

September 10, 2020.

The Regular Council Meeting was called to order at 7:00 p.m. Due to the number of people that were invited to attend this meeting, the Community Centre was used in order to observe the COVID-19 social distancing regulation. Twenty-three (23) members of the public attended the meeting. Under the Freedom of Information Act, the original list is on record at the Municipal Office.

Reeve Dave Mullin, Councillor Janet MacDowall, Councillor Terry Fiset, Councillor Pam Cormier and Councillor Gary Palmer attended the meeting. Reeve Dave Mullin chaired the meeting. Myrna Hayes and Shelly Tulpin were also in attendance.

Fiset/Palmer:

A motion to approve the minutes of the August 13th/20 Regular Meeting.

Carried.

Reeve Mullin welcomed all to the meeting and stated that there would be no discussions/questions/comments regarding the Ball Park Road issue. Council would be making a decision regarding the Ball Park Road at the completion of the 'in-camera' session and that information would be available to the public Friday (September 11th/20) morning.

A delegation, Mr. Tom O'Neill and Mr. Darin Carmichael, made a presentation to Council regarding Ball Park Road:

- Councillor Palmer went through Mr. Pritchard's blockade and trespassed on my (T. O'Neill) property on Ball Park Road.
- How does Councillor Palmer, an elected official go through the blockade when no one else can? Who gave Councillor Palmer permission to do this?
- Councillor Palmer responded saying that he was making himself familiar with the area.
- Mr. O'Neill asked Councillor Fiset and then Reeve Mullin if each of them was aware of Councillor Palmer's actions. Reeve Mullin and Councillor Fiset each responded that they were unaware of him going to Mr. O'Neill's property.
- Fred Pritchard and his 'crew' drive through the 'no trespassing' signs on my (T. O'Neill) property at will.
- Property owners along Ball Park Road are being harassed/bothered at all hours of the day and night.
- My workers were stuck behind the blockade.
- Police were called all weekend.
- My company has spent over a million dollars in this town.
- Sam Jones was stuck alone on his property all weekend. How do we know that Pritchard and his 'crew' will not do anything to him?
- Something must be done to end this problem.

Reeve Mullin thanked Mr. O'Neill for attending the meeting and assured him that Council would make a decision prior to the end of the meeting.

One of the Pritchard crew threw 'home-made' trespass notices at Scott Connors, Chester Jobson and Tom O'Neill on his way out of the Community Centre. The documents were left on the floor.

Tom O'Neill and Darin Carmichael left the meeting at 7:15 p.m.

Delegation: Adam Gibson, Public Works

- The water hook-up for Gary Palmer's new residence will be done when Pedersen's are freed up.
- Did a trial run with the brush cutter from Brownlee's....it worked O.K.
- Demora is designing a tar/chip setup and wants to use Elk Lake streets as a try-out.

- Travis Ehman has submitted his resignation, effective September 22/20. Councillor Cormier suggested that we get the job ad out (Temiskaming Speaker, website, downtown bulletin board) ASAP. An interview committee will be formed to review applications after the closing date (September 29/20). Jacob Martin will be kept on until then and invited to apply for Travis' position.
- The temporary bridge (Bear Creek) is slowly being dismantled and removed. Should be completed late October/20.
- Councillor Fiset informed Council that the estimated price for a curb and paving River Street has increased as Looby Construction laid a second lift. The actual cost should be around \$22,200.00. This curb and paving should resolve the erosion issues on that portion of River Street.
- Reeve Mullin asked about the broken pavement that has been brought to the dump. Councillor Fiset explained that the pavement was put at the dump by Looby Construction and they have paid tipping fees. The asphalt will be added to A gravel when the town gets a crusher back in. It is a good topping for trouble spots on the Township streets.
- The Township does not blow/deposit snow at the back of the chipstand. I hope to refresh a ditch on the nearby Township lot to reduce the flow of melting snow in the spring.
- Councillor Fiset reported on the construction going on at the school. They (DSBONE) had the curbs four (4) feet out onto Spruce Street. Terry called the engineer in charge, but had no luck. He finally contacted Mr. Clinton Johansen, DSBNE Maintenance Superintendent and finally got the issue resolved. The curbs no longer extend out onto Spruce Street.

Adam left the meeting at 7:15 p.m.

MacDowall/Fiset:

A motion to approve the Township's August 31st/20 Treasurer's Report.

General Revenue Account Balance: \$1,588,867.62.

Carried.

Palmer/Cormier:

A motion to approve the ELCF August 31st/20 Treasurer's Report.

General Revenue Account Balance: \$115,455.89.

Carried.

Palmer/Cormier:

A motion to approve the payment of Township of James August/20 Accounts totalling \$100,787.40.

Carried.

Fiset/Cormier:

A motion to approve payment of ELCF August/20 Accounts totalling \$680.56.

Carried.

BY-LAWS: None.

RESOLUTIONS: None.

MacDowall/Fiset:

A motion to support the Township of Huron-Kinross regarding the Farm Tax Rebate Program.

Carried.

Councillor Fiset informed Council about an issue regarding municipal roads in Chapleau. Truckers access the mill (not located within town limits) using Chapleau streets/roads. In other words the mill pays no taxes to Chapleau. It is costing Chapleau a significant amount of money for street/road maintenance. The mill will not contribute anything for Chapleau road maintenance. The mill owner's reasoning is that the mill employees are residents of Chapleau. As a result the Township of James has provided a copy of the ½ load by-law that was adopted in 2015 to Chapleau in hopes that it will bring the mill to the table and start negotiations with the town of Chapleau.

Council opted to have Adam put ice in the Community Centre in mid-November for kids' public skating until the end of December/20. Further discussions regarding the curling season were deferred to the October/20 Council Meeting. If curling is organized for this year, it will start in January/21.

Councillor Fiset was informed of a problem at the corner of Hwy 65 and Rosedale Avenue. Logging trucks cannot see vehicles coming into Elk Lake from New Liskeard because of the brush/trees on the river side of Hwy 65. Terry will have Adam contact MTO and have the problem area cleared.

Reeve Mullin thanked the members of the public that were in attendance and informed them that the remainder of the Council Meeting would re-convene at the Township Office.

Council resumed the meeting at the Municipal Office at 8:00 p.m.

Cormier/MacDowall:

A motion to move in-camera at 8:01 p.m. to discuss the Ball Park Road issue.

Carried.

Cormier/Fiset:

A motion to move from 'in-camera' at 8:35 p.m.

Carried.

Cormier/MacDowall:

A motion to direct the Township's solicitor to proceed with going to court to resolve the Ball Park Road issue and to solicit the O.P.P. to re-open the road and have the road remain status quo until the matter is resolved in court. Councillor Janet MacDowall, Councillor Terry Fiset, Councillor Pam Cormier and Councillor Gary Palmer were polled for their votes by Reeve Mullin. All Council members except for Councillor Palmer voted 'aye'. Councillor Palmer abstained from voting. As per Section 23 ii) of By-Law #04-01, 'A failure to vote under subsection 23 i) by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.', Therefore Councillor Palmer's vote is deemed a 'nay'. This motion is very similar to Council's motion adopted unanimously at the June 11/20 Regular Meeting.

Carried.

BY-LAW 2020-08

Cormier/Fiset:

That a By-Law to establish Ball Park Road a municipal highway under authority of Section 31, Paragraph 1 of the *Municipal Act*, 2001, S.O. 2001, c. 25; *be received and read a first time.*

Carried.

MacDowall/Fiset:

That a By-Law to establish Ball Park Road a municipal highway under authority of Section 31, Paragraph 1 of the *Municipal Act*, 2001, S.O. 2001, c. 25; *be read a second time and be referred to a Committee of the Whole Council.*

Carried.

Cormier/Fiset:

That a By-Law to establish Ball Park Road a municipal highway under authority of Section 31, Paragraph 1 of the *Municipal Act*, 2001, S.O. 2001, c. 25; *as reported by the Committee of the Whole be read a third time, passed and numbered 2020-08 that the said by-law be signed by the Reeve and Clerk, sealed with the seal of the Corporation and be engrossed in the By-Law Book.*

Carried.

Palmer/Cormier:

Whereas Council has passed By-Law 2020-08 to establish Ball Park Road as a municipal highway, and whereas By-Law 03-01 sets out notice periods, and whereas By-Law 03-01 permits Council to reduce/amend the notice period, Council hereby reduces/amends the required notice for the above noted by-law establishing Ball Park Road as a municipal highway and further Council hereby dictates that an alternate Notice be given, and further that said alternate Notice of the By-Law shall consist of posting By-Law 2020-08 in a public place within 2 days of being passed by Council and Council hereby deems said posting of public notice to be adequate notice, in form, timing and content under the circumstances.

Carried.

Cormier/Palmer:

A motion to adjourn the meeting at 9:00 p.m.

Carried.



Reeve Mullin
M. J. Hayes

