

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #13
Ear Falls Municipal Council Chambers
September 3rd, 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, and one (1) member of the public.

3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Mayor Kahoot declared an interest in Item Nos. 11.1 and 11.2 due to his involvement in the English River Miners Hockey Club.

4 DELEGATIONS AND PRESENTATIONS

None.

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. 6.1 be pulled from the Consent Agenda for debate.

*F18-RO

6.1 Request for Quote – Gravel Road Construction (off Highway 804).

RESOLUTION NO. 214

Moved by Rob Eady. Seconded by Vic Robinson.

WHEREAS Council has deemed the selection of the following organization for the completion of work specified in the Request for Quote re: Gravel Road Construction (off Highway 804), Ear Falls, Ontario to be in the best interest of the Township of Ear Falls;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby suspends the rules Clause D (2) (c) of the Township of Ear Falls Procurement Policy; and

FURTHER THAT Council accepts the Quote submitted by R&W Timber Limited for the Request for Quote – Gravel Road Construction (off Highway 804), Ear Falls, Ontario, at a cost of \$43,357 plus applicable taxes; and

FURTHER THAT the unlevied portion be taken from the Roadways / Sidewalks Reserve (XL60-6000-9732).

Carried.

Council requested clarification on Item Nos. 8.1.1, 8.2, and 8.4.

RESOLUTION NO. 215

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 – 5.3 and 7 – 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 August 6th, 2014 – Regular Meeting of Council Minutes.

RESOLUTION NO. 216

Moved by Fred Melanson. Seconded by Rob Eady.

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 September 3rd, 2014 Regular Meeting of Council.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 July 31st, 2014 – Ear Falls Health & Safety Committee Meeting Minutes.

RESOLUTION NO. 217

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 of Committees numbered 5.2.1 at the September 3rd, 2014 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 June 26th, 2014 – District of Kenora Home for the Aged Regular Meeting of the Board of Management Minutes.

5.3.2 June 19th, 2014 – Kenora District Services Board Regular Meeting of the Board Minutes.

RESOLUTION NO. 218

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 from other Agencies / Organizations numbered 5.3.1 to 5.3.2 at the September 3rd, 2014 Regular Meeting of Council.

Carried.

6 TENDERS / PROPOSALS / QUOTES

*F18-RO

6.1 Request for Quote – Gravel Road Construction (off Highway 804).

Otherwise dealt with.

7 ROUTINE ADMINISTRATIVE REPORTS

C.O.

7.1 Reports from Departments.

7.1.1 Monthly Report from Day Care / Parent Resource Coordinator Marg Trippier – July.

RESOLUTION NO. 219

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 Report from Departments numbered 7.1.1 at the September 3rd, 2014 Regular Meeting of Council.

Carried.

8 MISCELLANEOUS MOTIONS

8.1 Correspondence

D02-NW

8.1.1 Letter dated August 19th, 2014 from the Whispering Pines Seniors' Club re: Community Well-Being Reserve Fund Contribution.

Council discussed this donation and the intention of Council in providing it to the Whispering Pines Seniors' Club, as the request came from a Club Member. No disrespect was intended to the Whispering Pines Seniors' Club or their process for requesting donations from the Community Well-Being Reserve Fund.

S08-NO

8.1.2 Newsletter dated August 21st, 2014 from the Association of Municipalities of Ontario (AMO) re: Update on various topics that were discussed at the 2014 AMO Conference.

RESOLUTION NO. 220

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 8.1.1 to 8.1.2 at the September 3rd, 2014 Regular Meeting of Council.

Carried.

T.C.

8.2 Notice of Vesting Property – taxes / penalties / write-offs – Roll Number 6042-000-002-07800-0000.

Clarification was requested on this property and the plan for demolition.

RESOLUTION NO. 221

Moved by Vic Robinson. Seconded by Rob Eady.

