



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Committee of the Whole Minutes
June 26, 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
	M. Laycock	Chief Administrative Officer/Director of Finance
	B. Carrigan	Director of Public Works
	C. Lowe	Accountant
	K. Kehoe	Director of Parks & Recreation
	R. Brown	Municipal Clerk
	J. Woodman	Administrative Assistant

Regrets: R. Zwicker Councillor District 10

Guests: W. Swinamer Brooklyn Fire Department
B. Barker Brooklyn Fire Department

There were 4 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 informed the meeting was being broadcasted on Facebook Live and reviewed the standard fire evacuation procedure. He encouraged everyone to attend the July 1st events in Hantsport.
3. Approval of Agenda, including additions or deletions
MOVED and SECONDED that the agenda be approved with the following additions:
 - 11. b. Warden's Report - Discussions with the Prime Minister (Warden Zebian)**Motion Carried.**
4. Approval of Minutes
MOVED and SECONDED that the Committee of the Whole minutes of May 22, 2018 be approved, noting any errors or omissions.
Motion Carried.
5. Presentation (s)
 - a. Brooklyn Fire Department
Deputy Chief Wayne Swinamer and Brian Barker presented a request to start a committee for the replacement of Brooklyn Fire Department Engine 1. Councillor Daniels inquired if the independent front suspension is typical throughout all the fire stations in West Hants. B. Barker offered this is new and makes a significant difference on how the truck rides, so is easier on the vehicle. Councillor Daniels asked whether it would be available from all brands of fire trucks and if it cost more. B. Barker confirmed it is offered in many trucks and may cost more initially. Councillor Daniels asked the CAO if the Municipality has ever had a formal risk assessment done for fire services in West Hants. CAO Laycock indicated he is in the process of reviewing the fire study that was completed and suggested

this is something staff could investigate. He added the Province is looking into having each municipality do an assessment.

Councillor Daniels suggested it would be beneficial to have a risk assessment completed to offer a broader picture as we use automatic aid. Councillor Daniels stated during the last budget all other fire departments came forward with capital plans, adding it would be beneficial to know what is needed and how to move forward. She indicated that she would rather have the risk assessment done prior to making any more significant capital purchases. She advised if the safety inspection for Engine 1 doesn't pass then she didn't see the benefit of investing money into the vehicle if it is going to be retired next year.

CAO Laycock offered doing a risk assessment is new and suggested it could be added to the priority list, but he wasn't sure of the turnaround time, adding that potential capital requests could be coming from other fire departments. He pointed out the capital budget does show apparatus schedules however it was omitted from the capital budget in error on his part.

Councillor Monroe suggested it appeared the intention was for Station 2 to become a clone of Station 1 regarding apparatus. She asked when a call comes in whether both stations respond. Deputy Chief Swinamer confirmed when a call is received both stations respond, he noted only 4 pieces of apparatus would duplicated in each station. Councillor Monroe asked what the estimated cost of the pumper tanker is. Deputy Chief Swinamer offered the estimated cost would be \$1 million. Councillor Monroe indicated that she would prefer to see what the safety inspection results were, and to wait until Council decides on what direction to move forward with the Fire Services Coordinator position. She felt this position could take on this task and determine what the fire stations require, as Council doesn't have the expertise.

Councillor Francis asked when the next Brooklyn Fire Truck would be due for replacement. Deputy Chief Swinamer clarified their next replacement would be in 8 years for Tanker 2 at Station 2. Councillor Francis asked what would happen if Engine 1 was taken out of the rotation. Deputy Chief Swinamer advised that they need to wait for other departments to respond which could have an impact on response time.

Councillor Hussey agreed that an independent assessment is first required on what is needed within the fire departments before moving forward. He suggested that Brooklyn Fire Department could set up a committee to start fundraising for a new truck.

Councillor Leopold inquired how many pumper tankers the Brooklyn Fire Department owned. Deputy Chief Swinamer confirmed the Department owns one pumper tanker which is housed at Station 1. Councillor Leopold noted this request was not listed on the apparatus replacement list. CAO Laycock offered again, that it was an error on his part and took full responsibility for the omission and apologized. Councillor Leopold agreed with the other comments and she stated that she would like to see a comprehensive approach taken towards purchasing equipment in general to ensure there is a fair allocation in all the areas to ensure everyone has the same basic level of coverage. She offered if the safety inspection passes it could buy the department some additional time while the topic is being discussed thoroughly.

Warden Zebian asked if Windsor Fire Department has a pumper tanker. Deputy Chief Swinamer confirmed they had one truck but offered it is older as well. Warden Zebian agreed that the Municipality needs to move forward with the assessment to work towards a regionalization approach for fire services.

CAO Laycock indicated a risk assessment was not budgeted for and he would be seeking direction to move forward in a timely manner. CAO Laycock clarified he didn't underbudget for capital this year, the omission in the capital plan would have been for a future budget and felt it made Council mentally prepared for this conversation. He noted there is a Fire Advisory Committee meeting scheduled for September where more discussion could be held. He clarified that there is no money in the budget to hire a Fire Service Coordinator until next year. He also cautioned that Hantsport will be approaching the Municipality soon as they need a new truck. CAO Laycock stated if directed, he could attempt to have an assessment done, but may not be ready for the September Fire Advisory.

Councillor Daniels offered that the risk assessment should fall under the Fire Service Coordinator's tasks, and she didn't think it is imperative to have it done any sooner. She suggested there are other fire departments that can readily respond to any calls until this matter is resolved.

Councillor Hussey stated that the Windsor Fire Department has expressed an interest of approaching West Hants to work with the other departments and agreed that the Municipality should wait for the Fire Services Coordinator to take on the task of an assessment.

6. Hearing (s) – Dangerous & Unsightly
There was no Dangerous & Unsightly Hearings.
7. Business Arising from Minutes
 - a. Deferred motion from February 27, 2018 Committee of the Whole meeting "... 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."

CAO Laycock reported the motion was tabled in February, and he was looking for direction from Council on how to move forward if the Municipality requires one. The Municipal Clerk advised that Acting Staff Sergeant Powers was present to answer any questions from an RCMP perspective.

Chair Morton asked if there is anything that the RCMP could enforce for noise complaints. Acting Staff Sergeant Powers responded they could not enforce municipal by-law due to the Provincial Police Service Agreement. He suggested for the RCMP to enforce a municipal by-law, authorization from the Minister of Justice would be needed at the request of the Municipality. However, the RCMP could deal with some issues under sections of the Criminal Code and the Protection of Property Act. He clarified that the RCMP will typically respond to a call if there is a safety concern only, otherwise they defer it to the By-law Enforcement Officer. He reported from January 1st, 2017 until present the RCMP received a total of 7,550 calls for service, of those calls 389 are related to noise, and suggested it is not a significant amount of their time. He confirmed of the 389 calls, only 9 fell under the municipal by-law umbrella.

Councillor Hussey asked if someone was convicted if they would have a criminal record. Staff Sergeant Powers suggested potentially they could have a record depending on the circumstances. He clarified in most cases the RCMP visit the complaint and normally that stops the issue. Councillor Hussey cautioned there are a lot of people who don't listen to these warnings, and nothing else is done. Chair Morton asked if a Noise By-law would make it easier for the RCMP to enforce. Acting Staff Sergeant Powers suggested there are other options beside a Noise By-law, such as charges under mischief, and disturbing behavior.

Councillor Monroe asked how many municipalities have a Noise By-law. Warden Zebian indicated there is only six municipalities who currently have the by-law. Councillor Monroe cautioned that Council should not make a decision based on only three areas that are concerned with this issue. She suggested that she is not receiving any calls on this matter.

Councillor Jannasch asked if the RCMP would respond to these complaints after hours with the same priority. Staff Sergeant Powers indicated the priority of response would not change, regardless whether there is a Noise By-law or not. Councillor Daniels cautioned if Council is going to implement a by-law it would likely be blanket and suggested this could create economic disparities, which may deter growth in the rural areas. Councillor Hussey disagreed and suggested a by-law would protect residents who have issues with repeat offenders, he noted that neighbours don't have the same respect for each other anymore.

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.

Motion Carried.

Councillors Leopold, Daniels, and Francis voted nay.

Councillor Leopold suggested that she didn't see the need for a Noise By-law at this time adding that the statistics reflect that. Councillor Daniels stated that we are a rural community and businesses are doing the necessary work to add the value to our community. She felt that Council needs to be very cautious who this is going to affect, and it comes down to neighbours need to be dealing directly and working out issues.

CAO Laycock noted currently the Municipality has an administrative practice that the By-Law Enforcement Officer does not attend calls after hours for safety issues. He offered the Minister of Justice would need to be approached to appoint the RCMP to respond after hours. Councillor Hussey pointed out there have been residents who have had to move out of their homes because of these issues and felt it is a real concern. The Municipal Clerk reminded through the by-law process Council and the public have the opportunity to speak on the matter. Councillor Hussey asked if Council could have a copy of the Association of Municipal Administrators model Noise By-law to review.

8. Report of the Chief Administrative Officer

a. Dangerous or Unsightly Premises Policy

CAO Laycock reported the main changes in the policy is to remove the need for Council to appoint a new Administrator when the CAO changes. He noted the other significant change is the complainants will be required to provide their name and contact information, which will allow the Administrator to conduct investigations better, aid in legal disputes and may reduce invalid complaints.

MOVED and SECONDED that a recommendation be made to Council, that Council approve the Dangerous or Unsightly Premises Policy, COGE009.00, as presented to Committee of the Whole on June 26, 2018, which includes the repeal of the Dangerous or Unsightly Policy dated March 13, 2007.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, that Council revoke the appointment of Cathie Osborne, Interim CAO as Administrator for Part XV, Dangerous or Unsightly Premises, of the *Municipal Government Act, 1998, c.18* and amendments thereto.

Motion Carried.

b. Water and Sewer Service Consolidation

CAO Laycock reported that Gerry Isenor had presented a summary of the study completed where he offered high-level cost estimates if water and sewer were consolidated. He confirmed the report does show there is an anticipated cost difference, specifically for Three Mile Plains residents. He cautioned that the water utilities would require Utility and Review Board (UARB) approval before moving forward. He noted that he didn't anticipate a significant administrative savings and added that it wouldn't impact the tax rate.

Councillor Hussey asked if it merges three utilities into one, why isn't there one rate for everyone. CAO Laycock clarified there would be one rate based on the estimated rate of usage from last year. Councillor Hussey stated that renters don't currently pay sewer charges and suggested this would put a burden on them. CAO Laycock explained that residents can pay their water bills at any time, adding the onus is on users to create a budget. He suggested that the property owners would need to communicate with their tenants. Councillor Hussey felt that residents are currently limited to budget as the bill is due 30 days after it is sent out. He asked if staff could investigate setting up budgets for people. CAO Laycock offered that he could have staff investigate the issue, but the Municipality cannot manage the finances of residents.

Councillor Daniels felt that residents are not being penalized, it is just bringing it up to an even level. CAO Laycock suggested the idea is to provide a fair way of usage, he cautioned that these are only estimates and there could be a significant number of variances and suggested the change could be phased in to ease the financial burden, specifically for Three Mile Plains customers. He stated if this is the desire of Council to move forward with the consolidation this is a reasonable time to move forward. Councillor Daniels asked if Council determines in the future that it is not working can they can go back. CAO Laycock offered if UARB approves consolidating the water utilities, it could not likely be reversed.

Councillor Monroe offered she would have thought Council was doing this to save money, however she is concerned if the Municipality is not gaining anything why is it being combined. She expressed concern these are only estimates and she is hesitant to move forward if there is no benefit.

Councillor Leopold asked for clarification as per the motions if everything is to be combined by April 2019, as a phase in of rates would be over 2-3 years for Three Mile Plains. CAO Laycock clarified the intent of the motions was to begin the process of consolidating water and sewer services, so as of April 2019 the utilities could move forward. He noted he included the deadline to meet the fiscal year with the idea to get direction from Council to start the lengthy process.

MOVED and SECONDED that a recommendation be made to Council, that Council direct the CAO to begin the process of consolidating the Three Mile Plains, Falmouth, and Hantsport water utilities into one organization and have this work completed by April 1, 2019.

Councillor Hussey indicated his only objection is the undue hardship it may put on some residents and suggested that water shut off calls will increase. CAO Laycock explained that the Municipality does not have the resources to budget for individuals, adding the onus must fall on individuals for the services they take on. He felt this would provide clarity for all customers from an administrative point if the water and sewer services were under one umbrella. CAO Laycock clarified the UARB has a standard across the Province regarding shut offs, and their concern is for the greater good, adding they are about fairness and equity for everyone. Councillor Hussey asked if residents make arrangements on their bills do the Municipality shut them off. CAO Laycock confirmed there is room in the rules to allow staff to make payment arrangements for a bill if it is not left until the final shut off day.

Warden Zebian suggested that people will have to learn to budget differently and realize they are not paying more money. He suggested that it is important to educate the public and felt this is the best way to move forward. The Director of Public Works suggested that the change should make people aware of the water they use and lead to less water consumption. Councillor Francis understood it would make it administratively easier but cautioned that the estimates should be an area of concern. CAO Laycock disagreed about it not being cost effective and clarified that the users are being provided a fairer way to pay for sewer. Councillor Jannasch added there is no obvious cost changes, but felt the other benefits make it worth proceeding with.

Motion Carried.

Councillors Monroe and Francis voted nay.

MOVED and SECONDED that a recommendation be made to Council, that Council direct the CAO to begin the process of consolidating the Three Mile Plains, Falmouth, and Hantsport sewer services into one organization, make the necessary changes to the by-laws and sewer fees structure so that all sewer charges are a combination of water usage and base charge, and have this work completed by April 1, 2019.

Motion Carried.

c. Municipal Election Tariff of Fees and Expenses Resolution

The Municipal Clerk reported that it is recommended that by-laws, policies and procedures be reviewed every 3 years. She clarified that although Tariff of Fees and Expenses for municipal elections are done by resolution, they should be reviewed in the same manner to

ensure they are up to date whenever needed. She added the last resolution for Tariff of Fees and Expenses was done on June 9, 2015. She reviewed the proposed changes in the report.

Councillor Hussey asked if consideration could be given to online voting for elections. The Municipal Clerk responded that a full by-law is required, and she is intending to review this in the fall.

MOVED and SECONDED that a recommendation be made to Council, that Council approve the Tariff of Fees and Expenses made pursuant to Section 139 of the Municipal Elections Act as those set forth in Schedule "A" of the Municipal Election Tariff of Fees and Expenses report to Committee of the Whole on June 26, 2018 and attached to this resolution ; also, that the resolution dated June 9, 2015 regarding Tariff of Fees and Expenses made pursuant to Section 139 of the Municipal Election Act is hereby superseded.

Motion Carried.

d. Repeal of the Violence in the Workplace Standard Operating Procedure
CAO Laycock explained should Council rescind the Violence in the Workplace Standard Operating Procedure; the attached Violence in the Workplace Plan would be recommended to the CAO for approval.

Councillor Daniels asked if this procedure could apply to volunteer fire fighters for West Hants. CAO Laycock suggested this would need to be investigated to determine. The Municipal Clerk offered unless the volunteers were at a municipal worksite it would not apply.

MOVED and SECONDED that a recommendation be made to Council, that Council repeal the Violence in the Workplace Standard Operating Procedure dated February 13, 2007 as amended to March 11, 2008.

Motion Carried.

e. Investing in Canada Infrastructure Plan (ICIP) – Priority List
The Director of Public Works reported he was presenting on behalf of the Municipal Engineer. He explained with the anticipated announcement that the Investing in Canada Infrastructure Plan will be receiving funding applications soon, an approved resolution of Council that outlines the project priority list will be required to be submitted with each application.

MOVED and SECONDED that a recommendation be made to Council, that Council set the priority listing of infrastructure projects for the community of Hantsport as follows:

- 1. Hantsport Main Street – South Rehabilitation**
- 2. Hantsport Prince Street – Rehabilitation**
- 3. Hantsport Main Street – North Rehabilitation**
- 4. Hantsport Roads (preservative or rehabilitation)**

Motion Carried.

Councillor Monroe asked for a breakdown of the Municipality's contribution. CAO Laycock reported the breakdown is a 1/3 split and noted there may be some variations on how much the Federal Infrastructure Funding might increase. He noted at the end of the day the Municipality would be pulling from the remaining transition funding, however given the cost of the projects the Municipality may not be able to meet all the requirements. The Director of Public Works suggested there are other grant opportunities that the Municipality could pursue.

f. Community Milestone Recognition Policy Amendment
CAO Laycock reported that Council gave direction for staff to amend the Community Milestone Recognition Policy to include recognition of emergency service providers at 15-years' service; along with a 30-year Canadian Volunteer Fire Services Association award.

MOVED and SECONDED that a recommendation be made to Council, that Council expand the Community Milestone Recognition Policy COGE-005.00 to include a 15-year

**award in Section 2.6 of the Policy and the addition of a 30-year Canadian Volunteer Fire Services Association (CVFSA) as Section 2.7 of the Policy with housekeeping amendments to sections 3.1 and 3.3 required for CVFSA medal.
Motion Carried.**

9. Reports – Other Committees

There were no other committee reports.

10. Correspondence

- a. June, 2018 – NSFM Board Initiative Report
- b. June 8, 2018 – Climate Change Adaption and Mitigation Plan Report

11. Miscellaneous/New Business

- a. Rainbow Pride Flag

Councillor Daniels explained that June is Pride month in Canada and suggested this is something that she has wanted to see happen in the Municipality since she was elected. She explained that many municipalities across Canada have raised rainbow flags to recognize the value of diversity and support of human rights.

MOVED and SECONDED that a recommendation be made to Council, that Council raise the Rainbow Pride flag at the Municipal building at 76 Morison Drive during Halifax Pride week in July and each year thereafter.

Motion Carried.

Councillor Hussey asked if staff could investigate putting two additional flag poles instead of taking down the Canadian flag. Councillor Daniels suggested a joint venture with the Town of Windsor should be discussed at the Joint Council meeting.

- b. Warden's Report – Discussions with the Prime Minister

Warden Zebian reported that he and Councillor Keith had the pleasure of attending a meeting with the Prime Minister and other high-ranking representatives. He offered it was a positive meeting with exceptional discussions. He added that everyone was aware of West Hants and the issues and benefits of the area and they encouraged the Municipality to approach them on the Hockey Heritage Hall of Fame center. He indicated that everyone was very enthusiastic and felt it would bring economical growth for the area. Warden Zebian suggested that the Municipality needs to move forward and start better marketing itself as the Best of Everything, noting this project could benefit all Atlantic Canada.

Councillor Keith agreed that everyone was very clear that this needs to be presented to the MLA as soon as possible to promote the area as the Birthplace of Hockey and encourage all the benefits that come with it. Councillor Hussey felt that the MLA should assist with this project.

MOVED and SECONDED that a recommendation be made to Council, that Council direct staff to investigate the proper structure for a committee and the possibility working with the Town of Windsor on an Atlantic Canada National Hockey Hall of Fame.

Motion Carried.

12. Public Participation

Bill Preston, Hantsport commented on the water and sewer service consolidation and asked why change it if there is no real savings, and he expressed concern of the cost impact it would have on residents.

13. Date of Next Meeting

The next regular Committee of the Whole will be on August 28, 2018.

14. Adjournment

MOVED and SECONDED that the meeting adjourn.

Motion Carried.

Meeting adjourned at 8:27 p.m.

Paul Morton, Chair

Rhonda Brown, Municipal Clerk