

Summary of Motions
2020-11-10
Special Session of Council

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unapproved draft

Minutes of the special session of Municipal Council held on the 10th day of November 2020, at the Annapolis Basin Conference Centre, Cornwallis Park, NS, at 10:08 a.m., in accordance with the Direction of the Minister under a Declared State of Emergency [updated July 29, 2020 (*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 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: CAO John Ferguson, Municipal Clerk Carolyn Young, Deputy Clerk Wanda Atwell, Municipal Solicitor W. Bruce Gillis, Q.C., Directors Dawn Campbell, Albert Dunphy, Holly Orde, Acting Greg Price, Asst. Manager IT David Hopkins, and Media/Information Coordinator Larry Powell.

In accordance with Part 1, Section 12(4) of the *Municipal Government Act*, the Municipal Clerk chaired the meeting and called it to order at 10:08 a.m.

Purpose of Meeting

The Chair stated the purpose of the meeting was to administer the Oaths of Office to the declared elected Councillors and to then elect the Warden and Deputy Warden for a 2-year term pursuant to *AM-1.2.3 Warden and Deputy Warden Policy*.

Several items were noted at this time:

Tax and Pay Information for Councillors – The Clerk referred councillors to information relating to Tax and Pay circulated to desks. She requested the paperwork be completed and provided to Dawn Campbell, Director of Legislative Services and Human Resources.

Re: Councillor Preferences for Service on Committees – the Clerk explained the package of information as circulated to desks, requesting the Councillor Preferences form be returned to Wanda Atwell, RM Coordinator/Deputy Clerk no later than Tuesday, November 17th per the memo’s instructions. She asked that newly elected committee members meet with Ms. Atwell briefly following the meeting to set a meeting date for the Nominating Committee (dates preferred November 23rd or 25th).

Re: White Binders – the white binders which were circulated to desks will be referenced by the CAO this afternoon. Councillors may take it with them to read; however, its contents are confidential. The Clerk asked that Councillors remove stop sleeve, sign it and give it to her at the end of the meeting.

Re: Oaths of Office - Two oaths of office and codes of conduct to be signed; sign all four and return to clerk for her signature and return.

Opening Remarks by Chief Administrative Officer – CAO John Ferguson congratulated all on their election victory and welcomed them to Annapolis County Government. He looks forward to the opportunity to learn each other’s roles, noting we should slow, and go through the binders. He encouraged all to take the binders home, review the information, and feel free to ask questions. We are always learning in municipal government. He looks forward to working with you, meeting challenges and opportunities together.

Declaration of Elected Candidates - Pursuant to Section 129(1) of the *Municipal Elections Act*, the Municipal Clerk declared the following Councillors elected as a result of the 2020 Municipal Elections held on October 17, 2020

Councillor for District #1	Bruce Prout
Councillor for District #2	Brian ‘Fuzzy’ Connell
Councillor for District #3	Alan Parish
Councillor for District #4	Clyde Barteaux
Councillor for District #5	Lynn Longmire
Councillor for District #6	Alex Morrison
Councillor for District #7	David Hudson
Councillor for District #10	Brad Redden
Councillor for District #11	Diane Le Blanc

She further noted that Councillors previously declared elected by acclamation pursuant to Section 55 of the *Municipal Elections Act* were:

Councillor for District #8	Michael J. Gunn
Councillor for District #9	Wendy Sheridan

Re: Administration of Oath of Office (Section 147 of the *Municipal Elections Act*) – The Municipal Clerk administered the Oath of Allegiance and Office for all Councillors.

• ***Nomination of Warden***

In accordance with the *AM-1.2.3 Warden and Deputy Warden Policy*, the Chair called for nominations for the office of Warden.

Councillor Hudson nominated Councillor Parish for the office of Warden, seconded by Councillor Barteaux. Councillor Parish gave unconditional consent to the nomination.

Councillor LeBlanc nominated Councillor Morrison for the office of Warden, seconded by Councillor Redden. Councillor Morrison gave unconditional consent to the nomination.

The Chair called three times for additional nominations and there being none, the Chair announced that nominations were closed.

• ***Appointment of Scrutineer***

It was moved by Councillor LeBlanc, seconded by Councillor Prout, that Larry Powell be appointed as Scrutineer to assist the Chair in the counting of the ballots for both the office of Warden and Deputy-Warden, as required. Motion lost, 4 in favour, 7 against.

It was moved by Councillor Connell, seconded by Councillor Parish, that David Hopkins be appointed as Scrutineer to assist the Chair in the counting of the ballots for both the office of Warden and Deputy-Warden, as required. Motion carried, 9 in favour, 2 against.

Upon consensus, the two Nominees gave brief speeches.

Paper ballots were cast in the presence of the Clerk and Scrutineer.

MOTION 201119.01 Election of Councillor Parish as Warden

The Municipal Clerk declared that Councillor Parish had been elected by his peers as Warden for the Municipality of the County of Annapolis, for a period of two years.

Warden Parish presided in the Chair, and noted with thanks that he looked forward to working with all for the next four years.

- ***Destruction of Ballots*** – Councillor Hudson moved, seconded by Councillor LeBlanc that the Clerk be authorized to destroy the ballots. Motion carried unanimously.

Re: Election of Deputy Warden

- ***Nomination of Deputy Warden***

In accordance with *AM-1.2.3 Warden and Deputy Warden Policy*, Warden Parish called for nominations for the office of Deputy Warden.

Councillor Sheridan nominated Councillor Gunn for the office of Deputy Warden. Councillor Barteaux seconded the nomination. Councillor Gunn confirmed his acceptance of the nomination.

Councillor Redden nominated Councillor Connell for the office of Deputy Warden. Councillor Longmire seconded the motion, and Councillor Connell confirmed his acceptance of the nomination.

Councillor Longmire nominated Councillor Redden for the office of Deputy Warden. Councillor Gunn seconded the motion, and Councillor Redden confirmed his acceptance of the nomination.

After calling three successive times with no further nominations, the Warden announced that nominations were closed.

Upon consensus, the three Nominees each gave a brief speech.

Paper ballots were cast in the presence of the Clerk and Scrutineer. The Clerk announced there was no clear outcome in the first round of ballots. Councillor Connell had the least amount of votes and his name removed from the ballot. Paper ballots were cast a second time.

MOTION 201119.02 Election of Councillor Gunn as Deputy Warden

The Municipal Clerk declared that Councillor Gunn had been elected by his peers as Deputy Warden for the Municipality of the County of Annapolis, for a period of two years.

Destruction of Ballots – Councillor LeBlanc moved, seconded by Councillor Barteaux, that the Clerk be authorized to destroy the ballots. Motion carried unanimously.

Re: Election of Nominating Committee

In accordance with Subsection 3.8 of *AM-1.3.5 Committees of Council Policy*, the Warden called for nominations for membership on the Nominating Committee.

Councillor Sheridan, seconded by Councillor Prout, nominated Councillor LeBlanc. Councillor LeBlanc accepted the nomination.

Councillor Connell, seconded by Councillor Gunn, nominated Councillor Sheridan. Councillor Sheridan accepted the nomination.

Councillor Sheridan, seconded by Councillor Hudson, nominated Councillor Gunn. Councillor Gunn accepted the nomination.

The Warden called three times for further nominations, and, hearing none, declared that Councillors LeBlanc, Sheridan and Gunn will form the Nominating Committee along with the Warden.

MOTION 201119.03 Election of Nominating Committee

The Warden declared that Councillors LeBlanc, Sheridan, and Gunn had been elected to the Nominating Committee.

Re: Remembrance Day

Councillor Morrison noted that tomorrow is 11th November, Remembrance Day. It is going to be different this year, and won't be in person. We will have to abide by new rules, but that does not stop us from remembering. He recalled the story of two uncles – his and his wife's – serving in the World War II. Personal stories told to bring home to us that war is very personal. Tomorrow, to honour those who serve and remember those who did not return, let's try to remember, with thanks.

Warden thanked Councillor Morrison for the emotional remarks; which struck home to him.

The Warden called for any new business

Re: Retrofit if Council Chambers to Meet In-Person - What efforts have been made to meet in person rather than continuing on zoom?

CAO – this location was chosen for this meeting, with no additional space for public or family. People wouldn't be able to meet at council chambers. If we find something, it has to be offsite and it is cumbersome. With Zoom everyone can see each councillor and the recording is posted within 24 hours. We are trying to stay within the bounds of the State of Emergency. There is no budget to deal with outside meeting spaces. If that is the direction of council we will do it. It is up to council.

It was moved by Councillor Sheridan, seconded by Councillor Connell, to direct the CAO to investigate three sheets of Plexiglas at each desk in council chambers in order to meet in person.

Councillor Gunn moved, seconded by Councillor Longmire, to amend the motion to direct CAO to have council chambers retrofitted to meet in person.

Point of Order – Councillor Morrison noted the amendment is not in line with the motion.

The Warden ruled on the Point of Order that it is not contradictory.

The Question was called on the amendment.

Motion carried, 1 against.

The Question was called on the motion as amended to read:

MOTION 201119.04 Retrofit of Council Chambers for In-Person Meetings

It was moved by Councillor Sheridan, seconded by Councillor Connell, to direct the CAO to have council chambers retrofitted to meet in person. Motion carried.

Re: Timeline for Council Chamber Retrofit

It was moved by Councillor Connell seconded by Councillor Redden that council chamber changes be accomplished by the New Year and that staff find the money to have it done.

Councillor Prout moved, seconded by Councillor Redden, to amend the motion to have the CAO present costs. 6 in favour, 5 opposed. Motion carried

The Question was called on the motion as amended to read

MOTION 201119.05 Timeline for Council Chamber Retrofit

It was moved by Councillor Connell seconded by Councillor Redden that council chamber changes be accomplished by the New Year, that staff find the money to have it done, and that the CAO present the costs to council. Motion carried.

MOTION 201119.06 Hold Meetings at ABCC Until Council Chamber Retrofit is Complete

Councillor Gunn moved, seconded by Councillor Connell, to hold meetings in-person at the Annapolis Basin Conference Centre or somewhere else pending changes to council chambers. Motion carried.

Re Tuesday, November Council Meeting

MOTION 201119.07 November Council Changed to November 19, 2020 at ABCC

It was moved by Councillor Sheridan, seconded by Councillor Gunn, to hold November council session on Thursday, November 19, 2020, starting at 10:00 a.m. at the Annapolis Basin Conference Centre. Motion carried.

Adjournment

Upon motion of Councillors LeBlanc and Prout, the meeting adjourned at 12:19 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