

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda - AMENDED
May 10, 2022 - 6:00 p.m.
(also held via virtual via Zoom and Facebook livestreamed)



1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
Dashboard Action Items – Dangerous/Unsightly
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2022-04-12 Committee of the Whole minutes
7. Presentations
 - a) Chimney Swifts - Rielle Hoeg and Graham Sorenson
 - b) Causeway Presentation – Devin Lake and Rob Leblanc
 - c) Tax Sale Presentation – Clerk Brown
8. Unfinished Business/Postponed Motions
 - a) Status Update – Bowman Road -CAO Phillips
9. Reports
 - a) CAO Activity Update – Information Report
 - b) Financial Update – Information Report - Dir. Rochon
 - c) Municipal Climate Change Action Plan (MCCAP) Committee Updates – Information Report-
Councillor Francis
10. Correspondence
 - a) Information
 1. Avon Causeway Activity Log
 - i. Current correspondence received as of May 4, 2022 – None
 2. Correspondence received ledger as of May 5, 2022
 - i. Current Correspondence received as of May 5, 2022
 3. Fort Edward Activity Log
 - i. Current correspondence received as of May 4, 2022

4. Storm Wastewater Activity Log
 - i. Current Correspondence received as of May 4, 2022 - None

b. Requests - None

c. Out-going Correspondence Ledger

1. Correspondence sent as of May 9, 2022

11. New Business

- a) Boundary Review – CAO Phillips
- b) Committees of Council – Request for Decision – CAO Phillips
- c) New Provincial Non Residential Deed Transfer Taxation Report– Information Report – CAO Phillips
- d) 2022-23 Grants and Contribution Recommendation Report - Dir. Kehoe
- e) Upstream Avon River (Lake Pisiquid) Sedimentation Report – Councillor Ivey
- ~~f) Cunnable Creek – Summary of Information Report – Councillor Ivey~~
- ~~g) Flood and Storm Water Capacity – Culverts – Pipes – Lagoons – Information Report – Councillor Ivey~~
- h) Notice to Amend Sidewalk Café Fees in the Fees Policy RCONF-013.00 – Councillor Ivey
- i) Notice to Amend the Mobile Canteen Fees in the Fees Policy RCONF-013.00 – Councillor Ivey
- j) Sewer Rates – Councillor Francis
- k) Sidewalk Needs Assessment – Request for Decision – Councillor Smith
- l) **Water and Sewer Laterals – Councillor S. McLean**

12. Public Participation Period

13. In-Camera

14. Next Meeting Date / Adjournment

1. Call to Order - Mayor Zebian called the meeting to order at 6:00 p.m.
2. Attendance

Council:

Abraham Zebian, Mayor
Rupert Jannasch, Councillor Dist. 1

Scott McLean, Councillor Dist. 2
Mark McLean, Councillor Dist. 3
Jeff Hartt, Councillor Dist. 4
Debbie Francis, Councillor Dist. 5

Paul Morton, Deputy Mayor Dist. 8 (ZOOM)
Bob Morton, Councillor Dist. 6

Ed Sherman, Councillor Dist. 7
John A. Smith, Councillor Dist. 9
Laurie Murley, Councillor Dist. 10
Jim Ivey, Councillor Dist. 11 (ZOOM)

Staff:

Mark Phillips, CAO

Shelleena Thornton, Municipal
Operations Supervisor
Deanna Snair, Exec. Asst/ Clerk
Carlee Rochon, Dir. Financial Services

Suzanne Brown, Tax Clerk (ZOOM)
Troy Burgess, Manager, Public Works

Tim Leslie, Manager of Building and Fire
Inspection Services
Madelyn LeMay, Dir. Community
Development
Kathy Kehoe, Dir. Community Development
Rielle Hoeg and Graham Sorenson,
Presenters In-person (ZOOM)
Devin Lake and Rob LeBlanc, Presenters

Regrets:

Todd Richard, Dir. Public Works

3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard – Dangerous or Unsightly – Information log

Agenda amendment(s):

- Remove items 11(f) Cunnable Creek (Summary of Information) and 11(g) Flood and Storm Water Capacity.
- Add item 11 (l) Water and Sewer laterals.

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

4. Declaration(s) of Conflict of Interest – Councillor Hartt declared conflict with item 11(d) 2022-23 Grants and Contributions. He is affiliated with the Masonic Society.

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.
- Meeting is a hybrid version. Voting will be through show of hands (yea or nay) or by utilizing coloured cards.

6. Approval of Previous Meeting Minutes

a) 2022-04-12 Committee of the Whole minutes

Councillor Ivey noted that the 2022-04-12 COTW minutes referenced “waiting for information on the \$20,000,000 that has been set aside in the Spring budget relating to the RCMP and what agreement the funding is specified for” in the financial update. The municipality has no agreement in place with the RCMP for this amount.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE
2022-04-12 COMMITTEE OF THE WHOLE MINUTES BE APPROVED
AS AMENDED. MOTION CARRIED**

7. Presentations

a) Chimney Swifts Presentation

Ms. Hoeg and Mr. Sorenson reviewed the presentation and answered questions pertaining to the presentation.

Discussion Points:

- Consensus was to have the questions from the presentation emailed to Council. The Planning Advisory Committee could review and further advise Council on opportunities to explore and potentially incorporate into the Planning documents.

Ms. Hoeg and Mr. Sorenson left the meeting at 6:18 p.m.

b) Causeway Presentation

Mr. Lake and Mr. LeBlanc reviewed the presentation and answered questions pertaining to the presentation.

Mr. Lake and Mr. LeBlanc left the meeting at 7:03 p.m.

c) Tax Sale Process Presentation

Clerk Brown provided an overall review of the Tax sale process and answered questions pertaining to the presentation.

Clerk Brown left the meeting at 7:18 p.m.

8. Unfinished Business/Postponed Motions

a) Status Update - Bowman Road

CAO Phillips and Manager of Building and Fire Inspection Services Leslie reviewed the report. The report highlighted communication timeline, quoted costs compared to actual costs incurred and factors (discovery of hazardous material) that increased the demolition costs.

Discussion Points:

- Demolition tenders are advertised every three years. The current tender received two responses. Vendors utilized by the municipality bid on every project that requires demolition.
- Demolition of a structure is a last resort option. If a structure is deemed unsafe the municipality has a responsibility to ensure it is removed and the area is made safe.
- Quotes received were based on a standard tear down. The increased costs were associated with finding the hazardous materials (asbestos and lead paint on the exterior of the structure. Under normal demolitions, the municipality covers the costs of the tipping fees.
- The vendor/company is responsible to disclose if hazardous materials are found. Hazardous materials are the contractor's responsibility to remove and legislated by the Department of Environment.
- The cost comparison is viewed as labour intensive work is comparable to the costs associated with a complete knock down and removal as one complete piece. The trade off on costs is reflected in the reduced tipping fees on the demolition alone.
- Consensus is to obtain correspondence from Department of Environment re: approval of the tear down and improved communication from the municipality is needed in the future.

Manager, Building and Fire Inspection Leslie left the meeting at 7:55 p.m.

9. Reports

a) CAO's Report

CAO Phillips reviewed the report.

Discussion Points:

- Avondale Boat launch will be discussed during budget deliberations. The size and scale of the project relating to engineering and cost estimates has grown. No applications for provincial or federal grants have accessed at this time.
- Valley REN termination clause will return to Council for further discussion.

b) Financial Monthly Update

Dir. Rochon reviewed the report

Discussion Points:

- The transfer of the Double Equalization is included in the projected surplus.
- Tax sale surpluses have a tax sale reconciliation completed. These funds are considered a liability until recognized and sit on the balance sheet.

- There are no surpluses coming to maturity.

c) Municipal Climate Change Action Plan Committee Update – Information Report
Councillor Francis reviewed the report.

Discussion Points:

- No direction was given from the committee regarding a stance on wind vs solar projects. Consensus was to focus on a small-scale solar project due to cost analysis
- There is increased interest and inquiries from public in the Municipal Climate Change Action Plan Committee (MCCAP)

10. Correspondence

a) Information

1. Avon Causeway Activity Log
 - i. Current Correspondence up to May 4, 2022. There was no new correspondence received.
2. Current Correspondence Received Log
 - i. 2022-05-02 Hon. John Lohr re: Renegotiating the Memorandum of Understanding (MOU) with Municipalities
 - ii. 2022-05-05 Ann Marie Mathieu, Annapolis Valley Regional Library re: Thank you
3. Fort Edward Activity Log
 - i. Fort Edward Current Correspondence up to May 4, 2022
4. Storm Wastewater Activity Log
 - i. Storm Wastewater Current Correspondence up to May 4, 2022 - None

b) Requests - None

c) Out-going as of May 9, 2022

- i. 2022-04-28 Station Food Hub re: support sent April 28, 2022
- ii. 2022-04-28 Melissa Sheehy-Richard re: Avon River Eco-Tourism sent May 2, 2022
- iii. 2022-04-28 Melissa Sheehy-Richard re: Exit 6 extended closure sent May 2, 2022
- iv. 2022-05-09 Hon Joyce Murray re correspondence sent May 10, 2021, requesting to not renew the Ministerial Order
- v. 2022-05-09 Assembly of Mi'kmaw Chiefs re correspondence sent on May 10, 2021, requesting to not renew Ministerial Order

11. New Business

a) Boundary Review Information Report
CAO Phillips reviewed the report.

Discussion Points:

- Utility and Review Board (UARB) recognizes the extensive work that was completed by the municipality in 2019, however a public consultation component is still required by the UARB.
- A review would consider any significant growth and ensure there is balance within the districts.
- Consensus is the topic warrants further discussion. Item will return to Committee of the Whole in June or July with information pertaining to updated population numbers, specifically growth or changes within the Districts for West Hants and to have this information presented annually to Council.

b) Committees of Council Request for Decision Report

CAO Phillips reviewed the report.

Discussion Points:

- Intent was to have added Councillor input on areas that staff are reviewing prior to the report coming to Committee of the Whole.
- Consensus was that discussions pertaining to public works are best discussed as a whole.

c) New Provincial Non-Residential Deed Transfer Taxation Information Report

CAO Phillips reviewed the report.

Discussion Points

- Consensus was felt that the deed transfer tax has typically been municipal territory. This is a main source of revenue for municipalities.
- Communicate to the province in a letter the contributions that municipalities bill out such as education and health that are part of municipal taxation.
- Staff will prepare a draft letter to be sent out to Council for review to ensure the tone and language is communicated. Feedback would be provided from Council prior to sending.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO COMPOSE A LETTER WITH REGARDS TO THE PROVINCES ENTRY INTO THE DEED TRANSFER TAX ARENA DISCOURAGING THEM FROM CONTINUING WITH THAT INITIATIVE. AND FURTHER THAT THE LETTER BE FORWARDED TO ALL 48 MUNICIPAL UNITS, MLA MELISSA SHEEHY-RICHARD AND THE NSFM. MOTION CARRIED

Councillor Hartt left the meeting at 7:44 p.m.

d) 2022-23 Grants and Contributions Recommendation Report

Dir. Kehoe reviewed the report.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON
RECOMMENDS THAT COMMITTEE OF THE WHOLE RECOMMENDS
COUNCIL DEFER THE 2022-23 GRANTS AND CONTRIBUTIONS
RECOMMENDATION REPORT UNTIL AFTER THE BUDGET HAS
BEEN APPROVED. MOTION CARRIED**

Councillor Hartt returned at 8:48 p.m.

e) Upstream Avon River (Lake Pisiquid) Sedimentation Report
Councillor Ivey reviewed the report.

Discussion Points:

- Consensus was to have a future meeting/presentation from Dr. Danika van Proosdij to Council and staff for informational purposes.

f) Notice to Amend Sidewalk Café Fees in the Fees Policy RCONF-013.00
Councillor Ivey gave notice; this item will return to a future meeting.

g) Notice to Amend the Mobile Canteen Fees in the Fees Policy RCONF-013.00
Councillor Ivey gave notice; this item will return to a future meeting.

h) Sewer Rates – Councillor Francis
Councillor Francis reviewed the report.

Discussion Points:

- Currently within the proposed budget the West Hants Sewer Utility projects deficit of \$52,000 (this incorporates the new rates within this year).
- Deficits must be funded. The general taxpayer incurs the deficit, the sewer utility would be invoiced and repay the general taxpayer and the funds would be removed from the Utilities Capital contribution.
- Normal communication process is the April bill would contain any notices of a rate change. The change would be effective April 1st; but not reflected to the customer until the next billing cycle.
- In 2019 the focus was on the consolidation of the three years of the water utility and the conversion and how sewer would fit into that.
- Consensus was that more information was required to make an informed decision. Item will return to the ~~June~~ May 24, 2022, Council meeting with information identifying what the financial (in dollars) impact to the sewer users would equate to.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON
RECOMMENDS THAT COMMITTEE OF THE WHOLE RECOMMENDS
TO COUNCIL THAT THE UNEXECUTED PART OF THE DECEMBER 9,
2018, SEWER RATES MOTION OF THE FORMER WEST HANTS**

REGIONAL MUNICIPALITY THAT INCLUDED 2022/23 RATES BE
RESCINDED

At 8:59 p.m. Councillors Francis and B. Morton withdrew the motion.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT
COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT
STAFF TO BRING BACK TO COUNCIL A REPORT WITH THE 2022-23
SEWER IMPACT. MOTION CARRIED**

- i) Sidewalk Needs Assessment – Request for Decision
Councillor Smith reviewed the report.

Discussion Points:

- The population in the growth centres is increasing. There is an increased usage of individuals using the side of the roads as a sidewalk.
- Basic information is required such as costs, location of needed sidewalks and the effect this will have on the area rates.
- It is important to manage expectations. Staff will return in June after dissecting the report and identify to Council what will be reviewed to complete the report with an emphasis on the differences in costs between traditional sidewalks and asphalt sidewalks. This would be a very preliminary report.
- Consensus was to expand on the recommendation to include more densely populated areas and explore the liability and maintenance concerns and potential cost share programs available with the province.

**MOVED BY COUNCILLORS SMITH MURLEY THAT COMMITTEE OF
THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO
COMPLETE A SIDEWALK NEEDS ASSESSMENT IN THE GROWTH
CENTRES OF THE DENSELY POPULATED AREAS OF WEST HANTS
REGIONAL MUNICIPALITY THE EXACT LOCATION OF THE NEEDED
SIDEWALKS AND ASSOCIATED CROSSWALKS, THE WIDTH AND
COMPOSITON, THE ESTIMATED CAPITAL COSTS, OPERATING
COSTS, THE IMPACT ON PROPERTY TAX RATES AS WELL AS
EXPECTED COST SHARE AGREEMENT THAT COULD BE IN PLACE
WITH THE PROVINCE, A PRIORITY RANKING ALONG WITH A
REASONABLE CONSTRUCTION CYCLE, A PUBLIC ENGAGMENT
TOOL AND AN EXPLANATION OF THE METHODOLOGY USED TO
DO THE ASSESSMENT AND FURTHER STAFF REPORT IN JUNE THE
HIGHLIGHTS OF THIS RECOMMENDATION. MOTION CARRIED**

- j) Water and Sewer Laterals
Councillor S. Mclean gave a verbal report.

Discussion Points:

- The resident homeowners are responsible for repairs up to the property line for both water utilities. If there is no curb stop in place, the property line determines how far the property owner is responsible.
 - The resident homeowner is responsible for repairs up to the main regardless of what side of the road it is located on for both sewer utilities.
 - Depth also impacts the costs.
 - Typically, roots or collapsed pipes are the cause of sewer repairs.
 - Current practice now is to replace a pipe from the sewer main to the property line when a road reconstruction is done.
 - Consensus is to review further. There appears to be an inequity in this area. Staff will return with report highlighting the history and information.
12. Public Participation Period – Upwards of forty-one (41) viewers with several comments. Various themes and comments pertaining to the Causeway and Tax sale process presentations. Comments were also related to the Avondale wharf, Committees on sizes and numbers. Mayor Zebian reminded everyone that Council chambers is open to the public.
13. In-Camera - None
14. Next Meeting Date / Adjournment – Next Budget meeting will be Wednesday May 11, 2022, at 5:30 p.m. The next regular meeting will be May 24, 2022, Council.

MOVED BY COUNCILLORS B. MORTON AND SHERMAN THAT AT 9:21 PM, THE MEETING ADJOURN. MOTION CARRIED

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk