

TOWN OF O'LEARY  
SPECIAL COUNCIL MEETING  
JANUARY 15, 2020

Present: Mayor Eric Gavin; Deputy Mayor Darren MacKinnon; Councillors Judy MacIsaac, Darrel Wood, Kevin Maynard, Valene Gallant; CAO Bev Shaw; Press – Graphic and Journal.

Regrets: Councillor Joey Dumville.

1. Karen McCarville from West Prince Family Violence Prevention joined the meeting to provide Council with a summary of her position and what services WPFVP provides.

2. **MEETING TO ORDER:**

Mayor Gavin called the meeting to order after Karen left and declared a quorum present. The agenda was approved with the addition of 1. 1<sup>st</sup> reading of Records & Retention bylaw, 2. 1<sup>st</sup> reading of Access to Information bylaw, 3. sponsorship of Red Tide curling bonspiel and 4. civil forfeiture legislation being debated by FPEIM. **Moved by D. MacKinnon, seconded by K. Maynard and carried.**

3. **CONFLICT OF INTEREST DECLARATIONS:**

Nil

4. **MINUTES:**

The minutes of December 11, 2019 regular council meeting reviewed for errors and omissions. **Moved by D. MacKinnon, seconded by K. Maynard and carried** that minutes be approved.

5. **BUSINESS ARISING FROM MINUTES:**

Council discussed creating a FaceBook page for the Town and on a **motion by D. MacKinnon, seconded by D. Wood and carried** it was agreed a policy for use of social media be drafted and a FaceBook page be created.

Council confirmed that December 11, 2019 minutes related to the bylaw enforcement officer correctly reflected Council's opinion but also asked for more information as to other municipality's experiences and to revisit the information forwarded from Municipal Affairs on such officers.

6. **FINANCIAL BUSINESS:**

Financial reports circulated to Council. Darren reviewed the reports and timeline for new budget. To invite the public to February's council meeting for pre budget input. Bank balances as follows: December 31, 2019 for general account - \$154,030.36 and for sewer -

\$41,049.96. Expenses for December, 2019 for general totaled \$109,993.81 and for sewer - \$24,454.83. Revenue for December, 2019 for general - \$64,944.04; for sewer - \$2987.27 plus investment proceeds of \$52,218.50. **Moved by D. MacKinnon, seconded by J. MacIsaac and carried** that financial report be approved.

**7. NEW BUSINESS:**

A. Mayor's report – Eric reported he attended the New Year's Levee and commended Kevin on speaking at the levee on behalf of Council. Eric also met with O'Leary Co-op board members and with David Gordon, Mayor of Alberton.

B. Administrator's report – Bev reported that unofficial word has been received for approval of funding for lagoon project from Municipal Strategic Component of Gas Tax Fund. Advised that surplus firetruck has been picked up, payment received and insurance cancelled. No further word from John Maynard on liens on properties that are in sewer arrears. Insurance inspector arrived and toured all the properties. Building permit – permit issued to Springfield West Gospel Hall for storage addition valued at \$12,000.  
Overtime/vacation – Bev 15 hours overtime & 1 week vacation; Dale 45 hours and no vacation left; and Andrew 66 hours and is planning a few days off late February.

C. Reports from departments:

Properties – Kevin noted the snowmobile trails are well used and that Ellis field dugout roof may be sagging.

Streets & Sidewalks – Valene asked when the Christmas banners are coming down – as soon as possible. Also mentioned that banners for Veteran's Day should be considered and that Festival committee is considering banners with dates of festival.

Police & Fire Protection – Darrel reviewed the RCMP report for December 2019 saying that 19 calls were received and 188 hours spent on O'Leary police business. Three traffic checks conducted in December. Darrel presented Fire Chief's report stating 6 calls were answered in December – 3 medicals, 2 vehicle collisions and 1 mutual aid structure fire. O'Leary was called in to help with the Tyne Valley arena fire. Other activities included the annual Christmas Eve tour with Santa and the firefighters' banquet at which Frank Sweet's retirement after 42 years of service was recognized and Kevin Maynard and Matthew Howard received their 5 year service pins. The Department's annual meeting was held recently and executive remained the same except for Davis Gallant is now Lieutenant. Darrel noted that 1994 GMC tanker truck was estimated at needing replacement in a year. **Moved by D. MacKinnon, seconded by D. Wood and carried** that \$3000 of proceeds from sale of surplus truck be used to construct storage compartments in Pumper 2 and Rescue if the surplus truck was fully depreciated.

Newcomers/Recruitment/Community Endorsements – Judy advised Council of EMO 10 Steps information meeting on January 22<sup>nd</sup> at 2 pm and 6 pm at the O'Leary Complex. The O'Leary core group will also be meeting at 11 with EMO department

officials. Council agreed to purchase a refurbished laptop for Judy to use. The Neighbour 2 Neighbour event is scheduled for February 8<sup>th</sup> at Westisle School. Recreation – Recreation Director’s report circulated. Council agreed that next year’s levee be from 1 – 3 instead of 4.

Sanitation & Community Development – Eric reported a new lateral line was replaced by property owner at 58 Gaspé Road. Eric advised Council to think about development as new budget calculations to be soon made.

D. Fire Department bylaw amendment 2<sup>nd</sup> reading:

WHEREAS the Fire Department members wish to increase their membership and potential members living within the regulated 10 km of the O’Leary Fire Hall are few; AND WHEREAS advice from the Fire Marshal’s office, other Island fire departments and the O’Leary Fire Chief indicate that minimal concerns would arise with an expansion to the regulation to make 75% of total membership be living within the current 10 km radius of the fire hall and 25% of total membership may be living outside the 10 km radius but within the O’Leary Area Fire District;

AND WHEREAS the Fire Department Bylaw # 12 Amendment # 2 was read a first time and approved at the December 11, 2019 Council meeting;

THEREFORE BE IT RESOLVED that the following amendment be considered for second reading at the January 15, 2020 Council meeting: Section 3.B to read: Each member shall (I) be a Canadian citizen; (II) be at least nineteen years of age; (III) be physically and mentally fit and be of good reputation; (IV) hold a valid drivers’ license (Class 3A license would be an asset); (V) reside within the O’Leary Area Fire District with a minimum of 75% of members residing within ten (10) kilometers of the O’Leary Fire Hall; and (VI) have his/her employer’s consent to participate (by mutual agreement and understanding).

AND ALSO BE IT RESOLVED that Section 3.B of the Fire Department Bylaw # 12 be deleted and replaced with the above amendment.

**Moved by Judy MacIsaac, seconded by Darrel Wood and carried.**

WHEREAS the Fire Department Bylaw # 12 Amendment #2 was read a second time at this Council meeting;

BE IT RESOLVED that the Fire Department Bylaw # 12 Amendment # 2 be hereby approved.

**Moved by Darren MacKinnon, seconded by Judy MacIsaac and carried.**

E. Confirm interest forgiveness for Sewer Account # 42382:

WHEREAS a local person is interested in purchasing this Kent Street property and renovating as a rental property and that the current state of house is dilapidated and dangerous;

AND WHEREAS this plan is in the best interest of the Town;

THEREFORE BE IT RESOLVED that late payment fees connected to Sewer Account # 42382 be waived if a new person takes ownership.

**Moved by D. MacKinnon, seconded by D. Wood and carried.**

F. **Moved by D. MacKinnon, seconded by D. Wood and carried** that offer of \$5176.01 from Ben Johnson be accepted to purchase surplus firetruck (1989 Ford).

G. Offer from Wilson's Security: This was in regards to monitoring for the O'Leary Town Complex alarm system which is currently monitored by East Link. Council decided to leave status quo.

H. Other business and correspondence:

***1/ BYLAW TO MANAGE AND DISPOSE OF RECORDS BYLAW # 2020-01***

WHEREAS the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to manage and retain municipal records and Subsection 117(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, requires council to provide, by bylaw, a schedule for the management and disposal of all records and other documents that are required to be retained by the municipality; AND WHEREAS the O'Leary Town Council has had opportunity to review the Bylaw to Manage and Dispose of Records Bylaw # 2020-01 prior to this Council meeting; THEREFORE BE IT RESOLVED that Bylaw to Manage and Dispose of Records Bylaw # 2020-01 be read a first time.

**Moved by Darrel Wood, seconded by Darren MacKinnon and carried.**

WHEREAS the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to manage and retain municipal records and Subsection 117(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, requires council to provide, by bylaw, a schedule for the management and disposal of all records and other documents that are required to be retained by the municipality; AND WHEREAS the O'Leary Town Council has had opportunity to review the Bylaw to Manage and Dispose of Records Bylaw # 2020-01 prior to this Council meeting; THEREFORE BE IT RESOLVED that first reading of Bylaw to Manage and Dispose of Records Bylaw # 2020-01 be approved.

**Moved by Kevin Maynard, seconded by Valene Gallant and carried.**

***2/ BYLAW TO REGULATE ACCESS TO INFORMATION AND PROTECTION OF PERSONAL INFORMATION BYLAW # 2020-02***

WHEREAS the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., requires municipalities to provide, by bylaw, regulations for access to information and the protection of personal information; AND WHEREAS the O'Leary Town Council has had opportunity to review the Bylaw to Regulate Access to Information and Protection of Personal Information Bylaw # 2020-02 prior to this Council meeting; THEREFORE BE IT RESOLVED that Bylaw to Regulate Access to Information and Protection of Personal Information Bylaw # 2020-02 be read a first time.

**Moved by Darren MacKinnon, seconded by Darrel Wood and carried.**

WHEREAS the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., requires municipalities to provide, by bylaw, regulations for access to information and the protection of personal information;

AND WHEREAS the O'Leary Town Council has had opportunity to review the Bylaw to Regulate Access to Information and Protection of Personal Information Bylaw # 2020-02 prior to this Council meeting;

THEREFORE BE IT RESOLVED that first reading of Bylaw to Regulate Access to Information and Protection of Personal Information Bylaw # 2020-02 be approved.

**Moved by Kevin Maynard, seconded by Valene Gallant and carried.**

### ***3/ Sponsorship of Red Tide Curling for Maple Leaf Curling Club***

**Moved by K. Maynard, seconded by V. Gallant and carried** that the Town provide sponsorship of \$200 to the Maple Leaf Curling Red Tide Curling Bonspiel.

### ***4/ Civil forfeiture legislation***

Kevin explained that FPEIM executive will be discussing this proposed legislation and that he wished Council to provide some input. Council requested more information as to limitations on this law and what crimes would it be applicable.

## **8. COMMITTEE OF THE WHOLE:**

**Moved by V. Gallant, seconded by D. Wood and carried** that Council adjourn to committee of the whole session at 7:15 pm.

**Moved by K. Maynard, seconded by V. Gallant and carried** that regular meeting reconvene at 8:25 pm.

### **Results from Committee of the Whole**

**Moved by J. MacIsaac, seconded by D. MacKinnon and carried** that letters of support be supplied to Community Seniors Co-op committee to assist in their funding application for start up funds.

## **9. ADJOURNMENT:**

Meeting adjourned at 8:27 pm on a **motion by V. Gallant, seconded by K. Maynard and carried.**