

2021-10-19 Municipal Council Summary of Motions

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Minutes of the regular session of Municipal Council held on Tuesday, October 19, 2021, at 10:00 a.m., at Champlain Hall, 178 Haida Street, Cornwallis Park, 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 LeBlanc, present

Also Present: CAO David Dick (via Zoom); Municipal Clerk Carolyn Young (via Zoom); other staff including W. Atwell (via Zoom), A. Dunphy, and H. Orde (via Zoom) and J. Young (via Zoom), four members of the public.

The Warden stated that municipal council will be suspended at 11:00 a.m. in order to conduct three public hearings, with council to resume at their conclusion. He added that some staff are attending via Zoom, and reiterated current COVID protocols in place, i.e. - wearing a mask unless drinking, eating, or talking.

Agenda Approval

Under New Business to add *J-Class Roads* as circulated by email; under Committee and Organization Reports, *AM-1.4.9.1 Medical Assistance Recruitment Program Policy* a Notice of Motion has been received to adjourn this matter to November Committee of the Whole; and to add *Paving Harbourview Crescent*.

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

Disclosure of Interest

Warden Parish disclosed an interest in items 8.1 J, K, L, M, and N.

Minutes

MOTION 211019.01 Minutes 2021-09-21 Regular

Councillor Hudson moved, seconded by Councillor Barteaux, that the minutes of the regular session held on September 21, 2021 be approved as circulated. Motion carried unanimously.

Business Arising from the Minutes

- *AM-2.7.8 COVID 19 Proof of Vaccination Policy New*

MOTION 211019.02 AM-2.7.8 COVID-19 Proof of Vaccination Policy New

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, that municipal council approve *AM-2.7.8 COVID-19 Proof of Vaccination Policy*, in accordance with seven-day notice having been given on September 21, 2021. After discussion, the Question was called on the motion. Motion carried, 10 in favour, 1 against (Gunn).

• AM-2.7.9 COVID Response Policy Amend**MOTION 211019.03 AM-2.7.9 COVID Response Policy Amend**

Deputy Warden Gunn moved, seconded by Councillor Redden, that municipal council amend *AM-2.7.9 COVID-19 Response Policy*, in accordance with seven-day notice having been given on September 21, 2021. After discussion, the Question was called on the motion. Motion carried, 10 in favour 1 against (Gunn).

Councillor Comments*District 1 – Councillor Prout (as submitted)*

In the past month I have had a number of conversations and meetings with constituents in District 1. In addition I attended a meeting of The Accessibility Committee, the Glyphosate Committee and Physician Recruitment & Retention Committee as well as the Wilmot and Area Neighbourhood Watch Committee. I wish to congratulate Gouchers Farm & Market on winning the 2021 Valley Best Agricultural Business, on September 23rd. This business is located at 14935 Highway 1 in Wilmot.

Auntie Dorns Take Out in Wilmot closed for the season on Friday October 15th. Many thanks to the staff for all of their efforts over the past season.

District 2 – Councillor Connell fairly quiet, still comments and calls on Internet project and not all good as there is some disappointment because they can't get through to the company. Middleton Fire Department had a BBQ chicken take out last week, with 480 meals sold as a fundraiser.

District 3 – Warden Parish noted repairs taking place at the Hampton Wharf. Clarence Country Market, held on Sundays, has more vendors than when it started. Gesner Lane name change approval has come through and sighing should soon change. With Hudson met with revitalization committee of the Bridgetown Chamber of Commerce

District 4 – Councillor Barteaux (as submitted)

I have received many calls from individuals and have had requests to appear at community gatherings. I have been pleased to attend. It is very important for me keeping in touch with District 4 residents, to listen and react to their concerns. Small business and Volunteer Groups are the backbone of our communities and I would like to thank each and every one for the time and efforts devoted to various organizations.

It is approaching a year since the County Elections of 2020. I would like to thank District 4 again for electing me as councilor to represent you. I have been working hard and will continue to do so, both to resolve concerns of the past and endeavor to further promote and help the growth of the county.

Thank you for following the Pandemic Guidelines to get us safely through these challenging times. We have gotten through a lot but it is not time to drop our guard. We all have to remain vigilant to protect family, friends and neighbors. Thank you all for everything you do! We can create great things by working together. I hope everyone had a great Thanksgiving and will have a safe Halloween.

District 5 – Councillor Longmire most exciting announcement is that Tryson came home earlier this month. He and his mom were welcomed by many lining the road home. He had been diagnosed with

Leukemia, and in August rang the bell as cancer-free. Discussions ongoing from opening back up to lighthouses to internet. Enjoys chatting and hopes to soon meet in person.

District 6 – Councillor Morrison (as submitted)

A few years ago, Charlene Walker of Clementsport, with encouragement, started an outdoor summer market on the lower parking lot of Basinview Centre. It functioned well. Now, Marlene and Tyler Ducharme of Waldeck Line Road have started a winter farm market at the Waldeck/Deep Brook Lions Club on Highway 1 in Deep Brook - from 4 to 7pm on Fridays. Its initial session was last Friday and attracted a respectable number of vendors and satisfied buyers.

Last Friday, the Clementsport Legion regular evening meal was delicious roast beef and very tasty apple pie for desert. These Friday meals draw a large crowd and I commend them to you.

On Saturday I was in Lunenburg representing Mount Allison University at a funeral service. At the following reception I met the Honorable Susan Corkum-Greek, provincial Minister of Economic Development. I took the opportunity to wish her success and stressed the need for the province to aid municipalities in all aspects of development.

On Sunday, Upper Clements Hall folks held what I call a "see what the area has to offer" Open house that provided information on organizations, goods and services in and outside of District 6. The rain kept very few folks away as the hall was crowded with both providers and those who wanted to make sure they knew what was available in their area.

I attended the annual general meeting of the Cornwallis Park Community Association, provided an update on county activities, answered questions and listened to comments.

I conclude by thanking my Council and staff friends and colleagues for the card and the lovely plant sent to me during my recent medical and surgical challenge. My appreciation also to those caring citizens who sent messages of encouragement.

District 7 – Councillor Hudson met with the Revitalization Committee in Bridgetown, an enthusiastic and active committee interested in moving things forward in the community of Bridgetown. Membership is mostly residents who do not reside in Bridgetown. Met with the fire chief of the Bridgetown Fire Department. Had been advised that the province has put out tender for paving of South Street. Put out on October 13th and closing on October 28th. Hopes the successful contractor can complete this year.

District 8 – Deputy Warden Gunn (as submitted)

Happy Mi'kmaq History month, and happy fall. I hope everyone has been able to enjoy the mostly clear skies and the views of the full moon. Aside from the Glyphosate Committee meeting and recommendations, my calls from constituents have been down to two topics this month: Concern over the proposed Vaccination Policy, and The condition of the former Upper Clements Park and nearby trail. I'm looking forward to taking part in an upcoming conference on Sustainable Communities, with particular focus on Urban Forest Planning, Sustainable Affordable Housing, Net Zero, Communities and Climate Change. I'll also be attending the upcoming Southwest Nova Biosphere Reserve committee meeting, later this month. There will be more to report next month.

District 9 – Councillor Sheridan noted her district is very quiet this month. The Nictaux Firettes canceled their annual Christmas Fair usually held the second week in November. There are still 50/50 draws at Fire Department. Leaves are spectacular this fall!

District 10 – Councillor Redden also quiet. Lawrencetown Area Seniors Association (LASA) is meeting again.

District 11 – Councillor LeBlanc noted the beautiful fall. She attended an accessibility meeting in Nictaux, and people are very interested and collecting reliable information, workers and citizens talking about what is needed. Also met with the Physician Retention and Recruitment committee, who are working diligently to get someone to come and help us out. We need doctors. Few calls about grants and roads.

New Business

Re: J Class Roads (time sensitive)

MOTION 211019.04 J-Class Road List Submission

It was moved by Councillor Prout, seconded by Deputy Warden Gunn, that municipal council authorize the submission of a list of J-Class roads to be repaved under a cost-shared agreement with Nova Scotia Transportation and Active Transit. Motion carried unanimously.

Adjourn to Public Hearings

Deputy Warden Gunn moved, seconded by Councillor Hudson, to suspend the regular session of municipal council at 11:02 a.m. in order to convene the Public Hearings. Following the hearings, the session resumed at 11:50 a.m.

Amend Order of the Day

It was moved by Councillor Hudson, second by Councillor LeBlanc, to amend the Order of the Day by adding Treeline Bridgetown LUB Zoning map Amendment, West Paradise Community Hall Request for Heritage Registration, and Easson House Request for Heritage Registration, and that the matters be addressed right away. Motion carried unanimously.

Re: Treeline Bridgetown LUB Zoning Map Amendment Application

MOTION 211019.05 Bridgetown LUB Zoning Map Amendment – Final Reading

Deputy Warden Gunn moved, seconded by Councillor Hudson, that following the full consideration of the related goals, objectives and policies of the Bridgetown Municipal Planning Strategy, and upon receiving favourable recommendations from the Annapolis County Planning Advisory Committee and the Bridgetown Area Advisory Committee, and after holding a public hearing thereon, Municipal Council give 2nd and final reading of Council's intention to adopt an amendment to the Bridgetown Land Use By-law (LUB) Zoning Map to rezone a vacant lot known as 431 Granville Street in the community of Bridgetown, from the Residential Light Density (R-1) Zone to the Highway Commercial (C2) Zone to permit the development of a construction equipment and trailer rental facility. Motion carried unanimously.

Re West Paradise Community Hall Municipal Heritage Registration

MOTION 211019.06 West Paradise Community Hall Municipal Heritage Registration – Notice of Registration

It was moved by Deputy Warden Gunn, seconded by Councillor Prout, that the entire West Paradise Community Hall property (identified as the deed referenced as Book 85 at Page 39 – being approximately 18,190.61 sq. ft. in area) located in the community of West Paradise be registered as a municipal heritage property be included in the Annapolis County Municipal Registry of Heritage Properties and to deposit a Notice of Registration in the Registry of Deeds. Motion carried unanimously.

Re: Easson House Municipal Heritage Registration

MOTION 211019.07 Easson House Municipal Heritage Registration – Notice of Registration

Deputy Warden Gunn moved, seconded by Councillor LeBlanc, that the entire Easson House property (identified as Document No. 84823344 – being approximately 2.53 acres in area) located in the community of Lequille be included in the Annapolis County Municipal Registry of Heritage Properties and to deposit a Notice of Registration in the Registry of Deeds. Motion carried unanimously.

Lunch

Upon motion of Councillor Connell, seconded by Deputy Warden Gunn at 12:00 p.m. until 12:48 p.m. with all returning as previously noted, including the CAO, Clerk, Deputy Clerk and Mgr. Municipal Operations via zoom; no members of the public at this time.

Reports and Recommendations

Re: Committee of the Whole (2021-10-14)

Notice of Motion - The Warden noted he had received Notice of Motion from Councillor Prout to adjourn the AM-1.4.9.1 Medical Assistance Recruitment Program Policy (New) item to November Committee of the Whole.

MOTION 211019.08 Adjourn AM-1.4.9.1 Medical Assistance Recruitment Program Policy (New) to November COTW

It was moved by Councillor Prout, seconded by Councillor Morrison, to adjourn AM-1.4.9.1 Medical Assistance Recruitment Program Policy (New) to November Committee of the Whole. After discussion, the Question was called on the motion. Motion carried, 6 in favour in favour, 5 against.

• ***AM-7.3.1 Publication Policy Amend***

MOTION 211019.09 AM-7.3.1 Publication / Signage Policy Amend

Deputy Warden Gunn moved, seconded by Councillor Hudson, that municipal council amend AM-7.3.1 Publication Policy by changing the name of the policy to AM-7.3.1 Publication / Signage Policy and adding provisions relating to signage on County properties, pursuant to seven-day notice having been given at Committee of the Whole. Motion carried unanimously.

• ***Annapolis County Municipal Housing Corporation – Reappoint H Huntley and M Booth for Additional Two-Year Term***

MOTION 211019.10 ACMHC - Reappoint Helen Huntley and Marilyn Booth for Additional Two-Year Term Ending November 30, 2023

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, that municipal council appoint Helen Huntley and Marilyn Booth to the Annapolis County Municipal Housing Corporation Board for an additional two-year term ending November 30, 2023, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

• ***Identify Possible Bylaw Infractions on County-Owned Forest Lands***

Deputy Warden Gunn moved, seconded by Councillor Redden, that municipal council authorize staff to annually monitor County-owned forest lands greater than 20 acres through regularly scheduled travel and based on time of year, to locate, visually inspect, and identify possible bylaw infractions to provide a report back to Committee of the Whole in accordance with the recommendation of Committee of the Whole.

It was moved by Deputy Warden Gunn, seconded by Councillor Barteaux, to amend the motion to remove the words ‘forest’ and ‘greater than 20 acres’. Motion lost.

Councillor Hudson moved, seconded by Councillor Barteaux, to amend the motion by removing ‘regularly scheduled’ and replacing with ‘regular’. Motion carried, 10 in favour, 1 against.

It was moved by Councillor Barteaux, seconded by Councillor Longmire, to amend the motion by changing ‘authorize’ to ‘direct’. Motion withdrawn.

Councillor Barteaux moved, seconded by Councillor Longmire, to amend the motion by changing ‘authorize staff’ to ‘direct the CAO’. Motion carried unanimously.

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

MOTION 211019.11 Identify Possible Bylaw Infractions on County-Owned Forest Lands

Deputy Warden Gunn moved, seconded by Councillor Redden, that municipal council direct the CAO to annually monitor County-owned forest lands greater than 20 acres through regular travel and based on time of year, to locate, visually inspect, and identify possible bylaw infractions to provide a report back to Committee of the Whole, in accordance with the recommendation of Committee of the Whole. Motion carried, 9 in favour, 2 against.

• ***NS Dept Public Works Construction Agreement 2021-008 Authorize Warden and Clerk Signatures***

MOTION 211019.12 NS DPW Construction Agreement 2021-008 Authorize Warden and Clerk Signatures

It was moved by Deputy Warden Gunn, seconded by Councillor Hudson, that municipal council authorize the Warden and Clerk to sign NS Department of Public Works Construction Agreement 2021-008 for the repaving of Queen Street from Brickyard Road to Bridgetown Bridge, pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

• ***NS Transportation and Public Works May 6, 1999 Maintenance Agreement No. 34-Q Bridgetown Bridge Repair Cost Share Request***

MOTION 211019.13 NS TPW May 6, 1999 Maintenance Agreement No. 34-Q Bridgetown Bridge Repair Cost Share Request Approve

Deputy Warden Gunn moved, seconded by Councillor Hudson, that municipal council approve the cost of \$15,000.00 (50% cost share with the Province of Nova Scotia) to repair the Bridgetown Bridge, located on Queen Street, with funds to be allocated from Letter of Intent Reserve, pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

• ***County-Wide Municipal Planning Strategy and Land Use Bylaw Consultant Proposal Review Scoring Report***

MOTION 211019.14 County-Wide MPS and LUB Consultant Stantec Consulting Ltd.

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, that Municipal Council enter into a contract with Stantec Consulting Ltd. to conduct the review of the Annapolis County Municipal Planning Strategy and Land Use Bylaw, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

- ***Cornwallis Waste Water Treatment Plant UV Upgrade***

MOTION 211019.15 Cornwallis Waste Water Treatment Plant UV Upgrade

Deputy Warden Gunn moved, seconded by Councillor Morrison, that municipal council approve additional capital funding of \$25,047.47 plus HST to be funded from the Sewer Reserve (SRES) to enable the installation of the Ultra Violet system at the Cornwallis Waste Water Treatment Facility, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

- ***Inter-Municipal Service Agreement – Two Year Pilot Project (Valley Waste and Kings Transit)***

MOTION 211019.16 IMSA Two-Year Pilot Project (Valley Waste and Kings Transit)

It was moved by Deputy Warden Gunn, seconded by Councillor Longmire, that the Municipality of the County of Annapolis join and partake in the two-year pilot project involving Valley Waste and Kings Transit but only if the Warden is able to vote on all matters which come before the new pilot project board, other than a vote which incurs long-term debt with respect to a particular project, pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

Declaration of Interest

Warden Parish declared an interest in the following five items because he owns a farm with agricultural land, and the farmers who use his land use RoundUp (a form of Glyphosate). He left the room at 2: 24 and did not participate in any discussion or subsequent motion.

Deputy Warden Gunn took the Chair.

- ***County Use of Glyphosate-Related Products***

MOTION 211019.17 County Use of Glyphosate-Related Products

Councillor LeBlanc moved, seconded by Councillor Connell, that the Municipality of the County of Annapolis not use Glyphosate-related products on county-owned land/spaces pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

- ***Education Campaign - Glyphosate***

It was moved by Councillor LeBlanc, seconded by Councillor Longmire, that municipal council direct staff to conduct an education campaign about household alternatives to Glyphosate usage, in accordance with the recommendation of Committee of the Whole.

Councillor Redden moved, seconded by Councillor Longmire, to amend the motion by removing ‘*staff to conduct an education campaign*’ and replacing with ‘*direct the CAO to place educational materials on the county website*’. Motion carried unanimously.

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

MOTION 211019.18 Education Campaign - Glyphosate

It was moved by Councillor LeBlanc, seconded by Councillor Longmire, that municipal council direct the CAO to place educational materials on the county website about household alternatives to Glyphosate usage, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

• *Letter to Ministers to Cease Aerial Glyphosate-Related Spraying in Annapolis County*

MOTION 211019.19 Letter to Ministers to Cease Aerial Glyphosate-Related Spraying in Annapolis County

Councillor LeBlanc moved, seconded by Councillor Barteaux, that municipal council send a letter to the Minister of Natural Resources and the Minister of Environment requesting a cessation of aerial Glyphosate-related spraying in Annapolis County, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

• *Letter to Ministers to Post Areas Sprayed*

MOTION 211019.20 Letter to Ministers to Post Areas Sprayed

It was moved by Councillor LeBlanc, seconded by Councillor Barteaux, that municipal council send a letter to the Minister of Natural Resources and the Minister of Environment requesting that neighbouring concession/access roads to recently sprayed (within a year) regions have Notice of Aerial Spraying signs posted to inform public using the roads/woods, pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

• *Contact NSFM for Report on Glyphosate Issue in NS Municipalities*

MOTION 211019.21 Contact NSFM for Report on Glyphosate Issue in NS Municipalities

Councillor LeBlanc moved, seconded by Councillor Connell, that municipal council contact the Nova Scotia Federation of Municipalities to find out how other municipalities are dealing with Glyphosate, pursuant to the recommendation of Committee of the Whole. Motion carried unanimously.

Warden Parish resumed the Chair at 2:40 p.m.

• *Change in Date - November Municipal Council*

MOTION 211019.22 Change in Date – November Council Changed to Wednesday, November 17, 2021

It was moved by Deputy Warden Gunn, seconded by Councillor Sheridan, that the regular session of Municipal Council in November be changed from Tuesday, November 16, 2021 to Wednesday, November 17, 2021, in accordance with the recommendation of Committee of the Whole. Motion carried unanimously.

Re: Paving Harbourview Crescent to COTW recommendations

MOTION 211019.23 Paving Harbourview Crescent

Deputy Warden Gunn moved, seconded by Councillor Morrison, that municipal council approve the cost of \$140,000 plus HST to resurface the road portion of Harbourview Crescent, Cornwallis Park, with the project to be funded from Gas Tax Reserve. Motion carried unanimously.

Recess

A brief recess was held from 2:43 p.m. – 3:07 p.m.

In-Camera

It was moved by Councillor Barteaux, seconded by Councillor Sheridan, to meet in-camera from 3:07 p.m. until 3:59 p.m. in accordance with Section 22(2) (f) litigation or potential litigation of the *Municipal Government Act*. Motion carried unanimously.

Adjournment

Upon motion of Deputy Warden Gunn and Councillor Prout, the meeting adjourned at 4:00 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