

**THE CORPORATION OF THE MUNICIPALITY OF NEEBING**  
**MINUTES OF THE REGULAR MEETING OF COUNCIL**

Held at the Municipal Office  
On Wednesday, August 9, 2017

**PRESENT:** Councillor Erwin Butikofer (Chair)      **REGRETS:** Mayor Ziggy Polkowski  
Councillor Mike McCooeye  
Councillor Roger Shott  
Councillor Bill Lankinen  
Councillor Curtis Coulson  
Councillor Brian Wright

Rosalie A. Evans, Solicitor-Clerk

**1. PRELIMINARY MATTERS:**

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

**Res. No. 2017-08-177**

Moved by: Councillor Lankinen  
Seconded by: Councillor Wright

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

- a) Correct the typographical errors on the By-law numbers, as indicated by the Clerk;
- b) Add Item 4.15, being correspondence from NOMA; and
- c) Move Item 4.14 from Section 4.00 into Section 3.00 as Item 3.11, as it is for information only at this time.

**CARRIED ✓**

- (d) **Declarations of Interest:**

No declarations of interest were brought forward.

**2. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS:**

No depositions had been scheduled for this meeting of Council

**3. CONSENT AGENDA: MINUTES, REPORTS AND CORRESPONDENCE**

**3.1 Minutes of the Open Session portion of the Regular Meeting of Council held on July 12, 2017**

Administration had recommended approval of these minutes, together with those presented at Item 7.1 of the Closed Session portion of the agenda, with any error corrections, as required. No errors were noted.

- 3.2 Voucher Report for the previous month  
Administration had recommended that the Vouchers for July be approved.
- 3.3 Minutes of the Meeting of the Neebing Recreation Committee held on July 10<sup>th</sup>, 2017  
Administration had recommended that the minutes be received.
- 3.4 Report from Solicitor-Clerk Regarding Administrative Activity  
Administration had recommended that the report be received.
- 3.5 Report from Fire Chief Regarding Departmental Activity in June (July and August will be reported together in September)  
Administration had recommended that the report be received.
- 3.6 Variance Report: Year to date as of the end of the previous month  
Administration had recommended that the report be received.
- 3.6a Report from Solicitor-Clerk Regarding Amendment to Haul Permit By-law for Copper Cliff Road East  
Administration had recommended that the By-law be amended to add Copper Cliff Road East as set out in Item 5.3 on the Agenda.
- 3.7 Report from Solicitor-Clerk Regarding Responses to delegation requests for the AMO conference  
Administration had recommended that the report be received.
- 3.8 Correspondence from the Township of Pickle Lake, seeking support for its resolution asking the Province to require utility bills to show, as a separate line item, the carbon tax/fee imposed by the Province  
Administration had recommended that Council pass and circulate a supporting resolution.
- 3.9 Correspondence from the City of Owen Sound, seeking support for its resolution asking the Province to undertake an economic impact analysis of the changes to Ontario's employment laws  
Administration had recommended that Council pass and circulate a supporting resolution.
- 3.10 Information Correspondence List (Distributed at the Meeting)  
Administration had recommended that the correspondence be received
- 3.11 Crown Land Forest Operations Notification for Property Near Cloud Lake (Formerly Item 4.14)  
Councillor Wright recommended that the information be received.

Res. No. 2017-08-178

Moved by: Councillor Shott  
Seconded by: Councillor McCooeye

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, being Items 3.1 through 3.10, as well as Item 7.1 in the Closed Session portion of the agenda, and the recommendation of Councillor Wright with respect to Item 3.11.

CARRIED ✓

Councillor McCooeye indicated he had visited the parkette at West Oliver Lake recently, and that the porta-pottie facility was nearly full, and contained litter. The Solicitor-Clerk advised that we were in the process of changing over the servicing from bi-weekly to weekly, as residents had previously advised that the bi-weekly servicing was insufficient.

Discussion occurred with respect to litter containment. Some members of Council felt that, unless litter containers were provided, abuse of the porta-pottie as a litter container would continue. Others described historic problems at other sites where, once a litter container is provided, it is abused to the point of overflowing. The concept of "take back with you everything you bring with you" was mentioned.

Councillor McCooeye described a waste containment system he had seen at the waterfront in Schreiber. Various types of waste containment systems were discussed. Concerns relating to animal interference and frost heave were reviewed. Council also discussed responsibility for removing the litter from any containment system on every Monday morning (or Tuesdays following a long weekend) during the summer months.

Mr. Barry Chezick, a resident at West Oliver Lake, was present in the audience. He suggested Council look into a "Hid-A-Bag" system, which is being used with success in recreation areas in Thunder Bay. He offered to send information to the Solicitor-Clerk in this regard.

On consensus, it was agreed that a "barrel in a barrel" system would be installed for the balance of this year, and that options for purchased, animal-resistant bins would be researched for next year.

#### **4. REPORTS AND CORRESPONDENCE RECEIVED REQUIRING DIRECTION:**

##### **4.1 Report from Treasurer/Deputy Clerk Regarding Social Media Presence**

Members present discussed the report. Deputy Mayor Butikofer noted it would be important to make the community aware that the only social media being used is Facebook, and that the primary information source remains the website.

**Res. No. 2017-08-179**

Moved by: Councillor McCooeye

Seconded by: Councillor Shott

BE IT RESOLVED THAT the policy as set out in the report is approved, and Administration is authorized to create and begin to use the site.

CARRIED ✓

4.2 Report from Solicitor-Clerk Regarding Annual review/recommended updates to Emergency Plan & Training Dates

Councillor Shott suggested that emergency training is important for all of Council. Various dates and times were reviewed for a “table-top” emergency exercise training session.

Res. No. 2017-08-180

Moved by: Councillor Coulson  
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT a special meeting of Council be scheduled for 3:00 p.m. on October 18<sup>th</sup>, 2017, for the purposes of undertaking a “tabletop” emergency exercise.  
**CARRIED ✓**

4.3 Report from Solicitor-Clerk Regarding Quotation Received for fencing at Blake Hall

Members present felt that the pricing obtained in the quotation was reasonable.

Res. No. 2017-08-181

Moved by: Councillor McCooeye  
Seconded by: Councillor Shott

BE IT RESOLVED THAT Council waives the application of Section 6B of By-law 2014-008 on the basis that the single quotation received was from a contractor already mobilized and working at the site;  
AND THAT Administration is authorized to tell the contractor to go ahead with the work at the price quoted.

**CARRIED ✓**

4.4 Report from Tender Review Committee Regarding results of purchasing issues for several matters

The supplementary report referenced in the Report had been distributed to members. The Solicitor-Clerk reviewed for Council the difference between a “tender” process and a “request for proposal” process. Councillor Shott reviewed with members present some of the details associated with the Tender Review Committee’s processes for analyzing the proposals received.

Res. No. 2017-08-182

Moved by: Councillor Lankinen  
Seconded by: Councillor Coulson

BE IT RESOLVED THAT Council approves the recommendations set out in the Report and the Supplementary Report from the Tender Review Committee, and authorizes Administration to contact the respondents to the purchasing requests to advise of the results.

**CARRIED ✓**

**4.5 Report from Solicitor Clerk Regarding Building Permit fee amendments**

This report was prepared for Council's information relative to the By-law at Item 5.2 on the Agenda.

**4.6 Report from Solicitor-Clerk re surplus items remaining unsold**

Members present reviewed the merits of keeping the "end dump" trailer rather than disposing of it at the price bid (\$1,000.00). Councillor Shott reviewed his concepts for use of the trailer at one or the other of the landfill sites. Members present also reviewed the issue of the "spare parts" associated with the grader which was successfully sold earlier.

