



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Committee of the Whole Minutes
February 27, 2018, 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
	D. Francis	Councillor District 5
	R. Hussey	Councillor District 6
	J. Daniels	Councillor District 7
	R. Zwicker	Councillor District 10
	M. Laycock	Acting CAO/Director of Finance
	R. Brown	Municipal Clerk
	B. Carrigan	Director of Public Works
	C. McClare	Waste Reduction Coordinator
	M. LeMay	Director of Planning and Development
	J. Woodman	Administrative Assistant
Guests:	Barry Braun	Happy Community Project
	Paul Speed	Speed Eco Products
	Shirley Pineo	Annapolis Valley Regional Library

There were 12 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.

Councillor Leopold reported there is Housing Forum being held on March 1st at the Three Mile Plains Community Hall at 6:00 p.m.

Councillor Jannasch advised that Valda Walsh & Kirk Symonds, Region 6 will be presenting at the next Committee of the Whole meeting, and Ms. Walsh has requested that if any councillor has any specific questions to forward them to her prior to the meeting.

3. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved, noting the following additions:

- **Addition – 11 (a) MOU/Joint Council – Councillor Leopold**
- **Addition – 11 (b) EAP – Councillor Daniels**
- **Addition – 11 (c) Regionalization – Councillor Daniels**
- **Addition – 11 (d) Live Streaming – Warden Zebian**
- **Addition – 11 (e) Mayoral System – Warden Zebian**

Motion Carried.

4. Approval of Minutes

MOVED and SECONDED that the Committee of the Whole minutes of January 23, 2018 be approved, noting any errors or omissions.

Motion Carried.

5. Presentation (s)

a. Happy Community Project

Mr. Braun gave a PowerPoint presentation on the Happy Community Project, highlighting the projects that have been launched in West Hants and its membership. Councillor Daniels commended Mr. Braun for taking a significant leadership role and indicated that he has proven that involving the community stakeholders is a beneficial movement in the community. She asked if the group had submitted a grant request to the Municipality. Mr. Braun clarified the ask is for \$6,000 and noted the cost of the project is \$50,000 and he is requesting that the Municipality and the Town of Windsor provides \$12,000 of this total cost to provide the resources and help required. He expressed the importance of having the support from the Municipality.

Acting CAO Laycock clarified that the non-profit entity is applying for a grant, he explained the request this evening is for the for-profit entity to provide a service for the community. He noted that staff would be looking for guidance from Council to move this to the budgetary process for consideration.

Councillor Monroe suggested this movement is inspiring to watch and suggested that Mr. Braun through his connections has brought value to the Municipality. She offered that everyone should learn more about the project as it is beneficial to everyone.

Councillor Leopold thanked Mr. Braun for starting the movement and the activity that has been created with its members. She asked for more details on the youth hangout. Mr. Braun indicated there is a location that is under consideration and advised he will offer support in negotiating with

the property owner to secure the location but added there is a second location identified if needed. Councillor Leopold asked for clarification on the group relocating to other communities that pay for those services. Mr. Braun explained he has been working on leadership with the core group to become self-sustaining. He advised his intention was to make this a scalable project so that communities everywhere can be happy communities. He explained that he needs the financial support to take some of the daily burden from him, so he can do as intended, supplying leadership and moral support to keep these kinds of projects going and help other communities do the same.

Councillor Leopold expressed concern that there are currently many non-for-profit groups that do not get compensated. Mr. Braun agreed and advised that many of these groups are approaching him asking for assistance on how to create momentum. He suggested that this project is doing something different.

b. Green Bin Rollout

Paul Speed and Christine McClare presented on the roll out of the Green Bins. Chair Morton inquired how long the bins are guaranteed for by the manufacturer. Mr. Speed confirmed they are guaranteed for 10 years.

Councillor Hussey asked how many size bins will be offered. Mr. Speed confirmed there are three different size bins. Councillor Hussey asked if residents will have the ability to request smaller bins if they choose. C. McClare indicated that residents would be permitted, however it may take more time to receive if it is not in stock.

Councillor Leopold asked for clarification on whether meat will be permitted in the green bins. C. McClare confirmed that the green bins are for all food waste which includes meat. She advised the contents will go to a facility where all materials can be decomposed. Councillor Leopold asked from a cost point of view would it be cheaper for the Municipality to send meat to a landfill. C. McClare indicated that organics have been banned from the landfill for a significant amount of time and those backyard composting were encouraged to meet this requirement.

