

Minutes of regular council meeting held
at 7:00PM at July 12th at the Eastport Peninsula Fire Hall

Attendance

Mayor Art Crisby

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

Staff: Chantal Lynch – Town Clerk/Manager, Chelsea Harris– Admin Assistant

Absent: Deputy Mayor Amanda Handcock

1. Call to Order

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

2. Adoption of the Agenda

MOTION:	93-23
Proposed by:	Roger Bull
Seconded by:	Monica Bull
Resolved that the agenda be adopted as presented.	
In favour – 6; Opposed – 0. Carried.	

3. Adoption of Regular Council Minutes

MOTION:	94-23
Proposed by:	Roger Bull
Seconded by:	Shannon Powell
Resolved that the minutes of the Regular Council Meeting held on June 14 th , be adopted as presented.	
In favour – 6; Opposed – 0. Carried.	

MOTION:	95-23
Proposed by:	Kim Powell
Seconded by:	Roger Bull
Resolved that the minutes of the Special Council Meeting held on June 27 th , be adopted as presented.	
In favour – 6; Opposed – 0. Carried.	

4. Town Manager Report

- a. Conflict of Interest Official Complaint – Mayor Art Crisby read aloud the following statement:

Noted that this entire process has been in consultation with the Department of Municipal and Provincial Affairs.

Regarding the official complaint of conflict of interest received to the office May 9th, 2023, from Elvis Feltham, Felthams Construction;

Council held a privileged meeting on July 4th at 7:00PM

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The subject of the complaint was evaluated against the criteria listed under the Conflict of Interest Section 5 of the Municipal Conduct Act. It was agreed at that meeting that the following motion be made and voted on at the regular meeting, July 12th, 2023.

MOTION:	96-23
Proposed by:	Ben Patey
Seconded by:	Monica Bull
Be it resolved that the proper process was adhered to as listed in the Municipal Conduct Act, and in the matter of the official complaint, Council has found Deputy Mayor Amanda Handcock to be in a Conflict of Interest. Furthermore, it is legislation that determines the consequence in the Municipal Conduct Act and requires the councillor to vacate the seat and is not eligible to be nominated as a candidate until the nomination period for the next general election in 2025, as per Section 9(1) of the Municipal Conduct Act.	
In favour – 6; Opposed – 0. Carried.	

MOTION:	97-23
Proposed by:	Kim Powell
Seconded by:	Shannon Powell
Resolved that the signing officers for all town bank accounts/deposit boxes and financial affairs, would be Art Crisby, Benjamin(Ben) Patey and Chantal Lynch.	
In favour – 6; Opposed – 0. Carried.	

b. Land Sale Update

Agreed that , as per legal counsel, the land sale process would be paused for 68 Church Street as a process server has located the land owner. Town Clerk/Manager would send via registered mail a notice of arrears and the process would resume(on the advice of legal counsel) once the time frame has passed.

c. Employee HR –

MOTION:	98-23
Proposed by:	Shannon Powell
Seconded by:	Roger Bull
Resolved that the meeting would enter into a privileged session to discuss HR updates of a return to work approval for an employee at 7:12PM	
In favour – 6; Opposed – 0. Carried.	

MOTION:	99-23
Proposed by:	Shannon Powell
Seconded by:	Roger Bull
Resolved that the meeting would revert to regular session at 7:17pm	
In favour – 6; Opposed – 0. Carried.	

d. Age Friendly Building Communities Grant

Approval from the provincial government to use the funding for rink resurfacing. Consensus to request funding from Eastport Peninsula Rec and Wellness, also that the Town would use the remaining budgeted amount for recreation projects to cover costs.

5. Business Arising

- a. Municipal Conduct Act – Mandatory Training & Codes of Conduct Training – Agreement this would stay on the agenda until such time as all councillors have completed the required training.

- b. Branding Eastport –

MOTION:	100-23
Proposed by:	Ben Patey
Seconded by:	Roger Bull
Resolved that a special meeting be held to discuss Branding Eastport.	
In favour – 1; Opposed – 5. Motion denied.	

Agreement to work in conjunction with the Road To The Beaches Tourism Association on branding the entire region.

- c. Capital Works –

MOTION:	101-23
Proposed by:	Kim Powell
Seconded by:	Roger Bull
Resolved that the Town Clerk/Manager would start the funding application for MCW(90-10 split) for Water & Sewer and Road Renewal for the Church Street, Burden's Road and Main Street as identified by Tract Consulting in the Capital Works Plan, with an estimated \$2 Million cost. Furthermore, the project would be cost shared with Sandy Cove as per our Town Plan and Water Sale Agreement.	
In favour – 6; Opposed – 0. Carried.	

MOTION:	102-23
Proposed by:	Kim Powell
Seconded by:	Shannon Powell
Resolved that the Town would work with the Department of Municipal and Provincial Affairs and have a special meeting(s) on the development of Terms of Reference/expected outcomes for a wastewater systems study, with an estimated cost of \$10,000.00 as identified by Tract Consulting in the Capital Works Plan.	
In favour – 6; Opposed – 0. Carried.	

6. New Business

- a. Application to Operate a Business – Shannon Powell

Councillor Shannon Powell left the meeting, citing conflict of interest.

MOTION:	103-23
Proposed by:	Kim Powell
Seconded by:	Roger Bull
Resolved that the application to operate an Air BnB business at 224 Main Street be approved.	
In favour – 5; Opposed – 0. Carried.	

Councillor Shannon Powell returned to the meeting.

- b. Eastport Friends and Family Day – Being that the \$1,500.00 multiculturalism grant was specifically to be used to welcome the Ukrainian families to the Peninsula, it was agreed to coordinate the efforts with the Eastport Friends and Family Day scheduled for Saturday, August 5th. The Recreation and Wellness students are available to help, office staff will order the food, and Councillor Roger Bull will coordinate the day enlisting the help of volunteers.

- c. Ben Patey, July 3rd, Unsightly properties - 83 Ralph Drive

MOTION:	104-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the meeting would enter in a privilege session at 8:09PM	
In favour – 6; Opposed – 0.Carried.	

MOTION:	105-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the meeting would revert back to regular meeting session at 8:14PM	
In favour – 6; Opposed – 0.Carried.	

Agreement that public works committee would forward a list of unsightly properties to the office and a letter would be sent to those property owners to clean up.

- d. Ben Patey, July 3rd, Ralph Dr. Ditching

MOTION:	106-23
Proposed by:	Ben Patey
Seconded by:	
Resolved to repair damage on Ralph Drive and clear brush and trees from the shoulders of the road for ditching, immediately.	
Motion defeated with no seconder	

Discussion around maintenance and that if any road is damaged, it should be fixed. The office needs to be made aware of any damage in order to facilitate maintenance.

- e. Beach Movie Projector/Screen

Discussion around the possibility of purchasing a projector and screen , Councillor Shannon Powell will research the licensing/royalties issues and costs and possibly add to 2024 budget.

6. Finance

MOTION:	107-23
Proposed by:	Ben Patey
Seconded by:	Shannon Powell
Resolved that the following invoices be approved for payment as presented and reports tabled:	
Line of Credit June 2023 - \$107.88	
Fire Dept: Cheque #1781-1787; \$5,332.08	

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General Account: Cheque #9581-9638; \$52,277.66
Bank Statements June 2023
Quick Stats June 2023

In favour – 6; Opposed – 0. Carried

Councillor Ben Patey as chair of the Finance Committee, advised that the finance committee needs budget item requests from the other committees, by August and early September in preparation for Budget 2024 planning.

7. Correspondence

- a. Citizens Crime Prevention, July 5th, Advertising request – filed for information purposes
- b. Caroline Frost, July 5th, CEEP Application
The Town Clerk/Manager advised that CEEP Programs are only successful if there is a designated supervisor to keep project moving forward. If anyone has ideas for a project, they are to liaise with the Town Clerk/Manager to complete the application.
- c. George Feltham/MUNN Insurance June 6th, Fire Underwriters Survey – The Fire Chief and Deputy Chief are working on this survey. Agreed to respond to Mr. Feltham advising him of such.
- d. Govt NL, FFA, June 28th, Community Garden Grant - some plots have been fixed and boards have been replaced. Topsoil is available on site for the plots.
- e. Barbara Case, June 19th, Bank Road woes
- f. John & Carolyn Crisby, June 19th, Bank Road woes
Will be dealt with during Public Works Committee report.
- g. Robert Giannou, June 28th, Targa documentary release – agreement to post this to the Town's Facebook page.
- h. Dept of Industry, Energy and innovation, June 14th, Invitation to Participate – filed for information purposes.

8. Reading File

- a. Lori Moss RTTB, July 7th, Federal Tourism Growth Strategy
- b. MAA Board, June 14th, Update
- c. Govt NL MAPA, June 12th, Urban and Rural Planning Act Amendments
- d. Govt NL MAPA, Increase to MOG's

9. Committee/Liaison Reports

Public Works – The list of duties have been compiled in a spreadsheet for Spring/Summer Maintenance. Recommendation to monitor the need for 2 clean-ups. Grading Assessment to be completed this week and grading completed as needed in accordance with the standing offer. Calcium to be applied as needed. Casual person will be called in as needed to complete outstanding tasks. Agreement that,

provided adequate funding sources are available , an engineered assessment of Bank Road would be completed for disaster mitigation, erosion and shoreline protection.

Planning & Development – no update

Communication & Public Engagement – no update

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. Adjournment

MOTION:	108-23
Proposed by:	Shannon Powell
Seconded by:	Ben Patey
Resolved that the meeting be adjourned at 9:40PM and the next regular meeting would be held on August 9 th , 2023	
In favour –6; Opposed – 0, Carried.	

Art Crisby – Mayor

Chantal Lynch – Town Clerk/Manager