



WEST HANTS
NOVA SCOTIA

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Council Minutes
October 1, 2018 6:00 p.m.
Sanford Council Chambers

1. Call to Order

Warden Zebian called the meeting to order at 6:00 p.m.

2. Call of Roll

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| Present: | A. Zebian | Warden |
| | R. Jannasch | Councillor District 1 |
| | K. Monroe | Councillor District 2 |
| | D. Keith | Councillor District 3 |
| | D. Francis | Councillor, District 5 |
| | R. Hussey | Councillor District 6 |
| | J. Daniels | Councillor District 7 (left at 7:08p.m.) |
| | P. Morton | Deputy Warden |
| | R. Zwicker | Councillor District 10 |
| | M. Laycock | Chief Administrative Officer |
| | R. Brown | Municipal Clerk |
| | C. Remme | Executive Assistant/Communications Coordinator |
| Regrets: | T. Leopold | Councillor, District 4 |
| Guests: | B. Gallagher | West Hants Resident |
| | R. Meehan | West Hants Resident |
| | S. Pineo | West Hants Resident |

There were 27 members of the public in attendance.

Warden Zebian passed along Councillor Leopold's regrets stating that she had sent her comments regarding the motions being discussed at the meeting to Council for consideration.

3. Announcements

Warden Zebian welcomed everyone. He noted that the meeting was being live-streamed on Facebook and reviewed the fire evacuation procedures.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be amended by moving Reports of the Committees and Officers to item 5 on the agenda and approved.
Motion Carried.

5. Report(s) of the Committee(s) and Officer(s)

a. Committee of the Whole

i. September 25, 2018 Excerpts – Regional Government

Warden Zebian welcomed resident of the Municipality of the District of West Hants, Barbara Gallagher, to make comments to Council regarding consolidation.

Barbara Gallagher thanked Council for the opportunity to speak. She spoke of the informal consolidation that was taking place between the Municipality and the Town of Windsor noting that she was unaware of how the Special Legislation would be beneficial.

Ms. Gallagher went on to say that she had heard many concerns surrounding taxes in her district, noting that she had been told that debt would remain with the municipal units that had incurred it but that she understood that it would be the Transition Committee that would determine whether that would take place.

The next concern brought forward by Barbara Gallagher was that rural issues would be diluted with the addition of the Town of Windsor at the Council table. She went on to ask if the Town had considered dissolution. Warden Zebian responded no. Ms. Gallagher went on to speak of the discrepancy in representation at the Council table with the addition of the Town's Councillors noting that Municipal Councillors represent

approximately 1500 residents each whereas the Town represents approximately 750 each. Warden Zebian advised that a boundary review would take place during the consolidation process which would change the electoral districts. He went on to say that West Hants Councillors, apart from Hantsport, all represent the same number of residents within 10 percent of each other. He went on to say that the boundary review would have a component of engagement for both Council and residents in the area.

CAO Laycock added that the boundary review would be completed by a third-party consultant that would be chosen through a Request for Proposal. He advised that the consultants' findings would then go to the Utility and Review Board (UARB) who would make the final decision regarding municipal districts.

Discussion took place surrounding the differences between at-large representation and elections by district. Clerk Brown noted that as the Town is elected at-large they do not need to be within 10 percent of Municipal districts.

Barbara Gallagher went on to speak of the amalgamation petition that was sent to the UARB to amalgamate the Town and the Municipality. She expressed that many of the individuals signed the petition not because they were in support of amalgamating, but because they were unhappy with the Council of the time and issues with fire services. She went on to say that only 10 percent signed the petition, and over 80 percent were not in favour, asking how the process is going through when we live where there is democracy.

Ms. Gallagher went on to ask if there were any other options that could be considered besides the plebiscite. CAO Laycock responded that the plebiscite is one tool noting there could be others that the UARB may consider if the Special Legislation does not go through.

Councillor Zwicker stated that he felt as though Hantsport could get diluted when the Town of Windsor consolidates with the Municipality, agreeing with the concerns stated about the rural areas of the region. He went on to say that Council was faced with only two options regarding the consolidation to either move forward with the consolidation through Special Legislation or to allow the process to occur through the UARB.

Barbara Gallagher questioned why there was a need to move forward with the Special Legislation as there are many areas where consolidation has already happened and is working well with the Town and the Municipality such as water and recreation. Warden Zebian clarified that the water consolidation was only with the utilities in West Hants and that the recreation departments, although they work closely, are not consolidated.

Councillor Jannasch pointed out that Council felt as though they were making serious efforts towards collaboration with the Town of Windsor over the past year then were informed that they were going to continue with the UARB process by October 31. He went on to say that Council was put in a very difficult situation. Barbara Gallagher commended Council on their efforts that were not reciprocated by the Town.

Councillor Daniels addressed Ms. Gallagher and agreed with Councillor Jannasch expressing that the process has been very frustrating. She went on to speak of her years as a councillor noting there have been many areas that the Town and the Municipality could have made improvements but were unable to.

Councillor Daniels went on to address the concerns brought forward surrounding rural representation stating that with strong representation at the Council table, rural issues would never be lost. She suggested that the rural areas seek strong candidates to represent their areas in the future.

Warden Zebian spoke of the recommendation that had been brought forth by Councillor Jannasch at a previous meeting that a committee be established to deal with issues in rural areas of the region. Councillor Daniels added that there would be potential to have citizen members on the committee once it was established.

Councillor Monroe addressed the concern brought forward surrounding taxes stating that Council made the topic one of the priorities. She noted that it was anticipated that taxes would be dealt with in the same manner as they were in the dissolution of Hantsport.

Councillor Monroe went on to talk of the relationship between the Town of Windsor and the Municipality, noting that she personally enjoyed Joint Council meetings and that there were times that they could have been more productive. The Councillor went on to say that the two units were trying to establish a level of trust and went on to speak of the UARB amalgamation application which was extended by a year, then again by another six months that was to expire on October 31. She went on to say that Council chose the route of consolidation through Special Legislation to have more control and input over the process. The Councillor voiced that she felt that overtime, the decision will create more opportunities for the region.

Councillor Monroe responded to the concern regarding rural areas not being represented after the consolidation, noting that most of the Councillors at the table would be representing rural areas, so she did not feel as though representation would be lost.

Councillor Francis spoke of the consolidation expressing that the process seemed to move ahead very quickly. She went on to say that she understood that the Province would be providing \$500,000 towards transition costs and that there would be public consultation throughout the process. CAO Laycock clarified that the Provincial funding would be provided to the units for transitional costs to the end of the current fiscal year. The Councillor also echoed the opinions expressed by fellow Councillors that the Joint Council meetings were not very productive.

Councillor Keith expressed his disappointment that a plebiscite had not occurred so that members of the public had an opportunity to voice how they felt about the consolidation. He went on to say that the process went much faster than what was anticipated and that it was difficult to hold public meetings after the decision has already been made. The Councillor voiced that Council would now make the best of the hand that they have been dealt.

Barbara Gallagher declared that she would like to see a plebiscite take place noting that the decision should reflect what the majority of residents want, as opposed to the 10 percent that signed the petition. Warden Zebian identified that law requires only 10 percent of the population to move forward with consideration of amalgamation. He went on to say that the Special Legislation does not include a plebiscite and the results of the plebiscite would not change the law that will be established with the passing of the Legislation.

Barbara Gallagher stated that she had reviewed the Special Legislation and had concerns with the amount of power and authority that it gave to the Transition Coordinator. She went on to say that hearing how uncooperative the Town had been during the Joint Council gave her concerns over how productive the time will be in achieving the objectives that residents of West Hants want.

Councillor Francis asked for clarification surrounding the composition of the Transition Committee. The CAO confirmed that the Transition Committee would consist of the appointed Transition Coordinator, the Warden and Deputy Warden and the Mayor and Deputy Mayor. It was stated that the Transition Coordinator would be the deciding vote on any issues that were deadlocked.

Barbara Gallagher asked when the Bill would become law. The Warden stated that, according to what the Municipality had been told, it could become law as soon as October 5, 2018 but could not state the definite date.

Warden Zebian thanked Barbara Gallagher for her presentation.

The Warden welcomed Raymond Meehan and Shirley Pineo to the Council meeting.

Shirley Pineo thanked Council for the opportunity to speak. She went on to say that she had many questions concerning the consolidation and a request that Council say yes to the plebiscite. She went on to say that over 1800 signatures had been collected by Raymond Meehan in support of a plebiscite and suggested that Council go back to the UARB process for amalgamation.

Shirley Pineo spoke of the election campaigns in 2016 stating that most every Councillor that had run in that election insisted to the residents of West Hants that a plebiscite would occur before an amalgamation would take place with the Town of Windsor. She

went on to question how, living in a democracy, a decision like this could occur without hearing from the people in the community. She asked Council how the consolidation would benefit the lives of the residents in West Hants.

Raymond Meehan addressed Council speaking of a conversation he had with the Warden about the petition in favour of an amalgamation. He went on to say that the Warden, during the conversation had promised that a plebiscite would take place regarding the amalgamation. Warden Zebian replied that he was in support of the petition, and had signed it, noting that he did not promise a plebiscite would occur, but stated that Council was considering the issue.

Councillor Zwicker addressed Ms. Pineo expressing that he did not believe the consolidation would benefit the all the residents of the Municipality, just as the dissolution of Hantsport had no benefit to the residents in Summerville or other areas of the Municipality.

Councillor Daniels expressed that she understood the concerns being brought forth as Council was moving forward into unfamiliar territory. She addressed Shirley Pineo, stating that, as a former Councillor of 22 years with the Municipality, Ms. Pineo could understand the struggles that have been faced by Council and appreciate how slow the processes were to accomplish things.

Councillor Daniels went on to say that by omitting the redundancies and with a strong future council she was looking toward the good that would come out of the consolidation. She expressed that she had waived on whether the decision was the right one for West Hants residents and looked for other means to accomplish similar outcomes but was unable to find another way. Councillor Daniels stated that she was looking forward to be a stronger region and having a stronger voice, stating that after this process is complete, things will be positive for West Hants residents.

Councillor Francis pointed out that the residents presenting were asking about the plebiscite and encouraging Council to hold one to ensure citizen's voices would be heard on the issue. She went on to say that she was extremely disappointed as Councillors had requested that a plebiscite occur, and the motion was tabled, adding that when it was brought forward again, it was too late in the process for it to have any effect on the outcome of the consolidation.

Shirley Pineo stated that it is still unclear how the consolidation would impact the Municipality. She went on to speak of a survey that Councillor Hussey had on his Facebook asking what residents were concerned about with the consolidation noting that most concerns were around increased taxed. She went on to ask about the name of the new regional government and if the cost to rebrand everything was considered, noting that it would come at a substantial cost which would be the resident's cost to bear.

Raymond Meehan stated that he knew that the plebiscite would not put an end to the process but that residents were simply looking to be heard. He went on to say that Councillors need to educate the public on what is happening so that they understood and did not feel as though they were being left out.

Councillor Monroe addressed the question of how the Municipality would benefit from the consolidation. She stated that through the consolidation there would be a unified fire district with a common fire services coordinator. She went on to say that Council had considered the cost of rebranding and had brought the issue forward in discussions with the Province to have the costs covered through transition funding. Councillor Monroe went on to state that a plebiscite would be non-binding and could create difficulties at the Provincial level.

Councillor Keith voiced that he was unaware of any government that would not consider the results of a plebiscite, nor was he aware of any amalgamation that took place resulting from a petition with only 10 percent of the population. He went on to say that Council and residents now had to deal with the hand that they had been dealt and he hoped that the end result would be as positive as he has been told it will be.

MOVED and SECONDED that Council for the Municipality of the District of West Hants, in accordance with Section 53 (1) the Municipal Government Act, directs that a plebiscite be held in the Municipality on Saturday December 22, 2018 on the

following question: "Do you favor the consolidation of the Municipality of the District of West Hants and Town of Windsor into one municipal unit?" and that there be two possible answers to the plebiscite question: "Yes" and No".

Motion Defeated.

Warden Zebian, Deputy Warden Morton and Councillors Hussey, Daniels, and Monroe voted nay.

The Municipal Clerk advised that, as the motion had been defeated, the remaining excerpts were obsolete.

6. In-Camera

a. MGA 22 (2) (c) Personnel Matters

MOVED and SECONDED that the meeting move in-camera.

Motion Carried.

The meeting moved in-camera at 6:51 p.m.

The meeting reconvened at 7:42 p.m.

7. Adjournment

MOVED and SECONDED that the meeting be adjourned.

Motion Carried.

The meeting adjourned at 7:44 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk