1. Call to Order

The Warden called the meeting to order at 7:08 p.m.

2. Call of Roll

Present:  A. Zebian     Warden
          P. Morton     Deputy Warden
          R. Jannasch  Councillor District 1
          K. Monroe    Councillor District 2
          D. Keith     Councillor District 3
          T. Leopold   Councillor District 4
          D. Francis   Councillor District 5
          R. Hussey    Councillor District 6
          J. Daniels   Councillor District 7
          R. Zwicker   Councillor District 10
          C. Osborne   CAO
          M. Laycock   Director of Finance
          B. Carrigan  Director of Public Works
          K. Kehoe     Director of Parks and Recreation
          J. Bourque   Municipal Planner
          R. Brown     Municipal Clerk
          C. Remme    Executive Assistant

There were 18 members of the public in attendance.

3. Announcements

Warden Zebian welcomed everyone to Council and wished everyone Happy New Year. He reviewed the fire evacuation procedures.

The Warden announced that Director of Planning, Karen Dempsey, would be retiring in January. He wished her well in her retirement.

The Warden announced that applications are now being excepted for municipal grants adding that the applications are available on-line or by contacting the office. He noted that the deadline for grants is February 24th.

Warden Zebian advised Council that nominations for the Volunteer Awards taking place in April are now open. He asked Council to consider individuals or businesses in their communities that are deserving of recognition for their volunteer efforts. The Warden added that the deadline for the awards is February 13th.

The Warden announced that the Falmouth Scouts would be hosting a community pancake breakfast on Saturday, January 14th at the Falmouth Community Hall and encouraged all Councillors to attend.

4. Approval of Agenda, including additions or deletions

MOVED and SECONDED that the agenda be approved as circulated with the following changes:

-13. b. Winter Carnival (Deputy Warden Morton)
-13. c. Amalgamation Motions (Councillor Zwicker)
-14. b. In-Camera re: Contract Negotiations – defer to January Committee of the Whole (CAO)
Motion Carried.

5. Public Hearing(s)
   a. Brison Developments Ltd. (3229190 Nova Scotia Limited) – Application to Amend Existing Development Agreement for The Crossing Land Lease Community

   **MOVED** and **SECONDED** that the meeting move to a Public Hearing.  
   Motion Carried.

   The meeting moved to a public hearing at 7:14p.m. 
   The meeting reconvened at 7:22p.m.

   **MOVED** and **SECONDED** that the 2016 Application for amendments to The Crossing Development Agreement, as contained in the Amending Agreement (2016) be approved. 
   Motion Carried.

   **MOVED** and **SECONDED** that Council require that the Amending Agreement (2016) with Brison Development Limited be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise, this approval will be void and obligations arising hereunder shall be at an end.  
   Motion Carried.

   **MOVED** and **SECONDED** that the Recommendation Report of January 10, 2017 be received and placed on file. 
   Motion Carried.

   b. Municipal Planning Strategy (MPS) Amendment to Enable Rezoning Land Currently Zone Mineral Resource

   **MOVED** and **SECONDED** that the meeting move to Public Hearing.  
   Motion Carried.

   The meeting moved to Public Hearing at 7:24

   The meeting reconvened at 7:31p.m.

   **MOVED** and **SECONDED** that the Recommendation Report dated January 10, 2017 be received and placed on file.  
   Motion Carried.

   **MOVED** and **SECONDED** that Council approve the proposed Municipal Planning Strategy amendment to enable rezoning land now zoned Mineral Resource, as outlined in Exhibit 3 of the Planning Staff report of September 15, 2016. 
   Motion Carried.

6. Approval of the Council Minutes of December 13, 2016

   **MOVED** and **SECONDED** that the Council Minutes of December 13, 2016 be approved as circulated.  
   Motion Carried.

7. Business Arising from Minutes or any Related Correspondence

   There was no business arising or any related correspondence.

8. Presentation(s)

   There were no presentations.

9. Report of Warden
Warden Zebian advised Council that the Ellershouse Windfarm has plans to add seven additional windmills. He went on to speak of the developments taking place at Forest Lakes noting that they would be holding a presentation on January 11th in regards to wetlands. The Warden went on to talk of the developer’s exploration into maintaining nature within the development whereas they are committed to replacing any natural aspect of the land if it is disrupted. He spoke of several initiatives within the development noting the group is very ecologically friendly.

Warden Zebian advised Council that he had been contacted by several individuals and businesses that have interest in West Hants. He noted that it is his goal to attract and retain business in the area to create opportunities and jobs in West Hants. The Warden added that he is hopeful that he will be able to make some announcements soon adding that he believed 2017 will be a good year for West Hants.

The Warden informed Council that he had met with the Minister of Municipal Affairs and they were able to have a very cordial and open discussion in regards to amalgamation. He stated that the Province was in support of any decision made by West Hants Council and supported West Hants and Windsor working cooperatively.

MOVED and SECONDED that the Report of the Warden be received and placed on file. Motion Carried.

10. Reconsideration or Rescission of Resolutions of Which Notice Has Been Given on a Previous Day

   “...to amend article 11.5 of the Municipal Council Policy 2015, COUNCIL-01-004 to provide for a two-year appointment to various committees of Council not included under article 11.1; applicable to the election of councillors to committees held on November 8, 2016, if the amendment is adopted by Council; and that staff be instructed to return to Council with a recommendation report on the continued appropriateness of retaining the current slate of committees referred to under article 11.5 by October 2017 or sooner.”

MOVED and SECONDED to amend article 11.5 of the Municipal Council Policy 2015, COUNCIL-01-004 to provide for a two-year appointment to various committees of Council not included under article 11.1; applicable to the election of councillors to committees held on November 8, 2016, if the amendment is adopted by Council; and that staff be instructed to return to Council with a recommendation report on the continued appropriateness of retaining the current slate of committees referred to under article 11.5 by October 2017 or sooner.

Motion Carried.

11. Monthly Reports of Committee & Officers
   a. Committee of the Whole

   There was no meeting of Committee of the Whole in December.

   b. Planning Advisory Committee
      i. Citizen Appointment to Planning Advisory Committee (Recommendation Report)

   Councillor Daniels reviewed the report highlighting that six individuals were interviewed for the position. She noted that the recommendation came to Council as per Section 200(3) of the Municipal Government Act as well as the Planning Advisory Committee Terms of Reference.

MOVED and SECONDED that Council appoint Matthew Smith as a citizen member of the Planning Advisory Committee for a two-year term ending in November 2018.
Motion Carried.

MOVED and SECONDED that the report be received and placed on file. Motion Carried.

c. Report of the Chief Administrative Officer
   i. Long Pond Arena Society (Recommendation Report)

CAO Osborne called on the Director of Parks and Recreation, Kathy Kehoe to speak on the report noting that the recommendation was a result of direction given to staff following the presentation from the Long Pond Arena Society in December, 2016.

The Director of Parks and Recreation reviewed the report. She spoke of the research involved in the report noting that there were several examples of ownership around the Province to further investigate depending on which option they chose. The Director advised Council that staff found joint ownership of the facility to be the best option for a large recreational facility as it spreads out the risk involved and increases the pool of funding for the building.

The CAO noted that it was unclear where the Town of Windsor stood on the project. She added that without municipal ownership there would be no funding from the Federal Government. CAO Osborne suggested that Council approach the Town with their position and to create a memorandum of understanding. She went on to say that the memorandum could include such things as sharing of the costs/revenue and representation at the table.

MOVED and SECONDED that the Recommendation Report regarding the Long Pond Arena Society be received and placed on file. Motion Carried.

Councillor Leopold questioned if some of the pros for joint ownership listed in the recommendation report could be considered pros regardless of how the ownership was structured. The Director of Parks and Recreation explained that the items were presented in the report in that manner as joint ownership had been deemed the optimal choice for the Municipality by staff. She added that may of the pros would be the same if sole ownership was chosen.

Councillor Leopold asked for clarification of the increased burden on community volunteers listed in the report under cons. The Director explained that staff looked at the Newport Arena which has employees but has a board run by volunteers noting that joint ownership would lessen the burden to volunteers.

Councillor Hussey asked if the Provincial funding was based solely on the arena being located at Long Pond. The CAO responded that the Minister of Communities, Culture and Heritage stated that the funding would only be put forth if the arena was on the site.

Councillor Jannasch questioned if there had been interest in funding from the private sector. The Warden responded that $2.4 million was required to be raised privately. He spoke of some of the initiatives that the Society had to garner interest from investors. Councillor Jannasch asked if the private sponsorship would be tied to ownership in the facility to which the Warden replied that it would not. The CAO added that the Society had spoken of private sponsorship being an opportunity that they would like to explore.

Councillor Monroe voiced her support for the project but questioned the ownership. She asked if information such as the project plan and revenue projections had been made available to Council to review prior to making a final decision. The CAO spoke of the work that had been done on the original proposal for the arena which included the CAOs from West Hants, the Town of Windsor and the former Town of Hantsport. She added that as the Exhibition Arena is slated to close and there is interest from Kings Edgehill School to utilize the facility, there is guaranteed revenue. The CAO noted that there had been no new projections or project plans come forward from the group then what was presented to Council, adding that this may be why there is a push from other levels of government for municipal ownership.
Councillor Keith asked if the Heritage Hockey Museum would be going into the new facility to which the Director of Parks and Recreation responded that it was her understanding that they would be. The Councillor spoke of the training that would be required for those involved in the facility noting that there are questions that need answers prior to committing to the project. He questioned if the funding from other levels of government was attached to the museum being in the facility.

Councillor Keith spoke of the birthplace of baseball stating that people are attracted to the Hall of Fame located there more so than the museum questioning if Long Pond would attract people. The Councillor went on to say that the area needed an arena then stated that there is more information needed such as what costs would the Municipality be responsible for. The CAO advised the funding from neither the Federal or Provincial Government was tied to the museum. She went on to say that the current question for consideration was regarding ownership.

Councillor Monroe stated her concern over Council not having a say over how the facility would be run including how it would be marketed. Warden Zebian advised Council that the Long Pond Hockey Society would be attending Joint Council which would give an opportunity to ask questions.

Councillor Leopold expressed that she felt Council was jumping ahead in the specific questions pointing out that the CAO had stated that Council’s only decision was that of ownership and if Council would have input into how the facility would be run with that decision.

Councillor Daniels expressed that sitting down with the Society at Joint Council would give a great opportunity for both Municipalities to ask questions and receive the same information prior to moving forward. The Councillor went on to say that she understood the link to Long Pond noting that she had been approached by many residents and businesses concerned that the location could take business away from the ones that support the location at the current arena. Councillor Daniels stated that she would be interested to know if the Town of Windsor had been hearing similar concerns and appreciated the decision being deferred until after Joint Council.

Councillor Monroe stated that Council had committed to the $1 Million and now had to determine if with the funding would come representation at the table. She reiterated that more information was needed prior to making that decision.

Deputy Warden Morton asked if the Provincial funding is tied to the location and noted if Council decided the location was going to be an issue; the funding would be lost which would mean that the facility would lose a large sum of money and would require much more fundraising.

Councillor Monroe questioned if the Municipality would be able to have 10% ownership based on the $1 Million contribution. CAO Osborne advised that the government is requesting municipal ownership based on lack of structure in the approach to the arena, adding that the Federal Government would not give money to a business or project that is not viable.

The Municipal Clerk advised Council that deferring the decision until after Joint Council, would mean that a decision would not be made until February Council, an official decision could not be made at Joint Council.

Councillor Leopold pointed out that that the Long Pond Arena Society had provided financial projections and other information at their December presentation to Council.

MOVED and SECONDED to defer the decision regarding the Long Pond Hockey Arena until after Joint Council.
Motion Carried.
ii. Budget 2017/18 Deliberations

The Director of Finance, Martin Laycock gave Council an update on where staff stood on the budget process. He advised Council that they would be receiving updates on the budget over the coming months. He asked that if Councillors had areas they wished staff to consider, they should contact the CAO.

The Director advised Council that staff were looking at having the first budget meeting on March 7th with an additional one on March 21st if necessary. He added that the budget could potentially be passed at April Council.

iii. Appointment of an Alternate Development Officer (Recommendation Report)

The CAO reviewed the report. The Municipal Clerk noted that the appointment would also cover the Land Use and Subdivision By-laws for Hantsport.

MOVED and SECONDED that Council revoke the appointment of Karen Dempsey as Deputy Development Officer of the Municipality of West Hants effective immediately. Motion Carried.

MOVED and SECONDED that Council, in accordance with Section 243(1) of the Municipal Government Act, hereby appoints Jeanne Bourque as the alternate Development Officer to administer the land use and subdivision by-laws in situations of vacation or extended leave of the Development Officer effective immediately. Motion Carried.

Councillor Monroe expressed that the vacancy could be an opportunity for cooperation between the Municipality and the Town of Windsor. The CAO spoke of the history of the Joint Planning Department of the Municipality and the Town of Windsor that it ended in 2010. She went on to say that the Town had recently appointed an Assistant Development Officer and had approached the Municipality to assist with training.

d. REMO Advisory Committee

Councillor Daniels noted that there had been no meeting of the REMO Advisory Committee.

e. Police Advisory Committee

Councillor Morton stated that he had no report for the Police Advisory Committee.

f. MCCAP Committee

Councillor Morton noted that there was no meeting of the MCCAP Committee.

g. Other Committee Reports or Recommendation
   i. Fire Restructuring Committee

Councillor Francis reported that the Committee met on January 9, 2017. She noted that the Committee would meeting again in February.

   ii. Strategic Planning Sub-Committee (Information Report)

MOVED and SECONDED that the report of the Strategic Planning Sub-Committee be received and placed on file. Motion Carried.

Councillor Daniels reviewed the report. She requested that Council mark February 4th for the initial meeting to discuss strategic planning. The Councillor added that the meeting would be followed up with community meetings so plans for the Municipality would build on feedback from those meetings. Councillor Hussey noted that the community meetings would provide an opportunity for the citizens to have a voice in the future of West Hants.
The Director of Finance advised that the Committee discussed meeting in the Fall to compile all the information received and build on what was said. The CAO added that the facility had been booked for the February meeting and the Sub-Committee would choose the facilitator.

MOVED and SECONDED that Council accept the direction from the Sub-Committee on how Council should move forward.
Motion carried.

   iii. Hants Community Hospital Foundation (Information Report)

Councillor Francis reviewed the report.

MOVED and SECONDED that the report from the Hants Community Hospital Foundation be received and placed on file.
Motion Carried.

   iv. Landfill Liaison Committee (Information Report)

Councillor Monroe reviewed the report. She went on to say that the landfill is a growing business in our area. The Councillor spoke of how well managed the site is noting that District Manager, Scott Ogilvie, goes above and beyond. She added that she had an opportunity to tour the site and encouraged other Councillors to do the same.

MOVED and SECONDED that the Landfill Liaison Committee Information Report be received and placed on file.
Motion Carried.

Councillor Leopold questioned if having garbage trucked into the site from other areas such as Halifax is how the business was expanding. Councillor Monroe responded yes, adding that the Otter Lake landfill site is at capacity therefore there is a need to take the items elsewhere. She went on to say that the Cogmagun site has a strategic plan in place for growth and space to accommodate the garbage.

Councillor Monroe expressed that if the Municipality had not sold the landfill site we would be able to receive the benefit. The CAO suggested that Council speak with Municipal Engineer, Rick Sherrard regarding the sale of the landfill and the reasons behind it. She added that the Municipal Engineer was party to the development of the landfill and ran the original site. The CAO added that the Municipality receives revenue from every tonne that goes through the site as the host community.

12. Correspondence
   a. December 19, 2016 – Office of the Minister re: Rural High Speed Internet Access

MOVED and SECONDED that the correspondence from the Office of the Minister regarding Rural High Speed Internet Access be received and placed on file.
Motion Carried.

13. Miscellaneous or New Business
   a. Noise By-law (Councillor Hussey)

Councillor Hussey stated that many residents in both the urban and rural areas of West Hants had been requesting a noise by-law for several years adding that there are many other municipal units that have them.

MOVED and SECONDED that staff be directed to research a Noise By-law for the Municipality of West Hants.
Motion Carried.

   b. Winter Carnival (Deputy Warden Morton)
Deputy Warden Morton spoke of the Winter Carnival taking place in Hantsport from January 26-29th. He added that there are many opportunities to volunteer at the event. Warden Zebian added that he would be at the event and encouraged other Councillors to attend.

c. Amalgamation Motions (Councillor Zwicker)

MOVED and SECONDED that Council believes that a majority of the Municipality’s residents do not support the amalgamation of the Town of Windsor with the Municipality which is under consideration by the Nova Scotia Utility and Review Board and Council believes that the Municipality’s residents are particularly concerned about the potential increased tax burdens upon them resulting from amalgamation.

Deputy Warden Morton asked how the Municipality would fund the costs of the studies. The Director of Finance responded that the money could come from an increase in taxes or a cut in services. The Deputy Warden stated that with the Municipality’s share of the studies being estimated at $250,000 it would mean an increase of 2.5 cents on the tax rate of residents of the Municipality and an increase of 11.5 cents on the ratepayers of the Town of Windsor. He asked the Director of Finance if it would be possible for the Municipality to borrow the money to pay for the studies to which the Director responded “no.”

Councillor Zwicker asked what the tax increase would mean to a resident owning a home of $150,000 in both West Hants and the Town of Windsor. The Director responded that the increase would result in an additional $37.50 for West Hants residents and $172 on the residents of Windsor’s annual tax bill. Deputy Warden Morton asked if the increased rate would affect the business tax rate. The Director of Finance responded “yes.”

Councillor Hussey expressed that he was not convinced that the majority of residents did not support amalgamation. He went on to say that the residents needed information regarding what amalgamation is and how it would affect them adding that it is Council’s role to provide the information. Councillor Monroe agreed with Councillor Hussey.

Councillor Monroe questioned if the legal bills for the amalgamation would contribute to the potential increase in tax rates. The Director responded that legal costs are included in the annual budget.

Councillor Daniels stated that she is in support of the motion particularly due to having two new councils who had not yet been given the opportunity to look for ways to cooperate. She went on to say that in looking at the potential cost of the studies which would result in an increase in taxes suggested that both municipal units would be far better off choosing easy and attainable goals of cooperation and consider amalgamation later.

Councillor Leopold stated that she was in favour of the motion as it was read. She went on to say that although public consultation had not taken place on the topic of amalgamation she received feedback from the residents in District 4 during her campaign and they were not in support of amalgamation. The Councillor went on to say that the main concern of the residents in District 4 was the increased tax burdens.

Councillor Jannasch voiced that he was in support of the motion as many his constituents had expressed they were opposed to amalgamation. He agreed that residents had not received enough information on the topic. The Councillor said that the residents in District 1 were concerned with having to pay for the debts and expenditures of another area which would result in increased taxes.

Councillor Monroe voiced that every Councillor had stated that they needed to see the results of the studies. She voiced that Councillors are now continuing to add lip service to the already present division between the Municipality and the Town. Councillor Monroe expressed that Council is ignoring the petition by not supporting amalgamation.

Councillor Keith stated that the Town and the Avon Region Citizens Coalition had a right to petition for amalgamation voicing that the citizens of West Hants should have the same opportunity to voice their position. He added that the 2000 people who signed the petition
at grocery stores and gas stations should not have the right to put amalgamation on the entire area stating that Council owed it to their constituents to hear where they stand and help to educate them on the topic. Councillor Monroe agreed that all residents should be involved when the information is available regarding the impacts.

Councillor Francis stated that she was in support of the motion as many of her residents were against amalgamation.

Councillor Leopold addressed Councillor Monroe’s comments regarding the relationship with the Town of Windsor stating that if the two units were not able to get along, joining is not the best option to address the relationship.

Councillor Keith voiced that during his campaign he stated that he was for communication and cooperation with the Town of Windsor and not for amalgamation. He voiced that many of his constituents were not in favour of amalgamation.

Motion Carried.
Councillor Hussey and Councillor Monroe voted nay.

MOVED and SECONDED that while Council is prepared to participate in consensual discussions towards achieving optimization of shared municipal services with neighbouring municipal units, and has asked the Town of Windsor to consider withdrawing its support for the non-consensual amalgamation application, Council does not support the current amalgamation application brought by the Town of Windsor and Avon Region Citizens Coalition which has already resulted in an order of the Nova Scotia Utility and Review Board which, if maintained in effect, will have redistributed onto the Municipality’s ratepayers a substantial burden of funding studies for the benefit of an amalgamation application which it opposes.

Motion Carried.
Councillor Monroe voted nay.

MOVED and SECONDED that staff and legal counsel be authorized to prepare motions to the Nova Scotia Utility and Review Board as follows:

a) To dismiss the amalgamation application pursuant to section 362(2) of the Municipal Government Act;

b) Alternatively, if such dismissal motion is not granted, to request the Board to reconsider its decision requiring the Municipality to fund amalgamation studies directed by the Board, and to request the Board's confirmation that it not order amalgamation without first directing a plebiscite be carried out to determine the degree of public support or opposition to amalgamation with the Municipality.

Councillor Leopold stated that she would like to ensure that community meetings were held to get information to residents prior to a plebiscite being held.

Councillor Hussey suggested that the two units have discussions without lawyers involved expressing he felt that it is harmful to communities to use the legal system to fight with neighbouring communities as opposed to working together.

Warden Zebian noted that the Municipality had not received a response to the letter written to the Town of Windsor with the request to pull their support for the application for amalgamation and working together which was sent in November.

Councillor Monroe questioned how Council would respond if they found that residents in West Hants supported amalgamation.

Warden Zebian suggested that Council take the opportunity to discuss amalgamation at the Joint Council meeting being held on Thursday, January 12th.

Councillor Jannasch expressed that the UARB is currently the biggest obstacle in working together to which the Warden agreed.
Councillor Leopold voiced that she had never been part of any organization where such a small percentage of the population could move an item forward. The Warden noted that he had spoken with the Deputy Minister who had voiced that the ruling is being considered for change to 50%.

Councillor Hussey voiced that the Municipality needed to reach out to the Town of Windsor to see if they will have conversations surrounding cooperation regardless of the motions. Warden Zebian agreed with Councillor Hussey adding that he hoped the view was reciprocated by the Town.  
Motion Carried.  
Councillor Monroe voted nay.

14. In-Camera  
   a. MGA Section 22(2)(c) – Personnel Matters  
   b. MGA Section 22(2)(e) – Contract Negotiations  

MOVED and SECONDED that the meeting move in-camera.  
Motion Carried.  

The meeting moved in-camera at 9:15p.m.  

The meeting reconvened at 9:20p.m.  

MOVED and SECONDED that Council authorize the Warden and Municipal Clerk to hire Catherine Osborne as its Chief Administrative Officer and to sign the CAO contract as presented to Council January 10, 2017, on behalf of the Municipality.  
Motion Carried.  

15. Next Meeting Date  
The next meeting of Council will take place on February 14, 2017.  

16. Adjournment  
MOVED and SECONDED that the meeting adjourn.  
Motion Carried.  

The meeting adjourned at 9:25p.m.

Abraham Zebian, Warden  
Rhonda Brown, Municipal Clerk