

2021-08-17 Municipal Council Agenda Package

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MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

MUNICIPAL COUNCIL



Date: Tuesday, August 17, 2021

Place: Bridgetown & District Memorial Arena, 30 Jeffrey St., Bridgetown

Time: 10:00 a.m.

A G E N D A

This meeting will adjourn at 11:00 a.m. for a Public Hearing and will resume immediately following the Public Hearing

- 10:00 a.m.**
- 1. ROLL CALL**
 - 2. AGENDA APPROVAL**
 - 3. MINUTES**
 - A. 2021-05-21 Special
 - B. 2021-07-20 Regular
 - 4. COUNCILLOR COMMENTS**
 - 5. BUSINESS ARISING from the MINUTES**

None
 - 6. NEW BUSINESS**
 - A. Recommendation Report – *AM-2.1.3 Statutory and Paid Holidays Policy Amend*
 - B. Recommendation Report - Community Grants Program Mount Hanley and District Schoolhouse Museum Society
 - C. Recommendation Report – Longley Mountain Road Renaming
 - D. Annapolis Valley Inter-Municipal Service Agreements (IMSA) – *CAO*
 - 7. REPORTS and RECOMMENDATIONS**
 - A. Warden’s Report
 - 8. CORRESPONDENCE**

None
 - 9. IN-CAMERA**

In accordance with Sections 22(2)(e) contract negotiations and (f) litigation or potential litigation of the *Municipal Government Act*.
 - 10. LATE ADDITIONS**
 - 11. ADJOURNMENT**

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

2021-07-20 Municipal Council Summary of Motions

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Minutes of the regular session of Municipal Council held on Tuesday, July 20, 2021, at 10:00 a.m., at the Royal Canadian Legion, 22 Jeffrey Street, Bridgetown, NS, 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, 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, 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; and other staff including W. Atwell, D. Campbell, A. Dunphy, H. Orde, and 1 member of the public.

Amendments

Under Late Additions: July 15, 2021 Letter from NS Environment and Climate Change

Order of the Day

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

Minutes

Re: Regular Session June 15, 2021

MOTION 210720.01 Minutes 2021-06-15 Regular Session of Council

It was moved by Deputy Warden Gunn, seconded by Councillor Prout, to approve the minutes of the regular session of council held on June 15, 2021 as amended to address two housekeeping issues. Motion carried unanimously.

MOTION 210720.02 Minutes 2021-06-28 Special Session of Council

Deputy Warden Gunn moved, seconded by Councillor Connell, to approve the minutes of the special session of council held on June 28, 2021 as circulated. Motion carried unanimously.

Councillor Comments

District 1 – Councillor Prout reported that Spurr Brothers Farm Market in Melvern Square has recently opened for business. He also called attention to the article in last week’s Annapolis Valley Register regarding Auntie Dorn’s Takeout and their charity work.

District 2 – Councillor Connell called attention to the Margaretsville walkway by the lighthouse, noting it has sitting areas and the public is welcome. He attended Grad Night for the Middleton Regional High

School. The Grads were happy they got to do *something* for graduation, and they had good comments on their future endeavours. Last month he visited the gymnasium in Bridgetown, noting it is a nice, clean facility, well run, and a fine example of volunteers running a facility. They ask for little from county and taxpayers. They are open 24 hours a day. Nice to have a facility like that that runs itself.

District 3 – Warden Parish noted it is quiet in District 3, the farming community of Annapolis County. The farmers are not complaining about the weather – the corn is high and the second cut of hay will be soon.

District 4 – Councillor Barteaux (*as submitted*)

I will start with Granville Ferry Source Water repair. Staff and outside professionals have been working long hours at this District 4 Facility since a problem presented itself and now the repair is nearly complete. The County has been providing drinking water for pick up at the Annapolis Royal Fire Department through these challenging times. Getting the level of service back to Granville Ferry and the Town of Annapolis Royal as soon as possible has been the challenge. Repair to the storage tank should be complete and service back to normal by mid-week. I would like to thank the residents for their patience through this process. As well I would like to thank staff, independent contractors and all those involved for helping in any way to get this fix complete as quickly as possible.

Moving on to another water issue in District 4. The project of upgrading the water main size to resolve water pressure issues for the residents of Hillside Drive in Lequille. Currently there is an inadequate system owned by others. The residents are looking forward to benefits a new system may provide. The planning required to continue delivery of water from the Town of Annapolis Royal system to this subdivision is being worked on diligently by county staff. The residents affected by this will be updated as soon as outstanding details have been resolved in preparation for final agreements so the project may proceed.

Water delivery has been a major topic this month in District 4 as well as in other areas of the County.

Switching to The topic of Covid, I hope by the Province easing some restrictions placed on us for travel and gathering limits, that District 4 tourism businesses will have a much needed boost to help that sector of the economy.

Agriculture is an important service to our communities. Fresh produce is available daily from local producers. Please shop local and support the farmers of District 4.

The Annapolis River Causeway Park and Boat Launch has proved to be a great asset for river access for recreation and tourism. It continues to be an active area and a great resource in District 4.

To finalize my comments I would like to say planning is an essential requirement for both preventive maintenance and Economic Development. As we move forward let us all work together for maintenance of what we have and to promote new growth potential in the area. We need to make the best use of local resources. Please feel free to come forward and present ideas for development. District 4 and the rest of the County of Annapolis needs more growth.

District 5 – Councillor Longmire noted how exciting it is to see a lot more restrictions being lifted, they have been long awaited. She is glad to be back in this forum. Halls are able to be busy fundraising – there is a fundraising event at the Parkers Cove Fundy Thread and Thimble on Saturday July 30th. She attended the Physician Recruitment and Retention Committee and the Habitation Community Area Advisory Committee. New families are moving in and as summer continues, she hopes to meet more and visit more. She has had conversations regarding the internet as there seems to be less activity 0 she

looks forward to answers. Campgrounds and vacation destinations welcoming visitors again – if you haven't already, check out the Crow's Nest in Hillsburn.

District 6 – Councillor Morrison (as submitted)

I wanted to craft a haiku for the final installment of the trilogy on the Year of Sunflower saga, but will settle for mentioning that sunflowers are sturdy, long-shining and show up at various times and places. Annapolis Basin Conference is the very model of a positive, cooperative community business. Inter alia, it is currently letting the Fundy Y use Atlantis Hall for children's programming and have, throughout the pandemic, let them use other spaces for group activities that require large spaces. It has donated land for the hospice and let the Cornwallis Community Gardens Association use ABCC property. Canada Post is using ABCC land so the community has a safe, close spot to pick up mail.

District 7 – Councillor Hudson has also had calls and emails regarding internet concerns. He advises them that it is on schedule and to hold tight. Sports Hub activity is strong, and there are lots of people there, particularly when little ones are playing soccer. The whole facility is being used, both soccer fields, track, tennis courts. The pool opened on July 12th, that was a large task and he complimented the folks behind the scenes who worked hard to make that happen.

District 8 – Deputy Warden Gunn (as submitted)

It was a very interesting Canada day this year, not just because people are still distancing and we're coming out of a pandemic, but because many celebrations were subdued in recognition of a national reckoning of our country's treatment of its indigenous people. My hat is off to the community groups that weighed in on the issue and took the time and gave thought to these important topics and are doing so in the spirit of reconciliation, as they did at the Forrester's Hall in Clementsvale.

I wanted to express my appreciation to the Warden and CAO who met with me last month to discuss the finer points of the water situation in Bear River. I look forward towards a solution on this long-suffering matter.

A heart-felt thanks to the people who pick up trash as they walk down the road, or mow the stretch of grass between a sidewalk and the road, just to keep their community tidy. These acts of thoughtfulness really make a difference, are noticed, and are appreciated.

The Southwest Nova Biosphere Reserve Association met and if you get a chance to see the Interpretive Centre in Yarmouth, be sure to go. They're on phase 2 of the online Interactive Science Atlas, which is expected to include additional chapters on Marine and Coastal aspects, First Nations science, and human ecology. This would include civic development plans, environmental impact analysis, stressor analysis, and other terms of interest. These are very interesting projects and I encourage everyone to check it out.

On a personal note, I finished another course in Municipal Governance at Dalhousie last month. The course was Municipal Law II, it was very interesting and relevant to so many topics we regularly discuss, and it wraps up a certificate I've been working on called Local Government Administration: Law and Ethics.

District 9 – Councillor Sheridan added her delight that COVID restrictions are being lifted. She noted that there is a free concert at Nictaux Lions Hall on August 12^t, featuring Janice Sheridan. All are welcome.

District 10 – Councillor Redden noted his great admiration of council's connection to community – it is a challenging aspect for him. Lawrencetown is still running vaccine clinics and continues to look for volunteers. A lot of people looking for reasonably priced accommodations, families and singles, and he

has noted an increase over past months. If you know of any available rental locations, there are a lot of people looking.

District 11 – Councillor LeBlanc also noted that she was happy for lifted restrictions and to see movement in the community. Things are different, and it takes a bit more effort to attend things such as weddings. Last week Three Rivers Community Hall hosted another successful pre-order pick up turkey supper as a fundraiser for the hall. And the bears are still active in the community. Things are getting to feel a bit more normal. A lot of houses have sold, leaving some in a position of not finding anything for rent. Have a great summer, enjoy the freedom.

Business Arising from the Minutes

Re: Rescind and Replace Motion 210628.04 (*from 2021-06-28*)

MOTION 210720.03 Rescind and Replace Motion 210628.04

Deputy Warden Gunn moved, seconded by Councillor Morrison, to rescind motion 210628.04 and replace it with the following “that municipal council authorize the Warden and Clerk to sign the Agreement of Purchase Sale of the Basinview Centre similar to what was circulated in-camera to council, to 4337611 NOVA SCOTIA LIMITED for a purchase cost of \$100,000 with an effective date of July 9, 2021; whereby the purchaser undertakes to use its best efforts to remedy structural issues associated with the facility and to provide the following list of services: restaurant, licensed daycare facility; pool and fitness centre; retail grocery store; pharmacy; hair/nail salon; licensed massage service; Nova Scotia Liquor Corporation retail store; medical clinic; and whereby the purchaser agrees that the property will not be sold for a period of seven years without the consent of the County. Motion carried unanimously.

New Business

None.

Reports and Recommendations

Re: Committee of the Whole (2021-06-08)

• *Meetings in August*

MOTION 210720.04 No COTW in August

Pursuant to the recommendation of Committee of the Whole, Deputy Warden moved, seconded by Councillor Hudson, that municipal council not hold Committee of the Whole in August. Motion carried unanimously.

• *Federation des Association de Familles Acadiennes Inc. – Request Letter of Awareness*

Deputy Warden Gunn moved, seconded by Councillor Barteaux, pursuant to the recommendation of Committee of the Whole, that municipal council provide a letter of awareness to the Federation des Association de Familles Acadiennes Inc. for their funding application to ACOA to engage architectural and engineering consultants to develop plans and specifications for the renovation of a building at the Fort Anne National Historic Site where they hope to house a Centre for Acadian Families.

It was moved by Councillor Morrison, seconded by Deputy Warden Gunn, to amend the motion to add after Families, ‘*and further that council express its support for this project.*’ Motion carried unanimously.

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

MOTION 210720.05 Fed des Association de Familles Acadiennes Inc. – Letter of Awareness for ACOA Grant Application

Deputy Warden Gunn moved, seconded by Councillor Barteaux, pursuant to the recommendation of Committee of the Whole, that municipal council provide a letter of awareness to the Federation des Association de Familles Acadiennes Inc. for their funding application to ACOA to engage architectural and engineering consultants to develop plans and specifications for the renovation of a building at the Fort Anne National Historic Site where they hope to house a Centre for Acadian Families, and further that council express its support for this project. Motion carried unanimously.

- ***West Paradise Community Hall – Application for Municipal Heritage Registration***

MOTION 210720.06 West Paradise Community Hall Application for Municipal Heritage Registration Referred to Heritage Advisory Committee

In accordance with the recommendation of Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor Barteaux, that municipal council refer the West Paradise Community Hall request for Heritage Property Registration to the Heritage Advisory Committee for review and recommendation to municipal council regarding inclusion in the Annapolis County Registry of Heritage Properties. Motion carried unanimously.

- ***Former BRES Redevelopment***

MOTION 210720.07 Former BRES Redevelopment – No Rezoning Action at This Time

Deputy Warden Gunn moved, seconded by Councillor Hudson, in accordance with the recommendation of Committee of the Whole, that municipal council take no rezoning action until such time as our real estate agent or a developer brings a proposal forward for consideration. Motion carried unanimously.

- ***Entertainment House Municipally-Registered Heritage Property Request to Deregister Portion***

MOTION 210720.08 Entertainment House Municipally Registered Heritage Property – Public Hearing to Consider Deregistration of Portion

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor Barteaux, that municipal council hold a public hearing on August 17, 2021 at 11:00 a.m. to consider the deregistration of vacant lot PID #05108956. Motion carried unanimously.

- ***Annapolis Valley Trails Coalition Grant***

MOTION 210720.09 Annapolis Valley Trails Coalition Grant Increase from \$5,000 to \$8,000

Deputy Warden Gunn moved, seconded by Councillor Longmire, pursuant to the recommendation of Committee of the Whole, that municipal council provide a grant to the Annapolis Valley Trails Coalition as increased from \$5,000 to \$8,000 as requested. Motion carried unanimously.

- ***Clean Annapolis River Project River Guardians Project Grant***

MOTION 210720.10 Clean Annapolis River Project River Guardians Project Grant Increase from \$5,000 to \$6,467.25

In accordance with the recommendation of Committee of the Whole, Deputy Warden Gunn moved, seconded by Councillor Redden, that municipal council provide a grant to CARP River

Guardians Project as increased from \$5,000 to \$6,467.25 as requested. Motion carried unanimously.

Regarding the upcoming motions on grants, the Warden noted he would allow separate motions on individual grants where councillors wished to declare an interest.

Declaration of Interest

Councillor Barteaux declared an interest in the Moschelle Community Hall item as he is a Director. He left the room and did not participate in any discussion or subsequent motion.

MOTION 210720.11 Moschelle Community Hall Grant \$1,200

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, in accordance with the recommendation of Committee of the Whole, that municipal council approve a grant in the amount of \$1,200 to the Moschelle Community Hall as presented in Appendix B at COTW. Motion carried unanimously.

Councillor Barteaux resumed his seat at the table.

Declaration of Interest

Councillor Prout declared an interest in the Melvern Square Community Hall item as he is a citizen volunteer. He left the room and did not participate in any discussion or subsequent motion.

MOTION 210720.12 Melvern Square Community Hall Grant \$2,400

Deputy Warden Gunn moved, seconded by Councillor LeBlanc in accordance with the recommendation of Committee of the Whole, that municipal council approve a grant in the amount of \$2,400 to the Melvern Square Community Hall as presented in Appendix B at COTW. Motion carried unanimously.

Councillor Prout resumed his seat at the table.

Declaration of Interest

Councillor Sheridan declared an interest in the Soldiers' Memorial Hospital Foundation item as she is the Vice Chair. She left the room and did not participate in any discussion or subsequent motion.

MOTION 210720.13 Soldiers' Memorial Hospital Foundation Grant \$10,000

It was moved by Deputy Warden Gunn, second by Councillor LeBlanc in accordance with the recommendation of Committee of the Whole, that municipal council approve a grant in the amount of \$10,000 to the Soldiers' Memorial Hospital Foundation as presented in Appendix B at COTW. Motion carried unanimously.

Councillor Sheridan resumed her seat at the table.

- ***2021 Community Grants Program Allocations***

MOTION 210720.14 2021 Community Grants Program Allocations as Amended

Deputy Warden Gunn moved seconded by Councillor Sheridan, in accordance with the recommendation of Committee of the Whole, that municipal council approve the allocation of grants as presented in Appendix B from the 2021-22 Community Grants Program, and amended today by motions, in accordance with *AM-1.4.9 Community Grants Policy*. Motion carried unanimously.

- ***Application for Canada Community Revitalization Fund (Bridgetown Sports Hub Washroom Facility)***

MOTION 210720.15 Canada Community Revitalization Fund (BROSH) Approve Application

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Gunn moved seconded by Councillor Hudson, that municipal council approve a funding application to the Canada Community Revitalization Fund for a new washroom facility and equipment storage space for the Bridgetown Regional Outdoor Sports Hub. Motion carried unanimously.

- ***Release of Funds North Queens Fire Association***

MOTION 210720.16 North Queens Fire Association Release \$70,000 from Fire Services Capital Reserve

Deputy Warden Gunn moved, seconded by Councillor Sheridan, pursuant to the recommendation of Committee of the Whole, that municipal council authorize a withdrawal of \$70,000 from the Fire Services Capital Reserve for the North Queens Fire Association in the 2021-22 fiscal year to assist in pay out of the loan for the 2018 Pumper/Tanker. Motion carried unanimously.

Correspondence

None.

Late Additions

Re: July 15, 2021 Letter from NS Environment and Climate Change – The Warden noted he had received this letter which explains that the province is now working on regulations supporting the Coastal Protection Act, which was passed in 2018 to protect natural eco systems and to ensure new construction is built in safe places. Province will have on-line sessions on August 12 for our municipality. Staff may want to participate. Any comments can be supplied to NS Environment to later than mid-September. Please contact CAO Dick for more information.

In-Camera

It was moved by Deputy Warden Gunn, seconded by Councillor Prout to meet in-camera from 11:05 a.m. until 12:52 p.m. in accordance with Sections 22(2) (f) litigation or potential litigation of the *Municipal Government Act*. Motion carried unanimously.

Adjournment

Upon motion of Sheridan and Longmire the meeting adjourned at 12:53 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



RECOMMENDATION REPORT

To: Municipal Council

Prepared by: Dawn Campbell, Director of Legislative Services

Reviewed by: Management Committee

Approved by: David Dick, Chief Administrative Officer

Date: July 29, 2021

Subject: Recommended Amendments to *AM - 2.1.3 Statutory and Paid Holidays Policy*

RECOMMENDATION

To give seven day notice to recommend that Municipal Council amend *AM - 2.1.3 Statutory and Paid Holidays Policy* by:

- Replacing "direct" with "non-union" in Section 1; and
- Adding "*National Day for Truth and Reconciliation*" to the list of paid holidays in Subsection 4.1.

LEGISLATIVE AUTHORITY

Sections 37 - 42 Labour Standards Code, as amended (as applicable)

BACKGROUND

Recently legislation was passed to make September 30th a federal statutory holiday called the *National Day for Truth and Reconciliation*. As such, a paid holiday will be provided for all employees in the federal public service. Additionally, many employers having collective agreements are obligated to provide a paid holiday for their unionized employees. The County's employees covered by collective agreement must be provided this additional paid holiday. Labour Lawyer Noella Martin provided a legal opinion confirming this. Other municipalities have received the same legal opinion based on their collective agreements.

Employees who are not covered by the collective agreement do not automatically get the holiday. However, it is recommended that this holiday be additionally provided for non-union employees.

DISCUSSION

The *National Day for Truth and Reconciliation* is intended to educate and remind Canadians about the history of residential schools, honour the victims and celebrate the survivors.

FINANCIAL IMPLICATIONS

There will be no budget implications for non-union employees. Union employees required to work on the holiday will qualify for overtime pay in accordance with their current collective agreement.

POLICY IMPLICATIONS

N/A

ALTERNATIVES/OPTIONS

Municipal Council could choose not to provide this paid holiday for non-union employees.


NEXT STEPS

In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven (7) day notice to Municipal Council is required before a policy is passed, amended or repealed. If notice is provided at August Council, the amendments will be brought back for final approval at September Council Session.

ATTACHMENTS

AM - 2.1.3 Statutory and Paid Holidays Policy (with proposed amendments indicated)

Report Prepared by: 
Director of Legislative Services and HR

Report Approved by: 
CAO David Dick, CPA CA

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM – 2.1.3
Section Hours of Work and Leave	Subject Statutory Holidays & Paid Holidays	

1. APPLICATION

This policy applies to all ~~direct~~ non-union employees of the Municipality of the County of Annapolis.

2. AUTHORITY FOR POLICY

Sections 37 - 42 *Labour Standards Code*, as amended.

3. STATUTORY HOLIDAYS

3.1 The following holidays are defined in the *Labour Standards Code*:

- New Year’s Day
- Nova Scotia Heritage Day
- Good Friday
- Canada Day
- Labour Day
- Christmas Day

3.2 Except as otherwise provided in this policy or any Act of the Legislature, the Municipality shall grant each employee a holiday with pay on each statutory holiday falling within any period of employment.

3.3 Except as otherwise provided in this policy or any Act of the Legislature, when a statutory holiday falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a holiday with pay on the working day immediately following the statutory holiday.

3.4 When the CAO, director, manager or coordinator requires an employee to work on a statutory holiday, the Municipality shall pay that employee an amount equal to the amount that would have otherwise been paid for that work day. In addition, the employee shall be paid one and one-half times the regular rate of wages for the actual time worked on that day.

3.5 An employee shall be paid for a statutory holiday in accordance with the *Labour Standards Code*.

4. PAID HOLIDAYS

4.1 In this section, “paid holidays” means:

- Easter Monday
- Victoria Day
- Natal Day
- National Day for Truth and Reconciliation

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM – 2.1.3
Section Hours of Work and Leave	Subject Statutory Holidays & Paid Holidays	

Amendments:

Effective 2000/11/01;

Amended Dec. 21, 2010;

January 20, 2015:

- *Added "Nova Scotia Heritage Day" to the list of paid holidays in Subsection 4.1*

November 21, 2017:

- In Section 3 replaced "*General*" with "*Statutory*" in all places that it appeared;
- In Sub-section 3.5 deleted "*if the employee has received or is entitled to receive pay for at least 15 days during the 30 calendar days immediately preceding the general holiday and the employee has worked on the employees scheduled day immediately preceding and immediately following the holiday*" and replaced with "*in accordance with the Labour Standards Code.*"
- In Sub-section 4.3 deleted "*The Municipality shall grant each employee a holiday with pay only when Remembrance Day falls on a day that is a working day for employees.*" and replaced with "*When Remembrance Day falls on a day that is a non-working day for an employee, the Municipality shall grant the employee a day off from work with pay on the next working day immediately following Remembrance Day.*"

September 21, 2021:

- In Section 1 replaced "*direct*" with "*non-union*"
- Added "*National Day for Truth and Reconciliation*" to the list of paid holidays in Subsection 4.1



COUNTY of ANNAPOLIS
NATURALLY ROOTED

RECOMMENDATION REPORT

To: Municipal Council

Prepared by: Nancy Chisholm, Recreation and Programs Officer

Reviewed by: Holly Orde, Director of Finance /
Dawn Campbell, Director of Legislative Services and HR

Approved by: David Dick, Chief Administrative Officer

Date: August 11, 2021

Subject: Recommendation Report Community Grants Program – Follow-up on Mount Hanley and District Schoolhouse Museum Society

RECOMMENDATION

That municipal council approve a grant in the amount of \$500.00 from the 2021-22 Community Grants Program, Community Heritage Grants for Lighthouses & Museums to the Mount Hanley and District Schoolhouse Museum Society to assist with costs associated with painting and new steps for the building in accordance with *AM-1.4.9 Community Grants Policy*.

LEGISLATIVE AUTHORITY

Municipal Government Act Section 65

BACKGROUND

Per July Council

DISCUSSION

The Mount Hanley and District Schoolhouse Museum Society is requesting funding in the amount of \$1,000.00 to assist with painting and new steps for the building. The recommended amount differs from the request as per the policy ("*Maximum grants shall not normally exceed \$500*"), however in the past council has exceeded the recommended amount to support initiatives and approved what the applicant is requesting. As requested by Council further follow up took place with the society regarding future accessibility plans (the installation of a ramp).

The applicant has indicated that they have been planning for accessibility and have applied to the province of NS for a grant to help support the installation of an accessible entrance to the museum in the spring after the repairs to the steps are completed. They also have another funding source from the community if they require additional funds for this project.

The total estimated cost of the painting and steps is \$3,989.26. The association indicated they will support the remaining costs and have secured in kind labour as well.

FINANCIAL IMPLICATIONS

The AM 1.4.9 Grants to Community Organizations budget currently has \$77,483.75 remaining in the current fiscal year. If this recommendation is approved for the Mount Hanley and District Schoolhouse Museum Society for \$500 there will be \$76,983.75 remaining in the community grants policy for the rest of this fiscal year.

POLICY IMPLICATIONS

The requested funding is in accordance with the Community Grants Policy (AM 1.4.9) – Community Heritage Grants for Lighthouses & Museums. “*Maximum grants shall not normally exceed \$500.*” Council in the past has exceeded this amount to support initiatives.

ALTERNATIVES/OPTIONS

- Not approve the recommendation;
- Approve the requested amount of \$1,000.00; or
- Approve a lesser amount.

NEXT STEPS

1. If approved, Continue on with issuance of the Grant Funding in accordance with policy AM 1.4.9; or
2. If the request is not approved inform the group via email and letter from Council.

ATTACHMENTS

See Appendix A: Grant Application – Mount Hanley and District Schoolhouse Museum Society

Report Prepared by: Nancy Chisholm, Recreation and Programs Officer



Report Reviewed by:

Holly Orde, Director of Finance



Dawn Campbell, Director of Legislative Services and HR

Report Approved by:



CAO David Dick, CPA CA



COUNTY of ANNAPOLIS
NATURALLY BUILT

RECOMMENDATION REPORT

To: Municipal Council

Prepared by: Cheryl Mackintosh, Civic Addressing Coordinator
Reviewed by: Albert Dunphy, Director of Community Development
Approved by: David Dick, Chief Administrative Officer

Date: 2021-08-17

Subject: 2021-08-09 – Longley Mountain Road, Sections I Class and K Class in Upper Granville to be renamed to Gesner Lane

RECOMMENDATION

To recommend that municipal council rename the Longley Mountain Road in Upper Granville including both the I Class and K Class sections to Gesner Lane.

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) Civic Addresses 313 (c) gives a municipality authority by policy to name or rename any street or private road.

Annapolis County Policy 1.4.5 Road Naming and Community Adjustment

BACKGROUND

Discontinuous Road Sections Longley Mountain Road (0614)

Motion 210216.07 Discontinuous Road Sections Longley Mountain Road (0614) Staff Initiate Review

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

It was determined during the road review that there is confusion with the two road sections of the Longley Mountain Road in Upper Granville and Youngs Cove. To minimize confusion and eliminate duplicate road names, it has been our practice to rename the road section with the least amount of civic addresses affected. This would be the road sections in Upper Granville which has only one residence (Orlando) on the road as well as the impassable section for continuity with the Department of Transportation & Infrastructure Renewal (TIR) road listing. In

consulting with the property owners of this residence, they were in agreement to rename the road and submitted "Gesner Lane" as their preferred road name.

DISCUSSION

The reason for this report is to provide Municipal Council with background information on why this name is being submitted for approval and how it will meet policy criteria. The name Gesner comes from the Gesner's who for many years have lived in this area and are descendants of Abraham P Gesner who discovered kerosene. For his contribution to the petroleum industry Abraham Gesner was recognized in 1933 by Imperial Oil who erected a memorial at his grave, in 2007 he was inducted into the Canadian Petroleum Hall of Fame, streets in both Halifax and Ottawa have been named after Gesner and in 2000, Canada Post honours Gesner by placing his image on a postage stamp. He was also a geologist, doctor and writer. In 1838 he was named Provincial Geologist for New Brunswick and in 1846 was appointed Commissioner of Indian Affairs for Nova Scotia. Policy allows the use of a personal name if the person being commemorated has contributed significantly to the area. Staff feels that Gesner's recognitions over the years, warrants this road being renamed in his honour.

Near the Orlando's property, just a few metres to the east, is Gesner Brook (adopted in 1926) and directly north of the Orlando property on the North Mountain is Gesner Lake (renamed from Longley Lake in 1975). The Orlando's have indicated they would be very happy with the Gesner name being honoured by renaming the road they live on to Gesner Lane. The Orlando's have also contacted two of the Gesner's who own property in this area and they are thrilled with the possibility of the Gesner name being used in this way.

Lane by definition is a reduced right-of-way or curving street, less than 300 metres, branching from courts and ending in a cul-de-sac or dead end. In this case, when using "Lane" as the road type it suggests a small narrow road with low traffic volume with a dead end.

Road name changes should only be considered in a very limited number of situations, with emergency responder services being consulted. The basic policy principles on road name changes are; no duplication, confusion is to be avoided. Once municipal council approves the road name change, and since this is a provincial road then TIR will need to approve this road name change as well. This road name change is to rename both the passable and impassable sections of the Longley Mountain Road, in Upper Granville.

Area councillors, TIR and emergency responders were consulted and no issues with using this name were noted.

FINANCIAL IMPLICATIONS

The Discontinuous Road Sections is a project of Community Development and the road renaming process is part of the regular maintenance work to maintain the integrity of the civic addressing system. Expenses will be covered under the 911 budget provided by the province to maintain the civic address database. Road signs will be the responsibility of TIR. The road renaming will not require a civic

number change and therefore new civic number signs are not necessary. Staff does not anticipate any additional expenses exceeding the current budget.

POLICY IMPLICATIONS

Ordinarily the policy would not allow the use of personal names, but given the history behind the Gesner name this road renaming will be a commemorative way to honour the Gesner name.

ALTERNATIVES/OPTIONS

No other road name alternatives were considered, only one name was submitted for consideration.

NEXT STEPS


Upon approval of Gesner Lane by Municipal Council, staff will prepare a formal package to be sent to TIR for their final review and approval as per their road naming policy and criteria for road renaming.


Once approved by TIR, the Civic Addressing Coordinator will notify the resident and make the necessary changes to the civic address database and the Nova Scotia Civic Address File (NSCAF) and send notification of the changes to the emergency responders, Canada Post and any other agencies or departments deemed necessary.

ATTACHMENTS

1. Map showing the location of the Longley Mountain Road in Upper Granville with the Class sections identified.

Report Prepared by: Cheryl Mackintosh, Civic Addressing Coordinator

Report Reviewed by:  _____
Albert Dunphy, MCIP, LPP
Director of Community Development

Report Approved by:  _____
David Dick, CPA CA
Chief Administrative Officer

Rename Longley Mountain Road (Sections I & K Class) in Upper Granville to Gesner Lane

