



# The Town of Fortune

P. O. BOX 159  
Temple Street  
Fortune, NL  
A0E 1P0

TELEPHONE: (709) 832-2810  
FAX: (709) 832-2210

## Minutes of a Regular Meeting of Council Of the Town of Fortune at the Council Chambers On March 23, 2021 at 6:15 p.m.

*Members Present:*

Mayor	Charles Penwell
Deputy Mayor	Frazer Smith
Councillors	Levi Curtis Terence Fleming Matthew Woodland

*Absent with Regrets:*

Councillor	Roy Kendell
Councillor	Patrick Parsons

*Also Present:*

Chief Administrative Officer	Linda Collier
Town Clerk	Lacey Symes

### **Additions/Adoption to Agenda:**

Mayor Penwell asked if there were any additions to the Agenda of the March 23, 2021 Council Meeting.

Addition under #1 Public Works-Cement Mixer

- Disposal of Items
- Water Leak- Eldon Street
- Water Fee

7. Harbour Drive- Road Reduction

8. Arena Roof Replacement

**Motion 2021-03-23-01: DEPUTY MAYOR SMITH/ COUNCILLOR CURTIS**

**Resolved to adopt the March 23, 2021 Agenda as presented with the additions.**

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

Opposed: 0  
Motion carried



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Regular Council Meeting  
March 23, 2021  
Page 2

## Adoption of Minutes:

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Regular Council meeting held on March 8, 2021 as presented.

**Motion 2021-03-23-02: DEPUTY MAYOR SMITH /COUNCILLOR WOODLAND**

**Resolved to adopt the Minutes of the Regular Council Meeting of March 8, 2021.**

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

Opposed: 0  
Motion carried

## GENERAL BUSINESS:

### **1. Public Works:**

- **Cement Mixer:** There is currently an old cement mixer in the Municipal Garage that is no longer working or able to repair, Terry Mullins (T4T Construction) was seeking the cement mixer for parts. CAO Collier advised Mr. Mullins loans his current cement mixer to the Town of Fortune Employees to use, free of charge & suggesting giving the cement mixer to Mr. Mullins in exchange for use of his current cement mixer in which he has been doing several times in the past.

**Motion 2021-03-23-03: DEPUTY MAYOR SMITH /COUNCILLOR CURTIS**

**Resolved to give Terry Mullins (T4T Construction) the old cement mixer for parts in exchange for use of his cement mixer.**

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

Opposed: 0  
Motion carried



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Regular Council Meeting  
March 23, 2021  
Page 3

- **Disposal of Items:** CAO Collier advised there are several items at the Municipal Garage that are no longer any use of the Town of Fortune & looking for suggestions on how to dispose of these items. Deputy Mayor Smith suggested a silent auction, advertise all of the items available, set a minimum price & have anyone interested in the items to submit a bid in marked box for each item.

Public Works Staff to determine the starting bids of items, CAO Collier to bring starting bids back to next Council Meeting for review.

CAO Collier to contact the Recreation Commission regarding the old lawn mower to see if they would like to dispose of as well.

- **Water Lake- Eldon Street:** There has been an ongoing water issue on Eldon Street, a resident had called when we had heavy rainfall advising there was water coming out through the washer. According to former Public Works Staff this area have had this issue for approximately 30 years now. CAO Collier advised that the Public Works Staff are unable to repair & she is seeking approval to consult the Town of Fortune's engineers to review. CAO Collier stated it would be a ideal time for engineers to inspect the culvert located near Bayview Convenience at the same time.

It was a consensus of Council to have engineer's review the issue at Eldon Street & culvert near Bayview Convenience.

- **Water Fee:** CAO Collier seeking clarification from Council regarding the Water On/Off Fee, does a water on/off fee be charged for emergency & non emergency situations? Yes, the on/fee is charge for emergency & non emergency situations.

**2. Gas Tax- Paving Quotes:** CAO Collier indicated the Town Office has received quotes as per paving options but as previously discussed awaiting approval from Special Assistance Funding, will follow up with Finance Committee on the next meeting of April 7th.

**3. Municipalities Newfoundland & Labrador AGM & Municipal Symposium:** CAO Collier to register Mayor Penwell for the AGM & Municipal Symposium.

**4. Burin Peninsula Waste Management- Public Drop off Events:** Received correspondence advising the Burin Peninsula Waste Management are providing bins for public drop off again this year to municipalities located more than kms from the landfill site at Jean de Baie & will be tentatively scheduled to start in May. BPWM is looking to see if the Town of Fortune is interested in participating as a host community.

CAO Collier to advised BPWM that the Town of Fortune is interested in hosting Public Drop off Events.



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Regular Council Meeting  
March 23, 2021  
Page 4

**5. Acknowledgement Letter- Howard Cousins:** Resident, Howard Cousins is currently in the process of trying to obtain crown lands; however, he is unable to purchase the crown land without an approved septic design. The land in question will not accommodate a septic systems without ditching & fill. Mr. Cousins is seeking an acknowledgement letter from the Town of Fortune to approve the purchase with building restrictions imposed until the property is improved to accommodate an approved septic design.

**Motion 2021-03-23-04: DEPUTY MAYOR SMITH /COUNCILLOR CURTIS**

**Resolved to send an acknowledgement letter to Crown Lands advising the Town of Fortune is approving Howard Cousins purchasing Crown Lands located on Lamaline Highway as per application #152178 with building restrictions imposed until the improvements to accommodate an approved septic design is completed and approved by all other regulatory bodies.**

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

Opposed: 0  
Motion carried

**6. Land Request- Lafosse Road:** Resident seeking to purchase land from the Town of Fortune located adjacent to current property, approximately 1154 sq ft (serviced land). CAO Collier advised the resident currently had a survey completed on their own property; therefore, do not think it is necessary to obtain a survey for this specific piece of land; however, if any land disputes did arise the purchaser would be liable.

**Motion 2021-03-23-05: DEPUTY MAYOR SMITH /COUNCILLOR WOODLAND**

**Resolved to sell 1154 sq ft of serviced land located on Lafosse Road to Junior Simms in the amount of \$527 with the stipulation if a land dispute should happen to arise the purchaser would be liable.**

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

Opposed: 0  
Motion carried



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Regular Council Meeting  
March 23, 2021  
Page 5

**7. Harbour Drive- Road Reduction:** Bennett's Construction has the contract to complete the development for the Fortune Port Authority, they're currently requesting to move the temporary fence out 6ft from what was initially proposed for approximately one week.

**Motion 2021-03-23-06: DEPUTY MAYOR SMITH /COUNCILLOR WOODLAND**

**Resolved to approve Bennett's Construction to move the temporary fencing 6ft from the initially proposal for a time span of approximately one week for the Fortune Port Authority development.**

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

Opposed: 0  
Motion carried

**8. Arena Roof Replacement :** CAO Collier advised Council that Livewire had contacted office staff & indicated that when he went to order the materials for the arena roof the profile that the manufacturer is referring to is different than what was initially requested on the tender specs; therefore, the cost of materials in up than what was initially quoted, resulting in the total cost to change to approximately \$217,000.

**Motion 2021-03-23-07: DEPUTY MAYOR SMITH /COUNCILLOR FLEMING**

**Resolved to approve Livewire's tender increase price in the amount of approximately \$217,000 as long as it is acceptable with the Public Procurement Agency's guidelines.**

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

Opposed: 0  
Motion carried



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Regular Council Meeting  
March 23, 2021  
Page 6

## **FINANCIAL TRANSACTIONS:**

**Motion 2021-03-23-08: COUNCILLOR CURTIS/DEPUTY MAYOR SMITH**

**Resolved to approve the financial transactions for March 6, 2021- March 18, 2021.**

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

Opposed: 0  
Motion carried

## **PERMITS/EXEMPTIONS/ADJUSTMENTS:**

### **Building Permits:**

NEWPJ001 15 Confederation Street Wheelchair Ramp

**Motion 2021-03-23-09: COUNCILLOR WOODLAND/DEPUTY MAYOR SMITH**

**Resolved to approve the building application for account #NEWPJ001**

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

Opposed: 0  
Motion carried

### **Exemptions/Adjustments:**

BUTTJ001 2019 & 2020

Council reviewed the Poll Tax Exemption request received from account #BUTTJ001 seeking to be exempted from 2019 & 2020 Poll Tax based on the fact they're residing in the Town of Grand Bank with proof of address in Grand Bank.

It was a consensus of Council for #BUTTJ001 to provide proof of paying poll tax within the Town of Grand Bank prior exemption is considered.



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Regular Council Meeting  
March 23, 2021  
Page 7

## CORRESPONDENCE:

Eastern Health- Burin Peninsula Trails Challenge: Seeking support from the Town of Fortune to promote the Burin Peninsula Trails Challenge through social media/mass email contribution list.

Canadian Union of Postal Workers- Request for Support for Delivering Community Power Campaign: Defer

Burin Peninsula Chamber of Commerce- Blue Economy Strategy Portal: For Councillor's Information

Jeffrey Elford- 75th Incorporated Anniversary: CAO Collier to advise Mr. Elford that Council is very thankful of his very neat ideas & will keep for future review.

CAO Collier to order 75th incorporated anniversary stamps and/or stickers.

*Councillor Curtis left the Council Meeting at 7:48 p.m. due to a conflict of interest*

Grand Bank Regional Theatre- Sponsorship:

**Motion 2021-03-23-10: DEPUTY MAYOR SMITH/ COUNCILLOR FLEMING**

**Resolved to sponsor the Grand Bank Regional Theatre in the amount of \$250 (Category 2) for the 2021 season.**

In favour: Mayor Penwell  
Deputy Mayor Smith  
Councillors: Fleming & Woodland

Opposed: 0  
Motion carried

*Councillor Curtis returned to the Council Meeting at 7:50 p.m.*

Margaret McCullough- Puppy Mills- Puppy Mill Free Canada: It was a consensus of Council when updating the Town of Fortune's Animal Control Regulations to state the Town of Fortune is against unlicensed breeders & any breeders without the proper licenses will be fined.

## CAO REPORT:

- CAO Collier advised there were references on social media regarding animal feces in the Fortune Dog Park, Public Works Employees went into the dog park & cleaned up. There was also reference to roaming dogs around the Lamaline Highway/Hornhouse Road vicinity, Animal Control Officer will be patrolling the area.
- Finance Meeting to be scheduled for April 7th.



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Regular Council Meeting  
March 23, 2021  
Page 8

## COUNCILLOR'S FORUM / COMMITTEE REPORTS:

Councillor Curtis: NIL

Councillor Fleming- NIL

Mayor Penwell- NIL

Deputy Mayor Smith- NIL

Councillor Woodland- NIL

## ADJOURNMENT / Next Meeting

Motion 2021-03-23-11:

DEPUTY MAYOR SMITH/ COUNCILLOR CURTIS

Resolved to adjourn the Regular Council Meeting at 8:03 p.m., next Council Meeting scheduled for April 6, 2021.

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

Opposed: 0  
Motion carried

  
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Mayor Penwell

  
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Lacey Symes- Town Clerk





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## AGENDA - Council Meeting March 23, 2021 at 6:15 p.m.

### Additions/Adoption to Agenda

Adoption of Minutes: March 8, 2021

### GENERAL BUSINESS

1. Public Works- Cement Mixer
2. Gas Tax- Paving Quotes
3. MNL AGM (2 Participants)
4. Burin Peninsula Waste Management- Public Drop off Events
5. Acknowledgement Letter- Howard Cousins
6. Land Request- Lafosse Road

### FINANCIAL TRANSACTIONS:

- Payables Match 6, 2021- March 18, 2021

### PERMITS/EXEMPTIONS/ADJUSTMENTS:

#### Building Permits:

NEWPJ001 15 Confederation Street Wheelchair Ramp

#### Poll Tax Exemption:

BUTJ001 2019 & 2020

### CORRESPONDENCE:

From	Particulars	Anticipated Action
Eastern Health	Burin Peninsula Trails Challenge	Councillor's Information
Canadian Union of Postal Workers	Request for Support for Delivering Community Power Campaign	Councillor's Information
Burin Peninsula Chamber of Commerce	Blue Economy Strategy Portal	Councillor's Information
Jeffrey Elford	75th Incorporated Anniversary	Councillor's Information
Grand Bank Regional Theatre	Sponsorship	Sponsor Request
Margaret McCullough	Puppy Mills- Puppy Mill Free Canada	Councillor's Information

### CAO REPORT

### COUNCILLOR'S FORUM / COMMITTEE REPORTS:

### ADJOURNMENT / Next Meeting: