

The Thirty Eight meeting of the Fourteenth Town Council was held in the Town Hall with the following in attendance:

Mayor Wilbur Sparkes  
Deputy Mayor Glenn Littlejohn  
Councillor Gerald Greenland  
Councillor Perry Bowering  
Councillor Melvin Walsh  
Councillor Bill Seymour

Meeting commenced at 7:35 p.m.

Concerns arising from minutes of January 13<sup>th</sup>, 2004.

Councillor Greenland inquired whether contact had been made with the Dept. of Municipal & Provincial Affairs regarding tax issues which relate to quarry operations.

The Town Manager had spoke with Mr. John Moore and Ms. Elaine Mitchell and was informed that property tax and business tax can not be levied due to the quarries being located outside our municipal boundary and/or not currently assessed. Other means of taxation were discussed which did not involve exchange of money but rather materials such as Class A gravel to help maintain roads. Also, royalties are presently charged by the Provincial Government.

It was decided that Councillor Walsh would check with the Federation of Urban Municipalities for their input and the Deputy Mayor and Town Manager would also investigate this further.

Councillor Greenland asked that the Town Manager check with Dept. of Mines and Energy to inquire if any further action has been taken with regard to the water ponding at the quarries of Mr. David B. Snow and Mr. Bob Rice.

D.M. Littlejohn asked if the application of Mr. Andrew Drover requesting permission to build a residence on the old railway track off Heney's Pond Road has been looked into.

Councillor Greenland advised that the Public Works Committee had not yet met to discuss this request.

Councillor Bowering informed that the Town's name is displayed on two jerseys of the Tri-Pen Frost AAA Midget Hockey Team.

It was moved by Councillor Greenland and seconded by Councillor Seymour that the application of Mr. Thomas Deering seeking permission to operate a automotive repair garage located at 29A Pit Road, Butlerville, be approved subject to all regulatory departments. Approval is given with the stipulation that there is no expansion to the business (building & land), improvements be made, such as painting building and removal of car wrecks, and also, the property (building & land) is to be kept in a clean and tidy condition at all times and Council has the right to inspect the said property to ensure that this stipulation is adhered to.

Motion Carried.

Councillor Bowering inquired as to whether any concerns have arisen regarding the mandatory use of standard sized garbage bags.

It was moved by D.M. Littlejohn and seconded by Councillor Bowering that the minutes of the privileged meeting regarding the appointments of Town Clerk, Accounts Receivable Clerk and Program Officer be accepted.

Motion Carried.

Minutes of January 13<sup>th</sup>, 2004 were approved.

Councillor Greenland inquired as to the outcome from correspondence sent to Mercer's Cycle Shop regarding round-the-clock parking on the public parking lots east and west of their property.

Councillor Walsh and the Town Manager have spoke with Mr. Clarence Mercer who informed them that he will co-operate with Council's request as soon as possible. Also, Mr. Mercer will provide names for owners of vehicles abandoned or left on the above noted public parking lot.

Letter received from the Royal Canadian Legion, Branch 32, requesting the support of the Town of Bay Roberts in hosting a joint Parade between Trinity Bay and Conception Bay to commemorate The Battle of the Atlantic and to take place on Sunday, May 2<sup>nd</sup> at 2:00 p.m. Branch #32 is inviting all Councillors to attend this parade and that Mayor Sparkes be a member of the Reviewing Group at the march past. Mayor Sparkes is asked to represent all Mayors and Councillors on the Reviewing Stand.

Councillor Bowering was excused from the meeting at 8 p.m. due to personal reasons.

Councillor Walsh tabled minutes of NLFM Urban Municipalities Committee meeting which took place September 12<sup>th</sup> & 13<sup>th</sup> in Happy Valley-Goosebay.

Some discussion ensued regarding home based online businesses, private snow clearing operations, taxi stands, etc., and as to whether business taxes could be levied against them.

D.M. Littlejohn suggested that Mr. Ron Delaney check with Revenue Canada regarding licenced businesses in this area and see if there is enough businesses to make it worthwhile pursuing.

Member's Advisory received from the FCM providing an update on the Liberal caucus meeting regarding the New Deal for Canada's cities and municipalities with points of interest on the sharing of the federal fuel tax and the proposal to increase the municipal GST rebate from 57 % to 100 %.

Letter received from Ms. Lori Anne Legge advising that the Lieutenant Governor and Mrs. Roberts would be pleased to attend an event sponsored by our town when given enough advance notice to help them plan their schedule effectively.

It was suggested that Mr. Ron Delaney invite the Lieutenant Governor and Mrs. Roberts to the opening of our 2004 Klondyke Days festivities.

Info Note received from NLFM regarding a Avalon Regional Meeting which took place on Thursday, January 29<sup>th</sup> at Petty Harbour-Maddox Cove. The guest speaker was St. John's West MP, Loyola Hearn.

Info Note received from NLFM requesting a photo of our municipality that would be highlighted on their web site in the coming months. Also, the NLFM has obtained one copy of "Municipal Governments and Sustainable Communities: Best Practices Guides 2002 and 2003" which can be borrowed by any municipality.

Letter received from Mr. Alex Dawe, Committee Chairman for the Run For The Janeway 2004 seeking support for the 3<sup>rd</sup> Annual Run For The Janeway which is poised for Saturday, March 6<sup>th</sup>.

This request to be turned over to the Finance Committee.

Letter received from Mr. Kevin H. Hussey requesting a financial contribution for the Janeway Ride 2004.

This request to be turned over to the Finance Committee.

Councillor Walsh tabled minutes of an Urban Municipalities Committee meeting held January 23-24, 2004 at the Canada Games Center in Corner Brook.

Some of the topics highlighted were:

- negative effects of altering the MOG system.
- problems with ATV use in municipalities
- funding for Policing services
- status of Freedom of Information Act
- Mr. Allan Benson of the Humber Valley Resort gave a presentation on their 320 chalet resort and stressed that 95% of their clientele is European
- municipal ticketing legislation (development of 5 or 6 by-laws common to all towns which would see the hiring of local police enforcers who would work out of RCMP office.)
- Minister Tom Rideout will be invited to next meeting to discuss the condition of Provincial Government roads.

It was moved by Councillor Walsh and seconded by Councillor Seymour that the next meeting for the UMC would take place in Bay Roberts Town Hall and Klondyke Hotel on April 2<sup>nd</sup> & 3<sup>rd</sup>.  
Motion Carried.

Letter received from Deputy Mayor Herbert Brett, President of NLFM regarding issues discussed at the Board of Directors meeting January 23<sup>rd</sup> & 24<sup>th</sup> in Grand Falls-Windsor.

Letter to be placed on file.

Member's Advisory received from the FCM regarding the Speech from the Throne marking a new chapter for Canada's Municipal Governments.

Info Note received from NLFM regarding municipalities "New Deal" (Federal gas tax and GST rebate) with the Federal Government.

Member's Advisory received from FCM regarding the GST rebate being a welcome first step toward New Deal.

Letter received from Heritage Foundation of Newfoundland & Labrador advising that they are now accepting applications for Heritage Property Designation.

It was decided that a copy of this letter would be forwarded to the Bay Roberts Heritage Society.

Councillor Seymour tabled minutes of Conception Bay North Joint Councils Association meeting held on January 29<sup>th</sup> at Brigus Town Hall.

Agenda included:

- Bay Roberts Fire Chief Clarence Russell gave a presentation on issues of concern for the Fire Departments.
- Ms. Brenda Starkes, Aliant Area Manager, advised of Newtel's upgrading of cellular service in the Salmon Cove area.
- dates of arranged meetings with different Ministers:
  - February 2<sup>nd</sup> Hon. Tom Osbourne, Minister of Environment
  - February 3<sup>rd</sup> Hon. Jack Byrne, Minister of Municipal Affairs
  - February 18<sup>th</sup> Hon. Tom Rideout, Minister of Works, Service & Transportation
  - February Hon. Tom Marshall, Minister of Justice

Financial Statement for the Bay Arena Association Limited was tabled.

Letter received from Mr. G.M. Hussey, Secretary of the Bay Arena Association Ltd., advising that an election of officers took place with Directors being returned for one, two, or three year terms.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh the financial report on the Bay Arena and the election of the Board of Directors to the Bay Arena Association be accepted.  
Motion Carried.

Letter received from Mr. Edward Neil, Chairman of the Bay Arena Association Ltd., seeking financial support for the operations of the Bay Arena.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that a contribution of \$5,237.00 be given.  
Motion Carried.

Copy of letter written by Mayor Sparkes to the Mayor of Zhoushan City, Zhejiang, People's Republic of China, was presented.

Letter was received from the Bay Roberts Special Events Committee seeking the support of Council by way of a motion which allows the Special Events Committee the right to sign a beverage contract that will be inclusive to all products that is supplied by the successful company and this company will be responsible for supplying ALL NON ALCOHOLIC BEVERAGES that are needed during the Klondyke Concert and all other events that accompany it.

It was moved by Councillor Greenland and seconded by Councillor Seymour that the Bay Roberts Special Events Committee be given the right to sign a beverage contract, pending ratification of Council, that will be inclusive to all products that is supplied by the successful company and this company will be responsible for supplying all non alcoholic beverages that are needed during the Klondyke concert and all other events that accompany it.

Motion Carried.

Letter received from Mr. Daniel Hynes, President of the CBS Bluefins Swim Club Inc. seeking financial support for the 7<sup>th</sup> Annual Swim For Hope on March 19<sup>th</sup> to be held at the Town of Conception Bay South Pool Complex.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that this request be turned over to the Finance Committee.

Motion Carried.

Letter received from Mr. T. Wayne Seymour requesting that the Town Council clear the public road that leaves the main road of Butlerville and runs toward his home and other properties on that road.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that this request be turned over to the Public Works Committee.

Motion Carried.

Letter received from Mr. Darren Mercer, Secretary/Treasurer of the Upper Island Cove Curling Team, seeking a financial donation to help send their Newfoundland and Labrador Firefighter Provincial Curling Champs to the Canadian Firefighters 45<sup>th</sup> Hydrant Championships, held in Valley Field, Quebec, from April 1<sup>st</sup> to 11<sup>th</sup>.

It was moved by D.M. Littlejohn and seconded by Councillor Seymour that Mr. Mercer be written

advising that their request does not comply with our donation policy. Also, copy of letter be given to the Bay Roberts Fire Department for their consideration.  
Motion Carried.

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### Committee Reports

D.M. Littlejohn gave a report from the Finance Committee.

A tentative agreement has been made with the unionized outside workers as follows:

- Contract is for two years and is retroactive to January 1<sup>st</sup>, 2004 and expires December 31<sup>st</sup>, 2005.
- Wage increase of .45 cents in the first year and .50 cents in second year.
- Severance pay will increase from \$7500. to \$9000. with minimum of ten years work.
- RRSP contributions will increase from 5% to 5.5% with all unionized outside workers included in this benefit.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that this tentative agreement be accepted.

Motion Carried.

D.M. Littlejohn advised that the Executive Committee of Council recommends that the process currently used for presenting delegations at Council meetings be reorganized in the following way:

- Delegations meet with appropriate Council Committee -
- Council Committee bring back to Council meeting concerns raised by delegations and the resulting recommendations of the Council Committee -
- If delegations are not satisfied with Council's decision based on the recommendations of the Council Committee, then the delegations may bring their concerns directly to Council meeting
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It was moved by D.M. Littlejohn and seconded by Councillor Greenland that this proposed process by the Executive Committee of Council for dealing with delegations be accepted.

Motion Carried.

D.M. Littlejohn presented a "Dates to Remember" schedule put together by the Special Events Committee: Feb. 18<sup>th</sup> Media Proposals; Feb. 23<sup>rd</sup> - 29<sup>th</sup> Winter Carnival; Apr. 22<sup>nd</sup> Awards Night; Mar. 3<sup>rd</sup> Beverage Proposals; June 5<sup>th</sup> Spring into Summer Concert; July 22<sup>nd</sup> - Aug. 2<sup>nd</sup> Klondyke

Days; July 27<sup>th</sup> Casio Night; and, July 31<sup>st</sup> Klondyke Concert.

D.M. Littlejohn presented the tentative schedule for the Bay Roberts Winter Carnival 2004. Also, the Awards Committee is now accepting nominations for the following awards for 2003: Female Athlete of the Year; Male Athlete of the Year; Citizen of the Year; Outstanding Community Service Award; and, Sports Heritage Award. Submit by April 2<sup>nd</sup>.

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D.M. Littlejohn advised that various west coast communities would share with us their recreation and aquatic facility information; construction costs, operating costs, etc. Tentative meeting is scheduled for last week of March or first week of April.

It was moved by Councillor Walsh and seconded by Councillor Seymour that D.M. Littlejohn, Councillor Greenland, Mr. Ed Fradsham and Mr. Ron Delaney will attend this meeting and bring back report to Council.  
Motion Carried.

D.M. Littlejohn presented a video display on behalf of the Canadian Cancer Society. The Society is requesting our Town to become involved in their Relay For Life family event by providing facilities this September. This event is a celebration of survival, a tribute to the lives of lost loved ones and fundraising to beat cancer.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that Council support this worthwhile event by providing facilities and that this will be done in honour of the late Daphne Earle, Town Clerk and other loved ones known in the community.  
Motion Carried.

Councillor Walsh presented the results of the election of officers from the Bay Roberts Fire Departments Annual General meeting held on January 26<sup>th</sup>.

It was moved by Councillor Walsh and seconded by Councillor Greenland that the elected Fire Officers and Executive Officers be accepted with a two year term of office.  
Motion Carried.

Councillor Walsh tabled a statement of income and expenditures for the Bay Roberts Fire Department.

It was moved by Councillor Walsh and seconded by D.M. Littlejohn that the Financial Statement of the Bay Roberts Fire Department be accepted.  
Motion Carried.



Councillor Walsh advised that the Bay Roberts Fire Department will have meetings every 2<sup>nd</sup> Monday. Scheduled events are: Mar. 6<sup>th</sup> - Breakfast for Snowmobile Run; Mar. 27<sup>th</sup> - Annual Fireman's Ball (Master of Ceremonies - D.M. Littlejohn & Entertainment - Amy House). Renovations are now completed to the upstairs portion of the Fire Hall.

Councillor Walsh gave an update from UMC regarding Appeal Board Decisions. If Board upholds the decision of Council, the applicant has to go through the same process again and reapply to the same Council. It was suggested that Councils review their municipal plan.

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Councillor Seymour gave a report from the last meeting of the Bay Roberts Heritage Society. A new Executive Committee has been elected and the minutes from that meeting will be forwarded at a later date. Next week is Heritage Week and a room will be provided in the Museum to the Royal Canadian Legion, Bay Roberts, for a display on past wars and war veterans.

#### Councillor Concerns

Councillor Seymour inquired if the bridge by the new United Church cemetery can handle heavy trucks carrying headstones. The Town Manager does not recommend this. Access should be obtained from the Veteran's Memorial Highway by contacting the Dept. of Works, Service & Transportation.

Councillor Seymour advised that a fire hydrant near his home in Butlerville has been damaged by snow clearing operations. The Town Manager will have this fixed.

Councillor Seymour expressed concerns over a possible contamination of the Town's water supply by ashes and debris in the air from the New Harbour dump falling on the frozen water surface. The Town Manager explained that there is no indication that this is occurring and surface water testing is done to ensure there is no contamination to the Town's water supply.

Councillor Greenland suggested that a letter be written to our engineering company requesting that plans proceed with the water supply dam and drawings be submitted to Government. The Town Manager will contact Mr. Brad Chaulk regarding same.

D.M. Littlejohn suggested that the gates be kept closed at the Council Garage to deter people from taking the Town's supply of sand & salt by the pick up load. The Town Manager will speak to the Works Superintendent regarding same.

Mr. Ron Delaney advised that the Baccalieu Trail Tourism Association will be launching their marketing campaign for 2004. This will take place 1 p.m. on Feb. 18<sup>th</sup> at the Klondyke Hotel.

Mr. Delaney suggested that instead of having Klondyke Concert negotiations done every year with

specific sponsors, a three year deal would be adopted which would foster a more stable working relationship.

It was moved by D.M. Littlejohn and seconded by Councillor Seymour that a three year deal may be negotiated with specific Klondyke Concert sponsors which is to include an out-of-contract clause for the all involved if matters change economically.

Motion Carried.

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Mr. Ron Delaney tabled a report by Mr. George Lee of Newfoundland Marketing International Inc. for January 2004 regarding the summer student pilot project and twinning agreement between the Town and a Chinese coastal community such as Zhoushan City in Zhejiang Province, PRC.

It was moved by Councillor Greenland and seconded by Councillor Walsh that the meeting be adjourned at 9:50 p.m.

Motion Carried.

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Wilbur Sparkes  
Mayor

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Shirley Hawe  
Town Clerk