



The Town of Fortune

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

TELEPHONE: (709) 832-2810
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EMAIL: townoffortune@eastlink.ca

Minutes of a Regular Meeting of Council Of the Town of Fortune at the Fortune Fire Hall On May 18, 2021 at 6:30 p.m.

<i>Members Present:</i>	Mayor	Charles Penwell
	Deputy Mayor	Frazer Smith
	Councillors	Levi Curtis Terence Fleming Roy Kendell Patrick Parsons Matthew Woodland
<i>Also Present:</i>	CAO Collier Town Clerk	Linda Collier Lacey Symes

Additions/Adoption to Agenda:

Mayor Penwell asked if there were any additions to the Agenda of May 18, 2021.

5. Conflict of Interest
6. Adopt a Spot
7. Fortune Port Corporation Fence

Motion 2021-05-18-01: Deputy Mayor Smith/Councillor Kendell

Resolved that the Agenda of May 18, 2021 meeting be adopted as presented with additions.

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

Opposed: 0
Motion carried.



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Regular Council Meeting
May 18, 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 May 4, 2021 as presented.

Motion 2021-05-18-02: Deputy Mayor Smith/Councillor Fleming

Resolved to adopt the Minutes of the Regular Council Meeting of May 4, 2021 as presented.

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

Opposed: 0
Motion carried.

GENERAL BUSINESS:

1. Horsebrook Trailer Park Trenching: Trenching work was completed by Public Works Employees for Bridge's Employment, approximately one hour of labour, Public Works Supervisor wasn't sure whether to charge them for the labour or not. CAO Collier seeking clarification from Council.

Motion 2021-05-18-03: Deputy Mayor Smith/Councillor Parsons

Resolved to not charge Bridge's Employment Corporation for the one hour labour to complete the trenching at the Horsebrook Trailer Park.

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

Opposed: 0
Motion carried.

2. OCI Meeting: CAO Collier received an email from Paula Kieley from Ocean Choice International advising Mr. Sullivan will not be in the area anytime in the near future & was looking to see if Council was willing to travel to St. John's for a meeting or arrange for webex meeting. Paula was also seeking items of discussion that will be addressed at the meeting.

Council agreed to request a Zoom meeting & to advise the items for discussion are 2021 Operational Plan, Tax Agreement for future, Employee recruitment & Alternative species for production.



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Regular Council Meeting
May 18, 2021
Page 3

3. Burin Peninsula Regional Waste Service Board (BPWM)- Letter of Support: BPWM requesting the Town of Fortune to send a letter in support of the Kilometer Marking Initiative with the Royal Canadian Mounted Police & the Marystown Volunteer Fire Department.

Motion 2021-05-18-04: Deputy Mayor Smith/Councillor Parsons

Resolved to send a letter of Support as per requested by the Burin Peninsula Regional Waste Service Board supporting the Kilometer Marking Initiative with the Royal Canadian Mounted Police & the Marystown Volunteer Fire Department.

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

Opposed: 0
Motion carried.

4. Fortune Lions Club Clean Up: Received a verbal request from the Fortune Lion's Club seeking support to complete a municipal clean up, the Fortune Lions Club is looking for the Town of Fortune to provide garbage bags & labour for the Public Works Employees to pick up the garbage bags once collected. It was agreed to suggest to coordinate around the date where the BPWM will have garbage dumpsters at the Grand Bank location.

Motion 2021-05-18-05: Deputy Mayor Smith/Councillor Woodland

Resolved to provide the Fortune Lion's Club with garbage bags to assist in the municipal clean up & Public Works Employee to provide assistance in retrieving the garbage bags once completed.

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

Opposed: 0
Motion carried.

5. Adopt a Spot: CAO Collier advised that Mrs. Thorne was seeking to obtain a new Adopt a Spot sign located on Bayview as it is weathered. There was also another individual who had advised the Town Office that they were giving up their Adopt a Spot located on Temple Street. CAO Collier seeking clarification from Council on direction to deal with the Adopt a Spot areas.



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Regular Council Meeting
May 18, 2021
Page 4

5. Adopt a Spot Continued..

Councillors advised that the Adopt a Spot Campaign was held many years back; however, it was a consensus of Council to have the Adopt a Spot sign located on Bayview Street replaced as per Mrs. Thorne & to send out a mass email/social media seeking anyone interested in Adopt a Spot areas throughout the Town of Fortune to contact the Town Office.

6. Fortune Port Corporation Fence: A Stop Work Order was issued to Bennett's Construction in respect to the installation of 4ft privacy slats as per May 4th Council Meeting . CAO Collier later received an email from the Fortune Port Corporation's engineer Neil Hunt advising the Fortune Port Corporation accepts Council's decision regarding & 4ft slats & they will not be installed along the roadside fence. Mr. Hunt had noted that they will continue with the work as proposed on the original development permit issued to Bennett's Construction in order to satisfy Canada Border Services land border security design guide, noting the privacy wall will be non-permanent offset from the canopy on the inside of the property.

CAO Collier had asked Mr. Hunt to provide the security design guide & Mr. Hunt advised that the security design guide is an internal CBSA document; therefore, he will need to seek permission to release.

CAO Collier will follow up once more information becomes available.

7. Conflict of Interest Vote: CAO Collier provided briefing to address a deferred request from April 6, 2021 meeting as per correspondence received from Mr. Brian Rose seeking tax relief for 2021 & full refund of 2020 business & commercial taxes. There was a follow up required as per ruling/consultation by official from the Department of Municipal and Provincial Affairs pertaining to allegations of Conflict of Interest by Mayor & Deputy Mayor.

Mayor Penwell & Deputy Mayor Smith declared a Conflict of Interest & left the Council Meeting at 6:56 p.m.

April 20th meeting CAO Collier provided details obtained from Trina Keough- Hackett (Municipal Affairs) and as per potential doubt, section 209 (Decision of Council) was noted and as a majority was no possible the matter was deferred until all Councillors were present.

Council discussed this matter & it was noted that the relief that was approved was as a whole, the relief wasn't look at as each business individually, relief was transparent & was reflected on the amount of business tax invoiced (i.e. businesses charged \$600 & over received \$300 relief, \$300-\$599 received \$200; less than \$300 received \$100 relief).

Motion 2021-02-10-06: Councillor Parsons/Councillor Curtis

Resolved to agree that Mayor Penwell & Deputy Mayor Smith were not in conflict when voting on approval of "Covid-19 Business Tax Relief" as per submitted applications provided in August of 2020.



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Regular Council Meeting
May 18, 2021
Page 5

In favour: Councillors: Curtis, Fleming, Kendell, Parsons & Woodland

Opposed: 0
Motion carried.

CAO Collier noted that the request for a full refund of business & commercial taxes for 2020 & suspension of business & commercial taxes for 2021 will be deferred until Finance Committee meeting.

Deputy Mayor Smith & Mayor Penwell returned to the Council Meeting at 7:07 p.m.

FINANCIAL TRANSACTIONS:

Motion 2021-05-18-07: Deputy Mayor Smith/Councillor Curtis

Resolved to approve the financial transactions for May 1, 2021- May 14, 2021.

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

Opposed: 0
Motion carried.

PERMITS/EXEMPTIONS/ADJUSTMENTS:

Exemption Request

COLLI002/COLLI004	Business Tax
SMITHB001	Waste Disposal

➤ **COLLI002/COLLI004 Business Tax**

Deputy Mayor Smith declared a conflict of interest & left the meeting at 7:10 p.m.

Motion 2021-05-18-08: Councillor Parsons/Councillor Curtis

Resolved that Deputy Mayor Smith is not in conflict in regards to the exemption request for COLLI002/COLLI004.

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



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Regular Council Meeting
May 18, 2021
Page 6

Opposed: 0
Motion carried.

Deputy Mayor Smith returned to the Council Meeting at 7:12 p.m.

Received correspondence from a business owner who operates a business within the Town of Fortune at two separate locations; however, both locations are under the same business number. Business owner is seeking exemption of one business tax.

It was a consensus of Council to defer until CAO Collier does further research with other municipalities

Councillors agreed that further notification is needed regarding conflict with business taxes. CAO Collier to follow up with other municipalities & Municipal Affairs.

➤ **SMITHB001** **Waste Disposal**

Resident had water services dug up & combine parcel request sent in to the Municipal Assessment Agency, had verbally requested to be exempted from waste disposal services for 2021; however, no written request was formally submitted.

It was a consensus of Council that no exemptions are to be granted as per Burin Peninsula Waste Regulations.

CORRESPONDENCE:

Make a Wish Canada- 25th Annual Run the Rock:

Motion 2021-05-18-09: Deputy Mayor Smith/Councillor Curtis

Resolved to donate \$100 to the 25th Annual "Run the Rock" from Port Aux Basque to St. John's.

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

Opposed: 0
Motion carried.



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Regular Council Meeting
May 18, 2021
Page 7

CAO REPORT:

- Attended two training courses (Municipal Law & Land Use Planning)
- Municipal Plan needed to be reviewed once new Council is elected
- Complaint received regarding Hornhouse Road & seeking a "slow down" sign to be erected, consensus of Council to not erect sign.
- Still awaiting legal work for Horsebrook electrical upgrade

COUNCILLOR'S FORUM / COMMITTEE REPORTS:

Mayor Penwell: If there is no funding in place for the chiller by June Council will have to discuss funding/finance options. CAO Collier to receive update regarding Special Assistance Funding within the coming weeks & had applied for the Canadian Healthy Initiative Fund.

Deputy Mayor Smith: Suggesting for the Public Works Employees flush water lines around the Town.

Councillor Curtis: Received a complaint from a citizen that children went to play softball & were unable to do so because there were dogs at the park at the time, wanted to bring it to Council's attention.

Councillor Fleming: NIL

Councillor Kendell: NIL

Councillor Parsons: NIL

Councillor Woodland: Bench was removed at the dog park & brought to the walking trail, wondering if one can be put back in the dog park.

ADJOURNMENT / Next Meeting

Motion 2021-05-18-10: Deputy Mayor Smith/Councillor Parsons

Resolved to adjourn the Regular Council Meeting at 7:32 p.m., next Council Meeting scheduled for June 1, 2021.

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

Opposed: 0
Motion carried.



Mayor Penwell



Lacey Symes Town Clerk



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AGENDA - Council Meeting May 18, 2021 at 6:30 p.m.

Additions/Adoption to Agenda

Adoption of Minutes: May 4, 2021

GENERAL BUSINESS

1. Horsebrook Trailer Park Trenching
2. OCI Meeting
3. Burin Peninsula Regional Waste Service Board- Letter of Support
4. Fortune Lion's Club- Town Clean Up

FINANCIAL TRANSACTIONS:

- Payables May 1, 2021- May 14, 2021

PERMITS/EXEMPTIONS/ADJUSTMENTS:

Exemption Request

COLL1002/COLL1004 Business Tax
SMITB001 Waste Disposal

CORRESPONDENCE:

From	Particulars	Anticipated Action
Make a Wish Canada	25Th Annual Run the Rock	Donation Request

CAO REPORT

COUNCILLOR'S FORUM / COMMITTEE REPORTS:

ADJOURNMENT / Next Meeting