

WEST HANTS REGIONAL MUNICIPALITY

Special Council Meeting Agenda

July 31, 2023 – 6 p.m.

In-person Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)

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



West Hants
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1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda
5. Declaration(s) of Conflict of Interest
6. Unfinished Business/Postponed Motions
 - a) Proclamation Request from the West Hants Historical Society
 - b) Committee of the Whole Excerpts (July 11, 2023)
 - i. Development Officer Appointment
 - ii. WHRMPW23-06 Purchase of two (2) 1 Ton Trucks
7. New Business
 - i. Albert Street Reconstruction WHRMPW22-06 – Additional Contingency Request – Recommendation Report – Manager Carrigan
 - ii. Temporary Borrowing Resolution Recommendation Report – Manager Gibson
 - iii. Old Parish Cemetery Wall Construction – Additional Contingency Request – Request Report – Director Kehoe
8. In-camera
 - a) MGA 22(2)(a) Land Matter
 - b) MGA 22(2)(a) Personnel Matter
9. Next Meeting Date / Adjournment



West Hants Historical Society
281 King Street
PO Box 2335
Windsor, NS B0N 2T0



His worship Abraham Zebian, Mayor
and Municipal Councillors
West Hants Regional Municipal Council,
azebian@westhants.ca, allcouncil@westhants.ca;

March 23, 2022

Dear Mr. Mayor;

The West Hants Historical Society, through Councillor Jim Ivey, does humbly request that the West Hants Regional Municipal Council issue a proclamation.

Whereas the West Hants Regional Municipality may issue a special proclamation to mark significant dates and events in the life of West Hants;

Whereas the West Hants Historical Society operates a museum with over 13,000 artifacts and is a valuable tourist attraction to the residents and visitors of West Hants;

Whereas the West Hants Historical Society provides interpretive services at the blockhouse at the Fort Edward National Historical Site each summer;

Whereas the West Hants Historical Society maintains a genealogical library and reference archive (with a 500-page index) which provides historical information about the people, families, and businesses of West Hants;

Whereas the West Hants Historical Society was incorporated as a society on September 25, 1973 and will celebrate its 50th Anniversary in 2023;

Whereas, Municipal Councillor Jim Ivey is prepared to sponsor this request;

Now therefore, we petition the West Hants Regional Municipality to proclaim and declare that Monday, September 25, 2023 shall be known as West Hants Historical Society Day.

Thank you in advance for considering this request. You may obtain more information about West Hants Historical Society at WHHS.ca. You can also contact me directly with questions or clarifications at jon@Q32.ca or phone/text 780-695-0383.

I look forward to hearing from you.

Jon Hall,
Funding History Chair



Committee of the Whole Excerpts
July 11, 2023

DEVELOPMENT OFFICER APPOINTMENT EXCERPT

West Hants Regional Municipality only has one Development Officer who is responsible for administering the Land Use By-law's and Subdivision By-laws of the Municipality. Since March 29, 2023, Mr. Burns has been acting as Development Officer when required. This request is to fully appoint Christopher Burns as the second Development Officer for WHRM to assist with processing applications for development permits and subdivision.

The recommended motion was that Committee of the Whole recommend that ...

**COUNCIL APPOINT CHRISTOPHER BURNS AS DEVELOPMENT OFFICER EFFECTIVE JULY 25, 2023
IN ACCORDANCE WITH SECTION 243 OF THE MUNICIPAL GOVERNMENT ACT.**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-07-11

Subject: Appointment of Development Officer

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 243, Development Officer

RECOMMENDATIONS

...that Committee of the Whole recommends that Council appoint Christopher Burns as Development Officer effective July 25, 2023 in accordance with Section 243 of the Municipal Government Act.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Currently West Hants Regional Municipality only has one Development Officer, Doug MacInnis, appointed to administer the Land Use By-law's and Subdivision By-law's of the Municipality. Since March 29, 2023 Christopher Burns has been acting as Development Officer in Doug's absence. This request is to fully appoint Christopher Burns as the second Development Officer for WHRM.

DISCUSSION

Development Officers administer the Land Use By-law's and Subdivision By-law's of the Municipality which includes responding to general property inquiries, writing zoning confirmation letters, issuing development permits for as-of-right development, and approving plans of subdivision.

Christopher Burns was hired in March 2022 and has been training with Doug for the past year. He is working to become certified through the Nova Scotia Municipal Development Officers Association. On March 29, 2023, Christopher was appointed by Council to act as Development Officer in Doug's absence to ensure requests and applications are dealt with in a timely manner.

This request is to fully appoint Christopher Burns as Development Officer to assist Doug with processing applications for development permits and subdivision.

NEXT STEPS

Appointment by Council

FINANCIAL IMPLICATIONS

There are no financial implications related to the appointment as the salary is established within the budget.

ALTERNATIVES

In response to this report, COTW could:

- recommend that Council not appoint a second Development Officer; or
- request further information on a particular topic.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The municipality is in need of having this second full time appointment due to the high volume of development enquiries, permit applications, inspections and enforcement. Chris has steadily progressed with his knowledge of municipally policy, its applications and the enforcement

requirements of the appointment. As noted in the report the appointment requires the appointment of the Development Officer by Council.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO



Committee of the Whole Excerpts
July 11, 2023

WHRMPW23-06 - TWO 1 TON TRUCKS EXCERPT

Public Works intends to replace two (2) One Ton Trucks. In the 2023-24 Capital Budget approval was provided for this purchase. One tender submission was received for the 1 Ton Trucks. After evaluation both trucks met tendered specification needs, warranty, service availability and the combined price was within budget. The equipment purchases are in alignment with the 2023/24 Capital budget approvals and are under budget.

The recommended motion was that Committee of the Whole recommend that ...

COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF TWO 1 TON TRUCKS, UPFITTED AS TENDERED (WHRMPW23-06) FROM POTHIER MOTORS LTD FOR THE TENDERED PRICE OF \$105,744.22, AND \$130,642.92 PLUS APPLICABLE TAXES LESS TRADE IN VALUES OF \$45,000.



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WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>		
Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>

To: Committee of the Whole

Submitted by: _____
Todd Richard, Director, Public Works

Date: July 11, 2023

Subject: Purchase of Equipment (WHRMPW23-06)

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council approves the award of tender for the purchase of two 1 Ton Trucks, upfitted as tendered (WHRMPW23-06) from Pothier Motors Ltd for the tendered price of \$105,744.22, and \$130,642.92 plus applicable taxes less trade in values of \$45,000.

BACKGROUND

The equipment tendered (WHPW23-6) was identified and approved in the 2023/24 Capital budget.

DISCUSSION

As per the West Hants Regional Municipality's Procurement Policy and the evaluation formula set out in the tenders document the following are the results after review and evaluation of the above-mentioned tenders.

Tender #WHRMPW23-06 had one tender submission for the 1 Ton Trucks. After evaluation both trucks met tendered specification needs, warranty, service availability and the combined price was within budget.

NEXT STEPS

Pending approval of Council; staff would award the equipment tender and issue Purchase Orders to the successful proponent.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	May 1, 2023
Closing Date	May 18, 2023
Price Expiry Date	August 10, 2023
Days Remaining	22 Days

2023-24 Capital Budget – Truck Replacement – Unit 41

Tender Pricing	\$105,744.22
Non-Recoverable Tax (4.29%)	<u>\$4,536.43</u>
Tender Total	\$110,280.65
Less: Trade in Value	<u>(\$20,000.00)</u>
Total Cost to WHRM	\$90,280.65
2023-24 Budget Value	\$130,000.00
Variance (over budget)	\$39,719.35

Within the 2023-24 Capital Budget, this Unit 41 replacement truck is scheduled to be funded through the WHRM Vehicle Reserve. This reserve has a projected March 31, 2024, reserve balance of \$8,571. With this vehicle coming in \$39,719.35 under budget, this will increase our expected year-end reserve balance to \$48,290.35.

2023-24 Capital Budget – Truck Replacement – Unit 35

Tender Pricing	\$130,642.92
Non-Recoverable Tax (4.29%)	<u>\$5,604.58</u>
Tender Total	\$136,247.50
Less: Trade in Value	<u>(\$25,000.00)</u>
Total Cost to WHRM	\$111,247.50
2023-24 Budget Value	\$130,000.00
Variance (over budget)	\$18,752.50

Within the 2023-24 Capital Budget, this Unit 35 replacement truck is scheduled to be funded between the WHRM Vehicle Reserve and the former Town of Windsor Public Works Equipment Reserve. With this vehicle coming in \$18,752.50 under budget, it is my suggestion to continue to withdrawal the full \$68,541 from the Windsor Public Works Equipment Reserve, as this reverse is scheduled to have a zero balance on March 31, 2024, reflect the savings in the WHRM Vehicle Reserve. This will further increase our expected March 31, 2024, balance for this reserve, up to 67,042.85.

ALTERNATIVES

1. Council may choose not to proceed with the purchases.

ATTACHMENTS

- None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The equipment purchases are in alignment with the 2023/24 Capital budget approvals and are under budget.

I support the recommendation.

Report Prepared by: _____

Troy Burgess, Manager of Public Works Operation

Report Reviewed by: _____

Todd Richard, Director of Public Works

Report Approved by: _____



Mark Phillips, Chief Administrative Officer



West Hants
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WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Council

Submitted by: _____
Todd Richard, Director, Public Works

Date: July 25, 2023

Subject: Albert Street Services & Street Renewal Project Contingency

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council approve an additional 15% contingency funding of \$159,588 for removal of rock and unsuitable materials encountered on the Albert Street Windsor Services & Street Renewal Capital Project, allocated for Gary Parker Excavating Limited and Harbourside Engineering.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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In March, 2023 Council originally approved the award of tender WHRMPW22-06 for Albert Street Windsor Services & Street Renewal to the low compliant bidder, Gary Parker

Excavating Limited, for the tendered price of \$1,063,920, plus a 15% construction project contingency of \$159,588, plus applicable taxes.

DISCUSSION

Work on site was started with mobilization of equipment and signage installation on June 19, 2023. Excavation processes were started at the intersection of Albert Street and Wiley Avenue on June 22, 2023. As of June 23, 2023, contractor Gary Parker Excavating Limited started encountering rock (gypsum/limestone) within the road subgrade structure, along with unsuitable (wet/organic) materials that required excavation and removal down to solid base and replacement with new clean clear stone materials. Change orders have been submitted from our contractor for additional work performed to date as required, for the first two weeks June 23 to July 10. Sample daily inspection reports from July 7-10, 2023 from our independent geotechnical engineer (Harbourside Engineering) have been attached for additional reference by Council.

Public Works staff are currently discussing various options for more efficient removal of these materials, which will minimize the cost impact to the Municipality. As these materials were not anticipated to be this excessive, staff do not believe that the pre-approved project contingency will be sufficient to complete the project. With no Council meetings through August, Public Works is recommending additional project contingency approval of 15% (\$159,588) by Council, to cover additional costs for excavation, rock breaking and additional geotechnical inspection that are anticipated over the extent of the project in August and September.

NEXT STEPS

Public Works will continue discussing various options for more efficient removal of these Karst related materials, which will minimize the overall cost impact to the Municipality.

FINANCIAL IMPLICATIONS

2023-24 Capital Budget – Albert Street Renewal

Tender Pricing	\$1,063,920.00
Contingency (15%)	\$159,588.00
Non-Recoverable Tax (4.29%)	<u>\$52,488.49</u>
Total	\$1,275,996.49
Additional Project Contingency (15%)	\$159,588.00
Non-Recoverable Tax (4.29%)	\$6,846.33
Total	\$1,442,430.82
2022-23 Remaining Budgeted Value*	\$1,291,038
Variance (over budget)	(\$151,392.82)

In the 2023-24 capital budget the Albert Street renewal project was scheduled to be funded through the capital reserve, long-term debt, and Canada Community Building Fund. It is recommended that the additional contingency be funded through the Windsor Infrastructure Reserve, to ensure no additional costs to residents.

Total Funding Breakdown:

Sewer Reserve	\$83,109.24
Windsor Infrastructure Reserve	\$416,434.33
Canada Community Building Fund	\$133,566.34
Long-Term Debt	\$809,320.91
	\$1,442,430.82

This recommendation increases the draw from the Windsor Infrastructure Reserve and will leave a March 31, 2024 year-end balance of \$84,566.

ALTERNATIVES


1. Council may choose not to proceed with this project. This is not the recommendation to Council.

ATTACHMENTS

- 20230707_ALBERT_ST_233101_PR Daily Field Report (Harbourside Engineering)
- 20230708_ALBERT_ST_233101_PR Daily Field Report (Harbourside Engineering)
- 20230710_ALBERT_ST_233101_PR Daily Field Report (Harbourside Engineering)

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: 
Brad Carrigan, P.Eng., Capital Projects Engineer

Report Reviewed by: _____
Todd Richard, Director of Public Works

Report Approved by: 
Mark Phillips, Chief Administrative Officer

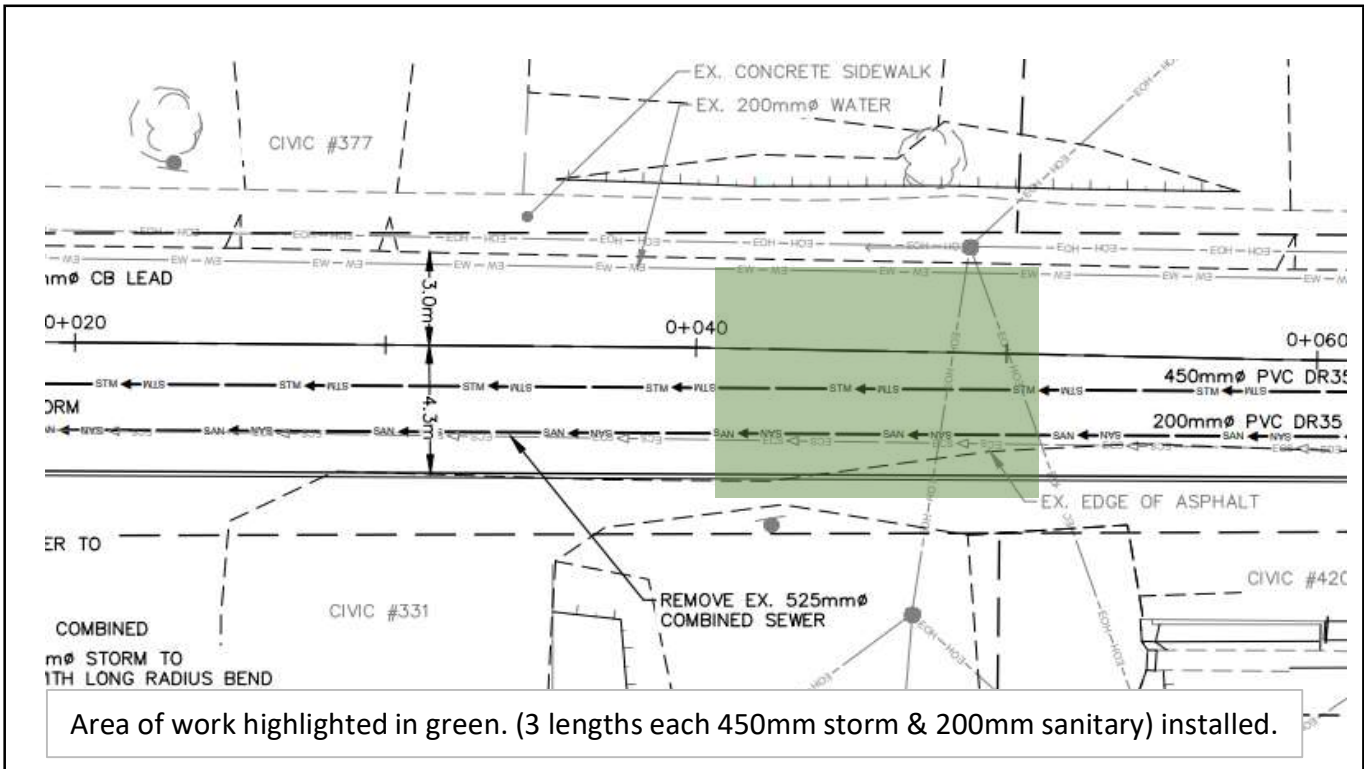
Project: Albert St. Windsor		Client: Windsor-West Hants		
Date: July 7, 2023	Shift: Day	Project No.: 233101		
HGC Rep: Peter Rosvall		HGC PM: Vince Goreham		
Arrival Time: 11:00		Departure Time: 17:30		
Weather Conditions Throughout Shift		Attachments		
Conditions: Start-10am:	Cloudy +18 C	Construction/Activity Details	Pages:	1
Conditions: 10am-12pm:	Sunny +26 C	QA/QC Activities	Pages:	1
Conditions: 12pm-3pm:	Sunny 30 C	Compaction Report	Pages:	1
Conditions: 3pm-end:	Sunny +31 C	Photos	Pages:	3

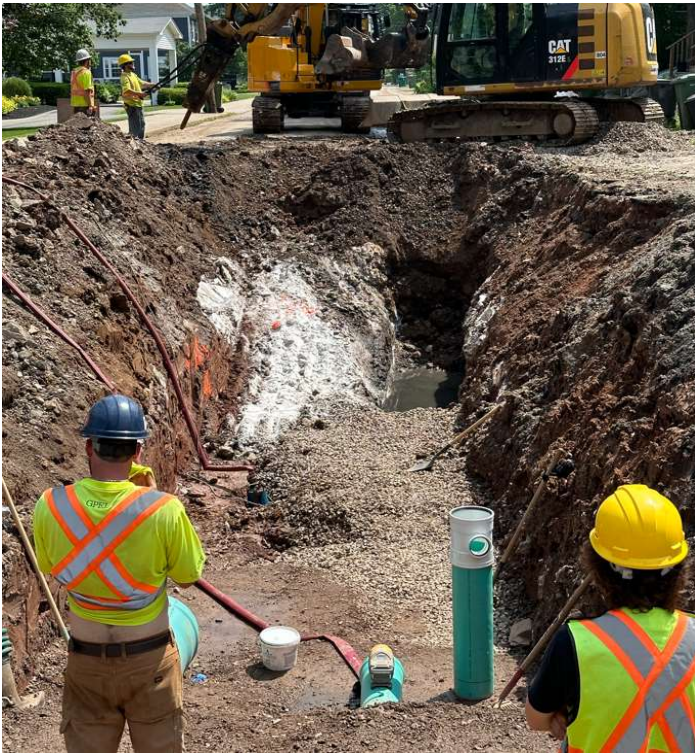
FLRA COMPLETED: YES

DAILY SUMMARY

(General Summary of Daily Activities with any Issues/Concerns Noted)

- Excavation and removal of existing infrastructure between 0+042 and 0+054.
- Any material under proposed pipe sections deemed unsuitable and was removed.
- Clear stone was placed and compacted to replace the over excavated subgrade.
- Placement of PVC piping (450mm storm & 200mm sanitary) from 0+042 to 0+054. 3 lengths of each and tee for one lateral.
- Backfill and compaction of material around pipe sections (Type 1)
- Backfill and compaction completed using a combination of common fill and surge rock. Placement of surface reinstatement gravels to be completed at a later date.





Rock breaking of gypsum along sewer and storm alignment.



200mm sewer and 450mm storm installed with compacted type 1 gravel.



Compaction of Type 1 fill using a diesel plate tamper.



Compaction of common fill using roller.

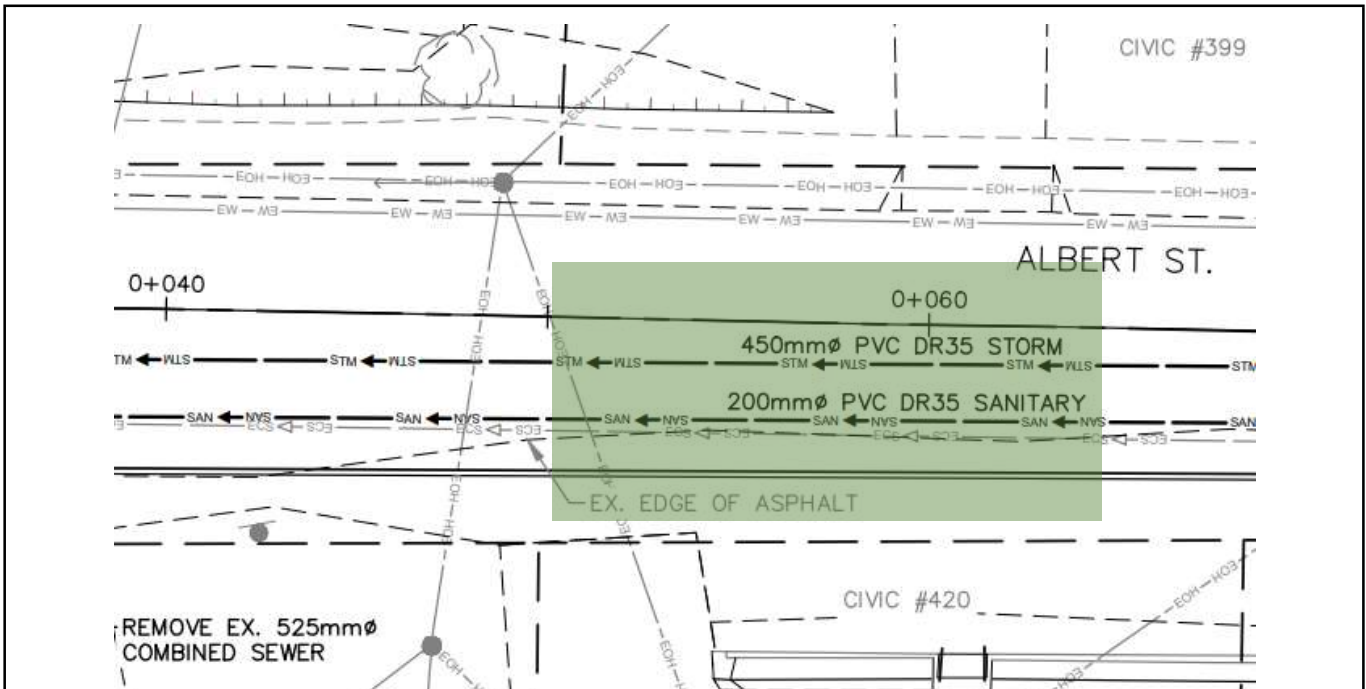
Project: Albert St. Windsor		Client: Windsor-West Hants		
Date: July 8, 2023	Shift: Day	Project No.: 233101		
HGC Rep: Peter Rosvall		HGC PM: Vince Goreham		
Arrival Time: 8:00		Departure Time: 2:30		
Weather Conditions Throughout Shift		Attachments		
Conditions: Start-10am:	Cloudy +20 C	Construction/Activity Details	Pages:	1
Conditions: 10am-12pm:	Sunny +24 C	QA/QC Activities	Pages:	1
Conditions: 12pm-3pm:	Sunny +26 C	Compaction Report	Pages:	1
Conditions: 3pm-end:	Sunny +26 C	Photos	Pages:	3

FLRA COMPLETED: YES

DAILY SUMMARY

(General Summary of Daily Activities with any Issues/Concerns Noted)

- Excavation and removal of existing infrastructure between 0+052 and 0+060.
- Any material under proposed pipe sections deemed unsuitable and was removed.
- Clear stone was placed and compacted to replace the over excavated subgrade.
- Rock breaking was required in the work area to facilitate the removal of a gypsum ledge.
- Placement of PVC piping (450mm storm & 200mm sanitary) from 0+052 to 0+060. 2 lengths of each installed.
- Backfill and compaction of material around pipe sections (Type 1)
- Backfill and compaction completed using a combination of common fill and surge rock. Placement of surface reinstatement gravels to be completed at a later date.



Area of work highlighted in green. (2 lengths each 450mm storm & 200mm sanitary) installed.



Water flowing from clear storm at Civic #399. GPEL removed lateral.



Water main at Civic #420/422 broken and repaired.



Rock breaking of gypsum ledge.



Compaction of common fill using roller.

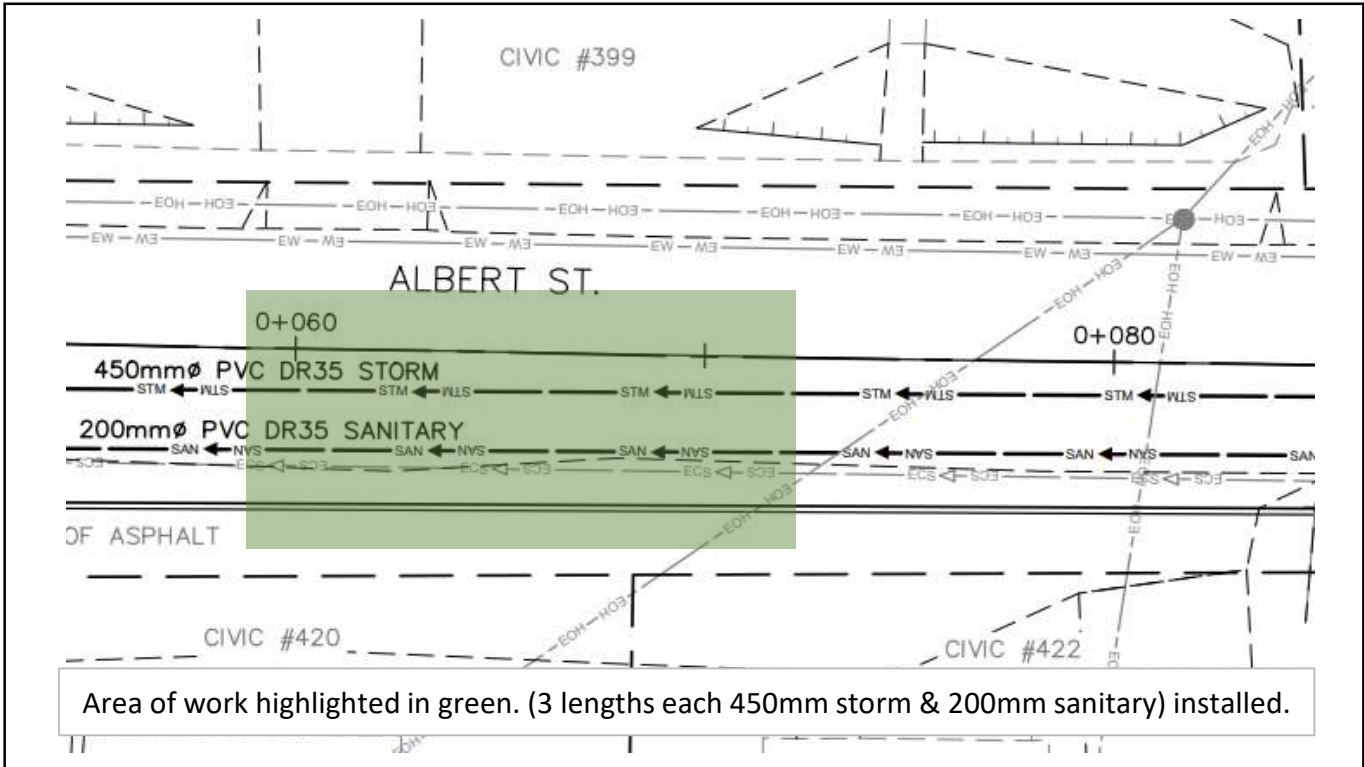
Project: Albert St. Windsor		Client: Windsor-West Hants		
Date: July 10, 2023	Shift: Day	Project No.: 233101		
HGC Rep: Peter Rosvall		HGC PM: Vince Goreham		
Arrival Time: 9:30		Departure Time: 2:00		
Weather Conditions Throughout Shift		Attachments		
Conditions: Start-10am:	Cloudy +20 C	Construction/Activity Details	Pages:	1
Conditions: 10am-12pm:	Cloudy +22 C	QA/QC Activities	Pages:	1
Conditions: 12pm-3pm:	Cloudy/Showers +24 C	Compaction Report	Pages:	1
Conditions: 3pm-end:	Cloudy/Showers +22 C	Photos	Pages:	3

FLRA COMPLETED: YES

DAILY SUMMARY

(General Summary of Daily Activities with any Issues/Concerns Noted)

- Excavation and removal of existing infrastructure between 0+060 and 0+072.
- Any material under proposed pipe sections deemed unsuitable and was removed.
- Clear stone was placed and compacted to replace the over excavated subgrade.
- Rock breaking was required in the work area to facilitate the removal of a gypsum ledge.
- Placement of PVC piping (450mm storm & 200mm sanitary) from 0+060 to 0+072. 3 lengths of each installed.
- Backfill and compaction of material around pipe sections (Type 1)
- Backfill and compaction completed using a combination of common fill and surge rock. Placement of surface reinstatement gravels to be completed at a later date.
- Install 100mm sanitary lateral and reinstate watermain to Civic #420/422.





Rock breaking completed along the alignment.



Undisturbed natural subgraded encountered at various along storm alignment.



Type 1 being placed at various elevations.



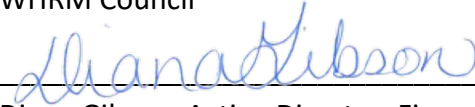
100mm sewer lateral installed to Civic # 420/422.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: WHRM Council

Submitted by: 
Diana Gibson, Acting Director, Financial Services

Date: July 25, 2023

Subject: Temporary Borrowing Resolutions

LEGISLATIVE AUTHORITY

- *Municipal Government Act* Part IV Finance, Section 65 and 66.

RECOMMENDATION or DECISION REQUEST

Committee of the Whole recommends that ...

... Council approves the renewal of a temporary borrowing resolution in the amount of \$680,579.65 for the Highland and Churchill Road Rehabilitation Project.

... Council approves a temporary borrowing resolution in the amount of \$53,621.91, for the purchase of BFD Station 1 Extrication Tools.

... Council approves a temporary borrowing resolution in the amount \$7,750.12, for the purchase of BFD Station 1 & 2 Radios.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A Temporary Borrowing Resolution (TBR) is a required step in the process to secure the necessary borrowing to support the purchase of items of significant cost required by the Municipality. A TBR requires Council approval to move forward.

West Hants Regional Council approved the following capital projects:

- During the 2020-21 Budget Deliberations:
 - Windsor Road Rehabilitation – Churchill and Highland Avenue in the amount of \$1,548,653.

- During the 2022-23 Budget Deliberations:
 - BFD Station 1 – Extrication Tools in the amount of \$52,314. With an increase in value approved during the procurement process, bringing the total approved to \$64,804.40.
 - BFD Station 1 & 2 – Radios in the amount of \$20,858.

Announced July 17th, the Fall Debenture call has been scheduled for September 29, 2023. And these three finished capital projects will require approved temporary borrowing resolutions in advance of the call date.

DISCUSSION

Windsor Road Rehabilitation – Churchill and Highland Avenue

The total cost required for the road rehab project was \$1,193,994.19. From this amount, \$402,231.54 was approved to come from our capital reserves, an additional \$57,360 came from provincial funding, through the PCAP program. Bringing the total to \$734,402.65

Council approved \$19,370 and \$34,453 for debt servicing in the 2021-22 and 2022-23 Operating Budgets. The total cost is then reduced by the budgeted debt servicing, bringing the total borrowing request to \$680,579.65.

BFD Station 1 – Extrication Tools

The total cost required for the Extrication Tools was \$64,801.91.

Council approved \$11,180 for debt servicing in the 2022-23 Operating Budget. The total cost is then reduced by the budgeted debt servicing, bringing the total borrowing request to \$53,621.91.

BFD Station 1 & 2 – Radios

The total cost required for the Radios was \$12,207.12.

Council approved \$4,457 for debt servicing in the 2022-23 Operating Budget. The total cost is then reduced by the budgeted debt servicing, bringing the total borrowing request to \$7,750.12.

NEXT STEPS

1. Minister approval of the temporary borrowing resolutions.
2. Recommendation report to West Hants Regional Council to apply for the Fall 2023 Debenture call, scheduled for September 29.

FINANCIAL IMPLICATIONS

The full financing charges for all the above projects are included in the 2023-24 operating budget, so they will have no impact on the current fiscal year.

ALTERNATIVES

- Council could reject the proposed TBRs, but in doing so would have to direct staff as to how the items will be funded.

ATTACHMENTS

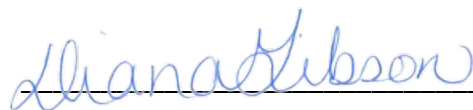
- TBR – Churchill and Highland Avenue
- TBR – BFD 1 – Extrication Tools
- TBR – BFD 1 & 2 - Radios

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and recommendation are in alignment with past Council approval.

I support the recommendation.

Report Prepared by:



Diana Gibson, Acting Director, Financial Services

Report Approved by:



Mark Phillips, Chief Administrative Officer

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: \$ 680,580

Purpose: Highland & Churchill Road Rehab

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Highland & Churchill Road Rehab;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding six-hundred eighty thousand, five-hundred eighty Dollars (\$ 680,580) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding six-hundred eighty thousand, five-hundred eighty Dollars (\$ 680,580) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the ____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this ____ day of _____, 2023.

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: \$ 53,622

Purpose: BFD 1 - Extrication Tools

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of BFD 1 - Extrication Tools;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding fifty-three thousand, six hundred twenty-two Dollars (\$ 53,622) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding fifty-three thousand, six hundred twenty-two Dollars (\$ 53,622) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the ____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this ____ day of _____, 2023.

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: \$ 7,750

Purpose: BFD 1 & 2 - Radios

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of BFD 1 & 2 - Radios;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding seven-thousand, seven-hundred fifty Dollars (\$ 7,750) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding seven-thousand, seven-hundred fifty Dollars (\$ 7,750) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the ____ day of _____, 2023.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this ____ day of _____, 2023.

Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: West Hants Regional Municipality Council

Submitted by: Kathy Kehoe, Director Community Development

Date: July 20, 2023

Subject: Old Parish Cemetery Wall Contingency Request

LEGISLATIVE AUTHORITY

Municipal Government Act Section 65

RECOMMENDATION

...it is recommended that:

Council approves an additional 10% in contingency funds for the Upgrade to the Existing Cemetery Stone Retaining Wall, Old Parish Cemetery in the amount of \$21,500 plus applicable taxes to be funded through the Canada Community Building Fund.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Old Parish Burying Ground is one of the oldest protestant cemeteries in Canada and was the main burial ground for the former Town of Windsor until 1887.

In August 2022 Council approved the following motion:

Council approves the award of tender WWCD22-04 for the Upgrade to the Existing Cemetery Stone Retaining Wall, Old Parish Cemetery to Ridgemark Construction & Design Limited Proposal 2 at a cost of \$215,000 plus 10% contingency, plus applicable taxes to be funded through the Canadian Community Building Fund.

DISCUSSION

With older cemeteries often their marked boundaries are rarely accurate. One of the acts Communities, Culture, Tourism & Heritage (CCTH) is responsible for stewarding is the Cemeteries & Monuments Protection Act, which provides legislation for the protection of all cemeteries in Nova Scotia.

The Special Places Protection Act

Nova Scotia supports the preservation, regulation and study of archaeological, historical, and palaeontological sites and remains deemed to be important parts of our natural or cultural heritage.

The [Special Places Protection Act](#) enables the government to designate outstanding heritage sites as protected sites. It also ensures that quality research is carried out through the Heritage Research Permit system.

All palaeontology and archaeology sites are protected under the [Special Places Protection Act](#).

Staff have recently been made aware that the work being completed at the Old Parish Cemetery is governed by the Special Places Protection Act and as such requires archaeological oversight where the possibility exists for encountering human remains while replacing the retaining wall. We are now aware that an archaeological resource impact assessment (ARIA) is required to be conducted by a qualified archaeologist involving site monitoring while ground disturbance activities are being conducted.

Staff were provided a list of Professional Archaeologists Available for Contract Work in Nova Scotia. Staff have received a cost estimate from CRM Group (Cultural Resource Management Group LTD) in the amount of \$27,796 plus applicable taxes to complete the work. The scope of the project includes a Heritage Research Permit Application, Mi'kmaw Engagement, Background Research, Archaeological Monitoring as well as Analysis and Reporting. Any artifacts recovered during monitoring will be processed in accordance with standards established by Special Places.

The results of the background research, engagement and archaeological monitoring and documentation will be summarized in a report and prepared in accordance with the Guidelines established by Special Places.

Staff are working with the contractor who was scheduled to commence the cemetery wall upgrades immediately and in the essence of time have secured CRM Group to proceed with the archaeological oversight of the project which exceeds the current 10% contingency approved by Council.

NEXT STEPS

Staff are seeking additional contingency funds to be approved by Council that would include the cost of the archaeological oversight and allow for additional contingency funds should it be required to complete the project.

FINANCIAL IMPLICATIONS

2023-24 Capital Budget – Old Parish Cemetery – North and South end Stone wall restoration

Wall Tender Pricing	\$215,000
10% Contingency	\$21,500
Non-Recoverable Tax <small>(4.29%)</small>	<u>\$9,242.85</u>
Total	\$246,646.85
Additional 10% Contingency	\$21,500.00
Non-Recoverable Tax	\$922.35
New Projected Project Total	\$269,069.20
2023-24 Budget Value	\$246,646.00
Variance (Over Budget)	(\$22,422.35)

The total cost with an additional 10% contingency and non-refundable tax portion is \$269,069.20. The Canada Community Building Fund has a projected March 31, 2024, year-end balance of \$1.99 million and would be able to sustain the additional 10% contingency.

ALTERNATIVES

n/a

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The presence of an archeologist is now known to be a requirement for the project and was not factored into the project cost when approved by Council as noted above.

Timing is critical to appoint an archeologist to get the project started.

I support the recommendation.

Report Prepared by: _____
Kathy Kehoe, Director Community Development

Report Reviewed by: _____
Diana Gibson, Manager of Accounting and Financial Reporting

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer