



WEST HANTS
NOVA SCOTIA

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Council Minutes
June 11, 2019 7:00 p.m.
Sanford Council Chambers

1. Call to Order

Warden Zebian called the meeting to order at 7:00 p.m.

2. Call of Roll

Present:	A. Zebian	Warden
	P. Morton	Deputy Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	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. Rochon	Director of Finance
	R. Brown	Municipal Clerk
	J. Woodman	Administrative Assistant
Regrets:	D. Keith	Councillor District 3
Guests:	B. Fleming	Pesaquid Resource Ltd.
	M. Tate	Tate Engineering Inc.

There were 3 members of the public in attendance.

3. Announcements

Warden Zebian advised that the Council meeting is live streamed on Facebook, then reviewed the standard fire evacuation procedures.

Councillor Francis thanked everyone for attending the Sports Complex Fundraising Launch Event at the Schoolhouse Brewery on June 6th and offered it was very successful. She added that they are continuing to sell tickets on a chance to win a donor seat until June 25th and advised the draw will be held during the June Committee of the Whole meeting. She confirmed more details will be out soon regarding the shovel in the ground for the project and suggested if anyone would like to donate to please reach out to the Municipality.

Councillor Zwicker encouraged everyone to attend the July 1st Canada Day celebrations in Hantsport.

Councillor Leopold announced the Third Falmouth Scouts are partnering with First Windsor Pathfinders and Rangers to host a spaghetti dinner fundraiser on Saturday June 22 at the Three Mile Plains Community Hall from 4:30-6:30 p.m.

Councillor Leopold suggested that Council should extend congratulations to all graduates and encouraged everyone to celebrate safely.

Warden Zebian advised the Teddy Bear Jamboree is scheduled for June 22nd in Falmouth and he encouraged everyone to attend.

Councillor Daniels announced on June 24th from 7-9 p.m. the Southwest Hants Fire Auxiliary will be hosting a talent show where everyone is welcomed to participate, and the proceeds are going to the Vaughn's Community Hall.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved as circulated.

Motion Carried.

5. Presentation (s)

a. Pesaquid Resources Limited

Mr. Bill Fleming gave a presentation and stated his various business ventures have invested \$17 Million over the last few years into the local economy and confirmed they have been in Hants County since 2012. He showed a brief video about Cresco Pharma which is located in West Hants and he suggested that it is one of the top facilities if its' kind in Canada. He explained that Pesaquid Resources Limited have been drilling for lead, silver and zinc in and around Windsor. He confirmed that they have not found any zinc or silver but have found natural gas while test drilling. He explained they hit gas four times and that he wanted to explore natural gas using conventional well drilling and capitalize on it. He asked that Council write a letter of support for his onshore exploration efforts, and clarified he was not seeking a financial commitment.

MOVED and SECONDED that Council write a letter of support to the Province for the drilling to evaluate the natural gas develop in the Municipality through conventional well drilling methods.

Councillor Monroe questioned whether conventional drilling could lead to fracking and expressed concern that there is a lot of anti-fracking sentiment in the area. Mr. Fleming stated the Province could allow fracking in the future but he was planning to use conventional drilling.

Councillor Daniels felt this could increase economic development and jobs, and that the Municipality should take this opportunity to bring new money into the community. She asked to confirm there were regulations if they are going to explore and how it would affect the natural surroundings. Mr. Fleming stated he could not answer the questions as he dealt with finances mainly but suggested that the Province through the Department of Energy and Mines have done two presentations on gas exploration on conventional and nonconventional methods, and offered he could help facilitate a presentation to Council.

Councillor Zwicker suggested Mr. Fleming is a breath of fresh air, and that this is a glimmer of hope for the area. Councillor Jannasch raised concern that the government could change its tune and allow hydraulic fracturing and reminded that the community is overly opposed to this. He offered at this time he was hesitant to provide a letter of support.

