



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
**Committee of the Whole Minutes**  
**August 27, 2019, 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
	C. Rochon	Director of Finance
	M. LeMay	Director of Planning
	R. Brown	Municipal Clerk
	J. Woodman	Administrative Assistant

Regrets: R. Zwicker Councillor District 10

Guests: Darren Porter

There were 41 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 announced the meeting was being broadcasted on Facebook Live and reviewed the standard fire evacuation procedure.

Councillor Leopold advised the Ellershouse Hall will be hosting a breakfast on Saturday.

Councillor Leopold announced there is a hockey gear drive in September at the West Hants Middle School. She noted if anyone has gear to donate it can be dropped off at the West Hants Middle School, and anyone looking for gear can attend the event on September 21<sup>st</sup>.

3. Approval of Agenda, including additions or deletions

**MOVED and SECONDED that the agenda be approved with the following additions and deletions:**

- **Delete 11 (a) EAP and replace with 11 (a) Sports Complex Update**

**Motion Carried.**

4. Approval of Minutes

**MOVED and SECONDED that the Committee of the Whole Minutes of June 26, 2019 be approved, noting any errors or omissions.**

**Motion Carried.**

5. Presentation(s)

a. Darren Porter

Mr. Porter introduced himself and provided a brief background on his expertise and gave a presentation about his concerns about the two motions that Council had passed on the Halfway River and the Windsor Causeway regarding the passage of fish.

Doreen Bernard gave a prayer before the presentation on behalf of the local Mi'kmaq District.

Councillor Keith thanked Mr. Porter for his presentation and offered that the Avon River looks like it is dead and suggested this was the result of building the causeway as it now has no water flow. He asked Mr. Porter to speak on the matter. Mr. Porter stated when the causeway was built, they took away the fisherman's nets and licenses which crippled the industry. He offered there is a few fish species holding on. He noted that precautionary measures have been implemented to protect them, such as they do not drop their nets lower than 3 inches which is not the norm. He cautioned that the Avon River has been severely harmed and suggested if something is not done soon the inner Bay Fundy salmon will be gone. He explained that the erosion it causes is also significant and is an area of concern that should be addressed.

Councillor Monroe agreed with Mr. Porter and she felt good sound decisions are not being made by Council who should be listening to the reports being provided by the experts. She suggested that Council has the opportunity to undo what was done inadequately 50 years ago, and she felt that Council owes it to the community.

Councillor Leopold asked Mr. Porter how he is being perceived at the Provincial level. Mr. Porter responded that he is being recognized by the representatives of knowledge very well but is not received by the politicians favorably. He expressed the importance of Council talking to people and representatives to get all the information on both sides in order to make an informed decision. He cautioned the government will use the Municipality's letter in Ottawa to convince them that the community wants the gates closed completely which is not factual. He cautioned if this goes through the fishing industry will no longer have the ability to make a living which will be detrimental.

Councillor Hussey indicated that he thought Option C for the Windsor Causeway was a good compromise and expressed the importance of eco-tourism to coincide with the world's highest tides to become an economic generator. Mr. Porter agreed and noted that we have one of the highest populations of sturgeon fish in the world and explained that some were caught in the Windsor Channel. He suggested there is an opportunity for a phenomenal sturgeon spawning grounds and explained you can not catch sturgeon easily in the wide river because the waterflows are so fast, but noted in St. Johns there is a major industry where people come from all over the world to fish because

they have a place with lower currents. He suggested if we have restricted tidal flow, we would have that place in Windsor.

Mr. Porter suggested that everyone has not been told the truth because the Province and agriculture want the replacement of the Windsor Causeway Aboiteau to coincide with the work that Transportation and Infrastructure Renewal is doing. He offered at the end of the day it either means you have a lake or do not have a lake. He noted there is another option that Council has not be informed of that gives 18 inches and 2-foot drop which maintains the lake all year and provide an economic boost for the area.

Councillor Monroe asked Mr. Porter to explain why this particular spot is so important. Mr. Porter suggested it needs to be broken down by different species of fish. He explained that Windsor has been known for its gaspereau and salmon which need to be protected. He offered that salmon are in Windsor because we have the gypsum and limestone which creates a good pH levels.

Councillor Hussey thanked Mr. Porter for his presentation and offered that it was very informative and knowledgeable. He noted that he would be in touch with him later to discuss more on eco-tourism.

