

MUNICIPAL COUNCIL
Special Session
April 4, 2018
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Minutes of the **special session of Municipal Council** held on April 4, 2018, in the Municipal Administration Building, Annapolis Royal, N.S., at 10:30 a.m.

Present: Warden Timothy Habinski; Deputy Warden Martha Roberts; Councillors Marilyn Wilkins, John A MacDonald, Wayne Fowler, Burt McNeil, Gregory Heming, Alex Morrison, Michael J Gunn, Wendy Sheridan, and Diane LeBlanc.

Also

Present: Chief Administrative Officer John Ferguson, Municipal Clerk Carolyn Young, and other staff.

Purpose of Meeting

The Warden advised the meeting was called to discuss several items, including items in-camera.

Approval of the Agenda

Upon motion of Councillors LeBlanc and Gunn, the agenda was approved as circulated.

In-Camera

Councillor Fowler moved, seconded by Councillor LeBlanc, that Municipal Council meet in-camera from 10:31 a.m. to 3:00 p.m. under Sections 22(2)(e) contract negotiations and (f) litigation or potential litigation of the *Municipal Government Act*. Motion carried unanimously.

Councillor Morrison left at 11:21 a.m. (during in-camera)

Councillor Heming left at 2:50 p.m. (during in-camera)

Addition

Deputy Warden Roberts moved, seconded by Councillor Wilkins, to add Valley Region Solid Waste-Resource Management Authority to the agenda. Motion carried unanimously.

New Business

Re: Bridgetown and Area Chamber of Commerce Society – a copy of correspondence to the Hon. Stephen McNeil dated March 20, 2018, was received via email on March 29th, requesting Council's support in their request to the Premier to ask Transportation and Infrastructure Renewal to pause for six months before issuing a tender to demolish the old Bridgetown High School.

MOTION 180404.01 Bridgetown and Area Chamber of Commerce Society – Letter to Premier

Councillor Fowler moved, seconded by Councillor Wilkins, that Municipal Council send a letter to the Premier in support of the Bridgetown and Area Chamber of Commerce Society's request of a deferral of the Request for Proposal (RFP) for the demolition of Bridgetown Regional High School to permit an opportunity for community consultation. Motion carried, eight in favour one against.

Re: Forestry – Letter to Premier and Natural Resources

MOTION 180404.02 Letter to Premier and Natural Resources - Addition

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that the letter to the Province authorized by Motion 180320.10 from the 2018-03-20 regular session of Council, include a request that the Premier defer any decision on the recommendations of the Leahy report until July 1, 2018, to permit Annapolis County to complete and submit its own report, which, we believe, will provide valuable additional information for the Province's consideration. Motion carried unanimously.

Addition**Re: Valley Region Solid Waste-Resource Management Authority****MOTION 180404.03 Engage Auditor to Review VWRM Operations**

Deputy Warden Roberts moved, seconded by Councillor McNeil, Subject to the review of the Municipal Solicitor, to direct the CAO to engage an Auditor to review operations at Valley Region Solid Waste-Resource Management Authority at our cost. Motion carried unanimously.

MOTION 180404.04 Enter Into One-Year Agreement with District of Chester

It was moved by Deputy Warden Roberts, seconded by Councillor McNeil, subject to the review of the Municipal Solicitor, to direct the CAO to enter into a one-year agreement with Municipality of the District of Chester at the 2018-19 tipping and host fees, with it being anticipated that Municipality of the District of Chester will reimburse the surplus to Valley Region Solid Waste-Management Authority, which share will subsequently be reimbursed to the County. Motion carried unanimously.

MOTION 180404.05 Confirm One Year Notice to Withdraw from the Intermunicipal Service Agreement that Created the Authority

Deputy Warden Roberts moved, seconded by Councillor MacDonald, subject to the review of the Municipal Solicitor, and in accordance with resolution 180323.01 of March 23, 2018, which stipulated that the Parties must:

1. Defer a decision on Commitment Approval Resolutions to expend money beyond the current fiscal year until their respective May 2018 Council meetings, or until an audit (specified audit procedure) including a thorough review of contracts is completed. No funds shall be expended on any contract until Commitment Resolutions are properly approved in accordance with section 88(4) of the Nova Scotia Municipal Government Act.

And subsequently, if recommendation 1 is supported by the municipal parties;

2. Authorize a temporary budget of three months not to extend beyond June 30, 2018, based on the first quarter amounts approved in 2016-17 budget, and subject to the following conditions:

- i. That the audit (specified audit procedure) be completed prior to the adoption of the 2018-19 budget;*
- ii. Consistent with all other parts of this resolution, no new expenses be approved or incurred.*
- iii. That no surplus funds be spent. All surpluses must be disclosed and returned to the municipal parties.*
- iv. That the hiring of the general manager position, or any vacant position, be postponed at least until the audit is fully complete.*

3. If, after due consideration, the majority of the municipal parties choose not to support recommendations 1 and 2, in accordance with section 5 of the IMSA the County will, with respect, submit its one year notice to all municipal parties to withdraw from the IMSA pursuant to section 32(1) of the IMSA and subsequently will approve commitments for the Chester tipping fees and host fees for 2018-19 only.'

Confirms our Notice to Withdraw from the Intermunicipal Service Agreement that created the Authority as per Section 32(1); and this notice may be rescinded if, in the course of the one-year notice there is solid and measureable improvement in transparency and accountability, in the estimation of Municipal Council. Motion carried unanimously.

Deputy Warden Roberts noted that at the special session of Municipal Council held on March 23rd, in anticipation of receiving the request from the Authority, Municipal Council nominated the CAO of Annapolis County to act as one of three CAO's who have been approved by the Authority to act as the Senior Management Team.

Re: Budget Workshop – it was the consensus that the budget workshop be moved from Friday, April 6th to Wednesday, April 11th at 1:00 p.m.

Adjournment

Upon motion of Councillors Wilkins and LeBlanc, the meeting adjourned at 3:16 p.m.

Reconvene

It was moved by Councillor Macdonald, seconded by Councillor Sheridan, to reconvene at 3:17 p.m. and to go in-camera in accordance with Section 22(2) (f) litigation of the *Municipal Government Act* at 3:17 p.m. until 3:30 p.m. Motion carried unanimously.

Addition

Deputy Warden Roberts moved, seconded by Councillor McNeil, to add under Correspondence, a letter from Municipality of the County of Kings dated April 4, 2018. Motion carried unanimously.

Correspondence

Re: Municipality of the County of Kings (April 4, 2018) - received from Mayor Muttart in response to the Municipality's letter regarding Valley Region Solid Waste-Management Authority of April 3rd. It was moved by Deputy Warden Roberts, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

MOTION 180404.06 Respond to Mayor Muttart Letter Dated April 4, 2018 Re VWRM

Councillor Wilkins moved, seconded by Councillor Fowler, that the Warden respond to Mayor Muttart's emailed letter dated April 4, 2018, received in response to the Municipality's letter of April 3rd. Motion carried unanimously.

Adjournment

Upon motion of Deputy Warden Roberts and Councillor LeBlanc, the meeting adjourned at 3:32 p.m.

Warden

Municipal Clerk