Chair Morton asked whether staff would be providing public sessions on how to use the green bins. C. McClare confirmed that sessions will be held and noted there will be some changes for Hantsport residents. She advised she will reach out to any groups that would like information.

Councillor Keith suggested that Councillors will receive many questions and concerns about the green bins from residents as it is a significant transition. Mr. Speed indicated that Councillors will be given information for frequently asked questions.

c. Annapolis Valley Regional Library

Shirley Pineo handed out a pamphlet of a compilation of books that were written by Nova Scotians or about Nova Scotians. She challenged Council to read as many of these books as possible to learn about the history of Nova Scotia. She reported the Kentville Library is now open with just a few minor issues that are being worked out. She suggested that renovations are happening in Annapolis Royal and anticipates the library opening in the spring, adding this project is over

\$700,000 which was paid for by fundraising as well as a grant from ACOA. She indicated the Annapolis Royal Library will contain a Maker's space with a 3D printer.

She encouraged everyone to attend the Hantsport Library and advised there are many programs being offered to assist the community, noting the library is very busy.

Shirley Pineo announced that the Annapolis Valley Regional Library has been approved for a grant of \$24,571 for the New Horizons' for Seniors Program, which will provide seniors the skills for learning new technology. She suggested that the Annapolis Valley Regional Library is doing everything that the Province is requesting from them. She added that libraries have become the cultural center for people.

**MOVED and SECONDED that the Reading Nova Scotia pamphlet and the Annapolis Valley Regional Library and the Culture Action Plan Report be received and placed on file.
Motion Carried.**

6. Hearing (s) – Dangerous & Unsightly
There was none.

7. Business Arising from Minutes
There was no business arising.

8. Report of the Chief Administrative Officer
a. Region 6 Budget 2018-2019 Budget Report – Recommendation
Acting CAO Laycock reported the Municipality is required to approve the Region 6 budget by March 14. He noted the following highlights from the budget: there was a surplus from the previous year of \$13,500 which will be distributed among the various stakeholders, and a difference of cost of living increase to employees as well as increase in salaries.

**MOVED and SECONDED that a recommendation be made to Council, that Council approves the 2018-19 budget for Region 6 as presented.
Motion Carried.**

b. Pembroke Community Center
Acting CAO Laycock reported in the past the Hants Municipal School Board listed, as surplus, schools in the region and transferred them to the Municipality which were sold to community groups in 1963 for a \$1 with the clause that the property could only be sold or traded with the Municipality's consent. He explained there is a community center in Pembroke where the community group is no longer in existence and the group has made a motion for the Municipality to take it over. He noted during this time the assistant Building/Fire Inspector carried out a safety inspection of the property and public access has been banned.

Acting CAO Laycock explained that Council's Acquisition of Real Property Policy has numerous steps that are required before a purchase of real property can take place. He

explained because of this staff are recommending that Council forgo the prescribed process in the Acquisition of Real Property Policy as it is not appropriate for this circumstance.

He noted that staff have suggested that the property be sold, and that the sale be treated as an "Ordinary Sale" as per the Disposal of Real Property Policy. He added the costs to acquire the title and sell the property as is, is estimated between \$5,000-6,000, which could be recovered in the sale of the property.

MOVED and SECONDED that a recommendation be made to Council, that Council accept the property at PID 45173754 and forego the requirements of the Acquisition of Real Property Policy (Council-01-006). Furthermore, Council declared property PID 45173754 as surplus to be sold as an Ordinary Sale under section 5 (d) (3) of Council's Disposal of Real Property Policy (Council-01-007).

Motion Carried.

Councillor Francis asked if there is a record of other school houses that could result in the same situation. Acting CAO Laycock indicated he knows of one that is being addressed in Scotch Village, and he suggested to find more he would need to investigate. The Municipal Clerk added there is not a full list of other community halls available.

c. Holmes Hill Road Rehabilitation, Project #TRCAP15-05

Acting CAO Laycock reported that during the contract several underground issues were identified that were outside the scope of the work. He explained that staff believe these costs qualify for Gas Tax reserve to cover the out of scope work.

MOVED and SECONDED that a recommendation be made to Council that the cost of work outside of the Brycon contract for the Holmes Hill Rehabilitation Project in the amount of \$49,673.26 plus net HST be funded from Gas Tax Fund reserve.

Motion Carried.

