



REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
Regular Meeting of Council Agenda **AMENDED**
June 23, 2020 - 6:00 p.m.
Virtual Meeting

1. Call to Order
2. Roll Call
3. Declaration of Conflict of Interest
4. Announcements
5. Approval of the Agenda, including additions or deletions
6. Approval of Previous Meeting Minutes – 2020-05-26 Council minutes, 2020-06-03 Special Council minutes, 2020-05-26 Public Hearing minutes PID 45059755 411 King St Windsor Land Use By-law Amendments, and 2020-05-26 Public Hearing minutes PID 45372224 741 McKay Road McKay Section Amendment to Development Agreement
7. Unfinished Business/Postponed Motions - None
8. Public Hearings
 - (a) 2020-05-26 PID 45372224 (741 McKay Rd) Amendment to Dev Agreement - Public Hearing conclusion and Second Reading
 - (b) Deed Transfer Tax By-law RD-001 and Second Reading
9. Mayor's Report
10. Committee of Council Recommendations
 - (a) Committee of the Whole Excerpts – June 9, 2020
 - i. Health and Safety Policy
 - ii. Cost Share Agreement Exit 7 Hwy 101, Water Sewer Main Crossing
 - iii. Asset Management Software Solution
 - iv. In-Camera Land Matter
 - (b) Planning Advisory Committee
 - (i) 2020-06-23 - 20-16 B - Discharge of Dev Agreement 543 O'Brien St Report and **Presentation**
 - (ii) 2020-06-23 File 20-01 B Ski Martock Rd Land Use By-law Amendment First Reading Report and **Presentation**
11. Councillor Municipal Business Reports
 - (a) **Hantsport Area Advisory Committee (HAAC) Update**
12. Correspondence
 - (a) 2020-05-30 Phil Zamora - HAAC Resignation Email
 - (b) 2020-06-03 Don Hussey - HAAC Resignation Email
13. New Business
 - (a) Low Income Partial Tax Exemption – Agenda Request Form
 - (b) 2020-06-23 Resident Member Appointments to HAAC & WAAC – Recommendation Report
 - (c) Municipal and School Board Elections Voting By-law - Recommendation Report

(d) CSAP 2020 Election - Recommendation Report

14. In-Camera - None

15. Next Meeting Date / Adjournment



WEST HANTS REGIONAL MUNICIPALITY

Regular Council Minutes
June 23, 2020 6:00 pm
Virtual Meeting – via Zoom

1. Call to Order

Mayor Zebian called the meeting to order at 6:00 p.m.

2. Call of Roll

Council Present:

Abraham Zebian, Mayor
Rupert Jannasch, Councillor, District 1
Scott McLean, Councillor, District 2
Mark McLean, Councillor, District 3
Jeff Hartt, Councillor, District 4
Debbie Francis, District 5

Paul Morton, Deputy Mayor, District 8
Bob Morton, Councillor, District 6
Ed Sherman, Councillor, District 7
Richard Murphy, Councillor, District 9
Laurie Murley, Councillor, District 10
Jim Ivey, Councillor, District 11

Staff and Guests Present:

Mark Phillips, Chief Administrative Officer
Todd Richard, Dir. Public Works
Shelleena Thornton, Administrative
Supervisor
Sara Poirier, Planner

Carlee Rochon, Dir. Financial Services
Rhonda Brown, Municipal Clerk
Madelyn LeMay, Dir. Planning &
Development
Saira Shah, Planner

Regrets:

Kathy Kehoe, Dir. Community Development

Members of the public watched the meeting using Facebook Live.

3. Declarations of Conflict of Interest – There were no conflict of interest declarations.

4. Announcements

Council congratulated the graduates of the Class of 2020 from Avon View High School, King's-Edgehill School, Horton High School, and the Adult High School.

5. Approval of Agenda, including additions or deletions

MOVED by Councillors Jannasch and Francis that the agenda be approved with the following addition:

- **11. A. Hantsport Area Advisory Committee Update**

Motion Carried.

6. **Approval of Previous Meeting Minutes – 2020-05-26 Council minutes, 2020-06-03 Special Council minutes, 2020-05-26 Public Hearing minutes PID45059755 411 King St Windsor Land Use By-law Amendments, and 2020-25-26 Public Hearing minutes PID45372224 741 McKay Road McKay Section Amendment to Development Agreement**

**MOVED by Councillor Murphy and Deputy Mayor Morton to approve the 2020-05-26 Council minutes, 2020-06-03 Special Council minutes, 2020-05-26 Public Hearing minutes PID45059755 411 King St Windsor Land Use By-law Amendments, and 2020-25-26 Public Hearing minutes PID45372224 741 McKay Road McKay Section Amendment to Development Agreement.
Motion Carried.**

7. **Unfinished Business/Postponed Motions** – There was none.

8. **Public Hearing**

- a. **2020-05-26 PID 45372224 (741 McKay Rd) Amendment to Development Agreement Public Hearing conclusion and Second Reading**

**MOVED by Councillors Ivey and Francis to go into Public Hearing.
Motion Carried.**

The meeting moved into Public Hearing at 6:06 pm. Further information on the Public Hearing is available in the 2020-06-23 Public Hearing Minutes – PID 45372224 741 McKay Road, McKay Section Amendment to Development Agreement Conclusion.

Mayor Zebian declared the Public Hearing closed.

Meeting reconvened at 6:08 pm.

MOVED by Councillors Ivey and Sherman that Regional Council give Second Reading to and enters into an amended development agreement which will permit an automobile sales establishment and is substantively the same as the draft amending development agreement attached as Appendix D of the report to the West Hants Planning Advisory Committee dated February 20, 2020, taking note that this development agreement will discharge and replace the development agreement registered at the Land Registry Office on June 8, 2016 as document 109062613, which permits an automobile repair shop at 741 McKay Road, McKay Section, PID 45372224.

Motion Carried.

(Discussion was held before the vote)

Discussion Points:

- Three vehicles are permitted on display on the front lawn of the property.

b. Deed Transfer Tax By-law RD-001 and Second Reading

**MOVED by Councillors Murphy and Francis to go into Public Hearing.
Motion Carried.**

The meeting moved into Public Hearing at 6:10 pm. Further information on the Public Hearing is available in the 2020-06-23 Public Hearing Minutes – Deed Transfer Tax By-law, RD-001.

Mayor Zebian declared the Public Hearing closed.

Meeting reconvened at 6:18 pm.

MOVED by Deputy Mayor Morton and Councillor Francis that Council give Second Reading and approves the Deed Transfer Tax By-law, RD-001 substantively the same as that presented to Committee of the Whole on May 12, 2020.

Motion Carried.

9. Mayor's Report

Mayor Zebian read his report.

10. Committees of Council Recommendations

a. Committee of the Whole Excerpts – June 9, 2020

i. Health and Safety Policy

MOVED by Councillors Murphy and Murley that Council approve the Health and Safety Policy, RCOOH-001.00 as presented to Committee of the Whole on June 9, 2020.

Motion Carried.

ii. Cost Share Agreement Exit 7 Hwy 101, Water Sewer Main Crossing

MOVED by Councillor Murphy and Deputy Mayor Morton that Council authorize staff to execute a Cost Share Agreement with the Province of Nova Scotia for work required for relocation and extension of a water main and sewer force-main near Exit7, Falmouth crossing under the 101 Highway.

Motion Carried.

iii. Asset Management Software Solution

MOVED by Councillors Murphy and Murley that Council approve the award of tender WWHPW20-01 to Applied GeoLogics Inc. (AGL) for their Cartegraph Asset Management Solution, for the tendered price:

- **\$ 111,200 for development, onboarding and implementation,**

- **\$ 35,896 for annual subscription and license costs,**
- **\$ 2,500 for annual third-party hosting fee,**
- **\$ 15,000 project implementation contingency of 10%, and**
- **Applicable taxes.**

Motion Carried.

Councillor Jannasch and Mayor Zebian voted nay.
(Discussion was held before the vote)

Discussion Points:

- The 10% contingency is included for any unknown cost such as additional training or travel expenses that may arise during implementation as it could take a full year to implement, this may not be used if not needed.
- Contingency would not be used for iPads as costs for equipment has already been accounted for.

iv. In-Camera Land Matter

MOVED by Councillor Murphy and Deputy Mayor Morton that Council authorize the purchase of PID 45245578 and portions of PIDs 45182797, 45245560, 45245552, 45184025 and 45182904 for the amount and conditions set out in the Letter of Offer as presented in-camera at Committee of the Whole on June 9, 2020.

Motion Carried.

b. Planning Advisory Committee

i. 2020-06-23 20-16 B – Discharge of Development Agreement 543 O’Brien St

Planner Poirier reviewed the report.

MOVED by Councillors Ivey and Murley that Council discharge the Development Agreement entered into between the Town of Windsor and Hants Cooperative Services Limited and Co-Op Atlantic Limited for the property at 543 O’Brien Street, Windsor, PID 45055928 recorded at the Registry of Deeds on June 23, 1992 as document 3189.

Motion Carried.

ii. 2020-06-23 File 20-01 B Ski Martock Rd Land Use By-law Amendment First Reading Report

Planner Shah reviewed the report.

MOVED by Councillors Ivey and Sherman that Council gives First Reading and hold a Public Hearing to consider:

- (1) amending the map of the West Hants Land Use By-law for PID 45038510 from the General Resource (GR) zone to the Rural Commercial (RC) Zone as shown on Figure 3; and**
- (2) amending the text of the West Hants Land Use By-law to ensure adequate separation is provided for residential uses abutting a property zoned Rural Commercial (RC) as shown in Appendix A,**

all in a manner substantively the same as attached to the planning staff report dated June 11, 2020.

Motion Carried.

11. Councillor Municipal Business Reports

a. Hantsport Area Advisory Committee (HAAC)

Deputy Mayor Morton informed the HAAC met virtually on June 2, 2020. Bill Preston was elected Chair and Greg Pace was elected the Vice Chair of the Committee. The meeting reviewed the policies and purpose of the Committee and members asked questions concerning the Wi-fi and construction projects in Hantsport.

12. Correspondence

a. 2020-05-30 Phil Zamora – HAAC Resignation Email

b. 2020-06-03 Don Hussey – HAAC Resignation Email

Mayor Zebian thanked Mr. Zamora and Mr. Hussey for their contribution to the Hantsport Area Advisory Committee.

13. New Business

a. Low Income Partial Tax Exemption - Agenda Request Form

Councillor Morton reviewed the Agenda Request Form.

MOVED by Councillor Morton and Hartt that Staff bring back a report to implement a Low-Income Partial Tax Exemption Policy for the Regional Municipality.

Motion Carried.

b. 2020-06-23 Resident Member Appointments to HAAC & WAAC

Director LeMay reviewed the report.

MOVED by Councillors Murley and M. McLean that Council approve the appointment of Elaine Warner, Rob Frederick and Glen Deering to the Hantsport Area Advisory Committee (HAAC) for the period July 1, 2020 to October 31, 2022, and

that Council approve the appointment of Denise Forand and John Wilson to the Windsor Area Advisory Committee (WAAC) for the period July 1, 2020 to October 31, 2022.

Motion Carried.

c. Municipal and School Board Elections Voting By-law - Recommendation Report

Ms. Thornton reviewed the report.

MOVED by Councillors Murphy and Murley that Council gives First Reading to the Municipal and School Board Elections Voting By-law RE-001 and holds a Public Hearing to consider its approval substantively the same as that presented to Council on June 23, 2020.

Motion Carried.

(Discussion was held before the vote)

Discussion Points

- The term "School Board" is used to allow flexibility of the By-law to apply to possible School Boards in the future rather just the CSAP School Board.
- Paper ballots are enabled and detailed in the *Municipal Elections Act*; a By-law is only required for alternative voting methods.
- The By-law provides options for the administration of an election, Council determines the method of voting before each election: paper ballot, internet, telephone, mail-in or any combination of methods.

d. CSAP 2020 Election - Recommendation Report

Clerk Brown reviewed the report.

MOVED by Councillors Murphy and Ivey that Rhonda Brown be appointed as the Returning Officer for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillors Murphy and Murley that Shelleena Thornton be appointed as the Assistant Returning Officer for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillors Murphy and Ivey that the Returning Officer be appointed to act as the Registrar of Voters for the for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that the permanent register of electors established and maintained by Elections Nova Scotia be used as the preliminary list of electors for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that additional notification of the preliminary list of elector preparation be given to electors by posting notices in public locations in the Municipality and posting information on the Municipal website and social media sites.

Motion Carried.

MOVED by Councillors Murphy and Francis that the amended list of electors be completed by August 21, 2020.

Motion Carried.

MOVED by Councillors Murphy and Jannasch that additional notice of poll be given by mailing voter information cards and/or flyers to each elector, posting on the Municipal website and posting on municipal social media sites.

Motion Carried.

MOVED by Councillors Murphy and Murley that Council approve the use of Alternative Voting (telephone and internet) for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality, with paper ballots only at mobile polls on ordinary polling day.

Motion Carried.

MOVED by Councillors Murphy and Jannasch that Thursday October 8, 2020 be set as the other advance polling date for the portion of the October 2020 CSAP Election conducted in the West Hants Regional Municipality, in addition to the October 13, 2020 date prescribed under Section 114 of the Municipal Elections Act.

Motion Carried.

MOVED by Councillors Murphy and Sherman that the Alternative Polling Days be from 12:00pm (Noon) on October 8, 2020 up to and including 7:00 pm October 17, 2020.

Motion Carried.

MOVED by Councillors Murphy and Ivey that Council approve the Tariff of Fees and Expenses for the West Hants Regional Municipality Elections Pursuant to Section 139 of the Municipal Elections Act attached to the Conseil scolaire acadien provincial (CSAP) October 2020 Election Report dated June 23, 2020.

Motion Carried.

MOVED by Councillors Murphy and Murley that Council approve the use of Intelivote System Inc. as the Alternative Voting (telephone and internet) Provider for the portion of the October 2020 CSAP Election conducted in the

**West Hants Regional Municipality.
Motion Carried.**

14. In-Camera - There was no in-camera.

15. Next Meeting Date / Adjournment – July 28, 2020 at 6:00 pm.

**MOVED by Councillor Ivey and Deputy Mayor Morton that the meeting adjourn.
Motion Carried.**

The meeting ended at 7:18 pm.

Abraham Zebian, Mayor

Rhonda Brown, Municipal Clerk