**ATTENDENCE -**

**Mayor Barry Dooley** **Deputy Mayor Jennifer Moores** (Zoom)
**Councillor Sharon Snooks** **Councillor Jim Layden**
**Councillor Art Kelloway** **Councillor Glenn Clarke**
**Councillor Dion Penney** **Shelly Butt, Town Clerk/Manager**

**CALL MEETING TO ORDER / WELCOME / DELEGATIONS.** Mayor Dooley called the meeting to order at 7:00 p.m. and welcomed everyone to the meeting.

**ADOPTION OF THE AGENDA**: December 19, 2023. *No Additions or Deletions*
**Motion 2023-289 Kelloway/Layden**
Be it resolve Council adopt the agenda for the Regular Council Meeting of December 19, 2023, as presented.
**Favour 7; Opposed 0; Carried**

**MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / November 28, 2023:**
**Motion 2023-290 Snooks/Clarke**
Be it resolved Council adopt the minutes of the regular meeting of Council of Nov. 28, 2023.
**Favour 7; Opposed 0; Carried**

Mayor Dooley addressed the Attendees in order as per the adopted agenda:

#1. Resident/Business Owner of Hennessey's Excavating, 64-66 Swansea Road, re: Letter, dated December 1, 2023, Disputing 2023 Business Tax, and interest charges, etc. The resident wanted to make it publicly known that two current councillors approached him during their 2021 election campaign stating they wanted the current Town Clerk Manager removed from her position; Mayor Dooley prohibited any discussion on the remarks as it was not relevant to the matter before Council. Resident/Business Owner opposed the charges/fees due to a Stop-Work-Order issued by the town May 30, 2022, alleging he had to relocate the business outside of Victoria. The Stop-Work-Order and its amendments were discussed, as well as the outcome of the URPA Appeal Hearing and Adjudicator's Orders. It was noted the Resident/Business Owner submitted a business application in June 2022 to Council, to open/operate the business from 64-66 Swansea Rd but did not notify the town the business was relocated until December 2023. Other details on the matter were discussed and concluded with the matter being referred to the Finance Committee for review.

#2. Residents from 24-38 King's Road, re: Claim of Fence Damage, Snow Clearing Policies and Court Case regarding same.
*Councillor Kelloway, previously declared in a conflict-of-interest position by Council on the subject matter & left the meeting at 7:15 p.m. and sat in the delegates/visitor's seating area.*
The daughter of the resident was designated as spokesperson on the matter set before Council, stating they came in a gesture of good faith to resolve the issue with Council before taking other action to retrieve costs to repair their fence fronted on 24-38 King's Road, claimed damaged by town staff by snow-clearing activities prior to and during Snowmageddon in January 2022. The Spokesperson requested $1,500.00 in costs to repair the fence and, if approved, they would affirm no action would ever be taken against the town in relation to the fence, but if not approved, they would pursue other actions, including legal action against the town. Mayor Dooley stated the matter was heard and determined in Provincial Court, with the Plaintiff being awarded $1.00 as the value to repair the fence and would not negotiate the matter further and concluded the discussion.

Mayor Dooley recessed the meeting at 7:25 p.m.

The Regular Council Meeting resumed at 7:35 p.m.; *Councillor Kelloway returned to the meeting at the same time.* Delegates from 24-38 King's Road insisted on continuing a discussion with Council; Mayor Dooley stated Council heard all relevant information, and the subject would not be discussed any further.

Council discussed the remaining items on the agenda in relation to importance, deadlines, etc.

**Motion 2023-291 Snooks/Layden**

Be it resolved that except for addressing Privileged Information, the remaining agenda items be deferred until the next regular meeting of the Council. **Favour 7; Opposed 0; Carried**

**PRIVILEGED INFORMATION**

1. OIPC Information.
2. BGAB Study Update.
3. Appeal Results, re: Culverts Installed In Town Ditch, Gully Path Road.
4. 2024 Budget, Tax Structure, Tax Policy & other items.

**Motion 2023-292 Snooks/Layden**

Be it resolved; Council approve to convene into a Privileged Meeting at 7:38 p.m. to discuss items 1-4 in-camera.
**Favour 7; Opposed 0; Carried** *All delegates left the meeting*.

**Motion 2023-293 Clarke/Layden**

Be it resolved having dealt with items deemed as privileged information, Council reconvene to the regular meeting at 8:31 p.m. **Favour 7; Opposed 0; Carried** No delegates remained for recall.

*Councillors Layden/Penney, (Victoria Volunteer Fire Dept. Members), declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, re: VVFD & Junior Members - Christmas incentives & left the meeting chambers at 8:52 p.m.*

**Motion 2023-294 DM Moores/Kelloway**

Be it resolved that Council approve Christmas incentives for all active member of the Victoria Volunteer Fire Department and active Junior Members as discussed/agreed for each group. **Favour 5; Opposed 0; Carried**
*Councillors Layden/Penney returned at 8:53p.m.*

**Motion 2023-295 Kelloway/Clarke**

Be it resolved that Council approve Christmas incentives for all Councillors and town staff and be it further resolved Christmas closure from 12-noon Dec. 22, 2023, and reopening Jan 3, 2024.
**Favour 7; Opposed 0; Carried**

2024 Town Tax Structure, 2024 Tax Policy, 2024 Municipal Operating Budget, 2024 Remuneration Payments, presented in consideration of Council approval.

2024 Town Tax Structure

**Motion 2023-296 DM Moores/Penney**

Be it resolved Council adopt the 2024 Tax Structure as submitted. **Favour 7; Opposed 0; Carried**

Councillor Kelloway, re: Vacant Land Water & Sewer Tax in relation to being a fair tax charged to owners of multi-properties that are under utilized, and questioned if a policy could be developed to exempt properties from this tax. DM Moores noted, if a tax-exempt policy could be implemented, but vacant lands utilized later and/or sold as developable land, all exempted taxes should be reinstated, with owner/s required to sign a sworn statement acknowledging their understanding of this condition. The TCM stated, that policies, etc., must be made in compliance with all Provincial Legislation pertaining to taxation.

2024 Town Tax Policy

**Motion 2023-297 DM Moores/Layden**

Be it resolved that Council adopt the 2024 Tax Policy as submitted. **Favour 7; Opposed 0; Carried**

National Building Code and Fire Codes of Canada

**Motion 2023-298 DM Moores/Snooks**

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

**Remuneration Payments 2024**, re: Individual/position amounts for 2024 pending requirements are met as per Municipal Councillor Remuneration and Reimbursement Regulations, 2001, Section 6 – Entitlement and all subsections.

**Motion 2023-299 DM Moores/Clarke**

Be it resolved, Council approves the Remuneration amount not to exceed, $29,412.53, and issued in compliance 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 $5,294.26, DM Mayor's position totalling $4,411.88, and $3,941.28 each for 5-Councillor positions, pending qualifiers are met.

**Favour 7; Opposed 0; Carried**

**2024 Municipal Budget**

**Motion 2023-300 DM Moores/Clarke**

Be it resolved Council approve and adopt, the balanced 2024 Municipal Budget for the Town of Victoria.

**Favour 7; Opposed 0; Carried**

In recognition of closing for the Christmas Holidays, it was recognized that the Accounts Payables would not be paid out until 2024 and subject to interest and other late payment charges/fees. These items were deemed to be a significant issue that required Council's immediate attention and it was agreed to proceed with items before adjournment of the meeting.

**FINIANCIAL / COMM. / DEPT. & STAFF REPORTS**

• **Bill/Accounts $89,265.85 & Payroll**: **Total $16,407.33**

*Councillors Layden/Penney,* (*Victoria Volunteer Fire Dept. Members), declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, re: accounts payable invoices #1 - #10 & left the meeting chambers at 9:01 p.m.*

**Motion 2023-301 Kelloway/Clarke**

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed *#1- #10* totalling $23,723.11. **Favour 5; Opposed 0; Carried** *C's Layden/Penney returned 9:02 p.m.*

**Victoria Heritage Society,** NL Power Inc invoices for November 2023, Invoice #11.

*C/Kelloway,(member of the VHS), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6, for VHS, re: accounts payable invoices #1, leaving the meeting chambers at 9:02 p.m.*

**Motion 2023-302 Snooks/Layden**

Be it resolved; Council approve payment of the VHS accounts payable invoices item #11 *totalling $253.58.*

**Favour 6; Opposed 0; Carried** *C/ Kelloway returned 9:03 p.m.*

**Trio Benefits Insurance,** Employee Ins. November 2023, Invoice #12

*Councillor Clarke, (Trio Board Member), declared a conflict-of-interest in compliance with NL2021 Chapter M-20.01, Municipal Conduct Act, Sections 5 & 6 for accounts payable invoices items #12, left the meeting at 9:03 p.m.*

**Motion 2023-303 Snooks/Layden**

Be it resolved Council approve payment for accounts payable invoice #12, Trio Benefits (Employee Benefits), for December 2023 totalling $274.36. **Favour 6; Opposed 0; Carried** *C/Clarke returned at 9:04 p.m.*

Remaining Accounts Payables Listed #13 - #32 & Payroll #33.

**Motion 2023-304 Snooks/Kelloway**

Be it resolved Council approve to pay the remaining accounts payable invoices listed #13 - #32 totalling $65,014.80 and resolved to approve item #33, Payroll Period: Nov. 19 – Dec 9, 2023, for $16,407.33

**Favour 7; Opposed 0; Carried**

TCM noted the 4th Quarter Councillor Remuneration entitlement to Dec. 31, 2023, was overlooked and asked if Council would consider adding this item in consideration of obtaining approval.

**Motion 2023-305 Snooks/Clarke**

Be it resolved Council agree to the addition of the 4th Quarter Councillor Remuneration entitlement and approve payment of the amount not to exceed $6,860.84 in conjunction with eligibility requirements.

**Favour 7; Opposed 0; Carried**

**ADJOURNMENT OF MEETING**

Next Council Meeting: January 23, 2024.

**Motion 2023-306 Clarke/Layden**

Be it resolved; Council adjourn the meeting at 9:07 p.m. **Favour 7; Opposed 0; Carried**

**Signed:** **Signed:**

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**Barry Dooley** **Shelly Butt**
**Mayor** **Town Clerk/Manager**