



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Committee of the Whole Minutes
August 28, 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	Chief Administrative Officer (CAO)
	B. Carrigan	Director of Public Works
	C. Lowe	Director of Finance
	M. LeMay	Director of Planning and Development
	R. Brown	Municipal Clerk
	J. Woodman	Administrative Assistant

There were 3 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.

Warden Zebian encouraged everyone to attend the 2018 Men's Canadian Fast Pitch Championships at the St. Croix Ballfield starting on August 29th. CAO Laycock indicated that the Municipality is selling tickets for the event.
3. Approval of Agenda, including additions or deletions
MOVED and SECONDED that the agenda be approved with the following additions:
 - **11 (b) Indoor sports field (Warden Zebian)**
 - **11 (c) Alternate for Consolidation Committee (Councillor Daniels)****Motion Carried.**
4. Approval of Minutes
MOVED and SECONDED that the Committee of the Whole minutes of June 26, 2018 be approved, noting any errors or omissions.
Motion Carried.
5. Presentation (s)
There were no presentations.
6. Hearing (s) – Dangerous & Unsightly
There was no Dangerous & Unsightly Hearings.
7. Business Arising from Minutes
There was no business arising from the minutes.
8. Report of the Chief Administrative Officer

a. Bi-annual Dangerous or Unightly Report (Information Report)

CAO Laycock advised as per the Municipal Government Act he is required to report bi-annually to Council on the status of dangerous or unsightly property orders. He noted the last report was presented in October 2017 covering the period of January 1 to September 30, 2017. He advised the report provided to Council is for October 1, 2017 – June 30, 2018 and explained during this period there were 20 complaints and 14 have been completed with 6 still in progress.

He confirmed the Municipality has a standing offer in place if clean-up is required, with the costs going against the property. He suggested it should be noted there has been a change to the Dangerous or Unightly Premises Policy that requires residents making a complaint to sign a form. He offered that this seems to be working and residents can also go online and fill out the form to submit to By-law Enforcement. Councillor Monroe indicated that there was a property in her district that was cleaned up last year which residents are complaining about again and asked if a second complaint would be required. CAO Laycock suggested if the case was closed than another complaint would need to occur.

b. Acquisition of Station Lane, Falmouth

CAO Laycock explained there have been safety concerns with the location of the bulk water fill station. He cautioned there is always risks should Council decides to move forward with the recommendation.

CAO Laycock noted the issue of moving the bulk water fill station was discussed at budget time, and Station Lane in Falmouth was identified by staff as a suitable location for a new bulk water fill station. He confirmed a land request was made to the Department of Transportation & Infrastructure Renewal (DTIR) and they have identified two options for transfer the road. He indicated that staff determined that consent from adjacent landowners may be difficult to obtain in a timely manner and there may be associated costs required from the consenting parties, if Station Lane was conveyed as surplus lands. He stated that staff have agreed that option 2 would be the better way forward and have submitted a request to formally transfer Station Lane to the Municipality as a road.

Councillor Daniels asked for clarification of the land to be acquired and if this would be dealing with any railway presence. The Director of Public Works stated the property only goes to the railway tracks, and the idea is water trucks go around the cul-de-sac and not go on the road. Councillor Daniels asked if anyone had approached the adjacent property owners. The Director of Public Works confirmed the adjacent owners were not contacted and suggested that staff didn't feel it was relevant for the bulk water fill station.

MOVED and SECONDED that a recommendation be made to Council, that subject to the results of environmental assessment and due diligence, Council authorize the purchase of the public road Station Lane in Falmouth, Hants County from the Department of Transportation and Infrastructure Renewal (DTIR) for the sum of \$1.

Councillor Francis asked what portion of the road the Municipality is responsible for. The Director of Public Works indicated that the Municipality's responsibility is no different than that of DTIR for plowing and anything past that point would be Avon Valley's responsibility.
Motion Carried.

c. Supply Compact Wheel Loader

The Director of Public Works reported on May 30, 2018, that Public Works staff issued a Request for Tender to Supply a Compact Wheel Loader, with a closing on June 14, 2018. He advised a public opening was held on June 14 and two tenders were received. He noted both tenders were evaluated for completeness and reviewed to ensure they meet the stated specifications. He advised that both tenders were evaluated for selection based on a "point system" as defined in the tender documents that weights service availability, specifications, warranty, service location and purchase price.

The Director of Public Works confirmed the amount was approved in the Capital Budget for the procurement of a replacement sidewalk machine. He added the principal purpose is for Hantsport but could be used in other areas for emergency situations. He suggested that the

machine fits on the sidewalks quite well for snow plowing and could be used this time of year to load five-ton dump trucks.

Councillor Munroe asked what the Public Works does with the older equipment. The Director of Public Works indicated that equipment would be declared surplus. Councillor Leopold asked if this purchase could qualify for dissolution funding. CAO Laycock confirmed that vehicles don't qualify under that funding.

MOVED and SECONDED that a recommendation be made to Council, that Council award a contract to MacFarlands Industrial for replacement of the Holder Sidewalk Equipment in the amount of \$115,870, plus Premier Warranty and applicable taxes to be funded through long term debt.

Motion Carried.

d. Replacement Hantsport Sewer Main to Hants Border Treatment Plant

CAO Laycock reported during the budget process it was identified that the Municipality of the County of Kings has conducted a tendered project issued for Replacement of the Hantsport Sewer Main along a municipal easement to Avon Street, Hants Border, which under contractual arrangement is to be cost-shared with the Municipality of West Hants. He suggested this funding would be coming from the Gas Tax Reserve.

MOVED and SECONDED that a recommendation be made to Council, that Council approve cost-shared funding to the Municipality of the County of Kings for the replacement of 485m of Hantsport Sewer Main along a municipal easement to Avon Street, Hants Border, in the amount of \$123,376, including net HST, with funding coming from the Gas Tax Reserve.

Councillor Daniels asked if money could be taken from the reserves instead. CAO Laycock responded that the Municipality is charged quarterly for treatment and there would not be enough money in the sewer reserves, so it is necessary to use Gas Tax funding.

Motion Carried.

e. Remaining 2006 LiDAR Data for West Hants

The Director of Planning and Development reported in 2007 there was a major project carried out and at the time the Municipality acquired LiDAR data for a portion of the coastline and noted the purchase of the remaining data has been in the Municipal Climate Change Action Plan since 2013 as an identified issue. She explained at this point we have the risk assessment portion of the National Disaster Mitigation Funding approved by the Federal government which the Municipality applied for last year. She noted an RFP was put out and a consultant has been chosen which will be brought to Council for approval. She explained to do the work they require the additional part of the coastline which is available from the Applied Geomatics Research Group at a cost of just under \$5,000. She offered the overall intent of the project is to look at what risk there is to municipal infrastructure along the coastline.

MOVED and SECONDED that a recommendation be made to Council, that Council purchase the LiDAR data for the Municipality of the District of West Hants including for the polygon shown in Figure 2 from Applied Geomatics Research Group for the total project cost of \$5,000 plus applicable taxes and that the funds come from the Gas Tax Reserve.

Councillor Jannasch inquired if there was more data to be obtained. The Director of Planning and Development stated this would be all the data from 2006 but that she was in negotiation for the 2018 LiDAR data, as the data changes over time.

Motion Carried.

f. Continued Employment of Term Planner

The Director of Planning and Development reported to develop a realistic schedule for the planning review she needs to know what staff resources the Department must allocate. She confirmed there would be no change this year to the tax rate, and it would go before Council to maintain the position in the next two years during the budget.

MOVED and SECONDED that a recommendation be made to Council, that Council approve in principal a two-year term contract planning position in the 2019-2020 and 2020 -2021 budgets to enable the on-going review of the Municipal Planning Strategy, Land Use By-law and Subdivision By-law to proceed in a timely fashion.

Councillor Monroe asked if this was wise during the consolidation process. CAO Laycock suggested this motion was more to give comfort to the employee that recognition is there, but Council would need to approve in the future.

Motion Carried.

g. Wellness Policy

CAO Laycock reported the Wellness Policy was adopted in 2014, and should be reviewed every 3 years; he stated there are no significant changes to the Policy.

MOVED and SECONDED that a recommendation be made to Council, that Council approve the Wellness Policy (COOH-002.00) as shown in the Wellness Policy Recommendation Report presented to Committee of the Whole on August 28, 2018.

Councillor Daniels advised that she fully supports a healthy workplace but questioned the amount of staff time within this policy. She suggested she would like to have some additional conversation and information before proceeding with the motion. Councillor Monroe asked if there were any metrics to show the effectiveness of a Wellness Program. CAO Laycock suggested that metrics are not reviewed internally but felt there is sufficient data that a healthy work environment encourages staff's physical and mental wellbeing.

CAO Laycock noted that the Municipality will be using a payroll system which tracks sick time etc. to measure some of the programs being implemented.

MOVED and SECONDED to table the motion until November 2018.

Motion Carried.

h. Social Media Administration and Usage Policy

CAO Laycock reported that he was directed to create social media guidelines. He confirmed that staff created a Social Media Administration and Usage Policy. He noted it attempts to set out guidelines of what is believed to be appropriate or inappropriate guidelines for councillors and employees. He offered that he realizes that the Municipality cannot dictate what everyone does outside of work. He added the Policy does identify certain things the Municipality will not stand for and shows what the various consequences are.

MOVED and SECONDED that a recommendation be made to Council, that Council adopt the Social Media Administrative and Usage Policy (COGE-010.00), as presented to Committee of the Whole on August 28, 2018.

Councillor Leopold asked if the CAO monitors and makes a suggestion on any incidents reported. CAO Laycock clarified that Council can ask the CAO to investigate a councillor, but it would be Council's decision on what action is taken, however any issues with staffing would fall under the CAO to address.

Councillor Daniels felt the Policy is to grey between staff and councillors and suggested it should be separated as there is confusion between policy and best practices. She felt that councillors should be placed under best practices and asked how a councillor could be terminated when it falls under the Councillor Code of Conduct Policy and cautioned that you would need to look at legal grounds and precedence. She suggested that she supports human rights but also supports freedom of speech and the ability for councillors to use their social media platforms to engage the community. She offered she is very uncomfortable with the Policy and suggested it needs to be better clarified.

Warden Zebian agreed with Councillor Daniels on many points. He agreed you cannot terminate a an elected councillor and suggested the Policy should be sent back for some clarification. Councillor Jannasch agreed the first step would be to separate the Policy for

staff and for Council. CAO Laycock suggested it would be better to table the motion at this time.

MOVED and SECONDED to table this motion until late September and Councillors should submit comments or suggestions to the CAO with regard to the Social Media Policy. Motion Carried.

i. Second Amendment to the Fees Policy (COFN-005.03)

CAO Laycock reported the Fences and Arbitration Committee was established in June and it was recognized there are some costs associated with administering the Committee, and a \$20.00 fee was added to help recover a nominal amount of the costs associated.

MOVED and SECONDED that a recommendation be made to Council, that Council approve an amendment to Section 3 (b) of the Fees Policy, COFN-005.03, to include a fee for hearing a fencing dispute; as shown in the Second Amendment to the Fees Policy Report presented to the Committee of the Whole on August 28, 2018.

Councillor Daniels questioned if \$20.00 is enough considering the staff time and whether it is in line with the rest of Nova Scotia. The Municipal Clerk agreed \$20.00 doesn't cover a lot, however she expressed it is important not to hinder residents from coming forward with applications. Councillor Jannasch felt that the \$20.00 fee might stop people from making a frivolous complaint and suggested it could be increased in the future if needed.

Motion Carried.

j. Amendments to the Employee Recognition and the Whistle Blower Policies

MOVED and SECONDED that a recommendation be made to Council, that Council amend the Employee Recognition Policy (COHR-004.00) as shown in the Amendments to the Employee Recognition and the Whistle Blower Policies Recommendation Report presented to Committee of the Whole on August 28, 2018.

Councillor Daniels expressed concern about the employee of the year award being chosen by Council, as Councillors are not familiar with all employees and suggested that it should be chosen internally by staff. CAO Laycock confirmed this could be done and then a recommendation would be made to Council.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, that Council amend the Whistle Blower Policy (COHR-003.00) as shown in the Amendments to the Employee Recognition and the Whistle Blower Policies Recommendation Report presented to Committee of the Whole on August 28, 2018.

Motion Carried.

k. Repeal of Various Policies

The Municipal Clerk reported there are nine policies being recommended for repeal. She explained the policies are either outdated, not used or other policies have superseded them. She offered a clarification on the Septic Hauler Policy, noting that GFL currently have their own septicage lagoon and the Municipality's is not being used currently.

Councillor Daniels asked for information on the Fire Area Rate Policy. The Municipal Clerk explained it has been replaced with a more current Area Rate Policy which would cover a variety of scenarios.

MOVED and SECONDED that a recommendation be made to Council to repeal the following policies:

- a. Clean-up Properties Policy Statement dated July 10, 2007.**
- b. Fire Area Rate Policy Statement dated April 13, 2004.**
- c. Internet Access Regulations dated October 9, 2001.**
- d. Proclamation Policy dated September 8, 1998 as amended on April 13, 1999**
- e. Septic Hauler Policy dated May 11, 1999.**

f. **Voting Policy at Public Meetings dated September 13, 2005.**

g. **Waste Management Violation Policy dated August 12, 1997.**

Motion Carried.

9. Reports – Other Committees

a. MCCAP Committee

i. Hantsport Stormwater Management Study

MOVED and SECONDED that a recommendation be made to Council, that the Hantsport Stormwater Management Study be presented to Council and placed on file.

Motion Carried.

10. Correspondence

a. August 20, 2018 – Town of Windsor Letter

b. August 23, 2018 – Town of Windsor Letter

11. Miscellaneous/New Business

a. GFL Newport Rink High Speed Internet

MOVED and SECONDED that a recommendation be made to Council, that Council approve funding of up to \$30,000 from the Gas Tax Reserve to extend the Municipal fibre lateral in Brooklyn to the Newport GFL Recreation Centre and install the necessary equipment to provide Wi-Fi at their facility.

Councillor Hussey inquired how much this will cost. CAO Laycock reported this would go to RFP but suggested he had spoken to the Town of Windsor's IT Specialist for an estimate. Councillor Hussey asked if there is potential to extend the service to the schools in the area. CAO Laycock advised that it is more complicated when dealing with a Provincial entity but suggested he would be willing to have discussions on the matter.

CAO Laycock indicated that he is currently in discussions on how to provide Internet services to the region. Councillor Jannasch asked how much it is per kilometer and whether there is a way to do it more efficiently. CAO Laycock responded it costs approximately \$25,000 per kilometer to run the fiber. Councillor Monroe expressed concern about the Municipality paying for the equipment in the rink for the Internet. CAO Laycock reminded Council the rink is a public facility and would be no different than the Municipality funding the ice service or contributing towards the accessibility of the building.

Councillor Hussey asked if there is room in the rink to make it a central hub to broadcast the Internet. CAO Laycock suggested once the line is added there could be a lot of potential but noted he could not speak on behalf of the rink and offered they would have to agree and be a willing partner.

