

**WEST HANTS REGIONAL MUNICIPALITY**  
**Fences and Arbitration Committee Meeting Agenda**  
**November 2, 2022 – 12:00 p.m.**  
**Held in person, Council Chambers at 76 Morison Drive and via ZOOM**

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1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
4. Fencing Complaint WHRM22-01 – PID 45018645 - Status Update
  - a) By Law Enforcement, Ryan Parker (updated report and / or photos)
5. Chief Administrative Officer, Mark Phillips Update
6. In-Camera Discussion
7. Mr. H. Morash response
8. Next Meeting Date / Adjournment

**1. Call to order**

Chair S. McLean called the meeting to order at 12:00 pm

**2. Attendance**

Scott McLean, Chair, Councillor, District 2  
Tim Marsh, Nova Scotia Federation of Agriculture  
Mark Phillips, Chief Administrative Officer  
Deanna Snair, Municipal Clerk  
Ryan Parker, By-Law Enforcement Officer  
Shawn Levy, By-Law Enforcement Officer  
Tim Leslie, Manager of Building and Fire Protection Services  
Madelyn LeMay, Director of Planning and Development (ZOOM)

Regrets

Harold Morash, Property owner

Introductions were completed for the record.

**3. Approval of the Agenda, including additions or deletions**

By-law Officer Parker added a map of potential locations for a fence on the H. Morash property to the report.

**MOVED BY RYAN PARKER AND TIM MARSH THAT THE AGENDA BE APPROVED. MOTION CARRIED**

**4. Fencing and Arbitration Complaint WHRM 22-01, PID 45018645**

By-Law Officer Parker provide a verbal update to the committee. At the last meeting direction given to explore minimum requirements for a potential fence.

Historically, a barbed wire fence was used for cattle enclosures, but in recent years barbed wire has given way to electrical fencing. Generally, cattle enclosures consist of an outside perimeter fence as well as temporary divisional fences that are used within the perimeter fence.

The 2013 Fencing Guidelines permit a perimeter fence to be an electrical fence as a permanent or temporary installment if the following conditions are met:

- there are 2-3 wires
- the height is between 81-106 cm
- the minimum volts are 3000 or above
- the top wire should always be hot to prevent the animals from leaning over and pushing the fence.

Section 2.3.7 of the guidelines indicates the following:

- visibility and power are more important than the height of the fence
- a perimeter fence for cattle should have 2-4 strands
- the height should be 1 meter
- wires should be spaced about 30 cm apart
- the voltage should be at least 300 volts.

The code of practice for the care and handling of beef cattle was vague. For protection from extreme weather, beef cattle in Canada are housed in a variety of ways depending on their age size, reproductive state. Systems may include range conditions, fields corrals, yards, indoor or open stalls. Treed areas and other features can act as protection and provide shelter from the wind and sun, but it does not state the size of the area required.

The area identified by By-Law enforcement as the practical place to install a fence has a water source, some trees in the area and potential shelter from a collapsed barn. The area was approximately 485 meters requiring about 1590 ft of fencing and 159 posts with additional supports for corners (a post every 10-12 ft). Previous quotes received were based on 8000 ft of fencing. The three options were page wire for \$12,500, barbed wire for \$7,500 or 4 strands of electrical for \$ 6,250. A quote for \$30, 495 plus hst was received to install the fence and would take approximately 10 days to install.

It was noted that a fence cannot be placed on another person's property, it would need to be placed on the H. Morash property. The concern with installing a fence was what would the cattle feed on, they are not being fed now and are travelling to other properties for sources of food. they are going to eat in the fenced area, they are not being fed now.

The terrain is extremely difficult, there are hills and canyons located in the area,

Should the direction of the committee be to install a new fence, there are a few factors to consider:

- the terrain is extremely difficult with hills and canyons in the area,
- how would the animals be caught to put them in the fenced area, they are wild. There may be additional costs associated with this as well.

The following were results from an onsite (walked over to where Ralph Morash property was beside the sewer treatment plant/Petro Can) on Monday:

- power was on the fence.
- Previously the green line in the photo was a good fence, the yellow indicates there was no power (it was down and running through the grass in areas), the red indicated that it was laying on the ground.
- the purple indicated new fencing with new rebar, wire and insulators with voltage ranging from 7000-9000.
- The other area was inaccessible due to thorn bushes. The fence can't be seen due to the density. In the areas that the fence was visible it was evident that nothing had been done.

The fence was up but there were bushes and trees impacting the fence.

The solid block along the 500 Wentworth Road area was a good fence (posts, page wire fence) along the blue line on the map. One issue was there were some trees across it from the hurricane and the fence ends near the water. There was nothing to stop the cattle from walking up the rail line or out onto the marsh land. It is difficult terrain to walk, and the fence is on the side of a hill.

The R. Morash property does have a working fence on it with no obstructions. There are obstructions on the H. Morash property (area with the white line and the red) resulting in the cattle potentially getting over the fence. There were no visible signs of short feed, hay silage.

Generally, one strand of electric wire would hold an animal back, but if the animal was hungry, it may not hold the cattle. If a second strand was required the older wire could be used, it would require news insulators be put on.

Concern was raised that the “new” purple lined fenced area was fine until a snow fall occurs, then it would be rendered useless. There were also serious concerns re: animal welfare although it was not the municipalities’ role. The role of the municipality is the fence. Animal welfare and care is the responsibility of the province and Mr. Morash is prohibited to own cattle. There is a shared frustration that an order exists prohibiting Harold from owning the animals, but it is not being enforced by the province.

Mr. H. Morash has admitted to both By-Law enforcement officers and in the first meeting that he owns the cattle. The municipality has shared this information with the province and has offered any assistance.

Moving forward:

Option 1: Satisfied with the progress made

Option 2: Give more direction, ie: continue with securing another section within a specific time frame

Option 3: Municipality is ready to install a fence now

Option 4: a combination of any of the above

The order that was issued stated he must comply with the 2013 Fencing Guideline standards resulting in an element of interpretation.

Although there was pleasure in seeing progress (the purple), the thought was another “push” was needed. Encourage Mr. Morash to put a second strand on the purple line and bring the fence (red line) up around his house.

The last conversation with Mr. Morash has voiced that he feels there is nothing wrong with his fence, but he was willing to review Ralph’s fence. The municipalities jurisdiction remains with Harolds land not Ralphs, even though Harolds land was the less desirable land (feed wise) and it would result in the fence being placed on Harolds land.

The other concern raised was that the electric fence was powered by solar and its effectiveness may be decreased with the colder weather.

Consensus was that progress had been made but more was required. Mr. Morash needed to install a minimum of two strands of wire from the Dyke to his house and add a DC power to charge the fence. If more complaints were received, the municipality would need to act accordingly. Timeline was November 14, 2022, with an inspection completed prior to the meeting date.

**MOVED BY TIM MARSH AND TIM LESLIE THAT MR. MORASH BE DIRECTED TO INSTALL A MINIMUM OF TWO STRANDS OF WIRE FROM THE DYKE TO HIS HOUSE AND ADD A DC POWER TO CHARGE THE FENCE. MOTION CARRIED.**

**5. Next Meeting Date / Adjournment**

The next meeting of the Fences and Arbitration Committee will be Wednesday November 16, 2022 at 12:00 p.m.

**MOVED BY TIM MARSH AND RYAN PARKER TO ADJOURN. MOTION CARRIED.**

The meeting ended at 12:43 p.m.

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Chair Scott McLean