



TOWN OF STEADY BROOK
PUBLIC MEETING
JUNE 13, 2019

ATTENDANCE:

Mayor Donna Thistle
Renee Burden
Stephen Norman
Julie Morgan

Councillors:

C. Wells
C. Austin
C. Sutherland
C. Dawson

ABSENT:

The meeting was called to order at 7:00 p.m.

Agenda Item

1) Call Meeting to Order

Mayor Thistle called the meeting to order by welcoming everyone present and explained that the meeting location was changed to the Community Hall because of the increased numbers of residents attending the Public Meetings.

Mayor asked for a motion to adopt the Agenda.

**RESOLUTION
2019/073**

AUSTIN/DAWSON:

**BE IT RESOLVED THE TOWN OF STEADY BROOK
APPROVE THE AGENDA FOR JUNE 13, 2019 PUBLIC
MEETING AS PRESENTED.**

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

Mayor Thistle asked if anyone would like to speak to the motion.

1.1) Minutes of Previous Meeting

Mayor then proceeded onto the adoption of the minutes. Mayor Thistle explained the minutes for April 4, 2019 was deferred at the last meeting because research needed to be done regarding a hiring the Operation Managers contract. It was determined that does not need a 2/3. Mayor Thistle asked if everyone had a chance to read the minutes.

**RESOLUTION
2019/074**

**SUTHERLAND/AUSTIN:
BE IT RESOLVED TO ADOPT THE MINUTES AS
PRESENTED FOR THE REGULAR PUBLIC COUNCIL
MEETING OF APRIL 4, 2019.
IN FAVOUR: (4) Thistle, Austin, Wells, Sutherland
OPPOSED: (1) Dawson
RESOLUTION CARRIED**

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Dawson asked to speak to it. Councillor Dawson indicated that the contested issues of the motion are in reference of two specific motions, one of which is Resolution #2019-049. The motion states "Whereas the Operations Manager contract was presented to Council in November of 2018 by Administration Committee and has been discussed at Committee and COW, be it resolved to ratify the Operations Manager Contract and Appendix". Councillor Dawson stated that Mayor Thistle indicated that a contract does not need a 2/3 majority vote to pass the motion. However, the 2/3 majority vote is with reference to hiring and appointing the Operations Manager and those motions do not exist. Councillor Dawson questioned the fact that given that those motions do not exist, how can Council approve a contract with a motion when the individual has yet to be hired by the Town?

Mayor Thistle and the rest of Council did not respond to the question.

Councillor Dawson continued to address the other issues that were discussed at the May 2, 2019 meeting concerning, notably Resolution #2019-050 which states "Whereas, in the Fall of 2018, this Council made a decision to restructure the staffing compliment of the Town". Councillor Dawson explained a decision of Council happens at the Council Table. He indicated no such decision exists, and it appears that Council wishes to ignore what is required under the *Municipalities Act* by proceeding to approve these motions. The referenced motions are outside the *Municipalities Act*. Councillor Dawson elaborated if Council decided to restructure staff, Council needs to account for that decision.

Councillor Dawson asked all of Council to show where that specific decision/resolution exists?

Councillor Dawson asked for the minutes to reflect that he has asked Council to show where these decisions exist, as per the *Municipalities Act*, and Council has not responded.

Mayor Thistle thanked Councillor Dawson and asked if any other Councillors would like to speak to the motion. There was no response so Mayor Thistle asked to adopt the minutes and the motion was carried. Mayor Thistle then moved on to the next item on the Agenda and asked for a motion to adopt the minutes of the Public Meeting of May 2, 2019.

**RESOLUTION
2019/075**

**SUTHERLAND/AUSTIN:
BE IT RESOLVED TO ADOPT THE MINUTES AS
PRESENTED FOR THE REGULAR PUBLIC COUNCIL
MEETING OF MAY 2, 2019.
IN FAVOUR: (4) Thistle, Austin, Wells, Sutherland
OPPOSED: (1) Dawson
RESOLUTION CARRIED**

Mayor Thistle asked if anyone would like to speak to the motion.

Councillor Dawson indicated he would like to speak to the motion. He indicated that in the minutes of May 2, 2019, he stated that there was a very serious issue that needed to be addressed. The issue was pertaining to the contract that was signed by Mayor Thistle on November 4, 2018. This contract did not have prior approval, as required, by Council. Councillor Dawson further explained he noticed a clause changed to that contract, as it had been discussed 11 days after the signing of that contract, and had another clause added to it, yet it was signed 11 days earlier. Councillor Dawson asked Council how that happened and who made that change?

There was no response from the other members of Council.

Councillor Dawson further pointed out that in the minutes it referred to a discussion whereby Mayor Thistle spoke about that particular contract. It states she asked legal counsel about that contract, and legal counsel informed her that the motion did not need a 2/3 majority to adopt (as was just discussed in the previous minutes) the contract. The minutes indicate Councillor Dawson arose a point of order as Mayor Thistle brought up an issue regarding legal opinion which was not listed on the Agenda and it was done without Council's approval. Councillor Dawson continued referencing information in the minutes which indicated he asked Mayor Thistle if she obtained legal advice through the advice of the Town or if she obtained it independently? Mayor Thistle answered that she obtained legal advice independently.

Councillor Dawson further explained he received from Mayor Thistle an email, earlier in the day (prior to the meeting), which states that a motion to ratify a contract does not need a 2/3 majority and "Yes, Bill, I did ask Ruth that question." Councillor Dawson explained that the person in which the Mayor is referencing is the lawyer (to which the Town paid \$310/hour for legal services) and was hired to address a HR issue specific to the previous Town Clerk. He further elaborated after reviewing the Town's invoices, that on the legal invoice, there was a charge for "Council Matters" when the invoice regarding legal services was to deal with a HR dispute not "Council Matters".

Councillor Dawson asked Mayor Thistle who paid for the legal opinion? He questioned Mayor Thistle (about her previous response in the May 2, 2019 minutes) regarding the legal opinion and if it was obtained independently or is it, as it appears in the

email she send Council earlier in the day and indicated on the invoice from Stewart McKelvey, that in fact Mayor Thistle did not obtain legal opinion independently?

Mayor Thistle stated that she does not recall. She then asked the rest of Council if anyone else would like to speak to the motion. There was no response from the rest of Council. Mayor Thistle then asked for Council to vote on the adoption of the May 2, 2019 minutes.

Mayor Thistle then asked to adopt the minutes of the Special Public Meeting dated May 7, 2019. She asked if Council had an opportunity to review the minutes and if there were any errors or omissions.

Councillor Wells indicated that he noticed that Councillor Dawson abstained and Councillor Dawson was not present. He stated the minutes should reflect on the front page that he was absent. Mayor Thistle asked if there were any other errors or omissions and hearing none, Mayor Thistle asked for a motion to adopt the minutes as amended of the May 7, 2019 Special Public Meeting.

**RESOLUTION
2019/076**

**SUTHERLAND/AUSTIN:
BE IT RESOLVED TO ADOPT THE MINUTES AS AMENDED
FOR THE SPECIAL PUBLIC COUNCIL MEETING OF MAY 7,
2019.**

**IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson
OPPOSED: (0)
RESOLUTION CARRIED**

**S (2)
Business arising
Action item**

NOTHING TO REPORT.

**(3) Notices of
Resolutions
Arising of
minutes**

NOTHING TO REPORT.

**Delegations &
Guests**

Mayor Thistle acknowledged the large number of residents and media that were in attendance.

(4) Committee report

4.1 OPERATIONS AND PUBLIC WORKS:

4.1.1 - Asset Management – Council sent an Asset Management Policy via email for all of Council to review on May 31, 2019 and asked if all of Council had an opportunity to review the Policy. Mayor Thistle explained to the Public that the Town is engaged in an Agreement with FCM, and that this would be the official Policy for the Town with regards to Asset Management. Mayor Thistle indicated more details will be given in the Mayor's Forum.

Councillor Wells asked the Operation Manager is he could provide some feedback for the public regarding Asset Management. Operations Manager stated that Asset Management outlines what the Town spends regarding water, sewer, roads, vehicles, buildings and provides a 2/5/10 year planning interval. It is a tool that will save the Town money in the long run. It helps the Town be more proactive with regards to the Town's Assets and help plan for the future.

Councillor Wells stated that this type of program is the way of the future and it has been suggested (nothing official) that we may need it to qualify for the annual Gas Tax and the Town may need an Asset Management Policy in place.

**RESOLUTION
2019/077**

WELLS/AUSTIN:

BE IT RESOLVED THE TOWN OF STEADY BROOK APPROVE THE TOWN'S ASSET MANAGEMENT POLICY AS PRESENTED TO TOWN COUNCIL.

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

Operation Manager asked to be able to explain a little bit more regarding Asset Management. The Town, received from the consultant, all of our data and the Town can now manage it digitally. Training for Asset Management will take place next week for staff.

4.1.2 – Water System Update–

With regards to Water System Update, the Operations Manager indicated that there have not been any big changes since the last Public Meeting. The Town is planning on doing pressure checks and then looking to do line flushing that will take place in the next 2-3 weeks.

Councillor Wells asked the Operations Manager, in terms of various valves and equipment for the water system, is there a plan in place, via monthly, or quarterly, for maintenance as per the manufacturer's recommendations in place?

Operation Manager explained that he just completed Confined Entry Training so he can now go into the chambers. The new Maintenance Operator will also be trained, and this will allow the Operations Manager and Maintenance Operator to go into the

chambers and do maintenance. Staff will arrange to have one more check done by the contractor and then we can maintain in house.

Operation Manager also indicated that he has also completed a course on Water Certification that is offered through Municipal Affairs and is regulated by the Federal Government and wrote the exam provided to gain this certification.

As Built Drawings from Anderson Engineering – Operation Manager indicated that he has received the As Built regarding the water reservoir from 4 years ago. He indicated that that information will be integrated into our GIS mapping in the Asset Management Program.

Current water usage indicated the Town was averaging 40 gal/min and now the Town usage has decreased to 30 gal/min. This change was due to a significant leak that the Town had on Birch. It indicated that waterline was leaking about 15 gal/min of water due to the leak.

Mayor Thistle pointed out that this situation is a good example of the benefit of Asset Management.

4.1.3 – Clean Up Week – Clean up week was extended for several days as the Town had some staffing issues.

4.1.4 – NL Power – Thistle Drive - Operations Manager stated there is 2 light poles going in on Thistle Drive to service George's cabins.

4.1.5 – Line Painting – The Town is planning over the next 2 weeks to paint the lines and crosswalks.

4.2 EMERGENCY MEASURES:

4.2.1 – Funding approved for SCBA equipment – Councillor Dawson explained the Fire Dept has been approved for a Self-Contained Breathing Apparatus. It's a piece of equipment that is used for entry into hazardous areas and the funding is approved. This is for information only as this goes through the Regional Fire Committee.

4.3 PLANNING AND DEVELOPMENT:

4.3.1 – PAR ID 160-374 – Land Boundary Change

**RESOLUTION
2019/078**

DAWSON/SUTHERLAND:

WHEREAS LANDS AND PLANNING HAVE MET AND REVIEWED APPLICATION # 2019-014 AND SEE NO ISSUES WITH THE REQUEST TO SUBDIVIDE PARCEL ID 160-374 PROVIDING IT STAYS WITHIN THE TOWN OF STEADY BROOKS DEVELOPMENT REGULATIONS, LANDS AND PLANNING RECOMMENDS TO COUNCIL TO APPROVE THE SUB-DIVISION AS PRESENTED. BE IT RESOLVED, THE TOWN OF STEADY BROOK APPROVE PARCEL ID 160-374 REQUEST TO SUBDIVIDE LAND AS PRESENTED ON APPLICATION #2019-014.

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

4.3.2 – PAR ID 160-374 – New Home Construction

**RESOLUTION
2019/079**

DAWSON/WELLS:

WHEREAS LANDS AND PLANNING HAVE MET AND SEE NO ISSUES WITH THE DEVELOPMENT OF A NEW HOME PROVIDING IT STAYS WITHIN THE TOWN OF STEADY BROOKS DEVELOPMENT REGULATIONS. LANDS AND PLANNING RECOMMENDS TO THIS COUNCIL TO APPROVE THE CONSTRUCTION OF A NEW HOME 27'X28'. BE IT RESOLVED THE TOWN OF STEADY BROOK APPROVE APPLICATION #2019-014 TO CONSTRUCT A NEW HOME AS PER THE DRAWING SUBMITTED WITH THE APPLICATION AND PROVIDING IT MEETS AND FOLLOWS THE TOWN OF STEADY BROOKS DEVELOPMENT REGULATIONS. ALL WATER AND SEWER CONNECTIONS AND ROAD DRAINAGE DESIGNS AND INSTALLATIONS ARE IN ACCORDANCE WITH CURRENT POLICY AND REGULATION.

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Austin asked if procedure was followed with regards to the review of this Building Application. Mayor Thistle stated protocol was followed and the applications were reviewed by Lands and Planning Committee.

4.3.3 – Building Application Update

- # submitted since last Public Meeting: 9
- # approved since last Public Meeting: 6
- # in process since last Public Meeting: 3

4.4 RECREATION AND COMMUNITY INVOLVEMENT:

4.4.1 Canada Day Festivities – July 1, 2019 – Mayor Thistle indicated that the Town currently does not have an individual to spearhead for the upcoming festivities due to the vacancies in Council. Mayor Thistle stated that unless we get a committee of resident volunteers there may not be any Canada Day festivities as Council has very limited resources, at this point in time. The Town will be sending out an email looking for volunteers to help with this event and without resident participation there may not be any festivities.

4.5 GREAT HUMBER JOINT COUNCIL:

4.5.1 – NOTHING TO REPORT

4.6 FINANCE:

4.6.1 – Approval of Invoices - \$61,428.94

**RESOLUTION
2019/080**

WELLS/AUSTIN:

**BE IT RESOLVED THE TOWN OF STEADY BROOK
APPROVE THE INVOICES PRESENTED TO COUNCIL IN THE
AMOUNT OF \$61,428.94**

IN FAVOUR: (4) Thistle, Austin, Wells, Sutherland

OPPOSED: (1) Dawson

RESOLUTION CARRIED

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Dawson indicated that he would like to speak to the motion. He stated that given the point he raised about the total legal fees, (regarding the HR issue with the former Town Clerk) being close to \$14,000.00, and the question to Mayor Thistle about where she received the authority to check on Council Matters, (whether the legal advice was private or not it), he's objecting to approving these invoices. The invoices currently show a legal invoice due and indicates it was for legal services at the rate of \$310 per hour. Councillor Dawson stated that he has no intention to approve these bills.

Mayor Thistle asked if anyone else would like to speak to the motion. No other Councillor spoke to the motion.

4.6.2 Transfer of GICs \$100,000.00

**RESOLUTION
2019/081**

**WELLS/SUTHERLAND:
BE IT RESOLVED THE TOWN OF STEADY BROOK
APPROVE A TRANSFER OF \$100,000.00 FROM GIC
ACCOUNT TO THE TOWN OF STEADY BROOK'S CHEQUING
ACCOUNT.
IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson
OPPOSED: (0)
RESOLUTION CARRIED**

4.7 ADMINISTRATION:

4.7.1 PMA Training June 4-8, 2019

**RESOLUTION
2019/082**

**AUSTIN/WELLS:
WHEREAS THE TOWN OF STEADY BROOK PROVIDES
OPPORTUNITIES FOR STAFF TO BE ADEQUATELY
TRAINED, BE IT RESOLVED THE TOWN OF STEADY
BROOK SENT TOWN CLERK, RENEE BURDEN TO PMA
TRAINING IN ST. JOHN'S FROM JUNE 4-8, 2019.
IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson
OPPOSED: (0)
RESOLUTION CARRIED**

4.7.2 Announcement of By-Election – Alternate Returning
Officer/Poll Clerk (Motion)

**RESOLUTION
2019/083**

**AUSTIN/SUTHERLAND:
WHEREAS THE TOWN OF STEADY BROOK CURRENTLY
HAS TWO VACANT COUNCILLOR SEATS, BE IT RESOLVED
THE TOWN OF STEADY BROOK WILL BE HOLDING A BY-
ELECTION ON THURSDAY, JULY 30, 2019. NOMINATIONS
WILL BE ACCEPTED AT THE TOWN OFFICE ON
WEDNESDAY, JULY 3, 2019 BETWEEN THE HOURS OF 8:00
AM-8:00 PM. THE TOWN OF STEADY BROOK APPOINTS
STEVE NORMAN AS ALTERNATE RETURNING OFFICER
AND JULIE MORGAN AS POLL CLERK.
IN FAVOUR: (4) Thistle, Austin, Wells, Sutherland
OPPOSED: (1) Dawson
RESOLUTION CARRIED**

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Dawson indicated he would like to speak to the motion.

Councillor Dawson asked that given the fact it requires a 2/3 vote to hire a Manager of the Town, it also required a recommendation from the previous Town Clerk/Manager (prior to that the position to being advertised or created), and the absence of these motions/decisions to hire the Operations Manager, could Council be exposing the Town, (as the individual is not hired as per the legislated requirement) if someone contests that at the Election?

Mayor Thistle stated she does not have legal counsel there at

the moment.

Councillor Dawson asked Mayor Thistle “Who’s legal counsel?”

Mayor Thistle stated there is law from the Supreme Court of Newfoundland that says motions do not have to be absolutely perfect. The law perceives residents, who sit around the Council table, are everyday people who volunteer for the good of the community. It does not make a person a legal/legislative expert. Mayor Thistle explained this Council had an absolute intention to hire an Operations Manager and there was an intention to hire Steve Norman. All of the documents suggest these intentions, and the Town now has a legal contract with him. Mayor Thistle noted, she thinks, the points made by Councillor Dawson are for no particular reason that she can understand, and Steve Norman is a legal employee of this Town. Mayor Thistle cannot see how Councillor Dawson can dispute that information.

Councillor Dawson replied and pointed out that Mayor Thistle said “motions”. He indicated that “intent” would be from a motion and those motions do not exist nor does the intent.

Mayor Thistle indicated that she was not going to get into a legal argument and asked Councillor Dawson what Council should do instead?

Councillor Dawson indicated that he didn’t know and asked if Council is required to name the specific person as the Alternate Returning Officer? Or can they be named before the election?

Town Clerk clarified to Council that the Alternate Returning Officer does not have to be named now, that it can be done before nominations, however, if the Returning Officer (which is the Town Clerk) can not perform their duties, the Town has to have someone named to take over those duties. Town Clerk indicated Council has to have a plan in place to have someone perform those duties.

Mayor Thistle elaborated that this issue was discussed at the committee meeting. A Councillor volunteered to take this role and it was determined it would be inappropriate for a Councillor to take this role as it took place in the office and a decision had to be made for the community. The committee made the decision to name Steve Norman as the Alternate Returning Officer. Mayor Thistle asked again if any other Councillors would like to speak to the motion.

4.7.3 – Summer Hire

DAWSON/WELLS:

**RESOLUTION
2019/084**

WHEREAS THE TOWN OF STEADY SUPPORTS SUMMER EMPLOYMENT PROGRAMS, BE IT RESOLVED THE TOWN OF STEADY BROOK, IN COOPERATION WITH GRAND LAKE CENTRE SUMMER EMPLOYMENT, HIRE AN OUTSIDE MAINTENANCE WORKER DURING THE SUMMER MONTHS. ON THE COMPLETION OF THE PROGRAM, THE TOWN OF STEADY BROOK WILL PAY \$100.00 TO GRAND LAKE SUMMER EMPLOYMENT PROGRAM AS AMENDED.

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Dawson asked if the motion needs to name the individual and if it is necessary to name the person in the minutes? There was discussion surrounding proper protocol about amending the motion to address privacy of individual temporary employees for the summer. Mayor Thistle asked if anyone would like to speak to the amended motion.

Mayor Thistle then asked Councillor Dawson how you square your desire to remove a name from a motion with how Council made a motion to hire an Operations Manager and didn't name them and Councillor Dawson's objection to that?

Councillor Dawson stated that the issue is regarding a part-time individual who is only here for a short amount of time and it's not a long-term cash activity. It is not a person who requires a 2/3 vote of Council. As per the *Municipalities Act*, there is not a regulation within the *Municipalities Act*, that requires naming this individual. Fortunately, there is for the other referenced employment.

Mayor Thistle stated she doesn't believe that squares.

**RESOLUTION
2019/085**

SUTHERLAND/AUSTIN:

WHEREAS THE TOWN OF STEADY SUPPORTS SUMMER EMPLOYMENT PROGRAMS, BE IT RESOLVED THE TOWN OF STEADY BROOK HIRE A YOUTH PERSON AS RELIEF CLERK DURING THE SUMMER MONTHS.

IN FAVOUR: (5) Thistle, Austin, Wells, Sutherland, Dawson

OPPOSED: (0)

RESOLUTION CARRIED

4.7.4 – Maintenance Operator Hire

AUSTIN/SUTHERLAND:

WHEREAS THE TOWN OF STEADY BROOK HAS A VACANCY FOR THE POSITION OF MAINTENANCE OPERATOR DUE TO A RESIGNATION, BE IT RESOLVED THE TOWN OF STEADY BROOK HIRE CHARLES PINKSEN AS THE FULL TIME MAINTENANCE OPERATOR.

IN FAVOUR: (4) Thistle, Austin, Wells, Sutherland

**RESOLUTION
2019/086**

OPPOSED: (1) Dawson
RESOLUTION CARRIED

Mayor Thistle asked if anyone would like to speak to the motion. Councillor Dawson asked if this particular individual is currently working for the Town. Mayor Thistle indicated that he is currently not working for the Town. She asked if there was an issue with him being named? Mayor Thistle asked Councillor Dawson that he didn't have an issue naming the Maintenance Operator, but he did with the two summer hires?

Councillor Dawson also asked who the Supervisor will be for the Maintenance Operator? Mayor Thistle answered the Operations Manager.

4.8 WATERSHED AND ENVIRONMENT:

4.8.1 – Next Meeting June 18, 2019 at 1:30 pm.

Mayor Thistle indicated that due to Councillor Howlett's resignation, the Town no longer has a representative on this Committee.

5. OTHER CORRESPONDENCE:

NOTHING TO REPORT.

6. OTHER BUSINESS:

NOTHING TO REPORT

7. COUNCILOR'S / MAYOR FORUM:

Mayor Thistle – Presentation given to the Public regarding Council's work regarding Asset Management. Operation Manager also participated in this Presentation. **See attached Speech.**

At 8:02 pm, Mayor Thistle asked to excuse herself for a moment and gave the chair to Deputy Mayor Wells. Deputy Mayor Wells proceeded to ask the other Councillors in attendance if they had anything to report

Councillor Sutherland – Nothing to Report

Councillor Austin – Nothing to Report

Mayor Thistle returned and took back the chair.

Councillor Dawson stated that the presentation was very straightforward and reiterated the importance of community involvement within the Town of Steady Brook. He indicated that it is important for Council to inform residents of how taxpayers' money is spent. He continued to state the Town spent \$461,000.00 on a land purchase and residents had no choice or

input on that decision. Before that money could be spent, Council required approval as per legislation. Municipal Council is legislated, and essentially, we are a part of Municipal Affairs. Council must act within that legislation. In actual fact, it goes back to Mayor Thistle's mention of a previous Council, concerning regulations. The Town of Steady Brook has building regulations and more specifically Section 73 outlines how the Town controls and dictates development. Councillor Dawson reiterated it is not necessary to spend taxpayer's money to control development. The Town does not need, in fact, not allowed to become a developer. Correspondence from this Council to the Dept of Municipal Affairs states that Council knew they were competing with the private sector and they were not allowed to compete with the private sector.

Mayor Thistle stated that statement was not true. Councillor Dawson argued it was true and explained to the residents that if anyone would like to question that fact, there was 2 reports under the Freedom of Information (ATIPP) website, and it provides all the correspondence. The information states that Council wanted to match a competing bid. Council knew they were not allowed to compete with private sector, and they did not choose to withdraw the bid, instead, Council choose to increase the bid. As a result, they bought the property and competed with the private sector.

Over the years, Councils had squirrelled away some money and whoever served on those Councils deserve credit for putting away money as a rainy-day fund. Those funds are for the Town to move forward on planned decisions. Its not for a Council to arbitrarily go out and spend \$461,000.00 to control something that they already had control of in the beginning.

Councillor Dawson continued to explain within that the development plan, it shows a road going up by that property (4-10 Willow Avenue). This property (4-10 Willow Avenue) currently sits in a 20-year flood zone. The Town's regulations states restrictions on properties considered this zone. There is no development allowed in this area, as it requires the Department of Environment's approval before any development takes place. This is something that most people would do before purchasing land for \$461,000.00. Councillor Dawson stated Council did very little due diligence when purchasing the land at 4-10 Willow Avenue.

Councillor Dawson continued explaining that the regulations that Council must abide by state that anything over \$500.00 must be auctioned off. Councillor Dawson questioned the cost of development of a Flood zone? He pointed out that the Town put so much money into the land and now can only sell the land by auction. Under Section 201, of the *Municipalities Act*, and later on in Section 202, it states that the Town is only allowed to sell property through an auction. He referenced Mayor Thistle's presentation, referencing not have the money in the 2019 budget, and reiterated that Council did not have the money to do

any of the proposed plans because the Town has overspent on this piece of property (4-10 Willow Avenue). Councillor Dawson once again reminded Council there are Regulations in place, and they need to be followed. He stated you can't have a Town Clerk Manager and just replace them. He noted that previous Council put that person in place by following the *Municipalities Act* and to remove that person from that position, Council is required to also follow the *Municipalities Act*, and it wasn't done by Council. In order to hire a Manager, to oversee the Maintenance Operator, you are required to get a recommendation from the Town Manager and also it requires a 2/3 motion of Council. In order to appoint someone, requires a 2/3 motion. The Town can do great things, but there are regulations that need to be followed. Councillor Dawson pointed out the regulations are not a "guideline" to follow.

Councillor Dawson pointed out that the Town of Steady Brook is currently under investigation by Municipal Affairs due to the purchase of 4-10 Willow, as it was purchased without proper authority. Council received a letter May 31, 2018 from the Minister, who was also the Minister of Justice at the time, stating Council violated 4 sections of the *Municipalities Act*. Councillor Dawson emphasized that he believes in our community and has invested greatly into our community. He also discussed a previous situation (regarding a previous Council) and referenced incidents involving 2 sets of minutes and a RCMP investigation. He reiterated that he is invested in our community and wants what is best for our community.

Councillor Wells addressed the Operations Manager and pointed out the Heavy Equipment Auction taking place at Marble Mountain. He stated he noticed some vehicles by the access road to the Town's Lagoon and asked the Operations Manager to address the issue. He then asked the Operations Manager about installing speed bumps around Town.

Operations Manager stated the Town had limited outside staff the last couple of weeks. Once staff has been hired, installing speed bumps was one of the top priorities and the work could be done as soon this weekend.

Councillor Wells commented on the lack of resources for planning Canada Day festivities. Unfortunately, members of Council are away for this upcoming Canada Day and pointed out he volunteers quite often for community events. He stated it would be unfortunate, due to the current diverseness of the Town, that this would impact the Town's Canada Day celebrations. Councillor Wells asked the residents to consider volunteering for Canada Day.

Councillor Wells also addressed information provided by Councillor Dawson regarding issues of the minutes and motions made by Council. Councillor Wells complimented Councillor Dawson on his meticulous nature, which can be beneficial to Council, however, currently is preventing Council from moving

forward. He stated, from his advantage point, there was no malicious intent during these processes. Councillor Wells stated that despite the technical intricacies of the motions being discussed by Councillor Dawson, its undeniable the intent of Council can be shown.

Mayor Thistle addressed the room and indicated the income statements and the Auditors Report states the accumulated surplus over the years. The Town has an audit done every year and are available for review to the residents and it is still recorded that the Town as having a surplus. Councillor Dawson statement is not factually correct.

Councillor Dawson asked Mayor Thistle if the land was a part of that process? Mayor Thistle answered a Town generates a surplus through not spending particular budgeted items and those items get carried over at the end of the year and goes into surplus. She reiterated that money referenced by Councillor Dawson is still in surplus and is noted on our Financial Statements.

Mayor Thistle also explained that Council is not an arm of Municipal Affairs. Council, in fact, is an arm of the residents. Council, once voted in by the residents, becomes representatives for the Town. She continued that the Municipalities Act, is meant as a "guideline", not a punitive tool. It was never the intention for Councillors to be lawyers and never the expectation for Councillors to become legal experts. Mayor Thistle addressed Councillor Dawson's comment regarding the invoice regarding legal fees. She pointed out that the same invoice will also reflect that Councillor Dawson also called that lawyer, did not ask permission of Council to do so, and continued to do so anyway.

Councillor Dawson asked Mayor Thistle to show this information to him and Mayor Thistle acknowledged she would provide this information at a later date. Mayor Thistle elaborated every single Council makes mistakes. She reiterated Council needs to move forward, the Town has a By-Election coming up and hopes that residents would come volunteer as Councillors.

Mayor Thistle called for a motion to adjourn.

**MAYOR THISTLE
ASKED FOR A MOTION TO ADJOURN THE MEETING.**

**RESOLUTION
2019/087**

**AUSTIN:
BE IT RESOLVED THAT THE TOWN OF STEADY BROOK
ADJOURN THE MEETING ON MAY 2, 2019 AT 8:05 PM**

MEETING WAS ADJOURNED AT 8:10 PM.

NEXT PUBLIC MEETING WILL BE JULY 4, 2019.

Mayor Donna Thistle

Town Clerk