

Minutes

Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:03 pm on September 10, 2013 and presided with the following individuals in attendance:

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

Randy Drover, Town Manager
Dan Oldford, Town Clerk/Land Officer

Item 2: Opening Prayer in Form of Silent Reflection

A minute of silence was provided for a private prayer

Item 3: Suspension of Standing Order 1.1

Motion 199/2013 – Councillor King/Councillor Budgell

That Council shall Suspend Standing Order 1.1 due to the pending election and that the regular Public meeting scheduled to be held on the Third Tuesday of September shall be held on September 10th, 2013.

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

Nays: 0

Motion Carried

Item 4: Adoption of the Agenda

Motion 200/2013 – Councillor Canning/Deputy Mayor Tremblett

To adopt the agenda for public meeting 1330.

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

Nays: 0

Motion Carried

Item 5: Adoption of Minutes for Public Council Meeting 1328

Motion 201/2013 – Councillor Budgell/Councillor Hynes

To adopt the minutes for public meeting 1328 as presented.

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

Nays: 0

Motion Carried

Item 6: Business Arising from the Minutes of Public Council Meeting No. 1328

QA1: Councillor King requested an update on the Trestle lights. Councillor Canning advised that there was now only a small section remaining. He was awaiting coordination with NL Power Volunteers to complete the project.

QA2: The Town Manager also advised that upon completion of the lighting of the trestle an official picture will be commissioned, that the Town can then include in promotions and make available for sale. Prices are currently being sought for such a picture.

Item 7: Adoption of Minutes for Public Council Meeting 1329

Motion 202/2013 – Councillor Budgell/Councillor Hynes

To adopt the minutes for public meeting 1329 as presented.

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

Nays: 0

Motion Carried

Item 8: Business Arising from the Minutes of Public Council Meeting No. 1329

No business arising.

Item 9: Public Works Business

9.1 Application for Crown Lands 13 Mile Crossing

Resolution 203/2013 – Councillor King/Councillor Budgell

Whereas Council is under direction of Municipal Affairs; and whereas Municipal Affairs has consistently required that no development of property can go ahead without proper road access; and whereas the application submitted for Crown Land on 13 Mile Crossing, does not have such access, be it therefore resolved that Council shall refuse the recommendation for Crown Land as presented.

DISCUSSION/DEBATE

It was noted during discussion that the parcel of land applied for, does not have any legal road access. Council has refused previous similar applications and must continue to adhere to Municipal affairs regulations.

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

Nays: 0

Resolution Carried

9.2 Proposed Wooddale Agriculture Expansion

Motion 204/2013 – Councillor Budgell/Councillor Canning

That Council support the Wooddale Agriculture Expansion as presented.

DISCUSSION/DEBATE

The following points were raised during discussion: 1. This is a natural expansion of land use in the area. 2. The Peter's Watershed area as a part of Botwood Water supply is no longer affected since Botwood is now part of the Exploits Water Services.

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

Nays: 0

Motion Carried

9.3 proposed Conversion of 2 Residential dwellings to Community Centre

Resolution 205/2013 – Councillor Canning/Deputy Mayor Tremblett

Whereas Council has a received an inquiry from NL Housing to convert 2 Residential dwellings to a Community Centre; and whereas the success of this practice in other communities has proven to be of great value to the neighbors as well as to the community as a whole; and whereas the development of a Community Centre would require rezoning to Community & Social Service; and whereas Council can currently include this rezoning in its Municipal Plan; and whereas the development of such a centre

could require additional parking, be it resolved, that Council shall approve the redevelopment of 2 residential Dwellings on Aspen St. by NL Housing to a Community Centre, conditional on NL Housing address the parking issue, be it further resolved, that the Town Clerk shall advise TRACT Consulting of Council's desire to have the specified area rezoned to CSS.

DISCUSSION/DEBATE

The following points were raised during debate: 1. The previous centre development by NL housing in other communities has proven a great success. 2. This centre could lead to some employment. 3. The residents in the area have had success in the past in developing a sense of community.

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

Nays: 0

Resolution Carried

Item 10: Community Relations

10.1 CNWM Governance Review

Motion 206/2013 – Councillor Canning/Councillor Hynes

That Council recommend Option # 2 from the CNWM for the proposed restructuring of the CNWM Board.

OPTION II

“Botwood and Peterview moving to Zone II. Point Leamington. Bishop's Falls and Lewisporte alternating representatives on a regular basis.”

DISCUSSION/DEBATE

The following points were raised during debate; 1. Where Botwood has decided to collect its own garbage and deliver to Point Leamington it should be included in Point Leamington Zone. 2. Option II provides Bishop's Falls the best representation on the Board.

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

Nays: 0

Motion Carried

Item 11: Governance Business

11.1 Finance Reports

Resolution 207/2013 – Councillor Canning/Councillor King

Be it resolved that Council shall approve the A/P Transaction Journal dated August 16, 2013, totaling \$25,189.00, for disbursement as presented.

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

Nays: 0

Resolution 208/2013 – Councillor Canning/Deputy Mayor Tremblett

Be it resolved that Council shall ratify the Routine Payments for August 2013, totalling \$43,097.13, as presented.

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

Nays: 0

Resolution Carried

11.2 Disposal of Ford F150

Resolution 209/2013 – Councillor Budgell/Councillor Canning

Whereas the Public Works Supervisor has identified the 2001 F150 has being removed from service and thus surplus; and whereas the potential value may, be above \$500.00 value; and whereas under 201.1 of the NL *Municipalities Act 1999*, council must tender for sale any real property of \$500 value or more, be it therefore resolved that Council shall put up for Sale by tender the 2001 Ford F150 “AS IS WHERE IS”.

DISCUSSION/DEBATE

During Discussion the following points were raised: 1. This is the pickup that was deemed not road worthy by our Public Works Supervisor. 2. The Truck does have a fairly new set of tires on. 3. The best route for Council would be, to publicly tender the pickup. 3. Once Tenders are in management should have the authority to sell the asset to the highest Bidder.

Friendly Amendment – Councillor Budgell/Councillor Canninig

To include “*be it further resolved that management shall conclude the sale of the 2001 F150 to the highest bidder*”

Mayor Hobbs closed debate and called the vote on resolution 209/2013 as amended.

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

Nays: 0

Resolution Carried

Item 12: General Business

12.1 Proposed Resolution to MNL

Resolution 210/2013 – Councillor Budgell/Councillor Canning

Whereas Council has consistently felt that the current Municipal Collection of Taxes is unfair and regressive; and whereas it can be clearly shown the current tax regime does not take into account a number of issues facing the today's population; and whereas Municipalities Newfoundland and has shown to be a viable platform to make representation to the Government of Newfoundland and Labrador on changes to policy, be it therefore resolved that Council shall submit a resolution to MNL for its fall convention:

Proposed MNL Convention 2013 Resolution

WHEREAS the property tax regime in Newfoundland and Labrador is regressive in nature;

AND WHEREAS the regime adversely impacts seniors because their property values typically increase overtime along with taxation, but their incomes remain fixed for the most part;

AND WHEREAS municipalities, while implementing policies to mitigate the increasing burden of property tax on seniors, cannot resolve the inherent regressive nature of the property tax regime;

AND WHEREAS the property tax regime, by definition, exempts individuals who do not own property from paying property taxes, yet many of these individuals are living in or around municipalities and are utilizing their services;

AND WHEREAS the poll tax regime, which may apply when the individual is living in the municipal boundaries, is difficult to administer and does not serve as an effective taxation policy;

AND WHEREAS municipalities are paying a large amount to operate the Municipal Assessment Agency, which is a necessary element of the property tax regime;

AND WHEREAS municipalities expend considerable human resources to collect property taxes;

AND WHEREAS these resources, financial and human, could be better utilized elsewhere;

AND WHEREAS a municipal income tax system, premised on the individual's ability to pay, applicable to all residents of Newfoundland and Labrador regardless of residency, and disbursed to municipalities through an acceptable formula, has the potential to replace the regressive property tax regime;

THEREFORE, BE IT RESOLVED that MNL shall strongly lobby the Government of Newfoundland and Labrador to explore the feasibility of replacing the regressive property tax regime, and other municipal taxation policies, with a *municipal income tax* that is premised on the individual's ability to pay,

applicable to all residents of Newfoundland and Labrador regardless of residency, and disbursed to municipalities through an acceptable formula.

DISCUSSION/DEBATE

The following points were raised during debate: 1. Council felt this issue needed to be raised at the MNL level. 3. Council also recognized that any request to change provincial policy has a better chance of success if presented by all the Municipalities in the province.

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

Nays: 0

Resolution Carried

12.2 Annual Planning Cycle

Upon consideration of the Annual Planning Cycle presented by the Town Manager it was agreed by Consensus this was a great working document and thus should be accepted by Council.

12.3 Tax Sale

Resolution 211/2013 – Councillor Budgell/Councillor King

Be it resolved that Council shall authorize the Town Clerk, in accordance with section 139 of the *Municipalities Act, 1999*, to proceed with a tax sale under the *Municipalities Act, 1999* for the following properties:

Property	Arrears as of Sept 9, 2013
240 Main Street	\$2,328.67
4 Thirteen Mile Crossing	\$1,413.82
7 McMahon's Lane	\$2,690.00

DISCUSSION/DEBATE

The following points were raised during discussion: 1. These are the remaining properties that are original placed on the Tax Sale process. 2. All avenues have been exhausted to contact the owners and get some settlement. 3. These three properties are not owner occupied.

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

Nays: 0

Resolution Carried

12.4 376 Main St.

Motion 212/2013 – Councillor Budgell/Councillor Mills

That Council shall accept the Tender results for the sale of 376 Main St., at the tendered price of \$31,501.00 including taxes and legal transfer cost.

DISCUSSION/DEBATE

The following points were raised during discussion: 1. This price was slightly below the reserve price, Council has agreed that the tendered price is reasonable and fair. 2. It was also the highest price received. 3. Council looks forward to the development of this vacant parcel of land.

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

Nays: 0

Motion Carried

12.5 Home Based Business Application

Motion 213/2013 – Deputy Mayor Tremblett/Councillor Hynes

That Council shall approve an application for the establishment of a Home Based Business - Computer Repair, at 472 Main St., subject to no public objection from advertisement of Discretionary Use being placed in the local paper.

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

Nays: 0

Motion Carried

12.6 Dominic St. – DFAA/MCW Funding

A preliminary estimate of the proposed Igor damage repair project has resulted in the potential of a \$51,500 requirement from Council as its share. This would allow the completion of the repairs to the damage done by Igor in a way to prevent further flooding in the Dominic St. Area. Council has some concerns with these figures and the Town Manager will go back to DMG to assess some possible reduction in this proposal without increasing any flood risk.

12.7 Town Hall Renovations

Resolution 214/2013 – Councillor Canning/Councillor Budgell

Whereas the Town Hall, and in particular the upper level, requires renovations and upgrades; and whereas the current design is not conducive to privacy, nor does it accommodate the needs of persons with disabilities; and whereas the Town engaged its engineers of record, Design Management Group, to prepare a revised floor plan for the upper level of the Town Hall and Chambers; and whereas the revised design will increase the number of offices and better utilize the space; and whereas the project will cost

approximately \$260,000 plus HST; therefore, be it resolved that Council shall seek special assistance funding from the Department of Municipal Affairs for 80% of the project costs (\$224,640 less GST); be it further resolved that Council shall commit the municipal share, totalling \$56,1560 (20%) from the treasury.

DISCUSSION/DEBATE

During Discussions the following points were raised: 1. The current structure is causing significant stress on administrative operations. The building, even with the current lift, installed does not meet accessibility requirements. 2. On numerous occasions residents have raised concerns about not being able to conduct a private conversation regarding Town issues.

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

Nays: 0

Resolution Carried

**** Prior to closing Mayor Hobbs and Council thanked Councillor Hynes for her 8 years of service to the Town.****

Item 11: Adjournment

Motion 215/2013 – Councillor Canning/Councillor Hynes

To adjourn regular public meeting 1330

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

Nays: 0

Motion Carried

The meeting adjourned at 7:10 pm.

Dan Oldford, Town Clerk/Land Officer