

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:

No Registered Delegates. Mayor Dooley called the meeting to order at 7:00 p.m.
 Resident #24 King's Road, re: King's Road Water/Sewer Project. Noted the resident was not on the agenda.
 Asked why contractor's equipment was on his private property, noting to Council they must notify a resident/s, as per Section 160 of the Municipalities Act, 1999, when planning to enter on a resident's property. Mayor Dooley stated that to Council's knowledge, the contractor's equipment was on the town's road reservation and no survey pegs were found where the contractor's equipment was placed. He further stated that a Council/Town has the right to carry out infrastructure work of their water/sewer systems, whereon what is deemed their own road reservation as per Sections 158-159 of the Municipalities Act, 1999. The resident stated he will attend the next Council meeting; Mayor Dooley advised that details of what matters will be discussed must be submitted to the TCM no later than 12noon the Friday before the meeting. Resident left the meeting at 7:05 p.m.

ADOPTION OF THE AGENDA: May 23, 2023**Motion 2023-113 DM Mayor/Layden***No additions or deferments*

Be it resolved Council adopt the agenda for the Regular Council Meeting of May 23, 2023, as presented.

Favour 7; Opposed 0; Carried**MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / May 2, 2023****Motion 2023-114 Penney/Kelloway***No Error or Omissions Noted*

Be it resolved Council adopt the minutes of the regular Council meeting of May 2, 2023, as recorded.

Favour 7; Opposed 0; Carried**FINIANCIAL / COMM. / DEPT. & STAFF REPORTS**

Bill/Accounts \$34,613.52 & Payroll: Total \$11,765.06

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, accounts payable invoices #1-#11, both left the meeting chambers at 7:08 p.m.

VVFD Accounts Payable #1-#11.

Motion 2023-115 DM Moores/Snooks

Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, as listed #1-#11 for \$4,326.03.

Favour 5; Opposed 0; Carried *C's Layden/Penney returned at 7:09 p.m.*

C/Kelloway, (member of the VHS), declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, for VHS accounts payable invoice #12, & left the meeting at 7:09 p.m.

Motion 2023-116 Snooks/Penney

Be it resolved, Council approve payment of the VHS accounts payable invoices #item 12 from Newfoundland Power Inc for \$293.88, as presented.

Favour 6; Opposed 0; Carried *C/ Kelloway returned 7:10 p.m.*

Trio Benefits Insurance, Employee Ins. May 2023, Item #13 & Councillor – MNL Symposium Expenses, item #14 Councillor Clarke, (Trio Board Member), declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, for accounts payable invoices items #, leaving the meeting at 7:11 p.m.

Motion 2023-117 Snooks/DM Moores

Be it resolved Council approve payment for accounts payable invoice #13, Trio Benefits (Employee Benefits), for March 2023 totalling \$272.50 and invoice #14, MNL Symposium Expenses \$665.40 as presented.

Favour 6; Opposed 0; Carried *C/Clarke returned at 7:13 p.m.*

Remaining Payable \$29,055.71 & Payroll: Total \$11,765.06

Motion 2023-118 Layden/Clarke

Be it resolved Council approve to pay the remaining accounts payable invoices listed #15 - #32 totalling \$29,055.71 and resolved to approve #33, Payroll Period: 04/23/23 to 05/15/23 for \$11,765.06 as presented.

Favour 7; Opposed 0; Carried

Public Works Committee Report, May 3/2023.

Motion 2023-119 Kelloway/Layden

Be it resolved Council accept the Public Works Committee Report of May 3/2023 and further resolved that the recommendations be approved as stated.

Favour 7; Opposed 0; Carried

Re: Property #177 Old Track Road. Discussed options such as installing a proper ditch or berm full length of owner's property adjacent to the neighbor's property, to prevent flooding. Council agreed, they will not install culverts across Old Track Road until such time the property owner has completed the necessary work on his own property.

Civic Functions Committee Report, May 8/2023; re: Canada Day/Victoria Day Celebrations

Motion 2023-120 Penney/Layden

Be it resolved the Civic Functions Committee Report dated May 8/2023, be accepted, and resolved all revisions to the agenda be approved.

Favour 7; Opposed 0; Carried

Town Clerk's Report: Dated: April 30 – May 19, 2023

Motion 2023-121 Snooks/Penney

Be it resolved, Council approve the Town Clerk Manager's Report for April 30 – May 19, 2023, as submitted.

Favour 7; Opposed 0; Carried

VVFD Recommendation, re: SCBA Units & SOG #24 Respiratory Protection Plan

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, accounts payable invoices #1-#11, both left the meeting chambers at 8:17 p.m.

Motion 2023-122 Clarke/Kelloway

Be it resolved Council approve the VVFD's recommendation to sell two surplus (2) Honeywell SCBA's at a cost determined by them within their recommended price range, to the Town of Winterton.

Favour 5; Opposed 0; Carried

Motion 2023-123 Clarke/Snooks

Be it resolved that Council approve the Victoria Volunteer Fire Department's Standard Operating Guidelines #24, identified as the Respiratory Protection Plan, coming into immediate effect.

Favour 5; Opposed 0; Carried C's Layden/Penney returned at 8:20 p.m.

Permit Registry to May 1–19 2023: #559 - # 570

Motion 2023-124 DM Moores/Layden

Be it resolved, Council approve permit #559 - #570, pending business/work is completed/carried out 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 & OTHER ITMES FOR ACTION

1. Bergie Bits Bath Bombs, re: Request to obtain a Vending Permit for 1-year (\$200).

Mayor Dooley, declared a conflict-of-interest as per the Municipal Conduct Act SNL2021 Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials Sections 5 & leaving the meeting at 8:33 p.m. DM Moores assumed chair of the meeting.

Motion 2023-125 Snooks/Kelloway

Be it resolved Council approve a 1-year Vending Permit at the cost of \$200.00, as per the 2023 Tax Structure as requested by owner of Bergie Bits Bath Bombs. **Favour 6; Opposed 0; Carried** *Mayor returned at 8:34 p.m.*

2. Victoria Recreation Commission: Requesting permission to reallocate portions of town's approved funding grant.

Motion 2023-126 Clarke/Layden

Be it resolved Council approve the request from the VRC to reallocate approved granted funds for 2023 as identified, for the total amount not to exceed \$6,035.00, (\$3500 /\$1500/\$1035).

Favour 7; Opposed 0; Carried

3. Development Application, re-tabled for Final Approval: Construct Wharf and Slipway on Crown Land on Job's Pond by property owner at #315 Old Track Road. (Crown Land Approval Letter attached / Approved In Principle Motion 2022-238 Oct. 11/22).

Mayor Dooley, declared a conflict-of-interest as per the Municipal Conduct Act SNL2021 Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials Sections 5 & leaving the meeting at 8:38 p.m. DM Moores assumed chair of the meeting.

Motion 2023-127 Penney/Layden

Be it resolved, acknowledging the applicant has met the requirements as stated in the town's adopted Town Plan and Development Regulations, as well as Crown Lands Division, noting the cited stipulations relating to the construction of a Wharf and Slipway as identified on Job's Pond, Council grant final approval of the development application as presented. **Favour 6; Opposed 0; Carried** *Mayor returned at 8:44 p.m.*

4. Building Application, Property #177 Old Track Road Approval In Principle, re: Garage w/Upper Floor Apartment.

Motion 2023-128 Snooks/Kelloway

Be it resolved Council defer until all town regulations are met and land/drainage is installed to adequately redirect water run-off from Highway East and discretionary advertisement deadline of June 2, 2023 expires.

Favour 7; Opposed 0; Carried

5. Development Application, re: Air B n' B, #11 Burnt Woods Rd, more details will be provided.

Motion 2023-129 Clarke/Kelloway

Be it resolved Council approve the development application pending business/work is completed/carried out 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, including providing proof of registration with Canada Select and proof of insurance coverage for an Air B n' B Property. **Favour 7; Opposed 0; Carried**

6. Non-Business Affidavit, re: Alleged Vehicle Painting & Detailing Business operating from #175 Highway East.

Motion 2023-130 Clarke/Layden

Be it resolved Council accept the signed non-operational business affidavit relating to Alleged Vehicle Painting & Detailing Business operating from #175 Highway East and resolved to remove the business taxes charged to account #110477. **Favour 7; Opposed 0; Carried**

7. Tax Recovery Plan December 2022; required as part of list of compliances with Community Sustainability Partnership Requirements.

Motion 2023-131 Clarke/Penney

Be it resolved Council approve and adopt the Tax Recovery Plan Dated December 31, 2022, as presented.



8. Xplore Inc, re: Request for Letter of Support

Motion 2023-132 Layden/DM Moores

Be it resolved Council approve to provide a 2nd Letter of Support to Xplore Inc. in support of their efforts to offer high speed internet via a new fibre investment project supported by Innovation, Science and Economic Development Canada.

Favour 7; Opposed 0; Carried9. Carbonear Collegiate, re: Donation Request in Support of 1st Annual Safe Grad Night.

Deputy Mayor Moores declared a conflict-of-interest as per the Municipal Conduct Act SNL2021 Chapter M-20.01 An Act Respecting The Conduct Of Municipal Officials Sections 5 & leaving the meeting at 9:23 p.m.

Motion 2023-133 Snooks/Kelloway

Be it resolved Council approve the donation request from Carbonear Collegiate for \$100.00 in Support of Annual Safe Grad Night.

Favour 6; Opposed 0; Carried DM Moores 9:24 p.m.

10. Quotes (2) for Sewer Submersible Pump, (Church Rd Lift Stn), along with replies from all wastewater companies affiliated with Canoe Procurement Group of Canada, of which Council is a member.

RMP, Carbonear 17,721.36, HST included & Xylem Inc., St. John's, \$15,622.80, HST included.

Motion 2023-134 Penney/Layden

Be it resolved, in compliance with the Public Procurement Agency legislation, Council accept the quote from Xylem Inc. for the amount not to exceed, \$15,622.80.

Favour 7; Opposed 0; Carried

11. Beacon Accounting Professional Corp, re: Engagement Letter to complete the Consolidated Financial Statements of TOV Dec. 31, 2022

Motion 2023-135 Penney/DM Moores

Be it resolved Council engage the services of Beacon Accounting to complete a Municipal Audit of the town of Victoria's Financial position to year end, December 31, 2022.

Favour 7; Opposed 0; Carried

12. Paving Project 2023 Inquiry- Gas Tax and Other Funding. Deferred and passed to Public Works Committee for consideration and recommendation.

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Inquiry from relative of property owner #24- #38 King's Road, re: Town Road Reservations relating to town owned and maintained roads in relation to the Town's Municipal Town Plan and Regulations, Snow Clearing Policy, etc. *C/Kelloway left the meeting at 9:36 p.m. noting he was previously deemed to be in a conflict-of-interest position on this matter by vote of Council.*

Council discussed and expressed concerns of conversing with a 3rd Party Person/s regarding the privacy of residents, etc., to avoid the possibility of privacy breaches, or an ATIPP Request or OIPC Investigation being launched against Council. It was recommended the Town should consider developing an affidavit for person/s who want to grant permission to another person to speak on behalf. Council agreed the property owner/s must provide written permission allowing Council/Staff to converse with a 3rd party person/s on their behalf regarding any matters coming before Council or the matter will not be address.

Council agreed with the WF's recommendation to relocate the existing hydrant next to #24 King's Rd approx. 20-25ft north on the town's road reservation next to #22 King's Road and Contractor shall not to be prohibited from completing this project due to residential conflicts with Council. *C/Kelloway returned at 9:58 p.m.*

2. Rules of Procedure, re: Request Council to review, revise, and update, if deemed necessary. Training of Council for their adopted Municipal Code of Conduct; TCM to set up training for Councillors, etc.



3. Local Government & Land Use Planning Circular, 2023 Exemption, re: Real Property Tax Exemption for Productive Farmland, Woodland and Associated Bldgs. Complete list can be viewed in office.
4. Municipal Assessment Agency, re: Subject Assessment Roll - Tax Year 2024 & Memo Update 05/17/23.
5. Inquiry: Ford F150 Pickup Truck #247, Where to take vehicle for servicing.

Motion 2023-136 Clarke/Kelloway

Be it resolved, all town owned vehicles shall be serviced locally, unless under conditional warranty, and in the event, this is not possible, and further resolved, depending on the type of repairs, the Public Works staff shall make every effort to have the vehicle serviced by the nearest qualified garage.

Favor 6; Opposed 1-Layden; Carried

6. Victoria Army Cadets, re: Mayor's Invitation to the 45th Year Celebration and Annual Ceremonial Review; Mayor Dooley will attend to represent the town.

NOTICE OF MOTION: DM Moores request for Council to introduce an alternate solution to the 3-way stop to ensure safe access to the Recreation Complex and its facilities. *Written motion not received for distribution. Councillor Clarke, (resides at intersection of only 3-way stop-sign in Victoria) declared a conflict-of-interest as per SNL2021 Chapter M-20.01 Municipal Conduct Act, Sections 5 & 6, for accounts payable invoices items #, leaving the meeting at 10:11 p.m.*

Motion 2023-137 DM Moores/Penney

Be it resolved Council procure cost quotes for crosswalk solutions, i.e.: yellow/amber or other color flashing warning lights, signage, or other similar types of safety solutions, to replace 2-stop signs on Church Rd at the intersection before being removed and further resolved to include a painted crosswalk across the road.

Favour 6; Opposed 0; Carried Clarke returned at 10:19 p.m.

NOTICE OF MOTION: C/Clarke – Plant more flowers in all town planter boxes including reinstating hanging baskets on utility poles around town, all managed/maintained by outside town staff. *Written motion not received for distribution.*

Briefly discussed enhancing the town with some colored flowers for the summer/fall season, which would include reinstalling hanging flower baskets in utility poles around the town. TCM advised of safety concerns expressed by the Public Works Staff of being required to water hanging flower basket in utility poles, which they considered an unsafe work task. It was noted it would be more appropriate to enhance specific areas of the town such as the 2-Lookouts, Clarke's Gully, town entrance signs, etc. Passed to DM Moores, C/Snooks and TCM for review and recommendation back to Council.

GENERAL / NEW BUSINESS

1. Property Owner, #298B Old Track Road re: General inquiry asking if Council would have an interest in a future development of multi-buildings, (approx. 25+), classed as Seniors Apartment. Noted: Resident is aware of the town's requirements within their adopted Municipal Plan and Development Regulations along with a certified engineered development plan, in addition to being subject to approvals from other government department legislative requirements/approvals for such a major residential development. It was agreed, if at such time a certified engineered development plan was submitted, it would be given consideration.

2. Public Procurement Agency Audit Inquiry. TCM advised this Audit is designed to investigate Council's compliance with Public Procurement Act, 2015 and if correctly sorting supplies and purchased services approved by the town.

ADJOURNMENT OF MEETING

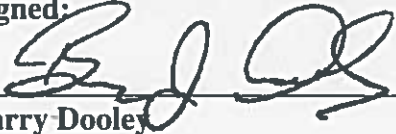
Next Council Meeting: June 13, 2023.

Motion 2023-138 Snooks/DM Moores

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



Signed:



Barry Dooley
Mayor

Signed:



Shelly Butt
Town Clerk/Manager