

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #07
Ear Falls Council Chambers
April 1st, 2009 @ 7:00 p.m.

1. CALL TO ORDER

1.1 Mayor Ron Bergman Sr. called the Meeting to order at 7:00 p.m.

1.2 Present: Mayor Ron Bergman Sr., Councillor Robert Doyle,
Councillor Dave Wilson, Councillor Tracey Simon, and Clerk
Treasurer Administrator Kimberly Ballance

1.3 Approval of Agenda.

RESOLUTION NO. 180

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the Agenda for this Regular Meeting of Council
be approved as presented.

Carried.

2. DISCLOSURE OF INTEREST

2.1 Disclosure of pecuniary interest and the general nature thereof.

None Declared.

3. MINUTES OF PREVIOUS MEETINGS

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

RESOLUTION NO. 181

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the Minutes of the March 18th, 2009 Regular
Meeting of Council and the Special / Closed Minutes of the March
24th, 2009 Meeting of Council be accepted as read.

Carried.

3.2 Matters arising out of the Minutes.

None Declared.

4. DELEGATIONS, DEPUTATION, AND PETITIONS

None.

5. TENDERS

None.

6. REPORTS

C.O.

6.1 Reports from Departments.

6.1.1 Monthly Report from Health & Safety Coordinator Gary Gazankas.

6.1.2 Monthly Report from Chief Building Official Gary Gazankas.

6.1.3 Monthly Report from By-Law Enforcement Officer Gary Gazankas.

6.1.4 Monthly Report from EMO Coordinator Gary Gazankas.

6.1.5 Monthly Report from ODA Coordinator Gary Gazankas.

6.1.6 Monthly Report from Fire Chief Gary Gazankas.

RESOLUTION NO. 182

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the following Reports from Departments be received and filed:

6.1.1 Monthly Report from Health & Safety Coordinator Gary Gazankas.

6.1.2 Monthly Report from Chief Building Official Gary Gazankas.

6.1.3 Monthly Report from By-Law Enforcement Officer Gary Gazankas.

6.1.4 Monthly Report from EMO Coordinator Gary Gazankas.

6.1.5 Monthly Report from ODA Coordinator Gary Gazankas.

6.1.6 Monthly Report from Fire Chief Gary Gazankas.

Carried.

C.O.

6.2 Minutes of Committees.

6.2.1 December 2nd, 2008 – Ear Falls Health & Safety Committee Meeting held in the Emergency Operations Centre Meeting

Room (Trailer).

RESOLUTION NO. 183

Moved by Dave Wilson. Seconded by Robert Doyle.

RESOLVED THAT the Minutes of the Ear Falls Health & Safety Committee Meeting held December 2nd, 2008 in the Emergency Operations Centre Meeting Room (Trailer) be received and filed.

Carried.

6.2.2 January 27th, 2009 – Ear Falls Health & Safety Committee Meeting held in the Emergency Operations Centre Meeting Room (Trailer).

RESOLUTION NO. 184

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the Minutes of the Ear Falls Health & Safety Committee Meeting held January 27th, 2009 in the Emergency Operations Centre Meeting Room (Trailer) be received and filed.

Carried.

6.3 Reports of Members of Council.

6.3.1 Councillor Tracey Simon

- Red Lake Margaret Cochenour Memorial Hospital Board Meeting is being re-scheduled to Tuesday, April 7th, 2009.
- School Council Meeting – was unable to attend.
- Northwestern Ontario Municipal Association (NOMA)
 - Asking for one municipality from each district to make a presentation at NOMA.
 - Will be requesting a more comprehensive approach at the upcoming Kenora District Municipal Association (KDMA) Meeting.

6.3.2 Councillor Dave Wilson

- Labour Adjustment Committee Meeting (March 30th, 2009)
 - Will be looking at the Agreement on the Agenda later this evening.
- Community Health Centre Board
 - Meeting will be held later this week.

- Non-Profit Housing Corporation Board
 - Approximately 50% vacant at this time.

6.3.3 Councillor Robert Doyle

- Had nothing to report at this time.

6.3.4 Mayor Ron Bergman Sr.

- Northern Growth Plan – Rural Economy Technical Roundtable Meeting in Dryden on March 5th, 2009.
 - This was primarily an information session. It appears unlikely that small municipalities will see any major benefits because the larger centers (Thunder Bay, Sault Ste. Marie, North Bay) will be the true beneficiaries based on the emphasis in the plan for increased education and training.
- Ontario Power Generation Grand Opening
 - Will be attending the Grand Opening on April 14th, 2009 and saying a few words on behalf of the Township.
- Ladies Auxiliary Meeting being held at the Legion
 - Will be attending the Meeting on April 4th, 2009 to say some introductory comments.
- Mayor's Committee for Economic Development
 - Would like to see this proposed Committee enacted as soon as possible.
 - Mark Vermette has offered to attend as a Resource Person for the Committee.
 - Also would like one other Member of Council to attend (Tracey Simon has volunteered).
 - Suggested a number of possible people who might be interested in this type of Committee but indicated that the position will also be posted publicly.

6.4 Minutes Received and Filed from other Agencies / Organizations

6.4.1 March 3rd, 2009 – Municipality of Red Lake Regular Meeting of Council Minutes.

6.4.2 March 24th, 2009 – Keewatin-Patricia District School Board Regular Board Meeting #4 Agenda.

RESOLUTION NO. 185

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT the following Minutes from other Agencies / Organizations be received and filed:

6.4.1 March 3rd, 2009 – Municipality of Red Lake Regular Meeting of Council Minutes.

6.4.2 March 24th, 2009 – Keewatin-Patricia District School Board Regular Board Meeting #4 Agenda.

Carried.

7. PAYMENTS OF ACCOUNTS

7.1 Accounts Payable – #3A dated March 13th, 2009 in the amount of \$89,751.77 and Accounts Payable – #3B dated March 25th, 2009 in the amount of \$229,991.71.

Accounts Payable – #3A dated March 13th, 2009 in the amount of \$89,751.77 and Accounts Payable – #3B dated March 25th, 2009 in the amount of \$229,991.71 were reviewed in accordance of By-Law No. 512-89.

7.2 Payroll – PR0906 – dated March 26th, 2009 in the amount of \$26,462.23.

RESOLUTION NO. 186

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT Payroll Disbursement PR0906 – dated March 26th, 2009 in the amount of \$26,462.23 be approved.

Carried.

8. CORRESPONDENCE REQUESTING THE ATTENTION OF COUNCIL

A16-EA

8.1 Letter dated March 5th, 2009 from Ear Falls 2000 re: Requesting financial assistance for the annual insurance which covers the operation of Pakwash Park.

Deferred.

9. CORRESPONDENCE COPIED FOR THE INFORMATION OF COUNCIL

C09-GE

9.1 Letter received March 18th, 2009 from the Kenora District Camp Owners Association / North Western Ontario Tourism Association Working Group re: Request for Resolution of Support regarding retention of the Sunset Country Tourism Area.

A16-ON

9.2 Letter dated March 9th, 2009 from Hydro One Networks Inc. re: 2008 Delivery Rate Changes.

E03-ON

9.3 Letter dated March 16th, 2009 from Peter Fox, Ontario Clean Water Agency (OCWA) re: Response to letter sent regarding call-ins and overtime charges.

RESOLUTION NO. 187

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the Correspondence Copied for the Information of Council, Items No. 9.1 to 9.3, be received and filed.

Carried.

10. CORRESPONDENCE RECEIVED AND RETAINED ON FILE AVAILABLE AT COUNCIL'S REQUEST

None.

11. OTHER AND UNFINISHED BUSINESS

*L11-NO

11.1 Northern Growth Plan Recommendations.

Council Members to submit recommendations to Clerk Treasurer Administrator for submission.

T.P. / A.P

11.2 AMCTO Zone 9 Spring “Nuts and Bolts” Meeting being held in Thunder Bay from May 4th – 6th, 2009 at the Nor’Wester Resort Hotel.

RESOLUTION NO. 188

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT Clerk Treasurer Administrator Kimberly Ballance and Deputy Clerk Treasurer Paulette Covell are hereby authorized travel and attendance to the AMCTO Zone 9 Spring “Nuts and Bolts” Meeting being held in Thunder Bay from May 4th – 6th, 2009 at the Nor’Wester Resort Hotel.

Carried.

L06-IN

11.3 Renewal of Insurance with Aon Reed Stenhouse Inc.

RESOLUTION NO. 189

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the Township of Ear Falls' 2009 Insurance Renewal from Aon Reed Stenhouse Inc. be approved at the annual premium of \$64,450.00 plus P.S.T.

Carried.

E03-RE

11.4 2008 Annual Summary Report for the Ear Falls Drinking-Water System and the 2008 Performance Report for the Ear Falls Wastewater Treatment Facility received from Ontario Clean Water Agency (OCWA).

RESOLUTION NO. 190

Moved by Dave Wilson. Seconded by Robert Doyle.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby received and reviewed the following Reports from Ontario Clean Water Agency (OCWA):

- 2008 Annual Summary Report for the Ear Falls Drinking-Water System
- 2008 Performance Report for the Ear Falls Wastewater Treatment Facility

Carried.

D.C.

11.5 Review of Draft Municipal Budget.

The economic situation in town will require a hard look at the budget figures. This draft is a first run for Council's consideration. Council advised that a number of items will be addressed including a number of Summer Student positions, travel expenditures, and other operational costs.

Summer Student positions will be retained for Golf Course Maintenance, Parks and the Day Care. Day Camp, Tourism Attendant, Recreation Centre Attendant, Administrative positions and the Toy Library positions will be removed. This is an area that is important for youth employment in the community however the number of positions that existed in previous years is not feasible with current economic conditions. Travel expenditures and operational costs need to be re-addressed by all Department Heads to reduce the overall expenditures.

Council would like the renovations to the Doctor's House to remain in the Capital Budget and would like an updated quote for a truck for hauling the Sewage Trailer. This would increase our capital this year,

but would decrease costs for Contracted Services. The required costs for the truck may have to come from Reserves.

M00-PU

- 11.6 Special Public Meeting with the Public Library Board on Wednesday, April 8th, 2009 at 7:00 p.m. at the Ear Falls Public Library to discuss issues of mutual interest.

RESOLUTION NO. 191

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT Council of the Township of Ear Falls hold a Special Public Meeting with the Public Library Board on Wednesday, April 8th, 2009 at 7:00 p.m. at the Ear Falls Public Library to discuss issues of mutual interest.

Carried.

A.P.

- 11.7 Request from Fire Chief Gary Gazankas re: Attendance for himself and Don MacDonald to the Kenora District Fire Mutual Aid Association Annual Spring Meeting being held in Ear Falls on Saturday, April 4th, 2009.

RESOLUTION NO. 192

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT Fire Chief Gary Gazankas and Deputy Chief Don MacDonald are hereby authorized attendance to the Kenora District Fire Mutual Aid Association Annual Spring Meeting being held in Ear Falls on Saturday, April 4th, 2009.

Carried.

A.P.

- 11.8 Request from Chief Building Official Gary Gazankas re: Travel and attendance to the Sunset Country Chapter Meeting being held in Dryden on Wednesday, April 15th, 2009.

RESOLUTION NO. 193

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT Chief Building Official Gary Gazankas is hereby authorized travel and attendance to the Sunset Country Chapter Meeting being held in Dryden on Wednesday, April 15th, 2009.

Carried.

A.P.

- 11.9 Request from the EMO Coordinator Gary Gazankas re: Travel and attendance to the 1st Annual Northwestern Ontario Conference on Disaster Management being held in Dryden from Wednesday, April 22nd – Friday, April 24th, 2009.

Deferred. Council requested that this item be brought back to the next Meeting of Council with the Agenda for this Conference as it is a new event and they are working to cut travel budgets.

12. MEETINGS, CONFERENCES AND CONVENTIONS

- 12.1 April 15th – 18th, 2009 – 2009 NOMA Annual General Meeting being held in Fort Frances – Ron Bergman Sr.
- 12.2 June 14th – 17th, 2009 – 2009 AMCTO's 71st Annual General Meeting and Conference being held in Sault Ste. Marie - Kimberly Ballance and Paulette Covell.
- 12.3 August 16th – 19th, 2009 – 2009 AMO Conference and Annual General Meeting being held in Ottawa at the Ottawa Westin Hotel – Ron Bergman Sr. and Robert Doyle.

13. BY-LAWS

- 13.1 By-Law to Affirm Minor Decisions.

RESOLUTION NO. 194

Moved by Tracey Simon. Seconded by Robert Doyle.

THAT A BY-LAW to Affirm Minor Decisions by Council be read a first time.

Carried.

RESOLUTION NO. 195

Moved by Robert Doyle. Seconded by Dave Wilson.

THAT A BY-LAW to Affirm Minor Decisions by Council be read a second time.

Carried.

RESOLUTION NO. 196

Moved by Dave Wilson. Seconded by Tracey Simon.

THAT A BY-LAW to Affirm Minor Decisions by Council be read a third time, passed and numbered 1427-09 and that the said By-Law be

signed by the Mayor and Clerk, sealed with the seal of the Corporation, and be engrossed in the By-Law Book.

Carried.

*L04-LA

13.2 By-Law to Authorize the Execution of an Agreement Between the Township of Ear Falls and Her Majesty, the Queen in Right of Ontario, as Represented by the Minister of Training, Colleges and Universities.

RESOLUTION NO. 197

Moved by Dave Wilson. Seconded by Robert Doyle.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Her Majesty, the Queen in Right of Ontario, as Represented by the Minister of Training, Colleges and Universities be read a first time.

Carried.

RESOLUTION NO. 198

Moved by Robert Doyle. Seconded by Tracey Simon.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Her Majesty, the Queen in Right of Ontario, as Represented by the Minister of Training, Colleges and Universities be read a second time.

Carried.

RESOLUTION NO. 199

Moved by Tracey Simon. Seconded by Robert Doyle.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Her Majesty, the Queen in Right of Ontario, as Represented by the Minister of Training, Colleges and Universities be read a third time, passed and numbered 1428-09 and that the said By-Law be signed by the Mayor and Clerk, sealed with the seal of the Corporation, and be engrossed in the By-Law Book.

Carried.

*L04-CA

13.3 By-Law to Authorize the Execution of an Agreement Between the Township of Ear Falls and Calnitsky Architect.

RESOLUTION NO. 200

Moved by Robert Doyle. Seconded by Dave Wilson.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Calnitsky Architect be read a first time.

Carried.

RESOLUTION NO. 201

Moved by Robert Doyle. Seconded by Tracey Simon.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Calnitsky Architect be read a second time.

Carried.

RESOLUTION NO. 202

Moved by Tracey Simon. Seconded by Robert Doyle.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and Calnitsky Architect be read a third time, passed and numbered 1429-09 and that the said By-Law be signed by the Mayor and Clerk, sealed with the seal of the Corporation, and be engrossed in the By-Law Book.

Carried.

14. IN-CAMERA ISSUES

14.1 RESOLUTION NO. 203

Moved by Dave Wilson. Seconded by Robert Doyle.

Whereas Section 239 of the Municipal Act provides that:

1. Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).
2. A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
 - (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (2).

Other criteria

3. A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act. 2001, c. 25, s. 239 (3).

Educational or training sessions

3.1 A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1);

Now Therefore Be It Resolved That the Council of the Township of Ear Falls hereby convenes into an In-Camera Session at 8:25 p.m. to discuss matters pertaining to:

Under Section	Subject Matter
2. (f)	To review legal opinion regarding Council / Library Board responsibilities.

Carried.

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

- Advice that is subject to solicitor – client privilege, including communications necessary for that purpose.
- To review legal opinion regarding Council / Library Board responsibilities.

14.2 RESOLUTION NO. 204

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the Council of the Township of Ear Falls convened from an In-Camera Session at 8:51 p.m. to the Regular Meeting of Council.

Carried.

15. IN-CAMERA RESOLUTIONS

Council directed the Clerk Treasurer Administrator to discuss the legal opinion regarding the responsibilities of the Council and the Library Board with the Library Coordinator and the Chair of the Library Board and to provide the Board with a copy of the legal opinion for review.

16. ADJOURNMENT

16.1 RESOLUTION NO. 205

Moved by Robert Doyle. Seconded by Dave Wilson.

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

Carried.

Mayor

Clerk