidence they would usually hand the case over to the By-law Enforcement Officer instead of dealing with it directly.

6. Hearing (s) – Dangerous & Unsightly

There were none.

7. Business Arising from Minutes

a. Traffic Authority – Councillor Leopold

Councillor Leopold reported she received a concern from the Citizens on Patrol in Ellershouse and Ardoise regarding speeding, specifically along Highway 101 between exits 4 East and West, east back to the 215 Highway. She explained the group is looking to borrow radar speed signs, as they feel it would be an effective way to bring awareness. She noted that she investigated and found the Municipality does not own radar signs; however, there are ways to borrow from other units. R. Sherrard suggested most jurisdictions are reluctant to lend these signs as they are fragile and expensive. He added even if the group were to borrow a sign it is against the law to put them up without permission from the Provincial Traffic Authority. He indicated they would first need to determine whether there is adequate signage in the area already. He offered that there has been no evidence that radar signs reduce speed, adding there has been some indication some drivers try to increase the speed.

Councillor Leopold reported she spoke with the Provincial District Traffic Authority and he echoed R. Sherrard's comments about the effectiveness of using the signs apart from situations that they are used temporarily in conjunction with enforcement. She asked what is the role of the Local Traffic Authority. R. Sherrard responded his general role includes erecting signs, markings and traffic control signals that direct and regulate traffic; establishment of crosswalks and various zones; fixing maximum speed rates; marking and enforcement that covers a special addition on municipally owned streets.

Councillor Francis indicated she had concerns from a constituent regarding the old number 1 Highway asking why it was a 50 zone that goes into a 70 zone and they are looking for it to be increased. She added the Provincial Local Traffic Authority is investigating the matter. R. Sherrard offered if Councillors have any issues he could be a liaison with the Province.

8. Report of the Chief Administrative Officer

a. Anti-Littering Report

The Director of Public Works presented an information report prepared as per Council's request on how to reduce littering in West Hants. He explained staff had met with representatives from NS Transportation and Infrastructure Renewal, as a lot of issues area occurring on their property. He cautioned that staff were advised by them that they do not have any additional financial commitment from the Province, outside of the current programs.

The Director of Public Works suggested there would be a good synergy to engage concerned community members, staff and Council from both West Hants and the Town of Windsor and other stakeholders in future discussions. He indicated staff is recommending developing a committee to implement action items, like that performed by the Active Transportation Committee. He advised a suggestion was made to provide bags in problem areas for community's members to use to clean up their areas. Chair Morton asked who would be responsible for picking up these bags. The Director of Public Works responded the model they looked at had residents take the garbage with them to avoid invitations for illegal dumping of bags in waste collection stations.

MOVED and SECONDED that a recommendation be made to Council to develop a Committee of Council in collaboration with the Town of Windsor with the potential committee structure members as outlined in the Committee of the Whole Anti-Littering Report dated October 10, 2017.

Motion Carried.

b. Inter-Municipal Membership Agreement Region 6

CAO Osborne reported this item originated following the renewal term of the Inter-Municipal Agreement for Region 6 Solid Waste-Resource Partnership with a request to circulate the draft agreement to Councils for comment by November 17.

Councillor Jannasch offered all the recommendations that are being made are very sensible and suggested endorsing the changes. He expressed concern about

individuals from 12 municipalities traveling across the province for meetings. He suggested discussion is required on the matter and felt it should be part of the efficiency study.

MOVED and SECONDED that a recommendation be made to Council to instruct staff to look at the requirements of the Municipality to be part of Region 6 and to investigate ways to make the meetings more efficient. Motion Carried.

c. Monthly Budget Report – Month Ending September 30, 2017

The Director of Finance reported there were no significant changes to report. He confirmed a 3% surplus is still showing adding this is primarily due to the invoices submitted to the Windsor Fire Department as per the arbitration ruling. Councillor Zwicker inquired if capital budget projects require a motion to Council. The Director of Finance advised the Procurement Policy indicates it must be a budgeted item or within the CAO's or Directors spending limits. He confirmed the CAO has a spending authority up to \$100,000 on construction, \$50,000 on services, and \$25,000 for equipment. He clarified even if an item is approved in the budget it still requires Council's approval for due diligence if the value of the item is above the prescribed signing authorities.

d. CAO Update #7

CAO Osborne presented her CAO Update #7 and noted this report highlights the last nine months on her and staff's progress. She added that she also prepared a spreadsheet with additional detail that are addressed in the report.

