



**WEST HANTS REGIONAL MUNICIPALITY**  
**Committee of the Whole - Meeting Agenda **AMENDED****  
**September 8, 2020, 6:00 p.m.**

**Council Chambers, 76 Morison Drive, Windsor, NS (also via Zoom & FB Livestream)**

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1. Call to Order
2. Roll Call
3. Declaration(s) of Conflict of Interest
4. Announcements
5. Approval of the Agenda, including additions or deletions
  - a) Dashboard Action Items – Information Log
6. Approval of Previous Meeting Minutes
  - a) 2020-07-14 Committee of the Whole minutes
  - b) 2020-07-21 Special Committee of the Whole minutes
7. Presentations
  - a) Avon River Causeway – **Mr. Laclan Rhiel, - Mi'Kmaq Conservation Group**  
Mr. Darren Porter – Marine Institute of Natural and Aquatic Sciences  
Mr. Daniel Leblanc – Executive Director & Administrator of the Sentinelle de la côte acadienne Project and the Former Founding Riverkeeper of the Petitcodiac River in New Brunswick
  - b) **Fisheries and Oceans Canada Process - Michael Wambolt**
8. Unfinished Business/Postponed Motions
  - a) Rural Internet
    - I. Internet for NS Initiative Update – Informational Zone Map from Develop NS
    - II. West Hants Internet Access Business Plan – Verbal Discussion
  - b) Post-consolidation Funding
  - c) Hwy. 101 Twinning / Community Liaison Committee – Information Report
  - d) PIDs PID 45245578 and portions of PIDs 45182797, 45245560, 45245552, 45184025 and 45182904 (Cogmagun Lands) – Verbal Update
9. Reports
  - a) CAO Activity Update – Information Report
  - b) PAC
    - I. Fire Inspection System Policy – Recommendation Report
10. Correspondence
  - a) Avon River Causeway Related Log
    - I. Nikki-Marie Lloyd (Aug. 2, 2020)
    - II. Heather Boylan, Martock (Sept. 1, 2020)
    - III. Dr. Kirumira (Sept. 2, 2020)
    - IV. Greg O'Leary (Sept. 3, 2020)
  - b) Fisheries and Aquaculture Minister (July 23, 2020) – Marine Debris Clean-up Program

- c) James Salter (Aug 25, 2020) - Wooden Statue Resurrection Financial Req
- d) Windsor Curling Club (Sept. 2, 2020) – Property Tax Exemption
- e) Dean Manning (Sept. 8, 2020) – Avon River Causeway
- f) Colleen Walsh Bouman (Sept. 8, 2020) – Avon River Causeway
- g) David and Michelle Rideout (Sept. 8, 2020) – Avon River Causeway

11. New Business

- a) Windsor Curling Club Correspondence Request – Information Report
- b) James Salter Correspondence (Aug. 25, 2020) – Financial request for statue resurrection discussion
- c) Dangerous or Unsightly Premises, 640 Wentworth Rd – Recommendation Report
- d) Development Officer Appointment, Madelyn LeMay – Recommendation Report
- e) Appointment of Required Fire Official – Recommendation Report
- f) Sidewalks/Paths Infrastructure – Agenda Request Form
- g) Replace/Install Septic Systems Loan Program – Agenda Request Form
- h) Restaurants and Mobile Canteens – Agenda Request Form
- i) Racial Profiling Assertion – Agenda Request Form
- j) Pedestrian Signage Barriers – Agenda Request Form
- k) Sam Slick Removals – Agenda Request Form

12. Public Participation Period

13. In-Camera - None

14. Next Meeting Date / Adjournment



## WEST HANTS REGIONAL MUNICIPALITY

Committee of the Whole Minutes

September 8, 2020 6:00 p.m.

In-Person, Sanford Council Chambers, 76 Morison Drive, Windsor, NS  
and Virtual Meeting – via Zoom

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### 1. Call to Order

Mayor Zebian called the meeting to order at 6:01 p.m. and welcomed everyone to the meeting.

### 2. Call of Roll

#### Council Present:

Abraham Zebian, Mayor  
Rupert Jannasch, Councillor, District 1  
Scott McLean, Councillor, District 2  
Mark McLean, Councillor, District 3  
Jeff Hartt, Councillor, District 4  
Debbie Francis, District 5

Paul Morton, Deputy Mayor, District 8  
Bob Morton, Councillor, District 6  
Ed Sherman, Councillor, District 7  
Richard Murphy, Councillor, District 9  
Laurie Murley, Councillor, District 10  
Jim Ivey, Councillor, District 11

#### Staff and Guests Present:

Mark Phillips, Chief Administrative Officer (CAO)  
Todd Richard, Dir. Public Works  
Kathy Kehoe, Dir. Community  
Development  
Shelleena Thornton, Administrative  
Supervisor  
Ryan Parker, By-law Enforcement Officer  
Darren Porter, Marine Institute of Natural and  
Aquatic Sciences  
Daniel Leblanc, Executive Director &  
Administrator of Sentinelle de la côte  
acadienne Project and Former Founding  
Riverkeeper of the Petitcodiac River in  
New Brunswick

Carlee Rochon, Dir. Financial Services  
Rhonda Brown, Municipal Clerk  
Madelyn LeMay, Dir. Planning &  
Development  
Tim Leslie, Manager of Building and Fire  
Inspection Services  
Laclan Rhiel, Mi'kmaw Conservation Group  
Michael Wambolt, Department of Fisheries  
and Oceans Canada (DFO)

Members of the public watched the meeting using Facebook Live.

### 3. Declarations of Conflict of Interest

Mayor Zebian and Councillor Francis declared a conflict of interest for agenda item 8b.  
Post-consolidation Funding due to discussion of Payzant Drive.

### 4. Announcements

The fire alarm procedures were reviewed. Councillors were reminded to use their microphones as the meeting was a hybrid of in-person and virtual method. Councillors in the Council Chambers were physical distancing and wearing masks, while staff and guests joined via Zoom. The meeting was also being Facebook Livestreamed for the public.

The public were asked to pay extra attention for school buses on the roads as school resumed.

## **5. Approval of Agenda, including additions or deletions**

### **a. Dashboard Action Items – Information Log**

Councillor Ivey informed a resident had inquired about reports that are online but which the Municipality was not acknowledging, this may be added to the next meeting agenda.

**MOVED by Deputy Mayor Morton and Councillor Murley that the agenda be approved with the following additions:**

- **7 (b) – Department of Fisheries and Oceans Canada (DFO) Process - Michael Wambolt**
- **10 (e) – Dean Manning correspondence (Sept. 8, 2020) – Avon River Causeway Related**
- **10 (f) – Colleen Walsh-Bouman correspondence (Sept. 8, 2020) – Avon River Causeway Related**
- **10 (g) – David and Michelle Rideout correspondence (Sept. 8, 2020) – Avon River Causeway Related**

**Motion Carried.**

A column for due date will be added to the Dashboard Action Items.

Information was requested on what J-Class roads were approved for paving and who made the decision. A letter to the Province regarding a list of proposed roads was sent as directed by Council, however a list of what roads to be done was not received from the Province.

## **6. Approval of Previous Meeting Minutes**

- a. 2020-07-14 Committee of the Whole Minutes
- b. 2020-07-21 Special Committee of the Whole Minutes

**MOVED by Councillors Ivey and Murley that the following minutes be approved:**

- a. **2020-07-14 Committee of the Whole Minutes**
- b. **2020-07-21 Special Committee of the Whole Minutes**

**Motion Carried.**

## 7. Presentations

### a. Avon River Causeway – Mr. Laclan Rhiel – Mi’Kmaq Conservation Group, Mr. Darren Porter – Marine Institute of Natural and Aquatic Sciences and Mr. Daniel Leblanc – Executive Director & Administrator of the Sentinelle de la côte acadienne Project and the Former Founding Riverkeeper of the Petitcodiac River in New Brunswick

Laclan Rhiel presented information on the Ecosystem Monitoring project being done on both sides of the Avon River-Windsor Causeway. He spoke of the method to obtain the data and the results showing the ability of fish passage as impacted by the factors of temperature, salinity, acidity and dissolved oxygen.

Daniel Leblanc presented on the similarities of the Avon and Petitcodiac Rivers. The presentation highlighted the need for an adaptive system between fresh and salt water that allows safe fish passage and the three main concerns of the proposed Avon River project. The Petitcodiac River restored full tidal flow by using bridges which has increased fish and marine passage, as well as creating opportunities for tourism and recreation.

