

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #09
Ear Falls Municipal Council Chambers
May 15th, 2013 @ 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, Clerk Treasurer Administrator Kimberly Ballance, and four (4) members of the public.

3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Declared.

4 DELEGATIONS AND PRESENTATIONS

L14-ON

4.1 James McPherson and Ben Mikkelsen, Ontario Clean Water Agency

- Review the Schedule 22 Summary Report, Section 11 Annual Report for Water Treatment Plant, the Waste Water Annual Report for the calendar year 2012, the Water Plant Inspection for 2013, and proposed 2014 contract pricing.
- Communal Sewage Inspection Report

James McPherson presented an overview of the:

- Schedule 22 Summary Report – Water Treatment Plant Performance and peak flows.
- Section 11 Annual Report – 2013 budget plans for high lift pump, flash mixer and continued electrical upgrades to the programmable limit controller (PLC).
- Waste Water Treatment Plant Annual Report – performance, peak flows, electrical efficiency (potential savings on blowers, would not be possible due to electrical system being a delta system); electrical efficiency has been seen through the installation of the digester cover; Wastewater System Effluent Regulations (WSER) are coming into effect which will require the municipality to take a number of actions, including new reporting requirements, inspections, as well as potential changes to the operation of the system such as de-chlorination or ultraviolet disinfection of effluent (to eliminate chlorine from wastewater).
- Water Plant Inspection 2013 – failure to report the turbidity analyzer being off-line; actions going forward will include staff training and the plant controls upgrade.

Ben Mikkelsen presented an update on the proposed renewal pricing. He indicated that Ontario Clean Water Agency's (OCWA) costs have

increased much faster than the contract pricing, and therefore a proposal for a 14% increase to the contract price has been put forward for consideration by the Township of Ear Falls. He indicated that he understood that this would not likely be acceptable to Council. Ben also indicated that Council may wish to consider a longer term renewal to permit OCWA to spread the increase out over a longer period of time.

Council requested clarification on the suspended solids and E. coli counts referenced in the Communal Sewage Inspection Report and discussed the impact of the WSER on the municipality.

Council advised that the increase proposed by OCWA will be considered and a decision will be forthcoming.

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.)

Clarification was requested on Item Nos. 7.1.1, 7.1.4, and 8.2.4.

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

M03-DO

8.3 Letter dated April 30th, 2013 from Kathy Robinson, Chairman of the Green Thumbs Gardening Club re: Request for donation to improve and expand the community flower beds and planters.

Council discussed the potential for purchase of perennials and requested that it be identified in the letter to Ear Falls 2000 / Green Thumbs Gardening Club. Council also discussed the positive appearance that this project has on the community and the hard work that volunteers put into this effort.

RESOLUTION NO. 144

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Township of Ear Falls donate \$1,000.00 per year to Ear Falls 2000 for the purchase and planting of flowers for 2013 and 2014.

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 | |

RESOLUTION NO. 145

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 – 8.2.5 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 May 2nd, 2013 – Regular Meeting of Council Minutes.

RESOLUTION NO. 146

Moved by Rob Eady. Seconded by Fred Melanson.

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 May 15th, 2013 Regular Meeting of Council.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 April 2nd, 2013 – Ear Falls Health & Safety Committee Meeting Minutes.

5.2.2 April 8th, 2013 – Ear Falls Public Library Board Meeting Minutes.

RESOLUTION NO. 147

Moved by Rob Eady. Seconded by Fred Melanson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the Minutes of Committees numbered 5.2.1 and 5.2.2 at the May 15th, 2013 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 March 22nd, 2013 – Northwestern Health Unit Regular Board of Health Meeting Minutes.

RESOLUTION NO. 148

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 at the May 15th, 2013 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 Sara Gaudry re: Child Care Resource Teacher Educational and Support Committee Session on April 24th & 25th, 2013.

Council requested clarification on the potential use of summer students in Day Care.

7.1.2 Monthly Report from Community Emergency Management Coordinator Gary Gazankas – April.

7.1.3 Monthly Report from Health & Safety Coordinator Gary Gazankas – April.

7.1.4 Monthly Report from Chief Building Official Gary Gazankas – April.

Clarification was requested on the reference to an engineering report.

7.1.5 Monthly Report from Fire Chief Gary Gazankas – April.

7.1.6 Monthly Report from Ontarians with Disabilities Act and Accessibility for Ontarians Disabilities Act Coordinator Gary Gazankas – April.

7.1.7 Monthly Report from By-Law Enforcement Officer Gary

Gazankas – April.

7.1.8 Monthly Report from Public Library Coordinator Becky Bergman – April.

RESOLUTION NO. 149

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 to 7.1.8 at the May 15th, 2013 Regular Meeting of Council.

Carried.

8 MISCELLANEOUS MOTIONS

8.1 Financial Operation Statement – year to date (dated May 8th, 2013).

Council reviewed the Financial Operation Statement – year to date (dated May 8th, 2013) in accordance with By-Law 1635-11.

