

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

**MINUTES** of the Regular Meeting of Ear Falls Council #01  
Ear Falls Council Chambers  
January 7<sup>th</sup>, 2009 @ 7:00 p.m.

**1. CALL TO ORDER**

- 1.1 Mayor Bergman called the meeting to order at 7:00 p.m.
- 1.2 Present: Mayor Ron Bergman Sr., Councillor Kim Thain, Councillor Tracey Simon, Councillor Dave Wilson, Councillor Robert Doyle, Clerk Treasurer Administrator Kimberly Ballance, and two members of the public.
- 1.3 Approval of Agenda.

RESOLUTION NO. 001

Moved by Robert Doyle. Seconded by Dave Wilson.

RESOLVED THAT the Agenda for this Regular Meeting of Council be approved with the following addition:

11.8 Community Sponsored Contract – On Call Agreement.

Carried.

**2. DISCLOSURE OF INTEREST**

- 2.1 Disclosure of pecuniary interest and the general nature thereof.

Mayor Ron Bergman Sr. declared an interest in Item Number 11.1 because he is related to the person involved in the inquiry.

**3. MINUTES OF PREVIOUS MEETINGS**

- 3.1 The review and passing of the Minutes of the previous meetings.

RESOLUTION NO. 002

Moved by Tracey Simon. Seconded by Robert Doyle.

RESOLVED THAT the Minutes of the December 16<sup>th</sup>, 2008 Regular Meeting of Council be accepted as read.

Carried.

- 3.2 Matters arising out of the Minutes.

None Declared.

#### **4. DELEGATIONS, DEPUTATION, AND PETITIONS**

A16-ON

4.1 Staff Sergeant Brent Bennett, Red Lake O.P.P. Detachment and Sergeant Carl Pettigrew, Ear Falls O.P.P. Detachment

- Annual Report

Report was presented to all members of Council. Sergeant Carl Pettigrew presented information on O.P.P. Staffing Issues, transportation and equipment, the O.P.P. Detachment Building, statistics for Ear Falls (highway traffic charges, seatbelt checks, commercial vehicle charges, impaired vehicle charges, ATVs, RIDE Program, Liquor Licence Act, property checks, foot patrol) and Calls for Service. Sergeant Pettigrew also discussed issues related to O.P.P. response time within the community, ATV / snow machine use, officer training and ongoing staffing concerns.

#### **5. TENDERS**

None.

#### **6. REPORTS**

C.O.

6.1 Reports from Departments.

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

6.1.2 Monthly Report from Day Care / Parent Resource Coordinator Marg Trippier.

RESOLUTION NO. 003

Moved by Kim Thain. Seconded by Dave Wilson.

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

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

6.1.2 Monthly Report from Day Care / Parent Resource Coordinator Marg Trippier.

Carried.

C.O.

6.2 Minutes of Committees.

None.

6.3 Reports of Members of Council.

6.3.1 Mayor Ron Bergman Sr.

- Trout Lake Forest Management Plan issue at Wenesaga Lake has been resolved with a 150 m. buffer along the residential lots.
- Public Advisory Committee Meeting
  - The main purpose of the Meeting was to reduce the CSA document indicator list as some of these items are duplicates of what is required in the Forest Management Plan. The Committee decided to remove 11 items of the 77 total indicators.
- Ontario Forestry Coalition
  - This organization is supported by NOMA and therefore by the Township of Ear Falls, however recent media and lobbying activities do not identify Ear Falls. Advised that he will be raising this issue at both KDMA and with the NOMA President.

6.3.2 Councillor Robert Doyle

- The Cemetery / Museum Committee Meeting has been re-scheduled to January 20<sup>th</sup>, 2009.

6.3.3 Councillor Kim Thain

- The KDSB Meeting and the Recreation Committee Meeting are scheduled for January 8<sup>th</sup>, 2009.

6.3.4 Councillor Tracey Simon

- The Red Lake Margaret Cochenour Memorial Hospital Board Meeting is scheduled for January 8<sup>th</sup>, 2009.
- Youth Drop-In Sub-Committee (Recreation Committee)
  - Advised that she has accepted a position on this Sub-Committee at David Hoey's request.

6.3.5 Councillor Dave Wilson

- Community Health Centre
  - We have a Doctor! This is a huge accomplishment and Ann Marie Parrish and the Community Health Centre

Board have done an amazing job. Dr. Botha has advised that he will attend Community Health Centre Board Meetings if the Board requests him to attend.

