

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #12
Ear Falls Municipal Council Chambers
August 6th, 2014 @ 7:00 p.m.

1 CALL TO ORDER

Mayor Kevin Kahoot called the Meeting to order at 7:00 p.m.

2 ROLL CALL

Mayor Kevin Kahoot, Councillor Jim Desmarais, Councillor Rob Eady, Councillor Fred Melanson, Councillor Vic Robinson, and Clerk Treasurer Administrator Kimberly Ballance.

3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Declared.

4 DELEGATIONS AND PRESENTATIONS

R02-LI

4.1 Debra Fretz

- Request a reduction in Non-Resident Library Fee charge to be comparable to Red Lake / Balmertown Fee (\$10 vs. \$32).

Mayor Kahoot indicated that Ms. Fretz would not be attending the Meeting.

PART I – CONSENT AGENDA

(For the purpose of convenience and for expediting Meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Member of Council. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the Minutes of the Meeting.)

Council requested that Item No. 8.3 be removed from the Consent Agenda for debate.

Clarification was requested on Item No. 8.5.

F18-PA

8.3 Letter dated June 18th, 2014 from Rudolf Prokesch and Pam Schmidt re: Request to purchase paving stones at a reduced price.

RESOLUTION NO. 199

Moved by Vic Robinson. Seconded by Rob Eady.

WHEREAS Resolution No. 550-06, dated October 18th, 2006,
declared surplus paving stones removed during street renovations; and

WHEREAS Resolution No. 325-11, dated September 7th, 2011,
defined a process for selling the paving stones;

NOW THEREFORE BE IT RESOLVED THAT Resolution No. 550-
06 and Resolution No. 325-11 are hereby repealed.

Carried.

RESOLUTION NO. 200

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls
hereby adopts the Items in Sections 5 – 8.2 and 8.4 – 8.6 of Part 1 – Consent
Agenda.

Carried.

5 MINUTES

5.1 The review and passing of the Minutes of the previous Meetings.

5.1.1 July 2nd, 2014 – Regular Meeting of Council Minutes.

RESOLUTION NO. 201

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township
of Ear Falls accepts the Minutes of the previous Meeting of Council
numbered 5.1.1 at the August 6th, 2014 Regular Meeting of Council.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 April 30th, 2014 – Joint Health & Safety Committee Meeting
Minutes.

5.2.2 June 27th, 2014 – Joint Health & Safety Committee Meeting
Minutes.

RESOLUTION NO. 202

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the Minutes of Committees numbered 5.2.1 to 5.2.2 at the August 6th, 2014 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 May 29th, 2014 – Northwestern Health Unit Regular Board of Health Meeting Minutes.

5.3.2 May 29th, 2014 – District of Kenora Home for the Aged Regular Meeting of the Board of Management Minutes.

5.3.3 June 16th, 2014 – Municipality of Red Lake Open Meeting of Council Minutes.

5.3.4 June 16th, 2014 – Municipality of Red Lake Regular Council Meeting Minutes.

5.3.5 June 25th, 2014 – Municipality of Red Lake Special Council Meeting Minutes.

5.3.6 July 14th, 2014 – Municipality of Red Lake Regular Committee of the Whole Meeting Minutes.

5.3.7 April 30th, 2014 – Northwestern Health Unit Regular Board of Health Meeting Minutes.

5.3.8 June 27th, 2014 – Northwestern Health Unit Regular Board of Health Meeting Minutes.

RESOLUTION NO. 203

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the Minutes from other Agencies / Organizations numbered 5.3.1 to 5.3.8 at the August 6th, 2014 Regular Meeting of Council.

Carried.

6 TENDERS / PROPOSALS / QUOTES

None.

7 ROUTINE ADMINISTRATIVE REPORTS

C.O.

7.1 Reports from Departments.

7.1.1 Workshop Report from Clerk Treasurer Administrator
Kimberly Ballance re: the Community Emergency Management
Coordinator (CEMC) Training Session held in Thunder Bay on
July 8th and 9th, 2014.

7.1.2 Monthly Report from Day Care / Parent Resource Coordinator
Marg Trippier – June.

RESOLUTION NO. 204

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township
of Ear Falls receives and files the Reports from Departments
numbered 7.1.1 and 7.1.2 at the August 6th, 2014 Regular Meeting of
Council.

Carried.

8 MISCELLANEOUS MOTIONS

8.1 Financial Operations Statement – year to date (dated July 31st, 2014).

Council reviewed the Financial Operations Statement – year to date
(dated July 31st, 2014) in accordance with By-Law 1635-11.

8.2 Correspondence

L04-GA

8.2.1 Letter dated July 4th, 2014 from Local Authority Services re:
the Natural Gas Program – 2013 Period Reserve Fund Rebate.

S08-NO

8.2.2 Letter dated July 10th, 2014 from the Northwestern Health Unit
re: availability of the 2014 Public Health Report Card.

M03-CA

8.2.3 Letter received July 23rd, 2014 from the Ear Falls Community
Canada Days Committee re: Thank you letter for use of the
Waterfront Park for the Canada Days events.

*D05-CO

8.2.4 Letter dated July 15th, 2014 from the Wawakapewin First
Nation re: Notification of the first Open House for the
Wawakapewin First Nation Community Based Land Use Plan
being held July 31st, 2014 in Sioux Lookout.

C11-MP

- 8.2.5 Letter dated July 17th, 2014 from Ernie Hardeman, M.P.P.
Oxford re: Notification that he has been recently appointed as
the opposition Critic for Municipal Affairs and Housing.

RESOLUTION NO. 205

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township
of Ear Falls receives and files the documents numbered 8.2.1 to 8.2.5
at the August 6th, 2014 Regular Meeting of Council.

Carried.

F18-PA

- 8.3 Letter dated June 18th, 2014 from Rudolf Prokesch and Pam Schmidt
re: Request to purchase paving stones at a reduced price.

Otherwise dealt with.

*F11-EN

- 8.4 Letter dated July 3rd, 2014 from Honourable Greg Rickford, P.C.,
M.P. re: Announcement of the Enabling Accessibility Fund (EAF)
Call for Proposals for projects that increase accessibility in Canadian
communities.

RESOLUTION NO. 206

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township
of Ear Falls hereby authorizes and directs Clerk Treasurer
Administrator Kimberly Ballance to submit an Application to the
Enabling Accessibility Funds (EAF) Call for Proposals for the
installation of accessible doors at the Ear Falls Municipal Government
Building.

Carried.

M02-TR

- 8.5 Letter dated July 30th, 2014 from the Trout Forest Music Festival
Executive Director David Hoey re: Request for use of the Sportsplex
for “quiet camping”; provision of picnic tables; and provision of two
(2) summer students to assist on site for the 19th Annual Festival.

Clarification was requested on this Item.

RESOLUTION NO. 207

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Township of Ear Falls agrees to provide the Trout Forest Music Festival with the following:

- Provision of picnic tables

Carried.

C09-GE

8.6 Power Dam Special Payment Program

RESOLUTION NO. 208

Moved by Vic Robinson. Seconded by Rob Eady.

WHEREAS in December 2000, the Province of Ontario passed the Continued Protection for Property Taxpayers Act which exempted certain hydro-electric stations, poles and wires from municipal taxation starting in 2001; and

WHEREAS this Act removed the right for the Township of Ear Falls to tax the above noted hydro-electric stations, poles and wires at the Ontario Power Generation facility in Ear Falls; and

WHEREAS the Province of Ontario replaced the ability to tax this facility with a compensatory payment equivalent to the taxes levied on the subject structures in 2000; and

WHEREAS the amount of the payment, provided under the Power Dam Special Payment Program, has been adjusted for the Consumer Price Index in some, but not all, years, but has not kept pace with changes in municipal taxation; and

WHEREAS in July 2014, the Province of Ontario introduced Bill 14, Building Opportunity and Securing Our Future Act (Budget Measures) which proposes to decrease the compensatory payment program for hydro-electric stations, poles and wires by 23.53% by 2017 starting in 2015; and

WHEREAS the above noted changes resulted in an unfair shift in taxation to the remaining assessment base thereby negatively impacting the residents and businesses in the Township of Ear Falls;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Ear Falls urges the Province of Ontario to reconsider the proposed reduction to the Power Dam Special Payment Program due to the negative impact that the reduction will have on municipalities; and

FURTHER THAT a copy of this Resolution be sent to:

- Premier Kathleen Wynne
- Minister of Finance Charles Sousa

- Sarah Campbell, M.P.P. Kenora - Rainy River
- Association of Municipalities of Ontario (AMO)
- Northwestern Ontario Municipal Association (NOMA)

Carried.

9 BY-LAWS

Clarification was requested on Item Nos. 9.7 and 9.9.

9.1 By-Law No. 1884-14, a By-Law to Affirm Minor Decisions by Council.

*A09-EN

9.2 By-Law No. 1885-14, a By-Law to Establish and Adopt an Energy Plan Policy for the Township of Ear Falls.

L07-LE

9.3 By-Law No. 1886-14, a By-Law to Repeal By-Law No. 1879-14, a By-Law to Authorize the Execution of a Lease Agreement with Northern Iron Corp.

T.C.

9.4 By-Law No. 1887-14, a By-Law to Authorize the Execution of a Tax Arrears Extension Agreement Pursuant to Section 378 of the *Municipal Act, S.O. 2001, c. 25*, as Amended.

A09-CR

9.5 By-Law No. 1888-14, a By-Law to Amend the Criminal Reference Checks Policy for the Township of Ear Falls.

C07-EL

9.6 By-Law No. 1889-14, a By-Law to Amend By-Law No. 1319-07.

T.C.

9.7 By-Law No. 1890-14, a By-Law to Authorize the Sale of Plan M732, Lot 32 to Union Gas Limited.

Clarification was requested on the location of this lot.

A09-RE

9.8 By-Law No. 1891-14, a By-Law to Amend the Recreation Rules Policy for the Township of Ear Falls.

*L04-WA

9.9 By-Law No. 1892-14, a By-Law to Adopt an Agreement with the Municipality of Red Lake for Temporary Use of the Ear Falls Waste Disposal Site.

Clarification was requested on this Agreement. The Clerk Treasurer Administrator advised that the Part-Time Waste Disposal Site Attendant posting would be forthcoming.

RESOLUTION NO. 209

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law Nos. 1884-14, 1885-14, 1886-14, 1887-14, 1888-14, 1889-14, 1890-14, 1891-14, and 1892-14 as passed.

Carried.

PART II – OTHER ITEMS

10 ADMINISTRATIVE REPORTS

A09- NO

- 10.1 Report to Council dated July 31st, 2014 from Public Service & Operations Supervisor Perry Dyck re: Non-Municipal Road Condition Review.

Council discussed the verbal request for maintenance of the Sawmill Road and determined that this will not be done because the road is privately owned.

Councillor Fred Melanson entered the Meeting at this point.

Council discussed the non-municipal road condition rating system and proposed a rotating schedule for the application of gravel based on the condition and an additional factor (i.e. tax value or property count per road) in order to address equal condition ratings. Council requested that this be brought back to the next Meeting for additional consideration.

11 ITEMS FOR DIRECTION

M01-NO

- 11.1 Report to Council dated July 31st, 2014 from Clerk Treasurer Administrator Kimberly Ballance re: Town Hall Meeting – Potential Topics – Tuesday, August 26th, 2014.

Council reviewed the topics and determined that a Town Hall Meeting would not be held at this time.

M01-NO

- 11.2 Special Meeting of Council to be held at the Ear Falls Royal Canadian Legion for the Purpose of a Town Hall Meeting.

None.

F11-NO

- 11.3 Letter dated July 14th, 2014 from Northern Ontario Heritage Fund Corporation re: Notification that the funding application for the Ear

Falls Civic Centre Project has been determined as ineligible.

Mayor Kahoot, Councillor Eady and Clerk Treasurer Administrator Kimberly Ballance met with Northern Ontario Heritage Fund Corporation's Executive Director Bruce Strapp (NOHFC) and Ministry of Northern Development and Mines' Northern Development Officer Kim Austen (MNDM) to discuss this denial on this application. This will be discussed again at the Board level due to new consideration factors. Bruce will get back to the Township following the review. Alternative projects and other NOHFC programs were also discussed.

A08-SE

11.4 ServiceOntario Contract renewal.

Council reviewed the letter dated July 31st, 2014 Re: Notice of Extension of Issuing Services Agreement.

RESOLUTION NO. 210

Moved by Rob Eady. Seconded by Jim Desmarais.

RESOLVED THAT Council directs the Clerk Treasurer Administrator to issue notice to ServiceOntario that the Township of Ear Falls does not intend to continue operating under the Issuing Service Agreement for the first renewal term of five years starting February 1st, 2015.

Carried.

Councillor Melanson requested a Recorded Vote

Recorded vote:

	Yeas	Nays
Jim Desmarais	X	
Rob Eady	X	
Kevin Kahoot	X	
Fred Melanson		X
Vic Robinson		X

12 REPORTS OF MEMBERS OF COUNCIL

None.

13 CLOSED MEETING

13.1 RESOLUTION NO. 211

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby convenes into a Closed Session at 8:20 p.m. to discuss matters pertaining to:

- Section 239 (2) (d) – Labour Relations or Employee Negotiations – 2014 Collective Bargaining Unit Agreement Negotiations.
- Section 239 (2) (b) – Personal Matters About an Identifiable Individual, Including Municipal or Local Board Employees – Violence in the Workplace Incident.
- Section 239 (2) (c) – A Proposed or Pending Acquisition or Disposition of Land by the Municipality or Local Board – Plan M630, Lot 1, Pcl 5253 and Plan M635, Lot 12, Pcl 5190.

Carried.

Section 239 (2) (d) of the Municipal Act 2001, S.O. 2001, c. 25, as amended.

- Labour relations or employee negotiations.
 - 2014 Collective Bargaining Unit Agreement Negotiations

Section 239 (2) (b) of the Municipal Act 2001, S.O. 2001, c. 25, as amended.

- Personal matters about an identifiable individual, including municipal or local board employees.
 - Violence in the Workplace Incident.

Section 239 (2) (c) of the Municipal Act 2001, S.O. 2001, c. 25, as amended.

- A proposed or pending acquisition or disposition of land by the municipality or local Board.
 - Plan M630, Lot 1, Pcl 5253 and Plan M635, Lot 12, Pcl 5190

13.2 RESOLUTION NO. 212

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Township of Ear Falls convened from a Closed Session at 8:28 p.m. to the Regular Meeting of Council.

Carried.

14 CLOSED REPORT

Council reviewed information as presented regarding the 2014 Collective Bargaining Unit Agreement Negotiations.

Council provided direction to the Clerk Treasurer Administrator regarding the Violence in the Workplace Incident.

Council provided direction to the Clerk Treasurer Administrator regarding the disposition of Plan M630, Lot 1, Pcl 5253 and Plan M635, Lot 12, Pcl 5190.

15 ADJOURNMENT

15.1 RESOLUTION NO. 213

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 8:30 p.m.

Carried.

Mayor

Clerk