



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 On January 12, 2021 at 6:15 p.m.

Members Present: Mayor Charles Penwell
Deputy Mayor Smith Frazer Smith
Councillors: Terry Fleming
Roy Kendell
Patrick Parsons
Matthew Woodland

Absent with regrets: Councillor Levi Curtis

Also Present: CAO Collier Linda Collier

Additions/Adoption to Agenda:

Mayor Penwell asked if there were any additions to the Agenda for the January 12, 2021 meeting to which the following was noted:

6) ARENA

Permits:

DODGEM002 30 Confederation Street – Mini Split/Home (July 6, 2020)

Motion 2021-01-12-01: Deputy **SMITH** / Councillor **WOODLAND**

It was resolved that the Agenda for January 12, 2021 be adopted as presented with noted additions.

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

Opposed: 0
Motion carried.

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Adoption of Minutes from December 15, 2020:

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Regular Council Meeting held on December 15, 2020 as presented.

Motion 2021-01-12-02: Deputy SMITH / Councillor WOODLAND

It was resolved to approve the Minutes of the December 15, 2020 Regular Council Meeting, noting two adjustments to Curb Removal on Centennial Street and Haddock Road permit.

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

Opposed: 0
Motion carried.

Adoption of Special Meeting Minutes from January 4, 2021:

Mayor Penwell asked if there were any errors or omissions to the Minutes from the Special meeting of Council held on January 4, 2021 as presented.

Motion 2021-01-12-03: Deputy SMITH / Councillor PARSONS

It was resolved to approve the Minutes of the January 4, 2021 Special Meeting of Council.

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

Opposed: 0
Motion carried.

GENERAL BUSINESS:

1. **Tax Sale Update** – CAO Collier indicated to Council that the bid in the amount of \$28,000 was beyond the amount in arrears and that the lawyer is in the process of providing procedure to follow as per the excess and appropriate court proceedings. In addition, properties were tabled for additional tax sales by way of public auction.

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GENERAL BUSINESS (cont'd):

Properties identified for tax sales with legal assistance:

CREWL001 @ 5 Kelly Place \$6,147.06 (initially mortgaged)

FORSEM001 @ 12 Haddock Road \$5,876.30

Property identified for tax sales without legal assistance:

MATED001 @ 10A Bayview Street \$11,255.16

Motion 2021-01-12-04: Councillor **WOODLAND** / Councillor **FLEMING**

It was resolved to proceed with the tax sales by way of public auction, referencing legal assistance with properties located at 5 Kelly Place and 12 Haddock Road, but 10A Bayview Street be handled internally.

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

Opposed: 0
Motion carried.

A discussion pertaining to the previously attempt of tax sale for 10A Bayview suggested that the Town seek to acquire this property, with Councillor Parsons indicating the issues in the area pertaining to snowclearing.

Deputy Mayor Smith revealed a potential interest in the property and left the meeting as per Council's discussion at 6:28 p.m.

Motion 2021-01-12-05: Councillor **PARSONS** / Councillor **WOODLAND**

It was resolved that the Town of Fortune seek the acquisition of the property located at 10A Bayview Street through Councillor Parson's participation in the tax sale by public auction at a cost not to exceed \$5,000.

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

Opposed: 0
Motion carried.

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Deputy Mayor Smith jointed the meeting again at approximately 6:30 p.m.

GENERAL BUSINESS (cont'd):

2. **Fortune Port Authority Fencing** – CAO Collier received drawings from Bennett's Construction, and also referenced correspondence from Earl Rose with the Fortune Port Corporation suggesting to utilize *Jersey Barriers* outside fence line as further protection – snow clearing. The discussion indicated space being lost as to jersey barriers, along with suggestion of 3 feet of concrete as foundation prior to installing post/fencing. The consensus of Council was to correspond to Fortune Port Corporation indicating that jersey barriers are not a favourable solution, and seek request to meet to discuss alternatives to resolve this concern.

The discussion also revealed Bennett's Construction not obtaining appropriate permit prior to construction; nevertheless, the consensus was not to charge non-compliance fee, as significant amount for Development Permit as per contract.

3. **Downtown Development – Innovative NL** - CAO Collier indicated to Council that the details provided by Jason Rideout of Innovative NL was received late in the afternoon and suggested that the details provided should be reviewed and discussed with the Planning & Development Committee to ensure the quote includes items previously discussed. The discussion concluded with the recommendation to have a special meeting of all Council, extending invitation to Jason Rideout of Innovative with a social to follow for next Tuesday. CAO Collier to coordinate.
4. **Land Gazette** – CAO Collier indicated to Council that the use of this application/software is beneficial when acquiring land details/purchase, but indicated the requirement for survey nevertheless.

Motion 2021-01-12-06: Deputy Mayor SMITH / Councillor WOODLAND

It was resolved that the Town of Fortune would not subscribe.

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

Opposed: 0 Motion carried.

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5. **Janitorial Services** – As per Special Meeting of Council, CAO Collier indicated the lowest bidder withdrawing as per work commitments. It was agreed to pursue the next lowest bidder.

Motion 2021-01-12-07: Deputy Mayor SMITH / Councillor PARSONS

It was resolved that the next lowest bidder be offered the janitorial contract as a result of the lowest bidder withdrawing. Should that individual decline, Council would revisit the needs and advertise accordingly.

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

Opposed: 0
Motion carried.

6. **Arena** – CAO Collier tabled request from Minor Hockey that would allow two parents/guardians per player, and indicated tournaments are now being coordinated as per HNL. The matter was discussed with Paul Tulk, Arena Attendant, who indicated this should be manageable and provided a capacity of approximately 56 one side and 21 on the other. The discussion referenced some parents not wearing masks and the fact that this is the Town's responsibility to enforce wearing of face masks as in all other measures for public buildings. It was questioned if contract tracing is being completed to which CAO Collier indicated she would confirm, but to her understanding this was indeed being documented. Furthermore, it was revealed that social distancing in the dressing rooms is hard to accommodate; nevertheless, Council were favourable in allowing tournaments for Minor Hockey (one parent/guardian per child) and Recreational Hockey (no spectators).

CAO Collier also verified that the staff are working a combined 60 hours, as per the operational suggestion by Council but that an ammonia leak the past weekend required some additional hours as per consultation for repairs with Keep Cool who came on Monday to perform service and additional ammonia.

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7. **Financials December 11, 2020 – January 8, 2021:**

Motion 2021-01-12-07: Deputy Mayor SMITH / Councillor KENDELL

It was resolved that the Financials be approved for payment as presented.

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

Opposed: 0 Motion carried.

8. **Permits/Exemptions/Adjustments:**

BRADC001 – 41 Haddock Road Additional Water & Sewer – Seeking *exemption* as apartment is not being rented to family.

Motion 2021-01-12-08: Councillor PARSONS / Councillor WOODLAND

It was resolved that the exemption request be provided with subsequent yearly request, as per status update of the apartment.

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

Opposed: 0 Motion carried.

Development Permit – BENNE001 – Installation of Secondary Examination Bay (CBSA Fortune), as per Fortune Port Corporation (PIL Booth).

DODGEM0002 – Confederation Street Mini Split (inspection approved June 29, 2020)

Motion 2021-01-12-09: Deputy Mayor SMITH / Councillor PARSONS

It was resolved that the permits noted above be approved.

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8. **Permits/Exemptions/Adjustments (Cont'd):**

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

Opposed: 0 Motion carried.

9. **Reaching Home Program** – For information.

10. **CAO Report** – CAO Collier provided overview of pending items that included:

- Follow-up meeting with OCI late Winter/early Spring; current tax arrangement – 1 year.
- High bank washout – contacted Department but no response to date; MHA copied
- Audit Services – update as per discussions with Sandy Hounsell with the Department of Climate Change, Environment and Municipalities and further consultation with Public Procurement Agency suggesting that three quotes be obtained should Council wish to pursue services from another Auditing firm for 2021. Correspondence initially addressed to the Minister has now been directed to Finance Division (Rayanne Hibbs) – in efforts to seek alternate or appointing by Minister for 2020 financial services/audit.

Motion 2021-01-12-08: Deputy Mayor SMITH / Councillor PARSONS

It was resolved that three quotes be obtained to provide financial statements/audit for 2021.

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

Opposed: 0 Motion carried.

Mayor Penwell concluded the discussion surrounding the Financial Statements/Audit indicating if we are compelled to continue with the services of Byron Smith Professional Accounting, that we correspond demanding the final financial statements to be in Council's position prior to the municipal election.

- Hornhouse Road Maintenance – No response yet received from DFO
- Logwood – combined (MAA to follow-up as per property on Miller and Logwood.
- Seeking response from HR Committee for Leave Request – 3 days (no response from email)

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11. **Councillor's Forum:**

Councillor Woodland – Seeking information from CAO Collier pertaining to response back regarding Hornhouse Road Trail. CAO Collier will follow-up with representative from Parks & Natural Areas.

Councillor Fleming - NIL
Councillor Parsons - NIL


Councillor Kendell- Participated in a short CAC meeting that addressed Modern vaccinations for Covid-19 arriving on the Burin Peninsula late February/early March that will target rest of health care workers and then seniors. The government website has a link identifying the list of priorities to receive this vaccination.

A discussion referencing ambulance attendants weren't identified as being eligible to receive vaccination as many other Eastern health employees given the option to travel to St. John's to receive the vaccine. CAO Collier will correspond with Eastern Health to indicate Council's position on ensuring that ambulance attendants, as first responders/essential workers, should be included as priority for the getting the vaccine, if they so choose.

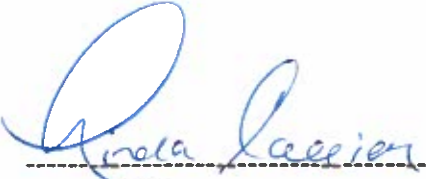
Deputy Mayor Smith - NIL

Councillor Fleming- Inquiry as per follow-up to outstanding poll taxes by suggesting provincial court action (i.e. form) indicated a low response by CAO Collier, despite issuing correspondence by Mayor Penwell along with the *Statement of Claim* forms, as directed by Council at a previous meeting.

Adjourn / Next meeting – 26th 7:24 p.m.



Mayor Penwell



Linda Collier - CAO



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AGENDA - Council Meeting
Fortune Fire Hall
January 12, 2021 @ 6:15 p.m.

Additions/Adoption to Agenda

Adoption of Minutes: December 15, 2020
January 4, 2021 (Special Meeting)

GENERAL BUSINESS

1. Tax Sale Update
2. Fortune Port Authority Fencing
3. Downtown Development - Innovative NL
4. Land Gazette Operations
5. Janitorial Services

FINANCIAL TRANSACTIONS:

➤ Payables December 11, 2020- January 8, 2021

PERMITS/EXEMPTIONS/ADJUSTMENTS:

Exemption:

BRADC001 41 Haddock Road Additional Water/Sewer

Development Permit:

BENNE001 CBSA Fortune Installation of Secondary Examination Bay

CORRESPONDENCE:

From	Particulars	Anticipated Action
Government of Canada	Reaching Home Program	Councillor's Information

CAO REPORT

COUNCILLOR'S FORUM / COMMITTEE REPORTS:

ADJOURNMENT / Next Meeting: