

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole Meeting Agenda Amended
January 9th, 2024 - 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) 2023-12-05 Committee of the Whole Minutes
 - b) **Asset Retirement Obligation Policy RCOFN-014.00 Recommendation Report– Manager Gibson**
 - c) **Region 6 Solid Waste Management 2024-25 Budget Recommendation Report – Manager Gibson**
7. Presentations
 - a) Falmouth Dog Park – Matt Dunfield
8. Unfinished Business/Postponed Motions
 - a) 2022-06-14 Sidewalk Needs Assessment Information Report – Councillor Smith
 - b) Public Participation Program Policy Information Report – Director Poirier
 - c) 2024 Municipal Elections – Alternate Voting Recommendation Report – Clerk Snair
 - d) Falmouth Town Pond Ownership Verbal Update – Clerk Snair
 - e) Follow Up Supplementary Information Related to Water and Sewer Rates – Director Rochon and Gerry Isenor
9. Reports
 - a. CAO Activity Update - Information Report
 - b. Financial Update Ending November 30, 2023 - Director Rochon
10. Correspondence
 - a. Information

1. Avon Causeway Activity Log as of January 9th, 2024 - None
2. Correspondence Received Ledger as of January 9th, 2024
 - a) Myra Stephen Re Removing Signage and Imagery related to Sam Slick – When you know better, do better.
 - b) Katherine Wadden Re PID 45215290 Riverview Drive Brooklyn
 - c) Jeff Dunfield Re Thank you for Council Meeting Called for Next Week
 - d) Peter Moore Re December 19th Special Council Meeting
 - e) NSFA Letter to Minister Morrow Re Dyke System (WHRM copied)
 - f) Peter Moore Re COTW - October 12, 2021
 - g) Response from Minister Rushton Re Smiley's Provincial Park
 - h) Robert Crow Re Lot 13 Rezoning Milliard Crt
 - i) AVRL Letter to Minister MacMaster Received 2024-01-04 (WHRM copied)
 - j) Emily Seaboyer Re Application for Rezone of OS lot, Millard Court, Union Corner
 - k) Denise Forand Re The rezoning of gifted lands for subdivisions and our Historic Architectural zone
 - l) Elizabeth Rondhuis Re Land Rezoning PID45236601
 - m) Peter Moore Re Rainfall Warning
- b. Requests
 - i. Request for Postponement of Commercial Wine Support Program Announcement
- c. Out-going Correspondence Ledger as of January 9th, 2024
 - i. 2023-12-18 Call for an immediate ceasefire by all parties in the occupied Gaza Strip and Israel
 - ii. 2023-12-18 School Bus Cancellation Concerns
11. New Business
 - a) Renaming Cottage Street Information Report – Councillor Bob Morton
 - b) Windsor and West Hants Water Utilities Detailed Audit Recommendation Report – Councillor Ivey
 - c) Windsor Flood Study Recommendation Report – Councillor Ivey
 - d) Accessibility Advisory Committee Member Appointment Recommendation Report - Clerk Snair
 - e) Meeting and Committee Procedural Policy RCOGE-003.00 Amendment Recommendation Report – Clerk Snair
 - ~~f) Solid Waste Collection Contract – 1 year Extension Recommendation Report – Director Richard~~

~~g) Asset Retirement Obligation Policy RCOFN 014.00 Recommendation Report – Manager Gibson~~

~~h) Region 6 Solid Waste Management 2024-25 Budget Recommendation Report – Manager Gibson~~

12. Public Participation Period

13. In-Camera

a) MGA 22 (a) Land Matter

b) MGA 22(a) Legal Matter (Update)

c) MGA 22 (2)(A) Contract Matter

14. Date / Adjournment – January 23rd, 2024 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

Paul Morton, Deputy Mayor Dist. 8

Rupert Jannasch, Councillor Dist. 1 (ZOOM)

Bob Morton, Councillor Dist. 6

Scott McLean, Councillor Dist. 2

Ed Sherman, Councillor Dist. 7

Mark McLean, Councillor Dist. 3

John Smith, Councillor Dist. 9

Jeff Hartt, Councillor Dist. 4 (ZOOM)

Laurie Murley, Councillor Dist. 10

Debbie Francis, Councillor Dist. 5

Jim Ivey, Councillor Dist. 11

Staff

Mark Phillips, CAO

Deanna Snair, Exec. Asst/ Clerk

Carlie Rochon, Dir. Financial Services

Diana Gibson, Manager Acct & Fin. Services

Todd Richard, Dir. Public Works

Sara Poirier, Dir. Planning and Development

Kathy Kehoe, Dir. Community Dev.

Regrets:

Shelleena Thornton, Municipal Operations Supervisor

Presenters

Gerry Isenor and Baline Rooney, G.A. Isenor Consulting Limited

Matt Dunfield, Falmouth Resident – Family/Dog Park Presenter

1 person in the Gallery

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

Voting occurred by a show of hands.

Moved on the agenda:

- Item 11 (f) Solid Waste Collection Contract – 1 year Extension moved to 13 (c) In-Camera MGA 22 (2)(a) Contract Matter
- Item 11 (g) moved to 6(b)
- Item 11(h) moved to 6(c)

Two reports were submitted late, Councillor Ivey will speak to the reports during the meeting. Motions within the report may be deferred to the next meeting to be discussed further. Consensus was to support the agenda as circulated including the additional reports.

a) Dashboard Action Items – Information Log

Dashboard – Dangerous or Unsightly Premises – Information log

MOVED BY COUNCILLORS IVEY AND MURLEY THAT THE 2024-01-09 COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED. Nays: Jannasch

4. **Declaration(s) of Conflict of Interest (6:02 p.m.) - None**

5. **Announcements (6:02 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.

Caremongers along with volunteer community members have organized an evening drop-in warming centre at the Windsor Community Centre for anyone needing/wanting a warm place to rest, get a hot drink or shelter from the weather.

Winter Carnival was scheduled for February.

6. **Approval of Previous Meeting Minutes (6:04 p.m.)**

a) 2023-12-05 Committee of the Whole Minutes

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE 2023-12-05 COMMITTEE OF THE WHOLE MINUTES BE APPROVED. MOTION CARRIED UNANIMOUSLY

b) Asset Retirement Obligation (ARO) Policy Recommendation Report (6:05 p.m.)

Manager Gibson reviewed the report highlighting the proposed policy as a result of the Public Safety Accounting Standard (PSAS 3280) that became effective as of April 1, 2022. The policy requires all municipalities to establish an ARO for assets currently owned and any future assets purchased (that may have an obligation), this also included the closed landfill.

Discussion Points:

- Only pertains to assets where there's an obligation to revert the property/land back to its original state. There were six (6) items that have an obligation, mostly related to asbestos.
- Estimated financial obligation was \$700,000 resulting in the municipality taking a 5- year approach to fund the ARO Reserve.
- The closed landfill was a transfer of funds from the Landfill Reserve to the ARO Reserve.
- With the new standard there was no other funding option.

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES POLICY RCOFN-014.00 ASSET RETIREMENT OBLIGATION, WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT PRESENTED ON JANUARY 9, 2024. MOTION CARRIED. Nays: Hartt, S. McLean

c) Region 6 Solid Waste Management 2024-25 Budget (6:13 p.m.)

Manager Gibson reviewed the report highlighting the request to approve Region 6's 2024-25 operating budget. Region 6 provides education, support and funding related to solid waste to residents across 12 municipalities. The 2024-25 budget increased by 2% over, with municipal contributions increasing by 13%.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE 2024-25 OPERATING BUDGET FOR REGION 6 SOLID WASTE

**MANAGEMENT FOR THE AMOUNT OF \$878,660, AS PRESENTED
ON JANUARY 9, 2024. MOTION CARRIED.** Nays: Hartt

7. Presentations

a) Falmouth Family/Dog Park Presentation (6:15 p.m.)

Mr. Dunfield provided a progress update. The park has been in a “status quo” state due to the increased inclement weather, resulting in the inability for contractors to be on site working as ground conditions were too wet.

Criteria for Atlantic Canada Opportunities Agency (ACOA) funding was groundwork needed to be completed by a specific date. Due to inclement weather the groundwork was not completed, resulting in a loss of \$95,000 in funding. A small portion of the funding was able to be used, resulting in the group’s ability to proceed with the dog park aspect of the project.

Despite all the challenges, the group remains committed to completing the family park and plans to apply for future grants to secure additional funding.

The group was still looking for Council to assume ownership of the park once completed.

The presentation concluded at 6:19 p.m. Mr. Dunfield left immediately following the presentation.

8. Unfinished Business/Postponed Motions

a) 2022-06-14 Sidewalk Needs Assessment Information Report (6:19 p.m.)

Councillor Smith requested the information report be brought forward for further discussion. As a result of conversations regarding sidewalks, questions resulted about the Active Transportation (AT) Plan (timing of the updated plan and who would do the update).

Discussion Points:

- \$65,000 was put in the 2024-25 Budget (pending approval), however there may be some cost savings as Hantsport, West Hants and Windsor were already included in the existing AT plan. Staff continue to explore and ensure the proposed budget accurately captures what needs to be done to update the plan and will adjust the budget accordingly.
- A consultant would be hired to update the existing plan once the 2024-25 Capital Budget was approved.
- A sidewalk needs assessment/plan could be incorporated into the scope of the revised AT plan (areas that would benefit from having a sidewalk due to population density, proximity to schools, etc.). There was value in having an overall strategy to ensure all areas are assessed and none are missed (if sidewalks were assessed on an individual basis).
- Costs would increase if the direction was to include paved shoulders vs sidewalks throughout the region.
- New municipal roads have a sidewalk component, especially in Urban areas. Provincially owned roads have no funding model for sidewalks. Any sidewalks created on these roads would be 100% municipally funded (creation and maintenance).

b) Public Participation Program Policy Information Report (6:29 p.m.)

Director Poirier reviewed the report highlighting previous requests to amend the policy to strengthen public notice of information meetings. The current practice for notification distance,

newspaper advertisement and signage were reviewed with potential impacts should any changes be supported. Any increase in notification distance and advertising had cost implications to applicants. An enhanced sign design to attract greater attention and awareness of the Public Information Meetings (PIMs) and Public Hearings (PHs) could be completed in-house by staff without changes to the policy or any increase in timelines or costs to applicants.

Discussion Points:

- Signage size was limited by the size of paper able to be used by the printers and laminators.
- The direction was to proceed with redesign/enhanced signage in an effort to draw greater attention.

c) 2024 Municipal Elections – Alternate Voting Recommendation Report (6:38 p.m.)

Clerk Snair reviewed the report highlighting the tender RFQ#WHRM24-01 (Alternate Voting – Hybrid for the 2024 Municipal and CSAP Election) closed at 2 p.m. on January 3, 2024. Five submissions were received and presented to Council for review and approval.

The report also outlined the need to appoint a Returning Officer (RO) on or before March 15, 2024, potential challenges in finding an RO and election workers, increased financial costs in order to meet current demands that have communicated to municipal units.

In an effort to support Council's decision to move forward with a Hybrid election, staff recommended an alternative/electronic voting be used on the first advance poll day to the close of voting on Ordinary Election Poll Day of October 19, 2024 and that paper ballots only be used on the Ordinary Polling day (October 19, 2024).

Discussion Points:

- It was felt the proposal favoured electronic voting. West Hants has not had previous experience with electronic voting and residents would appreciate using a paper ballot on all voting days. It was understood that by previously supporting a hybrid model, paper ballots would be provided on all voting days.
- It takes time to get people use to the idea of any type of change. Some discussions have also confirmed that people were willing to attempt something new as long as there was someone available to help them navigate the system.
- From RO inquiries made, no one was interested if the election was paper ballots only.
- Municipal units that transitioned to electronic voting saw an increase in voters. In the 2016 election for the former Town of Windsor, there was a significant increase in voter numbers as well as a large number of electronic voters were over the age of 60.
- All electronic voting requires an alternate option (telephone) also be provided.
- Any change in voting information would be communicated via normal election communication process, the municipal website and social media pages. Additional advertising or mailouts would have a financial component and require Council to allocate funds. It was felt that if a significant change was made in voting methods that Council would need to spend additional funds to ensure every resident was aware of the voting process and where to vote.
- Electronic voting uses a high level of security similar to banking institution as well as auditors are provided with a large number of non-active codes and attempt to enter the

system in an effort to break the security. It is against the law to vote on behalf of someone else.

- The ability to vote at a polling station would still exist, it could be done electronically or by paper on the ordinary poll day.
- The StarLink provides the ability to deliver internet service in areas where that service may not exist. Community hubs would be established where election workers would be available to assist residents with technology usage during advanced polls.
- The direction provided supported a hybrid election, the question remained on how paper ballots would be used (some or all poll days).

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES CONTRACTING AND PERFORMING ALTERNATIVE VOTING FOR THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS TO INTELIVOTE FOR THE QUOTED PRICE OF 41,075.00 PLUS APPLICABLE TAXES AND BE FUNDED THROUGH THE REGIONAL ELECTION RESERVES. MOTION CARRIED. Nays: Hartt, S. McLean and M. McLean

Discussion continued:

- Polling districts would model the districts used in the 2020 consolidation election.
- Advanced polls for electronic voting would mirror advanced polls using paper ballots (process, signage, etc.) would be the same. The only difference was that a tablet would be in place for residents to vote with instead of a paper ballot and box.
- A thought was that the recommendation was a positive step in moving towards full electronic voting and ensuring residents were educated on the process for future elections, while still offering a paper option on ordinary polling day.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE USE OF ALTERNATIVE (ELECTRONIC) VOTING AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS FROM THE FIRST ADVANCED POLL DAY TO THE CLOSE OF ORDINARY POLL DAY AND FURTHER THAT PAPER BALLOTS BE ONLY USED ON ORDINARY POLL DAY. MOTION DEFEATED. Nays: P. Morton, Francis, M. McLean, B. Morton, S. McLean, Smith, Zebian, Jannasch and Hartt

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE USE OF ELECTRONIC VOTING SOLELY AS THE VOTING METHOD IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN

PROVINCIAL (CSAP) ELECTIONS. Nays: P. Morton, Francis, M. McLean, B. Morton, S. McLean, Smith, Zebian, Jannasch and Hartt

Discussion Points:

- The previous motion reflected paper ballots on the ordinary polling day. Staff were looking for confirmation on what Council wanted to see in the form of paper ballots (paper ballots on all poll days including advance polls).
- The motion would have paper ballots available for all advanced polling days as well as ordinary polling day.
- This was only a recommendation to Council, a final decision needs to be made at the Council meeting. Prior to Council making a final decision all options remain on the table for further discussion.

Deputy Mayor P. Morton stepped down from the chair at 7:22 p.m., Mayor Zebian assumed the chair at this time.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL APPROVES THE USE OF BOTH ALTERNATIVE (ELECTRONIC) VOTING AND PAPER BALLOTS AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS FOR ALL DAYS (FROM THE FIRST ADVANCED POLL DAY TO THE CLOSE OF ORDINARY POLL DAY). MOTION CARRIED. Nays: Sherman, Murley, M. McLean, Smith and Zebian.

Deputy Mayor P. Morton assumed the chair at 7:25 p.m.

d) Falmouth Town Pond Ownership Verbal Update (7:25 p.m.)

- Clerk Snair advised that in reviewing municipal and provincial records it was determined the Falmouth Town Pond was privately owned. Further title searches would require financial resources.

Discussion points:

- If contrary information was available that indicated the pond was publicly owned, there was value in having this information provided. Any information can be sent to the clerk.

e) Follow Up Supplementary Information Related to Water and Sewer Rates (6:28 p.m.)

Director Rochon and Gerry Isenor highlighted the additional information pertaining to a percentage of base rate vs consumption/affluent rate for the utilities.

Water

- Water was regulated by the UARB, resulting in the inability to increase the percentage above 40.
- The average customer uses approximately 32 cubic meters/quarter.
- Between the two comparisons (35% and 40%) there was little difference in dollar amounts for 5/8-meter customers.

- At the macro level, the difference was \$72,000. The base rate was fixed income, and the volumetric rate was variable income (sell it to get the income).
- Financial stability looked to ensure that if sales did not occur as expected, the utility would still have a stable financial base.

Sewer

- Sewer has a lower revenue requirement, resulting in a difference of \$50,000 going from a fixed to a volumetric rate.
- The rate change for the average customer was approximately \$2/quarter. If residential customers decreased their volume by 20%, it would result in a \$20 decrease to bills.
- The key was to incentive and make residents aware that they controlled the volume part of the billing (how much water used) which influences the bill.
- The consultant's recommendation was to remain around 40%, as it has worked well in the past, gives stability to the Utility while also allowing customers to influence their bill based on amounts used.

Discussion Points:

- The current base rates (combined operating and fixed Capital cost) were set to be close to 40% (38- 42%) based on how much water was sold. The previous rate study projected West Hants to be almost 39% and Windsor to be 42%.
- Base rates were set based on total (fixed) costs and using the handbook (formulas).
- Vacant lots pay a quarterly sewer hookup rate. Previously, they would have paid a lot fee that was different than the quarterly lot fee now being paid.
- A hybrid (one percentage for water and a lower percentage for sewer) could be considered. There was flexibility within the sewer to adjust rates. However, the UARB determines and sets water rates (generally 40% works).
- The general decline in water usage (approximately 1%) was associated with newer toilets being installed and more efficient dishwashers. Older toilets used 13 liters vs 4 liters for newer toilets. Statics show that 40-50% of water usage is tied to bathrooms.
- Most decreases in water usage were seen in areas where there was a population drop (students left during Covid).
- Consensus was to leave it to the experts to determine the projection range.

MOVED BY COUNCILLOR SHERMAN AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE RATE PERCENTAGE REMAINS STATUS QUO AND FURTHER THAT COUNCIL RELY ON THE CONSULTANT'S EXPERTISE TO DETERMINE THE PERCENTAGE RANGE (AROUND 40%) TO PRESENT FOR CONSIDERATION. MOTION CARRIED. Nays: M. McLean, S. McLean and Hartt

A break occurred at 8:00 p.m. The regular meeting resumed at 8:13 p.m.

9. Reports

- a) CAO's Report (7:49 p.m.)

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

Winter Carnival was scheduled for February 2-4th, 2024. More information can be found on the municipal website and Facebook page.

Meetings highlights included attending COTW, Council and a Special Council meeting. Staff utilized vacation time over the holidays. Time and resources continue to be dedicated to the Flashflood as reports/repairs continue to evolve. Community Centre repairs/restoration continue. A draft report (with repair options) has been received regarding the former Rail line and the Canoe Club continues to be worked at.

The General Insurance and Risk Management Services RFP closed on December 14, 2023, all bids were being evaluated externally and a report will be presented for Council's consideration.

Community Development remains active. Hantsport Festoon (December 7th) was well attended. Congratulations extended to John Sweet on his retirement after 39 years of service.

Through the efforts of POSSE, WH Caremongers, community volunteers and WHRM, the Windsor Community Center was/is currently utilized to provide a space for a drop-in warming centre. Many volunteers have been trained and are available to support those in need at the community during dates and times that coincide with volunteer availability. Information regarding donations and times can be found online (Caremongers Facebook page).

Planning and Development remain very busy with PIMs and regular meetings. Discussions have occurred regarding having a transportation / transit workshop to ensure Council and staff have a baseline perspective on the various public services being offered by Municipalities within the Province. The workshop would encompass a panel with representatives from Bridgewater, HRM, Kings Transit and Dial-A-Ride or Kings Point to Point and have them share service delivery details and to provide Council with the opportunity to ask questions pertaining to these services.

Public Works remains active with snow and ice control measures.

EMO Officials have enacted a call out service procedure to help improve the Alert Ready process when a first responder was looking to request an alert. Valley Communications will be utilized as the dispatch service to contact the municipal EMO Officials during an event to free first responders from having to continue to reach out and make the request during an emergency event.

Discussion Points:

- Summerville Fire apparatus status update – The chase requested is not being or hasn't been made by the manufactures, resulting in significant delays. There have been challenges with the size and scale of the truck being requested. Chief Spencer was well informed and would be able to answer any questions related to the matter. Staff will need to speak with the Chief to determine if they wish to retender the apparatus and confirm if retendering was an option.
- The tandem snowplow truck has been outfitted and in service.
- Consensus was there was value in having a transportation workshop.

A break occurred at 8:00 p.m. The regular meeting resumed at 8:12 p.m.

b) Financial Update ending November 30, 2023 (8:12 p.m.)

Director Rochon reviewed the report ending November 30, 2023.

Revenue

Total surplus deficit over budget was \$527,609, resulting in a 1.7% under budget impact. Revenues increased by 0.9% (equating to \$272,000). Expenses increased by 0.3% (equating to \$108,000). From the November report, the deficit decreased by \$164,000. Looking at this ending period it was expected that 66.7% of the budget would be utilized.

Deed Transfer Tax projections were increased by \$57,000 to now reflect 1.9 million.

Operational grants were arriving and showing a bit higher than expected.

Services provided to other local governments was higher due to host community fees associated with the landfill (1.1 % or \$155,000 over the current budget with one more payment expected).

Revenue within Recreation was slightly improved (up to \$124,000 can be mitigated through the safe restart program).

Expense

Transportation was projecting slightly higher (1.1 %) compared to the previous report. Staff continue to monitor these projections.

Most of the information was similar to the October report. Staff continue to work with partners at the Disaster Funding application related to increased tipping fee charges on Environmental Health Services.

10. Correspondence (8:18 p.m.)

a) Information

1. Avon Causeway Activity Log received as of January 9th, 2024 – None
2. Current Correspondence Received Log as of January 9th, 2024
 - a) December 13, 2023 from Myra Stephen Re: Removing Signage and Imagery related to Sam Slick - When you know better, do better
 - b) December 12, 2023 from Katherine Wadden Re: PID 45215290 Riverview Drive Brooklyn
 - c) December 15, 2023 from Jeff Dunfield Re: Thank you for Council Meeting Called for Next Week
 - d) December 18, 2023 from Peter Moore Re: December 19th Special Council Meeting
 - e) December 20, 2023 from NSFA Letter to Minister Morrow Re: Dyke System (WHRM copied)
 - f) December 20, 2023 from Peter Moore Re: COTW - October 12, 2021
 - g) December 21, 2023 from Minister Rushton Re Smiley's Provincial Park
 - h) January 3, 2024 from Robert Crow Re: Lot 13 Rezoning Milliard Crt
 - i) December 4, 2023 AVRL Letter to Minister MacMaster Received 2024-01-04 (WHRM copied)
 - j) January 4, 2024 from Emily Seaboyer Re: Application for Rezone of OS lot, Millard Court, Union Corner
 - k) January 6, 2024 from Denise Forand Re: The rezoning of gifted lands for subdivisions and our Historic Architectural zone
 - l) January 7, 2024 from Elizabeth Rondhuis Re Land Rezoning PID45236601

Correspondence was reviewed in groups of three (3).

Correspondence from Myra Stephens: A request was made to determine WHRM's interest in sharing their experience related to concerns and the removal of all Sam Slick imagery/signage. The Council of Haliburton, Ontario had undergone a process (through consultations with various groups, youth, indigenous, etc.) to explore renaming a park in their area, when a new Council rescinded the previous motion. Ms. Stephen's was looking to see if there was interest in Council sharing their experience with the Cultural Resources Committee.

Discussion Points:

- If there was no interest in Council sending a letter, Councillor Ivey was looking for approval to send his thoughts on the matter (it would be done on a personal level and fitting to the subject matter).
- If there was no interest in Council sending a letter, Councillor Ivey was looking for approval to send his thoughts on the matter (it would be done on a personal level and fitting to the subject matter).

