



WEST HANTS REGIONAL MUNICIPALITY
Regular Meeting of Council Agenda **AMENDED**

February 23, 2021 - 6:00 p.m.

In-Person at Sanford Council Chambers, 76 Morison Drive, Windsor, NS
Also held Via Zoom and Facebook Livestreamed

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard – Action Items
5. Declaration of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2021-01-26 Council Meeting minutes
 - b) 2021-01-26 Public Hearing Minutes - 426 Ashdale Road (conclusion)
 - c) 2021-01-26 Public Hearing Minutes - 543 O'Brien Street (conclusion)
 - d) 2021-01-26 Public Hearing Minutes – 583 Hwy 236 (conclusion)
 - e) 2021-01-26 Public Hearing Minutes – Heritage Property By-law (opening & conclusion)
 - f) 2021-01-26 Public Hearing Minutes – Repeal of Police Advisory Board By-laws (opening & conclusion)
7. Presentations - None
8. Unfinished Business/Postponed Motions
 - a) **Sewer Billing Review Update (Feb. 9th COTW)**
 - b) Royal Canadian Legion Funding Request (Feb. 9th COTW) (verbal)
9. Public Hearings
 - a) 20 Main Street, Hantsport (PID 45043312 and 45043304) Rezoning - Public Hearing (opening)
10. Second Readings for the Public Hearing Matters in Agenda Matter #9 - None
11. Mayor's Report
12. Committees of Council Recommendations
 - a) Committee of the Whole Excerpts – February 9 & 17, 2021
 - i. Accessibility Advisory Committee Member Appointment
 - ii. Bog Road (Letter to Province for repairs)
 - iii. December COTW and Council Meetings
 - iv. Municipal Climate Change Adaptation Plan (MCCAP) Term Position

- v. Noise By-law
 - vi. Temporary Borrowing Resolution
 - vii. West Hants Dial-a-Ride Funding
 - viii. West Hants Ground Search and Rescue Funding
 - ix. Windsor/West Hants Together Community Engagement Final Report
- b) Audit Committee Excerpt – February 3, 2021
- i. Auditing Services
13. Councillor Municipal Activity Reports – Verbal Committee Updates
14. Correspondence
- a) Information
 - i) Mun Affairs & Housing (Feb. 5, 2021) - Post-Consolidation Capital Funding Agreement Projects Evaluation
 - ii) Mun Affairs & Housing (Jan. 22, 2021) - COVID Safe Restart Letter
 - iii) Windsor Hockey Heritage Society (Feb. 13, 2021) – Grant thank you letter
 - b) Requests – None
15. New Business
- a) Final Community Brand Design Creation - Recommendation Report
 - b) Provincial Representative Volunteer Award – Recommendation Report
 - c) Fiscal Highlights
 - d) Debt of the Municipality (Hartt)
16. In-Camera
- a) 2021-01-26 Council In-camera Minutes
 - b) Land Matter (Purchase/Sale) – MGA S. 22(2)(a)
 - c) Land Matter (Purchase/Sale) – MGA S. 22(2)(a)
 - d) Contractual/Legal Matter (Inter-Municipal Shared Service Agreements) – MGA S. 22(2)(e)(g)
 - e) Contractual (Decision Request Report (Ivey) – MGA S. 22(2)(e)
 - f) Contractual (Decision Request Report (Ivey) – MGA S. 22(2)(e)
 - g) Negotiations - MGA S. 22(2)(e)
 - h) Personnel Matter – MGA S. 22(2)(c)
 - i) Personnel Matter – MGA S. 22(2)(c)
 - j) Personnel Matter – MGA S. 22(2)(c)
17. Next Meeting Date / Adjournment



WEST HANTS REGIONAL MUNICIPALITY

Regular Council Minutes

February 23, 2021 6:00 pm

In-Person at Sanford Council Chambers, 76 Morison Drive, Windsor, NS

Held via Zoom and Facebook Livestreamed

1) Call to Order

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

2) Attendance

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
Carlee Rochon, Dir. Financial Services

Kathy Kehoe, Dir. Community Services
Tim Carr, Co-Chair Branding Committee

Shelleena Thornton, Administrative Supervisor
Rhonda Brown, Municipal Clerk
Madelyn LeMay, Dir. Planning & Development
Sara Poirier, Planner

There were no members of the public in the Council Chamber. Members of the public watched the meeting using Facebook Live.

3) Announcements

Mayor Zebian reviewed the fire evacuation procedures and announced the following:

- Congratulations to Nova Scotia's new Premier Iain Rankin and cabinet, as well as local MLA Chuck Porter for becoming the Minister of Lands and Forestry.
- Winter Carnival continues with lot of activities for people.
- February is Black History Month, recently the first naval vessel to be named after a Black Canadian, was named after the first Black Nova Scotian to receive the Victorian Cross, William Hall, from Hantsport. Macy Rolfe, originally from Hantsport, also welded the coin on the keel of artic patrol vessel.

4) Approval of Agenda, including additions or deletions

a) Dashboard – Action Items

MOVED by Councillor Sherman and Deputy Mayor Morton that the agenda be approved with the following amendment:

- **Add 15.d) Debt of the Municipality**

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- Agenda Item 8a) – Sewer Billing Review Updates was tabled until budget discussion but was on the agenda only to provide some additional information.

5) Declarations of Conflict of Interest

Councillor Murphy declared a conflict of interest for Agenda Item 12. a) viii) – West Hants Ground Search & Rescue Funding.

6) Approval of Previous Meeting Minutes

MOVED by Deputy Mayor Morton and Councillor Sherman to approve the following minutes:

- **2021-01-26 Council Meeting Minutes**
- **2021-01-26 Public Hearing Minutes – 426 Ashdale Road (conclusion)**
- **2021-01-26 Public Hearing Minutes – 543 O’Brien Street (conclusion)**
- **2021-01-26 Public Hearing Minutes – 583 Highway 236 (conclusion)**
- **2020-01-26 Public Hearing Minutes – Heritage Property By-law (opening & conclusion)**
- **2021-01-26 Public Hearing Minutes – Repeal of Police Advisory Board By-laws (opening & conclusion)**

Motion Carried.

7) Presentations – There were no presentations.

8) Unfinished Business/Postponed Motions

a) Sewer Billing Review Update (Feb. 9th COTW)

Director Rochon presented the 2019/2020 and 2020/2021 budget versus actual/projected cost for the West Hants Sewer Utility. She informed that Gerry Isenor, consultant, will present further information at the March Committee of the Whole meeting concerning the billing model and rates. It was noted that sewer projections were higher this year due to COVID-19 with more people at home and cleaning procedures, also that the debt had decreased as no new debt had incurred this year.

Discussion Points:

- All information concerning the sewer billing needs to be seen before a decision can be made.
- The cost to have summer billing to be based on winter usage should be calculated.

b) Royal Canadian Legion Funding Request (Feb. 9th COTW) (verbal)

CAO Phillips informed that, other than possible buying power, there were no municipal resources which could be used for an in-kind donation.

Discussion Points:

- The Province has confirmed the project is not eligible for Gas Tax, however the Legion can apply for a grant under the Legion Capital Assistance Program.
- The Legion has applied for a Municipal grant for the project.

9) Public Hearing

a) 20 Main Street, Hantsport (PID 45043312 and 45043304) Rezoning - Public Hearing (opening)

MOVED by Deputy Mayor Morton and Councillor Murphy to go into Public Hearing. Motion Carried.

The meeting moved into Public Hearing at 6:19 pm. Further information on the Public Hearings are available in the 20 Main St. (PID 45043312 and 45043304) Rezoning Public Hearing Minutes.

Mayor Zebian declared the Public Hearings closed.

Council Meeting reconvened at 6:29 pm.

10) Second Readings for the Public Hearing Matters in 9 – There were no Second Readings.

11) Mayor's Report

Mayor Zebian read his report, noting the owner of the former textile mill wants to bring the building back to life.

Discussion Points:

- There is no activity with regards to the former textile mill being listed as dangerous or unsightly. The owners had previously addressed issues concerning brush and broken glass.

12) Committees of Council Recommendations

a) Committee of the Whole Excerpts – February 9 & 17, 2021

i) Accessibility Advisory Committee Member Appointment

MOVED by Deputy Mayor Morton and Councillor Murley that Council approves the following resident member(s) be appointed to the Accessibility Advisory Committee for the term April 01, 2020 to October 31, 2022: New Boundaries representative, Denise Long as primary member and Sarah Naugle as the alternate.

Motion Carried.

ii) Bog Road (Letter to Province for repairs)

MOVED by Deputy Mayor Morton and Councillor Sherman that Council write a letter every month to Nova Scotia Transportation and Infrastructure Renewal (NSTIR) and it be copied to the Premier, Premier elect, and Minister Porter on the urgent need to have Bog Road repaired immediately.

Motion Carried.

iii) December COTW and Council Meetings

MOVED by Deputy Mayor Morton and Councillor Sherman that Council amend Policy RCOGE-003.00 Meeting and Committee Procedural Policy, Sections 3.2(b) and 3.3(b) by removing the month of December.

Motion Carried.

iv) Municipal Climate Change Adaption Plan (MCCAP) Term Position

MOVED by Deputy Mayor Morton and Councillor Ivey that Council approves the 2021-2022 MCCAP budget request of \$10,000 to ensure the Municipality can hire an individual for the Sustainability Planner position when the most relevant candidates are available and funding opportunities are maximized.

Motion Carried.

v) Noise By-law

MOVED by Deputy Mayor Morton and Councillor Murley that Council create a Noise By-law for the Regional Municipality.

Discussion Points:

- The Municipality may not have the resources to maintain a Noise By-law.
- The RCMP deal with noise complaints effectively based on perception and through the Criminal Code.
- Name of the by-law could be changed to a Peace and Good Order By-law.

MOVED by Deputy Mayor Morton and Councillor Sherman to table the motion until the Staff Sergeant can provide information at the next COTW.

Motion Carried.

Original motion was not voted on.

vi) Temporary Borrowing Resolutions

MOVED by Deputy Mayor Morton and Councillor Sherman that Council approves a temporary borrowing resolution in the amount of \$24,093, for airbag replacement and components for Hantsport Fire and Brooklyn Fire Departments.

Motion Carried.

vii) West Hants Dial-A-Ride Funding

MOVED by Deputy Mayor Morton and Councillor Murphy that staff be directed to proceed with Option A with respect to West Hants Dial-a-Ride's request and also review as a line-item amount in future budgets outside the grant process, still requiring all financial information without the application.

Motion Carried.

Councillor M. McLean voted nay.

(Discussion was held before voting.)

Discussion Points:

- West Hants Dial-A-Ride has already submitted a grant application.

Councillor Murphy declared conflict of interest and left the meeting.

viii) West Hants Ground Search & Rescue Funding

MOVED by Deputy Mayor Morton and Councillor Sherman that West Hants Ground Search and Rescue be added as an independent line item under Protective Services within the annual Operating Budget.

Motion Carried.

Councillor Murphy rejoined the meeting.

ix) Windsor/West Hants Together Community Engagement Final Report

MOVED by Deputy Mayor Morton and Councillor Ivey that Council accept the recommendations in principle included in the Community Engagement Final Project Report presented to Committee of the Whole on February 17, 2021 by RAD Consulting and direct staff to find ways to implement the recommendations in order to enhance community relations.

Motion Carried.

b) Audit Committee Excerpt – February 3, 2021

i) Auditing Services

MOVED by Deputy Mayor Morton and Councillor Ivey that Council award a contract to Kent & Duffett Chartered Accountants to perform annual auditing services for West Hants Regional Municipality and the two Water Utilities (West Hants and Windsor), and to perform annual financial statement compilation services for Hantsport Fire Department for fiscal year ends March 31, 2021,

through to March 31, 2025.

Motion Carried.

Councillors M. McLean, Hartt, S. McLean and B. Morton voted nay.
(Discussion was held before voting.)

Discussion Points:

- The larger auditing firm is usually used as a fiduciary responsibility, should money need to be recouped.
- Kent and Duffett has worked with the Municipality over the past four (4) years and meets the competency requirements.
- The technical score for both proposals were very close, however Kent and Duffett outlined the unique Municipal needs and time requirements better.
- The Municipality has contract insurance for protection should the services not be preformed, and another firm is needed.

13) Councillor Municipal Business Reports - Verbal Committee Updates - There were no reports.

14) Correspondence

a) Information

- i) Mun Affairs & Housing (Feb. 5, 2021) – Post Consolidation Capital Funding Agreement Projects Evaluations
- ii) Mun Affairs & Housing Jan. 22, 2021) - COVID Safe Restart Letter
- iii) Windsor Hockey Heritage Society (Feb. 13, 2021) – Grant thank you letter

b) Requests – There was no correspondence requests.

Discussion Points:

- The Municipality received \$634,521 under the Safe Restart Agreement.
- The Provincial Safe Restart Agreement amount of \$67.2 Million was dispersed to municipalities based on services provided and a formula like that used for Gas Tax Funding.

15) New Business

a) Final Community Branding Design Creation – Recommendation Report

Supervisor Thornton reviewed the report highlighting the formation of the Branding Committee, as well as the process used to create and evaluate the Request for Proposal (RFP) for a final Community brand. Co-Chair of the Branding Committee, Tim Carr, then spoke of the diversity of the energetic committee members and the benefits of the iImagine proposal including:

- Branding Committee members are responsible to ensure the best interest of all communities with regards for the branding.

- The Committee was not initially aware of all the procurement and legal requirements.
- The iImagine proposal included the concept of destination branding, is familiar with the region and met all criteria of the RFP which was favoured by the Committee. The Prime Create proposal also met the RFP criteria.

MOVED by Councillors B. Morton and Murley to move in-camera.

Motion Carried.

The meeting moved in-camera at 7:39 pm. The CAO and staff remained in-camera, Tim Carr and the public left the meeting.

MOVED by Deputy Mayor Morton and Councillor Francis that the meeting move out of in-camera.

Motion Carried.

Councillor Hartt voted nay.

The meeting reconvened at 7:54 pm. Tim Carr and the public rejoined the meeting.

MOVED by Councillors Francis and Sherman that Council approves the awarding of Tender WHRMAD20-06 to Prime Creative for the final community brand design creation at a tendered price of \$ 32,000 plus HST.

Motion Carried.

(Discussion and an in-camera session was held before voting.)

Discussion Points:

- The privilege clauses in RFPs allows the Municipality to not accept the lowest price tender if it does not meet the technical criteria. The RFP technical scores were very close so price matters.
- The Branding Committee members were aware of some of the procurement and legal requirements, however felt it was not the Committee's responsibility to ensure.
- Funding for the branding is from the Post Consolidation Operating funds already received, Council approved \$60,000 for the branding in the 2020-2021 Capital Budget.
- The iImagine proposal would be slightly over budget due to the net HST portion.
- The Branding Committee strongly favoured iImagine but would be happy to move forward with either proponent.
- Council is only approving the financial portion of the project and will not approve the final brand; the brand will be approved by the Branding Committee.

b) Provincial Representative Volunteer Award – Recommendation Report

Director Kehoe reviewed the report.

**MOVED by Councillors Francis and M. McLean that Council recommends the Newport and District Rink Commission be nominated for the 2021 Provincial Representative Volunteer Award for the West Hants Regional Municipality.
Motion Carried.**

(Discussion was held before voting.)

Discussion Points:

- The Rink Commission does great work, and the Municipality is grateful to have them in the community.

c) Fiscal Highlights

Director Rochon reviewed the 3rd Quarter update of the Municipal finances. She highlighted the following:

- 57.9 % of expenses and 93.3% of revenues have been recorded.
- There is an expected surplus of \$600,434 which will be added to the operating reserve in accordance with the Reserve Policy.
- Revenues have increased 6.81% and expenditures have decreased 2.23%.
- Deed Transfer Tax revenue has increased \$718,408 over budget due to larger property sales.
- A large variance related to expenditures is for hydrant service being billed at the end of the 2019-20 fiscal year to the former West Hants. This will be an expense to the former West Hants residents and could be paid from the former West Hants surplus of \$921,689 if approved by Council.

Discussion Points:

- The report is broken out based on the Provincial FRAM reporting categories, the Public Works Department is divided into several of the categories.
- Differences between the approved 2020-2021 budget amounts and budget amounts stated in the fiscal update are due to items being moved between categories, such as interest and debt being consolidated, as well as penny rounding.
- Initiatives such as reminder letters and calls have improved collection and account receivables, this has improved the Municipality's Financial Condition Index.
- The RCMP retro pay has been added to a reserve so will net zero when expensed; the increase in Protective Services is related to the hydrant service bill.
- The Principle Installment Expense \$1.5 Million is the annual cost of principle payments and interest.

d) Debt of the Municipality

Councillor Hartt requested total amount of debt and debt servicing costs of the Municipality.

Discussion Points:

- The current Municipal debt totals \$15.1 Million: \$7.7 Million for the former West Hants, \$7.3 Million for the former Windsor and \$24,455 for the Regional Municipality.
- There are 13 loans maturing in the next 5 years.
- Debt servicing ratio for 2019-2020 was 7.8% and the current estimate is 8.6% which is still under the 10% threshold recommended.
- Interest rates from Municipal Finance Corporation (MFC) are competitive and are usually a fixed rate for the term of the loan. MFC rates range annually, the rate for a particular loan depends on the year and type of loan.
- The audited financial statements have notes about Municipal loans including amounts, maturity dates, and interest rates.
- Municipal debt and debt servicing cost can be discussed further during budget deliberations.

16) In-Camera

- a)** Approval of 2021-01-26 Council In-Camera Minutes
- b)** Land Matter (Purchase/Sale) – MGA S. 22(2)(a)
- c)** Land Matter (Purchase/Sale) – MGA S. 22(2)(a)
- d)** Contractual/Legal Matter (Inter-Municipal Shared Service Agreements) – MGA S.22(2)(e)(g)
- e)** Contractual (Decision Request Report (Ivey)) – MGA S. 22(2)(e)
- f)** Contractual (Decision Request Report (Ivey)) – MGA S. 22(2)(e)
- g)** Negotiations – MGA S. 22(2)(c)
- h)** Personnel Matter – MGA S. 22(2)(c)
- i)** Personnel Matter – MGA S. 22(2)(c)
- j)** Personnel Matter – MGA S. 22(2)(c)

**MOVED by Deputy Mayor Morton and Councillor M. McLean to move in-camera.
Motion Carried.**

The meeting moved in-camera at 8:26 pm. The CAO and staff remained in-camera, guests and the public left the meeting.

MOVED by Councillors Murphy and Francis to extend the meeting past 10:00 pm until 12:00 am.

Motion Carried.

MOVED by Deputy Mayor Morton and Councillor M. McLean that the meeting move out of in-camera.

Motion Carried.

The meeting reconvened at 10:18 pm.

MOVED by Councillors Francis and Deputy Mayor Morton that the Mayor and Chief Administrative Officer participate in the inter-municipal agreement discussions as defined in the in-camera report.

Motion Carried.

MOVED by Councillors Ivey and Francis that Council provide direction to the Chief Administrative Officer to provide notice to the Valley Regional Enterprise Network (VREN) of the intention of the West Hants Regional Municipality to leave the service effective March 31, 2022.

Motion Carried.

MOVED by Councillors Ivey and Sherman that Council direct the Chief Administrative Officer to expend funds for the property evaluation as discussed in-camera.

Motion Carried.

MOVED by Deputy Mayor Morton and Councillor Sherman to move in-camera.

Motion Carried.

The meeting moved back in-camera at 10:22 pm. The CAO remained in-camera, all staff left the meeting.

MOVED by Deputy Mayor Morton and Councillor Sherman that the meeting move out of in-camera.

Motion Carried.

The meeting reconvened at 11:44 pm.

17) Next Meeting Date / Adjournment

The next regular meeting will be Committee of the Whole on March 9, 2021.

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

Motion Carried.

The meeting ended at 11:45 pm.

Abraham Zebian, Mayor

Rhonda Brown, Municipal Clerk