

**ATTENDANCE**

Mayor Barry Dooley  
Councillor Sharon Snooks  
Councillor Art Kelloway  
Councillor Glenn Clarke

Deputy Mayor Jennifer Moores  
Councillor Jim Layden - *Regrets*  
Councillor Dion Penney  
Shelly Butt, Town Clerk/Manager

**CALL MEETING TO ORDER / WELCOME / DELEGATIONS**

Mayor Dooley welcomed everyone to the meeting. No registered delegates.

**ADOPTION OF THE AGENDA: November 16, 2021****Motion 2021-229 Clarke/Snooks**

Be it resolved Council adopt the agenda for the Regular Council Meeting of November 16, 2021, as submitted.  
**Favour 6; Opposed 0; Carried**

**MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES**

Regular Meeting of Council - October 26, 2021, *No Errors/Omissions*

**Motion 2021-230 Snooks/DM Moores**

Be it resolved that Council adopt the minutes of the regular meeting of Council of October 26, 2021.  
**Favour 6; Opposed 0; Carried**

**BUSINESS ARISING: None****FINIANCIAL / COMM. / DEPT. & STAFF REPORTS**

*All Previously Circulated*

• Bill/Accounts \$37,143.03 & Payroll \$14,923.91

*Councillor Kelloway, being a member of the Victoria Heritage Society, declared a conflict-of-interest position on bills #1 & #2 as per the Municipalities Act, 1999, Section 207-1, left the meeting at 7:51 p.m.*

1.a Goods/Services provided to Victoria Heritage Society, (list supplied) & NL Power VHS for Heritage Fire Hall & Pole Service.

**Motion 2021-233 Snooks/DM Moores**

Be it resolved that Council approve to pay bill #1-Goods/Services for \$1,684.00 & #2-NL Power Inc. totalling \$102.47.  
**Favour 5; Opposed 0; Carried** C/Kelloway returned at 7:54 p.m.

1.b K & D Pratt, Safety Source Fire, Bell Aliant/Mobility, NL Power VVFD, Penney's Courier.

*Councillor Penney, being a member of the Victoria Volunteer Fire Dept., declared a conflict-of-interest position on bills #3 to #7 as per the Municipalities Act, 1999, Section 207-1, left the meeting at 7:55 p.m.*

**Motion 2021-234 Clarke/Kelloway**

Be it resolved that Council approved K & D Pratt \$632.50, Safety Source Fire \$2,925.60, Bell Aliant/Mobility \$257.72, NL Power VVFD \$874.76, Penney's Courier \$97.29.

**Favour 5; Opposed 0; Carried** C/Penney returned at 7:56 p.m.

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Remainder of the B/A & Payroll Sept 26 – Oct. 16, 2021

**1.c Remaining Bills/Accounts & Employee Payroll****Motion 2021-235 DM Moores/Clarke**

Be it resolved Council approve to pay the remaining accounts payable bills for \$34,541.26 and resolved to approve the town's Payroll Sept 26 – Oct. 16, 2021, totaling \$15,932.27 as presented.

**Favour 6; Opposed 0; Carried**

2. Committee of Whole Council Report, Nov. 2, 2021, re: 2022-2023 Municipal Infrastructure Programs – Call for Applications, proposed project, Old Track Road West-Residential Water/Sewer/Road Upgrading to Main Hwy. *Councillor Clarke declared a conflict-of-interest as per Section 207-1, (owner of vacant land #479 OTR) and left the meeting at 7:04 p.m.*

**Motion 2021-231 Penney/Kelloway**

Be it resolved that Council approve to submit the Municipal Capital Works project application to extend residential water/sewer and road upgrading from #342 OTR to connect to Main Highway, (Route 70) for 1100 meters and further resolved to finance the town's Municipal Share from the town's own financial reserves.

**Favour 5; Opposed 0; Carried** C/Clarke returned at 7:11 p.m.

3. Civic Functions Committee Report, Nov. 9/2021

**Motion 2021-232 DM Moores/Snooks**

Be it resolved that Council approve the Civic Functions Committee Report of Nov. 9, 2021, including recommendations with a change to the number of veterans invited to the Veteran's Function.

**Favour 6; Opposed 0; Carried**

4. Town Clerk's Report: Dated Oct 25 – Nov 12, 2021

**Motion 2021-236 DM Moores/Snooks**

Be it resolved, Council approve the Town Clerk Manager's Action Report for Oct 25 – Nov 12, 2021, as submitted.

**Favour 6; Opposed 0; Carried**

5. Working Foreman's Report: Dated Sept. 13 - Nov 12, 2021

**Motion 2021-237 Snooks/Penney**

Be it resolved, Council approve the Working Foreman's Report for Sept 13 – Nov 12, 2021, as submitted.

**Favour 6; Opposed 0; Carried**

6. Permit Registry, re: Permits issued from Oct 21-Nov12, 2021 #392-#399.

**Motion 2021-238 Snooks/DM Moores**

Be it resolved, Council approve permits issued from Oct 21-Nov12, 2021 #392-#399, pending work is conducted in compliance with the details of the application, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations or stipulations if attached.

**Favour 6; Opposed 0; Carried**

**CORRESPONDENCE FOR INFORMATION/DISCUSSION (CFID)**

1. Municipal Infrastructure, MAPA COR/2021/04216, re: new deadline Nov. 26. 2021 for 2022-2023 Municipal Infrastructure Application Program.
2. Fire & Emergency Service approved 2021/2022 Fire Protection Financial Assistance Grant (FES-CA210029) for \$12,806.40.
3. MAPA, COR/2021/04141, Letter of Offer, re: Victoria Heritage Park CEEP Application; VHS declined offer.
4. William Finn Law Office, name change, now Finn Ronayne Law.
5. Eastern Regional Service Brd, re: 2022 Fee Structure, Landfill bound materials \$84 per tonne & recyclable materials \$22.00 per tonne.
6. Victoria Recreation Commission, re: Bank Reconciliation Statements for September & October 2021 & 2022 Financial Grant Request of \$39,416.25, (no quotes for items attached), placed in 2022 Municipal Budget File.

**Motion 2021-239 Penney/Snooks**

Be it resolved Council request the Victoria Recreation Commission to supply a complete list of quotes/pricing for all items in their proposal for financial aid for 2022 submitted for consideration.

**Favour 6; Opposed 0; Carried**

7. Dept. of Environment & Climate Change, re: Permit to Construct, King's Rd Water Main Upgrading.
8. Dept. of Transportation & Infrastructure, Circular COR/2021/03876.
9. MOG Deposit Notice, Oct-2021 second ½ for 2021 received for \$64,253.04.
10. MAPA, COR/2021/03407, re: Congratulation Letter to Mayor & Councillors.
11. MAPA, Announcement of funding opportunities, re: Come Home Year Celebration Grant, deadline Dec. 6/21 & Cultural Economic Development Program, deadline Jan. 31/22. Passed to Civic Functions to review and supply recommendations and TCM apply.

12. BILL-37 An Act Respecting the Conduct of Municipal Officials.

13. Town of Salmon Cove meeting w/Council, Wed. Nov 17/21 @ 7:00 p.m. (previously sent to Council)  
Tuesday, Nov 23, 2021, Community Center

#### CORRESPONDENCE FOR ACTION (CFA)

1. Snow Clearing Policy & Effective Dates for 2021-2022; some lanes requested to be reviewed. (*May pose a Conflict-of-Interest Position*).

*Councillor Penney, being a member of the Victoria Volunteer Fire Dept., declared a conflict-of-interest position on #7 of the policy as per the Municipalities Act, 1999, Section 207-1, left the meeting at 9:01 p.m.*

#### **Motion 2021-240 Snooks/Kelloway**

Be it resolved, except for #7, Council approve the Snow Clearing Policy coming into effect from December 1 – March 31, 2022, unless otherwise deemed necessary by motion of Council and further resolved to remove #7, re: “Firefighters Driveways” from the policy. **Favour 5; Opposed 0; Carried C/Penney returned at 9:02 p.m.**

2. Victoria Recreation Commission, re: Request to use remaining funds approved for 2021 to buy; 1-Events Canopy Tent (US\$), 1-Bouncy Castle w/slide, (Can\$) & 3-Baseball bases/1-Home Plate, (Can\$) approx. total, \$9,626.67. A review of the approved 2021 Grant noted items not listed. Questioned storage for items, noting Council did not approve a previous request to use same funding for a new shed. The list of building deficiencies sent to Council for consideration was briefly mentioned, with no immediate solution reached; however, would be reviewed.

#### **Motion 2021-241 DM Moores/Penney**

Be it resolved that Council grant approval to the Victoria Recreation Commission to buy 3-baseball bases and 1-homeplace to a maximum cost not to exceed \$1,500.84 incl. HST/shipping, from their approved funding grant for 2021. **Favour 6; Opposed 0; Carried**

3. Royal Canadian Legion, donation request to the Annual Poppy Campaign 2021.

#### **Motion 2021-242 Snooks/Kelloway**

Be it resolved that Council approve a \$200.00 donation to the Royal Canadian Legion Carbonear Branch #23 for their Annual Poppy Campaign, (2021). **Favour 6; Opposed 0; Carried**

4. Municipal Assessment Agency, re: Regional Candidates for Board of Directors & Ballot Form. Council required to vote for Avalon Director, Nominees: ►Mayor Betty Moore, Clarke’s Beach & ►Councillor Eric Snow, South River.

#### **Motion 2021-243 Clarke/Snooks**

Be it resolved that Council agree to vote for Mayor Betty Moore as Avalon Director with the Regional Board of Directors for the Municipal Assessment Agency. **Favour 6; Opposed 0; Carried**

*Councillor Kelloway declared a conflict of interest, (concerned citizen) as per Section 207-1b of the Municipalities-Act, 1999, left the meeting at 9:37 p.m.*

5. Concerned Citizen Inquiry: Recent organized group of Off-Road Vehicle travelled through Victoria for a possible fundraising event. Concern relating to use of town roads. No By-Law in place and town has no authority over Off-Road Vehicle usage.

Discussed possible solutions to alleviate wet/boggy areas on part of the east-end of the Old Railway Track that may have contributed to the excessive mud along the stretch of pavement noted in the photographs.

#### **Motion 2021-244 Clarke/DM Moores**

Be it resolved that Council approve an in-kind contribution of 10-tonne class “A” stone to be dropped off past the last residential property to be used by the CBN T’Railway group to assist with filling in some boggy areas.

**Favour 5; Opposed 1-C/Snooks; Carried C/Kelloway returned 9:58 p.m.**

6. Victoria Lions Club, re: Request for waiver of user fees when using the Community Center for meetings & coffee house events.

**Motion 2021-245 Clarke/Snooks**

Be it resolved that Council approve the request from the Victoria Lions Club to waiver user fees when using the town's community center for bi-monthly meetings and Coffee House events, excluding major fundraisers as defined.

**Favour 6; Opposed 0; Carried**

7.(a) Eastern Regional Service Board Nominees for Sub-Region/Ward-9. Nominees-Councillor Glenn Clarke, Victoria & Mayor Don Coombs, Hr. Grace. (b) Mayor Don Coombs, re: Letter requesting Council's consideration for a vote for the same position.

*Councillor Clarke declared a conflict-of-interest as per Section 207-1, (nominee) and left the meeting at 10:02 p.m.*

**Motion 2021-246 DM Moore/Kelloway**

Be it resolved that Council vote for Councillor Glenn Clarke to serve on the Eastern Regional Service Board Nominees for Sub-Region/Ward-9.

**Favour 5; Opposed 0; Carried** C/Clarke returned at 10:03 p.m.

8. Home-Based Business, re: Nutrition Consulting, (Dietitian Services), requires home office, #25 Job's Pond West off Swansea Road. Business Parking not needed.

**Motion 2021-247 Clarke/DM Moores**

Be it resolved Council approve the Home-Based Business application, re: Nutrition Consulting, (Dietitian Services), requires home office, #25 Job's Pond West off Swansea Road, pending business is conducted in compliance with the details of the application, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

**Favour 6; Opposed 0; Carried**

9. Home-Based Business, re: Osteopathy Clinic from #133 Highway East. Area Zoned Mixed Development.

**Motion 2021-248 Penney/DM Moores**

Be it resolved Council approve the Home-Based Business application to open and operate an Osteopathy Clinic in a part of the existing home at #133 Highway East, pending business is conducted in compliance with the details of the application, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

**Favour 6; Opposed 0; Carried**

10. Complaint - Resident of #65 Highway East, re: Requesting remedy, apology & compensation as per contents of email received October 26, 2021, about a claim of a councillor, (during term of office 2009-2013), giving direction to employee #1180 (during the same period), to remove a survey marker from the complainant's property. Council reviewed details of the complaint and considered the matter to be of a civil nature, with a recommendation for the complainant to seek legal counsel to address the concern.

*Noted: Due to prior commitments, DM Moores left the meeting at 10:35 p.m.*

11. Crown Land Application #158744, re: Land Grant for Remote Cottage. Details provided with it noted the applicant currently owns land/cottage across the road from the same parcel of crown land and Council further stating, the area is no longer classified as a remote area of town.

**Motion 2021-249 Clarke/Kelloway**

Be it resolved, Council approve the Crown Land Application #158744, re: Land Grant for Remote Cottage as identified, pending approval is granted by all other listed departments/agencies.

**Favour 1 - Clarke; Opposed 4; Defeated**

12. New Sander-Salter for Dodge Ram, request for consideration of purchase. Reviewed details of request.

**Motion 2021-250 Clarke/Kelloway**

Be it resolved Council approve to tender for the purchase of one (1) New – 8' Tornado or equivalent Sand / Salt Spreader and to include cost to be installed on town vehicle with a minimum warranty of two (2) years.

**Favour 5; Opposed 0; Carried**

13. Street Light request for end of Lagoon Rd off Highway East.

**Motion 2021-251 Clarke/Snooks**

Be it resolved Council approve to install one (1) streetlight on an existing pole at the end of Lagoon Road as per policy. **Favour 5; Opposed 0; Carried**

14. Call for Privileged Meeting, re: Human Resources related item. • GNL – OHS Orders, re: Third Party Order.

**Motion 2021-252 Snooks/Kelloway**

Be it resolved that due to the nature of the next item of business, Council convene into a privileged meeting at 11:30 p.m. **Favour 5; Opposed 0; Carried**

**Motion 2021-253 Clarke/Snooks**

Be it resolved, having dealt with the business item, Council reconvene into a regular meeting at 11:43 p.m. **Favour 5; Opposed 0; Carried**

**NEW BUSINESS**

• Recreation Fire Pit Concern - Re-tabled from previous meeting. Noted: Firepit was professionally installed and is a benefit to those who use it. Discussed relocating the firepit from its current location however, agreed it may not be the best solution and reviewed other approaches to try to stop the misuse and vandalism. Council agreed, that should it become known who is damaging the town's property, they will continue to hold those legally accountable for their actions.

• DOTW requesting to park snow-clearing equipment in town yard, requires discussion, i.e.: parking fee, # of vehicles, location of parking in yard, use of electricity; TCM to manage.

• Property Owner # 321-323 OTR – Complaint that Dean's Road is now lower from its original height after completing Dean's Road W/S Rd Upgrdng Proj. #17-GI-20-00028, and entire ditch needs to be deepened on the west side of Dean's Road tying into Old Track Road. In addition, is claiming residents at #26 Dean's Road has difficulty accessing driveway, (noted: no complaints received from residents at this location) and wants to relocate existing 20-foot culvert at #22 Dean's Road plus add an extension to widen to a maximum of 30-feet. Town staff concerned of working next to a NL Power pole with no safety in place. Passed to Public Works Committee for review.

• TCM, re: Damage Claim Fence Update, privileged information. *(May pose a Conflict-of-Interest position). Councillor Kelloway declared a conflict of interest as per Section 207-1a of the Municipalities Act, 1999, left the meeting at 11:50 p.m.*

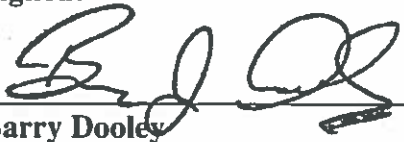
**ADJOURNMENT OF MEETING**

*C/Kelloway returned after the discussion at 11:57 p.m.*

**Motion 2021-254 Snooks/Clarke**

Be it resolved the Council meeting for November 16, 2021, adjourn at 11:57 p.m. and Council to meet for their next-regular-meeting on December 7, 2021 @ 7:00 p.m. **Favour 5; Opposed 0; Carried**

Signed:

  
Barry Dooley  
Mayor

Signed:

  
Shelly Butt  
Town Clerk/Manager

