

WEST HANTS REGIONAL MUNICIPALITY

Committee of the Whole - Meeting Agenda **AMENDED July 12, 2023**

June 13, 2023 - 6:00 p.m.

In-person Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)

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



West Hants
something inspiring awaits

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) 2023-04-12 Special Committee of the Whole Budget Minutes
 - b) 2023-04-17 Special Committee of the Whole Budget Minutes
 - c) 2023-04-18 Special Committee of the Whole Budget Minutes
 - d) 2023-04-19 Special Committee of the Whole Budget Minutes
 - e) 2023-05-09 Committee of the Whole Minutes
7. Presentations
 - a) Homeless Presentation – Mary Sweatman
 - b) Newport District Rink - ~~Robert Wainman and~~ Greg Kelley
 - c) West Hants Agricultural Society – ~~Jonathon Strum~~ Barbara Rockwell
 - d) **Nova Scotia Low Carbon Community Fund Recommendation Report – Coordinator Ogilvie**
8. Unfinished Business/Postponed Motions
 - a) KMK Meeting update – Mayor Zebian
 - b) Fire Services Analysis Information Report – Supervisor Thornton
 - c) Edward Dive and Underwood Road Connection Information Report – Director Richard
 - d) ~~Security Camera Report – IT Specialist Povah/ CAO Phillips~~
9. Reports
 - a. CAO Activity Update - Information Report

10. Correspondence

a. Information

1. Avon Causeway Activity Log as of June 13^h, 2023 – Updated correspondence re: Gate Closure and filling of Lake Pisiquid (Numerous new pieces of correspondence)
 - i. Combined Correspondence

2. Correspondence Received Ledger as of June 13th, 2023
 - i. 2023-05-23 Denise Thibault Re: Concerned property owner and taxpayer.
 - ii. 2023-05-25 Glooscap First Nation Re: Proposed Addition to Reserve, Bishopville Road.
 - iii. 2023-05-24 Response from Minister of Public Works on behalf of the Premier Re: Reimagination of the Windsor/Falmouth waterfront area.
 - iv. 2023-05-26 Mark Kehoe Re: Property Tax Exemption/Community Center Inquiry
 - v. 2023-05-29 Barry Maxner Re: Follow up Definition of Community Centre and the Pisaquid Canoe Club
 - vi. 2023-06-01 Will Balsler, Coastal Adaptation Coordinator Re: Joint Statement - Call to Release the Coastal Protection Act Regulations
 - vii. 2023-06-02 Chrystal Fuller on behalf of Mitch Brison Re connecting Payzant and King Street request to Council
 - viii. 2023-06-07 Carrilee Eddy Re Fire Protection Plans
 - ix. 2023-06-07 Carrilee Eddy Re World Ocean Day
 - x. 2023-06-07 Mark Peck, CEO of Joint Regional Transportation Agency Re Invite to Municipal Working Group
 - xi. 2023-06-07 Debbie Stoddart-Pageau Re Gate between Underwood and Edward (The Crossing)
 - xii. 2023-06-07 Wayne and Edith Re the Gate and the Crossing.
 - xiii. 2023-06-08 Steph Sedgwick Re Underwood Gate Letter to WHRM
 - xiv. 2023-06-09 Rachele Trudel Re Garlands Crossing - Access Roads
 - xv. 2023-06-11 Mike MacDonell Re Agritourism and Rural Development - Sustainable Hill Resort
 - xvi. 2023-06-12 Melissa Levy Re Appeal
 - xvii. 2023-06-13 Paul and Amy Brown Re Gate in the crossing
 - xviii. 2023-06-13 Jason Tucker and Tim Carr Re Canada Day Events in Hantsport

3. Fort Edward Municipal Lands Activity Log as of June 13th, 2023

4. Storm Wastewater Activity Log as of June 13th, 2023

a. Requests - None

- b. Out-going Correspondence Ledger as of June 13th, 2023
11. New Business
- a) Aberdeen Beach Road (Adequate Emergency Access) Decision Request – Mayor Zebian
 - b) Independent Engineer Decision Request – Mayor Zebian
 - c) N.S Bill 236 Railway Act Decision Request – Mayor Zebian
 - d) Tourism Strategy with East Hants Request for Decision – Mayor Zebian
 - e) 2023 Wildfires EMO Information Report – CAO Phillips
 - f) Municipal Climate Change Action Plan Committee Member Appointment – Clerk Snair
 - ~~g) Nova Scotia Low Carbon Community Fund Recommendation Report – Coordinator Ogilvie~~
 - h) Half Ton Truck Purchase WHRMPW22-06 Recommendation Report – Director Kehoe
 - i) Brooklyn Fire Generator – Director Richard
 - j) Capital Equipment Vendor Approvals (Excavator, hot patch trailer, street sweeper and Bulk Water Truckfill System) Recommendation Report – Director Richard
 - k) 2023 J-Class Roads Paving Program “Resolution of Council 2023-2026” – Director Richard
 - l) Main Street North Hantsport Design Priority Recommendation Report– Director Richard
12. Public Participation Period
13. In-Camera
- a) 2023-05-09 Committee of the Whole In-Camera Minutes
 - b) MGA 22(2)(a) Land Matter
 - c) MGA 22(2)(a) Legal Matter
 - d) MGA 22(2)(a) Legal Matter
 - f) MGA 22(2)(a) Land Matter
 - e) MGA 22(2)(a) Personnel Matter
14. Next Meeting Date / Adjournment – June 26th Council Meeting at 6 p.m.

