

ATTENDENCE -

Mayor Barry Dooley
Councillor Sharon Snooks
Councillor Art Kelloway
Councillor Dion Penney

Deputy Mayor Jennifer Moores
Councillor Jim Layden – *By Phone at 7:45 p.m.*
Councillor Glenn Clarke – *Virtual By Zoom*
Shelly Butt, Town Clerk/Manager

CALL MEETING TO ORDER / WELCOME / DELEGATIONS

Mayor Dooley welcomed everyone and called the meeting to order at 7:02 p.m.

Due to rising COVID19 cases in Victoria, Council agreed to mandate mask and social distancing rules be applicable to all in attendance & to allow 3 delegates into the meeting at any one time to achieve these rules.

Registered Delegates: #6 Parson's Rd, #33 Pye's Rd, #42 Gully Path Rd & #54 Swansea Rd.

Visitors: #64 Swansea Road & #151 Main Hwy.

ADOPTION OF THE AGENDA: July 12, 2022

Motion 2022-152 DM Moores/Snooks *No Additions or Deletions*

Be it resolved Council adopt the agenda as presented for the Regular Council Meeting of 07/12/2022.

Favour 6; Opposed 0; Carried

Residents on the agenda as follows:

1. #6 Parsons Road, re: New Property Assessment – Property Tax Charges from 2019-2022, Council stated the information received from MAA and it was confirmed new house was not assessed until 2022. Council has the right to back charge for property tax based on assessed value for prior years supplied by the MAA. The property owner is appealing the assessment and in the event the appeal deems a reduction in assessed value the taxation will also reflect the reduction for the years charged. After discussion, it was concluded that Council cannot address this matter due to the property assessment appeal process. Noted: Resident has appealed the MAA Supplementary Assessment of the property with the appeal deadline not over until July 15/2022 after which they will commence their review per town. It was Council's decision that this matter could not be considered until such time the appeal is processed and finalized.

2. #56 Penney's Hill re: Rocks Installed in Gully Path Road Reservation, Council reviewed all information received from the resident and TCM. The resident provided purchase details of the corner lot and expressed there were previous concerns of flooding problems on the lot as well as concerns of vehicular traffic going in over land/grass and put rocks on the shoulder of road to try to stop the intrusions. Noted: The town maintained a ditch on the western side of the owner's property along Gully Path Road, but resident requested Council to fill in the ditch, which Council agreed & it was filled in. The lot now extended into what is known as the town's road reservation, (where ditch was located). The resident will not install a fence or other structure to help with impediments and requested Council assist with the concerns and is to check intersection turn radius to ensure the proper turn is correct. No land survey of the property at this time, Council asked if any proof of boundary claims could be provided in comparison to the town's road reservation; in turn, the resident asked Council to provide proof of road reservation, information was provided. Mayor Dooley said the town will seek out information relating to what constitutes a proper intersection turn radius. The resident left the meeting 7:27 p.m.

3. #33 Pye's Road, (Not present, has COVID19) & #42 Gully Path Rd re: Sawmill in Residential Zone. The resident from #42 GPR stated the sawmill would be installed at #33 Pye's Road and for personal use only. Details pertaining to the applications were reviewed, including other government/agency requirements. Upon review and discussion of the application, it was noted to be noncompliant with the town's plan and development regulations and was also confirmed noncompliance by the Local Governance & Land Use Planning Div., of Municipal & Provincial Affairs.

Noted: Town Plan needs to be reviewed/updated.

Councillor Layden joined the meeting at 7:45 p.m. via cell phone, with identify confirmed by all Councillors.

4. Install Culverts In Town Ditch in front of #42 Gully Path. Discussed the details of the matter, including that no permission was given by town, which was carried out on civic holiday; resident apologized to Council as he did not know he was in contravention of the town's plan/regulations that needed permission from Council. Culvert was identified as 12-inches diameter, undersized compared to the town's municipal size of 20-21 inches. Resident stated that if council decides the culverts are to be removed, that the same outcome be applied to any other residents that may have done this same/similar type of work in town owned/maintained ditched in Victoria. Mayor Dooley encouraged the resident to put any such concerns in writing to Council to be reviewed. Resident left the meeting 8:00 p.m.

5. #54 Swansea Road, re: Cease Operation Order Issued to #64 Swansea Road relating to Appeal filed with Eastern NL Regional Appeal Board on Town Decisions. The resident stated that the level of her involvement in this situation is far greater than should have to be and expressed that it's now the town's responsibility to adhere and uphold the stipulation/regulations surrounding this matter until the appeal has been dealt with the Eastern NL Regional Appeal Board. It was noted that activity has taken place at #64 Swansea Road by Councillors/Staff, including operating of heavy equipment and more material brought to the property. The RCMP was contacted & the owner/operator of Hennessey's Excavating Ltd can be charged with Mischief. The resident requested Council to take action to alleviate the continuing concerns. Resident left the meeting 8:20 p.m.

Residents remaining for the regular public Council meeting: #351 Main Hwy, #64 Swansea Rd & #42 Gully Path Rd.

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / June 14, 2022:

Motion 2022-153 Snooks/Kelloway

Be it resolved that Council adopt the minutes for regular Council meeting held June 14, 2022, as presented.

Favour 7; Opposed 0; Carried

FINIANCIAL / COMM. / DEPT. & STAFF REPORTS

Bill/Accounts \$56,078.93 & Payroll: Total \$25,860.26

A/P Invoices Victoria Volunteer Fire Dept. itemized from #1 - #7

Councillors Penney/Layden, (Captain/Member - Victoria Volunteer Fire Dept.), declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207-1, for listed, leaving the meeting at 8:29 p.m.

Motion 2022-154 Snooks/Kelloway

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed #1-#7, for \$7,271.27.

Favour 5; Opposed 0; Carried C's Penney/Layden returned at 8:30 p.m.

Councillor Kelloway, (member - Victoria Heritage Society), declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207-1, for listed item #8, leaving the meeting at 8:30 p.m.

Victoria Heritage Society, re: Operates Heritage Park, re: 76 NL Power Inc. Heritage Fire Hall/Park totalling \$110.84.

Motion 2022-155 Snooks/Penney

Be it resolved Council approve payment of accounts payable invoice #8, incurred by the VHS totalling \$110.84.

Favour 6; Opposed 0; Carried C/Kelloway returned at 8:31 p.m.

Remainder of Accounts Payables, \$48,696.82 listed #9-#26. Payroll/June 5- July 2, 2022, \$25,860.26.

Motion 2022-156 DM Moores/Layden

Be it resolved Council grant approval to pay the remaining accounts payable invoices listed #9-26 totalling \$48,696.82 and approve payroll for June 5- July 2, 2022, for \$25,860.26 as presented.

Favour 7; Opposed 0; Carried

Mayor Dooley mentioned the installation cost of the Come Home Year Banner installed at 1:30 p.m. June 30/2022 & taken down by DOTW at 7:30 p.m. the same day. Council discussed details of what took place, including C/Clarke's

Open Line discussion on VOCM Radio, (congratulated on representing the town/Council well). Mayor Dooley stated he was going to submit an ATIPPA Request for Information to find out the details as to why it was ordered to be taken; Council agreed.

Town Clerk Manager 's Report: Dated June 13 -July 8, 2022

Motion 2022-157 Snooks/Clarke

Be it resolved, Council approve the Town Clerk Manager's Action Report for June 13 -July 8, 2022, as submitted.

Favour 7; Opposed 0; Carried

- *C/Clarke asked why town workers can't clean out the town ditches and mow those with grass; discussed with instructions for the Working Foreman to inspect and clean all any ditched that are grown in with shrubs, alders, trees, grass, etc.*
- *TCM asked if any town roads were going to be paved this year; passed to Public Works for review/recommendation.*

Working Foreman's Report: Dated June 13, July 8, 2022

Motion 2022-158 Clarke/Layden

Be it resolved, Council approve the Working Foreman's Report for June 13 -July 8, 2022, as submitted.

Favour 7; Opposed 0; Carried

Permit Registry, re: Permits Issued From June 14/2022 – July 8/2022; #456-479.

Motion 2022-159 DM Moores/Snooks

Be it resolved, Council approve permit 456-479 as issued, pending work is conducted in compliance with details of the application/permit, the Town of Victoria's Municipal Plan & Development Regulations and any other applicable policies, regulations, or stipulations, if attached.

Favour 7; Opposed 0; Carried

CORRESPONDENCE FOR ACTION

1. Quote, re: Shingle 2-Town Bldgs., (Recreation Bldg. & Lagoon Bldg.): One quote received in the amount of \$11,902.50 from David & Jonathan's Contracting.

Motion 2022-160 Clarke/Layden

Be it resolved that Council accept the quote in the amount not to exceed \$11,902.50 for the described scope of work and approve the tender to David & Jonathan's Contracting.

Favour 7; Opposed 0; Carried

2. Resident #6-Parsons' Rd, requesting Property Tax Negotiation for new property assessment and other tax charges; matter was dealt with earlier in the meeting.

3. Resident #6-Parsons' Rd, Approval In Principle, re 3-Senior Apartment Complex, #234 Highway East.

Application was inspected and survey verified lot frontage was noncompliant with the town's plan and development regulations and was also confirmed noncompliance by the Local Governance & Land Use Planning Div., of Municipal & Provincial Affairs, Council acknowledged and confirmed noncompliance.

4. Development Application, (Approval In Principle), re: Operate a Domestic Sawmill, (Personal Use), Rural Zone on #454-460 Swansea Road. Town Plan & Development Regs allow for General & Light Industry w/stipulations.

Motion 2022-161 Clarke/Layden

Be it resolved that Council grant approval-in-principle of the application to operate a domestic sawmill at #454-460 Swansea Road, with restrictions that an adequate buffer zone be kept in place at all times from surrounding properties, that compliance with town noise regulations is observed, that a copy of an approved sawmill permit from the Dept. of Forestry is provided to the town and/or any other departments/agency along with any regulations, or stipulations annexed to such approval/s and resolved, that all work is conducted in compliance with the Town of Victoria's Municipal Plan & Development Regulations as stated in Schedule C-Rural Zone

Table, and further resolved that the application be resubmitted for final approval when all applicable information has been received. **Favour 7; Opposed 0; Carried**

5. Development Application, re: Operate a Domestic Sawmill, (Personal Use), **Residential Zone** on #33 Pye's Road.

Motion 2022-162 Clarke/Kelloway

Be it resolved that, due to the development application confirmed noncompliant with the Town's Development Regulations within a Residential Zone and confirmed noncompliant by the Local Governance & Land Use Planning Div., of Municipal & Provincial Affairs, Council deny approval of the application.

Favour 7; Opposed 0; Carried

6. Culverts Install In Town Owned Ditch at #42 Gully Path Road, Victoria without application/approval of Council. Referred to Public Works for review and recommendation.

Councillor Clarke left meeting at 9:44 p.m.

7. Approval-In-Principle, re: Single Family Dwelling, Main Hwy, land to be sub-divided with 17-ft frontage. Noncompliant w/Town Plan & Development Regs.

Motion 2022-163 Kelloway/Layden

Be it resolved that, due to building lot frontage noncompliance for a dwelling as stated in the Town's Development Regulations and noncompliance also confirmed by the Local Governance & Land Use Planning Div., of Municipal & Provincial Affairs, Council deny approval of the application.

Favour 6; Opposed 0; Carried

8. Approval-In-Principle, re: Single Family Dwelling, Main Hwy, land to be sub-divided with 20-25-ft frontage. Noncompliant w/Town Plan & Development Regs.

Motion 2022-164 Kelloway/Layden

Be it resolved that, due to building lot frontage noncompliance for a dwelling as stated in the Town's Development Regulations and noncompliance also confirmed by the Local Governance & Land Use Planning Div., of Municipal & Provincial Affairs, Council deny approval of the application.

Favour 6; Opposed 0; Carried

Noted: Councillors were requested to review the current town plan/regulations, make a list of items that may need to be reviewed, researched, defined, updated, added &/or removed and bring back to next council meeting.

9. Re-Tabled Development to Remove Material 298B Old Track Road, deferred until next meeting.

Privileged Meeting Called

Motion 2022- 165 Penney/DM Moores

Be it resolved that Council convene into a privileged meeting 9:57 p.m.

Favour 6; Opposed 0; Carried

Motion 2022-166 Penney/Snooks

Be it resolved that having reviewed and discussed the details of the relayed concerns, Council reconvene into a regular meeting at 10:17 p.m.

Favour 6; Opposed 0; Carried

Motion 2022-167 Penney/Layden

Be it resolved that, due to repetitive statement made the Vice President of Operation of Marco Group Ltd, (registered property owner), of the company's participation in the identified property, including their staff Lawyer and Engineering Team as being part of Marco Group Ltd stated as being involved with the owner's property via numerous emails received at the town council office, Council agree to send a letter to Marco Group Ltd requesting their involvement in 298B Old Track Road, Victoria.

Favour 6; Opposed 0; Carried

10. Resident #54 Concerns of Non-Compliance w/Cease Order at #64-#66 Swansea Road; matter was dealt with earlier in the meeting.
11. Crown Land Application #159655 Remote Cottage on Sisters Pond, Victoria.

Motion 2022-167-Penney/DM Moores

Be it resolved Council approve CL Application #159655 for a Remote Cottage on Sisters Pond Area as specified, pending approval by all other affected government department and agencies. **Favour 6; Opposed 0; Carried**

CORRESPONDENCE FOR INFORMATION/DISCUSSION

1. Municipal Assessment Agency, Memo, re: Update Dated June 13, 2022.
2. Municipal Infrastructure, Dept of T&I, Information Circular, re: Tender Amendments, New Design Guidelines & Standards, and Petroleum Projects Cost Adjustment.
 - 3.1- VVFD Fire Protection Boundary, re: Swansea Road past Agriculture Bridge. Area currently not within town's municipal service boundary and Council was requested to review and consider a recommendation of an action plan. Briefly discussed the possibility of installing a dry hydrant in the area that can be hooked into Job's Pond and used in an emergency. The VVFD was asked to prepare a plan, including all related work that would be required and necessary permits to alter a body of water to determine if work can be completed by town staff or if an infrastructure project is required.
 - 3.2- Foot of Job's Pond cannot be accessed and needs to be actioned.
 - 3.3- Bridge on Swansea, re: Weight capacity, needs written confirmation; TCM to contact Dept of Agriculture for more information.
4. Fire Hall Program Guide, Municipal Infrastructure Division, Transportation & Infrastructure of Gov. NL. Copies previously provided to Council for review.
5. Water Resources Management Division, re: BGAB Tests, May/June 2022; reviewed and place on file.

NEW BUSINESS

1. Irving Oil, re: Estimate To Replace Diesel Tank In Town Yard was reviewed however Council agreed to check with other companies for more pricing before being considered.
2. Hurley's Excavating & Snowmobile Parts, 32-36 Rattle's Road, re: Heavy Equipment stored on along with gravel, shale, and other materials. Town staff to investigate and bring back a report to next council meeting.
3. Fire Ban for 2022, fire index is very high and wondering if council can implement a complete fire ban on open fires. Chief Parsons suggested to wait until weather conditions are identified as extreme. Council agreed to let the VVFD determine if/when such a ban is advisable and report to Council.

ADJOURNMENT OF MEETING

Next Regular Council Meeting: August 30, 2022

Motion 2022-171 Kelloway/Layden

Be it resolved Council approve the regular council meeting adjourn at 10:40 p.m. **Favour 6; Opposed 0; Carried**

Signed:



Barry Dooley
Mayor

Signed:



Shelly Butt
Town Clerk/Manager

