

Summary of Motions 2021-01-19 Municipal Council

1

MOTION 210119.01	Minutes 2020-12-15 Regular - Approved.....	1
MOTION 210119.02	Minutes 2020-12-21 Special - Approved	1
MOTION 210119.03	Minutes 2021-01-05 Special - Approved	2
MOTION 210119.04	Instruct Solicitor to Apply to Have Motions 201104.02 and 201104.03 Regarding Land Conveyance to Gordonstoun Quashed.....	4
MOTION 210119.05	Instruct CAO to Issue RFP for Gordonstoun Feasibility Study.....	4
MOTION 210119.06	Authorize CAO to Request Agreement Between Gordonstoun Scotland and EA Farren Limited	4
MOTION 210119.07	RBC Loan Note Facility 3 Gordonstoun - Authorize Warden and Clerk to Sign	4
MOTION 210119.08	AM-1.3.5.1 Audit Committee Policy - Amend.....	5
MOTION 210119.09	2020-21 MFC Hillside Drive Short Term Borrowing Renewal	5
MOTION 210119.10	2020-21 MFC TBR Gordonstoun Renewal.....	5
MOTION 210119.11	2020-21 RBC Internet Short Term Borrowing Renewal.....	5
MOTION 210119.12	Belle Drive Streetlight	5
MOTION 210119.13	Bear River Greenhouse Closing Date Extension to March 31, 2021	5
MOTION 210119.14	NS EMO Mayors and Elected Officials Training – January 26, 2021	6
MOTION 210119.15	Britex Building PID 05213947 Tax Sale By Tender	6
MOTION 210119.16	Workshops to be Special Committee of the Whole.....	6

Minutes of the regular session of Municipal Council held on Tuesday, January 19, 2021, at 10:03 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, 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, 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, Municipal Solicitor K. Latimer (and clerk), and other staff including; D. Campbell, A. Dunphy, S. McInnis, and W. Atwell.

The Warden introduced Kevin Latimer, Cox and Palmer.

Additions

The Chief Administrative Officer requested to add, Under Late Additions: Workshops and Letter to Mayor of Suqian

Approval of the Agenda (Order of the Day)

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

Minutes

Re: Regular Session December 15, 2020

MOTION 210119.01 Minutes 2020-12-15 Regular - Approved

Deputy Warden Gunn moved, seconded by Councillor Connell, that the minutes of the regular session of council held on December 15, 2020, be approved as circulated. Motion carried unanimously.

Re: Special Session December 21, 2020

MOTION 210119.02 Minutes 2020-12-21 Special - Approved

It was moved by Councillor Connell, seconded by Deputy Warden Gunn, that the minutes of the special session of council held on December 21, 2020, be approved as circulated. Motion carried unanimously.

Re: Special Session January 5, 2021

MOTION 210119.03 Minutes 2021-01-05 Special - Approved

Councillor Hudson moved, seconded by Councillor Sheridan, that the minutes of the special session of council held on January 5, 2021, be approved as circulated. Motion carried unanimously.

Councillor Comments

District 1 – Councillor Prout wished everyone a Happy New Year. He offered his congratulations to Gouchers Farm Market on their success in 2020. Despite challenges with COVID they realized a 30% increase in retail sales and were chosen Best Farm Market in 2020 by the Valley Chamber of Commerce.

District 2 – Councillor Connell noted it has been quiet in District 2. Biggest concern is internet, residents find it hard to understand the map and to know if they will get internet or not. We don't have a map that says where it intends to go.

District 3 – Warden Parish tries to keep his councillor comments separate from Warden's report which is given at Committee of the Whole. He is dealing with concern about the Arlington dump on Arlington Road. He has had a request about a controlled burn on a derelict building and is working with the Fire Marshal and Department of Environment to see if this can happen. Along with Councillor Hudson, he met with Mr. Dunphy regarding a zoning issue in Bridgetown. He has also been getting inquiries regarding internet.

District 4 – Councillor Barteaux reported his district has been reasonably quiet. Calls with concerns about all the major projects. He encourages his constituents to be patient.

District 5 – Councillor Longmire has been getting calls and correspondence re frustration over internet. Some may not receive the internet from the county. Challenging. She can't work from home. The entire district struggles. She reminded all that on December 15th the Chief William Soulis went missing, with 6 crew members on board. This has been a trying time in the district. Many fishermen came together to search. One recovery was made, and the boat has recently been located. Shout out to the district who came together in Hillsburn, especially Angela Burnie and Cheryl Everett, along with the pastor of the local church, who provided a comfort station to those searching.

District 6 – Councillor Morrison (*as submitted*)

He presented 2020 Annapolis County Volunteer of Year to Marty Felker and Peter Nordland at regular meeting of Cornwallis Park Community Association.

The Great community Christmas tree celebration on 18 December. Next year's event already being planned, tree has been selected.

Climate Change Action Summit, meeting with interested folks to determine possible individual contributions to battling climate change effects

NS Power letter to citizens and article in 19 Jan Halifax Herald. I commend to all, have distributed to my mailing list.

District 9 – Councillor Sheridan – expressed her sincere thank you for calls and cards received regarding her father's recent passing, appreciates the thoughtfulness. She welcomed Mr. Coutinho, and looks forward to working with him. She invited all to come see the new bridge in Nictaux – it's modern and nice!

District 8 – Deputy Warden Gunn (*as submitted*)

I clipped a cartoon out of the paper because it was a good reminder that there is a lot for which we can be grateful. It was a pair of dogs chatting, and while one dog bemoaned how devastating 2020 had been on so much of the population, the second dog pointed out that rescue shelters did very well, and many formerly stray or abandoned animals found homes during these tough times. I thought it a good reminder, and want to express my personal thanks to County Staff, Deputy CAO Dawn Campbell and Interim CAO Louis Coutinho for helping us during our time of transition. Times may be tough, but you're helping us all through, and I appreciate it greatly.

Appreciation was the theme of much of the correspondence I received this past month. I heard from a few constituents that they appreciated that the County secured the waterfall property on the Quarry Road in Clementsvale, to be developed into a small hiking trail and park area. Many people wrote to express support for Council's interest in returning our former Upper Clements Picnic Park for public use, both the walking trails and the waterfront piece, to ease access to the Rails to Trails routes and the Annapolis Basin ... they are looking forward to returning with their families to the site. Finally, many wrote to thank Council for working towards transparency and getting questions of finance answered. I am happy to pass on this appreciation to all of you.

I'd like to thank the Tree Growers who worked so hard throughout the season and especially this past month to provide for local and out-of-province buyers. I understand it was a banner year for tree sales, and my special thanks go to Max and Myra Holdright who handed out candy and little trees to families who arrived with children: it was a very special moment for my granddaughter Rylee. I'd also like to thank the Clementsvale Recreation committee who are diligently (and optimistically) preparing the rink area for the upcoming cold weather.

In other communications, I heard from one constituent who was unnerved at the thought that the loss of our former CAO might compromise potential development in the County. I've had questions about development on Burns Hill Road, and whether steps have been taken to ensure that new construction will be reflective of the built heritage our County enjoys. And a call from a constituent in Clementsvale drew attention to the hazardous location of a dry fire hydrant on a blind curve. I met with members of the Bear River Board of Trade who expressed concern about the condition of sidewalks in the community, the need for snow clearing through the winter months, and of course the status of bringing potable water to the eastern side of Bear River.

One final note of appreciation goes to all of those working towards a positive and productive transition from old Council to new. We only need to look south to bear witness to the devastating results of a political system facing turmoil and upheaval, and I have great empathy for those living through it, or watching their families live through it. Here's hoping for a smooth week, right across the continent.

District 7 – Councillor Hudson noted his district has been fairly quiet, and wished his residents a Happy New Year. 2020 was different and difficult for everyone. With the vaccine, he hopes we can return to some normal way of life by end of 2021. Diligence resulted in very few cases in Annapolis county, and he appreciates this effort. He observed that property sales have been very strong over the past six months. Inventory is low and expects this trend to continue into 2021 and beyond – a sellers market.

District 10 – Councillor Redden added his was another quiet district. Major concern is internet to outlying areas such as Springfield and most other communities in the district. Questions on phase two of internet getting to those communities.

District 11 – Councillor LeBlanc welcome to 2021! Not completely different that 2020. As far as COVID we continue to hold our own. Waiting for vaccine to kill the virus and return to normal. It has been a wake up call to be cautious of what we do. Thank you to staff for continued diligence in helping council move along. Welcome to M. Coutinho.

Business Arising from the Minutes

Re: Seek Second Opinion on Validity of Motions Passed After October 17, 2020 (from 2020-11-19)

In-camera

It was moved by Councillor Sheridan, seconded by Councillor Barteaux to meet in-camera from 10:29 a.m. until 12:20 p.m. in accordance with Section 22(2)(g) legal advice eligible for solicitor client privilege of the Municipal Government Act. Motion carried unanimously.

Warden Parish read a statement from Cox and Palmer regarding the validity of meetings held on October 28th and November 4th.

MOTION 210119.04 Instruct Solicitor to Apply to Have Motions 201104.02 and 201104.03 Regarding Land Conveyance to Gordonstoun Quashed

Deputy Warden Gunn moved, seconded by Councillor Longmire, to instruct the County's solicitors, Cox & Palmer, to make an application to the Supreme Court of Nova Scotia to quash Motion #201104.02 approving the E.A. Farren Limited Lease Agreement and to quash Motion #201104.03 approving the conveyance of the real property to E.A. Farren Limited as being illegal, and not in compliance with the requirements of the *Municipal Government Act* and for a declaration that the resulting land conveyance and lease are without effect. Motion carried unanimously.

Lunch

A lunch break was held from 12:28 p.m. - 1:13 p.m. with all returning as previously noted, except the solicitor.

MOTION 210119.05 Instruct CAO to Issue RFP for Gordonstoun Feasibility Study

It was moved by Councillor Connell, seconded by Councillor Longmire, to instruct the CAO that the RFP for Gordonstoun feasibility study be immediately actioned and have a target completion date of not later than May 1, 2021. Motion carried unanimously.

MOTION 210119.06 Authorize CAO to Request Agreement Between Gordonstoun Scotland and EA Farren Limited

Deputy Warden Gunn moved, seconded by Councillor Barteaux to authorize the CAO to request a copy of the agreement between Gordonstoun Scotland and EA Farren Limited. Motion carried unanimously.

New Business

Re: RFD RBC Loan Note Facility 3 Gordonstoun

MOTION 210119.07 RBC Loan Note Facility 3 Gordonstoun - Authorize Warden and Clerk to Sign

It was moved by Deputy Warden Gunn, seconded by Councillor Morrison, that municipal council authorize the Warden and Clerk to sign the Loan Note (Facility #3) with the Royal Bank of Canada (RBC) to secure an additional \$1,000,000 in short term borrowing for the Gordonstoun project. Motion carried unanimously.

Reports and Recommendations

Re: Committee of the Whole (2021-01-12)

- ***AM-1.3.5.1 Audit Committee Policy – Amend***

MOTION 210119.08 AM-1.3.5.1 Audit Committee Policy - Amend

In accordance with seven-day notice having been given at Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor Sheridan, that municipal council 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.

- ***20-21 MFC Hillside Drive Short Term Borrowing Renewal***

MOTION 210119.09 2020-21 MFC Hillside Drive Short Term Borrowing Renewal

Deputy Warden Gunn moved, seconded by Councillor Barteaux, in accordance with the recommendation of Committee of the Whole, 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.

- ***20-21 MFC Temporary Borrowing Resolution (TBR) Gordonstoun Renewal***

MOTION 210119.10 2020-21 MFC TBR Gordonstoun Renewal

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

- ***20-21 RBC Internet Short Term Borrowing Renewal***

MOTION 210119.11 2020-21 RBC Internet Short Term Borrowing Renewal

Deputy Warden Gunn moved, seconded by Councillor Connell, pursuant to the recommendation of Committee of the Whole, 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.

- ***Belle Drive Streetlight***

MOTION 210119.12 Belle Drive Streetlight

In accordance with the recommendation of Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor LeBlanc, 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.

- ***Bear River Greenhouse Closing Date Extension***

MOTION 210119.13 Bear River Greenhouse Closing Date Extension to March 31, 2021

Deputy Warden Gunn moved, seconded by Councillor Sheridan, in accordance with the recommendation of Committee of the Whole, 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.

- *NS EMO Mayors and Elected Officials Training – Reschedule*
MOTION 210119.14 NS EMO Mayors and Elected Officials Training – January 26, 2021
Pursuant to the recommendation of Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor LeBlanc, that municipal council reschedule NS EMO Mayors and Elected Officials Training on Tuesday, January 26th, at 7:00 p.m. via Zoom. Motion carried unanimously.
- *Britex Building PID 05213947 – Tax Sale by Tender*
MOTION 210119.15 Britex Building PID 05213947 Tax Sale By Tender
Deputy Warden Gunn moved, seconded by Councillor Longmire, pursuant to the recommendation of Committee of the Whole, that municipal council place the Britex building PID 05213947 for tax sale by tender as soon as possible. Motion carried unanimously.

Correspondence

Re: 2020-11-25 Soldiers Memorial Hospital Foundation – of thanks for the \$50,000 pledge over the next five years for the Primary Health Care Centre fundraising campaign, and providing a receipt for the first commitment of \$10,000.

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

Re: 2020-12-16 Email Round Hill Hall – of thanks for the grant received to assist with upgrades of lighting and electrical.

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

Re: 2020-12-22 NS Guides Association – of thanks for the grant received to assist with their 100th Anniversary celebration.

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

Re: 2020-12-30 EA Farren Limited – informing that Simon Lees has be appointed as the Gordonstoun Nova Scotia Founding Principal and updating on the financing progress.

Councillor Morrison moved, seconded by Councillor Prout, to receive for information and include in the package that the CAO is compiling for Gordonstoun. Motion carried unanimously.

Re: 2021-01-04 Hampton Lighthouse and Historical Society – of thanks for the grant received which was used to supply a porta-potty for the Hampton Beach for the summer of 2020.

It was moved by Councillor Hudson, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Late Additions

Re: Workshops – the CAO noted discussion had taken place at COTW regarding this.

MOTION 210119.16 Workshops to be Special Committee of the Whole

Deputy Warden Gunn moved, seconded by Councillor Barteaux, that the three workshops booked for January 26 (Waste), February 2 (Internet), and February 5 (Gordonstoun), be changed to Special Committee of the Whole meetings. Motion carried unanimously.

Re: Letter to Mayor of Suqian – The CAO noted this longstanding friendship relationship with the City of Suqian. It has been a matter of goodwill for both our countries and communities. A request has been made for the Warden to send a letter to the new Mayor.

Adjournment

Upon motion of Councillors Sheridan and Connell, the meeting adjourned at 1:47 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