

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held at the Municipal Office  
On Wednesday, October 4, 2017

**PRESENT:** Mayor Ziggy Polkowski  
Councillor Mike McCooeye  
Councillor Roger Shott  
Councillor Bill Lankinen  
Councillor Curtis Coulson  
Councillor Erwin Butikofer  
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. 2017-10-223**

Moved by: Councillor Wright

Seconded by: Councillor Coulson

BE IT RESOLVED THAT the agenda for this evening's meeting be amended to:

Add, as Item 4.9, a discussion relating to the formation of the Police Services Board;

Add, as Item 4.10, a discussion relating to delegation requests for the upcoming ROMA Conference; and

Add, as Item 7.4, a closed session discussion relating to a potential property purchase.

**CARRIED ✓**

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

Councillor Shott declared an interest in Item 4.16 on this evening's amended agenda on the basis that it could impact his spouse's employment contract with the Municipality.

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

There were no deputation requests made for this meeting.

The Clerk noted that, although one person had indicated he intended to request a deputation, he had not done so.

Several members of the audience were in attendance relating to Item 4.2 on the agenda. No deputation requests had been received, however, Council waived the rules to allow statements from various individuals, as recorded in the minutes for that item.

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

#### **3.1 Minutes of the Open Session portion of the Regular Meeting of Council held on September 20, 2017**

Administration had recommended that Council approve the minutes for both the open session (Item 3.1) and the Closed Session (Item 7.1), with any error corrections, as required.

#### **3.2 Report from Solicitor-Clerk Regarding Administrative Activity**

Administration had recommended that the report be received for information.

#### **3.3 Report from Solicitor-Clerk Regarding Participant Agreement with MNRF for Aerial Photography**

Administration had recommended that Council authorize execution of the Agreement.

#### **3.4 Report from Treasurer-Deputy Clerk Regarding Grant Application for an Asset Management project for the 2018 budget**

Administration had recommended that Council approve the resolution set out in the report. The resolution reads:

BE IT RESOLVED that The Council of the Corporation of the Municipality of Neebing directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Asset Management Plan/Policies development and data collection.;

AND FURTHER THAT the Council of The Corporation of the Municipality of Neebing commits to conduction the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program:

- Condition assessment of culvert inventory;
- Financial analysis for the purposes of developing a Financial Strategy; and
- Development of asset management policy and strategy documents;

AND FURTHER THAT the Council of The Corporation of the Municipality of Neebing commits \$12,500 from its budget towards the costs of this initiative.

#### **3.5 Correspondence from the Municipality of Killarney regarding Proposed Changes to the Ambulance Act and the Fire Protection and Prevention Act**

Administration had recommended that Council pass a supporting resolution.

#### **3.6 Information Correspondence List (Distributed at the Meeting)**

Administration had recommended that the correspondence be received for information.

Res. No. 2017-10-224

Moved by: Councillor Lankinen  
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 3.6, as well as Item 7.1 in the Closed Session portion of the agenda.

**CARRIED ✓**

Councillor McCooeye had some questions relating to Item 3.4.

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

**4.1 Report from Solicitor-Clerk Regarding Freedom of Information Request Responses from the Ministry of Natural Resources and Forestry**

The Solicitor-Clerk overviewed the report and responded to questions.

Res. No. 2017-10-225

Moved by: Councillor Butikofer  
Seconded by: Councillor Wright

Applicants seeking to have their lands included for consideration under the Conservation Land Tax Incentive Program ("CLTIP") provide information to the Province as part of the application process, including zoning and official plan information.

A recent review by the Municipality of Neebing revealed that the information provided by applicants is not reviewed with the Municipality for accuracy or further clarification. The Municipality requested information under the Freedom of Information and Protection of Privacy Act, relating to certain applications within Neebing, and discovered that at least one applicant had mis-interpreted official plan designations as zoning provisions in its representations to the Province.

Municipalities in which the subject lands exist are financially impacted by the Province's approvals of CLTIP applications, yet the Municipality has no voice in the approval process.

The Ministry of Natural Resources and Forestry reserves the right to inspect the subject properties as part of the approvals process. Given the number of CLTIP applications province-wide, the Municipality doubts that many (if any) inspections are actually physically undertaken. The local government would have current and accurate knowledge of any property within its jurisdiction, and would be able to recognize any issues that might be picked up if the property were actually inspected by Provincial representatives.

ACCORDINGLY, BE IT RESOLVED THAT the Council of The Corporation of the Municipality of Neebing respectfully requests that the Province change the application process under the CLTIP to provide that applications, together with supporting studies, maps and/or other information, will be circulated for comment to the municipality in which the subject property exists;

AND FURTHER THAT the Council of The Corporation of the Municipality of Neebing respectfully requests that the Province further change the application process under the CLTIP to require the Ministry of Natural Resources and Forestry to take the Municipality's comments into consideration when processing the application;

AND FURTHER THAT this resolution be forwarded to the Thunder Bay District Municipal League with a request that it be considered for support and forwarded to the Northwestern Ontario Municipal Association for support;

AND FURTHER THAT this resolution be circulated to the Premier, the Minister of Natural Resources and Forestry, the Association of Municipalities of Ontario and Ontario municipalities who have previously supported Neebing in its efforts to have the CLTIP revised in a manner that promotes fairness to the local order of government.

CARRIED ✓

4.2 Report from Solicitor-Clerk Regarding Requests to Purchase Road Allowances Near the Terminus of Memory Road (Plan W-734)

Administration had recommended that this matter be tabled until the second regular Council meeting in May, 2018, to allow the people involved to further discussions among themselves. Various members of Council expressed their opinions relating to the matter. On consensus, the concern of Council is liability of the Municipality for private property installations on the municipal property (tennis court, water lines).

Mrs. DiPasquale, attending in the audience, commented that she would be content with the "status quo" if Council wishes to retain its road allowance property – however – she wishes the tennis court to remain standing if at all possible.

Dr. Watson, attending in the audience, commented that she remains concerned with respect to the travelled portion of Memory Road crossing her property, and she would like to have that issue resolved. She agreed with the recommendation to let the matter rest until spring.

Some members of Council indicated a wish for further legal advice relating to the matter.

Res. No. 2017-10-226

Moved by: Councillor Shott  
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT this matter be tabled to the Council meeting of November 8<sup>th</sup> for the purposes of receipt of further legal advice.

CARRIED ✓

4.3 Report from Solicitor-Clerk Regarding Proposed Changes to the Procedural By-law

Mayor Polkowski expanded on his concerns relating to certain correspondence appearing in the public agenda. Factual errors on the letters go un-corrected, and the wrong impression may be left by those reviewing the minutes.

Res. No. 2017-10-227

Moved by: Councillor Lankinen

Seconded by: Councillor Coulson

BE IT RESOLVED THAT Administration bring forward the appropriate amendments to the Procedural by-law to allow for an agenda review by the meeting chair prior to finalization of the agenda.

CARRIED ✓

4.4 Report from Solicitor-Clerk Regarding fencing at the Municipal Office

Members present discussed the various options in the report for the fencing to protect the newly installed septic system.

Res. No. 2017-10-228

Moved by: Councillor Coulson

Seconded by: Councillor Shott

BE IT RESOLVED THAT Administration is authorized to proceed with the fence solution described as "Option 4" in the report.

CARRIED ✓

4.5 Report from Solicitor-Clerk Regarding Resolution for Environmental Assessment Process

The Solicitor-Clerk overviewed the information in the report and responded to questions.

Res. No. 2017-10-229

Moved by: Councillor McCooeye

Seconded by: Councillor Butikofer

In 2005, an Environmental Assessment Advisory Panel made recommendations for "new procedures that would support a more efficient process" in Ontario's environmental assessments. These recommendations have not been acted upon.

The Ontario Auditor General's 2016 annual report contained a chapter recommending changes to the Environmental Assessment process to modernize it and align it with best practices in other jurisdictions.

The Residential and Civil Construction Alliance of Ontario ("RCCAO") and the Municipal Engineers' Association ("MEA") have called for reform of the Environmental Assessment process, and are supported by 13 municipal and construction industry stakeholders.

In April, 2017, the Ministry of Environment and Climate Change advised the RCCAO and MEA that a "comprehensive review" of the system would be undertaken – and would be completed by December of 2018.

The Corporation of the Municipality of Neebing has not received any invitations to participate in this review or provide comments.

ACCORDINGLY, BE IT RESOLVED THAT, the Council for The Corporation of the Municipality of Neebing respectfully requests that the Ministry of Environment and Climate Change consult with municipalities as part of its "comprehensive review" of the environmental assessment process.

AND THAT the Council considers a review of the Environmental Assessment procedures to be critical to streamlining important infrastructure projects;

AND THAT this resolution be forwarded to the Honourable Chris Ballard, minister of Environment and Climate Change, and to MPP Mauro, as recommended by the RCCAO and MEA.

CARRIED ✓

4.6 Report from Solicitor-Clerk Regarding Beaver Mitigation

Members present reviewed the report and discussed the matter. All members agreed that mitigation efforts need to be stepped up, as the problems are mounting.

Res. No. 2017-10-230

Moved by: Councillor Lankinen  
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT Administration undertake some research to determine the current rate per beaver that trappers are charging;

AND THAT Administration include in the 2018 budget, a line item for beaver trapping.

CARRIED ✓

4.7 Report from Solicitor-Clerk Regarding DSSAB Consultation Process

Members present discussed the Report. The Solicitor-Clerk responded to questions. She clarified that 13% of Neebing's operating budget is made up of the fee paid to Thunder Bay District Social Services Administration Board.

Res. No. 2017-10-231

Moved by: Councillor Coulson  
Seconded by: Councillor Wright

BE IT RESOLVED THAT the written submission appended to the Report be amended to add in a paragraph stipulating that thirteen (13%) per cent of Neebing's operating budget is consumed by Social Service Administrative Board fees;

AND THAT Council approves the written submission, as amended;

AND THAT Administration is directed to submit the written submission to the Provincial consulting firm, Optimus|SBR, prior to the October 31<sup>st</sup> deadline.

CARRIED ✓

4.8 Correspondence from “The Underground Gym”, received September 25, Seeking financial contributions

Members present reviewed the correspondence. No resolution was passed.

4.9 Verbal Report from Solicitor-Clerk Regarding Police Services Board

The Solicitor-Clerk advised of the composition of the new Police Services Board. Given that 4 municipalities participate, and there are only 2 seats, she recommends sharing the seats in pairs, with 2-year terms. The Municipality of Neebing and the Township of Gillies would “share” one of the 2 seats, and the Townships of Conmee and O’Connor would “share” the other one. The four councils would form a committee to review applications for, and appoint, the citizen representative, and encourage residents to apply for one of the two provincially-appointed seats. Council agreed with the recommendations. Administration was directed to send correspondence to the other participating municipalities to seek concurrence.

4.10 Verbal Report from Solicitor-Clerk Regarding ROMA delegation requests

Administration was requested to place this matter on the agenda for the October 18<sup>th</sup> meeting. Suggested delegation requests were discussed, as follows:

- Minister of Transportation – seeking contributions for reparation of the hazard on Cloud Lake Road, and for streetlights;
- Minister of Labour – regarding Bill 148 (a resolution should also be sent, separately, in advance, to request that the Minister amend the bill to exempt volunteer fire services, as promised at the conference of the Association of Municipalities of Ontario last August);
- Minister of Community Safety and Correctional Services – regarding changes to policing; and
- Minister of infrastructure – regarding funding for a new fire hall, and regarding the building at the Pigeon River border crossing.

5. TABLE BY-LAWS

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

6. NEW BUSINESS - ANNOUNCEMENTS

Councillor Lankinen expressed concern about the loose rock used to solve the drainage issue when the renovations for Blake Hall were completed. He believes that the road crew should remove the loose rock and replace it with pit run gravel or A gravel – and then apply grindings to the area in the spring.

Councillor Lankinen will speak with the Working Roads Foreman in this regard.

Mayor Polkowski indicated that he had received several phone calls about Red Cross donations for the hurricane relief in the United States and the Caribbean.

Res. No. 2017-10-232

Moved by: Councillor Wright  
Seconded by: Councillor Shott

BE IT RESOLVED THAT Neebing donate the sum of one thousand (\$1,000.00) dollars to the Red Cross for hurricane relief, and allow the Red Cross to apply the donation as it sees fit.

**CARRIED ✓**

Councillor Wright indicated he had seen news coverage of the City's purchase of two additional portable radar units that tell drivers how fast they are travelling. They are battery operated, portable, and cost approximately \$5100.00 each. Given concerns expressed regarding speeding in Neebing, he questioned whether Council should look into a similar purchase when discussing the 2018 budget. On consensus, Council agreed and directed Administration to include the items.

Councillor Shott indicated he had received information about cell phone charging stations – other communities are purchasing them, and installing them in community halls as a public service. The station can be used for advertisements or public messaging – such as safety messages. He believes that grants may be available through a youth program. He suggested that this is another item to consider purchasing next year.

Mayor Polkowski advised members present that the Sandhill Landfill Site attendant was experiencing difficulty with an extremely rude and aggressive patron. A letter has been sent to the resident, advising that rules must be obeyed and threatening revocation of site privileges if behaviour is not corrected.

The Solicitor-Clerk advised that Neebing's insurance broker will be bringing forward a competitive "bid" for the 2018 insurance renewal program. Members present discussed details relating to insurance policies. Care must be taken to preserve coverage. On consensus, a committee, comprised of Councillors Wright, Shott and Butikofer, was struck for the purpose of a careful review of the information when it is received.

A brief recess was called at 7:43 p.m. to allow the gallery to clear prior to closed session. Dr. Watson expressed appreciation to Council for allowing residents of Memory Road to speak to their issue without having formally requested a deputation.

Session resumed at 7:50 p.m.

**7. CLOSED SESSION:**

Res. No. 2017-10-233

Moved by: Councillor McCooeye  
Seconded by: Councillor Coulson



BE IT RESOLVED THAT Council enter closed session 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); and  
Under the authority of paragraph 239(2)(b) to consider item 7.3, involving personal matters about identifiable individuals; and  
Under the authority of paragraph 239(2)(d) to consider Item 7.4, involving a potential acquisition of property; and  
Under the authority of paragraph 239(2)(e) to consider item 7.2, involving litigation or potential litigation affecting the municipality; and  
Under the authority of paragraph 239(2)(f) to consider items 7.2 and 7.3, advice that is subject to solicitor-client privilege.

**CARRIED ✓**

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

Res. No. 2017-10-234

Moved by: Councillor Coulson

Seconded by: Councillor Shott

BE IT RESOLVED THAT, the time being 8:19 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 September 20<sup>th</sup>, 2017

The minutes had been approved with the Consent Agenda resolution. No errors or omissions were noted.

Matters 7.2 through 7.4 were dealt with in a single resolution:

7.2 Report from Solicitor-Clerk Regarding Trespass/Damage Allegations

7.3 Report from Solicitor-Clerk Regarding Plan W-734 Unopened Road Allowances

7.4 Verbal Report from Solicitor-Clerk Regarding potential property purchase

Res. No. 2017-10-235

Moved by: Councillor McCooeye

Seconded by: Councillor Lankinen


BE IT RESOLVED THAT, with respect to Items 7.2, 7.3 and 7.4 on the Agenda, Administration is authorized to proceed as directed in closed session.

**CARRIED ✓**

**7. ADJOURN THE MEETING:**

There being no further business to attend to, Mayor Polkowski adjourned the meeting at 8:25 p.m.

**REGULAR MEETING OF COUNCIL**

  
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Ziggy Polkowski  
MAYOR

  
\_\_\_\_\_  
Rosalie A. Evans  
SOLICITOR-CLERK

