

Minutes of the regular Committee of the Whole meeting held on Tuesday, February 9, 2021, at 10:00 a.m., via Zoom teleconference, 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, present
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, A. Dunphy, S. McInnis, and H. Orde).

Amendments to the Agenda

The Warden requested to add under Late Additions (A) Information Report – Legal Expenses and (B) - Nominating Committee CAO Recruitment Committee Report. Councillor Hudson requested to add (C) Bridgetown Elementary School.

The Warden also requested two deletions - 5D RFD Provincial Minimum Planning Standards, and 5F Recommendation Report AM-1.4.12 Tax Exemption and Reduction Policy Amend.

Approval of the Agenda (Order of the Day)

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

Minutes

Re: 2021-01-12 Regular

Councillor Barteaux moved, seconded by Deputy Warden Gunn, to approve the minutes of the regular meeting of Committee of the Whole held on January 12, 2021 as circulated. Motion carried unanimously.

Re: 2021-01-26 Special

It was moved by Deputy Warden Gunn, second by Councillor Sheridan, to approve the minutes of the special meeting of Committee of the Whole held on January 26, 2021 as amended on page 1, under Solid Waste Management – Warden’s comment to change ‘Parties’ to ‘Municipalities’. Motion carried unanimously.

Re: 2021-02-02 Special

Deputy Warden Gunn moved, seconded by Councillor Redden, to approve the minutes of the special meeting of Committee of the Whole held on February 2, 2021 as amended to add, under Additional Internet Service, at the end of the first sentence ‘*and line of sight towers*’. Motion carried unanimously.

Business Arising from the Minutes

Re: AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy Amend (from 2020-12-08 and 2021-01-12)

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, that seven-day notice be given for municipal council to amend AM-1.2.1 Remuneration for Warden, Deputy Warden and Councillors Policy by deleting in Section 7: “*subject to providing proof that he / she has established an instrument such as a Tax Free Savings Account or other suitable investment instrument for this purpose.*” Motion carried unanimously.

Re: Bridgetown Community Recreation Association (from 2021-01-12)

Declaration of Interest

Councillor Hudson declared an interest in the matter because he is the treasurer of the Bridgetown Community Recreation Association. He was placed in the Zoom waiting room and did not take part in any discussion or subsequent motion.

Councillor LeBlanc moved, seconded by Deputy Warden Gunn, to direct A/CAO to provide a report to March Committee of the Whole. Motion carried unanimously.

Hudson returned to the meeting at 10:21 a.m.

New Business

Re: Bridgetown Community Rate Report – A/CAO noted that the Community rate and tax rate all happened through the Utility and Review Board proceedings around the dissolution of the former town. For staff to conduct a study to determine if it is appropriate or not, is extremely complex and might take months to determine as it could have impacts on other areas and/or districts. He suggested that an Adhoc committee might best be able to review and bring a recommendation back to council.

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, to recommend that municipal council strike an Adhoc Bridgetown Rate Review Committee to review the Bridgetown rates. Motion carried unanimously.

Councillor LeBlanc moved, seconded by Councillor Prout, to recommend to municipal council, that the Adhoc Bridgetown Rate Review Committee be made up of five councillors – Warden Parish and Councillor Hudson (as the local councillors) and three others. Motion carried unanimously.

It was suggested that those interested in participating on this Adhoc committee email their name to Councillor LeBlanc for names to be drawn at a future meeting.

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, to recommend to municipal council that the Adhoc Bridgetown Rate Review Committee start as soon as it is complete and that it provide a report to council by December 2021, in time for inclusion/consideration in the following budget year. Motion carried unanimously.

Re: Other Committee Meetings

The Warden noted that with recent changes to the COVID meeting restrictions, he has requested a staff report concerning committees of council meetings. Deputy CAO Campbell noted that it is the understanding that numbers provide for social distancing in council chambers which can accommodate 10 persons, socially distanced.

Re: Transfer of Gordonstoun Funds – The A/CAO noted that, regarding a transfer to pay back the operating reserve for the borrowed funding of \$188,000, it is a simple change and does not require a motion of council, as it is an administrative function.

Re: Discontinuous Road Sections Longley Mountain Road (0614)

Deputy Warden Gunn moved, seconded by Councillor Redden, to recommend that municipal council initiate the review process to allow staff to research the discontinuous road sections of Longley Mountain Road (0614) as per AM-1.4.5 Road Naming and Community Adjustment Policy. Motion carried unanimously.

Re: RFD Minimum Planning Standards – this item was withdrawn from the agenda.

Re: RR AM-1.4.14 Low Income Tax Exemption Policy Amend

It was moved by Deputy Warden Gunn, seconded by Councillor Redden, that seven-day notice be given for municipal council to amend AM-1.4.14 Low Income Tax Exemption Policy by increasing the exemption amount to \$325 and increasing the allowable income amount to \$26,500. Motion carried unanimously.

Re: RR-AM-1.4.12 Tax Exemption and Reduction Policy Amend – this item was withdrawn from the agenda.

Re: RR AIM Network Proposed Asset Management Funding – the Director of Municipal Services noted that the first suggested motion identifies the funding source from the county, the second is for a specific resolution in order to access the grant.

Deputy Warden Gunn moved, seconded by Councillor Sheridan, to recommend that municipal council authorize staff to proceed with an application for \$50,000 in funding through the Municipal Asset Management Program for development of a tailored asset management program to be supplied in partnership with the AIM Network, and that the municipality will fund the remaining costs of \$12,500 through the Federal Gas Tax Fund. Motion carried unanimously.

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, to recommend that municipal council direct staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Asset Management Inventory and Preliminary Capital Projections; and

commit to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

Activity 1: Prepare an inventory of all major assets including water, roads, storm, trails, sidewalks, parks, fleet and municipal-owned building and structures; set up in spreadsheet and GIS; and, undertake condition assessments.

Activity 2: Prepare State of Infrastructure Report and a Preliminary Capital Program.

Activity 3: Develop standard operating procedures to operationalize activities and provide staff training on updating and maintaining data and reports; and

commit \$12,500 from its budget toward the costs of this initiative. Motion carried unanimously.

Re: RR AM-1.2.1.1 Internet Reimbursement Policy New

Point of Order – Councillor Morrison noted that the background information provided is not correct and wondered if it should be discussed before it is decided to put forward a motion. The Warden asked that this information be raised once a motion is on the floor. .

Deputy Warden Gunn moved, seconded by Councillor Hudson, that seven-day notice be given for municipal council to approve AM-1.2.1.1 Internet Reimbursement Policy as circulated.

Councillor Prout moved, seconded by Deputy Warden Gunn, to amend the motion to add a statement that a councillor can opt out. Motion carried unanimously.

Councillor Redden moved, seconded by Councillor Longmire, to amend the amendment to add to strike Article 6 (2) a, b, c and d from the policy. **Motion lost**, 5 in favour, 6 against.

On the motion as amended – the mover and seconded withdrew the motion.

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, to request that staff bring it back to March COTW with more information. Motion carried unanimously.

Lunch

The Warden declared a lunch break at 12:14 p.m. with all returning at 1:04 p.m. as previously noted.

Re: Lawrencetown Consolidated School Request Letter of Support/Acknowledgement – the Clerk explained what a Recreation Facility Development Grant is and how these applications are handled by the municipality.

Councillor Leblanc moved, seconded by Councillor Barteaux, to recommend that municipal council provide a letter of awareness/acknowledgement of the Lawrencetown Consolidate Elementary School application for a Nova Scotia Recreation Facility Development Grant for their Community Play Structure project. Motion carried unanimously.

Re: LED Streetlight Stronach Mt Road / Highway 1 Intersection – Councillor Prout was approached by concerned citizens on Stronach Mt. Road, a heavy traffic area. They would like to have an LED streetlight on the corner of Stronach Mt. Road and the intersection of Highway 1. There is a light on the second pole. It is very dark.

It was moved by Councillor Prout, seconded by Councillor Leblanc, to request that staff investigate the location and provide a report to March COTW to see if the county can install an LED streetlight at the intersection of Stronach Mt. Road and Highway 1. Motion carried unanimously.

Re: Homelessness in Annapolis County – Councillor Prout noted the tragic incident of January 17th which resulted in one death and one serious injury, affecting two families plus their friends. Nearly 250 people are at risk of or are homeless across the Annapolis Valley.

Councillor Prout moved, seconded by Councillor Leblanc, to recommend that municipal council send a letter to Hon. Chuck Porter, Minister of Municipal Affairs and Housing and Hon. Leo Glavine, Minister of Health, expressing our concern over the number of citizens in the Annapolis Valley who are struggling with finding adequate housing, especially during these winter months, and to call attention to the dire need for more affordable low cost housing options for citizens in the Valley area. Motion carried unanimously.

Re: Picnic Park at Upper Clements – Deputy Warden Gunn provided a compilation of emails received since May, 2019 from citizens expressing a desire that the former provincial picnic park in Upper Clements be restored.

Councillor Morrison moved, seconded by Deputy Warden Gunn, to recommend that municipal council direct that the CAO conduct a study of the Upper Clements Picnic Park within the context of making the area more attractive to the general public and that recommendations be submitted to April Committee of the Whole. Motion carried unanimously.

Re: Climate Change – Councillor Morrison noted the November 2019 Annapolis County Climate Change Action Summit, adding that follow-up had been planned for mid-2020, but COVID intervened. He noted a final report was prepared and delivered but, to the best of my knowledge, it is not on the county web page.

It was moved by Councillor Morrison, seconded by Councillor LeBlanc, to recommend that municipal council establish a TAB on the County home page entitled Climate Change, and that the Climate Change Action Summit final report and citizen submissions be placed there.

This motion was withdrawn.

Councillor Morrison moved, seconded by Councillor Longmire, to recommend that the CAO conduct a study of the climate change action summit and of county efforts in the field of climate change and report back to COTW no later than April.

This motion was withdrawn.

It was moved by Councillor Morrison, seconded by Councillor LeBlanc, to recommend that municipal ask the COA to locate the final report of the Annapolis County Climate Change Action Summit and distribute to members of council. Motion carried unanimously.

Re: Annapolis Basin Conference Centre

Councillor Morrison moved, seconded by Councillor Prout, to recommend that municipal council send a letter of appreciation to the Annapolis Basin Conference Centre for its service in providing facilities for a number of county meetings. Motion carried unanimously.

Re: Agenda Items

Warden Parish commented that if councillors want to put matters on an agenda, to please provide some background rather than just a note. It is also helpful to provide a draft motion, and at least a couple of paragraphs of background. He reminded that items need to be submitted to the clerk the Monday of the previous week (eight days) before the Tuesday meeting.

Departmental Reports

Re: Community Development (January) – Councillor LeBlanc moved, seconded by Councillor Redden to receive the Community Development report as submitted. Motion carried unanimously.

Re: Legislative Service (January) –It was moved by Councillor Sheridan, seconded by Deputy Warden Gunn to receive the Legislative Services (including Protective Services) report as submitted. Motion carried unanimously.

Re: Finance Services (January, Q3 Report) – an Information Report outlining the Statement of Financial Position at December 31, 2020 and the Q3 General Operating Budget Report were circulated in the agenda package.

Councillor LeBlanc moved, seconded by Deputy Warden Gunn to receive the Finance Services report as submitted. Motion carried unanimously.

Re: Municipal Services (January) – It was moved by Councillor Hudson, seconded by Deputy Warden Gunn to receive the Municipal Services report for information. Motion carried unanimously.

Recess

A brief recess was held from 2:36 p.m. – 2:52 p.m.

Re: CAO Office (January) – The CAO noted that his weekly reports had been provided to Councillors. A summary of motions from December 21st to January 19th was circulated in the agenda package. The CAO added that he would circulate his weekly reports in the February Council agenda package.

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

The CAO added that he will get back to councillors with possible dates for an orientation that will include training on in-camera sessions as offered by the Department of Municipal Affairs and Housing.

Council, Committee, & Organizational Reports

Re: Warden’s Report – Warden Parish provided a verbal report for January. Councillor Connell moved, seconded by Councillor LeBlanc, to receive for information. Motion carried unanimously.

Re: Trans County Transportation Society 2021-01-20

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

Re: Nominating Committee 2021-02-02 -

• *Western Regional Housing Authority Board – Recommendation for Ministerial Appointment*

Pursuant to the recommendation of the Nominating Committee, Councillor LeBlanc moved, seconded by Deputy Warden Gunn, that municipal council recommend Nicola Vance-Lousada to the Minister of Municipal Affairs and Housing for ministerial appointment as the Municipality of the County of Annapolis’s representative on the Board of the Western Regional Housing Authority. Motion carried unanimously.

• *Margaretsville Source Water Protection Advisory Committee (NOT MORE THAN 4 citizens)*

Councillor Leblanc moved, seconded by Councillor Connell, in accordance with the recommendation of the Nominating Committee, that municipal council waive by resolution the restriction regarding consecutive appointments, and appoint Harold Baker as a citizen member of the Margaretsville Source Water Protection Advisory Committee (satisfying Section 28(5) of the policy) for an additional two-year term ending November 30, 2022. Motion carried unanimously.

• *Margaretsville Water Supply Area Advisory Committee (NOT MORE THAN 4 citizens)*

Pursuant to the recommendation of the Nominating Committee, it was moved by Councillor LeBlanc, seconded by Councillor Connell, that municipal council waive by resolution the restriction regarding

consecutive appointments, and appoint Harold Baker as a citizen member of the Margaretsville Water Supply Area Advisory Committee (satisfying Section 29(3) of the policy) for an additional two-year term ending November 30, 2022. Motion carried unanimously.

• *Amend Citizen Advisory Committee Policies to Allow for Greater Citizen Participation*

In accordance with the recommendation of the Nominating Committee, it was moved by Councillor LeBlanc, seconded by Deputy Warden Gunn, that municipal council ask staff to amend all citizen advisory committee policies to allow for greater citizen participation - of all residents, not only property owners - where it is possible to do so. Motion carried unanimously.

• *Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens) Thanks for Interest*

Councillor LeBlanc moved, seconded by Councillor Morrison, in accordance with the recommendation of the Nominating Committee, that municipal council send a letter to Kevin Burnell thanking him for his interest in becoming a member of the Cornwallis Park Area Advisory Committee, and welcoming an application when he is qualified to do so. Motion carried unanimously.

Cornwallis Park Area Advisory Committee (NOT MORE THAN 6 citizens)

It was moved by Councillor LeBlanc, seconded by Councillor Morrison, pursuant to the recommendation of the Nominating Committee that municipal council appoint Benjamin Forsyth as a citizen member of the Cornwallis Park Area Advisory Committee (satisfying Section 29(d) of the policy) for a two-year term ending November 30, 2022. Motion carried unanimously.

• *Re-Advertise to Fill Citizen Vacancies on the Cornwallis Park Area Advisory Committee and the Heritage Advisory Committee*

In accordance with the recommendation of the Nominating Committee, Councillor LeBlanc moved, seconded by Deputy Warden Gunn, that municipal council re-advertise to fill citizen vacancies on the Cornwallis Park Area Advisory Committee and the Heritage Advisory Committee. Motion carried unanimously.

• *Re: Heritage Advisory Committee (3 citizens)*

Pursuant to the recommendation of the Nominating Committee, it was moved by Councillor LeBlanc, seconded by Deputy Warden Gunn, that municipal council send a letter to Stephen Hawboldt advising the vacancy on the Heritage Advisory Committee is being re-advertised and encouraging him to re-apply; and further that the Recording Secretary contact the persons who previously indicated an interest to encourage them to apply. Motion carried unanimously.

• *Re: Granville Ferry Source Water Protection Advisory Committee (NOT MORE THAN 2 citizens) Policy AM-1.3.6.9*

Councillor LeBlanc added that she would like to correct a matter in relation to the Nominating Committee's consideration of Mr. David Gartley's application to become a citizen member of the Granville Ferry Source Water Protection Advisory Committee.

Committee asked the recording secretary to send a letter to Mr. Gartley; however, this should have been in the form of motion recommending an action to Committee of the Whole. I will make the motion now for council's consideration:

Councillor LeBlanc moved, seconded by Deputy Warden Gunn, to recommend that municipal council send a letter to David Gartley thanking him for his application, explaining that technically he does not qualify to become a citizen member, and advising steps are being taken to try to change the policy. Motion carried unanimously.

Late Additions

Re: Information Report – Legal Expenses 2017-2020 – The A/CAO noted the high-level report that had been circulated by email, noting the following expenses incurred over the past three years: Internet \$635,950; Valley Waste \$379,795; Private School \$11,640; and Other \$8,080; for a total of \$1,035,465 from 2017 to 2020. Councillor Hudson moved, seconded by Councillor Barteaux, to receive for information. Motion carried unanimously.

Re: Nominating Committee – CAO Recruitment Committee Report – Councillor LeBlanc reported that Councillors Sheridan and Barteaux have been selected to participate on this committee with the Warden and CAO to recruit the next CAO. For information Connell, Longmire. Motion carried unanimously.

Re: Bridgetown Elementary School – Councillor Hudson noted that he, Councillor Longmire and the CAO have received inquiries about the former Bridgetown elementary school. What occurred in the transition? Did the province want to demolish it, as the high school? If that changed, what has occurred since that time? Citizens are wanting to know what the future is for that building.

It was moved by Councillor Hudson, seconded by Councillor Longmire, to request the CAO to bring a staff report to April COTW regarding the history and status of the former Bridgetown elementary school. Motion carried unanimously.

In-Camera

It was moved by Councillor Sheridan, seconded by Deputy Warden Gunn, to meet in-camera from 3:28 p.m. until 3:58 p.m. in accordance with Section 22(2)(e) contract negotiations of the *Municipal Government Act*. Motion carried unanimously.

Amend the Order of the Day

Councillor LeBlanc moved, seconded by Deputy Warden Gunn, to amend the order of the day by adding NS Communities Culture and Heritage. Motion carried unanimously.

Re Communities Culture and Heritage

It was moved by Deputy Warden Gunn, seconded by Councillor Redden, to authorize the Warden and Clerk to countersign the letter dated February 3, 2021, as requested by Nova Scotia Communities Culture and Heritage. Motion carried unanimously.

Adjournment

Upon motion of Councillor Barteaux, seconded by Deputy Warden Gunn, the meeting adjourned at 4:00 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