ATTENDENCE -

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

CALL MEETING TO ORDER / WELCOME / DELEGATIONS. No Registered Delegates
Mayor called the meeting to order at 7:30 p.m.

ADOPTION OF THE AGENDA: February 13, 2024
Motion 2024-24 Layden/Penney
Be it resolved Council adopt the agenda for the Regular Council Meeting of February 13, 2024, as presented.
Favour 6; Opposed 0; Carried

MINUTES / COUNCIL MEETING / OTHER MEETING MINUTES / January 23, 2024:
Motion 2024-25 Snooks/Layden *No Errors or Omissions Noted*
Be it resolved Council adopt the minutes of the regular Council meeting of January 23, 2023, as recorded.
Favour 6; Opposed 0; Carried

FINIANCIAL / COMM. / DEPT. & STAFF REPORTS
Bill/Accounts $39,706.95 & Payroll: $ 14,695.87
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 - #9 & left the meeting chambers at 7:12 p.m.
Victoria Volunteer Fire Department.
Motion 2024-26 Snooks/Clarke
Be it resolved, Council approve payment of the accounts payable invoices incurred by the VVFD, listed *#1- #9* totalling $3,270.10. **Favour 4; Opposed 0; Carried** *C's Layden/Penney returned 7:13 p.m.*

Victoria Heritage Society, NL Power Inc invoices for January 2024, Invoice #10.
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 invoice #10, leaving the meeting at 7:13 p.m.
Motion 2024-27 Snooks/Penney
Be it resolved; Council approve payment of the VHS accounts payable invoice item #8 *for* $510.10.
Favour 5; Opposed 0; Carried *C/ Kelloway returned 7:14 p.m.*

Trio Benefits Insurance, Employee Ins. Jan./Feb. 2024, Invoice #11
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 invoice item #11, left the meeting at 7:14 p.m.
Motion 2024-28 Snooks/Kelloway
Be it resolved Council approve payment for accounts payable invoice #9, Trio Benefits (Employee Benefits), for December 2023 totalling $235.88. **Favour 5; Opposed 0; Carried** *C/Clarke returned at 7:15 p.m.*

Remaining Accounts Payables Listed #12-#29, Payroll #30 & Capital Works Invoices #31.
Motion 2024-29 Penney/Layden
Be it resolved Council approve to pay the remaining accounts payable invoices listed #12-#29 totalling $35,454.99 and resolved to approve item #30 re: Payroll Period: Dec 10, 2023 – Jan 13, 2024, $14,695.87, Capital Works Invoices $37,433.56. **Favour 6; Opposed 0; Carried**

Public Works Committee Items:

1. Multi-Year Capital Works Projects COR/2023/06795, July 6/23,
2. Old Trk Rd Prj. Engineering Status Update, Jan. 24/24.
3. Xylem Proposal Replacement Electrical Panel, Lift Stn Hillview Crescent.

Passed to Public Works Committee for review and possible recommendations.

Working Foreman's Report

Motion 2024-30 Clarke/Layden

Be it resolved, Council approve the Public Worker's Report for Dec. 18, 2023 – Feb. 9, 2024, as submitted.

Town Clerk's Report: Dated Jan. 21 – Feb. 9, 2024.

Motion 2024-31 Snooks/Kelloway

Be it resolved, Council approve the Town Clerk Manager's Report for Jan. 21 – Feb. 9, 2024, as submitted.

Favour 6; Opposed 0; Carried

Privileged Meeting, re: (*ATIPP Information, re: Minutes August 30, 2022*)

Motion 2024-32 Kelloway/Layden 7:33 p.m.

Be it resolved; Council agree to convene into a Privileged Meeting at 7:33 p.m. **Favour 6; Opposed 0; Carried**

Returned Reconvene: 7:40 pm

Motion 2024-33 Snooks/Kelloway

Be it resolved; Council approve to reconvene into a Regular Council Meeting at 7:40 p.m.

Favour 6; Opposed 0; Carried

Motion 2024-34 Snooks/Kelloway

Be it resolved Council approve to redact section of Motion 2022-205 as submitted to and agreed by the OIPC and further resolved to replace minutes of August 30, 2022, previously posted to the town's website with the approved redacted copy. **Favour 6; Opposed 0; Carried**

CORRESPONDENCE &/OR OTHER ITMES FOR ACTION

1. Beacon Accounting Prof. Corp, Draft (2022) Municipal Financial Audit to Dec. 31, 2022.

Motion 2024-35 Clarke/Layden

Be it resolved Council accept and adopt the draft Audited 2022 Municipal Consolidated Financial Statements for the Year Ending December 31, 2022, completed, prepared by Beacon Accounting Professional Corp.

Favour 6; Opposed 0; Carried

1.b Tax Recovery Plan Dated December 31, 2021 & Tax Receivable Summary 2022

Motion 2024-36 Clarke/Snooks

Be it resolved that Council accept and adopt the Tax Recovery Plan, December 31, 2021, and further resolved to accept and adopt the Tax Receivable Summary for the Municipal Fiscal Year 2022 as presented.

Favour 6; Opposed 0; Carried

1.c Annual Gas Tax Expenditure Report 2022.

Motion 2024-37 Penney/Layden

Be it resolved Council, adopt the Annual Gas Tax Expenditure Report to year end December 31, 2022, as prepared by Beacon Accounting Professional Corp. **Favour 6; Opposed 0; Carried**

2. Harris & Assoc's, re: Joint Paving Project 2024. Referred to the Public Works Committee.

3. General Deve. Application, re: Place a Travel Trailer on private property at 139-201Old Salmon Cove Road, Victoria.

Motion 2024-38 Clarke/Penney

Be it resolved, that having considered the town's adopted Municipal Plan and Development Regulations within a Rural Zone and the information received regarding the Occupancy and Maintenance Regulations under the

Urban and Rural Planning Act, 2000 specifically relating to this proposed development, whereby it was determined to be noncompliant, Council deny the application. **Favour 6; Opposed 0; Carried**

4. Proclamation (2) re: Wear Red Canada Day, February 13/2024

Motion 2024-39 Clarke/Layden

Be it resolved Council recognize Tuesday, February13, 2024, as Wear Red Canada Day, and further resolved for Mayor Dooley to sign the proclamation to this effect on behalf of Council. **Favour 6; Opposed 0; Carried**

Heritage Day/Week 2024

Motion 2024-40 Clarke/Layden

Be it resolved Council recognize Monday, February 20, 2024, as Heritage Day, and February 20 – 26, 2023 as Heritage Week and further resolved for Mayor Dooley to sign the proclamation to this effect on behalf of Council. **Favour 6; Opposed 0; Carried**

5. Crown Land Application, Renewal #138251

Motion 2024-41 Kelloway/Clarke

Be it resolved Council approve the renewal of original Crownland Grant Application #138251 as submitted and pending approvals are granted by all other departments/agencies listed. **Favour 6; Opposed 0; Carried**

6. Town of Harbour Grace, re: Resolution #1-2023, MNL Conference 2023

Motion 2024-42 Clarke/Kelloway

Be it resolved Council lend support to the Town of Harbour Grace regarding MNL Resolution #1-2023. **Favour 6; Opposed 0; Carried**

7. Contract Resignation Letter – Around The Bay Disposal

Motion 2024-43 Layden/Penney

Be it resolved Council accept the contract termination letter submitted by Around The Bay Disposal Ltd., effective end of day March 15, 2024, Council further agrees to release to the contractor, their retained contract bid bond amount, calculated to the termination date and Council further resolves to tender for a new 3-year garbage collection contract to come into effect after March 15, 2024. **Favour 6; Opposed 0; Carried**

CORRESPONDENCE & INFORMATION FOR REVIEW/DISCUSSION

1. Dept. of Health & Community Services, memo: Environmental Health Officers re: Port au Choix Drinking Water Concerns.
2. MAA, Memo: Contractual Agreement
3. Dept. of Transportation & Infrastructure, re: COR/2024/01180
4. Water Resources Management Division, Dept. of Environment & Climate Change, Summer 2023- Drinking Water Quality Data access webpage: https://www.gov.nl.ca/ecc/waterres/drinkingwater/chemical/

NOTICE OF MOTION

Notice of Motion: C/Clarke add or amend the adopted Council Meeting's Rules of Procedure, to have a maximum length of Council meetings to be no later than 9:00 p.m.

Motion 2024-44 Clarke/Layden

Be it resolved Council approve the effective start time of all regular scheduled Council meetings shall be 7:00 p.m. and the maximum duration of said meetings shall not exceed 9:00 p.m. unless otherwise deemed an emergency matter, with a motion required of the elected Council **Favour 6; Opposed 0; Carried**

GENERAL / NEW BUSINESS

C/Layden, re: Off-Road Vehicle Usage Signs For OTR, Priddles Rd & Powerhouse Rd. It was recommended to bring this concern forward at the next CBN Joint Council meeting for discussion with RCMP representatives.

Donation to Swim For Hope Presentation, Feb. 2, 2024, was presented by DM Moores.
Mayor Dooley, re: Persalvic School Literacy Day. Advised it was a very enjoyable day participating in various activities for several grades.

PRIVILEGED INFORMATION

1. Disclosure Statements (2024) for Councillors, TCM & Dept. Heads.
2. Re-tabled, re: BGAB Study Progress/Update. *Previously Distributed* Set up meeting & probably at the next meeting or some afternoon.
3. Re-tabled (3), re: Appeal Results, re: 15-006-077-028. *Previously Distributed*

Motion 2024-45 Snooks Kelloway 8:58 pm
Be it resolved; Council agree to convene into a Privileged Meeting at 8:58 p.m. **Favour 6; Opposed 0; Carried**
Motion 2024 46 Clarke/Penney 9:23 p.m.
Be it resolved; Council approve to reconvene into a Regular Council Meeting at 9:23 p.m.
Favour 6; Opposed 0; Carried

URPA Appeal by Property Owner #42 Gully Path Rd, for a Removal Order issued by the Town of Victoria regarding culverts installed in town infrastructure, re: Appeal Results, #15-006-077-028. (Property Owner received copy of the Appeal Results).
Motion 204-47 Layden/Clarke
Be it resolved that as directed by the Adjudicator for Appeal #15-006-077-028, the Council shall abide by the Order/Decision give under the said appeal, dated December 12, 2023, and the town's removal order is confirmed, with a deadline date for the property owner to comply with said order to remove all infrastructure and return the town's ditch back to its original open condition, not later than June 30, 2024.

Council discussed the 1975 Fire Truck at the Heritage Park, and the opportunity to get it in running condition for events. Noting the 2012 Sierra Pickup Truck was no longer in operation, Council was asked if they would consider donating the battery from the old 2012 Sierra Pickup Truck to be installed in the 1975 Fire Truck. Except for C/Kelloway, (Heritage Society Member), it was unanimously agreed by the remaining five councillors at the meeting to donate the vehicle battery for the specified purpose.

AJOURNMENT OF MEETING
Next Council Meeting: March 5, 2024
Motion 2024-47 Layden/Clarke
Be it resolved, having addressed all agenda items, the Council meeting adjourn at 9:30 p.m.
Favour 6; Opposed 0; Carried

Signed:

Barry Dooley
Mayor

Signed:

Shelly Butt
Town Clerk/Manager