

Town of Bishop's Falls
Regular Public Council Meeting No. 1260
February 16, 2010 at 7:00 pm
Council Chambers

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on February 16, 2010 and presided with the following individuals in attendance:

Deputy Mayor D. Tremblett
Councillor B. King
Councillor A. Hynes
Councillor P. Budgell
Councillor R. Canning

Lesley Smith, Town Manager
Randy Drover, Town Clerk

Councillor Mills was absent with regrets.

Item 2: Opening Prayer in the Form of Silent Reflection

A minute of silence was provided for an opening prayer by individual Councillors.

Item 3: Adoption of the Agenda

Mayor Hobbs asked if there were any additions to the agenda. Councillor Hynes added "Fallsview Festival Weekend/Bishop's Falls Day" and "Community Announcements" under general business. There being no further additions, His Worship called for a motion.

Motion 29/2010 – Councillor Budgell/Councillor Canning

To adopt the agenda as amended.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Item 4: Delegation – Mr. Scott Simms/World Field Ball Committee

Mayor Hobbs welcomed the members of the Bishop's Falls World Field Ball Committee (comprised of Scott Simms, Mike Thomas, Dave Seymour, and Paul Furey) into Chambers at 7:00 pm. He then provided the delegates with the floor. The Committee outlined the success of the 2009 World Cup Competition and its plans for 2010. The Committee indicated that its long-term goal is to incorporate the competition into the Town's structure, possibly as part of the summer recreation program. Field ball is the Town's sport, and the Committee wishes to work with Council's Recreation Standing Committee from this point on. There will be no need to continue the formal World Field Ball Committee structure once the partnership with the Town is developed. Mayor Hobbs thanked the Committee for its presentation, and commended them on the success of 2009. This was echoed by other members of Council. His Worship then stated that the Recreation Standing Committee is the best place to discuss the details, and he directed the delegates to request a meeting in the very near future. The delegates vacated Chambers at 7:20 pm.

Item 5: Delegation – Staff Sgt Harold Nippard, RCMP

His Worship welcomed Staff Sgt Nippard into Chambers at 7:20 pm. He then provided him the floor to address Council. Staff Sgt Nippard explained that he is in the process of consulting communities on the local policing program, and he invited Council to share any issues or concerns. Subsequently, the following issues were brought to Staff Sgt Nippard's attention: Speeding (particularly at late hours) in all areas of the community. There are specific problems with the Pentecostal Church and Leo Burke Academy parking lots; vandalism, particularly behind the Bishop's Falls Heritage Centre; lack of visibility of the RCMP in the Town; ATVs in general; and loud noises generated by mufflers.

Staff Sgt Nippard used the opportunity to highlight alcohol and substance abuse in the region. He shared several stories and described what the RCMP was doing to address the problems. Mayor Hobbs expressed Council's appreciation for the opportunity to discuss the community's policing concerns, and Staff Sgt Nippard vacated Chambers at 7:52 pm.

His Worship noted that the issues raised by Staff Sgt Nippard were serious, and Council will need to give them much thought. He then referred the matter to the Community Relations Standing Committee for further consideration.

Item 6: Adoption of Minutes for Public Council Meeting No. 1259

Motion 30/2010 – Councillor Budgell/Councillor Hynes

To adopt the minutes for Public Council meeting 1259 as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0
Abstained: 0

Motion Carried

Item 7: Business Arising From Public Council Meeting No. 1259

Councillor Budgell wondered if the 2010 Budget was submitted to the Department of Municipal Affairs. The Clerk stated that the budget and tax schedule was forward to the Department immediately following the Public Meeting, and everything is in order.

Item 8: Standing Committee Reports and Recommendations

8.1 COMMUNITY RELATIONS STANDING COMMITTEE 16 (FEB 1, 2010)

8.1.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

A special meeting was called on February 1, 2010 for the formation of the 2010 Fallsvie Festival Committee. Eleven (11) residents were in attendance, including many past members of the Committee. However, four (4) individuals could not attend the meeting because of past commitments. The election process was subsequently deferred until February 8, 2010.

Motion 31/2010 – Deputy Mayor Tremblett/Councillor King

To adopt the report for Community Relations Standing Committee 16 as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0
Abstained: 0

Motion Carried

8.2 RECREATION STANDING COMMITTEE MEETING 224 (FEB 2, 2010)

8.2.1 Chairperson's Report

Councillor King, Chairperson, presented the following report:

A regular meeting was held on February 2, 2010 in Chambers. The Committee received a delegation from Kyle Canning, a grade 6 student at Helen Tulk Elementary, concerning the establishment of a skateboard park in Town. Kyle was very knowledgeable on the subject and

presented a very good case for the skateboard park. The Committee was very impressed. Kyle also tabled a petition containing 192 signatures that is calling on the Town "...to start up, construct and maintain a skateboard park at the Faulkner Recreation Complex in Bishop's Falls". After considering the request in great detail, the Committee concluded that, at this point and time, the Town is not in a fiscal position to entertain the proposal this year. A motion to that effect will be tabled after the Committee's report is considered.

At the request of the Committee, a delegation from the Bishop's Falls Minor Hockey Association was also received. The representatives were called into Chambers to discuss the Minor Hockey program in general, and some concerns about the canteen. Overall, the discussions were very positive and the Committee hopes to build future partnerships with the Association, and other user groups, to advance the Town's recreation programs and services.

8.2.2 Recommendations

Motion 32/2010 – Councillor King/Councillor Canning

Whereas on February 2, 2010 a delegation to the Recreation Standing Committee presented a proposal and a petition containing 192 signatures calling on Council "...to start up, construct, and maintain a skateboard park at the Faulkner Recreation Complex in Bishop's Falls"; and whereas the Committee considered the proposal in detail; and whereas the Town is not in a financial position to establish a skateboard park at the present time; therefore, be it resolved that the skateboard park proposal be deferred until the Town is in a financial position to consider it further.

DISCUSSION

Councillor Budgell questioned the Committee's intentions to defer the proposal. He wondered if anything would be done in the interim, or if the entire concept is being deferred. Councillor King responded that much of the preliminary work was completed; therefore, the proposal is ready for action, and is being deferred until the Town's financial position improves. There being no further discussion, question was called.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 33/2010 – Councillor King/Deputy Mayor Tremblett

Whereas the Town was requested to rename the Minor Hockey Room at the Pat O'Reilly Memorial Stadium in honour of Mr. Ron Healey; and whereas Council believes it is important to

recognize the important contributions that Mr. Ron Healey made to recreation at a municipal and provincial level; and whereas to rename the Minor Hockey Room in his honour is a small gesture to recognize this contribution; therefore, be it resolved that the Minor Hockey Room shall henceforth be known as the "Ron Healey Minor Hockey Room"; be it further resolved that Council shall authorize a budget up to \$150 for commemorative ceremonies.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

8.3 GOVERNANCE STANDING COMMITTEE 17 (FEB 3, 2010)

8.3.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A special meeting was held on February 3, 2010 to meet with MP Scott Simms. The Committee explained the Town's financial position, and following that a detailed discussion ensued on federal funding programs. On the MP's advice, over the coming weeks the Committee and staff will review the programs, which were provided by the MP, to determine possible funding sources. It is the Committee's intentions to find funding that will help advance the Town's long-term agenda. The Committee very much appreciated the MP's time to discuss the Town's financial situation and possible opportunities.

8.4 PUBLIC WORKS STANDING COMMITTEE 280 (FEB 4, 2010)

8.4.1 Chairperson's Report

Councillor Canning, Acting Chairperson, presented the following report:

The Committee held a regular meeting on February 4, 2010. The Committee received a delegation from two (2) residents living in the west of Town. The residents have been the subject of noise and nuisance complaints because they are repairing pallets in the neighbourhood. Following the delegation, the Committee considered the evidence put forth by the residents and weighed it against the Town's regulations. The previous behaviour of the residents and the neighbourhood complaints were also considered. Based on this evaluation, the Committee does not believe the residents are operating a business. Furthermore, the level of activity is not unreasonable – at most 15 pallets are on site – because the residents are repairing pallets during daytime hours. Therefore, the Committee will recommend that Council lift the January 21, 2010 Order and reinstate the previous approval with some amendments.

The Committee received a delegation from the Bishop's Falls Heritage Society and a local company concerning a business proposal for Station Road. In 2009 the company submitted a proposal to lease land on Station Road that was denied by Council in August 2009. Subsequently, the company appealed the decision in November 2009, and the Committee is currently exploring the pros and cons. The Heritage Society's views on the proposal were sought because it once had plans to develop the land as a heritage site. A recommendation to Council will be forthcoming.

Some residents living in the McDonald Crescent/Butler Street subdivision continue to register complaints about their land. The Committee is taking these complaints very seriously, and it has launched an exploratory investigation to determine all options. A recommendation to Council will be forthcoming.

As Council may know, the Ford 350 lost its engine a couple of weeks ago. The F350 is used to sand/salt the roads during the winter months, and as a maintenance vehicle for the rest of the year. The cost of replacing the engine is \$13,000, and a new one can be purchased for \$60,000. At the meeting the Committee directed staff to prepare a cost-benefit analysis on all the options, and this will be discussed later on the agenda. Council will be pleased to know, however, that alternate arrangements have been made to ensure a second sander, if necessary, is available.

8.4.2 Recommendations

Motion 34/2010 – Councillor Canning/Councillor Budgell

Whereas motion 22/2010 directed the Town Clerk to issue an Order on a resident in the west end of Town to cease repairing pallets in the west end of Town; and whereas this Order was issued on January 21, 2010; and whereas on February 4, 2010 the resident met with the Public Works Standing Committee to discuss the issue(s); and whereas after reviewing the regulations and facts it is now evident that the resident is not operating a business; and whereas after reviewing the regulations and facts it is now evident that the resident's activity to repair pallets is reasonable; therefore, be it resolved that Council shall lift the *Cease and Desist Order* dated January 21, 2010; be it further resolved that the resident shall be permitted to repair pallets in the west end of Town subject to the following conditions: No more than fifteen (15) pallets shall be permitted on site; the pallets must be repaired and stored on the resident's property; and pallets shall only be repaired between the hours of 10:00 am and 3:00 pm Monday through Friday.

DISCUSSION

Councillor King sought clarification for the incident giving rise to the Order. More specifically, he wondered how the resident violated the initial terms. Mayor Hobbs, in response, explained that pallets had accumulated while the resident was out of Town for personal reasons. The situation was being monitored by the Town. Furthermore, on closer inspection it is evident

that the resident is repairing pallets as a hobby – it is not a business. It was noted that if the motion carries, the Town must continue to monitor the situation to ensure it does not get out of hand once again. There being no further discussion, His Worship called for the question.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 35/2010 – Councillor Canning/Councillor Budgell

That the Public Works Supervisor is authorized to attend the *2010 Clean and Safe Drinking Water Workshop* in Gander on March 23, 24, and 25, 2010.

DISCUSSION

Councillor King questioned the value of sending the Public Works Supervisor to this workshop. It was noted by Councillor Canning that the Public Works Supervisor attends this educational session each year; however, he only participates in the sessions that give the most value. The three days are not necessary. Councillor Budgell indicated that it is important for the Town to stay abreast of the changes in the field. His Worship, having provided everyone with an opportunity to speak, called for the question.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 1 – Councillor King

Abstained: 0

Motion Carried

Motion 36/2010 – Councillor Canning/Deputy Mayor Tremblett

Whereas an individual applied to acquire a parcel of land on Sunset Drive in a letter dated December 31, 2009; and whereas the land in question may be needed for the sewage treatment plant; therefore, be it resolved that Council shall not approve the individual's application to acquire land on Sunset Drive.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

8.5 COMMUNITY RELATIONS STANDING COMMITTEE 17 (FEB 8, 2010)

8.5.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

The meeting was called to hold elections for the executive of the Fallsview Festival Committee. Thirteen (13) residents participated in the process, and the election results are as follows: Chairperson - Mr. Lloyd Reid, Vice-Chairperson - Mr. James Fancey, Treasurer - Ms. Rebecca Keough and Secretary - Ms. Judy Watton. The Committee distributed the Fallsview Festival Committee's Terms of Reference, which will be reviewed with the newly elected executive at the next regular meeting. The Town, at the request of the Fallsview Festival Committee, facilitated the tendering of the portable booths. At the meeting the Fallsview Festival Committee executive, with the consent of its members, decided not to accept any of the tenders. The executive will advise the bidders accordingly.

8.6 GOVERNANCE STANDING COMMITTEE 18 (FEB 9, 2010)

8.6.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A regular meeting was held on February 9, 2010 in Chambers. The Committee received a delegation from Mr. Phonse Collins, an employee of nearly 30 years or more, who is scheduled to retire in June of this year. Mr. Collins shared his/her retirement plans with the Committee, and the matter is now being addressed at an administrative level. I want to take this time to express Council's appreciation for the service Mr. Collins provided to the Town. He was an exceptional employee, and I know I speak for the residents when I wish Mr. Collins an enjoyable retirement.

The Committee received a report from the Town Manager/Treasurer on the Town's fiscal position. As of February 9, 2010 the balance of the operating loan was approximately \$260,000; however, tax revenue is increasing on a daily basis, and this is mitigating our dependency on the operating loan. Management has, over the past several weeks, implemented additional measures to control expenditures. This includes the potential affiliation with the Central Purchasing Agency, and the tendering of various Town service/product requirements. The Committee also reviewed expenses to date and the accounts payable listing.

Over the past few months the Committee recognized the need to develop a formal Travel Policy. The existing system is not adequate (i.e. the only formal document is the Travel Claim that has not been updated for several years), so the Committee designed a Travel Policy that

will be presented to Council tonight. The Policy aims to strike a balance between fiscal responsibility and fairness. When people are expected to travel on behalf of the Town, we cannot expect them to do so at their expense.

DISCUSSION

Councillor Budgell stated that the Town must plan something to celebrate Mr. Collins' career with the Town. Mayor Hobbs and the others agreed, and the matter was referred to the Community Relations Standing Committee for further consideration.

8.5.1 Recommendations

Motion 37/2010 – Councillor Budgell/Councillor King

That the updated AP Transaction Journal dated February 8, 2010, totalling \$56,105.23, is approved for payment as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 38/2010 – Councillor Budgell/Councillor King

That the Routine Payment Reports for the months of December 2009 and January 2010, totalling \$23,032.57 and \$16,507.85 respectively, are approved as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 39/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas the Professional Municipal Administrators' (PMA) Annual Convention is being held on April 21-23, 2010 in St. John's; and whereas the Town Manager and Town Clerk will benefit from the various education sessions and networking opportunities; and whereas Council set aside an allocation in the 2010 Budget for the Convention; therefore, be it resolved that Council authorizes the Town Manager and Town Clerk to attend the PMA Annual Convention that is being held on April 21-23, 2010 in St. John's.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 40/2010 – Councillor Budgell/Councillor King

Whereas a real property owner, in a letter dated February 2, 2010, is seeking to avail of the senior's tax discount because the real property is being rented by seniors; and whereas section 112 of the *Municipalities Act, 1999* states that Council may impose a real property tax on the owner(s) of the real property; therefore, be it resolved that Council shall not allow the real property owner to avail of the senior's tax discount because the owner of the real property is not a senior.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 41/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas a local business, in a letter dated January 14, 2010, outlined its efforts to expand and diversify its operations in the community; and whereas the business is seeking a tax incentive as a means to support its continued growth; and whereas the business did not receive a tax incentive when it diversified and expanded its operations; and whereas Council considers the diversification a substantial deviation from the business's core operations; therefore, be it resolved that Council shall provide the business with a one (1) time unconditional business tax reduction of \$2,000; be it further resolved that the reduction shall apply in the fiscal year 2010.

DISCUSSION

Councillor Canning asked if the employment level increased because of the diversification. Mayor Hobbs responded in the affirmative. Councillor King was pleased to see the Town working with the business community. This is a positive step. There being no further discussions or questions, His Worship called for question.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 42/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall remain unaffiliated with the Federation of Canadian Municipalities.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 43/2010 – Councillor Budgell/Councillor King

Whereas the 2006-2010 Local Government Gas Tax Funding Agreement is scheduled to expire on March 31, 2010; and whereas Council will not spend the remaining Gas Tax funding before that time because the remaining projects are weather sensitive; and whereas Council cannot implement the remaining projects until its revised Capital Investment Plan (CIP) is approved by the Gas Tax Secretariat; and whereas the revised CIP was submitted on December 2, 2009; and whereas the CIP has not been approved or denied as of February 9, 2010; therefore, be it resolved that Council shall apply for an amendment to the 2006-2010 Local Government Gas Tax Funding Agreement to extend the deadline to September 30, 2010.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 44/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas personal cheques is a method used by some persons to pay taxes; and whereas in some cases the cheques do not clear because of insufficient funds (NSF); and whereas such situations create unnecessary complications for the Accounts Receivable Department; therefore, be it resolved that persons with a history of NSF cheques shall be denied the privilege of paying taxes and fees by personal cheque effective immediately.

DISCUSSION

Councillor Canning felt 'history' was too ambiguous and would be difficult to administer. He would prefer to see a specific number.

Amendment – Councillor Canning/Councillor Budgell

That "...persons with a history of NSF cheques..." is deleted and replaced with "...persons with a history of at least two (2) NSF cheques..."

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Amendment Carried

Mayor Hobbs then put motion 44/2010, amended as follows, to a vote:

Whereas personal cheques is a method used by some persons to pay taxes; and whereas in some cases the cheques do not clear because of insufficient funds (NSF); and whereas such situations create unnecessary complications for the Accounts Receivable Department; therefore, be it resolved that persons with a history of at least two (2) NSF cheques shall be denied the privilege of paying taxes and fees by personal cheque effective immediately.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried as Amended

Motion 45/2010 – Councillor Budgell/Councillor King

That Council directs the Town Clerk to issue a notice on the owners of real property where taxes are outstanding as per section 137 of the *Municipalities Act, 1999*.

DISCUSSION

Councillor Budgell advised Council that this action is very sensitive. Essentially, this motion directs the Clerk to begin a process that may lead to the seizure and selling of land to collect tax arrears. Throughout the process individual Councillors may be contacted by affected property owners; however, under no circumstance should Councillors entertain such inquiries. Once the policy decision is made, the staff must be empowered to carry out Council's wishes. Councillor King reiterated the sentiments, and stated that Council will need to support the staff 100% as the Town embarks on this process. There being no further discussion, question was called.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 46/2010 – Councillor Budgell/Councillor King

That Council adopts the *Town of Bishop's Falls Travel Policy* as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 47/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas the tender for the Ford F150 4x4 Pickup Truck closed on February 5, 2010; and whereas the tenders were opened in the presence of Lesley Smith, Town Manger, Randy Drover, Town Clerk, and Vicki Greene, Clerk/Receptionist, on February 8, 2010 at 3:00 pm; and whereas the results are listed in the table below; therefore, be it resolved that Council shall award the tender of the Ford F150 4x4 Pickup Truck to Sacrey's Used Cars for \$810.00.

Bidder	Bid	Rank
Sacrey's Used Cars	\$810.00	1
Harold Brace	\$800.00	2
Champion Furs	\$635.00	3
Paul Mills	\$601.00	4
Jason Ford	\$526.95	5
Lloyd Lambert	\$520.00	6

DISCUSSION

Councillor King wondered if a cost analysis was completed on the truck's salvage value. The Clerk indicated that the truck was decommissioned following a vehicle inspection in 2009. Furthermore, the truck is approximately 7 years old and is fully depreciated. A cost analysis, however, was not completed. Mayor Hobbs then called for the question.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Motion 48/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas the tender for the Town Hall renovations (wheelchair lift) was facilitated by Exploits Engineering Consultants on behalf of the Town; and whereas the results are listed in the table below; therefore, be it resolved that Council shall award the tender of the Town Hall Renovations (wheelchair lift) to KeRu Development Inc for \$18,332.97.

Bidder	Bid	Rank
KeRu Development Inc	\$18,332.97	1
Nobles Construction	\$33,867.00	2
Bluebird Investments	\$40,341.00	3
Airways Contracting	\$56,500.00	4

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

8.7 COMMUNITY RELATIONS STANDING COMMITTEE 18 (FEBRUARY 10, 2010)

8.7.1 Chairperson's Report

The Committee received a delegation from the Bishop's Falls Lions Club and Knights of Columbus to discuss details in connection with the annual Civic Awards Banquet. The date was set for April 22, 2010, and the deadline for nominations is March 19, 2010. The Entrepreneur of the Year Award is replaced with two separate awards this year. They are the Customer Service Award and the Business of the Year Award.

The Exploits Regional Chamber of Commerce's 2009 Exploits Business Excellence Awards was discussed. Buddy's Express was nominated for the Customer Service Award and JAG Sod Farms for the Small Business Award.

As a follow up from a previous meeting, quotations were reviewed to secure the trains located at the Heritage Site. Due to the high bids, the Committee directed staff to remove the stove because of the safety factor and to explore the possibility of accessing Government funding.

8.7.2 Recommendations

Motion 49/2010 – Deputy Mayor Tremblett/Councillor Hynes

Whereas Canadian Heritage issued a call for applications for the 2010 Celebrate Canada Program; and whereas the deadline for applications is February 28, 2010; and whereas the

Town can use this funding for Canada Day Celebrations; therefore, be it resolved that Council shall submit an application under the 2010 Celebrate Canada Program for the following activities: Seniors/War Veterans Banquet and a Family Day at the Fallsview Municipal Park.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

Item 9: General Business

9.1 AD HOC REGULATIONS REVIEW COMMITTEE

Mayor Hobbs suggested that there is a need to review the Town's regulations and policies in depth. This mandate is too large for an existing Standing Committee; therefore, an ad hoc Committee is more feasible. He then solicited the interest of Council. Deputy Mayor Tremblett and Councillor Budgell expressed an interest to sit on the Committee. The ad hoc Regulations Review Committee will be comprised of Deputy Mayor Tremblett, Councillor Budgell and Mayor Hobbs.

9.2 EXPLOITS ECONOMIC DEVELOPMENT BOARD REPORT

Mayor Hobbs tabled the Exploits Valley Economic Development Corporation's "Strategic Economic Plan 2009-2011". He then proceeded to review several important sections.

9.3 ST. JOHN'S DELEGATION JANUARY 25, 2010 REPORT

The report for the delegation to St. John's on January 25, 2010 was read aloud by Mayor Hobbs. Following the presentation, a discussion ensued on the Town's requests and subsequent responses from the Ministers and Nalcor. It was agreed that the Town's strategic approach will continue; however, specific goals and timelines are necessary to ensure follow-ups are timely and effective. The negotiations will be ongoing and further reports will be provided.

9.4 PUBLIC WORKS DEPARTMENT EQUIPMENT ISSUE – F350

The Town Manager updated Council on the status of the F350. As reported by the Public Works Standing Committee, a couple of weeks ago the F350/sander encountered engine problems. The cost analysis was not completed because another option was identified. Toromont Cat conducted a diagnostic test on the engine and discovered only one (1) piston has failed. No irreparable damage was caused to the engine, and the problem can be corrected for \$1,500. Toromont Cat did not guarantee the diagnostic assessment, however,

because they cannot know for certain until the engine is dismantled. Councillor Budgell asked the Town Manager if Minister Hedderson was approached regarding excess equipment in the Department of Transportation. The Town Manager indicated she did approach the Department's officials, and what equipment is there is of no benefit to the Town. There being no further discussion, Mayor Hobbs called for a motion on the course of action desired by Council.

Motion 50/2010 – Councillor Canning/Councillor Hynes

That Council authorizes the Town Manager to spend up to \$1,500 to repair the F350.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

9.5 *APARTMENT WATER TAXATION POLICY*

At the request of the Mayor, the Clerk provided an overview of the policy. For the past several years the Town has, on application, adjusted water taxes levied on apartments when an apartment was not rented for some period during the fiscal year. This system did not require the owner of the apartment to provide proof that the apartment was, in fact, not being rented. Subsequently, the system resulted in inequality and abuse by some owners. Therefore, the purpose of the policy is to set forth the conditions that must be established before water taxes levied on apartments can be adjusted. The policy will eliminate tax adjustments for apartments unless the apartment is dismantled and no longer available for rental. This will have to be confirmed by a Town inspector.

Motion 51/2010 – Councillor Budgell/Councillor Canning

That Council adopt the *Apartment Water Taxation Policy* as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

9.6 SEWAGE TREATMENT PHASE 1 BMO LOAN DRAWDOWN

Motion 52/2010 – Councillor Canning/Councillor Budgell

That Council approves a drawdown of \$4,860 against the \$262,604 loan from the Bank of Montreal for the first phase of the sewage treatment project.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0

Abstained: 0

Motion Carried

COUNCILLOR BUDGELL DECLARED A CONFLICT OF INTEREST CONCERNING THE NEXT AGENDA ITEM AND VACATED CHAMBERS AT 9:41 PM

9.7 CENTENNIAL COMMITTEE INCORPORATED AUDIT GRANT

Motion 53/2010 – Deputy Mayor Tremblett/Councillor Hynes

That Council approves a grant of up to \$3,000 to the 2009 Bishop's Falls Centennial Inc for the 2009 financial audit.

Yeas: 5 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, and Councillor Canning.

Nays: 0

Abstained: 0

Conflict of Interest: 1 – Councillor Budgell

Motion Carried

HAVING ADDRESSED THE AGENDA ITEM, MAYOR HOBBS INVITED COUNCILLOR BUDGELL BACK INTO CHAMBERS AT 9:43 PM

9.8 FALLSVIEW FESTIVAL WEEKEND/BISHOP'S FALLS DAY

Motion 54/2010 – Councillor Hynes/Deputy Mayor Tremblett

That Bishop's Falls Day shall be celebrated on July 12, 2010 and the Fallsvie Festival shall be celebrated on July 8, 9, 10, and 11, 2010.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0
Abstained: 0

Motion Carried

9.9 COMMUNITY ANNOUNCEMENTS

Councillor Hynes informed the public that Ms. Tanya Stone, who is competing to go on a humanitarian trip to Africa, is currently in 4th place and Dr. Rob Ennis, a Bishop's Falls native, is in Haiti assisting Doctors with relief efforts. Everyone who is able should cast a vote for Ms. Stone. Also, Councillor Hynes was pleased to advise Council that the Bishop's Falls Juniors Broomball team won gold this past weekend.

Item 10: Adjournment

Motion 55/2010 – Councillor Canning/Councillor Budgell

To adjourn Public Meeting 1260.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, and Councillor Canning.

Nays: 0
Abstained: 0

Motion Carried

The meeting adjourned at 9:50 pm.

Randy Drover, Town Clerk

Bishop's Falls Town Council
Public Meeting 1260
February 16, 2010

List of Appendices

Appendix	Source
AP Transaction Journal (February 8, 2010)	GOV 18
Routine Payments Reports (December 2009 and January 2010)	GOV 18
<i>Town of Bishop's Falls Travel Policy</i>	Policies – General Admin
<i>Apartment Water Taxation Policy</i>	Policies – AR