

MUNICIPAL COUNCIL

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November 19, 2018

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Minutes of the **regular session of Municipal Council** held on **Monday**, November 19, 2018, at 10:00 a.m. in Council Chambers of the Municipal Administration Building, Annapolis Royal, N.S.

Present: Councillors Marilyn Wilkins, John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Timothy Habinski, Michael J Gunn, Wendy Sheridan, Martha Roberts, and Diane LeBlanc.

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, and other staff.

In accordance with *AM-1.2.3 Warden and Deputy Warden Policy*, the Municipal Clerk chaired the meeting and called it to order.

Re: Election of Warden

The Municipal Clerk asked for a motion to appoint a Scrutineer in case one is needed.

- ***Appointment of Scrutineer***

MOTION 181119.01 Greg Price Appointed as Scrutineer

It was moved by Councillor Gunn, seconded by Councillor Roberts, that Greg Price be appointed as Scrutineer to assist the Chair in the counting of the ballots for both the office of Warden and Deputy-Warden, as required. Motion carried unanimously.

- ***Nomination of Warden***

In accordance with the *AM-1.2.3 Warden and Deputy Warden Policy*, the Municipal Clerk called for nominations for the office of Warden.

- Councillor Fowler nominated Councillor Habinski for the position of Warden. Seconded by Councillor LeBlanc. Councillor Habinski accepted the nomination.
- Councillor Gunn nominated Councillor MacDonald for the position of Warden. Seconded by Councillor McNeil. Councillor MacDonald accepted the nomination.

The Municipal Clerk called three times for additional nominations and there being none, the Municipal Clerk announced that nominations were closed.

Candidates gave a brief speech to indicate why they were interested in holding the position of Warden for the Municipality of the County of Annapolis.

Ballots were cast in order of District 1 through to 11.

MOTION 181119.02 Election of Councillor Habinski as Warden

The Municipal Clerk declared, in accordance with *AM-1.2.3 Warden and Deputy Warden Policy*, that Councillor Habinski had been elected by his peers as Warden for the Municipality of the County of Annapolis, for a period of two years.

Warden Habinski presided in the Chair. He thanked council for their confidence in him in the past and going forward, and Councillor MacDonald for his candidacy and passion.

Re: Election of Deputy Warden

- ***Nomination of Deputy Warden***

In accordance with the *AM-1.2.3 Warden and Deputy Warden Policy*, the Warden called for nominations for the office of Deputy Warden

- Councillor Fowler nominated Councillor Roberts for the position of Deputy Warden. Seconded by Councillor Sheridan. Councillor Roberts accepted the nomination.

- Councillor LeBlanc nominated Councillor Morrison for the position of the Deputy Warden. Seconded by Councillor MacDonald. The nomination was accepted by Councillor Morrison.

The Warden called three times for additional nominations and there being none, the Warden announced that nominations were closed.

Councillors Morrison and Roberts gave a brief speech as to why they wish to hold the office of Deputy Warden of the Municipality of the County of Annapolis.

Ballots were cast in reverse order – District 11 through to 1

MOTION 181119.03 Election of Councillor Roberts as Deputy Warden

The Municipal Clerk declared, in accordance with *AM-1.2.3 Warden and Deputy Warden Policy*, that Councillor Roberts had been elected by her peers as Deputy Warden for the Municipality of the County of Annapolis, for a period of two years.

- ***Destruction of Ballots***

Councillor Gunn moved, seconded by Councillor LeBlanc, that the Clerk be authorized to destroy the ballots. Motion carried unanimously.

Re: Election of Nominating Committee

In accordance with Subsection 3.8 of *AM-1.3.5 Committees of Council Policy*, the Warden called for nominations for membership on the Nominating Committee.

- Councillor Roberts nominated Councillor Fowler to the Nominating Committee for a two year term ending November 30, 2020. Seconded by Councillor McNeil. Councillor Fowler accepted the nomination.
- Councillor Morrison nominated Councillor LeBlanc to the Nominating Committee for a two year term ending November 30, 2020. Seconded by Councillor Sheridan. Councillor LeBlanc accepted the nomination.
- Councillor Sheridan nominated Deputy Warden Roberts to the Nominating Committee for a two year term ending November 30, 2020. Seconded by Councillor by McNeil. Deputy Warden Roberts accepted the nomination.

MOTION 181119.04 Elected to Nominating Committee – Councillors Fowler, LeBlanc and Roberts

The Warden declared that Councillors Fowler and LeBlanc and Deputy Warden Roberts had been elected to sit with Warden Habinski as the Nominating Committee.

Additions to the Agenda *(to end of Agenda)*

Requests were made for the following items to be added to the agenda: under In-Camera, 4(A) MGA Section 22(2) (e) contract negotiations and under Additions/Deletions: 11(A) Bear River Water, (B) Update on Basinview, and (C) Internet.

Approval of the Agenda

Upon motion of Councillors LeBlanc and McNeil, the agenda was approved as amended. Motion carried unanimously.

Minutes

MOTION 181119.05 Minutes – Regular Session 2018-10-16

Councillor Fowler moved, seconded by Heming, that the minutes of the regular session held on October 16, 2018 be approved as circulated. Motion carried unanimously.

MOTION 181119.06 Minutes – Special Session 2018-10-18

It was moved by Councillor MacDonald, seconded by Councillor McNeil, that the minutes of the special session held on October 18, 2018, be approved as circulated. Motion carried unanimously.

MOTION 181119.07 Minutes – Special Session 2018-10-26

Councillor MacDonald moved, seconded by Deputy Warden Roberts, that the minutes of the special session held on October 26, 2018, be approved as circulated. Motion carried unanimously.

MOTION 181119.08 Minutes – Special Session 2018-11-01

It was moved by Councillor Fowler, seconded by Councillor Sheridan, that the minutes of the special session held on November 1, 2018, be approved as circulated. Motion carried unanimously.

In-Camera

Councillor LeBlanc moved, seconded by Councillor Heming, to meet in-camera from 10:31 a.m. until 11:55 a.m. in accordance with Sections 22(2) (a) acquisition, sale, lease and security of municipal property, (c) personnel, and (e) contract negotiations of the *Municipal Government Act*. Motion carried unanimously.

Addition to the Agenda

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, that the following be added to the agenda: 11(D) Invitation Letter to Sihong County, and (E) Letter of Representation for David Wang. Motion carried unanimously.

Business Arising from the Minutes

On October 16th the Municipal Solicitor was asked to report on whether Councillors that are appointed to, but are not on, a board of directors or making decisions are covered by the municipality's general liability insurance to attend. The Solicitor noted that if the appointment is only to attend, not to vote, they don't need liability insurance as they are just there as a liaison for information purposes and not part of the decision making process.

Re: Annapolis Valley Exhibition Society – Councillor Appointments – Lift from the Table

Deputy Warden Roberts moved, seconded by Councillor Gunn, that municipal council lift the following motion from the table for discussion: 'In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that, in the absence of proof of insurance, municipal council discontinue the councillor appointments to the Annapolis Valley Exhibition Society.' Motion carried unanimously.

MOTION 181119.09 Annapolis Valley Exhibition Society Councillor Appointments

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that, in the absence of proof of insurance, municipal council discontinue the councillor appointments to the Annapolis Valley Exhibition Society.'

Motion lost, 5 in favour, 6 against.

Re: Kings Transit Authority Council Appointment - Lift from the Table

It was moved by Deputy Warden Roberts seconded by Councillor MacDonald, that municipal council lift the following motion from the table for discussion: 'Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Macdonald, that municipal council consider councillor participation on the Kings Transit Authority Board.' Motion carried unanimously.

MOTION 181119.10 Kings Transit Authority Council Appointment Considered

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Macdonald, that municipal council consider councillor participation as a liaison to the Kings Transit Authority Board. Motion carried unanimously.

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, to add Kings Transit Liaison to the agenda and discuss at this time. Motion carried unanimously.

Re: Kings Transit Liaison**MOTION 181119.11 Kings Transit Authority Liaison**

In accordance with consideration given, Deputy Warden Roberts moved, seconded by Councillor MacDonald, that Municipal Council appoint a liaison to attend Kings Transit Board meetings. Motion carried unanimously.

Municipal Solicitor's Report

Re: Municipal Solicitor – A monthly report dated 14 November 2018 was circulated in the agenda package. Councillor Fowler moved, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Councillor Wilkins told council that it was good to be amongst them and thanked them for their continuing support, adding that she would not be returning after the lunch break.

LUNCH

The Warden declared a lunch break at 12:10 p.m., with all returning at 1:33 p.m. as previously noted, except for Councillor Wilkins and CAO Ferguson. Deputy CAO McInnis attended.

Councillor's Comments

District 3 – Councillor Fowler had nothing to report.

District 2 –Councillor MacDonald attended and laid a wreath on behalf of the Municipality at the Remembrance Day service at NSCC Middleton. He reported that the recent NSFMC conference was among the best he has attended, with great information, guest speakers and networking. Even the very last presentation was well attended. It was noticed that Annapolis County is bold, and he was proud to be a member of council. He also attended a Clean Foundation meeting in Yarmouth.

District 11 – Councillor LeBlanc attended a fund-raising supper at the Three Rivers Community Centre. She was pleased to attend an evening in Bear River recognizing Chief Carol Dee Potter. She was pleased that her whole family was able to visit her mother on her 95th birthday – a real surprise for her mother. She received a letter of thanks from Jack Stevenson for the clean up on Adam Drive.

District 6 – Councillor Morrison reported that the Annapolis Royal Branch library will be closed from November 21-23 and will reopen at their new location (former ARRA) on Friday, November 23rd at 10 a.m. The Clementsport Legion Children's Christmas Party takes place Sunday November 25th from 1-3 p.m. The Cornwallis Community Centre (Felker Hall) Christmas Breakfast takes place on Saturday December 8th from 8-10 a.m. There will be a Tupperware Bingo at the Waldeck-Deep Brook Lions Club on Saturday, December 8th at 2 p.m.

District 8 – Councillor Gunn attended a supper at the Forrester's Hall in Clementsvale, where there is another potluck this Saturday. The Western Region Stakeholder's Interaction Committee met in West Dalhousie and visited four different lots, each of which differed by about 10 years' growth, and it was very interesting to see the different stages of life and growth. He attended the celebration for Chief Carolee Dee Potter in Bear River, and having known her for 40 years, it was wonderful to see how she and her community have grown. The NSFAM conference was, as always, a great way to learn about what is going on in other districts around the province and connect with elected members and staff from other municipalities. On this very significant Remembrance Day, he was happy to join those gathered at the Clementsvale Cenotaph, then joined many in Caledonia for services at their school gymnasium and seniors' residence. He then attended in Bear River for a delicious roast beef supper at the Legion. This past weekend, he represented the County at the Annapolis Royal Volunteer Fire Department's annual banquet and awards night, joining Councillor McNeil in celebrating the achievement of these fine people who give so much of their time, energy and risk their own safety to ensure our own. Unfortunately there was no opportunity to bring greetings.

District 10 – Deputy Warden Roberts attended Remembrance Day ceremonies at Springfield and in Lawrencetown at COGS (which moved from fire hall to accommodate all the people). She attended a fund-raiser breakfast at Brickton Hall.

District 5 - Councillor Heming noted that the Granville Road Area Advisory Committee has held several meetings, holding a series of working sessions to educate locals, open to the area residents. The first talk will be at the Granville Ferry hall, 7 pm December 4th where Dr. Clifford Stanley, will talk about the pre-history of the area. The Warden and he addressed NSFAM, who, in turn, made a donation on their behalf to the Spencer House Seniors' Centre. On November 28th at Kings Theatre, there will be a showing of Climate Change and the Human Prospect, at 7:30 p.m., entrance by donation. Warden Habinski and Councillor Heming will lead discussion. One-day workshops on integrating climate change considerations into asset management are taking place on November 26th in Dartmouth and November 28th in Middleton. Cost is \$115.

District 9 – Councillor Sheridan attended the Remembrance Day service in Nictaux, and various other functions such as a craft fair, Lions turkey supper. Resident Estelle Adams turned 100 on November 22nd and she presented her with a certificate. She is aware of a donation of 120 wine glasses if anyone needs them – please contact Councillor Sheridan for more information.

District 4 – Councillor McNeil attended Remembrance Day ceremonies in Annapolis Royal and long service recognitions at the Annapolis Royal Volunteer Fire Department. Last night he attended *Burned:*

Wood the New Coal in Annapolis Royal, regarding the burning of biomass. A plant in Sheet Harbour chips the biomass and 90% is shipped overseas. He also attended the Bear River breakfast.

District 7 – Warden Habinski attended NSFM and most presentations are now online; and noted the opening keynote address was brilliant. The NSFM resolution process continues to evolve, with only 5 brought forward to the province at their request to reduce the number. The process is still evolving.

New Business

Re: NCS Network Consulting Inglisville Tower Agreement

MOTION 181119.12 NCS Network Consulting Inglisville Tower Agreement

It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, that the Warden and Clerk be authorized to sign the NCS Network Consulting Inglisville Tower Agreement. Motion carried unanimously.

Re: Dalhousie University Landscape Ecology Student Project – Councillor Heming reported that a group of students want to create a mapping strategy on multiple items from forestry to wildlife migration patterns. He has put them in contact with COGS.

Re: NSFM Donation to Spencer House – See Councillor Heming’s councillor comment.

Re: Dept. Lands and Forestry Proposed Harvest in Hardwood Hill Tupperville – Councillor Heming noted the November 7th letter from Randy Fredericks and other concerned citizens of the area, regarding the proposed harvest of plot AP068677-A, known locally as “Hardwood Hills” in Tupperville, who feel the cutting of this plot is counterproductive from ecological, cultural and economic perspectives. Councillor McNeil moved, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

MOTION 181119.13 Proposed Harvest Tupperville - Refer to Forestry Advisory Committee

It was moved by Councillor McNeil, seconded by Councillor Sheridan, to refer the Proposed Harvest in Hardwood Hill Tupperville to the Forestry Advisory Committee with the intention of considering additional appropriate action that is in line with Annapolis County Forestry Report 2018, Annapolis County Economic Development Strategy 2050, and the practice of the ‘triad of ecological forestry’ as outlined in the August 2018 report: *An Independent Review of Forest Practices in Nova Scotia* – also known as the Lahey Report. Motion carried unanimously.

MOTION 181119.14 Letter to Premier and Department of Lands and Forestry

Councillor McNeil moved, seconded by Councillor Fowler, to send letter to Premier Stephen McNeil, Minister Iain Rankin, Department of Lands and Forestry, and Deputy Minister Julie Towers, Department of Lands and Forestry, expressing council’s concern with the ‘systematic patch cut’ in proposed harvest plot AP068677-A and its impact on biodiversity including wildlife, ecosystem services including water storage, historic ad seasonal runoff, historic uses including traditional recreation, and local value-added economy. Motion carried unanimously.

MOTION 181119.15 Link to Lands and Forestry Website

It was moved by Councillor McNeil, seconded by Councillor Gunn, that staff put a link on the county website to Department of Lands and Forestry Harvest Maps Plan Viewer <https://nsgi.novascotia.ca/hpmv/> to provide a chance for public to provide input in a timely fashion. Motion carried unanimously.

Reports and Recommendations

Re: Committee of the Whole Recommendations 2018-11-13

- ***Letter to Sgt. Terry Miller***

MOTION 181119.16 Letter to Sgt. Terry Miller

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that municipal council send a letter of thanks to Sgt. Terry Miller for his service and on his recent retirement. Motion carried unanimously.

- ***Letter to Cst. David Fairfax***

MOTION 181119.17 Letter to Cst. David Fairfax

It was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that municipal council send a letter of thanks to Cst. David Fairfax for his service as he has been transferred. Motion carried unanimously.

- ***Letters to S/Sgt Hubbard, Sgt. Jamie Greene and Cst David Greene***

MOTION 181119.18 Letters to S/Sgt Hubbard, Sgt. Greene, Cst. Greene

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor MacDonald, that municipal council send letters of welcome to Staff Sgt Ed Hubbard, Sgt Jamie Greene, and Cst David Greene. Motion carried unanimously.

- ***S1 Solid Waste Management Bylaw Amendment – First Reading***

MOTION 181119.19 S1 Solid Waste Management Bylaw Amendment – First Reading

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, pursuant to the recommendation of Committee of the Whole, that municipal council give first reading to amend the *S1 Waste Management Bylaw* by adding Sub-section 4.9 and in Section 5.1.5 – removing ‘during special leaf collections’. Motion carried unanimously.

- ***Annapolis County Residential Property Assessment Clean Energy (PACE) Financing Program***

MOTION 181119.20 AC Residential Property Assessment Clean Energy (PACE) Financing Program

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Sheridan, that municipal council enter into a one-year service agreement with Clean Nova Scotia to administer the Annapolis County Residential Property Assessment Clean Energy (PACE) Financing Program. Motion carried, 8 in favour 2 against (Gunn)

- ***Village of Lawrencetown Reservoir Road Upgrade***
MOTION 181119.21 Village of Lawrencetown Reservoir Road Upgrade Gas Tax Funds from 2018-19
It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that municipal council move gas tax funds of \$30,000 to current year, 2018/19, to permit the Village of Lawrencetown to commence their Reservoir Road Upgrade in 2018. Motion carried unanimously.
- ***Annapolis Royal Volunteer Fire Department Request Release of Funds***
MOTION 181119.22 Annapolis Royal VFD Release of \$160,886.15 From Fire Services Reserve
Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that municipal council authorize a release of \$160,886.15 from the Fire Services Reserve to Annapolis Royal Volunteer Fire Department for the deposit on the tanker as requested on October 29, 2018. Motion carried unanimously.
- ***Basinview Centre***
MOTION 181119.23 Basinview Centre – Develop RFP
It was moved by Deputy Warden Roberts, seconded by Councillor Sheridan, pursuant to the recommendation of Committee of the Whole, that municipal council have the Chief Administrative Officer develop a Request for Proposals for marketing the Basinview Centre for full and optimal occupancy. Motion carried unanimously.

Correspondence

Re: Transportation and Infrastructure Renewal (October 10th) – of thanks for Council’s letter supporting the preservation of the chimney at the former Bridgetown Regional High School site. Deputy Warden Roberts moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Port Royal Legion Branch 21 (October 19th) – an invitation to attend their November 11th Service. It was moved by Councillor LeBlanc, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: Communities Culture and Heritage (October 25th) – of thanks for letters of support of the design and construction of the Bridgetown Artificial Track Complex, noting Council’s conditions are acceptable to the province. Councillor Fowler moved, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: Town of Annapolis Royal (October 31st) – of thanks for support of the 2018 Provincial Heritage Conference recently held in Annapolis Royal. It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: Wharf Rat Rally (email November 6th) – of thanks for support in promoting the 2018 Wharf Rat Rally. Councillor LeBlanc moved, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

Re: Canada-Nova Scotia Offshore Petroleum Board (email November 19th) – providing an update to BP Canada’s Scotian Basin Exploration Drilling Program. It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, to receive for information. Motion carried unanimously.

Re: Port Royal Legion Branch 21 (November 9th) – thanking the Municipality for supporting them by purchasing a wreath and providing a space for poppy sales. Councillor Gunn moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Lynn Mullen (November 12th) – providing feedback to an email received from Councillor MacDonald regarding local resources providing education, skills, networking and enjoyment in Annapolis County.

MOTION 181119.24 Refer Lynn Mullen Letter to the Cornwallis Park and Area Asset Review Committee

It was moved by Councillor Morrison, seconded by Councillor Gunn, to refer the November 12, 2018 letter from Lynn Mullen to the Cornwallis Park and Area Review Committee for consideration. Motion carried unanimously.

Re: Valley Hospice Foundation (November 1st) – of thanks for generous support and to announce the sod-turning on October 26th which will mark the start of construction. Councillor Fowler moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Additions

Re: Bear River Water – Councillor Gunn requested an update and direction regarding next steps.

Warden Habinski noted that the Municipality paid for the feasibility study as the Province said they would fully fund the project. Hearing the notion that the funding proposed is 1/3, 1/3, 1/3 is radically different. The Province made the proposal to us, they were prepared to release the funds. When other orders of government commit to funding, even if verbally, we need to follow up on it to ensure they will follow up.

MOTION 181119.25 Letter to Premier, MLA Re Bear River Water Extension and Visitor Centre

It was moved by Councillor Heming, seconded by Deputy Warden Roberts, to send a letter to Premier McNeil and MLA Wilson, to clarify the funding that they intend to use for the Bear River Water Extension and Visitor Centre, which they asked us to undertake; and requesting a response requested prior to November 30th. Motion carried unanimously.

Re: Update on Basinview – the Director of Municipal Operations provided an update on the ongoing testing on the pool at the Fundy YMCA.

Re: Internet – the Director noted that staff is meeting with Bell and NSPI regarding the make-ready plans for installation. Council would like to see an update on the county website as Mainland is not returning calls.

MOTION 181119.26 Internet Information Update

Councillor Sheridan moved, seconded by Councillor MacDonald, that the CAO have a conversation with Mainland Telecom Inc (MTI) regarding the provision of an immediate information update. Motion carried unanimously.

Re: Invitation letter to Sihong County

MOTION 181119.27 Letter of Invitation to Sihong County

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that a letter of invitation be sent to Sihong County. Motion carried unanimously.

Re: Letter for David Wang

MOTION 181119.28 Appoint David Wang as Special Representative of the Municipality of the County of Annapolis in Jiangsu and Zhejiang Provinces, China

Councillor Heming moved, seconded by Councillor Gunn, that Municipal Council appoint David Wang as a Special Representative of the Municipality of the County of Annapolis in Jiangsu and Zhejiang Provinces, China. Motion carried unanimously.

Adjournment

Upon motion of Councillors Gunn and LeBlanc, the meeting adjourned at 3:34 p.m.

Warden

Municipal Clerk