

ATTENDENCE -

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

Deputy Mayor Jennifer Moores
Councillor Jim Layden
Councillor Glenn Clarke
Shelly Butt, Town Clerk/Manager

CALL MEETING TO ORDER / WELCOME / DELEGATIONS

Mayor Dooley called the meeting to order at 7:00 p.m.

Registered delegates, #169 Highway East & #175 Highway East regarding letters of business activities taking place at both property locations:

1. Registered delegate, #169 Highway East in attendance regarding alleged mechanical & other repairs business activities ongoing on property for more than 2-years.
2. Registered delegate, #175 Highway East in attendance regarding alleged vehicle painting business activities ongoing on property for more than 2-years.

ADOPTION OF THE AGENDA: December 13, 2022

Motion 2022-288 Penney/Clarke *No additions or deferrals*

Be it resolved Council adopt the agenda for the Regular Council Meeting of December 13, 2022.

Favour 7; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / November 22, 2022:

Motion 2022-289 Snooks/Clarke

Be it resolved, Council adopt the minutes of the regular Council meeting held November 22, 2022, as presented.

Favour 7; Opposed 0; Carried

FINANCIAL / COMM. / DEPT. & STAFF REPORTS Bill/Accounts \$88,710.47 & Payroll: Total \$17,696.73

Councillors Layden/Penney, (Captain & Fire Dept Member - Victoria Volunteer Fire Dept.), declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207-1 for items #1 - #12, leaving the meeting at 7:12 p.m.

Motion 2022-290 DM Moores/Clarke

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed #1-#12 for \$36,053.81, as presented.

Favour 5; Opposed 0; Carried C's Layden/Penney returned at 7:16 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 #13 & #14, leaving the meeting at 7:16 p.m.

Victoria Heritage Society, re: Reimbursement of Expenditures & Heritage Barn Expenses totalling \$333.53.

Motion 2022-291 DM Moores/Layden

Be it resolved Council approve payment of accounts payable invoice #10 incurred by the VHS totalling \$333.53.

Favour 6; Opposed 0; Carried C/Kelloway returned at 7:17 p.m.

Remainder of Accounts Payables, \$53,323.13 & Payroll Oct 23 – Nov. 12, 2022, \$17,696.73. TCM advised of an item on the agenda pertaining to an expense.

Motion 2022-292 Snooks/Penney

Be it resolved Council approve to pay the remaining accounts payable invoices listed #11-33 totalling \$53,323.13 and further resolved to approve #34, Payroll for Oct 23 – Nov. 12, 2022, \$17,696.73 as presented.

Favour 7; Opposed 0; Carried

Town Clerk's Report: Dated Nov 21 – Dec. 9, 2022

Motion 2022-293 Snooks/Layden

Be it resolved, Council approve the Town Clerk Manager's Report for Nov 21 – Dec. 9, 2022, as submitted.

Favour 7; Opposed 0; Carried

Request from resident at #4 Parsons Road requesting a meeting with council regarding property tax invoice. Matter was discussed and it was agreed to consider this request in the new year and may be referred to the appropriate committee.

Permit Registry (1-permit)

Motion 2022-294 Clarke/Penney

Be it resolved, Council approve permit #539, pending work is completed 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**

Remote Meeting Policy Review. Passed to Public Work for review and recommendation back to council.

Regular Public Council Meeting Schedule for 2023.

Motion 2022-295 Kelloway/Snooks

Be it resolved, Council approve draft #2, with the first meeting to take place January 17, 2023, and resolved it may be subject to change should it be required. **Favour 7; Opposed 0; Carried**

CORRESPONDENCE & OTHER ITEMS FOR ACTION

1. Public Procurement Agency, re: Audit & Compliance Division compliance audit of TOV. Agreed; TCM to set up a suitable date in the new year.

Victoria Recreation Commission, re: Request permission use Clarke's Gully Boardwalk.

Motion 2022-296 DM Moores/Snooks

Be it resolved, Council grant permission for the Victoria Recreation Commission to use Clarke's Gully Boardwalk for an annual Christmas Festival of Lights display and further resolved to allow use, for storage, of the town's Community Center storage shed if needed. **Favour 7; Opposed 0; Carried**

Noted: Community Center shed needs to be cleaned out with any metals to go to Clarke's Salvage; outside staff to get this done. TCM stated majority of items in the shed are owned by other organizations such as the Victoria Lions Club, Victoria Heritage Society as well as the town.

2. PMA, re: Letter of Encouragement for Membership; Victoria already a member .

3. David & Jonathan's Contracting Ltd. re: Shingling Contract.

Motion 2022-297 Snooks/Kelloway

Be it resolved, Council approve to purchase shingles for both town buildings and to be stored by the town until ready for use and it is further understood cost of labour will remain unchanged.

Favour 7; Opposed 0; Carried

4. Jade Auto Sales, re: Notice of Business Closure

Motion 2022-298 Snooks/Layden

Be it resolved, Council acknowledges and accepts the Business Closure notice, with no tax invoices to be issued starting in 2023. **Favour 7; Opposed 0; Carried**

5. Business Application, re: Oliver Controls & Electric Inc. & Notice of Business and types of work available.

Motion 2022-299 Clarke/Penney

Be it resolved, Council approve the business application for Oliver Controls & Electric Inc as an off-sight type business and portion of existing garage to be used as for commercial storage only.

Favour 7; Opposed 0; Carried

6. 2023 Municipal Budget, 2023 Town Tax Structure and Town Tax Policy; Council agreed to move items into a Privilege Meeting later in this meeting.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Mechanical Repair Garage Business (alleged) #69-73 Swansea Road. 2. Bergie Bits Bath Bombs advertising on Facebook from #69-73 Swansea Road, selling bath products, candles, etc. 3. Crafting Business, Roadside Vending all Seasons, resident from #9 Dean's Road.

Motion 2022-300 Kelloway/DM Moores

Be it resolved, as per the adopted 2022 tax structure for the Town of Victoria and in compliance with the Municipalities Act 1999, that Council direct the TCM to charge a business tax for 2022, issue a development application and letters of the town's acknowledgement to businesses identified as an (alleged) Mechanical Repair Garage Business at #69-73 Swansea Road, Bergie Bits Bath Bombs advertising on Facebook from #69-73 Swansea Road, selling bath products, candles, etc., and a Year-Round Crafting Business, by resident from #9 Dean's Road.

Favour 7; Opposed 0; Carried

2. Three-Letters, re: Alleged Businesses, Mechanic Business by resident - #169 Highway East, Vehicle Painting Business by resident at #175 Highway East, Hair Salons Businesses operating at #23A Country Road. Registered delegates not in attendance for this meeting. Council discussed how to deal with receiving letters denying any business activities taking place in the town without approval, noting some type of legal affidavit may need to be developed or obtained from a lawyer or other such entity and signed by the alleged business owner/s and kept on file for future reference. Council agreed, all letters denying alleged business activities shall be deferred until more information is obtained. TCM stated an inquiry put out through PMA may be a good option, as other towns may have already developed or obtained this type of affidavit/s and will submit an inquiry.

3. #64 Swansea Road, re: Requesting explanation why property owner cannot spread fill on property. TCM advised that the property owner was advised several times of reason/s by phone, email in addition to being issued a stop work order which contained this same information. It was noted that the resident had spoken to some councillors who also answered this question. No further action required by the town.

4. #24 King's Road, re: Requesting explanation as to why property owner wasn't notified of Council's decision to remove rocks/rebar in writing and request for copies of minutes, snow-clearing policies, reports and/or notes from 2013-2023.

Discussed and TCM advised to send copy of the minutes of Council's instructions. TCM advised Council of Section 215 Inspection of Documents regarding a request to obtain copies of the stated items.

Motion 2022-301 Clarke/DM Moores

Be it resolved, Council hereby directs the Town Clerk Manager to adhere to and apply Section 2015 of the Municipalities Act, 1999, and all its contexts and further resolved to send this information to the resident.

Favour 7; Opposed 0; Carried

5. Water Resources Division, re: Water Resources Portal, Town of Victoria's water sample results available

6. Municipal Infra structure, COR/2022/214219 re: Ash's Lane Project 17-GI-21-00073, Project Closure.

Motion 2022-302 Clarke/Layden

Be it resolved, having completed the scope of work contained in the Ultimate Recipient Agreement for Ash's Lane Project 17-GI-21-00073, Council approves to close the project and if any funding remains to request the balance be transferred to an Unallocated Project, if possible.

Favour 7; Opposed 0; Carried

7. Harris & Associates, letter to Dept of Transportation & Infrastructure, re: Sewer Lagoon Upgrading 17-MYCW22-00152. Deficit was noted and Council agreed to award the tender as stated.

8. Municipal Infrastructure, Approval to Call Public Tender, COR/2022/14656, re:

Sewer Lagoon Upgrading 17-MYCW22-00152

Motion 2022-303 Clarke/Layden

Be it resolved, Council approve to proceed with tendering for the described scope of construction work outlined in the Sewer Lagoon Upgrading Project #17-MYCW22-00152. **Favour 7; Opposed 0; Carried**

Municipal Infrastructure, Circular, COR/2022/13535, re: Seasonal Asphalt Deadline Reminder 2022.

Hounsell Municipal Consulting, re: Notice of Municipal Consulting Business, not approved by MAPA to date.

GENERAL / NEW BUSINESS

Persalvic School - Thank-you Card, re: Use of tables from the Community Center for Annual Craft Fair.

PRIVILEGED INFORMATION

Items deemed as private in nature, with an In-Camera Meeting required. Human Resources matters, Privacy Breach – Canadian Imperial Bank of Canada. CRA Letter - Dynamic Engineering and NL Regional Appeal Boards File #15-006-067-037 results.

Motion 2022-304 Snooks/DM Moores

Be it resolved, due to the nature of the remaining items on the agenda, Council approve to convene into a Privileged Meeting at 8:49 p.m. **Favour 7; Opposed 0; Carried**

Motion 2022-305 Snooks/Clarke

Be it resolved having dealt with items deemed as privileged information, Council reconvene into a regular meeting at 9:48 p.m. **Favour 7; Opposed 0; Carried**

Re: NL Regional Appeal Boards File #15-006-067-037 results. Discussed payment ordered by the Supreme Court for appellant's incurred expenses whereby Council agreed that no action shall be taken until information is received from the appellant/property owner relating to the matter.

Councillors Layden/Penney, (VFD Members) declared a conflict-of-interest as per the Municipalities Act, 1999, Section 207-1 for items #1 - #12, leaving the meeting at 9:00 p.m.

Motion 2022-306 DM Moores/Kelloway

Be it resolved that Council approve Christmas incentives for all active member of the Victoria Volunteer Fire Department and for all Junior Members as discussed and agreed for each group. **Favour 5; Opposed 0; Carried**
Councillors Layden/Penney returned at 9:10 p.m.

Motion 2022-307 DM Moores/ Clarke

Be it resolved that Council approve Christmas incentives for all Councillors and town staff as discussed and be it further resolved to close for Christmas holidays beginning Dec. 24, 2022, and reopening Jan 3, 2023. **Favour 7; Opposed 0; Carried**

2023 Town Tax Structure, 2023 Tax Policy, 2023 Municipal Operating Budge, 2023 Remuneration Payments, and Town of Salmon Cove Yearly Water Supply Fees presented in consideration of Council approval. All related information previously distributed.

2023 Town Tax Structure

Motion 2022-308 DM Moores/Layden

Be it resolved that Council adopt the 2023 Tax Structure with the property tax mil-rate reduced to 5.5 mils of assessed value and simple interest charges on all overdue accounts set at 2% per month.

Favour 7; Opposed 0; Carried

2023 Town Tax Policy

Motion 2022-309 DM Moores/Snooks

Be it resolved that Council adopt the 2023 Tax Policy as presented.

Favour 7; Opposed 0; Carried

Check on business taxes for small craft types items charged in other towns.

National Building Code and Fire Codes of Canada

Motion 2022-310 DM Moores/Clarke

Be it resolved Council adopt the latest Edition of the National Building and National Fire Codes of Canada and annexed to all applications/permits received/issued by the Town of Victoria. Favour 7; Opposed 0; Carried

Review of the Town of Salmon Cove's Water Supply Fee for 2023.

DM Moores & Councillor Kelloway declared a conflict-of-interest as per the SNL2021 Chapter M-20.01 Municipal Conduct Act, An Act Respecting The Conduct Of Municipal Officials, Conflict Of Interest, Sections 5. Conflict Of Interest & 6. Conflict Of Interest Re: Councillors, leaving the meeting at 10:43 p.m.

Motion 2022-311 Clarke/Snooks

Be it resolved that Council approve to increase the water fees to the Town of Salmon Cove to \$36,550.00 and further resolved, that Council request copies of all Municipal Budgets from 2016-2023 to be reviewed to ensure accuracy in charges for the number of households connected to the town's water supply and further resolved, if required to revise the town's 2023 Municipal Budget as per Section of the Municipalities Act, 1999.

Favour 5; Opposed 0; Carried / DM Moores/C-Kelloway returned at 10:47 p.m.

Remuneration Payments 2023, re: Individual/position entitlement for 2023 pending requirements are met as per Municipal Councillor Remuneration and Reimbursement Regulations, 2001, Section 6 – Entitlement and all subsections.

Motion 2022-312 Clarke/Kelloway

Be it resolved, Council approve the amount not to exceed, \$27,443.31 as stated in the Town of Victoria's 2023 Municipal Budget for Councillor's Remuneration Payments, to be issued in conjunction with the NL Regulation 89/01, Municipal Councillor Remuneration and Reimbursement Regulations, 2001, Section 6, in conjunction with the Municipalities Act, 1999 with the Mayor's position totalling \$4,939.80, DM Mayor's position totalling \$4,116.50, and \$3,677.40 each for 5-Councillor positions.

Favour 7; Opposed 0; Carried

2023 Municipal Budget

Motion 2022-313 DM Moores/Layden

Be it resolved Council approve and adopt, the balanced 2023 Municipal Budget for the Town of Victoria with all amendments.

Favour 7; Opposed 0; Carried

Council agreed to allow C/Kelloway to approach the RCMP regarding problems.

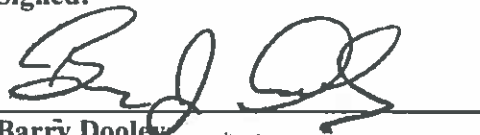
ADJOURNMENT OF MEETING

Next Council Meeting – January 17th, 2023

Motion 2022-314 Snooks/Layden

Be it resolved Council approve the regular council meeting adjourn at 11:03 p.m. Favour 7; Opposed 0; Carried

Signed:



Barry Dooley
Mayor

Signed:



Shelly Butt
Town Clerk/Manager

