

SPECIAL COUNCIL MEETING
January 11, 2019

Present: Mayor Eric Gavin; Deputy Mayor Darren MacKinnon (via phone); Councillors Darrel Wood, Kevin Maynard, Joey Dumville, Valene Gallant and Judy MacIsaac; Reporters from West Prince Graphic and Journal; and CAO Bev Shaw.

Regrets:

1. MEETING TO ORDER:

Mayor Gavin called the meeting to order at 5:30 pm and declared a quorum present. Eric advised that a new agenda was drafted to allow important items to be dealt with early as a couple of members have to leave by 6:30.

The agenda was approved with Item 3 of New Business - Pate Subdivision purchase and sale agreement being assigned to Committee of the Whole session. *Moved by J. Dumville, seconded by K. Maynard and carried.*

2. CONFLICT OF INTEREST DECLARATIONS:

nil

3. NEW BUSINESS

Generator - funding resolution (grant & financing):

WHEREAS the O'Leary Town Complex relies on alternative power in times of outages to provide residents with an emergency shelter and/or warming station;

WHEREAS the O'Leary Volunteer Fire Department, located in the Town Complex, also relies on alternative power in times of outages to provide power for water pumps, air compressor and communications;

AND WHEREAS the engine for the existing generator is no longer operational;

THEREFORE BE IT RESOLVED that Town purchase a new generator system from Tri County Marine for \$23,500 + taxes and electrical set up by Stetson's Electric for \$3050 + taxes, totalling \$26,550 (taxes are fully refundable);

ALSO BE IT RESOLVED that 50% of this project be recovered through a funding application to Rural Growth Initiative - Community Revitalization Program;

AND ALSO BE IT RESOLVED that the balance be financed at the Bank of Nova Scotia for five years at prime rate. (Payment would be approx. \$3800 per year).

MOVED BY JOEY DUMVILLE, SECONDED BY VALENE GALLANT. MOTION CARRIED.

Willow Avenue lot tender:

As no tenders were received by advertised deadline and the two received after the deadline were not acceptable, Council agreed to further discuss this matter during Committee of the Whole.

Pate Garden Subdivision purchase and sale agreements:

Assigned to Committee of the Whole.

Curling Club and Rink Request:

Judy and Darrel excused themselves from the meeting during this discussion due to a possible conflict of interest.

Moved by K. Maynard, seconded by D. MacKinnon and carried that the request from the rink and curling club to have the Town provide snow removal services be declined as it is not appropriate to use the Town's resources for properties not owned by the Town.

Red Rock Curling:

Moved by J. MacIsaac, seconded by D. Wood and carried that the Town support this curling club event with a donation of \$200 as done in previous years. Judy will try to arrange for a team to play.

West Prince Chamber of Commerce:

Moved by D. MacKinnon, seconded by K. Maynard and carried that the Town support the Chamber of Commerce awards gala with a donation of \$500 as done last year.

FPEIM semi annual meeting:

The meeting is scheduled for Saturday, January 19, 2019 from 9 - 3 in Kinkora. Kevin, Eric, and Darren have agreed to attend and Judy to get back to Bev soon.

Confirm Cavendish Agri Services permit:

Moved by J. Dumville, seconded by J. MacIsaac and carried that development permit for Cavendish Agri Services to construct a new blending tower at 41 North St., value approximately \$3.5 M, be approved.

4. MINUTES

The December 12, 2018 regular council meeting minutes were reviewed for errors and omissions. Typo on page 2 to be corrected. *Moved by D. MacKinnon, seconded by K. Maynard and carried* that council meeting minutes be approved.

BUSINESS ARISING FROM MINUTES

Eric received information from Robert Morrissey's office regarding funding program that may help the fire department. Its been forwarded to Chief Phillips.

6. FINANCIAL BUSINESS:

Financial reports circulated to Council. Darren reviewed the current GIC's and explained the payable amount as being related to the subdivision and retail centre projects. He briefly reviewed the variances in the budget and stated we are in good condition financially. Noted that this budget period is for 15 months.

Bank balances as follows: December 31/2018 for general account - \$254,078.57 and for sewer - \$177,213.35. Expenses for December, 2018 for general totaled \$33,248.05 and for sewer \$9,046.92. Revenue for December 2018 for general - \$59,775.33; for sewer \$1,508.48. Gas tax

account - revenue for December \$50,000, investments matured totaled \$50,520, investments purchased totaled \$100,520 and expenses at \$17.70. ***Moved by D. MacKinnon, seconded by D. Wood and carried*** that financial reports and paid bills for December 2018 be approved.

7. OTHER NEW BUSINESS

A. Mayor's report - Eric reported attending the New Year's Levee, the Figure Skating Club breakfast and the Newcomers event at the curling Club.

B. Administrator's report - Bev reported working on the following: generator quotes and funding, Willow Avenue lot tender, realtor agreement, Fire Department honorariums, snow removal complaints and sewer rate review. New signing authority documents completed as well FPEIM survey. Reminded Council of Clifford Lee meeting. Building/development/business permits in December - preliminary to Cavendish Agri Services. Bev's overtime at 9.5 hours, 1 week of 2018 vacation left; Dale's overtime at 63 hours; Jessica's overtime at 24 hours.

C. Reports from Departments

Properties (Kevin) - Kevin reported meeting with Dale and viewing the condition of the maintenance building. It is in poor condition with rotten support beams, considerable water damage due to leaky doors and mud floors. To obtain quotes on repairs.

Streets & Sidewalks (Valene) - Valene reported numerous complaints regarding the snow removal on O'Leary streets. Directing the complaints to Kevin Matthews, snow removal contractor with the Province, appears to have improved the conditions.

Newcomers/Recruitment (Judy) - Judy attended the newcomers event at the curling club. There was about 35 attendees. The levee went well.

Recreation (Joey) - Joey reported meeting with Jessica and reviewed the monthly report. He's asked for more detail on the reports. The levee went great and so did the curling club event for newcomers. Recreation flyer to be sent out soon and Jessica is working on hosting the Under 12 Eastern Canadians this summer.

Fire Department/Police (Darrel) - Darrel reviewed the monthly report from Fire Chief Ron Phillips and advised that he and Eric attended the fire department annual meeting. Discussion followed on replacement of fire department members dress uniforms - town to continue paying one-third of new and replacements pieces of uniforms. RCMP monthly report reviewed. Bev to contact Staff Sgt. about meeting with Council as a member hasn't been attending council meetings lately.

Community Development & Sanitation (Eric) - Eric reported meeting with Robert Henderson and Bobby Morrissey regarding funding programs for the fire department. Regarding Sanitation, Eric reported further issues have developed at the lagoon UV system but parts are under warranty.

D. Fees Bylaw # 2018-08 - Second Reading

Whereas the Municipal Government Act requires a bylaw to enable the Council of the Town of O'Leary to pass bylaws establishing and requiring the payment of fees for development permits, business licenses, inspections, parking, recreation, rentals and other matters for the purpose of raising revenue;

And whereas the Fees Bylaw # 2018-08 was read and formally approved a first at the Council meeting held on December 12, 2018;

Therefore be it resolved that Fees Bylaw # 2018-08 be hereby read a second time.

MOVED by Kevin Maynard, SECONDED by Judy MacIsaac and CARRIED.

Whereas the Municipal Government Act requires a bylaw to enable the Council of the Town of O'Leary to pass bylaws establishing and requiring the payment of fees for development permits, business licenses, inspections, parking, recreation, rentals and other matters for the purpose of raising revenue;

And whereas the Fees Bylaw # 2018-08 was read and approved at two separate meetings of Council held on different days;

Therefore be it resolved that the Fees Bylaw # 2018-08 be formally adopted.

MOVED by Joey Dumville, SECONDED by Judy MacIsaac and CARRIED.

E. Elections Bylaw # 2018-06 Amendment # 1 - Second Reading

WHEREAS the Municipal Government Act requires a bylaw to authorize the municipality to hold an election for municipal mayor and council positions;

AND WHEREAS amendments are required to ELECTIONS BYLAW # 2018-06;

AND WHEREAS Elections Bylaw # 2018-06 Amendment # 1 was read and formally approved a first time at the Council meeting held on December 12, 2018;

BE IT RESOLVED that Elections Bylaw # 2018-06 be amended as follows:

Section 9.5 to read "Pursuant to Subsection 4 (3) of the Campaign Financing Regulations and effective January 1, 2019, neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign exceeding the amount by other contributors."

Section 14.1 to read "Pursuant to subsection 13 (1) of the Campaign Financing Regulations, a person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding \$2000.00."

Section 17.1 to read "An advance poll will be held in accordance with section 45 of the Act and section 43 of the Regulations on the Saturday prior to the municipal election."

Section 18.1 to read "Pursuant to sections 10 and 11 of the Election Regulations, the election office shall be opened from the fourth Tuesday before the election at the O'Leary Town Complex, located at 18 Community Street, O'Leary, PE, and shall be open each business day from 9 am to noon and 1 pm to 3 pm and includes Advance Poll Day from 9 am to 12 noon and Election Day 9 am to 7 pm."

AND ALSO BE IT RESOLVED that ELECTIONS BYLAW # 2018-06 AMENDMENT # 1 be hereby read a second time.

MOVED by Darrel Wood, SECONDED by Kevin Maynard and CARRIED.

WHEREAS the Municipal Government Act requires a bylaw to authorize the municipality to hold an election for municipal mayor and council positions;

AND WHEREAS amendments are required to ELECTIONS BYLAW # 2018-06;

AND WHEREAS the Elections Bylaw # 2018-06 Amendment # 1 was read and approved at two separate meetings of Council held on different days;

BE IT RESOLVED that ELECTIONS BYLAW # 2018-06 be amended as follows:

Section 9.5 to read "Pursuant to Subsection 4 (3) of the Campaign Financing Regulations and effective January 1, 2019, neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign exceeding the amount by other

contributors.”

Section 14.1 to read “Pursuant to subsection 13 (1) of the Campaign Financing Regulations, a person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding \$2000.00.”

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AND ALSO BE IT RESOLVED that ELECTIONS BYLAW # 2018-06 AMENDMENT # 1 be hereby formally adopted.

MOVED by Joey Dumville, SECONDED by Valene Gallant and CARRIED.

8. COMMITTEE OF THE WHOLE

Moved by K. Maynard, seconded by J. Dumville and carried that Council adjourn to committee of the whole session at 6:35 pm.

Moved by D. MacKinnon, seconded by K. Maynard and carried that regular meeting reconvene at 7:15 pm.

(NOTE: Joey and Judy left the meeting about 7 due to other commitments.)

Results from Committee of the Whole

Council agreed that tenders for Willow Avenue lot be deemed unacceptable and that property be listed with realtor.

Eric appointed Kevin and Darrel to research feasibility of constructing an addition on complex to house fire department storage and maintenance department. To check on funding programs.

Moved by D. MacKinnon, seconded by K. Maynard and carried that \$1000 penalty against Sperra Construction for delayed occupancy of retail centre be withdrawn.

9. ADJOURNMENT

Meeting adjourned at 7:30 pm on a *motion by K. Maynard, seconded by D. Wood and carried.*