Mr. Porter offered that the power dam license is up for renewal in 2020-2021 which will affect the waterflow for the farmers in the future and everyone else. He explained currently it runs on a unique license that only two places in the Province have which will be lost in another year and felt Council should be involved on this issue.

Chair Morton thanked Mr. Porter for his presentation.

**MOVED and SECONDED that the report from Mr. Porter by CB Wetlands and Environmental Specialist titled A River in Transition – the Restoration of the Halfway River and its Tidal Wetlands, and the and the Causeway River Causeway protocols be received and placed on file.  
Motion Carried.**

6. Business Arising from Minutes

There was no business arising from the minutes.

7. Report of the Chief Administrative Officer

a. Burlington and District Activity Club Grant Request (Recommendation Report)

CAO Laycock reviewed the recommendation report.

**MOVED and SECONDED that a recommendation be made to Council, that Council approve the Special Event Grant request for the Burlington & District Activity Club in the amount of \$750 to be taken from the Parks and Recreation Budget.**

**Motion Carried.**

b. Public Works Replacement Service Truck – WHPW19-01 (Recommendation Report)  
CAO Laycock reported that a tender was put out for a one (1) New 1-Ton 4X4 Service Truck to replace the 2011 Chevrolet Colorado and noted this costs would be spread out between the water utility and sewer services. He confirmed there was two responses received and the scores are shown in the report and he offered what is unique in the report is that Council is being asked to declare the 2011 Chevrolet Colorado surplus and allow for the trade-in to Pothier Motors for a value of \$4,500.

**MOVED and SECONDED that a recommendation be made to Council, that Council award a contract to Pothier Motors Ltd. to supply one (1) New 1-Ton 4X4 Service Truck for a net cost of \$42,446.50 after trade-in, plus applicable taxes.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council, that Council declare the 2011 Chevrolet Colorado as surplus real property; and permit the trade-in to Pothier Motors Ltd. for the assessed value of \$4,500.00.**

**Motion Carried.**

c. 4<sup>th</sup> Amendment to the Council Procedural Policy (Recommendation Report)  
Clerk Brown reviewed the recommendation report and advised the majority of the amendments are administrative changes and procedures which are already being followed. She suggested the most significant change is to include a section to allow up to two councillors to join meetings and fully participate via telephone or video conference.

Councillor Monroe asked how councillors would interact in the meetings. Clerk Brown indicated currently a regular call in system can be used however details would need to be discussed with the IT Specialist.

**MOVED and SECONDED that a recommendation be made to Council, that Council approve the amendments to the Council Procedural Policy, COGE-003.00, as presented in the 4<sup>th</sup> Amendment to the Council Procedural Policy Recommendation Report to the Committee of the Whole on August 27, 2019.**

Councillor Jannasch asked if this new policy would include outside meetings. Clerk Brown confirmed the policy would not include committees outside of Council's control as they would have their own rules and policies which they must abide by.

Councillor Leopold inquired if this is being done at other units. Clerk Brown advised when researching she found some units that did permit it and she suggested that more units were considering it. Councillor Leopold asked if any units found any advantages or disadvantages to this process. Clerk Brown indicated she had not spoken with any unit directly on the subject she only reviewed their polices and procedures on their websites. She offered if the Municipality uses it and finds that the rules Council set out are not working, there are procedures that can change it.

Councillor Monroe expressed concern that it would be abused and suggested that a limitation should be established. Clerk Brown offered that councillors should use their discretion to determine whether they really need to call in for a meeting.

Councillor Daniels asked whether there would be tools in place to ensure accountability for councillors claiming mileage to attend meetings to prevent double dipping. Clerk Brown suggested the minutes would reflect those councillors who called into the meetings. Director Rochon offered that staff receive a report submitted through payroll for councillor attendance and suggested the form could be adjusted to identify which councillors called in.

d. Tax Exemption Policy 3<sup>rd</sup> Amendment (Recommendation Report)

Director Rochon reviewed the recommendation report and explained this Policy is amended annually and last year was amended on April 10, 2018. She advised staff is late going through this process because there was a few arrangement letters that went out in April 2019 and there was not many changes at the deadline in March, so it was decided to extend it to incorporate the late applicants into the report to be considered for a tax exemption for this year as well as prior years.

**MOVED and SECONDED that a recommendation be made to Council, that Council approve the 3<sup>rd</sup> Amendment to the Tax Exemption Policy as presented to Committee of the Whole on August 27, 2019.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council, that Council approve the tax exemptions in 2019-20 fiscal year for property assessment account numbers 04682076, 04682068, 04684788, 10727731, 04684141 and 05429862 for a total of \$2,845.16 in property taxes.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council, that Council approve tax exemptions for property assessment account numbers 04682076, 04682068, 04684788, and 05429862 for the 2018-19 fiscal year for a total of \$2,359.12 in property taxes to be written off.**

**Motion Carried.**

**MOVED and SECONDED that a recommendation be made to Council, that Council approve tax exemptions for property assessment account number 04682076, 04682068, 04684788, and 05429862 for the 2017-18 fiscal year for a total of \$2,658.75 in property taxes to be written off.**

**Motion Carried.**

8. Reports – Other Committees

There were no reports.

9. Correspondence

- a. 07-22-2019 Letter from Windsor Hockey Heritage Society
- b. 07-20-2019 PVCS 2018-2019 Annual Report
- c. 08-08-2019 Letter from Communities, Culture and Heritage – Library Funding
- d. Letter from Minister of Justice – Additional Officer Program

10. Miscellaneous/New Business

a. Sports Complex Update

CAO Laycock reported the footings are going in for the Sports Complex and confirmed the Senior Building Official has looked at the steel and concrete that will be going in the building. He noted there are some issues with easements which are being resolved. He suggested one of the most significant challenges is trying to make up three months that were lost to ensure that the facility is roof tight for the winter season and noted there are positive indications it should be achieved.

CAO Laycock noted the Climate Lens and Energy Modeller studies were recently received and submitted to the Province in order to free up funds. He added for mechanicals they are on the end of discussions. He offered the Project Engineer has prepared a report for Council which he has yet to reviewed and he hoped to submit it to Council as soon as possible.

Councillor Monroe asked for an update on the RFP for Fundraising. CAO Laycock confirmed the RFP closes on August 29<sup>th</sup>.

11. Public Participation

Ms. Howe, Mi'kmaq commented that the discussion on waterways that Council has been making motions on is part of her Shubenacadie territory and she suggested this gave her reason to speak this evening. She indicated that she recently found out that Council made a motion to support a blockage of the fish here and she wanted to let anyone know who are making these decisions that the Mi'kmaq territory includes the waterways and she expressed concern that decisions are being made without informing them and she did not agree with those choices. She reminded of the importance of the treaty rights that are still in place which include the water. She asked on Darren Porter's behalf that the motions be rescinded that Council made. She noted the barrier is not good for the fish which are bouncing off it, and suggested it is not okay to kill all these fish.

Ms. Barnard, Mi'kmaq, commented she wanted to support what has been shared tonight by Mr. Porter, she offered that all water is sacred whether it's muddy or dirty, she suggested it is not polluted and supports life and explained that all water is connected and very important. She felt that people should be aware no river should be 100% blocked as it affects the eco system, adding that we must think about the future generations and what they need to survive and consider how mother earth provides for us.

Mr. Langille, Mi'kmaq, indicated that he works with Mr. Porter and noted the Avon River is not just important to the industry here but also important for the Mi'kmaq people and felt the fish should not be harmed or tampered with.

Chris Cann, Kings County District 1, advised that he has learned that everything that happens in the Bay of Fundy is affected by what happens in these watersheds. He offered one of the most interesting things he has come across is that before agriculture, 75% of all the food that people consumed here came from the sea or seaside which he hopes puts into

perspective the impact if we do not have water feeding into a food system that is indigenous and he hoped that the motions get rescinded as previously requested.

Donna Dowe, Belmont, asked if the motions would be rescinded regarding the Windsor Causeway and the Halfway River. Chair Morton offered that Council would need to discuss the matter before a decision would be made.

Chair Morton introduced Mark Phillips who has been appointed the new Chief Administrative Officer for the new regional government.

12. In-Camera
  - a. MGA 22(2)(f) – Litigation or Potential Litigation

**MOVED and SECONDED that the meeting move in-camera.  
Motion Carried.**

The meeting moved in-camera at 7:44 p.m.  
The meeting reconvened at 8:27 p.m.

13. Date of Next Meeting  
The next regular Committee of the Whole will be on September 24, 2019 at 6:00 p.m.

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

Meeting adjourned at 8:28 p.m.

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Paul Morton, Chair

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Rhonda Brown, Municipal Clerk