

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held at the Municipal Office
On Wednesday, May 4th, 2016

PRESENT: Mayor Ziggy Polkowski
Councillor Erwin Butikofer
Councillor Mike McCooeye
Councillor Bill Lankinen
Councillor Roger Shott
Councillor Curtis Coulson
Councillor Brian Wright

Rosalie A. Evans, Solicitor-Clerk

1. PRELIMINARY MATTERS:

- (a) Call to Order: Mayor Polkowski called the meeting to order at 6:30 p.m.
- (b) Attendance: Attendance was recorded.
- (c) Accept/Amend the Agenda:

Res. No. 2016-05-132

Moved by: Councillor Coulson
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT the agenda circulated for this regular meeting of Council be amended as follows:

- a) Removing Item 3.4 from the consent agenda portion of the agenda and adding it to section 4 of the agenda;
- b) Adding an information report from the Solicitor-Clerk relating to the cost of borrowing, as item 3.12 on the consent agenda;
- c) Adding a verbal report relating to property acquisition to the Closed Session portion of the agenda, as Item 7.3; and
- d) Adding a verbal report relating to personnel matters to the Closed Session portion of the agenda, as item 7.4.

CARRIED ✓

- (d) Declarations of Interest:

No declarations of interest were received.

2. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS:

No deputations had been scheduled for this meeting of Council.

3. CONSENT AGENDA: MINUTES, REPORTS AND CORRESPONDENCE

3.1 (& 7.1) Minutes of the Open and Closed Sessions of the Regular meeting of Council held April 20, 2016

Administration recommended that the minutes for both the open session (Item 3.1) and the closed session (Item 7.1), with any error corrections, as required, be approved. On consensus, a correction to the open session minutes (Item 3.1) was noted in that the phrase "2014 than 2014" on page 5 of the agenda (page 3.1-5 of the minutes) should read "2015 than 2014".

Administration will make the correction.

3.2 Report from Treasurer Regarding Exclusion of Amortization, Post-Employment Benefits and Solid Waste Landfill Closure and Post-Closure Costs from Budget

Administration recommended that the report be received for information prior to passage of the budget.

3.3 Report from Solicitor-Clerk Regarding Administrative Activity

Administration recommended that the Report be received for information, and that Resolution # 2016-04-122 from the Council meeting held April 20th, 2016, nominating Bill Lankinen to receive a "Senior of the Year" award, be amended to replace "Bill Lankinen" (who, as it turns out, did not qualify for the award), with "Leo Lafontaine", and that the amendment be retroactive to April 20th.

3.4 Resolution requested by Councillor Butikofer at the meeting held April 6th

This item was removed from the consent agenda in accordance with Resolution # 2016-05-132 above.

3.5 Report from Solicitor-Clerk Regarding MPAC Correspondence

Administration recommended that the report be received for information.

3.6 Report from Treasurer regarding Wearables

Administration recommended that the report be received for information for consideration in the 2017 budget.

3.7 Report from Solicitor-Clerk regarding Flood Issue

Administration recommended supporting the property owner's request and provided wording for a resolution for passage and circulation.

- 3.8 Correspondence from the Municipality of Dutton Dunwich Seeking support for its council resolution dated April 13, 2016, asking that Municipal Support Resolutions be Required Prior to approvals of Wind Projects.

Administration recommended that Council support the Municipality of Dutton Dunwich in that regard.

- 3.9 Correspondence from the Minister Responsible for Seniors' Affairs, received April 13, seeking a declaration that June is "Seniors' Month"

Administration recommended that Council make the requested declaration.

- 3.10 Report provided to Mayor Polkowski from the OPP at the last Meeting of the Community Policing Advisory Committee held on April 14th

Administration recommended that the report be received for information.

- 3.11 Information Correspondence List

Administration recommended that Council receive the listed correspondence for information.

- 3.12 Report from Solicitor-Clerk Regarding Cost of Borrowing

Administration recommended that the report be received for information.

- 7.2 Confidential Report from Solicitor-Clerk updating Council on the Mediation Process

Administration recommended that the report be received for information.

Res. No. 2016-05-133

Moved by: Councillor Butikofer

Seconded by: Councillor Coulson

BE IT RESOLVED THAT Council approve the recommendations from Administration with respect to all of the items on the consent agenda portion of this evening's meeting, with the exception of Item 3.4.

CARRIED ✓

Councillor McCooye wanted to draw Council's attention to the fact that statistics from the Ontario Provincial Police show that our community has significantly fewer calls this year than in the past. Some members of Council recall having passed a by-law wherein the Municipality would charge a fee for the third (and subsequent) "false alarm" calls to police. Administration was directed to undertake the research necessary to see whether a by-law in that regard had ever been passed.

4. REPORTS AND CORRESPONDENCE RECEIVED REQUIRING DIRECTION:

- 4.1 Report from Solicitor-Clerk regarding MNR Properties in Neebing & Boat Launches

Members present reviewed and discussed the report. There is interest in pursuing permission for improvements on the Provincial land at West Oliver Lake, however, some planning needs to be done before we will be ready to write to the Province with more detail. No resolution was passed.

4.2 Report from Solicitor-Clerk Regarding Boundary Road Agreement with Oliver Paipoonge

Members present reviewed the report. The Solicitor-Clerk responded to questions.

Councillor Shott raised the issue that all terrain vehicles are allowed (by by-law) on the Oliver Paipoonge side of Boundary Road, but not on the Neebing side. The Solicitor-Clerk advised that issue should be addressed outside of the Boundary Road agreement, which deals with road maintenance and repair.

A question was raised regarding the maintenance standards for the various sections of roadway. The Solicitor-Clerk confirmed that the agreement provides that each party responsible for maintaining a portion of the road will do so to the standards set out by their respective municipality.

Mayor Polkowski related that he and the Working Roads Foreman had met with the CAO/Clerk and Road Superintendent from Oliver Paipoonge regarding surface treatment for the hill on McCluskey Drive. They agreed on the manner and timing of the work required. It will be done in two phases, one this year and one next year.

Res. No. 2016-05-134

Moved by: Councillor Wright
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT Administration is directed to bring forward the by-law authorizing the execution of the agreement.

CARRIED ✓

4.3 Report from Treasurer Regarding Final Directions for 2016 Budget

Members present reviewed the Treasurer's report. Mayor Polkowski suggested adding a capital purchase for the Roads Department. Having a "kettle" to heat tar for patching chipseal would "pay for itself" in less than three years, based on what chipseal repairs cost in 2015.

There was discussion with respect to the Fire Department's training budget. Council directed Administration to speak to the Fire Chief in that regard.

Discussion took place on whether, and by how much, taxes should be increased in the 2016 budget to handle anticipated cost increases from outside agencies over the next few years.

Res. No. 2016-05-135

Moved by: Councillor Lankinen
Seconded by: Councillor Coulson

BE IT RESOLVED THAT Administration is directed to bring forward the 2016 budget for approval at the next Council meeting, amended to include the "kettle" purchase for the Roads Department, and amended to include a tax rate increase of three percent.

CARRIED ✓

4.4 Report from Treasurer regarding Cemetery Account Interest

Members present reviewed the report. The Solicitor-Clerk responded to questions.

Res. No. 2016-05-136

Moved by: Councillor Shott
Seconded by: Councillor Wright

BE IT RESOLVED THAT Council approves, in principle, retaining all of the interest earned in the cemetery trust account as part of the balance of the perpetual care fund;

AND THAT Administration is directed to so advise the Cemetery Board;
AND THAT, subject to the agreement of the Cemetery Board, Administration is directed to bring forward a by-law to implement that decision;
AND THAT Administration is directed to bring any concerns from the Cemetery Board to Council's attention.

CARRIED ✓

4.5 Report from Solicitor-Clerk Regarding Accessible Porta-potties for Parks

Members present reviewed the report and discussed possible needs in different areas where the Municipality supplies portable rest room facilities.

Res. No. 2016-05-137

Moved by: Councillor Butikofer

Seconded by: Councillor Coulson

BE IT RESOLVED THAT Neebing will purchase two accessible units this year, to be placed at the Margaret Street boat launch area and at the Cloud Lake boat launch area.

CARRIED ✓

4.6 Report from Solicitor-Clerk Regarding Request from Mayor Polkowski (Conservation Land Tax Incentive Program Municipal Co-ordination)

Mayor Polkowski overviewed with Council his thoughts on having municipalities with similar issues to ours relating to the Conservation Land Tax Incentive Program, join together with us to present "strength in numbers". Councillor Butikofer indicated he had spoken with a representative of the Municipal Property Assessment Corporation relating to the assessed values for Conservation Land.

Res. No. 2016-05-138

Moved by: Councillor Lankinen

Seconded by: Councillor Butikofer

BE IT RESOLVED THAT Administration is directed to contact the municipalities who responded positively to our prior contact, to invite them to join together with Neebing in seeking a limit to the amount of land which can be placed into this program in any one municipality, or to obtain financial compensation for loss of revenue and/or future revenue potential.

CARRIED ✓

Administration was directed to contact MPAC to follow up Councillor Butikofer's discussion.

4.7 Correspondence from the City of Welland seeking support for a Resolution seeking regulation of "Private Supportive Living Accommodations"

Members present reviewed the correspondence.

Res. No. 2016-05-139

Moved by: Councillor Lankinen

Seconded by: Councillor Shott

BE IT RESOLVED THAT the Council of The Corporation of the Municipality of Neebing supports the

Council of the City of Welland in its quest to have legislation passed to regulate private supportive living accommodations, where the operator provides accommodations and where the operator provides or arranges for services that relate to the health, safety and security of the residents, as set out in its resolution of April 19, 2016;

AND FURTHER, Administration is directed to forward a copy of this resolution to the Welland City Council and to the Association of Municipalities of Ontario.

CARRIED ✓

At this time, Item 3.4, which had been removed from the consent agenda portion of the meeting, was brought forward for discussion.

3.4 Report from Solicitor-Clerk Regarding Resolution requested by Councillor Butikofer

Members present discussed the concept of adding questions to ballots during a municipal election, including the fact that it would be up to the newly elected council whether or not it chose to follow through on any direction obtained through answers to the question.

Res. No. 2016-05-140

Moved by: Councillor Wright
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT Administration is directed to bring forward a report on the process for adding a question to a ballot during a municipal election.

CARRIED ✓

5. TABLE BY-LAWS

No by-laws were presented for passage at this meeting.

6. NEW BUSINESS - ANNOUNCEMENTS

Members present had the opportunity to raise other items of new business at this point in the meeting.

Mayor Polkowski advised members present with respect to the fundraising efforts being undertaken by the Rural Food Cupboard food bank, and outlined the food bank's project at Conmee. The volunteers at the food bank are asking that members of Council spread the word in the local communities, and encourage fundraising. Members discussed the appropriateness of the Municipality making a contribution directly. On consensus, Administration was directed to increase the budget by \$1,000.00 for a one-time donation to the capital project fundraiser. Administration was also directed to write an article for the Neebing News on the subject.

Councillor Butikofer asked to sit in on any meetings with representatives of MPAC relating to the Conservation Land Tax Incentive Program lands' valuations.

There was some discussion relating to the Orion project. Councillor Butikofer indicated he raised the issue with Minister Murray at the Northwestern Ontario Municipal Association conference, and was advised to send correspondence to follow up.

The Solicitor-Clerk advised that the organizers of the "OMB Summit" in southern Ontario had circulated an email with three questions in it. They are looking for input for the upcoming summit, which will be held prior to the next Council meeting. The three questions are:

1. What do you see as the main areas of concern with regard to the OMB?
2. What are three needed reforms to the process and/or powers of the OMB?
3. Is there any question you would like to see directed to our panel?

After discussion, on consensus, Council directed Administration to provide the following comments:

1. Advise the Summit organizers that Council passed a prior resolution in support of OMB reform, and stands by the wording of the resolution passed.
2. Suggest that the OMB decision-makers should have the power to allow exceptions from provincial policy based on local circumstances. Problems are caused when policy is applied without regard for "on the ground" realities. Policies are passed for reasons which may not always be appropriate or applicable in individual circumstances.
3. Unrepresented parties who are going through the process need to be better educated about the process and need to have more direction from the Board.

A brief recess was called at 8:20 p.m. to allow the chambers to clear prior to the Closed Session Agenda. Council resumed proceedings at 8:25 p.m.

7. CLOSED SESSION:

Res. No. 2016-05-141

Moved by: Councillor Lankinen
Seconded by: Councillor Coulson

BE IT RESOLVED THAT, the time being 8:25 p.m., Council close the next portion of the meeting to the public, under the authority of:

- (a) those paragraphs of Subsection 239(2) for which the meeting was closed, to consider item 7.1 (minutes of the Closed session of the recent Council meeting), if discussion is required;
- (b) paragraphs 239(2)(b) of the Municipal Act, 2001, to consider item 7.2, which involves personal information about identifiable individuals; and
- (c) paragraph 239(2)(c) of the Municipal Act, 2001, to consider item 7.3, which involves potential acquisition of property.

CARRIED ✓

Members reviewed the items scheduled for closed session. During closed session, the following procedural resolution was passed:

Res. No. 2016-05-142

Moved by: Councillor Lankinen
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT, the time being 8:54 p.m., Council rise from closed session and report in open session.

CARRIED ✓

The closed session minutes (Item 7.1) and an information report on the mediation process (Item 7.2) had been approved previously in the meeting, with the Consent Agenda resolution.

Items 7.3 and 7.4 were dealt with in a single resolution.

7.3 Report from Solicitor-Clerk Regarding Potential Property Purchase

7.4 Report from Solicitor-Clerk regarding Personnel Matter

Res. No. 2016-05-143

Moved by: Councillor Coulson

Seconded by: Councillor McCooeye

BE IT RESOLVED THAT, with respect to items 7.3 and 7.4 on the agenda, Administration is authorized to proceed as directed in Closed Session.

CARRIED ✓

8. ADJOURN THE MEETING:

Mayor Polkowski adjourned the meeting at 9:03 p.m.

REGULAR MEETING OF COUNCIL



Ziggy Polkowski
MAYOR



Rosalie A. Evans
SOLICITOR-CLERK