- Funding for the Community Health Centre is a concern in 2009 and ongoing years. The Community Health Centre currently receives 44% of the Physician's base salary for operations. In addition the Township contributes about \$15,000.00. The Township also funds the locum accommodation at about \$8,000.00. The Community Health Centre can access locum funding only if the Township does not have a locum accommodation. The Community Health Centre would like to see if Council is amendable to terminating their funding for the locum accommodation and adding that expenditure to the Community Health Centre contribution therefore increasing the Township's contribution to about \$23,000.00. Requested that this possibility be put on the Agenda for the next Meeting of Council.
- Advised that Council, the Community Health Centre Board, the Clerk Treasurer Administrator, and the Executive Director are invited to a Wine and Cheese on January 26<sup>th</sup>, 2009 at 7:00 p.m. at Rod and Sue Sheridan's home.
- Doctor's House
  - Upgrades to the garage have been requested including changes to the electrical system. Perry Dyck is aware of this issue and will be working with Dr. Botha to address the problems. Additional upgrades to the furnace and heating system will be required in 2009.
- Non-Profit Housing Corporation Board has not had a Meeting yet this year.

#### 6.4 Minutes Received and Filed from other Agencies / Organizations

##### 6.4.1 Red Lake Touring Region Marketing Committee Meeting Minutes.

RESOLUTION NO. 004

Moved by Robert Doyle. Seconded by Tracey Simon.

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

##### 6.4.2 Red Lake Touring Region Marketing Committee Meeting Minutes.

Carried.

**7. PAYMENTS OF ACCOUNTS**

- 7.1 Accounts Payable – #12A dated December 12<sup>th</sup>, 2008 in the amount of \$220,813.02 and #12B dated December 19<sup>th</sup>, 2008 in the amount of \$73,761.05.

Accounts Payable – #12A dated December 12<sup>th</sup>, 2008 in the amount of \$220,813.02 and #12B dated December 19<sup>th</sup>, 2008 in the amount of \$73,761.05 were reviewed in accordance of By-Law No. 512-89.

- 7.2 Payroll – PR0826 – dated December 18<sup>th</sup>, 2008 in the amount of \$26,829.93, Special Pay – dated December 18<sup>th</sup>, 2008 in the amount of \$1,480.18 and PR0827 – dated December 31<sup>st</sup>, 2008 in the amount of \$27,479.43.

RESOLUTION NO. 005

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT Payroll Disbursement PR0826 – dated December 18<sup>th</sup>, 2008 in the amount of \$26,829.93, Special Pay – dated December 18<sup>th</sup>, 2008 in the amount of \$1,480.18 and PR0827 – dated December 31<sup>st</sup>, 2008 in the amount of \$27,479.43 be approved.

Carried.

**8. CORRESPONDENCE REQUESTING THE ATTENTION OF COUNCIL**

A.P.

- 8.1 Letter dated December 12<sup>th</sup>, 2008 from Wendy Gatrell re: Request for financial assistance for the registration fee for the Municipal Accounting and Finance Program (Unit One) through AMCTO.

RESOLUTION NO. 006

Moved by Dave Wilson. Seconded by Kim Thain.

WHEREAS the Bargaining Unit Agreement between the Corporation and the Union specifies the process for Employee-Initiated Participation in Appendix C - the Township of Ear Falls' Municipal Training and Development Policy; and

WHEREAS this process allows Council to approve areas of study deemed to have an indirect relationship to present job responsibilities;

NOW THEREFORE BE IT RESOLVED THAT Council approves the \$150.00 payment for Unit 2 of the Municipal Accounting and Finance Program to Wendy Gatrell; and

FURTHER THAT the remainder of the Township of Ear Falls' Municipal Training and Development Policy be adhered to.

Carried.

A09-NO

8.2 Letter dated December 15<sup>th</sup>, 2008 from the Wenasaga Road Association re: Request that the Township maintain the road to the cottage sites.

For Discussion. Council would like to see a revision to the Non-Municipal Roads Maintenance and Construction Policy to include Wenasaga South Lake Road and the Landing Road.

A.P.

8.3 Letter dated December 17<sup>th</sup>, 2008 from the Ministry of Natural Resources Re: Invitation to attend a Planning Session regarding Species at Risk Legislation being held in Kenora on Wednesday, January 21<sup>st</sup>, 2009 beginning at 10:00 a.m.

RESOLUTION NO. 007

Moved by Dave Wilson. Seconded by Tracey Simon.

RESOLVED THAT Clerk Treasurer Administrator Kimberly Ballance is hereby authorized travel and attendance to the Ministry of Natural Resources Planning Session regarding Species at Risk Legislation being held in Kenora on Wednesday, January 21<sup>st</sup>, 2009 beginning at 10:00 a.m.

Carried.

**9. CORRESPONDENCE COPIED FOR THE INFORMATION OF COUNCIL**

None.

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

None.

**11. OTHER AND UNFINISHED BUSINESS**

Mayor Ron Bergman Sr. removed himself as the Chair. Deputy Mayor Robert Doyle took over as Chair.

R03-AR

11.1 Repealing of Resolution No. 696-08.

RESOLUTION NO. 008

Moved by Dave Wilson. Seconded by Kim Thain.

WHEREAS a clerical error was made on Resolution No. 696-08, dated December 16<sup>th</sup>, 2008; and

WHEREAS a written request was received by the Corporation on October 28<sup>th</sup>, 2008 from Rod Bergman requesting the return of 13 items from the Township of Ear Falls Museum Collection; and

WHEREAS the Museum Committee has examined the original, signed Catalogue Cards and Museum Records for the 13 items, have concluded that the items were donated to the Township of Ear Falls Museum and recommend the retention of the items within the Township's Collection;

NOW THEREFORE BE IT RESOLVED THAT Resolution No. 696-08, dated December 16<sup>th</sup>, 2008 is hereby repealed; and

FURTHER THAT Council denies the request submitted by Rod Bergman; and

FURTHER THAT Council retain the donated items as property of the Corporation; and

FURTHER THAT a letter be sent to Rod Bergman notifying him of this decision.

Carried.

Mayor Bergman returned to the Meeting as Chair.

F00-TA

11.2 To contract the services of Municipal Tax Equity Consultants Inc. (MTE) to provide the 2009 Assessment Roll Audit and Strategic Planning Study.

RESOLUTION NO. 009

Moved by Robert Doyle. Seconded by Kim Thain.

RESOLVED THAT the Township of Ear Falls contract the services of Municipal Tax Equity Consultants (MTE) to provide the 2009 Assessment Roll Audit and Strategic Planning Study for a fee of \$1,250.00.

Carried.

A.P.

- 11.3 Memo dated December 12<sup>th</sup>, 2008 from Day Care / Parent Resource Coordinator Marg Trippier re: Request for travel and attendance to the January Child Development Workshop being held in Dryden on January 19<sup>th</sup> and 20<sup>th</sup>, 2009.

RESOLUTION NO. 010

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT Day Care / Parent Resource Coordinator Marg Trippier is hereby authorized travel and attendance to the January Child Development Workshop being held in Dryden on January 19<sup>th</sup> and 20<sup>th</sup>, 2009; and

FURTHER THAT all costs, excluding wages and meals, associated with the January Child Development Workshop be borne by the Lake of the Woods Child Development Centre.

Carried.

C12-BO

- 11.4 Appointment to a Municipal Board / Committee.

RESOLUTION NO. 011

Moved by Kim Thain. Seconded by Dave Wilson.

RESOLVED THAT Geri Seguin be appointed to the Ear Falls Recreation Committee; and

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

Carried.

A.P.

- 11.5 2009 AMO Annual General Meeting and Conference being held in Ottawa from August 16<sup>th</sup> to 19<sup>th</sup>, 2009.

RESOLUTION NO. 012

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the following are hereby authorized travel and attendance to the 2009 AMO Annual General Meeting and Conference being held in Ottawa from August 16<sup>th</sup> to 19<sup>th</sup>, 2009:

- Mayor Ron Bergman Sr.
- Robert Doyle

Carried.

A21-MI / A.R.

- 11.6 Rental Agreement with the Ministry of Government Services, ServiceOntario to provide Health Card Services for the year 2009.

RESOLUTION NO. 013

Moved by Dave Wilson. Seconded by Robert Doyle.

RESOLVED THAT the Clerk Treasurer Administrator is hereby authorized and directed to execute the Rental Agreement with the Ministry of Government Services, ServiceOntario providing 1 Shelski Lane as the location for Health Card Services in our community effective January 1<sup>st</sup>, 2009 to December 31<sup>st</sup>, 2009, as per the attached.