1. Call to Order – Deputy Mayor Paul Morton (Chair) called the meeting to order at 6:01 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
Bob Morton, Councillor Dist. 6
Ed Sherman, Councillor Dist. 7
John Smith, Councillor Dist. 9
Laurie Murley, Councillor Dist. 10
Jim Ivey, Councillor Dist. 11

Staff

Mark Phillips, CAO
Shelleena Thornton, Municipal
Operations Supervisor
Kathy Kehoe, Dir. Community
Development

Deanna Snair, Exec. Asst/ Clerk
John Ogilvie, MCCAP Coordinator
Todd Richard, Dir. Public Works

Regrets

Diana Gibson, Acting Director of Financial Services
Sara Poirier, Dir. Planning and Development

Presenters/Public

Fifty-four (54) members in the gallery including presenters Mary Sweatman, Alisha Christie, Greg Kelley and Barbara Rockwell.

3. Approval of the Agenda, including additions or deletions (6:01 p.m.)

Deletions to the Agenda

- Item 8(d) Security Camera Report was removed from the agenda, item will return to the July Committee of the Whole meeting.

a) Dashboard Action Items – Information Log

Dashboard – Dangerous or Unsanitary Premises – Information log

Discussion Points:

- The insurance RFP has not been issued. Documentation is being reviewed, once completed an RFP will be created.
- Work continues on the Capital Budget update for Council.
- Sports Complex fundraising updates will be included in the monthly financial updates.

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE 2023-05-09 COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED

4. Declaration(s) of Conflict of Interest (6:08 p.m.) - None
5. Announcements (6:04 p.m.)
 - Deputy Mayor P. Morton acknowledged that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and that this land is governed by the treaties of Peace and Friendship signed in 1726.
 - Evacuation procedure was reviewed.
 - The Teddy Bear jamboree will be Saturday, June 24th.
 - Congratulations were extended to the graduates at Kings Edgehill School and Avon View High School.
6. Approval of Previous Meeting Minutes (6:10 p.m.)
 - a) 2023-04-12 Special Committee of the Whole Budget Minutes
 - b) 2023-04-17 Special Committee of the Whole Budget Minutes
 - c) 2023-04-18 Special Committee of the Whole Budget Minutes
 - d) 2023-04-19 Special Committee of the Whole Budget Minutes
 - e) 2023-05-09 Committee of the Whole Minutes

MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT THE

- a) **2023-04-12 SPECIAL COMMITTEE OF THE WHOLE BUDGET MINUTES**
- b) **2023-04-17 SPECIAL COMMITTEE OF THE WHOLE BUDGET MINUTES**
- c) **2023-04-18 SPECIAL COMMITTEE OF THE WHOLE BUDGET MINUTES**
- d) **2023-04-19 SPECIAL COMMITTEE OF THE WHOLE BUDGET MINUTES**
- e) **2023-05-09 COMMITTEE OF THE WHOLE MINUTES BE APPROVED.**

MOTION CARRIED

7. Presentations
 - a) Homelessness – Mary Sweatman and Alisha Christie (6:11 p.m.)

The report focused on Homeless No More initiatives and their collaborative work with service providers with the goal of ending homelessness for everyone. The study's focus was from West Hants to Digby and obtained information on individuals who were accessing services/supports but also identified as experiencing homelessness. The study detailed those identifying as experiencing homelessness, the reasons identified as impacting the ability to find housing (rental amounts, limited income and stock available, the length of time they have been unhoused). Within Windsor/West Hants, 55 individuals were documented as being unhoused (36 in Windsor alone which was 1.5 times higher than the 2020 numbers. 2026 projections showed there would be 141 individuals experiencing homelessness in Windsor alone). Kimm Kent from POSSE submitted a letter requesting Council take a deeper, more meaningful commitment to address housing and homelessness within the community.

Discussion Points:

- Identifying rental amounts that worked for everyone was tricky. What may work for one person did not necessarily work for another. The trick was to find opportunities within the

municipality for non-market transitional housing (opportunities to bring subsidized housing to the area).

- It was eye opening that 10% of the individual's experiencing homelessness were employed full-time and 11% were employed part-time, which spoke to the need to have affordable safe housing options.

The presentation concluded at 6:32 p.m.

Item 11(g) Nova Scotia Low Carbon Communities Fund was moved up to Item 7(d). Council unanimously voted by hand to approve the change.

b) **Newport and District Rink - Greg Kelley (6:32p.m.)**

Mr. Kelley reminded Council that the rink was a not-for-profit charity run by a board of volunteers. The presentation highlighted what the board has accomplished to date and what they identified as needing to be done for future usage. Major Capital projects or refurbishments were difficult to deal with while trying to maintain affordable costs for the users. A future need was identified to replace the ice plant. The rink was fortunate to be able explore refurbishing the existing plant (would be considered a new plant once all work was completed) vs a whole new plant resulting in cost savings. The request made was to become a line item in the budget to ensure funding was in place and ready when Federal or Provincial funding became available for projects (to ensure any funding opportunities were not missed). It was important to keep communication lines open and transparent.

Discussion Points:

- It was understood the provincial rink revitalization fund requires applicants to have partial funding already in place before they apply for this funding.
- Increased parking is always a need and could be used as the DAR Railway line/trail grows.
- Electricity costs per month were approximately \$10-\$12,000/ month during full operations. Solar was being explored to help offset these costs .

The request was for \$750,000 (based on the last proposal provided), it was suggested that discussions continue at a future meeting (September Committee of the Whole) to determine Council's level of commitment based on project approvals and where the funding would come from.

The presentation concluded at 6:53 p.m.

c) ~~West Hants Windsor~~ **Windsor Agricultural Society - Barbara Rockwell (6:53 p.m.)**

Ms. Rockwell was requesting financial relief in the amount of \$4,000 for the organization in relation to sewer costs for the current year to cover sewage charge costs which were not actually used, and that financial relief be added as a line item in the budget (with appropriate increases). Water consumption was due to the large number of animals that are showcased during events (over 650 animals during exhibition weekends and over 100 animals during weekly summer month shows) and for cleaning animals, disinfecting stalls and watering down the arenas for safe usage.

Discussion Points:

- Last year's costs were approximately \$8,800 (including washrooms). The organization was waiting to receive a substantial grant to complete arena (where the bulk of the washrooms were located) renovations.
- Although the request was small in nature it had the ability to speak to others with similar concerns, it was hard to make an informed decision without more information.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO PREPARE A REPORT AND BRING BACK INFORMATION ON THE REQUEST MADE BY THE WINDSOR AGRICULTURAL SOCIETY PERTAINING TO WATER USAGE AND SEWER AMOUNTS BILLED; AND FURTHER THAT STAFF PROVIDE A REFRESHER ON HOW RESIDENTS AND COMMERCIAL BUSINESSES ARE BILLED FOR WATER AND SEWER USAGES. MOTION CARRIED

The presentation ended at 7:00 p.m.

- d) Nova Scotia Low Carbon Communities Recommendation Report (7:00 p.m.)
Coordinator Ogilvie reviewed the report requesting up to \$25,000 (part of the Nova Scotia Low Carbon Communities Fund application). If successful, it would allow Council to receive a grant for up to \$75,000. The grant would be used towards a feasibility study for a ground mount solar energy system throughout the municipality (the former landfill Cogmagun, the Falmouth and Windsor Wastewater Treatment Plants, and the Windsor Water Treatment Plant.

Discussion Points:

- A previous application was unsuccessful. The only response provided was the number of applications received exceeded expectations.
- \$100,000 was the total amount eligible to be accessed through the program. The \$25,000 investment had the potential to unlock up to \$75,000 in additional funding to be used towards a feasibility study.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMEND THAT COUNCIL APPROVE IN PRINCIPLE FUNDING 25% AS THE MUNICIPAL CONTRIBUTION OF AN APPLICATION TO THE NOVA SCOTIA LOW CARBON COMMUNITIES PROGRAM TO SUPPORT A SOLAR ENERGY FEASIBILITY STUDY, UP TO A MAXIMUM COUNCIL CONTRIBUTION OF \$25,000, TO BE FUNDED THROUGH THE REGIONAL OPERATING RESERVE. MOTION CARRIED

8. Unfinished Business/Postponed Motions

- a) KMK Meeting Update (7:05 p.m.)

Mayor Zebian advised Council that despite several attempts a meeting date has not been scheduled for Council to meet with the KMK. Efforts will continue to schedule this meeting.

- b) Fire Services Analysis Report (7:06 p.m.)

Supervisor Thornton reviewed the information report highlighting the comparison information report in which four other municipalities were used in addition to WHRM. Key areas that were considered within the report were the number of fire departments, membership numbers, call volumes, budgets, funding sources, fleet size and municipal assessment numbers. Conclusions were that fire services were unique to each municipality in regard to how each are managed/supported.

Discussion Points:

- The 2019 Regional Fire Study report and this report contained a substantial amount of information. There was value in having a separate meeting/discussion for this item

- Since consolidation WHRM and the Regional Fire Services have worked towards the recommendations made based on the 2019 Fire Study report. those recommendations (approximately 15).

c) Edward Drive and Underwood Road Connection t (7:11 p.m.)

Director Richard reviewed the information report regarding connecting the two roads (including costs for an electronic gate system – approximately \$30,000 plus the cost for power hook up and batteries), the concerns related traffic flow, connectivity, emergency access, safety, peace of mind and other various matters and recent construction of streets that improve access to and from the crossing. In addition, Edward to Cole Drive Street connections were being explored, along with intersection improvements Payzant / Wentworth & Centennial area. Staff also considered a Payzant Drive to King Street connection.

Discussion Points:

- Opening the gate was only one piece of the bigger picture. There was support for exploring a King Street to Payzant Drive connection.
- There was value in exploring a regional traffic flow analysis (with a focus on looking at the best way to approach traffic flows in the future) to determine Windsor/ West Hants connections areas that were concerning.
- Operationally it would be a large study to look at all the intersections and require a budget be allocated to it.

Mayor Zebian and Councillor Francis declared conflict due to owning land in the vicinity and left the room at 7:15 p.m.

- WHRM has a lot of traffic and impact studies that may assist with painting the broader picture. Staff suggested having a traffic engineer review the information and provide their expertise. The question remained as to the size and scale that the project would take on, which would indicate a cost.
- Staff would reach out to one of the standing offers and request a Class D estimate to connect Payzant to King including looking at obstacles (rail line, sight lines and water course). A high-level cost could be done within the current budget.

MOVED BY COUNCILLORS B. MORTON AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL DIRECT STAFF TO PRESENT COUNCIL WITH A QUOTE (CLASS D ESTIMATE) ON CONNECTING PAYZANT TO KING STREET AND REPORT BACK TO COUNCIL WITHIN THREE (3) MONTHS. MOTION CARRIED

Mayor Zebian and Councillor Francis returned to the meeting at 7:26 p.m.

Security Camera Report - Item was removed from the agenda. It will return to the July Committee of the Whole meeting.

9. Reports

a) CAO's Report (7:21 p.m.)

CAO Phillips reviewed the report highlighting the past month's activities.

Summary Points:

- Attended an informal meeting with East Hants accompanied by the Mayor and Director Kehoe to discuss opportunities to collaborate on projects.
- C.U.P.E bargaining is underway.
- Dr. Fowler continues to work and assess the municipal lands at Fort Edward. There are no indications of any delays occurring.
- Attended an audit meeting on May 31, 2023.
- Visited with the Historical Society to discuss their presentation to Council and to discuss their potential next steps.
- Attended the John Paris Jr dedication ceremony and expressed appreciation to Council and staff for all their hard work in making the event such a positive and important event.
- Staff continue to work on the Community Beautification program and highlight the WHRM brand in public spaces.
- Planning continues to be very busy due to continued growth in the region.
- Director Poirier sits on the Joint Regional Transportation Agency (JRTA), they continue to discuss the creation of a strategy for HRM and surrounding areas.
- VREN released the final tourism strategy.

Discussion Points:

- Due to geography challenges Develop NS do not have a plan to explore high speed internet connections near Hill Top Hops. A satellite option was thought to be available. CAO will have IT look at and explore if a VCFN connection would be an option.
- CAO Phillips attended no meetings with the Zwicker Lake property owners.

10. Correspondence (8:38 p.m.)

a. Information

1. Avon Causeway Activity Log received as of June 13th, 2023
2. Current Correspondence Received Log as of June 13th, 2023.
 - i. May 23, 2023 from Denise Thibault Re: Concerned property owner and tax payer.
 - ii. May 25, 2023 from Glooscap First Nation Re: Proposed Addition to the Reserve, Bishopville Road.

Discussion Points:

- Correspondence was sent back from the Indigenous Services Canada (ISC) Re addition to the Glooscap Reserve. WHRM has no concerns.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHLE RECOMMENDS COUNCIL SEND CORRESPONDENCE BACK TO INDIGENOUS SERVICES CANADA INFORMING THEM THAT COUNCIL HAS NO CONCERNS WITH THE REQUEST FROM GLOOSCAP FIRST NATION. MOTION CARRIED

Definition of Community Centre/Tax Exemption

- Several letters have been received re: the definition of Community Centre and the tax exemption matter (Pisaquid Canoe Club). In order to revisit the matter an individual who voted in the positive would need to bring the discussion forward again. Mayor Zebian advised that a meeting occurred with the Zwicker Lake group and the Canoe Club

(separate) to attempt to bridge the gap. The meeting was unsuccessful. No further discussion on the matter occurred.

Receiving Correspondence

- Concerns were raised pertaining to correspondence and finding a better way to address when correspondence was received. One suggestion was to send a letter out to thank and acknowledge that the correspondence was received. There was support in finding a better way to address correspondence.
 - The current practice of addressing correspondence took away the resident's voice.
 - A suggestion was to work together with staff to find a way to address correspondence that ensures residents that Council has received their letters/asks.
- iii. May 24, 2023 Response from Minister of Public Works on behalf of the Premier Re: Reimagination of the Windsor/ Falmouth waterfront area.
 - iv. May 26, 2023 from Mark Kehoe Re Property Tax Exemption Community Centre Inquiry.
 - v. May 29, 2023 from Barry Maxner Re: Follow up Definition of Community Centre and the Pisaquid Canoe Club.
 - vi. June 1, 2023 from Will Balsler, Coastal Adaptation Coordinator Re: Joint Statement - Call to Release the Coastal Protection Act Regulations.
 - vii. June 2, 2023 from Chrystal Fuller on behalf of Mitch Brison Re connecting Payzant and King Street request to Council.

Coastal Protection Act Regulations:

- As a Council a letter was sent to the province and are currently awaiting a response. There was value in waiting for the response before issuing a response to Mr. Balsler.
- viii. June 7, 2023 from Carrilee Eddy Re Fire Protection Plans.
 - ix. June 7, 2023 from Carrilee Eddy Re World Ocean Day.
 - x. June 7, 2023 from Mark Peck, CEO of Joint Regional Transportation Agency Re Invite to Municipal Working Group.

Joint Regional Transportation Agency Re Invite to Municipal Working Group

- Planner Poirier sits on this committee.
- xi. June 7, 2023 from Debbie Stoddart-Pageau Re Gate between Underwood and Edward (The Crossing).
 - xii. June 7, 2023 from Wayne and Edith Re the Gate and the Crossing.
 - xiii. June 8, 2023 from Steph Sedgwick Re Underwood Gate Letter to WHRM.
 - xiv. June 9, 2023 from Rachelle Trudel Re Garlands Crossing - Access Roads.
 - xv. June 11, 2023 from Mike MacDonell Re Agritourism and Rural Development - Sustainable Hill Resort.
 - xvi. June 12, 2023 from Melissa Levy Re Appeal.
 - xvii. June 13, 2023 from Paul and Amy Brown Re Gate in the Crossing.
 - xviii. June 13, 2023 from Jason Tucker and Tim Carr Re Canada Day Events in Hantsport.

Correspondence related to the UARB appeal.

- The appeal process was available to anyone disagreeing with a Council decision regarding a Development Agreement. This specific appeal was pertaining to residents who feel they were impacted with Council approving the Development Agreement decision for Yoga Dome/campground facility. Those residents will have an opportunity to speak to the Utility and Review Board and the Municipality will have the opportunity to defend the decision of Council. The hearing will be advertised and made available to the public to view.
3. Fort Edward Activity Log as of June 13th, 2023 - None
 4. Storm Wastewater Activity Log as of June 13th, 2023 – None

The overflow event on June 5th was communicated overflow in the weekly email updates.

The Hantsport residents experiencing the erosion of their banks are not receiving any support for their concerns. They need assistance from Municipal Councils (Kings County and West Hants) to help get their concerns addressed.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO WRITE A LETTER OF SUPPORT FOR THE RESIDENTS WHO LIVE ALONG AVON STREET FOR THE IMMEDIATE ACTION BY THE FEDERAL AND PROVINCIAL GOVERNMENTS TO ADDRESS THE ISSUES THAT ARE BEING EXPERIENCED AS REPORTED BY THE AVON STREET GROUP. THE LETTER WILL BE SENT TO THE PROPER FEDERAL AND PROVINCIAL DEPARTMENTS, MP BLOIS. MLA SHEEHY-RICHARD, MLA IRVING AND THE MUNICIPALITY OF THE COUNTY OF KINGS.

- b) Requests - None
- c) Out-going as of June 13, 2023 - None

11. New Business

a) Aberdeen Beach Road (Adequate Emergency Access) Request for Decision (9:00 p.m.)
Mayor Zebian presented the recommendation report pertaining to concerns expressed by the residents residing on Aberdeen Beach Road (private road). The restricted vehicular access to the road (particularly for emergency vehicles) has only been heightened by the recent wildfires.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO LOOK AT THE RESTRICTED VEHICULAR ACCESS TO ABERDEEN BEACH ROAD, MOUNT DENSON, THROUGH A SAFETY LENS IN REGARD TO EMERGENCY VEHICLES (FIRE APPARATUS, AMBULANCE, EMERGENCY VEHICLES). MOTION CARRIED. Nays: Ivey

b) Independent Engineer Decision Request (9:04 p.m.)
Mayor Zebian reviewed the report highlighting the regions unprecedented development growth and interest in its urban areas. A storm water management plan is required as part of the part of the applicant’s process for a development agreement, to ensure water runoff is managed and

controlled with no change in predevelopment flows. Concerns have been raised that it may be beneficial for the Municipality to solicit an independent report as an additional “safeguard” for Council to be assured storm water is properly managed and no concerns are identified.

Discussion Points:

- An independent engineer for the municipality would have the interest of the municipality first and foremost and provide a level of assurance.
- With climate change and increased severe weather events the additional oversight of an engineer was seen as added value when reviewing DA’s to assist with potential flooding problems.
- Staff would look at having a standing offer outside of the normal consultants to review developments and look at the greater impacts on the systems.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO SOLICIT A REPORT FROM AN INDEPENDENT ENGINEER ON STORM WATER MANAGEMENT PLANS FOR REQUESTED DEVELOPMENT AGREEMENTS AS PART OF THE DEVELOPMENT AGREEMENT PROCESS. MOTION CARRIED. Nays: Sherman

c) N.S. Bill 236 RAILWAY Act Decision Request Recommendation Report (9:19 p.m.)
Mayor Zebian reviewed the report highlighting the past conversations on how neighbouring municipalities could be better connected should the railway become available.

Discussion Points:

- Seen as a positive step from a trail perspective.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO WRITE A LETTER TO THE HONOURABLE KIM MASLAND, MINISTER OF THE NOVA SCOTIA DEPARTMENT OF PUBLIC WORKS, EXPRESSING COUNCILS DESIRE FOR AN EXPEDITIOUS PROCLAMATION OF BILL 236 OR INTERVENTION BY THE PROVINCE DECLARING THE WINDSOR AND HANTSPORT RAILWAY NO LONGER HAVING CONTROLLING INTEREST IN THE TRACKS. MOTION CARRIED

d) Tourism Strategy with East Hants Decision Request (9:22 p.m.)
Mayor Zebian reviewed the report highlighting that tourism was one of the items discussed in a recent meeting with East Hants. In the past both communities have worked well together and are seen as virtually identical to each other and tied in well with each other.

Discussion Points:

- The challenge lies with maintaining the West Hants brand/individuality and showcasing each area with a common thread.

MOVED BY MAYOR ZEBIAN AND COUNCILLORS MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL AUTHORIZE STAFF TO BEGIN DISCUSSIONS AND WORK ON TOURISM STRATEGIES WITH THE STAFF AT EAST HANTS AND TO REPORT BACK TO COUNCIL ON

UPDATES AND FUTURE RECOMMENDATIONS AS NEEDED. MOTION CARRIED

- e) 2023 Wildfires EMO Information Report Notice to Amendment to Definition of Community Centre (9:26 p.m.)

CAO Phillips shared the report which provided an opportunity to understand the process within the EMO world, the structure of the committee and their responsibilities and an account of the activities undertaken as a response to neighbouring emergencies with a focus being prepared should there be demands on our fire service. wildfires. the EMO committee meetings. The other area of concern was the declaration of the Statement of Emergency by Minister Lohr. CAO Phillips provided a high-level account of the meetings, who was present, what they entailed and any actions taken. The report also highlighted communication exchanged during the time that WHRM EMO started meeting internally.

Discussion Points:

- Windsor was still under a State of Emergency. As of 7 p.m. the fire ban was being lifted, which appeared to contradict the order.
- The report identifies there was no request from the area as it pertained to fire.
- Felt there was a disconnect between the Province and the Municipality. HRM Council actually declared a State of Emergency and WHRM were unaware that a declaration was being made.
- Appreciation was expressed to the Fire Services for their commitment and hard work during the past week and all that they saw and experienced.

- f) Municipal Climate Change Action Plan (MCCAP) Committee member Appointment (9:43 p.m.) Clerk Snair reviewed the recommendation report highlighting that due to a recent vacancy on the committee there was a need to appoint a new resident committee member.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPOINT JEREMY HIGGINS AS A RESIDENT REPRESENTATIVE ON THE MUNICIPAL CLIMATE CHANGE ACTION PLAN (MCCAP) COMMITTEE FOR THE CURRENT TERM EXPIRING OCTOBER 31, 2024. MOTION CARRIED

- g) Nova Scotia Low Carbon Community Fund Recommendation Report – item was moved up on the agenda.

- h) Half Ton Truck Purchase WHRMPW22-06 Recommendation Report (9:44 p.m.) Director Kehoe reviewed the report highlighting that during the 2023-24 Capital budget WHPW23-06 (Half ton truck for Community Development) was identified and approved. A public tender was issued on the Nova Scotia Procurement site resulting in two complete tender submissions being received.

Discussion Points:

- Bruce Leasing Limited was recommended (\$66,584.14 plus taxes) resulting in an over budget variance of \$4,440.60.

- The delivery time for Pothier Motor's was noted to be 24-48 months. The vehicle from Bruce leasing was currently on the lot and available for delivery now (no wait time).
- The vehicle from Bruce Leasing was a new 2022 Silverado. Pothier Motor's was a 2023 Dodge Ram vehicle.
- Community Development needed six trucks, this added vehicle would provide a complement of five trucks.
- The desire was to support local as the scores were close and there was only a small variance in pricing.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 1/2 TON TRUCK (WHPW23-06) FROM BRUCE LEASING LIMITED FOR THE TENDERED PRICE OF \$66,584.14 PLUS APPLICABLE TAXES.

- Director Kehoe corrected the delivery time for Pothier Motor's. The corrected delivery time was 24-48 weeks not months.

At 9:50 p.m. both the MOVER and SECONDER agreed to withdraw the motion.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 1/2 TON TRUCK (WHPW23-06) FROM POTHIER MOTORS LTD FOR THE TENDERED PRICE OF \$67,444.95 PLUS APPLICABLE TAXES. MOTION CARRIED

i) Brooklyn Fire Generator (9:51 p.m.)

Director Richard reviewed the recommendation report highlighting that after the last report was presented (which was defeated by Council) staff were made aware of a \$50,000 grant that was available. Although the price increased it was lower than what was presented in the last report. It was also noted that for every month that goes by the price increases. Director Richard also noted that the generator was previously budgeted for but was missed in the Capital budget this year.

Discussion Points:

- The delay in the report returning to Council was a result of the previous motion being defeated. Six months must pass before pricing can be explored again on a defeated motion. Staff reached out by invitation for prices from the bidders (that previously submitted prices) to update their prices resulting in a new low bidder. At the same time WHRM was also applying for a grant extension (due to the motion being defeated). A new extension was granted until December 31, 2024.
- The 3-trailer mounted mobile generators through Public Works were dedicated to sewer and water operations. They were not sized properly to power BFD.
- Delivery time was approximately 21 weeks. The schedule of the contractor in anticipation of installation was approximately 7 months.
- All fire departments are deemed comfort centres. BFD Stn 2 has a space that is separated from fire operations resulting in it being able to be used as a comfort centre.

- The application for the generator identified the number of people that could be housed in the space, the length of time and what could be provided by the generator.
- The province supported this initiative.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD OF INVITED TENDER FOR SUPPLY & INSTALL GENERATOR FOR THE BROOKLYN FIRE STATION BFD2 TO THE LOW COMPLIANT BIDDER, GEDDES AND MURPHY ELECTRIC, FOR THE TENDERED PRICE OF \$98,400 PLUS A 15% CONSTRUCTION PROJECT CONTINGENCY OF \$14,760 FOR A TOTAL OF \$113,160, PLUS APPLICABLE TAXES. MOTION APPROVED.

Deputy Mayor advised Council that it was 10 p.m.

MOVED BY COUNCILLOR SHERMAN AND FRANCIS THAT THE MEETING CONTINUE PAST 10 P.M. MOTION CARRIED

- j) Capital Equipment Vendor Approvals (Excavator, Hot Patch Trailer, Street Sweeper and Bulk water Truck Fill Station) (10:01 p.m.)

Director Richard reviewed the combined recommendation report for five pieces of equipment. The Asphalt patching trailer unit was a tow behind unit for internal patching (cutting out potholes, filling potholes and minor inhouse work and used during the shorter season and a more permanent solution compared to cold patching). Four completed tender submissions were received resulting in Atlantic Coastal Equipment being recommended. The excavator and float received six complete tender submissions and four incomplete tender submissions. Only one submission met all the tender specifications resulting in Wjax Limited being recommended. The Street sweeper received six complete tender submissions resulting in Saunders Equipment Ltd. Being recommended. The Bulkwater haul station (recommending that Council pre-select this equipment as it is the same as the Falmouth location). The proposed location was on municipal property (near BFD Stn 2). The preselected quote did not include installation resulting in the full amount being carried forward.

Discussion Points:

- The local bidder for the excavator did not meet the specs identified, it was under the specification reach identified in the tender (under the reach by approximately 10 inches). Pricing also impacted the decision. The local bidder was higher.
- Within the Procurement Policy, the only note pertaining to a local bid was if the bids were tied, (same price, same evaluation) then the direction would be to go with the local bidder. The recommendation followed the current Procurement Policy.
- Fuel filters were not an issue, however the main reason for acquiring a larger machine was to have the extra reach, which was very important for the work that needs to be done.
- The local bidder provided the reach within their submission. A coupler was not identified within their submission. Councillor M. McLean advised that a quick coupler allowed for the bucket and other implements to be disconnected and provided more reach.

- The Asphalt trailer was an older model at the end of its life span and did not heat the asphalt properly (better technology) and provided the ability to scrap off excess asphalt and reuse it. The old trailer will be put on the surplus item list.
- The specification within the tender asked for a minimum of 14’ 10” digging depth and a minimum of 24’ 10 “ inches of reach.
- The tender was placed on the Nova Scotia Procurement site and open to all potential bidders. No bids were received from Volvo or Cat (some of those machines would have made spec.).
- Wjax’s warranty (full 48 month, 4000 hours, 12 months bumper to bumper) exceeded the other bidders. It was likely there was a charge/mileage for service calls.
- Sole sourcing was not used. The specs are based on the needs identified by staff using the equipment and doing the work. Many pieces of equipment would have met the specifications.
- Wjax will come to the site to do maintenance and repairs. The expected life span of the machine (with servicing) was 12-15 years if not longer.
- Consensus was that the local bidder pays the municipality tax dollars and provided a lot of support to the community through sponsorships.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 4-TON ASPHALT HOT BOX TRAILER (WHPW23-07) FROM ATLANTIC COASTAL EQUIPMENT FOR THE TENDERED PRICE OF \$64,945.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Hartt

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF EXCAVATOR AND FLOAT TRAILER (WHPW23-10) FROM NOVA INTERNATIONAL FOR THE TENDERED PRICE OF \$236,835.00 PLUS APPLICABLE TAXES. MOTION CARRIED.

CAO advised that by following the recommendation policy, the municipality was in a safe place. The Nova Scotia Procurement defines locally as the province of Nova Scotia. Staff will check with legal counsel prior to the next Council meeting.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE STREET SWEEPER (WHPW23- 11) FROM SAUNDERS EQUIPMENT LTD FOR THE TENDERED PRICE OF \$385,000 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Jannasch, M. McLean and Hartt

Discussion Points:

- Item was over budget (\$51,516 including tax). Every month the price increases.
- The street sweeper is currently being built. Expect delivery will be in March or April of 2024.

MOVED BY COUNCILLORS FRANCIS AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVE THE PURCHASE FOR PRE-SELECTED SOLE SOURCED BULK WATER TRUCKFILL SYSTEM FROM BIRKSCO FOR THE QUOTED PRICE OF \$67,850 INCLUDING A 15% CONTINGENCY PLUS APPLICABLE TAXES. CURRENT DELIVERY TIMES ARE FORECASTED AT 16 TO 20 WEEKS DUE TO SUPPLY AND DEMAND ISSUES. MOTION CARRIED

k) 2023 J Class Roads (10:26 p.m.)

Director Richard reviewed the report highlighting that in order to proceed and participate in the program a resolution of Council was required for this year and to participate in the program for the next three years. This gets Council in the program with no financial commitment.

MOVED BY COUNCILLORS FRANCIS AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVE AND DIRECT THE MAYOR AND THE CLERK TO SIGN THE COST SHARE AGREEMENTS NO. 2023-022 AND 2023-023" RESOLUTION, AS PRESENTED AT THE JUNE 13TH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED

l) Main Street North Hantsport Design Priority Recommendation Report (10:28 p.m.)

Director Richard reviewed the report highlighting that both Main Street North and Rand Street in Hantsport were identified in the 5-year road Capital projects. The request was to reprioritize Main Street due to an exposed sewer main that ran through Willow Brook at the Main Street (North) bridge. The exposed main there posed a risk that a flood event could cause damage to this pipe and cause an extreme sewer release to a freshwater stream, thereby causing significant damage to the environment, fish, wildlife and potentially people in our community.

MOVED BY COUNCILLORS FRANCIS AND THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVE THE RELEASE OF REQUEST FOR PROPOSALS (RFP) FOR THE ENGINEERING AND DESIGN WORK FOR MAIN STREET NORTH INFRASTRUCTURE RENEWAL FOR THE 2023/24 FISCAL PERIOD, WITH THE PLAN OF STARTING CONSTRUCTION OF THE MAIN STREET NORTH RENEWAL PROJECT FOR 2024/25.

AND,

COUNCIL DEFER THE ENGINEERING AND DESIGN WORK FOR RAND STREET INFRASTRUCTURE RENEWAL TO THE 2024/25 FISCAL PERIOD, WITH THE PLAN OF STARTING CONSTRUCTION OF THE RAND STREET NORTH RENEWAL PROJECT FOR 2025/26. MOTION CARRIED. Nays: S.

McLean

Discussion Points:

- The storm and sanitary were already separated. The section of the pipe that runs under the bridge will be replaced.

12. Public Participation (10:33 p.m.)

Deputy Mayor P. Morton advised everyone that 20 minutes were set aside for public participation.

Andrea Lynn (Windsor) spoke of the importance of water for all and the importance for fish passage and the Avon River.

Danny Peach (Windsor) spoke about increased siltation and blocking fish passages.

Zachary Paul (Cape Breton) voiced that he supported tidal flow (fish passage) but wanted to address the animosity felt due to a difference of opinion. Mr. Paul requested that no matter what side of the issue people were on that they be respectful towards each other, to stop fighting as none of us have control over the issue and to remember that we are all people.

Wayne Sexton (Falmouth) spoke about the benefits of having water in Lake for firefighting.

Tasha Rogers expressed appreciation for looking for a freshwater resource for the agricultural community. Ms. Rogers also spoke about the ability to fight fires with saltwater and the ability to have salt water twice a day when the tide flows.

Danny Peach spoke to some of additional known fresh water resources available within the Falmouth area (ponds and underground rivers that run along the roads and properties, noting that there was no need to have water supply blocked off on the French Mill Brook when this kind of water was running through Falmouth underground.

13. In-Camera

- a) 2023-05-09 Committee of the Whole In-Camera Minutes
- b) MGA 22(2)(a) Landl Matter
- c) MGA 22(2)(a) Legal Matter
- d) MGA 22(2)(a) Legal Matter
- e) MGA 22(2)(a) Personnel Matter

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THE MEETING MOVE IN-CAMERA AT 10:44 P.M. MOTION CARRIED

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE MEETING MOVE OUT OF IN-CAMERA AT 10:50 P.M. MOTION CARRIED

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL DIRECTS THE CAO TO EXECUTE DIRECTIONS ON PID 45225174 AS DISCUSSED IN CAMERA. MOTION CARRIED

MOVED BY MAYOR ZEBIAN AND COUNCILLOR M. MCLEAN THAT THE MEETING ADJOURN AT 10:51 P.M. MOTION CARRIED

14. Next Meeting Date / Adjournment – Next regular meeting will be May 23, 2023 Council meeting,

at 6 p.m.

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk