

The Town of Fortune

P. O. BOX 159
Temple Street
Fortune, NJ

A0E 1P0

AGENDA - Council Meeting
Fortune Town Council Chambers
April 22, 2019 @ 6:30 p.m.

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Additions/Adoption to Agenda

Adoption of Minutes: April 8, 2019

GENERAL BUSINESS:

1. Irving Property
2. MHA Haley- Approvals
3. Permits (Protected Road Zoning Regulations)
4. Bugs & Debbie Greene Show
5. Charter Night Celebrations- May 4, 2019
6. Snook's Road- Bank Erosion
7. Tourism Advisory Group/ Trail Network
8. Community Roundtable
9. MNL Meeting/BP Town Councils
10. Municipal Affairs and Environment Training Objectives

FINANCIAL TRANSACTIONS: (March 24, 2019- April 18, 2019)

PERMITS/EXEMPTIONS/ADJUSTMENTS

Building Permits:

AYERD001 17 Pinchmarsh Road Patio
ROBEN001 Lamaline Highway Patio & Shed

Poll Tax Exemption

MATFM002

Business Tax Exemption

FORTU014 (2016 & 2017)

COMMITTEE REPORTS

CORRESPONDENCE

Dated	From	Particulars	Anticipated Action
April 16, 2019	MP Cheryl Gallant	Bill C-68	For Councillor's Information
April 10, 2019	Mary Grace	Host Going Miles Youth Conference	For Councillor's Information
March 28, 2019	Burin Peninsula SPCA	Monetary Donation	Donation Request

COUNCILLOR'S FORUM

ADJOURNMENT / Next Meeting



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Minutes of a Regular Meeting of Council
Of the Town of Fortune, held at the
Fortune Municipal Center
April 22, 2019 at 6:30 p.m.

Members Present:

Mayor	Charles Penwell
Deputy Mayor	Frazer Smith
Councillors	Levi Curtis
	James Dunne
	Roy Kendell
	Patrick Parsons
	Matthew Woodland

Also Present:

Chief Administrative Officer	Linda Collier
Municipal Clerk	Tammy Mullins

Adoption of Agenda:

Mayor Penwell asked if there were any additions to the Agenda of April 22, 2019

11. Hayter Street Tender
12. Agenda Configuration - recommendation
13. BP Regional Service Board Public Drop Off Event
14. St. George's Holiday
15. Request with properties
16. SPM President Territorial Government

Motion #: 2019-04-22-01 Councillor PARSONS /Councillor CURTIS

Resolved that the Agenda for April 22, 2019 be adopted as presented along with the additions.

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

Opposed: 0

Motion carried.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
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 April 8, 2019 as presented. CAO Collier pointed out a couple corrections.

Motion #: 2019-04-22-02 Deputy Mayor SMITH / Councillor DUNNE

Resolved to adopt the Minutes of the Regular Council Meeting of April 8, 2019 as presented with corrections.

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

Opposed: 0
Motion carried.

GENERAL BUSINESS:

1. **Irving Property** – CAO Collier provided briefing on steps taken thus far in efforts to determine if approval was granted by Irving Oil to Trident Construction to place materials and equipment on site of Snook's Road property. Council suggested to await contacting Trident Construction until official notification is provided by Irving Oil.
2. **MHA Haley Notification of Approvals** – Mayor Penwell advised Council on the amount of funding announced by our MHA in a recent email.
3. **Permits (Protected Road Zoning Regulations)** – CAO Collier provided information obtained through a telephone call from a Department official (Bessie O'Grady) advising that Lamaline Highway is considered a *Protected Road*; therefore, advising that the municipality must follow zoning regulations (sent via email), with respect to developments in the area. Reference to electrical request by resident was noted and confirmed by Councillor Parsons.
4. **Bugs & Debbie Greene Show** – CAO Collier reported on discussions with staff from the Towns of Garnish and St. Lawrence. Garnish never received hard copies of footage and distribution is merely through social media; however, St. Lawrence, received their pre-ordered CD's after a fairly lengthy wait. Councillor Kendell suggested to also contact Eastlink as they also air this show. Mayor Penwell indicated that we should still proceed with contacting Lawyer with request of getting money back and remainder of Council agreed - suggesting to refund if hardcopies (ex. CD) cannot be provided.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
Page 3

5. **Charter Night Celebrations- May 4, 2019** – Mayor Penwell asked if anyone was available to attend, as he has already committed to attend a Sea Cadet event. Councillor Parsons indicated that he will try to attend pending his arrival from the Municipal Symposium in Gander. Office staff to follow-up with representative from the Lions Club.
6. **Snook's Road- Bank Erosion** – CAO Collier advised Council on complaint received pertaining to bank erosion taking place to property on Snook's Road with his reference to the Cemetery. A follow-up visit by Public Works Foreman indicated he didn't perceive an immediate concern; meanwhile, several Councillors indicated that erosion is indeed taking place. The discussion concluded with the suggestion for the resident to reach out to the Department of Environment, suggesting that the only remedy would potentially be a recommendation for property owner to acquire armour stone, at *owner's* cost.
7. **Tourism Advisory Group/ Trail Network** - It was tabled by CAO Collier (as a result from a discussion with tourism operator and tourism advocate for the region) if Council would be receptive to congregate local representation pertaining to positioning the community with respect to tourism developments, as opposed to having one regional organization addressing tourism needs (i.e. Fortune Head ECO Friends Inc.). Council indicated there is no funding to support another group. In addition, Councillor Woodland provided an overview of a meeting that was attended by himself and CAO Collier, referencing the agreement of five communities to work with the Heritage Run Tourism Association to develop the trail network as a regional product for the area. It is anticipated that the five Council's would provide an approximately contribution of \$1000-\$2000 towards the funding proposal that would provide uniform signage, marketing, etc.
8. **Community Roundtable** – CAO Collier was seeking Council's support with respect to hosting a community roundtable discussion with local community groups such as the Royal Canadian Legion, Fortune Lions Club, Fortune Head ECO Friends, Recreation Commission, Feller From Fortune Festival in efforts of engaging a collaborative approach to hosting events, etc. – keeping an open communication without competing. The discussion did not result in any resolution or suggestion to host such an event.
9. **Municipalities Newfoundland Labrador (MNL) Meeting/BP Town Councils** – Correspondence has been forwarded Mayor Paul Pike (MNL Representative for the region) who has indicated follow-up with respect to potential date to host this meeting.
10. **Municipal Affairs and Environment Training Objectives** – Mayor Penwell referenced the two training engagements scheduled for the Burin Peninsula (Cash Handling and Financial Evaluation/ Conflict of Interest). CAO Collier indicated that the Public Procurement would be the only other course of relevance at this time; however, Mayor Penwell referenced that it is to be held in St. John's and suggested to wait until course offering is closer to the Burin Peninsula. Discussion concluded with sending correspondence to the Department of Municipal Affairs and Environment to bring Public Procurement to Burin Peninsula and copy to MNL regional representative Paul Pike. It was suggested to identify this as an item for discussion with Town Councils from the Burin Peninsula and MNL.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
Page 4

11. **Hayter Street Tender** – CAO Collier advised Council of the lowest bid from Bennett's Construction (lower than the approval amount of \$340,000). Mayor Penwell suggested to contact the Department to inquire if the surplus (following project completion) in the approximate amount of \$85,000 can be to re-allocated.

Motion #: 2019-04-22-03 Deputy Mayor SMITH / Councillor KENDELL

Resolved to accept the lowest bid from Bennett's Construction as provided and recommended by Innovative NL (consultants engaged for this Capital Works project).

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

Opposed: 0
Motion carried.

At this point in the meeting, Councillor Parsons raised an issue pertaining to waterline location/access and was seeking Council's concurrence to offer property owner, Sam Durnford, the option of connecting line to Brunette Avenue. The property owner would be responsible of costs from home to the connection; however, the Town would run line to the shut-off.

Motion #: 2019-04-22-04 Councillor PARSONS / Councillor CURTIS

Resolved to accept the lowest bid from Bennett's Construction as provided and recommended by Innovative NL (consultants engaged for this Capital Works project).

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

Opposed: 0
Motion carried.

12. **Agenda / Councillor Forum** – CAO Collier indicated the possibility of having the Councillor Forum eliminated from the Agenda to alleviate length of meetings, noting that Committee reports (referencing meetings held outside of regular Council meetings) remain itemized on the Agenda; furthermore, she suggested that most of the items tabled could be addressed/resolved in-office rather than waiting for Council meeting - recommending Councillors to bring forth questions, concerns, etc. as they arise. The majority of Councillors indicated that they would prefer to continue to include the Councillor Forum on the Agenda.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
Page 5

13. **BP Regional Service Board Public Drop Off Event** – The dates to host regional collection in Fortune were identified as being June 8th and September 14th. Mayor Penwell also referenced the host site dates in Grand Bank to be held on May 4th and August 10th.

Councillor Dunne questioned if public works staff are cleaning up garbage that is tore open. CAO Collier confirmed the need to acquire pick up on Haddock Road, but revealed that a non-compliance fee in the amount of \$30 (*as in requirement for non-compliance for building/general repair permit*), has been imposed on property owner who inappropriately contained household waste. This fee provides some compensation of time and supplies of the retrievable waste. Staff felt this retrievable was indeed necessary to alleviate potential health implications to neighbouring properties. There was some debate, and CAO Collier indicated an attempt to contact the property owner was unsuccessful and would be the first and preferred approach to resolve this issue. In concluding the discussion, Council suggested to extend the option for residents to purchase bins from the Town Council two weeks beyond the date of July 1st whereby appropriate containment of household waste in the “mandatory” bin has been implemented.

14. **St. George’s Holiday** – Due an oversight, with this holiday conflicting with Easter/Good Friday, staff did not take this holiday.

Motion #: 2019-04-22-05: Councillor CURTIS / Councillor WOODLAND

Resolved that half of the staff to take day off in lieu of this holiday on dates to be determined by CAO Collier.

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

Opposed: 0
Motion carried.

15. **Janitorial Services** – Deputy Mayor Smith tabled a request to have janitorial service cheque now issued to Daphne Baker replaced with the name of her spouse, and expressed his opinion of this arrangement to be acceptable; however, CAO Collier advised of the current Contract on file. Council did not have any objection to having this document revised to reflect name change only to common-law spouse.

16. **SPM Email** – Mayor Penwell advised Council on correspondence received from Lawyer, Nicholas notifying of the SPM delegation arriving on Wednesday referencing issue with buoys/turning around the boat. In addition, Mayor Penwell indicated that his request to meet with the President is accepted and that Council would be advised once the meeting time is revealed.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
Page 6

FINANCIAL TRANSACTIONS: (March 24, 2019- April 18, 2019)

Motion #: 2019-04-22-09: Councillor CURTIS / Deputy Mayor SMITH

Resolved that the financial transactions be accepted and approved as presented.

In favour: Mayor Penwell; Deputy Mayor Smith; Councillors: Curtis, Dunne, Kendell, Parsons & Woodland.
Opposed: 0
Motion carried.

Building Permits:

AYERD001 17 Pinchmarsh Road Patio
ROBEN001 Lamaline Highway Patio & Shed

Motion #: 2019-04-22-10 Councillor DUNNE / Councillor PARSONS

Resolved that the building permits identified are acceptable and approved.

In favour: Mayor Penwell; Deputy Mayor Smith; Councillors: Curtis, Dunne, Kendell, Parsons & Woodland.
Opposed: 0
Motion carried.

Poll Tax Exemption:

MATTM002

Motion #: 2019-04-22-11 Deputy Mayor SMITH / Councillor DUNNE

Resolved that as proper documentation is provided, the poll tax exemption request is to be approved.

In favour: Mayor Penwell; Deputy Mayor Smith; Councillors: Curtis, Dunne, Kendell, Parsons & Woodland.
Opposed: 0
Motion carried.

Business Tax Exemption:

FORTU014 (2016 & 2017)

Motion #: 2019-04-22-12 Deputy Mayor SMITH / Councillor KENDELL

Resolved that the request to exempt business tax, as verified to being paid in neighbouring municipality to be accepted and approved.

In favour: Mayor Penwell; Deputy Mayor Smith; Councillors: Curtis, Dunne, Kendell, Parsons & Woodland.
Opposed: 0
Motion carried.



The Town of Fortune

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

TELEPHONE: (709) 832-2810
FAX: (709) 832-2210
EMAIL: fortune@nf.aibn.com

Regular Council Meeting
April 22, 2019
Page 7

COMMITTEE REPORTS

CORRESPONDENCE

Dated	From	Particulars	Anticipated Action
April 16, 2019	MP Cheryl Gallant	Bill C-68	For Councillor's Information
April 10, 2019	Mary Grace	Host Going Miles Youth Conference	For Councillor's Information
March 28, 2019	Burin Peninsula SPCA	Monetary Donation	Donation Request - NOT APPROVED

COUNCILLOR'S FORUM

Councillors Woodland, Dunne, Curtis, Kendell, Deputy Mayor Smith and Mayor Penwell - Nothing

Councillor Parsons - Would like further research with respect to heat pump warranty and why they are not working in the Arena, as it was indicated by CAO Collier (as revealed by Public Works staff) that warranty was for one year only; however, several Councillors felt that the warranty was for 10 years on parts, but we would have to pay for labour. CAO Collier will have follow-up pertaining to details and possible costs incurred by service by Marystown Home Heat, and consult with Arena Attendant to clarify issues with heat pump in party room.

ADJOURNMENT: Motion #:#:2019-04-22-: Deputy Mayor SMITH / Councillor KENDELL

Resolved to adjourn the Regular Council Meeting at 7:40 p.m.

In favour: Mayor Penwell; Deputy Mayor Smith; Councillors: Dunne, Kendell, Parsons & Woodland.
Opposed: 0
Motion carried.

Mayor, Charles Penwell

Linda Collier, CAO