



WEST HANTS
NOVA SCOTIA

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Council Minutes
February 11, 2020 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
	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)
	S. Poirier	Municipal Planner
	R. Brown	Municipal Clerk
	C. Remme	Communications Coordinator

There were 4 members of the public in attendance.

3. Announcements

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

Warden Zebian spoke of the Winter Carnival events taking place in the Town of Windsor beginning on Friday through to Sunday. He stated that the event listing can be found on the Windsor Recreation Facebook page.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved as circulated with the following additions:

- 12.d. Request for Proposal Letter from Hantsport Fire (Councillor Monroe)**
- 13.b. Sewer Charges (Councillor Hussey)**

Motion Carried.

5. Public Hearings

There were no Public Hearings.

6. Presentation (s)

There were no presentations.

7. Approval of the Council Minutes of January 14, 2020

MOVED and SECONDED that the Council minutes of January 14, 2020 be approved.

Motion Carried.

8. Business Arising from Minutes and any Related Correspondence

There was no business arising from the 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. 01-28-2020 COTW Excerpts

Region 6 Budget 2020-21

MOVED and SECONDED that Council approves the 2020-2021 budget for Region 5 as presented in the January 28, 2020 report.

Motion Carried.

Councillor Daniels declared a conflict of interest and left her seat.

Design of the Hantsport Fire Station

MOVED and SECONDED that Council award a contract to "Jost + Architects" for Design Services for a new Hantsport Fire Station in the amount of \$186,542.50 plus applicable taxes and contingencies with funds coming from the operating budget.

Councillor Hussey voiced that he would not be voting in favour of the motion after discussions with fire fighters. He went on to say that he felt as though Council should move forward with a design build which could save money.

Councillor Monroe agreed with Councillor Hussey's suggestion of moving forward with a design build so Council would be presented several options for the build, adding that she would be voting against the motion.

Councillor Leopold stated that she would not be supporting the motion for reasons she expressed at January 2020 Committee of the Whole.

Councillor Keith expressed that he too was not in favour of the motion noting that he had stated the reasons at Committee of the Whole as well.

CAO Laycock advised that if Council chose to move forward with a design build there is a chance that the Municipality of the County of Kings may not contribute to the project which then would leave the Municipality covering the entire cost of the project. He stated that approving the motion as it stood did not commit the Municipality.

Councillor Francis questioned if the motion would have to go to the Co-ordinating Committee for approval to which the CAO responded yes.

Councillor Jannasch asked if Kings would be appreciative of a lower cost if Council was to move forward with a design build and have several options to choose from and one that is less costly than what is being proposed. CAO Laycock voiced that he was unsure but did advised that the motion, as stated, was the least risk to the Municipality.

Councillor Hussey asked if it could move forward and state that if the funding were not received by Kings that the contract would not move forward. The CAO replied that he believed that would be an option.

Councillor Zwicker voiced that with a rough budget of \$2.6 million, the 30% from Kings County would amount to roughly \$780,000 which would have the Municipality leveraging only 7% of the design, reiterating the CAO's comments that it would result in less risk to the Municipality.

Motion Defeated.

Councillors Hussey, Monroe, Keith, Leopold and Jannasch voted nay.

Councillor Daniels rejoined the meeting.

Loan Refinancing

MOVED and SECONDED that Council approves a temporary borrowing resolution in the amount of \$650,005 to refinance the loan for the water treatment system in Hantsport.

Motion Carried.

MOVED and SECONDED that Council approves the Warden and the Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5% to enable the Municipality of the District of West Hants to issue a 15-year debenture of \$650,005.

Motion Carried.

Committee of the Whole Meeting

MOVED and SECONDED that Council cancel the scheduled March 24, 2020 Committee of the Whole meeting of West Hants.

Motion Carried.

Live Streaming

MOVED and SECONDED that Council direct staff to explore other alternatives for live streaming meetings of Council.

Motion Carried.

Panuke Road Traffic

The recommendation was moved to the end of the meeting for discussion.

- b. Report of the Chief Administrative Officer
 - i. Letter to request changes to the Motor Vehicle Act (Recommendation Report)

CAO Laycock reviewed the report stating the recommendation was coming forward with consideration of the Municipality's Strategic Plan and the Transportation Report that was presented to Council on June 25, 2019.

The CAO stated that there are significant factors affecting rural transportation in Nova Scotia and adding another layer of bureaucracy to those seems ridiculous. He went on to say that ridesharing and like services are in cities around the world and because of the requirements under the Motor Vehicle Act that requires a Class 4 Licence as opposed to Class 5 eliminates the willingness of those service providers to come to the Province.

CAO Laycock requested that Council consider their strategic priority of rural transportation within West Hants and consider writing a letter to the Province asking that they reconsider that portion of the Motor Vehicle Act to allow ride sharing services under a Class 5 Licence. He noted that doing so would address one of Council's strategic priorities of transportation issues in rural areas of West Hants.

The CAO went on to state that there would be a possible revenue source that the Municipality could gain from offering the service as a by-law could be created that would have a fee associated with every service provided. He went on to highlight that between September 15, 2019 and January 15, 2020 there were twenty-five impaired driving charges in the region, with access to alternative transportation, the number could be brought to zero.

MOVED and SECONDED that a letter to the Province be written to request the required amendments to the Motor Vehicle Act to allow drivers of a ride sharing service and taxi drivers to provide those services on a Class 5 license and to enable municipal units to charge a per-trip fee for ride sharing services.

Councillor Monroe asked if the MLA could be copied on the letter asking that he champion the request for Council. The CAO noted that the letter would go to the Minister of Transportation, Lloyd Hines, but if Council wished it to be sent to the MLA, he could do that. Warden Zebian suggested that the letter be sent to Minister Hines.

Councillor Daniels voiced that she was happy to see the Municipality working towards this as it was part of the strategy but questioned if it would impact on taxi services. The CAO responded that the intent of the letter would be for the Province to look at the legislation to

facilitate ridesharing services and to begin addressing the issues surrounding rural transportation. The Councillor went on to say that she would like to see new opportunities open but would not want to create an environment of competition that could create imbalance. She went on to say that the different classes of licences create competency in the drivers, stating that items such as that would take place in discussions at the Provincial level. The CAO replied that ridesharing takes place in cities across the world, adding that he felt as though various things would have been considered.

Councillor Jannasch voiced that he understood and appreciated the concerns surrounding rural transportation pointing out that discussions about ridesharing had never taken place at Council. He went on to say that it may make sense to move forward with the service for the region noting that when he reviewed the various documents supplied in the package, it only spoke of ridesharing. The Councillor suggested that Council consider reaching out to Dial-a-Ride for their input as they would have more knowledge on the topic.

CAO Laycock pointed out that the service was referred to as Car Sharing in the documents that were distributed to Council. He went on to say that he felt as though the service would offer support to Dial-a-Ride as the organization primarily concentrates on seniors in the region.

The CAO reiterated that the request was for a letter to be written to the Province, stating that rural transportation is an issue and that making the changes could be a solution that the Province could consider.

Councillor Hussey asked if the letter was to even the playing field between taxi services and ride share. The CAO replied that his understanding was that ride share service providers will not come into the Province because of the current legislation but not because of the taxi service.

Councillor Daniels suggested copying the NSFM and other municipal units on the letter being sent to the Province.

Councillor Leopold voiced that she was concerned with requesting changes to the Motor Vehicle Act as it is regulated by the Province, adding that the report identifies that the Municipality could enact by-laws and regulations with respect to ridesharing. She noted that her concern was that the letter may infer that municipal units are okay with the responsibility of managing the regulations and by-laws that would come with the changes to the Act.

Motion Carried.

12. Correspondence

- a. 01-22-2020 Letter from NSTIR Minister Hines – Aboiteau Systems in Hants West
- b. 01-22-2020 Letter from NSTIR Minister Hines – Construction Work on Hantsport Aboiteau
- c. 02-05-2020 Letter from CKF Inc.
- d. 02-20-2020 Request for Proposal Letter Hantsport Fire

Warden Zebian spoke to the letter received from CKF and the recent conversation he had with the president of the company, Ian Anderson. He stated that CKF is the largest employer in the region adding that the company invests a lot of money in infrastructure, employees and equipment and are currently looking into other markets with the recent ban on plastic bags in the Province. The Warden expressed that their success is the Municipality's success and he was proud to have the company in West Hants.

Councillor Leopold apologized for concerns that she created in the business community of Hantsport and CKF with her recommendation report regarding the site selection for the Hantsport Fire Department. She spoke specifically of the comment in regards to CKF activity in which she stated "as it appears that the business volume has been decreasing since 2016 data has been collected", clarifying that the comment made were her own observation not from data that she had collected.

The Councillor pointed out that her recommendation report was to direct staff to collect further data on that as well as the six additional issues she brought forward as it pertained to site selection for the Hantsport Fire Station. A significant amount of the information used in the December report to Council was from 2016.

**MOVED and SECONDED that the letter dated February 20, 2020 Request for Proposal Letter Hantsport Fire be received and placed on file.
Motion Carried.**

13. Miscellaneous/New Business

- a. Co-ordinating Committee \$50 Million Wish List for Provincial Funding
Explanation – Councillor Daniels

Councillor Daniels stated that she had several people approach her regarding the Post Consolidation Funding Request that was brought forth at the Co-ordinating Committee adding that many are unclear on where the list originated as minutes are not available to provide background dialogue at this time.

CAO Laycock stated that he, the CAO for the new Regional Municipality, the Interim CAO of the Town of Windsor, along with other staff were involved in creating a list identifying priorities, needs, current projects and those projects that align with Provincial priorities in order to leverage Provincial funding such as green initiatives.

Councillor Daniels asked if it was too late to add infrastructure needs to the list and went on to speak of the toll on the underground infrastructure and the safety of the community that the twinning of the highway is creating particularly on Panuke Road. The Councillor added that it would be nice to leverage funding to have upgrades to the park on Panuke and the creation of more walkable communities.

CAO Laycock replied that the intent was to identify and ask for funding for items that were under the control of the Municipality. He went on to say that he would bring the Councillors

request to the CAO of the new Regional Municipality adding that, although projects had been identified, there may be flexibility on where the funding be used.

Warden Zebian informed Council that he had been having conversations with one of the suppliers of rock fill for the highway twinning and that the supplier is looking forward to working with the Panuke Road community on a few projects.

Councillor Jannasch stated that he had residents contact him as well with concerns that the list was lopsided towards the more populated areas and he had explained to them that attention was given to infrastructure.

Councillor Jannasch referred to page two of the document presented to the Co-ordinating Committee, Statements of Provincial Interest, questioning why the development of the Nova Centre was included as there were no plans to have one in the region. The CAO noted that he was unsure why it was included noting he had not written the report.

The Councillor asked for background on the Renewable Energy Initiative Reserve. The CAO responded that the concept for the reserve is to leverage funding for projects such as green initiatives.

Councillor Jannasch spoke to the purchase of Long Pond under the Economic Development portion of the report stating that he had difficulty understanding how it would fall under that section. He added that he felt as though the purchase would fall under the private sector.

Councillor Monroe asked if the list would negate any stackability. CAO Laycock responded that it would depend on the project adding that the figures in the list is total costs whereas in many cases the costs are shared between the three levels of government.

The Councillor went on to say that she was not displeased with the list but disappointed that Council was not given the opportunity for input. Warden Zebian qualified that the list was not set for each category, adding that the stackability would be similar as to what happened in the dissolution of Hantsport.

Councillor Francis echoed Councillor Monroe's comments stating that she too would have appreciated the opportunity to have insight on the list prior to it being presented to the Co-ordinating Committee. The Councillor went on to say that there are residents in Newport Station that have been requesting water service and were told in 1993 that they would receive it, yet it was not included or considered in the funding request. She noted that she was hopeful that there would be a chance for more discussion.

Councillor Leopold questioned if the funding, regardless of how much was received, was earmarked for the items on the list or if there would be flexibility if the new Council identified new priorities. CAO Laycock replied that he felt as though there would be flexibility but was not able to speak for the Province.

The Councillor questioned why the textile mill was included on the list as she understood that the building had already sold. Warden Zebian that it had been identified as an item to be included on the list adding that the property was privately owned.

Councillor Leopold questioned why the Hantsport Fire Station was included on the list as Council had passed a motion. The CAO replied that it was included on the list so if the Municipality were able to receive funding from the Province for the building it would save the taxpayers money.

The Councillor concluded stated that she was disappointed that Councillors and the public were not contacted to provide input on the list adding that she, as representative of a district that was not in favour of the consolidation, did not appreciate how underrepresented the rural areas were on the list. She added that she appreciated that rural high-speed infrastructure was included on the list but did not feel that \$2 million would be sufficient to cover the cost of the project.

Councillor Keith agreed with Councillor Leopold stating that he too did not feel as though enough funding had been requested for rural high-speed internet noting that it has been identified as an area of high priority. He went on to speak to the Connect to Innovate Program that began two years ago and had not been completed to date.

Councillor Monroe voiced that she and Windsor's Councillor, Jim Ivey, are two of the most aggressive people in the Valley working on the internet issues stating that the issue with moving the project forward isn't funding but how to deliver it, adding that the Province has yet to come up with a solution.

Warden Zebian advised that the purpose of the list is to give the new region a boost. He added that there are funding programs available and sources of revenue that can be used to address the internet issues, noting that it is much more than a \$10 million project. Councillor Keith agreed with the comments made by the Warden and expressed that he still would have liked to have seen the amount allotted to internet higher than it was.

b. Sewer Charges – Councillor Hussey

Councillor Hussey stated that he consistently hears complaints regarding the changes in sewer charges from his residents adding that the changes that were made have resulted in a heavy burden and undue hardship on those that have low or fixed income. He went on to say that he was unclear on how to move forward but would like to have the sewer charges removed from the water bill asking if it would be necessary to wait until the consolidation was complete before beginning the process.

CAO Laycock responded that there would not be enough time to go through the process of reversing the changes that were made prior to the consolidation. He spoke of the deficit that the Three Mile Plains sewer had been running over the past three years, adding that sewers are meant to break even and if the deficit isn't covered in the fees charged for the service it

is picked up by all residents in the general rate. The CAO advised that basing the charges on consumption makes it fair to all residents as it is based on use.

Councillor Hussey stated that he understood having to pay for services but reiterated that residents are unable to afford the increase which has, in many cases, been 50% or higher.

Councillor Francis asked for clarification asking if the water rates are regulated through the Utility and Review Board and the sewer rate is regulated through Council by-law. The CAO confirmed her understanding. The Councillor went on to ask if it was possible to revisit the charges stating that she understood that there would not be time to do so prior to consolidation.

Warden Zebian stated that placing the charge back onto the tax bill would result in being the same rate for all residents regardless of consumption. The CAO advised Council that putting the charge back on the tax bill would still result in an increase to residents.

Councillor Monroe questioned charges to those who have empty lots pointing out that many have seen charges double. The CAO explained that as Three Mile Plains was running a deficit fees had to be increased which included a charge based on consumption and service fees.

The Councillor asked if the Municipality was playing catch up asking if someone who recently purchased a house is now having to pay for the deficit that others created. The CAO responded yes.

14. In-Camera

- a. MGA 22 (2)(g) – Legal Advice Eligible for Solicitor-Client Privilege

MOVED and SECONDED that the meeting move in-camera.

Motion Carried.

The meeting moved in-camera at 7:59 p.m.

The meeting reconvened at 8:20 p.m.

MOVED and SECONDED that Council write a letter to Nova Scotia Transportation and Infrastructure Renewal and MLA Chuck Porter, addressing concerns about traffic on Panuke Road and requesting a meeting.

Councillor Francis noted that she had concerns regarding the use of "truck traffic" in the motion noting that if a letter were being written she would like to see other areas being included as well.

MOVED and SECONDED to amend the motion adding "and truck traffic in West Hants" after the words "Panuke Road".

Amendment Carried.

Motion Carried as Amended.

15. Date of Next Meeting – March 10, 2020

The next Regular Council meeting will be held March 10, 2020 at 7:00 p.m.

16. Adjournment

MOVED and SECONDED that the meeting be adjourned.

Motion Carried.

The meeting adjourned at 8:24 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk