

Minutes of the regular Committee of the Whole meeting held on Tuesday, April 13 2021, at 9:02 a.m., at the Royal Canadian Legion, 20 Jeffrey Street, Bridgetown, NS, 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, regrets

It was moved by Councillor Longmire, seconded by Deputy Warden Gunn, to exempt Councillor Morrison from meeting attendance requirements. Motion carried unanimously.

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, N. Comeau, A. Dunphy, C. Mason, S. McInnis, H. Orde, and J. Young) and one member of the public (Mrs. Hubble).

Amendments to Agenda

Councillor Barteaux requested to add under Late Additions: 8A – Federation of Acadian Families Association – Acadian Centre, and the Warden requested that an item be added under 9 In-Camera (f) litigation.

Approval of the Agenda (Order of the Day)

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

Minutes

Re: 2021-02-09 Regular

Deputy Warden Gunn moved, seconded by Councillor Barteaux, to approve the minutes of the regular meeting of Committee of the Whole held on March 9, 2021 as circulated. Motion carried unanimously.

Business Arising from the Minutes

There was no business arising from the minutes.

New Business

Re: Recommendation Report Auditor Appointment

Deputy Warden Gunn moved, seconded by Councillor Hudson, to recommend that municipal council appoint Kent & Duffett Chartered Professional Services to provide Audit Services for the General Operating/Capital Reserves/Trusts, the County Water Utility, and the Bridgetown Water Utility for fiscal years 2020/21 to 2025/26. Motion carried unanimously.

Re: Recommendation Report PVSC Property Deactivation

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, to recommend that municipal council approve a refund of \$1,771.39 to the property owner of tax account AAA# 700744, SAP # 134032 due to duplicate tax payments on this parcel. Motion carried unanimously.

Re: Recommendation Report AM-1.2.8 Education and Training Expenses of Council Members Policy – NEW

Deputy Warden Gunn moved, seconded by Councillor Redden, that seven day notice be given to approve *AM-1.2.8 Education and Training Expenses of Council Members Policy* as circulated.

It was moved by Councillor Redden, seconded by Councillor Longmire, to amend by adding a comma in 6(1) after textbooks, and to strike in 6(5) 'at 100%'. Motion carried, 7 in favour, 3 against.

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

Deputy Warden Gunn moved, seconded by Councillor Redden, that seven day notice be given to approve *AM-1.2.8 Education and Training Expenses of Council Members Policy* as amended. Motion carried unanimously.

Re: Recommendation Report AM-1.8.1 Travel and Expenses Policy – Amend

It was moved by Deputy Warden Gunn, seconded by Councillor Redden, that seven day notice be given to amend *AM-1.8.1 Travel and Expenses Policy* by deleting Sub-section 4.1 and re-numbering subsequent sections accordingly.

Councillor Connell moved, seconded by Councillor LeBlanc, to amend the motion by keeping the last line of Section 4.1 - '*Councillors may participate in two events per year (April 1 – March 31) apart from FCM which is by policy and UNSM which is different when local*' and changing '*UNSM*' to '*NSFM*'.

It was moved by Councillor Hudson to amend the amendment by add '*subject to approved budget and prior approval of municipal council*'. **There was no seconder.**

Councillor Redden moved, seconded by Councillor Longmire, to amend the amendment by adding at the end '*subject to approved budget and Policy AM-1.2.8 Education and Training Expenses of Council Members Policy*'. **Motion lost**, 2 in favour, 8 against.

The Question was called on the amendment. Motion carried 6 in favour, 4 against.

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

It was moved by Deputy Warden Gunn, seconded by Councillor Redden, that seven day notice be given to amend *AM-1.8.1 Travel and Expenses Policy* by keeping the last line of Section 4.1 - '*Councillors may participate in two events per year (April 1 – March 31) apart from FCM which is by policy and UNSM which is different when local*' and changing '*UNSM*' to '*NSFM*'. **Motion carried unanimously**

Re: Recommendation Report AM-2.5.2 Education Leave & Assistance Policy

Deputy Warden Gunn moved, seconded by Councillor Redden, that seven day notice be given to approve *AM-2.5.2 Employee Training and Development Policy* as circulated and repeal *AM-2.5.2 Educational Leave & Assistance Policy*. Motion carried unanimously.

Re: Recommendation Report Bridgetown FD Request Withdrawal from Fire Services Capital Fund

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, to recommend that municipal council authorize the withdrawal of \$70,000 from the Fire Services Capital Reserve to the Bridgetown Volunteer Fire Department in the 2021-22 fiscal year to assist in pay out of the loan for the 2017 Tanker. Motion carried unanimously.

Re: Recommendation Report Consider D'Aubin Development Agreement Amendment

Deputy Warden Gunn moved, seconded by Councillor Connell, to recommend that municipal council consider the D'Aubin application to amend the May 13, 2014 Development Agreement (DA) to permit the redevelopment and expansion of the existing retail store building located at 607 Granville Street, PID No . 05292297 in accordance with the Bridgetown Municipal Planning Strategy (MPS) Policy 7.10 and Section 8 of the May 13, 2014 Development Agreement and to adopt a public participation process involving appropriate public notifications via newspaper ads and the referral of the application to the Bridgetown Area Advisory Committee (BAAC) and the Annapolis County Planning Advisory Committee (PAC) for their review and recommendation after holding a public meeting in the community.

The question was asked if it has been determined how to hold public meetings. Depending on the size, public meetings can be held at ABCC or at this location with a different layout to maximize distancing. There may be difficulty finding appropriate locations in smaller communities. The Planner noted that preregistration can be requested for attendance, and that the process outlined in the recommendation is as required under legislation.

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

Re: Recommendation Report Capital Utility Funding for Pumps

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan to recommend that municipal council approve a withdrawal of \$34,000 from the County Sewer Reserve for the purchase of the three (3) replacement lift stations pumps. Motion carried unanimously.

Recess

A brief recess was held from 10:35 a.m. – 10:47 a.m.

Regarding the next item - Recommendation Report Seasonal Operation of Picnic Park, Warden Parish noted that Councillor Morrison had hoped to be present for discussion on this item, suggesting he might be able to attend if discussion was later in the day.

Amend the Order of the Day

Councillor Longmire moved, seconded by Councillor LeBlanc, to move Recommendation Report Seasonal Operation of Picnic Park to be the first item after lunch. Motion carried unanimously.

Re: Recommendation Report Schell Request to Return Application Fee

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, to recommend that Municipal Council refund \$960.00 to Carrie Schell with the money being paid out of the Safe Restart Fund and that Municipal Council forgo the \$50.83 advertising fee over-expenditure.

Councillor Barteaux moved, seconded by Councillor Longmire, to amend the motion by adding ‘after receiving proof of payment for the engineering report’. Motion carried unanimously.

The Question was called On the motion as amended.

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, to recommend that Municipal Council refund \$960.00 to Carrie Schell with the money being paid out of the Safe Restart Fund and that Municipal Council forgo the \$50.83 advertising fee over-expenditure, ‘after receiving proof of payment for the engineering report’. Motion carried unanimously.

Re: Information Report Bear River Project

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

Re: Recommendation Report Advisory Committee Policies

- *AM-1.3.6.9 Granville Ferry Source Water Protection Advisory Committee Policy - Amend*
It was moved by Deputy Warden Gunn, seconded by Councillor Barteaux, that seven-day notice be given for Municipal Council to amend *AM-1.3.6.9 Granville Ferry Source Water Protection Advisory Committee Policy* by deleting sub-sections 28 (e) and (f) and replacing with the following:
One (1) citizen appointee shall be a person who owns or resides in a property in Granville Ferry or Lequille and the property is presently supplied with water from the Granville Ferry Water Supply.
One (1) additional citizen appointee shall be a person who owns or resides in a property presently supplied with water from the Granville Ferry Water Supply.
Motion carried unanimously.

- *AM-1.3.6.14 Margaretville Source Water Protection Advisory Committee Policy - Amend*
Deputy Warden Gunn moved, seconded by Councillor Connell, that seven-day notice be given for Municipal Council to amend *AM-1.3.6.14 Margaretville Source Water Protection Advisory Committee Policy* by deleting sub-sections 28 (4) and (5) and replacing with the following:
One (1) citizen appointee shall be a person who owns or resides in a property presently supplied with water from the Margaretville Water Supply Two (2) additional citizen appointees may be appointed meeting the criteria of either section (3) or (4).
Motion carried unanimously.

- *Policy Appendix A- Amend*
It was moved by Deputy Warden Gunn, seconded by Councillor Connell, that seven-day notice be given for Municipal Council to make the amendments recommended in “Appendix A” to revise quorum to be the following for all committees having citizen members:
“A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.”
Motion carried unanimously.

Re: Recommendation Report Vendor on Municipal Property Application Tom’s Cool Bus

Deputy Warden Gunn moved, seconded by Councillor Prout, to recommend that municipal council authorize the Clerk to issue a Vendor on Municipal Property permit for the 2021-22 fiscal to Tom Marshall, for the Cool Bus Canteen, at the Annapolis River Causeway Park; pending all bylaw requirements are

satisfied in accordance with *S6 Commercial Activity on Municipal Property Bylaw* and that all provincial and local restrictions are implemented pertaining to the COVID 19 pandemic; and that updated copies of the required insurance and permits are to be submitted when they are renewed on the expiry date (insurance policy is due again for renewal on May 28th, 2021). Motion carried unanimously.

It was moved by Councillor LeBlanc, seconded by Councillor Redden, that page 103 be removed from the 2021-04-13 Committee of the Whole agenda package for the final record as it contains personal information. Motion carried unanimously.

Amend the Order of the Day

Councillor Connell moved, seconded by Councillor Longmire, to amend order of the day to address item Recommendation Report Seasonal Operation of Picnic Park at this time and not after lunch. Motion carried unanimously.

Re: Recommendation Report Seasonal Operation of Picnic Park

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, to recommend that municipal council approve the seasonal operation of a park (formerly associated with the Upper Clements Parks) located at 2895 Highway 1, Upper Clements, to be included in the County's recreation parks inventory for programming, marketing and maintenance.

Councillor Connell moved, seconded by Deputy Warden Gunn, to amend the motion to include 'with financial implications of up to \$5,000'. **Motion lost** 4 in favour, 6 against.

The Question was called the original motion:

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, to recommend that municipal council approve the seasonal operation of a park (formerly associated with the Upper Clements Parks) located at 2895 Highway 1, Upper Clements, to be included in the County's recreation parks inventory for programming, marketing and maintenance. Motion carried unanimously.

The CAO will check with insurance company for clarity and ensure we are properly insured.

Lunch

The Warden declared a lunch break from 12:05 p.m. – 1:05 p.m. with all returning as previously noted.

Departmental Reports

Re: Community Development March – Deputy Warden Gunn moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Legislative Services March – this monthly report was circulated at the meeting. It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

Re: Finance Services March – Deputy Warden Gunn moved, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

Re: Municipal Services March – it was moved by Councillor Connell, seconded by Deputy Warden Gunn, to receive for information. Motion carried unanimously.

Councillor Sheridan moved, seconded by Deputy Warden Gunn, to request the CAO investigate if the Internet (Point of Presence) POP in Annapolis Royal could reside outside the building. Motion carried unanimously.

Re: CAO Office March – it was moved by Deputy Warden Gunn, seconded by Councillor Connell, to receive for information. Motion carried unanimously.

Council, Committee, & Organizational Reports

Re: Warden's Report – Warden Parish provided a verbal report for March, highlighting the following

- As usual many meetings, conference calls, emails, and phone calls with lawyers over various litigations.
- He will be speaking to the Annapolis Chamber of Commerce (*Annapolis Board of Trade*) in June
- Usual Warden duties – reviewing agendas, signing cheques, monitoring acts of government
- Assist with arrival of new CAO even to a grocery list for his isolation. He arrives on Saturday.

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

Re: 2021-03-24 Nominating Committee (Recommendations)

- *Heritage Advisory Committee (Policy AM-1.3.6.3)*
Pursuant to the recommendation of the Nominating Committee, Deputy Warden Gunn moved, seconded by Councillor Sheridan, to recommend that municipal council appoint Mark Robertson as a citizen member of the Heritage Advisory Committee for a two-year term ending November 30, 2022. Motion carried unanimously.
- *Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens) Policy AM-1.3.6.7)*
In accordance with the recommendation of the Nominating Committee, it was moved by Deputy Warden Gunn, seconded by Councillor Redden, to recommend that municipal council appoint Merwin Clayton and Teresa Hannam as citizen members of the Cornwallis Park Area Advisory Committee (both satisfying section 29(d) of the policy) for a two-year term ending November 30, 2022. Motion carried unanimously.

Re: Trans County Transportation Society – Councillor Prout reported that the Province has decided that all such authorities will provide roundtrip rides to vaccination appointments for \$5 and will be reimbursed for balance of costs by the province. This is for clients of any age to any vaccination site in the catchment area

- Aylesford to Bear River.

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

Re: Kings Transit Authority – Councillor LeBlanc noted the running deficit, and that the federal government has provided some COVID funding. The new bus, which was expected last fall, will not arrive until end of June or July. It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, to receive for information. Motion carried unanimously.

Late Additions

Re: Federation of Acadian Families Association – Acadian Centre – Warden Parish noted there is a letter of request that went to Councillor Barteaux who wanted it on the agenda today. The group is requesting a letter of support. It is on the council agenda next week.

Recess

A brief recess was held from 2:38 p.m. – 2:51 p.m.

In-Camera

It was moved by Councillor Longmire, seconded by Councillor Barteaux, to meet in-camera from 2:53 p.m. until 4:30 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 Councillor Longmire and Deputy Warden Gunn, the meeting adjourned at 4:31 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
