

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**

March 12th, 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) 2024-02-13 Committee of the Whole Minutes
7. Presentations
 - a) Accessibility Assessment of 76 Morison Drive – Michel Bourgeois (Accessibility Advisory Committee Member)
 - b) Hantsport & Area Community Strategic Planning – Glyn Bissix, Ph. D
 - c) HCCC#1 Board of Directors – Funding Request for Bridge Repairs associated with the July floods.
 - d) Procurement Policy Recommendation Report - Manager Gibson
 - e) Parks & Grounds Equipment Pre-approval Recommendation Report – Manager Bennett
8. Unfinished Business/Postponed Motions
 - a) Home Flood Resilience Program Information Report – Coordinator Ogilvie
 - b) Payzant/King extension discussion/update – Councillor Bob Morton
 - c) Payzant Round-a-bout discussion – Councillor Sherman
 - d) ~~Water Utility and Sewer Rates Report – Councillor Ivey~~
 - e) Emergency Plan for Flood Zones Information Report – Director Richard/Manager Burgess
 - f) Judicial Review Costs Information Report - Permit D2023-019 – Director Poirier
 - g) Peace and Good Order By-Law Information Report – Clerk Snair
 - h) Notice to Rescind Stormwater Management RFP Motion – Clerk Snair

9. Reports
 - a. CAO Activity Update - Information Report
 - b. Financial Update Ending January 31, 2024 - Director Rochon

10. Correspondence
 - a. Information
 1. Avon Causeway Activity Log as of March 12th, 2024
 - a) Denise Forand Re Causeway a growing political embarrassment.
 2. Correspondence Received Ledger as of March 12th, 2024
 - a) HCCC#1 Board of Directors Re Canyon Point Road Community Temporary Laneway Flooded
 - b) Peter Moore Re Capped Property Assessment (WHRM copied)
 - c) Randy Hussey Re Underwood Road Traffic Safety Issue
 - d) Jennifer Moore Re Home Flood Protection Program Information Report
 - b. Request(s)
 - c. Out-going Correspondence Ledger as of March 12th, 2024 - None

11. New Business
 - ~~a) Procurement Policy Recommendation Report – Manager Gibson~~
 - b) Temporary Borrowing Resolution Recommendation Report – Director Rochon
 - ~~c) Parks & Grounds Equipment Pre-approval Recommendation Report – Director Kehoe~~
 - ~~d) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Recommendation Report – Municipal Operations Supervisor Thornton~~
 - e) Third (3rd) Process Train Windsor WTP Detailed Design Recommendation Report – Director Richard
 - f) Two (2) 5500 Series Truck Purchases Recommendation Report – Director Richard
 - g) Mills Lake Watershed Advisory Committee Landowner Appt Recommendation Report – Clerk Snair

12. Public Participation Period

13. In-Camera

14. Next Meeting Date / Adjournment – March 26th Council Meeting at 6 p.m.

1. **Call to Order** – Deputy Mayor Paul Morton called the meeting to order at 6:01 p.m.

2. **Attendance** (6:03 p.m.)

Council

Abraham Zebian, Mayor

Rupert Jannasch, Councillor Dist. 1

Scott McLean, Councillor Dist. 2

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

Regrets:

Mark McLean, Councillor Dist. 3

Staff

Mark Phillips, CAO

Shelleena Thornton, Municipal
Operations Supervisor (left at 6:12 p.m.)

Carlie Rochon, Dir. Financial Services

Todd Richard, Dir. Public Works

John Ogilvie, Climate Action Coordinator

Vanessa Lake, Planning Assistant

Deanna Snair, Exec. Asst/ Clerk

Sara Poirier, Dir. Planning and Development

Troy Burgess, Manager Public Works/Traffic Authority

Erin Amirault, Municipal Project Engineer

Kevin Bennett, Manager of Parks & Recreation Facilities

Diana Gibson, Manager of Acct and Financial Reporting

Presenters

Michel Bourgeois, WHRM Accessibility Advisory Committee Resident Member

Glyn Bissix and Della Alderson, Department of Development Community, Acadia University

Alex Crocker, Treasurer, HCC#1 Board of Directors

Ten (10) members in the Gallery

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

- Moved item 11 (a) and 11 (c) to after presentations.

Requests were made to accept late additions. Reports pertaining to items 8 (d) and 11 (d) were late. In addition, a request was made to add two (2) additional items (Avon River Heritage Museum flooding and Belmont Hall heat pumps). A discussion occurred on the ability to allow late reports and new additions to the agenda as some may not have had the ability to review them in detail and allow for an informed discussion, as well as concern related to extending what appeared to be a full agenda. It was noted if the item was time sensitive or an emergency that Council could consider and vote on the addition.

A vote was held (via show of hands) on the addition of each item.

- Item 8 (d) Water Utility and Sewer Rates Report (title was on the agenda, however the report was received late). The vote to add the item was defeated (Nays: Zebian, P. Morton, Smith, B. Morton, Murley, Sherman and Francis).

- Item 11 (d) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Recommendation Report (title was on the agenda, however the report was received late). The vote to add the item was defeated (Nays: Zebian, P. Morton, Smith, B. Morton, Murley, Sherman and Francis).
- Avon River Heritage Museum Flooding (late addition to the agenda, report was circulated prior to the meeting). The vote to add the item was defeated (Nays: Zebian, P. Morton, Smith, Murley, Sherman and Francis).
- Belmont Heat Pump Request (late addition to the agenda). The vote to add the item was defeated (Nays: Zebian, P. Morton, Smith, Jannasch, B. Morton, Murley, Sherman and Francis).

All reports not discussed/added to the agenda will be added to the March 26th, 2024 meeting.

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

MOVED BY COUNCILLORS B. MORTON AND FRANCIS THAT THE 2024-03-12 COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED. Nays: S. McLean

4. Declaration(s) of Conflict of Interest (6:12 p.m.)

- Item 8(b) and 8 (c) Mayor Zebian and Councillor Francis due to owning land.

5. Announcements (6:13 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 this land is governed by the treaties of Peace and Friendship signed in 1726.

The first ever Windsor Winterthing occurred this past weekend, it was well attended and deemed a success.

The Birthplace of Hockey tournament occurred this past weekend and continues this coming weekend. It's a great opportunity to see local hockey before the season ends. Scott Concerns were raised regarding the flooding occurring in Avondale (Avon River Heritage Museum) and area.

6. Approval of Previous Meeting Minutes (6:13 p.m.)

- a) 2024-02-13 Committee of the Whole Minutes

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE 2024-02-13 COMMITTEE OF THE WHOLE MINUTES BE APPROVED. MOTION CARRIED. Nays: S. McLean and Ivey

7. Presentations

- a) Accessibility Assessment of 76 Morison Drive – Michel Bourgeois (6:14 p.m.)

The presentations highlighted the accessibility assessment completed on 76 Morison Drive by Mr. Bourgeois. Correspondence via an email was sent to the Accessibility Advisory Committee regarding concerns with accessibility and approaches in the customer services area. The assessment focused on accessible parking, the main entrance and customer service area only. As per current legislation the intent was not to retrofit existing spaces, but any new buildings or

renovations would need to meet the new accessibility guidelines. The presentation focused on key areas (parking, main entrance, customer service counter area, signage, drinking fountain) and opportunities that could be improved upon and better meet accessibility needs.

Discussion Points:

- Council chamber door widths were wide enough for a wheelchair to safely exit. The main entrance doors work as is, but if renovations were done, they would need to be retro fitted to meet new accessibility codes.
- The challenges associated with parking were related to the size of spaces and the most desirable spaces being located across from the main entrance. A long-term suggestion was to relocate these spaces across to an area across from the main entrance and build an accessible pathway to the front entrance. There was value in designating accessible parking spaces in the short-term vs doing nothing.
- If the parking lot was lowered, flattened, and drained water, it would meet accessibility criteria.
- The Accessibility Committee completed a less formal walk through of 100 King Street to provide insight into areas of concern for educational purposes. A more in-depth assessment could be completed if requested.

The presentation and question period concluded at 6:35 p.m.

b) Hantsport and Area Community Strategic Planning (6:35 p.m.)

Mr. Glyn Bissix expressed appreciation to the areas within Hantsport, Mt. Denson, Bishopville Road for assisting with the course. The objective was to teach Community Strategic planning by partnering with different communities and leaving something of value with the community. The presentation provided an overview of the framework of the case study used for the team to base their work off of, a community field visit, group interviews followed by a summary conclusion resulting in a unique plan for the community.

A vision for 2030 was created that focused on vibrancy, inclusion and make the areas the economic, recreational, and cultural hub that it has been in the past, with an emphasis on partnerships and relationship building.

Five (45) key issues were identified:

1. Climate Change

- Coastal Erosion - specifically to Avon Street businesses and residents to ensure they were given the support needed to have a safe and prosperous future.
- Flooding – providing the necessary resources to ensure future cases were mitigated safely.

2. Community Health and Vibrancy

- Recreation and Leisure - some spaces within Hantsport were being under utilized. There was value in facilitating a process where opportunities that people want to use and understand how to use these facilities.
- Curb Appeal – the downtown area has an opportunity to grow and better support residents and visitors to the area and be the gem that draws everyone to the area.

3. Accessibility and Infrastructure

- Water infrastructure – needs reinforcement to handle the current residential/business needs as well as future needs.
 - Sidewalks- although there have been upgrades, there some streets with only one sidewalk vs two sidewalks on both sides.
4. Economic and Civic Engagement
- Employment – offer more opportunities for businesses, both small and large scale.
 - Civic Engagement – relationship building through conversations with residents. A process to rebuild relationships between the municipality and residents.

The presentation ended with a quote “Without action, a strategic plan is nothing more than words on paper”. A comprehensive strategic plan has been shared with Deputy Mayor P. Morton. The presentation concluded at 6:44 p.m.

c) HCCC#1 Board of Directors – Funding Request for Bridge Repairs associated with the July floods (6:45 p.m.)

Alex Crocker, Treasure for the HCC#1 Board provided a brief history of Canyon Point Resort (private condominium property located in Vaughan with 59 homes). In addition to condo fees, residents pay road fees for maintenance. The July 22, 2023 flood resulted in critical damage to the Canyon Point bridge which left residents stranded/unable to access their properties and the bridge was deemed structurally unsalvageable. A temporary access was created while plans were underway to engage experts in creating a water diversion plan and erosion control measures, apply for permits from the Department of Environment and Department of Fisheries and Oceans and apply for funding assistance through EMO for the Disaster Financial Assistance (DFA) program. The current high-level budget to replace the bridge was approximately \$650,000.00. Canyon Point Resort has allocated \$130,000 to the bridge replacement, while DFA has provided \$77,966 in financial assistance. Without further financial assistance, residents could experience significant financial hardship as residents could be expected to pay an additional \$9,000 or more.

The group was requesting assistance; either through advocacy for EMO to provide the full DFA payment of \$200,000, a financial contribution, property taxes be deferred, assist with financing the bridge replacement, waive permit/building or development fees or assist by providing equipment or resources for the project and waive tipping fees.

In addition, the recent rainstorm on February 29, 2024 caused flooding again resulting in approximately 30 people being trapped until the water subsided enough that repair work could be completed on the laneway.

Discussion Points:

- Jeff Pinch from Southwest Fire Department reviewed the emergency laneway and confirmed he had no concerns with Fire apparatuses getting through the laneway.
- Half of the 59 homeowners were full-time residents.
- At the time of the event 250 people were stranded when the bridge collapsed.
- DFA assessed the bridge as a total loss (in excess of the \$200,000 threshold), due to programming structure (private business or a residence) the application was pro-rated the application based on the number of full-time residences resulting in Canyon Point only receiving \$77,000.

- There were only two (2) seasons (2024 and 2024 Summer) available to construct the bridge before the permit from DFO expired.
- The hydraulic modeling completed by DesignPoint showed the temporary laneway currently in place was not capable of withstanding any type of extreme weather events. The goal was to have the replacement bridge completed this coming Summer.
- Advocacy through EMO to get additional funding was a consideration.

The presentation ended at 7:00 p.m.

d) Procurement Policy Recommendation Report (7:00 p.m.)

Manager Gibson reviewed the report. Part of the process was to complete a full review of the current procurement and tendering policy and to match the proposed policy with municipal branding and to match the language and terminology used by the Canada Free Trade Agreement, the Atlantic Procurement Agreement and the Nova Scotia Procurement manuals and guidelines. Manager Gibson provided an overview of the proposed changes/updates.

Discussion Points

- The change in purchase order (PO) amounts (increased from \$500-\$1000) would not see much of a decrease in the number of PO's. The reason for the increase was due to the cost of products increasing.
- Entrenched incumbent referred to systems or the processes that assist staff, not an individual supplier. Ex. Accounting software.
- It was unclear how Canoe Procurement made their money. Canoe has already done the tendering process in advance, interested parties can go to their website and see if any of the available vendors have the item. With Piggyback, there must be a clause written in a contract in order to take advantage of it.
- The privilege clause was provided by the solicitor when the policy was previously updated. The proposed update was in the wording; removed the word tendering. This clause allowed the municipality to have an overall say on what was able to be done within the privilege clause.
- Finance follows two processes for accountability. Some items require a purchase order no matter what the dollar amount is. For example, all advertising requires a PO, and smaller items have GL account numbers that are used to track these expenses. All invoices must be approved with the proper GL account number and filed with the Accounts Payable Coordinator. All visa purchases require a PO.
- Signing authority varies depending on each department's requirement and based on an assigned dollar amount. A signing authority matrix is kept on file, so everyone was aware of who has signing authority and amounts. Emergency purchases that have approval can be made at stores where the municipality has an account. These purchases are signed off on by individuals with appropriate signing authority prior to being paid.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE UPDATED PROCUREMENT POLICY RCOFN-003.00 AS PRESENTED TO

COMMITTEE OF THE WHOLE ON MARCH 12, 2024. MOTION CARRIED. Nays: Hartt and S. McLean

e) Parks & Grounds Equipment Pre-approval Recommendation Report (7:45 p.m.)

Manger Bennett reviewed the report. Community Development currently has three (3) older residential mowers that need replacing due to substantial maintenance issues and the inability to meet the demands and needs of the department. In addition, the 1995 John Deere tractor was stolen from the Windsor Community Center storage building in the Fall of 2023. Regrettably, the tractor has not been recovered and was not covered under insurance.

Discussion Points:

- \$14,400 within the Operating Budget was to lease the tractor.
- Staff have not put the item out for procurement. With respect to the articulating mower, there were two (2) brands and with respect to the subcontract it could be any brand.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT AN ALLOCATION OF \$14,400 BE PRE-APPROVED FOR THE 2024/25 OPERATING BUDGET TO SUPPORT THE PROCUREMENT AND LEASE OF AN ARTICULATING MOWER AND FURTHER RECOMMENDS THE THAT AN ALLOCATION OF \$60,000 BE PRE-APPROVED FOR THE 2024/25 CAPITAL BUDGET TO SUPPORT THE PROCUREMENT AND PURCHASE OF THREE SUB COMPACT MOWERS (TRACTORS) TO BE TAKEN FROM THE OPERATING RESERVE. MOTION CARRIED. Nays: Ivey

8. Unfinished Business/Postponed Motions

a) Home Flood Resilience Program Information Report (7:20 p.m.)

Coordinator Ogilvie reviewed the report. Information was provided for consideration and feedback on potential options for a Municipal Home Flood Protection Program. The report outlined programs within Colchester County, New Glasgow and a couple of Ontario programs that offered assistance to residents who experience flooding.

Discussion Points:

- The information presented focused more on loans vs grants. Concerns were raised that loans had first liens attached to them and this may result in residents' inability to qualify for loans which may create additional financial hardships for many.
- The number of properties (businesses ore residences) impacted by flooding was unknown. This would be part of the investigation process.
- Any policy would be a policy of Council. It was unknown how long it would take to create the policy; however, the PACE program took about 18 months.
- Part of the program will be addressed through the Climate Action Committee.
- There was no interest in creating a program that included having first liens on homes or a financing program.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO DEVELOP A HOME FLOOD RESILIENCY PROGRAM OFFERING BOTH FLOOD RISK ASSESSMENTS AND GRANTS FOR ELIGIBLE UPGRADES. MOTION CARRIED UNANIMOUSLY

Coordinator Ogilvie and Manager Bennett left the meeting at 7:38 p.m.

Mayor Zebian and Councillor Francis declared conflict and left the meeting at 7:38 p.m.

b) Payzant/King extension discussion/update (7:38 p.m.)

Councillor Bob Morton requested an update on the matter. It was important to know this information prior to voting on the proposed Development Agreement (DA) at the next meeting. Staff were working with DesignPoint on potential options. DesignPoint provided four (4) options for staff to review, a hybrid model as favoured. A conceptual sketch for the hybrid model was being drafted, timeline was estimated to be 6-8 months.

With respect to the DA, concerns were raised the road may not be extended for 7 years. Director Poirier advised the developer was required to provide the road and the DA was able to be negotiated up to approval. A suggestion was made that the Municipality could complete the road and bill the developer for their portion that was constructed. The construction could potentially be completed in 1 construction season (June 1 to September 30).

The Railway and wetland in area was not ideal, but these concerns were manageable. A bridge or box culvert could be an option, this will be determined during the detailed design phase.

There were no concerns about the railway and obtaining a right of way.

Consensus was Council would like more information prior to the Public Hearing in two (2) weeks' time.

A break occurred at 8:03 p.m. The regular meeting resumed at 8:15 p.m.

Mayor Zebian and Councillor Francis declared conflict and left the meeting at this time.

c) Payzant Roundabout discussion (8:15 p.m.)

The item was brought forward to find out additional information on the matter. Manager Burgess provided a detailed timeline of how the Roundabout plan came to be. During the review Erin Amirault (WHRM's new Project Engineer). The proposed roundabout at the end of Payzant Drive was approved during the 2023/34 Capital Budget which laid the framework and direction for staff to proceed. Once the current detailed design tender closes, the next step would be to award the tender for construction, which would be returned to Council for consideration.

Discussion Points:

- The Tregothic Marsh section included was exempt from restrictions.
- All indicators (engineers, developers, consultant studies) point to roundabout being the best option, however that remains a consideration and decision of Council.
- The estimate was trending around \$3 million dollars, plus costs associated with the water main component, etc.
- The discussion moved towards cost comparisons between a roundabout and stoplights. One of the reasons noted for not using stoplights was the concern with supply chain issues.

- More information will be presented once the detailed design has been completed.

At 8:43 p.m. Mayor Zebian and Councillor Francis returned to the meeting.

d) Water Utility and Sewer Rates Report (8:43 p.m.)

The report was not added to the agenda. Councillor Ivey provided a brief overview of the report and concerns related to the proposed rates, the ad providing notice that was placed in the paper, the large increase for Windsor (43%) and what the triggering factor was for this and potential losses that may have been associated with the Windsor/West Hants consolidation. In his opinion, a water rate study should be its own separate meeting. The report will be returned for a full discussion at the next meeting.

e) Storm Water Response Plan Information Report (8:56 p.m.)

Director Richard and Manager Burgess provided a high-level overview of the Standard Operating Procedure “Public Works Emergency Flood Plan” and noted the plan did not include diversion of water from Public or Private property.

Discussion Points:

- CBCL were being consulted to take a deeper dive into the matter and a report will be coming to the April Committee of the Whole meeting.
- It was thought the report was going to be more specific to flood events and emergency responses as flooding was an on-going issue; not only during the 1 in 1000-year storms and look at diverting water away.
- Diversion was critical. Staff advised there was no short-term fix for diversion.
- Many options are being discussed with CBCL (full separation, separation at Stannus only, a storage/holding tank in Elmcroft park, etc.).
- The timeline for CBCL was 6-8 more months.
- Concerns were raised about ditches and clearing debris from them before, during and after a storm. Staff advised that public works crews monitor and clear areas of debris when do their checks; however, they were limited based on the availability and capacity of crews as well as the large area they patrol. The flooding over the ditch on King was a result of a bag of leaves stuck in the culvert.
- Concern was raised over the snow being stored in Elmcroft park, it was explained no additional snow has been taken or stored in the area. Snow being stored in the park was the same amount that would normally be in that catchment area. The snow was densely packed that resulted in a slower melt. If snow was trucked away, costs would increase due to contracting costs associated with trucking away snow and the additional time it would take to do this.

f) Judicial Review Costs Information Report - Permit D2023-019 (9:22 p.m.)

Director Poirier reviewed the report. Permit D2023-019 was issued by the Municipal Development Officer on February 6, 2023. The judicial review notice was filed with the Kentville Justice Centre on March 16, 2023 and the judicial hearing was held on November 3, 2023, in Kentville. The decision (favouving the applicant) from the hearing was received on January 22, 2024. Following the direction from the received, staff reviewed all legal costs between March 16, 2023, and

January 22, 2024, related to this file. The total costs to date for the Municipality associated to the file were \$34,798.80.

Discussion Points:

- It was thought the report would identify overall total costs from August 2022.

g) Peace and Good Order By-Law Information Report (9:30 p.m.)

Clerk Snair reviewed the report including a brief overview of the previously proposed Noise and Community Standards By-Law that was defeated and a draft Peace and Good Order By-Law for consideration in an attempt to determine which way to proceed.

Discussion Points:

- By-laws can create animosity between residents and neighbours. A blanket policy would be hard to create as different communities have different noise/disturbance tolerances.
- Concern was raised about the ability to enforce it, specifically after hours (WHRM By-Law work 8:30-4:30 pm). Need to confirm RCMP responds to noise complaints within Windsor (Windsor and Hantsport have Noise By-Laws in place).
- Consensus was the draft Peace and Good Order By-Law was trending in the right direction. The item will remain as a reoccurring agenda item, it will return with at a future meeting with more considerations.
- There was value in looking at specific zones to address urban vs rural areas and consider growth areas.
- A workshop/meeting may be of value.

h) Notice to Rescind Stormwater Management RFP Motion (9:38 p.m.)

Clerk Snair provided notice the Dashboard has two (2) Storm Water Management motions. The most recent motion has been acted upon resulting in a need to rescind the original motion as per parliamentary procedures. A report will be provided at the next meeting with a motion to consider.

9. Reports

a) CAO's Report (9:41 p.m.)

CAO Phillips provided a high-level overview of the past month's activities.

Meetings included COTW, Council, Bi-weekly Inter-Developmental Development Related Meetings, Tremain Crescent Resident Storm Water Management Meeting, Glooscap 1st Nation Water Distribution Maintenance Meeting, Fire Chiefs meeting, Public Transit Workshop, Community Space Needs Workshop, Coastal Protection Meeting hosted by NSFM and DMAH, Departmental budget meetings continue, Operational Meetings regarding Sports Complex, Trails, Parks and Open Spaces, Economic Development, Capital Projects and Community Events, ongoing warming center meetings.

Attended the Acadia University Diversity and Inclusive Presentation on February 15th.

- Municipal Complex RFQ was reviewed and expected to be posted on the NS Procurement site March 12th or 13th, 2024.

- Staff continue to support contracted engineering services to complete the final assessments of the damaged areas and recommended repairs or upgrades (former Mantua rail line, Community Center and Windsor Canoe Club repairs).
- Support for the warming centre continues. The space will close effective March 31st. as Caremongers, volunteers and POSSE conclude their programming for this initiative. as well on this date. Public facilities remain open to citizens for use as members of the general public but the dedicated space in the Community Center will transition back to the VIC space. Much planning and added resources will be needed to ensure a successful program is provided in 2024 /25.
- Staff continue to seek clarity on what constitutes a planning document. Correspondence will be shared share correspondence regarding planning docs via an executive memo.

Discussion Points:

- King St/Morison Dr employee split was about 50/50. There RFQ was appreciated, but a decision was needed' it was important to have all staff in the same building, not separated.
- With the awareness that this has been a challenging decision, the RFQ provides additional information for consideration from a third party; all information will be returned to Council for additional discussions.
- A site selection has been secured with a landowner for a Brooklyn cell tower; no other information has been confirmed. To date a Development Agreement has not been received for this project.
- Environmental approval was required before any further work could be completed on the Avondale Boat launch.
- No immediate plans for gates at the Mantua Trail, the focus was on making the trail more accessible.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE MEETING CONTINUE PAST 10 PM. MOTION CARRIED. Nays: S. McLean, Hatt, Murley and Ivey

b) Financial Update ending January 31, 2024 (10:06 p.m.)

Director Rochon reviewed the report.

Highlights included:

- The unmitigated portion of the deficit decreased by \$244,510.
- Current Deed Transfer Tax actual was \$1.56 million (January 31, 2024), 78.4% of budget. The projection was updated to \$1.88 million.
- Unconditional Transfers were projected to be \$562 thousand less, due to Municipal Financial Capacity Grant (not expected be doubled in 2023-24).
- Operational grants were projected to be higher.
- Services provided to other governments were projecting higher, due to host community fees associated to the landfill. Currently they are \$155,000 higher with one more payment expected.

- Sales of services were projecting lower due to recreation revenue, up to \$124,405 can be mitigated through safe restart funding.
- Sewer revenues continue to be projected lower.
- Other revenues were projected higher due to miscellaneous revenue, including permits, licenses, fines, rentals, tax certificates, and return on investment.
- RCMP expenses were projecting higher, with the addition of the provincial RCMP quarterly billing \$236,291, the 2022-23 operating RCMP credit will help mitigate this.
- Fire expenses were projecting higher, with the major capital repairs for Hantsport Fire, and Windsor Fire apparatus. Increases are associated to Southwest Hants Fire Operating and Regional Fire Operations.
- Emergency Services were projecting higher due to additional communication priorities.
- Transportation was projecting slightly higher (being monitored as we move into the winter season).
- Recreation expenses were projected higher, due to increases in awarded grants, and the addition of the John Paris Junior event.
- General Government was projecting higher, increases were associated with office buildings, council chambers furniture, Dial-A-Ride, and Property Tax Assistance Rebates.
- Environmental Health Services was projecting higher, increases were associated to sewer depreciations, and increased tipping charges associated to the flood. In addition, the Windsor sewer's operational sewer treatment costs increased due to higher utility costs (water & power), insurance, and Kings County sewer treatment shared costs.
- Facilities expenses were expected to be higher due to increased power costs.
- Education expenses were projected higher by \$27,140; Regional Library expenses were also higher by \$7,710.

Director Rochon reviewed the 2024 Windsor and West Hants Water Utilities Financial update ending January 31, 2024. Since the December update, some figures have been updated.

Windsor Utility Key Points:

- No variation was seen in the expense line from previous projection in December.
- Admin fees were projecting lower due to professional services.
- Other supplies and expenses were flagged in the last update, this was associated with an invoice (awaiting confirmation/comments on the invoice).
- Revenues (between Windsor and West Hants) were still projecting lower (96.4%).
- Interest charges on outstanding accounts continued to project lower.
- For March 31st projections, admin fees are updated based on current projections (10% of the expenses less depreciation and debt).
- Power within both Utilities was showing an increase.

West Hants Utility Key Points:

- Water treatment costs were projecting high due to increased costs associated with treatment chemicals.

- The sludge reserve transfer was late and will be updated in the next report as an additional expense.

Overall Windsor was projecting a surplus and West Hants was projecting a deficit. However, both the surpluses and deficits were greater than the amounts projected.

Discussion Points:

- Admin fees were 10% of the cost of expenses.
- Any surpluses get deposited into a retained earnings account/statement of earnings account; a deficit would also be posted there as well to balance each other out. This account acts as a reserve.
- A deficit was only made up in the current year if there was \$0 retained earnings or no accrued surpluses in prior years.
- Water meter readings were occurring. The water consumption report will be presented at the March 26th meeting.

10. Correspondence (10:15 p.m.)

a) Information

1. Avon Causeway Activity Log received as of March 12th, 2024
 - a) March 10, 2024 from Denise Forand Re Causeway a growing political embarrassment.
2. Current Correspondence Received Log as of March 12th, 2024
 - a) February 29, 2024 from HCCC#1 Board of Directors Re Canyon Point Road Community Temporary Laneway Flooded and presentation.

Discussion Points:

- The MGA and Policies did not permit grants (money or provisions of resources) for organization designations deemed for profit.
- Should the Municipality amend a policy (area rate) or by-law in an attempt to assist the organization, there were still challenges within the MGA. Most by-laws have an asset requirement within them, where the municipality assumes ownership of the asset. As written, the current policies do not allow condo corps/for profit organizations.
- Staff continue to seek guidance from the Municipal Advisor on whether current policies could be amended (through the MGA) to include condo corps or for profits.
- Advocacy and waiving building or permit fees were well within Councils role.

MOVED BY COUNCILLORS SHERMAN AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO WRITE A LETTER TO THE PROVINCE AND EMO MINISTER JOHN LOHR ADVOCATING THAT FULL PAYMENT OF THE \$200,000 IN DISASTER FINANCIAL ASSISTANCE BE ISSUED TO ASSIST CANYON POINT RESORT WITH BRIDGE REPAIRS. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS SHERMAN AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO WAIVE ALL BUILDING/DEVELOPMENT FEES ASSOCIATED WITH CONSTRUCTING A NEW BRIDGE. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS SHERMAN AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO CONTACT GFL AND REQUEST THAT ANY FEES ASSOCIATED WITH THE DEBRIS AND REMOVAL OF THE CANYON POINT RESORT BRIDGE REMNANTS BE WAIVED. MOTION CARRIED UNANIMOUSLY

- b) February 29, 2024 from Peter Moore Re Capped Property Assessment (WHRM copied)
- c) March 7, 2024 from Randy Hussey Re Underwood Road Traffic Safety Issue

Discussion Points:

- A maintenance agreement can be made, whereby a municipality assumes responsibility for a provincial road. If this occurred, the Municipality would be responsible for all costs associated with the road (snow removal, sidewalks, repairs, etc.).
- d) March 12, 2024 from Jennifer Moore Re Home Flood Protection Program Information Report

Discussion Points:

- Many suggestions within the report have already been implemented by residents. The preference was to see a grant option provided for residents affected by flooding.
- Staff will have a conversation with the Fire Chief and inquire if WFD had the ability during a training session to wash away the area in Elmcroft park after an overland CSO event occurred.

b) Requests - None

c) Out-going as of March 12th, 2024 - None

11. New Business

- a) Procurement Policy Recommendation Report – Item was moved to 8 (d)
- b) Temporary Borrowing Resolutions (TBR) (total of five) Recommendation Report (10:33 p.m.)
Director Rochon reviewed the report. Spring Debenture has been scheduled for April 25, 2024. In order to meet lending deadlines, Council and Ministerial approval was required for a TBR. Five (5) Capital projects have been completed and were recommended for consideration.

Brooklyn Civic Centre Discussion Points:

- There was no concern with the roof component, the concern was with the ventilation system over the stove as it had previously deteriorated. A request was expected to be brought forward to assist with the remediation of the top portion of the ventilation system. Any work done was a municipal expense and paid for under Capital. Any services

provided by Black and MacDonald would be billed to the municipality and paid through the Stand offer contract.

- The new roof was a superior product. Staff will confirm the warranty.

Voting occurred by a show of hands for the remainder of the meeting.

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE RENEWAL OF A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$57,467 FOR THE PURCHASE OF FIRE EQUIPMENT. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$564,068, FOR THE ROOF AT BROOKLYN FIRE DEPARTMENT STATION 1. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$65,252, FOR THE REAR PARKING LOTS AT HANTSPORT FIRE DEPARTMENT. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT \$285,062, FOR THE PURCHASE OF DUMP TRUCK – SALT/PLOW. MOTION CARRIED UNANIMOUSLY

Discussion Points:

- The truck was fully equipped and operational.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT \$232,656, FOR THE PURCHASE OF SIDEWALK MACHINE W/FLAIL MOWER. MOTION CARRIED UNANIMOUSLY

- c) Parks & Grounds Equipment Pre-approval Recommendation Report – Item moved to 8(e)
- d) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Recommendation Report – Item was not discussed, will be discussed at the next meeting.
- e) Third (3rd) Process Train Windsor WTP Detailed Design Recommendation Report (10:45 p.m.)

Director Richard reviewed the report for the detailed design of the third Process Train for the Windsor water treatment plant, noting the project was overbudget. The current treatment facility did not meet a regulatory requirement for filter redundancy. The addition of the third process train will meet the regulatory requirement by having complete filter redundancy to meet the peak water demands with one filter out of service. The addition of a 3rd process train was part of an integral phased plan approach on consolidation of water utilities. A tender was released in December 2023, with only one (1) submission received from CBCL. The project was broken into two (2) phases: Phase 1 – detailed design and Phase 2 (not included in the recommendation) was for tender and construction. The plan was to call for construction tenders by late Fall 2024 or early Winter, with a projected start date for construction being Spring 2025 and completion by late Fall 2025.

Discussion Points:

- The current climate was the reason given for projects being over budget. All expenses associated with projects were trending higher.
- The expiry date was incorrect. The year should be 2024. CBCL has advised they were willing to hold the pricing (as discussed within the report) and work within the forecasted budget.

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL APPROVE AWARDDING THE DETAILED DESIGN PHASE 1, OF THE THIRD PROCESS TRAIN WINDSOR WTP PROJECT, AS IDENTIFIED IN THE 2023/24 CAPITAL BUDGET TO CBCL, FOR THE OVER BUDGET TOTAL DESIGN COST OF \$208,707.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: S. McLean and Hartt

f) Two (2) 5500 Series Truck Purchases Recommendation Report (10:52 p.m.)

Director Richard reviewed the report. The equipment tendered (WHPW23-6) was identified and approved in the 2023/24 Capital budget. At the July 25, 2023 Council meeting a motion was approved to purchase the tendered equipment from Pothier Motors Ltd (only tender submission). Following the meeting (July 26, 2023), a purchase order to Pothier Motors Ltd (PML) was issued. On February 22, 2024 Pothier Motors Ltd. advised the trucks were no longer available and they were unable to guarantee or estimate a future delivery date.

As per WHRM's Procurement Policy and N.S. Procurement Guidelines (the vendor was no longer able to fulfill the tendered items and were the only vendor to submit a tender), WHRM was within their rights to approach vendors who are known to have the required trucks and request quotes. Staff were requesting Council's direction to allow for the purchase of two new trucks and upfit them to meet minimum tendered specification needs, warranty, and service availability within budget.

Discussion Points:

- \$25,000 was received for truck 35 at the time of the trade in. The only outstanding trade in value remaining was for truck 41. It was traded in as the truck required approximately re was

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL AUTHORIZE STAFF TO PURCHASE TWO NEW ONE TON TRUCKS AND HAVE THEM UPFITTED UP TO THE BUDGETED AMOUNT OF \$260,000 INCLUSIVE OF HST, LESS THE ANY TRADE IN VALUE OF TRUCKS BEING REPLACED. MOTION CARRIED. Nays: Hartt and S. McLean

g) Mill Lakes Watershed Advisory Committee Landowner Appt Recommendation Report (10:56 p.m.)

Clerk Snair reviewed the report. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. A vacancy has occurred, resulting in the need to fill it to meet the committee's full compliment. Committee members must be landowners.

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE FOLLOWING LANDOWNER BE APPOINTED TO THE MILLS LAKE WATERSHED ADVISORY COMMITTEE FOR THE TERM APRIL 1, 2024 TO OCTOBER 31, 2026: GREG O'LEARY. MOTION CARRIED UNANIMOUSLY

12. Public Participation (10:58 p.m.)

Amanda Dunfield, a resident of Stannus Street expressed disappointment. Her concerns pertained to:

- The Emergency Response plan for flood areas. In her opinion it appeared to be more of a Standard Operating Procedure and was of little value to the residents of Stannus Street.
- The Emergency Response Plan identified it would be reviewed and updated annually; it appears this has not been completed since Council adopted it.
- Concern that the snow piled in Elmcroft Park was piled over a storm water drain.
- Disappointed that storage/holding tanks were suggested as a new option, however this was not the case as this idea was discussed back in 2021.

13. In-Camera - None

14. Next Meeting Date / Adjournment – Next regular meeting will be March 26, 2024 Council meeting at 6 p.m.

MOVED BY COUNCILLORS SHERMAN AND SMITH THAT THE MEETING ADJOURN AT 11:03 P.M. MOTION CARRIED

Deputy Mayor Paul Morton

Deanna Snair, Municipal Clerk

