

Minutes of the regular Committee of the Whole meeting held on Tuesday, January 12, 2021, at 10:00 a.m., at the Annapolis Basin Conference Centre, in accordance with the Direction of the Minister under a Declared State of Emergency (*see attached*)

Roll Call: District 1 – Bruce Prout, present
District 2 - Brian “Fuzzy” Connell, present
District 3 – Alan Parish, Warden, present
District 4 – Clyde Barteaux, present
District 5 – Lynn Longmire, present
District 6 – Alex Morrison, present
District 7 – David Hudson, present
District 8 – Michael Gunn, Deputy Warden, present
District 9 – Wendy Sheridan, present
District 10 – Brad Redden, present
District 11 – Diane Le Blanc, present

Also Present: A/CAO Louis Coutinho; Municipal Clerk Carolyn Young; other staff (W. Atwell, D. Campbell, A. Dunphy, S. McInnis, H. Orde, C. Mason).

Warden Parish introduced the Acting Chief Administrative Officer, Louis Coutinho.

Additions to Agenda

Councillor Morrison requested to add, under Late Additions: Treatment of Correspondence
Councillor Barteaux requested to add, under Late Additions: Granville Ferry Sidewalk Winter Maintenance

Approval of the Agenda (Order of the Day)

It was moved by Councillor LeBlanc, seconded by Deputy Warden Gunn, to approve the agenda as amended. Motion carried unanimously.

Minutes

- 2020-12-08 Regular Part I

Councillor Hudson moved, seconded by Councillor Connell, to approve the minutes of the regular meeting of Committee of the Whole, Part I, held December 8, 2020, as amended on page 2 of 7 under the Warden recap to change ‘*can*’ to ‘*can’t*’. Motion carried unanimously.

- 2020-12-11 Regular Part II

It was moved by Councillor Longmire, seconded by Deputy Warden Gunn, to approve the minutes of Committee of the Whole, Part II, held December 11, 2020, as amended on page 7 of 12, second paragraph, to insert after Privacy rules ‘*and council had to follow to see its own documents*’. Motion carried unanimously.

Business Arising from the Minutes

Re: Visit to Basinview Centre as Part of Workshop (from 2020-12-08) – the Director of Municipal Services noted the final consultant report was received last week. The consultants will prepare an “options analysis” for council to discuss at a workshop. Staff can host a workshop in February.

- *Basinview Tour*

It was the consensus for Councillors to meet Director McInnis and CAO Coutinho at Basinview Centre on Thursday, January 28th, at 10:00 a.m., for a tour of the Basinview building. S. McInnis will confirm a tour of the YMCA following and confirm to council next week

- Basinview Workshop

A workshop was set for February 24th at 10

New Business

Re: Fundy YMCA Invitation – from CEO Yvonne Smith to visit and tour the Fundy YMCA. The CAO will contact Ms. Smith regarding a visit following the tour.

Business Arising from the Minutes (cont'd)

Re: AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy (from 2020-12-08)

It was moved by Councillor Longmire, seconded by Deputy Warden Gunn, that staff bring an amendment to February COTW. Motion carried unanimously.

Re: Directions to CAO (from 2020-12-11)

The Warden withdrew this item as he had originally requested it.

Re: 2020-11-30 Response from CAO to Warden Re Directions to CAO (from 2020-12-11)

Deputy Warden Gunn moved, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

New Business (cont'd)

Re: RFD AM-1.3.5.1 Audit Committee Policy – Amend

It was moved by Councillor Redden, seconded by Deputy Warden Gunn, that seven day notice be given for municipal council to amend AM-1.3.5.1 Audit Committee Policy by adding Section 3(i):

(i) Reviewing the hospitality annual summary report by October 31st of each year.

Motion carried unanimously.

Re: 2020-12-16 NCS Managed Services Open Access Network – Providing a background an update on the internet service they provide.

Councillor Barteaux suggested that this letter be included for information/discussion at the February 2nd workshop.

Discussion occurred regarding workshops versus Special Committee of the Whole, and the intended content of the February 2nd workshop.

Councillor LeBlanc moved, seconded by Councillor Barteaux, to add 'Internet' to the February 2, 2021 Workshop called for 'Mainland Litigation'. Motion carried unanimously.

Re: 2020-12-16 Bridgetown Community Recreation Association – requesting municipal council to forward the unused 2020 pool grant of \$8,659 as funded from the Bridgetown Community Rate.

Declaration of interest

Councillor Hudson declared an interest in this matter because he is the Treasurer for the Association. He left the room and did not take part in any discussion or subsequent motion.

It was moved by Councillor Connell, seconded by Deputy Warden Gunn, to request a staff report on what is left in that pot of money and an overview of how the monies are dispersed in the community of Bridgetown, to come to February COTW. Motion carried unanimously.

Councillor Hudson returned to the meeting at 10:57 a.m.

Re: RFD 20-21 MFC Hillside Drive Short Term Borrowing Renewal

Deputy Warden Gunn moved, seconded by Councillor Hudson, to recommend that municipal council authorize the Warden and Clerk to sign the Renewal of Temporary Borrowing Resolution for the Hillside Drive Water Line Addition. Motion carried unanimously

Re: RFD 20-21 MFC TBR Gordonstoun Renewal

It was moved by Deputy Warden Gunn, seconded by Councillor Morrison, to recommend that municipal council authorize the Warden and Clerk to sign the Renewal of Temporary Borrowing Resolution for Municipal Land and Building. Motion carried unanimously.

Re: RFD 20-21 RFD RBC Internet Short Term Borrowing Renewal

Deputy Warden Gunn moved, seconded by Councillor Longmire, to recommend that municipal council authorize the Warden and Clerk to sign the amended Loan Note (Facility 4) with the Royal Bank of Canada (RBC) to renew short term borrowing for the internet project. Motion carried unanimously.

Re: COVID-19 and Presenters – Councillor LeBlanc noted we have been trying very hard to do the proper things that need to be done during COVID. We are not out of COVID, and have to follow the direction of Department of Health. This concern arises from the December Council session – she was unaware that two people would be here from central zone. Restrictions had been placed on central zone at that time. Had she known of their attendance, she would have requested their attendance by zoom. This is a concern for everyone here. She has an aging mother, grandchildren, and constituents. Others have medical conditions, we should be aware if we are going to be put in such situation. Opinion is that from here forward, we need to follow the rules.

It was moved by Councillor LeBlanc, seconded by Councillor Prout, to recommend to municipal council that from today, if any presenters are coming from outside of the county, all council members should be made aware of it.

Councillor Prout moved, seconded by Councillor LeBlanc, to amend the motion by adding that if we find ourselves in the future in a position where travel in the province or any zone is restricted, then we should follow that protocol. Motion carried unanimously.

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

It was moved by Councillor LeBlanc, seconded by Councillor Prout, from today, to recommend to municipal council that if any presenters from outside of the county, all council members should be aware of it; and if we find ourselves in the future in a position where travel in the province or any zone is restricted, then we should follow that protocol. **Motion lost**, 5 in favour, 6 against.

Re: RFD Belle Drive Streetlight

Deputy Warden Gunn moved, seconded by Councillor LeBlanc, to recommend that municipal council direct staff to proceed with contracting Black and McDonald to supply and install one 54W LED light fixture on an existing wooden utility pole as per their proposal #21U-019 dated December 21, 2020, for the price of \$1,673 plus HST. Motion carried unanimously.

Re: Margaretsville Water Supply Update – a Memo dated 06-01-2021 (January 6th) was circulated by the Director of Municipal Services, providing background on the issue and a water hauling summary. It was moved by Councillor Connell, seconded by Deputy Warden Gunn, to receive for information. Motion carried unanimously.

Re: Queen Street Design Review – a Memo dated 06-01-2021 (January 6th) was circulated by the Director of Municipal Services, providing a background for the Queen Street Reconstruction. This was developed as a ‘shovel-ready’ project in case funding became available. If funding becomes available, the project would have to come before council for a decision.

Deputy Warden Gunn moved, seconded by Councillor Barteaux, to receive for information. Motion carried unanimously.

Re: Council/COTW Meeting Location – S. McInnis had staff investigate locations in Bridgetown as meeting space. Three locations were considered: Adaptations had too many posts; the Bridgetown Firehall is too small. The Legion has lots of room, separate doors for in and out, and is available. AV equipment can be left set up as long as there are no other bookings in between meetings. He is recommending this location for upcoming workshops and meetings.

It was the consensus that after the January council meeting, all meetings be moved to the Bridgetown Legion, located in Jeffrey Street.

Re: RFD Bear River Greenhouse Extension

Deputy Warden Gunn moved, seconded by Councillor Hudson, to recommend that municipal council extend the closing date referred to in the January 8, 2016 Bear River Greenhouse and Water Fronts community purchase and sale agreement from December 15, 2020 to March 31, 2021. Motion carried unanimously.

Re: Rescind Motion 201215.03 to Terminate CAO John Ferguson

Councillor Prout moved, seconded by Councillor LeBlanc, to recommend that municipal council rescind motion 201215.03 to terminate CAO John Ferguson.

The Warden ruled motion out of order. Roberts Rules of Order states that actions that cannot be rescinded ‘when a person has been expelled from office and the person was present or has been officially notified of the action’.

Councillor Prout moved, seconded by Councillor LeBlanc, to appeal the decision of the Chair.

The Warden noted that Roberts Rules of Order state that each person can speak once to the appeal, the Chair twice. Discussion is on whether the ruling is correct or not.

Councillors Morrison, LeBlanc and Redden made comments.

The Question was called on the motion to appeal. **Motion lost**, 3 in favour, 8 against.

Re: NS EMO Mayors and Elected Officials Training – Reschedule - D. Campbell noted that this joint training with the Town of Annapolis Royal and the Town of Middleton had been booked for December 15th and did not occur. Mr. Mitton is available most evenings except Wednesdays. Both Towns have indicated they are available on Tuesday, January 19th, Thursday, January 21st, and Tuesday, January 26th.

It was moved by Councillor LeBlanc, seconded by Deputy Warden Gunn, to recommend that municipal council book NS EMO Mayors and Elected Officials Training on Tuesday, January 26th, at 7:00 p.m. via Zoom. Motion carried unanimously.

Re: Re-Opening of Office to the Public / Employees in Offices – The CAO noted he has been having conversations with senior staff and will continue those to determine what is most practical to ensure accessibility to the public at the office. The Warden added that he would like to have the door unlocked at the main office in Annapolis Royal, so that people can enter and actually speak to the receptionist. Appointments will still have to be made ahead in order to meet with a specific staff person in order to ensure the safety of all by having all COVID protocols in place. Signage for masks and sanitizing will remain in place. The CAO wants to ensure it is all done properly and will consult further with senior staff.

Re: Plexiglas Barrier Installation in Lawrencetown Office – included in above discussion.

Re: Heritage Certificate Project Report – Provided by Linda Bent in response to a motion requesting same. A. Dunphy gave a brief overview of the report, noting that the Heritage Advisory Committee does not have a budget, its only purpose is to review applications for registration as a municipal heritage property and to review requests for alterations to already-registered properties. The minimum cost for the certificate project would be \$24,000 - \$93,000.

It was moved by Councillor Sheridan, seconded by Councillor Barteaux, to receive for information. Motion carried unanimously.

Lunch

The Warden declared a lunch break from 12:06 p.m. – 12:57 p.m., with all returning as previously noted.

Departmental Reports

Re: Community Development (December)

Deputy Warden Gunn moved, seconded by Councillor LeBlanc, to receive the December Community Development report for information. Motion carried unanimously.

Re: Protective Services

- Monthly Report (December)

It was moved by Councillor LeBlanc, seconded by Deputy Warden Gunn, to receive the Protective Services December report for information. Motion carried unanimously.

- Britex Report

Deputy Warden Gunn moved, seconded by Councillor Longmire, to receive the Britex Report for information.

Re: Britex Building – Tax Sale by Tender

It was moved by Councillor Connell, seconded by Deputy Warden Gunn, to recommend that municipal council place the Britex building PID 05213947 for tax sale by tender as soon as possible. Motion carried unanimously.

The Question was called on the motion to receive the Britex report. Motion carried unanimously.

Re: Municipal Services (December) – Councillor Prout moved, seconded by Deputy Warden Gunn, to receive the December Municipal Services report for information. Motion carried unanimously.

Re: CAO Office (December)

Warden Parish offered his thanks, on behalf of council, to Deputy CAO Dawn Campbell for all her work in filling in the gap over the past weeks. Ms. Campbell accepted his thanks and wished to share the accolade with staff, who all helped her with the work.

Mr. Coutinho circulated an initial report dated January 11, 2021. Has been meeting with senior staff and other staff as he is able, and is proud to be part of this team. He highlighted portions of the report.

It was moved by Councillor Sheridan, seconded by Deputy Warden Gunn, to receive the CAO office reports for information. Motion carried unanimously.

Council, Committee, & Organizational Reports

Re: Kings Transit Authority

Councillor LeBlanc moved, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

Re: Warden (December) – the Warden gave a verbal report on his December activities.

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

Late Additions

Re: Treatment of Correspondence – Councillor Morrison noted that Mr. EA Farren sent correspondence on December 30 to the Warden and council. This letter was also sent to the Friends of Gordonstoun. Council has yet to receive that letter, and thought because of interest might have seen it before now. How can we ensure that on substantive matters we could receive information so we know what public knows?

The Warden responded that he and the Clerk had received the letter, and the Clerk told Mr. Farren that it would go on the January Council agenda under Correspondence. In the future, he will make sure to send it to councillors.

Re: Granville Ferry Sidewalk Winter Maintenance – Councillor Barteaux noted he has received numerous emails and calls regarding winter maintenance on the sidewalk in Granville Ferry. It is not being looked after on weekends. The concern is that people have to walk on the road if the sidewalk is not cleared.

The Director of Municipal Operations reported that it is practice, because no service area is established to fund it, that sidewalks are not cleared on overtime (weekend). If the community is stating that sidewalks were cleared on weekends in the past, staff are not aware of that happening, except for once as a result of

a severe ice storm. Paradise has a contract for snow removal, and Bear River has a contract for snow removal. Councillor Barteaux added that winter is here, and he hopes to have it dealt with.

Re: Email Dated January 12, 2021 Regarding Public Health Orders

The Director of Community Development circulated, for information, an email dated January 12, 2021 regarding Public Health Orders.

Councillor Prout moved, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

Adjournment

Upon motion of Councillors Barteaux and Sheridan, the meeting adjourned at 2:38 p.m.

Warden

Municipal Clerk

Direction of the Minister
under a Declared State of Emergency
(Section 14 of the *Emergency Management Act*)
20-008

Under my authority in Section 14 of the Emergency Management Act, I order that this Direction (20-008) repeal and replace the Direction regarding municipal meetings issued on March 22, 2020.

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 not repealed or otherwise terminated, I direct that all municipalities and villages in the Province:

1. **Effective at 8am on July 29, 2020**, may hold meetings exclusively in person if all the following conditions are met:

i) the total number of persons present does not exceed a gathering limitation imposed in a *Health Protection Act* order;

ii) all physical distancing requirements or other requirements imposed in a *Health Protection Act* order are met.

2. If the conditions set out in (1) cannot be met, the municipality or village must not hold meetings exclusively in person and must instead hold the meeting partly or wholly as a virtual meeting by video or telephone, and ensure that all of the following conditions are met:

i) the total number of persons present for any in person portion of the meeting does not exceed a gathering limitation imposed in a *Health Protection Act* order; and

ii) for any in person portion of the meeting, all physical distancing requirements or other requirements imposed in a *Health Protection Act* order are met.

For clarity, this direction does not apply to statutorily required meetings of electors for a village commission which are covered under Direction 20-007 issued on May 20, 2020.

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 July 29, 2020.

Original signed by

Hon. Chuck Porter
Minister of Municipal Affairs and Housing