Councillor Monroe advised there have been concerns from citizens regarding painting the crosswalks and asked if there is any opportunity to enhance the current work and provide additional safety. Acting CAO Laycock responded that there have been no formal requests to the Traffic Authority to address the crosswalk issues on Holmes Hills. He suggested he could discuss it with Traffic Authority but clarified it would not come out of this funding and would be a separate source to pay for those additional services.

d. Gas Tax Funding – Hantsport and Area Historical Society

Acting CAO Laycock indicated this is a grant that was approved in June 2017 to help fund accessibility improvements to the Hantsport and Area Historical Society building. He noted this a formality of the process to release Gas Tax to help support this organization.

MOVED and SECONDED that a recommendation be made to Council, that Council approve the use of \$5,000 of Gas Tax to fund accessibility upgrades to the Hantsport and Area Historical Society building, including the installation of an accessible ramp and bathroom accessibility upgrades.

Motion Carried.

Councillor Daniels asked whether there were resources that could direct groups towards other provincial initiatives. Acting CAO Laycock suggested that this should be discussed during the grant process.

e. First Amendment to the Council Remuneration Policy

Acting CAO Laycock reported this stems from Council's request that staff amend the Council Remuneration Policy to reflect the consultant's recommendations report. He noted the travel expense section was amended by reducing the breakfast per diem and for it to include taxes and gratuities to be consistent with staff expense allotment. He explained the financial implications would be the additional costs because of 1/3 tax exemption reduction.

MOVED and SECONDED that a recommendation be made that Council, that Council approve the amendments to the Council Remuneration Policy COGE-004.00 as outlined in the First Amendment to the Council Remuneration Policy Recommendation Report dated February 27, 2018.

Warden Zebian suggested he would not support the motion and understood it is ideal to attract new councillors; however, he felt due to the economy this is not the best time to increase wages.

Councillor Daniels expressed that councillors spend a lot of time on Municipal business and indicated that she personally takes whatever funds she gets and puts it back into the community and spends it on resources when it comes to meetings, etc. Acting CAO Laycock suggested the numbers are more to normalize councillors and the Warden's salary so everyone is on par.

Councillor Monroe stated that she brought up this issue and suggested it should have been dealt with at that time instead of waiting adding this is the result of that delay. Councillor Leopold expressed the awkwardness of the matter and indicated this is asking councillors to vote on their own salaries but suggested in work places it is typical to see Cost of Living Allowance increases. She suggested the chair fees are not expected for that duty and didn't see it being of any value to continue, adding she was happy to see it eliminated.

Motion Carried.

Warden Zebian voted nay.

f. Continuing Operations past March 31, 2018 (Fiscal 2018-19)

Acting CAO Laycock reported this is an annual request that meets the interpretation of the MGA of applying the previous fiscal budget into what will soon be the new fiscal year. He suggested this keeps the control within Council.

MOVED and SECONDED that a recommendation be made to Council, that Council authorize the Municipality, through its CAO and Departments, to continue to operate

based on the approved 2017-18 budgets until such time as the 2018-19 budgets are approved and the tax rates set.

Motion Carried.

g. Valley Waste Temporary Borrowing Resolution

Acting CAO Laycock reported that for Valley Waste to obtain Temporary Borrowing Resolution passed, Council needs to pass them and approve the guaranteed portion of the loans for Valley Waste.

MOVED and SECONDED that a recommendation be made to Council, that Council approve a temporary borrowing resolution for Valley Waste Resource Management Authority in the amount of \$187,335 for a balloon payment related to previous capital purchases and Council guarantees a maximum of \$2,491 of the loan.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, that Council approve a temporary borrowing resolution to Valley Waste Resource Management Authority in the amount of \$514,000 related to capital purchases in 2017-18 and Council guarantees a maximum of \$6,846 of the loan.

Motion Carried.

h. Investment Policy

Acting CAO Laycock reported that West Hants does not have an Investment Policy which means that staff has no authority to look at or move funds outside the current banking structure in attempts to earn more interest particularly on the reserve funds. He noted this has been discussed previously but is not priority because of MFC High Interest Savings Account which would allow the Municipality to combine their investments collectively and get the benefit of a higher interest rate because other municipalities are chipping in, adding to proceed an Investment Policy is necessary.

MOVED and SECONDED that a recommendation be made to Council, that Council approves the Investment Policy for the Municipality of the District of West Hants.

Motion Carried.

i. Rails with Trails

Acting CAO Laycock explained this stems from the Council receiving a request to review the Rail-to-Trail Conversion -Windsor to Hantsport Railway report as submitted to Halifax Regional Council, as they wanted to engage the participated party's interest to take part in the Rails-to-Trails project. He requested that the Director of Parks & Recreation prepare this report to understand the impact this would have to West Hants if we were to move forward.

Acting CAO Laycock noted that currently the railway company owns the rail line between Hantsport & Windsor and leases the section. He added it is staff's understanding that the railway company is in negotiations to purchase the corridor from CN. He explained from HRM there was an ask for involved municipalities for Council to consider directing staff to

maintain communications with the municipality along the spur corridor on the issue, monitor any changes of the ownership of this facility and send a letter to CN that expresses West Hants interest in acquiring portions of the corridor should it become available.

Councillor Daniels commented that there is a nationwide movement for having a trails system as part of health and wellness, and active transportation, she suggested it connects our communities and is a significant part of Economic Development because people are coming into our communities to walk these trails in all seasons. She added the days of the railway systems are over and felt it is a negative system on the environment. She indicated she would really like West Hants to encourage residents to be more active.

MOVED and SECONDED that a recommendation be made to Council, to direct to staff to maintain communications with the municipalities along the Windsor and Hantsport rail spur corridor.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, to direct staff to monitor any changes in the ownership and operations of the facility.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, that the Municipality of the District of West Hants write a letter to the Province requesting that they purchase the section of the railway corridor spur, the sections of rail line for sale between Windsor, Windsor Junction, HRM so they can be used for public community use for the benefit of all to prevent foreign ownership.

Motion Carried.

j. Noise By-law

The Municipal Clerk reported that Council requested that a Noise By-Law be researched as per the concerns from some residents. She explained the purpose of this by-law is to address noise, attempt to minimize sounds that disturb the peace in communities. She noted a Noise By-law can be found in 17 out of the 24 county or district municipalities. She confirmed that only 12 of the municipalities enforce the by-law. She indicated research shows there is not a significant amount of enforcement or fines that occur from the by-law.

The Municipal Clerk advised the Municipality does have a Noise By-law for Hantsport and a Peace and Good Order By-law. The Peace and Good Order By-law is specific to the noise from motorized vehicles, adding staff would likely be asking for this to be repealed as this would fall under the Motor Vehicle Act and for the Province to handle. She reported that the Municipality does receive 5-7 noise complaints per year. She offered it is difficult to determine the level of noise under the Hantsport Noise By-law as the Municipality has no means to do so and is therefore difficult to enforce. She added the sound level meters have not yet been proven to work in the court system as far as enforcement. She clarified that the RCMP and By-law Enforcement Officer typically responds to noise complaints. She offered if

Council wishes to have a Noise By-law she suggested that there be one by-law combined with Hantsport to be fair to all residents.

Councillor Zwicker offered he had no interest in creating a by-law and suggested it is a civil matter. Councillor Daniels agreed with Councillor Zwicker's comments and felt it would be difficult to enforce and would end up costing the Municipality money. She felt this by-law is meant for residents in rural areas and may affect agricultural development. Councillor Hussey disagreed and felt that many residents are discouraged and have legitimate complaints. Councillor Jannasch clarified that most agricultural businesses are exempt from Noise By-laws.

Councillor Morton explained that there have been several issues with mowing at the golf course in Falmouth, and he explained that there have been meetings to help rectify the situation and he felt something needs to be in place and clarified the RCMP will not enforce any issues without a by-law in place.

Warden Zebian suggested if there is a by-law it may cause residents to be more neighbor knowing that issues can be enforced. Councillor Leopold cautioned painting everything with the same brush because of one issue such as the mowing at the golf course, she asked if the by-law could be created to address specific issues. The Municipal Clerk responded that for such incidences such as the golf course this may be able to be addressed as a development issue rather than a by-law.

Councillor Monroe suggested that she is hesitant to create a by-law for one issue which would affect all residents and would create additional work for staff. Councillor Francis indicated she is not supportive of a Noise By-law and suggested for the golf course issue that a letter could be sent at the beginning of the season as a reminder of residents' concerns. Councillor Daniels felt this is costly for taxpayers for very few incidents. She suggested that this is a civil matter and should be dealt accordingly and cautioned that it is going to be abused by some people.

Councillor Hussey advised because there are no by-laws it is causing a lot of concerns for residents and he indicated there are residents who need this to resolve issues. He asked if staff could come up with some different options for a by-law to present to Council. The Municipal Clerk advised that most are similar to Hantsport's by-law other than the use of decimal meters. Acting CAO Laycock suggested he didn't know if there is any more relevant information other than what has been provided. He asked that Council provide direction to staff on how to proceed with the matter.

Councillor Monroe advised she would only support this by-law if it were isolated to growth areas Three Mile Plains, Hantsport and Falmouth.

