

WEST HANTS REGIONAL MUNICIPALITY

Committee of the Whole - Meeting Agenda **Amended**

November 14th, 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) 2023-10-10 Committee of the Whole Minutes
 - b) **Municipal Climate Change Action Plan Report - Coordinator Ogilvie**
7. Presentations
 - ~~a. Northern Creative – Ben Bennett~~
 - b. Community Beautification Plan – WSP
 - c. Consolidation of Water and Sewer Systems - G. A. Isenor Consulting Limited
8. Unfinished Business/Postponed Motions
 - a) Water and Sewer Consolidation Recommendation Report – Director Rochon
 - b) Newport & District Rink Commission 2023-24 Funding Recommendation Report – Director Rochon
 - c) Participation in the Extended Producer Responsibility (EPR) Program Regulations Recommendation Report – Director Richard
 - d) Fees Policy Information Report – Directors Rochon and Kehoe
 - e) Municipal Planning Review Consultant Recommendation Report – Director Poirier
 - f) Surplus Lands/Buildings Information Report – Director Poirier
 - g) Video Surveillance Camera Policy – Clerk Snair
9. Reports
 - a. CAO Activity Update - Information Report

- b. Financial Update Ending September 30, 2023 - Director Rochon
 - c. 2023-24 Quarterly Capital Update – Ending September 30, 2023 – Director Rochon
 - ~~d. Municipal Climate Change Action Plan Report – Coordinator Ogilvie~~
10. Correspondence
- a. Information
 - 1. Avon Causeway Activity Log as of November 14th, 2023 - None
 - 2. Correspondence Received Ledger as of November 14th, 2023
 - a) King's Meadows Residence Re Non-Profit Options
 - b) Premier Tim Houston Re Future Energy Security for NS letter to Councillor
 - c) Premier Tim Houston Re YourHealthNS app
 - d) Sheldon Hebb Re Curbside Waste Collection
 - e) VREN Re Land and Asset Database Update and User Integration
 - f) Kelsey MacNeil Re Wind Strength Update
 - g) Mandy Singleton Re Riverview Drive Rezoning Brooklyn
 - h) Ian Daniels Re Windsor Elementary School
 - b. Requests
 - i. Steven Hart Re Protect Vaughan Re Request to Amend Policy 4.22.4 (x3)
 - c. Out-going Correspondence Ledger as of October 14th, 2023
11. New Business
- a) Smiley's Park Recommendation Report – Councillor M. McLean
 - b) Community Town Hall Meeting Plan Decision Request – Councillor Ivey
 - c) Engineering Services Request for Information – Councillor Ivey
 - d) Fort Edward Hill and Blockhouse Site Line Preservation Request – Councillor Ivey
 - e) Water Utility Request for 3 Year Actuals Decision Request - Councillor Ivey
 - ~~f) Sidewalk Needs Assessment – Councillor Smith~~
 - g) 2024 Municipal and CSAP Elections - Request for Decision – Municipal Operations Supervisor Thornton
 - h) Build NS – Cellular Service for Nova Scotia Program – CAO Phillips
12. Public Participation Period
13. In-Camera
- a) MGA 22(2)(a) Legal Matter
 - b) MGA 22(2)(a) Legal Matter**
 - c) MGA 22(2)(a) Personnel Matter
14. Next Meeting Date / Adjournment – November 28th 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
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
Carlie Rochon, Dir. Financial Services
Todd Richard, Dir. Public Works
Kathy Kehoe, Dir. Community
Development

Deanna Snair, Exec. Asst/ Clerk
Sara Poirier, Dir. Planning and Development
Shelleena Thornton, Municipal Operations
Supervisor

Presenters/Public

Alison Lumby and Will Robinson Mushkat from WSP Design
Blaine Rooney and Gerry Isenor from G. A. Isenor Consulting Limited

3. **Approval of the Agenda, including additions or deletions (6:02 p.m.)**

Voting for these items occurred by a show of hands.

Moved

- Item 9(d) up to item 6(b)

Additions to the Agenda

- Item 13 In-Camera MGA 22(2)(a) Legal Matter (Update)

Deletions to the Agenda

- Item 11 (f) Sidewalk Needs Assessment - Item will return to December meeting

a) Dashboard Action Items – Information Log

Dashboard – Dangerous or Unsightly Premises – Information log

Discussion Points:

A discussion on the dates for items on the Dashboard occurred. Panuke Road event was expected to occur late Spring/Summer of 2024, Glooscap First Nation items – Mayor Zebian will connect with Chief Peters on the matters and inquire on a meeting date.

**MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT THE 2023-11-14
COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS AMENDED.
MOTION CARRIED**

4. **Declaration(s) of Conflict of Interest** (6:04 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.

Councillor Ivey acknowledged the Birthplace of Hockey Tournament held this past weekend. Congratulations were extended to Brian Johnston who celebrated his 80th birthday. Congratulations were extended to David Bannerman on the creation of the new online Christmas streaming service in West Hants.

