

Members Present: Mayor: Arthur Petten
Deputy Mayor: Scott Rose
Councilors: Dave McLean
Bev Wells (7:02)
Joyce Petten
Darrell Percy

Also Present: Clerk: Terrie Lynn Hussey-Aisien

As Mayor was about to call meeting to Order Councilor Percy said now that tape is on he has 15 ft. of land bought between Joan Sullivan and Arthur Petten's, what Council is fighting for and stated he wants Mr. Petten's culvert removed wasting tax payer's money. Councilor McLean said if this is how the meeting is going to go the meeting can be adjourned right now, Councilor Percy said this is before the meeting starts, it is going to be like this for the rest of it. Councilor Percy said Mr. Mayor you are to not speak on the wharf anymore because you are in conflict, big time conflict.

Call to Order: Mayor Petten called meeting to order at 7:00 p.m.

Agenda: Purposed to move Delegation (Crosbie) to top of agenda after adoption of minutes
Mayor suggested that the agenda be changed back to original format as shown in the Council's rules and procedures.
Agenda accepted with change,

In favour:

All in Favour

Adoption of Minutes: Mayor noted that Council put out an ad and called it a variance but it should have been Discretionary
Adoption regular meeting minutes for June 5th, 2013

Motion #13-060 Moved/Seconded McLean/Rose

BE IT RESOLVED that the minutes of the April 4th, 2012 regular meeting of Council be adopted as circulated.

In favour: Mayor: A. Petten
Deputy Mayor: S. Rose
Councilors: D. McLean
B. Wells
J. Petten

Opposed: Councilor D. Percy

Motion Carried

Delegations: Chris & Danita Crosbie (Salmon River Drive)

Apologies sent Chris was unable to attend, Danita addressed Council.

Advised that the 15 lot development plan that was submitted to the Town for approval has not changed, that is the plan that was approved in principal for building lots within boundaries (lot 1 – 4). Stated that she feels they are moving backwards should not have to put in an application for something that is already in motion. Approval in principal was given based on this drawing in 2009. Three issues she would like Council to assist her on;

1. The 4 lots within boundaries that prior approval was given have 3 houses built and 1 ready to build is that person going to be given approval to develop.
2. Pave Road - 2 options (scenarios) provided previously to Council
 - a. Council to take over Road as is, until they Crosbie's accumulate the funds to pave it
 - b. Council get quotes and have the work done and the Crosbie's pay Council
3. Going forward - so the 15 lot was approved in principal for lot development within Town boundaries, what does she do to move forward with the lots that are not within boundaries

She stated that she has documentation/records; she has had test holes dug and has approvals from Government Services (Paul Noseworthy) and Mike Nolan. Engineering studies come into affect when you go over 15 lots, which is why we (Crosbie's) have stayed at 15 lots.

Mayor said that he does not see anything on record or in the file that Council gave approval on 15 lots.

She asked Council if they can pave into lot 4 and possibility into lot 5 & 6, Clerk asked if the 15 lot plan is what the test holes and etc have been done on not the entire finished plan. Council has contacted the minister in April asking for permission to provide services and tax houses/lots outside boundaries.

Councilor Percy made comments regarding the wharf committee, Mayor Petten advised that there is nothing on the agenda regarding the wharf committee and it will not be addressed at this time. Councilor Percy said that the Mayor will not discuss it because he is in conflict of interest.

Mayor addresses the Town's Rules of Procedures
Order and Decorum

a. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.

Disorderly Persons

a. The presiding officer may expel and exclude from a meeting any member of council or other person who is guilty of improper conduct at the meeting. In the case of the exclusion of a member of council, an entry shall be made in the minutes indicating the reason for such exclusion.

b. Any member expelled from a meeting under the provisions of Section 15(a) may be permitted, by a majority vote of councilors' at the meeting in progress, to resume their place after making an apology to the presiding officer and to council.

c. In the event that a council member continues to disrupt the normal course of business during council meetings and continues to act improperly, council reserves the right to ask that person to leave or to adjourn the meeting. If this activity continues during the next council meeting with no resolve, council may again ask the person to leave or may adjourn the meeting and have the matter deferred to the Department of Municipal Affairs and/or the Minister thereof.

Mayor stated that is the rules and that is what he is accepting no more no less,

Finances: *Mayor spoke regarding cash inflow & outflow and the showed council where they were in 2010 up to present date*

Accounts for payment:

Motion #13-061

Moved/Seconded

McLean/J. Petten

BE IT RESOLVED that A/P as circulated be paid

In favour:

Mayor:

A. Petten

Deputy Mayor

S. Rose

Councilors:

D. McLean

B. Wells

J. Petten

Opposed: 0

Abstained: 0

Motion Carried

Business Arising from May minutes: *Review for Council*

Town of Cupids - Mayor reviewed bills with Clerk, everything is in order

Rules of Procedure amended and signed by current Mayor and Clerk

Resident "A" demolition Permit - no permit is required that being the case there is no legal requirement to make any application or seek any approval to proceed with the demolition. Council has no jurisdiction to impose any conditions. Council can however rest assured that the site will be clean and safe when finished

Resident "S" W&S hookup - fine issued for doing work without permit first

Clerk is to send a letter to Contractor to remind them that no work is to be carried out unless a permit has been issued.

Reid's Road Development - Application were advertised as a variance but it should have been Discretionary, was in Compass for 2 weeks Council received 1 letter back from a resident regarding this. Representative was present to address concerns from Council, he stated that this is development is geared to control flow of traffic, it's a specific target market aimed seniors 55yrs plus. Development will help increase property value and generate tax inflow for the Town. There will be very little in & out of heavy equipment, equipment will go in do what is needed and leave. He advised Council that KBRR will be responsible for snow clearing inside and maintenance. Deputy Mayor Rose stated that the Town engineer has never said to Council that there was a weight limit or any restrictions on Reid's Road.

When delegation was no longer present Council discussed and decided the following;
Approval in Principal is granted to KBRR Enterprise to proceed on with necessary steps in development.
Developer is required to provide;

- (a) A legal survey, name and description of the project within the development of subdivision including whether it will be a development on public roads and services or private roads and services.
- (b) A professional development plan and/or maps with phasing showing proposed land use, lotting, public and private spaces, buffers, roads, sidewalks, curbs, water and sewer system, storm drainage system, and other relevant information.
- (c) An estimated cost of the works in the development as certified by a professional engineer.
- (d) Relevant Provincial and/or Federal permits or approvals from:
 - i. Highways – adequate safe access/egress
 - ii. Environment – habitat, pollution and other environmental issues
 - iii. Natural Resources – mineral rights, etc.
 - iv. Tourism – archaeology
 - v. Fisheries and Oceans
- (e) The Subdivision Development Standards as outlined in (SRDR Section 76).
- (f) A detailed set of design drawings by a professional engineer prior to start of a phase or element of the development plan.
- (g) The financial guarantees with respect to municipal water, sewer, road and related works to ensure that each phase of the work will be done.
- (h) Permitting, certification and inspection requirements i.e. what permits, approvals etc. are required and when.

Final Approval

A permit fee of \$50 per lot shall be required for final approval

Final approval may be given by the Authority provided that;

- i. The terms of the Approval In Principle have been satisfied
- ii. The application for Final Approval has been made within two (2) years of the granting of the Approval In Principle
- iii. All necessary financial guarantees, payments, fees and/or land dedications have been made.

Motion #13-062 Moved/Seconded

McLean/J.Petten

BE IT RESOLVED that Council issue approval in principal to KBRR Enterprise, subject to Regulations being followed.

In favour:	Mayor:	A. Petten
	Deputy Mayor	S. Rose
	Councilors:	D. McLean
		B. Wells
		J. Petten
		D. Percy

Opposed:	0
Abstained:	0

Motion Carried

General Business:

Businesses in South River - update roll - businesses operating in Town without approval, tax structure to be discussed during budget time **carried to next meeting**

Fines & Permits - Clerk is to send a stern letter to contractors when they carry out work without resident having permit to remind them no work is to be carried out without a permit.

Hydrant - an alternate way to run water to divert from residents property, run fire hose from hydrant down to water
*Clerk is to send letter to Fire Commissioner cc Cupids, Bay de Grave and Municipal Affairs.

Class A & Grading of gravel roads - Clerk is to call Concord (Kevin Keating) and see if they can go in with the grader and also fix the hole on Springfield Road

Summer Holidays - Clerk will be on Summer Holidays from July 16 - 22, 2013 (July 15 is a holiday - Orangeman's day)

Resident "X" tax issue - Council decision Bills are to stay as is, no proof of any difference has been presented to Council
Deputy Mayor Rose asked if statements of accounts are being worked on, Clerk advised that they are and that some have been mailed already. Councilor McLean asked if when the statements go out is it possible to have a suggested payment plan with it** Meeting went privileged at 8:40 p.m. ** to discuss arrears

** Return to Public Meeting at 8:50 p.m. ** Resident "X", amounts remain as is., Clerk is to send statement of account.

Show of hands who is in agreement,

In favour:	Mayor:	A. Petten
	Deputy Mayor:	S. Rose
	Councilors:	D. McLean
		B. Wells
		J. Petten
Opposed:	Councilor:	D. Percy
Abstained:		0

Councilor Percy said he was not here the last 2 meetings, so he is unaware of the issue, Council advised him that this has been ongoing for over a year and he was privy to that information.

Election -Nomination Day for South River will be August 28th, 2013 8a.m. to 8p.m.

Polling Clerk - suggested to ask Marilyn Wilson

ARO - suggested to ask Shelly Russell

Guard - have some on a if we need basis

* Ask if they are available for training if provided

Wages: Returning officer (Town Clerk):	\$200.00 each day plus regular Clerk wages
Alternative Returning Officer	\$200.00 for Election Day
Polling Clerk	\$150.00 for Election Day
Guard	\$150.00 for Election Day
• Voters List	0.50¢ per name on list
• Typing Voters List	0.50¢ per name for typed

Application(s) for Development

Smith (Jacksonville Estate) - Application to develop reviewed by Council, needs to be put in the Compass for 2 weeks (discretionary use) if application meets requirements Clerk can approve application after the notice has been advertised for 2 weeks. Clerk is to put on next agenda what action was taken.

Snow (Batten Place) - Application to develop reviewed by Council, discussion regarding Town regulations as to what size does accessory building need to be advertised ... Town Regulations state The total of all accessory buildings associated with a residential use shall have a lot coverage no greater than 7%, up to a maximum of 50m2, and no accessory building shall have a height of more than 4m. Application approved

Correspondence

NL Command of the Royal Canadian Legion - Council will donate \$50.00

CEEP Application - Application has been submitted

SAGE - Clerk is to address the issue with the Accountant

Salmon River Drive

Council discussed and decided the following;

If Lot 4 (Penny) meets regulations then Council will treat his application the same as any development application submitted to Town. Anyone lots past lot 4 is to be determined.

Council wants all regulations followed and proper paperwork provided to Town. The application to subdivide lands submitted with each phase outlined including the following;

- A professional development plan **certified by a professional engineer**
- A **detailed set of design drawings** by a professional engineer, showing ditching, culverts, class A and paving etc. Road work/plan has to be done/ certified by an engineer in to lot 6.

Council requests that the Crosbie's also write the Minister regarding Town of South River being able to provide services and tax properties outside the boundaries.

Summer Students

Discussion regarding selection;

Post Secondary - Council selected Nicole Smith

Councilor Percy left chambers at 9:20 p.m. as his daughter was on the list for high school student

High school - Council selected Adam Oates

Councilor Percy returned to chambers 9:30 p.m.

Note

Deputy Mayor Rose wants clarification on the Motion for Mayor. He is under the impression that anyone on council that is nominated for mayor has the majority vote of council. He thought it should be that the person with the highest votes from the residents is offered mayor

Mayor Petten said something inaudible

Deputy Mayor Rose said that he has wanted this clarified now, because whoever is sitting around the table picks the Mayor, Councilor Percy said you had me kicked off so I wouldn't be able to run for 2 years, Clerk tried to explain the process, Deputy Mayor Rose wants that clarified on tape because his understanding is not what the motion states. Whoever has the most votes from residents is offered the Mayor position; if the 7 members are put in by acclamation then a vote of council nominations etc... is taken. Deputy Mayor Rose wants it on tape that Mayor is offered to the person with the most votes so that the community picks the Mayor, asked Mayor if he would really want to come back as Mayor with his wife, long time friend and relative, said he wanted this changed to be fair to the residents.

Meeting was adjourned by Mayor as discussion got out of control and rowdy.

Adjournment: Meeting adjourned at 9:45 p.m.

These minutes are approved by the South River Town Council at South River Town Hall, in the Province of Newfoundland and Labrador, this _____ day of _____, 2013.

Recorded & Typed by;
Terrie Lynn Hussey-Aisien
Town Clerk
(for) the Town of South River

Approved by Council & Witnessed by;
Arthur Petten
Mayor
(for) the Town of South River