

**Municipal Council  
August 20, 2019  
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Minutes of the regular session of Municipal Council held Tuesday, August 20, 2019 at 10:00 a.m. in Council Chambers of the Municipal Administration Building, Annapolis Royal, NS.

**Present:** Warden Timothy Habinski; Deputy Warden Martha Roberts; Councillors: John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael Gunn, Wendy Sheridan, and Diane LeBlanc

**Absent:** Councillor Marilyn Wilkins (regrets)

**Also**

**Present:** CAO John Ferguson, Executive Assistant Janice Young, and other staff.

### **Additions to the Agenda**

Requests were made for the following items to be added to the agenda under In-Camera: 4 (A) Upper Clements Park, and 4 (B) 22(2)(e) contract negotiations; and under Additions: 11(A) Communities in Bloom Conference Yarmouth, (B) RFD Bear River Fire Department, (C) Internet, (D) Annapolis Waterkeepers – Arlington Road C&D Landfill, (E) Cornwallis Park & Area Asset Review Committee, (F) Hillside Drive, (G) Climate Emergency, (H) Zwickers Lake Cottage Bin, (I) Councillor Attendance, and (J) Kings Transit.

### **Approval of Agenda**

Upon motion of Councillors LeBlanc and MacDonald, the agenda was approved as amended.

### **Minutes**

#### **MOTION 190820.01 Minutes – Regular Session 2019-07-16**

It was moved by Councillor Fowler, seconded by Councillor McNeil, to approve the minutes of the regular session of Council held on July 16, 2019, as circulated. Motion carried unanimously.

It was requested the meeting recording be viewed to clarify the motion on the installation of power at Annapolis River Causeway Park, 4468 Hwy 1, Granville Ferry.

### **In-Camera**

Councillor LeBlanc moved, seconded by Councillor MacDonald, to meet in-camera from 10:08 a.m. until 12:42 p.m. in accordance with Sections 22(2)(c) personnel matters, (g) legal advice for solicitor-client privilege, and (e) contract negotiations, of *the Municipal Government Act*, and Upper Clements Park. Motion carried unanimously.

### **LUNCH**

Councillor McNeil moved, seconded by Councillor Gunn, to adjourn for lunch at 12:42 p.m., with all returning at 1:53 p.m. as previously noted. Motion carried unanimously.

### **In-Camera**

Councillor Fowler moved, seconded by Councillor MacDonald, to meet in-camera from 1:53 p.m. until 2:38 p.m. in accordance with Section 22(2)(c) personnel matters, and (g) legal advice for solicitor-client privilege, and (e) contract negotiations of *the Municipal Government Act*, and Upper Clements Park. Motion carried unanimously.

## **Municipal Solicitor's Report**

### **• *Monthly Report 12 August 2019***

It was moved by Councillor Fowler, seconded by Councillor Gunn, to receive the August 12, 2019 Solicitor's Report, to which solicitor-client privilege applies. Motion carried unanimously.

## **Councillor's Comments**

*District 3* – Councillor Fowler thanked staff for posting the speed sign on the west end of Granville St. in Bridgetown.

*District 2* – Councillor MacDonald has been enjoying events within the County e.g. Port George Jamboree, Margaretsville Days, Geocaching, and the Annapolis Valley Exhibition, with most of his extended family from across Canada for their 5-week visit. It's been a great summer.

*District 11* – Councillor LeBlanc attended and enjoyed the Exhibition, and spent time with grandchildren and family.

*District 6* – Councillor Morrison enjoyed a visit with the China contingency. At the final parade of HMCS Camp Acadia Sea Cadet Camp, Lt. Commander Nancy Chisholm (that is our Nancy Chisholm), was asked by the Commanding Officer to come forward to be presented, with all due pomp and ceremony, with the First Class to the Canadian Forces decoration, which recognizes at least 22 years of exemplary service.

*District 8* – Councillor Gunn has been busy attending festivals, events, and celebrations of life around the area; noting it was a very hard summer for losses of some key people in the community. He had a great time at Raven Haven helping some folks try out the County's new amphibious wheel chair, and felt quite proud of the municipality for investing in this apparatus to enable folks with mobility issues a chance to get in the water and enjoy themselves. There was a Biodiversity meeting in Caledonia held by Department of Natural Resources which was very well attended by many other stakeholders, and was more or less a repeat of what had taken place in Truro. He had a good visit to the Killam Building in Yarmouth delivering a cheque to the Nova Scotia Biosphere Reserve Association. He also brought County of Annapolis brochures and hiking trail maps, and was informed they like and go through a lot of our publications. He took the opportunity to attend the first Nictaux Family Fun Day and enjoyed a great hot dog and good chats with the folks there. The Meet and Greet arranged for David Wong's delegation of teachers was interesting, but he would like to have more notice when delegations are arriving. With such little notice, we weren't able to showcase our county effectively: local produce and perhaps a few teachers might have been more appropriate additions to the event. This time off gave him a chance to reflect on what council has focused on in the last three years. We have our ongoing challenges such as waste, internet, an international school, succession planning, Bear River comfort station, a new sports track to manage, climate change issues for our many waterfronts, forestry control and maintenance, and how to keep the Basinview Centre up and running. This next year is an election year and he – as one of 11 councillors elected to tackle these issues - would like to see these projects come to fruition without a tax hike on rate payers. Furthermore, to benefit local whenever possible, he would like Annapolis County to hire or consult locally first and Nova Scotian second, including in the management of our legal affairs and advisors on forestry and climate.

*District 10* – Deputy Warden Roberts attended a lot of meetings. She thanked the recreation department for the Lake Pleasant event, which was well attended and enjoyed by all. A great day and a beautiful spot.

*District 9* - Councillor Sheridan attended the official announcement regarding the new health centre in Middleton on August 6<sup>th</sup>. Nictaux Family Fun Day was well attended and managed to keep the thunder storms at bay.

*District 4* - Councillor McNeil presented grant cheques to the Tupperville Museum and Age Advantage Association.

*District 7* – Warden Habinski attended Nictaux Family Fun Day, noting that Councillor Sheridan managed to keep the thunder storm from drenching the event!

**New Business**

**Re: RFD – TBR Renewal Telecommunications Internet \$13,000,000**

**MOTION 190820.02      Rescind Motion 190416.23 TBR Renewal 19/20-01**

In accordance with updated wording provided by NS Municipal Affairs and Housing, Deputy Warden Roberts moved, seconded by Councillor Gunn, that municipal council rescind Motion 190416.23 Temporary Borrowing Resolution Renewal 19/20-01 Telecommunications Internet \$13,000,000. Motion carried 7 in favour, 3 against (Roberts, Fowler, Sheridan).

**MOTION 190820.03      Authorize Warden and Clerk to Sign TBR Renewal 19/20-01**

Pursuant to updated wording provided by NS Municipal Affairs and Housing on July 23, 2019, Deputy Warden Roberts moved, seconded by Councillor Gunn that the Warden and Clerk be authorized to sign the Temporary Borrowing Resolution as follows:

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 purposed as identified in their capital budget;

**BE IT THEREFORE RESOLVED**

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;

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

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;

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;

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 7 in favour, 3 against (Roberts, Fowler, Sheridan)

Re: Climate Change Summit 2019 Host Committee – Recommendation [Local Climate Change Summit Draft Proposal] – committee’s draft proposal for the local Climate Change Summit was circulated in the agenda package.

**MOTION 190820.04 Host Local Climate Change Action Summit, November 8-9, 2019**

Pursuant to the recommendation of the Climate Change Summit 2019 Host Committee, it was moved by Deputy Warden Roberts, seconded by Councillor Morrison, that municipal council approve, in principle, hosting a Local Climate Change Action Summit at the Annapolis Basin Conference Centre on November 8-9, 2019, as described in the draft outline developed by the Climate Change Summit 2019 Host Committee, and furthermore, that Council refer the draft outline to the Chief Administrative Officer for staff consideration, cost estimates, and recommendations. Motion carried unanimously.

Re: 2019-20 Q1 General Operating Budget Report – provided by the Director of Finance and circulated in the agenda package for review and discussion.

Councillor McNeil moved, seconded by Councillor MacDonald, to receive for information. Motion carried unanimously.

Re: Annapolis Royal and Area Environment and Ecology (ARAEE) Group – Complaint of Dangerous Logging Trucks in West Dalhousie (Heartland Road) – circulated in the agenda package, an email from Bev Wigney of the ARAEE group and Warden Habinski’s response. The email describes a dangerous situation involving logging trucks in West Dalhousie, which are threatening several residents as well as those traveling on Heartland Road (once known as Thorne Road) that runs south off of West Dalhousie. ARAEE has requested the municipality take action to cause the logging trucks to use an alternate route that is available to them.

**MOTION 190820.05 ARAEE Complaint of Dangerous Logging Trucks in West Dalhousie (Heartland Road) – Letter of Support**

Councillor Gunn moved, seconded by Councillor Heming, that municipal council send a letter of support to the Department of Land and Forest and Transportation Infrastructure Renewal on behalf of residents who would like WESTFOR to employ an alternate route to Heartland Road for the purposes of community safety. Motion carried unanimously.

Re: Bryan Redden – Petition Council re Annual Sewer Tax from Residents of Granville Ferry (August 8, 2019) – a letter dated August 8, 2019 was received from Bryan Redden, and accompanied by a petition signed by 85 residents asking for a review and a change to the way they are billed for annual sewer tax. Deputy Warden Roberts moved, seconded by Councillor Sheridan to allow Mr. Redden to address Council on Annual Sewer tax from residents of Granville Ferry. Motion carried unanimously.

**MOTION 190820.06 Petition re Annual Sewer Tax from Residents of Granville Ferry**

Deputy Warden Roberts moved, seconded by Councillor Fowler that municipal council refer to CAO office for further consideration. Motion carried unanimously.

**Correspondence**

Re: 211 Information and Referral Services Association (July 8<sup>th</sup>) – sharing their 2018 Annual Report and noting an average of 1,000 Nova Scotians reached out per day for navigational assistance in finding human, community and social services.

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

Re: Middleton Fire Department – Community Centre/Fire Hall Fundraising Campaign – the construction of a new community centre / fire hall in Middleton is proposed for the Spring of 2020. A flyer soliciting and explaining how to donate to the cause was circulated in the agenda package.

Councillor Gunn moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Discover Solar PV (July 24<sup>th</sup>) – email received from Christie Chaplain, Project Manager, Discover Solar PV, inviting suggestions for dates and locations in order to schedule a series of “Discover Solar PV” presentations in the Digby and Annapolis areas, noting they are presenting at the Clean Annapolis River Project (CARP) “Powering Innovation Confabulation” event tentatively set for Saturday, November 2<sup>nd</sup>, 2019.

**MOTION 190820.08 Discover Solar PV**

Councillor Gunn moved, seconded by Councillor Deputy Warden Roberts, to refer to CAO office for date consideration. Motion carried unanimously.

Re: Max Wolverton (July 30, 2019) – thanking Council for providing graduating awards to the BRCS graduating class, and in particular for the four awards he received.

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

Re: British Home Children Advocacy & Research Association (August 8, 2019) – email from Janice O’Halloran Mersey of BHCARA requesting consideration to participate in the Beacons of Light for British Home Children campaign on September 28<sup>th</sup>, 2019.

**MOTION 190820.09 Participate in Beacons of Light for British Home Children Campaign, September 28, 2019**

Councillor Morrison moved, seconded by Councillor Gunn, that municipal council commemorate British Home Child Day in Canada on September 28<sup>th</sup> by illuminating the County offices with red, white, and blue spot lights, and further that the media be informed of our initiative in the area. Motion carried unanimously.

Re: CARP 2019 Strategic Plan Development – Request Volunteer Participation of Council and Staff – an email from Levi Cliche, Executive Director, requesting the voluntary participation of councillors and staff

in a survey designed to gather information that will form the basis of the Clean Annapolis River Project's 2019 Strategic Development Plan.

Councillor Heming moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: West Nova Scotia Regiment (WNSR) – Renaming of Highway 10 Corridor – correspondence received from the WNSR noting the provincial Highway 10 corridor that links the community of Bridgewater and Middleton is historically a very important place in the history of raising the regiment; thousands of young men travelled the corridor to join in the war effort and sadly, some never returned. They are seeking a letter in support of their effort to dedicate the corridor in honour of these individuals by renaming the corridor the “*West Nova Scotia Regiment Way*”.

**MOTION 190820.10 Letter of Support – Renaming Highway 10 Corridor to West Nova Scotia Regiment Way**

Councillor Morrison moved, seconded by Deputy Warden Roberts that a letter of support with regards to renaming the Highway 10 corridor to West Nova Scotia Regiment Way. Motion carried unanimously.

**ADDITIONS:**

Re: Communities in Bloom Symposium September 25-28, 2019 in Yarmouth

**MOTION 190820.11 Communities in Bloom Symposium September 25-26, 2019 in Yarmouth**

Councillor Morrison moved, seconded by Deputy Warden Roberts, to approve Councillor Morrison to attend as the municipal representative at Communities in Bloom Symposium and to compensate for expenses incurred in attending. Motion carried unanimously.

Re: RFD Bear River Fire Department – RFD circulated at the meeting.

**MOTION 190820.12 Bear River Fire Department – Release of Funds from Fire Services Capital Reserve**

It was moved by Deputy Warden Roberts, seconded by Councillor Gunn to authorize the withdrawal of \$225,000 for the Bear River Fire Department to replace their 1990 tanker with a rebuilt tanker on an International Chassis from the Capital Fire Services Reserve Fund in the 2019-2020 fiscal year. Motion carried unanimously.

Re: RFP Internet

**MOTION 190820.13 RFP Internet – Letter of Intent to Engage Eagle Telecom for CCDC-14 Design-Build Fibre Optic Internet Contract**

WHEREAS the Municipality of the County of Annapolis issued an RFP for the Design Build Fibre Optic Network, and subsequently reviewed all submissions, Councillor Heming moved, seconded by Councillor Macdonald, that the CAO be directed to send a Letter of Intent to engage Eagle Telecom, through Hatch Engineering, to establish a stipulated fixed price CCDC-14 Design-Build Fibre Optic Internet Contract for Council's consideration. Motion carried, 7 in favour; 3 against (Roberts, Fowler, Sheridan).

Re: Annapolis Waterkeepers – Arlington Road C&D Landfill - A letter dated August 10<sup>th</sup>, 2019 from Kip McCurdy, Annapolis Waterkeepers, was circulated to desks by Councillor Fowler. The group is proposing to work with Council and the Province to draft and establish appropriate bylaws for the disposal of hazardous waste (i.e. asbestos, etc.) in the province, and more particularly at the Arlington Road site in Annapolis County.

**MOTION 190820.14 Develop Bylaws for the Disposal of Hazardous Waste – Arlington Road C&D Landfill**

It was moved by Councillor Heming, seconded by Deputy Warden Roberts, to write a letter to Department of Environment in support of the Annapolis Waterkeepers concerns on asbestos disposal in Annapolis County. Motion carried unanimously.

Re: Cornwallis Park & Area Asset Review Committee – A verbal report was provided by Councillor Morrison. Councillor MacDonald moved, seconded by Councillor Sheridan to receive Councillor Morrison’s verbal report. Motion carried unanimously.

Re: Hillside Drive Update - A meeting with residents is scheduled for August 26<sup>th</sup>, 2019.

Re: Climate Emergency

**MOTION 190820.15 Climate Emergency – Defer to September COTW**

Deputy Warden Roberts moved, seconded by Councillor Fowler, to defer to September 9, 2019, Committee of the Whole. Motion carried unanimously.

Re: Zwickers Lake Cottage Bin - Staff is to communicate with the Zwickers Lake Road Association on a solution to allow the eight residents of George’s Lane to participate in the use and upkeep of Zwickers Lake Road cottage bin. Deputy Warden Roberts to provide contact numbers of residents of George’s Lane to staff.

Re: Councillor Attendance

**MOTION 190820.16 Councillor Attendance**

It was moved by Councillor LeBlanc, seconded by Councillor MacDonald, that under the authority of the *Municipal Government Act* that Councillor Marilyn Wilkins be excused from meeting attendance requirements of July 16<sup>th</sup>, 2019 Council meeting. **Motion lost.** 2 in favour, 8 against.

It was commented that ‘sent regrets’ was not a ‘request to excuse’.

Re: Kings Transit Request

**MOTION 190820.17 Kings Transit Request**

Councillor LeBlanc moved, seconded by Councillor Gunn, to direct CAO to speak with Kings Transit in regards to an upgrade/repair of the bus depot at 56 Church Street, Bridgetown, by reallocating current Kings Transit capital funds with no impact on future bus purchases.

**Adjournment**

Upon motion of Councillor McNeil and Deputy Warden Roberts, the meeting adjourned at 3:40 p.m.

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**Warden**

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**Clerk**