



The Town of Fortune

P. O. BOX 159

Temple Street

Fortune, Newfoundland

A0E 1P0

TELEPHONE: (709) 832-2810

FAX: (709) 832-2210

A meeting of the Fortune Town Council was held on Thursday, February 15, 2001 at 7:00 p.m.

Members present were: Mayor Charles Penwell, Deputy Mayor Alec Noseworthy, Councillors Kim Price, Derrick Reid, Harvey Tulk and Rosalind Matchem.

Additions to Agenda: 26) Honorariums
27) Sewer Back-Up-Juanita Strickland

Be It Resolved: It was moved by Deputy Mayor Noseworthy and seconded by Councillor Matchem the agenda be adopted as presented. Unanimously agreed. Motion carried.

Be It Resolved: It was moved by Councillor Tulk and seconded by Councillor Price that the minutes of the regular meeting of January 11, 2001 and the finance meeting of January 30, 2001 be approved as presented. Unanimously agreed. Motion carried.

Business Arising from Minutes:

1. Poll Tax Exemption-correspondence received from the town's solicitor Terry White stating that "the Municipalities Act defines "owner" as anyone who has a right to use and enjoy property either absolutely or subject to conditions. One of the key ingredients is the ability to sell or pass the interest to another as of right. The law does not recognize common-law couples in the same way as married couples. You could cohabit unmarried with the owner of property and live with him or her your lifetime but the law would not generally give you an ownership interest in the property. The person may be entitled to claim reimbursement for his or her contribution to the property if it would be unfair not to do so, or they may accrue a beneficial interest but they would have to prove entitlement. The Municipalities Act talks of ownership as being an existing right recognized at law. It requires a legal ownership of property either formally, by way of Deed or by operation of law as for married couples under the Family Law Act or informally through long possession by a person or married couple or by being the next-of-kin of a deceased owner. The non-owning common-law spouse has no existing rights of ownership and therefore does not fall into the definition of owner of real property under the Municipalities Act."

It was agreed the common-law spouses applying for poll tax exemption in 2001 would not be exempt based on the correspondence indicated from the Picco & White Law Office.



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GENERAL BUSINESS

1. Request from Lisa Lake for consideration during snow clearing since she is on call for the ambulance. It was agreed the snow clearing policy would remain as is and there would not be any changes.

2. Provincial Paving contract for paving Springhill Road

Be It Resolved: It was moved by Councillor Tulk and seconded by Councillor Reid the town would accept the tender from Provincial Paving in the amount of \$72,248.00 for paving Springhill Road. Unanimously agreed. Motion carried.

3. Fortune Arena-Minor Hockey-canteen for February 24, 2001. It was agreed the group would use the entrance area to the canteen.

-both microwaves are out of order. It was agreed to purchase a new microwave.

4. Canada Day Celebrations-agreed to complete application.

5. Pre-budget consultations roundtable discussions and pre-budget electronic Town Hall discussions. Mayor Penwell will attend.

6. NLFM-Town of Port-aux-Basques request for support to create a tourism service facility to meet the needs of the inbound and exiting tourist.

Be It Resolved: It was moved by Councillor Reid and seconded by Councillor Price we would support the Town of Port-aux-Basques in their efforts to establish a tourism service facility. Unanimously agreed. Motion carried.

7. Town of Lawn-request to support for new school.

Be It Resolved: It was moved by Councillor Tulk and seconded by Deputy Mayor Noseworthy we would support in principle, the Town of Lawn in their efforts for a new school. Unanimously agreed. Motion carried.



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8. Water to Ships-new rates

Be It Resolved: It was moved by Councillor Tulk and seconded by Councillor Matchem the new rates would be as follows:

Minimum Charge (500 gals. or less)	\$25.00
.01¢ per gallon (500 gals. to 5,000 gals.)	.03¢ per gallon
1½¢ per gallon in excess of 5,000 gallons	2½¢ per gallon
Straight Time Call Out	\$50.00
Overtime Call Out	75.00

Unanimously agreed. Motion carried.

9. Computer Price list from DSI. Total cost \$3,479.90 including computer, adjustable arm, laser printer, labor and HST.

Be It Resolved: It was moved by Councillor Tulk and seconded by Councillor Reid the computer package as offered by DSI would be accepted as presented.
Unanimously agreed.

10. NLFM-Municipal Elections Act-new act for September 2001. It was agreed to forward Council's concern to the Department of Municipal Affairs regarding: (1) school board and municipal election to be held on the same day-this may cause a problem for individuals wishing to participate in both elections.

11. Repairs to chlorination equipment-Danny Hines has examined the equipment at the chlorination system and total cost of replacement would be around \$20,000.00. Two chlorination monitors have been replaced at a cost of \$2,000.00 each and this price is included in the total replacement cost.

12. Fortune Recreation Commission-Winter Carnival-donation for this event included in budget.

13. Arena Advisory Board Curling Bonspeil-Council will enter two teams.

14. NLFM-Priscilla Boutcher-membership renewal. Agreed to renew.



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15. Harbour Authority/Business Association-interested in forming a committee to investigate any spin-off development from the off-shore work started in St. Pierre.
16. Fisheries Conference March 1-2, Hotel Gander-Deputy Mayor Noseworthy and Councillor Tulk will attend.
17. Dept. of Justice-information only.
18. Turf Conference-no one available to attend.
19. Structural Seminar 2001-information
20. Dept. of Environment & Labor-drinking water quality
21. Approval required to order new ambulance.

Be It Resolved: It was moved by Deputy Mayor Noseworthy and seconded by Councillor Matchem the town would approve the purchase of another ambulance as recommended by the ambulance committee. Unanimously agreed. Motion carried.

22. Ambulance service financial statement for 2000-information purposes.
23. Complaint- Shelly Symes-concerns regarding snow clearing in front of her property.
-Gordon Price-regarding snow clearing. Will write Mr. Price.
24. Grand Bank Lions Club TV Auction-nothing at this time.
25. Clean & Safe Drinking Water Workshop-no one available to attend.
26. Sewer back-up Juanita Strickland, Confederation Street-someone to check out matter.
27. Honorarium-

Be It Resolved: It was moved by Councillor Tulk and seconded by Deputy Mayor Noseworthy approval be granted for the first quarter honorarium to be paid in advance to Councillor Fiander. Unanimously agreed. Motion carried.



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28. Arena-Eric requested change in schedule-to work Tuesday to Saturday instead of Wednesday to Sunday. Schedule will be worked out to allow Eric to have Sunday off.

CORRESPONDENCE

1. Bridges Employment Corporation re Tea Room-information.
2. Cecon-Municipal Waste Management-information.
3. Mr. Frank Fizzard-appeal deadline has passed.
4. News Release-View Parks-information.
5. NLFM-gasoline prices-information.
6. Nfld & Labrador Safety Association-information.
7. Eastern Arena Managers Meeting-information.

Be It Resolved: It was moved by Councillor Matchem and seconded by Councillor Price the meeting adjourn at 9:45 p.m. Unanimously agreed. Motion carried.

Mayor

Office Clerk



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AGENDA Council Meeting February 15, 2001

Adoption of Minutes

BUSINESS ARISING FROM MINUTES

1. Poll Tax Exemption

GENERAL BUSINESS:

1. Lisa Lake-request for consideration re snow clearing.
2. Resolution to accept Provincial Paving contract for paving Springhill Road.
3. Fortune Arena-Minor Hockey-canteen for February 24, 2001.
-Microwaves out of order
4. Canada Day Celebrations
5. Pre-budget consultations roundtable discussions and pre-budget electronic Town Hall discussions.
6. NLFM-Town of Port-aux-Basques
7. Town of Lawn
8. Water to Ships
9. Computer Price
10. NLFM-Municipal Elections Act
11. Repairs to chlorination equipment
12. Fortune Recreation Commission-Winter Carnival
13. The Arena Advisory Board-Curling Bonspeil



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14. NLFM-Priscilla Boutcher
15. Harbour Authority/Business Association
16. Fisheries Conference March 1-3-Hotel Gander
17. Dept .of Justice
18. Turf Conference
19. Structural Seminar 2001
20. Dept. of Environment & Labour-drinking water quality
21. Approval required to order new ambulance.
22. Ambulance service financial statement for 2000
23. Complaint Shelly Symes
24. Grand Bank Lions Club TV Auction
25. Clean & Safe Drinking Water Workshop

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