

**Council Meeting, February 12, 2020**  
Minutes of a meeting of the council  
of the Town of Kippens, held in the  
Town Hall, February 12, 2020 at 6:34 PM

<b>Members Present</b>	Mayor	Debbie Brake-Patten	
	Deputy Mayor	Leon Benoit (Via Telephone)	
	Councillors	Shawn Boyd	
		John Dawson	
		Wayne Howlett	
<b>Absent with Regrets</b>		Heather Shears	
	Councillors	Tim Alexander	
	<b>Also Present</b>	CAO/Town Manager	Leonard Hann
		Town Clerk	Debbie Cormier
		7 Residents	

**Motion #27/20:** Motion by Councillor Shears, seconded by Councillor Boyd, be it hereby resolved to adopt the January 9, 2020 Council Meeting Minutes.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #28/20:** Motion by Councillor Dawson, seconded by Councillor Shears, be it hereby resolved to adopt the January 16, 2020 Privileged Council Meeting Minutes.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #29/20:** Motion by Councillor Shears, seconded by Councillor Dawson, be it hereby resolved to adopt the February 12, 2020 Council Meeting Agenda.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Financial**

**Mayor Brake-Patten declared conflict of interest as an invoice was paid to her for expenses and vacated the chamber. Councillor Dawson was appointed temporary chair.**

**Motion #30/20:** Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to approve the accounts payable totaling \$50.77.

**In favour:** Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Mayor Brake-Patten returned to the chamber and took her seat as chair.**

**Councillor Shears declared conflict of interest on one invoice item associated with her spouse and vacated the chamber.**

**Motion #31/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to approve invoices totaling \$900.00.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson and W. Howlett

**Opposed: 0**

**Abstaining: 0**

**Motion Carried**

**Councillor Shears returned to the chamber.**

**Motion #32/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to approve invoices totaling \$485,069.84.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining: 0**

**Motion Carried**

**Motion #33/20:** Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to waive 2019 business tax as requested.

**In favour: 0**

**Opposed:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Motion Defeated**

**Motion #34/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to seek legal opinion regarding allegations of conflict of interest.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining: 0**

**Motion Carried**

**Motion #35/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to donate to the BSG Sick Children Annual Curling Fun Spiel in the amount of \$80.00, being in full compliance with the donations policy.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining: 0**

**Motion Carried**

**Motion #36/20:** Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to donate to the Stephenville Lions Club Spring Convention in the amount of \$50.00, being in compliance with the donations policy.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining: 0**

**Motion Carried**

**Motion #37/20:** Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to donate to the Bay St. George Innovation Week in the amount of \$125.00, being in compliance with the donations policy.

**In favour:** Mayor D. Brake-Patten and Councillors S. Boyd, W. Howlett and H. Shears

**Opposed:** Deputy Mayor L. Benoit and Councillor J. Dawson

**Abstaining:** 0

**Motion Carried**

**Motion #38/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to donate to the Southwest Coast SPCA in the amount of \$500.00.

**In favour:** Councillors S. Boyd, W. Howlett and H. Shears

**Opposed:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillor J. Dawson

**Abstaining:** 0

**Motion Defeated**

**Motion #39/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to purchase composting tumblers.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #40/20:** Motion by Councillor Howlett, seconded by Councillor Boyd, be it hereby resolved to accept the highest tender bid for the 2010 Town Truck.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #41/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved to sell 36#3 Kippens Road for outstanding taxes.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

## **New Business**

### **Permits**

**Motion #42 /20:** Motion by Councillor Boyd, seconded by Councillor Howlett, be it hereby resolved to grant a permit to build a shed at 133 Kippens Road, being in full compliance.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

## **Additional Business**

**Deputy Mayor Benoit declared the following motion dealt specifically with conflict of interest allegations against him and requested council vote to allow him to abstain from voting on that motion.**

**Motion #43/20:** Motion by Councillor Dawson, seconded by Councillor Howlett, be it hereby resolved that council permit Deputy Mayor Benoit to abstain from voting on the first item under additional business.

**In favour:** Mayor D. Brake-Patten and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining:** Deputy Mayor L. Benoit

**Motion Carried**

**Motion #44/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved that council, as per the direction of legal counsel, finds insufficient evidence and no monetary gain regarding the conflict of interest allegation against Deputy Mayor Benoit and therefore declares that no further action is required.

**In favour:** Mayor D. Brake-Patten and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining:** Deputy Mayor L. Benoit

**Motion Carried**

**Councillor Boyd requested council vote to allow him to abstain from voting on the conflict of allegations against him.**

**Motion #45/20:** Motion by Councillor Dawson, seconded by Councillor Shears, be it hereby resolved that council permit Councillor Boyd to abstain from voting on the following item under additional business.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining:** Councillor S. Boyd

**Motion Carried**

**Motion #46/20:** Motion by Councillor Howlett, seconded by Councillor Dawson, be it hereby resolved that council, as per the direction of legal counsel, finds insufficient evidence and no monetary gain regarding the conflict of interest allegation against Councillor Boyd and therefore declares that no further action is required.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors J. Dawson, W. Howlett and H. Shears

**Opposed: 0**

**Abstaining:** Councillor S. Boyd

**Motion Carried**

Brief discussion held on the process and legislations referred to when council receives a conflict of interest allegation.

**Motion #47 /20:** Motion by Councillor Boyd, seconded by Councillor Dawson, be it hereby resolved to accept the January 6, 2020 Planning and Development Meeting Minutes.

**In favour:** Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** Mayor D. Brake-Patten

**Abstaining:** 0

**Motion Carried**

Discussion held on accuracy of meeting minutes as Mayor claims minutes are not a clear reflection of the meeting and content is not true.

**Motion #48 /20:** Motion by Councillor Dawson, seconded by Councillor Shears, be it hereby resolved to accept the December 3, 2019 Fire Department Meeting Minutes.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #49 /20:** Motion by Councillor Shears, seconded by Councillor Dawson, be it hereby resolved to accept the January 12 & 26, 2020 Recreation Meeting Minutes.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #50 /20:** Motion by Councillor Dawson, seconded by Councillor Shears, be it hereby resolved that the town manager send out draft 2 version of the letter to Stephenville with the inclusion of “we are awaiting a response.”

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

**Motion #51/20:** Motion by Councillor Boyd, seconded by Councillor Howlett, be it hereby resolved to proceed with the development of a connector road between Cherry Street and Brakes Drive.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

Councillor Boyd expressed some concerns about setting a precedent with motion #51/20.

## **Committee Reports**

### **Fire Department**

Councillor H. Shears reported that there is some basic emergency training courses available for fire fighters. Councillor Shears read a letter of appreciation from the president of the BSG Sick Children’s Foundation regarding the Fire Department Boot Drive.

### **Recreation**

Councillor Shears reminded all that the Kippens Winter Carnival is this weekend. Three bands will be entertaining those in attendance.

### **Public Works/Planning & Development**

Councillor Boyd had nothing to report.

### **Public Works/Planning & Development**

Deputy Mayor L. Benoit reminded residents that if they have any problems with snow clearing, they should contact the town manager at the town office for the issues to be resolved. If they are not satisfied with the results, then they should contact the appropriate committee chair for resolution.

The fire department is to be commended on the great job with the new ice rink. It is being used and appreciated.

### **Finance**

Councillor Howlett reported that some miscommunication with the fire department was discovered as to how the budget works. Meetings will be held and participation in the budget encouraged.

### **Communication/Beautification/Policy**

Councillor Dawson reported that the garbage collection rules/regulations were reviewed at the planning and development meeting. It will be provided to all members of council for review and input and included on the March council meeting agenda for acceptance.

Several municipalities have been contacted in addition to policies provided by the town clerk regarding a respectful workplace policy. This policy will be brought to the HR committee.

### **Mayor's Report**

Mayor Brake-Patten reported that the town planner will be in town next week holding a public meeting. Residents are encouraged to complete the survey and get a chance to win a gift certificate. Mayor is hoping to meet and discuss the community centre utilization. Mayor will be meeting with the president of the senior citizens club to discuss mutually agreeable programs and services. This feedback will then be forwarded to the town planner. The chair of recreation will also be consulted.

**Motion #52/20:** Motion by Councillor Dawson, seconded by Councillor Shears be it hereby resolved to adjourn the Council Meeting.

**In favour:** Mayor D. Brake-Patten, Deputy Mayor L. Benoit and Councillors S. Boyd, J. Dawson, W. Howlett and H. Shears

**Opposed:** 0

**Abstaining:** 0

**Motion Carried**

Council meeting adjourned at 8:45 p.m. Next regular council meeting is scheduled for March 12, 2020.

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Debbie Cormier, Town Clerk

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Debbie Brake-Patten, Mayor