



REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
Regular Meeting of Council Agenda **AMENDED**
July 28, 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
 - a) 2020-06-23 Council minutes
 - b) 2020-06-23 Public Hearing minutes – Deed Transfer Tax By-Law RD-001
 - c) 2020-06-23 Public Hearing minutes – PID 45372224, 741 McKay Rd. Amendment to Dev. Agreement
7. Unfinished Business/Postponed Motions
 - a) Avon River Causeway / Aboiteau Discussion
8. Public Hearings
 - a) **Ski Martock Rd Land Use By-Law Amendment PID 45038510 - Public Hearing**
 - b) **Municipal and School Board Elections Voting By-Law RE-001 – Public Hearing and Second Reading**
9. **Mayor's Report**
10. Committee of Council Recommendations
 - a) Committee of the Whole Excerpts – July 14, 2020 and July 21, 2020
 - i. COVID-19 Property Tax Financing Program Policy and Temporary Borrowing Resolution
 - ii. Financial Services Policies (Investment Policy; Reserve Policy; and Residential Property Tax Assistance Policy)
 - iii. Reallocation of Hantsport Post-Transitional Funds
 - iv. Write-off of Uncollectible Property Taxes
 - v. Hantsport Fire Station Design Services Tender Award
 - vi. Hantsport Memorial Community Centre (HMCC) Audited Financial Statements 2019-2020
 - vii. Grants and Contributions 2020
- Supplementary Information Report
 - viii. 2020-2021 Gas Tax Funding
 - ix. Annual Tax Exemption Property List
 - b) Planning Advisory Committee
 - i. Building Code Act By-Law First Reading – Recommendation Report
 - ii. Repeal Town of Windsor Minimum Standards By-Law First Reading – Recommendation Report
11. Councillor Municipal Business Reports
 - a) **Councillor Debbie Francis - Councillor Municipal Business Report**

12. Correspondence
 - a) Coordinator's Final Report re. Consolidation
 - b) 2020-07-26 Letter from Bill Preston – New Hantsport Fire Station
13. New Business
 - a) Diversity and Inclusion – Establishment of a Committee of Council – Agenda Request Form
14. In-Camera
15. Next Meeting Date / Adjournment



WEST HANTS REGIONAL MUNICIPALITY

Regular Council Minutes
July 28, 2020 6:00 pm
Virtual Meeting – via Zoom

1. Call to Order

Mayor Zebian called the meeting to order at 6:14 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
Kathy Kehoe, Dir. Community Development
Shelleena Thornton, Administrative
Supervisor
Saira Shah, Planner

Carlee Rochon, Dir. Financial Services
Rhonda Brown, Municipal Clerk
Madelyn LeMay, Dir. Planning &
Development
Kathy Kehoe, Dir. Community Development

Regrets:

Todd Richard, Dir. Public Works

Members of the public watched the meeting using Facebook Live.

3. Declarations of Conflict of Interest

Councillor Murphy declared a conflict of interest for agenda item 10(a)(vii) and 10(a)(viii) regarding grants to West Hants Ground Search and Rescue.

Councillor Ivey declared a conflict of interest for agenda item 10(a)(vii) regarding grants to Windsor Hockey Heritage Society.

4. Announcements

Masks are now mandatory for all indoor public spaces starting Friday July 31, 2020. Residents were asked to abide by the Public Health rules and be understanding.

Council will have no meetings in August, the next regular meetings will be September.

Residents were encouraged to take advantage of the recreation facilities and programming opportunities.

The Windsor Block Party organized by the Windsor Township Business Association will have four events, with the first being a ride, bike, run event through the business area.

There will be a Natal Day Fish Celebration on August 2nd at the Falmouth Mini Park.

5. Approval of Agenda, including additions or deletions

MOVED by Councillors Murley and M. McLean that the agenda be approved with the following additions:

- **11a – Councillor Debbie Francis Councillor Municipal Business Report**
- **12b – 2020-07-26 Letter from Bill Preston – New Hantsport Fire Station**

Motion Carried.

6. Approval of Previous Meeting Minutes

a. 2020-06-23 Council minutes

b. 2020-06-23 Public Hearing minutes – Deed Transfer Tax By-law, RD-001

**c. 2020-06-23 Public Hearing minutes – PID 45372224, 741 McKay Rd
Amendment to Dev. Agreement**

MOVED by Councillor Ivey and Deputy Mayor Morton to approve the 2020-06-23 Council minutes, 2020-06-23 Public Hearing minutes Deed Transfer Tax By-law RD-001 and 2020-06-23 Public Hearing minutes PID 45372224, 741 McKay Rd, Amendment to Development Agreement.

Motion Carried.

7. Unfinished Business/Postponed Motions

a. Avon River Causeway/Aboiteau Discussion

Council held discussions regarding the Avon River Causeway and Aboiteau. The discussion points were:

- There has been limited coordinated public consultation particularly with the First Nations Community.
- There is tension in the community and there is individual and community concerns regarding the impacts on the fishing, farming and recreational users of the waterway.
- The Mayor will reach out to the First Nation community for their position on the subject.
- Most people agree on ensuring fish passage but the debate appears to be regarding best method and there has not been thorough enough discussion on what other problems may occur such as where silt would end up if free flow were to be allowed.

- Concerns include salt marsh protection, tidal flooding of the downtown and residential properties, upstream flooding impacting food supply, and impacts on the watersheds.

MOVED by Councillors Ivey and Murley to request that Transportation and Infrastructure Renewal, Department of Fisheries and Ocean and Department of Agriculture make a presentation at the September Committee of the Whole meeting on the status of the project.

Motion Carried.

(Vote was held after discussion)

Discussion Points:

- A request for a meeting of the Community Liaison Committee has been made; such a meeting would have many of the same stakeholders as well as others.

MOVED Councillors Jannasch and Hartt that Council send a letter to Nova Scotia Transportation and Infrastructure Renewal to express the following: After further deliberation and education, it is the recommendation of West Hants Regional Municipality that while our responsibility is to the citizens of this Municipality, it is not the body responsible for the decisions being made by Nova Scotia Transportation and Infrastructure Renewal. We trust that your decisions concerning the aboiteau will be made to satisfy the needs of all stakeholders of this area. We implore you to ensure that all requirements for aboiteau are met by your actions and that an acceptable solution will be found for the Windsor Causeway Aboiteau that will not negatively impact any of the stakeholders of this Municipality.

MOVED by Councillors Ivey and Murphy to replace the word “aboiteau” with “waterflow and fish passage infrastructure” in all instances.

Amendment Carried.

Mayor Zebian, Deputy Mayor Morton and Councillors Francis and Sherman voted nay.

Motion as amended reads:

MOVED Councillors Jannasch and Hartt that Council send a letter to Nova Scotia Transportation and Infrastructure Renewal to express the following: After further deliberation and education, it is the recommendation of West Hants Regional Municipality that while our responsibility is to the citizens of this Municipality, it is not the body responsible for the decisions being made by Nova Scotia Transportation and Infrastructure Renewal. We trust that your decisions concerning the waterflow and fish passage infrastructure will be made to satisfy the needs of all stakeholders of this area. We implore you to ensure that all requirements for waterflow and fish passage infrastructure are met by your actions and that an acceptable solution will be found for the Windsor Causeway waterflow and fish passage infrastructure that will not negatively impact any of the stakeholders of this Municipality.

Motion Carried as amended.

Mayor Zebian, Deputy Mayor Morton, and Councillors Francis and Sherman voted nay.
(Votes were held after discussion)

Discussion Points:

- The use of the word aboiteau suggests a predetermination of the structure required.
- It was noted that this current letter request will reflect the position of the current Regional Council and not the previous position of the former West Hants Council, perhaps an in-person meeting would be best ensuring the Municipal position is clear and understood.

8. Public Hearing

a. Ski Martock Rd Land Use By-law Amendment PID 45038510 - 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 7:00 pm. Further information on the Public Hearing is available in the 2020-07-28 Public Hearing Minutes – Ski Martock Rd Land Use By-law Amendment PID 45038510.

Mayor Zebian declared the Public Hearing adjourned until September 22, 2020.

Meeting reconvened at 7:08 pm.

b. Municipal and School Board Election Voting By-law RE-001 – Public Hearing and Second Reading

MOVED by Deputy Mayor Morton and Councillor Murley to go into Public Hearing.

Motion Carried.

The meeting moved into Public Hearing at 7:09 pm. Further information on the Public Hearing is available in the 2020-07-28 Public Hearing Minutes - Municipal and School Board Election Voting By-law, RE-001.

Mayor Zebian declared the Public Hearing closed.

Meeting reconvened at 7:13 pm.

MOVED by Deputy Mayor Morton and Councillor Francis that Council give Second Reading and approves the Municipal and School Board Election Voting By-law, RE-001 substantively the same as that presented to Council on June 23, 2020.

Motion Carried.

Councillor Jannasch voted nay.

9. Mayor's Report

Mayor Zebian read his report.

MOVED by Deputy Mayor Morton and Councillor Francis to place the July 2020 Mayor's report on file.

Motion Carried.

10. Committees of Council Recommendations

a. Committee of the Whole Excerpts – July 14, 2020 and July 21, 2020

i. COVID-19 Property Tax Financing Program Policy and Temporary Borrowing Resolution

MOVED by Councillors Murphy and Murley that Council approves RCOFN-009.00 COVID-19 Property Tax Financing Program Policy for the West Hants Regional Municipality.

Further,

That Council approves the temporary borrowing resolution for the short-term operating loan in the amount of \$9,000,000 to provide the Regional Municipality with the capacity to mitigate the loss of potential tax revenue due to the impacts of COVID-19.

Motion Carried.

ii. Financial Services Policies (Investments Policy; Reserve Policy; and Residential Property Tax Assistance Policy)

MOVED by Councillors Murphy and Sherman that Council approves RCOFN-005.00 Investment Policy Amendment for the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillors Murphy and Morton that Council approves the RCOFN-010.00 Reserve Policy for the West Hants Regional Municipality.

Motion Carried.

MOVED by Councillors Murphy and Murley that Council approves the RCOFN-011.00 Residential Property Tax Assistance Policy for the West Hants Regional Municipality.

Motion Carried.

iii. Reallocation of Hantsport Post-Transitional Funds

**MOVED by Councillor Murphy and Deputy Mayor Morton that Council approves the reallocation of Hantsport Post-Transitional funds and directs staff to write a letter to the Minister of Municipal Affairs requesting the reallocation.
Motion Carried.**

iv. Write-off of Uncollectable Property Taxes

**MOVED by Councillors Murphy and Sherman that Council approves the current property taxes, fees and penalties in the amount of \$794.67 for AAN 06275168 located on Quarry road, be written off and that the 2020- 2021 property tax levy is not applied to AAN 06275168.
Motion Carried.**

v. Hantsport Fire Station Design Services Tender Award

MOVED by Councillors Murphy and Sherman that Council approve the award of tender WWHPW20-08 for the Hantsport Fire Station Design contract to Harvey ARCHITECTURE Limited, for the tendered price of \$198,620 plus 10% design contingency, plus applicable taxes. And approve the demolition of the existing Hantsport Fire Station and the old Town Hall building located on Oak Street.

**MOVED by Councillors Hartt and Ivey to amend the motion by adding at the end “, pending an environmental assessment of the building and geotechnical work on the site including the building and parking areas.”
Amendment Carried.**

Mayor Zebian, Deputy Mayor Morton, and Councillors Francis and Sherman voted nay.

The motion as amended reads:

MOVED by Councillors Murphy and Sherman that Council approve the award of tender WWHPW20-08 for the Hantsport Fire Station Design contract to Harvey ARCHITECTURE Limited, for the tendered price of \$198,620 plus 10% design contingency, plus applicable taxes. And approve the demolition of the existing Hantsport Fire Station and the old Town Hall building located on Oak Street, pending an environmental assessment of the building and geotechnical work on the site including building and parking areas.

Motion Carried as amended.

Mayor Zebian and Councillor S. McLean voted nay.

(Votes were held after discussion)

Discussion Points:

- The tenders ranged from \$149,400 to \$269,957; however, selection was based on highest overall score. Tenders are good for 60 days.
- No geotechnical or environmental assessment of the site has been done. The geotechnical study could be done in 2-4 weeks, costing \$6,000 - \$10,000, and could be used for future construction purposes.

- A warming centre or shelter for the Hantsport area is needed but may not be appropriate as part of the fire hall due to operations.
- Any other site may require the purchase of land and the Municipality would still be responsible for the current buildings.
- There is minimal cost associated with temporary relocation of fire trucks, as Municipality owns the proposed temporary location.

MOVED by Deputy Mayor Morton and Councillor Francis that staff explore a space in Hantsport for a community space and warming centre.

Motion Carried.

(Vote was held after discussion)

Discussion Points:

- Deputy Mayor Morton should be included in discussion of a proposed space.

vi. Hantsport Memorial Community Centre (HMCC) Audited Financial Statements 2019-2020

MOVED by Councillor Murphy and Deputy Mayor Morton that Council accept the financial statement provided by HMCC and that any 2019-2020 hold backs and eligible 2020-2021 area rate payments be paid to HMCC for the purposes of providing the services defined in the 2020-2021 budget.

Motion Carried.

Councillors Murphy and Ivey left the meeting due to conflict of interest.

vii. Grants and Contributions 2020 and Supplementary Information Report

MOVED by Councillors Francis and Murley that Council adopt the attached schedule, recommending grant funding to the listed recipients, less the Windsor Hockey Heritage Society and West Hants Ground Search and Rescue grants, and include the following adjustments to the listed recipients:

Avon View Bus Fundraising Group	increase from \$0 to \$5,000
Hants Shore Health Association	increase from \$750 to \$2,250
Ardoise Community Recreation Centre	increase from \$2,250 to \$3,250
Avon Community Farmer's Market	increase from \$1,500 to \$4,000

And further, authorize staff to release funds once all requirements, as outlined under the Grants and Contribution Policy, have been met.

Motion Carried.

Deputy Mayor Morton voted nay.

MOVED by Councillors Francis and M. McLean that Council support the Windsor Hockey Heritage as presented in the attached schedule, and authorize staff to release funds once all requirements, as outlined in the Grants and Contribution

Policy have been met.

Motion Carried.

MOVED by Councillors Francis and M. McLean that Council support West Hants Ground Search and Rescue as presented in the attached schedule, and authorize staff to release funds once all requirements, as outlined in the Grants and Contribution Policy have been met.

Motion Carried.

Councillor Ivey rejoined the meeting.

MOVED by Councillors Francis and M. McLean that Council maintain the same financial level of support for WHGSAR at \$7,075.00, as recommended at the July 21, 2020 Committee of the Whole meeting, but that the allocation be redirected to support the general operations and not the previous funding dedication towards heat pumps (Type1) and microphone and coaxial cable (Program)

Further,

It is noted that the award of \$7,075.00 will be supported by funding supported by the operating budget allocation and not from Gas Tax.

Motion Carried.

(vote was held after discussion)

Discussion Points:

- There are several operating funds which support grants that may not have been directly identified by previous Councils. The process for grant may change as improvements are identified.

Councillor Murphy rejoined the meeting.

viii. 2020-2021 Gas Tax Funding

MOVED by Councillors Murphy and M. McLean that Council approves the use of \$4,000 of Gas Tax to fund upgrades to the cell booster Newport & District Rink Commission to amplify signal and improve recreational services.

Motion Carried.

MOVED by Councillors Murphy and M. McLean that Council approves the use of \$20,000 of Gas Tax to upgrade the playground at the Brooklyn District Elementary with accessible play structure to improve accessibility.

Motion Carried.

MOVED by Councillors Murphy and Jannasch that Council approves the use of \$5,000 of Gas Tax to fund roof upgrades in the Newport Community Hall building to improve energy efficiency.

Motion Carried.

Deputy Mayor Morton was not present for this vote.

MOVED by Councillors Murphy and Sherman that Council approves the use of \$12,660 of Gas Tax to fund heating upgrades to heat pumps and building upgrades to the Falmouth Community Hall to improve accessibility and energy efficiency.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that Council approves the use of \$12,420 of Gas Tax to fund heating upgrades to heat pumps at the Southwest Hants Fire Society building to improve energy efficiency.

Motion Carried.

MOVED by Councillors Murphy and Murley that Council approves the use of \$5,000 of Gas Tax to fund roof upgrades at the West Hants Historical Society building to improve energy efficiency, pending the approval of a heritage permit.

Motion Carried.

MOVED by Councillors Murphy and Ivey that Council approves the use of \$15,000 of Gas Tax to fund backup power upgrades to propane generator at the Ellershouse Community Hall building to support community.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that Council approves the use of \$18,800 of Gas Tax to fund upgrades to the heating system and backup electrical system in the Hantsport & Area Historical Society building to improve energy efficiency, and to also fund upgrades to interpretive interfaces and signage to improve cultural services and increase tourism.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that Council approves the use of \$20,000 of Gas Tax to fund bathroom, ramp system, and electrical upgrades in the Hantsport Baptist Church building to improve accessibility and energy efficiency.

Motion Carried.

MOVED by Councillors Murphy and Ivey that Council approves the use of \$15,000 of Gas Tax to fund bathroom and building upgrades in the Three Mile Plains Community Hall to improve accessibility and upgrade appliances to improve energy efficiency.

Motion Carried.

MOVED by Councillor Murphy and Deputy Mayor Morton that Council approves the use of \$15,000 of Gas Tax to fund insulation upgrades to the Bramber New Horizons building to improve energy efficiency.

Motion Carried.

ix. Annual Tax Exemption Property List

MOVED by Councillors Francis and Sherman that Council approves the tax exemptions as presented in Schedules A, B, and C for the 2020-2021 tax year. Motion Carried.

b. Planning Advisory Committee

i. Building Code Act By-law First Reading – Recommendation Report

MOVED by Councillor Ivey and Deputy Mayor Morton that Council give First Reading and proceed to a Public Hearing regarding the Building Code Act By-law, RB-001, which is substantively the same as that included as Attachment C to the report entitled *Building Code Act By-law* dated July 9, 2020. Motion Carried.

ii. Repeal of Town of Windsor Minimum Standards By-law First Reading - Recommendation Report

MOVED by Councillors Ivey and Murley that Council give First Reading and proceed to a Public Hearing regarding repeal of the Minimum Standards By-law #36 - Town of Windsor as recommended in the report to the Windsor Area Advisory Committee entitled *Town of Windsor Minimum Standards By-Law* dated July 2, 2020. Motion Carried.

11. Councillor Municipal Business Reports

a. Councillor Debbie Francis – Councillor Municipal Business Report

Councillor Francis reviewed her report.

MOVED by Councillors Ivey and M. McLean to receive the report and place on file. Motion Carried.

12. Correspondence

a. Coordinators Final Report re. Consolidation

MOVED by Mayor Zebian and Councillor Murley to release and make public the Co-ordinator’s Final Report. Motion Carried.

b. 2020-07-26 Letter from Bill Preston – New Hantsport Fire Station

MOVED by Deputy Mayor Morton and Councillor Sherman to receive the letter from Bill Preston and place on file. Motion Carried.

13. New Business

a. Diversity and Inclusion Establishment of a Committee of Council - Agenda Request Form

Mayor Zebian reviewed the Agenda Request Form.

MOVED by Mayor Zebian and Councillor Murley that a Diversity & Inclusion Committee of Council be established, and staff be directed to draft a Terms of Reference for consideration.

Motion Carried.

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

15. Next Meeting Date / Adjournment – September 22, 2020 at 6:00 pm.

Councillor S. McLean inquired when the Municipality would receive the post-consolidation funding from the Province. CAO Phillips noted that prioritization of funding by Council was outstanding but still on the table.

MOVED by Deputy Mayor Morton and Councillor Francis that the meeting adjourn.

Motion Carried.

The meeting ended at 8:37 pm.

Abraham Zebian, Mayor

Rhonda Brown, Municipal Clerk