

ATTENDENCE –

Mayor Barry Dooley
Councillor Kelly Loch
Councillor Glenn Clarke – 7:15 p.m.

Deputy Mayor Jennifer Moores
Councillor Sharon Snooks
Shelly Butt, Town Clerk/Manager

CALL MEETING TO ORDER / WELCOME / DELEGATIONS

No registered delegates. Mayor Dooley called the meeting to order at 7:00 p.m.

ADOPTION OF THE AGENDA: May 6th, 2021

Additional Correspondence for Action, re: Dept. of Trans/Infrastructure MYCW Funding Offer, COR/2020-03737

Motion 2021-80 Loch/DM Moores

Be it resolve that Council adopt the agenda for the Regular Council Meeting of May 6th, 2021 as presented and include additional correspondence, COR/2020-03737. **Favour 4; Opposed 0; Carried**

MINUTES / COUNCIL MEETING / April 13, 2021**Motion 2021-81 Snooks/Loch**

Be it resolved; Council adopt the minutes of the regular meeting of Council of April 13, 2021. **Favour 5; Opposed 0; Carried**

BUSINESS ARISING FROM MINUTES: DM Moores questioned motion relating to Off-Road vehicles traveling on roads with Victoria. Referenced her Notice of Motion and questioned if the same motion could be put forward; discussed all details with all Councillors stating the motion was withdrawn; no further discussion.

FINANCIAL / COMM. / DEPT. & STAFF REPORTS

Bills/Accounts \$20,666.20 & Payroll from April 4 – 24, 2021 \$9,827.70

#1 Trio Benefits, May/June 2021 \$2,972.46 *Councillor Clarke declared a conflict-of-interest position, as per Section 207 of Municipalities Act, 1999, (Members of the Trio Board), & left the Council meeting at 7:26 p.m. for bill #1 Trio Benefits for May/June 2021.*

Motion 2021-82 Snooks/DM Moores

Be it resolved, Council approve to pay the accounts payable bill #1 Trio Benefits for May/June 2021 totalling \$2,972.46, as submitted. **Favour 4; Opposed 0; Carried** *C/Clarke returned 7:28 p.m.*

Remaining Bills/Accounts \$17,693.74 & Payroll April 4 – 24, 2021 \$9,827.70

Motion 2021-83 DM Moores/Loch

Be it resolved Council approve payment of the remaining accounts payable bills for \$17,693.74 and resolved to approve the employee's payroll from April 4 – 24, 2021 \$9,827.70. **Favour 5; Opposed 0; Carried**

General Bank Account, re: Reconciled for March 2021.**Motion 2021-84 Loch/DM Moores**

Be it resolved, Council acknowledge and confirm the town's General Operating Bank Account as reconciled for March 2021. **Favour 5; Opposed 0; Carried**

Dean's Road Project Bank Account no activity and project completed. TCM recommended account to be closed with balance transferred to the town's GBA; Council agreed. Bank Account for Loan Payments still active with funds remaining; recommended to keep active, Council agreed.

Town Clerk's Report: Dated April 12 -30, 2021

Motion 2021-85 Snooks/Loch

Be it resolved Council accept the Town Clerk Manager's Report for the period April 12 -30, 2021 as stated. **Favour 5; Opposed 0; Carried**

Noted: Rock placed near brook west end of Old Track Rd west to stop licenced vehicles from going through an environmentally protected zone should be advertised; C/Loch to post on the town's Facebook page. TCM advised if published it may be misconstrued by the public.

Recommendation to purchase 4-additional cameras; 2/Town Hall and 2/Recreation Building due to areas at both sites not visible on installed cameras.

Motion 2021-86 Snooks/Loch

Be it resolved Council approve to purchase and install four additional security cameras from Wilson's Security: two for the Town Hall and two for the Recreation Building, as recommended. **Favour 5; Opposed 0; Carried**

Questions regarding By-Laws presented to Ladies Auxiliary re: Term of Elected position due to COVID19. Council requested a copy of current and/or newly proposed By-Laws.

Gas Tax Funding Project, re: Street Rehabilitation & Paving Project #PN 21-107. As previously requested, TCM/WF submitted two (2) proposals to complete improvements and paving to town owned and maintained roads, with option one (1) recommended to be considered for a Capital Investment Plan.

Conflict of Interest was declared by several Councillors, list of roads in Option #1 separated and managed in accordance with the Municipalities Act, 1999, Section 207-1b & 207-2.

Rattle's Road: *Conflict of Interest declared by Deputy Mayor Moores and Councillor Clarke, as per MA,1999, Section 207-1b & 207-2 & left the meeting at 8:08 p.m.*

Motion 2021-87 Loch/Snooks

Be it resolved, Council approve repaving for Rattle's Road as designed by Harris & Assoc's, at the estimated cost of \$123,832.00 and to submit as part of a Capital Investment Plan Application.

Favour 3; Opposed 0; Carried

DM Moores & C/Clarke returned to the meeting at 8:10 p.m.

Hillview Crescent, (remaining unpaved section): *Conflict of Interest declared by Deputy Mayor Moores, as per MA,1999, Section 207-1b & 207-2 & left the meeting at 8:11 p.m.*

Motion 2021-88 Snooks/Clarke

Be it resolved, Council approve street rehabilitation and paving for Hillview Crescent as designed by Harris & Assoc's, at the estimated cost of \$68,706.75 including HST and to submit as part of a Capital Investment Plan Application. **Favour 4; Opposed 0; Carried**

DM Moores returned to the meeting at 8:12 p.m.

Old Track Road East, (last unpaved 50 meters): *Conflict of Interest declared by Councillor Loch, as per MA,1999, Section 207-1b & 207-2 & left the meeting at 8:13 p.m.*

Motion 2021-89 Clarke/DM Moores

Be it resolved, Council approve street rehabilitation and paving for Old Track Road East, (last 50 meters) as designed by Harris & Assoc's, at the estimated cost of \$11,454.00 including HST and to submit as part of a Capital Investment Plan Application. **Favour 4; Opposed 0; Carried** C/Loch returned to the meeting at 8:20 p.m.

Remaining list of roads under Option #1 stated as: Hillview Dr. at \$52,606.75, King's Road (Bridge - Past Last House) at \$48,162.00, Lagoon Road at \$29,095.00, Pye's Road \$70,707.75, Evely's Lane at \$55,338.00 and Bottom Loop Road at \$106,409.50, all including HST.

Motion 2021-90 Loch/Clarke

Be it resolved, Council approve street rehabilitation, paving and/or repaving for Hillview Dr. at \$52,606.75, King's Road (Bridge - Past Last House) at \$48,162.00, Lagoon Road at \$29,095.00, Pye's Road \$70,707.75, Evely's Lane at \$55,338.00 and Bottom Loop Road at \$106,409.50, for a total estimated cost, including HST, of \$362,319.00, as designed by Harris & Assoc's to be submitted as part of a Capital Investment Plan Application.

Favour 5; Opposed 0; Carried

Motion 2021-91 Clarke/Loch

Be it resolved, Council submit a Capital Investment Plan Application to the Department of Municipal and Provincial Affairs to use a portion of the approved Gas Tax Funding for the Town of Victoria totaling

\$513,548.73, net of the GST/PST Rebate, for Street Rehabilitation and Paving Project, #PN 21-107.

Favour 5; Opposed 0; Carried

Permit Registry, re: Permits Issued from April 12-30/2021, #276-#285

Motion 2021-92 Snooks/DM Moores

Be it resolved, having confirmed compliance with the Town of Victoria's Development Plan & Regulations,

Council approve the Permit Registry as listed for Permits #276 - #285.

Favour 5; Opposed 0; Carried

CORRESPONDENCE FOR INFORMATION/DISCUSSION

• Circulars, re: Dept of Trans.& Infrastructure,

1. COR/2021/00920, Changes to Front End Documents. Sent to Harris & Assoc's.
2. COR/2021/00926, Deadline for Issuing Amendments. Sent to Harris & Assoc's.
3. COR/2021/00766, Green & Inclusive Community Buildings Program.
4. COR/2021/00341, Circular – Municipal Elections Act: 2021 General Election Mail-In Voting.
5. DOC/2021/01912, Circular – Municipal Elections 2021-Election of Mayor

• MNL Info Notes:

1. Update from Public Health, re: Alert Level 2 & Changes to Criteria of all Public Gatherings
2. 2020 AGM & Municipal Symposium, Meet the Candidates, *previously circulated*.
3. 2020 AGM & Municipal Symposium, Agenda, *previously circulated*.
4. Launching Supports for Municipalities to Deliver Safe/Accessible Municipal Elections, Sept 2021.
5. Municipal Sector News, *previously circulated*
6. Bios of Nominees for Avalon Director: Tina Neary-Councillor PCSP, Councillor Bill Antle, Mount Pearl, Bios of Nominees for Small Towns Director: Mayor Harold Murphy, Parker's Cove & Councillor Gertie Canning, Wabush.

• Quarry Review, re: "What We Heard" during the Quarry Legislation Review Consultation Process.

• RecreationNL, re: Recreation & Sport Key Messages, April 28/2021. "

• BioMaxx, re: 1st Qrt Sewage Treatment Plant Effluent Regulatory Report submitted for Jan-Mar 2021

• NL Power, re: 2021 Request for EnviroFest Proposals. *Forwarded to - Victoria Heritage Society*.

• Dept. of Municipal & Provincial Affairs, re: Land Use Planning Training and Municipal Elections – Returning Officer & Election Officials Training opportunities.

• PMA, 2021 Virtual Convention & AGM June 10/11, 2021 9am – 1:30pm both days. TCM will register.

• Municipal Assessment Agency, re: Update on the MAA from Avalon Director, Betty Moore.

• Community Sector Council NL, notice Volunteer Week April 18-24/2021, *previously circulated*.

• Around the Bay Disposal, letter of complaint, re: Discarded needles/garbage at #346 Highway East.

• Canadian Heritage, re: Celebrate Canada Day 2021, Grant Approval \$1,500.00.

• Harris & Associates, copy letter & tender results Ash's Lane Water/Sewer/Extension & Drainage Improvements, 17-GI-21-00073 sent to M&P Affairs, Dept of T&I recommendation to award contract.

• Service NL, PH Lab Gov. Service Hr. Grace re: Water Sampling Results; all Satisfactory.

CORRESPONDENCE FOR ACTION

1. Dept. of Trans/Infrastructure MYCW Funding Offer, COR/2020-03737

Motion 2021-93 DM Moores/Loch

Be it resolved Council accept the 2020-2023 MYCW Funding offer approved as the provincial share of

\$350,811, as specified in correspondence letter COR/2020-03737 dated May 4, 2021 from the Minister of the Dept. of Transportation & Infrastructure and resolved that Council submit a funding proposal in consideration of approval on or before the specified deadline date and further resolved that Mayor Dooley/Town Clerk-Manager

be authorized to enter into the funding agreement on behalf of Victoria.

Favour 5; Opposed 0; Carried

2. Proclamation, re: Hospitality NL, "May" 2021 Tourism Awareness Month

Motion 2021-94 Loch/DM Moores

Be it resolved that Council approve for Mayor Dooley to sign the Proclamation on behalf of the Town of Victoria to recognize “May” as Hospitality NL, 2021 Tourism Awareness Month, 2021. **Favour 5; Opposed 0; Carried**

3. Sewer Problem Complaint, re: Resident #32-36 Highway East. *Previously Addressed by Council.*

Complaint was discussed, with Council reiterating the town’s main sewer line was functioning properly and not causing concerns to other residents in the immediate area, including an apartment complex at a lower elevation. In addition, staff confirmed the sewer manholes immediately before and after this residence, were checked several times and found to be functioning normally. To alleviate the slow sewer drainage problem, it was recommended the resident consider installing a mini-sewer lift station.

4. Letter from Residents at #42 Burnt Woods Road, re: Requesting a 15-Day Notice prior to issuing permit to neighbours at #48 BWR. Discussed and noted no provisions within the town’s development regulations or Municipalities Act, 1999 to honour the request if the type of work is permitted. It is unknown if a permit will be requested or required. Once permits are issued it becomes public information and can be made available for review in compliance with the Municipalities Act, 1999, Section 215; resident to be advise of this information.

5. Development Application, re: Removal of topsoil and sod from private driveways, #298B Old Track Road and #8A King’s Road.

Motion 2021-95 Snooks/Loch

Be it resolved, Council approve the development application as stated, to removal of topsoil and sod from private driveways, #298B Old Track Road and #8A King’s Road and further resolved that any future proposed development for this same property, i.e.: subdivision, must conform to the adopted town plan and development regulations as stated therein.

Favour 4; Opposed 1 C/Clarke; Carried

6. Building Application, re: Residential Dwelling Building Application, #185 Old Track Road; confirmed compliant.

Motion 2021-96 Snooks/DM Moores

Be it resolved, being confirmed compliant with the town’s development regulations, Council approve the building application for a single-family dwelling application at #185 Old Track Road, as submitted.

Favour 5; Opposed 0; Carried

7. Development Application, re: Home-Based Business, Rattle’s Road.

Motion 2021-97 Clarke/DM Moores

Be it resolved, pending being advertised and without any adversity being received, Council approve the business development application, and further resolved that the property at no time shall store snowmobiles or parts/machinery on the property that may reduce the residential character of the neighbourhood.

Favour 5; Opposed 0; Carried

9. Letter from Resident #95 Main Hwy, re: Water Run-Off from Old Track Road, south. *Previously address by Council.* Council reviewed the concern as well as the area in question. Noted neighbouring property installed a ditch at the edge of the property boundary, tied into the ditch on Main Highway and seems to alleviate property flooding. It was stated that Council cannot control the natural path of water flowing through private property and it was agreed to recommend the property owner consider installing a ditch and/or weeping tile to channel any excess water to the ditch on Main Highway to alleviate any flooding concerns.

10. Municipal Infrastructure, Approval to Award Contract, COR/2021/00815, re: Ash’s Lane Water/Sewer/Extension & Drainage Improvements, 17-GI-21-00073. (Harris & Assoc’s cc’d)

Motion 2021-98 Loch/DM Moores

Be it resolved, having met the criteria of the Public Procurement Act for public tendering and as recommended by the Dept. of Transportation & Infrastructure and Harris & Assoc’s, that Council accept and approve the recommendation to award the contract to Shaw Ventures Company Ltd., not to exceed \$249,957.45, (HST incl), for Ash’s Lane Water/Sewer/Extension & Drainage Improvements Project, 17-GI-21-00073.

Favour 5; Opposed 0; Carried

11. Letter from Property Owner #23-#29 Ash's Lane, re: Request to meet with Council regarding Ash's Lane Water/Sewer/Extension & Drainage Improvements, 17-GI-21-00073. Discussed and agreed to arrange a meeting for Monday May 10/21 at 7:00 p.m.

12. NL Pony Society, re: Swansea Agricultural Pasture & email from the NL Pony Society. Application for Consent & Notice of Assignment of Lease/Licence, re: Horse Pasture

Motion 2021-99 Snooks/DM Moores

Be it resolved, Council approve to support to the NL Pony Society, re: Swansea Agricultural Pasture as proposed and described in a letter from the President of the NL Pony Society, dated April 29/21 and when required, fill out application for Consent & Notice of Assignment of Lease/Licence, re: Horse Pasture.

Favour 5; Opposed 0; Carried

NEW BUSINESS –

- FCM Municipal Asset Management Program, #643 on list, currently processing #375 - #425.
- Rental and/or Use of the Recreation Building vs COVID19 Health Guidelines & Restrictions. Discussed and unanimously agreed, by poll of Councillor at the meeting, that the Recreation building remain closed until further notice and outdoor activities can take place as long as the Victoria Recreation Commission can guarantee compliance with all up to date Provincial Health Restrictions.
- TCM stated Mr. N. Parsons was in office May 3/21 @ 9:35 a.m. demanding keys to the Victoria Horse Pastureland/Shed, Swansea Road be given to him or would cut off the locks; request denied and RCMP was contacted regarding the threat. RCMP responded and advised Mr. Parsons not to enter the property and must follow any application processes that are in place should he want to occupy this land.
- Alf's Chip Truck, requesting permission to set up by Clarke's Gully Boardwalk; approved.
- TCM questioned the distance of Deering's Road, Council maintains? Unknown by present Council.
- Employee #1012, posted public Facebook statements displaying defiance of decisions made by Council and viewed as being in contravention of Town's Social Media Policy, signed by the employee. Council unanimously agreed to issue a discipline letter, and subsequent disciplinary actions should conduct continue.

ADJOURNMENT OF MEETING

Next Regular Scheduled Council Meeting: May 25,2021 (7th)

Motion 2021-100 Snooks/Clarke

Be it resolved, the Council meeting for May 6th, 2021 be adjourned at 10:50 p.m.

Favour 5; Opposed 0; Carried

Signed:

Signed:

Barry Dooley, Mayor

Shelly Butt, Town Clerk Manager