

**Council Meeting Minutes**  
**February 13, 2023**  
**Town Hall**

**IN ATTENDANCE**

Elaine Nash, Kevin McDonald, Brenda Young, F. David Power, Ian Goudie, Doug Dean (via phone), Stacey Dean

**REGRETS**

None

**MEETING CHAIR**

Elaine Nash

**CALL TO ORDER**

Meeting called to order at 7:56 p.m.

**ADOPTION OF AGENDA**

Motion # 2023-02-13-380: Brenda Young; Kevin McDonald

Adopt the agenda for February 13, 2023.

All in favor; none opposed

Motion Carried

**ADOPTION OF MINUTES**

Motion # 2023-02-13-381: F. David Power; Kevin McDonald

Adopt the minutes of the January 9, 2023 meeting.

All in favor; none opposed

Motion Carried

Motion # 2023-02-13-382: Brenda Young; Kevin McDonald

Adopt the minutes of the January 30, 2023 special meeting.

All in favor; none opposed

Motion Carried

**FINANCES**

**a) Monthly Financial Report:** The Town Clerk presented the financial report for January 2023 in the new format, which included copies of the bank statements and visa statements. It was noted that copies of receipts are also available for Councillor review. Council thanked the Town Clerk for her hard work in preparing the report in the new format.

Motion # 2023-02-13-383: Brenda Young; Ian Goudie

Adopt the financial report for the month ending January 31, 2023.

All in favor; none opposed

Motion Carried

**b) Auditor Quotes:** Council reviewed and discussed the three quotes for audit services provided by the Town Clerk.

Motion # 2023-02-13-384: Kevin McDonald; Brenda Young

Accept the quote from Byron Smith for auditing services for the 2022 financial audit and gas tax audit at a cost of \$5500 + HST on a one-year contract to be reassessed after the year.

All in favor; none opposed

Motion Carried

### NEW BUSINESS

**a) Business Tax:** Council reviewed the proposed business tax structure for 2023. It was questioned whether there is a not-for-profit rate for 2023. Council agreed that a not-for-profit business must provide documentation annually to verify their NFP status, and they will be granted approval to pay the minimum business tax.

Motion # 2023-02-13-385: F. David Power; Kevin McDonald

Adopt the business tax structure for 2023.

All in favor; none opposed

Motion Carried

**b) Town Plan – Commissioner’s Report:** Council received the Commissioner’s report following the public hearing on January 11<sup>th</sup>. Councillor Power requested to address Council first, stating that he specifically attended the meeting to address this topic, despite recovering from a recent surgery. Councillor Power expressed that he was taken back when he read the Commissioner’s report as he felt that Councillor Goudie had made a submission to the Commissioner under the cloak of darkness, which, in his opinion, violated the trust of Council and the perceived united front. Councillor Power explained that councillors take an oath to do their best and act in the best interest of the town and its’ residents, and suggested that the recommendations put forth in the Commissioner’s report as a result of Councillor Goudie’s submission puts Council in a dangerous position of liability, specifically the water/buffer zones in item #2 of the Commissioner’s report. Councillor Power felt that the recommended changes would leave community members upset, as it differs from what they had been told at the public hearing. Councillor Power also expressed concern that the report notes that Mr. Goudie is a member of Council, which could be perceived as him acting in agreement with Council.

Councillor Power put forth a motion that the Town accept the Town Plan and Development Regulations as was voted on at the December 2022 meeting, recognizing and acknowledging the recommendations of the Commissioner and also recognizing that Council had voted on the Town Plan at the December meeting. Councillor Power motioned that the version of the town plan that was voted on at the December meeting be the version that Council proceeds to the government with.

Councillor Power noted that the Commissioner’s report recommended increasing the buffer zone on the Salmonier River to 50m in item #2, which would restrict property owners on the river from having any control over developing their property. Councillor Power noted that many of Councillor Goudie’s recommendations were not supported by the Commissioner. He also highlighted the recommendation regarding future water supply where Councillor Goudie had proposed this area be domestic cutting only, in item #3 of the Commissioner’s report. Councillor Power said that this had been previously discussed with the Consultant, Anna Myers, and it would effectively cap/restrict development in these areas.

Councillor Power asserted that it is within Council’s purview to decide on how the town plan will proceed, reiterating that he feels that Council should proceed with the town plan as was approved in the December meeting.

Mayor Nash opened up the floor to discussion and gave Councillor Goudie the opportunity to address Council.

Councillor Goudie advised that the correspondence sent to the Commissioner clearly stated that it was being sent under his role as the operator of a not-for-profit organization in the community, and not in his capacity as a

councillor. He maintained that the public hearing process was open to comments, so he felt it was appropriate to submit his recommendations to the Commissioner from his viewpoint of the Tree of Life organization. Councillor Goudie noted that he did not recommend the 50m buffers (in item #2), but he simply pointed out to the Commissioner that there were 3 different buffers referenced in the plan and asked if it could be reconciled for simplicity as conflict could arise in the future if it is unclear. Councillor Power noted that the Commissioner recommended the 50m buffer.

Mayor Nash clarified that all buffers referenced in the plan are set based on legislation, which is why they vary. She expressed that it is not Council's purpose to impose their own personal thoughts on the regulations, and she suggested that to change the town plan at this point, specifically the buffers, (as is recommended in item #2) would be redundant as she stood up at the public hearing and told the residents that there is nothing in the town plan that goes beyond government regulations.

Councillor Young stated that she wished Councillor Goudie had of brought his concerns up in the December meeting for discussion, rather than submitting a report to the Commissioner. She noted that most of these issues have already been discussed at length at the Council table.

Councillor Goudie responded advising that he has had these discussions in the past and has been told that these are his own viewpoints, so he made an independent submission to the Commissioner.

Councillor Young reiterated her disappointment as Council was of the understanding that the town plan was finalized at the December meeting, and she felt like the independent submission was a back door on Council.

Mayor Nash reminded Council that there was a motion on the table.

Motion # 2023-02-13-386: F. David Power; Brenda Young

Adopt the Town Plan and Development Regulations as was voted on at the December 2022 meeting and proceed with this version as the submission to the government.

All in favor; none opposed

Motion Carried

Councillor Power left the meeting at 8:41 pm.

**c) Tax Structure 2023:** Council reviewed the tax structure for 2023. It was noted that the vacant land tax needs to be updated to "2.5 mils (\$150 min.)". Council also approved the addition of an NSF charge of \$25 and a permit renewal fee of \$25.

Motion # 2023-02-13-387: Kevin McDonald; Doug Dean

Adopt the tax structure for 2023 with changes as discussed.

All in favor; none opposed

Motion Carried

The Town Clerk was instructed to send the tax structure to the Shoreline and to post locally.

**d) Budget 2023:** It was noted that Budget 2023 was adopted during the special meeting on January 30<sup>th</sup>. The motion was recorded in those minutes. The budget was based on the rates proposed in the 2023 tax structure and the 2023 business tax structure.

**e) 2023 Newsletter:** The Town Clerk will draft the 2023 newsletter and email it to Council for approval so that it can be sent as a flyer to residents as soon as possible.

**f) Sawmill Permit:** Council approved a personal sawmill permit for Noel Power located at his residence.

**g) Council Vacancy/Appointment:** Following two unsuccessful nomination days, Roy Lewis stepped forward to fill the Councillor vacancy.

Motion # 2023-02-13-388: Ian Goudie; Kevin McDonald

Council recommends the appointment of Roy Lewis to fill the Councillor vacancy.

All in favor; none opposed

Motion Carried

The Town Clerk was instructed to write a letter to the Minister requesting the appointment of Roy Lewis to Council.

**h) Septic Run-Off:** In January, Council received a complaint from David Butland regarding run-off from the septic field. Service NL was called in to conduct an inspection. Their determination was that it was not sewer, but rather water run-off. There was no smell the day of the inspection. The Service NL Representative advised that the occasional smell was due to the gases being released from rotting earth after being trapped under the ice. Service NL recommended that Council pump-out the septic tank, which was completed immediately. Council will work with Service NL and a certified Septic Designer in the spring to determine the best way to re-direct the run-off away from the septic field to avoid it pooling on the pavement.

**i) Reports:**

**1) Policy and Procedures Committee:** Nothing to report.

**2) Infrastructure Committee:** Nothing to report.

**3) Recreation Trails Committee:** The Committee met on February 1<sup>st</sup> to review the bids submitted in response to the request for proposals (RFP). The Committee made a recommendation for Council to proceed with the lowest bid from Greenleaf Resources. The Committee also requested that Council approve a budget of \$1500 with a \$3500 contingency fund if the Committee is unsuccessful in their fundraising efforts.

Mayor Nash commended the hard work of the Trails Committee, but suggested that the biggest hurdle, notwithstanding the budgetary request, is community perception. Councillors and staff have been hearing consistently negative feedback regarding trail development following the distribution of the Trails Committee newsletter, most notably during the town plan public hearing. Residents are equating the trail system development with the change to property tax. In addition, Harricott Point is off the table as it is private land. Residents have also expressed resistance to a trail branching out from the Community Garden as it could infringe on their traditional use of the ATV trails. Mayor Nash suggested that it does not make sense to move forward with the trail system if those areas are still under consideration.

Councillor Goudie advised that the Consultant would review the pros and cons of developing a trail in each potential area.

Mayor Nash questioned the effectiveness of that process if the identified areas are not valid trail locations.

Councillor Goudie noted that the trail locations were identified based on the community survey, noting that the Consultant is experienced in these matters and would look into the validity of the locations.

Councillor Young proposed that the trail development process should start small. Mayor Nash recommended that Council hold off on making a decision until the Trail Committee holds a town hall meeting with the public to explain the process and the plan to move forward to gauge the public's support for the project. Councillor Goudie felt that the Trail Committee would likely be in agreement with this suggestion, but perceived Council's questions as a lack of support for the Committee. Councillor Goudie put forth a motion that Council disband the Trail Committee. Councillor Young pointed out that the Trail Committee was granted a budget of \$1000 for 2023, as this \$5000 request came to Council after the annual budget had already been submitted to the government for approval. Councillor Young expressed that Council does not wish to disband the Trail Committee. Mayor Nash called for a second on the motion three times. The motion died.

Motion # 2023-02-13-389: Ian Goudie; ns.  
Council to disband the Trails Committee.  
No second.

Motion Failed.

Mayor Nash advised that she would reach out to the Committee Chair to seek her input on holding a town hall meeting. Councillor Goudie put forth a second motion that Council accepts the budget proposed by the Trail Committee of \$1500 + a \$3500 contingency fund, totaling \$5000. Councillor Young advised that budget requests should have been submitted in December during budget preparation and this would require reallocating funds from elsewhere as the budget is already submitted for approval. Mayor Nash called for a second on the motion three times. The motion died.

Motion # 2023-02-13-390: Ian Goudie; ns.  
Council accepts the budget proposed by the Trail Committee of \$1500 + a \$3500 contingency fund, totaling \$5000.  
No second.

Motion Failed.

Council agreed to proceed with a town hall meeting to gauge public support and solicit feedback before making a decision on how to proceed.

**4) Come Home Year Committee:** It was advised that the name of this committee will be changed to "Anniversary Committee". Mayor Nash suggested Regatta Day weekend for the festivities, August 3<sup>rd</sup>-6<sup>th</sup>. The Committee will meet to discuss preliminary plans before the next public meeting.

**5) Finance Committee:** Nothing to report. The Town Clerk was advised to remove this committee from the agenda until the committee needs to reconvene.

**6) Fire Department Report:** Nothing to report.

**7) Town Clerk Report:** The Town Clerk advised that Council must appoint an Assessment Review Commissioner to hear assessment appeals within the municipality, in accordance with the *Assessment*

Act, 2006. This person must be independent of Council. Council instructed the Town Clerk to solicit quotes for an Assessment Review Commissioner to be appointed at the next meeting.  
The town's insurance is up for renewal on March 18<sup>th</sup>. It was noted that Cal LeGrow is the only provider for municipal insurance at this time.

Motion # 2023-02-13-392: Brenda Young; Kevin McDonald

Accept Cal LeGrow's insurance renewal proposal at a total cost of \$18,639.14 for March 18, 2023-2024.

All in favor; none opposed

Motion Carried

#### **ROUND TABLE**

There were no round table discussions.

#### **NEXT MEETING**

The next meeting will be held on Monday, March 13<sup>th</sup> at 7:00 p.m. at the Town Hall.

#### **ADJOURNMENT**

Motion # 2023-02-13-392: Kevin McDonald; Ian Goudie

The meeting is adjourned.

All in favor; none opposed

Motion Carried

The meeting adjourned at 10:05 p.m.