(8:22 p.m.) Mr. Moore has sent numerous correspondence regarding flooding occurring in the Flood zone area in Windsor. Mayor Zebian expressed appreciation for Council's direction (staff to come back with more information including a suggested RFP for council to review) at the December 19th Special Council meeting. It was a good step forward; however, the issue remains on the forefront of everyone's mind as more flood events could occur before anything can be done to assist residents. A lot of conversations have occurred to explore what could be done in the meantime (creating a program to assist homeowners with floodproofing their homes). The floor was opened up for discussion on creating some type of flood protection program (staff come up with options that may be beneficial to residents). Timing would be critical as there may be budgetary implications.

Discussion Points:

- It was suggested that the greatest contribution was to mitigate the flooding that occurs in these areas (assist with homes or WHRM infrastructure) to keep water off their properties so it does not get into their basements.
- It was beneficial to look at the program through a regional lens and prioritize areas.
- The title of the program was loosely based and could include preventive options.
- Colchester County has a program in place (assists homeowners with different types of flood prevention) that could be reviewed. Examples for flood protection measures could be implemented and cost shared across the region. The funding was not a large amount, but it was well intentioned and covered the entire rural region.
- WHRM Public Works do not have the capacity to operate outside the core downtown area.
- Intent was for a Region wide program.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO CREATE A "HOME FLOOD PROTECTION PROGRAM AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING FOR VIEWING AND/OR APPROVAL FOR BUDGETARY IMPLICATIONS. MOTION CARRIED UNANIMOUSLY

Mayor Zebian spoke of the flooding and combined sewer overflows (CSO's) that occur infrequently in public parks and homes. Posting signs advising of potential CSO's was the proper/transparent thing to do; however, it was difficult to understand that it needed to occur in 2024. In knowing that nothing has been designed to deal with the current weather patterns/conditions occurring, along with infrastructure needs and upgrades, there was value in knowing if anything else could be done, like an emergency plan that speaks to what may/can be done when a large storm is forecasted, or staff start to see the system backing up.

Discussion Points:

- Hantsport, Tremaine Crescent, College Road, etc. should be included. Flooding occurs in every district.
- Concern was raised about the amount of pressure put on staff to come up with a plan. Maybe the motion should read that staff "investigate" instead. As worded, the motion encompasses a lot of work/studies to be completed in a short time period.
- Important to look at potential ways to divert water from the area.
- CBCL has provided an Engineered Report outlining potential short-term options (which they stated may or may not guarantee), it was important to focus on this information. Staff remain committed and are up for the challenge, but it was important to manage expectations. Any surface water present in the area needs to be treated as contaminated. There may also be unknown potential variables and conditions within private homes that cannot be accounted for. The community centre was used as an example, if the municipality did not own the property, WHRM would have been made aware of the cracked foundation, inappropriately installed gutters, and other variables that contributed to flooding in that building.
- The new municipal engineer will be engaged once they begin work.
- Clarity was sought on the wording "emergency plan", and if the intention was to look at diverting water or an account of what staff do when flooding occurs. Staff have advised they monitor systems, have cameras and boots on the ground when systems start to back up. There was value in having staff look at what they currently do and determine if something else could be improved upon or if something was missed to see if anything more could be done. There was value in having staff articulate their response plan in point form, so everyone has a better understanding (of the plan and what is done in response to weather related events).
- A thought was that a CBCL report already exists, in addition to this money and partnerships were needed to move forward on potential solutions.
- Timing is critical, the March deadline remains. Look at amending the motion at the next meeting to include diverting the water from the area.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO DEVELOP AN EMERGENCY PLAN FOR THE WINDSOR AND HANTSPORT FLOODZONES (AND COULD ENCOMPASS ALL THE AREAS THAT FLOOD) AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED UNANIMOUSLY

Councillor S. McLean spoke to the correspondence regarding rezoning Millard Court. Residents in the area were not in support of the rezoning, the parcel has been zoned Open space (OS) since 1993 and they wished for it to remain unchanged. They purchased their properties with awareness that there was greenspace and wished for that to remain unchanged. The property has created its own eco system with lady slippers, other flora and animals (beavers, birds, frogs, etc.) living in the space. There was also concern with the property's topography (low lying and boggy).

Discussion Points:

- There was no awareness that any legal action (low lying and boggy) could result if the property was rezoned.

MOVED BY COUNCILLORS S. MCLEAN AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL STOP THE REZONING OF PID 45236601 MILLARD COURT, UNION CORNER FROM OPEN SPACE TO RESIDENTIAL R4.