CAO Laycock reminded that there were motions made by the previous Council in regard to banning fracking, and he suggested that the current Council needs to make their own decisions on the topic. He added that in 2013 the previous Council made a motion over concerns on fracking which was submitted to the UNSM.

Councillor Francis advised that she had some of the same concerns as Councillor Jannasch and agreed Council should wait for the Department of Energy and Mines's presentation before writing a letter of support.

Mr. Fleming reiterated the letter does not bind Council contractually and that it is only for support. Councillor Leopold confirmed she was interested in learning more and advised that she would like to hear the presentation which would allow time for Council and citizens to collect any questions or concerns.

**MOVED and SECONDED to table the motion until after a presentation from the Department of Energy and Mines.
Motion Carried.**

The Department of Energy and Mines will be asked to present at the June 25th Committee of the Whole meeting.

Councillor Jannasch asked if it was common for municipalities to enter into arrangements with mineral energy companies in exchange for royalties. Mr. Fleming clarified there was not any reference to royalties with regards to the letter of support but offered there is an opportunity for the Municipality to work favourably with the Province to potentially get a royalty later.

6. Public Hearings

There were no public hearings.

7. Approval of the Regular Council Minutes of May 14, 2019

MOVED and SECONDED that the Regular Council Minutes of May 14, 2019 be approved as circulated noting any errors or omissions.

Motion Carried.

8. Business Arising from Minutes and any Related Correspondence

There was no business arising from minutes or any related correspondence.

9. Report of the Warden

Warden Zebian read his report.

MOVED and SECONDED that the Report of the Warden be received and placed on file.

Motion Carried.

10. Reconsideration or Rescission of Resolutions of Which Notice Has Been Given on a Previous Day

There were no reconsiderations or rescissions of resolutions.

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

a. Committee of the Whole Excerpts

i. 05-28-2019 COTW

Grants and Contributions 2019-20

MOVED and SECONDED that Council adopt Schedules 1 and 2 of the Grants and Contribution 2019-20 Report, as presented to Committee of the Whole on May 28, 2019, recommending grant funding to the listed recipients and authorize staff to release funds once all requirements, as outlined under the Grants and Contributions Policy, have been met.

Motion Carried.

MOVED and SECONDED that Council approve the funding for the Glooscap Heritage Archers Association to be taken out of the 5% Reserve Fund.

Motion Carried.

MOVED and SECONDED that Council approve \$500 for the Hantsport Leadership Candidate for the Apple Blossom Festival to be taken out of the general grants.

Motion Carried.

Avon Heritage Museum Gas Tax Funding

MOVED and SECONDED that Council direct staff to draft and post a Request for Proposals (RFP) that would look to identify and implement flood mitigation solutions, including the short-term solution outlined in the West Hants sanctioned Nation Disaster

Mitigation Program Risk Assessment Study, to prevent flooding of the Avon Heritage Museum and surrounding area.

Motion Carried.

MOVED and SECONDED that Council award the Avon River Heritage Society a maximum of \$13,500 from the Gas Tax Reserve for the purchase and installation of two heat pumps that have critical components raised at least 2 meters from the ground.

Motion Carried.

Agricultural Society

Councillor Francis declared a conflict of interest.

MOVED and SECONDED that Windsor Agricultural Society be given \$50,000 be taken from the Gas Tax Reserve for upgrades for to the Hants County Exhibition.

Motion Carried.

Councillor Francis rejoined the meeting.

West Hants Planning Advisory Committee Resident Member

MOVED and SECONDED that Council rescind the appointment of Glen Robinson to the West Hants Planning Advisory Committee dated November 13, 2018.

Motion Carried.

MOVED and SECONDED that Council appoint Bill Preston as a resident member to the West Hants Planning Advisory Committee on June 11, 2019 to March 31, 2020.

Motion Carried.

Wi-Fi Hantsport

MOVED and SECONDED that Council direct staff to prepare a report on options for Wi-Fi in Hantsport.

MOVED and SECONDED to amend the motion to state "that Council direct staff to prepare a report on options for Wi-Fi and closed-circuit security cameras in Hantsport".
Amendment Carried.

Motion Carried as amended.

Public Washrooms Facilities – Letter to Parks Canada

MOVED and SECONDED that Council write a letter to Ted Dolan representative for Fort Edward of Parks Canada requesting public restroom facilities be installed at the Fort Edward Historic site.

Motion Carried.

Falmouth Community Hall

**MOVED and SECONDED that Council approve up to \$15,000 to come from the Gas Tax Reserve for the installation of three heat pumps for the Falmouth Community Hall.
Motion Carried.**

Southwest Hants Fire Society

**MOVED and SECONDED that Council grant Southwest Hants Fire Society an additional \$2,130 to be taken from the Recreation Grant funds.
Motion Carried.**

- b. Report of Chief Administrative Officer
 - i. Rural Highspeed Internet

CAO Laycock reported that Council he had prepared a report on improving rural high-speed internet service and referred to the report as presented. He confirmed that high speed internet is something that is requested often within the Municipality. He confirmed this was identified as a strategic priority, and that a project has been completed to extend the VCFN line to Brooklyn. He offered this allowed the Newport Rink to be provided with wireless service. He indicated in 2018 the Province placed \$193 million into the internet trust fund which is managed through DevelopNova Scotia with a board that oversees the distribution of the funds. He noted that Develop Nova Scotia's mandate is to have 95% coverage. He confirmed the Province is looking to leverage other funding to meet the goal and suggested that through the Provincial plan there could be significant pockets in West Hants where highspeed internet that can not be achieved.

CAO Laycock noted it is being proposed for Council to take a level of control on what is being built in West Hants. He confirmed the logic being behind this is the Province will award a project to build internet in an area. He suggested this would be taking advantage of work that is already done and build off that to meet the needs of citizens within West Hants. He noted the goal of the motion is to say that Council wants to earmark \$3 million of Gas Tax, which could assist other projects. He cautioned the other issue is reliant on what other funding source the entity is awarded because it may not allow stacking of Gas Tax. He also cautioned that earmarking that amount of Gas Tax could impact other Gas Tax eligible projects. He confirmed there is risk with it, which the Municipality would not know until an opportunity is presented.

MOVED and SECONDED that Council allocate \$3 million of the Gas Tax Reserve for eligible Develop Nova Scotia approved rural high-speed internet projects which will ensure 98% coverage of fixed wired to the home internet service is available in West Hants with a minimum 50 megabits per second download speed and 10 megabits per second upload speed.

Councillor Hussey asked if an individual project would be brought before Council. CAO Laycock confirmed the intention would be that any projects are brought back to Council for consideration.

Councillor Jannasch offered he did not think it would be this difficult to get high speed internet in Hants County. He was surprised to see that the Municipality had to be this involved and thought it was a priority of the Province. He noted that a line has been installed from Windsor to Brooklyn and questioned whether any providers have expressed

interest in serving the residents of that area. CAO Laycock indicated the area is already served by Eastlink and other providers and clarified the intention of that line was to leverage it to receive Connect to Innovate (CTI) funding, but it did not work out that way. He offered that Develop Nova Scotia will oversee the internet provider and clarified the intention is not for the Municipality to become a service provider but to support an organization with capital to provide service for the area.

Councillor Jannasch asked if there is a risk that the Municipality would not get an internet provider and questioned if the Municipality has to be involved in maintenance and tree trimming. CAO Laycock suggested there is more risk of internet infrastructure and service not being provided to an area without this motion. He added once someone has been awarded the project there will be an opportunity for negotiation by Council and approval.

Councillor Daniels indicated that she fully supported the motion and felt it showed residents that Council is pursuing initiatives. She advised that she hoped there would be something offered sooner than later in the Vaughn area as there are a lot of home-based businesses that are doing international business where better internet could help.

Councillor Monroe thanked the CAO for preparing this report and offered that this is a way to put a framework in place so the same issues as in the past do not arise again.

Warden Zebian thanked the CAO and staff for pushing this issue and acting on the Strategic Plan. He expressed that he was very proud of Council on taking this very significant first step. Councillor Monroe clarified the Gas Tax money has been setting there and there is not a lot of infrastructure it can be used on, and internet it is a benefit for the citizens.

Motion Carried.

MOVED and SECONDED that Council direct the Chief Administrative Officer to enter into negotiations with the proponent of a Develop Nova Scotia Request for Proposals who is awarded the contract to build and deliver high speed internet in West Hants.

Motion Carried.

ii. Appointment of Assistant Building Official

CAO Laycock reported the Municipality entered into an agreement with the Town of Windsor to share the service of its Building and Fire Inspector, Scott Burgess. He indicated that Scott Burgess began employment with West Hants but left the Town to pursue other opportunities.

CAO Laycock suggested that West Hants and Windsor have a growing need for building and fire inspection services to meet demands of our growing community.

MOVED and SECONDED effective June 11, 2019, that Council appoint Rick Corkum as Assistant Building Official in accordance with Section 5(2) of the Nova Scotia Building Code Act.

Motion Carried.

MOVED and SECONDED effective June 11, 2019, that Council rescind the appointment of Scott Burgess as Assistant Fire and Building Official.

Motion Carried.

iii. WHPW18-12 Sports Complex Project Update

Director Carrigan introduced Murray Tate from Tate Engineering Inc. and reported that on April 9, 2019 Council awarded the contract for the Sports Complex to Lindsay Construction Limited subject to the purchase and sale of the land from the Windsor Agricultural Society. He confirmed the award of the Design/Build contract was contingent on the contract being in a form satisfactory to Council. He confirmed the building steel has been ordered.

Mr. Tate reported their focus has been creating a process to mitigate the four and half month delay to save the Municipality money. He confirmed the contract with Lindsay Construction included a design review process which he felt would help with the delay. He explained the challenge within the proposal is that the steel structure was to occur in the summer, but the delay puts it in the winter and noted this needs to get ahead which is what they are working on currently. He suggested the challenge is they do not know the American Steel's delivery date. He has reviewed Lindsay's contract and felt that they have been fair in their negotiations. He felt that they recognize that they are responsible for the duration and understand a discussion on the delay is required.

Councillor Francis stated that fundraising has begun, and she has received a lot of questions about what is available on the inside of the building. She felt that a conversation is required regarding Hockey Heritage as well. Warden Zebian suggested that Director Carrigan should attend the next Fundraising Committee to discuss this matter further. CAO Laycock added that he would need to know what the actual requests are in order to deal with them formally and determine the impact they would have on funding.

Director Carrigan confirmed in the current design space had been allocated for various retail vendors to set up in.

Councillor Jannasch asked for clarification on the contingency allocation of 7%. CAO Laycock clarified that it is the Municipality's contingency for unforeseen expenses. Mr. Tate suggested that there will be opportunities to reduce the scope of the work to be cost neutral.

Councillor Monroe questioned who would be responsible for enticing organizations to use this facility for major events. CAO Laycock offered Council needs to give staff direction for operations and suggested it needs to happen soon. Councillor Hussey noted there are two groups who are interested in doing tournaments and suggested there are lots who are eager to be involved. Councillor Francis expressed concern about the field house and suggested this should be concentrated on immediately as it is brand new in the area. Warden Zebian agreed a discussion on operations as a whole is required and offered that he would bring something to Committee of the Whole for discussion.

12. Correspondence

a. 05-01-2019 Letter from Minister Porter – 12 Month Notice

Councillor Daniels asked if it would be prudent for Council to write a letter about the financial impact the change in library formula will have.

Councillor Daniels advised that accessibility is very important as costs are being taken on by businesses themselves. She asked if there could be some type of incentive program for businesses to make them more accessible.

MOVED and SECONDED to direct staff to write a letter to the Department of Community Culture and Heritage stating the financial impacts of the mandated change to library funding will have on Municipalities.

Motion Carried.

- b. 05-30-2019 Letter from NSLC
- c. 06-02-2019 Letter from Falmouth Great Dyke Marsh Body

MOVED and SECONDED that Council write a letter Department of Transportation and Infrastructure Renewal using the Falmouth Great Dyke Marsh Body template supporting their position regarding the status quo of a freshwater Lake Pisiquid at current water depth levels.

MOVED and SECONDED to amend the motion to state “to preserve Lake Pisiquid freshwater levels that are adequate to serve the agriculture and recreation communities” instead of “status quo of a freshwater Lake Pisiquid at current water depth levels”.

Amendment Carried.

Motion Carried as Amended.

CAO Laycock suggested the letter may be too late as a decision has already been made on the aboiteau. Councillor Daniels stated it could be reverted back to free flow if it was not adequate for fish passage, and she suggested that Council should continue to advocate and show that they are watching.

13. Miscellaneous/New Business

- a. Underwood Drive/Edward Drive Road Access Gate

Warden Zebian and Councillor Francis declared a conflict of interest on the matter.

Councillor Hussey advised recently someone cut down the fence put up between Underwood Drive and Edward Drive and that the Town of Windsor put up concrete barricades to ensure that there was no access. He noted that he was advised that the Mayor stated that the Town is going to request a meeting with the Municipality and asked if this had occurred. CAO Laycock confirmed a staff meeting has been scheduled for later on in June to discuss a permanent solution. Councillor Hussey offered at the recent fundraising event for the rink the public chanted for the barricade to be removed and felt this has now become petty and reminded that this is dangerous to the residents of Windsor, Avon View High School and the hospital. Councillor Hussey suggested it needs to be a political solution not a staff solution.

MOVED and SECONDED that Council write a letter to the Town of Windsor asking them to remove the barricade at the end of Underwood Drive.

Councillor Hussey expressed frustration that there is a barricade between the two municipalities and felt it should be removed immediately. Councillor Daniels offered that REMO has a plan in the event that something happens for any place in the community and that there are plans in place for emergencies. She suggested the fear mongering needs to stop until a permanent solution is put in place.

Councillor Monroe offered that she was also disappointed by the Towns actions and felt that there are valid safety concerns. She suggested the problem is older than this Council and that it seems that as though West Hants citizens are being punished. CAO Laycock offered there is a secondary access for an emergency situation and suggested that this matter should be addressed by the new Council.

Councillor Leopold suggested that she recently made a motion to have this addressed by the Co-ordinating Committee. CAO Laycock offered he did not recall that and would need to refer to the minutes. He suggested there was a motion to send a letter to the Town to open up dialogue on a permanent solution which staff is following through on. Councillor Leopold agreed with Councillor Hussey's comments and offered there are a lot of students who attend Avon View High School and suggested it is also about the ease of traffic and not just a safety concern. She felt that residents are trying to get Council's attention to resolve the issue.

MOVED and SECONDED to table the motion until the June Committee of the Whole meeting.

Motion Carried.

The Warden and Councillor Francis rejoined the meeting.

14. In Camera

a. MGA 22(2)(e) - Contract Negotiations

MOVED and SECONDED that the meeting move in-camera.

Motion Carried.

The meeting moved in-camera at 9:10 p.m.

The meeting reconvened at 9:22 p.m.

MOVED and SECONDED that Council directs the CAO to enter into the negotiated contract with Lindsay's Construction Limited.

Motion Carried.

15. Date of Next Meeting –July 9, 2019

The next Regular Council meeting will be held July 9, 2019 at 7:00 p.m.

16. Adjournment

MOVED and SECONDED that the meeting be adjourned.

Motion Carried.

The meeting adjourned at 9:23 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk