



Town of Witless Bay
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Public Meeting of Witless Bay Council

February 11, 2020

Attending: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors David Ryan, Fraser Paul, Vince Swain and Lucy Carew

Remote

Attendance: Dale O'Driscoll

Recording: Geraldine Caul and Barb Harrigan

1. Mayor Derm Moran called the meeting to order at 7:30 pm.
2. **2020-022** Deputy Mayor Maureen Murphy/Councillor Fraser Paul
Be it resolved that the Agenda of February 11, 2020 be adopted.
Amendment: Councillor Lucy Carew/Deputy Mayor Maureen Murphy
Be it resolved that the agenda be amended to include under Other Business 7e
"Correspondence: Follow up to original written request of July 29, 2019 from resident related to violations of the Town's Development Regulations – Request for investigation and removal of unauthorized structures."
Amendment carried unanimously.
Motion to amend the Agenda of February 11, 2020 carried unanimously.
3. Adoption of Minutes of Public Meeting of January 14, 2020
2020-023 Deputy Mayor Maureen Murphy/Councillor David Ryan
Be it resolved that the minutes of public meeting of January 14, 2020 be adopted.
Amendment: Councillor Lucy Carew/Councillor Vince Swain
Be it resolved that the minutes of public meeting of January 14, 2020 be amended to remove the entire *"correction"* portion of Motion #2020-002. [The correction portion stated: *Correction to the minutes of December 9, 2019 meeting to delete Deputy Mayor Maureen Murphy from motion 2019-339. Deputy Mayor Murphy was declared not to be in a conflict in motion 2018-010 from January 9, 2018 minutes.*]
Amendment carried unanimously.
Motion to adopt the Minutes of January 14, 2020 public meeting as amended carried unanimously.

4. Business Arising from Minutes:

a. CAO Job Description and Ad

2020-024 Deputy Mayor Maureen Murphy/Councillor Lucy Carew

Be it resolved that Council defer this item pending further correspondence.

Motion carried unanimously.

5. Public Works & Infrastructure:

a. Application to construct a residential dwelling on 32 Dunn's Lane [resubmission: was previously approved but approval expired]

2020-025 Councillor David Ryan/Councillor Vince Swain

Be it resolved that Council defer this application until Council gets more information from the Planner.

Motion carried unanimously.

b. Application to demolish and rebuilt or refurbish barn on 41 Dunn's Lane

2020-026 Councillor Fraser Paul/Councillor Dale O'Driscoll

Be it resolved that Council defer this application pending correct information from Services NL and the Town Planner.

Motion carried unanimously.

c. Application to construct a personal garage on 153 Southside Track

2020-027 Councillor Fraser/Deputy Mayor Maureen Murphy

Be it resolved that this application be approved providing the applicant stays within the regulations of the Town Standards.

Motion carried unanimously.

6. Finance:

a. O'Brien's Trucking snow clearing invoices

2020-028 Deputy Mayor Maureen Murphy/Councillor Fraser Paul

Be it resolved that Council pay O'Brien's Trucking Ltd. for snow clearing and ice control for the period from January 5 to February 2, 2020 for the total sum of \$93,979.31.

Motion carried unanimously.

7. Other Business:

- a. Correspondence related to flooding on 1 Aspen Place – Council will revisit this once the Town hears back from the property owner.
- b. BBBA – For Council's information purpose.
- c. PMA (Provincial Municipal Administrators) Annual General Meeting: June 17-19, 2020 Gander – Councillors Fraser Paul, David Ryan and Vince Swain will be attending this AGM.
- d. Requests to meet: Small Crafts & Harbours (MOU) and BBBA (MOU) – Council will determine a date for these meetings later.
- e. Correspondence: Follow up to original written request of July 29, 2019 from resident related to violations of the Town's Development Regulations – Request for investigation and removal of unauthorized structures.

2020-029 Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Moved that Council remove the entire section of item #9b from Minutes of December 9, 2019 Public Meeting, including motion #2019-339 due to a procedural error.

Motion carried unanimously.

Councillor Lucy Carew reported that Council will proceed with discussions on item 7e. related to the correspondence received: A follow up to original written request of July 29, 2019 from resident related to violations of the Town's Development Regulations – Request for investigation and removal of unauthorized structures.

Deputy Maureen Murphy noted that she was voted not to be in a conflict on this previously.

Councillor Vince Swain asked Council to determine if he is in a conflict of interest on this item because his name is mentioned in the email of July 29, 2019.

2020-030 Deputy Mayor Maureen Murphy/Councillor Dale O'Driscoll

Moved that Councillor Swain is not in a conflict of interest in regards to this correspondence.

For: Deputy Mayor Maureen Murphy, Mayor Derm Moran, Councillors David Ryan, Fraser Paul and Lucy Carew, Dale O'Driscoll

Against: 0

Abstained: Councillor Vince Swain [abstained because he asked Council to determine if he was in a conflict of interest on this item].

Motion Carried.

Councillor Fraser Paul asked Council to determine if he is in a conflict of interest on this item because his name is mentioned in the email of July 29, 2019.

2020-031 Councillor David Ryan/Councillor Dale O'Driscoll

Moved that Councillor Paul is not in a conflict of interest in regards to this correspondence.

For: Deputy Mayor Maureen Murphy, Mayor Derm Moran, Councillors David Ryan, Vince Swain, Lucy Carew, and Dale O'Driscoll

Against: 0

Abstained: Councillor Fraser Paul [abstained because he asked Council to determine if he was in a conflict of interest on this item].

Motion carried.

Mayor Derm Moran stated that on November 25, 2019, Supreme Court of NL dismissed an appeal against the Eastern Regional Appeal Board and the Town of Witless Bay in relation to the structure on Ragged Beach, therefore the structure is a non-issue with Council.

8. **2020-032** Councillor Lucy Carew/Deputy Mayor Maureen Murphy

Be it resolved that the public meeting adjourn at 7:57 pm.

Motion carried unanimously.