MOVED and SECONDED that a recommendation be made to Council, to proceed with finalizing a Noise By-law for the Municipality of West Hants for the growth areas of Three Mile Plains, Hantsport, and Falmouth.

Councillor Leopold cautioned moving implementing a Noise By-law without first knowing what the financial implications would be to the Municipality. She suggested that the current By-law Enforcement Officer already has a heavy workload. Acting CAO Laycock responded the level of financial implications he couldn't speak to without understanding the By-law first. The Municipal Clerk agreed it would be difficult to determine without knowing how many complaints will be received and how many legal cases there may be. The Municipal Clerk cautioned if a complaint is received afterhours by the RCMP they would call the By-law Enforcement Officer to attend the scene to enforce the by-law.

**MOVED and Seconded that the motion be deferred until spring.
Motion to defer Carried.**

k. Budget Timeline

Acting CAO Laycock stated that he has presented the budget timeline. The budget meetings are scheduled for April 3, 2018 at 4:00 p.m. and April 4, 2018 at 9:00 a.m.

l. Monthly Budget Report – Month Ending December 31, 2017

Acting CAO Laycock reported there is a surplus of 2%. He advised from the last meeting he did speak to the Municipality of Kings regarding an impact on the sewer rates which he will discuss with the Director of Public Works.

9. Reports – Other Committees

a. Falmouth Watershed Advisory Committee

There was no Falmouth Watershed Advisory report.

b. Police Advisory Board

There was no Police Advisory Board report.

10. Correspondence

There was no correspondence.

11. Miscellaneous/New Business

a. MOU/Joint Council

Councillor Leopold reported considering the discussions from Joint Council she wrote a letter to both Councils to aid the decision regarding the Town's withdrawal from the UARB process, but she didn't meet the deadline for Town's Council agenda or this agenda deadline, however all councillors received her comments. She felt there was some enlightening discussions at Joint Council regarding the new regionalization and felt that this is the direction this Council should be going.

MOVED and SECONDED that a recommendation be made to Council, that should the Town of Windsor withdraw from the UARB Amalgamation process that Council agree to work with the Town of Windsor and the Province on a regional governance project.

Councillor Monroe suggested it is the Town's decision on whether to withdrawal and felt the MOU is important and the two units should continue to work together. Councillor Zwicker disagreed and felt it was difficult to work collaboratively when the Town is still considering the process, he felt the Town should withdrawal to show good faith. Councillor Leopold agreed that it comes down to the people involved that will draw the collaboration and asked how the Town can be fully committed to collaborating when they are still considering the URAB application. Warden Zebian advised he agreed with Councillor Leopold's comments.

Motion Carried.

b. EAP

Councillor Daniels asked that EAP for firefighters be added for consideration in the budgetary process.

c. Regionalization

Councillor Daniels stated municipalities should work together outside of the MGA on new regionalization. She did not feel municipalities needed leadership from the Province to move forward. Councillor Daniels felt that West Hants should be working with the Town of Windsor on new regionalism.

Councillor Jannasch felt the terms of regional government and new regionalism need to be defined better so they are not confused. Councillor Daniels stated new regionalism has been well defined, noting it distinguish itself from the old method of regionalization. Councillor Jannasch suggested that Council needs a seminar on what regionalism really means to make an informed decision.

d. Live Streaming

MOVED and SECONDED that a recommendation be made to Council to begin live streaming of all Council and Planning meetings to begin in April of this year.

Motion Carried.

e. Mayoral System

Warden Zebian reported that he will be bringing a motion to Council for consideration regarding the Mayoral System and believes this is the right way to move forward.

12. Public Participation

Shirley Pineo stated that residents are very pleased that Council changed its position on the proposed rink in Windsor and that residents are pleased that Council recognized that the ongoing maintenance should not be borne by the taxpayers of West Hants. She felt this was extremely important as the costs are unknown for the future.

Bill Preston asked for clarification on the increase from the error with the Municipality of Kings for sewer. Acting CAO Laycock advised there is an anticipated shortfall of \$19,000 - \$22,000 and added he didn't anticipate it being a significant amount for Hantsport but it was difficult to determine.

Bill Preston expressed concern about the sidewalks on Holmes Hill and referred to an email from the Traffic Authority regarding the matter. He advised that residents would like to see improvements made so that pedestrians are safe.

13. Date of Next Meeting
The next regular Committee of the Whole will be March 27, 2018 at 6:00 p.m.
14. Adjournment

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

Meeting adjourned at 9:25 p.m.

Paul Morton, Chair

Rhonda Brown, Municipal Clerk