

Town of Bishop's Falls
Regular Public Council Meeting No. 1280
November 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 November 16, 2010 and presided with the following individuals in attendance:

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

Randy Drover, Town Clerk/Manager

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

His Worship opened the floor for additions to the agenda. "EVDA" and "Tax Arrears Settlement Offer" were added under General Business. There being no further additions Mayor Hobbs called for the motion.

Motion 312/2010 – Councillor Mills/Councillor Canning

To adopt the agenda as amended.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 4: Adoption of Minutes for Public Meeting 1278

Motion 313/2010 – Councillor Hynes/Councillor Mills

To adopt the minutes for Public Meeting 1278 as circulated.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 5: Business Arising from the Minutes of Public Meeting 1278

Councillor King requested a status update on the flood zone amendment inquiry and the T’Railway matter. The Clerk indicated that both directives have been addressed and the reports are filed with the Public Works Standing Committee. Councillor King also wondered if the second meeting of the Trestle Lights Committee had taken place. In response, Councillor Canning advised that it did, but there was low attendance. A follow-up meeting has not been organized since. On the Heritage Task Force, Councillor Budgell asked if anything was being done to coordinate a meeting. The Clerk indicated that an employee has been assigned to the file, and in the near future the first meeting will take place.

Item 6: Adoption of Minutes for Public Meeting 1279

Motion 314/2010 – Councillor King/Councillor Budgell

To adopt the minutes for Public Meeting 1279 as circulated.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 7: Business Arising from the Minutes of Public Meeting 1279

Councillor Budgell sought a report on the arena boards’ replacement project. The Clerk stated that the plan is on schedule and the boards are nearly dismantled. Installation will commence on November 22, 2010, and it looks as though the work may be completed before December 1, 2010. As a result of a manufacturing oversight, however, the frame did not go through the anodizing process. This will not affect the quality and longevity of the boards – it was more or less a cosmetic feature. Mayor Hobbs added that the Town could have pushed for an anodized

product, but this may have resulted in delays. Councillor King asked if the two (2) Orders were issued. The Clerk responded in the affirmative and reported that both issues are now resolved.

Item 8: Standing Committee Reports and Recommendations

8.1 RECREATION STANDING COMMITTEE MEETING 234 (NOV 2, 2010)

8.1.1 Chairperson's Report

Councillor Canning, Chairperson, presented the following report:

The Committee held a regular meeting on November 2, 2010.

A proposal was received and considered from the Let Them Be Kids Committee concerning a potential Skate Board Park. Representatives from the Committee will be invited to the next sitting to discuss the concept further.

Council will be pleased to know that demand at the Fallsview Municipal Park increased over the period between 2007 and 2010. Statistical data is collected throughout the summer, and the information is compiled at the end of the season. The Demand Chart, which shows the overall increase, is available for Council's review.

In terms of the renovations at the stadium, after discussing the issue with the contractor the Town decided to delay the tender of the old boards system until dismantling is finished. This will ensure bidders are aware of the asset's condition beforehand. In the interim, the boards will be stored on the tennis court. The remaining renovations at the stadium are moving forward on schedule. As a special mention, the Committee recognized the significant contributions of the minor hockey moms to paint the stadium. This was completed through supplier donations and at the hands of volunteers. Correspondence reflecting this appreciation will be forwarded to the relevant individuals in the near future.

8.1.2 Recommendations

Motion 315/2010 – Councillor Canning/Councillor Mills

That Council shall approve the agreement between the Town of Bishop's Falls and the Department of Municipal Affairs for \$13,077 in supplement funding for the Arena Boards Replacement Project. The Mayor and Town Clerk are hereby authorized to execute the agreement on Council's behalf.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.2 PUBLIC WORKS STANDING COMMITTEE MEETING 287 (NOV 4, 2010)

8.2.1 Chairperson's Report

Deputy Mayor Tremblett, Chairperson, presented the following report:

The Committee held a regular meeting on November 4, 2010.

In addition to general business, the Committee received a report from the Public Works Supervisor on the upcoming winter operations. The members were advised that the 5:00 am shift will begin November 15, 2010, and the weekend on-call schedule is underway. There are a few minor amendments to the snow clearing route this year to reflect changes in the fleet (i.e. the newly acquired plow truck from the Department of Transportation and Works will be used in some instances). During this time the Committee briefly discussed the plowing of private roads and the matter was subsequently referred to the Ad Hoc Regulations Review Committee for further study. Council will be pleased to know that we are prepared for winter operations.

8.2.2 Recommendations

Motion 316/2010 – Deputy Mayor Tremblett/Councillor Budgell

That Council shall approve a Crown Land application from Mr. John Cooke to acquire a parcel of land located behind 613 Main Street for residential purposes (garden).

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 317/2010 – Deputy Mayor Tremblett/Councillor King

To amend section 15.1 of the Standing Orders, as it concerns meetings of the Public Works Standing Committee, by deleting "First Thursday of every month at 4:15 pm" and replacing it with "First Thursday of every month at 7:00 pm".

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.3 GOVERNANCE STANDING COMMITTEE MEETING 27 (NOV 9, 2010)

8.3.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A regular meeting was held on November 9, 2010.

The Committee reviewed expenditures and revenues as of November 9, 2010. Council will be pleased to know that, with 86% of the fiscal year finished, the Town has consumed approximately 80% of the budgeted expenditures. Revenues are sitting at 92% of projections. This is a positive indicator of Council's actions to bring fiscal sustainability to the municipality. We are spending within our means, and since March 2010 the Town has not utilized its operating loan with the Bank of Montreal. The Committee considered the AP Transaction Journal, and while the payables are larger this period because of winterization, no substantial concerns were raised. The Routine Payments, Cash, and Receivable Listing Reports were also reviewed.

At this meeting the Committee began the process of formulating the 2011 Budget. The expenditure estimates are under review, and a special meeting of the Committee was called for November 15, 2010 to finish this work. The budget will be prepared in time for the Public Meeting in December 2010.

Three (3) applications for home based businesses were reviewed and considered by the Committee. As Council may recall, there has been a number of businesses licenced this year, and this is positive development. We will continue to welcome and, where possible, assist new businesses to enter the local economy.

8.3.2 Recommendations

Motion 318/2010 – Councillor Budgell/Councillor King

That the AP Transaction Journal dated November 8, 2010, totalling \$79,662.35, is approved for disbursement as presented.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 319/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall exercise its discretionary authority under the *Town of Bishop's Falls Development Regulations* and, subject to sections 86, 22 and other relevant sections in the said Public Council Meeting No. 1280

Regulations, authorize the establishment of a home based tanning salon business at 55 Marshalls Drive.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 320/2010 – Councillor Budgell/Councillor Canning

That Council shall exercise its discretionary authority under the *Town of Bishop's Falls Development Regulations* and, subject to sections 86, 22 and other relevant sections in the said *Regulations*, authorize the establishment of a home based beauty salon business at 46 Marshalls Drive.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 321/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall ratify General Business Licence 3-10-2010 to King Enterprises Inc. that authorizes, subject to certain conditions, the operation of a Gift and/or Flower Shop at 2 Station Road.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 322/2010 – Councillor Budgell/Councillor King

Whereas taxes associated with 4 Knights of Columbus Road are in arrears to approximately \$18,500; and whereas this real property is included in the ongoing tax sale process; and whereas a resident, authorized to represent the property owner, offered to settle the arrears with a payment of \$9,500; and whereas the Town considered the factors surrounding the real property including the accumulated interest, principle balance, location, and history; and whereas the Town found the offer to be reasonable in the circumstances and whereas the offer was accepted on November 3, 2010 provided full payment is received on or before November 12, 2010; therefore, be it resolved that Council shall ratify the Town's acceptance of the \$9,500

to settle outstanding arrears for 4 Knights of Columbus Road and shall, provided all conditions are satisfied, remove the said real property from the tax sale process.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 323/2010 – Councillor Budgell/Councillor Mills

Whereas the Public Works Supervisor has nineteen (19) vacation days remaining as of November 9, 2010; and whereas, at present, the Public Works Department is managing several projects that must be completed in the near future; and whereas the Public Works Supervisor must be present during this time; therefore, be it resolved that Council shall, as requested by the Public Works Supervisor, payout ten (10) unused vacation days belonging to the Public Works Supervisor in the fiscal year 2010.

DISCUSSION

Councillor King and Councillor Budgell noted that this is a one (1) time payout for this fiscal year. It will not be entertained in subsequent years because it is a step outside current policy. There being no further discussion, question was called.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 324/2010 – Councillor Budgell/Councillor Canning

Whereas the Town's insurance provider, Baine Johnson, advised in correspondence dated October 27, 2010 that the Stadium, Town Hall, and Fire Hall were not adequately covered in the event of loss; and whereas to ensure there is adequate coverage the insurance premiums will increase by \$4,886; and whereas it is critically important that the Town's assets are properly insured; therefore, be it resolved that Council shall approve an increase of \$4,886 in insurance premiums for the coverage outlined by Bain Johnston Insurance in its correspondence dated October 27, 2010.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Motion 325/2010 – Councillor Budgell/Deputy Mayor Tremblett

Whereas the tender for the 1978 Chevy C65 Garbage Truck closed on October 15, 2010; and whereas one (1) bid was received from Cooke's Metals and Demolition in the amount for \$480; therefore, be it resolved that Council shall accept the bid and dispose of the asset.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

8.4 COMMUNITY RELATIONS STANDING COMMITTEE MEETING 27 (NOV 3, 2010)

8.4.1 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

A regular meeting was held on November 3, 2010. The Fire Department executive was in attendance to update the Committee on its operations. As Council is aware, the tender has been issued for the disposal of the old unit 5, and interested individuals have already approached the Department. The Committee was advised that the JEPP application for a transom and motor is currently being processed by Fire and Emergency Services. A decision in this regard will hopefully be received in the near future.

The Committee also used this opportunity to finalize the Remembrance Day ceremonies. Representatives from the Royal Canadian Legion and the 512 Air Cadet Squadron were invited to the meeting for this purpose.

DISCUSSION

Mayor Hobbs congratulated the Committee on this year's Remembrance Day ceremonies. Many positive responses were received from residents.

8.4.2 Recommendations

Motion 326/2010 – Councillor Hynes/Councillor Mills

That the Bishop's Falls Fire Dept. be authorized to proceed with the purchase of a New Pager System that shall extend the contract by another 3 years.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

Item 9: General Business

9.1 COUNCILLOR MILLS – ABSENCE FROM PROVINCE

Councillor Mills informed Council that he will be away from the province for two (2) months and will not return until January 22, 2011. Mayor Hobbs advised that under the *Municipalities Act, 1999* a Councillor can be absent for three (3) consecutive months, so the notice is a measure of curtesy that is, nonetheless, appreciated by Council.

9.2 EXPLOITS VALLEY JOINT COUNCIL REPORT (MAYOR HOBBS)

Mayor Hobbs provided a report on the Exploits Valley Joint Council's activities. His Worship indicated that at the last meeting the EVEDC provided an overview of its programs and initiatives. Other topics such as the Community Development Committee and a future MNL presentation on regionalization were also discussed.

9.3 BMO OPERATING LINE OF CREDIT

Motion 327/2010 – Councillor Canning/Councillor Hynes

That Council shall renew its \$350,000 operating line of credit with the Bank of Montreal for the fiscal year 2011.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

9.4 EXPLOITS VALLEY DEVELOPMENT ASSOCIATION (EVDA)

Councillor Mills reported on a recent meeting of the Exploits Valley Development Association. He stated that Council ought to consider reinstating its financial contribution towards the operations of the Association. It is not reasonable to expect to play a role in the organization and not support it financially. Councillor Mills went on to highlight the tourism statistics for the region, and noted that the Bishop's Falls Heritage Centre's visitation was considerably lower than other municipalities. He attributed this, in part, to an out dated brochure. The Town must do more to market the tourism assets in the community. Mayor Hobbs responded by saying the Heritage Task Force will consider this during its work.

9.5 TAX ARREARS SETTLEMENT OFFER – 7 MCMAHON'S LANE

The Clerk communicated a resident's offer to settle outstanding tax arrears for the property located at 7 McMahon's Lane that is currently included in the tax sale. The outstanding taxes total approximately \$10,000, of which \$5,300 is principle. The resident is offering to settle for \$5,000. Mayor Hobbs, after allowing a general discussion on the offer, called for a motion.

Motion 328/2010 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall accept the resident's offer to settle outstanding taxes associated with 7 McMahon's Lane for the sum of \$5,000.

DISCUSSION

Councillor King believed the Town should counter with a \$6,000 offer. Every attempt to realize an amount closer to the arrears should be made. Others disagreed, believing the settlement was reasonable given that the principle is approximately \$5,300. Furthermore, much of the interest may be compounded because the arrears stretch back several years. His Worship, after allowing the Councillors to express an opinion, closed debate and called for the vote.

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

Nays: 1 – Councillor King.

Motion Carried

9.6 CENTENNIAL FINANCIAL STATEMENTS 2009 AND 2010

Motion 329/2010 – Councillor Canning/Councillor Budgell

To dissolve into a privileged session.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

****THE PRIVILEGED SESSION COMMENCED AT 9:07 PM****

Motion 330/2010 – Councillor Budgell/Councillor Hynes

To cease the privileged session and resume the public meeting.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

****THE PRIVILEGED SESSION CONCLUDED AT 9:30 PM****

The Clerk was instructed to advise the Centennial Committee that once it implements the following directives, the Town will absorb the outstanding payables and deficit up to a maximum of \$86,000 (the relevant creditors will be contacted at that time): Collect all outstanding accounts receivable (i.e. HST and Government grants); from the cash collected, retire as much debt as possible; close all bank accounts; formally dissolve Bishop's Falls Centennial 2009 Incorporated; compile a closing list of outstanding accounts payables (this must be substantiated by updated invoices from each creditor); and submit all remaining assets (computers, equipment, furniture, etc) to the Town.

Item 9: Adjournment

Motion 331/2010 – Councillor Canning/Councillor Hynes

To adjourn public meeting 1280.

Yeas: 7 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor Hynes, Councillor Budgell, Councillor Mills and Councillor Canning.

Nays: 0

Motion Carried

The meeting adjourned at 9:35 pm.

Randy Drover, Town Clerk/Manager

Bishop's Falls Town Council
Public Meeting 1280
November 16, 2010

List of Appendices

Appendix	Source
AP Transaction Journal (November 8, 2010)	GOV 27