

# **THE CORPORATION OF THE TOWNSHIP OF EAR FALLS**

**MINUTES** of the Regular Meeting of Ear Falls Council #08  
Ear Falls Municipal Council Chambers  
May 2<sup>nd</sup>, 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 Rob Eady, Councillor Fred Melanson, Councillor Vic Robinson, Clerk Treasurer Administrator Kimberly Ballance, and one (1) member of the public.

## **3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None Declared.

## **4 DELEGATIONS AND PRESENTATIONS**

D09-BE

4.1 Patricia (Pat) Beardsley

- Official Plan Amendment / Zoning By-Law Amendment re: 61 Highway 657 (i.e. old Tree Nursery)
- Change Proposed:
  - Official Plan – Industrial to Townsite Residential
  - Zoning By-Law – Light Industrial to First Density Residential

Pat advised that Gary Beardsley was unable to attend the Meeting tonight due to another conflict. Pat advised of their interest in re-designating and rezoning the property in order to increase the value of the property, increase the number of residential properties on Lac Seul and provide for new residential waterfront development within the municipality. She also indicated that they have secured interest from a developer to develop the property into residential lots if they can have it changed to residential.

Pat requested Council's support in getting this issue to move forward. She advised that they were aware of the Township's concern about the installation of a sewer line and indicated that they or the developer would take responsibility for the costs associated with the installation of the sewer line installation as well as the water and sewer connections.

## **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 No. 8.1.1.

#### RESOLUTION NO. 128

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 of Part 1 – Consent Agenda.

Carried.

### **5 MINUTES**

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

5.1.1 April 17<sup>th</sup>, 2013 – Regular Meeting of Council Minutes.

#### RESOLUTION NO. 129

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 2<sup>nd</sup>, 2013 Regular Meeting of Council.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 March 11<sup>th</sup>, 2013 – Nuclear Waste Community Committee Meeting Minutes.

#### RESOLUTION NO. 130

Moved by Fred Melanson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the Minutes of Committees numbered 5.2.1 at the May 2<sup>nd</sup>, 2013 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 March 14<sup>th</sup>, 2013 – Red Lake Margaret Cochenour Memorial Hospital Board of Governors Meeting Minutes.

5.3.2 February 28<sup>th</sup>, 2013 – District of Kenora Home for the Aged Regular Meeting of the Board of Management Minutes.

5.3.3 March 18<sup>th</sup>, 2013 – Municipality of Red Lake Open Meeting of Council Minutes.

5.3.4 March 18<sup>th</sup>, 2013 – Municipality of Red Lake Regular Meeting of Council Minutes.

5.3.5 April 8<sup>th</sup>, 2013 – Municipality of Red Lake Open Meeting of the Committee of the Whole Minutes.

5.3.6 April 8<sup>th</sup>, 2013 – Municipality of Red Lake Committee of the Whole Meeting Minutes.

RESOLUTION NO. 131

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 from other Agencies / Organizations numbered 5.3.1 to 5.3.6 at the May 2<sup>nd</sup>, 2013 Regular Meeting of Council.

Carried.

**6 TENDERS / PROPOSALS / QUOTES**

None.

**7 ROUTINE ADMINISTRATIVE REPORTS**

C.O.

7.1 Reports from Departments

None.

**8 MISCELLANEOUS MOTIONS**

8.1 Correspondence

M03-DO

8.1.1 Letter dated April 7<sup>th</sup>, 2013 from the Ear Falls Relay for Life Sponsorship Co-Chairs re: Request for support in a fundraising event as a corporate sponsor.

Council discussed this request and indicated that they are unable to provide this level of financial support.

R05-RE

8.1.2 Letter dated April 8<sup>th</sup>, 2013 from the Ear Falls Lions re: Provision of financial assistance for the repairs to the Recreation Centre roofing.

D05-TR

8.1.3 Letter dated April 12<sup>th</sup>, 2013 from Hatch re: Notice of Completion on the Environmental Report (Projects on Unmanaged Waterways) and Notice of Water Management Plan for Trout Lake River.

8.1.4 Letter dated April 10<sup>th</sup>, 2013 from TransCanada re: News Release announcing the commencement of an open season for the Energy East Pipeline Project, which would transport crude oil from Western Canada to Eastern Canadian markets.

L01-AS

8.1.5 Letter dated April 16<sup>th</sup>, 2013 from the City of Dryden re: Request for government action regarding the Assessment Review Board Decision.

D05-TI

8.1.6 Letter dated April 17<sup>th</sup>, 2013 from the Ministry of Natural Resources re: Trout Lake Forest 2009 – 2019 Forest Management Plan Review of Proposed Operations for Phase II (2014 – 2019) Information Centre.

L01-AS

8.1.7 Letter dated April 19<sup>th</sup>, 2013 from the City of Dryden re: Assessment Review Board Decision in Domtar Pulp and Paper Inc. vs Municipal Property Assessment Corporation, Region No. 32 and the City of Dryden

A04-ON

8.1.8 Letter dated April 18<sup>th</sup>, 2013 from the Honourable Minister Michael Gravelle, Ministry of Northern Development and Mines re: Thank you for meeting at the Rural Ontario Municipal Association (ROMA) / Ontario Good Roads Association (OGRA) Conference held in Toronto in February, 2013.

RESOLUTION NO. 132

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 documents numbered 8.1.1 to 8.1.8 at the May 2<sup>nd</sup>, 2013 Regular Meeting of Council.

Carried.

M02-FA

- 8.2 Letter dated April 11<sup>th</sup>, 2013 from Family Safety Night Committee Chair, Brad Langlais re: Request to waive the Rental Fee for the Annual Family Safety Night to be held Thursday, May 16<sup>th</sup>, 2013.

RESOLUTION NO. 133

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of The Township of Ear Falls waives the Rental Fee for use of the Arena Ice Surface at the Recreation Centre for Ear Falls Family Safety Night being held on Thursday, May 16<sup>th</sup>, 2013; and

FURTHER THAT Thursday, May 16<sup>th</sup>, 2013 be declared Family Safety Night in the Township of Ear Falls.

Carried.

M03-DO

- 8.3 Letter dated April 15<sup>th</sup>, 2013 from the Relay for Life Steering Committee Chair re: Request for use of the Plaza Parking Lot for a Relay for Life Rally to be held Saturday, May 25<sup>th</sup>, 2013, tables and chairs for the Rally and Relay, clown costumes for use at the Rally, the use of two (2) golf power carts at the Relay, and use of the Arena on May 25<sup>th</sup>, 2013 for the Rally in the event of inclement weather.

RESOLUTION NO. 134

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Township of Ear Falls has no objection to the use of the Plaza Parking Lot for the Relay for Life Rally on May 25<sup>th</sup>, 2013 on the condition that the Plaza Parking Lot Use Policy is adhered to; and

FURTHER THAT in the event of inclement weather, the Rally be held at the Arena and the Rental Fee be waived; and

FURTHER THAT the Rental Fee for tables, chairs, and clown costumes be waived for the Relay for Life Rally; and

FURTHER THAT the Rental Fee for tables, chairs, and two golf power carts be waived for the Relay for Life event being held on Friday, June 14<sup>th</sup>, 2013.

Carried.

C12-BO

- 8.4 Municipal Boards and Committee Appointment.

RESOLUTION NO. 135

Moved by Fred Melanson. Seconded by Rob Eady.

RESOLVED THAT Carol Baron be appointed as the Ear Falls / Red Lake Representative on the Northwestern Health Unit Board of Health; and

FURTHER THAT the appointment be for the term of the present Council.

Carried.

A.P.

8.5 Municipal Lottery Licencing Training Session being held in Sioux Lookout on October 8<sup>th</sup>, 2013.

RESOLUTION NO. 136

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the following be hereby authorized travel and attendance to the Municipal Lottery Licencing Training Session being held in Sioux Lookout on October 8<sup>th</sup>, 2013:

- Kimberly Ballance
- Paulette Covell

Carried.

L01-AS / A.P.

8.6 Letter dated April 15<sup>th</sup>, 2013 from the City of Dryden re: Contribution to the City of Dryden's Legal Opinion regarding the Municipal Property Assessment Corporation / Assessment Review Board Decision.

RESOLUTION NO. 137

Moved by Fred Melanson. Seconded by Rob Eady.

RESOLVED THAT Council of the Township of Ear Falls authorizes a contribution to the City of Dryden in the amount of \$1,312.14 (includes HST) to assist in the expenses for the preliminary Legal Opinion provided by Buset & Partners with regard to the interim decision by the Assessment Review Board on the Domtar tax assessment appeal in Dryden.

Carried.

T.P. / A.P.

8.7 Northern Service Alliance (NSA) Spring Workshop being held in Thunder Bay at the Valhalla Inn on Thursday, May 23<sup>rd</sup>, 2013.

RESOLUTION NO. 138

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the following be hereby authorized travel and attendance to the Northern Service Alliance (NSA) Spring Workshop being held in Thunder Bay at the Valhalla Inn on Thursday, May 23<sup>rd</sup>, 2013:

- Kimberly Ballance
- Paulette Covell

Carried.

A.P.

- 8.8 Letter dated April 22<sup>nd</sup>, 2013 from the Ontario Provincial Police Municipal Policing Bureau re: Invitation to attend a consultation regarding the Billing Reform Project being held in Kenora on April 29<sup>th</sup>, 2013 at the Best Western Lakeside Inn & Conference Centre from 10:00 a.m. – 1:30 p.m.

RESOLUTION NO. 139

Moved by Rob Eady. Seconded by Fred Melanson.

RESOLVED THAT Councillor Rob Eady be hereby authorized travel and attendance to the consultation regarding the Billing Reform Project being held in Kenora on April 29<sup>th</sup>, 2013 at the Best Western Lakeside Inn & Conference Centre from 10:00 a.m. – 1:30 p.m.

Carried.

**9 BY-LAWS**

- 9.1 By-Law No. 1794-13, a By-Law to Affirm Minor Decisions by Council.

RESOLUTION NO. 140

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. 1794-13 as passed.

Carried.

**PART II – OTHER ITEMS**

**10 ADMINISTRATIVE REPORTS**

P10-BU

- 10.1 Report to Council dated April 22<sup>nd</sup>, 2013 from Chief Building Official

Gary Gazankas re: Building Code Act – “Building Permits”.

Council discussed the Report, practices utilized by other municipalities and the number of permit exclusions that are in place in other municipalities.

Council requested another Report from Chief Building Official Gary Gazankas on the practice of excluding specific repairs and construction work from the Township’s permit process, including a review of precedents from other municipalities.

## **11 ITEMS FOR DIRECTION**

### **A09-HO**

#### **11.1 Honorarium, Per Diem and Travel Expense Policy – Draft.**

Council discussed the draft Policy and proposed modifications. A By-Law to adopt the Policy with changes will be forthcoming.

### **L07-LA**

#### **11.2 Report dated April 26<sup>th</sup>, 2013 from Public Service & Operations Supervisor Perry Dyck re: Lot Development.**

Council reviewed the information presented and directed the Clerk Treasurer Administrator to make the necessary arrangements to develop the properties.

Council discussed the Rural Residential properties located on Highway 804 and directed the Clerk Treasurer Administrator to get a quote on the minimum standard for an access road complete with ditching and driveway culverts.

### **D09-BE**

#### **11.3 Report to Council dated April 26<sup>th</sup>, 2013 from Clerk Treasurer Administrator Kimberly Ballance re: 61 Highway 657 – Application for Official Plan Designation and Zoning Designation Changes.**

Council discussed the proposal and indicated that the municipality had adequate water, wastewater and landfill site capacity to service the property.

## **12 REPORTS OF MEMBERS OF COUNCIL**

### **12.1 Councillor Rob Eady**

- Lac Seul Advisory Committee
  - The Committee met in the Dryden Government Building instead of the Riverview Hotel, which was a budget measure. The Ministry of Natural Resources doesn’t have any funds to do any major projects this year due to instability in government. No new initiatives were proposed.



- Ontario Provincial Police (OPP) Costing Review Meeting in Kenora on April 29<sup>th</sup>, 2013
  - Representatives from Emo, Kenora, Ignace, Red Lake, Sioux Narrows/Nestor Falls, Ear Falls, and the Northwestern Ontario Municipal Association attended a meeting to discuss policing costs in the region. The OPP are looking at making changes to the cost structure and municipalities would like the changes to be affordable and fair across the province. The meeting was a brainstorming and information gathering session. There are approximately six meetings being held across the province.

## 12.2 Councillor Vic Robinson

- Northwestern Ontario Municipal Association Meeting
  - Nine Provincial Ministers attended the meeting which was a great turnout. Attendees were very appreciative.

## 12.3 Mayor Kevin Kahoot

- Northwestern Ontario Municipal Association (NOMA) Executive Meeting
  - Ron Nelson stepped down as NOMA President and a new executive was elected. The members are now:
    - Kenora Mayor Dave Canfield – President
    - Red Lake Mayor Phil Vinet – Vice President
    - Pickle Lake Mayor Roy Hoffman – 1<sup>st</sup> Vice President
    - Ear Falls Mayor Kevin Kahoot – 2<sup>nd</sup> Vice President
  - The Association also has a new Executive Director – Kristen Oliver.
  - The key issue for the upcoming year will be concerns about the Unincorporated Area not paying its fair share. Residents in the unincorporated area should be sharing in the costs of operating municipalities, particularly where there is a demonstrated use of municipal infrastructure and services. This is already in place for services provided by the Kenora District Services Board, however the assessment for properties in the unincorporated area are not accurate and should be updated by MPAC.
- Northwestern Ontario Municipal Association (NOMA) Annual General Meeting
  - The President of the Municipal Property Assessment Corporation made a presentation at NOMA but it failed to adequately address the cause and impact of the significant decreases to large industrial assessments that are occurring throughout the area. He did commit to sitting down with NOMA to discuss the need for assessment stability.
  - The Nuclear Waste Management Organization brought a semi-truck with the 50 tonne transportation container and an information display. It is headed to the Federation of Northern Ontario Municipalities Annual General Meeting, and two other conferences in the area. They are planning to bring it to Ear

Falls but don't have a schedule set yet. It was very informative.

- Nuclear Waste Management Organization (NWMO)
  - There is an upcoming meeting planned with the Mayors of communities involved in the Site Selection Process to discuss the next steps of the process. It appears that there will be some communities removed from the process later this year.

### **13 CLOSED MEETING**

#### **13.1 RESOLUTION NO. 141**

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 8:23 p.m. to discuss matters pertaining to:

- Section 239 (2) (b) – Personal matters about an identifiable individual, including municipal or local Board employees – Operational / Job Responsibility Review.

Carried.

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;
- Operational / Job Responsibility Review.

#### **13.2 RESOLUTION NO. 142**

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Township of Ear Falls convened from a Closed Session at 8:40 p.m. to the Regular Meeting of Council.

Carried.

### **14 CLOSED REPORT**

Council provided direction to the Clerk Treasurer Administrator regarding the Operational / Job Responsibility Review.

### **15 ADJOURNMENT**

#### **15.1 RESOLUTION NO. 143**

Moved by Rob Eady. Seconded by Fred Melanson.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 8:40 p.m.

Carried.

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Mayor

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Clerk