WHEREAS pursuant to Section 373 (1) of the *Municipal Act, 2001*, *S.O. 2001, c. 25*, as amended, a Tax Arrears Certificate was registered on May 11th, 2013 against Roll No. 6042-000-002-07800-0000; and

WHEREAS the Township of Ear Falls has completed the Sale of Land for Tax Arrears process and was unable to find a successful purchaser;

NOW THEREFORE BE IT RESOLVED THAT the amount of \$13,252.47 be written off from Roll No. 6042-000-002-07800-0000 in

accordance with Section 354 (2) and (3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended; and

FURTHER THAT the Treasurer is hereby authorized and directed to prepare and register in the name of the Corporation of the Township of Ear Falls, an Acknowledgement and Direction regarding the registration of a Notice of Vesting, Statement of Compliance and Land Transfer Tax Statements for Roll No. 6042-000-002-07800-0000 in accordance with Section 379 (5) (b) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended; and

FURTHER THAT the Treasurer is hereby authorized and directed to charge back to the School Boards its proportionate share of the unpaid taxes that are written off in accordance with Section 353 (3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, and

FURTHER THAT the Treasurer is hereby authorized and directed to demolish the building on the property following the transfer of ownership to the Township of Ear Falls.

Carried.

*F11-ON

8.3 Application to the Ontario Community Infrastructure Fund (OCIF) re: Water Treatment Plant – Low Lift Pumping Station Assessment and Rehabilitation.

RESOLUTION NO. 222

Moved by Rob Eady. Seconded by Fred Melanson.

WHEREAS the Council of the Township of Ear Falls deems it to be in the best interest of the municipality to submit an Expression of Interest to the Ontario Community Infrastructure Fund (OCIF) for an engineering assessment and capital rehabilitation project for the Low Lift Pumping Station at the Ear Falls Water Treatment Plant;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Ear Falls certifies that:

- the information in the Expression of Interest is factually accurate;
- the municipality has a comprehensive Asset Management Plan that includes all of the information and analysis described in *Building Together: Guide for Municipal Asset Management Plans* in place;
- the comprehensive Asset Management Plan is publicly available, including online;
- the project put forward in this application will be completed by December 31st, 2016.

Carried.

C09-GE

- 8.4 Letter of Support to the Kenora District Services Board (KDSB) re: their pursuit of funding in support of the Ten Year Housing and Homelessness Plan.

Councillor Robinson provided clarification on this application for funding.

RESOLUTION NO. 223

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls supports Kenora District Services Board's pursuit of funding in support of the Ten Year Housing and Homelessness Plan; and

FURTHER THAT the Mayor is hereby authorized and directed to send a letter of support.

Carried.

L04-CH

- 8.5 2014 Child Care Service Contract from the Kenora District Services Board.

RESOLUTION NO. 224

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT the Mayor and Clerk Treasurer Administrator are hereby authorized and directed to execute on behalf of the Corporation of the Township of Ear Falls the 2014 Child Care Service Contract from the Kenora District Services Board as attached.

Carried.

M01-NO

- 8.6 Special Meeting to be held October 8th, 2014 at 6:00 p.m. in the Municipal Council Chambers to consider recommending an Official Plan update as part of the municipality's Five Year Review of the Official Plan and Zoning By-Law.

RESOLUTION NO. 225

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT a Special Meeting of Council be held October 8th, 2014 beginning at 6:00 p.m. in the Municipal Council Chambers located at 2 Willow Crescent to consider recommending an Official Plan update as part of the municipality's Five Year Review of the Official Plan and Zoning By-Law.

Carried.

9 BY-LAWS

9.1 By-Law No. 1893-14, a By-Law to Affirm Minor Decisions by Council.

TC.

9.2 By-Law No. 1894-14, a By-Law to Authorize the Sale of Plan M700, Lot 175, Pcl 5669 to Kelvin Karl Nykanen.

C07-EL

9.3 By-Law No. 1895-14, a By-Law to Appoint a Compliance Audit Committee.

L07-LE

9.4 By-Law No. 1896-14, a By-Law to Authorize the Execution of a Recreation Centre Canteen Lease Agreement with Mark Legros.

RESOLUTION NO. 226

Moved by Rob Eady. Seconded by Fred Melanson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law Nos. 1893-14, 1894-14, 1895-14, and 1896-14 as passed.

Carried.

PART II – OTHER ITEMS

10 ADMINISTRATIVE REPORTS

None.

11 ITEMS FOR DIRECTION

Mayor Kahoot advised that he would refrain from discussion on Item Nos. 11.1 and 11.2 but would be available to answer any questions that Council may have about the requests.

R06-EN

11.1 Brochure from the English River Miners re: Sponsorship Package for the 2014 – 2015 season.

Council concurred that the Township will not be providing any financial support as part of the Sponsorship Package. As in the 2013/14 Season, the Township will be providing support to the Hockey Club through in-kind donations and reduced rates for practice ice rentals.

R06-EN

- 11.2 Report to Council dated August 28th, 2014 from Clerk Treasurer Administrator Kimberly Ballance re: SIJHL – English River Miners Hockey Request 2014 – KinFit Gym Passes.

Council reviewed the Report to Council and discussed the letter received from the English River Miners dated August 25th, 2014, regarding use of the KinFit Gym at a reduced rate. Council requested additional information on this request.

*F11-RU

- 11.3 Rural Economic Development (Red) Contribution Agreement re: Updating the Business Retention and Expansion (BR+E) Plan.

Council discussed this Contribution Agreement and the impacts for Business Retention and Expansion within the municipality. Council requested that this be brought back to Council for adoption at the next Regular Meeting.

L07-LA

- 11.4 Report to Council dated August 27th, 2014 from Clerk Treasurer Administrator Kimberly Ballance re: Request – John Polkinghorne – Standalone Sale of Plan 23R-11799 Part 3.

Council concurred with the Report to Council. A letter will be sent to Mr. Polkinghorne.

F11-BU

- 11.5 Report to Council dated August 29th, 2014 from Clerk Treasurer Administrator Kimberly Ballance re: Building Canada Fund – Small Communities Fund Application 2014.

Council concurred that an application would not be submitted to the Building Canada Fund – Small Communities Fund, because the Township needs to focus spending on the engineering assessment and capital rehabilitation project for the Low Lift Pumping Station at the Ear Falls Water Treatment Plant being applied for under the Ontario Communities Infrastructure Fund.

12 REPORTS OF MEMBERS OF COUNCIL

12.1 Councillor Vic Robinson

- Kenora District Services Board
 - CAO Applications are under review with hiring anticipated for the fall of 2014.

12.2 Councillor Jim Desmarais

- Chukuni Communities Development Corporation
 - Strategic Plan for 2014 – 2019 for both departments is underway, however these are quite difficult to create and review, particularly the financial report.

12.3 Mayor Kevin Kahoot

- Association of Municipalities of Ontario Conference (August 17th – 20th, 2014)
 - Meetings with the Provincial Conservation Caucus, Premier, and Ministers;
 - Renewed effort into energy delivery (for mines, mills, etc.);
 - Forest Tenure / Forestry Industry;
 - Property and Land Tax Reform discussions;
 - Municipal Property Assessment Corporation (MPAC) and Assessment Appeals – impact on municipal revenue streams;
 - Power Dam Special Payment Program – under review, but potential for a return to taxation is under discussion;
 - Ontario Municipal Partnership Fund (OMPF) funding reduction trends;
 - O.P.P. formula changes – impacts on costs / households;
 - Spring Bear Hunt – not a lot of discussion on change despite the local protest of the hunt.
- Winter highway maintenance – letter to Minister Steven Del Duca to follow.

13 CLOSED MEETING

13.1 RESOLUTION NO. 227

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 8:15 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 – Employment Matter.

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.

- Employment Matter.

13.2 RESOLUTION NO. 228

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Township of Ear Falls convened from a Closed Session at 8:51 p.m. to the Regular Meeting of Council.

Carried.

14 CLOSED REPORT

Council provided direction to the Clerk Treasurer Administrator re: 2014 Collective Bargaining Unit Agreement Negotiations.

Council reviewed information regarding an Employment Matter.

15 ADJOURNMENT

15.1 RESOLUTION NO. 229

Moved by Rob Eady. Seconded by Vic Robinson.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 8:52 p.m.

Carried.

Mayor

Clerk