

Town of Kippens
Privileged Council Meeting April May 19, 2022
Time: 5:30pm

Members present

Acting Mayor	Regina Duffenais
Councillors	Harold Doucette Michelle Maclsaac Julia Power (Zoom)

Interim Town Clerk/Manager: John Hogan

Absent; Councillors Jeff Young/Carla Pearce

Motion # 57/22 : Motion by Councillor Maclsaac, seconded by Councillor Power, be it hereby Declare a Privileged Meeting of Council
In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. Maclsaac, J. Power
Opposed: 0
Abstaining: 0
Motion Carried

ADOPTION OF AGENDA

Motion # 58/22 : Motion by Councillor Maclsaac seconded by Councillor Doucette, be it hereby resolved to adopt the **May 19, 2022**, Privileged Council Meeting Agenda.
In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. Maclsaac, J. Power
Opposed: 0
Abstaining: 0
Motion Carried

Business

Mayor Vacancy using Section 19 of the Municipal Act 1999 Vacancy re Mayor via Resignation submitted on May 17, 2022

19. (1) Where a vacancy occurs in the office of a mayor who was originally elected in a separate election, the town council shall fill that vacancy by

(a) having the deputy mayor assume the office of mayor for the remainder of the elected mayor's term; or

(b) having the deputy mayor assume the office of mayor until a by-election is held to fill the

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vacant position of mayor; or

(c) electing, by secret ballot, from among the remaining members of council, a person to assume the office of mayor for the remainder of the originally elected mayor's term.

- Rules of Procedure review, consensus was to present to Council to adopt the new Rules of Procedure for the Town of Kippens
- Come Home Year Committee Appointments. Councillor MacIsaac & Power

Adjournment

Motion # 59/22: Motion by Councillor Power, seconded by Councillor Doucette, be it hereby resolved to adjourn.

In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. MacIsaac, J. Power

Opposed: 0

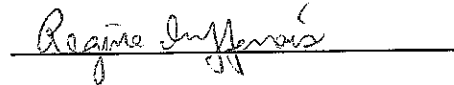
Abstaining: 0

Motion Carried

Meeting adjourned at 6:20 pm.



John Hogan Interim Town Manager/Clerk



Acting Mayor Regina Duffenais

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Members present	Acting Mayor	Regina Duffenais
	Councillors	Harold Doucette Michelle MacIsaac Julia Power

Also present:

Interim Town Clerk/Manager: John Hogan
Administration Assistant: Josie Noseworthy

Absent:

Councillors Jeff Young, Carla Pearce

ADOPTION OF AGENDA

Motion # 60/22 : Motion by Councillor MacIsaac, seconded by Councillor Power, be it hereby resolved to adopt the **May 19, 2022**, Council Meeting Agenda.

In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. MacIsaac, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

APPROVAL OF THE MINUTES

Motion # 61/22 : Motion by Councillor MacIsaac, seconded by Councillor Doucette, be it hereby resolved to adopt the **April 14, 2022**, Council Meeting Minutes.

In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. MacIsaac, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 62/22 : Motion by Councillor Doucette, seconded by Councillor Power, be it hereby resolved to adopt the **April 26, 2022**, Privileged Council Meeting Minutes.

In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. MacIsaac, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

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Motion # 63/22 : Motion by Councillor Power, seconded by Councillor Doucette, be it hereby resolved to adopt the **May 19, 2022**, Privileged Council Meeting Minutes.
In favour: Acting Mayor R. Duffenais and Councillors H. Doucette, M. Maclsaac, J. Power.
Opposed: 0
Abstaining: 0
Motion Carried

First Order of Business

With the resignation of Mayor Comerford on May 17 the Town of Kippens is bound by the Municipal Act to fill the vacancy created

Section 19 of the Act States Vacancy re mayor

19. (1) *Where a vacancy occurs in the office of a mayor who was originally elected in a separate election, the town council shall fill that vacancy by*

- (a) having the deputy mayor assume the office of mayor for the remainder of the elected mayor's term; or*
- (b) having the deputy mayor assume the office of mayor until a by-election is held to fill the vacant position of mayor; or*
- (c) electing, by secret ballot, from among the remaining members of council, a person to assume the office of mayor for the remainder of the originally elected mayor's term.*

Council was unable to come to a consensus on imposing subsection 1(a) or 1(c), therefore Section 19, 1(b) will be required to fill the Vacancy of the Mayor. It is until such time Deputy Mayor Duffenais will be the acting Mayor for the Town of Kippens

Second Order of Business

Call for Nominations for Deputy Mayor

- **First Call**, Call for Nominations of Deputy Mayor, Councillor Doucette nominated Councillor Maclsaac seconded by Councillor Power. Councillor Maclsaac Accepted the nomination
- **Second Call**, no nominations
- **Third Call**, no nominations

No other Nomination tabled; it is at this time it was agreed by Council through the Nomination procedure that Councillor Maclsaac will be the Acting Deputy Mayor up until the Election of a new Mayor in a Bi-Election via the Municipal Act 1999 Section 19(b)

Motion # 64/22 : Motion by Acting Mayor Duffenais, seconded by Councillor Power , be it hereby resolved to appoint Councillor Maclsaac as Acting Deputy Mayor until the Mayor Vacancy has been filled under section 19 (b) of the Municipal Act 1999 for the Bi-Election of a new Mayor.

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In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

PROCLAMATIONS AND DELEGATIONS

- That May 5 was recognized as Indigenous Missing & Murdered Women Day
- Councilor Doucette on the surnames of Kippens.

Financial:

Motion # 65/22 : Motion by Acting Deputy Mayor MacIsaac, seconded by Councillor Doucette ,
be it hereby resolved to approve invoice list in the amount of **\$44,669.28**

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 66/22 : Motion by Acting Deputy Mayor MacIsaac, seconded by Councillor Power ,
be it hereby Motion to Rescind **Motion #210/20** for an extension to the council chamber through the
COVID Stimulus funding using funds in the bank for the Town's portion.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 67/22 : Motion by Acting Deputy Mayor MacIsaac, seconded by Councillor Doucette ,
be it hereby Motion to return the Covid Stimulus Funding for Project #17-CSP-21-113: New Council
Chambers in the amount of \$122,118.87

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

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Discussions: Acting Deputy Mayor Maclsaac

As per conversation and written communication received by Town and Council from Stephen Mercer, Municipal Director of Finance, 3-month extensions were granted to all the towns that requested it. However, Council was not notified of this 3-month extension until March 18, 2022, with the deadline being March 31, 2022. Council did try to get the work started using the Contractor who had already been approved by previous Council and MAPA. Council sent in the requested documentation to Deanna Spurrell, Manager of Gas Tax Administration. However due to the very short time left to the deadline and other conflicts the work was unable to be started. Council contacted Mr. Stephen Mercer to fully disclose to MAPA details of the situation and we were advised that after MAPA met and discussed they decided Kippens would have to return the funding as too much time had passed since the deadline.

Motion # 68/22 : Motion by Acting Deputy Mayor Maclsaac, seconded by Councillor Power , be it hereby Motion to approve additional monies to Town of Kippens Recreational Program to provide Summer Program for 2022 in the amount of \$30,000.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Discussions: Acting Deputy Mayor Maclsaac

The delay was caused by conflicts within Council, and the decision to approve the amount was made after members of Council were invited to meet with the Kippens Rec Committee upon their request but only five council members showed up to listen to the groups concerns. Council is excited to see the continuation of the program and thanks everyone. Resumes can be dropped off at the Town Office for those interested in applying.

Motion # 69/22 : Motion by Acting Deputy Mayor Maclsaac, seconded by Councillor Doucette , be it hereby Motion to approve and adopt the Annual Donation List & Amounts not included in the 2022 Budget for \$5400

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

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Motion # 70/22 : Motion by Acting Deputy Mayor MacIsaac , seconded by Councillor Power ,
be it hereby Motion to approve the Hillside Faith Cemetery funding of \$5400

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 71/22 : Motion by Acting Deputy Mayor MacIsaac , seconded by Councillor Doucette ,
be it hereby Motion to wave permits and licenses fees for the Youth Ventures Summer Business projects
from May 16, 2022, and August 26, 2022 to accommodate the Youth Ventures participants in Kippens.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 72/22 : Motion by Acting Deputy Mayor MacIsaac, seconded by Councillor Power ,
be it hereby Motion to grant funding for the donation request received by the Town using the Towns
Donation Policy Guidelines

- Canadian Power Lifting Competitor from Kippens representing NL at the Nations in St. John's.
- Youth from Kippens representing NL to participate in U18 Canadian Curling Championship in
Oakville, Ont

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Permits:

Motion # 73/22 : Motion by Councillor Doucette , seconded by Councillor Power ,
be it hereby Motion to approve permits to build garages 19 & 2 Orchard Loop & 7 Marine Drive, all being
in full compliance with the 2011 Development Regulations

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor MacIsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

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Motion # 74/22 : Motion by Councillor Doucette , seconded by Councillor Power ,
be it hereby Motion to approve a permit to build house at 38 Orchard Lane being in full compliance with
the 2011 Development Regulations

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 75/22 : Motion by Councillor Doucette , seconded by Councillor Maclsaac ,
be it hereby Motion to approve a permit to build house and detached garage at 41 Orchard Lane being in
full compliance with the 2011 Development Regulations

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 76/22 : Motion by Councillor Doucette , seconded by Councillor Power ,
be it hereby Motion to approve a permit to build a green house at 9 Simon Drive being in full compliance
with the 2011 Development Regulations

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 77/22 : Motion by Councillor Doucette, seconded by Councillor Power ,
be it hereby Motion to approve a permit to build a patio at 129 Kippens Road being in full compliance
with the 2011 Development Regulations

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette,
J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

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New Business

Motion # 78/22 : Motion by Acting Deputy Mayor Maclsaac , seconded by Councillor Doucette , be it hereby Motion to Adopt the new Town of Kippens Rules & Procedures with Terms of Reference to be determined at a later time and date within each committee.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 79/22 : Motion by Acting Mayor Duffenais , seconded by Councillor Doucette, do hereby appoint Acting Deputy Mayor Maclsaac and Councilor Power for the Special Committee for Come Home Year under Motion 52/22

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 80/22 : Motion by Councillor Doucette, seconded by Acting Deputy Mayor Maclsaac , be it hereby Motion to issue an RFQ (Request for Quote) for asphalt repairs

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 81/22 : Motion by Councillor Doucette, seconded by Acting Deputy Mayor Maclsaac, be it hereby Motion to approve the Submission of the DRAFT Town Plan for the Draft Municipal Plan (2020-30) and Draft Development Regulations (2020-30) to be submitted to the provincial government for review.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

This submission of the Draft Town Plan & Regulations to Provincial Authorities can take up to 4-8 Months before coming back to Council for approval and a Public Hearing

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Motion # 82/22 : Motion by Councillor Power, seconded by Acting Deputy Mayor Maclsaac, be it hereby Motion to approve the Phase 1 template for the New Town of Kippens Website submitted by SJ Works under Motion 29/22 & 35/22

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 83/22 : Motion by Acting Deputy Mayor Maclsaac, seconded by Councillor Power , be it hereby Motion to approve sourcing out a new Town Email system (Bell or Microsoft 365)

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Motion # 84/22 : Motion by Acting Mayor Duffenais, seconded by Councillor Power , be it hereby Motion to call a Bi-Election under the Municipal Act 1999 Section 19 (b) using Section 11 of the Municipal Elections Act.

In favour: Acting Mayor R. Duffenais and Acting Deputy Mayor Maclsaac, Councillors H. Doucette, J. Power.

Opposed: 0

Abstaining: 0

Motion Carried

Committee Reports

Infrastructure & Maintenance

Councillor Doucette

- Spring Clean-up week went well, staff went around and tidied up any items remaining
- It is nice to see the Permit Application increasing,
- Fire Hydrant proof of Service will start next week to identify and repair those with deficiencies
- Grubbage Pit Material has been pushed back
- Nature Trail bridge has been flagged with caution tape as repairs are required, plan is to start repairs next week. Suggest that residents not use it until these repairs have been completed.

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- Street Sweeping was completed
- Work will start on the nature trail board walk next week
- Staff continue to tidy up things and address any found work
- Emergency Generator being installed at the Community Center, this was part of the Emergency Plan as the Community Center is the Emergency Center in the event of Emergency.

Councilor Doucette asked to speak about the settlement of Kippens in the early 1800 century.

In the early 1800 hundreds settlers came from Cheticamp, Nova Scotia and began settling Kippens. The names were Alexander, Aucoin, Bourgeois, Gaudet, LeBlanc, O'Quinn, Gallant, Gabriel, and Young's. All these settlers were Indigenous people who by the middle 1850's had their homes and farms built and were living of the land. They cleared and farmed the land in which our homes are now built and where we live now.

They acquired the land from the government, they worked the land, they lived off the land and they died here and all indications were buried in the unmarked graves located at the end of Edwards Lane in Kippens. There are numerous affidavits stating that our ancestors are buried there. In saying this, I would like to have our Mi'kmaw flag flown at our Town Hall in memory and respect of our ancestors.

Adjournment

Motion # 85/22: Motion by Councillor Doucette, seconded by Acting Deputy Mayor Maclsaac, be it hereby resolved to adjourn.

In favour: Acting Mayor R. Duffenais, Acting Deputy Mayor Maclsaac and Councillors H. Doucette, J. Power

Opposed: 0

Abstaining: 0

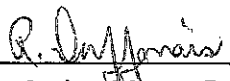
Motion Carried

Meeting adjourned at 7:10pm.

Next regular council meeting is scheduled for June 9, 2022, at 6:30pm



John Hogan Interim Town Manager/Clerk



Acting Mayor Duffenais