



The Town of Fortune

P. O. BOX 159
Temple Street
Fortune, NL

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AOE 1P0
AGENDA - Council Meeting
Fortune Town Council Chambers
August 12, 2019 @ 6:30 p.m.

Additions/Adoption to Agenda

Adoption of Minutes: June 17, 2019

Delegate: Mr. Rennie Stacey

GENERAL BUSINESS

- | | |
|---|--|
| 1. Demand Letter – Bugs & Debbie Green | 7. Lawn Mower Purchase |
| 2. Resident Complaint- Fortune Fire Dept | 8. Fire Protection Financial Assistance Grant |
| 3. Update Downtown Development- Road Closures | 9. Community Garden Funding |
| 4. Eldon Street Depilated Property- Letter | 10. Women's Leadership Summit |
| 5. Combine Parcel Request(Process) | 11. World Suicide Prevention Day- Sept 10th |
| 6. Capital Works | 12. Prostate Cancer Awareness Month- Sept 2019 |

FINANCIAL TRANSACTIONS: (June 18 – August 8)

PERMITS/EXEMPTIONS/ADJUSTMENTS:

Building Permits

- | | | |
|-------------|-------------------------|-----------------------|
| 1. SNOOP001 | 27 Logwood Road | Vinyl Shed |
| 2. FITZJ001 | 68 Bayview Street | Patio |
| 3. BENTK001 | Lamaline Highway | Cabin |
| 4. STONH001 | 42 Confederation Street | Ext on Shed |
| 5. MATTA001 | 41 Eldon Street | Pool deck/gazebo |
| 6. BARNP001 | 25 Bunkerhil Road | Patio |
| 7. GOVER001 | 37-43 Springhill Road | Move Shed to location |
| 8. MITCJ001 | 4-6 Brookside Road | Ext on Shed |

Exemptions

PRICG001 Water/Sewer Exemption (Apartment Rental)

CORRESPONDENCE:

Dated	From	Particulars	Anticipated Action
July 2, 2019	MNL	Letter of thanks	For review
July 4, 2019	CBDC	Volunteer Board Member Recruitment	For information purposes
July 19, 2019	Fisherman's Festival	First Annual Fisherman's Festival	Looking for donations
July 5, 2019	NLCSA	Safety Stand Down Certificate of Participation	For information purposes
Aug 2, 2019	MNL	Emergency meeting on wastewater	For information purposes
Aug 8, 2019	BPCC	Marystown Shipyard	For information purposes

COUNCILLOR'S FORUM / COMMITTEE REPORTS:

CAO REPORT

ADJOURNMENT / Next Meeting:



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Minutes of a Regular Meeting of Council
Of the Town of Fortune, held at the
Fortune Municipal Center
August 12, 2019 at 6:30 p.m.

Members Present:

Mayor	Charles Penwell
Deputy Mayor	Frazer Smith
Councillors	Levi Curtis Pat Parsons Matthew Woodland Roy Kendell

Also Present:

Chief Administrative Officer	Linda Collier
Municipal Clerk	Tammy Mullins

Additions/Adoption to Agenda:

Mayor Penwell asked if there were any additions to the Agenda of August 12, 2019, to which the following was noted:

13. Hornhouse Road
14. MNL Convention
15. By-Election
16. Curb Removal Request
17. Asset Management/Data Collection

Motion 2019-08-12-01: Councillor **CURTIS** / Deputy Mayor **SMITH**

Resolved that the Agenda for August 12, 2019 meeting be adopted as presented with the noted additions.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Adoption of Minutes:

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Regular Council meeting held on June 17, 2019 as presented.

Motion 2019-08-12-02: Councillor **WOODLAND**/ Deputy Mayor **SMITH**

Resolved to adopt the Minutes of the Regular Council Meeting of June 17, 2019 as presented.

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Motion 2019-08-12-02 (cont'd):

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried.

Delegate: Mr. Rennie Stacey

Mayor Penwell welcomed Mr. Stacey to the Council Meeting at 6:30 p.m. to table his concerns.

Mr. Stacey expressed his concern of the lower road behind his property on Pinchmarsh Road to which a travel trailer is parked on the road. Some time ago, he requested to Council for curb to be cut on Hickman Place to provide an access point to his property and this approval was granted. Most recently a confrontation between his son and property owner on Hickman Place transpired as this access point had been blocked with another trailer. Unfortunately, Mr. Stacey had to engage the RCMP. Mr. Stacey suggested that as it is his understanding that this is not suitable location to park a trailer (not being a parking lot), he did indicate that a previous arrangement with Mr. Bruce Thorne had been discussed – placing his trailer between his residence and that of Mr. Boland on Hickman Place. This year, however, Mr. Thorne placed his trailer in a position impacting access to Mr. Stacey's access point/driveway. He noted that he has already hooked the bumper on as a result of blocking off his access.

CAO Collier advised Council how correspondence was issued to the property owner of this travel trailer to which he later inquired at the Town Office as to how the location of his trailer had suddenly become a problem. In addition, Mr. Thorne was informed that no street, etc. is an acceptable place for parking his travel trailer and referenced that he did not reside nor own property on Hickman Place. An amicable discussion revealed other options that Mr. Thorne can access with respect to parking his travel trailer, with specific mention of location identified by Public Works Supervisor, Chris Caines.

Additional follow-up will be completed by CAO Collier to the travel trailer belonging to Mr. Bruce Thorne is relocated.

Mr. Stacey left the meeting at 6:38 p.m.

GENERAL BUSINESS:

i. Demand Letter – Bugs & Debbie Greene:

CAO Collier provided an update that the lawyer's correspondence (i.e. a demand letter) was undeliverable. A suggestion was tabled to contact either Eastlink or Rogers to see if they have any contact information; however, the discussion concluded with the consensus to park this issue until such time as these individuals resurface. The legal fees for the demand letter was over \$300. Linda will advise the lawyer of Council's decision to rest any further action, at this time.



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2. **Resident Complaint- Fortune Volunteer Fire Dept:**

Correspondence was provided to Council along with a report from Fire Chief Peach pertaining to an incident on June 24th. Councillor Parsons referenced past situation, when he was Fire Chief, of complaints of smoke during training at the then smoke house on Harbour Drive. Such complaints initiated the relocation of fire training grounds off of the Fortune/Grand Bank Highway. Discussion concluded with having correspondence sent to the Fire Department prohibiting similar exercises from occurring in residential areas, and to advise that any future training exercises must be held at the designated fire training grounds.

Reference to in appropriate actions of Town employee during this incident was noted to which CAO Collier advised Council that she has followed up and the employee is aware of adequate process to follow during such an isolated issue.

3. **Update Downtown Development- Road Closures:**

CAO Collier advised Council that through various engagements with Earl Rose of the Fortune Port Corporation, she's suggesting that we should start the implementation of re-routing traffic, referencing one-way streets and bringing them on stream in a gradual process. The need for directional signage was undoubtedly a consideration to which Mayor Penwell advised that this will be required by next Spring. The discussion concluded to engage the Port Corporation along with Councillors Kendell, Parsons and Woodland as the start of forming a committee to obtain specific locations pertaining to the unloading of cars, etc., streets to be identified as one-way and signage requirements. This committee would eventually include the Fortune Harbour Authority and tourism operator with the Town and Fortune Port Corporation.

4. **Eldon Street Dilapidated Property- Letter:**

Correspondence was received from custodians of Eldon Street property as a result of follow-up by CAO Collier pursuant to the dilapidated property. Council indicated the acceptance of the current legalities surrounding this property as indicated in the correspondence, but would ask that the custodians ensure periodic inspections of the property to alleviate any safety concerns along with notification of future developments with respect to this property.

5. **Combine Parcel Request (Process):**

CAO Collier referenced a recent conflict with resident of Lake Street in relation to a combined parcel request. Upon this revelation of property location, Councillor Woodland declared conflict and left the meeting at 7:00 p.m.

CAO Collier brief Council on circumstances surrounding requests to combine parcels of land and the difficulties in following through previous requests. In addition, as a result of follow-up with the Municipal Assessment Agency, she was informed that the ultimate request would be recommended by Council; however, final acceptance/approval would evolve from MAA should such properties appear to be residential, despite no water services. For example, most recently upon site inspection by MAA, the structure referenced in Lake Street request appears to be a dwelling as opposed to a shed. Discussion suggested a consensus that if an adjoining property with multiple dwellings appears that such a structure referenced as being a shed (with no water services) is able to be easily converted back into a residential property, it will not be recommended nor considered a unit to warrant adjoining properties (i.e. combined parcel requests).



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5. **Combine Parcel Request (Process) (cont'd):**

CAO Collier is seeking Council's input by engaging the Planning and Development committee to recommend/approve these combined parcels requests, prior to initiation with the Municipal Assessment Agency.

Councillor Parsons provided reassurance that this building is indeed being utilized as a shed.

Council was also informed that the resident of Lake Street has been advised of the process by Town Clerk Symes to which he seems to understand.

Motion 2019-08-12-03: Councillor **CURTIS** / Deputy Mayor **SMITH**

Resolved that the combined parcel request of 5/7-9 Lake Street be approved and recommended for submission to the Municipal Assessment Agency to combine properties accordingly in future Assessment Roll. In addition, future requests are to be recommended by Planning and Development committee only if the combined lands with multiple buildings are not easily converted back into a residential unit.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0

Motion carried.

Councillor Woodland returned to the meeting at 7:08p.m.

6. **Capital Works (Confederation Arena Storm Sewer Upgrades) – 17-GI-20-00038:**

Official approval was received on July 23, 2019 and the approval amounts, engineering costs, etc. was provided to Council. CAO Collier is making a recommendation the contribution from Council be absorbed without borrowing, and Council agreed.

Motion 2019-08-12-04: Deputy Mayor **SMITH** / Councillor **PARSONS**

Resolved to accept the approval for the capital works project for Confederation Arena Storm Sewer Upgrades in the amount \$171,315; seek engineering/ consultant services of a fair and reasonable price in the amount of \$22,345.39 from Innovative NL and absorb the ultimate recipient contribution of \$15,535 without borrowing from a financial institution.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0

Motion carried.



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6. **Capital Works (cont'd): (Applications for 2019/2020 Capital Funding)**

Discussion continued around Capital Works funding with CAO Collier providing the status update on three capital works funding applications as being unsuccessful. Costs revisions were obtained from Innovative NL with the anticipated resubmission. Council revealed concurrence that these three projects still remain a priorities thus seeking resubmission.

Motion 2019-08-12-05: Councillor KENDELL/ Councillor WOODLAND

Resolved to resubmit the applications, with revised project costs, for 2019/2020 capital funding for the Town of Fortune as follows:

- AP-MCW-19355 – Dixon Femme Water and Sewer upgrades – \$516,950.37**
- AP-MCW-19227 – Bunker Hill Road Water and Sewer Phase 2 - \$748,166.60**
- AP-MCW-19220 – Bunker Hill Road Water and Sewer Phase 1- \$910,074.41**

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried.

7. **Lawn Mower Purchase:**

CAO Collier advised Council that the Public Works Supervisor has obtained quotes and recommended lawn mower for purchase; meanwhile, Deputy Mayor Smith suggests a zero clearance lawnmower of commercial grade be obtained noting the machines are more practical for edge work. Deputy Mayor Smith suggests such equipment should be acquired for approximately \$3,500, indicating a discussion with an individual who recently has purchased.

CAO Collier sought Council's approval to cap the expenditure and such cost identified was \$5,000.

Motion 2019-08-12-06: Deputy Mayor SMITH / Councillor WOODLAND

Resolved that a zero clearance commercial grade lawn mower be acquired at a maximum cost of \$5,500, and if this not be attainable, CAO Collier to obtain authorization from Council by means of email.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried.



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8. **Fire Protection Financial Assistance Grant:**

CAO Collier was seeking information relating to absorption of costs for new emergency vehicle a result of the cost-share portion being higher than originally anticipated. There was some discussion suggesting the Fire Department has indicated assistance through fundraising efforts. Mayor Penwell suggested cost to the Town will be approximately \$60,000. Discussion concluded with an invitation to the Fire Department executive to discuss particulars surrounding this new vehicle purchase at next Council meeting.

Community Garden Funding:

CAO Collier referenced funding in the amount of \$2000 received from Trades NL and request for presentation of cheque / photo opportunity over the next several weeks.

In addition, Councillor Woodland gave an update on how the garden is coming along beautifully and discussed how they could spread the garden goodies to the sheltered and the needy.

Deputy Mayor Smith suggested that an ideal time for the Trades NL presentation would be in conjunction with the unveiling of the Feller From Fortune Committee's memorial. He identified a cost of \$4000 for the memorial, and that a ribbon cutting event and a community barbeque would be appropriate. Council indicated a consensus with the suggestion to have Councillor Woodland present at this event due to his initiative of developing and overseeing the Community Garden

10. **Women's Leadership Summit:**

CAO Linda Collier referenced the date of this event being concurrent with the Municipalities Newfoundland and Labrador (MNL) annual convention. She noted how she has not attended a MNL convention and felt her participation in both the Women's Leadership Summit and convention would be beneficial. An overview of the event was provided and Council was advised at this time that accommodations have been reserved for Councillors to attend the MNL Convention.

Motion 2019-08-12-07:

Deputy Mayor SMITH/ Councillor CURTIS

Resolved to have CAO Collier to attend the Women's Leadership Summit, November 13th, 2019 and attend the MNL convention in St. John's.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried.



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11. **World Suicide Prevention Day (Sept. 10th):**

Motion 2019-08-12-08: Deputy Mayor SMITH/ Councillor WOODLAND

Resolved to proclaim September 10th as World Suicide Prevention Day, as indicated in correspondence.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried

12. **Prostate Cancer Awareness Month (Sept 2019):**

Motion 2019-08-12-09: Deputy Mayor SMITH/ Councillor WOODLAND

Resolved to proclaim the month of September as Prostate Cancer Awareness Month.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried

Delegate: Mr. George Keeping

Mayor Penwell welcomed Mr. Keeping to the meeting at 7:30 p.m. to table his concerns.

Mr. Keeping submitted an application several weeks ago to erect an equipment shed/fence on Haddock Road. The initial application was vague to which Council needed further clarification. Mr. Keeping stated he was looking for the preference of Council with respect to the type of roof to construct – referencing the need to have the area looking decent. A discussion of two types of roofing took place and the need to mark the dimensions would be required upon the second site visit. Mr. Keeping was advised that he would be contacted upon the second site visit with respect to approval to begin construction.

Mr. Keeping left the meeting at 7:37p.m.

13. **Hornhouse Road:**

Councillor Parsons suggested replacing boulders put in place to deter ATV users from speeding along with protecting the new upgrades with posts and guardrail. There was also some discussion about putting a picnic table in the area, but to ensure the bus turnaround was not affected. CAO Collier advised she would have this completed by staff in coming days.



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14. **Convention (MNL):**

Mayor Penwell suggested for Councillors to advise Linda if they are interested in attending the MNL Convention November 14-17th, 2019. Everyone except Councillor Woodland expressed an interest to attend and Linda advised that accommodations had already been secure at the Delta Hotel.

15. **By-Election:**

Discussion surrounding the regulations of holding a by-election revealed that it would have to take place by the end of September; therefore, Council identified dates along with the consensus that normal practice would be that the Town Clerk would be the Returning Officer. Council agreed to not participate in an advance poll and indicated CAO Collier to retrieve details surrounding voting by proxy.

Motion 2019-08-12-10: /

Resolved to appoint Town Clerk, if she's available, as Returning Office or the Chief Administrative Officer for the nomination day to be held on September 3rd with the subsequent By-Election to be held on September 24th, 2019, should one be required.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried

16. **Curb Removal Request:**

Residents' correspondence requesting curb removal on Brunette Avenue to widen driveway with the acknowledgement that the cost for removal would be their responsibility was tabled. CAO Collier advised Council that Public Works Supervisor indicated there should be no issue removal. CAO Collier has advised owners that permit process should be followed prior to any development.

Motion 2019-08-12-11: Deputy Mayor SMITH/ Councillor WOODLAND

Resolved to approve the curb removal by the Public Works employees and both the cost associated with removal and permit process will be the responsibility of the property owners.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland.

Opposed: 0
Motion carried



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17. Asset Management:

CAO Collier reference a discussion at an asset management meeting in Marystown that revealed the Town of Fortune has minimal information in the RAMS system. She referenced St. Lawrence availing of gas tax to hire a company to collect and input, and was seeking Council's view of whether or not to utilize funding and follow same process to collect data for input into the new system that will be implemented in the coming weeks. Several Councillors referenced other municipalities and suggested that perhaps consultants/engineers have been collecting and inputting into record management systems. The discussion concluded with the recommendation to contact the Town of Grand Bank to seek details on how they proceeded with collection and input and indicating to hire an engineering student next year to begin the process.

FINANCIAL TRANSACTIONS: (June 18 – August 8)

Motion 2019-08-12-11: Councillor CURTIS / Deputy Mayor SMITH

Resolved to approve the financial transactions for June 18 – August 8, 2019 to be approved.

In favour: Mayor Penwell
 Deputy Mayor Smith
 Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
 Motion carried

PERMITS/EXEMPTIONS/ADJUSTMENTS:

Building Permits

1.	SNOOP001	27 Logwood Road	Vinyl Shed
2.	FITZJ001	68 Bayview Street	Patio
3.	BENTK001	Lamaline Highway	Cabin
4.	STONH001	42 Confederation Street	Ext on Shed
5.	MATTA001	41 Eldon Street	Pool deck/gazebo
6.	BARNP001	25 Bunkerhill Road	Patio
7.	GOVER001	37-43 Springhill Road	Move Shed to location
8.	MITCJ001	4-6 Brookside Road	Ext on Shed

Motion 2019-08-12-12: Councillor PARSONS / Councillor WOODLAND

Resolved to approve the development permits as presented.

In favour: Mayor Penwell
 Deputy Mayor Smith
 Councillors: Curtis, Kendell, Parsons & Woodland.

Opposed: 0
 Motion carried



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PERMITS/EXEMPTIONS/ADJUSTMENTS (cont'd):

Mayor Penwell referenced the fact that any application seeking cabin construction on highway must first received approval from Department of Transportation and Works.

In addition, CAO Collier recommended that the Planning and Development Committee to review regulations and revise permit application. Council was receptive to initiate this review.

Exemptions

PRICG001 Water/Sewer Exemption (Apartment Rental)

Motion 2019-08-12-13: Deputy Mayor **SMITH**/ Councillor **KENDELL**

Resolved to approve the exemption request for secondary water rate for PRICG001 due to apartment vacancy for a duration of five (5) months.

In favour: Mayor Penwell
 Deputy Mayor Smith
 Councillors: Curtis, Kendell, Parsons & Woodland.

Opposed: 0
 Motion carried

CORRESPONDENCE:

Dated	From	Particulars	Anticipated Action
July 2, 2019	MNL	Letter of thanks	For review
July 4, 2019	CBDC	Volunteer Board Member Recruitment	For information purposes
July 19, 2019	Fisherman's Festival	First Annual Fisherman's Festival	Looking for donations
July 5, 2019	NLCSA	Safety Stand Down Certificate of Participation	For information purposes
Aug 2, 2019	MNL	Emergency meeting on wastewater	For information purposes
Aug 8, 2019	BPCC	Marystown Shipyard	For information purposes

COUNCILLOR'S FORUM / COMMITTEE REPORTS:

Councillor Woodland – NIL

Councillor Curtis – Attended the announcement pertaining to the wharf.

Councillor Parsons – NIL



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COUNCILLOR'S FORUM / COMMITTEE REPORTS (cont'd):

Councillor Kendell – NIL

Deputy Mayor Smith – Provided an overview of the Feller From Fortune Festival noting 110 tickets sold for the dinner theater; 83 tickets for the Jimmy Flynn show; the brunch had a total of 12 people attend and expressed the feeling that the festival is on a downward spiral.

Councillor Kendell – Expressed opinion that the absence of the matinee may have had impact and that he never seen anything for volunteering as he would have greatly help out with the festival.

CAO Report – CAO Collier expressed her recommendation to host a round table discussion with community groups. In reference to Deputy Mayor Smith's overview on the Feller From Fortune Committee's events, poor turnout is common with other community groups. The struggle in efforts to host events in the Town are a challenge and perhaps more discussion could gage what needs to be done to get things back on track.

Mayor Penwell – Councillor Parsons was thanked for attending Hedley Lake as he celebrated his 101st birthday, and indicated he done a fabulous job with taking pictures and posting it to Facebook.

ADJOURNMENT / Next Meeting

Motion 2019-08-12-14: Councillor **KENDELL**/ Deputy Mayor **SMITH**


Resolved to adjourn of August 12th, 2019 council meeting at 8:20 p.m. with a suggested date of September 9th identified.

In favour: Mayor Penwell
Deputy Mayor Smith
Councillors: Curtis, Kendell, Parsons & Woodland

Opposed: 0
Motion carried



Mayor, Charles Penwell



Tammy Mullins – Municipal Clerk



Linda Collier – CAO