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

a) **2023-10-10 Committee of the Whole Minutes**

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

b) **Municipal Climate Change Action Plan Report** (6:07 p.m.)

Coordinator Ogilvie reviewed the presentation noting the *MCCAP Committee* must provide an annual work plan to Council for review and to be placed on file. The 2024 Work Plan identifies priority items the Committee would like to complete for the year.

Discussion Points:

- Coordinator Ogilvie advised the plan will return to Council for approval.

MOVED BY COUNCILLORS FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT THE MCCAP COMMITTEE 2024 WORK PLAN BE SUBMITTED TO COUNCIL TO BE PLACED ON FILE IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A TO THE STAFF REPORT "MCCAP COMMITTEE 2024 WORK PLAN" DATED NOVEMBER 8, 2023. MOTION CARRIED

7. **Presentations**

a) **Northern Creative – Ben Bennett** – Presenter was not in attendance.

b) **Community Beautification Plan – WSP** (6:36 p.m.)

The Community Beautification Plan (CBP) was designed to create a cohesive vision and reinforce WHRM branding throughout the region's communities. The plan focused on signage and landscaping at community entrances, municipal parks and recreation spaces, urban and rural beautification through plants, furnishings and public art and street lighting.

The presentation concluded at 6:39 p.m.

c) **Consolidation of Water and Sewer Systems** (6:39 p.m.)

Mr. Rooney provided a brief overview highlighting what they do and their experience working with the former Town of Windsor and the Municipality. Mr. Isenor reviewed the presentation highlighting the work done and how they ended up with the results presented in the report,

background information on both utilities (age, regulatory body, which utility sells water to the other utility). Three separate rate studies were completed for water and wastewater (Windsor, West Hants, and a consolidated rate study (Windsor and West Hants together).

Base charges are referred to as availability charges (pay for the privilege of having the service available when it is needed). It also provides financial stability to the utility.

Volume charge allows the customer to determine how much water they will use, which influences their water bill.

Based on findings if base charges were raised, generally water consumption increases and similarly if people have flat rate systems, they are not cautious with water usage.

The presentation highlighted information regarding residential customers, which was 90% of the customers in WHRM and projections were done for three years.

Water - If status quo remained West Hants and Windsor residents would see an increase of approximately \$50 over the next three years. If a single utility was created both utilities would see the same cost however West Hants would see less of an overall increase.

Wastewater – If status quo remained the rates in West Hants (\$30 range) increased much less than the rates in Windsor (approximately \$60). Windsor requires significant Capital work in the coming years. If the wastewater was consolidated, West Hants would increase slightly more than Windsor.

Total amounts were provided for water and sewer amounts for both Windsor (\$368) and West Hants (\$329) if the utility was to remain status quo. If the utilities were consolidated both Windsor and West Hants would pay \$327, and no one would be buying or selling water to each other. In the short-term Windsor would see an economic advantage, West Hants wouldn't see an impact. Consolidating the utilities gives a single set of rates and a single set of rate studies. There will be less bookkeeping as there will be two sets of books instead of the original four sets and make the process more streamlined.

Discussion Points:

- Formulas are from the Utility and Review Handbook and also based on the American Water Works Association (they are the authority and have a manual on the practice of rate setting). On the sewer side there was the Water Environment Federation. The principles for both were that a person would pay fairly for what they receive no matter what their class is.
- The study was done based on the current year (2023-2024) budget and then it was increased by 3% (the rate used across the board for all expense categories) on the Operating side. On the Capital side staff were asked what projects were being done and identified cost sharing from government was removed and a financing loan was set up within the rate study. The idea was to build a business plan encompassing all the costs including interest and depreciation.
- Draft financial statements were provided and used as well. Consultants were unable to comment on the deficit as they did not dive that far into the utilities.
- Capital projects spend was what was driving the increases. When consolidating the smaller utility takes the harder hit, it is generally the larger utility that requires projects and those are costly.

- It was suggested that the higher consumption in Windsor was associated with the increased number of businesses with a 5/8 pipe. Businesses may see savings depending on their consumption amount.
- Administrative wise and for staff in the fields it would make sense to consolidate the utilities and create less confusion.
- The presentation was an estimate. A hearing would be done by the UARB to determine if the consultant was being fair and appropriate when merging the utilities.
- It was noted that residents struggled with paying for water going through a sewer that technically was not going through a sewer. Mr. Isenor advised that the best practice was that water in equates to water out.
- The sewer rate could be played with a bit as it was not regulated by the UARB.
- Of the \$20 million in Capital spends for the sewer utility, \$8 million was for West Hants and \$12 million was associated with Windsor. For water it was almost split evenly between each utility \$5 million for Windsor and West Hants.
- If consolidating the utility was identified the combined rate study would be extended out a year and the 2024-25 and 2025-26 rates would be close and be sent to the UARB for review and consideration. No issues with one utility running at loss compared to the other utility.
- The same number of staff would be required to run the utility, consolidating it would streamline the process and create less headaches.

The presentation concluded at 7:37 p.m.

8. Unfinished Business/Postponed Motions

a) Water and Sewer Consolidation Recommendation Report (7:37 p.m.)

Following the presentation from G. A. Isenor Consulting Limited, Director Rochon reviewed the report highlighting consolidating the separate water and sewer utilities for Windsor and West Hants would have benefits for the residents of West Hants. The rate studies prepared by G. A. Isenor indicate all customers will see an overall reduction in their total costs for water and sewer services if they were to be combined.

Council discussed the matter further in relation to the charts and summary points within the report (seeking clarity on some of the numbers). Some thoughts were that a flat rate scenario was not the way to proceed, when considering a sewer rebate, a percentage may be the better option to go and more beneficial. When looking at a sewer rebate staff looked at mirroring the property tax assistance rebate which would create a singular application for residents. A flat amount rebate provides predictability and residents only need to meet one or two criteria items and simplifies the process for residents. The current sewer rebate is based on consumption and would remain in place unless Council identified a desire to have it changed. There was still a lot of work to be done on developing the rebate program, the first step was to determine a funding source to know if staff would need to look at a policy or a by-law.

The consultants will need to complete the 2026/27-year, staff were hoping to get direction on the reports that Council wished to move forward on (separate or consolidated). A report will be brought back to Council with the updated rate studies for that year, the differences in the base and if supported make the recommendation to go to the UARB. Staff were only looking for direction

on whether to consolidate or not. Council struggled with moving the recommendation forward due to not having all the information. Support was provided to move the recommendation forward and see what additional information will be provided at the next meeting. If Council was unhappy with the information, they can choose to not support the recommendation at that meeting.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO BEGIN THE PROCESS OF CONSOLIDATING THE WINDSOR AND WEST HANTS WATER UTILITIES INTO ONE ORGANIZATION AND HAVE THIS WORK COMPLETED BY JULY 1, 2024. MOTION CARRIED
Nays: S. McLean, Hartt, Francis and P. Morton

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO BEGIN THE PROCESS OF CONSOLIDATING THE WINDSOR AND WEST HANTS SEWER SERVICES INTO ONE ORGANIZATION AND MAKE THE NECESSARY CHANGES TO THE BY-LAWS AND HAVE THIS WORK COMPLETED BY JULY 1, 2024. MOTION CARRIED. Nays: S. McLean, Hartt, Francis and P. Morton

A break occurred at 8:45 p.m. The regular meeting resumed at 9:01 p.m.

b) Newport & District Rink Commission 2023-24 Funding Recommendation Report (9:01 p.m.)

Director Rochon reviewed the report highlighting that in order for a project to qualify for the Canada Community Building Fund (CCBF); a motion of Council is required, and the project cannot be started prior to the motion being made. Since a motion of Council identifying CCBF as the funding source was not made any projects already started were not eligible to be funded through this source. Based on this information, staff are recommending that the \$150,000 be fully funded through the Operating Reserves.

MOVED BY COUNCILLORS FRANCIS AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE 2023-24 NEWPORT AND DISTRICT RINK COMMISSION CAPITAL FUNDING OF \$150,000, BE FUNDED THROUGH THE OPERATING RESERVE. MOTION CARRIED.

c) Participation in the Extended Producer Responsibility (EPR) Program Regulations Recommendation Report (9:04 p.m.)

Director Richard reviewed the report highlighting Municipalities are required to indicate if they will opt into the EPR for PPP program and submit the first round of data no later than January 1, 2024. West Hants must decide whether to opt in or out of the EPR program for PPP which will result in cost savings as the responsibility for curbside recycling programs will shift from the Municipality to the producers.

Discussion Points:

- Producer Responsibility Organization (PRO) is appointed by the producers to develop and operate the program.
- Stakeholder meeting would include consultation with the Municipality (, Material Handling Units (MURPHS).
- The collection portion would be contracted out. There would be cost savings from Scotia recycling (would not have a bill from them), the bill for blue bag collection would also disappear.
- No Impacts on existing collection contracts, the full implementation of the program was not expected until December 1st, 2025.
- As consumers we are currently paying for packaging (the consumer pays at the store and then again for collection and management on your taxes).
- Program has been implemented out west in Ontario and Alberta.
- Collection details are unknown at this time. The PRO is responsible for looking after this area.

MOVED BY COUNCILLORS MURLEY AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT WEST HANTS COUNCIL OPTS INTO THE EXTENDED PRODUCER RESPONSIBILITY (EPR) PROGRAM FOR POST-CONSUMER PACKAGING AND PRINTED PAPER (PPP), TRANSFERRING THE RESPONSIBILITY FOR CURBSIDE RECYCLING PROGRAMS TO PRODUCERS. MOTION CARRIED

MOVED BY COUNCILLORS MURLEY AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT THE WEST HANTS COUNCIL DIRECTS STAFF TO GATHER THE NECESSARY DATA AND NEGOTIATE CONTRACTS WITH RELEVANT STAKEHOLDERS TO FACILITATE A SMOOTH TRANSITION INTO THE EPR PROGRAM. MOTION CARRIED

d) Fees Policy Information Report (9:14 p.m.)

Directors Rochon and Kehoe reviewed the report highlighting the request to review the West Hants Regional Municipality Fees Schedule for the Tax Statements and Burial Fees for Council to review and consider.

Tax Statements: Under the current policy there is a \$20.00 statement charge per property assessment account number (AAN). These fees cover the costs associated with staff time, preparing, reprinting, and distributing documents to property owners. Based on the review, staff feel the current fees are fairly set and below the average when compared to other regions.

Discussion Points:

- Each assessment account number is unique, individual to each civic number.
- Most requests are related to tax balances related to mortgages and reprinting property tax bills (currently provided at no cost). Verbal information is also provided at no charge.

Burial Fees: The Community Development Department is responsible for cemetery management (sale of lots and burials in both the Maplewood and Riverbank Cemeteries). Director Kehoe

provided a high-level overview of the process for both cemeteries, noting that the Riverbank cemetery requires less staff time. Burials in the Riverbank only require staff to meet with families to mark grave locations and then the family or funeral home coordinates contacting the gravedigger. Burials in Maplewood Cemetery require more staff involvement and time.

Discussion Points:

- Concerns arose around the costs associated with resident vs nonresident. However, the report highlighted the complexity of the discussion.
- There was value in giving staff directions to return with a report on changes or updates (sale of lots (set price), based on comments/feedback received as they are the experts.
- Thoughts were there would be a lot of interest from residents along the Hants Shore, as they are meeting to try to discuss and determine a way forward for the numerous small graveyards. They will be watching closely.
- There was value in looking at creating equity across the region on this matter.
- Consolidating the cemetery rates would eliminate the separate area rates for the cemeteries.
- Perpetual care fees are kept in a separate fund, some also have stipulations that confirmation is that the funds be used specifically for that cemetery (care of the lots).
- The revenue stream for cemeteries is the sale of the lots. The area rate component helps support cemetery upkeep.
- If Council supported moving forward with updating the By-laws for both cemeteries and updating the fees to reflect the changed By-Laws, both cemeteries would remain area rated. Through discussions during budget deliberations, Council will need to determine if they wanted to move towards general rating cemeteries or for them to remain area rated.
- The discussion was much larger than thought and warranted more discussion.

e) Municipal Planning Review Consultant Recommendation Report (9:40 p.m.)

Director Poirier reviewed the report highlighting that the planning documents were last reviewed in 2005 (Windsor), 2008 (West Hants) and in 2010 (Hantsport). With the planning documents being over 10 years old and having undergone a number of amendments over the years; there was value in a thorough review of all the policies and regulations to ensure the planning documents evolve and respond to the current environmental, social, and economic climate, and meet the current needs of the residents of the Regional Municipality.

Discussion Points:

- The RFP outlines the consultant would begin in December 2023 and conclude December 2024, in addition a few more months would be required for the documents to be ready for Municipal Review. It was anticipated that final regional documents would be ready by April 2025.
- There will be a time period where amendments cannot be considered as the consultant will be too far into the process of drafting the new regional planning documents.
- An information report will be going to the Planning Advisory committee re: the current application to determine what the next steps are. No fees are spent until a

Public Information meeting is advertised. A Plan review fee was completed in 2017, at that time they were comparable to other municipal units. Any funds left over from advertising and ads going in the mail are returned to the applicant.

- The consultant would meet with the Planning Advisory Committee in a workshop style setting and meet with council in presentation style setting and discussion at the public engagement stages and then following any recommendations or proposed changes to the documents as well. Council would be kept updated.
- The planning documents are Council's documents. They can request items within the documents be reviewed anytime.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE AWARD OF THE REQUEST FOR PROPOSALS # WHRMPD23-04, CONSULTANT SERVICES TO COMPLETE MUNICIPAL PLANNING DOCUMENT REVIEW, TO WSP CANADA INC. IN THE AMOUNT OF \$192,480.00 PLUS 10% CONTINGENCY AND APPLICABLE TAXES. MOTION CARRIED

f) Surplus Lands/Buildings Information Report (9:50 p.m.)

Director Poirier reviewed the report highlighting an updated status report on the Municipally owned properties deemed surplus since 2022, noting that two (2) of the properties have since been sold. Two (2) other properties are zoned appropriately for residential development. The report also identifies nine properties (requested by Council) to be rezoned to allow residential development. Public Information Meetings (PIMs) were held on November 2, 2023 for two of those properties; with the remaining PIMs to be held as staff time permits. An updated list of Municipally owned properties and community mapping of the properties is underway and will be brought back for discussion at a future Committee of the Whole meeting.

Discussion Points:

- After the parcels were deemed surplus, staff reviewed them at a high level through a policy lens to determine if they were able to be rezoned. At the end of the day the developer determines if lots are able to be built on.
- The parcel located on Millard Court is not located on an identified wetland area.
- Residents on Etter Road do not want to see Riverview Drive in Brooklyn rezoned. A conversation occurred about potentially removing it from the list. The parcel has already gone through a Public Information session; however, Council has not seen the First Reading report yet. The proper procedure would be to follow the process.
- Part of the issue was that residents in the areas of the properties deemed surplus were unaware that these were community properties/open spaces. There was value in continuing the process to allow a more in-depth conversation and see what occurs.
- The original intent of the report was to address lands that the municipality had that could be used for affordable housing and address the housing crisis in the area.

Deputy Mayor advised it was 10 p.m., as per Policy a motion of Council is required to continue the meeting. Should the meeting not continue, the current Policy states the meeting will continue the following evening at 6 p.m.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE MEETING CONTINUE PAST 10 P.M. MOTION CARRIED. Nays: S. McLean and Hartt

Councillor Hartt left the meet 10:03 p.m. He did not participate in the remainder of the meeting.

g) Video Surveillance Camera Policy (10:03 p.m.)

Clerk Snair reviewed the report highlighting the discussion and direction provided during the 2023-24 Budget deliberations to explore expanding the current surveillance network within the region due to increased criminal activity in the communities of West Hants. Under the Guidelines for the Use of Video Surveillance in Nova Scotia, set out by the FOIPOP Office, a video surveillance policy is required.

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE VIDEO SURVEILLANCE POLICY RCOFN-013.00 IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO COMMITTEE OF THE WHOLE DATED NOVEMBER 14TH 2023. MOTION CARRIED. Nays: Jannasch

9. Reports

a) CAO's Report (10:07 p.m.)

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

Highlights included attending COTW, Council, CUPE Labour Management, Police Advisory Board (PAB), Fire Chiefs, Windsor / CBCL Storm Water Management Plan, PAC /HAC, Pre-Development Meeting with Marchand Homes, Public Information Meetings and VCFN meetings. Participated in a meeting re: West Hants Mobility / Cellular Meeting with Bell, WHRM Staff Appreciation Night, the Nova Scotia Association of Municipal Administrators Conference in Digby, the Nova Scotia Federation of Municipalities Conference in Halifax and the Zwicker Lake Group Judicial Review Hearing in Kentville.

Participated in discussions re: Cellular for Nova Scotia Program (making sure all Nova Scotians have access to cellular service, no matter where they live or travel). Recently the Province announced a \$47.3 million investment to start the new Cellular for Nova Scotia Program (expand telecommunications infrastructure and communications networks throughout the province). Build Nova Scotia has been charged by the province to plan, design, and manage the implementation of expanded cellular coverage throughout the province. In addition to this announcement, direct conversations have occurred with Bell Mobility representatives through a former Bell Executive now living in our region, regarding the program and the specific needs of WHRM. The announcement and these discussions are very encouraging.

Staff continue to draft and prepare the RFP for the Municipal Complex review, Operational priorities and demands have not allowed this RFP to be issued as anticipated.

Participated in meetings regarding Flash Flood, Disaster Financial Assistance (DFA) and Insurance Related matters as well as the October 16th Audit Committee meeting.

The WHRMFS23-01 General Insurance and Risk Management Services RFP has been issued.

Operational meetings continue re: Sports Complex, Trails, Parks and Open Spaces, Economic Development, Capital Projects and Community Events.

SWITCH West Hants (PACE Program) has been released; applications are being received and processed and information can be found on the website.

b) Financial Update ending September 30, 2023 (10:10 p.m.)

Director Rochon reviewed the report. The overall projected deficit was \$884,746, of which \$704,406 was related to the budgeting error communicated at the September 26th meeting. Mitigating efforts would only be utilized if the Municipality incurs a deficit at year end. Revenues increased by 0.2% and expenses have also increased by 0.6%. Revenue equated to Deed Transfer Tax at \$860,000, sale of services projected lower due to recreation revenue (can be mitigated through safe restart funding), sewer revenues project lower following the second quarter. Other revenues were projecting higher due to miscellaneous revenue, including permits, licenses, rentals, tax certificates, and return on investment.

Expenses equated to RCMP projecting higher (the addition of the provincial RCMP quarterly billing of \$236,291, of which the 2022-23 operating RCMP credit will help mitigated this), Fire projecting higher (major capital repairs for Hantsport Fire, and Windsor Fire apparatus and Increases associated to Southwest Hants Fire Operating and Regional Fire Operations), General Government projecting higher (with Office Buildings, Council Chamber furniture, and Dial-A-Ride), Environmental health services projecting higher (increase associated to sewer depreciations, increases tipping charges following the flood), Education projecting higher by \$27,140 and the Regional Library also higher by \$7,710.

Discussion Points:

- Dial-A-Ride increased expenses were not part of the original budget and were captured in the budgeting error previously communicated. The higher projection was a result of the expense being put into the budget.
- Higher Fire projections were associated with major repairs. Major repairs are put through the Operating budget. Windsor had an apparatus damaged while responding to a call and a Hantsport engine requires a new pump.
- Sewers were part of the overall budget. Approximately \$400,000 of the deficit was associated with sewer depreciation. Not enough was in the budget for sewers which resulted in it originally appearing as if it had a surplus (information was in the detailed sheet but was not included in the calculation) and resulted in not enough tax taken to cover the utility.

c) Capital Update Ending June 30, 2023 (10:21 p.m.)

Director Rochon reviewed the Capital report. Out of 150 projects, 15% were complete, 59% have been started, 8 % were being carried forward and 16 % have yet to begin. Two (2) projects have been deferred.

Discussion Points:

- Public wifi access (three locations) has been completed. IT are able to confirm their locations.

d) **Municipal Climate Change Action Plan Report** -item moved up on the agenda.

10. **Correspondence (10:23 p.m.)**

a) Information

1. Avon Causeway Activity Log received as of November 14th, 2023. - None
2. Current Correspondence Received Log as of November 14th, 2023. (Reviewed in groups of four (4))
 - a) King's Meadows Residence Re Non-Profit Options
 - b) Premier Tim Houston Re Future Energy Security for NS letter to Councillor
 - c) Premier Tim Houston Re YourHealthNS app
 - d) Sheldon Hebb Re Curbside Waste Collection
 - e) VREN Re Land and Asset Database Update and User Integration
 - f) Kelsey MacNeil Re Wind Strength Update
 - g) Mandy Singleton Re Riverview Drive Rezoning Brooklyn
 - h) Ian Daniels Re Windsor Elementary School

Mayor Zebian reviewed correspondence from Ian Daniels. The playground equipment in the back of the school was condemned. To be proactive the Home and School committee were fundraising to replace the equipment in the future. To date they have raised \$10,000, with many more fundraising activities scheduled. Quotes put the equipment at \$80,000 to replace and estimate a two (2) year wait time. In the past Council has assisted other schools and there was value in providing the same assistance to Windsor School.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR JANNASCH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL REQUEST STAFF REACH OUT TO THE WINDSOR ELEMENTARY SCHOOL HOME AND SCHOOL ASSOCIATION COMMITTEE AND OFFER ANY EXPERTISE, EXPERIENCE, AND ADVICE THEY CAN WITH THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT. MOTION CARRIED

MOVED BY MAYOR ZEBIAN AND COUNCILLOR M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL AUTHORIZE THE AMOUNT OF \$25,000.00 TO GO TOWARDS THE PURCHASE OF, AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR WINDSOR ELEMENTARY HOME AND SCHOOL COMMITTEE FOR THE FUNDS TO COME FROM THE CANADA COMMUNITY BUILD FUND (CCBF). MOTION CARRIED

Councillor M. McLean wanted to highlight correspondence from Mandy Singleton regarding Riverview Drive rezoning. He also highlighted Etter Road and Council providing money to partner with the province for J-Class Road paving and no paving has occurred. The road continues to deteriorate and will get worse.

Councillor Ivey highlighted correspondence from Sheldon Hebb regarding curb side collection and the report that will be presented to Council on consolidating Windsor and West Hants waste collection into a Regional By-Law that would create equality for residents. The concerns raised by Mr. Hebb would be part of the process in creating the new By-Law (research, contact other municipal units, specific wording, etc.).

b) Requests (10:32 p.m.)

- i. Steven Hart Re Protect Vaughan Re Request to Amend Policy 4.22.4 (x3) - Item was discussed earlier.

c) Out-going as of November 14, 2023 - None

11. New Business

a) **Smiley's Park Recommendation Report** (10:32 p.m.)

Councillor M. McLean reviewed the report highlighting the closure of the park due to the sustaining significant and vital infrastructure damage as a result of the flooding that occurred on July 22, 2023. Although a recent announcement was made advising that a portion of the park was reopening for public use, there was value in having an official record identifying a plan and a timeline for when all necessary repairs would be completed and the park fully reopened.

Discussion Points:

- The park has reopened with limited access to areas and signage. With the amount of damage, it was unclear if the province was able to provide a timeline at this stage.

MOVED BY COUNCILORS M. MCLEAN AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF WRITE A LETTER TO PROVINCE REQUESTING A TIMELINE AS TO WHEN SMILEYS PROVINCIAL PARK WILL BE RESTORED/REOPENED FOR PUBLIC ACCESS AND FURTHER A PLAN BE CONSIDERED/ IMPLEMENTED WHERE THE PUBLIC HAVE LIMITED ACCESS TO THE PARK UNTIL ALL NECESSARY REPAIRS HAVE BEEN COMPLETED. MOTION CARRIED. Nays: Jannasch, Francis, P. Morton, Smith and Zebian

b) **Community Town Hall Meeting Plan Decision Request** (10:37 p.m.)

Councillor Ivey reviewed the report highlighting concerns related to scheduling Community/Town hall meetings for each Councillor to host within their district and provide clarity on the matter. The report identified concerns around how the meetings came about, timing of the meetings (specifically as it related to an election). There was value in having the meetings completed prior to the fiscal year and using them as information gathering to better inform Council during budget discussions. Council discussed proper procedure and policy as it related to Council and staff direction, format and structure of the meetings, who attends (staff or no staff), the potential misuse of wording around the election. Historically Town Hall meetings were hosted by Councillors and provided a forum for residents to talk and ask questions to their Councillor in a one-

on-one setting. A thought was that Public Participation period also provides individuals with an opportunity to address Council.

MOVED BY CONCILLORS IVEY AND S. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF AS APPROPRIATE TO COORDINATE COMMUNITY TOWN HALL MEETINGS EACH MONTH THROUGHOUT THE 11 DISTRICTS OF WEST HANTS BETWEEN JANUARY 2024 AND THE END OF MARCH 2024. MOTION DEFEATED. Nays: Jannasch, M. McLean, Francis, B. Morton, Sherman, P. Morton, Smith, Murley and Zebian

c) Engineering Services Request for Information (10:48 p.m.)

Councillor Ivey reviewed the report highlighting that the standing offer for Engineering Services was issued and awarded in April 2020; four (4) firms were selected to receive Standing Offer status. In November of 2021 Council formally endorsed the award status. The contract should have come forward for review in April 2023, but has yet to be presented resulting in questions about possible extensions.

Discussion Points:

- The agreement was for 3 (three) years; however, extending the contract for an additional year was written in the formal agreement/contract.
- Anything requiring Council approval would be returned to Council to be reviewed.

d) Fort Edward Hill and Blockhouse Site Line Preservation Request (10:53 p.m.)

Councillor Ivey reviewed the report highlighting that many discussions have occurred regarding Fort Edward Hill and the Fort Edward Blockhouse, development near the Fort, and preservation of sight lines to and from the Fort. The former Town of Windsor's existing bylaws limit the height of properties to 3 stories which serves to protect the view to and from the Fort. There was value and benefit in implementing a bylaw that would protect the site lines of Fort Edward Hill and the Blockhouse. Council discussed the matter as it related to the complexity of the ask, concern was raised that this was not a simple ask and would require a review of all the documents and looking at it through a Planning lens. While there was support for the motion it was felt a better approach would be to address it through the Planning Review process.

Discussion Points:

- The discussion was a larger topic that may have value being looked at and reviewed through the planning review process.
- There was support to review it through the planning review process.
- It was better to incorporate the request into a policy within the Municipal Planning Strategy vs a By-Law and regulations within the Land Use By-Law. Expertise was needed to create a viewplane, as this was outside of staff's ability.
- Timing was important to ensure something was in place to protect the viewplanes from future developmental impacts.
- With respect to a timeline Parks Canada input would be required as they identify the viewplanes in their historic documents, info reports would then be provided to PACHAC

and Council and then the process would begin for Public Information meetings and would require a significant amount of time.

- If Council identified it as a priority during the plan review the consultant would then know it was a priority during the plan review.
- There was value in proceeding properly to ensure it was done correctly despite whatever amount of time was required to complete the process.

MOVED BY COUNCILLOR IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF AS APPROPRIATE TO INITIATE THE PROCESS FOR DRAFTING OF A BYLAW TO THAT WOULD SERVE TO PRESERVE THE SITE LINES TO AND FROM FORT EDWARD HILL AND THE FORT EDWARD BLOCKHOUSE FROM NATURAL AND MAN-MADE OBSTRUCTIONS.

MOVED BY COUNCILLORS IVEY AND MURLEY TO AMEND THE MOTION TO READ AS COUNCIL DIRECT THE CAO TO IDENTIFY THE IMPORTANCE OF THE VIEW PLANES OF FORT EDWARD FOR CONSIDERATION IN THE PLANNING DOCUMENTS BEING CONSIDERED BY THE CONSULTANT FOR THE MUNICIPAL PLANNING STRATEGY. MOTION CARRIED

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL DIRECT THE CAO TO IDENTIFY THE IMPORTANCE OF THE VIEW PLANES OF FORT EDWARD FOR CONSIDERATION IN THE PLANNING DOCUMENTS BEING CONSIDERED BY THE CONSULTANT FOR THE MUNICIPAL PLANNING STRATEGY. MOTION CARRIED

e) Water Utility Request for 3 Year Actuals Decision Request (11:08 p.m.)

Councillor Ivey reviewed the report highlighting the Audited Financial report was presented at the October Council meeting for review and approval. Within the report the Windsor Water Utility showed a deficit of \$425,784 and the West Hants Water Utility's fiscal year showed a surplus of \$340,526, which was \$528,444 higher than the budgeted deficit of \$187,918. There was value in having detailed actuals and budget comparisons to determine the reason for the shortfalls or surpluses in actuals and budget.

Discussion Points:

- In reviewing the financial reports, it was determined that a significant credit occurred in the beginning of the year (almost \$300,000) due to billing between the two utilities. WH water utility received a credit, resulting in less revenue on the Windsor water utility. Windsor also experienced a catastrophic filter failure which resulted in administration expenses increasing.
- There was value in proceeding and getting a detailed report.

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE CAO TO ENGAGE STAFF AS APPROPRIATE TO PROVIDE COUNCIL WITH A 3-YEAR DETAILED FINANCIAL SUMMARY FOR THE WINDSOR AND WEST HANTS WATER UTILITIES TO INCLUDE ACTUAL REVENUES AND EXPENSES AS WELL AS BUDGETED REVENUES AND EXPENSES. MOTION CARRIED

f) Sidewalk Needs Assessment - Item removed from the agenda.

g) 2024 Municipal and CSAP Elections - Request for Decision (11:15 p.m.)

Supervisor Thornton reviewed the report highlighting the next regular election is scheduled for October 19, 2024. In order to prepare for the 2024 Municipal election and its timelines, it is important for Council to determine an election method (paper, electronic, or a hybrid) for the planning process to begin. Electronic voting was going to be used in 2020 for the CSAP elections, however it was acclaimed and there was no need to proceed.

Council discussed how to move forward. Concerns were raised with electronic voting their opinions on how to proceed, some felt a paper ballot was a better opinion and provided a level of comfort. There was support for both the hybrid model and solely paper ballots.

Discussion Points:

- If the hybrid option was supported, both electronic and paper ballots would be used. Due to not knowing how many people would utilize electronic voting, the province has said that a municipal unit would still need to order enough paper ballots to ensure that 70% of the voter population could vote via paper ballot should they choose to.
- Concern was raised that 70% of the voter population would not be enough paper ballots. Thoughts were that paper ballots would be needed for the entire voting population.
- The last few elections for the former Town of Windsor were solely electronic with the exception of the mobile polls. Mobile polls could be considered for areas with limited access to internet connectivity.
- The Municipal Election Act identifies if electronic voting was used, a secondary means (ie telephone) was required.
- The hybrid model could serve as a transitional phase to get residents used to moving towards solely electronic voting.
- Regardless of paper ballot or electronic voting there are advanced polling days. The first advance polling day was guaranteed four (4) days prior to an ordinary election day. The other one was determined by Council on when they wanted to start it (either 7 days before an ordinary polling day – October 12th or 9 days before).
- Electronic voting was used to some level of the Provincial elections. Approximately 70% of other municipalities were using electronic voting.
- High security levels (similar to banking) are in place as well as an auditor is in place for security and to ensure the system is not able to be broken or tampered with.

- If the motion was supported, there was support that consideration be given to the model used in Halifax could be considered (electronic voting on the first two (2) days and paper ballots on the regular polling day.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES USING BOTH ELECTRONIC VOTING AND PAPER BALLOTS (A HYBRID MODEL), AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS AND FURTHER, THAT STAFF ISSUE A REQUEST FOR PROPOSALS FOR THE ELECTRONIC VOTING SERVICES IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS. MOTION CARRIED. Nays: S. McLean and M. McLean

h) Build NS – Cellular Service for Nova Scotia Program (11:42 p.m.)

CAO Phillips advised that on October 26th, the province announced an investment of \$47.3 million dollars for a new cellular Nova Scotia program. There were two phases; the first phase was summarized as trying to make the existing infrastructure work better and if it can be improved upon they will do that the second phase was summarized as looking for solutions for areas not serviced currently or wouldn't meet the current threshold. The threshold of the program was that there be 99% coverage for basic voice call service in the province. The second tier was to have 95% coverage for standard definition services such as emails, web browsing and social media and the third tier was that 85% percent coverage for high-definition services such as video conferencing, mobile streaming, etc. It was unknown what areas were related to each percentage. It was felt that the program was similar to the rural internet program. On an additional note, a conversation did occur with a retired Bell executive who facilitated a conversation higher up expressing West Hants interest in helping in whatever capacity we can.

12. Public Participation (11:45 p.m.)

No members of the public were in attendance.

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

13. In-Camera (11:45 p.m.)

- a) MGA 22(2)(a) Legal Matter
- b) MGA 22 (2)(a) Legal Matter
- c) MGA 22(2)(a) Personnel Matter

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBAIN THAT
COMMITTEE OF THE WHOLE MOVE OUT OF IN-CAMERA. MOTION
CARRIED

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT THE
MEETING ADJOURN AT 12:25 A.M. MOTION CARRIED

14. **Next Meeting Date / Adjournment** – Next regular meeting will be November 28th, 2023 Council meeting, at 6 p.m.

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk