

Minutes of the special **Municipal Council** meeting held on Friday, May 21, 2021, at 9:10 a.m., via Zoom Videoconference, in accordance with the Direction of the Minister under a Declared State of Emergency [updated July 29, 2020 (*see attached*)]

Present: 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: CAO David Dick, Municipal Clerk Carolyn Young, other staff (W Atwell, D Campbell, A. Dunphy, and H Orde) and 22 members of the public.

Warden Parish welcomed all to this special session of council which was called to discuss the situation at the Basinview building.

New Business

Re: Basinview Centre

The Warden provided a background on the Basinview building, highlighted as follows:

- The current building, a former Canex was built in 1977 as part of the base (CFB Cornwallis)
- The County took ownership in 1996.
- In 2005 the addition was constructed under the Lifplex Society. As construction progressed with the addition, the Lifplex ran out of money. The County came in and borrowed \$2.5 million to complete the project.
- In the mid-2000s, the Lifplex turned the building over to the county.
- The addition to the Canex building had to have fill brought in because it is on a slope. It was not the proper fill or footings. A pool has to have a strong foundation.
- Around 2010, the County knew of construction problems - sinking into the fill and cracks noticed. A tender went out to construction companies to fix the problem. One way would be by drilling 30 feet under the foundation, jacking it up and installing new fill and or foundation. It did not happen.
- The building continued to have structural problems.
- Repairs were done in 2018 to leaks in the pool. But the leak continued.
- During that time, the property was expensive to operate and repair. The county has spent \$600-650,000 year on operating costs. On top of that, around \$1 million to keep up with the structural problems. All this on top of the \$2.5 million borrowed in 2005 and paid off a few years ago.
- 2018-19 due to frequency of repairs, retained an engineer in fall 2019 to provide a report. The report came in March 2020. It suggested that to keep for another 20 years it would cost \$20 million to keep it up, and over the next 6 years \$5 million for structural repairs, on top of the \$600-650,000 annual operating costs.
- The new council came in November 2020.
- In December 2020 the lead insurer told us, after 14 years of insuring it, they would no longer insure the building because of the condition of the building.
- The insurance broker found a company that would insure us in the interim until May 2021.

- The new insurer wanted engineering reports on the condition of the building. We had 4-6 reports submitted to the insurance company on the building.
- The council also paid for and organized drilling near the foundation and the side of the pool, which found voids under the building.
- Roofing report and electrical report were sent to the insurance company as requested.
- On Monday this week May 17th) the insurance company informed that coverage would not continue once it ended Tuesday, May 18th, but it gave 30 days of grace, which is ending on June 18th.
- Council could not continue without insurance, and proceeded to give 30-day notice to the tenants, assuming we cannot get insurance.
- The insurance broker is now talking to another insurance company, but the broker says the chances are 'remote'.
- In December, when the broker was looking, they asked a long list who all declined coverage.
- Instruction has been given to the CAO to cooperate with the insurance broker for this one chance of insurance. If they want information we should provide it right away. We are doing everything we can to find insurance past June 18th.

This meeting was called to ensure that all councillors have an opportunity to speak to the issue, and to ensure complete transparency with the public on the issues and what we are doing about it.

Councillor Morrison moved, seconded by Deputy Warden Gunn, that the CAO contact our insurance carriers and request a further extension, and that the CAO contact appropriate federal, provincial departments and also private individuals and organizations to ascertain the possibility of support, this would give us some breathing room to ensure that we try as best we can to carry out the wishes of the greater community.

After all councillors were provided opportunities to speak, the question was called on the motion:

MOTION 210521.01 Direct CAO to Seek Funding and Other Support

Councillor Morrison moved, seconded by Deputy Warden Gunn, that the CAO contact our insurance carriers and request a further extension, and that the CAO contact appropriate federal, provincial departments and also private individuals and organizations to ascertain the possibility of support, this would give us some breathing room to ensure that we try as best we can to carry out the wishes of the greater community. **Motion** lost 3 in favour, 8 against.

The Warden noted he wanted to allow full discussion and permitted further discussion and comments. He added that Committee of the Whole is on Tuesday, June 8th, and we expect to have an update on the insurance at that time. If there are any positive developments, it will be shared as soon as possible with the public.

Adjournment

Upon motion of Deputy Warden Gunn and Councillor Longmire, the special session of council adjourned at 10:14 a.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