

REGULAR COUNCIL MEETING – OCTOBER 21, 2020 @ 7:00 P.M.

Minutes of regular council meeting held at EVPFD Fire Hall
at 7:00 P.M. on Wednesday, October 21, 2020

Attendance

Councillors: Genevieve Squire, Bill Duffitt, Arthur Crisby, Shannon Powell, Mary MacNab, Kim Powell, Monica Bull

Delegates: Roger Bull, Art Dyke, Lorna Firth

Gallery: Roni Dyke, Wayne Hallett, Amanda Handcock

MOTION:	096-20
Proposed by:	Bill Duffitt
Seconded by:	Mary MacNab
Resolved that the agenda be adopted with the addition of 6 n, Economic Development.	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

MOTION:	097-20
Proposed by	Art Crisby
Seconded by:	Shannon Powell
Resolved that minutes from September 09 2020 be adopted as presented.	
In favour – 6; Opposed – 0. Abstained – 0. Carried.	
<i>Councillor Bull abstained, as she had not been a Councillor on September 09, 2020.</i>	

Note: Minutes were circulated via email prior to the meeting. The following day, Councillor K. Powell delivered a letter to the Town Clerk/Manger that highlighted errors in Motion 091-20. See attached letter.

Ms. Lorna Firth and Mr. Art Dyke had some concerns around a planned expansion of the Damnable Trail network to include Carmen's Cove and Baldrick's Head. They raised several points of concern, including:

- Lack of parking for hikers
- Hikers being forced to cross private land
- Safe co-existence of hikers with hunters/trappers/berry pickers and wood harvesters etc.
- Ownership of Carmen's Cove Road

Ms. Firth went on to say that she feels a public meeting is necessary to address the concerns she presented. Mr. Dyke questioned who would be responsible for future maintenance and repairs on the trail if it were to go ahead.

It was noted that Councillor Holman had been the Council representative on the Road to the Beaches Tourism Association and acted as the Council liaison with that group. Since his

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resignation, this position has been vacant. A new Councillor will have to be appointed in the near future.

Councillors K. Powell, Bull & MacNab raised concerns about the trail expansion in relation to planning, permits, environmental assessments etc.

Mayor Squire asked a member of the gallery, Mr. Wayne Hallett to address the Councillors' questions.

NEW BUSINESS

MOTION:	098-20
Proposed by	Mary MacNab
Seconded by:	Art Crisby
Resolved that the discussion around the expansion of the Damnable Trail network into Carman's Cove and Baldrick's Head will be tabled until a formal proposal is received by the Town from the Terra Nova Tourism Association/Road to the Beaches Tourism Association.	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

Motion 023-20, carried on March 11, 2020 authorized the Town to purchase a snowblower for use at the rink.

MOTION:	099-20
Proposed by	Mary MacNab
Seconded by:	Art Crisby
Resolved that a snowblower for the rink will be purchased from William Seymour for \$2000.00, provided that this purchase meets with conditions set out by the Public Procurement Agency. Clerk/Manager to speak to officials at the PPA to ensure compliancy.	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

Ms. Amanda Handcock, a member of the gallery interjected at this point to say that she objected to the town purchasing the snowblower from Mr. Seymour. She stated that three prices must be obtained. The Clerk/Manger had already indicated that prices had been obtained by herself and the PW Superintendent from Home Hardware, Canadian Tire, D&A Outdoors and Mr. Seymour. Mayor Squire and Councillor MacNab reminded Ms. Handcock that as she was not a Councillor or a Delegate, she was not permitted to speak and was out of order.

Clerk/Manager advised that the PW Employees will require a new brush saw in order to complete brush cutting this fall.

MOTION: 100-20

Proposed by Kim Powell

Seconded by: Bill Duffitt

Resolved that a brush saw will be purchased for use by Public Works. Maximum amount is \$1000. Clerk/Manager to get three quotes.

In favour – 7; Opposed – 0. Abstained – 0. Carried.

There are several pieces of vacant land with significant tax arrears. Council wishes to move forward with the sale of this land. Clerk/Manager to discuss with Steve Penney of Stewart McKelvey.

Councillor K. Powell felt that a Communications Policy was necessary and prepared a draft, but due to the lengthy agenda, it was agreed to table this item until the November meeting.

Councillor K. Powell pointed out that the meetings in 2020 have not always been on the second Wednesday of each month, even though that is accepted council practice. She requested that a concerted effort be made to stick to the schedule.

Councillor MacNab advised she had spoken to the Glovertown RCMP members about establishing a Neighbourhood Watch program. At this time, the RCMP is not having any public meetings due to COVID-19 restrictions. This will be re-visited when the RCMP are permitted to have public meetings.

A shared services meeting was held on October 08, 2020. See attached report.

Councillor Duffitt, liaison for the EPVFD advised that they requested new chairs and signage for their overhead doors.

MOTION: 101-20

Proposed by Art Crisby

Seconded by: Bill Duffitt

Resolved that the 50 stackable chairs and new signs/lettering for the overhead doors will be purchased for the EPVFD. Three quotes were obtained by Chief Powell.

In favour – 7; Opposed – 0. Abstained – 0. Carried.

Clerk/Manager Bull asked if any Councillors had anything they wished to see in the 2021 budget. Items requested are:

- Outhouse for Northside Beach
- Upgrades to beach parking lots

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- Routine maintenance at the playground and Community Garden

Councillor K. Powell acknowledged that the Clerk/Manager is quite busy, and often works overtime. This is due in part to the volume of phone calls and counter service clients who visit the town hall daily. There was a discussion about the possibility of hiring a part time receptionist/clerk in the new year. It will be further investigated when the budget is being prepared. Councillors also agreed that the office could close to counter service on Fridays, as there is little revenue coming in this time of year. Clerk/Manager to post the new hours on Facebook.

FINANCE

The quick stat report, September bank reconciliation and payroll were reviewed and found to be in order.

MOTION:	102-20
Proposed by:	Art Crisby
Seconded by:	Bill Duffitt
Resolved that the following invoices be approved for payment as presented:	
Fire Dept Account - Cheque #'s 1584 – 1588: \$829.37	
General Account - Cheque #'s: 8278 - 8312: A/P \$9,568.65; P/R \$10,134.79; G/L \$4,000.00	
Total from General Account: \$23,703.44	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

RECREATION REPORT

There has not been an EP Wellness meeting in several months, therefore, there was no report.

There was some discussion on the upcoming Bonfire Night. Mayor Squire felt that the Town should purchase briquettes in order to provide small fires for bonfire night in addition to the main bonfire.

MOTION:	103-20
Proposed by	Kim Powell
Seconded by:	Mary MacNab
Resolved that the Town will purchase briquettes for \$50 from Sutreen Hardwoods for Bonfire Night. Due to COVID-19 restrictions, no food will be served this year.	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

The next items for discussion were paving for Legion Road and snow clearing contract for 2020-2021. Both Mayor Squire and Councillor K. Powell acknowledged a Conflict of Interest because of defined relatives under Section 207 of the Municipalities Act, 1999 and left the room at this time. (9:35 pm)

MOTION:	104-20
Proposed by	Mary MacNab
Seconded by:	Art Crisby
Resolved that the meeting would enter into a privileged session at 9:38 PM.	
In favour – 5; Opposed – 0. Abstained – 0. Carried.	

Upon hearing Councillor MacNab motion for a privileged meeting, Ms. Amanda Handcock vehemently objected, and opined that the Council could not enter a privileged session. She advised that Terra Nova MHA, Mr. Lloyd Parrott had confirmed this for her. Councillor MacNab advised that Councillors may motion for a privileged meeting at any time they see fit. If the majority vote in favour of the privileged meeting, the motion is carried. Clerk/Manager read section 213 of The Municipalities Act, 1999 which states:

213. (1) A meeting of a council shall be open to the public unless it is held as a privileged meeting or declared by vote of the councillors present at the meeting to be a privileged meeting.

(2) Where a meeting is held as a privileged meeting or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

(3) A decision of the councillors made at a privileged meeting shall not be valid until that decision has been ratified by a vote of the councillors at a public meeting.

Clerk/Manger also reviewed section 4.1 of the Municipal Councillors Handbook to ensure Council was not in contravention of legislation. That section states:

Privileged Meeting: A meeting of council where only councillors and staff are in attendance, generally used to discuss matters of a confidential nature. Minutes of privileged meetings must be kept and resolutions adopted in a privileged meeting must be reintroduced and adopted at a public meeting.

After much debate, Ms. Handcock eventually left the building and Council proceeded into a privileged session.

MOTION:	105-20
Proposed by:	Kim Powell
Seconded by:	Shannon Powell
Resolved that the meeting would go back to a regular session at 10:25 PM.	
In favour – 7; Opposed – 0. Abstained – 0. Carried.	

Upon returning to the regular meeting, Councillor Crisby went outside to tell Ms. Handcock that the meeting was back to regular session, but she had vacated the premises.

MOTION: 106-20

Proposed by: Art Crisby

Seconded by: Bill Duffitt

Resolved that a paving job on Legion Road shall be awarded to Station Road Contracting.
Prices received were as follows:

Station Road Contracting: \$1200.00 + HST

Crossroads Contracting: \$1600.00 + HST

Feltham's Construction: \$1728.00 + HST

G&R Contracting: \$2600.00 + HST

In favour – 5; Opposed – 0. Abstained – 0. Carried.

As stated above, Councillor K. Powell and Mayor Squire were not in the room for Motion 106-20, due to COI

MOTION: 107-20

Proposed by: Art Crisby

Seconded by: Bill Duffitt

Resolved that a 2020-2021 Snow Clearing Contract shall be awarded to G&R Contracting Ltd.
Prices received were as follows:

G&R Contracting: \$28,485.00 + HST

Station Road Contracting: \$33,000.00 + HST

Feltham's Construction: \$36,600.00 + HST

In favour – 5; Opposed – 0. Abstained – 0. Carried.

As stated above, Councillor K. Powell and Mayor Squire were not in the room for Motion 106-20, due to COI

CORRESPONDENCE

MOTION: 108-20

Proposed by: Mary MacNab

Seconded by: Art Crisby

Resolved that tax arrears on PAR ID 056505 prior to 2015 will be forgiven and that interest from 2015 to present will be written off.

In favour – 7; Opposed – 0. Abstained – 0. Carried.

MOTION: 109-20

Proposed by: Mary MacNab

Seconded by: Art Crisby

Resolved that PAR ID 056235 shall not be reclassified as a residential property.

In favour – 7; Opposed – 0. Abstained – 0. Carried.

PUBLIC WORKS

MOTION: 110-20

Proposed by: Mary MacNab

Seconded by: Art Crisby

Resolved that the following development application be approved as presented subject to the approval and recommendations of any and all applicable government departments and/or agencies:

025-20	14 Beach Road	Build Deck
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In favour – 7; Opposed – 0. Abstained – 0. Carried.

The next item for discussion was a business application at 9 Penny's Road. Councillor S. Powell acknowledged a Conflict of Interest because of defined relatives under Section 207 of the Municipalities Act, 1999 and left the room at this time.

MOTION: 111-20

Proposed by: Mary MacNab

Seconded by: Art Crisby

Resolved that the following business application be approved as presented subject to the approval and recommendations of any and all applicable government departments and/or agencies:

026-20	9 Penny's Road	General Contractor
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In favour – 6; Opposed – 0. Abstained – 0. Carried.

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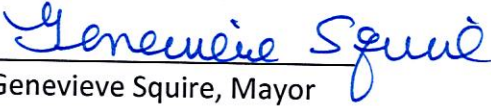
MOTION: 112-20

Proposed by: Art Crisby

Seconded by: Bill Duffitt

Resolved that the meeting adjourn at 10:30 PM. The next meeting will be held on November 18, 2020

In favour – 7; Opposed – 0. Abstained – 0. Carried.


Genevieve Squire, Mayor


Kelly Bull, Town Clerk/Manager