Carried.

A09-DO

- 11.7 List of Donations for 2008.

For information only.

S08-DO

- 11.8 Community Sponsored Contract – On Call Agreement.

RESOLUTION NO. 014

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the Mayor and Clerk Treasurer Administrator are hereby authorized and directed to sign the On Call Agreement as attached.

Carried.

## **12. MEETINGS, CONFERENCES AND CONVENTIONS**

- 12.1 Feb. 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, 2008 – 68<sup>th</sup> Annual KDMA Conference and Annual General Meeting being held in Machin – Tracey Simon, Kim Thain, Dave Wilson, and Kimberly Ballance.
- 12.2 February 22<sup>nd</sup> – 25<sup>th</sup>, 2009 – 2009 OGRA / ROMA Combined Conference being held in Toronto at the Fairmont Royal York Hotel - Tracey Simon and Perry Dyck.
- 12.3 June 14<sup>th</sup> – 17<sup>th</sup>, 2009 – 2009 AMCTO's 71<sup>st</sup> Annual General Meeting and Conference being held in Sault Ste. Marie - Kimberly Ballance and Paulette Covell.

### 13. BY-LAWS

#### 13.1 By-Law to Affirm Minor Decisions.

##### RESOLUTION NO. 015

Moved by Tracey Simon. Seconded by Dave Wilson.

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

Carried.

##### RESOLUTION NO. 016

Moved by Kim Thain. Seconded by Robert Doyle.

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

Carried.

##### RESOLUTION NO. 017

Moved by Robert Doyle. Seconded by Tracey Simon.

THAT A BY-LAW to Affirm Minor Decisions by Council be read a third time, passed and numbered 1407-09 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.

D.C.

#### 13.2 By-Law to Authorize the Borrowing of \$750,000.00 Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, Section 407 (1), as Amended.

##### RESOLUTION NO. 018

Moved by Robert Doyle. Seconded by Kim Thain.

THAT A BY-LAW to Authorize the Borrowing of \$750,000.00 Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, Section 407 (1), as Amended be read a first time.

Carried.

##### RESOLUTION NO. 019

Moved by Dave Wilson. Seconded by Tracey Simon.

THAT A BY-LAW to Authorize the Borrowing of \$750,000.00 Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, Section 407 (1), as Amended be read a second time.

Carried.

RESOLUTION NO. 020

Moved by Tracey Simon. Seconded by Kim Thain.

THAT A BY-LAW to Authorize the Borrowing of \$750,000.00 Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, Section 407 (1), as Amended be read a third time, passed and numbered 1408-09 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-RE

13.3 By-Law to Authorize the Execution of an Agreement Between the Township of Ear Falls and 1708753 Ontario Inc. o/a Chukuni Sanitation.

RESOLUTION NO. 021

Moved by Tracey Simon. Seconded by Kim Thain.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and 1708753 Ontario Inc. o/a Chukuni Sanitation be read a first time.

Carried.

RESOLUTION NO. 022

Moved by Kim Thain. Seconded by Robert Doyle.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and 1708753 Ontario Inc. o/a Chukuni Sanitation be read a second time.

Carried.

RESOLUTION NO. 023

Moved by Dave Wilson. Seconded by Tracey Simon.

THAT A BY-LAW to Authorize the Execution of an Agreement Between the Township of Ear Falls and 1708753 Ontario Inc. o/a Chukuni Sanitation be read a third time, passed and numbered 1409-

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. 024

Moved by Kim Thain. 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 8:20 p.m. to discuss matters pertaining to:

<b>Under Section</b>	<b>Subject Matter</b>
2. (b)	To review Non-Union Staff salary information.

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;

To review Non-Union Staff salary information.

#### 14.2 RESOLUTION NO. 025

Moved by Tracey Simon. Seconded by Kim Thain.

RESOLVED THAT the Council of the Township of Ear Falls convened from an In-Camera Session at 9:12 p.m. to the Regular Meeting of Council.

Carried.

### 15. IN-CAMERA RESOLUTIONS

Council reviewed the information presented and will take it under advisement for the 2009 and future budget years.

### 16. ADJOURNMENT

#### 16.1 RESOLUTION NO. 026

Moved by . Seconded by .

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 9:13 p.m.

Carried.

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Mayor

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Clerk