

## **82<sup>nd</sup> Meeting of the 15th Baie Verte Town Council held April 27<sup>th</sup>, 2017**

The 82nd Meeting of the Fifteenth Baie Verte Town Council was called to order 7:30 pm by Mayor Clar Brown.

Present: Mayor Clar Brown  
Deputy-Mayor Trevor Pope  
Clr. Brandon Philpott  
Clr. Stefanie Howell  
Clr. Rex Bowers  
Clr. Scott Furey

Absent: Clr. Lori-Ann Sacrey

Staff: A. Furey  
B. Peach

1. Moved by Deputy-Mayor Pope, seconded by Clr. Bowers that agenda be adopted to allow Delegation to become #1 on agenda.

### **MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

### **Delegation**

#### **A. Lyndon Small**

Mr. Small reiterated his concern over the annual flooding and drainage issue which occurs on his and adjacent properties brought to Council's attention by 2014 correspondence.

Council committed to review 2014 Engineers recommendations and investigate further to try to resolve issue.

2. Moved by Clr. Philpott, seconded by Clr. Bowers that Town follow up with Engineer Ian Osmond on recommendation for Bennett Terrace and also determine whether property grade is a factor and if so would Town be responsible to correct drainage issue and determine whether Town allowed to complete work on Crown Land.

### **MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey



4. Moved by Deputy-Mayor Pope, seconded by Clr. Furey that Town grant permission to advertize request under Discretionary Use.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Bowers  
Furey

Clr. Howell returned 8:30 pm.

5. Moved by Clr. Bowers, seconded by Clr. Philpott that meeting be declared privileged at 8:35 pm.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

**Discussion:**

**A. School**

6. Moved by Deputy-Mayor Pope, seconded by Clr. Bowers that meeting be declared regular at 8:40 pm.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

7. Moved by Clr. Philpott, seconded by Clr. Furey that Mayor contact Minister Dale Kirby with regards to procuring both school properties and all lands and request response come from Minister.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

**Staff Reports**

**A. Financial Officer/Clerk**

Financial Officer/Clerk's report is attached to the minutes.

a. Maintain Insurance on Community Centre until June 30, 2017.

8. Moved by Clr. Bowers, seconded by Deputy-Mayor Pope that Financial Officer/Clerk (Returning Officer) attend Municipal Election Training in Springdale May. 10.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

9. Moved by Clr. Philpott, seconded by Clr. Furey that Financial Officer/Clerk's report be adopted as presented.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

**Committee Reports**

**A. Public Works**

Clr. Howell presented report from April 19, 2017 meeting.

a. Fire Fighting Vehicle Equipment Application

10. Moved By Clr. Howell, seconded by Clr. Furey be it resolved that, by recommendation of Fire Chief Lorne Head, the Town of Baie Verte submit an application for a Rural Response Vehicle (RRV) at a total cost of \$52,948. The Town's share of \$10,590 (on 80/20 basis) to be paid from Capital Expenditure out of revenue.

**MOTION CARRIED**

In Favour Brown  
Pope  
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Bowers  
Furey

11. Moved by Clr. Howell, seconded by Clr. Philpott be it resolved that, by recommendation of Fire Chief Lorne Head, the Town of Baie Verte submit an application for standard and high volume hoses, high pressure connectors, radios and 2 bunker suits, at an estimated cost of \$25,084. The Town's 80/20 share being \$5,016.80 to be paid from Capital Expenditure out of revenue.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

12. Moved by Clr. Bowers, seconded by Clr. Philpott that meeting be extended at 9:05 pm.

MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

b. 644 Loader (1999) -cost of repairs  
-approximate \$274,000 for new Loader.

Discussion on Auction

Financial Officer/Clerk advised Town is required to follow Public Tender Act.

CAO recommend preparing Tender. Will discuss further with individual at Procurement Dept.

13. Moved by Clr. Howell, seconded by Clr. Furey that CAO determine all options for the purchase of a Loader.

MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

c. Garbage Truck

14. Moved by Deputy-Mayor Pope, seconded by Clr. Philpott be it resolved that the CAO has the authority to submit bids at his discretion on the trucks listed by the Northern Peninsula Regional Service Board to a maximum of \$10,000. If the CAO is dissatisfied with any of the trucks the Town will continue to investigate other options for replacing the Town Garbage Truck. In determining his satisfaction with the trucks, the CAO shall have the authority to request the services of local mechanics to inspect the trucks and/or send the Superintendent, a public works crew member, and a voluntary expert.

MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

d. Waste Collection Policy-in the process.

e. Biomaxx

15. Moved by Clr. Howell, seconded by Deputy-Mayor Pope that Town continue maintenance agreement with Biomaxx for Q2 for Southshore and Butler's Brook outfalls.

MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

f. Potholes

Staff to explore costs of replacing sections of Main Street. (100ft)

B. Recreation Committee

Clr. Furey presented report from April 24, 2017 meeting.

a. Stadium Summer Rental Rates 2017

Discussion: 1) Rates  
2) Having Applicant present and responsible  
3) Increase rate if staff employee required

-Garbage containers

-Signs were not put up before Tournament

16. Moved by Clr Furey, seconded by Deputy-Mayor Pope that Town implement rental rate of \$250 per day (minimum of \$500.00) for current wedding booking, Buddy Wasiname Concert at rental rate of \$500 plus 2% of ticket sales and Mining Conference at rate of \$250 per day. Additional charges will apply if Town staff required at \$45/hour for a single 4 hour block at \$180.00 fee.

MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Howell  
Bowers  
Furey

Clr. Howell left meeting at 9:45 pm.

-In preparation for Mining Conference Town to repair and clean stadium parking lot and clear already cut brush throughout Town.

17. Moved by Clr. Bowers, seconded by Clr. Philpott that the following bills on account in the amount of \$49,528.28 be received and paid:

1	TREVOR JENKINS	FIRE	\$85.00
2	PAT SAUNDERS	FIRE	\$218.14
3	STEVEN REGULAR	FIRE	\$85.00

4	DYLAN DOWNEY	FIRE	\$85.00
5	DYLAN SMALL	FIRE	\$85.00
6	REX BOWERS	FIRE	\$218.14
7	JASON FLIGHT	FIRE	\$85.00
8	KYLE PAYNE	FIRE	\$85.00
9	NL POWER	P/P, MTE, STS, OFF, FIRE	\$12,966.35
10	EASTLINK	P/R	\$151.29
11	BELL ALIANT	FIRE, P/R, MTE	\$495.63
12	WESTERN PETROLEUM	P/R, MTE	\$2,116.84
13	BELL MOBILITY	SAN, MTE	\$635.15
14	NORTH ATLANTIC	MTE	\$721.81
15	CAL LEGROW	INS	\$495.00
16	BAIE VERTE CO-OP	TP/PR	\$223.01
17	CENTRAL CONVENIENCE	TP/PR	\$56.86
18	SHOPPERS DRUG MART	TP/PR	\$29.64
19	CLOVERFARM	TP/PR	\$38.00
20	SUBWAY	TP/PR	\$80.50
21	SEALCOVE ELECTRIC	P/R	\$425.21
22	NLLPA	P/R	\$263.35
23	NORTRAX	MTE	\$10,274.54
24	DEBBIE NOBLE	TP/PR	\$62.56
25	MICMAC FIRE	FIRE	\$1,380.00
26	DOLLAR STORE	MTE	\$4.60
27	GUY J BAILEY	RDS, W/S, DUMP	\$12,391.25
28	SAUNDERS	P/R	\$3,309.82
29	CENTRAL OFFICE	OFF	\$1,583.55
30	EMCO	W/S	\$877.04
	TOTAL		\$49,528.28

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Bowers  
Furey

**Unfinished Business**

18. Moved by Deputy-Mayor Pope, seconded by Clr. Philpott that meeting be declared privileged at 9:50 pm.

**MOTION CARRIED**

In Favour Brown  
Pope  
Philpott  
Bowers  
Furey

## Discussion

### A. Rambler

19. Moved by Clr. Bowers, seconded by Deputy-Mayor Pope that meeting be declared regular at 10:05 pm.

#### MOTION CARRIED

In Favour Brown  
Pope  
Philpott  
Bowers  
Furey

20. Moved by Clr. Philpott, seconded by Deputy-Mayor Pope that Town adopt the following Mining Companies Taxation Policy:

- 1) Mining companies are obligated to pay business and property tax to the Town of Baie Verte (henceforth "the Town") as per posted tax rates. The Town is authorized by section 111(1) of the Municipalities Act 1999 (henceforth "the Act") to "grant an exemption, remission or deferment of taxes and interest on the taxes, either in whole or in part, for those periods of time that the council decides and the council may determine the evidence which it shall require to warrant the exemption, remission or deferment".
- 2) For mining companies, the Town advises current and future councils to accept as evidence for exemption under section 111(1) of the Act for all interest and up to 16% of the total assessed business and property tax for the current year if the following conditions are met:
  - a) The mining company is not in arrears of tax for any prior years.
  - b) The mining company is suffering from financial hardship in the current year.
  - c) The mining company has a desire to serve as an upstanding corporate citizen.
  - d) The following percentages of the company's total assessed current year business and property taxes have been received by Town by the following dates:
    - i) 30% has cumulatively been received by January 31<sup>st</sup> of the current year;
    - ii) 60% has cumulatively been received by April 30<sup>th</sup> of the current year; and
    - iii) 84% has cumulatively been received by June 30<sup>th</sup> of the current year.
  - e) A letter applying for the exemption is submitted to council by June 30<sup>th</sup> of the current year which explains how conditions 2(a), 2(b), 2(c), 2(d), and 2(e) have been met.
- 3) For mining companies in tax arrears, the Town advises current and future councils to accept as evidence for exemption under section 111(1) for all interest and up to 16% of the total assessed business and property tax for taxes owing if the following conditions are met:
  - a) The mining company has not been in arrears of tax for more than 2 years.
  - b) The mining company was suffering from financial hardship for the year(s) in which they did not pay taxes by the issued due date(s).
  - c) The mining company has a desire to serve as an upstanding corporate citizen.

- d) 84% of the company's total assessed business and property tax for the year to which an exemption is being sought has been received by the Town.
  - e) The mining company will only be seeking a section (3) exemption for a lifetime total of 2 year's worth of taxes.
  - f) A letter applying for the exemption is submitted to council which explains how conditions 3(a), 3(b), 3(c), 3(d), and 3(e) have been met.
- 4) Nothing contained within this resolution of council shall be interpreted to bind any council to grant an exemption as described in sections (2) or (3).

**MOTION CARRIED**

In Favour Brown  
 Pope  
 Philpott  
 Bowers  
 Furey

21. Moved by Clr. Philpott, seconded by Clr. Bowers that Town authorize CAO to inform Rambler of the Town's Mining Companies Taxation Policy.

In Favour Brown  
 Pope  
 Philpott  
 Bowers  
 Furey

22. Moved by Deputy-Mayor Pope, seconded by Clr. Bowers that if Mining Companies Taxation Policy not complied with fully by June 30 for 2016 and 2017 Taxes the Town will proceed with legal action.

In Favour Brown  
 Pope  
 Philpott  
 Bowers  
 Furey

**New Business**

23. Moved by Clr. Bowers, seconded by Deputy-Mayor Pope that Town engage Cimco for maintenance shutdown of stadium.

In Favour Brown  
 Pope  
 Philpott  
 Bowers  
 Furey

**Remarks**

**A. Bowers**

- Thank all Volunteers
- Thank Town workers for filling potholes

B. Furey

- Thank community good turnout of Volunteers
- Disappointed lack of attention to Highway 410

C. Philpott

- Thank Firefighters work at Seniors Home Fire

D. Pope

- Thank all Volunteers in Town
- Still interested in obtaining speed signs for Highway 410

E. Brown

- Thank Volunteer Groups, over 40 in Town.

Meeting adjourned at 10:20 pm.

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Clar Brown,  
Mayor

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Angela Furey,  
Financial Officer/Clerk