

# TOWN OF BAULINE

MINUTES OF A REGULAR MEETING  
HELD AT 1311 BAULINE LINE 19 JUN 2013

## PRESENT

Mayor Christopher Dredge  
Deputy Mayor Colin LeGrow  
Councillor Marie LeGrow  
Councillor Rita King  
Councillor Jason King  
Town Clerk/Manager Craig Drover

## REGRETS

NIL

## PUBLIC IN ATTENDANCE

NIL

### 1.0 CALL TO ORDER

Mayor C. Dredge called the meeting to order at 7:05 pm.

### 2.0 ADOPT AGENDA

Councillor M. LeGrow moved to **ADOPT** the agenda as presented.

Seconded by Councillor J. King  
All in favour.

Motion **CARRIED**

### 3.0 ADOPT the MINUTES

#### 3.1 Minutes of 28 May 2013

Councillor M. LeGrow moved to **ADOPT** the minutes of 28 May 2013 as presented.

Seconded by Councillor J. King  
All in favour.

Motion **CARRIED**

#### 3.2 BUSINESS ARISING FROM MINUTES

There were no business items arising from previous minutes discussed

At this time and in anticipation of the upcoming Development Application submitted by Wayne LeGrow, the Mayor proposed; and Council agreed to review item 5.9 of the Agenda concerning possible conflict of interest surrounding Councillor J. Kings voting on Mr. LeGrow's Application.

**The Mayor left the sequence and order of the Agenda and referred Council to Item 5.9.**

#### 5.9 Question concerning Conflict of Interest –

Councillor J. King asked the question of council, if they felt he was in a conflict of interest when voting on development applications submitted by Wayne LeGrow. Through Disclosure he has provided the information that he is an employee of Mr. LeGrow's business Urban Flooring. For the past several years he has declared a conflict of interest and left the building when development applications concerning Mr. LeGrow has come before Council. Councillor J. King believes that he is not in conflict and requested that the Town Manager refer the question to Municipal Affairs at the end of the last Council Meeting (28 May 2013). The response from Municipal Affairs was reviewed by Council and a discussion arose. Council felt that a legal opinion on the matter should be sought and requested a letter be drafted by the Town Manager for review. In the Meantime Council felt that status quo should be maintained until the matter has been settled. Councillor J. King should continue to declare himself in conflict when development applications from Mr. Wayne LeGrow come before council until a legal opinion is received and reviewed by council.

**The Mayor returned council to the Agenda sequence and order.**

### 4.0 APPLICATIONS AND CORRESPONDENCE

#### 4.1 Applications

#### **COUNCILLORS M. LEGROW AND J. KING DECLARED A CONFLICT OF INTEREST AND LEFT THE BUILDING.**

##### 4.1.1 Development/re-zoning application – 8 Building Lots Wayne LeGrow - Pouch Cove Line

Upon review and discussion of the Application:

Deputy Mayor C. LeGrow moved to **APPROVE IN PRINCIPLE** the application to develop an 8 building lot cul-de-sac on the Pouch Cove Line as presented by Wayne LeGrow. Prior to the issuance of the development permits, Mr. LeGrow is to meet all regulations concerning Ground Water Assessment and re-zoning ensuring there is an adequate easement in place to allow access for future development in the area.

Seconded by Councillor R. King  
All in favour.

Motion **CARRIED**

**COUNCILLORS M. LEGROW AND J. KING WERE RECALLED TO THE MEETING.**

4.2 Correspondence

4.2.1 Hazard Vulnerability Map and Report - This item was initially reviewed at the 28 May 2013 Council Meeting. The Town Manager is requested to contact Dr. Batterson to discuss the program and if required schedule a meeting with a council representative.

4.2.2 PMA Core Program – Pilot Project - This course is to be held at the Holiday Inn in St. John's and is designed for all municipal administrators but essential to recently appointed administrators. The Cost is \$134.47 and registration deadline is 21 June. After discussion:

Deputy Mayor C. LeGrow moved to **APPROVE** the Town Manager to attend this program and authorize the **EXPENDITURE** of \$134.47 in registration fees.

Seconded by Councillor M. LeGrow  
All in favour.

Motion **CARRIED**

4.2.3 Response to Proposed Amendment # 3 from the Town of Paradise

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This is a response with no objection to the Town of Bauline's proposed Amendment # 3.

4.2.4 Municipal Long Service Awards – Councillor R. King meets the criteria for this award. The Mayor and Council congratulated Councillor R. King upon reaching this milestone and thanked her for her years of dedicated service. The Town Manager will complete and submit the application form.

4.2.5 Response to Proposed Amendment # 3 from the Town of Conception Bay South - This is a response with no objection to the Town of Bauline's proposed Amendment # 3

4.2.5 Response to Proposed Amendment # 3 from the Town of Portugal Cove / St. Philip's. - This is a response with no objection to the Town of Bauline's proposed Amendment # 3

4.2.6 Intention to sell 1311 Bauline Line from Mr. David Lacey – The owner of the apartment building currently being used as the Temporary Town Hall at 1311 Bauline Line has submitted a letter indicating that he is putting the building up for sale within the next three months. A notice to vacate may follow if purchased. Contingency plans were discussed in the event that an order to vacate is received.

- 4.2.7 NEAREDB New Membership – The correspondence received from the Northeast Avalon Regional Economic Development Board regarding new membership benefits and rates were reviewed by council. Council decided to continue with the current ICSP group of Town and Council Representatives of Flatrock, Pouch Cove and Bauline.
- 4.2.8 Invitation to Flatrock Soiree 27 and 28 July 2013 – Upon review the Mayor indicated that he would attend the opening ceremonies and asked that the Town Manager send a reply on his behalf.
- 4.2.9 Gas Tax allotment year 7B – This letter announces that \$10,974.27 will be released to the town in Gas Tax Funding for an approved project.

## **5.0 NEW BUSINESS**

### **5.1 Report from Town Manager**

- 5.1.1 Animal Control Officer – The Town Manager reported that an issue has been raised concerning the contract with the Torbay Animal Control Officer. The matter is continued to be discussed with the Town of Torbay.
  - 5.1.2 Scheduled Maintenance day – The Town Manager informed council that he was expecting to be out of the office most of 26-28 Jun in preparation for Canada Day.
  - 5.1.3 Website – Update – Council was informed that ECT Professional, a Bauline Company, is now the hosting the towns website. ECT Professional is currently developing a new town website.
  - 5.1.4 Playground Equipment – Quotes for the playground structure and the cost of installation were reviewed by council. The Town Manager is to research other avenues of installation in an effort to reduce that portion of the expenditure.
- 5.2 Water Update – The water quality and quantity is reported as very good. A call from the Water Resource Management Division was received this past week regarding the new well which was drilled for the New Town Hall project. The Division representative was calling to re-iterate the fact that the new well is producing at an amazing quantity level and should be

placed in the towns future plans as an excellent source/resource of water if required.

- 5.3 Review of Duck Pond Survey – The Duck Pond Survey results were reviewed by council. There were 22 written surveys returned, 11 to allow motorized boats and 11 not to allow motorized boats. As this survey was intended to gauge public interest/awareness of the matter, it was decided by council that the survey fulfilled its intention and status quo will be maintained. Signs will be purchased and posted regarding leaving unattended vehicles in the boat launch area and the requirement to remove personal garbage upon leaving the Duck Pond area.
- 5.4 Canada Day and 25<sup>th</sup> Anniversary of Town’s Incorporation - Upon review of the Canada Day Main Events List (MEL), council decided it would be beneficial to send out a call for volunteers flyer to attend a meeting Monday 24 June 2013 at 8:00 pm.
- 5.5 2013 Municipal Elections

Upon review of the below critical dates:

Councillor M. LeGrow moved to **APPROVE** 28 August 2013 as Municipal Election Nomination Day and 11 September 2013 as the Advance Poll Day.

Seconded by Councillor R. King  
All in favour.

Motion **CARRIED**

**CRITICAL DATES:**

<b>19 Jul and 9 Aug</b>	Flyer announcing election and criteria
<b>16 Aug</b>	Flyer and Newspaper article announcing Nomination Day
<b>28 August</b>	NOMINATION DAY - 8:00 to 8:00 Town Hall
<b>28 Aug (earliest) – 4 Sep (Latest)</b>	post list of nominees in two places in town and local paper (flyer, Web)
<b>5-10 Sep</b>	Post date for Advance Polling day flyer
<b>11 Sep</b>	ADVANCE POLING DAY
<b>23 Sep</b>	Last Day to swear in Election Officials, Candidates and Agents and for impeditive voters to apply
<b>24 Sep</b>	ELECTION DAY – Polls open at 8:00 am and close at 8:00 pm
<b>25 – 27 Sep</b>	Request for recount period. Not more than 3 days after the election
<b>25 Sep (Earliest) – 30 Sep (Latest)</b>	Recounts must commence not more than 3 days after receiving the request
<b>1 Oct</b>	RO sends Election Report

8 Oct	Last Day to have new Councillors sworn in.
24 Oct	Election Documents are destroyed UNLESS there is a legal challenge
23 Dec	Councillors have 90 days to file Oath or Affirmation of Campaign Contributions Disclosure

- 5.7 Heart & Stroke Foundation – Mayor’s March – After Action Review – The Mayors March went well, \$257.00 was collected for the Heart and Stroke Foundation.
- 5.8 Disclosure Statements – Elected Officials and Staff - IAW section 210 of the Municipalities Act Council and Staff are required to complete Disclosure Statments on an annual basis. All present were provided with a copy to complete and return to the Town Office.
- 5.9 Question concerning Conflict of Interest – This matter was addressed earlier in the meeting.
- 5.10 Summer Student Level I, II and III Program – A discussion arose concerning the Summer Student Employment Program, and the fact that approval for the program has yet to be received. After which:

The Mayor Left the Chair

The Deputy Mayor assumed the Chair

Mayor C. Dredge moved to EMPLOY two summer high school students for up to eight weeks with or without provincial government funding.

Seconded by Councillor M. LeGrow  
All in favour.

Motion **CARRIED**

The Deputy Mayor Left the Chair

The Mayor resumed the Chair

## 6.0 OLD BUSINESS

### 6.1 Town Hall / Memorial Park - Capital Works Project 11057 – update

- 6.1.1 Sod Turning Event – After Action Report – The event was well attended and received much positive feedback.

Council approved the proposed 2 engravings below for the ceremonial shovels utilized at the Sod Turning event:

*Presented to*  
**MHA Kevin Parsons**  
*5 June 2013*  
**At the Sod Turning Ceremony**  
*for*  
*The Town of Bauline's*  
**Town Hall and Community Center**

This Shovel was first used  
**5 June 2013**  
to break ground for  
**Bauline's**  
**Town Hall and Community Center**

- 6.1.2 Capital Investment Plan Approval – Council was informed that the Road Upgrade in the amount of \$34,148.91 from Gas Tax Funding has been approved.
- 6.1.3 Request for increase in Engineering Fees - An increase in Engineering fees was received from Bridger Design. Council reviewed and discussed the letter, for the most part they are in agreement with the additional fees. The letter is currently with the Municipal Affairs Engineering Department who are reviewing the request to determine if the additions are acceptable for the cost sharing program. If so they will have to be addressed with a change order to the Prime Consultant Agreement in order to be eligible for the 90%/10% cost sharing payment.
- 6.1.4 Well Drilling Invoice - The Well Drilling Invoice for \$24,362.80 taxes included was received from Squires Well Drilling. The Engineering consultant will be raising the applicable claim/paperwork to send for Municipal Affairs for approval and the 90% reimbursement.
- 6.1.5 Progress Payment Site Work - A site work progress Invoice for \$17,083.35 taxes included from South Paw Construction has been received. The Engineering consultant will be raising the applicable claim/paperwork to send for Municipal Affairs for approval and the 90% reimbursement.

6.1.6 Tender Documents for Building – The tender documents for the New Town Hall building were received electronically. They have been printed and are held at the Town Office for review.

6.1.7 Altered Site Preparation Plans - With the discovery of large rock formations and the need to have it “busted out” the Engineers negotiated with South Paw Construction to remove the rock. Unfortunately the cost was considered too high. The Towns Engineer Consultant recommended that the rock be left there and incorporated into the cost of the Building Contractor to remove. This should reduce the cost of having it removed. Municipal Affairs Engineering Division agreed with the recommendation. Council reviewed the correspondence and based upon the consultants recommendation and Municipal Affairs agreement, decided to move forward as proposed.

6.2 Wetland Stewardship – Results and After Action Review – The Wetland Stewardship public hearing held 29 May 2013 was well attended and smoothly conducted. There were three main questions/concerns posed by the residents.

29 May 2013 at the Wetland Stewardship hearing, Mr. Norman Whalen raised a concern regarding a portion of his familie’s property within the management unit. The Mayor met with him and his brother Bruce the evening of 10 Jun, the results of that meeting was discussed by council.

29 May 2013 at the Wetland Stewardship hearing, Mr. Marvin Whalen requesting that there be a 200 foot buffer the length of the Bakeapple Marsh adjacent to the road (right hand side of Bauline Line heading towards Main Street Bauline) taken out of the Management Unit for the purpose of future development.

29 May 2013 at the Wetland Stewardship hearing, Mr. Ken Auchinleck raised a concern regarding an access road (currently in use by Traverse Gardens) and how it would affect the development of his property. He explained that he is relying on that road as an access route which will need to be upgraded in the future. An e-mail regarding this issue was sent to Charmaine Barney a Stewardship Biologist with Environment and Conservation. The e-mail response from her was reviewed at council.

In addition at the 29 May 2013 Wetland Stewardship hearing, many in attendance requested that a final draft of the Wetland Stewardship proposal be available for review by the public prior to being officially signed.



Upon further discussion and the need to gather additional information, Council decided to defer this item until the next council meeting.

- 6.3 Old Town Hall Site – The property at 2 Brook Path still requires quotes prior to any decision to be made. The Town Manager will continue to gather information.

## 7.0 FINANCES

### 7.1 Financial Statement

Councillor M. LeGrow moved to **ACCEPT** the Financial Statement as presented

Seconded by Deputy Mayor C. LeGrow  
All in favour.

Motion **CARRIED**

### 7.2 Outstanding Payables

Councillor M. LeGrow moved to **PAY** the outstanding payables as presented.

Seconded by Deputy Mayor C. LeGrow  
All in favour.

Motion **CARRIED**

### 7.3 Second Quarter Financial Report

The town is in a financially good posture heading into the third quarter. Diligence must be maintained with the ongoing capital works project. A significant upcoming expense will be Canada Day.

## 8.0 COMMITTEE REPORTS

There were no committee reports presented to council.

## 9.0 NEXT GENERAL MEETING

The Mayor scheduled the next Town Council meeting for 18 July 2013 at 7:30 pm.

## 10.0 ADJOURNMENT

Deputy Mayor C. LeGrow moved to **ADJOURN** the Town Council Meeting of 19 June 2013.

Seconded by Councillor R. King  
All in Favour

Motion **CARRIED**

There being no further business, the meeting was adjourned by the Mayor at **10:35 pm.**

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Christopher Dredge  
Mayor  
Town of Bauline

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Craig Drover  
Town Clerk/Manager  
Town of Bauline