

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**
October 10th, 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
 - b) Dashboard Action Items – Dangerous or Unsightly Premises
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2023-09-12 Committee of the Whole Minutes
7. Presentations
 - a. Annapolis Valley Farmland Trust -
 - b. Landmark East School -
 - c. Windsor Township Business Association Update - Pierre Tabbiner
8. Unfinished Business/Postponed Motions
 - a) **Operating Budget Information Report – Director Rochon**
 - b) 2022-2023 HMCC Financial Statements Recommendation Report – **Manager Gibson**
 - c) Aberdeen Beach Road Information Report – Director Poirier
 - d) Parking By-Law Information Report – Director Poirier
 - e) Purchase of two (2) AWD Electric SUVs (WHRMPD23-03) Recommendation Report – Director Poirier
 - f) Fire Apparatus Consultant Tender Award Recommendation Report – Municipal Operations Supervisor Thornton
 - g) Fire Apparatus Pre-approval Recommendation Report - Municipal Operations Supervisor Thornton
 - h) Municipal Street Light Policy Recommendation Report – Director Richard
9. Reports
 - a. CAO Activity Update - Information Report
 - b. Financial Update Ending July 31, 2023 - Director Rochon

~~c. Operating Budget Information Report – Director Rechen~~

10. Correspondence
 - a. Information
 1. Avon Causeway Activity Log as of October 10, 2023 - None
 2. Correspondence Received Ledger as of October 10th, 2023
 - a) Hants Health and Wellness Team Letter of Support Re Transportation Options and Municipal Staff to undertake a Feasibility Study
 - b) Sherry Williams Re Concern for Kings Meadows Closing (WHRM copied)
 - c) Peter Moore Re CBC, below sea-level
 - d) Denise Forand Re CBCL
 - e) Peter Moore Re Weather Warning
 3. Fort Edward Municipal Lands Activity Log as of October 10th, 2023 - None
 - b. Requests
 - c. Out-going Correspondence Ledger as of October 10th, 2023
11. New Business
 - a) Carpool Request for Decision – Councillor Sherman
 - b) Snow Clearing/Tendering – Councillor Sherman
 - c) Sewer Odours Recommendation Report – Mayor Zebian
 - d) Fresh Water Resources Recommendation Report – Councillor Ivey
 - e) Public Participation Program Revised Recommendation Report – Councillor Ivey
 - f) Road Construction - Communication Policy Supporting Business Recommendation Report – Councillor Ivey
 - g) Municipal Complex - Summary Information Report – Councillor Ivey
12. Public Participation Period
13. In-Camera
 - a) MGA 22(2)(a) Land Matter
 - b) MGA 22(2)(a) Personnel Matter
14. Next Meeting Date / Adjournment – October 24th Council Meeting 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 (ZOOM)

Jeff Hartt, Councillor Dist. 4

Debbie Francis, Councillor Dist. 5 (ZOOM)

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

Carlie Rochon, Dir. Financial Services

Todd Richard, Dir. Public Works

Sara Poirier, Dir. Planning and Development

Deanna Snair, Exec. Asst/ Clerk

Shelleena Thornton, Municipal Operations
Supervisor

Diana Gibson, Manager Financial Services
and Accounting

Regrets

Kathy Kehoe, Dir. Community Development

Presenters/Public

Richard Melvin & Mark Tipperman - Annapolis Valley Farmland Trust

Karen Fougere and Judy Rafuse – Landmark East School

Pierre Tabbiner – Windsor Township Business Association

3. **Approval of the Agenda, including additions or deletions (6:06 p.m.)**

Voting for these items occurred by a show of hands.

Moved

- Item 9(c) up to item 8(a) to be discussed first.

Additions to the Agenda

- Item 13 MGA 22(2)(a) Land Matter

a) Dashboard Action Items – Information Log

b) Dashboard – Dangerous or Unightly Premises – Information log

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT
THE 2023-10-10 COMMITTEE OF THE WHOLE AGENDA BE
APPROVED AS AMENDED. MOTION CARRIED**

4. Declaration(s) of Conflict of Interest - None

5. Announcements (6:06 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.

6. Approval of Previous Meeting Minutes (6:06 p.m.)

a) 2023-09-12 Committee of the Whole Minutes

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR B. MORTON THAT
THE 2023-09-12 COMMITTEE OF THE WHOLE MINUTES BE
APPROVED. MOTION CARRIED**

7. Presentations

a) Annapolis Valley Farmland Trust (6:06 p.m.)

Mr. Melvin provided a brief overview of the organization. Annapolis Valley Farmland Trust was a not for profit, charitable organization established in 2010 to protect agricultural land from nonagricultural development and holds designation under the Community Easements Acts, which enables them to create easements on properties throughout the province.

The focus was to raise awareness around the importance of protecting agricultural land and to provide an opportunity for landowners to voluntarily protect their land and adjacent undeveloped land in perpetuity through the use of conservation easements (contract between the landowner and the Land Trust and is dependent on the restrictions and wishes of the landowner). Landowners donate the easements and charitable donation receipts can be provided for the value of the easement.

Since 2010, 315 acres of land (through three different landowners) has been protected. The group was looking to develop increased financial capacity (similar to the NS Share Land Legacy Trust model) to assist with creating property easements.

Mr. Tipperman provided an overview of a conservation easement (means of transferring development rights), the process and spoke of success stories where areas/communities have successfully acquired development rights on agricultural property. Most success stories were where communities/neighbours banded together and protected the land through conservation easements to mitigate difficult/negative impacts to farming. Primary restrictions within conservation easements are around subdivision and non-farm use development (commercial or residential) that diminishes the ability for a farm to continue as a commercial operation.

The presentation concluded at 6:21 p.m.

Discussion Points:

- Government has the authority to expropriate land or easements for the conversion to wetlands. The easement would need to be purchased in addition to the ownership of the land.
- The smallest easement has been 20 acres due to the time and expense involved in the process.
- Municipalities could look at taking a portion of the real estate transfer tax (imposed on land sales) and dedicate those funds towards the purchase of agricultural and other

easements. Municipalities would make those purchases and assign the easement to the Land Trust.

- Easements were permanent, if the property foreclosed the easement would remain in place.

Following the presentation and questions a video was viewed. The video can be viewed at <https://www.avflt.ca/our-owners--lands-protected.html>

Both presenters left at 6:33 p.m.

b) Landmark East School (6:33 p.m.)

Ms. Ferguson and Ms. Rafuse reviewed the presentation highlighting the history of Landmark East School and the plan to enhance student experiences by embarking on a \$4.2 million Capital Campaign. The project included a new building on Main Street in Wolfville and much needed upgrades to the existing classrooms. The request was for the Municipality of West Hants to invest \$10,000 per year for 5 years for a total investment of \$50,000. The request will be discussed during the budget process.

Discussion Points:

- Only co-ed school for children with learning differences. Total enrollment capacity was 75 students, currently 69 are enrolled.
- Day student tuition is \$30,900. Bursaries are available to offset this cost.
- Would like to see the school completed as soon as possible but likely in 3-4 years.
- Kings County donation was \$160,000 over 4 years.

The presentation concluded at 6:45 p.m. Both presenters left.

c) Windsor Township Business Association Update (W.T.B.A) (6:45 p.m.)

Pierre Tabbiner reviewed the presentation highlighting activities undertaken to promote and increase awareness of Windsor. Featured events included Summer Tunes (local musicians were invited to “busk” in Windsor’s downtown core over lunch hours and quitting time. Event will return next year on a larger scale), 500 commemorative cards of the historic Avonian Place mural were produced and distributed at Garlicfest. Additional cards are available at Avonian Place businesses, a new Avonian Place mural was completed on October 7th, Directory Decals” were developed and distributed to encourage visitation to our newly refurbished online directory (with a similar decal offered to Hantsport), information sessions with WTBA business owners to identify top priorities within the strategic plan, and more being held in the future), as well as future events planned.

Discussion Points:

- Looking to increase time slots and number of Buskers next year.
- The new mural was a nod to the agriculture community.
- W.T.B.A. monthly updates will be shared with Council via email.

The presentation concluded at 6:58 p.m. The presenter left.

8. Unfinished Business/Postponed Motions

a) Operating Budget Information Report (6:58 p.m.)

Director Rochon reviewed the updated Operating Budget noting formula errors were discovered within the overall budget summary page resulting in a few items and not added into the budget summary. These items were correctly displayed in the individual budget pages but were accidentally omitted from the calculations that bring them into the overall budget summary resulting in the actual operating expenses being \$794,459 higher, and the operating revenue being \$89,939 higher than what was presented in the final budget document. These two numbers netted together show the total net impact these errors have made on our operating budget. The overall net impact on the budget is \$704,406.

Discussions occurred regarding the budgetary process, role of the consultant and potential mitigation steps (should they be needed at year end) as outlined by staff. Should mitigation be required no funds were being withdrawn from Capital Reserves, the funds were not going to be deposited as presented during the budget process.

**MOVED BY COUNCILLORS IVEY AND HARTT THAT THE MEETING
MOVE IN-CAMERA AT 7:13 P.M. MOTION CARRIED**

Only CAO, Director Rochon and Council were present for the In-Camera discussion. The regular meeting resumed at 7:34 p.m.

Discussion Points:

- As the year progresses amounts are expected to change (decrease), projects were expected to be pushed to another fiscal year due to available contractors. An update on project impacts and amounts will be provided during the next Capital report.
- It is business as usual for this year. Monthly assessments will continue, and a final assessment (with potential impacts) will be completed in January and provide further information.
- If there is a surplus no mitigation will be done.

b) 2022-2023 HMCC Financial Statements Recommendation Report (7:45 p.m.)

Manager Gibson reviewed the report highlighting that in 2016 an Area Rate Policy was passed by Council, allowing the Municipality to collect and transfer revenue for services provided by HMCC and a copy of the Area Rate Policy was included in the response to HMCC. Following this the citizens of Hantsport voted in favour of having an area rate for HMCC.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT
COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL ACCEPTS
THE FINANCIAL STATEMENTS PROVIDED BY HANTSPORT
MEMORIAL COMMUNITY CENTRE (HMCC) AND THAT ANY 2022-23
HOLDBACKS AND ELIGIBLE 2023-24 AREA RATE PAYMENTS BE
RELEASED TO HMCC FOR THE PURPOSES OF PROVIDING SERVICES
DEFINED IN THE 2023-24 BUDGET. MOTION CARRIED. Nays: Hartt,
S. McLean and M. McLean**

c) Aberdeen Beach Road Information Report (7:45 p.m.)

Director Poirier reviewed the report highlighting the request made to investigate restricted vehicular access to Aberdeen Beach Road, Mount Denson, through a safety lens as residents have concerns with the width of the road, specifically related to the ability for emergency service vehicles to respond, due to a number of fence posts installed along the right-of-way which restrict the width. Discussions identified site visits were conducted by the Development Officer (DO) in July to measure the width of the road between the fences and again on October 3, 2023 to confirm that a portion of the fence was removed allowing the right-of-way to be approximately 4.27 m. (14 ft.) wide. This exceeds the minimum width required in the Subdivision By-law therefore the DO cannot require the road be widened. The Hantsport Fire Chief also confirmed a site visit was conducted and felt there were no issues getting apparatus into the road past the fence.

d) Parking By-Law Information Report (7:48 p.m.)

Director Poirier reviewed the report highlighting that the Nova Scotia Motor Vehicle Act (MVA), parking regulations provides the authority for parking enforcement. Discussions centered around parking infractions (vehicles parked over time, prohibited parking, parked in an accessible parking space without permit, and interfering with snow clearing operations). The MVA provides the authority to have vehicles towed if a vehicle interferes with snow clearing operations, parked over 24-hours, interferes with traffic, parked in a no parking area, or blocks a driveway or fire hydrant. The legal opinion concluded that the MGA does not provide any latitude for the Municipality to create a Municipal Parking By-law. Should Council want to reduce penalty amounts found in MVA regulations, traffic authority would need to propose regulatory changes (require Ministerial approval). By-law Enforcement Officers are unaware of other municipality that do this. The second mechanism allows a municipality to create a Parking By-law to regulate metered parking only; WHRM has no metered parking spaces. Council discussed the potential for parking zones and Apps, concerns were raised that an App would be confusing to use, and it may not meet the requirements outlined by the solicitor.

Discussion Points:

- Police do not write parking tickets; they contact By-law to investigate and write tickets.

d) Purchase of two (2) AWD Electric SUVs (WHRMPD23-03) Recommendation Report (7:56 p.m.)

Director Poirier reviewed the report highlighting that two (2) AWD Electric SUV vehicles were identified and pre-approved during the 2023-24 budget deliberations for purchase in 2024-25 and 2025-26. Two (2) vehicles were tendered (WHRMPD23-03), however, staff are requesting Council's approval on the purchase of one vehicle in the 2024-25 budget year as the lead time for the specific vehicle tendered is shorter than originally anticipated.

Council discussed the budgeted amount and cost savings (quote came in lower than expected), the need for a charging station and the location, and costs associated with a charge station.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR B. MORTON THAT
COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES
THE AWARD OF TENDER FOR THE PURCHASE OF ONE AWD
ELECTRIC SUV (WHRMPD23-03) FROM BRUCE LEASING FOR THE**

TENDERED PRICE OF \$50,067.48 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Hartt and Sherman

e) Fire Apparatus Consultant Tender Award Recommendation Report (8:17 p.m.)

Municipal Operations Supervisor Thornton reviewed the report highlighting discussions that have occurred around fire apparatus (replacement schedule, apparatus specifications (wants versus needs), who prepares the Request for Proposals (RFP), levels of expertise and experience in identifying apparatus specifications within an RFP, ensuring that RFPs are broad enough to receive as many proposals from manufacturers/suppliers as possible, etc. During these discussions the need to have a third-party consultant to assist WHRM fire departments and staff in creating fire apparatus needs, specifications and recommendations for Request for Proposals was identified. An RFP was posted on the Nova Scotia Procurement Website on May 10, 2023 and closed on June 5, 2023 resulting in one (1) proposal being received. The quote has since expired but confirmation has been received that the proponent will honour the pricing as per the tender.

Discussion Points:

- Within the RFP, proponents had to identify any and all affiliation and/or relationships they have, perceived or otherwise, with manufacturers and/or suppliers. There is no affiliation with this proponent.
- Some expenses may be able to be negotiated during further conversations as some items can be completed online vs in-person. In-person inspections are required and are currently being done by fire members before taking possession of an apparatus. There was flexibility in the level of the consultant's engagement.
- Expenses were thought to be associated with flight, meals and hotels, not hourly rates, and were included in the budget as fire members currently do pre-delivery inspections. The consultant would take the place of fire members completing the pre-delivery inspections.
- A consultant provides an additional level of expertise and comfort in making informed decisions regarding fire apparatus purchases, ensure apparatus RFP'S meet NFPA standards, meets the regional needs and would ensure sole sourcing does not occur.
- It was understood the consultant would be used to review every tender document to some degree. The level of their involvement would determine the cost of the service.
- Opinions varied on hiring a consultant; some felt fire service members currently provide this service and support was voiced for fire services to continue under the current practice if there was a level of assurance be implemented to ensure that RFPs were written to ensure specs were written so that functionality was not affected vs a want, concerns were raised around the associated with having a consultant review each RFP, support was voiced to have a consultant as cost savings may be seen in the long term due to a larger number of competitive tenders received for a piece of apparatus.
- All costs (including a breakdown of the consultant's fees, apparatus, contingency, etc.) would be included in the approved amount for Council.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE AWARD OF STANDING OFFER CONTRACT TENDER WHRMRF23-01 FOR

CONSULTING SERVICES AND WRITING OF REQUEST FOR PROPOSALS FOR FIRE APPARATUS SERVICES TO GOUDREAU ASSOCIATES, FOR THE TWO (2) YEAR TERM, ENDING MARCH 31ST, 2025. MOTION CARRIED. Nays: Zebian, P. Morton and Francis

f) Fire Apparatus Pre-approval Recommendation Report (8:51 p.m.)

Municipal Operations Supervisor Thornton reviewed the report highlighting the current apparatus for Windsor Fire is a 2000 Pumper (E-One Cyclone). Engine 4 is a first response apparatus for anything its age maintenance can be costly. Fire apparatuses are taking approximately 2-3 years to manufacture, resulting in the need to tender in advance. Pre-approvals are to approve tendering the apparatus only; not expending the funds to procure them. No money is expended during this fiscal year and Council will have another opportunity to review the reports that come before council regarding any tender proposals received. Discussions centered around the current fire apparatus recommendation and the previous apparatus that was not supported earlier in the year.

Discussion Points:

- The consultant could review this tender prior to it being released. The RFP presented and not supported earlier this year could also be reviewed prior to releasing it again (it has not been rereleased, staff were awaiting Councils direction as it related to the Fire Apparatus Consultant).
- The apparatus would replace a single existing apparatus for Windsor Fire.
- Financing would not be done until the project was complete. There would only be a financial cost if the consultant was engaged to review this RFP.

MOVED BY COUNCILLORS SHERMAN AND HARTT TO AMEND THE MOTION TO INCLUDE THAT GOUDREAU AND ASSOCATES REVIEW THE TENDER PRIOR TO IT BEING RELEASED.

Director Rochon advised that a dollar amount and funding source would need to be identified as this was not identified in the current budget.

The Mover and Seconder agreed to withdraw the motion at 9:01 p.m.

MOVED BY COUNCILLORS HARTT AND B. MORTON THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES PRE-APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR THE SUPPLY OF AN APPARATUS TO REPLACE WINDSOR FIRE DEPARTMENT'S ENGINE 4. MOTION CARRIED

g) Municipal Street Light Policy Recommendation Report (9:02 p.m.)

Director Richard reviewed the report highlighting the request for staff to review background information and prepare a formal Street Light policy for the Municipality. The proposed policy presents the budgeting, financial and operating guidelines for Municipal owned or leased streetlights as well as criteria for reviewing requests for new street light installations throughout the Municipality.

Council discussed the proposed policy, areas that may benefit from increased lighting (remote areas, intersections), areas that may not want streetlighting, the application process to have streetlights added to an area and costs (as there are some discrepancies within the proposed policy (Clover Lane is area rated).

Consensus was more information was required (costs: general rated vs area rated, the petition process to apply for street lighting, use density to determine areas that would meet criteria for streetlights along with mapping).

9. Reports

a) CAO's Report (9:32 p.m.)

CAO Phillips provided a verbal update of the past month's activities.

Highlights included:

- Ongoing assessment/review of damages from the July 22nd storm continues. An engineer has been engaged as part of the DFA criteria. Work continues in this area.
- Welcomed HR Specialist Sarah Taylor.
- Congratulations and well wishes extended to Brad Carrigan on his role as Director of Public Works in King's County.
- Met with Julia Merrit (AVRL) and discussed financial challenges that libraries are experiencing.
- Committees remain busy (PACHAC and MCCAP).
- Hantsport and Windsor flash flood/stormwater management sessions were held, another session for each area is scheduled for November.
- Met with a resident who is a Bell executive who has taken WHRM's cellular connectivity concerns and letter forward.
- Fire Services continue to meet regularly.
- Need to get the Municipal complex RFP completed and issued.

Discussion Points:

- Tremaine Crescent Flood issues will require a site-specific solution. Some work has been completed in the area (smaller culverts removed and a larger one was installed, awaiting arrival of a box culvert for the area.
- No repairs have been started (related to the July 22 flood event) that are not covered by insurance of DFA. Prior to any project starting a conversation occurs with DFA to ensure projects meet the criteria for funding and verbal approval is provided by DFA. All projects are required to follow the procurement process. Insurance deductibles are able to be claimed under DFA, staff will need to confirm if the same applies for residential claims and provide a response to Council to share with residents.
- Municipalities do not pay the non-rebate tax (4.29%).
- All projects are required to follow the procurement process.
- DAR Rail line trail requires an engineer's report, awaiting an engineer to access this project.

b) Financial Update Ending July 31, 2023 (9:47 p.m.)

Director Rochon reviewed the report including updated revenue and expenses. The overall projected deficit based on the variance analysis for the general fund was \$770,233. Other highlights included current Deed Transfer Tax actual was at \$448 thousand, Sale of services projecting lower due to recreation revenue, Sewer revenues projection a little lower for first quarter of the year, other revenue projecting higher than expected due to miscellaneous revenue, including permits, licenses, rentals, tax certificates, and return on investment.

c) Operating Budget Information Report – moved up on the agenda.

10. Correspondence (9:49 p.m.)

a. Information

1. Avon Causeway Activity Log received as of October 10th, 2023.
2. Current Correspondence Received Log as of October 10th, 2023.
 - a) From the Hants Health and Wellness Team Letter of Support Re Transportation Options and Municipal Staff to undertake a Feasibility Study
 - b) From Sherry Williams Re Concern for Kings Meadows Closing (WHRM copied)
 - c) From Peter Moore Re CBC, below sea-level
 - d) From Denise Forand Re CBCL x 2
 - e) From Peter Moore Re Weather Warning

Correspondence from Peter Moore was not included in the agenda package. The correspondence raised points and questions and warranted a response. It will be added for discussion at the next meeting.

3. Fort Edward Activity Log as of October 10th, 2023 – None

b. Requests – None

c. Outgoing Correspondence – None

11. New Business

a) Carpool Parking Lot Recommendation Report (9:51 p.m.)

Councillor Sherman reviewed the report highlighting a need for an additional carpool parking area for the region to provide residents with another parking resource. Council discussed current resources available and the potential to add to existing parking by way of expansion or creating an additional carpool parking area.

MOVED BY COUNCILLORS SHERMAN AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL DIRECT STAFF TO WRITE A LETTER TO MLA SHEEHY-RICHARD REQUESTING THAT THE PROVINCE EXPLORE OPTIONS AND CREATE AN ADDITIONAL CARPOOL PARKING LOT BETWEEN EXIT 7 (FALMOUTH) AND EXIT 5 (THREE MILE PLAINS). MOTION CARRIED.

b) Snow Clearing/Tendering Policy (9:53 p.m.)

Councillor Sherman brought forward questions/concerns from residents and contractors related to the snow clearing, maintenance and the tender for the WH Sports Complex parking lot.

Discussion Points:

- An addendum was provided with the RFP requesting that as part of the evaluation process bidders (at their discretion/voluntarily) now provide answers to questions identified in the addendum. This is a new request.
- If service levels were not acceptable and the supervisor was required to call the contractor, it was identified in the RFP that a response was required within a specific timeframe (ie> within an hour after the snow stops).

Mayor Zebian stepped down and Deputy Mayor P. Morton assumed the chair at 9:58 p.m.

c) Sewer Odours Recommendation Report (9:58 p.m.)

Mayor Zebian reviewed the report highlighting that during the Windsor storm water meeting, residents raised concerns over sewer odours that are frequently being experienced and arise from the combined system (Stannus St., Community Centre, Victoria Park, Albert St., Water St., Gerrish and Cedar St. areas). There was value in looking into a larger scale solution to address the issue until the combined system could be separated.

Discussion Points:

- Some odours were related to sewer and some were related to naturally occurring sulfur bacteria from the Clifton pond. Weekly testing was done on the pond during the summer months with the intention to utilize the chemical that was purchased to eliminate/disguise that odour; however, that odour did not appear this year.
- May factors influence the odours that are being experienced by residents. An information report would assist in better understanding what is currently being done to address the issue and potential options to explore to better assist with addressing the issue.
- Processes are in place to address odour complaints (items to mask odours or capping areas).

MOVED BY MAYOR ZEBIAN AND COUNCILLOR HARTT THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO EXPLORE OPTIONS ON MASKING OR ELIMINATING THE SEWER ODOURS ARISING FROM THE COMBINED STORM/SEWER SYSTEM AND REPORT BACK TO COUNCIL WITH RECOMMENDATIONS. MOTION CARRIED

Mayor Zebian assumed the chair at 10:06 p.m.

d) Fresh Water Resources Recommendation Report (10:06 p.m.)

Councillor Ivey reviewed the report highlighting freshwater resources has been a regular topic for past and present Councils. Most discussions relate to firefighting resources (dry hydrants/wildfires), access to potable water amongst municipal water utilities and drawdown limits, potable water access for water haulers, fresh water for agricultural purposes, water inventory for sprinkler

services due to increased development demand and other reasons. An information report presented at the September 26th meeting identified potential groundwater resources in the Three Mile Plains, Windsor Forks, Falmouth areas as indicated from studies completed in the 1960's by the Department of Energy Mines and Resources as part of the federal ARDA program (Agricultural Regional Development Act). Town Pond was identified as a surface water resource within the Falmouth area. Other freshwater surface resources were also identified (225+/-) through the Department of Environment and Climate Change freshwater lake mapping tool. There was value in exploring this information further to identify freshwater resources for potable water, firefighting, agricultural use, industrial expansion, etc. There was value in exploring other potential sources of water.

