

Minutes of regular council meeting held
at 7:00PM at May 10th at the Eastport Town Hall

Attendance

Mayor Art Crisby, Deputy Mayor Amanda Handcock

Councillors: Monica Bull, Kimberly Powell, Shannon Powell, Ben Patey, Roger Bull

Staff: Chantal Lynch – Town Clerk/Manager, Denise Hickey – Admin Assistant

General Public – Barry Brown, Jamie Powell

1. Call to Order

The meeting was called to order at 7:00PM by Mayor Crisby

2. Adoption of the Agenda

MOTION:	64-23
Proposed by:	Kim Powell
Seconded by:	Ben Patey
Resolved that the agenda be adopted as presented.	
In favour – 7; Opposed – 0. Carried.	

3. Adoption of Regular Council Minutes

MOTION:	65-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the minutes of the Regular Council Meeting held on April 12 th , be adopted as presented.	
In favour – 7; Opposed – 0. Carried.	

4. Business Arising

- a. Municipal Conduct Act – Mandatory Training & Codes of Conduct Training
Town Clerk will continue to send out the training dates as they become available. Deadline to have the 5 modules completed is August 31, 2023.
- b. Councillor Technology & email. As there appeared to be some overlap with service provided. The Town Clerk would confirm with the IT provider what is necessary.
- c. Branding Eastport – deferred, may need a special meeting to discuss.
- d. Joint Council Meeting, April 19th 3:30PM –
Councillor Monica Bull provided an update on the meeting and advised the question was raised for each town at the meeting, to ask their respective Councils if they were in support of creating the position of Regional Recreation Director/Economic Development Officer. Noted that the money the EP Rec & Wellness has is for programming, not salary. Further funding would have to be pursued from government sources.
Councillor Patey provided an update that there seemed to be concerns surrounding the enclosed trailer that the Town of Eastport had contributed to purchasing, in partnership

with the EPVFD. The Town Clerk/Manager would confirm whether or not the trailer was insured under the Town's policy. Noted the trailer was not purchased with funds from the EPVFD operating budget.

Discussion around the Town having specific members on joint council. Councillor Ben Patey agreed to be that designate.

- e. Summer Staff – Eastport Rec and Wellness has 2 positions under the Canada Summer Jobs funding. The Town has one approved, but has not yet been notified of which one. The employment position will be posted as soon as there is confirmation of the job title.
- f. Regionalization FAQ's – Councillor Kim Powell gave an update on the regionalization presentation at the MNL symposium and it was agreed that these FAQ's would be shared with each town at the next Joint Council meeting.

5. New Business

- a. Mobile Ice Cream Truck Brittany Brown -

MOTION:	66-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the draft vendor regulations be approved as presented and that Brittany Browns request to operate a mobile ice cream truck would be approved subject to the above-mentioned regulations, along with proof of liability insurance.	
In favour – 7; Opposed – 0.Carried.	

- b. 23 Church Street road development –(Councillor Monica Bull left the room citing conflict of interest.) Concerns from Kevin Robinson were read aloud by the Town Clerk. There was a discussion around easements and traditional trails and an agreement that ultimately if the landowner wishes to landscape on his property, it is his own land. Further agreement to have Public Works Supervisor assess the situation and if it is not a town easement and not within the 6 ft distance to the adjacent lot, then it is not a concern of the town.

- c. Application to Operate a Business – 14 Beach Road

MOTION:	67-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the application to operate a Seasonal Air BnB business at 14 Beach Road would be approved and that any further Business Applications would be referred to the Planning and Development Committee for their review and recommendation.	
In favour – 7; Opposed – 0.Carried.	

- d. Capital Works

There was a capital works document drafted by Councillor Kim Powell based on the Asset Management report by Tract Consulting. Agreed to defer it to a special meeting to be held on May 17th @ 7:00PM.

e. Waste Oil Collection –

MOTION:	68-23
Proposed by:	Ben Patey
Seconded by:	Roger Bull
Resolved that the depot would be used by Atlantic Used Oil Management Association for a drop off site for the Eastport Peninsula during normal business hours on a trial basis.	
In favour – 7; Opposed – 0.Carried.	

6. Finance

MOTION:	69-23
Proposed by:	Ben Patey
Seconded by:	Kim Powell
Resolved that the following invoices be approved for payment as presented and reports tabled: Line of Credit April 2023 - \$5.98 Fire Dept: Cheque #1767-1772; \$2,739.48 General Account: Cheque #9504-9540; \$33,515.20 Bank Statements April 2023 Quick Stats April 2023	
In favour – 7; Opposed – 0. Carried	

MOTION:	70-23
Proposed by:	Roger Bull
Seconded by:	Amanda Handcock
Resolved that the update from Denise Hickey, Administrative/Office Assistant be read aloud.	
In favour – 7; Opposed – 0.Carried.	

The audit process is going well, appears progress may have slowed down during tax season. Denise is continuing to reconcile accounts and provide information as requested.

8:16 PM Barry Brown and Jamie Powell left the meeting.

There was an agreement that Councillor Patey would check with the auditors and inquire as to when the audit process would be up to date.

7. Correspondence

a. Kathy Hodder, RTTB – May 2, 2023 Meeting Space

MOTION:	71-23
Proposed by:	Ben Patey
Seconded by:	Roger Bull
Resolved that the request to waive the monthly meeting space rental fee(\$500) for the Tourism Coordinator be approved.	
In favour – 7; Opposed – 0.Carried.	

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b. Christina Duke(Churence Rogers MP constituency office) – Canada Summer Job Program
- filed for information purposes

c. Caitlin Yard, Emergency Preparedness Week 2023, May 5th, 2023 – Agreement that the Town Clerk/Manager would attend the Basic Emergency Management course.

d. G & R Contracting Ltd.- Development Application Septic Disposal Facility – May 2nd, 2023
Deputy Mayor Amanda Handcock left the room citing Conflict of Interest.
Discussion that as Chair of the Planning and Development Committee, Councillor Monica Bull had presented the recommendation of the committee and that due diligence was given. Noted that Planning and Development meetings are not public meetings.

e. Eastport Peninsula Agricultural Exhibition – Invitation to Ag-Ex, May 3rd, 2023 – the invitation to the AgEx would be accepted. .

8. Reading File

a. OIPC Newsletter, April 2023

b. MAPA Circular, May 1st, 2023 – Collaboration & Service Sharing

9. Committee/Liaison Reports

Public Works –

MOTION:	72-23
Proposed by:	Shannon Powell
Seconded by:	Ben Patey
Resolved that the one quote received from Patten Siding & Renovation Ltd. to shingle the depot and sewage treatment plant, be accepted in the amount of \$55.00/per bundle, including garbage removed from the sites.	
In favour – 6; Opposed – 0. Carried.	

MOTION:	73-23
Proposed by:	Shannon Powell
Seconded by:	Kim Powell
Resolved that the one quote received from Felthams Construction Ltd. for Spring Grading 2023 in the amount of \$5,635.00 including HST and the standing offer for an “as-needed” basis per 100m of road in the amount of \$49.50 tax included, and the price per ton of \$29.90 tax included be accepted.	
In favour – 6; Opposed – 1 (Deputy Mayor Amanda Handcock). Carried.	

Admin/HR –

Mayor Art Crisby left the room citing conflict of interest during discussion.

Correspondence from Chelsea Harris was discussed. It was agreed that an increase of hours and/or wages was not in the budget, but that it would be reviewed during budget discussion in the fall.

Agreement that Councillors Kim Powell and Ben Patey would attend the meeting on June 1, 2023 concerning the joint fire protection agreement.

Planning & Development –

1) Clarification on Conflict of Interest in proposed development – There had been some concern brought forward by Deputy Mayor Handcock that Councillor Kim Powell was in conflict of interest for a proposed subdivision development on the end of Tulks Road. Councillor Kim Powell explained that any interest she would have in the proposed development would be the same interest as other residents on her street and therefore is a common interest, not specific.

Councillor Kim Powell then asked that Council vote whether they felt she was in conflict of interest concerning this matter and left the room while the vote took place.

Councillors Shannon Powell, Ben Patey, Roger Bull, Monica Bull and Mayor Art Crisby voted that Councillor Kim Powell was not in a conflict of interest.

Deputy Mayor Amanda Handcock voted that Councillor Kim Powell was in a conflict of interest.

The decision of council is final and Councillor Kim Powell was found, by majority vote to not be in conflict of interest.

Agreed that the site visit to the proposed development on Tulks Road be arranged.

2)

MOTION:	74-23
Proposed by:	Monica Bull
Seconded by:	Roger Bull
Resolved that the recommendation of the meeting of May 3 rd , 2023 to approve the application to build a single dwelling home and garage on 9 Northside Road be accepted.	
In favour – 7; Opposed – 0. Carried.	

Agreed that the Town Clerk/Manager be permitted to give conditional approval for a government approved septic design for a property if there are no town septic services available to the property.

3)

MOTION:	75-23
Proposed by:	Monica Bull
Seconded by:	Kim Powell
Resolved that the recommendation of the meeting of May 3 rd , 2023 to approve the application to construct a garage at 18 Penny's Road with the condition that the building be located 3 feet closer to the front of the property to be compliant with the Town Plan.	
In favour – 6; Opposed – 0. <i>Councillor Shannon Powell left the room citing Conflict of Interest during discussion and the vote.</i> Carried.	

4)

MOTION:	76-23
Proposed by:	Monica Bull
Seconded by:	Kim Powell
Resolved that the application to place a culvert as a part of the remediation work, as required by the Water Resources Division permit to alter a body of water, on land located at 38-40 Tulks Road be accepted.	
In favour – 6; Opposed – 1, (Deputy Mayor Amanda Handcock). Carried.	

Communication & Public Engagement –

Deputy Mayor Amanda Handcock advised there have not been any meetings. She advised that someone else can produce the newsletter. It was suggested that Office Assistant Chelsea Harris could possibly take on this role again.

The next Coffee and Chat with Council would be 7pm – 9pm on May 25th.

Recreation & Social – no update

Fire Hall Liaison – no update

RTTB Tourism– no update

CNWM- no update

EP Rec & Wellness-no update

Emergency Management Regional Team - no update

10. Town Clerk Manager Report

- The Town Clerk/Manager advised that there have been 3 ATIPP reports to the office of which the applicant must remain anonymous, and proceeded to advise Council what information was being requested and advised she would be in contact with Council members individually with requests.
- The decision on Motion 57-23 was being appealed, and information would need to be gathered when requested.
- There has been an official complain of Conflict of Interest against a member of Council. There is a specific time frame to adhere to and the member of Council would be notified accordingly. After such time, as advised by the Department of Municipal and Provincial Affairs, the process is to continue as specifically laid out in legislation.

Planning and Development Chairperson Monica Bull wished to follow up with a comment concerning the membership of the Planning and Development Committee and that perhaps there was a conflict with Deputy Mayor Handcock and the development on Tulks Road. Deputy Mayor Handcock advised she has no monetary interest in Felthams Construction and she felt there was no conflict.

11. Adjournment

MOTION:	77-23
Proposed by:	Roger Bull
Seconded by:	Kim Powell
Resolved that the meeting be adjourned at 9:51PM and the next regular meeting would be held on June 12 th , 2023	
In favour – 7 ; Opposed – 0, Carried.	

Art Crisby – Mayor

Chantal Lynch – Town Clerk/Manager