Motion Carried.

b. Indoor Sports Facility

Warden Zebian reported that the Municipality has recently committed to building a rink complex. He noted there is additional funds for a facility like this to add an indoor sports field. He indicated that the public has been vocal that an important part of this project is the indoor walking track and he suggested it would be cheaper to build it in a multi-use facility.

MOVED and SECONDED that a recommendation be made to Council, that Council authorize up to an additional \$800,000 to go towards the construction of an indoor multi use sports field contingent on matching funds being made available at the Provincial and Federal level.

The Warden clarified that the Municipality would not be spending more money instead shifting money to qualify for a new program. Councillor Hussey stated there has been a lot of discussion with the public that 500 seats in the rink is not enough and asked if consideration was given to this. Warden Zebian suggested this would be discussed during the design process. He advised that everyone is concerned to ensure there is not a tax

increase to cover these costs and suggested if the price comes back significantly high Council can vote against it.

Councillor Daniels indicated that she felt blindsided by the request and suggested her vote was contingent on there being a walking track. She suggested that Council needs to be more strategic with the land usage and cautioned that we have no idea what is under that soil geologically. She asked when existing municipal assets get taken care of and what is the priority. She suggested that Council should approach one thing at a time and asked where the \$800,000 would come from.

Councillor Francis stated that she thinks the area does need a walking track and that if it is put in a rink it is distracting and suggested if there is an opportunity that the Federal government will match the project then the Municipality would not have to pay the \$800,000 and it may be more cost efficient to build both facilities at once. Councillor Keith suggested that it would be smart to build a facility that could be used for more than just hockey and felt a multi-use facility could be used by everyone.

Councillor Leopold asked if Council was going to move the walking track to an indoor dome, when would the public expect to see it, and whether it would be built at the same time as the rink. Warden Zebian confirmed it would be built at the same time and noted therefore it is brought to Councillors tonight. Councillor Leopold indicated that she was not opposed to it and agreed a track in a rink is cumbersome at times. She stated that she would like to hear additional information but liked the idea that there would be something for the entire area to use.

Councillor Hussey stated that he thought building two at the same time would be smart and agreed. Councillor Jannasch suggested that he was not convinced that everyone is clear on what the rink is going to cost and cautioned to start adding a multi-use facility leaves significant unanswered questions, so he couldn't support this motion. Councillor Daniels agreed and suggested that she felt rushed into making a very important and costly decision.

Councillor Monroe expressed concern that the Municipality is offering to cover \$800,000. She asked if Council would have the opportunity to turn down the offer if the cost comes in too high. CAO Laycock clarified that the Municipality would still have to go to RFP with the approval by Council. Councillor Francis suggested that fundraising needs to be started immediately for this project.

Councillor Daniels suggested that the Municipality should challenge whoever is going to be building the facility to make the walking track creative or innovative instead of just the standard track. Councillor Monroe suggested this would be done in the design phase and at this point it is only about getting funding for the facility.

Motion Carried.

Councillors Jannasch and Daniels voted nay.

It was agreed to establish the committee's tonight instead of waiting until the next Council meeting.

MOVED and SECONDED that a recommendation be made to Council, that Council establish a sports complex design committee.

Motion Carried.

MOVED and SECONDED that a recommendation be made to Council, that Council establish a sports complex fundraising committee.

Motion Carried.

c. Alternate for Consolidation Committee

Councillor Daniels advised that recently the Town of Windsor has already chosen their alternates for the consolidation committee and asked if a reason is there why it has not been brought forward. CAO Laycock indicated that he asked this specific question to the Province and their response was it is not necessary to do at this time as the committee would be the result of any special kind of legislation.

12. Public Participation
There were no comments from the public.
13. Date of Next Meeting
The next regular Committee of the Whole will be on September 25, 2018.
14. Adjournment
**MOVED and SECONDED that the meeting adjourn.
Motion Carried.**

Meeting adjourned at 7:53 p.m.

Paul Morton, Chair

Rhonda Brown, Municipal Clerk