Darren Porter spoke about availability of fresh water and downstream flows noting there currently is not enough to operate fish ladders on a regular basis and ensure proper migration. He reminded that First Nations were right holders not just stakeholders; consultation with First Nations is a requirement under the Constitution and the Fisheries Act. Speaking on behalf of all First Nations in the Province, he said they are requesting bridges for the Avon River-Windsor Causeway, this would help restore lost salt marshes in this area. The local fishery does not have Provincial representation as a stakeholder.

#### Discussion Points:

- Saltwater entry increases fish passage ability.
- Commercially one salmon was caught every two years on the tide-side of the causeway.
- All eight mainland Mi’Kmaq Chiefs are involved with the Mi’Kmaq Conservation Group but the Group provides services for all 13 Bands across the Province. There are four Mi’Kmaq Chiefs involved with Windsor area.
- Fish ladders were found to be in adequate for the Petitcodiac River due to the change in tides and icy waters.
- Businesses along the Petitcodiac River have invested in the new waterfront and tourism.
- Mayor Zebian reported to Council that he contacted all First Nation Chiefs directly by phone and did not receive responses or feedback.
- Provincial Departments have elected to communicate through the Community Liaison Committee about the project.

**MOVED by Councillors Francis and Murphy to receive the presentation by Laclan Rhiel and place on file.**

**Motion Carried.**

(Councillor Murley was not present for the vote.)

*Mr. Rhiel and Mr. Leblanc left the meeting at 7:19 pm.*

**b. Department of Fisheries and Oceans Canada (DFO) Process – Michael Wambolt**

Michael Wambolt spoke about the role of DFO to administer compliance checks around fish and fish habitat protection under the Fisheries Act and Species at Risk Act. DFO looks to avoid and mitigate risk and if needed, offset risk. DFO does a regulatory review of an application to determine if a project complies with the Acts; they do not direct how a project should be designed or built. As part of the DFO review, they work with the Province to conduct consultation with First Nations.

Discussion Points:

- DFO has not received an application for the next phase of the Avon River-Windsor causeway to-date (September 8, 2020).
- An initial review could take 60 days with another 90 days for a detailed review; however, this timeline could be affected by complexity of the project. The timeline stops during the consultation.
- In Nova Scotia there is tri-party consultation process involving Mi'kmaw, Province and Federal Departments at the same time; consultation on the Avon River project started in 2017 and is on-going. Consultation with First Nation is required by the Fisheries Act to ensure they are aware of all aspects of a project and their knowledge is considered.
- Consultation with the public would be responsibility of the applicant.
- The Avon River is unique due to high tides, this may create challenges for designing infrastructure.
- Climate change and its' cumulative effects are considered during DFO project reviews.
- Water velocity required for any infrastructure at the Avon River would depend on the structure, location and the species using it.

*Mr. Wambolt left at 7:45 pm.*

**8. Unfinished Business/Postponed Motions**

**a. Rural Internet Update**

**I. Internet for NS Initiative Update – Informational Zone Map from Develop NS**

CAO Phillips informed a map of Phase 2 projects is needed to determine exact locations of the projects within communities. For Phase 1 projects, Bell has completed 4 of 5 water crossings and one of the lines may be live. Bell

customers of both Phase 1 and 2 projects can expect a full Fibre options. Cross-county is another internet service provider in some areas.

Discussion Points:

- Phase 2 announcements were vague with no mention of last mile hook-ups needed.
- There are businesses waiting to be hooked up in rural areas.
- 97% of the Province is expected to be covered but the locations of the last 3% is unknown.

**II.** West Hants Internet Access Business Plan – Verbal Discussion

CAO Phillips inquired if Council still wanted to pursue a business plan to potentially become an internet service provider.

Discussion Points:

- Need to determine what (if any), areas that the Internet for NS Initiative (projects) are not covered.
- There are no funds identified in the 5-year Capital budget for internet, however Gas Tax and Reserves could be used.
- A business plan is needed for when unserved areas are identified.
- A survey could be used to determine where internet is/isn't.
- There will be pressure on the Province for internet if there is a second wave of COVID-19; it is believed the Province has the funding.

Council agreed to leave this on the agenda for another month.

*Mayor Zebian and Councillor Francis declared conflict of interest and left the room. Deputy Mayor Morton took the Chair.*

**b.** Post-consolidation Funding – Information Report

CAO Phillips reviewed the report which recommended a total post-consolidation funding request of \$9,842,922.

Discussion Points:

- Flexibility of funding should be requested, so that funds are not project specific.
- Projects which normally would be area rated should not be included.
- Projects should be spread out over the Municipality as most are in the urban areas, a project such as internet should be included for rural areas.
- Urban areas have most of the infrastructure, post consolidation money spent in these areas allow municipal funding to be spent in the rural areas on projects that are not eligible for other funding sources.
- A list of the 5-year Capital Projects was created so that the Province could maximize the utilization of other existing funding programs to support the post consolidation funding request.

**MOVED by Councillors Jannasch and M. McLean to add \$3 Million for rural internet to the post-consolidation funding project list.**

**Motion Carried.**

**MOVED by Councillors Jannasch and Hartt that Committee of the Whole recommends that Council approve a \$12,842,922 funding request from the Province to support post-consolidation capital projects as highlighted in the report dated September 8, 2020 to Committee of the Whole with additional \$3 Million for rural internet included in the request.**

**Further,**

**That priority be set on a balance of investment in projects between rural and urban areas as the Province considers the total Post Consolidation Funding request.**

**Motion Carried.**

*Mayor Zebian and Councillor Francis rejoined the meeting and Mayor Zebian took the Chair.*

**c. Avon River Causeway / Community Liaison Committee – Verbal Discussion**

CAO Phillips informed that a letter has been sent to the Province stating Council's position on the causeway. A written meeting request has also been made to the Community Liaison Committee (CLC). When available the CLC will receive a report from Transportation and Infrastructure Renewal. The CLC is not a decision-making body only a method for communicating. The CLC may hold a meeting in late September once members are re-confirmed, the Mayor and one other member of Council will represent the Municipality.

Mayor Zebian called for nomination for a second member of the CLC.

Councillor Jannasch nominated Councillor Ivey; there were no other nominations. Councillor Ivey accepted the nomination to the CLC committee along with Mayor Zebian.

**d. PIDs PID 45245578 and portions of PIDs 45182797, 45245560, 45245552, 45184025 and 45182904 (Cogmagun Lands) – Verbal Update**

CAO Phillips stated there were four outstanding items for the completion of the purchase the lands from the Province and informed on their status as follows:

1. Environmental Assessment – this was not required.
2. Easement Survey – this has been completed and submitted to the Province.
3. First Nations Consultation – the Province has satisfied this requirement.
4. Updated Project Description – the third-party provider is updating the description with more details.

## **9. Reports**

**a. CAO Activity Update - Information Report**

CAO Phillips reviewed the CAO Activity Report.

**b. PAC**

**I. Fire Inspection System Policy – Recommendation Report**

Director LeMay informed the report was provided to meet the 7-day notice to Council for a Policy and would come to the next Council meeting for approval.

**10. Correspondence**

**a. Avon River Causeway Related Log**

**I. Nikki-Marie Lloyd (Aug. 2, 2020)**

**II. Heather Boylan, Martock (Sept. 1, 2020)**

**III. Dr. Kirumira (Sept. 2, 2020)**

**IV. Greg O’Leary (Sept. 3, 2020)**

**b. Fisheries and Aquaculture Minister (Jul. 23, 2020) – Marine Debris Clean-Up Program**

**c. James Salter (Aug. 25, 2020) – Wooden Statue Resurrection Financial Request**

**d. Windsor Curling Club (Sept. 2, 2020) – Property Tax Exemption**

**e. Dean Manning (Sept. 8, 2020) – Avon River Causeway Related**

**f. Colleen Walsh-Bouman (Sept. 8, 2020) – Avon River Causeway Related**

**g. David and Michelle Rideout (Sept. 8, 2020) – Avon River Causeway Related**

Mayor Zebian read the letters of Dean Manning, Colleen Walsh-Bouman, and David and Michelle Rideout dated Sept. 8, 2020.

**MOVED by Deputy Mayor Morton and Councillor Francis to receive the letters of Dean Manning, Colleen Walsh-Bouman, and David and Michelle Rideout dated Sept. 8, 2020 and place on file.**

**Motion Carried.**

**11. New Business**

**a. Windsor Curling Club Correspondence Request – Information Report**

Director Rochon reviewed the report noting that the Windsor Curling Club was fully exempted for what they qualified for, which was a reduction from a commercial tax rate to a residential rate.

Discussion Points:

- Windsor Curling Club may lose membership if unable to open causing further hardship.

- Windsor Curling Club may qualify for a commercial exemption from Property Valuation Services Corporation however it would not take effect this year and this exemption is outside of that of which the Municipality provides.

**MOVED by Deputy Mayor Morton and Councillor Sherman that Committee of the Whole recommend that Council direct the Director of Finance to review the grants to determine if there is available money to spread around and report back at the September Council meeting.**

**Motion Carried.**

(Vote was held after discussion)

**b. James Salter Correspondence (Aug. 25, 2020) – Financial request for statue resurrection discussion**

Mayor Zebian reviewed the letter from Mr. Salter.

Discussion Points:

- Staff should review the statue to determine if it is repairable and actual costs or if something different could be done that would last.
- The statue could be incorporated into the new fire hall where it would be covered and protected from the weather.

Council gave direction to the CAO to meet with Mr. Salter and Hantsport Fire Department to explore options to mitigate costs or preserve the statue in some manner.

**c. Dangerous or Unsightly Premises, 640 Wentworth Rd – Recommendation Report**

By-law Enforcement Officer Parker reviewed the report and short presentation noting the disrepair of the property. The Manager of Building and Fire Inspection Services informed the property owner had contacted him at 2:34 pm today requesting time to remove personal items from the property before demolition.

**MOVED by Councillor Francis and Deputy Mayor Morton that Committee of the Whole orders the Owner to demolish the dwelling located at 640 Wentworth Road, Wentworth Creek, Windsor, PID 45018363, including but not limited to the removal of all demolition debris, backfilling of any foundation or crawl space and disconnecting any and all utility connections, to the standards set by each respective utility provider, so as to leave the property in a neat, tidy, environmentally compliant and safe condition within forty-five (45) days of this Order being posted in a conspicuous place upon the property or personally served upon the owner. Otherwise, the Municipality will exercise its rights as set forth under Part XV of the Municipal Government Act.**

**Motion Carried.**

(Vote was held after discussion)

Discussion Points:

- The property owner will have 45 days from the date the order is posted to remove personal items from the property.
- The house is beyond repair.
- Powerlines still serve the property, but it was not clear if power was on.
- The house is structurally unstable to safely remove required items to allow the house to be used for a fire training exercise.

**d. Development Officer Appointment, Madelyn LeMay – Recommendation Report**

CAO Phillips reviewed the report.

**MOVED by Councillors Francis and Murley that Committee of the Whole recommends that Council appoint Madelyn LeMay as Development Officer for the Region effective September 22, 2020.**

**Motion Carried.**

**e. Appointment of Required Fire Officials – Recommendation Report**

CAO Phillips reviewed the report noting the appointment were for fire inspectors, not fire investigators.

**MOVED by Councillors Murphy and Ivey that Committee of the Whole recommends that effective September 8, 2020, Council appoint Tim Leslie, Jody den Haan and Tina McKay as Fire Inspectors for West Hants Regional Municipality in accordance with Clause 19 (1) (b), Fire Safety Act.**

**Motion Carried.**

*Ryan Parker and Tim Leslie left the meeting at 9:46 pm.*

**f. Sidewalks/Paths Infrastructure – Agenda Request Form**

Councillor Murphy reviewed the request form for a path system to allow children to get safely to school and improve active transportation.

**MOVED by Councillor Murphy and Deputy Mayor Morton that Committee of the Whole recommends that Council direct staff to review existing active transportation documentation that may support the request of the Councillor and report back to Committee of the Whole in October.**

**Motion Carried.**

(Vote was held after discussion)

Discussion Points:

- There is no clear strategy for sidewalks in the Municipality although the Municipal Specification Manual for Windsor does have some strategy for Windsor.
- Nova Scotia Transportation and Infrastructure renewal will need to be consulted as some roads are Provincial.

- Maintenance cost and responsibility of sidewalks will need to be determined.

**g. Replace/Install Septic Systems Loan Program - Agenda Request Form**

CAO Phillips reviewed the request form noting factors that Council should consider before a loan program starts. As collection of the loans would be in the same manner as taxes in accordance with the Municipal Government Act, there is low financial risk for the program.

**MOVED by Councillors Sherman and Morton that Committee of the Whole recommends that Council direct staff to explore options of sewer and water loan programs.**

**Motion Carried.**

(Vote was held after discussion)

Discussion Points:

- It was noted that the former District of West Hants Council previously explored idea for water / well program similar in nature to the sewer program being discussed, but determined it was cheaper to obtain loan from a bank and the program would affect the municipal debt ratio.

**h. Restaurants and Mobile Canteens – Agenda Request Form**

Councillor Ivey reviewed the request form to review fees and regulation associated with restaurant and mobile canteens.

**MOVED by Councillor Ivey and Deputy Mayor Morton that Committee of the Whole recommends that Council direct staff to prepare a report for Council on the by-laws and fees applicable for restaurants (including sidewalk cafes) and mobile vending units. It would be helpful to include information on the location permissions as well as comparable fees in our region for similar services along with any recommendations for changes staff may deem appropriate.**

**Motion Carried.**

**i. Racial Profiling Assertion – Agenda Request Form**

Councillor Ivey reviewed the request form concerning an allegation of racial profiling after an incident at a local establishment.

**MOVED by Councillors Ivey and Murley that Committee of the Whole recommends that Council write a letter to the local RCMP office that we are committed to dismantling racism in all its forms and effect within our communities and sphere of influence.**

**Motion Carried.**

**j. Pedestrian Signage Barriers – Agenda Request Form**

Councillor Ivey reviewed the request form for a consistent design of barricades and protective tools that are pedestrian and tourist friendly.

**MOVED by Councillors Ivey and Murphy that Committee of the Whole recommends that Council endorse the request and for staff to prepare information for the 2021/22 Capital Budget and Operation Budgets. It is possible that purchase of the item could be phased in over a period of time. Further, these items should be incorporated into our growth centers through the Region and other areas as required.**

**Motion Carried.**

**k. Sam Slick Monikor Removals - Agenda Request Form**

Councillor Ivey reviewed the request form stating the effects of the racial controversy, which happened in 2009, regarding Sam Slick is still being felt today in the community and by the member of the black community which brought the issue forward.

**MOVED by Councillors Ivey and Murphy that Committee of the Whole recommends that Council direct the removal of the Wire Icons and Sam Slick-like wind-vane that exist and remain in Windsor and other Sam Slick icons on public property.**

**Motion Carried.**

**MOVED by Councillors Ivey and Jannasch that Committee of the Whole recommends that Council write a letter of apology to the individual who identified the racist nature of the illustration to acknowledge the pain and hurt that can result from the comments in the community, and that the community comes together to let the issue go.**

**Motion Carried.**

**12. Public Participation Period**

Tasha Rogers, Brooklyn, stated she felt like a stakeholder for the Avon River issue and thanked Council for additional time allowed for the Avon River presentations. She was disappointed with the information and consultation being provided by the Community Liaison Committee, especially as bridges were not even considered. Ms. Rogers recited a haiku poem and noted her concerns for Mi'kmaw consultation, ability to obtain information and the restoration of the ecosystem. She reminded Council they represented lands of rivers and estuaries.

Zachary Paul, Membertou First Nation, stated that a mistake was made 50 years ago which blocked the river and stopped industries in the area. He stated the river will be here long after everyone is gone and asked that Council consider what would be left for the next seven generations noting a blocked river is not conducive to a healthy

population. The only way forward is to restore the natural beauty and prosperity of the area by promoting proper fish passage of bridges and dykes with no blockage.

**13. In-Camera** – There was no in-camera.

**14. Next Meeting Date / Adjournment**

The next meeting will be Regular Council on September 22, 2020.

**MOVED by Deputy Mayor Morton and Councillor Murphy that the meeting adjourn.**

**Motion Carried.**

*The meeting ended at 10:23 pm.*

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Abraham Zebian, Mayor

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Rhonda Brown, Municipal Clerk