

Town of Bishop's Falls  
Public Council Meeting No. 1236  
February 10, 2009 at 7:00 pm  
Council Chambers

## Minutes

Mayor J. Fancey called the meeting to order at 7:05 pm on February 10, 2009 and presided with the following Councillors and staff in attendance:

Deputy Mayor J. Budgell  
Councillor D. Tremblett  
Councillor H. Sutton  
Councillor B. Saunders  
Councillor A. Hynes

Mr. Gary Drover, Chief Administrative Officer  
Mr. Randy Drover, Town Clerk

Councillor N. Stewart was absent with regrets.

### **Item 1: Adoption of the Agenda**

#### **Motion 038/2009 – Deputy Mayor J. Budgell/Councillor B. Saunders**

To adopt the agenda as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes, and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

### **Item 2: Adoption of Minutes for Public Council Meeting No. 1235**

#### **Motion 039/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

To adopt the minutes for Public Council Meeting no. 1235 as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes, and Councillor H. Sutton.

**Opposed:** None  
**Abstained:** None

**Motion Carried**

**Item 3: Standing Committee Reports and Recommendations**

3.1 RECREATION STANDING COMMITTEE MEETING NO. 208 (JAN 28, 2009)

3.1.1 Chairperson's Report

Councillor A. Hynes, Acting Chairperson of the Recreation Standing Committee, presented the following report on behalf of Councillor N. Stewart:

“Madame Mayor, the Recreation Standing Committee held a meeting on January 28, 2009. During this time we discussed several issues concerning the Pat O’Reilly Memorial Community Centre, and later tonight we will put forth a Policy for Council’s consideration that addresses rental bookings and cancellations. This Policy will, in certain circumstances, impose a fee in the event of cancellation, and it formalizes the process of booking rentals at the Stadium. The Committee also discussed the Recreation Advisory Committee, and after careful consideration we have determined that a better approach to community consultations is focus groups. There is little need for a formal structure such as the Advisory Committee; however, it is extremely important that we continue to engage the various user groups on our recreation programs, projects, infrastructure, etc. The absence of an Advisory Committee does not eliminate the need to consult the community – this will continue to be an ongoing activity. Council will also be interested to know that the quotes concerning the Recreation Investment Plan are near completion. Your Worship, I now present this report for Council’s consideration.”

**Motion 040/2009 – Councillor A. Hynes/Deputy Mayor J. Budgell**

To adopt the report for Recreation Standing Committee meeting no. 208 as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes, and Councillor H. Sutton.

**Opposed:** None  
**Abstained:** None

**Motion Carried**

### 3.1.2 Recommendations

#### **Motion 041/2009 – Councillor A. Hynes/Councillor B. Saunders**

Whereas the Central Junior Cataracts (hereinafter referred to as ‘Team’) requested, in a letter dated January 12, 2009, that the Recreation Department charge the team the minor rate (\$50.00 + HST per hr) on Sundays; and whereas Council has already provided the Team with a free hour for practice on Sundays as per motion 322/2008; and whereas to provide the Team with the minor rate and a free hour for practice on Sundays would be unfair to other users of the Stadium; therefore, be it resolved that Council shall not approve the Team’s request to be charged the minor rate on Sundays.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes, and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### **Motion 042/2009 – Councillor A. Hynes/Councillor H. Sutton**

Whereas the Recreation Advisory Committee was established to provide a forum for Council to consult user groups and community representatives on its recreation programs, infrastructure, policies, services, and projects; and whereas the Recreation Advisory Committee has become a formalized structure that has strayed from its initial mandate; and whereas it would be more effective to coordinate focus groups for the purpose of consulting stakeholders on the Town’s recreation programs, infrastructure, policies, services, and projects; therefore, be it resolved that Council dissolve the Recreation Advisory Committee effective February 10, 2009; be it further resolved that Council shall, where necessary, consult user groups and the broader community as it concerns recreation programs, infrastructure, policies, services, and projects.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes, and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### **Motion 043/2009 – Councillor A. Hynes/Councillor B. Saunders**

Whereas on January 20, 2009 the Town of Bishop’s Falls and Fallsview Figure Skating Club entered into a Partnership Agreement concerning general and family skating; and whereas since that time both parties have mutually agreed to terminate the Partnership Agreement

because the arrangement has been deemed ineffective; and whereas the Town of Bishop's Falls and Fallsview Figure Skating Club have negotiated a new Partnership Agreement concerning general and family skating; therefore, be it resolved that Council shall adopt the Partnership Agreement between the Town of Bishop's Falls and Fallsview Figure Skating Club, as presented, concerning general and family skating; be it further resolved that Council authorizes Mayor Jody Fancey to execute the Partnership Agreement on behalf of the Town of Bishop's Falls (agreement attached as appendix A).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor A. Hynes.

**Opposed:** Councillor H. Sutton

**Abstained:** None

### **Motion Carried**

#### **Motion 044/2009 – Councillor A. Hynes/Councillor D. Tremblett**

Whereas the World Cup of Field Ball Championship Organizing Committee is requesting that Council waive the Stadium rental fees for event that will take place on July 10, 11, and 12, 2009; and whereas Council believes this event will be a great contribution to the Centennial Celebrations; therefore, be it resolved that Council shall waive the Stadium rental fees for the World Cup of Field Ball Championships that is taking place on July 10, 11, and 12, 2009.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

#### 3.2 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 266 (JAN 29, 2009)

##### 3.2.1 Chairperson's Report

Councillor H. Sutton, Chairperson of the Public Works Standing Committee, presented the following report:

“Madame Mayor, for the most part the Committee addressed routine matters during the last meeting that was held on January 29, 2008. We continue to experience problems with the sewage infrastructure at Hobbs Park because of inappropriate materials being placed in the lines. The residents have been given a second notice on the matter and our next step, if this does not resolve the issue, is to utilize the remedies under the *Environmental Control Water and Sewage Regulations, 2003*. We will continue to monitor the situation Madame Mayor. I am pleased to state that in

the coming days we will ask the Minister of Transportation to install additional light poles along the Trans Canada Highway from the middle intersection to the Irving Restaurant. There is, as my fellow Councillors are aware, a higher level of pedestrian traffic in that area since Tim Horton's opened. This additional lighting will ensure their safety. Finally, the Committee has revised the longstanding *Water Freeze-Up Policy*, which essentially holds residents and businesses liable for frozen waterlines within their property boundaries. The revised Policy is the same, but we are proposing more unambiguous language. This will be presented later. Madame Mayor, I now submit this report for Council's consideration."

**Motion 045/2009 – Councillor H. Sutton/Councillor D. Tremblett**

To adopt the report for Public Works Standing Committee meeting no. 266 as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

3.2.1 Recommendations

**Motion 046/2009 – Councillor H. Sutton/Councillor D. Tremblett**

Whereas a resident requested Council's approval to purchase a piece of land (150 m x 125 m) from Abitibi-Bowater that is located to the north-west of the Sir Robert Bond Bridge upon approaching Bishop's Falls; and whereas the engineering design concerning the community's sewage treatment system is not yet completed; and whereas this land may be needed for the purpose of implementing the community's sewage treatment system; therefore, be it resolved that Council shall not approve the residents request to purchase the aforementioned land from Abitibi-Bowater.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 047/2009 – Councillor H. Sutton/Councillor B. Saunders**

Whereas the Calvary Pentecostal Tabernacle requested a licence in accordance with the *Bishop's Falls Noise/Nuisance Regulations* to hold outdoor church services from July 1 to

August 31 each year at 1 Cannings Lane; and whereas Council believes the Calvary Pentecostal Tabernacle will take all necessary steps to ensure the sound is contained, to the extent possible, within the said location; therefore, be it resolved that Council shall grant a licence to the Calvary Pentecostal Tabernacle, in accordance with Subsection 3 (g) of the *Bishop's Falls Noise/Nuisance Regulations*, for outdoor church services from July 1 to August 31 between the hours of 4:00 pm and 10:00 pm; be it further resolved that this licence shall be valid until August 31, 2014.

#### DISCUSSION

Councillor B. Saunders suggested that Council should consider placing no parking signs along the section of Main Street across from the Church. He indicated that during open air services many vehicles park on both sides of the street (when only one side should be permissible) and this is causing complications. Mayor J. Fancey directed the Clerk to place the matter on the next Public Works Standing Committee agenda. With no further discussion, Her Worship called for a vote.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### **Motion 048/2009 – Councillor H. Sutton/Councillor B. Saunders**

To adopt the Bacteriological Water Analysis Reports for January 12 and 19, 2009 as submitted by the Department of Government Services.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### **Motion 049/2009 – Councillor H. Sutton/Deputy Mayor J. Budgell**

To adopt the 2008 Summer Drinking Water Quality Report as submitted by the Department of Environment and Conservation.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 050/2009 – Councillor H. Sutton/Councillor B. Saunders**

Whereas a resident requested to purchase a parcel of land that is approximately 30 feet by 40 feet near his/her residence at the west end of Town; and whereas this land is already fenced by the resident and has been for many years; and whereas this land is owned by Abitibi-Bowater; and whereas Council does not have a problem with this transaction; therefore, be it resolved that Council approve the residents request to purchase the said piece of land.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 051/2009 – Councillor H. Sutton/Councillor B. Saunders**

Whereas Council received a complaint concerning a building located at 302 Main Street; and whereas the condition of the building may be in violation of the Town's *Occupancy and Maintenance Regulations*; therefore, be it resolved that the Public Works Department conduct an assessment of the building to determine if there are any violations of the Town's *Occupancy and Maintenance Regulations*; be it further resolved that the report be presented to the next Public Works Standing Committee meeting where additional action, if any, will be considered and recommended.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

3.3 GOVERNANCE STANDING COMMITTEE MEETING NO. 1 (JAN 29, 2009)

3.3.1 Chairperson's Report

Councillor D. Tremblett, Chairperson of the Governance Standing Committee, presented the following report:

“Madame Mayor, the first meeting of the Governance Standing Committee was held on January 29, 2009. It is too early in the fiscal year to provide Council with a detailed analysis of our fiscal position, but this will be presented in the near future once the information is more complete. Council will be pleased to know that our revised Gas Tax Capital Investment Plan was accepted by the Department of Municipal Affairs that will, as you are aware, see a new road for Hobbs Park. I am a little disappointed to report that our proposal for renovations to the Fallsview Park, which was submitted to the Department of Municipal Affairs in December 2008, was not approved because we passed the deadline. The Department has, however, kept our proposal on file in the event of slippage. Within the coming weeks management will be approaching the union to establish the Labour Management Committee as per article 9.03 of the Collective Agreement. We have recommended that the CAO and Public Works Supervisor serve as management’s representation on that Committee. Madame Mayor, I now submit this report for Council’s consideration.”

**Motion 052/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

To adopt the report for Governance Standing Committee no. 1 as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

3.3.2 Recommendations

**Motion 053/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

To adopt the Cheque Register for the period ending January 29, 2009 as presented (attached as appendix B).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 054/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

To adopt the Income Statement for the period ending January 31, 2009 as presented (attached as appendix C).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 055/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

That the AP Transactions Journal as of January 29, 2009, totalling \$265,014.71, be approved for payment as presented (attached as appendix D).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 056/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas Mr. Des and Rachel Hynes requested to purchase a lot of land located at 9 Butler Street; and whereas this purchase is facilitated by the Town of Bishop's Falls on behalf of Adams Construction; and whereas in a letter from Adams Construction dated August 4, 2008 the developer states the price per lot is \$24,850.00 plus HST, deed and survey; therefore, be it resolved that Council shall approve the sale of 9 Butler Street to Mr. Des and Rachel Hynes at a price of \$24,850 plus HST, deed and survey; be it further resolved that Mr. Des and Rachel Hynes are required to pay a deposit of \$5,000 on or before March 6, 2009 to secure the lot, which includes a non-refundable fee of \$1,000 in the event of cancellation.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 057/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas the Advertiser in soliciting sales for a province wide publication for the 25<sup>th</sup> anniversary of Children's Wish; and whereas Council provides a donation to Children's Wish during one of its annual fundraisers; therefore, be it resolved that Council shall not purchase advertising in the Advertiser's publication for the 25<sup>th</sup> anniversary of Children's Wish.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 058/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas a resident requested that Council consider exempting individuals on fixed and low incomes from paying interest on overdue accounts; and whereas Council implemented a Collections Policy in 2008 that has proved to be very effective; therefore, be it resolved that Council shall not approve the resident's request to exempt individuals on fixed and low incomes from paying interest on overdue accounts.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

\*\*\*COUNCILLOR H. SUTTON DECLARED A CONFLICT OF INTEREST CONCERNING THE NEXT RECOMMENDATION, AND VACATED COUNCIL CHAMBERS AT 7:25 PM\*\*\*

**Motion 059/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas Council agreed to sell a piece of land to Mr. Hubert and Sandra Sutton near Dominic Street at a cost of \$6,000 plus HST, deed, survey and rezoning; and whereas the land, since the original offer was made, has decreased in size because of another land transaction; and whereas Mr. Hubert and Sandra Sutton withdrew their offer to purchase the land on January 15, 2009; therefore, be it resolved that Council shall release Mr. Hubert and Sandra Sutton from their offer to purchase the land at Dominic Street at a cost of \$6,000 plus HST, deed, survey and rezoning.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, and Councillor A. Hynes.

**Opposed:** None

**Abstained:** Councillor H. Sutton (conflict of interest)

**Motion Carried**

\*\*\*MAYOR J. FANCEY WELCOMED COUNCILLOR H. SUTTON BACK INTO COUNCIL CHAMBERS AT 7:26 PM\*\*\*

**Motion 060/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas Ms. Kay O'Reilly and Mr. Gerald Blanchard offered to purchase the land located at 4 Hobbs Park; and whereas Ms. Kay O'Reilly and Mr. Gerald Blanchard are also interested in purchasing the dwelling situated on the land at 4 Hobbs Park; and whereas the owner of the dwelling at 4 Hobbs Park and Ms. Kay O'Reilly and Mr. Gerald Blanchard entered into an Agreement of Purchase and Sale on December 22, 2008; therefore, be it resolved that Council shall sell the land at 4 Hobbs Park to Ms. Kay O'Reilly and Mr. Gerald Blanchard at a total cost of \$9,023.34 (including deed and survey).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 061/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

To adopt Status Report No. 6 for the Infiltration Detection and Sewer Repairs project as submitted by Design Management Group.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 062/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas the Canadian Red Cross is organizing the 3<sup>rd</sup> Atlantic Conference on Disaster Management on April 28 – 30, 2009 in St. John's; and whereas it is essential that the CAO attend this Conference; therefore, be it resolved that Council shall send the CAO to the Atlantic Conference on Disaster Management on April 28 – 30, 2009 in St. John's, provided that the cost to attend the Conference does not exceed \$1,000.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 063/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas Mr. Robert Temple, in a letter dated January 21, 2009, offered to purchase a piece of land located near Dominic Street (frontage 39.337 m and Area 0.178 ha); and whereas the land was rezoned on December 24, 2008 for residential development; therefore, be it resolved that Council shall sell the land, more accurately defined in the survey dated December 18, 2008 (job number 08-678), to Mr. Robert Temple at a cost of \$6,000 plus HST, deed, survey and \$2,051.38 for rezoning.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 064/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas Newfoundland and Labrador Housing Corporation demolished two complexes at 12 Birch Street and 9 Aspen Street; and whereas the Corporation is still being charged water and property tax; and whereas the Corporation is requesting an adjustment to its tax account accordingly; and whereas as per section 130 of the *Municipalities Act, 1999* and motion 167/2007 of the Bishop's Falls Town Council, real property capable of being serviced is subject to water taxation; and whereas 12 Birch Street and 9 Aspen Street are capable of being serviced; therefore, be it resolved that Council shall not adjust Newfoundland and Labrador Housing's tax account.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 065/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas the Kiwanis Music Festival Committee is soliciting advertising sales for the event's Program; and whereas Council is very supportive of the Kiwanis Music Festival and each year it donates to the event in some form; therefore, be it resolved that Council purchase a quarter-page ad in the Kiwanis Music Festival Program at a cost of \$75.00.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 066/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas a group of individuals requested to use the Town's photocopier for the purpose of reproducing 300 pages of a document in relation to a School Reunion; and whereas this service is provided by a business in the community; and whereas Council does not wish to set a precedent of allowing Town equipment to be used when a commercial service exists in the community; therefore, be it resolved that Council shall not grant the group's request as outlined.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 067/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas a former resident requested an adjustment to his/her poll tax account on January 27, 2009; and whereas the former resident submitted evidence suggesting he/she was a resident of Grand Falls-Windsor in 2007 and 2008; and whereas Council is satisfied that the evidence submitted concerning 2008 shows he/she was a resident of Grand Falls-Windsor during that year; and whereas Council is not satisfied that the evidence submitted for 2007 substantiates the fact he was not a resident of Bishop's Falls in that year because the evidence does not come from an objective source; therefore, be it resolved that Council shall waive the former resident's poll tax for 2008 but shall not waive his/her poll tax for 2007.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 068/2009 – Councillor D. Tremblett/Deputy Mayor J. Budgell**

Whereas the Town's collection policy states that an interest rate of 1.25%, which is compounded monthly, will be applied to all accounts outstanding after June 30 each year; and whereas Council wishes to change this policy; therefore, be it resolved that effective

January 1, 2009 overdue accounts, as per the collection policy, shall be charged a simple interest rate of 1.25% per month.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

#### **Motion 069/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas the Central Exploits Junior Girls Broomball Team requested financial assistance to attend the Junior Provincial Broomball Championships in St. Anthony; and whereas, in accordance with the *Travel Donation for Teams Policy*, Council may approve a donation up to \$100 where the Championship is taking place at a location more than 100 km away; therefore, be it resolved that Council shall approve a donation of \$100 to the Central Exploits Junior Girls Broomball Team for the upcoming Championship in St. Anthony.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

#### **Motion 070/2009 – Councillor D. Tremblett/Councillor A. Hynes**

Whereas the Town of Bishop's Falls is a member of Hospitality Newfoundland and Labrador; and whereas the Town continues to benefit from this membership through advocacy, information, and networking; therefore, be it resolved that Council shall renew its membership with Hospitality Newfoundland and Labrador at a cost of \$344.65, inclusive of taxes.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

**Motion 071/2009 – Councillor D. Tremblett/Councillor A. Hynes**

Whereas Ms. Pauline Brace and Ms. Linda Snow incorrectly lost five (5) sick days in 2003 and 2005, respectively, because of an administrative oversight; therefore, be it resolved that Council shall;

1. Approve a gross payout of \$731.85 to Ms. Linda Snow representing the five (5) days of sick leave that were incorrectly deducted in 2005; and
2. Approve a gross payout of \$690.20 to Ms. Pauline Brace representing the five (5) days of sick leave that were incorrectly deducted in 2003.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 072/2009 – Councillor D. Tremblett/Councillor A. Hynes**

That Council approve the following applications as per the *Caregiver Water Rate Policy*:

1. Leo Morgan
2. Richard LeRiche, Sr.
3. Gerald Ellis
4. Jean Cooke
5. Trent Langdon/Kim Pelley
6. Freeman Green/Linda Lahey
7. Bradley R. Burge
8. Jim and Joan Kearley

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Motion 073/2009 – Councillor D. Tremblett/Councillor B. Saunders**

Whereas a business requested that Council, for the purpose of taxation, regard two (2) real properties, located in the west end of Town, as one (1); and whereas the real properties are assessed on an individual basis as per the Town's assessment roll; and whereas the business

already receives the advantage of a multi-property owner tax rate; therefore, be it resolved that Council shall not view the two (2) real properties as one (1) for the purpose of taxation.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

#### 3.4 COMMUNITY RELATIONS STANDING COMMITTEE MEETING NO. 1 (JAN 29, 2009)

##### 3.4.1 Chairperson's Report

Councillor A. Hynes, Chairperson of the Community Relations Standing Committee, presented the following report:

“Madame Mayor, the Community Relations Standing Committee held a meeting on January 29, 2009 and, for the first time, met with the new Fire Department Executive. On behalf of my fellow Councillors, I want to take this time to congratulate them – I am confident that our Fire Services are in capable and competent hands. During this meeting the Fire Department advised the Committee that much of its equipment must be replaced. We are now in the process of looking into the feasibility of purchasing new equipment under the 80/20 cost share arrangement with the province. The study will consider the cost of maintenance as opposed to loan payments. The Committee has also started to organize the 2009 Civic Awards, and we have set April 23, 2009 for the banquet. As Council is aware, our Disaster Management Plan is grossly outdated, and the CAO has been charged with the task of making the Plan relevant. The Fire Department will be involved in this process. Madame Mayor, I now submit this report for Council's consideration.”

#### **Motion 074/2009 – Councillor A. Hynes/Councillor B. Saunders**

To adopt the report for Community Relations Standing Committee no. 1 as presented.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

## **Item 4: External Boards and Committee Reports**

### **4.1 EXPLOITS VALLEY ECONOMIC DEVELOPMENT CORPORATION**

Councillor B. Saunders reported that the Board held a meeting on January 12, 2009. He informed the Councillors that the Corporation has a new Executive Director, Ms. Joanne Sullivan, who replaced Mr. Rod French. The Corporation is also actively responding to the closure of Abitibi-Bowater, and is pursuing such initiatives as cranberry farming and manufacturing. Councillor B. Saunders stated that the minutes from the Board meetings have been filed with the Clerk for Council's reference.

#### **Motion 075/2009 – Councillor B. Saunders/Councillor A. Hynes**

To adopt the report presented by Councillor B. Saunders concerning the Exploits Valley Economic Development Corporation.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

### **4.2 CENTRAL NEWFOUNDLAND UNIVERSITY COMMITTEE**

Deputy Mayor J. Budgell reported that the Committee is still active and continues to lobby for degree programs for Central Newfoundland. The Committee has not met recently because some of the members have changed; however, they are making progress as it concerns its mandate. As a result of the Committee's work, several additional transfer courses are being offered at the College of the North Atlantic.

#### **Motion 076/2009 – Deputy Mayor J. Budgell/Councillor D. Tremblett**

To adopt the report presented by Deputy Mayor J. Budgell concerning the Central Newfoundland University Committee.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### 4.3 BISHOP'S FALLS YOUTH ADVISORY COMMITTEE

This report was tabled until the next Public Council Meeting in light of Councillor N. Stewart's absence.

#### 4.4 REGIONAL YOUTH ADVISORY COMMITTEE

This report was tabled until the next Public Council Meeting in light of Councillor N. Stewart's absence.

#### 4.5 EXPLOITS REGIONAL SERVICES BOARD

Councillor B. Saunders indicated that the Board recently met, but the minutes have not yet been provided to the members. As such, there is nothing to report at this time.

#### 4.6 EXPLOITS REGIONAL CHAMBER OF COMMERCE

Deputy Mayor J. Budgell reported that the Chamber is currently focused on expanding its membership. The Fall Trade Show was a success, and the Board is considering the possibility of hosting the event again in 2009.

#### **Motion 077/2009 – Deputy Mayor J. Budgell/Councillor A. Hynes**

To adopt the report presented by Deputy Mayor J. Budgell concerning the Exploits Regional Chamber of Commerce.

#### DISCUSSION

Mayor J. Fancey asked the Deputy Mayor if the Chamber is considering the possibility of moving the Fall Trade Show around the Exploits Region. Deputy Mayor J. Budgell responded by saying it has not been discussed, but she continues to raise the issue that the Chamber is not visible outside of Grand Falls-Windsor. As a result, the last Board meeting was held in Bishop's Falls. The Mayor believed this was a positive step, but she reiterated that the Fall Trade Show should be rotated around the Region. With no further discussion, Her Worship called for a vote.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

#### **Motion Carried**

#### 4.7 EXPLOITS VALLEY TOURISM ASSOCIATION

Councillor H. Sutton reported that since his appointment there have been no meetings. He is currently trying to contact the Chairperson to determine the status of the Association, and whether or not they are still meeting.

##### **Motion 078/2009 – Councillor H. Sutton/Councillor B. Saunders**

To adopt the report presented by Councillor H. Sutton concerning the Exploits Valley Tourism Association.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

##### **Motion Carried**

#### 4.8 CENTRAL REGION CRIME PREVENTION COMMITTEE

Councillor D. Tremblett reported that the Committee is attempting to reorganize after being dormant for approximately a year. There was a meeting in January 2009, but because of weather Councillor D. Tremblett was unable to attend. During the next meeting she will seek the Committee's approval to provide its minutes to Council.

##### **Motion 079/2009 – Councillor D. Tremblett/Councillor B. Saunders**

To adopt the report presented by Councillor D. Tremblett concerning the Central Region Crime Prevention Committee.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

##### **Motion Carried**

#### 4.9 CENTENNIAL CELEBRATIONS COMMITTEE

Deputy Mayor J. Budgell provided a report on the Centennial Committee's current activities. She stated that the members are in the process of planning the Winter Carnival in conjunction with the Bishop's Falls Lions Club. She also outlined several important dates for the Councillors, including hockey week, centennial choir concerts, Irish week, etc. The Deputy Mayor informed Council that the Committee received \$10,000 from the Government

of Newfoundland and Labrador, and \$65,000 from the Government of Canada for the events to date. More is expected, however, in the near future.

**Motion 080/2009 – Deputy Mayor J. Budgell/Councillor B. Saunders**

To adopt the report presented by Deputy Mayor J. Budgell regarding the Centennial Celebrations Committee.

DISCUSSION

Mayor J. Fancey questioned the Deputy Mayor on the Centennial operating budget, and wondered if she informed the Committee that it is a requirement under the Terms of Reference. Deputy Mayor J. Budgell stated she did not, but she will immediately remind the Treasurer. With no further discussion, Mayor J. Fancey called for a vote.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Item 5: Policies**

5.1 RECREATION: STADIUM RENTAL AND CANCELLATION POLICY

**Motion 081/2009 – Councillor A. Hynes/Councillor B. Saunders**

Whereas over the past number of weeks the number of rental cancellations at the Stadium have increased; and whereas these cancellations, in some cases, are resulting in lost revenue; therefore, be it resolved that Council adopt the *Stadium Rental Booking and Cancellation Policy*, as presented, effective February 10, 2009 (policy is attached as appendix E).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

## 5.2 PUBLIC WORKS: RESIDENTIAL AND COMMERCIAL FROZEN WATERLINE POLICY

### **Motion 082/2009 – Councillor H. Sutton/Councillor B. Saunders**

Whereas throughout the course of winter some residential and commercial waterlines may freeze as a result of cold temperatures; and whereas such incidents are caused by nature and the Town of Bishop's Falls cannot assume liability for the replacement or repair of waterlines in these situations; therefore, be it resolved that Council adopt the *Town of Bishop's Falls Residential and Commercial Frozen Waterline Policy* as presented; be it further resolved that the *Town of Bishop's Falls Residential and Commercial Frozen Waterline Policy* supersede the *Water Freeze-Up Policy* that was adopted by Council during Public Meeting 964 on March 3, 1992 (policy is attached as appendix F).

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

### **Motion Carried**

## **Item 6: General Business**

\*\*\*MAYOR J. FANCEY DECLARED A CONFLICT OF INTEREST IN RELATION TO THE NEXT AGENDA ITEM AND, AFTER STEPPING DOWN FROM THE CHAIR, VACATED COUNCIL CHAMBERS AT 8:14 PM. DEPUTY MAYOR J. BUDGELL ASSUMED THE CHAIR\*\*\*

## 6.1 CROWN LAND APPLICATION – MR. FRANK AND THERESA FANCEY

### **Motion 083/2009 – Councillor H. Sutton/Councillor A. Hynes**

To approve the Crown Land Application from Mr. Frank and Theresa Fancey dated January 20, 2009 concerning land at 292 Main Street.

**In Favour:** Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** Mayor J. Fancey (conflict of interest)

### **Motion Carried**

\*\*\*DEPUTY MAYOR J. BUDGELL INVITED MAYOR J. FANCEY BACK INTO COUNCIL CHAMBERS AT 8:15 PM AND STEPPED DOWN FROM THE CHAIR. MAYOR J. FANCEY REASSUMED THE CHAIR\*\*\*

6.2 ROBERT ST. CROIX FUNDRAISER

**Motion 084/2009 – Councillor B. Saunders/Councillor H. Sutton**

To provide a donation of \$250 to the Robert St. Croix Fundraiser.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

**Item 7: Adjournment**

**Motion 085/2009 – Councillor B. Saunders/Deputy Mayor J. Budgell**

To adjourn Public Council Meeting no. 1236.

**In Favour:** Mayor J. Fancey, Deputy Mayor J. Budgell, Councillor D. Tremblett, Councillor B. Saunders, Councillor A. Hynes and Councillor H. Sutton.

**Opposed:** None

**Abstained:** None

**Motion Carried**

The meeting adjourned at 8:19 pm.

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Jody Fancey, Mayor

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Randy Drover, Town Clerk