Councillor Daniels asked for clarification on the increase in calls under fire services, whether this was across the board for all fire departments. CAO Osborne clarified the report summarizes and is based on all fire departments. Councillor Daniels asked for additional information on the stats for brush fires. CAO Osborne indicated these are calls as they are logged by Valley Dispatch as the initial complaint received, which is what is recorded, adding the actual details of the results would need to be reviewed to answer specific questions.

e. Brooklyn Water Services Information Report

The Director of Public Works reported that staff has reviewed the previous reports that were done, dating back to 1986 for municipal water service in Brooklyn. He indicated staff identified three main areas that need to be considered. He explained the Municipal Planning Strategy (MPS) does not support the provision of water services to the Brooklyn area, he advised the CAO or Director of Planning would need to discuss if this issue could be addressed.

Councillor Keith asked why the new subdivisions wouldn't meet the standards required for water. CAO Osborne clarified the standards are set by the Province and must be applied based on the time they are in place. The Director Planning explained the Municipal Planning Strategy states that no water services shall be provided to a village or outside of a growth center and unless there is also sewer service provided. She confirmed these issues would need to be reviewed, adding there is a real difference in the kind of septic system that is provided when municipal water is installed as compared a well system in which the NS Environment may have different standards.

Councillor Keith pointed out that the subdivisions in Brooklyn would fall under the same standards as everywhere else is West Hants, and that there are areas with water and no sewage. The Director of Planning clarified lots are approved based on what the servicing will be, which is reviewed by Provincial agencies, who provide their approval to the Municipality.

Councillor Francis expressed concern that the policy will not permit water past the growth centers. She suggested that many residents in these areas have expressed that they would like to have water services and would be willing to pay for it. She asked what would be the implications if Council was to look at this for the future. CAO Osborne explained when Council approved the MPS and subsequent other documents Council made the decision to allow water service only to growth areas and further restrict any water to villages. She pointed out the MPS is up for review and in discussions with the Director of Planning it was advised it would be a substantial change and is not easily changed outside the MPS review and is based on the will of Council to make those changes.

The Director of Planning reminded that at the recent Planning Advisory Committee meeting the amendments process was reviewed; however, added this would be very wide ranged and would take a significant amount of staff time. She confirmed that staff would also need to look at what implications it would have on the Land Use By-law as well. Councillor Keith reminded that the Municipality needs growth and questioned how this happens without these services. He indicated he has had the water tested at Baileys Pond which is pumping 23,000 gallons of water per/minute, and suggested this could be used to help this area grow. CAO Osborne cautioned unless Council changes the policy, funds cannot be used for studies as it is not a municipal related transaction. She offered if Council wishes they can instruct staff to proceed with an amendment, she cautioned that staff is working on a Strategic Plan and she added if no action is taken this evening it would be coming up through the MPS plan process.

Councillor Keith expressed concern about delaying the process and felt action needs to be taken immediately. Councillor Jannasch suggested that more information should be sought as to why the Council at the time made the decisions they did. He

noted that he recognized the Municipal Planning Strategy is difficult to change, but questioned whether there was a way to accumulate more knowledge to generate options about supplying water to Brooklyn without cutting off the discussion entirely. CAO Osborne reminded that once policy is set there is a process to go through to make changes. The Director of Planning cautioned that Council can do nothing in violation of the policies within its planning documents and the only way to proceed is an amendment to the Municipal Planning Strategy and Land Use By-law.

Warden Zebian agreed it would be beneficial to direct staff to investigate what Council's reasons were for making the decisions they did before proceeding. The Director of Planning reminded Council that they may not have an opinion on any of these amendment matters until a public hearing is held. She confirmed there is an official policy and you need to go through the amendment process to look at it.

Councillor Monroe asked if this should be reviewed during the plan review. CAO Osborne agreed and offered there are Planning Advisory Committee meeting minutes if anyone want to review them personally to determine what the arguments were at the time.

Councillor Daniels agreed Council should take their time and go through the plan review and have the public sessions to determine if this is what the residents want. She supported leaving the issue to be addressed during the plan review. Councillor Keith agreed with the comments but felt it is a priority in Brooklyn for residents.

MOVED and SECONDED that a recommendation be made to Council to direct staff move forward the process of amending the Municipal Planning Strategy and subsequent documents to allow for water to be taken to the Brooklyn area.

CAO Osborne cautioned this motion would supersede work currently being done on the Municipal Planning Strategy review.

MOVED and SECONDED that the motion be amended to state that a recommendation be made to Council to instruct staff to move forward to explore amendments to the Municipal Planning Strategy and Land Use By-Law to allow water in Brooklyn.

Amendment Carried.

Motion Defeated.

- f. Naming of Avon Valley High School Bursary – Jeanne Bourque Carpe Diem Memorial Bursary

CAO Osborne reported that Jeanne Bourque was a Planner for the Municipality and that she passed away in August 2017 from a cancer diagnosis. She indicated it was not only life altering for Jeanne but for her family, friends and even co-workers. She explained

Jeanne was very open about her diagnosis and her experiences with the medical field and other legal areas and exhibited her will to let her illness be used as an opportunity to make change. The CAO confirmed in discussions with Council it is being recommended that one of the \$500 bursaries designated to the Avon Valley High School graduate going into a Trades program be named The Jeanne Bourque Carpe Diem Memorial Bursary. She noted that staff have spoken to Jeanne's family who felt it would be a fitting tribute to her life as well as her fight on behalf of other cancer patients.

MOVED and SECONDED that a recommendation be made to Council to name the current \$500 bursary designated to an Avon Valley High School graduate going into a Trades program to:

The Jeanne Bourque Carpe Diem Memorial Bursary, to be given to a graduating student entering an NSCC program who has been an active volunteer in his/her school and/or home community; with first consideration given to students entering an Energy Futures Program OR Engineering and Applied Sciences OR Natural Resources and Environment Programs.

Motion Carried.

g. UNSM Resolutions Meeting Information Report

Councillor Daniels reported she attended the UNSM resolutions meeting where she presented a resolution on the waiver of vehicle registrations for the Citizens on Patrol groups and it was rejected. She suggested these groups help make the communities safer and they are very important volunteers. The Municipal Clerk added this was a recommendation from 2015 however staff time was needed to formalize for the UNSM Resolution Committee this year.

The Municipal Clerk indicated after preparing the resolution she spoke to an RCMP liaison for community groups and Citizen on Patrol program, who confirmed there 147 participants registered in the Province of which 22 are in this area. She added there is concern about the groups retaining and attracting new members. Councillor Leopold cautioned that registration is for two years and questioned how you can assure volunteers will stay for this period. The Municipal Clerk explained under the Motor Vehicle Act there are regulations to waiver registration for groups with a provision that if you are not an active participant that you turn in your plate.

MOVED and SECONDED that a recommendation be made to Council that the Municipality pursue waiver of vehicle registration for Citizens on Patrol groups at the UNSM Spring Conference.

Motion Carried.

9. Reports – Other Committees

a. Fire Restructuring Committee

There was no report of the Fire Restructuring Committee.

b. Police Advisory Board – Councillor Morton
There was nothing to report.

c. VREN – Councillor Daniels.
Councillor Daniels presented an update on the Valley REN.

10. Correspondence

a. September 22, 2017 – Full Circle Festival 2017

11. Miscellaneous/New Business

There was no new business.

12. Public Participation

Virginia Taylor advised that she was asked to speak on behalf of a concerned citizen group regarding the siltation of Lake Pisiquid. She advised in the last 5-6 years since the Avon River causeway fish gates have been operated there has been a visible amount of siltation of Lake Pisiquid. She suggested silt is entering the lake through the fish gate during the incoming tide and is settling in the lake. She stated the extent of the siltation is evident during May and June after the lake has been drained, and grass can be seen in the shallow areas in front of the launch of the lake boat club, and on the Falmouth side of the lake.

Ms. Taylor explained given this amount of siltation has taken place over a duration of 5-6 years, one could expect that the lake could become completely silted up within another 5-6 years, and eventually become a swampy marsh like area similar in appearance to the mud flats on the seaward side of the causeway. She cautioned the problem of siltation is not limited to Lake Pisiquid but will extend upstream all the way to the head of the tide on both the South and South West branches of the Avon River where there are no running dykes to protect the farmlands. She cautioned the event of a heavy rainfall if silted up and no dykes in place, that there would be no place for the extra water to go. She indicated as a result there could be serious flooding both in Windsor and in the upstream farmlands.

Ms. Taylor suggested it is her intent at this time to alert the Town of Windsor and the Municipality to this impending problem and she recommended securing the services of a professional sedimentologist, and other scientists as necessary, to consider this matter and to recommend courses of corrective action.

Tom Calkin, Falmouth, stated it was unfortunate that the public do not know the importance of some issues and felt Council and staff have done a good job dealing with them. He suggested that it was very wonderful that Jeanne Bourque was being honoured through the naming of the bursary. He suggested that the presentation council remuneration did not address the advantages of a mayor versus the warden system.

13. In Camera

**MOVED and SECONDED to move in camera as per MGA section 22 (g) - legal matter.
Motion Carried.**

The meeting moved incamera at 8:30 p.m.
The meeting reconvened at 9:24 p.m.

14. Date of Next Meeting

The next meeting of Committee of the Whole will take place on November 28, 2017 at 6:00 p.m.

15. Adjournment

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

Meeting adjourned at 9:25 p.m.

Paul Morton, Chair

Rhonda Brown, Municipal Clerk