



Minutes of a Regular Meeting of Council
The Town Council of Pouch Cove held
Monday, March 13, 2017

Mayor: Joedy Wall
Deputy Mayor: Mark Vardy
Town Manager/Clerk: Barbara Tilley
Executive Clerk: Stephanie Murray

Councillors: Rob Tizzard
John Sainsbury
Tish Williams
Robert Brink
Greg King

1. CALL TO ORDER

Mayor J. Wall called the meeting to order at 4:45pm.

2. ADOPTION OF THE AGENDA

17-036 Motion: R. Tizzard/G. King

Motion to approve the agenda for March 13, 2017 as presented.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

Councillor G. King questioned the Executive Clerk's absence at the meeting; Mayor J. Wall stated an issue involving the Executive Clerk and a Councillor was outstanding, and she chose not to attend until the issue is resolved.

3. ADOPTION OF THE MINUTES

Minutes – Regular Meeting February 20, 2017

17-037 Motion: J. Sainsbury/R. Tizzard

Motion to approve the minutes of a Regular Meeting dated February 20, 2017 with the following changes:

- Remove Councillor R. Brink from motions 17-027, 17-032, 17-033, 17-034, as he was absent from the meeting.

- Re-word the fisherman center discussion. Councillor R. Tizzard stated it was not a consensus of council to take over the building as we cannot take it under the Town's jurisdiction.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

Minutes – Special Meeting February 2, 2017

17-038 Motion: T. Williams/G. King

Motion to approve the minutes of a Special Meeting dated February 2, 2017 as presented.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

Councillor Brink believes that the minutes should not be adopted because of the legality of the meeting and the scheduled time didn't make it possible for all to attend.

4. BUSINESS ARISING

Recreation Fee Refund

17-039 Motion: M. Vardy/

Motion to rescind the following motion:

Recreation Fee Refund

17-030 Motion: M. Vardy/R. Tizzard

Motion to approve the refund of all recreation fees paid from 2011 to 2016.

Motion: Lost

For: J. Wall, M. Vardy.

Against: J. Sainsbury, R. Tizzard.

Councillor T. Williams and Councillor G. King declared conflict and left the chambers at 4:52pm.

No seconder for this motion.

Motion: Lost

Councillor T. Williams and Councillor G. King returned to the chambers at 4:53pm.

All Saints Anglican Hall Contract

Contract with the All Saints Anglican Church Hall was discussed. Councillor G. King stated that Paragraph four of the contract was fine, but paragraph seven needed to be clarified, as Council as a renter is not responsible for the building, only for any issue that was caused by neglect on our behalf. Will be brought back for next meeting.

Special Meeting – Motion 17-020

Councillor R. Brink requested to make a statement regarding Motion 17-020 from a Special Meeting of Council held Thursday February 2, 2017.

“For the Record;

Response by Councillor Bob Brink to Resolution of Council 17-020 from Special Meeting of February 2, 2017.

Concerning the accidental and unintentional workplace incident at the Town Hall on January 26, for which I made a sincere apology at the time, I have the following comments relating to the actions of the council:

In the absence of any workplace policies, and failing to request appropriate guidance, the Council took actions that were outside the norms of municipal management.

A Respectful Workplace Policy includes various forms of informal resolution, followed as necessary by third party mediation and an investigation. None of these steps were followed.

A private meeting of council was held the next afternoon. I was not invited to explain the incident, nor was it possible for all of council to attend. Without referencing any standard workplace procedures, the remaining councillors voted to request my resignation. This demonstrated an absolute lack of procedural fairness.

The provincial government’s Harassment and Discrimination-Free Workplace Policy includes various rights such as the right to be heard and the right to be treated without bias.

I was not heard, and there was a political bias involved with fellow councillors sitting in judgement of another councillor.

I subsequently proposed various solutions to the Council, including an independent investigation. These efforts were ignored and instead an inappropriate request, which included false accusations, for my dismissal was made to the Minister of Municipal Affairs. The facts do not support the request, and there was an absolute lack of due process.

The adoption of the resolution for my dismissal was clearly meant to pressure and embarrass me. I have done nothing wrong. The council has questioned my integrity and as a matter of principle I am obligated to defend myself.

As an elected member of the Town Council, I have the responsibility to serve my constituents by performing my duties as a Councillor. My fellow Councillors have the responsibility to the people who elected us to allow me to perform those duties. I am prepared to work constructively with the council to rectify the situation in a way that is fair and just for all involved and to adopt a Respectful Workplace Policy to protect both council and staff in the future."

5. DELEGATE

Mr. Patrick Dabinett gave a four-minute presentation requesting that Council post meeting agendas online prior to scheduled meetings.

6. PROCLAMATIONS

Purple Day, Epilepsy Newfoundland and Labrador

Mayor J. Wall signed the proclamation declaring March 24th as Purple Day for epilepsy.

Volunteer Week, community Sector Council

Mayor Wall to sign this proclamation next week, in the presence of the honorary chair for volunteer week, Mr. Pete Sucey, declaring April 23rd – 29th as Volunteer Week.

7. CORRESPONDENCE

i. Resident Correspondence – Posting Agendas Prior to Meeting

17-040 Motion: J. Sainsbury/R. Brink

Motion to post agendas online, subject to change up to and including the day of the meeting.

Motion: Carried

For: J. Wall, R. Tizzard, J. Sainsbury, T. Williams, G. King, R. Brink

Against: M. Vardy

Deputy Mayor Vardy believes that by doing this it opens the door to criticism.

ii. Resident Correspondence – Shoe Cove Identity

Mayor Wall stated that he voted to support the motion, as it was to support changing the signs to heritage signs. It was not his intent to move signs, was not done in malice. Looking forward to seeing the story board signs being placed in the Shoe Cove Area. These are to be completed by the Heritage Society.

iii. MNL – Sponsorship for Avalon/Eastern Regional Meeting

Mayor Wall, Councillor King, Councillor Tizzard, and Councillor Brink to attend.

iv. NLCA – Evocation Leaders Forum 2017 – March 31, 2017

Any council member interested in attending will contact the Town Manager.

v. Heritage Society – Shoe Cove Commemorative Signage

For information only.

vi. ICSP Committee – Community Business Discussion

The consensus of council was that this was a good idea and it will be advertised throughout the town and social media.

8. BUSINESS

A. Development

i. General Development (Extension) – 51 Marsh Road (Revisit)

17-041 Motion: T. Williams/J. Sainsbury

Motion to approve revised extension measuring 16'x18', as presented.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

ii. Resident Inquiry – Discretionary Use of Land, Bank Road

17-042 Motion: R. Tizzard/J. Sainsbury

Motion to place a discretionary use ad in the Telegram.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, G. King

Against: R. Brink

Councillor R. Brink feels that this is an unnecessary expense to the applicant.

B. Public Works

i. Committee Report

There is no public works report.

ii. Ice Control Materials 2017/2018

17-043 Motion: T. Williams/G. King

Motion to approve increase from 300 tonnes to 450 tonnes of salt/sand mix.

Motion: Carried

For: J. Wall, M. Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

iii. Quotes – On-Call Electrician

Waiting on more quotes, to be revisited at the next council meeting.

C. Finance

i. Accounts Payable February 20, 2017 (Rec Fee Not Included) \$40,847.59

17-044 Motion: T. Williams/R. Brink

Motion to approve accounts payable listing dated February 20, 2017 (Rec Fee not included as presented in the amount of \$40,847.59).

Motion: Carried

For: J. Wall, M Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

ii. Recreation Fee Refunds A

This item was not discussed.

iii. Recreation Fee Refunds B

This item was not discussed.

iv. Recreation Fee Refunds C

This item was not discussed.

v. Accounts Payable March 13, 2017 \$48,502.10

17-045 Motion: J. Sainsbury/T. Williams

Motion to approve accounts payable listing dated March 13, 2017 as presented in the amount of \$48,502.10.

Motion: Carried

For: J. Wall, M Vardy, R. Tizzard, J. Sainsbury, T. Williams, R. Brink, G. King

9. LIAISON REPORTS

- Recreation** Celtic Connection Concert cancelled, other Snowfest activities went well. Report next meeting.
- Heritage** Annual General meeting March 9, 2017. Ongoing membership drive for new members. Working on Shoe Cove signage. In 2016, received the Manning Award for their work on Heritage Book "Our Home by the Sea".
- Fire Department** Last week's meeting cancelled. Town Manager commended Fire Chief, Assistant Chief, Captain and member of the Fire Department for their professionalism towards the public and each other this past weekend during the windstorm (March 11). Mayor Wall concurs with the Town managers praise, very proud to have them as our Volunteer Fire Department.
- NEAJC** No update.
- NEAR** No update.
- Mayors/MHA** No update.
- Environment** No update.
- Library** Annual General Meeting the first week of April.
- Arena** No update.
- ICSP** Holding a Community Business meeting discussion on April 20, at the Chalet on Satellite Road. Inviting new and existing businesses to discuss what the committee can do to help them.
- HTH School Council** No update.

10. OTHER COMMITTEE REPORTS

Water Committee

Councillor R. Tizzard reports he is waiting for answers on approval, should be this week.

11. NEW BUSINESS

There is no new business.

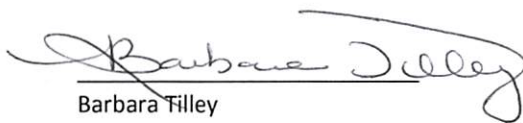
12. QUESTION & ANSWER

Council was addressed by Ms. Dorothy Vaandering, Mr. Patrick Dabinett and Mr. Dan Rubin.

13. ADJOURNMENT

17-046 Motion: R. Tizzard/M. Vardy

There being no further business, the meeting adjourned at 6:01pm.



Barbara Filley
Town Manager/Clerk



Joedy Wall
Mayor