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**July 21, 2020**  
**Municipal Council**

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Minutes of the regular **Municipal Council** meeting held on Tuesday, July 21, 2020, at 10:04 a.m., via ZOOM Teleconference.

**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, and other staff (W. Atwell, A. Dunphy, S. McInnis, D. Campbell, L. Powell)

Councillor LeBlanc requested two additions to the agenda - Update Re Kings Transit (as requested by COTW), and Council Photo on Website.

**Agenda Approval**

Councillor LeBlanc moved, seconded by Councillor Sheridan, to approve the order of the day as amended. Motion carried unanimously.

**Minutes**

Re: Regular Session 2020-06-16

**MOTION 200721.01 Minutes 2020-06-16 Regular**

It was moved by Councillor Fowler, seconded by Councillor MacDonald, to approve the minutes of the regular session of council held on June 16, 2020, as circulated. Motion carried unanimously.

Re: Special Session 2020-06-17

**MOTION 200721.02 Minutes 2020-06-17 Special**

Councillor McNeil moved, seconded by Councillor Heming, to approve the minutes of the special session of council held on June 17, 2020, as circulated. Motion carried unanimously.

Re: Special Session 2020-06-23

**MOTION 200721.03 Minutes 2020-06-22 Special**

It was moved by Councillor LeBlanc, seconded by Councillor Prout, to approve the minutes of the special session of council held on June 22, 2020, as circulated. Motion carried unanimously.

**Councillor Comments**

*District 1 – Councillor Prout noted the following (as submitted)*

Summer is in full swing in District 1

- Auntie Dorn's Takeout is now open seven days a week.
- The first cut of hay has been completed by some farmers.

- Goucher's Farm Market has been very busy.
- Spurr Brothers have begun digging potatoes and their Farm Market is open for business.
- The Melvern Square Community Hall is beginning to safely reopen for some of its renters.
- The Flea Market in Wilmot is now open on weekends.
- On Monday August 3<sup>rd</sup> Tammy and her staff at Greenleaf Enterprises Flower Shop will be celebrating their 20th Anniversary.

*District 2 – Councillor MacDonald commented as follows (as submitted)*

It's another grand day to be in Annapolis County.

For all you County Internet fans, 141 kms of strand strung so far, including some strand along the CTI portion on the Fundy Shore.

Now I'm ready to get down to business representing District 2 and the rest of Annapolis County.

*District 3 – Councillor Fowler thanked everyone in the Atlantic Provinces for self-isolating and keeping Nova Scotia and the Atlantic Provinces safe during the pandemic.*

*District 4 – Councillor McNeil had nothing to report*

*District 5 – Councillor Heming noted that he is proud of the residents of Annapolis County on how they continue handling the pandemic. This is a remarkable community with a unity of spirit. Proud to be a part of this community.*

*District 6 – Councillor Morrison noted the following (as submitted)*

Thanked citizens of District 6 for outstanding cooperation during the continuing COVID-19 crisis. These times continue to be trying and challenges will be with us for a long time to come. Please continue to be patient, polite, and pleasing.

Branch 122 Royal Canadian Legion Clementsport is up and operating - all in accordance with COVID-19 guidelines. Also operating are Frank and Dora's eat in and take out in Deep Brook, the Deep Brook/Waldeck Lions Club, Upper Clements hall, and Cornwallis Park Community Centre. Founders' House restaurant will open on 28 July

Pop-up market in lower parking lot of Basinview centre started in 2019 with one organic farmer. This year, under the guidance of Charlene Walker of Clementsport, approximately ten vendors are taking part. The market is open 4-6pm Wed - lower parking lot of Basinview centre. All are welcome.

*District 7 – Warden Habinski noted we have turned a corner on the first wave of coronavirus. Citizens are to be commended for the discipline and compassion shown in following provincial guideline requirements, and looking after their neighbours. He especially noted his thanks to volunteers for at-risk communities. He encouraged residents to enjoy summer and this reprieve, continue to follow provincial directives, and be aware that it will come back in force – be aware, and be cooperative. Enjoy summer!*

*District 8 – Councillor Gunn commented as follows (as submitted).*

First, I'd like to offer my congratulations to our many high school, college and university graduates who had to adapt to how they celebrated – and were celebrated – this year. It was very encouraging to see signs on lawns, community centers and churches celebrating our fine youth, and I'm sure all of Council will join me in wishing them all the best with their future endeavors.

Canada Day was a relatively low key event across the district, with the exception of the various locations that hosted fireworks ... and Bear River managed an impressive show, and many thanks to the organizers of that event.

I was happy to respond to calls and email about Raven Haven with the news that it was open 5 days a week, and that washroom facilities were available 7 days a week.

More calls are coming in about the degrading road conditions, and I have been soliciting the Department of Highways in an effort to get their needs met.

But most of the calls and email this month – as has been the case for the last few months - have been from constituents who do not see their needs being met by the new fiber-op build. I met with the CAO and several concerned citizens (in Council chambers) and learned what may happen in the future if money becomes available from the earnings of this initial build. I guess we'll wait and see.

*District 9* – Councillor Sheridan reminded everyone of the photo contest sponsored by the Soldiers Memorial Hospital Foundation – they have extended the deadline to August 14<sup>th</sup> and you can find the information on their website. She thanked everyone for supporting local and supporting neighbours, and thanked staff for all they do.

*District 10* – Deputy Warden Roberts thanked the residents of Annapolis County and beyond for abiding by COVID-19 rules, adding it is amazing how communities have come together to support each other. Volunteers and youth have gone above and beyond adapting to situations. Proud of all.

*District 11* – Councillor LeBlanc talked about adapting. We see everyone volunteering and helping and we are proud of our citizens of all ages – they are walking, biking, chatting with neighbours, and enjoying the summer. We don't know what will come. Lots of road work is being done on Torbrook Road. Moving ahead with internet, can't get everyone at the same time, but moving forward. Bears - there was a tragedy – one of the bears was found dead bear on the road and she thought the bear concern was removed. But, there is another bear on the mountain, and another at a compost bin - the bears are still around. Be vigilant, stay safe, and enjoy the summer.

### **Business Arising from the Minutes**

Re: Fundy Dental Community Association Grant Application \$20,000 (from June 16<sup>th</sup>)

Councillor LeBlanc moved, seconded by Councillor Fowler, to lift the June 16, 2020 motion from the floor. Motion carried unanimously.

• *Fundy Dental Community Association Grant \$20,000*

It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, that municipal council approve a grant in the amount of \$ 20,000 from the 2020-21 Large Capital Pledge Grants to the Fundy Dental Community Association to assist with their “Building Healthy Smiles – Fundy Dental Community Project 2020 Capital Project Campaign” in accordance with *AM-1.4.9 Community Grants Policy*.

Councillor Fowler moved, seconded by Councillor McNeil to amend the motion to \$10,000. Motion carried, 9 in favour, 2 against. (Roberts, Gunn)

The motion was called as amended to read:

**MOTION 200721.04 Fundy Dental Community Association Grant \$10,000**

It was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, that municipal council approve a grant in the amount of \$ 10,000 from the 2020-21 Large Capital Pledge Grants to the Fundy Dental Community Association to assist with their “Building Healthy Smiles – Fundy Dental Community Project 2020 Capital Project Campaign” in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried, 9 in favour, 2 against. (Roberts, Gunn).

Re: C8 Alternative Voting Bylaw – Final Reading (from June 16, 2020)

**MOTION 200721.05 C8 Alternative Voting Bylaw – Final Reading**

In accordance with first reading having been given at June 22, 2020 municipal council, Deputy Warden Roberts moved, seconded by Councillor Heming, move that municipal council give final reading of their intent to approve *C8 Alternative Voting Bylaw*. Motion carried unanimously.

**New Business**

Re: Peter Harris Concern Bloomington Road – Councillor Sheridan noted there are ditching issues on this two-lane dirt road, traffic has increased, and speeding is an issue. It is a safety concern.

**MOTION 200721.06 Letter to TIR Re Speed on Bloomington Road in Nictaux Falls**

It was moved by Councillor Sheridan, seconded by Deputy Warden Roberts, that a letter be sent to Transportation and Infrastructure Renewal for them to determine a reasonable speed limit and place speed signs on the Bloomington Road in Nictaux Falls. Motion carried unanimously.

**Reports and Recommendations**

Re: 2020 Municipal Election – A report dated 2020-07-16 from Municipal Returning Officer Doug Patterson was circulated in the agenda package. Deputy Warden Roberts moved, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Re: Committee of the Whole (June 9, 2020)

• ***Excuse Councillor Absence***

**MOTION 200721.07 Excuse Councillor Absence 2020-07-14 COTW - Morrison**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that municipal council excuse Councillor Morrison from meeting attendance requirements for 2020-07-14 Committee of the Whole. Motion carried unanimously.

• ***AM-1.4.12 Tax Exemption and Reduction Policy - Amend***

**MOTION 200721.08 AM-1.4.12 Tax Exemption and Reduction Policy - Amend**

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with seven-day notice having been given at Committee of the Whole, that municipal council amend *AM-1.4.12 Tax Exemption and Reduction Policy* as follows:

In District #7:

Paradise Historical Society

Field Card #07664000 Land and Building at Paradise

Prop. #703-394-077 (including AAN 10859220 and 10859239) 3317879

Motion carried unanimously.

• ***Electronic Voting***

**MOTION 200721.09 Electronic Voting**

Pursuant to the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Sheridan, that municipal council authorize staff to prepare for an electronic ballot for the upcoming October 17, 2020 municipal election in the County of Annapolis. Motion carried, 10 in favour, 1 against.

- *First Advance Poll*

**MOTION 200721.10 First Advance Poll**

Deputy Warden Roberts moved, seconded by Councillor Heming, pursuant to the recommendation of Committee of the Whole, that municipal council approve Saturday, October 10, 2020 (seventh day before ordinary polling day) as the first advance poll day, from noon until 8:00 p.m. Motion carried unanimously.

- *Revisions to Preliminary Electors List - Notice to Public by Electronic Communication and Paper Flyer*

**MOTION 200721.11 Revisions to Preliminary Electors List – Notice to Public**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, that municipal council approve the additional methods of providing notice to the public on how the public/electors can make updates to the preliminary elector list to include both electronic communications to the public and paper flyer distribution (in addition to the two newspaper insertions that are required in the *Municipal Elections Act*). Motion carried unanimously.

Re: Special Session of Council – it was the consensus of those present that a special session of council to address election-related items be held on Thursday, July 22, 2020, immediately following the July 22<sup>nd</sup> workshop which starts at 10:00.

- *Set Deadline for Requests to Make Revisions to Preliminary Elector List*

**MOTION 200721.12 Deadline for Revisions to Preliminary Elector List**

Deputy Warden Roberts moved, seconded by Councillor Sheridan, in accordance with the recommendation of Committee of the Whole, that municipal council approve the deadline of Friday, August 21, 2020, for public requests to make revisions to the preliminary elector list. Motion carried unanimously.

- *Suspend Committee Meetings in August*

**MOTION 200721.13 Suspend Committee Meetings in August**

Pursuant to the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Heming, that municipal council suspend all regular committee meetings for the month of August, with it being noted that this does not include Municipal Council, nor does it prohibit the holding of special meetings of council, in accordance with the provincial State of Emergency (if it is still in place). Motion carried, 8 in favour, 3 against. (Gunn, Roberts, Fowler).

- *Tupperville Community Hall Association - Grant*

**MOTION 200721.14 Tupperville Community Hall Association – Grant \$1,200**

Deputy Warden Roberts moved, seconded by Councillor Fowler, pursuant to the recommendation of Committee of the Whole, that municipal council approve a grant in the amount of \$1,200 from the 2020-21 Community Halls and Centres Assistance Program to the Tupperville Community Hall Association to assist with the installation of four new windows and repair of a wall for the community hall in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried unanimously.

- ***Round Hill Hall Company - Grant***

**MOTION 200721.15 Round Hill Hall Company – Grant \$2,400**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that municipal council approve a grant in the amount of \$2,400 from the 2020-21 Community Halls and Centres Assistance Program, to the Round Hill Hall Company to assist with several upgrades and renovations to the Hall (oil tank, roof, insulation, door replacements) in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried unanimously.

- ***Hampton Lighthouse and Historical Society - Grant***

**MOTION 200721.16 Hampton Lighthouse and Historical Society – Grant \$943**

Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that municipal council approve a grant in the amount of \$943 from the 2020-21 Marketing Promotion and Partnership Program to the Hampton Lighthouse and Historical Society to assist with the cost of maintaining a portable toilet for the Hampton Beach area throughout the summer months in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried unanimously.

- ***Margaretsville Community Hall Society - Grant***

**MOTION 200721.17 Margaretsville Community Hall Society – Grant \$2,400**

Pursuant to the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor MacDonald, that municipal council approve a grant in the amount of \$2,400 from the 2020-21 Community Halls and Centres Assistance Program to the Margaretsville Community Hall Society to assist with several upgrades and renovations to the hall and grounds (roof repair, new tables and chairs, landscaping, fencing and replacing the flag pole) in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried unanimously.

- ***66520-35 Upper Clements 2020-MPS/LUB-001 Private and Independent School LUB Text Amendment***

**MOTION 200721.18 Upper Clements MPS/LUB-001 Private and Independent School LUB Text Amendment**

Deputy Warden Roberts moved, seconded by Councillor Morrison, pursuant to the recommendation of Committee of the Whole, that municipal council amend Part 3 of the Upper Clements Area Municipal Planning Strategy (MPS) to reorient the focus of the Park Designation from commercial recreation to broader combined commercial and institutional uses and to concurrently amend Part 12.1 of the Upper Clements Area Land Use Bylaw (LUB) to add private and independent schools as a permitted use in the Commercial Park (C-1) Zone and to adopt a public participation process involving the application referral to Upper Clements Area Advisory Committee and Planning Advisory Committee for their review and recommendation after holding a public meeting in the community. Motion carried, 10 in favour, 1 against.

- ***Special Council Swearing-In of New Council***

**MOTION 200721.19 Swearing-In Special Session of Council November 10, 2020**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that municipal council hold a special session of council on Tuesday, November 10, 2020, immediately preceding

Committee of the Whole, in order to swear-in the new Council and hold the election of Warden, Deputy Warden and Nominating Committee. Motion carried, 9 in favour, 2 against. (MacDonald, Roberts)

- ***AM-6.1.1 Progress Payments Policy – Amend***

**MOTION 200721.20 AM-6.1.1. Progress Payments Policy – Amend**

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with seven-day notice having been given at Committee of the Whole, that municipal council amend *AM-6.1.1. Progress Payments Policy* as follows:

- Replacing “Mainland Telecom Inc.” with “Eagle Telecom” throughout;
- Deleting all references to interest payable; and
- Re-numbering as appropriate.

Motion carried, 9 in favour, 2 against. (Roberts Gunn).

- ***AM-1.4.11 Community Contributions Policy – Amend***

**MOTION 200721.21 AM-1.4.11 Community Contributions Policy - Amend**

Pursuant to seven-day notice having been given at Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor Fowler, that municipal council amend *AM-1.4.11 Community Contributions Policy* by changing the amount granted to the Annapolis County Barristers Association Lovett Library from \$2,460 to \$500. Motion carried unanimously.

- ***AM-1.3.5 Citizen Appointments to Committees Policy - New***

**MOTION 200721.22 AM-1.3.5 Citizen Appointments to Committees Policy - New**

Deputy Warden Roberts moved, seconded by Councillor Fowler, pursuant to seven-day notice having been given at Committee of the Whole, that municipal council approve *AM-1.3.4 Citizen Appointments to Committees Policy*. Motion carried unanimously.

- ***Soldiers Memorial Hospital Foundation – Commitment to Funding***

**MOTION 200721.23 Soldiers Memorial Hospital Foundation – Commitment to Funding \$50,000 over Five Years**

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, that municipal council send a letter of commitment to Soldiers Memorial Hospital Foundation to provide \$50,000 over five years, to assist in funding the construction of a new Primary Health Care Centre. Motion carried, 10 in favour, 1 against. (Roberts)

- ***Kings Transit Authority – Cleaning on Buses***

**MOTION 200721.24 Kings Transit Authority Cleaning on Buses**

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with the recommendation of Committee of the Whole, that municipal council support the alteration of cleaning practices to cease the two-hour wipe-down of touch points while maintaining the nightly deep-cleaning, provided that the stringent measures of cleaning are ready to be implemented if the situation requires. Motion carried unanimously.

## **Correspondence**



Re: Upper Room Food Bank Association June 15<sup>th</sup> – of thanks for the two thousand dollar contribution to the Upper Room Food Bank. It was moved by Councillor Fowler, seconded by Deputy Warden Roberts, to receive for information. Motion carried unanimously.

Re: Duston Stevenson Email June 16<sup>th</sup> – of appreciation for recognizing the Black Mi'maq of Delaps Cove by way of Proclamation. Councillor Heming moved, seconded by Councillor MacDonald, to receive for information. Motion carried unanimously.

Re: King's Theatre Society June 23<sup>rd</sup> – of appreciation for the \$15,000 grant for capital upgrades to the theatre. It was moved by Councillor Sheridan, seconded by Deputy Warden Roberts to receive for information. Motion carried unanimously.

**Late Additions**

Re: Kings Transit – Councillor LeBlanc – as requested at COTW. Fares started on July 1<sup>st</sup>. about 50% ridership compared to last year. As of today, routes will commence the regular later times. Operators are wearing masks. New requirements from the Province note this is mandatory except for: children under two; medical conditions, human rights. Waiting for the shield for the buses to protect the driver. Cost is \$800-\$1000. Councillor MacDonald moved, seconded by Councillor Heming, to receive for information. Motion carried unanimously.

Re: Council Photo – Councillor LeBlanc noted it had been brought to her attention that the council photo on the website does not include the newest councillor. Staff reported that the photo had been removed from the website following the discussion at Committee of the Whole.

**Recess**

11:37 a.m. – 11:57 a.m.

**In-Camera**

It was moved by Councillor LeBlanc, seconded by Councillor McNeil, to meet in-camera (following a brief recess from 11:37-11:57 a.m.) from 11:57 a.m. until 12:49 p.m. in accordance with Sections 22(2)(e) contract negotiations, (f) litigation or potential litigation of the *Municipal Government Act*. Motion carried unanimously.

**Adjournment**

Upon motion of Councillors McNeil and MacDonald, the meeting adjourned at 12:53 p.m.

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**Warden**

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**Municipal**

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**Clerk**

**Direction of the Minister  
under a Declared State of Emergency**

(Section 14 of the *Emergency Management Act*, the *Municipal Government Act*, and *Halifax Regional Municipality Charter*)

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 as Minister of all municipalities, I direct all municipalities and villages in the Province, including the Halifax Regional Municipality, to:

1. **Effective at 2 pm on March 22, 2020**, discontinue holding their meetings in person, instead only virtual meetings may be held by video or telephone. Those virtual meetings must be recorded, and the minutes posted on a public website within 24 hours of the meeting.

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 March 22, 2020.



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Hon. Chuck Porter  
Minister of Municipal Affairs and Housing