

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held at the Municipal Office

On Wednesday, April 28, 2010

PRESENT: Mayor Steven Harasen
Councillor Dawne Kilgour
Councillor Roger Shott
Councillor Bev Dale
Councillor James Jeffery
Councillor Maureen Schmidt
Councillor Beverly Mercer
Clerk Delma Stajkowski

Mayor Harasen called the meeting to order at 7:32 p.m.

DISCLOSURE OF CONFLICT OF INTEREST:

No disclosure of conflict of interest was declared at this time.

RESOLUTION TO ADOPT AND AMEND THE AGENDA:

Res. No. 142-04-2010

Moved by: Roger Shott
Seconded by: Maureen Schmidt

That the Council of the Corporation of the Municipality of Neebing hereby adopts the Agenda for Wednesday, April 28, 2010.

CARRIED

ADOPTING THE MINUTES:

Special Meeting of Council - March 31, 2010

Councillor Schmidt declined to vote as she was absent for this meeting.

Res. No. 143-04-2010

Moved by: Dawne Kilgour
Seconded by: Maureen Schmidt

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Wednesday, March 31, 2010 be adopted as circulated.

CARRIED

Special Meeting of Council - March 31, 2010

Councillor Schmidt declined to vote as she was absent for this meeting.

Res. No. 144-04-2010

Moved by: Beverly Mercer
Seconded by: B. A. Dale

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Wednesday, March 31, 2010 (budget) be adopted as circulated.

CARRIED

Regular Meeting of Council - April 7, 2010

Councillor Shott declined to vote as he was absent for this meeting.

Res. No. 145-04-2010

Moved by: James Jeffery
Seconded by: Beverly Mercer

BE IT RESOLVED THAT the minutes of the Regular Meeting of Council held on Wednesday, April 7, 2010 be adopted as circulated.

CARRIED

Special Meeting of Council - April 14, 2010

Res. No. 146-04-2010

Moved by: Maureen Schmidt
Seconded by: Roger Shott

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Wednesday, April 14, 2010 (budget) be adopted as circulated.

CARRIED

Regular Meeting of Council - April 14, 2010

Res. No. 147-04-2010

Moved by: Dawne Kilgour
Seconded by: Beverly Mercer

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Wednesday, April 14, 2010 be adopted as circulated.

CARRIED

AUDIENCE DEPUTATIONS:

There were no deputations at this time.

RESOLUTIONS:

1st & 2nd Reading of By-law Number 843-2010 being a by-law to appoint Officials to certain Boards and Committees.

Res. No. 148-04-2010

Moved by: B. A. Dale
Seconded by: Beverly Mercer

BE IT RESOLVED THAT By-law Number 843-2010 being a by-law to appoint Officials to certain Boards and Committees be read for a first and second time this 28th day of April, 2010.

CARRIED

1st and 2nd Reading of By-law Number 846-2010 being a bylaw to rescind By-law Number 788-2008.

Res. No 149-04-2010

Moved by: B. A. Dale
Seconded by: James Jeffery

BE IT RESOLVED THAT By-law Number 846-2010 being a by-law to rescind By-law Number 788-2008 be read for a first and second time this 28th day of April, 2010.

CARRIED

1st and 2nd Reading of By-law Number 847-2010 being a by-law to amend an agreement with the Association of Municipalities of Ontario (AMO) for the Municipal Funding Agreement (MFA).

Res. No. 150-04-2010

Moved by: Maureen Schmidt
Seconded by: Dawne Kilgour

BE IT RESOLVED THAT By-law Number 847-2010 being a by-law to amend an agreement with the Association of Municipalities of Ontario (AMO) for the Municipal Funding Agreement (MFA) be read for a first and second time this 28th day of April, 2010.

CARRIED

RESOLUTIONS: con't

Vouchers for March, 2010 being Voucher Number 3, 2010

Res. No. 151-04-2010

Moved by: Maureen Schmidt
Seconded by: Dawne Kilgour

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Neening hereby approves the vouchers as presented:
VOUCHER NUMBER 3/10 - March, 2010

Liabilities

GST and Source Deductions	\$ 23,425.28
Expense Accounts	
General Government	31,503.38
Protections to Persons & Property	30,292.92
Transportation Services	50,411.52
Environmental Services	1,178.03
Health Services	3,200.00
Social and Family Services	39,795.00
Recreation and cultural services	2,185.01
Planning and development	863.55
Capital Purchases - all departments	41,322.09
School Board Payments	105,850.28

Total disbursements in month \$330,027.06

CARRIED

NOMA - Endangered Species Act

Res. No. 152-04-2010

Moved by: Beverly Mercer
Seconded by: B. A. Dale

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Neening hereby supports the Northwestern Ontario Municipal Association and calls on the Government of Ontario to implement a long term regulation under section 55(1) (b) of the Endangered Species Act (ESA) which recognizes that the primary objectives of the ESA are met through the Crown Forest Sustainability Act (CFSA) and its required forest Management Plans (FMPs); and

FURTHER, fulfils government's commitment to recognize the CFSA and FMPs as equivalent processes to the ESA with respect to planning for and providing for species at risk.

CARRIED

DISCUSSION:

Association of Ontario Road Supervisors - completion of Public Works Leadership Development Program

Council offered congratulations to the Operations Manager for a job well done.

Financial Reports to March 31, 2010

Council reviewed the information as presented

Permission to Post

Permission was granted to post By-law Number 848-2010 being a by-law to provide for the erection of "No Parking" signs. Council requested that the current Section 1 pertaining to "No Parking" signs on Cloud Lake Road be removed until such time as a road inspection was conducted to determine whether or not the signs were required at that location. Permission was given to post By-law Number 849-2010 being a by-law to adopt the estimates for 2010.

Pine River Bridge - tender

The Clerk advised that JML was currently reviewing the tender to ensure that the figures aligned and that all the criteria set out in the proposal had been submitted. Once JML has forwarded their comments, the Tender Committee will reconvene, review the recommendations provided and make their recommendations to Council for adoption.

Grant Thornton - Canadian generally accepted auditing standards

Council perused the documentation as received from Grant Thornton.

Neebing Environmental Advisory Committee - letter to Honourable Linda Jeffery - MNR.

Council reviewed the letter provided by the Environmental Advisory Committee, felt it was well written and agreed that it should be presented to Mr. Mauro, to be passed on to, the Honourable Minister Jeffery. The accompanying resolution was perused and reviewed. After a brief discussion, over some suggested changes, it was determined that Council, had not had enough time to thoroughly review the contents; therefore they would convene a Special Meeting on Monday, May 3rd at 9:00 a.m. to make any necessary changes to the resolution at which time it could be adopted. Both the letter and the resolution could be presented to Mr. Mauro at the same time.

DISCUSSION: con't

Res. No. 153-04-2010

Moved by: James Jeffery

Seconded by: B. A. Dale

WHEREAS the MNR has recognized that the Municipality of Neebing has one of the highest density populations of peregrine falcons in Ontario;

AND WHEREAS Neebing's Official Plan already meets the conservation requirements for peregrine falcons;

AND WHEREAS there has been no evidence of damage or harm to this species, which is not designated as "threatened" by COSEWIC, and that scientific studies and local knowledge show that the species is thriving at greater than historic levels;

AND WHEREAS this one kilometre restriction will impact Neebing's landowners, and developers negatively in a social-economic way, and limiting activities will impose an unfair burden on Neebing and their private property owners;

THEREFORE BE IT RESOLVED THAT before COSSARO considers *designating a species at risk*, any affected Municipality and Treaty Organizations should be informed and invited to submit information to be considered prior to adoption; so that local knowledge (both aboriginal and non-aboriginal) shall be taken into account before decisions are made;

FURTHER to this, a social-economic impact study must be done concurrently with the development of the Recovery Strategy prior to any regulations being identified;

AND FURTHER, that ESA Regulations should not impose land use restrictions that exceed what already exists in Municipal Official Plans unless a valid conservation purpose can be demonstrated from scientific data;

AND FURTHER that the disparity in area protection measures and nest site longevity between urban (e.g. Southern Ontario) and rural (e.g. Northwestern Ontario) is unacceptable to Neebing;

AND FURTHER that Neebing's input to Peregrine Falcon Regulations is the Neebing Official Plan's conservation measures for the core area and the provincial non-harassment of wildlife regulation for the remainder;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Municipality of Neebing respectfully recommends to the Minister and the Ministry of Natural Resources that our Official Plan should be the basis for the Regulations;

AND THAT this resolution be circulated to all Municipalities in Ontario; to the Honourable Linda Jeffery, Minister of Natural Resources and Bill Mauro, MPP Thunder Bay/Atikokan.

TABLED

DISCUSSION: con't

Council reviewed the following:

: Neebing Recreation Committee - Draft Minutes of April 12, 2010

: Neebing Environmental Advisory Committee
- Draft Minutes April 6, 2010
- Draft Minutes March 30, 2010

: 2009 Annual Financial Building Report - Neebing
Township of Gillies - Continuous Improvement Fund

Council requested further information on this item, as well; they requested that our recycling expenditures and revenue be made available for discussion purposes.

Res. No. 154-04-2010

Moved by: Dawne Kilgour
Seconded by: Roger Shott

BE IT RESOLVED THAT The Council of the Corporation of the Municipality of Neebing hereby agrees to enter into an agreement with Waste Diversion Ontario and Stewardship Ontario, (with the Township of Gillies being the lead) along with the Townships of Conmee and O'Connor, and the Municipalities of Oliver Paipoonge and Shuniah in order to receive funding from the Continuous Improvement Fund for the Development of a Cooperative and Integrated Communication and Public Engagement program at a cost of \$30,000, with the six participating municipalities to share 50% of this cost; and

FURTHER THAT the Municipality of Neebing commits up to \$2,500 for its portion of the municipal share of the project; and

FURTHER THAT the agreement shall only be entered into upon receiving a commitment from each, of the other five participating municipalities, to provide up to \$2,500 for their portion of the municipal share of the project.

TABLED

Township of Gillies - LRCA

Res. No. 155-04-2010

Moved by: Maureen Schmidt
Seconded by: Dawne Kilgour

WHEREAS the 2010 LRCA budget and levy as presented are not properly supported with validation for the calculated levies and documentation to indicate justification for the expenditure increases over the prior year; and

DISCUSSION: con't

Res. No. 155-04-2010 con't

WHEREAS there is a concern of the unlimited future liability that LRCA may put on the member municipalities to cover funding shortfalls beyond the \$2 million municipal share for the construction of the new authority office, particularly after being given assurances by representatives of LRCA that such a situation would not arise;

THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Municipality of Neebing hereby supports the Township of Gillies and wishes to add their disapproval of LRCA's calculation and presentation of the 2010 budget and corresponding levy and the concern of how construction average costs are to be financed without being an additional financial future burden to the member municipalities.

CARRIED

EMO - Quarterly Highlights

Council reviewed the minutes of the quarterly meeting.

Township of Terrace Bay - EMO

Terrace Bay was advising the Members that they would be withdrawing from the EMO as of January 1, 2011.

LRCA - Proposed Lake Level Gauge at Oliver Lake

Council noted that a resident had already volunteered to allow the LRCA to erect a gauge on his property.

Friends of Big Thunder - update

The Clerk was directed to forward this to the Economic (Development) Advisory Committee for their input.

Ministry of Municipal Affairs and Housing - Delegation of Condominium Approvals

It was noted that the Lakehead Rural Planning Board would now be responsible for Condominium approvals under the Planning Act.

Ministry of Finance - Education Tax Rates for 2010

Council reviewed the 2010 Education tax rates for businesses.

DISCUSSION: con't

OGRA - Support Municipal Bridge Infrastructure

Council would like to have some assurance that the following resolution would not adversely affect our bridge system in the future.

Res. No. 156-04-2010

Moved by: B. A. Dale
Seconded by: Beverly Mercer

WHEREAS Ontario Good Roads has announced, jointly with the Ontario Ministry of Transportation, that they will provide \$750,000 to help Ontario municipalities collect and report data on the extent and condition of bridge structures in their jurisdiction;

AND FURTHER WHEREAS, matching funds not to exceed \$5,000 will be available for each municipality to collect; compile; format, and input the bridge asset and condition data into Municipal DataWorks (MDW);

AND FURTHER WHEREAS the Municipality of Neening will have to submit a letter of commitment to submit bridge asset and condition data for inclusion into MDW by March 31, 2011;

THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Municipality of Neening hereby authorizes the application for funding, through Ontario Good Roads and the Ontario Ministry of Transportation.

CARRIED

Gift of Life - Organ Donations

Council supported this initiative.

CORRESPONDENCE:

Council reviewed several pieces of correspondence.

BY-LAWS

3rd Reading of By-law Number 843-2010 being a bylaw to appoint Officials to certain Boards and Committees

Res. No 157-04-2010

Moved by: Beverly Mercer
Seconded by: James Jeffery

BE IT RESOLVED THAT By-law Number 843-2010 being a by-law to appoint Officials for certain Boards and Committees be read for a third time and finally passed this 28th day of April, 2010.

CARRIED

BY-LAWS con't

3rd Reading of By-law Number 846-2010 being a by-law to rescind By-law Number 788-2008

Res. No. 158-04-2010

Moved by: Maureen Schmidt
Seconded by: Dawne Kilgour

BE IT RESOLVED THAT By-law Number 846-2010 being a by-law to rescind By-law Number 788-2008 be read for a third time and finally passed this 28th day of April, 2010.

CARRIED

3rd Reading of By-law number 847-2010 being a by-law to amend an agreement with The Association of Municipalities of Ontario (AMO) for the municipal Funding Agreement (MFA).

Res. No. 159-04-2010

Moved by: Roger Shott
Seconded by: Maureen Schmidt

BE IT RESOLVED THAT By-law Number 847-2010 being a by-law to amend an agreement with The Association of Municipalities of Ontario (AMO) for the Municipal Funding Agreement (MFA) be read for a third time and finally passed this 28th day of April, 2010.

CARRIED

UNFINISHED BUSINESS:

Health & Safety issues;

There were no Health & Safety issues at this time.

NEW BUSINESS:

Councillor Shott requested that the Operations Manager review our section of road on Boundary Drive East and provide cost estimates of hard topping it to come into conformity with Oliver Paipoonge on that road.

Councillor Dale informed Council that the LRCA would once again be holding their Mother's Day Brunch at Hazelwood Lake; that the LRCA had reduced the cost to rent the Hazelwood Lake reception centre to make it more affordable to use, and that the staff will be at Hazelwood Lake on Thursday afternoons to provide tours and information on the facilities.

A road inspection was set for Monday, May 10th beginning at 9:00 a.m. Any Councillor who could attend, should meet at the Municipal Office.

NEW BUSINESS: con't

Adjourn to an in-camera session to discuss personnel issues.

Res. No. 160-04-2010

Moved by: Beverly Mercer
Seconded by: James Jeffery

WHEREAS the time being 9:21 p.m., be it resolved that this Regular Meeting of Council be adjourned to an In-Camera Meeting to discuss personnel issues.

CARRIED

Council reviewed a vacation request.

Council received an update on the E. Oliver Lake property matter.

Council reviewed information received from MNR regarding beavers.

Adjourn from In-Camera Session and resume the Regular Meeting of Council

Res. No. 162-04-2010

Moved by: B. A. Dale
Seconded by: Beverly Mercer

BE IT RESOLVED THAT the time being 9:54 p.m., the In-Camera portion of the meeting is hereby adjourned and the Regular Meeting of Council is resumed.

CARRIED

Council approved the vacation request.

Council instructed the Clerk to invite the property owner to a meeting, once the survey had been received.

Council agreed that they would await further information from the MNR before proceeding with hiring a trapper.

The Clerk advised that the 55+ organization had used the municipal address for their correspondence with the Ministry in relation to a grant they were applying for. After some debate, the Clerk was directed to return all mail for the group, as they had been made well aware that Council did not wish to become involved with them, and wished to be an arm's length removed.

CONCLUDING REPORTS

There were no concluding reports at this time.

ADJOURNMENT:

Res. No. 163-04-2010

Moved by: Dawne Kilgour
Seconded by: Maureen Schmidt

BE IT RESOLVED THAT the time being 9:55 p.m., this Regular Meeting of Council is hereby adjourned.

CARRIED

REGULAR MEETING OF COUNCIL

MAYOR
Steven Harasen

Clerk
Delma Stajkowski, AMCT