Discussion Points:

- The request was a good idea, but concern was raised on the size and scale of the project, especially when looking at the outlying districts due to the number of water bodies. Thoughts were that it would be related to density (Windsor/Falmouth area due to the State of Emergency that was declared) and having alternate resources available so as to not be in a repeat situation. Other ponds that may be a potential source were Haliburton, Meadow or even Town pond.
- There was value in looking at specific areas as a potential source of water and a study completed on those areas to identify and develop an inventory.
- Public works was partnering with Dalhousie in a pilot project to look at surface water sources for the benefits of future capacity/development growth.
- Fire Chief's have prioritized the need to know where existing dry hydrants are located and potential locations for future dry hydrants.
- As written the ask was too large, if the request was narrowed down and site-specific areas were identified staff could look at it further.
- Within the Capital Plan the Integrated Master Plan (10–20-year plan) speaks to future proofing and ensuring sufficient water resources are available so we don't run out of water or halt future development.
- Consensus was that this was a large undertaking with many factors relating to ground water supply (salinity, brackish, current yield). WHRM treatment facilities are designed for surface water; ground water was a different chemistry.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE CAO TO ENGAGE STAFF TO REVIEW AND REPORT BACK REGARDING THE FRESH WATER RESOURCES SUMMARY INFORMATION REPORT PROVIDED AT THE COUNCIL MEETING SEPT 21, 2023 TO DETERMINE IF AN OPPORTUNITY EXISTS FOR THE MUNICIPALITY TO FURTHER ENHANCE ITS ACCESS TO FRESH WATER RESOURCES FOR PURPOSES OF POTABLE WATER, INDUSTRIAL EXPANSION, FIREFIGHTING RESOURCES (DRY HYDRANTS), OR AGRICULTURAL PURPOSES. MOTION DEFEATED. Nays: Zebian, P. Morton, Francis, Sherman, Smith, Jannasch and B. Morton

Discussion Points:

- The history of the property was unclear, there was value in determining ownership. If the property was municipally owned, then Council could look at what to do with the property.

MOVED BY COUNCILLORS IVEY AND JANNASCH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE CAO TO ENGAGE STAFF TO DETERMINE IF THE PROPERTY KNOWN AS TOWN POND IS OR WAS EVER A PUBLIC RESOURCE, FURTHER IF IT WAS A PUBLIC RESOURCE BUT IS NO LONGER, THEN WHEN AND HOW DID IT DID IT TRANSITION FROM PUBLIC TO PRIVATE OWNERSHIP. MOTION CARRIED. Nays: P. Morton, Francis, B. Morton and Zebian

e) Public Participation Program Revised Recommendation Report (10:32 p.m.)

Councillor Ivey discussed the amended policy presented at the last meeting and the lack of action taken by Council (no motion was made to support or defeat the amendments). Council discussed the lack of action taken; it was understood there was no appetite to support the amendments resulting in no motion made at the last meeting. For clarity and due process Councillor Ivey will return with the item for a decision.

f) Road Construction - Communication Policy Supporting Business Recommendation Report (10:36 p.m.)

Councillor Ivey reviewed the report highlighting a need for an enhanced communication policy to advise individuals that business remain open in areas where roads are closed due to construction and infrastructure repairs to potentially alleviate lost revenue to those business owners. Financial losses to local small businesses can be significant and impactful. Better communication was a great idea.

MOVED BY COUNCILLORS IVEY AND ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE ENHANCEMENT OF THE COMMUNICATION POLICY FOR ROAD CLOSURES DUE TO CONSTRUCTION PROJECTS TO MITIGATE IMPACTS ON BUSINESSES OPERATIONS THAT COULD BE NEGATIVELY IMPACTED WITH THE PLACEMENT OF SIGNS SOLELY AS, 'ROADS CLOSED – LOCAL TRAFFIC ONLY'. MOTION CARRIED.

g) Municipal Complex - Summary Information Report (10:39 p.m.)

Question was raised as to where staff were regarding the RFP. Discussion occurred around the need to get the RFP completed for the Municipal Complex. Staff will prioritize this moving forward.

12. Public Participation (10:40 p.m.)

No members of the public were in attendance.

13. In-Camera

- a) MGA 22(2)(a) Land Matter
- b) MGA 22(2)(a) Personnel Matter

MOVED BY COUNCILLORS SHERMAN AND B. MORTON THAT THE MEETING IN-CAMERA AT 10:41 P.M. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT THE MEETING ADJOURN AT 11:59 P.M. MOTION CARRIED

- 14. Next Meeting Date / Adjournment** – Next regular meeting will be October 24th, 2023 Council meeting, at 6 p.m.

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk