

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda - AMENDED

December 7, 2021 - 6:00 p.m.

(also held via virtual via Zoom and Facebook livestreamed)

Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.



1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous/Unsightly

Moved up on the agenda: Item 11 New Business b) MCCAP 2022 Work Plan Recommendation Report is now item 7 a)
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2021-11-09 Committee of the Whole minutes
7. **MCCAP 2022 Work Plan – Recommendation Report – Planner Poirier**
8. Unfinished Business/Postponed Motions
 - a) Bulk Water Rate Study – Recommendation Report – Councillor M. McLean
 - b) Opening of Edward and Underwood – Informational Report – Manager Burgess
9. Reports
 - a) CAO Activity Update – Information Report
 - b) Financial Updates – Information Report - Dir. Rochon
10. Correspondence
 - a) Information
 - i. Avon Causeway Activity Log
 1. Current Correspondence as of December 1, 2021
 2. 2021-11-25 Letter received for the Hants County Legion Branch No. 9
 3. 2021-11-30 Letter received for Hon. John Lohr - Municipalities Villages - Code of Conduct

4. 2021-11-30 Letter received from Hon. Melissa Sheehy-Richard, MLA re: letter sent to Hon. Kim Masland – Trails
5. 2021-10-28 Acknowledgement of receipt of notification re Combined Sewer Overflows

b) Requests (for discussion)

c) Out-going (related to motions of Council to other Provincial agencies/depts)

1. 2021-11-23 Letter of response to Robyn Homans, Public Works Area Manager
2. 2021-10-27, Letter sent re Combined Storm Overflows - Action Plan Oct2021 NSE

11. New Business

- a) Audit Committee Appointment Report – Recommendation Report – Dir. Rochon
- b) Panuke Road Booster Station Construction Award – Recommendation Report – Dir. Richard
- c) Riverview Road Hantsport Infrastructure Renewal Design – Recommendation Report – Dir Richard
- d) Wastewater Discharge and Transitional Authorizations – Councillor Ivey
- e) Summerville Fire Rescue Truck Tender Award WHRMAD20-07A – Recommendation Report – Supervisor Thornton

12. Public Participation Period

13. In-Camera – None

14. Next Meeting Date / Adjournment

1. Call to Order - Mayor Zebian called the meeting to order at 6:04 p.m.
2. Attendance

Council:

Abraham Zebian, Mayor	Bob Morton, Councillor Dist. 6
Rupert Jannasch, Councillor Dist. 1	Ed Sherman, Councillor Dist. 7
Scott McLean, Councillor Dist. 2	John A. Smith, Councillor Dist. 9
Mark McLean, Councillor Dist. 3	Laurie Murley, Councillor Dist. 10
Jeff Hartt, Councillor Dist. 4	Jim Ivey, Councillor Dist. 11
Debbie Francis, Councillor Dist. 5	

Regrets:

Paul Morton, Deputy Mayor, Dist. 8

Staff:

Mark Phillips, CAO	Kathy Kehoe, Dir. Comm. Development
Shelleena Thornton, Municipal Operations Supervisor	Troy Burgess, Manager, Public Works
Deanna Snair, Exec. Asst/ Clerk	Todd Richard, Dir. Public Works
Carlee Rochon, Dir. Financial Services	Sara Poirier, Sr. Planner

Regrets:

Madelyn LeMay, Dir. Planning and Development

3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard – Dangerous or Unsightly – Information logAgenda amendment(s):
Move Item 11(b), MCCAP 2022 Work Plan to 7(a)

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED.

4. Declaration(s) of Conflict of Interest
Item 8(b) - Councillor Francis and Mayor Zebian declared conflict due to owning land.
5. Announcements
 - Mayor Zebian acknowledged that West Hants Regional Municipality recognizes that we are in Mi'kma'ki, the ancestral territory of the Mi'kmaq people and that this land is governed by the treaties of Peace and Friendship signed in 1726. West Hants Regional

Municipality also recognizes that we are all treaty people and have responsibilities to each other and this land.

- Congratulations extended to Darren Porter, recipient of the of the Gulf of Maine Council on the Marine Environment Visionary Award.
- Quarterly newsletters containing a lot of great information have been mailed out.

6. Approval of Previous Meeting Minutes
a) 2021-11-09 Committee of the Whole minutes

MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT THE 2021-11-09 COMMITTEE OF THE WHOLE MINUTES BE APPROVED. MOTION CARRIED

7. MCCAP 2022 Work Plan – Recommendation Report
Planner Poirier reviewed the report.

MOVED BY COUNCILLORS FRANCIS AND HARTT THAT COMMITTEE OF THE WHOLE RECOMMEND THAT COUNCIL PLACE THE MCCAP 2022 WORK PLAN ON FILE IN A MANNER SUBSTANTIVELY THE SAME AS REVISED BY THE MCCAP COMMITTEE AT THE MEETING ON NOVEMBER 10, 2021. MOTION CARRIED

8. Unfinished Business/Postponed Motions
a) Bulk Water Rate Study – Recommendation Report – Councillor M. McLean
Directors Rochon and Richard reviewed the information requested from the 2021-11-23 Council meeting.

Discussion Points:

- The UARB has not done a presentation on the 30% rate charge, there may be a fee associated with this and the answer generally is that further research is required through a legal and study review.
- Bulk water customer hasn't paid a base rate. Only the consumption rate has been paid in the past. The resident customer has paid both the base rate (pays for a portion of the utilities operation) and a consumption rate.
- Prior to the Utility requirement the 30% rate was a Council set rate. No cost increase to water haulers since 2014.
- If the Municipality advertises water as potable, it has to be maintained at a level of potable water. Selling of any water requires regulation, even though a well.
- The UARB set the approved rate for the year as Schedule C. Could submit a revised Schedule C, there would be costs associated with this. Consultants would need to complete a study and UARB controls a rate is changed.
- Cost to set up a water filling station has multiple variables. No land purchase with minimal infrastructure underground. The budgeted amount was \$70,000. This would also have a financial impact for customers.

- The Windsor and Falmouth Water Utilities are not linked.
- Any study would be paid for by the Utility customers. A rate study is due in 2023/24, this will be for all customers.
- Pursue if this is a desktop or paper exercise vs a rate. Get clarity on paper vs public process regarding schedules.
- One water customer is subsidizing the other water customer. In the end it will affect every user regardless, either now or later.

Suggested to not support the motion and await a full rate study to be completed in 2023/24.

MOVED BY COUNCILLORS M. MCLEAN AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL POSTPONE INDEFINITELY THE BULK WATER FILLING STATION RECOMMENDATION AS IDENTIFIED AT THE NOVEMBER 23, 2021 COUNCIL MEETING. MOTION CARRIED. Nays: Jannasch, Sherman, Francis and Zebian

Mayor Zebian and Councillor Francis declared Conflict of Interest and left chambers at 6:57 p.m. Councillor Ivey assumed the chair.

- b) Opening of Edward and Underwood – Informational Report
 Manager Burgess reviewed the report.

Discussion Points:

- Traffic Calming draft policy will come to January 2022 COTW.
- The current road structure meets the requirements of the Municipality. A developer has a pending application, amendments to the Land Use By-law done to accommodate existing development and confirmation of an existing Development Agreement that allows for future development. Suggestion is to wait as the environment may change.
- Gate can still be opened for emergencies. There are no limits on number of times gate can be opened and gate can remain open indefinitely if the need arises.
- Consensus was to wait and see what future developments transpire as per CAO's suggestion in the report.

Mayor Zebian and Councillor Francis returned at 7:03 p.m. Mayor Zebian assumed the chair.

9. Reports

- a) CAO Activity Update – Information Report

Discussion Points:

- Hantsport Fire Station schedule is behind by a few weeks. A revised Gantt chart update will be provided.

- b) Financial Updates – Information Report - Dir. Rochon revied the report.

Discussion Points:

- Taxes collected are on a separate Receivable report.

- Snowplowing projections have not been prepared as we have not entered that season. The budget remains as projected. Wheel loaders are Capital costs vs Operational costs.
- Have a cautious approach when revisiting the MOU with The Province, pay attention to these discussions. These are costs that are out of the Municipalities control.
- Awaiting RCMP final numbers.

10. Correspondence

a) Information

i. Avon Causeway Activity Log

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b) Requests (for discussion)

c) Out-going (related to motions of Council to other Provincial agencies/depts)

1. 2021-11-23 Letter of response to Robyn Homans, Public Works Area Manager
2. 2021-10-27, Letter sent re Combined Storm Overflows - Action Plan Oct2021 NSE

11. New Business

a) Audit Committee Appointment Report – Recommendation Report

Dir. Rochon reviewed the report.

MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE REAPPOINTMENT OF JANE DAVIS, TO THE AUDIT COMMITTEE FOR THE PERIOD OF JANUARY 1, 2022 TO DECEMBER 31, 2022.

AND THAT,

COUNCIL NOMINATE AND APPOINT TWO COUNCIL MEMBERS TO THE AUDIT COMMITTEE FOR THE PERIOD OF JANUARY 1, 2022 TO DECEMBER 31, 2022. MOTION CARRIED (prior to vote, the following nomination process was held).

Mayor Zebian opened the floor for nominations. After four calls for nominations, there were three nominations for Councillors Sherman, M. McLean and Hartt. Councillor M.

McLean declined the renomination. Councillors Sherman and Hartt accepted the nominations and were appointed.

b) Panuke Road Booster Station Construction Award – Recommendation Report
Dir. Richard reviewed the report.

Discussion Points:

- Project is in critical need of replacing.
- No concerns related to winter work, there is an increased cost for winter work.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD OF TENDER WWHPW21-15 FOR A CONSTRUCTION CONTRACT FOR THE REPLACEMENT PANUKE ROAD WATER BOOSTER STATION TO THE LOW COMPLIANT BIDDER, GREYTOP COMMERCIAL CONSTRUCTION, FOR THE TENDERED PRICE OF \$430,562 PLUS 20% CONTINGENCY, PLUS APPLICABLE TAXES, TO BE FUNDED FROM THE WEST HANTS CANADA COMMUNITY BUILDING FUND RESERVE AND, COUNCIL APPROVE THE OPTION OF ADDING THE PROVISIONAL BACK-UP GENERATOR, FOR THE ADDITIONAL CONTRACT COST OF \$46,500, PLUS APPLICABLE TAXES, TO BE FUNDED FROM THE WEST HANTS CANADA COMMUNITY BUILDING FUND RESERVE. MOTION CARRIED Nays: M. Mclean

c) Riverview Road Hantsport Infrastructure Renewal Design – Recommendation Report
Dir Richard reviewed the report.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD OF TENDER WWHPW21-19 FOR ENGINEERING AND DESIGN WORK FOR RIVERVIEW ROAD INFRASTRUCTURE RENEWAL DESIGN TO THE LOW COMPLIANT BIDDER, EXP, FOR THE TENDERED PRICE OF \$46,166, PLUS APPLICABLE TAXES. MOTION CARRIED.

d) Wastewater Discharge and Transitional Authorizations – Information Report
Councillor Ivey reviewed the report.

Discussion Points:

- Anytime the pipe has an overflow, it is reported to the Nova Scotia Environment and logged at the WSER.
- Lift station #1 has one pipe. Have strict SOP's to follow if power outage occurs.
- There are systems that are not combined but still under the influence of rain.
- Pump was tested by recycling water but was not required to be used during the last storm.

- By-Law in place that states residents are not allowed to pipe their rain gutters, perimeter drains, or sump pumps into the sewer.
- CSO's are regulated, if an overflow occurs it is required to be reported. Working towards a solution to prevent future episodes.
- Preventative maintenance and inspections were done to ensure there were no restrictions. The chamber was very clean.
- There is no authorization to spill or dump, but if or when it occurs it must be reported.

e) Summerville Fire Rescue Truck Tender Award WHRMAD20-07A – Recommendation Report Supervisor Thornton reviewed the report.

Discussion Points:

Currently not eligible to use the Canada Community Building Fund (CCBF). It is for infrastructure and Federal government determines funding criteria.

- Approved in the 2020-21 Capital budget and was carried over to the 2021-22 Capital budget.
- Financing can be done over 10-15 years. Shelf life of the vehicle is 15-20 years.

MOVED BY COUNCILLORS JANNASCH AND FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THE AWARD OF TENDER WHRMAD20-07A FOR A FIRE RESCUE TRUCK TO ROCKY MOUNTAIN PHOENIX AT A NET COST OF \$215,137.00 PLUS APPLICABLE TAXES. MOTION CARRIED

MOVED BY COUNCILLORS JANNASCH AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL TO APPROVE A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$202 878.00 FOR THE FIRE RESCUE TRUCK FOR THE SUMMERVILLE FIRE DEPARTMENT. MOTION CARRIED

12. Public Participation Period – There were up to 34 viewers. Most comments pertained to rural water, the bulk water station, and well drilling.
13. In-Camera – None
14. Next Meeting Date / Adjournment – Next regular meeting will be December 16, 2021 Council.

MOVED BY COUNCILLORS M. MCLEAN AND SHERMAN THAT AT 8:14 PM, THE MEETING ADJOURN. MOTION CARRIED