

WEST HANTS REGIONAL MUNICIPALITY
Fences and Arbitration Committee Meeting Agenda
October 25, 2022 - 3:30 p.m.
Held in person, Council Chambers at 76 Morison Drive and via ZOOM



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)
 - i. Report and photos
 - ii. Attachments (reference only)
 - Fences and Detention of Stray Livestock Act
 - NS Livestock Fencing Guideline 2013
5. Chief Administrative Officer, Mark Phillips
 - a) Department of Environment and Climate Change correspondence – October 4, 2022
6. Department of Environment and Climate Change Invitation sent and Response
7. Mr. H. Morash invited and response
8. WHRM and Former WH Historic Complaint File Review
 - a) Attachments (still gathering)
9. Next Meeting Date / Adjournment

1. Call to order

Chair Jannasch called the meeting to order at 3:31 pm

2. Attendance

Rupert Jannasch, Chair, Councillor, District 1
Mark Phillips, Chief Administrative Officer
Deanna Snair, Municipal Clerk
Ryan Parker, By-Law Enforcement Officer
Tim Leslie, Manager of Building and Fire Protection Services
Madelyn LeMay, Director of Planning and Development
Matthew Murphy, Compliance and Inspection Coordinator

Regrets

Tim Marsh, Nova Scotia Federation of Agriculture
Shawn Levy, By-Law Enforcement Officer
Harold Morash, Property owner

Introductions were completed for the record. Mr. Murphy was present in the Gallery. He confirmed his presence was only as an officer investigating the file, he could not provide any additional information to the committee.

3. Approval of the Agenda, including additions or deletions

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

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

a) By-Law Officer Parker provide an update to the committee. On October 14, 2022, Manager Leslie and Office Parker inspected the fencing near Ralph Morash's property following the expiry of the Order presented to Mr. Harold Morash. Mr. H. The cattle owned by H. Morash tend to go between the two Moarsh properties (Harold Morash and Ralph Morash), resulting in the focus of the fencing repairs being near the property bordering R. Morash as the terrain on Harold's property is vast and treacherous.

Since the last meeting there has been little improvement since the order was issued. The power that was previously near the rivers edge is now turned off and the wiring continued to run through the grass. In the area where the wire was previously lying on the ground new fence posts had been installed using rebar; however, the wire was still on the old fence in the grass. Proceeding further to where the fence was previously in a good state, there is currently no power (property owner may have been working on the fence).

By utilizing the 500-block area behind Wentworth Road officers were able to inspect H. Morash's property. Due to nature of the terrain it was assumed that the fencing was not completed.

On October 24, 2022 Officer Parker made another visit to the property to determine if any further progress was made near R. Morash's property. The rebar posts were now in the ground up to one of the solar fences, insulators were on them, but the wire remained laying in the grass not attached. The fence was not completed, progress was made but at a very slow pace.

There were no new reports of cattle at large. It may be that there was more feed available as the property owner had been bush hogging the fence line. Based on past experience, if an animal is well feed and watered, there should be no need for them to escape. The concern remained that if the weather turned colder the animals would begin to wander looking for feed. During the inspection visits there have been no evidence of winter feed on the property. Mr. Morash has stated that he purchased horse feed from Shur-Gain and the animals come and eat at their choosing, although it is unknown when this occurs.

b) CAO Phillips provided an update.

- The concerns were:
 - a) that there was a prohibition on Mr. Morash owning cattle and also concerns pertaining to the health and wellbeing of the animals
 - b) the fencing concern.
- The municipality is limited on the ability to grant Mr. Morash more time, the progress made was slow and deemed ineffective. The hope was that Mr. Morash would be able to get the fence to a satisfactory condition, but it did not detract from the fact that Mr. Morash owns cattle despite an order being in place.
- Attempts were made to contact Mr. Moarsh, with no response received.
- The Municipality wants to work cooperatively with the Department of Environment Climate Change and Animal Welfare but also recognizes that the responsibility lies with the municipality to ensure that a satisfactory fence is in place. How much time goes by before the municipality steps in and erects a fence?
- Consensus was to continue to monitor the situation, mobilize resources (look into vendors and availability, including local vendors) and reconvene next week when the committee could meet in its entirety.
- Progress has been slow, and the concern is that frost will set in resulting in the limited grass dying off and the meager fence (one strand will not contain the cattle if they pursue looking for other food sources. Time is of the essence due to the public safety concern and proximity to the road. Concerns that the issue turns to an animal welfare issue even if fencing was secured. By-Law Officer Parker will follow up next week.
- Fencing would be confined to H. Morash property, recognizing the terrain will be problematic and it is less favorable to the cattle as a food source. Need to know the type of fence needed to be installed as per the 2013 Fencing Guidelines and how much land was required for 5 head of cattle. There was a need to have shelter

and a source of water. A vet of the National Farm Animal Care Council Code of Practice may assist with determining the requirements for the acreage needed to for five (5) head of cattle. The onus is on the municipality to ensure that best practice was followed.

5. Next Meeting Date / Adjournment

The next meeting of the Fences and Arbitration Committee will be early to mid-next week.

5. THE COMMITTEE AGREED TO ADJOURN.

MOVED BY RYANN PARKER AND MARK PHILLIPS TO ADJOURN. MOTION CARRIED.

The meeting ended at 4:28 p.m.

Chair Rupert Jannasch