

Town of Carbonear
Regular Council Meeting, October 7th, 2009
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, October 7th, 2009 at 7:30pm

Outgoing Council

Members Present: Mayor Sam Slade
Deputy Mayor Edward Slade
Councillors Gladys Mercer
Jim Burden
John Comerford
Terry Emberley

Incoming Council

Members Present: Mayor Sam Slade
Councillors Ches Ash
David Kennedy
George Butt Jr.
Betty Forward
Ed Goff
Gladys Mercer

Also Present: Town Clerk Cathy Somers
Town Administrator Cynthia Davis
Director of Operations & Public Works Brian O'Grady
Director of Recreation & Tourism Rob Button

Outgoing Council

Members Absent: Councillor Fred Earle

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1. Calling of Meeting to Order
Mayor Slade called the meeting to order at 7:35pm and welcomed those present.
 - a) Apology from Councillor Earle for not being able to attend.
Mayor Slade read the letter of apology from Councillor Earle.
Mayor Slade extended well wishes to all the outgoing Council members and thanked them for their contribution to the Town.

 2. Adoption of Minutes and Ratification of Motions from Privileged Meetings of September 14th, 16th and 21st.
 - a) September 14th, 2009 Regular Meeting
Motion 09-269 **E. Slade / G. Mercer**
Resolved that the minutes of the September 14th, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

b) September 14th, 2009 Privileged Meeting

Motion 09-270 **E. Slade / T. Emberley**

Resolved that the minutes of the September 14th, 2009 Privileged meeting of council be adopted as presented.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Motions to be ratified from the September 14th, 2009 Privileged Meeting

Mayor Slade asked that Motion SPE 09-09-14-001 be ratified.

Motion 09-271 **E. Slade / G. Mercer**

Resolved that the Town of Carbonear sell the lot south of the existing property of Anne Martin on Willoughby Drive for the price of \$3,800 + HST.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Mayor Slade asked that Motion SPE 09-09-14-002 be ratified.

Motion 09-272 **J. Comerford / J. Burden**

Resolved that the Town of Carbonear increase the Elections Rates for the 2009 Municipal Election as follows:

<i>Poll Clerk</i>	<i>\$150</i>
<i>Deputy Returning Officer</i>	<i>\$225</i>
<i>Returning Officer</i>	<i>\$300.</i>

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Mayor Slade asked that Motion SPE 09-09-14-003 be ratified.

Motion 09-273 **E. Slade / J. Comerford**

Resolved that the Town of Carbonear purchase a new color copier as recommended by the Town Clerk and Town Administrator from the lowest of three quotes obtained at a cost not to exceed \$9,385 + HST.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Mayor Slade asked that Motion SPE 09-09-14-004 be ratified.

Motion 09-274 **F. Earle / J. Comerford**

Resolved that the Town of Carbonear provide a letter to the Princess Sheila NaGeira Theatre Board stating that the Theatre Board is responsible for the

operations of the Theatre, and that Council authorizes the Princess Sheila Theatre Board to be the applicant for the funding proposal for an extension to the existing facility.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

c) September 16th, 2009 Privileged Meeting

Motion 09-275 **E. Slade / J. Burden**

Resolved that the minutes of the September 16th, 2009 Privileged meeting of council be adopted as presented.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Motions to be ratified from the September 16th, 2009 Privileged Meeting

Mayor Slade asked that Motion SPE 09-09-16-001 be ratified.

Motion 09-276 **J. Comerford / T. Emberley**

Resolved that the Town of Carbonear install commercial laminate flooring on the west section of the Princess Sheila Building at a cost not to exceed \$2,000.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

d) September 21st, 2009 Privileged Meeting

Councillor Comerford noted an error in the Motion to adjourn the meeting. Councillor Comerford advised that he did not move to adjourn the meeting. Councillor Mercer advised that she was the council member who moved the adjournment of that meeting. Town Clerk to amend the minutes to show the correction.

Motion 09-277 **E. Slade / G. Mercer**

Resolved that the minutes of the September 21st, 2009 Privileged meeting of council be adopted as presented and amended.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Motions to be ratified from the September 21st, 2009 Privileged Meeting

Mayor Slade asked that Motion SPE 09-09-21-001 be ratified.

Motion 09-278 **E. Slade / G. Mercer**

Resolved that the Town of Carbonear apply for additional funding to complete the construction of the Gut Bridge Project as per the lowest tender bid received which is approximately, \$500,000 over the existing funding that has been approved for this project.

Favour 6; Opposed 0; **Carried**

Mayor Slade, Deputy Mayor Slade, Councillors Gladys Mercer, Jim Burden, John Comerford, and Terry Emberley were in favour of the motion.

Councillor Emberley asked why the lowest bid on the project was so much higher than the estimate provided by the engineering firm.

Mayor Slade noted that the bids received were exceptionally high, however Council discussed the matter and decided that they would try to obtain the additional funding, so that the project could be completed before the winter season.

Deputy Mayor Slade asked how we would handle the additional cost. Town Administrator advised that if the additional funding is approved, it would be on an 80/20 Provincial/Municipal ratio, so the Town would have to allocate funds for debt payments on the additional \$100,000 for the municipal share of the amount over estimate.

Mayor Slade noted that it is not always easy to deal with these types of issues, but this was the decision of Council on the matter.

Mayor Slade advised that he is hopeful that Council will receive a favourable response to the request for additional funding on this project.

3. Transition of the Outgoing Council and Incoming Council.

Conducted by the Town Clerk

a) Thank-you to outgoing Council members

On behalf of the other staff members, Town Clerk thanked the outgoing Council members for their support and commitment to the Town during the time they served on Council, and wished them well in their future endeavors.

The outgoing Council members were then asked to vacate their positions around the Council table, and take a seat in the audience.

b) Announcement and Introduction of the new Council members elected on September 29, 2009

Town Clerk announced the new Council members elected and welcomed them into the Council chambers: Mayor Sam Slade, Councillor Ches Ash, Councillor David Kennedy, Councillor George Butt Jr., Councillor Betty Forward, Councillor Ed Goff and Councillor Gladys Mercer.

Each of the new Council members then took their respective places in the Council Chambers.

4. Oaths of Office to be Witnessed by the Returning Officer, Cathy Somers

Returning Officer and Town Clerk then called on each of the new Council members individually to take their Oath of Office:

- ▶ Mayor Sam Slade
- ▶ Councillor Ches Ash
- ▶ Councillor David Kennedy
- ▶ Councillor George Butt Jr.
- ▶ Councillor Betty Forward
- ▶ Councillor Ed Goff
- ▶ Councillor Gladys Mercer

5. Election of Deputy Mayor as per Section 18 of the Municipalities Act to be conducted by the Town Clerk.

Town Clerk called for nominations for the position of Deputy Mayor.
Councillor George Butt Jr. nominated Councillor Ches Ash for the position of Deputy Mayor.
Councillor Gladys Mercer seconded the nomination.
Town Clerk asked Councillor Ash if he would accept the nomination.
Councillor Ash accepted the nomination.
Town Clerk asked if there were any other nominations for the position of Deputy Mayor.
Town Clerk asked for the second time if there were any other nominations for the position of Deputy Mayor.
Town Clerk asked for the third and final time if there were any other nominations for the position of Deputy Mayor.
No other nominations for the position of Deputy Mayor were received.
Councillor Ches Ash was declared as Deputy Mayor Ches Ash for the Town of Carbonear by acclamation.

6. Oath of Office for the position of Deputy Mayor.
Cathy Somers, Returning Officer and Town Clerk then witnessed Councillor Ches Ash take his Oath of Office for the position of Deputy Mayor for the Town of Carbonear.

7. Distribution of Councillor Orientation Guides with the following information:
The Town Clerk and the Town Administrator then distributed the Councillor Orientation Guides with the following information to Council:

Section 1 - General Information

- a) Council Rules & Procedures
- b) Copies of Minutes of the last six Regular Council Meetings

Section 2 - Financial Information

- a) 2009 Budget Report
- b) 2008 Audited Financial Statements

Section 3 - Administration

- a) Collective Agreement
- b) Organizational Chart
- c) Job Descriptions of Senior management
- d) List of Staff Members
- e) Hours of Work
- f) Pension Plan & Group Insurance Information
- g) Contact Personnel in Regional Office & Head Office for the Department of Municipal and Provincial Affairs
- h) Existing Committees of Council and present Responsibilities
- i) Other Committees requiring Council Liaisons (within Carbonear)
- j) Regional and Provincial Committees requiring Council Representatives
- k) Latest Five Year Capital Works Program
- l) Report on Current Issues by the Town Administrator
- m) MNL Convention Package

Section 4 - Legislation and Council Regulations

- a) Municipal Plan and Land Use, Zoning Subdivisions and Development Regulations (Copy

- can be viewed on the Town's website and is available for viewing at the Town Office.)
- b) Municipal Regulations - Listing of Regulations provided (Copy available for viewing at the Town Office.)
 - c) Policy Binder Table of Contents provided (Full copy available for viewing at the Town Office.)
- Policies included: Travel Allowances for Employees
Travel Allowances for Councillors
Entertainment and Hospitality
Attendance MNL Conventions & Trade Shows
Municipal Councillor Remuneration & Benefits
- d) Municipalities Act, 1999
 - e) Urban & Rural Planing Act

Section 5 - Additional Information

- a) Municipal Councillor's Handbook (Currently being printed - to be provided when received from MNL)

Orientation Session scheduled for Tuesday, October 13th, 7:30pm.

- 8. Adjournment and setting of date for the next Regular Council Meeting.

Motion 09-279 to adjourn at 8:20pm **G. Butt / C. Ash**

Resolved that the meeting adjourn at 8:20pm and that Council meet again for a Regular Council Meeting on Monday, October 19, 2009 at 7:30pm.

Mayor Sam Slade

Cathy Somers, Town Clerk