

Minutes of the regular Committee of the Whole meeting held on Tuesday, October 13, 2020, at 9:03 a.m., via Zoom Video-Conference, in accordance with the Direction of the Minister under a Declared State of Emergency.

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, other staff (W. Atwell, S. McInnis, A. Dunphy, D. Campbell, H. Orde)

Additions

The Clerk requested 2020-2021 Tax Sale Procedure be added to the agenda; Councillor Morrison requested that Zuri be added, and Councillor Gunn requested that November Committee of the Whole be added.

Approval of the Agenda (Order of the Day)

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

Minutes

Councillor Fowler moved, seconded by Councillor Prout, to approve the minutes of the regular meeting of Committee of the Whole held September 8, 2020, as circulated. Motion carried unanimously.

New Business

Re: RFD Nova Scotia Guides Association Grant Request

It was moved by Deputy Warden Roberts, seconded by Councillor Gunn, to recommend that municipal council approve a grant in the amount of \$500 from the Marketing and Promotion Partnership Program to the Nova Scotia Guides Association, to assist with the 100 Anniversary celebrations taking place at Milford House, in accordance with AM-1.4.9 Community Grants Policy. Motion carried unanimously.

Re: RFD Clarence Community Club Grant Request

Deputy Warden Roberts moved, seconded by Councillor Fowler, to recommend that municipal council approve a grant in the amount of \$2,400 from the Community Halls and Centre's Assistance Program to the Clarence Community Club to assist with kitchen upgrades, painting of the floors and walls, and general repairs to the windows and door, in accordance with AM-1.4.9 Community Grants Policy. Motion carried unanimously.

Re: RFD Paradise Community Hall Association Grant Request

It was moved by Deputy Warden Roberts, seconded by Councillor Heming, to recommend that municipal council approve a grant in the amount of \$4,800 from the Capital Projects Assistance Program, Small Project Matching Grants, to the Paradise Historical Society to assist with the purchase and installation of heat pumps and chimney repair for the old Paradise School, in accordance with AM-1.4.9 Community Grants Policy. Motion carried unanimously.

Re: Sunset Lane, Hampton – Councillor Fowler reported that this issue had been resolved.

Re: Agricultural Uses of Glyphosate –Councillor Prout noted that he has received feedback from local farmers, as much of the seed for crops like corn, soy beans and others was RoundUp resistant seed and that Glyphosate is the most efficient product to combat weeds and grass etc. growing where these crops are grown. He added that farmers using this product require a pesticide license and that the crop must be dry, the spraying is done on non-windy days. Also that spraying is done in an ‘anti-drift’ method with the product being sprayed straight down on the crop.

Councillor Prout moved, seconded by Councillor McNeil, to recommend, pending input from agricultural sectors, that municipal council take no further actions that would impact the agricultural use of glyphosate in Annapolis County. Motion carried, 10 in favour, 1 against.

Re: Adhoc Glyphosate Discussion Group

It was moved by Councillor Heming, seconded by Deputy Warden Roberts, seconded by Councillor Prout, to create an Adhoc Glyphosate Discussion Group to bring information back to municipal council on what it would look like to invite industry experts and farmers for a discussion on this topic. Motion carried unanimously.

Councillors Prout, Heming and Gunn volunteered to meet together tomorrow as the Adhoc Glyphosate Discussion Group to bring something back to council on what this meeting would look like.

Re: TBR Telecommunications Renewal

Whereas Section 66 of the *Municipal Government Act* provides that the Municipality of the County of Annapolis, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose authorized by statute; and

Whereas the Municipality of the County of Annapolis has adopted a capital budget for this fiscal year as required by Section 65 of the *Municipal Government Act* and are so authorized to expend funds for capital purpose as identified in their capital budget;

Deputy Warden Roberts moved, seconded by Councillor Heming, to recommend to municipal council;

That under the authority of Section 66 of the *Municipal Government Act*, the Municipality borrow a sum or sums not exceeding Thirteen Million Dollars (\$13,000,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing; and

That the sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Council deems necessary; and

That the issue of debentures be postponed pursuant to Section 92 of the *Municipal Government Act* and that the Municipality borrow from time to time a sum or sums not exceeding Thirteen Million dollars (\$13,000,000) in total from any chartered bank or trust company doing business in Nova Scotia; and

That the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution; and

That the interest payable on the borrowing be paid at a rate to be agreed upon; and

That the amount borrowed be repaid from the proceeds of the debentures when sold.

Motion carried, 10 in favour, 1 against (Roberts).

Re: Nova Scotia Ground Search and Rescue Wilderness Survival Guide

It was moved by Councillor Heming, seconded by Councillor Gunn, to recommend that municipal council place a ½ page colour advertisement in the 2020 Nova Scotia Ground Search and Rescue Wilderness Survival Guide. Motion carried unanimously.

Re: RFD Lawrencetown Community Hall Grant Request

Deputy Warden Roberts moved, seconded by Councillor Fowler, to recommend that municipal council approve a grant in the amount of \$1,200 from the Community Halls and Centres Assistance Program to the Lawrencetown Community Hall Association to assist with Maintenance to the exterior of the hall in accordance with AM-1.4.9 Community Grants Policy. Motion carried unanimously.

Re: CARP Application to the Federal Climate Action and Awareness Fund Request – Katie McLean was on the zoom to provide some background information. They are looking for in-kind time for collaboration with the Forestry Committee or CAO to help understand the specific role the county can play.

Councillor Fowler lost connection (10:00 a.m.)

Councillor Fowler attended by phone (10:10 a.m.)

It was moved by Councillor Morrison, seconded by Councillor Leblanc, to recommend that municipal council provide a letter of support to be an in-kind project partner for Clean Annapolis River Project's application to the federal Climate Action and Awareness Fund, pending receipt and review of the application. Motion carried unanimously.

Re: Kirk Hicks Raven Haven Boat Launch and Parking Lot Proposal – Kirk Hicks submitted a proposal for council to review regarding use of the existing boat launch at Raven Haven; tie up location for boats; and year-round parking for access to Sandy Bottom Island.

Councillor Fowler resumed attendance by video (10:16 a.m.)

Councillor Fowler moved, seconded by Councillor Gunn, to recommend that municipal council refer the proposal received from Kirk Hicks regarding a Raven Haven Boat Launch and Parking Lot Proposal to staff for further consideration and recommendation. Motion carried unanimously.

Re: RFD Additional Capital Funding- Ground Water Well Pump Replacement

It was moved by Deputy Warden Roberts, seconded by Councillor Prout, to recommend that municipal council approve additional capital funding for the Ground Water Well Pump Replacement as follows:

- \$12,000 be approved from the Annapolis Water Utility Reserve for the repair of the DAF unit and replacement of the back wash pump at the Cornwallis water Treatment Plant; and

- \$20,000 be approved from the Bridgetown Water Utility Reserve for the ground water well pump replacement.
Motion carried unanimously.

Recess

A brief recess was held from 10:39 a.m. – 10:59 a.m.

Councillor McNeil lost connection from 10:54 a.m. – 10:59 a.m.

Departmental Reports

Re: Community Development (September)

Councillor LeBlanc moved, seconded by Councillor Heming, to receive the September Community Development report for information. Motion carried unanimously.

Re: Protective Services (September) –

It was moved by Councillor Fowler, seconded by Councillor LeBlanc, to receive the September Protective Services report for information.

Councillor McNeil attended by phone 11:04 a.m.

Motion carried unanimously.

Re: Municipal Services (September) –

Councillor Prout moved, seconded by Councillor Sheridan, to receive the September Municipal Services report for information. Motion carried unanimously.

Re: CAO Report and Council Motions Checklist (September)

It was moved by Councillor Fowler, seconded by Councillor LeBlanc, to receive the September CAO Report and Council motions Checklist for information. Motion carried unanimously.

Council, Committee & Organizational Reports

None

Late Additions

Re: 2020-2021 Tax Sale Procedure

Due to the COVID-19 Pandemic, Councillor Heming moved, seconded by Councillor Prout, to recommend that Municipal Council proceed with the 2020-21 tax sale by calling tenders rather than by public auction.

The CAO noted that in accordance with the Municipal Government Act, it is mandatory for properties three years in arrears to be sold at tax sale. If the sale does not move forward, work already done will be added to the outstanding amount. This is only considering the 23 three-year properties, not the 2 year properties. There is a legal requirement to hold the sale.

The question called on the motion. Motion lost.

It was moved by Councillor Gunn, seconded by Deputy Warden Roberts, that staff develop a process respecting social distancing requirements and closely recognizing current procedure. Motion lost, 5 in favour, 6 against.

Point of Order

A point of order was called as there was discussion without a motion on the table.

Councillor Gunn moved, seconded by Deputy Warden Roberts, to table this item. Motion carried, 6 in favour. 5 against.

Re: Zuri – Councillor Morrison reported that the former Convergys building is now a cannabis distribution centre, which will be creating 150 jobs in the next few years, and will have 25-30 houses built for workers. Some of the reasons Zuri chose this location are because of the educational, recreational and cultural attractions of the area.

Re: COTW November

It was moved by Councillor Gunn, seconded by Deputy Warden Roberts, to recommend that municipal council direct the CAO to arrange a venue large enough to hold in-person November COTW safely in accordance with NS Government regulations. Motion carried 7 in favour, 4 against.

In-Camera

It was moved by Councillor McNeil, seconded by Councillor Sheridan, to meet in-camera from 12:32 p.m. until 1:10 p.m. in accordance with Section 22(2)(e) contract negotiations of the *Municipal Government Act*.

Amend the Order of the Day

It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, to amend the Order of the Day by adding two items: DND Reimbursement Agreement and Gordonstoun. Motion carried unanimously.

Re: DND Reimbursement Agreement

Councillor Gunn moved, seconded by Councillor McNeil, to recommend that municipal council authorize the Warden and Clerk to sign the Reimbursement Agreement with the Department of National Defence to permit the use and occupancy of DND lands for Municipality of Annapolis County source water operations at Granville Ferry, and that the Municipality meet the financial commitments for costs incurred by DND to enter into this lease agreement. Motion carried unanimously.

Re: Gordonstoun – The Warden was pleased to comment on work proceeding on the Gordonstoun project, and an artist’s rendering of part of Phase 1 depicting the administration and student centre and two academic buildings was projected; a team will also be engaged to search for and select a Principal.

Adjournment

The Warden declared the meeting adjourned at 1:14 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