8.2 Correspondence

A01-NO

8.2.1 Email dated April 25th, 2013 from the Northwestern Ontario Municipal Association (NOMA) re: Announcement that Kristen Oliver is the new Executive Director of NOMA.

D05-MI

8.2.2 News Release dated April 29th, 2013 from the Canadian Environmental Assessment Agency re: Invitation for public comments on the Griffith Iron Ore Redevelopment Project.

A16-MU

8.2.3 Letter dated April 29th, 2013 from Municipal Property Assessment Corporation re: 2012 Annual Report and Financial Statements.

P08-WA

8.2.4 Letter dated April 30th, 2013 from Carol McKay re: Flooding in basement due to accumulation of water gathering in back yard.

Clarification was requested on the letter and the municipality's responsibility in this regard. Council discussed the need for easements to be included in new subdivisions to ensure adequate drainage is in place.

M04-CO

8.2.5 Email dated May 8th, 2013 from the Ontario Provincial Police re: Thank you for attending the Municipal Billing Consultation Session on April 29th, 2013 in Kenora.

RESOLUTION NO. 150

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 May 15th, 2013 Regular Meeting of Council.

Carried.

M03-DO

- 8.3 Letter dated April 30th, 2013 from Kathy Robinson, Chairman of the Green Thumbs Gardening Club re: Request for donation to improve and expand the community flower beds and planters.

Otherwise dealt with.

G.G. / A.P.

- 8.4 Request for travel from Community Emergency Management Coordinator Gary Gazankas re: travel and attendance to the Annual Spring Sector Meeting being held in Thunder Bay on May 29th & 30, 2013.

RESOLUTION NO. 151

Moved by Fred Melanson. Seconded by Rob Eady.

RESOLVED THAT Community Emergency Management Coordinator Gary Gazankas be hereby authorized travel and attendance to the Annual Spring Sector Meeting being held in Thunder Bay on May 29^h & 30, 2013.

Carried.

E06-BE

- 8.5 Letter dated April 30th, 2013 from Bell Access Network Provisioning re: Request for execution of Certificate for Approving Location regarding work to be completed on Mills Street.

RESOLUTION NO. 152

Moved by Rob Eady. Seconded by Fred Melanson.

WHEREAS Public Service & Operations Supervisor Perry Dyck has reviewed Bell Access Network Provisioning's Certificate for Approving Location identified as Bell Network MC#S18222 – Ear Falls Exchange Mill St; and

WHEREAS Public Service & Operations Supervisor Perry Dyck has no objections to the work proposed subject to Bell's completion of municipal locates (water and sewer lines) prior to the initiation of the work;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby approves the work proposed in Bell Access Network Provisioning's Certificate for Approving Location identified as Bell Network MC#S18222 – Ear Falls Exchange Mill St, attached hereto as Schedule "A" and forming part of this Resolution; and

FURTHER THAT Bell Access Network Provisioning be required to complete municipal locates (water and sewer lines) prior to the initiation of the work; and

FURTHER THAT the Clerk Treasurer Administrator be authorized and directed to execute Schedule "A" on behalf of the Township of Ear Falls.

Carried.

M02-PR

8.6 Email dated May 8th, 2013 from Northwest Emergency Medical Services (EMS) re: Request to proclaim the week of May 19th – 25th, 2013 as EMS Week.

RESOLUTION NO. 153

Moved by Vic Robinson. Seconded by Rob Eady.

WHEREAS Emergency Medical Services in Ontario are a vital public service; and

WHEREAS members of Northwest Emergency Medical Services and other emergency service teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS emergency medical service practitioners engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS it is appropriate to recognize the value and the accomplishments of ALL emergency service providers and support staff;

NOW THEREFORE BE IT RESOLVED THAT I, Mayor Kevin Kahoot proclaim the week of May 19th – 25th, 2013 as Emergency Medical Services Week in the Township of Ear Falls.

Carried.

Council requested clarification on Item Nos. 9.2, 9.3, 9.4, and 9.5.

9.1 By-Law No. 1795-13, a By-Law to Affirm Minor Decisions by Council.

T.C.

9.2 By-Law No. 1796-13, a By-Law to Establish Tax Ratios for Prescribed Property Classes for Year 2013.

Council requested clarification on this By-Law.

T.C.

9.3 By-Law No. 1797-13, a By-Law to Adopt Optional Tools for the Purposes of Administering Limits for the Commercial, Industrial and Multi-Residential Property Classes.

Council requested clarification on this By-Law.

T.C.

9.4 By-Law No. 1798-13, a By-Law to Adopt Optional Tools for the Purposes of Administering Limits for Eligible Properties within the meaning of Section 331 (New Construction) for the Commercial, Industrial and Multi-Residential Property Classes.

Council requested clarification on this By-Law.

T.C.

9.5 By-Law No. 1799-13, a By-Law to Set Tax Rate Reductions for Prescribed Property Subclasses for the Year 2013.

Council requested clarification on this By-Law.

A09-HO

9.6 By-Law No. 1800-13, a By-Law to Amend the Payment and the Rates to be Paid in Respect of Remuneration, Per Diems, and Expenses to Members of Council, Members of Boards and Committees, Staff, Employees, and Volunteers of the Township of Ear Falls (Honorarium, Per Diem and Travel Expense Policy).

RESOLUTION NO. 154

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 No. 1795-13, 1796-13, 1797-13, 1798-13, 1799-13, and 1800-13 as passed.
Carried.

PART II – OTHER ITEMS

10 ADMINISTRATIVE REPORTS

P10-BU

- 10.1 Report to Council dated May 6th, 2013 from Chief Building Official Gary Gazankas re: Exemptions from a Building Permit.

Council requested that a draft By-Law be brought forward including the proposed exclusions as well as the use of standardized guidelines and enforcement procedures for items that on the permit-exclusion list.

11 ITEMS FOR DIRECTION

F05-EX

- 11.1 Report to Council dated May 8th, 2013 from Clerk Treasurer Administrator Kimberly Ballance and Deputy Clerk Treasurer Paulette Covell re: Budget Matters – Expenses Report (in Accordance with O. Reg. 284/09).

RESOLUTION NO. 155

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Township of Ear Falls accepts the Report to Council dated April 23rd, 2012 from Clerk Treasurer Administrator Kimberly Ballance and Deputy Clerk Treasurer Paulette Covell re: Budget Matters – Expenses Report (in accordance with O. Reg. 284/09).

Carried.

L11-GR

- 11.2 Report to Council dated May 8th, 2013 from Clerk Treasurer Administrator Kimberly Ballance re: Energy Management Planning – Green Energy Act, O. Reg. 397/11.

Council discussed the implementation of this Regulation and the plan that will be required.

M01-NO

- 11.3 Special Meeting of Council to review and accept the 2013 Budget.

Mayor Kahoot presented an overview of the draft budget including the proposed levy and tax rates. The budget process has not been easy this year due to the drastic decrease in assessment in the Industrial Class. The shortfall has been difficult to mitigate and will involve multiple year tax policy decisions. The tax policy decisions made earlier in the meeting are part of a two-year plan to implement levy reductions.

Council discussed the potential of having a Special Meeting to discuss the budget in detail which raised a number of questions.

- Council requested clarification on the cost of operating two

recreation facilities; the Golf Course and the Recreation Centre. Council discussed the revenues generated through user fees versus revenue generated through taxation for the operation of these facilities.

- Council requested clarification on the cost of operating the water and sewer systems and the revenue generated through user fees. Currently the systems are heavily supported through taxation, and the costs are rapidly outpacing the fees collected due to the implementation of regulatory requirements. A user fee review was requested from Administration.
- Council discussed current levels of service delivery and the requirement to reduce service levels in order to reduce the overall tax levy. Council discussed the need to have services available in the community to attract and retain residents and businesses.

Council indicated that they would like to pass the budget soon and recognized that they would need to provide two (2) weeks' notice to the public. They requested that the Budget By-Law be included on the June 5th, 2013 Meeting and that a Special / Closed Meeting be held on May 17th, 2013 to further discuss the Budget and the Operational / Job Responsibility Review.

RESOLUTION NO. 156

Moved by Rob Eady. Seconded by Jim Desmarais.

RESOLVED THAT Council of the Township of Ear Falls hold a Special / Closed Meeting in the Municipal Council Chambers on May 17th, 2013 at 12:00 p.m. re:

- Review of the 2013 Budget Draft
- Operational / Job Responsibility Review

; and

FURTHER THAT the Operational / Job Responsibility Review be held in the Closed portion of the Meeting in accordance with Section 239 (2) (b) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, re: Personal matters about an identifiable individual, including municipal or local board employees.

Carried.

- 11.4 Report to Council dated May 10th, 2013 from Clerk Treasurer Administrator Kimberly Ballance re: Request from John Polkinghorne – 10 Ash Street.

Council directed the Clerk Treasurer Administrator to allow the purchase of requested items subject to Mr. Polkinghorne signing a waiver, and the closure of any openings left by removal of windows.

12.1 Mayor Kevin Kahoot

- Northern Iron Corp. – Call with Michael Hepworth, VP Corporate Development
 - The company has lost financial backing from the investors and they are in the process of dissolving the staff. Equipment that is located in Ear Falls is being returned (pumps etc.). The company will be seeking new investment but is uncertain of its future at this point in time.
- Nuclear Waste Management Organization (NWMO) – Mayors Meeting, Toronto on June 10th, 2013
 - The NWMO will be holding a meeting for Mayors of communities that are involved in the Site Selection Process to provide an update on the process that the NWMO will be undertaking to remove communities from the process and a proposed communications protocol.
- Mayor Kahoot advised that he's requested to be a delegation at the June 5th, 2013 Regular Meeting of Council regarding his involvement in the Superior International Junior Hockey League (SIJHL). He indicated that he will formally present information to Council at that time.

13 CLOSED MEETING

N/A

14 CLOSED REPORT

N/A

15 ADJOURNMENT

15.1 RESOLUTION NO. 157

Moved by Fred Melanson. Seconded by Rob Eady.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 8:47 p.m.

Carried.

Mayor

Clerk