

MUNICIPAL COUNCIL

June 19, 2018

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Minutes of the regular session of **Municipal Council** held on Tuesday, June 19, 2018, at 10:00 a.m. in Council Chambers of the Municipal Administration Building, Annapolis Royal, N.S.

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

Absent: Councillor Marilyn Wilkins

Also

Present: CAO John Ferguson, Municipal Clerk Carolyn Young, and other staff.

Additions to the Agenda (to end of Agenda)

Requests were made for the following items to be added: to Reports and Recommendations, 9A xvii; and under Additions: 11 (A) Search and Rescue.

Approval of the Agenda

Upon motion of Councillors LeBlanc and McNeil, the agenda was approved as amended. Motion carried unanimously.

Minutes

MOTION 180619.01 Minutes Special Session 2018-04-24

It was moved by Councillor MacDonald, seconded by Deputy Warden Roberts, that the minutes of the regular session of Council held on April 24, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.02 Minutes – Regular Session 2018-05-15

Councillor Fowler moved, seconded by Councillor McNeil, that the minutes of the regular session held on May 15, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.03 Minutes – Special Session 2018-05-16

It was moved by Councillor MacDonald, seconded by Councillor Sheridan, that the minutes of the special session held on May 16, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.04 Minutes – Special Session 2018-05-17

Councillor Fowler moved, seconded by Councillor MacDonald, that the minutes of the special session held on May 17, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.05 Minutes – Special Session 2018-05-25

It was moved by Councillor LeBlanc, seconded by Councillor MacDonald, that the minutes of the special session held on May 25, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.06 Minutes – Special Session 2018-05-28

Councillor Fowler moved, seconded by Councillor McNeil, that the minutes of May 28, 2018, be approved as circulated. Motion carried unanimously.

MOTION 180619.07 Minutes – Special Session 2018-05-30

It was moved by Councillor MacDonald, seconded by Councillor Sheridan, that the minutes of May 30, 2018, be approved as circulated. Motion carried unanimously.

In-Camera

It was moved by Councillor McNeil, seconded by Councillor LeBlanc, to meet in-camera from 10:03 a.m. until 12:07 p.m. in accordance with Section 22(2) (e) contract negotiations, of the *Municipal Government Act*. Motion carried unanimously.

Municipal Solicitor's Report

Re: Municipal Solicitor – A monthly report dated 8 June 2018, was circulated in the agenda package. It was moved by Councillor Fowler, seconded by Councillor Gunn, to receive for information, subject to changes discussed in camera. Motion carried unanimously.

LUNCH

The Warden declared a lunch break at 12:09 p.m. All returned at 1:27 p.m. as previously noted.

Business Arising From the Minutes

Re: Valley Region Solid Waste-Resource Management Authority (VWRM) 3-Month Temporary Operating Budget (from May 15th) – as circulated by Valley Waste.

MOTION 180619.08 VWRM 3-Month Temporary Operating Budget

It was moved by Councillor Fowler, seconded by Councillor Gunn, that Municipal Council not approve the 3-month budget as circulated by the Valley Region Solid Waste-Resource Management Authority. Motion carried unanimously.

The CAO added that a budget was submitted by the County of Annapolis to the Board for consideration at their last meeting and the Board declined considering the proposal. All costs were covered at our proportional share, with compost being sent to Northridge and our proportional share of Chester landfill cost being paid directly to Chester. It did not cover costs for the consultants. Our representative will ask the Board to consider our submission at the next meeting.

Councillor's Comments

District 3 – Councillor Fowler had nothing to report

District 2 – Councillor MacDonald reported that his fourth grandchild has been born - a grandson in British Columbia.

District 11 – Councillor LeBlanc noted a busy month of attending federal announcements and workshops, as well as a fund-raising supper at Three Rivers Community Centre. She attended FCM in Halifax, noting communities from across the country are encountering the same problems. She was pleased that some delegates stayed a few days before or after the event because they loved Halifax and area.

District 6 – Councillor Morrison attended many meetings, including funding announcements, memorial services, community breakfasts, Goat Island Preservation Society, Clements Historical Society, and the Cornwallis Park Annual Yard Sale. He noted upcoming Canada Day celebrations at Felker Hall, Clementsport Branch of the Royal Canadian Legion (featuring the grand opening of the upper deck), Clean Annapolis River Project, and weekly coffee breaks at the Upper Clements Hall.

District 8 – Councillor Gunn was surprised to learn of major construction at the Grand Lake Flowage – Nova Scotia Power explained that a significant roadway was being built to access the spillway so the height of the spillway could be raised to avoid an overflow such as took place 10 years ago, which resulted in Highway 101 being washed out. The bridge on the Potter Road [a K-Class road that had been in use up to last fall] has now succumbed to the weight of a temporary bridge overlay and logging trucks. Once the temporary bridge is removed there will be no crossing place in the Lake Cady watershed. Westfor does not have plans to replace the bridge. A very successful Bear River Plant Sale took place on the third weekend of May, and at the end of May and into June, he joined several of his colleagues at the FCM conference in Halifax, which he found both informative and productive.

District 10 – Deputy Warden Roberts nothing to report

District 5 - Councillor Heming noted fund-raising in his district to bring in a refugee family. He understands that there are a lot of families waiting to come, which depends on local sponsorship of \$50,000 over two years. The Warden noted that Council could send a letter of commendation to the organizing group, but can't give money.

District 9 – Councillor Sheridan attended a workshop on June 6th in Lawrencetown regarding collaborative practice teams. They are looking for community support to bring doctors to the area. Often, the significant other also has a career. Encourage communities make a welcome video, etc.

District 4 – Councillor McNeil attended a bike race on June 17th. Some complaints were received regarding cyclists travelling three abreast. Cyclists commented on our beautiful area. He also attended the Bear River breakfast.

District 7 – Warden Habinski attended FCM, noting that Halifax did a remarkable job in a new facility and echoed Councillor Morrison's excitement for Annapolis County to welcome the FCM Board here in September. On Canada Day there are many events to attend. He asked that each Councillor let him know if he needs to be in their area.

New Business

Re: Solar for Centrelea Hall – The Warden did not have an opportunity to get more information from Mr. Crossman and left the room to call him.

Deputy Warden Roberts took the Chair at 1:47 p.m.

Re: Terms of Reference for RFP Import Replacement/Local Procurement – The CAO reported that the draft Terms of Reference are not ready yet.

Reports and Recommendations

Re: Committee of the Whole (June 12th)

- ***Agreement: Transportation and Infrastructure Renewal – Paving 8.3 km Granville Road***
MOTION 180619.09 Agreement: TIR Paving 8.3 km Granville Road

In accordance with the recommendation of Committee of the Whole, it was moved by Councillor McNeil, seconded by Councillor Heming, that Municipal Council authorize the Warden and Clerk to sign NS Transportation and Infrastructure Renewal Agreement 2018-026

regarding the paving of 8.3 km on Granville Road from Mills Mountain Road westerly, including a widened paved shoulder. Motion carried unanimously.

- ***C3 Water Supply Program (WSP) Bylaw – First Reading to Amend (see attached)***

MOTION 180619.10 C3 Water Supply Program (WSP) Bylaw – First Reading to Amend

Councillor McNeil moved, seconded by Councillor Gunn, in accordance with the recommendation of Committee of the Whole, that Municipal Council give first reading to amend the *C3 Water Supply Program (WSP) Bylaw* as amended to update or amend: Definitions, Application and Approval, Administration, Payment of Charge, and Lien. Motion carried unanimously.

- ***AM-1.4.11 Community Contributions Policy – Amend***

MOTION 180619.11 AM-1.4.11 Community Contributions Policy - Amend

Pursuant to seven day notice given at Committee of the Whole, Councillor McNeil moved, seconded by Councillor MacDonald, that Municipal Council amend *AM-1.4.11 Community Contributions Policy* by increasing the contribution to Annapolis County 4-H Leaders Council from \$500 to \$1,000. Motion carried unanimously.

- ***AM-1.2.1 Remun. and Allowances for Warden, Deputy Warden and Councillors Policy – Amend***

MOTION 180619.12 AM-1.2.1 Remuneration and Allowances for Warden, Deputy Warden and Councillors Policy - Amend

Councillor McNeil moved, seconded by Councillor Morrison, pursuant to seven-day notice given at Committee of the Whole, that Municipal Council amend *AM-1.2.1 Remuneration and Allowances for Warden, Deputy Warden and Councillors Policy* by increasing remuneration by 1.7% effective April 1, 2018. Motion carried unanimously.

- ***AM-2.1.4 Vacation Leave Policy - Amend***

MOTION 180619.13 AM-2.1.4 Vacation Leave Policy - Amend

In accordance with seven-day notice given at Committee of the Whole, Councillor McNeil moved, seconded by Councillor Gunn, that Municipal Council amend *AM-2.1.4 Vacation Leave Policy* as circulated, updating the following sections: Authority, Definitions, Intent of Vacation Leave, Eligibility for Vacation Leave, Vacation Entitlements, Granting of Leave, Carry Over/Advance of Vacation, Overdrawn Vacation Leave, Unused Vacation Leave, Illness or Bereavement, Statutory and Paid Holidays, and Responsibilities. Motion carried unanimously.

- ***S5 Noise Bylaw (New) – First Reading to Enact***

MOTION 180619.14 S5 Noise Bylaw First Reading to Enact

Councillor McNeil moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council give first reading to enact *S5 Noise Bylaw* as amended by amending Schedule A to read ‘Prohibited on week days and Saturdays before 7:00 a.m. or after 11:00 p.m.; on a Sunday or Holiday before 9:00 a.m. and after 11:00 p.m.’ and by removing ‘without license or permit’ from Article 3. Motion carried unanimously.

- ***Federation of Canadian Municipalities – Special Advocacy Fund***

MOTION 180619.15 FCM Special Advocacy Fund

Pursuant to the recommendation of Committee of the Whole, Councillor McNeil moved, seconded by Councillor Heming, that Municipal Council provide a voluntary contribution of \$1,380 (to cover a period of two years) to the Federation of Canadian Municipalities' Special Advocacy Fund from the Strategic Initiative budget. Motion carried unanimously.

Warden Habinski resumed the Chair.

- **Provision of Video/Audio Recordings of Council/COTW Meetings**

MOTION 180619.16 Provision of Video-Audio Recordings of Council/COTW Meetings

Councillor McNeil moved, seconded by Councillor Morrison, pursuant to the recommendation of Committee of the Whole, that Municipal Council ask the CAO to examine our video and audio procedures with a view to enhancement and improvement as appropriate. Motion carried unanimously.

- **Municipal Web Page**

MOTION 180619.17 Municipal Webpage

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Morrison, that Municipal Council ask the CAO to examine our county web page with a view to enhancement and improvement. Motion carried unanimously.

- **Bridgetown School Trust Funds**

MOTION 180619.18 Bridgetown School Trust Funds – Release Payments

Deputy Warden Roberts moved, seconded by Councillor Fowler, in accordance with the recommendation of Committee of the Whole, that Municipal Council approve payments from the School Trust bank account to: Bridgetown Regional Community School for disbursement on Graduation Night of \$3,609 (\$3,092 for student prizes and \$517 for programs as per fund directives) and that \$4,300 to be available to disburse to educational institutions upon request of scholarship/award recipients, for a total payout of \$7,909. Motion carried unanimously.

- **Annapolis Royal Football Club – Grant**

MOTION 180619.19 Annapolis Royal Football Club - Grant

Pursuant to the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor LeBlanc, that Municipal Council approve a grant in the amount of \$500 to assist with costs associated with providing a portable toilet at a field being used this summer to support youth soccer in Annapolis County, from the 2018/19 Community Grants budget in accordance with *AM-1.4.9 Community Grants Policy*, Community Programs Assistance Fund, to the Annapolis Royal Football Club. Motion carried unanimously.

- **Bridgetown and Area Garden Club – Grant**

MOTION 180619.20 Bridgetown and Area Garden Club - Grant

Deputy Warden Roberts moved, seconded by Councillor Fowler, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve a grant in the amount of \$375 to assist with costs associated with providing a youth activity at Jubilee Park on Canada Day, from the 2018/19 Community Grants budget in accordance with *AM-1.4.9 Community Grants Policy*, Community Programs Assistance Fund to the Bridgetown and Area Garden Club. Motion carried unanimously.

- ***Moschelle Community Hall Society – Grant***

MOTION 180619.21 Moschelle Community Hall Society - Grant

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council approve a grant in the amount of \$2,400 to assist with costs associated with replacing windows and a door from the 2018/19 Community Grants budget in accordance with AM-1.4.9 Community Grants Policy, Community Halls and Centres Assistance Program to the Moschelle Community Hall Society. Motion carried unanimously.

- ***AM-6.1.1 Progress Payments and Interest Receivable Policy (Mainland Telecom Inc) - New***

MOTION 180619.22 AM-6.1.1 Progress Payments and Interest Receivable Policy (Mainland Telecom Inc) - New

Deputy Warden Roberts moved, seconded by Councillor Heming, in accordance with seven day notice given at Committee of the Whole, that Municipal Council approve *AM-6.1.1 Progress Payments and Interest Receivable Policy (Mainland Telecom Inc)*. Motion carried unanimously.

- ***Letter to Mayor WANG Hao re Friendship Community Agreement with City of Suqian***

MOTION 180619.23 Letter to Mayor WANG Hao

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council send a letter formally and officially establishing a Friendship Community Agreement with the City of Suqian, Jiangsu, China. Motion carried unanimously.

- ***Memorandum of Understanding – Suqian City and County of Annapolis January 16, 2017***

MOTION 180619.24 MOU Suqian City and County of Annapolis January 16, 2017

Deputy Warden Roberts moved, seconded by Councillor Morrison, pursuant to the recommendation of Committee of the Whole, that Municipal Council ratify a Memorandum of Understanding between Suqian City, People's Republic of China and the Municipality of the County of Annapolis, Canada, dated January 16, 2017. Motion carried unanimously.

- ***Annapolis River Causeway Park Food Concession***

Annapolis River Causeway Park Food Concession

In accordance with the recommendation of Committee of the Whole, it was moved by Deputy Warden Roberts, seconded by Councillor McNeil, that Municipal Council give temporary authorization for Tom's Cool Bus Canteen to set up a food concession at the Annapolis River Causeway Park until the development of a municipal food concession bylaw is completed.

A letter dated June 15th from Adrian Nette, Chair of the Annapolis Royal Wharf Association (ARWA) was circulated at the meeting, noting the following: ARWA had no objection to a food concession in the park during special events that the County organizes or supports; the Town of Annapolis Royal agreed to provide \$1,500 work of mowing and garbage removal annually, but there was never an intention of the park being a manicured site, it was intended to be a natural landscape; and, finally, noted that ARWA is concerned about noise from a generator operating eight hours a day.

In-Camera

It was moved by Councillor MacDonald, seconded by Councillor LeBlanc, to meet in-camera from 2:52 p.m. until 3:24 p.m., in accordance with Section 22(2)(a) acquisition, sale, lease and security of municipal property of the *Municipal Government Act*. Motion carried unanimously.

Re: Annapolis River Causeway Park Food Concession (*cont'd*)

It was moved by Councillor Sheridan, seconded by Councillor McNeil to defer to July Council. Motion carried unanimously.

Councillor McNeil moved, seconded by Councillor MacDonald, to refer to CAO to gather more information. Motion carried unanimously.

• ***Development Agreement Application – Hamilton (3314197 NS Ltd.), Upper Clements***

MOTION 180619.25 DA Application – Hamilton (3314197 NS Ltd.) Upper Clements

Deputy Warden Roberts moved, seconded by Councillor Morrison, in accordance with the recommendation of Committee of the Whole, that Municipal Council consider the Hamilton (3314197 Nova Scotia Ltd) application to enter into a development agreement to permit the construction of a six-unit rental cottage and 24-unit RV/Mini Home Seasonal Park (campground) in accordance with the *Upper Clements Area Municipal Planning Strategy* Policy 5.1.11 and to adopt a public participation process involving the application referral to Upper Clements Area Advisory Committee and Planning Advisory Committee for their review and recommendation after holding a public meeting in the community. Motion carried unanimously.

Re: PAC Public Meeting – a date was set for the PAC Public Meeting for Monday July 9th at 7pm at the Upper Clements Hall.

• ***Municipal Heritage Property Postcard Project***

MOTION 180619.26 Municipal Heritage Property Postcard Project

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council approve an out-of-budget expenditure, not to exceed \$1,500, from the Economic Development budget for the Municipal Heritage Property Postcard Project to aid in the promotion of municipally-registered heritage properties in Annapolis County. Motion carried unanimously.

• ***Provincial Heritage Conference***

MOTION 180619.27 Provincial Heritage Conference – Registration for Citizen Members

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, pursuant to the recommendation of Committee of the Whole, that Municipal Council authorize an out-of-budget expenditure of \$375 for registration costs from the Economic Development budget in order that Heritage Advisory Committee citizen members (\$125 per member) may attend the Provincial Heritage Conference being held in Annapolis Royal, September 26-28, 2018. Motion carried unanimously.

• ***Letters of Appreciation***

MOTION 180619.28 Letters of Appreciation- RCMP

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor LeBlanc, that Municipal Council send letters of appreciation to Cst. Julie Gardiner and Cst. Jean Gardiner, who have been transferred. Motion carried unanimously.

- *Letter to Department of Justice re Street Crimes Enforcement Unit*

MOTION 180619.29 Letter to Dept. of Justice – Street Crimes Enforcement Unit

Deputy Warden Roberts moved, seconded by Councillor LeBlanc, in accordance with the recommendation of Committee of the Whole, that Municipal Council send a letter to the Department of Justice (copied to the MLA) requesting that the Street Crimes Enforcement Unit (SCEU) remain under local control at the Bridgetown Detachment. Motion carried unanimously.

- *Transfer of Funds to Operational from Gas Tax Reserve*

MOTION 180619.30 Transfer of Funds to Operations from Gas Tax Reserve

Pursuant to the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor McNeil, that Municipal Council approve the allocation of \$27,900 from Gas Tax Reserve for: Basinview Capital Repairs, Basinview HVAC System Upgrades, Cornwallis Park Crosswalk Upgrade, Paradise Street Lights and Cornwallis Park Active Transportation Pathway, as presented. Motion carried unanimously.

- *Transfer of Funds to Operational from County of Annapolis Water Reserve*

MOTION 180619.31 Transfer Funds to Operations from Co Annapolis Water Reserve

Deputy Warden Roberts moved, seconded by Councillor McNeil, pursuant to the recommendation of Committee of the Whole, that Municipal Council approve the allocation of \$2,800 from County of Annapolis Water Reserve for Cornwallis Park Transmission Line, as presented. Motion carried unanimously.

- *Transfer of Funds to Operational from Bridgetown Water Reserve*

MOTION 180619.32 Transfer Funds to Operations from Bridgetown Water Reserve

In accordance with the recommendation of Committee of the Whole, Deputy Warden Roberts moved, seconded by Councillor Fowler, that Municipal Council approve the allocation of \$3,000 from the Bridgetown Water Reserve for Bridgetown Water Meter replacements, as presented. Motion carried unanimously.

- *Limited Notice to Proceed Agreement with Mainland*

MOTION 180619.33 Limited Notice to Proceed Agreement with Mainland

Deputy Warden Roberts moved, seconded by Councillor MacDonald, in accordance with the recommendation of Committee of the Whole, that Municipal Council authorize the Warden and Clerk to sign the Limited Notice to Proceed Agreement with Mainland Telecom Inc. Motion carried unanimously.

Correspondence

Re: Nova Scotia Justice (May 9th) – informing of a 1.15% increase over the 2017/18 budget for the same complement of officers at \$2,346,479 for 2018/19, inclusive of \$149,578 for shared services. It has been adjusted for any approved service requests made during the past year that were implemented on or before April 1, 2018. It does not include any adjustments that may be requested subsequent to April 1, 2018.

Councillor Gunn moved, seconded by Councillor McNeil, to receive for information. Motion carried unanimously.

Re: Municipality of Digby (May 15th) – requesting a letter of support for the completion of Highway 101 Digby to Weymouth – Phase 2 Funding.

**MOTION 180619.34 Letter of Support – Completion of Highway 101 Digby to Weymouth
Phase 2 Funding**

It was moved by Councillor Fowler, seconded by Councillor Gunn, that Municipal Council send a letter of support to the Premier, copied to the MP, Minister of Transportation and Infrastructure Renewal, and the MLA for Clare, requesting that Phase 2 Funding for the completion of the highway from Digby to Weymouth be a top priority when negotiating with the federal government for highway infrastructure funding. Motion carried unanimously.

Re: 211 Information and Referral Services Association (May 10th) – Deputy Warden Roberts moved, seconded by Councillor Sheridan, to receive for information. Motion carried unanimously.

Additions

Re: Annapolis County Ground Search and Rescue (GSAR) – Deputy Warden Roberts was approached by a member of GSAR wondering if the County has any available storage spots for GSAR equipment (i.e. - the bus), and wondering if there was a progress update. The CAO responded that there had been a request regarding the old fire hall building in Bridgetown, and the Director of Municipal Operations reported that he had conducted a tour of that site with GSAR. Renovations have not been completed yet on the new pound so a move-out date has not been determined for the Quonset hut. Other councillors had been approached as well.

Deputy Warden Roberts moved, seconded by Councillor Gunn, to direct staff to discuss the Quonset hut with GSAR to see if it might meet their needs. Motion carried unanimously.

Adjournment

Upon motion of Councillors McNeil and Gunn, the meeting adjourned at 3:46 p.m.