

# THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

**MINUTES** of the Regular Meeting of Ear Falls Council #21  
Ear Falls Municipal Council Chambers  
November 4<sup>th</sup>, 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, Councillor Tracey Simon, Councillor Dave Wilson, Councillor Kim Thain, Councillor Rob Doyle, Clerk Treasurer Administrator Kimberly Ballance, and one member of the public.

## **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.)

Clarification requested on Items 8.3.2, 8.9, and 8.10.

**RESOLUTION NO. 503**

Moved by Robert Doyle. Seconded by Dave Wilson.

**RESOLVED THAT** the Council of the Corporation of the Township of Ear Falls hereby considers Items in Sections 5 – 8 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 October 21<sup>st</sup>, 2009 – Regular Meeting of Council Minutes.

RESOLUTION NO. 504

Moved by Robert Doyle. Seconded by Kim Thain.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls accepts the Minutes of the previous Meetings of Council numbered 5.1.1 at the November 4<sup>th</sup>, 2009 Regular Meeting of Council as read.

Carried.

C.O.

5.2 Minutes of Committees

None.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 September 15<sup>th</sup>, 2009 – Municipality of Red Lake Regular / Closed Meeting of Council Minutes.

5.3.2 September 15<sup>th</sup>, 2009 – Municipality of Red Lake Regular Meeting of Council Minutes.

5.3.3 September 16<sup>th</sup>, 2009 – Common Voice Northwest Mining Task Force Meeting Minutes.

5.3.4 August 27<sup>th</sup>, 2009 - Kenora District Services Board Regular Meeting of the Board Minutes.

5.3.5 October 6<sup>th</sup>, 2009 - Municipality of Red Lake Regular / Closed Meeting of Council Minutes.

5.3.6 October 6<sup>th</sup>, 2009 - Municipality of Red Lake Regular Meeting of Council Minutes.

RESOLUTION NO. 505

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 Minutes from other Agencies / Organizations numbered 5.3.1 to 5.3.6 at the November 4<sup>th</sup>, 2009 Regular Meeting of Council.

Carried.

## **6 TENDERS**

None.

## **7 ROUTINE ADMINISTRATIVE REPORTS**

### **7.1 Reports from Departments**

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

RESOLUTION NO. 506

Moved by Dave Wilson. Seconded by Tracey Simon.

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 November 4<sup>th</sup>, 2009 Regular Meeting of Council.

Carried.

## **8 MISCELLANEOUS MOTIONS**

8.1 Accounts Payable – #10B dated October 23<sup>rd</sup>, 2009 in the amount of \$142,151.52.

Accounts Payable – #10B dated October 23<sup>rd</sup>, 2009 in the amount of \$142,151.52 was reviewed in accordance of By-Law No. 1459-09.

8.2 Payroll – PR0921 – dated October 22<sup>nd</sup>, 2009 in the amount of \$28,941.58.

Payroll – PR0921 – dated October 22<sup>nd</sup>, 2009 in the amount of \$28,941.58 was reviewed in accordance of By-Law No. 1459-09.

8.3 Correspondence:

C.O.

8.3.1 Memo dated October 20<sup>th</sup>, 2009 from Clerk Treasurer Administrator Kimberly Ballance re: Report to Council – Travel Budget from January to September 2009.

S00-RE

8.3.2 Email dated October 11<sup>th</sup>, 2009 received from Acting Executive Director Loreen Holt, NOMA re: Media Release from the Dryden Regional Health Centre Chief Executive Officer commending the Government of Ontario for proposing to redesign Ontario's Underserviced Area Program (UAP).

Clarification was requested on this Item as to the response provided by the Township.

RESOLUTION NO. 507

Moved by Kim Thain. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the documents numbered 8.3.1 and 8.3.2 at the November 4<sup>th</sup>, 2009 Regular Meeting of Council.

Carried.

A.P.

8.4 Travel and attendance to the Aspenware Meeting held in Dryden on Tuesday, October 20<sup>th</sup>, 2009.

RESOLUTION NO. 508

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the following are hereby authorized travel and attendance to the Aspenware Meeting held in Dryden on Tuesday, October 20<sup>th</sup>, 2009:

- Ron Bergman Sr.
- Dave Wilson

Carried.

T.C.

8.5 Request for Reconsideration – Minutes of Settlement for the 2009 Tax Year.

RESOLUTION NO. 509

Moved by Tracey Simon. Seconded by Kim Thain.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection to the Request for Reconsideration - Minutes of Settlement for the 2009 Tax Year regarding the property identified as:

<b>ROLL NUMBER</b>	<b>CURRENT PHASE-IN ASSESSMENT</b>	<b>REVISED PHASE-IN ASSESSMENT</b>
6042-000-002-02875	\$ 112,250	\$ 78,657

Carried.

P09-CO

- 8.6 Letter dated October 15<sup>th</sup>, 2009 from the Royal Canadian Legion Ear Falls Branch #238 re: Request for Letter of Support regarding a Social Gaming Licence Application.

RESOLUTION NO. 510

Moved by Dave Wilson. Seconded by Tracey Simon.

WHEREAS the Royal Canadian Legion, Ear Falls Branch 238 is applying to the Registrar for Alcohol and Gaming Commission of Ontario for a Social Gaming Event Licence for December 31<sup>st</sup>, 2009 - New Year's Eve as a secondary component to a Social Event; and

WHEREAS pursuant to Section 6.2.2.(2) of the Alcohol and Gaming Commission of Ontario Gaming Registration and Lotteries Licencing Policy Manual, a letter of support from the municipality where the events are to be conducted must accompany the application;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection and supports the issuance of a Social Gaming Event Licence to the Royal Canadian Legion, Ear Falls Branch 238 from the Registrar; and

FURTHER THAT the Mayor is hereby authorized and directed to send a letter supporting the application of the Royal Canadian Legion.

Carried.

A04-KE

- 8.7 Hall Rental Agreement with the Royal Canadian Legion Ear Falls Branch #238 for the purpose of holding the Kenora District Municipal Association Annual Conference being held February 4<sup>th</sup> – 6<sup>th</sup>, 2010.

RESOLUTION NO. 511

Moved by Kim Thain. Seconded by Dave Wilson.

RESOLVED THAT Council of the Township of Ear Falls authorizes the Clerk Treasurer Administrator to execute a Hall Rental Agreement with the Royal Canadian Legion Ear Falls Branch #238 for the purpose of holding the Kenora District Municipal Association Annual Conference (February 4<sup>th</sup> – 6<sup>th</sup>, 2010).

Carried.

H11-CU / P.C. / P.S. & O.

- 8.8 Memo dated October 19<sup>th</sup>, 2009 re: Resignation of Cindy Schmidt from the Custodial Position Casual / Call-In Relief.

RESOLUTION NO. 512

Moved by Kim Thain. Seconded by Tracey Simon.

RESOLVED THAT the resignation of Cindy Schmidt from the Custodial Position Casual / Call-In Relief be accepted with regrets effective immediately.

Carried.

L04-CH

8.9 2009 Amended Budget from the Kenora District Services Board.

Clarification was requested on this Item as to the reason for the increase in the Budget. Councillor Kim Thain identified that the increase was primarily due to increased Ontario Works expenditures.

RESOLUTION NO. 513

Moved by Kim Thain. Seconded by Tracey Simon.

RESOLVED THAT Council accepts the 2009 Amended Budget from the Kenora District Services Board as attached; and

FURTHER THAT the increase of \$10,493.00 be funded through the General Operating Fund.

Carried.

C12-BO

8.10 Township of Ear Falls' Multiplex Committee Appointment.

Clarification was requested on how the appointees were chosen, and the role of the Committee.

RESOLUTION NO. 514

Moved by Dave Wilson. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Township of Ear Falls approves the creation of a Multiplex Committee; and

FURTHER THAT the following two (2) Members of Council be appointed to the Multiplex Committee:

- Tracey Simon
- Dave Wilson

; and

FURTHER THAT the term of these Appointments shall be for the duration of the present Council.

Carried.

T.C.

- 8.11 Request for Reconsideration – Minutes of Settlement for the 2009 Tax Year.

RESOLUTION NO. 515

Moved by Kim Thain. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection to the Request for Reconsideration - Minutes of Settlement for the 2009 Tax Year regarding the property identified as:

<b>ROLL NUMBER</b>	<b>CURRENT PHASE-IN ASSESSMENT</b>	<b>REVISED PHASE-IN ASSESSMENT</b>
6042-000-002-09200	\$ 110,250	\$ 101,750

Carried.

A21-MI

- 8.12 Rental Agreement with the Ministry of Government Services, ServiceOntario to provide 1 Shelski Lane as the location for Health Card Services in the Township of Ear Falls.

RESOLUTION NO. 516

Moved by Tracey Simon. Seconded by Dave Wilson.

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>, 2010 to December 31<sup>st</sup>, 2010, as per the attached.

Carried.

\*P00-FI / C12-BO / F.D.

- 8.13 Report from Fire Chief Gary Gazankas for Council's direction and approval re: the development of a Fire Department Master Plan to identify the strategic direction for fire protection within the Township of Ear Falls.

RESOLUTION NO. 517

Moved by Robert Doyle. Seconded by Tracey Simon.

WHEREAS the development of a Fire Department Master Plan is important to identify the strategic direction for fire protection within the Township of Ear Falls;

NOW THEREFORE BE IT RESOLVED THAT Council accepts and endorses the recommendation from Fire Chief Gary Gazankas in the Report “Fire Department Master Plan” dated October 20<sup>th</sup>, 2009 to develop a Fire Department Master Plan for the Township of Ear Falls; and

FURTHER THAT Mayor Ron Bergman and Councillor Rob Doyle be Council’s appointees on the Fire Services Review Steering Committee and Master Fire Planning Committee.

Carried.

C09-GE

8.14 Letter of Support regarding the moratorium on Post Office Closures and Rural Delivery and support of the Township of Ear Falls’ Canada Post Office.

RESOLUTION NO. 518

Moved by Dave Wilson. Seconded by Robert Doyle.

WHEREAS the Federal Government is proposing to raise the moratorium to allow Canada Post to close rural Post Offices; and

WHEREAS the public postal network connects communities throughout the world; and

WHEREAS the public postal network plays a key role in our community by providing jobs and infrastructure that communities need to thrive and businesses to grow;

NOW THEREFORE BE IT RESOLVED THAT the Mayor prepare and submit a letter to the Ontario Government expressing Council’s support for the continuation of Canada Post services in the Township of Ear Falls.

Carried.

T.C.

8.15 Request for Reconsideration – Supplementary or Omitted Assessment Minutes of Settlement.

RESOLUTION NO. 519

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection to the Request for Reconsideration - Supplementary or Omitted Assessment Minutes of Settlement for the 2008 Taxation Year regarding the following property:

ROLL NUMBER	ORIGINAL CURRENT VALUE	REVISED CURRENT VALUE
6042-000-002-09200	\$86,300	\$65,300

Carried.

## 9 BY-LAWS

### RESOLUTION NO. 520

Moved by Robert Doyle. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law Nos. 1484-09, 1485-09, 1486-09, 1487-09, 1488-09, 1489-09, 1490-09, 1491-09, and 1492-09 as read, without amendment or debate, a first and second time.

Carried.

9.1 By-Law No. 1484-09, a By-Law to Affirm Minor Decisions by Council.

T.C. / L07-LA

9.2 By-Law No. 1485-09, a By-Law to Authorize Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

9.3 By-Law No. 1486-09, a By-Law to Authorize Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

9.4 By-Law No. 1487-09, a By-Law to Authorize Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

9.5 By-Law No. 1488-09, a By-Law to Authorize Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C. / L07-LA

- 9.6 By-Law No. 1489-09, a By-Law to Authorize Mayor and Clerk  
Treasurer Administrator to Accept a Certain Offer to Purchase.

L04-RE

- 9.7 By-Law No. 1490-09, a By-Law to Authorize the Execution of an  
Agreement Between the Township of Ear Falls and 1708753 Ontario  
Inc. o/a Chukuni Sanitation Inc.

A09-TA

- 9.8 By-Law No. 1491-09, a By-Law to Establish and Adopt a Tangible  
Capital Asset Policy for the Township of Ear Falls.

\*F11-NO

- 9.9 By-Law No. 1492-09, a By-Law to Authorize the Execution of a  
Funding Agreement between the Corporation of the Township of Ear  
Falls and the Northern Ontario Heritage Fund Corporation for the Ear  
Falls Multiplex Project No. 950476.

RESOLUTION NO. 521

Moved by Kim Thain. Seconded by Dave Wilson.

RESOLVED THAT the Council of the Corporation of the Township of Ear  
Falls hereby consider By-Law Nos. 1484-09, 1485-09, 1486-09, 1487-09,  
1488-09, 1489-09, 1490-09, 1491-09, and 1492-09 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. 3 from Calnitsky Architects regarding the Ear Falls  
Community Health Centre.

RESOLUTION NO. 522

Moved by Tracey Simon. Seconded by Robert Doyle.

WHEREAS on September 9<sup>th</sup>, 2009 Calnitsky Architects presented the revised Change Order No. 2 reinstating the Alternative Price No. 1 in the amount of \$169,264.00; and

WHEREAS revised Change Order No. 2 has not been executed due to the pending finalization of the Community Adjustment Fund Agreement; and

WHEREAS on October 14<sup>th</sup>, 2009 Calnitsky Architects presented Change Order No. 3 for steel wall / concrete wall connections; door / frame D127B; and spray foam vestibule in the amount of \$4,837.41; and

WHEREAS Council deems it important to expediently process Change Orders as they are presented;

NOW THEREFORE BE IT RESOLVED THAT the Mayor is hereby authorized and directed to execute Change Order No. 3, dated October 14<sup>th</sup>, 2009.

Carried.

T.P. / A.P.

11.2 Travel and attendance to the Economic Development Summit being held in Sioux Lookout from November 16<sup>th</sup> – 19<sup>th</sup>, 2009.

No Member of Council is available to attend this session.

\*D02-NU

11.3 Memo dated October 23<sup>rd</sup>, 2009 from Clerk Treasurer Administrator Kimberly Ballance re: Nuclear Waste Management Organization's Process for Site Selection.

RESOLUTION NO. 523

Moved by Dave Wilson. Seconded by Robert Doyle.

WHEREAS the Nuclear Waste Management Organization (NWMO) is initiating a site selection process for a long-term management site for used nuclear fuel; and

WHEREAS insufficient information is available for Council to fully understand the impacts of this opportunity; and

WHEREAS Council feels it is important to investigate Economic Development opportunities in a manner that is transparent to the community;

NOW THEREFORE BE IT RESOLVED THAT Mayor Ron Bergman Sr. authorized and directed to submit a letter to the Nuclear Waste

Management Organization requesting more information and an initial screening for the Township of Ear Falls.

Carried.

T.P. / A.P.

11.4 Travel and attendance to the “Council Challenges in 2010” Session, facilitated by Fred Dean and Nigel Bellchamber, being held in Thunder Bay on January 26<sup>th</sup>, 2010.

RESOLUTION NO. 524

Moved by Dave Wilson. Seconded by Robert Doyle.

RESOLVED THAT the following are hereby authorized travel and attendance to the “Council Challenges in 2010” Session, facilitated by Fred Dean and Nigel Bellchamber, being held in Thunder Bay on January 26<sup>th</sup>, 2010:

- Ron Bergman Sr.
- Robert Doyle
- Tracey Simon
- Kim Thain
- Dave Wilson

Carried.

M01-NO

11.5 Special Meeting of Council to be held Friday, November 6<sup>th</sup>, 2009 at 10:30 a.m. in the Municipal Council Chambers to discuss the Ear Falls Multiplex.

RESOLUTION NO. 525

Moved by Kim Thain. Seconded by Tracey Simon.

RESOLVED THAT a Special Meeting of Council be held Friday, November 6<sup>th</sup>, 2009 at 10:30 a.m. in the Municipal Council Chambers to discuss the Ear Falls Multiplex.

Carried.

T.P. / A.P.

11.6 Travel and attendance to the CAO Programme for Excellence in Municipal Leadership Fall 2009 Session being held in London from November 17<sup>th</sup> – 20<sup>th</sup>, 2009.

Council raised concern that the cost for this training was not within the current budget year, however also noted that professional development is very important and proposed that these costs be addressed in the 2010 budget.

## 12 REPORTS OF MEMBERS OF COUNCIL

### 12.1 Councillor Robert Doyle

- Library Board Meeting held November 3<sup>rd</sup>, 2009
  - Reviewed the Circulation Policy and made some minor changes. The Library will also be receiving an extra \$500.00 from ServiceOntario. It must be spent by March 2010. The Board would like to get some computer equipment, paper, ink cartridges and an advertisement for ServiceOntario.
- Museum Meeting held November 3<sup>rd</sup>, 2009
  - Discussed what to do with several artifacts that are in bad shape and some that do not have to do with the history of Ear Falls (e.x two fish mounts, old stamps).
  - The Committee will be looking for volunteers to help paint and refurbish the display cases that we have. Staff will try to arrange for a warm workspace for this project.
  - Will be reviewing the mandate from the Museum.
  - The Committee will be completing a photo project to organize and get more information on a number of old photographs. Jim Buckner, Jan Silander and Gord Nagorski will be working on this.
  - We will also be moving some of the office equipment from the Museum to the basement of the Municipal Office.
- Cemetery Meeting held November 3<sup>rd</sup>, 2009
  - Two benches will be placed on the concrete pads at the Cemetery sometime before Spring.
  - The second section of runways are finished and look very nice. The headstones will be replaced in the near future based on the availability of the contractor.
  - The Committee also talked about a written complaint from a concerned citizen regarding the unauthorized work that occurred at the Cemetery and Perry Dyck will be addressing this in accordance with the Policy. Staff will be sending letters to the concerned citizen to identify how the issue will be rectified.

### 12.2 Councillor Dave Wilson

- Non-Profit Housing Corporation
  - Rented one unit to a couple from Red Lake.
  - The Board has decided that they will be moving thermostats in one four-plex to the basement to try to reduce heating costs.
- Community Health Centre Board Meeting
  - Currently the Community Health Centre is waiting for the Ministry to approve the budget for the one time funding request for furniture and equipment.

- They are also requesting additional funding for another Nurse to assist at the Clinic because the community needs a Nurse more than a Social Worker.
- The Medical Centre is coming along and will be looking into some issues that have been raised.
- Dr. Botha will be away next week in order to write his exam in Toronto.

### 12.3 Councillor Kim Thain

- Recreation Committee Meeting on Monday, November 2<sup>nd</sup>, 2009
  - Was unable to attend due to a work related concern.
- Kenora District Services Board
  - Is having an upcoming Meeting.
  - Currently working on a rebranding project for Kenora District Services Board and is encouraging the public to participate in the development process.
  - Currently working on the 2010 budget.

### 12.4 Councillor Tracey Simon

- Public Service & Operations
  - Working on buildings, preparing for winter, and fixing equipment.
  - Perry Dyck attended the Water and Wastewater Association Conference and Ear Falls won for the best water.
- Kenora District Municipal Association
  - Keith White presented some information for on a Call Centre – Call before you dig type service – for all municipalities. This project would be a Pilot Project for a community or region and would be delivered at no cost.
  - December 17<sup>th</sup>, 2009; KDMA Meeting – round table discussion with the KDMA Executive and Kenora MP, Greg Rickford.
  - KDMA Conference Planning – discussions and planning are going well.

### 12.5 Mayor Ron Bergman Sr.

- Had nothing to Report

## 13 IN-CAMERA MEETING

N/A

## 14 IN-CAMERA REPORT

N/A

**15 ADJOURNMENT**

15.1 RESOLUTION NO. 526

Moved by Tracey Simon. Seconded by Kim Thain.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 7:52 p.m.

Carried.

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Mayor

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Clerk