Discussion Points:

- Part of the subdivision process was that the developer must provide 5% open space or cash in lieu of open space. Through the subdivision process, the municipality owned the land once it was deeded over and was responsible to develop it as parkland or maintain it in some form for open space. The 2016 Parks and Open Spaces plan speaks to the unused property being able to be deemed surplus and sold. In 2021, a motion was made to sell the property and any proceeds would be put back into a park space within the same community.
- The subdivision plan was the first indication of what land and its use within a development. The 2016 Parks and Open Spaces speaks to all municipally owned properties related to parks and open spaces. The 2016 plan states the property could be divested at the will of Council for future uses.
- It may be beneficial to look at ways to communicate to residents residing in these areas that there was no guarantee these parcels would remain a green space.
- Rather than addressing each property individually (reports have not been presented to Council yet) there was value in having the debate once a report was brought forward for Council to discuss and determine if they wished to proceed with divesting these properties or retain ownership.
- As the property owner Council can decide to keep properties or divest them. Rezoning was a step used to better position them for the market. The direction provided to staff was to sell these surplus lands. Some reflection may be needed regarding the decision to sell these parcels as there were costs (staff time, appraisals, etc.) associated with selling these properties.
- Council was the decision maker as the property owner, not the agent. In acting as the agent (CAO) brought forward the rezoning application on behalf of Council.
- If the intent of Council was not to rezone the property, Council will have the opportunity to stop the process once the report is presented and before Council for a decision.

- Council has already provided direction to the CAO regarding the sale of the property. Rezoning can be stopped at First Reading or Council can choose to continue with the process and stop the rezoning at Public Hearing.
- There was an awareness (that was not present when the decision was made to divest the properties) that these properties had an informal use for residents within each community.
- There was support to proceed with the process. Once all the information has been presented, Council will be able to make an informed decision. There may be benefits to having a larger discussion at that time regarding these parcels as the previous direction given was to sell them.

Both the MOVER and SECONDER agreed to withdraw the motion at 9:07 p.m.

b) Requests

- i. January 8, 2024 Request for Postponement of Commercial Wine Support Program Announcement

Mayor Zebian advised that the province has postponed the wine support program causing concerns. West Hants has local farm wineries that have invested a lot of time and money into programs. These wineries have contributed immensely to the local economy, won awards and established West Hants as a known area for wine. Concern was raised that funding out of province farm wineries would have devastating effects on local farm wineries in the communities.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT TO STAFF WRITE A LETTER TO APPROPRIATE PROVINCIAL MINISTER, PREMIER AND LOCAL MLA EXPRESSING OUR SUPPORT FOR OUR LOCAL FARM WINERIES.

Discussion Points:

- It was supported to have a letter written, however it was beneficial to know more details, specifically what occurred at the meeting between the province and the grape growers. Additional information would provide the ability to write a more impactful letter.

At 9:11 p.m. the MOVER and SECONDER agreed to withdraw the motion to allow time to collect additional information. A more detailed information report will be presented at the next meeting. Councillor Jannasch offered to assist with gathering additional information.

c) Out-going as of January 9th, 2024

- i. 2023-12-18 Call for an immediate ceasefire by all parties in the occupied Gaza Strip and Israel
- ii. 2023-12-18 School Bus Cancellation Concerns

11. New Business

a) Renaming Cottage Street Information Report (9:12 p.m.)

Councillor Bob Morton reviewed the report. Conversations with the Paris family shed light on their numerous unsuccessful attempts and efforts to the road after their father. The report was intended to inform Council that Percy Paris would be at the next meeting and provide a detailed history on the family and their efforts to have the road renamed. At that time, a motion will be presented for consideration.

b) Windsor and West Hants Water Utilities Detailed Audit Recommendation Report
(9:13 p.m.)

Councillor Ivey spoke to the report, noting that it was circulated late. Much discussion has occurred relating to the water utilizes and the credit issued between the two utilities. It was felt that with all the discussions and the level of detail within the water utility reports that there was value in providing a formal report. With awareness that not everyone saw the report, a motion to defer may be recommended to provide Council with additional time to review the report in detail and discuss further and make an informed decision. The report contained two motions (1. An operational and financial audit on the matter and 2. Council see the water utility financials included with the normal financial reports presented monthly to provide awareness of what is occurring with the utilities).

Discussion Points:

- It was felt the second motion required little debate. There was value in having a monthly report on the water utilities, it was good information to have and similar to other information provided related to Sports Complex fund raising.
- Part of the motion would look to get water volumes that go through on a wholesale and retail basis.

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECTS THE CAO TO HAVE WATER UTILITY FINANCIAL REPORTS PROVIDED TO COUNCIL FOR REVIEW ON A MONTHLY BASIS AS PRESENTLY OCCURS WITH THE WEST HANTS OPERATING FINANCIAL REPORT AND FURTHER THAT THE WATER UTILITY BUDGETS ALSO INCLUDE THE VOLUME OF WATER THAT IS DELIVERED 'WHOLESALE' TO THE TRANSMISSION AND DISTRIBUTION SYSTEM AND THE VOLUME OF WATER THAT IS BILLED THROUGH THE FINANCE DEPARTMENT TO OUR RETAIL END-USER CUSTOMERS. MOTION CARRIED UNANIMOUSLY

c) Windsor Flood Study Recommendation Report (9:18 p.m.)

Councillor Ivey spoke to the report noting that it was similar to the previous conversation initiated by the mayor. The first motion speaks to the December meeting and timelines required to complete tasks. It has taken over two (2) years to get to this point, the question remained if there was the ability within the study and information provided by CBCL to engage a second phase and have a plan brought back vs going to tender (cutting out the time required to create and issue and RFP, award the contract and then actually do the work). There was value in having someone with background knowledge (CBCL) and having a completed report with all the information included.

The motion requested that staff meet with the stormwater consultant to see if this was an option to help accelerate the process. Deferring would provide an opportunity to gather additional information.

Discussion Points:

- The question related to procurement (possibly considered under Emergency Procurement if it met the definition).
- If the intent of Council was to work with the existing firm (extend the process) to expedite the process, staff can explore and return to the next meeting with information.
- The difference between the work CBCL completed and issuance of an RFP was to determine next steps. CBCL provided the study/information, the direction was to look at next steps/options and come up with something to bring to Council, which was the RFP process. The first part was to collect the information within the current study, the next step would be the design and engineering to solve the issue.
- CBCL completed the study, has all the background information, knowledge and awareness of the systems and would most likely expedite the process.
- The intent was to get a plan quicker to address urgent flooding that occurs.
- A plan requires engineering and design work. Asking for an emergency plan with no engineering and design was a tall ask. Staff were likely to recommend proceeding with one of the options presented in the study, having engineering and design done to determine costs and then look for funding and direction to proceed.
- The first motion was deferred.
- There was some comfort in the second motion as it spoke of diverting water away from areas, which was not included in the earlier motion made by the Mayor. It was assumed that that would be part of the emergency plan. It was noted to add the amendment at the Council meeting, it was felt the addition would complete the motion.
- Concern was raised that the amendment would limit what staff would provide as plan options. It was possible that diverting the water may or may not be the best option. Staff could be the ones to advise on that matter once they go through all possible scenarios.

d) Accessibility Advisory Committee Member Appointment Recommendation Report (9:30 p.m.) Clerk Snair reviewed the report highlighting that two (2) previous committee member appointments expired on October 31, 2023. Public advertising for the vacancies was done, resulting in (2) two expressions of interest received.

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE FOLLOWING RESIDENT MEMBER (MELISSA MACASKILL) BE APPOINTED TO THE ACCESSIBILITY ADVISORY COMMITTEE FOR THE TWO (2) YEAR TERM JANUARY 2024 TO JANUARY 31, 2026. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE FOLLOWING RESIDENT MEMBER (JENNIFER DAVISON) BE RE-APPOINTED TO THE ACCESSIBILITY ADVISORY COMMITTEE FOR THE THREE (3) YEAR TERM JANUARY 2024 TO JANUARY 31, 2027. MOTION CARRIED UNANIMOUSLY

e) Meeting and Committee Procedural Policy RCOGE-003.00 Amendment Recommendation Report (9:33 p.m.)

Clerk Snair reviewed the report highlighting proposed changes to the policy. The changes recommended were minimal, two were a result of a request to alter the composition of the Accessibility Advisory Committee and the Diverse and Inclusive Communities Committee, another request was to change the name of the Municipal Climate Change Action Plan Committee to Climate Action Committee, the addition stating that In-Camera audio and video recordings may be ceased as per the direction of Council and the addition that meetings held outside of Council chambers will be recorded using audio and video equipment and the recording will be uploaded to the municipal Facebook page. In addition, no written minutes for these meetings will be available.

Discussion Points:

- Audio and video recordings ceased when discussions related to personnel matters. Some personnel matters were recorded. Consensus was the proposed wording was acceptable.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF TO MAKE THE NECESSARY CHANGES TO THE MEETING AND COMMITTEE PROCEDURAL POLICY RCOGE-003.00 FOLLOWING THE DISCUSSION OF COUNCIL AT THE JANUARY 9, 2024 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED UNANIMOUSLY

f) Solid Waste Collection Contract – 1 year Extension Recommendation Report – Item was moved to In-Camera MGA 22(2)(a) Contract

g) Asset Retirement Obligation Policy RCOFN-014.00 Recommendation Report – Item was moved up on the agenda to 6 (b).

h) Region 6 Solid Waste Management 2024-25 Budget Recommendation Report– Item was moved up on the agenda to 6 (c).

12. Public Participation (9:38 p.m.) – None

13. In-Camera (9:39p.m.)

- a) MGA 22 (a) Land Matter
- b) MGA 22(a) Legal Matter (Update)

c) MGA 22(2)(a) Contract Matter

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THE MEETING MOVE OUT OF IN-CAMERA AT 9:39 P.M. MOTION CARRIED

MOVED BY COUNCILLORS SHERMAN AND M. MCLEAN THAT THE MEETING MOVE OUT OF IN-CAMERA AT 10:21 P.M. MOTION CARRIED

14. Next Meeting Date / Adjournment – Next regular meeting will be January 23, 2024 Council meeting at 6 p.m.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE MEETING ADJOURN AT 10:21 P.M. MOTION CARRIED

Deputy Mayor Paul Morton

Deanna Snair, Municipal Clerk