

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**
September 12, 2023 - 6:00 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.

1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous or Unsightly Premises
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2023-07-11 Committee of the Whole Minutes
7. Presentations
 - a. EPR Regulations and EPR Material Management Standards Information Report - Christine McClare
 - b. RCMP Multi-year Financial Plan 2023-2029 Presentation and Motion
 - c. Bear Lake Wind Project (Renewable Energy Systems Canada (RES)) – Development Manager Oscar Urbina
 - d. Fire Smart - Jennifer Daniels
 - e. **Mariners Drive, Hantsport, Municipal Surplus Lands: PID 45275278 – Development Officer Burns**
8. Unfinished Business/Postponed Motions
 - a) Newport Rink Commission Information Report and Presentation – Director Rochon
 - b) Payzant Drive Extension Conceptual Design – Director Richard
9. Reports
 - a. CAO Activity Update - Information Report
 - ~~b. Financial Update Ending June 30, 2023 – Director Rochon (Anticipate this item will be presented at Council)~~
 - c. Capital Update Ending June 30, 2023 – Director Rochon
10. Correspondence

a. Information

- i. Avon Causeway Activity Log as of September 12, 2023 - None

1. Correspondence Received Ledger as of September 12th, 2023

- i. 2023-07-24 and 2023-08-14 Denise Forand Re Questions around Cunnabel Creek and overflow
- ii. 2023-07-28 Municipality of Kings County Re Flooding Event
- iii. 2023-08-01 WHRM email to CCBF and their response Re Funding
- iv. 2023-08-09 Hants County Condominium Corporation Re Damages to Critical Infrastructure
- v. 2023-08-09 and 08-11 Virginia Deering Re Flooding #2 on Chittick Ave Hantsport with pictures.
- vi. 2023-08-10 UARB Notice of Approval Re 2023 Municipal Boundary Review
- vii. 2023-08-25 Jacqueline and Ryan Heffler Re Bus Transportation needed and response (WHRM copied)
- viii. 2023-08-31 MP Kody Blois Letter to Minister Morrow re Dyke Land
- ix. 2023-08-14 Hon. Greg Morrow response to Correspondence Re Fresh water resource for the Agricultural Community
- x. 2023-09-05 Darren Porter Re Water Test Results (Includes August 14th, 17th and 18th emails)
- xi. 2023-09-06 Pamela DeNicola Re Regarding agricultural land preservation and protection

2. Fort Edward Municipal Lands Activity Log as of September 12th, 2023 - None

3. Storm Wastewater Activity Log as of September 12th, 2023

- i. Peter Moore Re: Weather, Pump, Storm Water and Flooding (11 emails)

a. Requests

- i. 2023-08-10 West Hants Uniacke Community Health Board Re Request for a Letter of Support for Feasibility Study
- ii. Human Rights & Review (Kings Meadow Letter of Concern) (WHRM copied)
 - 1. Jan Fraser
 - 2. Janice Rhodes
 - 3. Susan Fraser
 - 4. Doug Fraser
 - 5. Jackie Doucet
 - 6. Wade Denny
 - 7. Jackie Davis
 - 8. Daphne Greer
 - 9. Blaise Fraser

- b. Out-going Correspondence Ledger as of September 12th, 2023
 - i. 2023-08-09 CRTC and Innovation Science and Economic Development Canada Re Poor Cellular Service (Sent via mail)

- 11. New Business
 - a) Tremain Crescent Flood Issues – Councillor Ivey
 - b) Flood Impact Report Questions - Councillor Ivey
 - c) Combined Sewer Overflow (CSO) Overland and into Water Courses – Requirement Notification – Councillor Ivey
 - d) Fresh Water Resources – Councillor Ivey
 - e) Municipal Encroachment – Councillor Ivey
 - f) Municipal Fees Review – Councillor Ivey
 - g) December Meeting Dates Decision Request – Clerk Snair
 - h) Planning and Heritage Advisory Committee Member Appointment – Clerk Snair
 - ~~i) Mariners Drive, Hantsport, Municipal Surplus Lands: PID 45275278 – Development Officer Burns~~
 - j) Public Works Truck Purchase Recommendation Report – Director Richard
 - k) Windsor-Falmouth Water Interconnection Design Recommendation Report (WHPW23-12) – Director Richard
 - l) Municipal Finance Corporation (MFC) - Fall 2023 Debenture – Director Rochon
 - m) Tax Collection Policy RCOFN-004.00 Amendment Recommendation Report – Director Rochon
 - n) Service Exchange Renegotiation & Municipal Government Act Review (SERMGAR) – CAO Phillips
 - o) POSSE Request – Councillor Jannasch
 - p) Morash Cattle Update (verbal) – Councillor S. McLean
 - q) MGA 22(2)(a) Legal Matter
 - ~~r) Avondale Boat Launch Update – Councillor S. McLean Item not discussed.~~

- 12. Public Participation Period

- 13. In-Camera
 - ~~a) MGA 22(2)(a) Legal Matter~~

- 14. Next Meeting Date / Adjournment – September 26th Council Meeting at 6 p.m.

1. **Call to Order** – Deputy Mayor Paul Morton called the meeting to order at 6:00 p.m.

2. **Attendance**
Council

Abraham Zebian, Mayor
Rupert Jannasch, Councillor Dist. 1
Scott McLean, Councillor Dist. 2
Mark McLean, Councillor Dist. 3
Jeff Hartt, Councillor Dist. 4
Debbie Francis, Councillor Dist. 5

Paul Morton, Deputy Mayor Dist. 8
Bob Morton, Councillor Dist. 6
Ed Sherman, Councillor Dist. 7
John Smith, Councillor Dist. 9
Laurie Murley, Councillor Dist. 10
Jim Ivey, Councillor Dist. 11

Staff

Mark Phillips, CAO
Carlie Rochon, Dir. Financial Services
Todd Richard, Dir. Public Works

Deanna Snair, Exec. Asst/ Clerk
Chris Burns, Development Officer
Sara Poirier, Dir. Planning and Development

Regrets

Shelleena Thornton, Municipal Operations Supervisor

Presenters/Public

Christine McClare – Region 6
Staff Sgt David Ferguson and Kyla Dow, RCMP
Oscar Urbina, Development Manager, Bear Lake Wind Project
Jennifer Daniels, Fire Smart

3. **Approval of the Agenda, including additions or deletions (6:03 p.m.)**

Voting for these items occurred by a show of hands.

Moved

- Item 11(i) up to item 7(e).

Additions to the Agenda

- Item 11(p) POSSE – Councillor Jannasch.
- Item 13(a) In-Camera MGA 22(2)(a) Legal Matter.
- J-Class Roads update will be provided within CAO's report.
- Morash cattle and the province.
- Avondale Boat launch update will be provided within the Capital update.

a) Dashboard Action Items – Information Log
Dashboard – Dangerous or Unsightly Premises – Information log

Discussion Points:

- For recording keeping purposes the letter seeking confirmation/clarity re: the Pisiqid Canoe Club and CCBF Funding and response received will be added to correspondence.

- Need to confirm items on the Dangerous or Unsightly Premises Dashboard. The Dashboard will be updated for the next meeting.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE 2023-09-12 COMMITTEE OF THE WHOLE AGENDA BE APPROVED AS AMENDED.
MOTION CARRIED**

4. Declaration(s) of Conflict of Interest (6:05 p.m.)

Mayor Zebian and Councillor Francis declared conflict on item 8(b) due to owning land.

5. Announcements (6:05 p.m.)

Deputy Mayor P. Morton acknowledged that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and that this land is governed by the treaties of Peace and Friendship signed in 1726.

6. Approval of Previous Meeting Minutes (6:06 p.m.)

a) 2023-07-11 Committee of the Whole Minutes

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT THE 2023-07-11 COMMITTEE OF THE WHOLE MINUTES BE APPROVED. MOTION CARRIED

7. Presentations

a) ERP Regulations and EPR Material Management Standards Information Report (6:06 p.m.)

Ms. McClare advised that Nova Scotia has announced new steps to reduce waste and promote awareness. The new program makes producers accountable for end-of-life management of their goods in an effort to improve recycling efforts and support waste reduction goals. Municipalities will have the option to choose to continue collections and be paid for the service (amount remains unknown) or refuse collections resulting in producers being responsible for collection and dealing with materials.

The presentation concluded at 6:21 p.m.

Discussion Points:

- Current collection and tipping fees were over \$300,000.
- It was estimated the municipality would be paid up to \$260,000 or not need to expend those funds once regulations were in place.
- Unsorted garbage remains problematic across the province. Communal collection areas were difficult to enforce (too many different users).
- Regulation goals were to decrease packaging.
- Under the new regulations producers will pay for packaging they create (garbage or compostable materials will cost more than fully recyclable materials).
- Overseas producers will be responsible for fees associated with their packaging.
- Service levels would remain unchanged (status quo).
- 80% of Canada already has some form of EPR.

b) RCMP Multi-year Financial Plan 2023-2029 Report and Recommendation (6:26 p.m.)

Staff Sgt. Dave Ferguson reviewed the presentation highlighting the Current Fiscal Year Projections (April 1, 2023-March 31, 2024), the 5 Year Financial Plan (2024/25-2028/29), costs allocations and projected costs in years to come.

Discussion Points:

- Costs associated with Ground Search and Rescue are built into Division Administrative costs (as emergency response teams/support services). Support services have their own budgets within the Div. Admin., these costs get billed back to each department. There are no additional costs incurred when these services are used.
- Vehicles taken out of service are not auctioned, resulting in no surplus monies returned to the municipality.
- 2024-25 budget was \$5.7 million, built into this contract were support service networks: tactical, major crime, homicide, other units, and emergency response team). No additional costs are incurred when these services are required to be used. Policing and ensuring adequate service levels have a cost associated with them.
- An in-depth review can be completed anytime in response to population growth; this determines if the current officer allocation was adequate. Currently, there were no concerns.

The presentation concluded at 6:50 p.m.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE IN PRINCIPLE THE RCMP MULTI-YEAR FINANCIAL PLAN FOR 2023-2029. MOTION CARRIED

c) Bear Lake Wind Project (6:50 p.m.)

Oscar Urbina, Development Manager reviewed the presentation which included introducing the team, project overview, work already completed, engagement sessions (both community and stakeholders), benefits and next steps. The proposed project (14-18 turbines generating up to 89 MW) was located in West Hants, with the majority being located on private land and a small amount on Crownland. An open house was held August 23, 2023 at the South West Fire Hall with over 50 people in attendance. A second open house was scheduled for September 19, 2023 from 2-7 p.m. Proposed benefits were local tax revenue, established committee for maximizing local and First Nation benefits, contract opportunities (First Nations and local community businesses/contractors), employment opportunities, increased spending for local community, electricity subsidy fund for homeowners within proximity of the project (this will be determined at a later date), establishing a community vibrancy fund to support local community organizations near the project and establishing a bursary fund to support local community members to train in the renewable energy industry (amounts will soon be shared publicly).

Discussion Points:

- Considering recent flooding, tower placement was being considered (expected this information would be available at the open house next week). In addition, specific roads were also being considered, as residents identified a desire to have upgrades done to these roads.

- The yet to be constructed Hydrogen and Ammonia facility was in Point Tupper. Electricity generated from the windfarm would be carried through the grid to Point Tupper.

The presentation concluded at 7:05 p.m.

d) FireSmart (7:05 p.m.)

Jennifer Daniels reviewed the presentation highlighting what the FireSmart program is, how individuals and communities can identify specific actions and upgrades they can take on their property to reduce wildfire risks and make properties FireSmart. Ms. Daniels provided a detailed description of actions homeowners can take and resources available to residents. As well she shared her experience fighting the Tantallon Wildfires and the impacts left on those directed impacted by the event. Ms. Daniels also encouraged Council to visit Chateau Village, as they were recently awarded a \$15,000 grant to become FireSmart. Council felt the presentation was very informative.

e) Mariners Drive, Hantsport PID 45275278, Municipal Surplus Lands Recommendation Report (7:31 p.m.)

Development Officer Burns reviewed the report highlighting that prior to the former Town of Hantsport dissolving, McCully Crescent and Mariner's Drive (and lots on these streets) were developed for a single and two-unit residential subdivision. The subdivision development has yet to be completed, as the additional lots and construction of dwellings are progressing under private ownership, resulting in PID 45275278 being owned by the municipality and yet to be deemed as surplus. The subject lot is zoned Multiple Unit Residential (R-3) on the zoning map of the Hantsport Land Use By-law, which provides the highest flexibility for residential development.

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE PROPERTY KNOWN AS PID 45275278 ON MARINERS DRIVE IN HANTSPORT, BE DEEMED AS SURPLUS PROPERTY AND THAT THE PROPERTY BE LISTED FOR SALE AT MARKET VALUE. MOTION CARRIED

8. Unfinished Business/Postponed Motions

a) Newport Rink Commission Information Report and Presentation Community (7:34 p.m.)

Director Rochon reviewed the report highlighting the request that consideration/confirmation be granted for the GFL Recreation Centre to assist with the cost of capital projects. Pre-approval would allow the Rink Commission to apply for additional funding opportunities and ensure funding was in place to support grant applications in a timely manner when federal and provincial funding is announced. The current request being made was for \$750,000 to support capital upgrades over the next five years. Projects not eligible to be funded through Canada Community Building Fund (CCBF) would need to have another funding source identified.

Discussion Points:

- The ice plant was eligible for CCBF funding. A thought was to fund the project as a whole vs spreading it out over the years (potentially saving time and money). If all the funding sources were in line and the project was able to be completed in one (1) fiscal year, the project would meet the criteria for CCBF.

- The Newport Rink Commission was looking for a level of assurance from the municipality.
- Over the years (as the board changes) conversations have occurred regarding the municipality assuming ownership of the rink (due to large financial requests made). The group and community have a lot of pride in the establishment of the rink and getting it where it is today.
- Concern was raised that when the election occurs, a new Council may or may not have the same level of support as what the current Council may choose as a commitment level.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS AND THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE ALLOCATION OF \$150,000 ANNUALLY FOR THE NEXT FIVE YEARS IN THE CAPITAL BUDGET TO SUPPORT CAPITAL UPGRADES TO THE GFL RECREATION CENTRE. MOTION CARRIED. Nays: P. Morton and Ivey

Mayor Zebian and Councillor Francis declared conflict and left the meeting at 7:45 p.m.

b) Payzant Drive Extension Conceptual Design Recommendation Report (7:45 p.m.)

Director Richard reviewed the report highlighting the request made to investigate a Payzant Drive to King Street connection in order to support continued residential development within the Windsor and Three Mile Plains growth centers. Proposals were requested from all four pre-qualified engineering consultants. This project was not approved in the 2023-24 Capital Budget. If approved, the cost after HST rebate will be \$20,726.59 and is being recommending being funded by the operating reserve.

Discussion Points:

- All four in-house standing consultant firms were approached, however only one bid was received. Concern was raised around the recent trend of only receiving a single bid.
- The bid will provide desktop options for connection locations (curvatures, access points). The connection creates additional challenges/technical components such as a rail line crossing, wetlands, storm water management, grade changes and connections to Route 14 to obtain an accurate Class D estimate.
- The infrastructure need assessment identified traffic lights were not warranted at this time, however with growth they could be added in the future. At this time a left turn lane was recommended.
- Traffic studies indicate that in certain situations this connection would be beneficial depending on what way the traffic was flowing. The Wentworth/Payzant roundabout was nearing the end of the detailed design phase. These connections are factored into this project.
- A suggestion was to tender the project as a whole and get a cost for building the road based on the length needed (design it and build it in one lump sum) similar to what the private sector does. This would provide a cost estimated based on the length of the road.

MOVED BY COUNCILLORS MURLEY AND B. MORTON THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD OF CONCEPTUAL DESIGN PROJECT OF PAYZANT DRIVE EXTENSION TO DESIGNPOINT ENGINEERING & SURVEYING LTD, FOR THE QUOTED

AMOUNT OF \$19,874.00, PLUS APPLICABLE TAXES. MOTION CARRIED.

Nays: M. McLean and P. Morton

A break occurred at 7:59 p.m. Mayor Zebian and Councillor Francis returned at 8:12 p.m. The regular meeting resumed at 8:12 p.m.

9. Reports

a) CAO's Report (8:12 p.m.)

CAO Phillips reviewed the report highlighting the past month's activities.

Highlights included:

- Meetings included: COTW, Council, UARB Hearing Re WHRM Municipal Boundary Review, NS Government/NSFM Service Exchange Agreement Updates, meetings with Dykeland Lodge Re: Student/Employment recruitment and retention, Operational Meetings regarding Sports Complex, Trails, Parks and Open Spaces, Economic Development, Capital Projects and Community Events, Rail to Trail Sub-Committee, West Hants Community Beautification Plan/project, Planning meetings (PAC/HAC, Pre-Application / Development Meeting for 411 King Street in Windsor, Brison Development Growth Meetings (Bi-weekly), Bear Lake Wind Energy Open House (SWH Fire Department), PIM 441 King Street, Windsor and MacLeod Court in Three Mile Plains, WTBA Strategic Planning Session, Flash Flood - Disaster Financial Assistance (DFA) and Insurance Related Meetings
- Windsor Garlic Festival occurred on September 16th, 2023.
- Hants County Exhibition on September 15-17th and 22nd-24th, 2023.
- An RFP for consulting services has been created to assist the department and municipality through the review and creation of the regional planning strategy (MPS and LUB). This item will be brought to Council for review and consideration once submissions have been received.
- Sarah Taylor accepted the position as the Human Resource Specialist.
- Dr. Fowler continues site assessment on the Municipal lands located near Fort Edward.
- There has been a slight increase in noise related complaints, specifically regarding commercial equipment / reefer trucks and target shooting or gun firing in areas of the former West Hants. With Council's direction staff will revisit the past draft and represent.
- Flash Flood - Disaster Financial Assistance (DFA) and Insurance Related Meetings
- July 21st /22nd Flash Flood Weather Events – Significant work continues for staff and the municipality as it relates to the events. Many meetings have occurred (RCMP and WHRM After Action Review (AAR) Meeting on August 9th, Nova Scotia Government / Public Alert Improvement Meeting on August 25th, Critical Response Session (Mental Health Awareness) on August 28th and 29th, WHRM EMO Response Hotwash / AAR on August 30th, WHRM Community Healing Session (s) on September 10th and September 20th, Hantsport / Chittick – Public Information Meeting on September 18th, Windsor / Stannus – Public Information Meeting on September 25th, Minas Energy Dam System – Public Information Meeting – TBD, NSPI Dam System – Public Information Meeting – TBD, Ongoing Infrastructure and Asset Assessment, Engineer Engagement to assess damage and guide repairs or upgrades and Disaster Financial Assistance (DFA) meetings.

Discussion Points:

Noise By-Law

Six (6) months have lapsed, the item can be reconsider.

- Previously concerns were related to manipulating times for quiet hours, etc. A suggestion was that Council send an email with their thoughts/concerns related to the By-law or have a separate session to determine these items.
- A suggestion was to look at a Peace and Good Order By- law (softer approach for regulations).vs a Noise Bylaw and see what comes back regarding regulations.
- Requesting confirmation on clarity related to whether a Noise By-Law trumps a Development Agreement. Supervisor Thornton Shelleena can confirm this information.
- The length of time it took for the item to appear before Council was a concern, if the item comes back it needs to return in a timely manner.
- Value in having the Noise By-Law shared again ahead of time to review again. One of the issues was the timing the by-law came into effect at night.

MOVED BY COUNCILLORS B. MORTON AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO REVISIT THE NOISE BY-LAW/PEACE AND GOOD ORDER. MOTION CARRIED. Nays: S. McLean and P. Morton

J-Class Road total funding was \$1 million dollars (equally shared between the municipality and the province). Deadline for the 2024-25 year was October 31, 2023. The municipality provides a list of roads in need of attention to the province who will determine what roads will have improvements made. No road improvements were expected to occur this year. Mayor Zebian advised depending on the service exchange negotiations (if the province passes legislation) the program may be cancelled.

b) Financial Update – Anticipated item will be presented at the Council meeting.

c) Capital Update Ending June 30, 2023 (8:37 p.m.)

Director Rochon reviewed the Capital report.

Discussion Points:

- Avondale Boat launch project will be pushed to the next construction season. A significant wetland was identified resulting in a shift in the process required to proceed. Consultants continue to work through the process.
- Would like to see projects as budgeted, tendered and actuals for completed projects, specifically the Hantsport Fire Station. The Capital report included projects in the 2023-24 Capital Budget, and any projects carried over from 2022-23. The Hantsport Fire Station was also included in the 2021-22 and 2022-23 Capital budget years. Concern was raised re: the extended timeline for the project, resulting in a request to see the project as a whole (from the beginning) to determine potential increased financial impacts on the “original” budget base.

- Want to see all fundraising efforts from beginning fundraising began and include current up to date information regarding the West Hants Sports Complex Fundraising efforts at the next meeting. Moving forward, a quarterly update be provided.
- Want to see total costs vs amount budgeted for Hantsport Fire Dept. (Everything to date vs the budget to build). Want a breakdown of items (ex: geotechnical, project award, etc.). Individual motions vs actuals and then a total for everything including all the extras (included in contingency).
- The Main Street, Hantsport project has been quoted and the contractor is ready to proceed. A recommendation report will be coming to Council at the next meeting.
- Riverview Road project was expected to begin next construction season. Information has been challenging to find, staff continue to work on design and water modelling for this project.

10. Correspondence (8:40 p.m.)

a. Information

1. Avon Causeway Activity Log received as of September 12th, 2023.
2. Current Correspondence Received Log as of September 12th, 2023. (Reviewed in groups of five (5)).
 - i. July 24 and August 14, 2023 from Denise Forand Re Questions around Cunnabel Creek.
 - ii. July 28, 2023 from Municipality of Kings County Re Flooding Event
 - iii. August 1, 2023 WHRM email to CCBF and their response Re Funding
 - iv. August 9, 2023 from Hants County Condominium Corporation Re Damages to Critical Infrastructure
 - v. August 9 and 11, 2023 from Virginia Deering Re Flooding #2 on Chittick Ave Hantsport with pictures.
 - vi. August 10, 2023 from UARB Notice of Approval Re 2023 Municipal Boundary Review
 - vii. August 25, 2023 from Jacqueline and Ryan Heffler Re Bus Transportation needed and response (WHRM copied)
 - viii. August 31, 2023 from MP Kody Blois Letter to Minister Morrow re Dyke Land
 - ix. August 14, 2023-08-14 from Hon. Greg Morrow response to Correspondence Re Fresh water resource for the Agricultural Community
 - x. September 9, 2023 from Darren Porter Re Water Test Results (Includes August 14th, 17th and 18th emails)
 - xi. September 6, 2023 from Pamela DeNicola Re Regarding agricultural land preservation and protection

Correspondence Re: Overflow Discussion Points:

- There is no switch that activates or ends overflows. The system is gravity flow, when levels rise in the pump station and cannot maintain capacity, it overflows to a separate chamber (CSO chamber) and then it outflows into Lake Pisiquid. Amounts, durations, and intensity of rainfall impacts the system. The pump (aid) used to lessen overflow severity and duration requires a person to manually set up, prime and start the pump.

- Operators on call receive overflow alerts via their phones, once a certain level is reached an alarm is activated. All alarms are logged on to the Supervisory Control and Data Acquisition (SCATA) system. Only employees operating or on call have access to SCATA system. Staff continue to work through false alarms and look for areas where improvements can be made. Director Richard will send confirmation regarding alarms for that night.
 - The pump is portable and mounted on a trailer. Due to storage capacity the pump may be stored at the Windsor Depo or the Hantsport Depo.
 - Overflows were mostly stormwater and were highly diluted. Normal regulatory requirements are 4:1, WHRM's combined sewer overflows were likely in the vicinity of 400:1, solids were a low component (minuscule).
 - Staff monitor systems in person as well as remotely.
 - Lift stations were highly maintained and operated. There is always ongoing maintenance with these.
 - The pump was added as a supplement/aid to assist with lessening the intensity and duration of any flooding.
3. Fort Edward Activity Log as of September 12th, 2023 – None (8:52 p.m.)
 4. Storm Wastewater Activity Log as of September 12th, 2023 (8:52 p.m.)
 - i. Peter Moore Re: Weather, Pump, Storm Water and Flooding (11 emails)

Discussion Points:

- The pump was activated at 10:15 a.m. and ran until 3 p.m. the next day (ran throughout the night).
- There is always room for improvements (automated components – floats, etc.), however the training speaks to life over property. During the July 22nd storm decisions were made based on this training and available resources (available and ability to get to the area) in addition to safety concerns; people were being told to stay off the roads.
- Moving forward the ask was improvements.

b) Requests (8:57 p.m.)

- i. 2023-08-10 West Hants Uniacke Community Health Board Re Request for a Letter of Support for Feasibility Study

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT A LETTER OF SUPPORT BE WRITTEN TO THE UNIACKE HEALTH BOARD IN SUPPORT OF THEIR REQUEST REGARDING A FEASIBILITY STUDY ON TRANSPORTATION ISSUES. MOTION CARRIED

- ii. Human Rights & Review (Kings Meadow Letter of Concern) (WHRM copied)
 1. Jan Fraser

2. Janice Rhodes
3. Susan Fraser
4. Doug Fraser
5. Jackie Doucet
6. Wade Denny
7. Jackie Davis
8. Daphne Greer
9. Blaise Fraser

Discussion Points:

- It was suggested that Council review the documents and court process/decision and determine next steps at the Council meeting in two weeks' time.

c) Out-going as of June 13, 2023 (8:59 p.m.)

- i. 2023-08-09 CRTC and Innovation Science and Economic Development Canada Re Poor Cellular Service (Sent via mail)

11. New Business

a) Tremaine Crescent Flood Issues Recommendation Report (8:59 p.m.)

Councillor Ivey reviewed the report highlighting the historic (previous years) and ongoing flooding occurring at 335 Tremaine Crescent and the increase in frequency and volume due to stormwater backing up at catch basins and culverts between 335 Tremaine and the pump house along the drainage ditch on the opposite side of the road. The report identified a faulty outflow pipe (near the pumphouse) as the cause of the issue. The pipe under the road had collapsed, requiring it to be repaired/replaced. This short-term fix resulted in little to no improvements in stormwater flows. The municipality needs to know what size culvert is needed to draw water away from the property and proceed to fix the problem.

MOVED BY COUNCILLOR IVEY AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS THAT COUNCIL DIRECT THE CAO TO ENGAGE STAFF IN A DEDICATED EFFORT TO OPERATIONALLY ADDRESS AND ENGINEER A SOLUTION TO RESOLVE THE ONGOING FLOOD ISSUES OCCURRING BETWEEN THE CULVERT AT 335 TREMAINE CRESCENT THROUGH TO THE CROSS-CULVERT AT APPROXIMATELY 369 TREMAINE CRESCENT THROUGH THE DRAINAGE DITCH WHICH LEADS TO TREGOTHIC MARSH. MOTION CARRIED.

Discussion Points:

- Identified as part of phase 2 of the Windsor Storm water management study (collecting data, identifying catchment areas, drainage areas, culvert sizes needed).
- The area was site specific (with the majority of water coming emptying into this ditch coming from back yards). However, Tregothic Marsh and tides as well as street water on King Street also influenced impacts on this area. Need to identify the catchment area.

- Likely to be a Capital project for a special type of box culvert. Staff would use a consulting service to confirm numbers and compare them with current Municipal Specs. Municipal roads have more storm water influences (catch basins, storm drains, sump pump connections that are also taken into consideration) compared to woods roads.
- Cleaning ditches was a good idea but would not alleviate the issue due to the land at a low grade (from the ditch to the Marsh land) and influenced by tides. When the tide is in, it blocks water from moving away from properties. Possible bigger solutions could be digging storm water ponds with pumps to provide capacity (hold the water during the storm and pump it out after the storm). The study will identify recommendations to consider.

b) Flood Impact Report Recommendation Report (9:14 p.m.)

Councillor Ivey presented a verbal report identifying questions that came after the July 22, 2023 Flood report presented to Council. Most of the questions correlated around municipal infrastructure, specifically the Community Centre flooding (cause and cost to fix it), the Canoe Club, Gray Street and other pieces of infrastructure damaged by the storm. Looking for insight/assessment into the type of damage, how it occurred and to what level. There was value in having this information moving forward.

CAO advised that the majority of WHRM infrastructures would require an engineer/firm to validate damages, repairs or requested upgrades (bridges vs culverts). The municipality has up to 2 (two) years to make any submissions). In looking at repairs or upgrades it is being done through the lens of “can we improve on it” rather than just fixing the issue. Areas will either be repaired to their previous status or upgraded with improvements if they qualify for funding under the Disaster Mitigation funding.

c) Combined Sewer Overflow (CSO) Overland and into Water courses – Requirement to Notify Recommendation Report (9:20 p.m.)

Councillor Ivey reviewed the report highlighting an increase in frequency and volume of overflow events occurring. The report also highlighted that combined sewer overflows were identified as the source for depositing debris and contents into Pisiquid River / Lake, along Victoria Park and residential areas in/near Cunnable Creek as well as within other low-lying flood-prone areas. There was value in taking a proactive approach and communicating when and where CSO’s have occurred and provide public communications advising of potential risks to health and the need to exercise caution in these areas until determined that the area is safe to enter.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF TO INITIATE COMMUNICATIONS FOLLOWING ANY COMBINED SEWER OVERFLOWS (CSO) OVER LAND OR INTO WATER COURSES THAT OCCUR WITHIN WEST HANTS REGIONAL MUNICIPALITY TO IDENTIFY TO THE PUBLIC THE NEED FOR CAUTION AND POTENTIAL RISK TO THEIR HEALTH IN THE AREA THE OVERFLOWS OCCURRED. MOTION CARRIED

Discussion Points:

- Information could be communicated using pictures (advising of an overflow or park is closed) and use simple wording.

d) Fresh Water Resources (9:23 p.m.)

Councillor Ivey advised Council he received information relating to studies that were completed from 1967-1969. The studies examined rock types and available water sources throughout the Annapolis Valley/Windsor areas and spoke of the importance of freshwater resources for irrigation, firefighting or potable water. The report also speaks to the aquifers in Three Mile Plains, Windsor and several located in Falmouth. There was value in knowing what additional water resources were available for the municipality to help mitigate dry summers, fires, irrigation, etc. Reports will be forthcoming and links to the online data will be shared.

Discussion Points:

- Correspondence received from the provincial Minister of Agriculture spoke of available funding sources to help find freshwater resources on or near agricultural properties that may be able to be extended or engineered for potential solutions.

e) Municipal Encroachment Recommendation Report (9:28p.m.)

Councillor Ivey reviewed the report highlighting an encroachment issue with the surveyed property boundary between the pre-existing municipal sidewalk and the private property at 494 King. The Municipality has a responsibility to ensure the private property boundaries are respected when construction or other work-related activities occur along the property boundaries of the properties.

Discussion Points:

- CAO advised discussions were underway with confidence that a resolution was pending.
- There was value in formalizing the process.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE WITH THE OWNERS OF THE ENCROACHED PROPERTY AT THE CORNER OF ALBERT AND KING TO ACHIEVE A MUTUALLY BENEFICIAL AND FAIR RESOLUTION TO THE ISSUE, WHETHER IT INVOLVES PURCHASE OF THE ENCROACHED LAND, OR AN EASEMENT OR ANOTHER MUTUALLY ACCEPTABLE SOLUTION. MOTION CARRIED

f) Municipal Fees Review Recommendation Report (9:32 p.m.)

Councillor Ivey reviewed the report highlighting a need for staff to review the fee schedule for services charged by the Municipality to ensure the basic fees we charge keep pace with the cost of providing services.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE PURPOSE OF UNDERTAKING A REVIEW OF THE WEST HANTS REGIONAL MUNICIPALITY FEES SCHEDULE FOR ANY CHANGES THAT COUNCIL SHOULD CONSIDER TO RETURN WITH A REPORT TO COUNCIL AT THE NOVEMBER 2023 COMMITTEE OF THE WHOLE MEETING.

Discussion Points:

- Concerns were raised around timing and the complexity and number of fees to review. Latitude was provided for staff to review the document further.
- Fees were generally based on covering costs (staff time, etc.). There may be value in exploring one off issues that develop vs reviewing all the fees as a whole. An example may be reviewing burial fees and tax statements.
- Tax certificate fees were different than tax statement fees, which usually cover a span of time. There was value in reviewing these two fees.

MOVED BY COUNCILLORS IVEY AND SMITH TO AMEND THE MOTION TO READ AS RECOMMEND THAT COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE PURPOSE OF UNDERTAKING A REVIEW OF THE WEST HANTS REGIONAL MUNICIPALITY FEES SCHEDULE FOR TAX STATEMENT FEES AND BURIAL FEES AND RETURN WITH A REPORT TO COUNCIL AT THE NOVEMBER 2023 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE PURPOSE OF UNDERTAKING A REVIEW OF THE WEST HANTS REGIONAL MUNICIPALITY FEES SCHEDULE FOR TAX STATEMENT FEES AND BURIAL FEES AND RETURN WITH A REPORT TO COUNCIL AT THE NOVEMBER 2023 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED. Nays: Smith

g) December Meeting Dates Discussion/Direction (9:42 p.m.)

Clerk Snair advised that as per policy the Committee of the Whole meeting for December was scheduled for December 12th and the Council meeting was scheduled for December 26th. Should Council wish to alter the meeting dates, staff were requesting direction to ensure proper notice for public was provided. Council's direction was for Committee of the Whole to be scheduled for December 5th at 6 p.m. and the Council meeting be scheduled on December 12th at 6 p.m.

h) Planning and Heritage Advisory Committee Member Appointment Recommendation Report (9:43 p.m.)

Clerk Snair advised that the Planning and Heritage Advisory Committee had a resident member vacancy. Three expressions of interest were received from Hantsport residents wishing to fill the vacancy.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPOINTS TIM CARR TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE FOR THE REMAINDER OF THE 2022-2024 TERM WHICH WILL FULFIL THE HANTSPORT REPRESENTATIVE MEMBER VACANCY. MOTION CARRIED.

i) Mariners Drive, Hantsport, Municipal Surplus Lands, PID 45275278 Recommendation Report
– Item was addressed earlier on the agenda.

j) Emergency Purchase of Equipment Plow/Salt Dump Truck and Brine Equipment Recommendation Report (9:44 p.m.)

Director Richard reviewed the report highlighting that truck #50 has significant engine failure, resulting in poor performance and reduced power. Estimated repair costs were expected to begin at \$20,000, with earlier indications implying that costs would likely be much higher and no guarantee that the engine may still fail. The equipment replacement was identified and approved in the 2023-24 Capital budget. Due to long delivery times and the importance of this truck/equipment being available for winter snow and ice control operations, staff were recommending the replacement qualify as an emergency purchase as per section 7.e.1. of the West Hants Municipal Procurement and Tendering Policy.

Discussion Points:

- There was value in seeing costs, availability, and timeline for a new engine vs a reconditioned engine.
- Concern was raised with a tandem truck on the streets, specifically the size of the truck and the narrow streets.
- Support was mixed, some were in favour of fixing the truck for the upcoming season and issuing a tender for the new truck, while others felt it was better to purchase a truck (especially if it was available) vs spending money on a repair with no guarantees.
- The ask of \$350,000 was all inclusive to have the truck ready for service this winter.
- Consensus was that more information was needed to make an informed decision. Item will return in two weeks' time with additional information.

k) Windsor/Falmouth Interconnection Design Recommendation Report (10:20 p.m.)

Director Richard reviewed the report highlighting the Water Main Interconnection between the Windsor Water Utility and West Hants Water Utility as a priority water infrastructure expansion project. The system interconnection will support regulatory redundancies required for the Falmouth Water Treatment Plant, without the requirement of raising existing dam levels within the French Mill Brook watershed. This interconnection will also have the capability for supplemental water supply to the existing Windsor Water Utility from the Falmouth Water Utility

with the planned design for a two-way infrastructure system and support continued residential and business development within the Falmouth, Windsor and Three Mile Plains growth centres.

Discussion Points:

- Ideally staff were looking to have detailed design completed over the winter and ready to start work for the next construction season.
- CBCL (knows the system, they have designed all the current systems) were the only one from the Standing Offer Consultants that submitted a bid. Consultants and resources were stretched resulting in less bids being received on all tenders.
- The interconnection would allow Windsor to supply Falmouth and vice versa if it was needed. This was one piece of the larger picture to ensure capacity and redundancy.
- Concern was raised that nothing was in place to ensure they would produce this project on time. CBCL was long overdue in producing the Storm Water Study report.
- A suggestion was to put the project out for tender over the winter in hopes of getting a faster and potentially less costly bid.

MOVED BY COUNCILORS SMITH AND MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVE THE AWARD DESIGN OF THE WINDSOR-FALMOUTH WATER MAIN INTERCONNECTION PROJECT AS IDENTIFIED IN THE 2023/24 CAPITAL BUDGET TO CBCL, WITH A TOTAL ESTIMATED DESIGN COST OF \$178,956.00, PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: S. McLean, M. McLean and Hartt

l) Municipal Finance Corporation (MFC) Fall Debenture 2023 Recommendation Report (10:38 p.m.)

Director Rochon reviewed the report highlighting the Municipal Finance Corporation offers favorable fixed lending rates for municipal capital purchases. To meet lending requirements a Temporary Borrowing Resolution (TBR) in the amount of \$680,579.65 for the rehabilitation of Highland and Churchill Avenue project and \$42,418 for purchase of Extrication Tools for Brooklyn Fire Department Station 1 is required, which needs Council and Minister approval. Approving this now would qualify the Municipality to take part in the Fall debenture call.

MOVED BY COUNCILLOR FRANCIS AND MAYOR ZEBIAN THAT COMMITTEE OF THE WHOLE RECOMMENDS TO COUNCIL THAT THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 5-YEAR DEBENTURE OF \$42,418 FOR PURCHASE OF EXTRICATION TOOLS FOR BROOKLYN FIRE DEPARTMENT STATION 1. MOTION CARRIED

m) Tax Collection Policy RCOFN-004.00 Amendment Recommendation Report (10:43 p.m.)

Director Rochon reviewed the report highlighting the proposed changes. The policy outlines guidelines for helping individuals with properties that are deemed unlivable/usable, as approved by Council. The amended policy reflects an alternative reporting method that will protect those residents and property owners' privacy in an already difficult time.

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL APPROVES THE TAX COLLECTION POLICY RCOFN-004.00 FOR THE WEST HANTS REGIONAL MUNICIPALITY AS PRESENTED AT THE SEPTEMBER 12TH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED. Nays: Hartt

n) Service Exchange Renegotiation & Municipal Government Act Review (SERMGAR) (10:45 p.m.)

CAO reviewed the SERMGAR. There has been no request for feedback from municipalities. However one of the key areas of concern and thought to have the most impact for the region were the Municipal Financial Capacity Grant (proposed changes were seen as a favourable), Roads (the new program would give the opportunity to participate in a 50/50 cost share, but once the work was done the municipality would assume ownership and responsibility for the road, shoulders, culverts, etc. or the second option was that if a road did not meet a standard, that road may be returned to gravel). 2:44

Discussion Points:

- Concerns were raised with the proposed changes to roads in the Service Agreement. If the legislation passed the J-Class Road funding program would no longer exist.
- J-Class Roads would either be paved by the Province or they could be turned back to gravel.
- If the Municipality owned the roads the costs associated with upkeep (maintenance, snow removal, etc.) would be huge and be the responsibility of the municipality.
- Although the province was not looking for feedback, there was value in Council sending an opinion on the subject.
- There was value in NSFMR recording their sessions so that every Council member had the opportunity to view the meetings.
- Due to the complexity of the topic (roads, mandatory payments, education) and the meeting being late, there was value in having additional information. The topic warranted further discussion; the item will be returned in two weeks' time.
- Mayor Zebian will recirculate the financial spreadsheet for all of Council prior to the next meeting.

o) POSSE (11:11 p.m.)

Councillor Jannasch wanted to determine a means to continue the conversation regarding POSSE. The feeling was that the motion made at the previous meeting was done without having all the information needed to make an informed decision.

Discussion Points:

- The referral to the Police Advisory Board provides an opportunity to further discuss what the group was looking for and to get RCMP feedback and determine if there was an acceptable way to move the project forward.
- There was value in having the feedback from the RCMP.

MOVED BY COUNCILLORS JANNASCH AND MURLEY THAT COMMITTEE OF THE WHOLE DIRECT COUNCIL TO REFER THE PUBLIC OUTREACH POSITION

**REQUEST BY THE POSSE GROUP TO THE POLICE ADVISORY BOARD.
MOTION CARRIED.** Nays: P. Morton

p) Morash Update (11:18 p.m.)

CAO advised that an email was sent on July 25th, 2023 to the Province (Sarah Turner and all the supervisors) advising that another complaint was received regarding Mr. Morash and the livestock and requesting a status update on the removal of the animals. No response was received from the province, it was felt that political pressure may provide more results. There is a member of the Fences and Arbitration Committee who may be able to move the conversation along. There was concern as the weather was changing and the animals would soon have limited options for food. CAO will follow up on the matter.

q) Legal Issue Update (11:21 p.m.)

CAO advised the municipal solicitor was exchanging information with the other party's solicitor (agreeing on submissions). No court date has been set yet, but a winter date was expected.

12. Public Participation (11:20 p.m.)

No members of the public were in attendance.

13. In-Camera

- a) MGA 22(2)(a) Legal Matter – Councillor S. McLean – Item discussed during the regular meeting.

**MOVED BY COUNCILLORS B. MORTON AND FRANCIS THAT THE MEETING
ADJOURN AT 11:25 P.M. MOTION CARRIED**

- 14. Next Meeting Date / Adjournment** – Next regular meeting will be September 26th, 2023 Council meeting, at 6 p.m.

Mayor Abraham Zebian

Deanna Snair, Municipal Clerk