

Regular Meeting #15 October 6, 2020

A Regular Meeting of Council convened at 7:02 p.m. in the presence of Deputy Mayor Murphy, Councillors (with the exception of Mayor French and Councillor Bursey), Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Director of Planning and Development, Corrie Davis, Fire Chief, John Heffernan, Director of Economic Development, Jennifer Lake and Communications Manager, Maggie Hynes.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for October 6, 2020

Resolution #20-286

Councillor Tilley/Councillor Youden

Be it so resolved that the agenda of the meeting of October 6, 2020 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of September 15, 2020

Resolution #20-287

Councillor Hillier/Councillor Bent

Be it so resolved that the minutes of the meeting of September 15, 2020 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Proclamation – Fire Prevention Week

Deputy Mayor Murphy proclaimed the week of October 4 – 10, 2020 as Fire Prevention Week in the Town of Conception Bay South.

b. World Breastfeeding Week

Deputy Mayor Murphy proclaimed the week of October 1 – 7, 2020 as World Breastfeeding Week in the Town of Conception Bay South.

c. National Seniors Day

Deputy Mayor Murphy proclaimed October 1, 2020 as National Seniors Day in the Town of Conception Bay South.

d. International Credit Union Day

Deputy Mayor Murphy proclaimed October 15, 2020 as International Credit Union Day in the Town of Conception Bay South.

4. NEW BUSINESS

Councillor Youden

stated that World Cerebral Palsy Day is a movement of people with Cerebral Palsy and their families, and the organizations that support them, in more than 75 countries. Its vision is to ensure that children and adults with Cerebral Palsy have the same rights, access and opportunities as anyone else in our society. Today, in celebration of “Going Green”, the front of the town hall is lit up with green lights to bring awareness to World Cerebral Palsy Day.

stated that the 3 Hour Challenge took place on Saturday, September 26 This year, there were 525 people registered to take part in the event, with the majority of these cleaned up in family or bubble groups of about 4 people. This was one

of our largest turnouts ever. Thanks to all who participated including our sponsor Tim Hortons.

stated that the annual Terry Fox Run took place on Sunday, September 20, 2020. This year's run was the Terry Fox. One Day. Your Way. Virtual RUN across the province. This was to celebrate the 40th year of the run, while keeping within guidelines around COVID-19. There were approximately 34 participants at the event and \$1,755 was raised for the Terry Fox Foundation. Conception Bay South was the 5th highest raiser of funds for this event in Newfoundland Labrador.

Councillor Tilley

advised that the Grand Concourse Authority will begin repairs on the damaged sections of the T'Railway.

stated that street upgrading will continue on Tilley's Road South.

Councillor Bent

stated that work will begin on Parmiters Lane as early as tomorrow. He stated that he appreciated the patience of residents who had to drive over rocks and dirt all summer.

Councillor Davis

stated that Recreation staff have been working with the Worsley Park 50+ Club to help them return to programming at Worsley Park. They have developed a Safe Return to Programming plan that will allow for the club to ease back into activities such as meetings, dart games, and dinners, while also staying safe. While activities may start off smaller than normal, the Town will continue to work with the club to make changes as the current health regulations allow.

Councillor Butler

stated that on Monday, October 5, the Community Garden Committee along with Manuels River and Rotary Club of Avalon Northeast officially opened the Manuels River Community Garden. It is great to see a second community garden in the Town and I encourage all residents to stop by and visit.

stated that the Community Garden Committee are planning their Pumpkin Stroll again this year to take place at Gateway Garden on the evening of November 1. Details on drop off locations and time to visit the garden on the 1st will be circulated on social media and in the Shoreline in the coming weeks.

Deputy Mayor Murphy

stated that the Town of Conception Bay South is planning for the 2021 budget process and is spearheading a telephone survey to gather valuable information from residents on their priorities for civic services and programs. The telephone survey begins this week.

For the last number of years, we have been using telephone surveys as a quantitative research method for determining our resident's budget priorities. As Council continues to focus on community engagement and transparency, our budget consultation process is about residents shaping our next budget.

If you receive a phone call, we encourage you to take a few quick minutes and have your say.

Following the telephone survey, the Town will launch an interactive budgeting tool to capture additional feedback from the community online. Further information on this will be provided in the coming weeks.

Results from the public consultation will inform

Council throughout the budget process and results will be posted on the Town's website.

stated that although we were not able to celebrate the spirit of Conception Bay South with our annual summer festival this year, the Kelligrews Soiree, the Town instead produced a beautiful video to the Kelligrews Soiree song, that celebrates our community spirit, pride, beauty, and heritage. Our scenery, sunsets, and unique blend of urban and rural living is what sets us apart – it's the magic of Conception Bay South. You will see this as soon as you watch our video. I encourage you to watch the video on the Town's YouTube channel.

expressed special thanks to Jason Whalen, as well as our local residents Renee Batten, Justin Fancy and Rowan Sherlock, for their musical talent in producing this song.

stated that he had attended the ribbon cutting ceremony at Manuels River. What a beautiful job they have done there. Congrats to the Community Garden Committee.

Read the following statement:

As many are aware, Ocean Choice International is proposing a development that could see the initial development of new land created by infilling 1.7 hectares at the west end of Long Pond. The development proposal includes a new 90-metre wharf on the infilled land. Ocean Choice has noted that a cold storage facility and office building may be built on the infilled land in the future and that future expansion of the infill area could increase the total infilled area by an additional 0.8 to 2.5 hectares.

The proposal is located within the Industrial General zone and within the High Hazard Vulnerability area identified by the Town's Municipal Plan. Any proposed commercial or

industrial development within the High Hazard Vulnerability area identified by the Town's Municipal Plan must be assessed to evaluate the level of hazard risk, taking into consideration the susceptibility of the proposed development to storm surges, erosion or flooding.

Such an assessment must be in the form of a Land Use Impact Assessment Report. The Town's Development Regulations requires the Town to provide opportunity for the public to review this Terms of Reference.

Public notice seeking that input was first published on July 29th. The Town decided to continue to receive submissions beyond the original deadline to ensure that the public had adequate opportunity to provide input.

The Town has worked with an independent consultant to refine the Terms of Reference based on this feedback. Subsequently, a revised draft version has now been issued on the Town's website. The Town will consider comments or submissions from the public, and the document may be revised once again to reflect concerns raised by the public that Council feels should be addressed in the Land Use Impact Assessment Report.

Anyone wishing to provide feedback should do so by writing 2:00 p.m. Friday October 16, 2020. Further details can be found on the Town's website.

Council will approve a final Terms of Reference, which will be made available to the public. Similarly, when the applicant submits the Land Use Impact Assessment Report, Council will make that available to the Public.

**5. RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE
(Chair, Councillor Rex Hillier)**

Presentation of recommendations of meeting held on September 30, 2020

1. LUIAR & Road Widening, 35-39 Perrins Road

**Resolution #20-288
Councillor Hillier/Councillor Youden**

Be it so resolved that the Land Use Impact Assessment Report and its recommendations related to the development of a new dwelling at 35-39 Perrins Road be approved.

AND FURTHER:

Be it so resolved that the Town waive the requirement for conveyance of all land to the Town within 6.12m of the centerline of the street in from of 35-39 Perrins Road as a condition of approval for the development of a new single dwelling at that location.

- carried unanimously

2. Proposed Fence, 330 Seal Cove Road & 7-9 Seaspray Crescent

**Resolution #20-289
Councillor Hillier/Councillor Youden**

Be it so resolved that Application No. 20-F-111 and 20-F-112 for fences at 330 Seal Cove Road and 7-9 Seaspray Crescent be refused as the Town's Fence Regulations prohibit fences to be built along street frontages and forward of the building line along side lot lines.

- carried unanimously

3. Fence Application – 63 Indian Pond Estates

**Resolution #20-290
Councillor Hillier/Councillor Butler**

Be it so resolved that Application No. 20-F-153 for a 2.1m high fence along the eastern side boundary of the property at 59 Indian Pond Estates be

approved in accordance with Council's discretion at Section 16 of the Town's Fence Regulations.

- carried unanimously

4. Home based business application – 67 Indian Pond Drive

Resolution #20-291
Councillor Hillier/Councillor Youden

Be it so resolved that Application No. 20-COM-072 for a home based business of an office within incidental retail sales be approved at 67 Indian Pond Drive on the conditions that not more than one vehicle offered for sale be located on the property at any given time, and that the vehicle that is for sale be stored inside either the attached or detached garage on the property.

- carried unanimously

Transferred from Committee of the Whole meeting #16

1. Rescind Resolution

Resolution #20-292
Councillor Hillier/Councillor Youden

Be it so resolved that Resolution No. 20-167 passed at the Council meeting of June 16, 2020 be rescinded.

- 4 yeas
- 2 nays (Youden, Davis)
- motion carried

5. Planning and Development Committee Meeting Report

Resolution #20-293
Councillor Hillier/Councillor Tilley

Be it so resolved that the decisions made at the Planning and Development Committee meeting on September 30, 2020, be accepted as presented.

- carried unanimously

**6. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE
(Chair, Councillor Junior Bursey)**

Presentation of recommendations of meeting held on September 29, 2020

1. 20-10 Supply and Delivery of Road Salt – Tender Award

**Resolution #20-294
Councillor Davis/Councillor Butler**

Be it so resolved that approval be given to award Tender 20-10 Supply & Delivery of Road Salt to Avalon Coal, Salt and Oil Limited for the quoted price of \$109.42 per ton, plus HST. Funds to be taken from account #01-303-1000-5810.

- carried unanimously

2. Ratification of PO #2020-0644 – Unit 288

**Resolution #20-295
Councillor Bursey/Councillor Youden**

Be it so resolved, that approval be given to Harvey & Company Ltd. to ratify PO #2020-0644 in the amount of \$32,359.53, plus HST. Funds to be taken from account 01-403-8106-7025.

- carried unanimously

3. Paint Donation Rainbow Crosswalk – St. George’s Elementary

**Resolution #20-296
Councillor Bursey/Councillor Butler**

Be it so resolved that approval is given to donate paint at the approximate value of \$100.00 to St. George’s Elementary.

- carried unanimously

4. Road Weather Information System (RWIS) Services

Resolution #20-297
Councillor Bursey/Councillor Youden

Be it so resolved that approval be given to purchase and enter into a service agreement for a Road Weather Information System with Wood at an approximate cost of \$30,000.00 plus HST. Funds are available in account 01-302-1000-5099.

- carried unanimously

5. Engineering and Public Works Committee Meeting

Resolution #20-298
Councillor Bursey/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of September 29, 2020, be accepted as presented.

- carried unanimously

7. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Kirk Youden)

Presentation of recommendations of meeting held on September 28, 2020

1. Recreation and Leisure Services Committee

Resolution #20-299
Councillor Youden/Councillor Butler

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of September 28, 2020 be accepted as presented.

- carried unanimously

8. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor Richard Murphy)

Presentation of recommendations of meeting held on September 29, 2020

1. Accounts Payable Cheque Register

Resolution #20-300
Councillor Tilley/Councillor Hillier

Be it so resolved that approval be given to pay Accounts Payable cheques totaling \$404,771.62.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #20-301
Councillor Tilley/Councillor Bent

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$612,721.91.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #20-302
Councillor Tilley/Councillor Butler

Be it so resolved that approval be given to ratify direct payments previously released totaling \$310,105.70.

- carried unanimously

4. Capital Invoices

**Resolution #20-303
Councillor Tilley/Councillor Bent**

Be it so resolved that approval be given to pay capital invoices totaling \$530,472.52 as listed below:

Project	Vendor	Invoice Details	Amount
2018 Streets Ph 2	Farrells	Claim #9 ROH	\$396,484.03
2018 Streets	EXP Services	Invoice #573546	\$1,943.80
2020 Streets	Farrells	Claim #1	\$57,337.83
Community Park	PEC	Invoice #2019-031-4	\$31,142.59
District Water Meters	SNC Lavalin	Invoice #1508125	\$6,882.06
Lawrence Pond Road Phase 2	Construction Signs	Invoice #41956	\$6,877.00
Library	SNC Lavalin	Invoice #1506018	\$7,104.84
Gateway Erosion Control	SNC Lavalin	Invoice #1506468	\$6,049.81
Emergency Water Main Repair (Upper Gullies)	SNC Lavalin	Invoice #1506017	\$2,632.06
Traffic Calming	Construction Signs	Invoice #41957	\$6,877.00
CBS Speed Limit Review	Harbourside	Invoice #1845	\$1,242.00
Effluent Monitoring	Biomaxx	Invoice #4050	\$5,899.50
Total Capital Invoices:			\$530,472.52

- carried unanimously

5. Tax and Other Receivables Adjustments

Resolution #20-304
Councillor Tilley/Councillor Hillier

Be it so resolved that approval be given to adjust tax and other receivable accounts as follows:

LEDRG007	Request Denied
RON'S001	\$453.67
NAILS001	\$1,171.49
ORION001	\$329.92
TRIBO001	\$331.83
COURD001	Request Denied
EXQUI001	\$359.08

- carried unanimously

6. 2020 Tax Recovery Plan

Resolution #20-305
Councillor Tilley/Councillor Butler

Be it so resolved that approval be given to adopt the 2020 Tax Recovery Plan as presented.

- carried unanimously

A. Status of 2019 Objective

The Town was able to recover 25% of the 2018 outstanding current year owed tax receivable balance by December 31, 2019.

B. 2020 Objective(s)

The Town's objective is to recover 25% of the current year owed outstanding tax receivable by December 31st each year. In addition, the Town is also actively pursuing all older accounts in efforts to reach settlements on accounts with balances outstanding for longer than 2 years.

In order to ensure the availability of sufficient municipal services, it is important that residents and businesses make their payments or make suitable payment arrangements to Council by February 28-,018, or

otherwise be placed on the Town's arrears listing and held subject to the Town's arrears recovery actions as presented in this report.

Under the Government of Newfoundland and Labrador's Community Sustainability Partnership (CSP), the Town must implement and maintain a Tax Recovery Plan and Tax Receivable Summary by establishing objectives, timelines and procedures to recover unpaid taxes from the current and previous years.

The Town is subject to these accountability measures in order to receive future Municipal Operating Grant (MOG) funding and a share of Provincial Gas Tax Revenue Sharing funding.

The Town must also present municipal audited annual financial statements in compliance with Public Sector Accounting Board (PSAB) standards and an approved annual budget to receive municipal operating grants.

Moreover, the Town will take all reasonable actions towards the recovery of taxes in arrears while ensuring the tax recovery process being followed is fair and reasonable to the tax payer and the Town, and within the authority provided under the Municipalities Act, 1999.

Tax Year Planning Schedule

- | | |
|---|-----------------------|
| • Tax Notices are mailed out | first week of January |
| • Taxes are due on | February 28 |
| • Taxes are considered unpaid after | February 28 |
| • Taxes are considered in arrears after | February 28 |
| • Tax Recovery Plan begins | January 1 |

C. Payment Options

(Please use all that apply)

- In person at the Town Hall – (Office hours are Monday to Friday, 8:00 am to 4:30 pm) Drop Box Available outside of regular office hours.
- Cash, Cheque, Money Order (Make payable to Town of Conception Bay South)
- Interac, Visa, Master Card (credit card payments through Plastiq)
- Mail (Address: PO Box 14040, Stn Manuels, Conception Bay South, NL A1W 3J1)
- On-line Banking
- Pre-Authorized Payment
- Tax Installment Plan (12 month interest free payment plan) A deferral of payments due in April, May and June was optional due to COVID-19

Pandemic. If the option was taken, payments resumed in July and were adjusted to ensure account was paid in full by year end.

- Other: _____

D. Exemptions:

Exemption Criteria:

Exemption Summary:

E. Tax Recovery - Action Plan

- Annual Tax Bills are mailed in early January
- Statements showing interest and current balance are mailed in after February 28 deadline and every month thereafter.
- Interest is charged on accounts 30 days past the billing date unless payment arrangements have been made under the 12 Equal Payment Plan. During the period March 31 to June 30 (as a result of the COVID-19 Pandemic, interest was not charged on any overdue accounts).
- Payments from the Town for goods and services, and deposit refunds are intercepted and applied to outstanding tax accounts.
- For all accounts who still have current year and prior taxes outstanding past December 31 of the current year, escalated collection efforts are initiated.
- Permits are withheld from individuals who are in arrears until outstanding balance is paid.
- Reminder letters are sent to taxpayers who are in arrears warning of possible further action if payment arrangements are not made.
- Telephone contact is made with taxpayers to make payment arrangements.
- Notices of possible discontinuance of services, power of sale of vacant land or non-occupied property or use of third party collection agency with deadlines for response or contact from taxpayer to make suitable payment arrangements are issued.
- Hand-delivered notification of disconnection of services.
- Disconnection of services as per Section 132 of the Municipalities Act, 1999.
- Accounts are submitted to collection agency for recovery.
- Property liens are undertaken as per Section 132 of the Municipalities Act, 1999.
- Legal action as per Section 133 of the Municipalities Act, 1999.

- Sale of vacant land or non-occupied property as per Section 139 of the Municipalities Act, 1999.

F. Arrears Monitoring Procedure

The Director of Finance will monitor the tax accounts in arrears using Microsoft Dynamics.

The following measures will take place to monitor tax receivable accounts:

- Documenting issuances of invoices
- Maintaining receipt of payments
- Maintaining record of accounts payable
- Documenting all recovery actions taken on each account
- Maintaining a report on each tax recovery account
- Identifying accounts requiring a more active recovery approach
- Identify accounts that are in threat of becoming legally uncollectable
- Provide status information for reporting to Council

G. Reporting Tax Arrears Activity

Council:

The Director of Finance will provide

- Verbal reports on the status of the tax arrears to Council at
- Quarterly public council meetings.

The reporting updates will include:

- Current tax receivable balance
- Status of recovery activity
- Recovery issues that require input or action from Council

Department of Municipal Affairs:

The Town will provide a copy of the approved Tax Recovery Plan (TRP) and Tax Receivable Summary (TRS) to the Department of Municipal Affairs by June 30th of each year. (September 30, 2020 extension due to COVID-19 pandemic).

7. Personnel – Network Manager

Resolution #20-306
Councillor Tilley/Councillor Davis

Be it so resolved that approval be given to confirm Steve Tizzard in the position of Network Manager as per the terms and conditions outlined in the employment contract of July 16, 2019.

- carried unanimously

Transferred from Committee of the Whole Meeting #16:

1. Funding Reallocations - MYCW

Resolution #20-307
Councillor Tilley/Councillor Butler

Be it so resolved that approval is given to reallocate \$179,397 from the unallocated capital project account to Project #17-MYCW-18-00064: 2018 Street Upgrading. The Town of Conception Bay South agrees to provide a municipal share value of \$59,902.

- carried unanimously

8. Financial and Administrative Services Committee Report

Resolution #20-308
Councillor Tilley/Councillor Butler

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of September 29, 2020 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM
(Chair, Councillor Christine Butler)**

Presentation of recommendations of meeting held on September 29, 2020

1. Trailway Phase 4 Engineering

**Resolution #20-309
Councillor Butler/Councillor Hillier**

Be it so resolved to give approval to enter into a contribution agreement with the Trans Canada Trail for funds totaling \$24,500 for engineering design work associated with T’Railway phase 4;

AND FURTHER:

Be it so resolved to give approval to enter into a contribution agreement with ACOA for funds totaling \$13,001 for engineering design work associated with T’Railway phase 4;

AND FURTHER:

Be it so resolved to give approval to enter into a contribution agreement with the Department of Tourism, Culture, Industry and Innovation for funds totaling \$4,333 for engineering design work associated with T’Railway phase 4;

AND FURTHER:

Be it so resolved to give approval to engage the Grand Concourse Authority to complete the T’Railway phase 4 engineering project work at a total cost of \$49,102.51 and allocate \$7,268.51 as the Town’s contribution to the project. Funds are available within the economic development operating budget.

- 6 yeas
- 1 abstention
(Youden)
- motion carried

Councillor Youden declared a conflict of interest with this item as he is employed by one of the funding partners. He vacated the Chamber at 7:56 p.m. and returned at 7:58 p.m.

2. Economic Development and Tourism Committee Meeting Report

Resolution #20-310
Councillor Butler/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee meeting of September 29, 2020 be accepted as presented.

- carried unanimously

10. OTHER COMMITTEE REPORTS

Deputy Mayor Murphy noted that there was a Zoom meeting held last week with the ATV Committee. He stated the Committee are doing great work and that the Town is committed to supporting this Committee.

11. ADJOURNMENT

The meeting adjourned at 7:59 p.m.

Resolution #20-311
Councillor Youden/Councillor Hillier

Be it so resolved that the meeting adjourn.

- carried unanimously

Richard Murphy
Deputy Mayor

Gail Pomroy
Town Clerk