

Summary of Motions

June 16, 2020

Municipal Council

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Minutes of the regular **Municipal Council** meeting held on Tuesday, June 16, 2020, at 10:00 a.m., via ZOOM Teleconference.

Roll Call: District 1 – Bruce Prout, present
District 2 - John A MacDonald, present
District 3 - Wayne Fowler, present
District 4 - Burt McNeil, present
District 5 - Gregory Heming, present
District 6 - Alex Morrison, present
District 7 – Warden Timothy Habinski, Chair, present
District 8 - Michael J Gunn, present
District 9 - Wendy Sheridan, present
District 10 – Deputy Warden Martha Roberts, present
District 11 - Diane LeBlanc, present

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, and other staff (W. Atwell, A. Dunphy, S. McInnis, D. Ryan, D. Patterson)

The Clerk requested the following items be added to the agenda: Councillor Comments immediately following Minutes; under Late Additions Hillside Drive Water; under In-camera Section 22(2)f) litigation or potential litigation; and that the in-camera portion be moved to the end of the agenda.

Agenda Approval (Order of the Day)

Councillor LeBlanc moved, seconded by Councillor Sheridan, to approve the Order of the Day as amended. Motion carried unanimously.

Minutes

Re: Special Session 2020-05-15

MOTION 200616.01 Minutes 2020-05-15 Special

It was moved by Councillor Fowler, seconded by Councillor McNeil, to approve the minutes of the special session of council held on May 15, 2020, as circulated. Motion carried unanimously.

Re: Regular Session 2020-05-19

MOTION 200616.02 Minutes 2020-05-19 Regular

Councillor McNeil moved, seconded by Councillor MacDonald, to approve the minutes of the regular session of council held on May 19, 2020, as circulated. Motion carried unanimously.

Re: Special Session 2020-05-26

MOTION 200616.03 Minutes 2020-05-26 Regular

It was moved by Councillor Fowler, seconded by Councillor MacDonald, to approve the minutes of the special session of council held on May 26, 2020, as circulated. Motion carried unanimously.

Re: Special Session 2020-06-03

MOTION 200616.04 Minutes 2020-06-03 Special

Councillor McNeil moved, seconded by Councillor Heming, to approve the minutes of the special session of council held on June 3, 2020, as circulated. Motion carried unanimously.

Re: Special Session 2020-06-11

MOTION 200616.05 Minutes 2020-06-11 Special

It was moved by Councillor Fowler, seconded by Councillor Sheridan, to approve the minutes of the special session of council held on June 11, 2020, as circulated. Motion carried unanimously.

Councillor Comments

District 1 – Councillor Prout noted that things are going relatively smooth in his district, and he, along with everyone, hopes for an end to COVID-19.

District 2 – Councillor MacDonald referred to an on-line map and noted more than 35 kilometres of strand has been installed in District 2, and that crews are working in two areas of the county today.

District 3 – Councillor Fowler noted that people in District 3 are not wanting an electronic election in October.

District 4 – Councillor McNeil had nothing to report.

District 5 – Councillor Heming read from a prepared statement.

District 6 – Councillor Morrison read from a prepared statement.

District 7 – Warden Habinski noted during COVID-19 the cooperation and kindness in District 7 has been remarkable. This unprecedented situation has placed hardship on families, and grace and family spirit are appreciated.

District 8 – Councillor Gunn noted that a map is not a plan. He continues to hear from constituents regarding inequitable service provision on internet. He reports that while following guidelines for coronavirus, he questions – when this ‘staycation’ is going to end because people want to get back to work.

District 9 – Councillor Sheridan sent her congratulations to all graduates of 2020 and remarked how they have improvised celebrations. She is glad to see the bus running again, helping people trying to get back to new normal, and thanked them for being patient.

District 10 – Deputy Warden Roberts congratulated the classes of 2020, noting they have worked hard. She added that it is a shame they can’t celebrate the way they thought they would, but they are being creative in their celebrations and showing their pride. She thanked all essential service workers, those brave people who go to work and keep things open. She also wanted to congratulate and send a shout out to William McGill, a young man chosen as volunteer for Wish Telethon held in Kentville. He is an excellent community volunteer.

District 11 – Councillor LeBlanc noted that COVID-19 has presented some different times and challenges, which have been met to make the best of what we had. New hobbies, a time of creativity. Along with that, we think of the parents who were home with children, making sure that their education continued. They stepped up in this different world, using computers, and the kids are learning many other home skills. She commended all in Annapolis County and Nova Scotia for that dedication, if it was forced upon them. She is glad we have followed the rules and now we start to open up, with the bus back in service. Since yesterday she has had reports of bears in her district. Everyone is kept on their toes and are looking out for each other with patience and kindness. She has started making deliveries for the food bank. Congratulations to graduates of 2020 - graduates at many

levels of life are preparing for the next adventure. A phenomenal group of students, who will have a story for the rest of their lives.

Business Arising from the Minutes

Re: Annapolis County Barristers Association Lovett Library Grant \$2,460 (from May 26, 2020) – The CAO spoke with the Solicitor, who noted that an agreement has been in place for some time. When asked if the agreement could be altered, he suggested a lower amount might suffice in the digital age, noting these funds are used to keep documents and periodicals up to date.

AC Barristers Association Lovett Library Grant - \$2,460

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that municipal council approve a grant in the amount of \$2,460 to the Annapolis County Barristers Association (Lovett Library) in accordance with *AM-1.4.11 Community Contributions Grants Policy*.

Councillor Fowler moved, seconded by Councillor MacDonald, to amend the amount to \$500
Motion carried unanimously.

The question was called on the motion as amended to read:

MOTION 200616.06 AC Barristers Association Lovett Library Grant - \$500

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that municipal council approve a grant in the amount of \$500 to the Annapolis County Barristers Association (Lovett Library) in accordance with *AM-1.4.11 Community Contributions Grants Policy*. Motion carried unanimously.

MOTION 200616.07 Policy AM-1.4.11 Community Contributions Policy - Staff to Bring a Request for Decision to Amend

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that staff bring a request for decision to amend AM-1.4.11 Community Contributions Policy, to change the amount granted to the Annapolis County Barristers Association Lovett Library from \$2,460 to \$500. Motion carried unanimously.

Re: Fundy Dental Community Association Grant \$20,000 (from May 26, 2020) – Staff is still waiting to hear back from this group.

It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, that municipal council approve a grant in the amount of \$ 20,000 from the 2020-21 Large Capital Pledge Grants to the Fundy Dental Community Association to assist with their “Building Healthy Smiles – Fundy Dental Community Project 2020 Capital Project Campaign” in accordance with *AM-1.4.9 Community Grants Policy*.

Councillor LeBlanc moved, seconded by Deputy Warden Roberts, to amend the motion to change the amount from \$20,000, to \$2,000. Motion lost, 4 in favour, 7 against.

It was moved by Councillor Fowler, seconded by Councillor MacDonald, to defer the motion to July Council in order to get more information. Motion carried unanimously.

Councillor Gunn moved, seconded by Councillor Sheridan, that the group be asked to present at July Committee of the Whole. Motion carried unanimously.

New Business

Re: Transportation and Infrastructure Renewal Notice of Acceptance - Cost Shared Program for Paving of Subdivision J-Class Streets for 2020-21

MOTION 200616.08 TIR Cost-Shared Program for Paving of Subdivision J-Class Streets Approve

It was moved by Councillor Gunn, seconded by Councillor Morrison, to authorize the Warden and Clerk to sign the Notice of Acceptance for the cost estimates of the projects listed (Cross street, Pecks Hill Road, Session Street, Tupper Street, Upper River Road) for the fiscal year 2020-21 and to proceed with construction as per the terms of Agreement 2018-01. Motion carried unanimously.

Re: Municipal Affairs and Housing ICIP Project 05-18-0053 Water Distribution System Upgrades Amending Agreement (Extension) (Also Late Addition Item Hillside Drive Water)

MOTION 200616.09 ICIP Project 05-18-0053 Water Distribution System Upgrades Amending Agreement (Extension)

Deputy Warden Roberts moved, seconded by Councillor Gunn, to authorize the Warden and Clerk to sign an amending agreement for an extension to Project 05-18-0053 Water Distribution Upgrades.

The CAO read a letter from Annapolis Royal, which was replying to April 21, 2020 Nova Scotia Utility and Review Board correspondence.

The Question was called on the motion.
Motion carried unanimously.

Re: Black Mi'kmaq of Delaps Cove Request Proclamation – A request was received to proclaim the unique culture, history and community of the Black Mi'kmaq of Delaps Cove by proclaiming June 16th as Black Mi'kmaq Day. A copy of *AM-1.2.5 Declaration of Proclamations Policy* was also circulated.

MOTION 200616.10 Proclaim June 16 as Black Mi'kmaq Day in the County of Annapolis
It was moved by Deputy Warden Roberts, seconded by Councillor Heming, to proclaim June 16th as Black Mi'kmaq Day in the County of Annapolis. Motion carried unanimously.

Re: AM-1.2.5 Declaration of Proclamations Policy

MOTION 200616.11 AM-1.2.5 Declaration of Proclamations Policy – Staff to Bring a Request for Decision to Amend

Deputy Warden Roberts moved, seconded by Councillor Heming, that staff prepare a Request for Decision to amend *AM-1.2.5 Declaration of Proclamations Policy* to add June 16th as Black Mi'kmaq Day in the County of Annapolis. Motion carried unanimously.

Re: RFD Disbursement of Bridgetown School Trust Funds

MOTION 200616.12 Disbursement of Bridgetown School Trust Funds - \$8,815

It was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that municipal council approve payments totalling \$8,815 from the School Trust bank account to:

1. Bridgetown Regional Community School for disbursement of student prizes on Graduation of \$4,095 and \$920 for programs as per fund directives; and
2. \$3,800 to be available to disburse to educational institutions upon request of scholarship/award recipients. Motion carried unanimously.

Reports and Recommendations

Re: 2020 Municipal Election – A report dated 2020-06-10 from Municipal Returning Officer Doug Patterson was circulated in the agenda package.

Deputy Warden Roberts moved, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Re: Committee of the Whole (June 9, 2020)

- ***Vendor on Municipal Property Tom's Cool Bus***

- MOTION 200616.13 Vendor on Municipal Property Tom's Cool Bus - Approve**

- In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that municipal council conditionally approve the application submitted for Tom's Cool bus and authorize the Clerk to issue a permit for the 2020-21 fiscal year pending all bylaw requirements are satisfied in accordance with *S6 Commercial Activity on Municipal Property Bylaw* and that current restrictions are lifted on municipal parks due to the COVID-19 pandemic, specifically the Annapolis River Causeway Park; and, in addition, that any new park guidelines that are implemented are adhered to including customer wait lines, cleaning, and availability of hand sanitation, etc. Motion carried unanimously.

- ***AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy – Amend***

- MOTION 200616.14 AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy - Amend**

- Deputy Warden Roberts moved, seconded by Councillor Morrison, in accordance with seven-day notice having been given, that municipal council amend *AM-1.2.1 Remuneration and Allowances for Warden, Deputy Warden and Councillors Policy* by deleting section 3 and renumbering subsequent sections. Motion carried unanimously.

- ***AM-2.1.4 Vacation Leave Policy – Amend***

- MOTION 200616.15 AM-2.1.4 Vacation Leave Policy - Amend**

- Pursuant to seven-day notice having been given, it was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that municipal council amend *AM-2.1.4 Vacation Leave Policy* by deleting the current wording in sub-section 6.2 and replacing with the same wording that is in the current CUPE Agreement for vacation rates. Motion carried unanimously.

- ***C8 Alternative Voting Bylaw – First Reading***

- MOTION 200616.16 C8 Alternative Voting Bylaw – First Reading**

- Deputy Warden Roberts moved, seconded by Councillor Macdonald, pursuant to the recommendation of Committee of the Whole, that municipal council give first reading of their intent to approve *C8 Alternative Voting Bylaw*. Motion carried, 10 in favour, 1 against.

- ***Miscellaneous Utility Capital Request***

- MOTION 200616.17 Miscellaneous Utility Capital Request**

- In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that municipal council approve the following funding sources for ongoing repairs and upgrades to county utilities:

\$20,000 County Wastewater Reserve;
\$15,000 Bridgetown Wastewater Reserve;
\$25,000 County Water Reserve; and
\$5,000 Bridgetown Water Reserve.

Motion carried unanimously.

Re: Questionnaire to County Residents

Fowler Gunn – to add

MOTION 200616.18 Questionnaire to Residents Regarding Method of Election

Councillor Fowler moved, seconded by Councillor Gunn, that municipal council send a questionnaire to Annapolis County residents to ask if they want a paper vote, electronic vote or a hybrid. Motion lost, 2 in favour, 9 against.

In-Camera

It was moved by Councillor McNeil, seconded by Councillor LeBlanc, to meet in-camera from 11:48 a.m. until 12:29 p.m. in accordance with Section 22(2)(f) litigation or potential litigation of the *Municipal Government Act*. Motion carried unanimously.

Adjournment

Upon motion of Councillors McNeil and Fowler, the meeting adjourned at 12:33 p.m.

**Direction of the Minister
under a Declared State of Emergency**
(Section 14 of the *Emergency Management Act*, the *Municipal
Government Act*, and *Halifax Regional Municipality Charter*)

During the Provincial State of Emergency declared on March 22, 2020, and under the authority provided to me in Section 14 of the *Emergency Management Act*, in addition to any other directives I have issued, and as Minister of all municipalities, I direct all municipalities and villages in the Province, including the Halifax Regional Municipality, to:

1. **Effective at 2 pm on March 22, 2020**, discontinue holding their meetings in person, instead only virtual meetings may be held by video or telephone. Those virtual meetings must be recorded, and the minutes posted on a public website within 24 hours of the meeting.

Despite this direction, municipalities and villages are still authorized to continue making other operational decisions especially those required for service delivery.

Please note that these directions are in addition to any requirements established in a Medical Officer's order under the *Health Protection Act*.

A failure to comply with this direction could result in a summary conviction with fines between \$500 to \$10,000 for individuals and up to \$100,000 for a corporation per incident.

This direction will remain in place for the duration of the Provincial State of Emergency unless it is terminated in writing by me earlier.

Dated March 22, 2020.



Hon. Chuck Porter
Minister of Municipal Affairs and Housing