

**Summary of Motions**  
**2020-08-05**  
**Special Session of Council**

MOTION 200805.01	Geotechnical Investigation of the Soils Surrounding Basinview Centre .....	1
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Minutes of the special **Municipal Council** meeting held on Wednesday, August 5, 2020, at 1:17 p.m., via ZOOM video-conferencing 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 - 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, other staff W. Atwell, A. Dunphy, H. Orde, S. McInnis, L. Powell, Nancy Comeau (2:00 p.m.)

**Additions to the Agenda**

The Clerk requested two items be added to the agenda: Advertising Costs – Inviting Applications for Citizen Member Appointments and Hillside Drive Water.

**Approval of the Agenda (Order of the Day)**

Councillor Heming moved, seconded by Councillor LeBlanc, to approve the Order of the Day as amended. Motion carried unanimously.

**Re: Geotechnical Investigation of the Soils Surrounding Basinview Centre**

**MOTION 200805.01 Geotechnical Investigation of the Soils Surrounding Basinview Centre**

It was moved by Deputy Warden Roberts, seconded by Councillor Morrison, that municipal council approve a \$20,000 project budget to be funded from the Recreation and Culture Reserve for the geotechnical investigation of the soils surrounding the Basinview Centre, particularly the soils located around the northwest corner which has been identified as an area of concern.

***Councillor Morrison had technical issues and left the Zoom teleconference at 1:30 p.m.***

The Question called on the motion.  
Motion carried, 9 in favour, 1 against.

**Re: EA Farren Ltd Short Form Agreement** – The CAO noted that this agreement is regarding a municipal facility on municipal land, and lays out the responsibility of EA Farren Ltd. to pay all interest.

**MOTION 200805.02 EA Farren Ltd – Warden and Clerk to Sign Short Form Agreement**

Councillor Fowler moved, seconded by Councillor McNeil, that municipal council authorize the Warden and Clerk to sign the Short Form Agreement for Supply of Work, Goods or Materials as signed by E.A. Farren Limited, Saint John, NB on July 23, 2020. Motion carried, 8 in favour, 2 against (Roberts Gunn)

Re: Advertising Costs – Inviting Applications for Citizen Member Appointments – staff has received prices (before tax) from the Chronicle Herald ranging from \$2,506 (black & white) to \$3,132.50 (colour) for a half-page ad or \$1,799 (black & white) to \$2,229 (colour) for a one-third page ad to run for one day for the required advertisement for citizen members for committees. It may be more advantageous to send the information via Canada Post at an approximate cost of \$1,700 taxes in.

*Councillor Morrison returned to the Zoom teleconference at 1:42 pm*

**MOTION 200805.03 Advertising Costs to Invite Citizen Member Applications for Appointment**

It was moved by Deputy Warden Roberts, seconded by Councillor Heming, that the advertisement inviting citizen member applications be sent by direct mail to all residents of Annapolis County in addition to advertising on social media and circulation to councillors. Motion carried unanimously.

Concerns were voiced regarding receipt of mail in Districts 1, 11, and 6.

Re: Hillside Drive Water (M9490) – The CAO provided a brief history of this project and referenced a letter dated August 5<sup>th</sup> received from the Town of Annapolis Royal suggesting a wheeling rate of \$1,000.

**MOTION 200805.04 Matter M09490 Hillside Drive Water – Wheeling Rate**

Councillor Heming moved, seconded by Councillor McNeil, to accept the \$1,000 wheeling rate on the Matter of M09490 as proposed by the Town of Annapolis Royal and submitted by them to the Nova Scotia Utility and Review Board for approval. Motion carried unanimously.

**Adjournment**

Upon motion of Councillors LeBlanc and Sheridan, the meeting adjourned at 2:09 p.m.

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**Warden**

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**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**

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Hon. Chuck Porter  
Minister of Municipal Affairs and Housing