

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

Held at the Municipal Office
On Wednesday, January 20, 2016

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

Erika Kromm, Treasurer-Deputy 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. 2016-01-004

Moved by: Councillor Shott
Seconded by: Councillor Wright

The agenda circulated for this regular meeting of Council be amended to:

- a) Add as Item 3.2 a deputation from Chris Garbo relating to Item 5.10;
- b) Move Item 5.10 up in the agenda to be considered immediately following Mr. Garbo's deputation;
- c) Add to Item 5.1 a resolution relating to the replacement of the fuel tanks at the Municipal Garage;
and
- d) Add to Item 5.3 a resolution to appoint Councillors to the Labour management committee and to discuss timing for a meeting; and
- e) Add as Item 3.0 a deputation from David Millard relating to approval for water supply.

CARRIED ✓

- (d) Declarations of Interest:

Councillor Shott declared a conflict regarding the discussion of Item 4.1, regarding the voucher report as it includes payment to his spouse, and Item 11.2, regarding recruitment for office staffing, as his spouse is employed in the office.

2. ADOPT THE MINUTES OF THE PREVIOUS MEETINGS AND MEETINGS OF COMMITTEES:

2.1. Minutes of the Regular Council meeting held December 22, 2015

Members present reviewed the minutes. No changes were noted.

Res. No. 2016-01-005

Moved by: Councillor Wright

Seconded by: Councillor Shott

BE IT RESOLVED THAT the minutes of the Regular meeting of Council, held December 22, 2015, be approved.

CARRIED ✓

2.2. Minutes of the Neebing Recreation Committee meeting held January 11, 2016

Members present reviewed the minutes and discussed flooding the rink at Blake Hall. The Fire Chief is checking with fire department members to determine if there is an ability to assist with flooding.

Res. No. 2016-01-006

Moved by: Councillor Wright

Seconded by: Councillor Shott

BE IT RESOLVED THAT the minutes of the Regular meeting of Council, held January 11, 2016, be received.

CARRIED ✓

3. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS:

3.0 Request from Resident to use Underground Holding Tank for a Potable Water Supply

Mr. Millard explained that he had hand drilled a 12 foot well on his property and found that the water was high in iron and not palatable. The family would like to use an underground holding tank for a potable water supply.

Councillor Shott was concerned about the water quality and frequency of testing. Mr. Millard explained that the water would be from Thunder Bay's water fill station on Highway 61. This alleviated any concern.

Res. No. 2016-01-007

Moved by: Councillor Butikofer

Seconded by: Councillor Wright

BE IT RESOLVED THAT Council approves the use of an underground holding tank for a potable water supply for a new residence proposed for the Millard family's property at 189 Larson Road, subject to all of the required clearances from the Thunder Bay District Health Unit and installation in accordance with the Ontario Building Code.

CARRIED ✓

3.1 Request from resident on Klages Rd for installation of guard rails

The resident was unable to attend the meeting; however, members present reviewed the request. There was discussion that the picture provided does not clearly show the need for guard rails on Klages Rd and that posting reduced speed limit signs would further contribute to the safety of drivers along the road. Nothing can be installed while the ground is frozen.

Administration was directed to send a letter to the resident advising that the matter will be considered, but that it most likely will not be done in the foreseeable future.

Res. No. 2016-01-008

Moved by: Councillor Wright

Seconded by: Councillor Shott

BE IT RESOLVED THAT The deputant be thanked for the information provided and the issue of guard railing for Klages Road be deferred to the next capital budget meeting for discussion.

CARRIED ✓

3.2 Request from Mr. Chris Garbo to address Council regarding Item 5.10 of this agenda

Mr. Garbo had received a letter from the Municipality advising that the road leading to his property is a private road. He advised that he had a meeting the on January 19, 2016 with the Ministry of Transportation (MTO). The MTO provided Mr. Garbo with some documentation that leads him to believe that the road is actually owned by the Municipality. Members present reviewed the documentation and discussed whether the documents show the Municipality's ownership. Mr. Garbo was advised that Council would have to get a legal opinion on the new information before this matter can be discussed further.

No resolution was passed.

4. PASS REQUIRED RESOLUTIONS:

4.1 Voucher Report

Members had questions relating to the payment for hot water tank rental at Blake Hall. Administration was directed to bring forward to the next meeting information regarding when the tank was installed and the cost to replace the tank. There were questions regarding the usage plans for the cell phones at the landfill sites. Administration was directed to monitor usage to be sure the plans are appropriate.

Res. No. 2016-01-009

Moved by: Councillor Shott

Seconded by: Councillor Wright

BE IT RESOLVED THAT The Council of The Corporation of the Municipality of Neebing hereby approves the vouchers, as presented: VOUCHER NUMBER 12/2015, December, 2015

Liabilities

HST, Source Deductions \$63,641.05

Expense Accounts

General Government 77,520.97

Protection to persons and property 74,597.91

Transportation Services 94,828.32

Environmental Services 7,825.87

Health Services 3,666.00

Cemetery 506.41

Social and Family Services 31,286.00

Recreation and cultural services 1,403.47

Planning

Capital Projects – General Government

Capital Projects – Fire 429.58

Capital Projects – Public Works
Capital Projects - Parks
School Boards – Education Levy

Total disbursements in month **477,493.57**

CARRIED ✓

4.2 Report from Treasurer Regarding Variance Year-to-Date

Members present reviewed the report, which was presented for information.

4.3 Report from Treasurer Regarding Pre-Budget Expenditure Authorization

Members present reviewed the report.

Res. No. 2016-01-010

Moved by: Councillor Wright

Seconded by: Councillor Shott

BE IT RESOLVED THAT, prior to the finalization of the 2016 budget, Administration is authorized to expend up to one-half of the capital budget from 2015 for capital projects in 2016.

CARRIED ✓

5. CONSIDER REPORTS OF MUNICIPAL OFFICERS:

5.1 Monthly Report from Roads Foreman for December

Members present reviewed the report.

Res. No. 2016-01-011

Moved by: Councillor Shott

Seconded by: Councillor Wright

BE IT RESOLVED THAT Administration is authorized to continue to attempt to obtain quotations for the replacement of the fuel tanks at the Municipal Garage and is authorized to spend no more than \$20,000 for this project, and to proceed when a suitable quotation is obtained.

CARRIED ✓

5.2 Monthly Report from Fire Chief for December

Members present reviewed the report, which had been presented for information. No questions or concerns were raised.

5.3 Report from Solicitor-Clerk Regarding Administrative Activity

Members present reviewed the report.

Res. No. 2016-01-012

Moved by: Councillor Butikofer

Seconded by: Councillor Wright

BE IT RESOLVED THAT Roger Shott and Erwin Butikofer be appointed to the Labour-Management Committee for this term of Council.

CARRIED ✓

5.4 Report from Solicitor-Clerk Regarding Council Procedures

Members present reviewed the Report.

Res. No. 2016-01-013

Moved by: Councillor Butikofer

Seconded by: Councillor Wright

BE IT RESOLVED THAT Council accepts Administration's recommendations to change the way agendas are formatted;

AND Council accepts Administration's recommendations to cease the practice of pre-printing resolution papers;

AND Council accepts Administration's recommendations to cease requiring two resolutions to pass each by-law under consideration.

CARRIED ✓

5.5 Report from Solicitor-Clerk Regarding Escrow Agreement

Members present reviewed the report. Mayor Polkowski updated members on the recent news report regarding Area One municipalities and Thunder Bay District Social Services Administration Board.

Res. No. 2016-01-014

Moved by: Councillor Wright

Seconded by: Councillor Butikofer

BE IT RESOLVED THAT The Mayor and Solicitor-Clerk are authorized to execute an escrow agreement, in form and content approved by the Lakehead Rural Municipal Committee, with an escrow agent selected by the Lakehead Rural Municipal Committee, for the purposes of holding the funds associated with the Thunder Bay District Social Services Administration Board levy payments, in accordance with Resolution Number 2015-12-449 passed on December 22, 2015

AND FURTHER THAT Council authorizes Administration to forward to the Township of Conmee the sums required to continue to retain the consultant hired by the individual municipalities in the Lakehead Rural Municipal Committee for the purposes of assistance with mediation relating to the Thunder Bay District Social Services Administration Board, from time to time, as required, up to a maximum of \$14,305, and that Administration include this sum in the 2016 operating budget.

CARRIED ✓

5.6 Report from Solicitor-Clerk Regarding Newsletter Policy

Members present reviewed the Report. There was discussion regarding advertising by candidates during a municipal election.

Administration was reminded that in accordance with the policy all submitted articles should be reviewed by staff prior to going to print.

Res. No. 2016-01-015

Moved by: Councillor Wright
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT The Neebing News Policy for articles and advertising be amended to change the title within the text from "Deputy Clerk-Treasurer" to "Clerk".

CARRIED ✓

5.7 Report from Solicitor-Clerk Regarding By-Law to Restrict Discharge of Firearms

Members present reviewed the report. There was discussion regarding possible exemptions. Administration was directed to confirm whether or not exemptions could apply to the provincial regulation.

Res. No. 2016-01-016

Moved by: Councillor Wright
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT The Corporation of the Municipality of Neebing respectfully requests the Ministry of Natural Resources and Forestry to amend Regulation 665/98 under the Fish and Wildlife Conservation Act, 1997 (S.O. 1997, c. 41, as amended) to include the Municipality of Neebing in Schedule 2 to Part 8, provided that the regulation contains exemptions for police officers and municipal staff while on official business.

CARRIED ✓

5.8 Discussion Regarding the Composition of Council

Members present reviewed the report. Councillor Butikofer raised the suggestion that the size of Council be reduced from seven members to five. Several members are not in favour of reducing the number of members because of statements that were made during amalgamation.

No resolution was passed.

5.9 Report from Solicitor-Clerk Regarding Office Staffing for 2016 and Beyond

Members present reviewed the report.

Res. No. 2016-01-017

Moved by: Councillor Lankinen
Seconded by: Councillor Coulson

BE IT RESOLVED THAT the job description for the Administrative Assistant appended to the Report is approved.

CARRIED ✓

5.10 Report from Solicitor-Clerk Regarding Service Level Agreement(s) for Road Work

Members present reviewed the report. It was discussed that the members would like to get the legal opinion related to Item 3.2 before making a decision.

Res. No. 2016-01-018

Moved by: Councillor Wright
Seconded by: Councillor Shott

BE IT RESOLVED THAT this matter be tabled and lifted from the table at the regular meeting of Council on February 3, 2016.

CARRIED ✓

5.11 Update for Official Plan/Zoning Review Process

Members present reviewed the report.

Res. No. 2016-01-019

Moved by: Councillor McCooeye
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT The workplan timing amendments recommended by Administration for the Official Plan and Zoning By-law Review process are approved.

CARRIED ✓

6. TABLE BY-LAWS FOR FIRST AND SECOND READING:

6.1. By-law 2016-001 to Regulate Firearms on Road Allowances

Members present reviewed the by-law. Administration was directed to revise the wording to include an exemption for police officers and municipal staff on official business.

Res. No. 2016-01-020

Moved by: Councillor Coulson
Seconded by: Councillor Butikofer

BE IT RESOLVED THAT this matter be tabled and lifted from the table at the regular meeting of Council on February 3, 2016.

CARRIED ✓

6.2. By-law 2016-002 to provide for an interim tax levy; to provide for the payment of taxes and to provide for penalty and interest of 1.25 percent

Res. No. 2016-01-021

Moved by: Councillor Lankinen
Seconded by: Councillor Coulson

BE IT RESOLVED THAT By-law Number 2016-002, to provide for an interim tax levy and related matters, be read a first and second time.

CARRIED ✓

6.3. By-law 2016-003 to authorize an agreement with the LAS One Fund investment program

Res. No. 2016-01-22

Moved by: Councillor Coulson
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT By-law Number 2016-003, to authorize an agreement with LAS One Fund, be read a first and second time.

CARRIED ✓

7. ATTEND TO CORRESPONDENCE RECEIVED:

Part One: Correspondence Seeking or Requiring Actions or Decisions

7.1. Correspondence from Champlain Township regarding a request that the Ministry of Community Safety and Correctional Services review and reconsider the OPP billing mode;

Members present reviewed the correspondence.

Res. No. 2016-01-23

Moved by: Councillor Butikofer

Seconded by: Councillor Coulson

BE IT RESOLVED THAT, With respect to correspondence from the Township of Champlain requesting review and reconsideration of the billing model for the Ontario Provincial Police, Neebing Council whole-heartedly supports the resolution passed by the Champlain Council;

AND Administration is directed to forward notice of Council's support to the Township of Champlain, to the Minister of Community Safety and Correctional Services for Ontario, the Minister of Finance for Ontario, the Association of Municipalities of Ontario and the Premier of Ontario.

CARRIED ✓

7.2. Correspondence from The City of Kingston regarding a resolution endorsing a national discussion of a basic income guarantee for all Canadians

Members present reviewed the correspondence.

No resolution was passed.

7.3. Correspondence from Township of West Nipissing requesting the Ministry of Health and Long-Term Care to consider amending the qualifying criteria for the Northern Health Travel Grant

Members present reviewed the correspondence.

Res. No. 2016-01-24

Moved by: Councillor McCooeye

Seconded by: Councillor Coulson

BE IT RESOLVED THAT, With respect to correspondence from the Township of West Nipissing regarding the qualifying criteria for Ontarians to receive the Northern Health Travel Grant, Neebing Council supports the resolution passed by the West Nipissing Council;

AND Administration is directed to forward notice of Council's support to the Township of West Nipissing and to the Minister of Health and Long Term Care for Ontario

CARRIED ✓

7.4. Correspondence from Township of West Nipissing requesting the Minister of Energy to expand natural gas services in all of Northern Ontario

Members present reviewed the correspondence.

Res. No. 2016-01-25

Moved by: Councillor Coulson
Seconded by: Councillor McCooye

BE IT RESOLVED THAT, With respect to correspondence from the Township of West Nipissing urging the Minister of Energy and Climate Change to consider expanding the accessibility to natural gas services in northern Ontario communities, Neening Council supports the resolution passed by the West Nipissing Council;

AND Administration is directed to forward notice of Council's support to the Township of West Nipissing and to the Minister of Energy and Climate Change for Ontario

CARRIED ✓

7.5. Correspondence from Township of West Nipissing requesting the Minister of Transportation to expedite its re-classification of all Northern Ontario Highways

Members present reviewed the correspondence.

Res. No. 2016-01-26

Moved by: Councillor McCooye
Seconded by: Councillor Coulson

BE IT RESOLVED THAT, With respect to correspondence from the Township of West Nipissing regarding Ontario Highway re-classification, Neening Council whole-heartedly supports the resolution passed by the West Nipissing Council;

AND Administration is directed to forward notice of Council's support to the Township of West Nipissing and to the Minister of Transportation for Ontario

CARRIED ✓

7.6. Correspondence from Hymers Agricultural Society seeking support for the 104th Hymers Fair

Members present reviewed the correspondence.

Res. No. 2016-01-27

Moved by: Councillor McCooye
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT, With respect to correspondence from the Hymers Agricultural Society, Neening will participate in the program with an advertisement in the same size as was printed in 2015; Administration is authorized to make the payment to the Hymers Agricultural Society for the advertisement,

AND Administration is directed to produce some sample designs from which Council will select for the program.

CARRIED ✓

7.7. Correspondence from the Great Lakes and St. Lawrence Cities Initiative seeking resolutions to include for adoption at its annual meeting

Members present reviewed the correspondence. Some of the topics of interest include peat moss septic systems for shoreline subdivisions, removing the exemptions for conservation lands and shoreline parks. Members will forward any other points of interest to the Clerk.

Res. No. 2016-01-28

Moved by: Councillor Coulson
Seconded by: Councillor McCooney

BE IT RESOLVED THAT, With respect to correspondence from The Great Lakes St. Lawrence Cities Initiative, Council directs Administration to undertake the necessary research and bring forward a report with a recommended resolution prior to the deadline for submission (March 16, 2016).

CARRIED ✓

Part Two: Information-only Correspondence

Members of Council were able to view the information-only correspondence in the folder provided.

8. ATTEND TO THIRD READING OF BY-LAWS

8.1 By-law 2016-001 to Regulate Firearms on Road Allowances

As first and second reading of this By-law had been tabled, third reading could not proceed

8.2 By-law 2016-002 to provide for an interim tax levy; to provide for the payment of taxes and to provide for penalty and interest of 1.25 percent

Res. No. 2016-01-29

Moved by: Councillor McCooney
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT By-law Number 2016-002, to provide for an interim tax levy and related matters, be read a third time and passed.

CARRIED ✓

8.3 By-law 2016-003 to authorize an agreement with the LAS One Fund investment program

Res. No. 2016-01-30

Moved by: Councillor Coulson
Seconded by: Councillor McCooney

BE IT RESOLVED THAT By-law Number 2016-003, to authorize an agreement with LAS One Fund, be read a third time and passed.

CARRIED ✓

9. ATTEND TO UNFINISHED BUSINESS OF COUNCIL:

9.1 Report from Treasurer Regarding Investments

Members present reviewed the report and discussed risk and rates of return.

Res. No. 2016-01-31

Moved by: Councillor Coulson
Seconded by: Councillor McCooney

BE IT RESOLVED THAT Council authorizes Administration to proceed to enroll in the LAS One Fund program and to invest the Municipality's funds as described in the Report.

CARRIED ✓

10. ATTEND TO NEW BUSINESS:

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

Councillor McCooeye advised that the last meeting of the Lakehead Rural Planning Board involved approval of a new lot in O'Connor and that OPG purchased an easement to install a water meter gauge.

Councillor Shott was advised at the Thunder Bay District Health Unit board meeting that there are some changes coming regarding the health system structure. Local health administration will be transferred from the health units to the LHINs. This could mean significant cost increases and unpredictability to municipalities. Administration was directed to draft a resolution for the next regular meeting of Council requesting that the Ministry provide consultation opportunities.

Councillor Butikofer advised that the members of NFRA are upset that they had not been invited to the annual appreciation dinner. Administration was directed to ensure that NFRA membership is included in the future.

Mayor Polkowski and Councillor Shott advised of some property owners in violation of By-law 616-2002. Administration was directed to send the appropriate warning letters.

11. CLOSED SESSION:

Res. No. 2016-01-32

Moved by: Councillor McCooeye
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT The time being 8:42p.m., Council close the next portion of the meeting to members of the public under the authority of those paragraphs of Subsection 239(2) of the Municipal Act, 2001, for which the meeting was closed, to review Item 11.1, the minutes of the Closed Session of the prior Council meeting, and under the authority of Subsection 239(2)(b) of the Municipal Act, 2001 to consider items 11.2 and 11.3, involving personal information about identifiable individuals, and under the authority of Subsection 239(2)(e) of the Municipal Act, 2001, to consider item 11.2 which also contains advice which is subject to Solicitor-Client privilege.

CARRIED ✓

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

Res. No. 2016-01-33

Moved by: Councillor McCooeye
Seconded by: Councillor Lankinen

BE IT RESOLVED THAT, the time being 8:56 p.m., Council rise from closed session and report in open session.

CARRIED ✓

11.1 Minutes of the Closed Session Portion of the Regular Council meeting Held December 22, 2015

No changes were noted to the minutes as presented.

Res. No. 2016-01-34

Moved by: Councillor Coulson
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT the minutes of the Closed Session portion of the regular meeting of Council, held December 22, 2015, be approved.

CARRIED ✓

11.2 Report from Solicitor-Clerk Regarding Recruitment for Office Staffing

This item was provided for informational purposes. No resolution was passed.

11.3 Report from Solicitor-Clerk Regarding Amendment to Building Inspector's Employment Contract

Res. No. 2016-01-35

Moved by: Councillor Coulson
Seconded by: Councillor McCooeye

BE IT RESOLVED THAT, With respect to Item 11.3 on the agenda, Administration is authorized to proceed as directed in Closed Session.

CARRIED ✓

12. ADJOURN THE MEETING:

Res. No. 2016-01-36

Moved by: Councillor McCooeye
Seconded by: Councillor Coulson

BE IT RESOLVED THAT the time being 9:01p.m., there being no further business to attend to, this Regular Meeting of Council be adjourned.

CARRIED ✓

REGULAR MEETING OF COUNCIL



Ziggy Polkowski
MAYOR



Erika Kromm
TREASURER-DEPUTY CLERK

