

Town of Bishop's Falls
Public Council Meeting No. 1285
March 15, 2011 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 March 15, 2011 and presided with the following individuals in attendance:

Deputy Mayor D. Tremblett
Councillor A. Hynes
Councillor P. Budgell
Councillor F. Mills

Randy Drover, Town Clerk/Manager

Councillor B. King and Councillor Canning were absent with regrets.

Item 2: Opening Prayer in the Form of Silent Reflection

A minute of silence was provided for a private prayer by Councillors.

Item 3: Adoption of the Agenda

Motion 48/2011 – Councillor Hynes/Councillor Mills

To adopt the agenda as presented.

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

Nays: 0

Motion Carried

Item 4: Adoption of Minutes for Public Council Meeting No. 1283

Motion 49/2011 – Councillor Mills/Deputy Mayor Tremblett

To adopt the minutes for public meeting 1283 as presented.

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

Nays: 0

Motion Carried

Item 5: Business Arising from the Minutes of Public Council Meeting No. 1283

Councillor Mills questioned whether or not the development application from ADDA complied with municipal regulations. The Clerk indicated there was a minor issue that needed to be addressed, but following that all was found to be in order. Deputy Mayor Tremblett wondered how the World Cup of Field Ball Committee responded to Council's decision. The Clerk advised there was little reaction, other than a 'Thanks' from one of the representatives.

Item 6: Adoption of Minutes for Public Council Meeting No. 1284

Motion 50/2011 – Councillor Budgell/Councillor Mills

To adopt the minutes for public meeting 1284 as presented.

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

Nays: 0

Motion Carried

Item 7: Business Arising from the Minutes of Public Council Meeting No. 1284

Councillor Budgell asked if the union responded to the notice, and the Clerk stated there has been no communication on the matter since the Town's letter was sent.

Item 8: Standing Committee Reports and Recommendations

8.1 COMMUNITY RELATIONS STANDING COMMITTEE MEETING 30 (MAR 2, 2011)

8.1.1 Chairperson's Report

Councillor Hynes, Chairperson, presented the following report:

The Fire Department Executive members were in attendance, and they were advised that the Town recently purchased a gas detector for the stadium. It is available for the Department's use when required. The Executive indicated that five (5) bunker were ordered, which will be purchased under an 80/20 cost-share agreement with the provincial government. Meaning,

the Town will only need to pay for one (1) suit. A discussion also took place pertaining to emergency situations and the human resources needed to respond effectively. It was agreed that at a minimum seven (7) people must be stationed at the Fire Hall for the following: One (1) person to drive Unit 1, two (2) persons for the rescue vehicle, one (1) person for the equipment, one (1) person for Unit 2 and one (1) person to coordinate.

Correspondence was received regarding the Rick Hansen 25th Anniversary Relay. It was noted that, on principle, Council will participate in the event. The Chairperson will investigate the event and report back to the Committee at the next meeting.

The members discussed the 2011 Seniors of Distinction Awards, and four (4) residents were identified – Doreen Tremblett, Ron Penney, Gordon Lannon, and Gonzo Gillingham. It was recommended that Council select two (2) nominees.

During the meeting Mayor Hobbs reported that he received a quote from a local contractor pertaining to the relocation of the rolling stock, and it was for \$5,000. This is a verbal estimate, of course, but it gives us a good understanding of the cost involved with this project.

Council will be pleased to know that we are in the process of planning the 2011 Civic Awards, and the event is tentatively scheduled for Thursday, May 5, 2011. The Lions Club and Knights of Columbus will be invited to the next meeting to discuss the details.

Finally, as it concerns the Grant Application for the Town's memorial grounds, it was noted that the deadline date for the application was February 9, 2011. The Committee agreed to submit an application in 2012.

DISCUSSION

The following points were raised during discussion: (1) A quote of \$36,000 was also received to renovate the Heritage Building Exterior; (2) the Town should have "Thank you" cards printed to recognize the contributions of others. The Clerk will obtain a cost estimate for the Governance Standing Committee's consideration; and (3) at the next meeting, the Committee will determine a list of activities needed to upgrade the memorial grounds. The Clerk will then seek funding from other sources over the next two (2) years.

Motion 51/2011 – Councillor Budgell/Councillor Mills

That Council shall nominate Doreen Tremblett and Ron Penney for the 2011 Seniors of Distinction Awards.

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

Nays: 0

Motion Carried

Deputy Mayor Tremblett noted, for the record, that her preference was to abstain from the vote; however, under the *Municipalities Act, 1999* she is not permitted to do so.

8.2 GOVERNANCE STANDING COMMITTEE MEETING 31 (MAR 9, 2011)

8.2.1 Chairperson's Report

Councillor Budgell, Chairperson, presented the following report:

A regular meeting was held on March 9, 2011.

The Committee considered several financial reports, including the Income/Expense Statement (Budget), Cash, Accounts Payable, and Routine Payments. We are now entering the third month of the fiscal year and for the most part, save snow clearing and maintenance, our budget targets are on track. The two (2) aforementioned areas are being monitored by the Committee closely. In terms of cash, the Town continues to operate in a positive position. This is the twelfth consecutive month since the operating line of credit was used. As for the other reports, the Committee did not find any material concerns.

As of March 9, 2011, the Town has \$157,000 in the gas tax bank account, and this asset will not be needed for at least the next two (2) years. Subsequently, the Committee discussed several investment options that would see this money, and future payments, put to work. Right now we are losing money through bank fees. When discussing an investment strategy, the Committee was keen to ensure the principle is protected under all scenarios. Clearly, we cannot lose in this regard. Based on this framework, the Committee – in consultation with the BMO – devised the following investment strategy for the gas tax funding: (1) \$100,000 will be placed in a 18 month GIC with a rate of approximately 2.1% return; and (2) \$57,000 will be placed in a 24 month Return Enhancing GIC, which is linked to market, guarantees the principle, guarantees 1% rate of return, but has the potential to earn 10% based on the performance of 10 blue chip Canadian companies. In addition to gas tax, the Committee also considered similar options for the severance fund. Right now there is a balance of approximately \$10,000, and a recommendation will be tabled later to transfer an additional \$9,000 (representing the year's liability) to the account. These funds will be invested in a Return Enhancing GIC.

Over the past several years the Town encountered complications administering poll tax exemptions in certain cases. The deadline imposed under the *Municipalities Act, 1999* is somewhat restrictive, and the Committee believes more could be done on the Town's part to accommodate individuals with special circumstances. As such, the Committee instructed the Town Clerk/Manger to prepare a policy addressing the issue and to present a draft to the members at the next sitting.

8.2 Recommendations

Motion 52/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall approve the A/P Transaction Journal dated March 9, 2011 totalling \$65,966.57 for disbursement as presented.

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

Nays: 0

Motion Carried

Motion 53/2011 – Councillor Budgell/Councillor Mills

That Council shall ratify the Routine Payments for the month of February 2011 totalling 54,378.71.

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

Nays: 0

Motion Carried

Motion 54/2011 – Councillor Budgell/Councillor Hynes

That Council shall approve two (2) delegates to attend the MNL Symposium that is being held in Gander on May 5, 6, and 7, 2011.

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

Nays: 0

Motion Carried

Council, by consensus, resolved that Mayor Hobbs and Deputy Mayor Tremblett or Councillor Canning will attend.

Motion 55/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall amend the *Terms of Reference* for the Governance Standing Committee by inserting the following, to be numbered as 1.13, under section 1.0 (mandate): "On an annual basis, review the outstanding accounts receivable and determine the viability of collecting on such accounts. In performing this function, the Committee is empowered to write-off an

account when it is satisfied that further collection efforts will not result in the account being paid. To protect the privacy of the account holders, the Committee's decision in this regard shall be held in privilege, and shall only be shared with the Town Clerk/Manager and those employees necessary to carry out the Committee's decision."

DISCUSSION

The following points were raised during discussion: (1) Henceforth, account write-offs, should there be any, will be addressed at a Committee level and will not be reported to Council; and (2) this is not about being secretive; rather, it is about protecting the privacy of individuals given the matter's sensitivity. Discussion having ended, His Worship called the vote.

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

Nays: 0

Motion Carried

Motion 56/2011 – Councillor Budgell/Councillor Mills

Whereas a resident submitted a Snow Clearing Damages/Grass Replacement Claim on February 21, 2011 outlining damages to his/her vehicle totalling \$655.40; and whereas the damage was caused during snow clearing operations; and whereas the vehicle was parked on the side of a municipal street; and whereas section 6 of the *Bishop's Falls Snow Removal Regulations* states that "From November 1 in one year to April 30 in the following year, no person shall park or leave a vehicle unattended on or to the side of a Municipal Street"; therefore, be it resolved that Council shall oppose the resident's claim for damages.

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

Nays: 0

Motion Carried

Motion 57/2011 – Councillor Budgell/Deputy Mayor Tremblett

That Council shall transfer \$9,000 from the general account to the severance account, which represents the year's estimated severance liability.

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

Nays: 0

Motion Carried

Item 9: General Business

9.1 PERMIT APPLICATION – EXCEED HEIGHT RESTRICTION (CLAYTON LEYTE)

The Clerk advised that the resident is seeking a permit to construct an accessory building that exceeds the height restrictions under the *Development Regulations*. The maximum is three (3) meters, and the height of the proposed accessory building is 6.4 meters (apx). Under the regulations, Council has the authority to approve the 6.4 meters. All other aspects of the application were found to be in order.

Motion 58/2011 – Councillor Budgell/Councillor Hynes

That Council shall approve the development permit application for Mr. Clayton Leyte to construct an accessory building with a height of 6.4 meters.

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

Nays: 0

Motion Carried

9.2 LBA CORRESPONDENCE (HIGH SCHOOL HOCKEY)

A letter from the Principle of Leo Burke Academy pertaining to high school hockey was tabled for Council's consideration. The Clerk indicated that, based on conversations with the Recreation Attendant, the issues raised by the school have been resolved. In terms of booking ice time, the team will now reserve 2 hours as opposed to 2.5. Additionally, in subsequent years the Recreation Department will give priority to the high school hockey games.

9.3 ST. JOHN'S DELEGATION

Mayor Hobbs informed Council that he has been working with MHA Forsey to arrange a delegation with Minister Skinner and Minister O'Brien to discuss, once again, the lost grant-in-lieu. It looks as though this will take place on March 22, 2011.

Motion 59/2011 – Councillor Budgell/Deputy Mayor Tremblett

To dissolve into a privileged session.

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

Nays: 0

Motion Carried

****The privileged session commenced at 7:35 pm****

Motion 60/2011 – Councillor Hynes/Councillor Mills

To conclude the privileged session and resume the public meeting.

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

Nays: 0

Motion Carried

****The public meeting resumed at 7:45 pm****

Motion 61/2011 – Councillor Mills/Deputy Mayor Tremblett

That Council shall sanction a delegation to St. John's comprised of Mayor Hobbs, Councillor Budgell, and the Town Clerk/Manager to discuss the lost grant-in-lieu with the Government.

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

Nays: 0

Motion Carried

9.4 GAS TAX AGREEMENT

Motion 62/2011 – Councillor Budgell/Councillor Mills

That Council shall allocate all remaining gas tax funding under the 2006-2010 and the 2010-2014 agreements, totalling \$751,063.61, to the reconstruction of Hobbs Park Road.

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

Nays: 0

Motion Carried

9.5 2011 ANNUAL DISCLOSURE STATEMENTS

The Clerk distributed the 2011 Annual Disclosure Statements to Councillors. All forms, once completed, will be reviewed during a privileged session as per the *Municipalities Act, 1999*.

Item 10: Adjournment

Motion 63/2011 – Councillor Hynes/Councillor Mills

To adjourn public meeting 1285.

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

Nays: 0

Motion Carried

The meeting adjourned at 8:00 pm

Randy Drover, Town Clerk/Manager

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List of Appendices

Appendix	Source
AP Transaction Journal March 9, 2011	GOV 31
Routine Payments February 2011	GOV 31