

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #23
Ear Falls Municipal Council Chambers
December 2nd, 2009 @ 7:00 p.m.

1 CALL TO ORDER

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

2 ROLL CALL

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

3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Declared.

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 Councillor. 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.)

Councillor Tracey Simon requested that Item 8.4 be removed from the Agenda and debated.

A.P.

8.4 Travel and attendance to the 2010 ROMA / OGRA Combined Conference being held from February 21st – 24th, 2010 at the Fairmont Royal York Hotel in Toronto.

RESOLUTION NO. 550

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT Councillor Tracey Simon and Mayor Ron Bergman Sr. are hereby authorized travel and attendance to the 2010 ROMA / OGRA Combined Conference being held from February 21st – 24th, 2010 at the

Fairmont Royal York Hotel in Toronto.

Carried.

RESOLUTION NO. 551

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby considers Items in Sections 5, 6, 7, 8.1 – 8.3 and 8.5 – 8.6 of Part 1 – Consent Agenda as read and adopts the items.

Carried.

5 MINUTES

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

5.1.1 November 18th, 2009 – Regular Meeting of Council Minutes.

RESOLUTION NO. 552

Moved by Dave Wilson. Seconded by Tracey Simon.

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 December 2nd, 2009 Regular Meeting of Council as read.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 August 4th, 2009 – Ear Falls Museum Committee Meeting.

5.2.2 August 4th, 2009 – Ear Falls Cemetery Committee Meeting.

5.2.3 September 30th, 2009 – Ear Falls Health & Safety Committee Meeting.

RESOLUTION NO. 553

Moved by Dave Wilson. Seconded by Robert Doyle.

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 5.2.3 at the December 2nd, 2009 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 November 3rd, 2009 – Municipality of Red Lake Regular / Closed Meeting of Council Minutes.

5.3.2 November 3rd, 2009 - Municipality of Red Lake Regular Meeting of Council Minutes.

5.3.3 November 10th, 2009 - Municipality of Red Lake Special Committee of the Whole Meeting Minutes.

RESOLUTION NO. 554

Moved by Tracey Simon. Seconded by Robert Doyle.

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 5.3.3 at the December 2nd, 2009 Regular Meeting of Council.

Carried.

6 TENDERS

F18-RF

6.1 Request for Proposals – To Develop and Implement a Marketing Plan for the Township of Ear Falls.

RESOLUTION NO. 555

Moved by Robert Doyle. Seconded by Tracey Simon.

WHEREAS By-Law No. 1482-09, dated October 21st, 2009, authorized the execution of the Community Adjustment Fund Agreement for the Ear Falls Marketing Project No. 846-505079;

NOW THEREFORE BE IT RESOLVED THAT on the recommendation of the Evaluation Committee, Council of the Corporation of the Township of Ear Falls accepts the Proposal for the Development and Implementation of a Marketing Plan from BCG Communications in accordance with the Request for Proposals and Proposal as attached.

Carried.

7 ROUTINE ADMINISTRATIVE REPORTS

7.1 Reports from Departments

7.1.1 Monthly Report from By-Law Enforcement Officer Gary

Gazankas.

7.1.2 Monthly Report from Fire Chief Gary Gazankas.

7.1.3 Monthly Report from Health & Safety Coordinator Gary Gazankas.

7.1.4 Monthly Report from Chief Building Official Gary Gazankas.

7.1.5 Monthly Report from EMO Coordinator Gary Gazankas.

7.1.6 Monthly Report from ODA Coordinator Gary Gazankas.

7.1.7 Monthly Report from Public Service & Operations Supervisor Perry Dyck.

RESOLUTION NO. 556

Moved by Dave Wilson. Seconded by Robert Doyle.

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 December 2nd, 2009 Regular Meeting of Council.

Carried.

8 MISCELLANEOUS MOTIONS

8.1 Accounts Payable – #11B dated November 20th, 2009 in the amount of \$391,484.23.

Accounts Payable – #11B dated November 20th, 2009 in the amount of \$391,484.23 was reviewed in accordance of By-Law No. 1459-09.

8.2 Payroll – PR0923 – dated November 19th, 2009 in the amount of \$39,896.81.

Payroll – PR0923 – dated November 19th, 2009 in the amount of \$39,896.81 was reviewed in accordance of By-Law No. 1459-09.

8.3 Correspondence:

A16-KE

8.3.1 Letter dated November 18th, 2009 from the Kenora District Services Board re: The Affordable Housing Program – 2009 Extension.

C11-MP

8.3.2 Letter dated November 23rd, 2009 from the Premier of Ontario, Dalton McGuinty re: the Ontario Municipal Partnership Fund

allocations for the Township of Ear Falls to advise that the Township's letter has been forwarded to the Honourable Dwight Duncan, Minister of Finance.

A01-MU

8.3.3 Email dated November 26th, 2009 from the Association of Municipalities of Ontario re: Advocacy for the OMPF and OMPF Mitigation Funding for 2010.

RESOLUTION NO. 557

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the documents numbered 8.3.1 to 8.3.3 at the December 2nd, 2009 Regular Meeting of Council.

Carried.

A.P.

8.4 Travel and attendance to the 2010 ROMA / OGRA Combined Conference being held from February 21st – 24th, 2010 at the Fairmont Royal York Hotel in Toronto.

Otherwise dealt with.

A.P.

8.5 Attendance to the 69th Kenora District Municipal Association Conference being held in Ear Falls from February 4th – 6th, 2010.

RESOLUTION NO. 558

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the following are hereby authorized to host and attend the 69th Annual Kenora District Municipal Association Conference being held in Ear Falls from February 4th – 6th, 2010:

- Mayor Ron Bergman Sr.
- Councillor Robert Doyle
- Councillor Tracey Simon
- Councillor Kim Thain
- Councillor Dave Wilson
- Clerk Treasurer Administrator Kimberly Ballance
- Deputy Clerk Treasurer Paulette Covell

Carried.

*F11-LI

8.6 Request from the Recreation Department to submit a Funding Application to the Chukuni Communities Development Corporation

for the Local Initiatives Program (LIP) for the purchase of an Optoma HD71 Projector multimedia projector, 4 year extended warranty, ceiling mounting system, protective carrying case, screen and accessories.

RESOLUTION NO. 559

Moved by Dave Wilson. Seconded by Tracey Simon.

RESOLVED THAT Recreation / Community Program Coordinator David Hoey be authorized and directed to submit an Application for funding to the Chukuni Communities Development Corporation regarding the Local Initiatives Program (LIP) as per the attached.

Carried.

9 BY-LAWS

RESOLUTION NO. 560

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law No. 1499-09, 1500-09, 1501-09, 1502-09, and 1503-09 as read, without amendment or debate, a first and second time.

Carried.

9.1 By-Law No. 1499-09, a By-Law to Affirm Minor Decisions by Council.

T.C. / L07-LA

9.2 By-Law No. 1500-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

9.3 By-Law No. 1501-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

9.4 By-Law No. 1502-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

A09-PA

9.5 By-Law No. 1503-09, a By-Law to Establish and Adopt a Pandemic Influenza Plan for the Township of Ear Falls.

RESOLUTION NO. 561

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law No. 1499-09, 1500-09, 1501-09, 1502-09, and 1503-09 as read a third time and passed.

Carried.

PART II – OTHER ITEMS

10 ADMINISTRATIVE REPORTS

None.

11 ITEMS FOR DIRECTION

A19-CO

11.1 Change Order No. 2 from Calnitsky Architects regarding the Ear Falls Community Health Centre.

RESOLUTION NO. 562

Moved by Dave Wilson. Seconded by Robert Doyle.

WHEREAS Resolution No. 324-09, dated June 3rd, 2009, authorized the execution of a construction contract with Terra-Deco Enterprises Ltd. for the Ear Falls Community Health Centre; and

WHEREAS Resolution No. 399-09, dated August 5th, 2009, authorized the execution of Change Order No. 1, which included the removal of Alternative Price No. 1 (demolition, re-cladding and site work) in the amount of \$169,264; and

WHEREAS By-Law No.1497-09, dated November 18th, 2009, authorized the execution of the Community Adjustment Fund Agreement for the Community Health Centre Project demolition, recladding and site work;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Ear Falls accepts Change Order No. 2 Rev., dated September 9th, 2009, from Calnitsky Architects for the Community Health Centre Project which reinstates Alternative Price No. 1 at a cost of \$169,264.00 (demolition, re-cladding and site work); and

FURTHER THAT the Mayor is hereby authorized and directed to execute Change Order No. 2 Rev. as attached.

Carried.

A19-CO

- 11.2 Change Orders No. 4 and 5 from Calnitsky Architects regarding the Ear Falls Community Health Centre.

RESOLUTION NO. 563

Moved by Tracey Simon. Seconded by Robert Doyle.

WHEREAS Resolution No. 324-09, dated June 3rd, 2009, authorized the execution of a construction contract with Terra-Deco Enterprises Ltd. for the Ear Falls Community Health Centre; and

WHEREAS the Township has requested changes to the design of the Community Health Centre including the deletion of the Security Curtain and Schlüter Deco Trim;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Ear Falls accepts Change Order No. 4, dated November 24th, 2009, and Change Order No. 5, dated November 24th, 2009, from Calnitsky Architects for the Community Health Centre Project which provides a credit of \$7,096.14 and \$4,817.58 respectively; and

FURTHER THAT the Mayor is hereby authorized and directed to execute Change Order No. 4 and Change Order No. 5 as attached.

Carried.

12 REPORTS OF MEMBERS OF COUNCIL

12.1 Councillor Dave Wilson

- Non Profit Housing Corporation Board
 - There are two (2) new tenants.
- Community Health Centre
 - Currently Terra-Deco is painting at the Community Health Centre. The tour of the Clinic last week was great.
- Red Lake Margaret Cochenour Memorial Hospital Board Meeting
 - The Board has not been able to hold Meetings due to a lack of quorum. A Meeting will be held next week for an In-Camera discussion.

12.2 Councillor Robert Doyle

- Public Library Board Meeting
 - Re-Scheduled to Tuesday, December 15th, 2009.
- Museum Committee Meeting
 - The Committee Members will be utilizing the Well-Air building for re-furbishing the display cases.

- Cemetery Committee Meeting
 - Zone H has been proposed to be the next Zone to be opened at the Cemetery.
 - Zone A has been proposed to be the next Zone for revitalization.
 - Benches and bollards will be installed in the Spring.

12.3 Councillor Tracey Simon

- Ear Falls Public School Parent Council dinner with Wabauskang First Nation
 - It was very nice; however it was unfortunate that the Band Chief and Council were unable to attend.
- Senior's Christmas dinner in Red Lake (December 1st, 2009)
 - Was very well attended and it was nice to see so many Ear Falls seniors attend.
 - Ear Falls Pioneer Denis Paradis will be turning 100 on December 4th, 2009 and is currently living at the hospital in Red Lake. The Township will be sending a Certificate to him for this event.
- Public Service & Operations Update
 - PSAB is causing a lot of work for the Public Service & Operations Staff. Would like to recognize Public Service & Operations Staff's contribution as they have been extremely busy.
- Red Lake Landfill Site
 - I will not be attending the Landfill Site and will contact Brian Anderson to let him know. Requested that the issue be revisited at the December 15th, 2009 Regular Meeting of Council to address the costs and potential revenues of this venture.
- KDMA Executive Meeting
 - Round Table Session with MP Greg Rickford.
 - If anyone has any concerns, please advise.

12.4 Mayor Ron Bergman Sr.

- Northern Ontario Growth Plan Meeting (Tuesday, November 24th, 2009 in Kenora)
 - This is the second Plan of this type in the Province. Many key areas are being addressed in the Plan. A copy of the documents provided at the Meeting will be made available via the Clerk Treasurer Administrator.
 - Had an opportunity at the Meeting to speak with Amie Dimatteo, NOHFC Executive Director and thanked him and the Board for the Funding received for the Ear Falls Multiplex.

- Minister Gravelle’s Announcement Regarding Forest Tenure
 - Wanted to highlight to Council the importance of this announcement for new businesses to take advantage of underutilized fibre. This may or may not be a good thing for the community, but does increase the opportunities for new business.

13 IN-CAMERA MEETING

13.1 RESOLUTION NO. 564

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby convenes into an In – Camera Session at 7:28 p.m. to discuss matters pertaining to:

- Section 239 (2) (c) – A proposed or pending acquisition or disposition of land by the municipality or local board – Proposed disposition of land by the municipality – Plan M653.
- Section 239 (2) (c) - A proposed or pending acquisition or disposition of land by the municipality or local board – Proposed disposition of land by the municipality – Plan 23R-3279.
- Section 239 (2) (c) - A proposed or pending acquisition or disposition of land by the municipality or local board – Proposed disposition of land by the municipality – Plan M661.

Carried.

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. – Proposed disposition of land by the municipality – Plan M653.

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. – Proposed disposition of land by the municipality – Plan 23R-3279.

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. – Proposed disposition of land by the municipality – Plan M661.

13.2 RESOLUTION NO. 565

Moved by Dave Wilson. Seconded by Robert Doyle.

RESOLVED THAT the Council of the Township of Ear Falls convened from an In – Camera Session at 7:47 p.m. to the Regular Meeting of Council.

Carried.

14 IN-CAMERA REPORT

Council directed the Clerk Treasurer Administrator to bring forward offers to purchase lots within Plan M653.

Council directed the Clerk Treasurer Administrator to address the request for land within Plan 23R-3279.

Council directed the Clerk Treasurer Administrator to address the request for land within Plan M661.

15 ADJOURNMENT

15.1 RESOLUTION NO. 566

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 7:48 p.m.

Carried.

Mayor

Clerk