**Res. No. 2017-08-183**

Moved by: Councillor Coulson

Seconded by: Councillor Wright

**BE IT RESOLVED THAT Council rescind its earlier declaration that the "King End Dump" trailer is surplus to municipal needs, and that the item be retained for future use;**

**AND FURTHER THAT Administration review with the Working Roads Foreman the detail associated with "spare parts" for the grader which was sold, indicating whether any can be used on the newer machine, and report back to Council in that regard, and that the bidder be advised of this process;**

**AND FURTHER THAT the air containers be sent to the scrap metal pile at the landfill site;**

**AND FURTHER THAT the desk be placed into the "Good Neighbour Shed";**

**AND FURTHER THAT all of the other items be sold to the highest bidder.**

**CARRIED ✓**

**4.7 Report from Solicitor-Clerk re Enquiry relating to the Trailer Licencing by-law**

Councillor McCooeye advised members present that he had raised this issue with Ms. Cook at the Lakehead Region Conservation Authority. Ms. Cook had suggested that the matter be tabled until she has had an opportunity to review it in detail.

Deputy Mayor Butikofer asked why the suggestion was for 40 feet rather than the 50 feet used in the zoning by-law.

On consensus, the matter was tabled, to be lifted from the table on September 6<sup>th</sup>.

**TABLED ✓**

4.8 Renewal Notice from “Northern Ontario Business”, received July 24th

Members present discussed the publication.

Res. No. 2017-08-184

Moved by: Councillor McCooeye

Seconded by: Councillor Lankinen

BE IT RESOLVED THAT Administration is authorized to renew the subscription for two copies at three years.

CARRIED ✓

4.9 Correspondence from The Municipality of Oliver Paipoonge, received July 24th, Regarding Severance Application for Property near the Municipality’s pit in Stanley

Members present reviewed the application in relation to the Municipality’s property in the vicinity of the development. No comments or concerns were raised.

4.10 Correspondence from Jon Schiffer, received July 17th, Regarding TBayTel Internet Service

Members present discussed various issues with respect to delivery of service from both providers in the Municipality (TBayTel and Bell Canada). Given that the federal government now considers internet access to be a basic service that should be available to all Canadians, it may be time to address this issue with the service providers.

Res. No. 2017-08-185

Moved by: Councillor Wright

Seconded by: Councillor Shott

BE IT RESOLVED THAT Administration write to both service providers and invite them to come to a closed session of Council to review services available and planned in the Municipality.

CARRIED ✓

4.11 Correspondence from the Parliamentary Assistant to the Minister of Municipal Affairs, received August 2nd, Regarding a survey required to be responded to by September 15th

Councillor Wright noted that almost half of Ontario’s municipalities have less than 10,000 population. The Solicitor-Clerk advised Council that the question deals with “electors” rather than “population”. Deputy Mayor Butikofer pointed out that we have been consistent in considering populations less than 10,000 should be categorized as “small” municipalities (as opposed to those with less than 100,000

population, which is currently the case). Despite the difference between “elector” and “resident”, he expressed his view that numerical consistency would be of assistance.

**Res. No. 2017-08-186**

Moved by: Councillor Lankinen

Seconded by: Councillor Coulson

BE IT RESOLVED THAT Administration is directed to respond to the survey questions as follows:

The answer to the first question, “Would potential candidates in your municipality have any challenges in fulfilling the requirement to have their nomination endorsed by 25 electors?” is “yes”; and

The answer to the second question, “What number of electors in a municipality is the appropriate threshold for the exemption to apply?” is “10,000”.

**CARRIED ✓**

**4.12 Correspondence from Ministry of Community and Social Services, received August 2nd, Regarding consultations on Social Service Administration Boards in Ontario**

**Res. No. 2017-08-187**

Moved by: Councillor Shott

Seconded by: Councillor McCooeye

BE IT RESOLVED THAT Council approves the selection of Mayor Polkowski and Solicitor Clerk Evans as Council’s representatives in the review and consultation process.

**CARRIED ✓**

**4.13 Correspondence from Fednor, received August 3rd, Regarding a survey required to be responded to by September 15th**

Members present discussed the complexity of some of the questions or categories in the document, and the difficulty in prioritizing between them. After some discussion, it was apparent that no consensus would be reached on some of the questions in the survey.

The Solicitor-Clerk was directed to forward the survey electronically to all members of Council. Those that wish to, may fill the survey in as individuals rather than having one survey submitted for the Corporation. It was requested that the deadline date be included in the email message.

**4.14 This Item was re-numbered to Item 3.11 through amendment to the agenda earlier in the meeting. It was dealt with through the consent agenda resolution.**

4.15 Correspondence from NOMA received August 1<sup>st</sup>, requesting that its member municipalities pass a resolution as enclosed regarding lack of consultation on species at risk amendments

Councillor Shott indicated an intention to address this concern with the Minister of Natural Resources and Forestry during the delegation meeting at the upcoming conference of the Association of Municipalities of Ontario.

Res. No. 2017-08-188

Moved by: Councillor Lankinen

Seconded by: Councillor Coulson

WHEREAS the Municipality of Neebing has been advised by the Northwestern Ontario Municipal Association that the Ministry of Natural Resources and Forestry ("MNRF") is planning to post a draft "Species at Risk ("SAR") Guide" to the Environmental Registry for twenty-eight (28) species;

AND WHEREAS the MNRF has failed to consult and work with affected municipalities, other stakeholders and forestry-dependent businesses and communities on the development of the draft SAR guide;

AND WHEREAS municipal leaders have consistently requested the MNRF complete and share with municipalities a socio-economic impact analysis on all Ministry policy that will have an impact on forestry;

AND WHEREAS the MNRF has conducted analysis for one of these species, namely, caribou, and the analysis clearly demonstrates that implementation of the policy will result in the closure of northern Ontario mills;

AND WHEREAS the Municipality of Neebing has been advised that there has been no analysis of the cumulative socio-economic impact of all SAR rules contained within the guide for many of the included species;

AND WHEREAS Ontario has world-class legislation, being the Crown Forest Sustainability Act 1994, S.O. 1994, c. 25, as amended ("CFSA"), which provides for balanced and sustainable forest management;

AND WHEREAS the mandate of the Endangered Species Act, 2007, S.O. 2007, c. 6 ("ESA"), being the protection and recovery of individual species at risk, conflicts with the multi-species and multi-value approach of the CFSA;

AND WHEREAS this conflict threatens forest sustainability;

AND WHEREAS the Ontario Provincial government committed in 2007 to realizing CFSA equivalency to the ESA, acknowledging that the under the CFSA, the forest sector must implement SAR rules;

AND WHEREAS even under a Section 55 Rules in Regulation "exemption", the forest sector must implement SAR rules;



AND WHEREAS the implementation of flawed ESA policy will result in mill closures, job losses, and the decimation of forestry-dependent communities;

AND WHEREAS The Corporation of the Municipality of Neebing, in support of its hardworking citizens and the renewable forest sector, is prepared to work with government to avoid the unintended consequences of this ESA policy;

NOW THEREFORE BE IT RESOLVED THAT, the Council of The Corporation of the Municipality of Neebing calls upon the Government of Ontario to permanently delay by two (2) years the posting of the made-in-Ontario SAR Guide which contains prescriptions (rules) for twenty-eight (28) species;

AND FURTHER THAT, the Council of The Corporation of the Municipality of Neebing calls upon the Government of Ontario, to immediately modify Ontario's proposed caribou prescription by moving the caribou range north to reflect animal collaring data, moving away from the national thirty-five (35%) percent disturbance threshold, and acknowledging that other factors are threatening caribou recruitment and survival;

AND FURTHER THAT the Government of Ontario ensure that provincial policy supports, at a minimum, current forestry operations and does not reduce the forest sector and its employment to a seasonal activity, so that no worker, region or family will be left behind;

AND FURTHER THAT the Government of Ontario extend the current Section 55 exemption, which is set to expire on June 30, 2018, for another five (5) years, in recognition of the fact that the CFSA ensures that all forest management in Ontario provides for all three (3) pillars of sustainable development, being: economic, social and environmental.

**CARRIED ✓**

## **5. TABLE BY-LAWS**

### **5.1 By-law 2017-026 to Delegate Authority**

**Res. No. 2017-08-189**

Moved by: Councillor McCooeye

Seconded by: Councillor Coulson

BE IT RESOLVED THAT By-law 2017-026 to delegate authority be passed as presented in the agenda.

**CARRIED ✓**

5.2 By-law 2017-023 to Amend Building Permit Fees

Res. No. 2017-08-190

Moved by: Councillor Shott  
Seconded by: Councillor Wright

BE IT RESOLVED THAT By-law 2017-023, to amend building permit fees, be passed as presented in the agenda.

CARRIED ✓

5.3 By-law 2017-027 to Amend the Haul Permit By-law

Res. No. 2017-08-191

Moved by: Councillor  
Seconded by: Councillor

BE IT RESOLVED THAT By-law 2017-027, to amend the haul permit by-law, be passed as presented in the agenda.

CARRIED ✓

6. NEW BUSINESS - ANNOUNCEMENTS

Councillor Lankinen raised a concern with beaver activity on Walmsley Road. He will discuss the matter with the Working Roads Foreman. He also mentioned he and Councillor Coulson had visited Scoble Townline to observe the ditching progress.

Deputy Mayor Butikofer brought forward an email sent by a constituent earlier in the week. The email addresses concerns with the action of a police officer who attended at the West Oliver Lake parkette. There was discussion relating to the need to have the Police Services Board established in order to deal with policing issues such as this one. Having a more regular police presence at certain locations, such as West Oliver Lake, is desired.

Councillor Shott praised the Roads Crew for their work on preparing Copper Cliff East, and also for patching holes on Sturgeon Bay Road.

The Solicitor-Clerk advised that the Ministry of Infrastructure had formally declined a delegation meeting with our attendees at the upcoming Association of Municipalities of Ontario conference in Ottawa.

She advised further that the balance of the roadside grass cutting will be delayed as the mower was broken (on Pit Road) and is undergoing repair.

A brief recess was called at 7:55 p.m. Session resumed at 8:05 p.m.

**7. CLOSED SESSION:**

Res. No. 2017-08-192

Moved by: Councillor Coulson  
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT, the time being 8:05 p.m., Council close the next portion of the meeting to the public, under the authority of those paragraphs of Subsection 239(2) of the Municipal Act, 2001 for which the meeting was closed, to consider item 7.1 (minutes of the Closed session of the prior Council meeting);

Under paragraph 239(2)(b) to consider item 7.7, involving personal information about identifiable individuals;

Under paragraph 239(2)(c) to consider items 7.2, 7.3, and 7.4, involving a proposed or pending acquisition or disposition of land by the municipality; and

Under paragraph 239(2)(e) to consider item 7.6, involving litigation or potential litigation affecting the municipality.

**CARRIED ✓**

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

Res. No. 2017-08-193

Moved by: Councillor Lankinen  
Seconded by: Councillor Shott

BE IT RESOLVED THAT, the time being 8:40 p.m., Council rise from closed session and report in open session.

**CARRIED ✓**

7.1 Minutes of the Closed Session portion of the Regular Meeting of Council held on July 12, 2017

The approval of the minutes was included in the consent agenda resolution.

Items 7.2 through 7.7 on the agenda were dealt with in a single resolution.

7.2 Report from Solicitor-Clerk Regarding Listing Agreement Term

7.3 Report from Solicitor-Clerk Regarding Sale of Property

7.4 Report from Solicitor-Clerk Regarding Purchase of Property

7.5 Report from Solicitor-Clerk Regarding Property on Highway 608

7.6 Report from Solicitor-Clerk Regarding Law Enforcement Activity

7.7 Report from Solicitor-Clerk Regarding applications for Medical Bursary

Res. No. 2017-08-194

Moved by: Councillor Wright  
Seconded by: Councillor Shott

BE IT RESOLVED THAT, with respect to Items 7.2 through 7.7 on this evening's Closed Session agenda, Administration is authorized to proceed as directed in Closed Session.

CARRIED ✓

The three constituents who had expressed an interest in purchasing property from the Municipality were advised that the Council had determined not to sell the property. Council had agreed to reimburse their costs to date (surveying, legal fees). The property will remain "status quo" for the near future. No work is planned to improve the unopened road allowance.

**7. ADJOURN THE MEETING:**


There being no further business to attend to, Deputy Mayor Butikofer adjourned the meeting at 8:55 p.m.

REGULAR MEETING OF COUNCIL



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Erwin Butikofer  
DEPUTY MAYOR



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Rosalie A. Evans  
SOLICITOR-CLERK

