

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**
January 10 , 2023 - 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 or Unsightly Premises
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2022-12-06 Committee of the Whole Minutes
7. Presentations
 - a) Benjamins Mill Wind Project – Meg Morris and Chiara Ferrero-Wong
 - b) Windsor Township Business Association - Pierre Tabbiner and Kjeld Mizpah Conyers-Steede
 - c) Proposed Traffic Circle Presentation and Request for Direction – Paul Burgess and Adam Sketchley from Design Point
8. Unfinished Business/Postponed Motions
 - a) MP Blois and MLA Sheehy-Richard Discussion with Council
 - b) 2023 Cooperative Funding of Provincial J Class Roads - Information Report– Director Richard
 - c) Subdivision Street Lighting Information Report – Director Richard
 - d) Electronic Sign Recommendation Report - Director Kehoe
 - e) Noise and Community Standards By-Law - Supervisor Thornton
 - f) Regional High School Bursary Decision Request Report - Clerk Snair
 - g) Land Dispute Administrative Policy - Clerk Snair
 - h) Meeting and Committee Procedural Policy RCOGE-003.00 - Information Report - Clerk Snair
 - i) **Boundary Review Map Council Discussion and Direction**
9. Reports
 - a) CAO Activity Update - Information Report
 - b) Financial Update Ending November 30, 2022 -Director Gibson

10. Correspondence
 - a) Information
 1. Avon Causeway Activity Log as of January 5th, 2023
 2. Correspondence Received Ledger as of January 9th, 2023
 - a) 2022-12-14 NSFMR re: Code of Conduct Summary of Contents from Consultations
 - b) 2022-12-15 Hon. Joyce Murray re: Lake Pisiquid and the Pumpkin Regatta
 - c) 2023-01-09 Graham Sanford re: Follow up related to concerns presented on December 13, 2022
 3. Fort Edward Municipal Lands Activity Log as of January 5th, 2023
 4. Storm Wastewater Activity Log as of January 5th, 2023
 - a. Requests - None
 - b. Out-going Correspondence Ledger as of January 5th, 2023
 1. 2022-12-15 Correspondence sent to the VREN re Intermunicipal Service Agreement (IMSA)
 2. 2022-12-20 Correspondence sent to MLA Sheehy-Richard re Invitation to meet with WHRM Council
 3. 2022-12-20 Correspondence sent to MP Kody Blois Invitation to meet with West Hants Regional Municipal Council
11. New Business
 - a) Hotel Study – Councillor Mark McLean
 - b) Region 6 Budget – Acting Director Gibson
 - c) Grants and Contributions Policy RCOFN-003.00 Amendment Recommendation Report – Director Gibson
 - d) BFD Pumper/Tanker 1 Over-budget Equipment List- Supervisor Thornton
 - e) WFD Rescue Engine Tender Award (WHRMAD22-03A) - Recommendation Report- Supervisor Thornton
 - f) West Hants Sports Complex Acoustics Decision Request Report - Director Kehoe
12. Public Participation Period
13. In-Camera
 - a) 2022-11-08 Committee of the Whole In-Camera Meeting Minutes
 - b) 2022-12-06 Committee of the Whole In-Camera Meeting Minutes
 - c) MGA 22 (2)(a) Land Matter

14. Next Meeting Date / Adjournment – January 24th, 2023 at 6 p.m.



1. Call to Order – Deputy Mayor Paul Morton 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

Paul Morton, Deputy Mayor Dist. 8
Debbie Francis, Councillor Dist. 5
Bob Morton, Councillor Dist. 6
John Smith, Councillor Dist. 9
Jim Ivey, Councillor Dist. 11

Regrets:

Ed Sherman, Councillor Dist. 7
Laurie Murley, Councillor Dist. 10

Staff:

Mark Phillips, CAO
Kathy Kehoe, Dir. Community
Development
Shelleena Thornton, Municipal
Operations Supervisor
Todd Richard, Dir. Public Works

Pierre Tabbiner and Kjeld Mizpah
Conyers-Steede, WTBA
MLA Sheehy-Richard
Paul Burgess and Adam Sketchley, Design
Point

Deanna Snair, Exec. Asst/ Clerk
Diana Gibson, Acting Director of Financial
Services
Madelyn LeMay, Dir. Planning and
Development (ZOOM)
Meg Morris and Chiara Ferrero-Wong,
Benjamins Mill Wind Project
MP Kody Blois
Chief Richard, BFD
Jamie Harvey and Daniel Lavers, WFD
Six (6) members in the Gallery

3. Approval of the Agenda, including additions or deletions (6:00 p.m.)

a) Dashboard Action Items – Information Log
Dashboard – Dangerous or Unsightly Premises – Information log

Discussion Points:

- The letter referenced in the Dangerous or Unsightly Dashboard has been sent. A follow up meeting will be held internally to discuss next steps with respects to the lack of response from the vendor.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE 2023-01-10 COMMITTEE OF THE WHOLE AGENDA BE APPROVED. MOTION CARRIED.

4. Declaration(s) of Conflict of Interest
There were no conflicts of interest.
5. Announcements (6:01 p.m.)
 - Deputy Mayor P. Morton 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 this land and each other.
6. Approval of Previous Meeting Minutes (6:02 p.m.)
 - a) 2022-12-06 Committee of the Whole Minutes

**MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT THE 2022-12-06 COMMITTEE OF THE WHOLE MEETING MINUTES BE APPROVED.
MOTION CARRIED.**

7. Presentations (6:03 p.m.)
 - a) Benjamins Mill Wind Project – Meg Morris and Chiara Ferrero-Wong
The Benjamins Mill Wind Limited Partnership is a partnership between Wskijnu'k Mtmo'taquinow Agency Ltd (the Agency) and Natural Forces. The proposed project is a 150 MW (approximate) project with total 28 turbines. Development will occur in phases, with phase one having 8 turbines (4.2-6.2 MW per turbine).

Summary points:

- The selected area has favourable wind resources and local zoning, over a km setback from residences. The disturbed land base was close to existing electrical infrastructure and the willing landowner has previous experience.
- NS Power system impact study ongoing for 33.6 MW, Environmental studies from March 2021 to November 2022, Environmental assessment registered with the province in January 2022 and a power purchase agreement with NS Power secured for Phase 1 through the Rate Base Procurement.
- Environmental studies (bird and bat surveys, avian migratory radar and acoustic monitoring, vegetation surveys, lichen surveys, terrestrial habitat surveys, sound level impact and shadow flicker assessments, wetlands and watercourse surveys along with archaeology desktop and field assessments) have been completed.
- Public comment period was open until February 5, 2023. Copies of the EA can be found at NS Environment, Kentville Regional Office, Windsor Regional Library, West Hants Municipal Office or online at <https://novascotia.ca/nse/ea>.
- Open houses were held in July 2021, February 2022, October 2022.
- Project benefits include approximately \$7-30M over 25 years in property taxes to the municipality, employment opportunities during construction, economic

spinoff for local businesses, more renewable energy onto the provincial grid, creation of own-source revenue for the Mi'kmaw bands in NS, diversification of energy sources in N.S., low electricity cost to the provincial utility and potential to generate power to approximately 13,000 to 58,000 N.S. homes.

- Looking at construction for phase 1 in 2023-2024 and commissioning for phase 1 in 2024. The project would be operation for 25+ years.

Discussion Points:

- Phase 1 had the potential to generate \$7 million in tax revenues. Once completed there was the potential to generate \$30 million.
- A project of this size required connection to the transmission grid.
- The province announced another procurement program called the Green Choice Program. This is a subscriber-based program where organizations subscribe and directly benefit from the green energy. There was value in having information regarding potential carbon benefits related to the proposed project being presented.
- Land Agreements require decommissioning of the project and remediation of the site at the end of the project's life. It was thought that this was addressed within the Development Agreement.
- Within the company there was a subsidiary part that develops solar projects. There was a small 2-megawatt project in Amherst. There are also various community level projects that support solar panels on community buildings.

The presentation concluded at 6:23 p.m. Ms. Morris and Ms. Ferrero-Wong Rogers left the meeting at 6:23 p.m.

b) Windsor Township Business Association (WTBA) – Pierre Tabbiner and Kjeld Mizpah Conyers-Steede (6:23 p.m.)

Representatives from the Windsor Township Business Association provided a brief introduction and background about themselves. The request made was for \$60,000 to fund the hiring and salary of a dedicated staff member (an Executive Director).

Summary Points:

- The WTBA is made up of business owners, with a dedicated staff it was imaged that clearer and more consistent communication with Council and the Municipality. Imagine Hantsport being represented, partnered and supported by the WTBA.
- With the awareness of what the WTBA current achieves, imagine what could be done with dedicated leadership. The WTBA could continue doing what they current achieve and look at assisting with inter-town festivals, experiment with reviving the Pumpkin Regatta in a new format and work together to develop a marketing plan for the region.
- With the large-scale growth, new residents and close proximity for Halifax commuters it was felt that this was the time to set West Hnats up for success. A

dedicated staff would be pro-active, not reactive and keep all of West Hants in mind.

- Business Improvement Districts encourage increased property values (both commercial and residential), improves sales for small businesses and decreases retail vacancy.
- As municipalities grow there was a need for West Hants businesses to have the support required to navigate the changes in the population growth and have an organization with the expertise to leverage any potential opportunities that may exist.
- Service centres within Business Improvement Districts play a role in recruiting and retaining residents to an area.
- Although the WTBA members all have businesses within Windsor, individuals reside throughout the region and were thinking of the entire region as a whole.

Discussion Points:

- The desire of the WTBA was to work with more businesses within every community. It was about imagining all the possibilities. If there was a staff that understood the barriers, then that staff would have time within each area to help mediate business improvements.
- The success of a municipalities economy could be determined based on the status of the Business Improvement Districts.
- The position was described as 25-30 per week, either an Executive Director that was culpable to the group and helps control and ensure meetings run smoothly. It could also be a person who was a Programming Director type as well as looking at the Advocacy role and show casing the talent within the municipality.
- It was felt that the WTBA would not hire from within. It was believed that a consultant would be used for the hiring process. The hiring approach would be unconventional.
- The mandate of the WTBA was the main business district of downtown Windsor. Things done to market the core area bring money into the region. There was more value in areas outside the core district. Banners would be placed in the downtown core area, but the WTBA wanted to boost all areas.
- The WTBA was funded based on a flat fee. A lot of specific projects were funded through grants (ACOA funded the murals). A lot more organizations at the Federal and Provincial levels were seeing the value in funding projects within the Business Improvement Districts.
- The WTBA would help navigate and understand the provincial and federal scopes and understand the different marketing opportunities available. The WTBA would be the glue. If the municipality was to grow economically, small businesses need to have the ability to be able to navigate what was out there.
- The \$60,000 funding request was in addition to anything currently provided. Funding for this would be seen as a grant.

The presentation concluded at 6:52 p.m.

c) Proposed Traffic Circle Presentation related to Payzant Drive – Wentworth Roundabout – Paul Burgess and Adam Sketchley from Design Point (6:52 p.m.)
Mr. Burgess and Mr. Sketchley provided a brief introduction. In 2013 the Garlands Crossing/Windsor border Area study provided a long-term transportation strategy to accommodate the future growth in the area. The study recommended traffic signals or a roundabout be installed at Wentworth Road/ Payzant Drive intersection.

Summary Points:

- In 2021 the Windsor Intersection Infrastructure Needs Assessments study confirmed the need for upgrades and recommended the intersection be upgraded to a roundabout.
- Traffic studies examined the impact growth would have at the Wentworth-Payzant intersection. 2030 design hour volumes for the am and pm peak hour period were created resulting in the belief that a single lane roundabout could accommodate the projected traffic volumes.
- Roundabout benefits include improved safety, reduced delays, reduced environmental impacts, improved aesthetics, and improved network considerations.
- Some challenges associated with roundabouts would include costs, land, utilities, and access.
- The costs associated with signals was \$1.1 million and a roundabout was \$1.815 million. The costs did not include potential property acquisition, easements costs, taxes and were reflective to 2022-dollar amounts. An additional right of way was required for the project.
- With respects to access, a commercial driveway was the fourth leg to the intersection. The Canadian Roundabout Design Guidelines (CRDG) discourages allowing access to a driveway unless it met balanced flow criteria. This driveway did not meet the criteria. Alternatives were reviewed.
- Unsuitable materials would need to be removed with either the signal lights or a roundabout.

Discussion Points:

- Drivers have become accustomed to roundabouts and can navigate them quickly which resulted in the single lane recommendation.
- Roundabouts are generally more expensive due to occupying a larger footprint but there were additional benefits such as safety that helped offset the initial costs.
- The proposed roundabout had the capacity to handle the traffic needs until 2030. There was a lot of capacity.
- The Commercial driveway would need to be relocated.
- Roundabouts have the ability to control traffic better. There are no stoppages, and they promote more free flow.

The presentation concluded at 7:14 p.m.

8. Unfinished Business/Postponed Motions

a) MP Blois and MLA Sheehy-Richard meeting with Council to discuss their perspective positions in relation to the Highway 101 twinning and the Aboiteau. (7:14 p.m.)

An invitation was extended to MP Blois and MLA Sheehy-Richard to meet with Council and have a discussion pertaining to Highway 101 with respects to providing an update, any additional information based on the direction the project and/or the duration of the project.

Summary Points:

- Both parties expressed appreciation towards the invitation and welcomed an opportunity to discuss the project with Council. Each identified that the highway and aboiteau has been challenging and the most contentious issue on their desks. When talking with people, they wanted to know if there was a possibility to get water back in that lake and it was felt that this remained a predominant concern for most people.
- Both parties stated it was no secret the position that either had taken with respect to the lake and aboiteau. Each felt that if additional pressure was put on both levels of government, the quicker a resolution would occur.
- With respect to the correspondence that was sent by MP Blois, it was based on what was felt to be the communal interest within the area. Both parties welcomed Council's views and felt it was important to hear what Council were hearing from the public.
- The original aboiteau was never designed with fish passage in mind, it was designed for flood protection.
- Council was applauded for writing a letter to the Minister of Fisheries speaking the Pumpkin Regatta and the importance the festival has on economic development and drawing attention to the area. It was hoped that the Minister's response was viewed as a positive sign and that Council recognized that the advocacy made a difference.
- The project cost was projected to be \$151,000,000 and involved shared funding from both the provincial and federal levels.

Summary Points:

- This was highway development on an area resulting from a big public safety concern. The dynamic was not only to twin the highway but to improve the aging infrastructure that was the aboiteau. The province was seeking to be able to build a new structure that provided flood protection while at the same time also meeting the needs/requirements under the fisheries act (2019 identifying the enhanced requirement for all fish, not just commercially viable fish).
- The second was the 2020 ministerial order was rescinded on the bases that the construction of that order resulted in a major fish kill. Some rejigging was done and the new order that was put in place in 2021 has remained in place since.
- MP Blois voiced that it was no secret that he had taken a contrary position compared to some of his colleagues with respects to how they have exercised their discretion. It was felt that under the current legislation there was a wide latitude that provided the ability to consider a number of different factors that still

recognized the importance of fish passage, indigenous rights and reconciliation while at the same time addressed what was believed to be the majority of the community view (water in Laker Pisiquid or water in and around the Avon River was extremely important) which has been well publicly documented.

- MP Blois supported the idea of a brackish lake, it was felt that this was a good scenario where a dangerous section of the highway was addressed (twinned, resulting in a safer highway), drastically improve fish passage, and have the ability to put water back in an area where it was felt that the overwhelming majority of the population in close proximity wanted.
- It was estimated that the Falmouth exit would be completed by early Spring and the downtown section would be completed by fall subject to any unforeseen circumstances.
- The delay remained with the construction of the bridge and aboiteau. The understanding was that DFO were in agreement with the design of the structure, as it was designed to do any operating scenarios. The unanswered question was what the operation scenario would be.
- Operating under the mandate of a federal Ministerial Order, the provinces hands are tied and bound to that order. Continued operation under this scenario with the aged structure puts the Dept. of Agriculture at risk, places extra pressures on resources and financial challenges on the department. MLA wants resolution as much as everyone in the community.
- Consultations are ongoing. Construction of the bridge cannot be started until the aboiteau structure was approved. The hope was that the tenders for both would go out in conjunction with each other resulting in construction occurring at the same time.
- It was felt that if approval from DFO was received than the other required approvals would follow. If approval was provided and the tenders were released in the Spring, a 2025/36 completion date was anticipated.

A break occurred 8:20 p.m. The regular Council meeting resumed at 8:43 p.m.

b) 2023 Cooperative Funding of Provincial J Class Roads – Information Report – Director Richard (8:43 p.m.)

Director Richard reviewed the report to determine interest in participating with the Province of Nova Scotia, towards cooperative funding to repave existing paved Provincially owned J-Class Subdivision roads on an annual basis. It is being presented as a decision request from council if they would like funding for J-Class roads to be included as a standing item in future budgets beginning in 2023. Director Richard highlighted that a similar report was presented to council on February 22, 2022, some additional information has been added to this report for further clarity.

Summary Points:

- This was a yearly program offered to the Municipalities.

- The repaving program was applicable to J-Class subdivision roads that are owned by the province, previous to a 1995 Provincial agreement. All subdivision roads constructed following this 1995 agreement are 100% owned and maintained by each Municipality.
- The cost share policy has been in place since 1995, any upgrades to J-Class roads are required to have 50% funding from municipalities. There appears to be no appetite from the Province to take over the full cost for J-Class roads, however there has been transfer of some J-Class roads to other municipalities giving them full jurisdiction and the requirement to fund and maintain them at full cost. Therefore, taking advantage of 50% funding when available and while this arrangement is in place may be in the best interest of the municipality and residents.
- Of the J Class roads listed; some were sealed (paved), some are unsealed (gravel) and some were paved or gravel roads that have been previously sealed using a double chip-seal process.
- The Municipality currently contributes approximately \$200,000 annually towards the maintenance of these J-Class roads, primarily for snow and ice control activities. This expense is a general rated item on the annual operating budget, under the line-item “Fee to DOT”.
- Funding (50% cost share) is divided proportionately based on km of paved J-Class.
- NSDPW requires Municipalities to submit a list of paved J-Class roads for the 2023/24 fiscal year.
- NSDPW has not performed any roads condition assessment of these roads; leaving the Municipality the responsibility to determine which roads should be prioritized for this program.
- Based on a previous report a \$200,000 annual budget contribution estimates that 100% of the required J-Class Road renewals could be performed in a 5–6-year period using this 50% cost-share program based on a Double-Chip Seal as the intended means for rehabilitation. A double-chip seal treatment does not have the same renewal life expectancy as a mill/repave process; however, it would significantly improve the road surface for the next 10 years.
- Maintenance of J-Class roads including snow removal is a general rated municipal expense.
- Council needs to determine where the funding would come from, what funding model would be considered, what roads are deemed priority and if Council was committed for 5-year funding of this program.

Discussion Points:

- Asphalt can be applied over top of chip sealing. There may be areas where a cut and fill would be required, including potholes.
- In previous years this item was in the budget and later removed. This item could be encompassed within the budget and discussed further at deliberations.
- Roads will continue to degrade and require maintenance.

- The worst roads would be completed first and the remaining roads based on their rating would cycle through. This was an ongoing, revolving process.
- An annual commitment for this to be a line item within the budget would see these roads addressed. It was predicted that the roads requiring repair (critical condition) could be completed within 10 years (for a full overlay) and 5-6 years (for chip seal). The report identifying the list of J-Class roads (rated by condition) would be circulated.
- The Province will not do Capital work on J-Class Roads unless there was a funding partner (1995 Agreement). A lot of municipalities have participated in this. With larger municipalities (HRM) the province has transferred these J-Class Roads over, the tax dollars and the benefit for those roads were the residents and municipalities gaining.
- If Council decided to participate the province wanted advance notice of how many roads and the amount of the contribution.
- Roads are evidence based rated (based on several factors), it was not a political process. The province also needs to agree that the road should be completed. Usually, the Province accepts the municipalities list of roads recommended and provided.
- Council would need to determine if this was General Rated or Area Rated. Other roads looked after within the Municipality were Area Rated. Residents are saying they are already taxed on these roads through the province and the province should be looking after them. If they are Area Rated, why are residents paying twice.
- There did not appear to be any appetite from the province to pave J-Class roads.

c) Subdivision Street lighting Information Report. (8:48 p.m.)

Director Richard reviewed the report to determine street lighting cost models on Municipality-owned streets, where they may be requested for interested communities. This was being presented for preliminary policy discussion purposes. Included in the report was a list of municipally owned streets/communities that currently pay for street lighting services as well as a proposed cost model for other communities considering street lighting.

Summary Points:

- Community of Windsor (previous Town of Windsor – 381 lights) \$47,209 / year +HST, Community of Hantsport (previous Town of Hantsport - 203 Lights) \$24,897 / year + HST. These Municipal-owned decorative streetlights located along primary commercial properties (Main Street). They are NSP-owned high-bay LED streetlights located near most other streets and intersections throughout the area boundaries and are included as an area-based service, charged equally to all residents in their area-rated tax rate. Clover Lane – 6 lights. Municipal-owned decorative streetlights are included as a street-based service, charged equally to all street residents as a supplemental charge to their property tax bill.

- The most convenient and economical method for the addition of streetlighting was for a developer to request high-bay LED lighting be installed on select NSP-owned power poles throughout newly created subdivisions. These streetlights would continue to be owned and maintained by NSP, including repairs and replacement as required. Costs range between \$9.70 to \$18.44 (depending on wattage) plus taxes per light fixture and would be charged to West Hants Regional Municipality. The Municipality could administer and charge back these costs equally to all street/area residents as a supplemental charge on annual tax bills, in the same manner that is currently charged back to existing Clover Lane residents. Another option would be to charge an identified service area similar to the area rates in Hantsport / Windsor.
- Some developers have opted to create some new subdivision streets with underground electrical and have added decorative streetlamp posts resulting in no NSP-owned power poles available on these subdivision streets. Cost for decorative style lights are charged at bi-monthly NSP power rates, plus the incurred costs for any maintenance, repairs and replacement as required. It is proposed that the Municipality administer and charge back these direct NSP costs equally to all street residents as a supplemental charge on their annual tax bill, in the same manner that is currently charged back to existing Clover Lane and Elizabeth Avenue residents. The initial installation and direct costs for underground power and costs for the decorative streetlight poles would be the responsibility of the developer for new subdivision streets, not unlike other utility installations. Once installation is completed according to Municipal Specifications the ownership and maintenance would be the responsibility of WHRM.
- It is possible to add future NSP-owned high-bay LED street lighting to existing subdivision streets, but there may be subdivision residents who do not wish to have this additional service and cost added to their current tax bill.

Discussion Points:

- There was support in getting to a standard where when traveling through West Hants that lights were consistent. How far it was spread throughout the region was another discussion.
- A report representing ballpark costs could be presented rather quickly should direction be given.
- The recommendation was that the policy be created first.
- It was thought that part of the policy would identify areas for streetlights (serviced or unserviced area).
- The Nova Scotia Power model Area Rating was recommended.
- Internal discussions with Planning have occurred and it was agreed that it should be within the municipal specification document. Prior to adopting a policy further input from Planning would be sought out.
- It was felt that there were many rural areas that liked the option of a one-off approach. There was value in having a policy that addressed these one-off

requests (in the rural communities). It was felt that this item should be area rated, as a certain group of residents would benefit from the lighting).

- The policy would return and include financial implications.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO CREATE A POLICY TO COME BACK TO COUNCIL FOR REVIEW. MOTION CARRIED

d) Electronic Sign Recommendation Report (9:07 p.m.)

Director Kehoe reviewed the report regarding the want/need for an electronic sign at the West Hants Sports Complex to help promote the facility and the programs and events being offered. An electronic sign would be beneficial for communicating program and events to the public. It was felt that the best location for an LED sign would be along Wentworth Road to maximize promotions within the Complex but double as a promotional sign for other municipal events. Mounting an LED sign on the Complex would limit the ability to capture more views / traffic.

Should there be an agreement to purchase an exterior LED sign, the suggestion was to consider as part of the procurement process a Canadian company (Light Vu as an example) that distribute in Canada, service the signs with available parts and user-friendly software. LED signs can become disposable very quickly due to the inability to get parts that have to be imported.

Summary Points:

- Approximate cost for an electronic sign was \$43,450.00 plus net HST, \$15,000 - \$20,000 to install roadside, plus net HST.
- Canada Community Building Funding (CCBF) allows for the purchase of Sports Infrastructure, which includes Electric Signs for arenas and recreation facilities. This funding source must be approved by West Hants Regional Council.
- Currently, the Regional Canada Community Building Fund Reserve projects a March 31, 2023 balance of \$759,400.31.

Discussion Points:

- Concerns were voiced over the CCBF balance as it has been declining over the past year. The municipality receives a yearly top of approximately \$920,000 for the region. The \$759,400.31 takes into account this years' top up, which has yet to be received. This was an estimated predicting year end balances, not everything has been spent resulting in the municipality not being at a negative position at this time.
- Another \$920,000 will be provided starting April 1. It was unknown when the next payment would arrive.
- The "historic" West Hants gas tax fund still exists and has approximately \$2.6 million within it. Windsor's historic gas tax will be used by the end of the year.
- Staff can explore through the procurement process the opportunity for a company to advertise on the top part of the sign (on a yearly basis) to help off-set the costs.

- This item has not been tendered, the proposed costs were just a ball park figure and to get it in the budget.
- Without going to tender, \$15,000 - \$20,000 plus taxes were budgeted for installation.
- The intent was to control the sign from within the Sports Complex.
- The permissions for the permits or location would need to be a discussion with the landowner, it was not within the Municipalities right of way. An agreement would need to be made.
- The Signage By-Law may be a need to be revisited.

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT A FUNDING ALLOCATION IN THE AMOUNT OF \$70,000 FOR A DOUBLE-SIDED LED DISPLAY BOARD BE INCLUDED IN THE 2023/24 CAPITAL BUDGET TO SUPPORT THE PROCUREMENT, PURCHASE, AND INSTALLATION OF AN ELECTRONIC SIGN FOR THE WEST HANTS SPORTS COMPLEX. MOTION CARRIED

e) Noise and Community Standards By-Law (9:14 p.m.)

Supervisor Thornton reviewed the report identifying that the proposed By-Law went before the Police Advisory Board last night and was supported. At the March 23, 2021 Council meeting, staff were directed to create a Noise By-law for the Regional Municipality. Both the former Towns of Windsor and Hantsport have by-laws respecting noise that are still in effect. The former Municipality of the District of West Hants does not have a by-law. The existing by-laws do not uniformly address noise or nuisance matters for the region.

Summary Points:

- With consideration being given to the regional geography (rural and growth centres), staff engaged with each other, consulted with the RCMP and other Nova Scotia municipalities for similar bylaws. As a result of these consultations the following considerations are included within the draft by-law:
 - Agriculture operations are exempt from noise by-laws due to other Provincial Acts and Regulations.
 - After-hours enforcement would be done by the RCMP, and charges are typically under sections of the Criminal Code for causing a disturbance and mischief.
 - Noise tolerance levels vary from person to person.
 - As per the *Guidelines for Environmental Noise Measurement and Assessment* (which is currently under review). The effect of noise on people is an extremely complicated field as well there are a number of factors and measures of noise, making it challenging to establish parameters that will appease everyone as it pertains to 'nuisance-type' noise sources (under which Municipalities are responsible for).

- The Police Advisory Board (PAB) was pleased to see that decibel levels were removed from the proposed By-Law, they were pleased with the proposed hours and wanted to ensure that Golf Courses were not exempt from the By-Law.
- The solicitor confirmed that By-Law was enforceable and due to the fact that the threshold was subjective the courts would be provided with a wide discretion in determining whether a violation occurred.

Discussion Points:

- The 6 a.m. timeframe was selected through consultations with other municipalities. It was identified that when other municipalities looked at revising the By-law that they would look at changing. Economic Development and growth were other contributing factors.
- Organized sports are referred to as a day camp program hosted by the Municipality or little league. Typically, organized activities would not host activities during the restricted hours.
- Fireworks are legal within the province. There was thought that a permit should be required that would let people within their neighborhoods know.
- Enforcing the By-law would be generally done throughout the night resulting in the RCMP being the enforcer. The By-Law provides them with an additional tool to help deal with noise. If a By-Law exists there was more that the RCMP could do with respects to Noise complaints.
- With respects to the Golf Course and complaints received, the former Municipality of the District of West Hants did not have a Noise By-Law resulting in the inability to enforce unless it was of the criminal nature.
- Concern was raised regarding the ability to enforce the By-Law. The municipality does not have the means to enforce the By-Law and fireworks were an issue.
- The feeling from the PAB meeting was that the By-Law was not perfect and that there was no way to make it perfect, but it was a starting point.

MOVED BY COUNCILLOR JANNASCH AND MAYOR ZEBIAN THE COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL GIVE FIRST READING TO THE NOISE AND COMMUNITY STANDARDS BY-LAW RN-001.00 AT THE JANUARY 24, 2023 COUNCIL MEETING.

MOVED BY COUNCILLOR IVEY AND MAYOR ZEBIAN THAT THE MOTION BE AMENDED TO INCLUDE SUBJECT TO AMENDING SECTION 5.1, MAKING THE TIMEFRAME 11 P.M. - 7 A.M.

Discussion Points:

- Future Development Agreements would be subject to the Noise By-Law unless an addition was added to compensate and override the By-Law.
- Existing Development Agreements would be subject to a Noise By-law.
- It would need to be determined whether a contractual obligation overrides a By-Law.

- If there was an issue in the future consideration would need to be looked at on a one-off basis.
- Without knowing what Development Agreements were currently in place there was thought that Council may want to get a legal opinion on whether Development Agreements take precedence over By-laws.
- It was thought that most Rural District residents begin their day at 6.am. If the time was changed, Councillor Hartt would not support the proposed new time.

Both the MOVER and SECONDER agreed to withdraw the amendment at 9:48 p.m.

MOVED BY COUNCILLORS IVEY AND FRANCIS TO SECURE LEAGL ADVICE ON THE APPLICATION OF THE BY-LAW RELATIVE TO DEVELOPMENT AGREEMENTS THAT MAY BE IN PLACE OR MAY EXIST IN THE FUTURE FOR PRELIMINARY APPLICATION.

Discussion Points:

- Council felt it was cleaner to withdraw the original motion and bring back the report as unfinished business at a later date once legal opinion had been sought.

At 9:50 p.m. both the MOVER and SECONDER withdrew the motion.

f) Regional High School Bursary (9:50 p.m.)

Clerk Snair reviewed the report following the information report that was presented at the December 6th meeting. Within the report options were provided for Council to consider funding sources for high school bursaries as well an approach that would see all graduating students within West Hants eligible to apply for all bursaries available. In addition to the information and option was provided for Council to consider increasing bursary amounts from \$500 to \$1,000 each, for a total of \$4,000 per year.

Discussion Points:

- Schools contact the municipality when committees are looking at receiving applications for bursaries. The municipality forwards the information to the school and the committee follows their procedures for selecting successful applicants. The same process would be followed as in the past.
- While it was sound judgement to provide a system to secure funding for bursaries in the future, the logic behind it was questioned as the amount was only \$4,000.
- Consensus was to increase the value from \$500 to \$1,000 each. Option two (2) funded the bursaries through the Operational budget, which was what currently is done.

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL ADOPT THE REGIONAL HIGH SCHOOL

**BURSARY POLICY, OPTION 2 AS PRESENTED AT THE JANUARY 10TH, 2022
COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED**

g) Land Dispute Administrative Policy (9:56 p.m.)

Clerk Snair reviewed the proposed administrative policy that established a practice in which Council would be informed of any property disputes or matters related to municipal property requiring a decision of Council.

Discussion Points:

- This was a result of a land dispute/disagreement on what was private property vs municipal property.
- There was thought that something more substantive would have been presented. Having something that makes Council aware when there was potential for a dispute was beneficial and would provide documentation and a path to follow should this be a future concern.
- This policy has nothing to do with By-Law regulations and disputes, this policy only affects ownership or rights of lands.

At 10 p.m. Deputy Mayor advised Council on the time and called for opinions on whether there was a desire to continue the meeting or recess the meeting until tomorrow evening at 6 p.m. A formal motion would need to occur if Council wished the meeting to continue past 10 p.m. Consensus was that the remaining agenda items were time consuming. The meeting was recessed and would continue tomorrow evening.

**At 10 P.M. THE MEETING WAS RECESSED UNTIL TOMORROW
(WEDNESDAY) AT 6 P.M.**

The meeting resumed on Wednesday, January 11, 2023 at 6 p.m.

Call to Order – Mayor Zebian called the meeting to order at 6:00 p.m.

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
Bob Morton, Councillor Dist. 6
Ed Sherman, Councillor Dist. 7
John Smith, Councillor Dist. 9
Jim Ivey, Councillor Dist. 11

Regrets:

Laurie Murley, Councillor Dist. 10

Staff:

Mark Phillips, CAO
Kathy Kehoe, Dir. Community
Development
Shelleena Thornton, Municipal
Operations Supervisor
Todd Richard, Dir. Public Works

Deanna Snair, Exec. Asst/ Clerk
Diana Gibson, Acting Director of Financial
Services
Madelyn LeMay, Dir. Planning and
Development (ZOOM)
Chief Richard, BFD
Jamie Harvey and Daniel Lavers, WFD
One (1) members in the Gallery

h) Meeting and Committee Procedural Policy RCOGE-003.00 Information Report (6:03 p.m.)

Clerk Snair reviewed the report highlighting proposed changes for Council to consider addressing any housekeeping items and realign all sections within the policy. The proposed changes and policy were shared with Council for review and feedback prior to the meeting. Additional items/suggested changes were added to the policy. It was felt that Council would benefit from a discussion/review to determine the direction that they may want to proceed with respects to the policy.

Due to the volume of changes noted within the report and for clarity purposes the best approach was to review the suggested changes (as indicated by yellow) within the report and discuss each item.

Councillor Ivey (as the author) reviewed the items that he had highlighted resulting in a discussion of Council occurring.

Discussion Points:

- The ability for Council to suspend the rules was seen as an option for Council when an item/discussion was presented that did not fall within the policy guidelines.
- As written the policy limited the ability to participate in meetings virtually and has the potential to potentially exclude Councillors or Committee members from participating. There was an appetite to see this area addressed to ensure the policy was less restricting. ZOOM was seen as a last-minute alternative to attend a meeting vs not being able to attend the meeting at all.
- It was felt that the quarterly meetings for the Audit Committee remain unchanged.
- Members participating via ZOOM are documented and recorded for the public record in the meeting minutes. This may impact how Council proceeds with their discussions related to this item.
- Police Advisory Board was a Committee of Council. This was not included in the initial Meeting and Committee Procedural Policy as it was not established until approximately 13-14 months after consolidation.
- Staff will review areas categorized as clericals (yellows) the addition of PAB and CLC committees and highlight those additions when the report returns to Council.
- Staff will also review electronic meetings and make any proposed changes for Council to consider.

- It was felt that a “blanket” motion would not work as there were still questions pertaining to suggestions as discussed during the meeting. The suggested changes identified within the green markings were supported with the removal of change to section 17.8. The November month should remain in the policy. A suspension of the rules would suffice to appoint committee members during the mid term to meet the two-year appointment without interfering with future meetings.
- It was proposed a yearly review of the policy occur at the beginning of each year. Track any changes throughout the year and make them at this time.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVE THE STAFF RECOMMENDATIONS AS PUT FORWARD BY CLERK SNAIR WITH THE EXCEPTION TO THE CHANGE TO SECTION 17.8. MOTION CARRIED

Deputy Mayor P. Morton arrive and assumed the chair at 6:50 p.m.

i) Boundary Review (6:50 p.m.)

CAO Phillips provided a verbal report reviewing the background information which has led up to this meeting. Staff were looking for any feedback (now that Districts 10 and 11 were correctly labeled) on addition changes or concerns related to the district boundaries recognizing that Polling Districts were a separate issue outside of the Boundary Districts. Polls can be modified during the election process. The deadline for the application to be into the UARB was the end of January. Staff will collect comments and forward them to Stantec for consideration and return with feedback for Council.

Discussion Points:

- In the Falmouth area it would be beneficial if Valley View was included in District 9, they have the same water, sewer and similar issues as the remainder of Falmouth. It was the only subdivision that was excluded. (Community of Interest)
- Within the number 1 Highway, a mile of a road was in District 3. This could have been added on the other roads that are connected with District 3 (Hillvale area, from Dawson Road to Newport Corner)
- From the last time meeting (December 13th, maps and number were requested and Council only received them last week). It was felt that the comments made at that meeting would have been captured (division of communities, having one side of the highway being in one district and the other side in another district). These requests had been made and it was discussed on Dec. 13th not to divide communities (this was heard at some public consultation meetings).
- Councillor S. McLean felt the journey had caused confusion amongst residents and was supportive of the boundaries remaining status quo (what currently exists/no changes at all).
- Due to the voter population and remaining status quo, the UARB may not support the application due to the numbers being outside the recommended +/-

10% parity. It was indicated by Councillor S. McLean that up to 25% variance was permitted.

- It was suggested to request the changes and see what the variance was once the changes were made.
- Voter parity was based on eligible voters not the population as a whole.
- Consensus was for staff to send Stantec the suggestions from Councillors Hartt, Francis and Smith and see what that looked like (keeping in mind looking at Communities of Interest) and provide the reasoning behind if the changes cannot be done. Regardless of Stantec's opinion Council will determine next steps.
- Clarity was provided that the requested changes were heard from residents residing in these areas. What was currently in place was working it just required tweaking.

9. Reports

a) CAO's Report (7:09 p.m.)

CAO Philips provided a verbal report highlighting the events between the December Committee of the Whole meeting and tonight's meeting.

Summary Points:

- The municipality has received the official "Notice to Bargain" from CUPE. The collective agreement expires in March of 2023 and bargaining will be carried out. A meeting with Council will occur to discuss bargaining priorities including overall remuneration.
- The fencing on the Morash property has been completed. Staff will continue to monitor this section as well as the section Mr. Morash upgraded throughout the winter periodically or if a complaint is received. Correspondence to the Province is being coordinated as directed by Council once final costs are tallied. Those costs will also be forwarded to Mr. Morash for payment.
- The Accessibility Advisory Committee met on December 15th at the Sports Complex and participated in a facility tour from a users' perspective. Many suggestions and improvements were discussed through the lens of accessibility.
- Over the holidays resident drop-ins were low. Planning and Development continued to be busy with permit administration and inspections. I did take some vacation time over the holidays along with much of staff.
- The Audit Committee met on December 9th. Upcoming Budget Workshop dates have been planned (January 16th, 18th, 26th, 30th and 31st).
- Glooscap First Nation will tour to Sports Complex on January 24th.
- Final stages to survey work and land registration are being carried out regarding the Cheverie Land Exchange. Once completed the scheduled land exchange with a neighboring property will be carried out to complement the Cheverie Salt Marsh Restoration Trail and Camera Obscura site.
- Landar Lands / Former Rail Line (Mantua to Maitland) – final stages are being administered for the land purchase of the former rail line from Mantua to

Maitland or the former rail line. Once the registration of the lands is completed the final sale process will be executed.

- Attended PAC /HAC meeting, Brison Development Growth Meetings and West Hants Housing Coalition Meeting.
- West Hants Housing Workshop Survey has concluded. With the assistance of the team for the Nova Scotia Health the survey and feedback from the session will be formalized into a report. “Next Steps” will then be determined. The Community Development Department has taken the initiative to provide outreach and support through the provision of space for “comfort center-like” support in the Community Centre and Sports Complex as well as basic supports like laundry services. These services are coordinated through the POSSE Group.
- Attended the RCMP Stakeholder Engagement Session held in Mahone Bay.
- Attended the Nova Scotia Municipal Police Service Agreement (MPSA) Meeting (West Hants, Town of Antigonish, Town of Pictou and Town of Yarmouth). Still awaiting the final retro numbers related to RCMP officers due to negotiation of the contract. A healthy reserve was set aside to address this matter.
- Fire Chiefs meeting has been scheduled for January 16th, 2023.
- The Hantsport Fire Station was opened on December 24, 2022, with members moving trucks and other items into the facility. There remain a few minor deficiencies to be addressed. A Grand Opening has yet to be scheduled.

Discussion Points:

- Residents were appreciative of the fence put in place by the municipality with respects to the Morash cattle. The cattle were now being seen behind the owner’s property and concern was raised with respects to what happens when the feeding was done. This was an animal welfare issue and provincial responsibility and enforced through the Department of Environment and Climate Change. The contact information for the Department of Environment and Climate Change would be shared for anyone with concerns related to animal welfare.
- There was funding through the Innovative Community Fund through ACOA available. ACOA had been approached at least three times and were told that the Boat Launch was not eligible for this funding. Staff will inquire again.
- The Avondale Boat launch has been tendered and awarded to Dexter Construction. There was a delay working with DFO (the regulatory processes that Dexter Construction has to go through). There has been a lot of communication between the two. Given the timing the phased approach may not have to occur, once the go ahead was given in the construction season there may not be the winter delay. An addition amount was approved for the allotment of he added rock, nothing should be coming back to Council.

b) Financial Update – Information Report (7:25 p.m.)

Acting Director Gibson presented the financial update for 2022-23 Operating Budget ending on November 30, 2022.

Summary Points:

- The projected operating surplus was just under \$55,000.00.
- In reviewing the expense part of the budget, it was noted that it was 0.5 % over the budgeted expenses, meaning that any surplus was coming from revenue surpluses that have been received (primarily Deed transfer tax).
- Current Deed Transfer Tax Actual is at \$1.9 million, yearend projection was increased to \$2.3 million.
- Higher than expected revenues were seen in permits and licenses within the Planning department, tax certificates and returns on investments.
- Savings continue to be seen with salaries.

Discussion Points:

- Capital budget tracking was not done, what was approved during the budget process compared to what was approved during the tender process and the amounts dispersed at the end of the project. (budget approval, tender approval and actuals). Some of this was tracked per departments. Project codes were set up to track all expenses incurred. A report can be compiled for Council.

MOVED BY COUNCILLORS IVEY AND S. MCLEAN THAT COMMITTEE OF THE WHOLE REQUESTS COUNCIL REQUEST THAT FINANCE INCLUDE A CAPITAL BUDGET TO ACTUAL REPORT WITH THE FINANCE REPORTS THAT COME TO COUNCIL ON A MONTHLY BASIS AND THAT IT WOULD INCLUDE BUDGETED AMOUNTS FOR CAPIUTAL, TENDERED AMOUNTS FOR CAPITAL AND AN ACTUAL INCURRED AMOUNT.

MOVED BY COUNCILLORS SHERMAN AND FRANCIS TO AMNED THE MOTION TO INCLUDE QUARTERLY RATHER THAN MONTHLY. MOTION CARRIED

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND S. MCLEAN THAT COMMITTEE OF THE WHOLE REQUESTS COUNCIL REQUEST THAT FINANCE INCLUDE A CAPITAL BUDGET TO ACTUAL REPORT WITH THE FINANCE REPORTS THAT COME TO COUNCIL ON A QUARTERLY BASIS AND THAT IT WOULD INCLUDE BUDGETED AMOUNTS FOR CAPIUTAL, TENDERED AMOUNTS FOR CAPITAL AND AN ACTUAL INCURRED AMOUNT. MOTION CARRIED

10. Correspondence (7:39 p.m.)

a) Information

1. Avon Causeway Activity Log, current correspondence received as of January 5, 2023.

No new correspondence was received for this meeting.

2. Current Correspondence Received Log as of January 9th, 2023.

- i. Correspondence received December 14, 2022 from NSFAM re: Code of Conduct Summary of Contents from Consultations

- ii. Correspondence received from December 15, 2022 from the Hon. Joyce Murray re: Lake Pisiquid and the Pumpkin Regatta
- iii. Correspondence received January 9, 2023 from Graham Sanford re: Follow up related to concerns presented on December 13, 2022

Discussion Points:

- It was noted that a positive response was received from Minister Murray with respects to the Pumpkin Regatta. Correspondence can be sent expressing appreciation and thank them for their response. It was suggested that Community Development engage with the various stakeholders and explore what it may look like regarding the pumpkin regatta, including some indications on expenses.

3. Fort Edward Activity Log
No new correspondence was received for this meeting.

4. Storm Wastewater Activity Log
No new correspondence was received for this meeting.

b) Requests
There were no requests received.

c) Out-going as of January 5, 2023

1. 2022-12-15 Correspondence sent to the VREN re: Intermunicipal Service Agreement (IMSA)
2. 2022-12-20 Correspondence sent to MLA Sheehy-Richard re: Invitation to meet with WHRM Council
3. 2022-12-20 Correspondence sent to MP Kody Blois re: Invitation to meet with West Hants Regional Municipal Council

11. New Business

a) Hotel Study (7:36 p.m.)

Councillor Mark McLean reviewed the report highlighting those discussions occurred during Councils Strategic sessions. It was noted that this sector was underdeveloped resulting in the report being presented to move this issue forward. It was noted that there were lots of recreation and infrastructure within the area to support the need.

MOVED BY COUNCILLORS M. MMCLEAN AND B. MORTON THAT
COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL REQUEST A STAFF
REPORT ON HOW TO CARRY OUT A HOTEL STUDY IN THE REGION.

Discussion Points:

- It was felt the motion was misunderstood. Staff did not want to take motions too far (time and expense) without knowing Councils direction. Some preliminary

research has been done (who does it, who's thinking about it). The Valley REN was going through a tourism strategy and may be a recommendation that they would carry out a study. The thought was that staff would report back on what was occurring within the region, who as completing the work and was it appropriate for the region.

- There was value in reaching out the Valley REN to determine if they were looking at completing a hotel study. Valley REN has indicated that the final draft of their Tourism Strategy was still being developed. The consultant has not determined if a hotel study was part of the tourism strategy yet, it was anticipated that an accommodations assessment study would be part of this (look at supply and demand). This may be an area where WHRM would see some value in what the REN has been doing for the region as a whole.
- Valley REN was scheduled to do a presentation for Council ON January 24th, consensus was that this item would be addressed during their presentation and the revisit at a later time.

Both the MOVER and SECONDER agreed to postpone the motion at 7:45 p.m.

b) Region 6 budget (7:45 p.m.)

Acting Director Gibson reviewed the report highlighting that within the Inter-Municipal Agreement, Section 35 each participating Council must approve the proposed budget, or refuse, by March 14th the year the budget applies. Region 6 Solid Waste Management is a liaison group of 12 Municipalities, including those located along the South Shore and West Hants in Nova Scotia. It is dedicated to reducing waste in homes, businesses, and communities. Through programs and educational outreach, they promote proper waste sorting and diversion.

Summary Points:

- With the audit completed for the 2021-22 fiscal year, Region 6 has an operational surplus of \$6,596.
- On December 2, 2022, the annual budget was reviewed by the Technical and Inter-Municipal Committee. The Inter-Municipal Committee unanimously voting in favour of the draft 2023-24 budget.
- A request is being made that each participating Council approve the annual budget.
- The 2023-24 budget is \$861,578, which is a 10.7% increase from last year's budget.
- Region 6 has operated on a smaller budget the past couple of years, where educational programs were unable to run. Now they are able to fully open these programs up across the region resulting in the increase cost of service delivery.

MOVED BY COUNCILLORS FRANCIS AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE 2023-24 OPERATING BUDGET FOR REGION 6 SOLID WASTE MANAGEMENT FOR THE AMOUNT OF \$861,578, AS PRESENTED ON JANUARY 11, 2023. MOTION CARRIED.

c) Grants and Contributions Policy RCOFN-003.00 Proposed Amendments (7:49 p.m.)
Acting Director Gibson reviewed the report highlighting the proposed changes following a request that more information be provided within the policy for the Canada Community Building Fund and its requirements. Specifically, the Municipality's ability to provide funds in advance of projects being completed, giving community groups a better opportunity to participate in the grant process.

Summary Points:

- After reviewing the agreement with the Province regarding the Canada Community Building Fund (former Gas Tax) and have speaking with provincial coordinators to determine best practices for advancing grant payments, it was determined that although the agreement does not specially indicate the process of releasing funds, it was within the province of Nova Scotia's best practices to receive all receipts and proof of payment from grantees before releasing the funds.
- The province does allow for an advance of grants up to 50% of the grant value, with the stipulation that grantees provide proof of payments to vendors and a report of all expenses to ensure they are eligible for the program.
- The Municipality has previously provided organizations with up to 75% of the approved grant value in advance to assist in payment to vendors to complete projects.

Discussion Points:

- Advancements on funds were previously provided in one off circumstances. It was understood that advances were not permitted which resulted in the need to reach out to the province for confirmation.
- The requirement to pay the remaining 25% still existed within the policy, this was a stipulation that came from the province.
- Concern was raised that some community groups would not have the 25% required in order to access this funding. Unfortunately, the province stated that the full amount should not be paid upfront without the project being completed to ensure that it meets the recording requirements.
- Community groups will now have 75% of the funding upfront to pay vendors as opposed to the previous policy which provided zero funds upfront.
- There were ways to 100% fund projects but not directly through the CCBF (gas tax). There would need to be a policy change and Council approval in order for this to occur. The CCBF was routed in being a reimbursement process.
- There was some support to develop a mechanism to make it possible for small community groups to access funding for Capital projects that they have no means of covering.
- This could be considered an incremental approval and direct staff to come back with something that satisfies the 25% in whatever way was appropriate in the accounting world.

- The application, the registration that the group was a registered within Joint Stocks confirming they are who they say they are, the quotes are in place and there was also a leap of faith. Advancing the 75% was an element of trust. Applicants receive a formal letter explaining that if the project does not move forward and funds were advanced that they are due back to the municipality and a signed agreements are in place.
- It was felt that this was a good beginning point and would be welcoming to most of the community groups. If this process worked, then Council could look at the additional 25% funding.
- Once final receipts were received to ensure the project was paid in full the remaining 25% would be processed in approximately 2 (two) weeks.

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMEND THAT COUNCIL ADOPT THE AMENDED WEST HANTS REGIONAL MUNICIPALITY GRANTS AND CONTRIBUTIONS POLICY RCOFN-012.00. MOTION CARRIED.

A break occurred at 8:03 p.m.

The meeting resumed at 8:18 p.m.

d) BFD Pumper/Tanker Additions/Alterations and over-budget additional equipment purchase (8:18 p.m.)

Supervisor Thornton reviewed the report highlighting that the purchase of a 2,000 Imperial Gallon Pumper-Tanker fire apparatus for Brooklyn Fire Department was approved at a cost of \$1,082,491.55. In addition to this Council approved \$74,794.18 plus applicable net taxes for the equipment identified in the list to outfit the apparatus in March of 2022.

Summary Points:

- Prior to taking possession of the apparatus a final inspection at the manufacturing facility is required. Upon final inspection, it was identified that some components were needed and were not identified within the specifications of the Request for Proposals. Hose bed covers were identified within the RFP and proposed in drawings by the manufacturer however they were a different design/quality.
- At the time BFD's Fire Chief and Truck Committee members deemed the items a priority and proceeded to purchase the items using the quarterly operating funds. BFD has requested reimbursement for the alterations/additions to the apparatus.
- Many factors played a role in the process and impacted how the decisions were made.
- The Brooklyn Fire Service and its administration did receive training on Municipal procurement processes which included both being aware of not procuring un-budgeted items or having to first seek approval from Council on budgeted capital items which exceed the approved value once quotes are received. Additional meetings were scheduled for the following day.

- During budget deliberations these items were funded through a combination of the Municipal Fire Services Reserve and the Municipal Operating Reserve. Both reserves have capacity to support the additional amount up to \$24,356.88. It was noted that a number of Brooklyn Fire items have been funded through the Fire Services Reserve this year.

Discussion Points:

- Council inquired as to the reason why the procurement policy was not followed. BFD confirmed that the equipment was not included in the procurement process as the supplier will call one vendor and get equipment this way. It was felt that they could save approximately \$200,000. BFD chose to proceed in the manner they did to save money. They were able to obtain three (3) quotes from local suppliers.
- Some equipment was accidentally missed, the TMR radio was discontinued and the replacement was three (3) times the previous amount. Some tools and mounted brackets had also increased in price.
- Moving forward if the equipment was to be included in the tender than that will be done.
- Usually, apparatus come with a snap on tarp, this was not favourable for safety reasons and also the snaps break, or rust and the product does not last.
- If the procurement policy was not followed it may appear in the audit process as if bad practices were established. It was felt that once the procurement policy was not followed a precedence was set which establishes new perimeters.
- For Capital purchases the municipality pays directly to the manufacturer. On the Operating side, once budgets are approved for each department it is determined how much each department is required to pay themselves. A quarterly payment is issued by the municipality for each department.
- BFD stated that even if they were told that the changes would not be funded at the end of the day the decision was made to have these changes done for safety reasons.
- Council inquired if any internal reassurance was provided to BFD that the \$24,000 was permitted. BFD confirmed that the treasurer gave assurance that it was ok to proceed with the purchases. The funds were available at the time.
- A further inquiry was made if internally anyone expressed to the treasurer to proceed and the money would be reimbursed. The Chief confirmed this did not occur.

Mayor Zebian expressed that Point of Order should have been called on the last comment made. It was close to an accusation being made against staff. Councillor B. Morton identified that was not the intention, it was to determine if perhaps someone had unintentionally stated that it would be paid and not to worry about it.

**MOVED BY COUNCILLORS M.MCLEAN AND S. MCLEAN THAT
COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVE
ALL REQUESTED REIMBURSEMENTS AND BUDGET OVERRUNS**

ASSOCIATED WITH THE BROOKLYN FIRE DEPARTMENT'S PUMPER/TANKER APPARATUS ALTERATIONS/ADDITIONS AND EQUIPMENT PURCHASES, AT A VALUE OF \$24,356.88 (WHICH INCLUDES NET TAX). MOTION CARRIED Nays: Francis, Sherman, P. Morton and Zebian

e) WFD Rescue Engine Tender Award WHRMAD22-03A (8:38 p.m.)

Supervisor Thornton reviewed the report for the supply of a Rescue Engine for Windsor Fire Department. A request for proposals was posted on the Nova Scotia Procurement Website on October 20, 2022 and closed December 1, 2022.

Summary Points:

- Three proposals were received.
- This one Rescue Engine will replace two fire apparatus (a 1993 EONE Rescue 4 (30 years old), and a 1991 Tactical 4 (32 years old); thereby, also reducing the fleet and associated maintenance costs.
- The delivery of the proposed apparatus is of 26 months (780 days) from the completion of the prebuild process and approval of the prebuild documents.
- The addition to the fleet right sizes the WFD portion of the WH fleet to 1 Engine, 1 Rescue Engine, 1 Quint, 1 Tanker, boat, off road vehicle and 2 utility vehicles.

Discussion Points:

- With the awareness that WFD was replacing two apparatus with one (this was a great approach to downsize the fleet correctly) there was concern that out of three vendors; only one vendor/price was reviewed and being presented. Was the RFP too technical? One of the items identified within the Regional Fire Study was to get to a standard, whether it was the roll over or safety standards, it was to try to come to some standards that would/can or are able to be consistent with the apparatus. That was believed to be some of the reasons for the specifications identified in the RFP.
- A lot of the technical specs for this new rescue were components from the RFP for the Quint. The same level of requirements for safety, crash ratings, roll overs, different things were brought forward within the RFP.
- WFD had gone to some trade shows and looked at Kentville's newest truck. The Rescue was modeled off Kentville's newest truck. It was very similar to the RFP that was issued.
- Someone from one of the manufacturers assisted with writing the RFP; however, it was written to be open for others and there was nothing in the specs that was specific to that one vendor. Concern was raised that someone who was one of the proponents was involved in writing the tender.
- Vendors will not hold a quote for anything longer than 60 days, a lot of vendors will even request to only hold quotes for 30-days. Vendors are held to the 60 days identified within each tender. The RFP submission process was reviewed. Within the current RFP, it was clearly outlined how submissions were to be received. With

- respects to this RFP; no questions or concerns or phone calls asking for clarity on items or concerns of sole sourcing with a specific vendor were received.
- The equipment going on the apparatus will be taken from other units that have been retired or has already been incorporated into WFD budget lines; as of right now there's no foreseeable need for additional equipment. If additional equipment was needed, it would not come back as an additional ask, it would be purchased through WFD's general operating budget. If the ask was not supported this, WFD identified they would be able to get by, but it puts them in a tight spot. Maintenance costs would increase. There were electrical issues identified with one of them (a couple batteries exploded).
 - Reviewing the scoring cards was seen as Operational, there was value in being as transparent as possible while still being mindful of potential trade secrets. There was value in sharing a summary sheet as it was thought to be more appropriate.
 - Auction sites or a stock truck option was not explored. It was unclear if a stock truck was available from this supplier or most right now due to demand. The other potential issue with a stock issue with stock truck was trying to make something work that was made specifically for someone else. There could be additional costs trying to make it fit the current needs.
 - Through the NS Procurement Regulations, it was a 9–12-month period before a tender can be reissued. The Municipality only has two (2) methods for tendering, the NS Procurement website or Canoe Procurement. If a tender was posted on social media or the website, it was also required to go on Nova Scotia Procurement site; even when Canoe Procurement was used.
 - Concerns were raised that there were several asks for items pertaining to the Capital budget, it was discomfort in not knowing what other departments needed or would be requesting.
 - It was highlighted that the apparatus was in the 5-year plan and pre-approval was given to issue a tender during the last budget deliberations. There was an apparatus replacement schedule presented previously. Discussions amongst the Chiefs occur related to replacement and potentially delaying a replacement if it is possible.
 - Council expressed discomfort in voting on a 1.5-million-dollar purchase. Council voted previously on an item, and it was not what they thought they were voting for.
 - Consensus was there would be value in having additional information presented at the next meeting (pictures, examples, an explanation of what apparatus does, a chance to look at the scoring, number of calls that the apparatus responds to in a year) before a decision was made.
 - Council would also like this information for all departments for the next Committee of the Whole meeting. The apparatus schedule and current list of apparatus for each department would be shared.

At 9:41 p.m. Chief Richard, Deputy Chief Lavers and Harvey left the meeting.

f) West Hants Sports Complex Acoustics Decision Request (9:41 p.m.)

Director Kehoe reviewed the report highlighting that consistently concerns from the facilities users have been received identifying very poor sound quality within the rink portion of the facility. The request made was the \$52,500 originally approved to increase parking capacity in the 2022/23 Capital Budget be re-directed to improve accessibility within the West Hants Sports Complex.

Summary Points:

- Broadcasting by announcers, music during events and public service announcements are challenging for spectators to hear and interpret impacting their quality of experience while at the facility. As a result, some users having to leave the space due to the bouncing noise levels, making this facility not fully accessible.
- Acoustic specialists have been consulted to identify areas where increased sound absorption within the space could be achieved resulting in the facility being more accessible for all users and making a more enjoyable experience.
- Acoustic baffles and panels were recommended as a solution to reduce and in some cases eliminate the “echo” and noise.
- Acoustic baffles and panels are free hanging sound absorption products that are often used to acoustically treat large spaces. By hanging from the ceiling, they reside in a space where sound tends to get “stuck”. This is because there is not anything up that high to absorb or diffuse the sound waves. A sound baffle is any object designed to reduce airborne sound.
- With the paved parking lot at the back of the Sports Complex staff have noted that the additional graveled parking area to the front was not needed.

Discussion Points:

- The inability to hear in the warming room was due to the ventilation system. The panels would not impact this area. This was seen as a loss for those utilizing this area to watch games. For the purpose of this report only the ice shed was looked at, staff can explore costs for the warming area and bring it back to Council.
- It was felt that the audio has always been a problem, were any adjustments to the bass and treble explored. Director Kehoe confirmed that the sound system was upgraded this past year, resulting in the quality being better compared to previous years. It was anticipated that with the addition of the baffles that the sound quality would improve.
- There was concern that the air system within the warming room was turned up too high, perhaps it could be adjusted. Staff can explore this option.
- Funds that were allocated through gas tax for one project can be reallocated to another project.
- The same issue was not as noticeable within the field house.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT
COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE
\$52,500 ORIGINALLY APPROVED TO INCREASE PARKING CAPACITY IN THE**

2022/23 CAPITAL BUDGET BE RE-DIRECTED TO IMPROVE ACCESSIBILITY WITHIN THE WEST HANTS SPORTS COMPLEX BY IMPROVING THE SOUND QUALITY WITHIN THE RINK FACILITY SIDE OF THE COMPLEX. MOTION CARRIED. Nays: Hartt

12. Public Participation Period (9:50 p.m.)

Mr. Porter, resident of Belmont, West Hants voiced his opinion regarding the presentation from MP Blois and MLA Sheehy-Richard. Mr. Porter wanted to clarify some items specifically addressing comments made at last night's meeting and the Fisheries Act, reiterating that the Act contains many sections and factors that shall be considered, not just one specific small section.

The Ministerial Order was for water to come in and water to go out, which was extremely important. Fresh water was now off the table as it impounded water, necessary flows downstream were required to maintain life and habitat and flows upstream provided fish passage.

Mr. Porter wanted to ensure that Council was aware that adding water was not a simple fix, there had to be a legitimate reason (safety, health, Martock). The last legitimate concern outside of safety was the fisheries and this was not being addressed. This was the time to not miss out of opportunities, there was funding available to leverage. Mr. Porter felt that there was no way the issue would be resolved within the three (3) months as indicated previously. It was felt that it was impossible for all the necessary consultations and processes to be completed in this time frame. Mr. Porter extended his services to Council should there be a time when they want additional information.

Mr. Porter left the meeting at 10:03 p.m.

Deputy Mayor P. Morton advised Council that the time was past 10 p.m. and invited Council to weigh into determine if the meeting would continue.

MOVED BY COUNCILLORS SHERMAN AND M. MCLEAN THAT THE MEETING CONTINUE AND MOVE IN-CAMERA. MOTION CARRIED

The vote occurred by a show of hands. Deputy Mayor P. Morton advised the public that the meeting may not resume after the In-Camera session.

13. In-Camera

- a) 2022-11-08 Committee of the Whole In-Camera Minutes
- b) 2022-12-06 Committee of the Whole In-Camera Minutes
- c) MGA 22(2)(a) Land Matter

14. Next Meeting Date / Adjournment – Next regular meeting will be January 24, 2023, at 6 p.m.

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk