



# The Town of Fortune

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

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

Minutes of a Regular Meeting of Council  
Of the Town of Fortune, held at the  
Fortune Municipal Center  
March 9, 2020 at 6:30 p.m.

*Members Present:* Mayor Charles Penwell  
Councillors Levi Curtis  
Terence Fleming  
Roy Kendell  
Patrick Parsons  
Matthew Woodland

*Also Present:* Chief Administrative Officer Linda Collier

*Absent with Regrets:* Deputy Mayor Frazer Smith  
Town Clerk Lacey Symes

**Additions/Adoption to Agenda:**

Mayor Penwell asked for approval of the Agenda for the March 9, 2020 Council Meeting.

**Motion 2020-03-09-01: Councillor KENDELL / Councillor CURTIS**

**Resolved that the Agenda for March 9, 2020 meeting be adopted as presented.**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried.

**Adoption of Minutes:**

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Regular Council meeting held on February 24, 2020 as presented, but also noted he was not present at the last meeting and to revise accordingly in the Minutes. In addition, the question of adopting Robert's Rules to identify every 2<sup>nd</sup> and 4<sup>th</sup> Monday as opposed to 1<sup>st</sup> and 3<sup>rd</sup> was referenced to which CAO Collier confirmed revision was made.

Continued .../2



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## **Adoption of Minutes (cont'd):**

**Motion 2020-03-09-02:** Councillor CURTIS / Councillor PARSONS

**Resolved to adopt the Minutes of the Regular Council Meeting on February 24, 2020 with revision.**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried

## **GENERAL BUSINESS:**

### **Public Works:**

- (a) **Brookside Road Waterline** - Public Works Foreman Caines was in attendance to discuss the possibility of a waterline line to be installed on Brookside Road for the Wade Drake & Burch Nash Memorial Park/Brookside Shed, as discussed at the last meeting of Council. Two different scenarios was discussed, but it was revealed that due to extensive work involved, to provide water for occasional events, that it would be prudent to engage the Fortune Volunteer Fire Department and to access water through a nearing fire hydrant. There was also reference to residents in the neighbouring area that assisted by providing water for the Community Garden last year, which could also be an option.
- (b) **Salt Spreader** – Ongoing mechanical issues and the inability to find a replacement Honda motor for the salt spreader that was estimated to be approximately twenty (20) years old prompted staff to obtain quotes in efforts to acquire a new replacement. Quotes obtained were from Parts for Trucks (\$8,265 8 ft. 1.8 cuyd; \$6,595 7ft 1.5 cuyd), Western Hydraulic (\$11,270 3.0 cuyd) and Action Car & Truck Accessories (\$10,599.99 3.5 cuyd with auger; \$11,499.99 with drag chain). The lowest quote that had the most suitable piece of equipment was determined to be Western Hydraulic. Public Works Foreman Caines indicated this was electric and plastic and the equipment was in stock. Councillor Parsons questioned if the price included installation to which CAO Collier indicated it was. CAO Collier also referenced the 2020 budget allocation for Public Works Equipment and it was determined to make the acquisition without financing.

**Motion 2020-03-09-03:** Councillor WOODLAND / Councillor PARSONS

**Resolved to acquire a new salt spreader from Western Hydraulic in the amount of \$11, 270 (plus tax) without financing.**

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## **GENERAL BUSINESS (cont'd):**

### **2. Public Works (cont'd):**

#### **(b) Salt Spreader (cont'd):**

**Motion 2020-03-09-03: Councillor WOODLAND / Councillor PARSONS**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried

3. **Confederation Arena Storm Sewer Upgrades (Approval to Call Tenders)** – CAO Collier provided correspondence from the Department of Municipal Affairs & Environment to which Innovative NL has advised they will have this Call publicized soon.
4. **RJG Construction- Quarry** – Correspondence was issued to RJG Construction pertaining to previous stipulations surrounding Town approval for a quarry permit off Hornhouse Road that included a security deposit in the amount of \$7,500. An employee with RJG (Bonnie) contacted CAO Collier and indicated their current account balance will be clear in the next few days; however, she would not be in a position to seek approval from Tony until March 16<sup>th</sup>. CAO Collier also provided information received in an email from Gerald Kennedy from the Mineral Lands Division that the current permit issued did not receive Town approval, as an initial approval was granted and the Department should not add conditions to quarry permits with respect to not providing access to permit holders on public road. Council has concerns of the bridge that was previously impacted and the esthetics of the landscape. The consensus was to issue a Stop Work Order if the \$7,500 security deposit is not obtained on or shortly after March 16<sup>th</sup>. Furthermore, correspondence to be sent to the Department of Natural Resources requesting no additional permits be issued with respect to this quarry.
5. **Chlorine & Ammonia Handling & Response Training** – Upcoming training in St. John's was suggested to be beneficial to Arena Attendant, Paul Tulk with ongoing concerns of safety issues in working with ammonia.

**Motion 2020-03-09-04: Councillor CURTIS / Councillor FLEMING**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried

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6. **Geology Center Parking Lot** – Councillor Woodland advised Council current employees of company working on wharf are utilizing the Geology Centre Parking Lot and was seeking approval to eliminate this practice with reference of upcoming *trails meeting* on March 26<sup>th</sup> and resuming operations in the near future. Council agreed to seek cooperation by having CAO Collier forward correspondence.
7. **Trail Network** – A draft Memorandum of Understanding (MOW) was forwarded to Council as per trail network amongst the communities of Fortune, Grand Bank, Marystown, Burin and St. Lawrence. Councillor Woodland provided an overview of the proposed developments and referenced cost to each municipality would be \$5,000 to \$10,000. The next meeting will take place in Fortune on March 26<sup>th</sup>, and it's hopeful all municipalities will approve the MOU by that time. No concerns were expressed and Council were receptive to the said developments.

**Motion 2020-03-09-05:** Councillor **WOODLAND** / Councillor **KENDELL**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried

8. **Reimbursement for BPCC AGM Fee** – Councillor Curtis attended the Burin Peninsula Chamber of Commerce's Annual General meeting and was successful with his nomination to sit on the Board of Directors. Councillor Curtis indicated he did attend on Council's behalf, despite his business being registered as a member. The consensus revealed that as Councillor Curtis attended the event on behalf of Council, he would be reimbursed for costs associated to attend.

**Motion 2020-03-09-06:** Deputy Mayor **SMITH** / Councillor **PARSONS**

In favour: Mayor Penwell  
Councillors: Curtis, Fleming, Kendell, Parsons & Woodland  
Opposed: 0. Motion carried

9. **Cancer Relay- Change of Date** – CAO Collier indicated there was a conflict in the date previously approved for the mini cancer relay organized by Eileen Rose as per the Feller From Fortune Festival and was seeking to host the event now on July 11<sup>th</sup> as opposed to July 18<sup>th</sup>. There was no objection revealed.
10. **Burin Peninsula Supported Employment Services- Appreciation Luncheon** – The Burin Peninsula Supported Employment Services (Three (L) Training & Employment, Bridges Employment Corporation & Burin Marystown Training Employment Board) hosting an appreciation Luncheon on Saturday, March 29th at 1:00 p.m. at the Marystown Hotel & Convention Centre. No one indicated availability, but Mayor Penwell indicated to notify CAO as per deadline of March 10<sup>th</sup>.

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11. **MNL Regional Meeting- March 27-28 (New Date)** - Mayor Penwell was previously registered to attend the meeting originally scheduled for February 28<sup>th</sup> & 29<sup>th</sup> but the event was postponed due to weather. Council were receptive for Mayor Penwell to still attend despite change in date.

12. **FINANCIAL TRANSACTIONS (February 22 – March 6, 2020):**

**Motion 2020-03-09-07:** Councillor **WOODLAND** / Councillor **FLEMING**

**Resolved to approve the financial transactions for February 22- March 6, 2020.**

In favour: Mayor Penwell

Councillors: Curtis. Fleming, Kendell, Parsons & Woodland

Opposed: 0. Motion carried.

13. **PERMITS/EXEMPTIONS/ADJUSTMENTS:**

**Exemptions:**

Account #CARO0001 Business Tax Exemption- Business no longer operation in Fortune

**Motion 2020-03-09-08:** COUNCILLOR **KENDELL** / COUNCILLOR **PARSONS**

**Resolved to exempt account #CARO0001 from the invoiced 2020 Business Taxes as the business is no longer operating out of Fortune, the resident/business owner have moved.**

In favour: Mayor Penwell

Councillors: Curtis. Fleming, Kendell, Parsons & Woodland

Opposed: 0. Motion carried

14. **CORRESPONDENCE:**

a) **TownSuite EDGE Training-** Discussion and feedback from CAO Collier deemed this would not be worthwhile, as there has been arranged for direct in-office training for staff.

b) **takeCHARGE, WIN \$7500 of energy efficiency upgrades** – No ideas for proposal was identified.

c) **Burin Peninsula Joint Council General Meeting** – Mayor Penwell will be attending and suggested if anyone else is interested to advise CAO Collier.

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## 15. COUNCILLOR'S FORUM / COMMITTEE REPORTS:

Councillor Woodland - NIL

Councillor Fleming - Re-opened discussion from last meeting pertaining to the deferral pertaining to Air BnB's. Councillor Fleming advised Council that he sought input from staff on status of taxation of such properties referenced as hotels/accommodations versus Air BnB, and suggested the purpose of resident Brian Rose's attending the meeting was to observe disclosure of such information. CAO Collier responded by providing the deferral was a result of an inquiry provided by Legendary Coasts to Town Clerk Symes and quoted from Minutes, "Received an inquiry from Legendary Coasts regarding how the Town of Fortune is handling Air BnB properties"; Defer until 2021 Budget. The purpose of deferring was that the 2020 tax structure and budget submission for was already approved and submitted to Government. In addition, she referenced taxes applicable to those properties previously identified noting the Municipal Assessment Agency identifies appropriate taxes related to properties such as residential, commercial and business/tenant portion. She revealed one property was exempted from business tax as per Business Retention Policy and another property suggested to being an Air BnB is paying three water rates, three waste disposal fees along with the property tax. Mayor Penwell also responded by identifying the Air BnB taxation issue is a Province-wide issue and municipalities are awaiting recommendations from a committee of MNL and the Provincial government..

Councillor Curtis – Provided information surrounding his attendance to the Burin Peninsula Chamber of Commerce and referenced being sworn in as a Director.

Councillor Parsons - NIL

Councillor Kendell – Advised Council that he is hoping to attend the next meetings of the Committees he attends (i.e. Community Health Coalition and the Mental Health Coalition) as he will be having surgery this week. If he's unable to attend he will advise Council in efforts of providing a replacement from Council to attend.

Mayor Penwell - NIL

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**CAO REPORT** – Items raised were an advertising opportunity during Minor Hockey Easter Tournament with Stingray to which Council was not receptive. There is no radio station on the Burin Peninsula with the majority of listeners being aged fifty(50) plus. Council agreed to continue supporting the local minor hockey association by assisting with the printing of pamphlets as in the past. CAO Collier also indicated that she will follow-up on availability for photo of new truck with Councillors when weather permits. In addition, she provided opportunity for professional development by JW Consulting . It was suggested that similar opportunities are provided during conventions. CAO Collier also asked Council to consider ideas for job creation project referencing the dog park and community garden. Councillor Parsons suggested insulation at the Fortune Arena above the dressing rooms.

## 16. ADJOURNMENT / Next Meeting

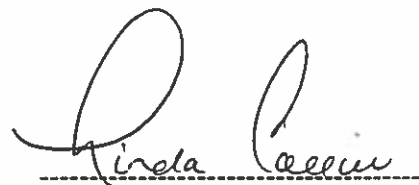
**Motion 2020-03-09-09:** Councillor **KENDELL** / Councillor **PARSONS**

**Resolved to adjourn the Regular Council Meeting at 8:46 p.m., next Council Meeting scheduled for March 23, 2020.**

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

Opposed: 0  
Motion carried

  
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Mayor, Charles Penwell

  
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CAO, Linda Collier



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Minutes of an Emergency Meeting of Council  
Of the Town of Fortune, held at the  
Fortune Municipal Center  
March 17, 2020 at 4:00 p.m.

*Members Present:* Mayor Charles Penwell  
Deputy Mayor Frazer Smith  
Councillors: Levi Curtis  
Patrick Parsons  
Matthew Woodland

*Absent:* Terence Fleming  
Roy Kendell

*Also Present:* Chief Administrative Officer Linda Collier

An emergency meeting of the Fortune Town Council was held to address several matters pertaining to developments and safety measures implemented or recommended by the Government of Newfoundland Labrador as result of the Covid-19 pandemic, and meeting with Tony Rennie of RJG Construction.

1. **FORTUNE ARENA:**

The first issue for discussion was the closure of the Fortune Arena. CAO Collier provided Council with a list of rural arenas presently closed or subject to close.

**Motion 2020-03-17-01: Councillor PARSONS / Councillor WOODLAND**

**Resolved that the Fortune Arena be closed for the remainder of the 2019-20 season, with the casual call-in Arena Attendant to be laid off at the end of the work week, ensuring he is provided 40 hours.**

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

Opposed: 0. Motion carried.

Council also discussed the timeframe and details pertaining to the process of ice removal, with the conclusion that an additional review with respect to the employment of the seasonal Arena Attendant / seasonal Public Works Maintenance Worker to be addressed when all maintenance is completed next week.

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2. **OFFICE CLOSURE TO PUBLIC:**

There was a lengthy debate with respect to the suggestion to close the office by Councillor Woodland with referencing the only municipality to be following such practice was the Town of Marystown. The Town of Arnold's Cove wasn't closed to the public as revealed by Councillor Parsons, also advising that Scotiabank remained open to the public. Council Parsons suggested to utilize gloves as per the risks associated with handling money, along with utilizing appropriate sanitization for now. It was also revealed that Council may need to give consideration to extending the deadline to pay taxes, interest relief, etc. In conclusion, it was the consensus of most present to follow precautions at the Town Office and to continue access to the general public.

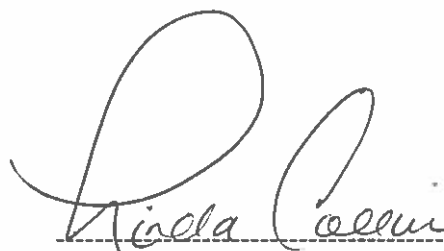
3. **MEETING/REQUEST FROM RJG CONSTRUCTION:**

CAO Collier along with Councillor Woodland and Public Works employee Hughie Whalen met with Tony Rennie of RJG Construction Limited today, as a result of his request to meet with Council to provide details proposed as per developments for the Fortune Port Corporation's tender scheduled to close on March 23<sup>rd</sup>. There was a reference to a job completed in 2008 pertaining to hauling rock and accessing Hornhouse Road via detour off the bridge and appropriate permit obtain from DFO as per the body of water (i.e. brook). As per details provided by Councillor Woodland, it was revealed that there appears to be no concern with providing an "approval in principle"; however, should the company be successful and awarded the contract, more specific plans are to be provided to Council prior to granting official approval.

4. **COUNCIL GIFT:**

The absence of Councillor Kendell due to his recent surgery was noted, and Councillors agreed to purchase a fruit basket to express thoughts for a speedy recovery, upon his arrival home. Councillor Parsons will advise date of return to CAO Collier and deliver accordingly.

  
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Mayor, Charles Penwell

  
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CAO, Linda Collier



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**AGENDA - Council Meeting  
Fortune Town Council Chambers  
March 9, 2020 @ 6:30 p.m.**

## **Additions/Adoption to Agenda**

**Adoption of Minutes:** February 24, 2020

## **GENERAL BUSINESS**

1. Public Works- Brookside Road Waterline & Salt Spreader
2. Confederation Arena Storm Sewer Upgrades- Approval to Call Tenders
3. RJG Construction- Quarry
4. Chlorine & Ammonia Handling & Response Training
5. Geology Center Parking Lot
6. Trail Network
7. Reimbursement for BPCC AGM Fee
8. Cancer Relay- Change of Date
9. Burin Peninsula Supported Employment Services- Appreciation Luncheon
10. MNL Regional Meeting- March 27-28 (New Date)

**FINANCIAL TRANSACTIONS:** (February 22- March 6, 2020)

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

### **Exemptions:**

Account #CARO0001 Business Tax Exemption- Business no longer operation in Fortune

## **CORRESPONDENCE:**

<b>Dated</b>	<b>From</b>	<b>Particulars</b>	<b>Anticipated Action</b>
	TownSuite	Townsuite EDGE Training May 20-21, 2020	Councillor's Information
Feb 24, 2020	takeCHARGE	WIN \$7500 of energy efficiency upgrades	Councillor's Information
Mar 3, 2020	Burin Peninsula Joint Council	General Meeting, March 21, 2020	Councillor's Information

## **COUNCILLOR'S FORUM / COMMITTEE REPORTS:**

## **CAO REPORT**

## **ADJOURNMENT / Next Meeting:**