

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**
September 10th, 2024 - 6:00 p.m.
In-person Sanford Council Chambers, 76 Morison Dr, Windsor, NS
Virtual via Zoom (also FB Livestream)



West Hants
something inspiring awaits

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

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) 2024-07-09 Committee of the Whole Minutes~~
- ~~7. Presentations
 - a) Avon River Heritage Society - Kim Lake
 - b) West Hants Broomball Association - Darrell Lyttle, Chairperson for the 2025 Canadian Senior Broomball Championships
 - c) Active Transportation & Trail Strategy WHRMCD24-06 Recommendation - AT Coordinator Waters
 - d) Brooklyn Fire Dept (Station 2) Battery Powered Extrication Tools Recommendation Report - Municipal Operations Supervisor Thornton
 - e) Communication Changes (Social Media Comments and Mtg Livestreams) - Information Report - Municipal Operations Supervisor Thornton~~
- ~~8. Unfinished Business/Postponed Motions
 - a) Updated Flood Chronology Information Report - Councillor Ivey
 - b) Sewer By-Law Recommendation Report - Director Richard
 - c) Temporary Borrowing Resolution Recommendation Report - Director Rochon
 - d) Residential Property Buyout Information Report - CAO Phillips
 - e) Sainte-Famille Cemetery Transfer of Ownership - Director Kehoe (verbal update)
 - f) Waste Collection Transportation Services Contract Recommendation Report - Director Richard~~

~~9. Reports~~

~~a) CAO Activity Update – Information Report~~

10. Correspondence

a) Information

1. Avon Causeway Activity Log as of July 5th, 2024 - None
2. Bear Lake Activity Log as of July 5th, 2024
 - i. Dave Markle Re Bear Lake Wind Project
 - ii. Paula Taylor Re Bear Lake Wind Farm
3. Correspondence Received Ledger as of July 5th, 2024
 - i. Letter to WHRM from Mermaid Theatre
 - ii. Carrilee Eddy Re sewage pollution in Windsor, NS
 - iii. Brenda Shiers Re Maple Wood Cemetery
 - iv. Honourable John A. Lohr, Minister of Municipal Affairs and Housing Re purchase of homes affected by overland stormwater
 - v. Dawn Allen Re proposed West Hants (Cogmagun) Landfill expansion and Climate Change
 - vi. Greg Miller Re Stannus Street flooding
 - vii. Keith Aucoin Re Memo to Mayor Zebian CSO
 - viii. Denise Forand Re Unacceptable flooding
 - ix. Pierre Tabbiner Re Another flooding
 - x. Carrilee Eddy Re Sewage flood risk
 - xi. Denise Forand Re No new sewer or water hook ups permitted on systems until the flooding stops for downtown
 - xii. Honourable John Lohr Re Letter to municipalities re code of conduct
 - xiii. Natalie Lane Re Curbside garbage pickup
 - xiv. Rob Blackwood Re Please help.....we need garbage removal
 - xv. Marcie Lane Re Garbage pickup
 - xvi. Barbara Gallagher Re proposed Cogmagun landfill expansion and consultation
 - xvii. Jennifer Moore Re Vaccination for CSO exposure (WHRM copied)
 - xviii. Rick Smith Re Amalgamate Windsor & West Hants Water Utilities
 - xix. Jamie Willson Re Tax rebate extension
 - xx. Sandra Watson Re PID 45215290 Riverview Drive, Brooklyn

b. Request(s)

- i. Avon Street Erosion Society Re Request for Letter of Support

c. Out-going Correspondence Ledger as of July 5th, 2024

- i. WHRM letter to Premier Houston, Minister Lohr, MP Blois and MLA Sheehy-Richard Re Financial support for the under housed population in West Hants
- ii. WHRM letter to the Annapolis Valley Regional Education Centre (AVRCE) Re Support to hire a fulltime equity coordinator in both the West Hants schools

11. New Business

- a) ~~Active Transportation & Trail Strategy WHRMCD24-06 Recommendation – AT Coordinator Waters~~
- b) ~~Brooklyn Fire Dept (Station 2) Battery Powered Extrication Tools Recommendation Report – Municipal Operations Supervisor Thornton~~
- c) ~~Communication Changes (Social Media Comments and Mtg Livestreams) – Information Report – Municipal Operations Supervisor Thornton~~
- d) Council Remuneration Recommendation Report – CAO Phillips
- e) HMCC Financial Statement Recommendation Report – Manager Gibson
- f) Acquisition of Muir Drive, Ellershouse Decision Request – Director Richard
- g) Encroachment Agreement: 98 Gerrish Street (PID 45057502) Recommendation Report – Director Poirier
- h) System of Municipal Fire Inspections Policy Recommendation Report – Director Poirier

12. Public Participation Period

13. In-Camera

- a) 2024-07-09 Committee of the Whole In-Camera Minutes
- b) MGA 22(2)(a) Legal Matter
- c) MGA 22(2)(a) Personnel Matter
- d) ~~MGA 22(2)(a) Personnel Matter~~
- e) MGA 22(2)(a) Legal Matter

14. Next Meeting Date / Adjournment – September 24th, 2024 Council Meeting at 6 p.m.

1. **Call to Order** – Deputy Mayor Paul Morton called the meeting to order at 6:04 p.m.

2. **Attendance**

Council

Abraham Zebian, Mayor	Paul Morton, Deputy Mayor Dist. 8
Rupert Jannasch, Councillor Dist. 1	Bob Morton, Councillor Dist. 6
Scott McLean, Councillor Dist. 3	John Smith, Councillor Dist. 9 (6:22 p.m.)
Jeff Hartt, Councillor Dist. 4	Laurie Murley, Councillor Dist. 10
Debbie Francis, Councillor Dist. 5	Jim Ivey, Councillor Dist. 11

Regrets:

Mark McLean, Councillor Dist. 2	Ed Sherman, Councillor Dist. 7
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Staff

Mark Phillips, CAO	Todd Richard, Dir. Public Works
Carlee Rochon, Dir. Financial Services	Erin Amirault, Project Engineer
Deanna Snair, Exec. Asst/ Clerk	

Regrets:

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

3. **Approval of the Agenda, including additions or deletions** – completed at the previous meeting.

4. **Declaration(s) of Conflict of Interest** - completed at the previous meeting
Councillor Francis and Mayor Zebian declared on part of In-Camera item 13(b).

5. **Announcements** (6:05 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. West Hants Regional Municipality also recognizes that we are all treaty people and have responsibilities to this land and each other. West Hants Regional Municipality also recognizes African Nova Scotians are a distinct people whose history, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years.

6. **Approval of Previous Meeting Minutes** - completed at the previous meeting.

7. **Presentations** - completed at the previous meeting.

8. **Unfinished Business/Postponed Motions** - completed at the previous meeting.

9. **Reports** - completed at the previous meeting.

10. Correspondence (6:04 p.m.) Reviewed in groups of four (4)

a) Information

1. Avon Causeway Activity Log received as of September 5th, 2024 – None
2. Everwind Bear Lake Correspondence Received as of September 5th, 2024
 - i. Dave Markle Re Bear Lake Wind Project
 - ii. Paula Taylor Re Bear Lake Wind Farm

3. Current Correspondence Received Log as of September 5th, 2024
 - i. Letter to WHRM from Mermaid Theatre
 - ii. Carrilee Eddy Re sewage pollution in Windsor, NS
 - iii. Brenda Shiers Re Maple Wood Cemetery
 - iv. Honourable John A. Lohr, Minister of Municipal Affairs and Housing Re purchase of homes affected by overland stormwater

Council discussed the letter received from Mermaid Theatre. It was noted the request was not raised during budget deliberations resulting in the group receiving no funding being provided. The request would have been part of the Grants and Contributions report presented for consideration. Grant applications are received by Community Development and correspondence for successful awards or denials are also issued by Community Development. There was value in understanding what occurred that resulted in the group receiving no funding.

Council discussed the correspondence received regarding Maple Wood cemetery. It was noted there has been preliminary research done on costs, sizes and scale of a columbarium. Information is available should Council wish to consider this as part of the 2025/26 Capital budget. Early estimates have the cost being around \$70,000 to install.

- v. Dawn Allen Re proposed West Hants (Cogmagun) Landfill expansion and Climate Change
- vi. Greg Miller Re Stannus Street flooding
- vii. Keith Aucoin Re Memo to Mayor Zebian CSO
- viii. Denise Forand Re Unacceptable flooding

Council discussed the correspondence received regarding concerns about the Cogmagun Landfill expansion. It was noted the approval process for the Municipality was minimal unless there was a permit for a planning related matter (primarily structures). Should they not meet the environmental requirements, it may trigger the Municipality to engage. The Community Liaison Committee (CLC) for the landfill may have the ability to provide a better update on the matter.

Concern was raised regarding the dysfunction of the Community Liaison Committee (CLC) and the process used to forward the expansion application. The concerns about the CLC have been raised more recently over the past six (6) months but have been raised over a number of years. The concerns pertain to the frequency of the meetings, how information from the meetings is

shared, the impartiality of the chairs was being questioned. With respect to the expansion application, there two (2) community information meetings that were held. From these meetings, a lot of submissions were made with the expectation that the submissions would be included in the application that GFL was putting forward. It was noted the application was submitted to the province on August 16th and residents were concerned as to where the application was going, were there any opportunities for public input and what happened to their original submissions. Residents were feeling frustrated and want to know who is in charge of the CLC and how can the committee be improved to help build back public trust.

It was suggested the waste coordinator record the CLC meetings and upload the meeting minutes to the municipal website for the public to access them.

It was understood that GFL established the CLC to liaise with the community on the activities of the landfill itself (for the community to reach out to the CLC to voice concerns and have them addressed). The municipality appoints a representative to the committee, similar to what it does for other community committees.

There was value in looking into the agreement with GFL to determine if the terms were being satisfied or not and determining if the municipality had more ownership in the conduct or term of reference of the CLC and if so, there may be the ability to control it more. If GFL was not delivering/satisfying the terms of the agreement, the municipality could communicate their dissatisfaction. The agreement will need to be reviewed, and information will be reported back to Council.

It was noted that approximately half the correspondence received was regarding sewer overflow and/or flooding. Correspondence from Mr. Aucoin was highlighted, noting the Stannus Street rehabilitation in 2014 to date and their experiences (more specifically over the past three (3) years. at from 2014 to date and asking questions about a stormwater management plan needed to continue to be able to deal with combined service during that time.

It was noted any new street or reconstruction since 2015 do not have combined sewers, everything is separated. It was noted that some separated systems do come back and connect to a combined system. The stormwater plan was to separate these systems to initiate low impact developments, community developments and new developments set to a pre and post development flow. There was currently a stormwater management plan (since 2015) for development (new construction and Capital projects). The stormwater management plan meets the objectives of having no increases in overflows related to development. Any increase in overflows would be related to climate change, rain intensity and duration, which has been occurring the past few years. "As of Right" development does not require a stormwater management plan, only a Development Agreement requires a stormwater management plan. It was noted that Mr. Aucoin also spoke of the requirements for progressive engineered design, the number of years residents in this area have been challenged in receiving assistance in alleviating the suffering that has occurred within the area and the review of the property buyout program policy being considered by Council being done in an expeditious manner.

Other letters related to flooding were looking for the flooding to cease and supported looking for a way to assist those living in the area impacted by this type of flooding.

- ix. Pierre Tabbiner Re Another flooding
- x. Carrilee Eddy Re Sewage flood risk
- xi. Denise Forand Re No new sewer or water hook ups permitted on systems until the flooding stops for downtown
- xii. Honourable John Lohr Re Letter to municipalities re code of conduct
- xiii. Natalie Lane Re Curbside garbage pickup
- xiv. Rob Blackwood Re Please help.....we need garbage removal
- xv. Marcie Lane Re Garbage pickup
- xvi. Barbara Gallagher Re proposed Cogmagun landfill expansion and consultation
- xvii. Jennifer Moore Re Vaccination for CSO exposure (WHRM copied)
- xviii. Rick Smith Re Amalgamate Windsor & West Hants Water Utilities
- xix. Jamie Willson Re Tax rebate extension
- xx. Sandra Watson Re PID 45215290 Riverview Drive, Brooklyn

Council discussed the letter from Jennifer Moore regarding vaccinations and CSO exposure and the route that has been undertaken to secure assistance for vaccinations that have been recommended by health care professionals for those exposed to continuous or frequent CSO's.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL WRITE A LETTER TO MELISSA SHEEHY-RICHARD TO TAKE THE LEAD SECURING FINANCIAL COVERAGE AND EXPEDITE THE PROCESS FOR VACCINATIONS NECESSARY FOR THOSE WITH REPEATED EXPOSURE TO COMBINED SEWER OVERFLOWS IN NOVA SCOTIA. MOTION CARRIED

Council discussed the correspondence from Mr. Smith highlighting his concerns regarding the water utility (rate case and the credit issue within the two water utilities). Mr. Smith noted his financial analysis as was noted in his correspondence. It was noted there has been a significant amount of time invested in the analysis and was worthy of Council reviewing the letter. It was also noted that a motion was made to have a detailed audit completed and no action has been taken towards this motion.

The correspondence from Mr. Smith raised questions and points to the audit that has yet to be completed.

Staff advised the 2022/23 audit has gone through the approval processes and the financial statements as well as the financial reporting indicators have gone to the Department of Municipal Affairs and Housing and the Utility and Review Board (UARB). The UARB also reviewed the credit and they have it recorded in their executive summary, along with their finding on the matter. If the numbers were accurate, the UARB would not go back and state something that is accurate. There would have to be an error and based on the information, there was no error, it was a large credit.

Council discussed the correspondence regarding the tax rebate extension. It was understood that a CPI adjustment to the income level should have occurred. The amount should have been \$46,000 plus CPI. It was important to address this matter and get it right.

An update was provided. A meeting was held to find a way to ensure residents received the full \$400 rebate and were not penalized for receiving the rebate previously. The application on how the policy was interpreted was changed resulting in successful applicants receiving the full \$400 rebate as well as the deadline was extended. Any resident approved based on the extended deadline would receive the \$400 rebate. The policy referenced eligible residents were able to receive a rebate of 50% of their tax bill up to a maximum cap of \$400.

Director Rochon reviewed the process that was used by staff to interpret the policy. It was confirmed that regardless of how the policy was interpreted and despite how the province applies rebates; WHRM residents were eligible for up to \$400 off their tax bill. CPI was not applied this year as communicated verbally in the report presented earlier this year as staff were trying to make the program consistent with the other rebate programs and that moving forward all rebate programs would be adjusted by CPI.

Concern was raised as it was written in the policy that CPI would be applied, and this should be done regardless of the intention to align all the policies.

Concern was noted that the policy was not being executed in the way that Council intended for it to be executed. It was important to get the policy right and the rebates to those who qualified and would benefit from them.

Staff were looking at ways to better the policy, such as an earlier application date so that rebate applications would be received and processed earlier and applied to accounts prior to tax bills being sent to residents.

The policy be brought back for further discussion and clarity in an effort to resolve the issues.

b) Requests

- i. Avon Street Erosion Society Re Request for Letter of Support

MOVED BY MAYOR ZEBIAN AND COUNCILLOR IVEY THAT COUNCIL WRITE A LETTER OF SUPPORT FOR THE AVON STREET EROSION SOCIETY TO ADD TO THEIR PORTFOLIO FOR THE PROVINCIAL SUSTAINABLE COMMUNITIES CHALLENGE FUND. MOTION CARRIED

c) Out-going as of September 5th, 2024

- i. WHRM letter to Premier Houston, Minister Lohr, MP Blois and MLA Sheehy-Richard Re Financial support for the under housed population in West Hants
- ii. WHRM letter to the Annapolis Valley Regional Education Centre (AVRCE) Re Support to hire a fulltime equity coordinator in both the West Hants schools

11. New Business

- a) Active Transportation & Trail Strategy WHRMCD24-06 Recommendation Report – Item was discussed earlier on the agenda.

b) Brooklyn Fire Dept (Station 2) Battery-Powered Extrication Tools Recommendation Report – Item was removed from the agenda. Will be discussed at a later meeting.

c) Communication Changes (Social Media Comments and Mtg Livestreams) Information Report – Item was discussed earlier on the agenda.

d) Regional Council Remuneration Recommendation Report (6:44 p.m.)

CAO Phillips reviewed the report noting that it was a municipal responsibility to review the remuneration policy prior to a municipal election and set the remuneration rates for the incoming council. The report highlighted proposed changes to remuneration to better reflect the growing demands required from elected officials, remove potential barriers that may prevent individuals from being a councillor, revisions to the expense policy to reflect the updated meal allowance values noted in the report, continue extending the defined contribution group pension plan to elected officials with matching funds from the municipal and council member of 8%, implement a parental/dependent care leave policy for elected officials, allowing elected officials to take up to 52 weeks leave without pay and provide up to \$1,500 per year for elected officials and \$750.00 per year for non-elected committee members to support dependent care expenses.

Discussion Points:

- Generally, expenses were not high for Councillors as they were seldom used. Historically, there has not been a high level of attendance at conferences. Any expenses that have been claimed were available on the website as it was public information.
- Dependant care would be a reimbursable expense.
- It was noted that pensions should be reviewed with Councillors on an annual basis.
- Concern was raised regarding the timing of the report being presented (so close to an election) that it makes it an election issue, which it shouldn't be. There should be something in a policy stating that remuneration was looked at and reviewed at least one year prior to an election.
- The proposed changes were welcomed and seen as positive, progressive changes that may attract younger candidates who would be good in the role as a Councillor.
- It was recognized the workload of Councillors have significantly increased over the past four years.
- A suggestion was made that it may be beneficial to increase individual Councillor involvement/engagement at the committee level which may result in additional reports from committee meetings being presented to better reflect the engagement of Councillors and that the work extends beyond regular meetings.

MOVED BY COUNCILLORS MURLEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE COUNCIL REMUNERATION POLICY BE UPDATED TO INCLUDE THE FOLLOWING:
A) THAT ANNUAL REMUNERATION LEVELS FOR MAYOR, DEPUTY MAYOR AND COUNCILOR INCREASE, AS PER THE SEPTEMBER 2024

REPORT, ON APRIL 1ST OF EACH FISCAL YEAR AS PER THE ANNUAL STATISTICS CANADA CONSUMER PRICE INDEX (CPI – ALL ITEMS) FOR THE PROVINCE OF NOVA SCOTIA FOR THE PRECEDING CALENDAR YEAR UNTIL THE 2028 NS MUNICIPAL ELECTION.

Discussion Points:

- The application for CPI was updated during consolidation to reflect it being applied in April as it aligned with when CPI was applied for staff as well as flowed with the budget deliberation process. The April 1st date means that is the date the change is effective each year and would be consistent with what was used in other payroll related items.
- Concern was raised that Councillors who have been acclaimed were discussing a matter where they would financially benefit from a decision being made. Questions were raised regarding their ability to vote on the matter. No legal answer was available to be provided at the time of the question.
- It was suggested the solicitor could be contacted to provide legal advice on the matter.
- A suggestion was made for those who were acclaimed to step away from the discussion to avoid anything further.

At 7:10 p.m. Councillors Ivey, B. Morton and S. McLean declared conflict and left the table and discussion.

At 7:10 p.m. both the Mover and Seconder agreed to withdraw the motion and table the discussion until the next meeting in effort to allow staff time to consult with the solicitor and obtain a legal opinion on the matter.

At 7:11 p.m. Councillors Ivey, B. Morton and S. McLean returned to the table and the meeting resumed.

e) Hantsport Memorial Community Centre 2023-24 Financial Statements Recommendation Report (7:13 p.m.)

Director Rochon reviewed the report noting the results of the 2023-24 review engagement for HMCC show a consolidated net surplus of \$14,988. The Municipality contributed \$143,775.75 for various operational expenses, \$40,571.36 of this total amount has been held back until the attached financial statements are accepted by West Hants Regional Municipality.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL ACCEPTS THE FINANCIAL STATEMENTS PROVIDED BY HANTSPORT MEMORIAL COMMUNITY CENTRE (HMCC) AND THAT ANY 2023-24 HOLDBACKS AND ELIGIBLE 2023-24 AREA RATE PAYMENTS BE RELEASED TO HMCC FOR THE PURPOSES OF PROVIDING SERVICES DEFINED IN THE 2024-25 BUDGET. MOTION CARRIED

f) Encroachment Agreement: 98 Gerrish Street (PID 45057502) Recommendation Report (7:14 p.m.)

CAO Phillips reviewed the report noting the property owners of 98 Gerrish Street in Windsor were requesting permission to allow the installation of an accessible ramp to encroach on the Municipal sidewalk to provide an accessible entrance to a new business on Gerrish Street. The owners have applied for a building permit for the proposed ramp. The application for the accessible ramp was reviewed and it was concluded that it would not significantly impede pedestrian traffic on the sidewalk, pose a traffic hazard in regard to sight lines, or pose a hazard in relation to proximity to crosswalks, fire hydrants or any other Municipal infrastructure.

Discussion Points:

- The agreement states the property owner was responsible for snow and ice control on and around the ramp.

MOVED BY COUNCILLOR FRANCIS AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE PROPERTY OWNER AT 98 GERRISH STREET (PID 45057502) IN WINDSOR TO ALLOW THE INSTALLATION OF AN ACCESSIBLE RAMP ON THE MUNICIPAL SIDEWALK, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A TO THE REPORT ENTITLED ENCROACHMENT AGREEMENT DATED SEPTEMBER 10, 2024. MOTION CARRIED

g) System of Municipal Fire Inspections Policy Recommendation Report (7:18 p.m.)

CAO Phillips reviewed the report. The Manager of Building and Fire Inspection Services recommended changes to the System of Municipal Fire Inspections Policy RCOPL-002.00 to provide clarity in relation to Group C buildings (i.e., residential occupancies containing fewer than 3 units), particularly for boarding, lodging and rooming houses, including accommodations for temporary foreign workers. Without this clause a Fire Inspector does not have the authority to perform regular inspections on single unit dwellings being used for these purposes.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE AMENDMENTS TO THE FIRE INSPECTION SYSTEM POLICY, RCOPL-002.00, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A TO THE REPORT ENTITLED SYSTEM OF MUNICIPAL FIRE INSPECTIONS POLICY DATED SEPTEMBER 10, 2024. MOTION CARRIED

12. Public Participation (7:25 p.m.)

Mr. Keith Aucoin, a resident of Stannis Street, spoke of the letter he had sent to members of Council last month. He wanted to draw awareness to the situation for those living on Stannus Street, the trauma felt by residents and what homeowners have had to deal with. Mr. Aucoin spoke of the urgency in finding a solution for the residents of Stannus Street and highlighted when

the issue began (approximately three (3) years ago). Mr. Aucoin wanted to know what needed to be done that would spur actions from the Municipality. Mr. Aucoin wanted to have something on record that reflected the major problems on Stannus Street and the urgency in finding solutions for the area.

Mr. Aucoin noted the response received from the Department of Municipal Affairs and Housing that they will be announcing changes to their DFA guidelines in April 2025 which can help inform future developments in this area.

Mr. Aucoin noted any appraisals on the properties would be lower than what the residents would be able to afford as a replacement property.

Mr. Aucoin raised concerns with the policy recognizing the impacted homes may be contaminated but found fault with the ability to recognize that residents have been living in those conditions without that same concern.

In his opinion if Council were waiting for the Federal government to provide the money, they would be waiting a long time. They needed to get this fixed and worry about the money later.

Mr. Rick Smith, a resident of Tremaine Crescent noted it was difficult to approach Council and speak on a matter. It was important to respect the work that staff and Council were doing but there were times when things needed to be said and brought forward. Mr. Smith wanted to discuss the amalgamation of the water utilities and the financial statements that were approved back in 2023. In his opinion there were outstanding issues that surrounded the statements and issues that would have normally been dealt with months ago.

Mr. Smith spoke of the brief he presented at the UARB Hearing and shared a list of his outstanding concerns that was included in the correspondence for the meeting.

Mr. Smith noted he has been following the matter since October of 2023 and that there were requests that needed to be made to provide clarity on the March 2023 statements.

Mr. Smith spoke of the \$425,000 loss for the Windsor Water Utility but were projecting a profit of \$118,000 and the West Hants Water Utility had a profit of \$340,000 compared to a budgeted loss of \$187,000. His initial reaction was there may have been a misallocation of revenue or expenses between the two utilities. Mr. Smith noted that when questions were asked about the discrepancy there was a lack of accurate answers that provided any clarity on the matter, which resulted in the motion for an independent firm to complete a detailed financial audit of the water utilities, which to date has yet to be started.

It was important that as Councillors there should be a level of confidence in the financial reports being presented. Mr. Smith noted that his comments appeared critical, but it was important to get the information correct.

The points Mr. Smith wanted to raise were:

- i. The credit notes issued between the two utilities were issued in April of 2022. The first credit (\$25,000 related to year end March 31, 2020) and the second credit (\$270,000

related to year end March 25, 2021. The credits should have been reported in the 2022 year. Questions were raised as to how credits of this size were missed at the March 31, 2022 Audit and then the credits were included in the March 2023 results, They should have been reported in the previous financial statements for March and adjusted to reflect the credits. Mr. Smith noted that if the credits had been processed in the 2022 year, the Three Mile Plains would have received all their water for that year for free and the Windsor Water Utility would have paid \$47,000 for providing that free water.

Mr. Smith further commented the summary billings provided for the Five Back Road meter (TMP) didn't reflect the billings used in the financial statements for 2020, 2021 or 2022.

Mr. Smith noted that after he has reviewed the responses in the undertaking, he has yet to be able to determine the logic for issuing a credit in the first place. In his opinion the credit should be reversed and the financial statements for 2023 be revised to reflect the changes. It was not uncommon to represent financial statements and for numbers that large, it was a requirement.

- ii. Administration fees for the Windsor Water utility. The fees for Windsor were calculated at 20%. This error resulted in a difference of \$110,000. Mr. Smith believed this error also needed to be changed in the 2023 results. Mr. Smith spoke of worksheet B1 (part of the water rate study) and his list of outstanding concerns; however, since this occurred the UARB determined the statement of operations was final. In his opinion the issue had not changed as the approved budget for the two water utilities were approved for a loss of approximately \$58,000, however the UARB statement showed a loss of approximately \$563,000 without the use of any surplus funds. Since the budget and work sheet were prepared there has been principal payments, depreciation and interest that has increased the loss by an additional half a million dollars and Mr. Smith felt Council was not aware of this information. In addition to this, surpluses were being used (a total of \$824,000).
- iii. Mr. Smith noted the water consumption reports needed a lot of work. The report in July had a lot of errors
- iv. Mr. Smith noted his biggest concern was the 2024 results for the Underwood Road meter reported **about** a loss of \$132,000 in revenue based on a consumption report. In his opinion it was a huge concern as **in previous years** it was only \$600, \$700 or \$410 which leads to something being wrong with that meter.

Mr. Smith noted that as a resident it was difficult to get additional information for clarity without intervention from the Audit committee and it was difficult to speak on these issues without being critical. Mr. Smith noted that the concerns brought forward may not represent all the issues that may exist; there were a number of other smaller issues.

There were a total of 85 inquiries made by the UARB which resulted in many revisions, corrections and additional information that impacted the water rate study. It was Mr. Smith's hope that when the Audit committee review the issues, make the changes and seek Council's approval that Council will provide support and approve to have the numbers corrected.

The issues need to be corrected and dealt with.

Mr. Jason Hart, a resident of West Hants spoke of the July 23 Council meeting where Dr. Christopher Olsen spoke about windmill setbacks. Mr. Hart quoted Dr. Olsen’s statement about the number of residents in the region and not being able to produce the amount of energy needed for the population. Mr. Hart spoke of choosing to believe this was not an attempt to shame Council but more of a calculation error. Mr. Hart reviewed the windfarm projects currently under construction and approved for construction in West Hants (Avon River Hydro – 7 MW, St. Croix – 5 MW, Ellershuse 1 and 2 – 23 MW, Ellershuse 3 - 66 MW, Martock Ridge – 6MW, Benjamin Mills 150 MW which totals 257 MW of generating capacity. According to South Canoe calculations, 102 MW powers 32,00 homes. Based on this information, West Hants has generating capacity for 80,589 homes. Mr. Hart noted that at present West Hants was generating enough power for 8.86 times the number of homes in West Hants without considering South Canoes impact. In his opinion residents who were asking for slightly further setbacks were reasonable in their ask.

Mr. Hart’s second point was related to residents maintain their sewer lines properly. As a homeowner for over 30 years, he was unaware there was maintenance required to maintain his sewer line as he had never heard of it before. He inquired it was appropriate for a workshop/public training session to teach residents how to maintain their sewer lines. Mr. Hart voiced that he has never had instruction on what items were suitable to be flushed and what items shouldn’t be flushed.

13. In-Camera (7:57 p.m.)

- a) 2024-07-09 Committee of the Whole In-Camera Minutes
- b) MGA 22(2)(a) Legal Matter
- c) MGA 22(2)(a) Personnel Matter
- d) MGA 22(2)(a) Personnel Matter – item was pushed ahead to the next meeting
- e) MGA 22(2)(a) Legal Matter

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE MEETING MOVE IN-CAMERA AT 10:02 P.M. MOTION CARRIED

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE MEETING MOVE OUT OF IN-CAMERA AT 10:54 P.M. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT THE MEETING ADJOURN AT 10:54 P.M. MOTION CARRIED

14. Next Meeting Date / Adjournment – Next regular meeting will be September 24, 2024 Council meeting at 6 p.m.

Deputy Mayor Paul Morton

Deanna Snair, Municipal Clerk