

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #19
Ear Falls Municipal Council Chambers
October 7th, 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 Kim Thain, Councillor Tracey Simon, Councillor Dave Wilson, and Clerk Treasurer Administrator Kimberly Ballance

RESOLUTION NO. 466

Moved by Kim Thain. Seconded by Dave Wilson.

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

6.1 Request for Proposals – Ear Falls Multiplex

8.10 Ear Falls Gymnastics Program

Carried.

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.)

RESOLUTION NO. 467

Moved by Tracey Simon. Seconded by Kim Thain.

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 September 16th, 2009 – Regular Meeting of Council Minutes.

RESOLUTION NO. 468

Moved by Tracey Simon. Seconded by Kim Thain.

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 October 7th, 2009 Regular Meeting of Council as read.

Carried.

C.O.

5.2 Minutes of Committees

5.2.1 May 26th, 2009 – Mayor’s Committee on Economic Development Meeting Minutes.

5.2.2 June 9th, 2009 – Mayor’s Committee on Economic Development Meeting Minutes.

5.2.3 July 28th, 2009 – Mayor’s Committee on Economic Development Meeting Minutes.

5.2.4 August 25th, 2009 – Mayor’s Committee on Economic Development Meeting Minutes.

5.2.5 September 14th, 2009 – Calnitsky Architect’s Minutes of Construction Meeting No. 4.

5.2.6 September 14th, 2009 – Calnitsky Architect’s Minutes of Progress Review No. 1.

RESOLUTION NO. 469

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 Minutes of Committees numbered 5.2.1 to 5.2.6 at the October 7th, 2009 Regular Meeting of Council.

Carried.

C.O.

5.3 Minutes from other Agencies / Organizations

5.3.1 September 1st, 2009 – Municipality of Red Lake Regular / Closed Meeting of Council Minutes.

5.3.2 September 1st, 2009 – Municipality of Red Lake Regular Meeting of Council Minutes.

RESOLUTION NO. 470

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 and 5.3.2 at the October 7th, 2009 Regular Meeting of Council.

Carried.

6 TENDERS

6.1 Request for Proposals – Ear Falls Multiplex

RESOLUTION NO. 471

Moved by Tracey Simon. Seconded by Kim Thain.

WHEREAS an advertisement was placed in the newspaper and three (3) suppliers were directly requested to provide sealed proposals for the Request for Proposals – Ear Falls Multiplex but only two (2) sealed proposals were received; and

WHEREAS the Corporation of the Township of Ear Falls' Procurement Policy as adopted by By-Law No. 1426-09 specifies that all purchases in excess of \$25,000.00 require three (3) sealed proposals be received;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Ear Falls suspend the rules of the requirement specified in Section D (2) (c) of the Procurement Policy; and

FURTHER THAT on the recommendation of the Ear Falls Multiplex Evaluation Committee the Council of the Corporation of the

Township of Ear Falls accepts the Ear Falls Multiplex Proposal received from Nelson Architecture Inc. and Dave McKay Construction Ltd. pending execution of a Contract for Services in accordance with the attached Request for Proposals – Ear Falls Multiplex and Proposal.

Carried.

Clarification was requested on the recommendation made by the Evaluation Committee. The Evaluation Committee members that were present addressed the importance of the timeline for this project.

7 ROUTINE ADMINISTRATIVE REPORTS

7.1 Reports from Departments

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

7.1.2 Monthly Report from ODA Coordinator Gary Gazankas.

7.1.3 Monthly Report from Health & Safety Coordinator Gary Gazankas.

7.1.4 Monthly Report from Fire Chief Gary Gazankas.

7.1.5 Monthly Report from EMO Coordinator Gary Gazankas.

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

7.1.7 Monthly Report from Chief Building Official Gary Gazankas.

7.1.8 Monthly Report from Library Coordinator Becky Bergman.

RESOLUTION NO. 472

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 Reports from Departments numbered 7.1.1 to 7.1.8 at the October 7th, 2009 Regular Meeting of Council.

Carried.

8 MISCELLANEOUS MOTIONS

8.1 Accounts Payable – #9A dated September 14th, 2009 in the amount of \$128,287.27 and Accounts Payable – #9B dated September 24th, 2009 in the amount of \$422,449.92.

Accounts Payable – #9A dated September 14th, 2009 in the amount of \$128,287.27 and Accounts Payable – #9B dated September 24th, 2009 in the amount of \$422,449.92 were reviewed in accordance of By-Law No. 1459-09.

- 8.2 Payroll – PR0919 – dated September 24th, 2009 in the amount of 33,061.18 and Special Pay Run – dated September 24th, 2009 in the amount of \$2,086.99.

Payroll – PR0919 – dated September 24th, 2009 in the amount of 33,061.18 and Special Pay Run – dated September 24th, 2009 in the amount of \$2,086.99 were reviewed in accordance of By-Law No. 1459-09.

A16-UN

- 8.3 Letter dated September 14th, 2009 from Union Gas re: Filing an Application with the Ontario Energy Board for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas as of January 1st, 2010.

RESOLUTION NO. 473

Moved by Dave Wilson. Seconded by Tracey Simon.

RESOLVED THAT the letter dated September 14th, 2009 from Union Gas regarding filing an Application with the Ontario Energy Board for an order or orders approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas as of January 1st, 2010 be received and filed.

Carried.

L14-SU

- 8.4 Valuation Report of specified Tangible Capital Assets prepared by Suncorp Valuations Ltd with the Appraisal Date of December 31st, 2008.

RESOLUTION NO. 474

Moved by Kim Thain. Seconded by Tracey Simon.

WHEREAS Resolution No. 118-09, dated February 18th, 2009 authorized the retention of Suncorp Valuations Ltd. to assist with the inventory and valuation of specified Tangible Capital Assets for calculation of amortization and financial reporting in accordance with Public Sector Accounting Board (PSAB) PS 3150; and

WHEREAS Suncorp Valuations Ltd. has completed the valuation of specified Tangible Capital Assets in accordance with the Township of Ear Falls' Tangible Capital Asset Policy and PSAB PS 3150;

NOW THEREFORE BE IT RESOLVED THAT Council accepts and endorses the “Valuation Report of Specified Tangible Capital Assets” of the Corporation of the Township of Ear Falls as produced by Suncorp Valuations Ltd. with the Appraisal Date of December 31st, 2008.

Carried.

F.D. / H11-FI / P.D.

8.5 Letter received September 21st, 2009 from Volunteer Firefighter Jamie Trippier re: Request for leave of absence from the Ear Falls Fire Department.

RESOLUTION NO. 475

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT Jamie Trippier be granted a two (2) year leave of absence from the Ear Falls Volunteer Fire Department.

Carried.

T.C.

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

RESOLUTION NO. 476

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 - Minutes of Settlement for the 2009 Tax Year regarding the property identified as:

ROLL NUMBER	CURRENT PHASE-IN ASSESSMENT	REVISED PHASE-IN ASSESSMENT	ASSESSMENT LOSS
6042-000-002-01800	\$ 53,000	\$ 39,500	\$ 13,500

Carried.

*L14-NO

8.7 Memorandum of Understanding for Community participation in the Northwestern Ontario Immigration Portal Project.

RESOLUTION NO. 477

Moved by Kim Thain. Seconded by Tracey Simon.

WHEREAS Resolution No. 108-09, dated February 20th, 2009 endorsed an application made by the City of Thunder Bay for the creation of the Northwestern Ontario Immigration Portal designed to provide information and to attract immigrants to the communities of the region; and

WHEREAS the Northwestern Ontario Immigration Portal Project is currently underway and is funded through the Federal and Provincial Governments; and

WHEREAS the Mayor's Committee on Economic Development is recommending participation in the Northwestern Ontario Immigration Portal Project;

NOW THEREFORE BE IT RESOLVED THAT the Mayor is hereby authorized and directed to execute on behalf of the Corporation of the Township of Ear Falls the Memorandum of Understanding for Community Participation in the Northwestern Ontario Immigration Portal Project as per the attached.

Carried.

T.P. / A.P.

- 8.8 NSA Fall Workshop being held in Thunder Bay at the Valhalla Inn on Wednesday, October 28th, 2009.

RESOLUTION NO. 478

Moved by Tracey Simon. Seconded by Kim Thain.

RESOLVED THAT Clerk Treasurer Administrator Kimberly Ballance and Deputy Clerk Treasurer Paulette Covell are hereby authorized travel and attendance to the NSA Fall Workshop being held in Thunder Bay at the Valhalla Inn on Wednesday, October 28th, 2009.

Carried.

*F11-JO

- 8.9 Funding Application to Public Safety Canada for the Joint Emergency Preparedness Program.

RESOLUTION NO. 479

Moved by Dave Wilson. Seconded by Tracey Simon.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls on the recommendation of the Community Emergency Management Coordinator, Gary Gazankas, submit an Application to Public Safety Canada for funding (fiscal year 2010 – 2011) in the amount of \$12,476.31 under the Joint Emergency Preparedness

Program (JEPP) to purchase Telecommunication Equipment -
\$27,725.13 (Township share - \$15,248.82, Public Safety Canada share
- \$12,476.31).

Carried.

Clarification was requested on the Township's costs for this program.

*R06-GY

8.10 Ear Falls Gymnastics Program

RESOLUTION NO. 480

Moved by Tracey Simon. Seconded by Kim Thain.

RESOLVED THAT on the recommendation of Recreation /
Community Program Coordinator David Hoey the Township of Ear
Falls administer and insure the Ear Falls Gymnastics Club's
Gymnastics Program.

Carried.

Clarification was requested regarding insurance requirements and
administrative procedures that will be necessary in the implementation
of this Joint Program.

9 BY-LAWS

Clarification was requested on Item 9.3 (By-Law No. 1471-09) and Item 9.9
(By-Law No. 1477-09)

RESOLUTION NO. 481

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT the Council of the Corporation of the Township of Ear
Falls hereby consider By-Law Nos. 1469-09, 1470-09, 1471-09, 1472-09,
1473-09, 1474-09, 1475-09, 1476-09, and 1477-09 as read, without
amendment or debate, a first and second time.

Carried.

9.1 By-Law No. 1469-09, a By-Law to Affirm Minor Decisions by
Council.

T.C.

9.2 By-Law No. 1470-09, a By-Law to Authorize the Mayor and Clerk
Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C.

9.3 By-Law No. 1471-09, a By-Law to Authorize the Mayor and Clerk

Treasurer Administrator to Accept a Certain Offer to Purchase.

Ron advised Council that he spoke with an adjoining property owner regarding this property and the individual is concerned about a shed that they have built on this lot.

F11-NO

9.4 By-Law No. 1472-09, a By-Law to Authorize the Execution of the Northern Ontario Youth Internship Program Agreement Between the Corporation of the Township of Ear Falls and the Northern Ontario Heritage Fund Corporation (NOHFC).

T.C.

9.5 By-Law No. 1473-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C.

9.6 By-Law No. 1474-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C.

9.7 By-Law No. 1475-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

T.C.

9.8 By-Law No. 1476-09, a By-Law to Authorize the Mayor and Clerk Treasurer Administrator to Accept a Certain Offer to Purchase.

*L14-AN

9.9 By-Law No. 1477-09, a By-Law to Enter into an Animal Control Services Agreement.

Clarification was requested on the contract's terms, including the use of the Fire / By-Law Enforcement Truck for vehicle patrols, and the negotiation process that took place in the selection of the contractor.

RESOLUTION NO. 482

Moved by Dave Wilson. Seconded by Kim Thain.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law Nos. 1469-09, 1470-09, 1471-09, 1472-09, 1473-09, 1474-09, 1475-09, 1476-09, and 1477-09 as read a third time and passed.

Carried.

PART II – OTHER ITEMS

10 ADMINISTRATIVE REPORTS

None.

11 ITEMS FOR DIRECTION

A01-BI

- 11.1 Memo dated September 25th, 2009 from Clerk Treasurer Administrator Kimberly Ballance re: Joint Ear Falls / Red Lake Council Meeting being held in Balmertown on Monday, October 19th, 2009 – topics for discussion.

Council would like to add Ear Falls Housing Availability to the Agenda. Travel arrangements were determined.

A19-CO

- 11.2 Email dated September 24th, 2009 from Calnitsky Associates Architects re: Revisions to the design of the Reception desk in the new section of the Community Health Centre.

RESOLUTION NO. 483

Moved by Kim Thain. Seconded by Tracey Simon.

WHEREAS the Community Health Centre Ltd. and Ear Falls Family Health Team have identified the need for a change to the design of the

reception desk in the new Ear Falls Community Health Centre to ensure the privacy of patients' files;

NOW THEREFORE BE IT RESOLVED THAT Council authorizes the necessary changes to the design of the reception desk in the new Ear Falls Community Health Centre in order to maximize privacy of patients' files.

Carried.

12 REPORTS OF MEMBERS OF COUNCIL

12.1 Councillor Tracey Simon

- Attended FireCon from September 17th – 18th, 2009.
 - Congratulations to Gary Gazankas for his 35 year Service Award from the Ontario Fire Marshall.
 - Attended a session for elected officials at FireCon. This was the first time this session was offered and was very well attended. Funding from the Office of the Fire Marshall for municipalities was a topic of much discussion. Also attended a session on negligence and due diligence that was given by a lawyer. This was a very informative session. Tracey also highlighted the Regional Fire Plan that Gary is working on.

12.2 Councillor Kim Thain

- Kenora District Services Board (KDSB) has received the final

draft of the Strategic Plan and the process will be very similar to the Township of Ear Falls' Governance Process. Kim will distribute to Council for review and comment.

- KDSB is working on the Budget and the Township may see an increase due to increases in Ontario Works.
- Recreation Committee Meeting on Monday, October 5th, 2009
 - Discussed the reduced rate that will be offered for the Ultimate Pass until the end of the year.
 - Futuristic Christmas is the theme for the parade this year.
 - Budget and goals for 2010 will be developed in November for presentation to Council at the first Meeting in December.
 - The Arena ice is slated to go in at the end of the month. Ice activities are planned – hockey, figure skating.
 - The insulation is done at the Arena.

12.3 Councillor Dave Wilson

- NWRTC / KDCA held in Dryden on September 22nd & 23rd, 2009.
 - This Regional Tourism Conference highlighted a number of tourism related issues. Tourism has a higher GDP than forestry, mining and agriculture combined. The keynote speaker was very good and talked about the need to create a tourism experience and areas of North America that are better target areas.
 - Municipalities and tourist operators in attendance discussed the need to work cooperatively to move forward within the region and the province.
- Red Lake Margaret Cochenour Memorial Hospital Board Meeting
 - Spoke about the possibility of buying a locum house due to the lack of accommodation availability.
- Northwestern Ontario Regional Conference
 - All the presentations that were made on PowerPoint are available from the Municipal Office.
 - The Mining Act changes are nearly finalized and will encourage increased communication with municipalities when mining activity is occurring in the area.
 - The Green Energy Act – a number of people identified the need for mandatory home audits but the costs associated with this are a concern.
 - Spoke with NWMO about site selection regarding selecting a site in Ontario. Believes that the Township should do some research on this.
 - Also received some information on biomass production and has forwarded this to Staff for review.

12.4 Mayor Ron Bergman Sr.

- Mayor's Committee on Economic Development

- The Committee has a full slate of members and is discussing topics such as marketing the community, signage, granite / quarry resources, fish derby and lighting.
- Currently the Committee has been unsuccessful in finding an applicant for the Economic Development Intern Position, but the advertisement has been reposted.

- Shaw Communications
 - Met with Doug Steel, Regional Manager and Shelly Wiseman, Manager of Government and Regulatory Affairs, Manitoba regarding service within Ear Falls. Currently there are no plans to expand service within the community.

- Trout Lake River Hydro Electric Project – Public Information Open House
 - Attended the Information Session that occurred on September 29th, 2009. The Project is slated to start in mid-2010 and last about a year and a half. The Project will employ about 100 people. Some concerns were raised about the impact on fish habitat and flooding however these issues appear to have been addressed sufficiently by the MNR.

13 IN-CAMERA MEETING

N/A

14 IN-CAMERA REPORT

N/A

15 ADJOURNMENT

15.1 RESOLUTION NO. 484

Moved by Tracey Simon. Seconded by Dave Wilson.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 8:45 p.m.

Carried.

Mayor

Clerk