



**SPECIAL Joint Council Meeting – Meeting Minutes
Town of Windsor & Municipality of the District of West Hants
December 18, 2017, 7:00 – 9:50 p.m.
Windsor Town Council Chambers, 100 King St., Windsor, NS**



ATTENDANCE

Windsor:

Anna Allen Mayor
Laurie Murley Deputy Mayor
John Bregante Councillor
Jim Ivey Councillor
Shelley Bibby Councillor
Louis Coutinho CAO
Janet Redden Planning Assistant/
Recording Secretary

West Hants:

Abraham Zebian Warden
Paul Morton Deputy Warden
Rupert Jannasch Councillor
Kathy Monroe Councillor
David Keith Councillor
Tanya Leopold Councillor
Debbie Francis Councillor
Jennifer Daniels Councillor
Randy Hussey Councillor
Cathie Osborne CAO

Regrets:

Shelleena Thornton Municipal Clerk

Regrets:

Robbie Zwicker Councillor

Public:

27 Members of the public

Paul LaFleche, Deputy
Minister – Transportation
and Infrastructure
Renewal

Dale Palmeter, Director of
Issues Management,
Treasury Board of Canada
Secretariat, Federal
Government

Colin Chisholm, Reporter
Valley Journal Advertiser

- 1. CALL TO ORDER** – Mayor Allen called the special meeting of joint council to order at 7:00 pm
- 2. APPROVAL OF AGENDA** (Additions/Deletions/Order) – No addition/deletions
- 3. MOVE THE MEETING TO AN IN-CAMERA SESSION** (Contract Negotiations – MGA - S. 22(2) (e)). Those in attendance for the in-camera meeting included both Councils, the CAOs for the Town of Windsor and the Municipality of the District Of West Hants, and the Planning Assistant/Recording Secretary of the Town of Windsor.

MOVED BY DANIELS/BREGANTE THAT AT 7:02 PM, THE MEETING MOVE IN-CAMERA TO DISCUSS CONTRACT NEGOTIATIONS AS PER THE MUNICIPAL GOVERNMENT ACT, S. 22(2) (e). MOTION CARRIED

4. MOVE THE MEETING OUT OF IN-CAMERA

MOVED BY FRANCIS/LEOPOLD THAT AT 8:17 PM, THE MEETING MOVE OUT OF IN-CAMERA. MOTION CARRIED

Following in camera discussions, the following motion was made:

MOVED BY FRANCIS/BREGANTE THAT THE JOINT COUNCILS OF THE TOWN OF WINDSOR AND THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS AMEND THE INTER-MUNICIPAL SERVICE AGREEMENT. THE AMENDMENTS INCLUDE:

UNDER WHEREAS

- **D. THEREFORE, THE COUNCILS OF WINDSOR AND OF WEST HANTS HAVE AGREED THAT THEY WISH TO SUPPORT THE CONSTRUCTION OF A RECREATIONAL AND CULTURAL FACILITY.**
- **H. REMOVE**

UNDER MANAGEMENT BOARD

- **6. THE MANAGEMENT AND ADMINISTRATION OF THE MUNICIPAL CORPORATION SHALL BE CARRIED OUT UNDER THE JURISDICTION OF A MANAGEMENT BOARD, WHICH SHALL CONSIST OF 6 MEMBERS COMPRISED AS FOLLOWS:**
 - **6.(c) REMOVE**
 - **6.(d) REMOVE**
 - **7. REMOVE THIRD BULLET**

UNDER ADMINISTRATION AND MANAGEMENT OF THE FACILITY

- **12. ON BEHALF OF WINDSOR AND WEST HANTS, AND ONCE THE COMPONENTS, SCHEMATIC DESIGN, AND BUDGET FOR THE CONSTRUCTION OF THE HOCKEY HERITAGE CENTRE AND THE PROPERTY HAVE BEEN APPROVED BY THE MUNICIPAL UNITS IN ACCORDANCE WITH SECTION 25 OF THIS AGREEMENT, THE MANAGEMENT BOARD SHALL MANAGE THE CONSTRUCTION, DESIGN AND IMPLEMENTATION PHASE OF THE HOCKEY HERITAGE CENTRE.**

MOTION CARRIED

MOVED BY MONROE/IVEY THAT THE JOINT COUNCILS OF THE TOWN OF WINDSOR AND THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS FURTHER AMEND THE INTER-MUNICIPAL SERVICE AGREEMENT TO RENAME THE MUNICIPAL BODY CORPORATE AND MAKE ANY OTHER NECESSARY CHANGES AS REQUIRED BY THE SOLICITOR. MOTION CARRIED

5. FEASIBILITY STUDY (REPORT) REVIEW – The following discussion was held.

Warden Zebian questioned why the Federal Government has not yet announced its support for any funding towards the Hockey Heritage project.

Mr. Palmeter explained an application was received by the Government of Canada under the New Build Canada Fund in April and very shortly thereafter, a decision was made to undertake a Feasibility Study the results of which were made available in November. It was indicated that there is no clarity yet on what the government would be supporting.

CAO Coutinho sought clarity on the \$3 million provincial contribution. He understood it was tied specifically to the culture and heritage portion of the facility.

Deputy Minister LaFleche responded by saying the original approval was tied to the culture and heritage piece. At that time there was no eligibility in the Federal program for a recreational facility. The rules changed about 10 months ago and now the Build Canada Program Small Communities Fund now includes eligibility for recreational facilities. That broadens the ability on the federal side. On the provincial side it was run through Communities, Culture and Heritage. Since then there has been further discussion at the treasury board and the flexibility has been broadened so the province is now willing to entertain a more flexible contribution between the museum and the recreational facility component of the project. While still waiting on a proposal, they will be more flexible than in the past.

Now that Expressions of Interest have been proposed, feedback was sought regarding the Provinces openness to now possibly look at a third option.

Deputy Minister LaFleche indicated the Province would be flexible and that the commitment is not tied to any particular fixed concept. This could include a refurbishment proposal, a proposal for a different location, or a proposal for different partners but it does have to follow the idea that it fits a "hockey related" theme. That's the provincial position. If it's federal support that is sought, you have to fit in with an existing federal program. Right now, the small communities program of Build Canada is the program the province tried to fit this project in. There is criteria that needs to be followed. The report commissioned with ACOA was to help navigate through that criteria and see what could be proposed. The federal government under that program will pay up to a third of the project and it would have to pass a business case muster (i.e. is the project viable?) on the federal side. There might be other federal programs that could be applied to. If targeting the Build Canada program, they may have different requirements and will have to work with Municipal Affairs.

Deputy Minister LaFleche indicated the Build Canada program is the only program with the April 1st deadline and felt that's the best program to get in on. The new upcoming programs are looking at greenhouse gas reductions, refurbishments, and environmental improvements on existing facilities and are not broadly flexible. This might be a "harder" fit with greater competition for the financial support.

Mr. Palmeter added it's important to distinguish the existing New Build Canada fund from the new upcoming 10 year infrastructure program. Dollars for the existing Build Canada fund have to be

allocated by April 1st. After April 1, a new 10 year infrastructure program will be launched. This program will address different priorities i.e. climate change initiatives, water, sewer. Recreation is a much smaller portion of it so it might be more difficult to apply for funding under the new program.

Deputy Minister LaFleche added there is a commitment from the province for \$3 million in funding and that this project is already approved by the provincial government to be included in their list that goes by April 1st to Build Canada.

Councillor Keith questioned whether any consideration is given to increase funding due to increased costs since the project was first proposed.

Deputy Minister LaFleche stated a case needs to be made for any additional money over and above the \$3 million from the Province. Right now there is a \$3 million commitment.

Mr. Palmeter added the requirements for federal approval have some criteria. To obtain approval there has to be "a level of confidence, degree of accuracy and appropriate level of contingency, proposed cost estimates, and project expenditure estimates should be current." When these estimates were prepared and by whom needs to be indicated. Identification of all funding sources and assurance that funding has been secured must be included.

Councillor Leopold indicated she supported an arena complex for the Town of Windsor and Municipality of the District of West Hants and was pleased with the amendments to the Inter-Municipal Agreement and moving forward. She doubted the claims of financial support in the original proposed project suggesting pledges were made but there was "no money" and, according to her understanding, she reported that the Municipality of the District of West Hants was the only municipal unit capable of borrowing money. CAO Coutinho responded indicating that her information is incorrect and that the Town of Windsor does in fact have the capability of borrowing funds. He further indicated that fundraising efforts by the Long Pond Society in the original proposal resulted in financial commitments both nationally and internationally.

Councillor Bibby questioned if the Inter-Municipal Corporation accesses funding from the Build Canada Fund if that precludes access to other federal funds. Mr. Palmeter responded by stating that under Build Canada any project is entitled to one third funding from the Government of Canada from all available sources. He added it's important to note that gas tax is considered a federal contribution so if you applied gas tax to an infrastructure project that you were seeking Build Canada funding for it would be reduced by the amount of the gas tax money used.

Councillor Ivey stated the province has committed \$ 3 million to the project and both the Municipality of the District of West Hants and the Town of Windsor have equally committed \$1 million for a total of \$5 million to date on a \$12 million project. Based on the fact that funding sources must be in place, he questioned whether the federal government would consider funding the project if there was a shortfall in overall funding for the project.

Mr. Palmeter indicated the Federal government requirements are far more stringent than the Province and typically the federal government is the last level of government to come in to any given project. All federal programs are about leveraging dollars. You have to have money to access federal money. He provided two examples (Halifax YMCA and East Hants Aquatic Centre) where in Halifax land was sold, a capital campaign was launched, funding was secured from Province and secured financing was arranged through the bank. They were successful in securing Federal funding. In East Hants, an area rate was levied for a number of years to raise money for their part of the contribution and they as well secured financing. Having demonstrated through the area rate they were able to pay down the loan, they received approval for additional funds from the Federal government.

Councillor Hussey questioned how to move this project forward based on the fact that they don't know who the players are. He suggested expressions of interest be received by end of January and to invite parties to come back with their complete proposals and how they will do fundraising. He suggested terms of reference be set the first week of January.

Mayor Allen suggested a subcommittee be set up to present to joint council. The purpose is to gather information only. She feels this would move this process along more quickly.

Warden Zebian wants to hear from the community and what it wants. It was suggested a public consultation be arranged for the first week of January 2018.

Mayor Allen spoke on community engagement and to the need to prepare for what information we are looking for. Terms of Reference must be drafted first followed by public engagement.

CAOs Coutinho and Osborne agreed establishing terms of reference are important as well as understanding what you will be asking the public and what the expectations from the public might be (i.e. what you are going to do with what you have learned).

MOVED BY MURLEY/DANIELS THAT STAFF DRAFT TERMS OF REFERENCE WITH THE INTENT OF CALLING FOR EXPRESSIONS OF INTEREST FOR THE HOCKEY HERITAGE PROJECT. MOTION CARRIED

The vote on the motion was 11 for, 3 against.

(Concern was raised by Councillor Leopold that the call for expressions of interest could make it difficult to meet the April 1 deadline for funding applications.)

Draft terms of reference will be presented to both Councils. The next Council meeting is January 9th for the Municipality of the District of West Hants and a Special Council Meeting will be advertised for the Town of Windsor to be held prior to Committee of the Whole meeting also on January 9th.

If both councils approve the terms of reference, the next step would be to get the committee to meet prior to the next joint council meeting.

This would give the two options presented a chance to provide a solid business case while not excluding any other options.

Comments were invited from those in attendance in the gallery.

Former Mayor Paul Beazley provided background on the original proposal. This was not simply a group of volunteers that didn't know what they were doing as suggested but rather representatives of the community. This started with himself as Mayor, Joe Seagram, MLA Chuck Porter and the Deputy Warden for West Hants was quickly invited. This was first presented to the provincial government by this group and as a result \$3 million was committed to in provincial funding. It was brought back to the councils resulting with a \$1 million commitment from West Hants and \$1 million commitment from the Town of Windsor. An additional \$1 million donation came directly from Kings Edgehill Board of Directors. At that point, there was \$3 million to get. The federal government, having stricter requirements, required that a municipal government be involved and that's why it came back to the councils. We have to celebrate our heritage and it's time to move the project forward.

Bill Kelly (former resident of Newfoundland and now Nova Scotian resident) spoke of the "freedom road" in Labrador and the efforts made to secure funding to make that a reality. Newfoundland had no money and so they worked together to hunt money down. He urged the Mayor, Warden and members of both Councils to work together and make the project a reality.

Robert Lindsay spoke on the quick public interest survey he generated to take into account public interest as he felt there hadn't been any public engagement up to that point. He stated "his personal interest changed when the business changed". He wants to know what the costs are and as the Councils owns the debt or the surplus but questioned what they are doing to build the business case. He also wanted to see more public engagement and more fundraising efforts. He thinks we need to build bigger. He cited a project of \$25 million. He feels the need to leverage other people in the community that have a hockey background or business background to assist but no one has ever asked for their assistance. He's looking for Council to be accountable and financially responsible.

Mitchell Brison spoke regarding the proposed two options and suggested the feasibility study favors, as does he, the Wentworth Road location. (Mayor Allen understood the results to be more of an even split.) He strongly supports the Wentworth Road location because people can see it, people can get to it and it has the amenities nearby and he believes the majority of the public feel the same.

6. ADJOURNMENT

MOVED BY DANIELS/MURLEY THAT AT 9:50 PM, THE SPECIAL JOINT COUNCIL MEETING BE ADJOURNED. MOTION CARRIED

Mayor

Warden

