

CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

March 27, 2009

Minutes of a regular meeting of Council held on Friday, February 27, 2009 at 14:00 h. in Council Chambers.

1. CALL TO ORDER & MOMENT OF SILENCE

2. ROLL CALL

The following were present: Reeve Tammy Lea Stewart, Councillors: Ed Aiston, Dave Foote & Bob Reid
Jim Gibson

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF – None

4. ADOPTION of MINUTES of PREVIOUS MEETINGS (INCLUDING COMMITTEES) – (Resolution Prepared)

a. Resolution # 1

Moved by Councillor Aiston and seconded by Councillor Reid **BE IT RESOLVED THAT** the minutes of the regular meeting of Friday, February 27th, 2009 be accepted as presented.

Carried

b. Minutes of Outside Meetings – Information Only

1. Library Board – January 26, 2009
2. FHT Advisory Joint Committee – November 25, 2008
3. Report from CBO – Attendance at MNR Endangered Species Act Training

5. DEPUTATIONS/PRESENTATIONS - none

6. CORRESPONDENCE & PETITIONS - none

7. CORRESPONDENCE INFORMATION ONLY (Please advise if you feel any item warrants further consideration at a subsequent meeting.)

- a. John Yakabuski – re: Bill 150 – Green Energy Act – request for comments – Clerk to do a report and resolution for April meeting scrapping home energy audits –duplication and additional bureaucracy – optional for purchaser
- b. Municipality of Thames Centre – re: Municipal Impact – Collapse of Recycled Materials Market -info
- c. City of Greater Sudbury – re: Resources to Monitor Retirement Homes -info
- d. City of Cambridge – re: Internet Filtering Software on Computers – public schools and libraries - info
- e. Mayor Jacyno – re: Closure of AChannel in Pembroke -info
- f. Ryerson University Students – re: advocating for changes to the ROOF program - info
- g. AMO Alert – re: Pesticides Ban -info
- h. Canadian Olympic Committee – re: CRTC application for a Canadian Amateur Sports Network support - info
- i. AMO Alert – re: Joint Paper on Poverty Reduction -info
- j. FCM – re: reduce the use of bottled water in own facilities - info
- k. Municipality of South Bruce – re: demand for fair funding for conservation authorities - info
- l. Municipality of Middlesex Centre – re: Department of Fisheries and Oceans requirements for drainage works and bridge reconstruction - info
- m. AMO Alert – Federal rules change for Building Canada Fund projects and Environmental Assessments -info
- n. MNR/Ontario Parks re: Annual Work Schedule for Algonquin Park - info
- o. L1 -Township of Admaston Bromley – re: staggered school bells and winter road maintenance increases - info

8. STAFF REPORTS (For information only)

- a. Clerk's Report – please review by-laws for next meeting
- b. Council policies are being reviewed and updated, documenting information prior to Ruth's retirement
- c. Not working full time from office – working from home as required to alleviate pain

9. FINANCIAL REPORTS – with Budget deliberations

10. BY-LAWS - none

11. UNFINISHED BUSINESS

a. **Canada Day Celebration Committee**

Resolution #2

Moved by Councillor Aiston and seconded by Councillor Reid

WHEREAS Council has agreed at its February 27, 2009 meeting to budget, apply for funding for and support municipally sponsored Canada Day celebrations;

AND WHEREAS the municipal Procedure By-law 2008-10 provides rules for forming ad hoc committees of Council;

AND WHEREAS any committee of Council must follow Council by-laws including the Procedure and Procurement by-laws;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria hereby forms a Canada Day Celebration Committee whose sole purpose is to plan and execute a municipally sponsored event for Canada Day following as close as possible to the guidelines as indicated in the Heritage Canada funding application and the application itself;
AND FURTHER THAT the committee will appoint Councillor Bob Reid, whose responsibility it is to locate up to 4 other members of the municipality to be appointed as non paid members of this committee;
AND FURTHER THAT the term of this committee is for the period from February 27, 2009 until August 30, 2009. The committee shall channel all financial and banking functions through our Treasurer, Ruth Morin, and is further allowed to request assistance from The Municipal Clerk for use of Township Staff purposes.

AND FURTHER THAT monthly reports from the committee shall be submitted to Council in the form of minutes including a budget report prior to the second Council meeting of each month with a final report to be submitted to Council by August 30, 2009.

AND FURTHER THAT Council shall commit \$2,000.00 to Canada Day Celebrations with the understanding that any funding received from Heritage Canada will be deducted from that amount to be returned to general revenues.

Carried

b. Procurement of Chain of Office

Resolution #3

Moved by Councillor Reid and seconded by Councillor Aiston

WHEREAS historically a "chain of office" is a symbol of the history of the office and a symbol of authority worn at public events;

AND WHEREAS Council is considering obtaining a "chain of office" for use by our Head of Council;

AND WHEREAS the procurement of an appropriate chain would cost upwards of \$4,000;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria do hereby agree to pursue the procurement of a "chain of office" for use at sanctioned municipal functions by the Head of Council allocating \$0.00 to this budget item for 2009.

Defeated

c. Resolution of Support – City of Hamilton

Resolution #4

Moved by Councillor Aiston and seconded by Councillor Reid

WHEREAS a Strategic Lawsuit Against Public Participation, (SLAPP) is where a corporation or developer sues an organization in an attempt to scare it into dropping protests against a corporate initiative.

AND WHEREAS SLAPP suits typically involve the environment--for example, local residents who are petitioning to change zoning laws to prevent a real estate development might be sued in a SLAPP suit for interference with the developer's business interests.

AND WHEREAS many jurisdictions have "anti-SLAPP suit" statutes that protect citizens' rights to free speech and to petition the government.

AND WHEREAS Andrea Horwath, Ontario's NDP Critic for Municipal Affairs, has introduced a private members bill to counter Strategic Lawsuits Against Public Participation (SLAPP) used by proponents to silence those who object to their developments;

AND WHEREAS with the passage of this bill, the well-heeled industrial interests suing citizens to silence public objections; while bulldozing projects through municipal councils and the Ontario Municipal Board (OMB), will be a thing of the past;

AND WHEREAS Horwath's Bill 138, *Protection of Public Participation Act, 2008* would enable such lawsuits to be dismissed at an early stage and would indemnify defendants for costs incurred and allow additional costs for damages to be awarded to them by a court or tribunal.

AND WHEREAS a significant mechanism in Horwath's Bill would stop governments and tribunals from proceeding with the planning process where SLAPP tactics exist;

AND WHEREAS The recent Uniform Law Conference, a yearly gathering of provincial Attorneys General, identified SLAPPs as a growing and worrisome trend across Canada and specifically identified the ongoing Big Bay Point OMB cost application, as a case in point;

AND WHEREAS Dr. Rick Smith, Executive Director, and lawyer, David Donnelly, himself the target of such a lawsuit, says a law protecting public participation is very much needed. "Surely it's Job 1 of the Ontario legislature to ensure that Ontarians can engage with our democracy -- including provincial courts and tribunals -- without fear of intimidation by bullying developers or crippling financial liability," Smith said. "Unless the current system is changed, I am very concerned that citizens will increasingly shy away from speaking their mind publicly and our public life, urban planning regimes and environmental protection will be the poorer for it.";

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the United Townships of Head, Clara & Maria supports the City of Hamilton and Ms. Horwath in their efforts with respect to the current Bill 138 – *Protection of Public Participation Act, 2008*.

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Premier of Ontario, our local MPP and the City of Hamilton.

Carried

d. Resolution of Support

Resolution #5

Moved by Councillor Gibson and seconded by Councillor Aiston

WHEREAS The Corporation of the Township of Madawaska Valley circulated a resolution in request of support for increased Homecare funding as follows;

AND WHEREAS Homecare is an essential service in rural Ontario in assisting in the well-being of aging seniors and residents battling disabling diseases in their primary or secondary residences;

AND WHEREAS Homecare responds to the needs of patients and assists parents, spouses, children and siblings and the broader community by supporting quality of life and ensuring quality care so that citizens can continue to participate in and contribute to the economic and social life of their community;

AND WHEREAS Homecare is a viable alternative to Long-Term Care and Residential Housing;

AND WHEREAS rural residents within the County of Renfrew are limited to few spaces within the Long-Term Care Homes in the area;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the United Townships of Head, Clara & Maria supports the Council of Madawaska Valley in requesting that the County of Renfrew lobby the Provincial Government on behalf of all rural municipalities to ensure an increase to Homecare Access Programs including increased funding, support and assistance;

BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Premier of Ontario, our local MPP, the Ministry of Community & Social Services and the Ministry of Health & Long-Term Care and the Township of Madawaska Valley.

Carried

12. ADDENDUM (NEW BUSINESS) (reports and resolutions prepared)

a. Library Board Request for Funding Staff Position

Resolution #6

Moved by Councillor Aiston and seconded by Councillor Foote

WHEREAS in 2008 Council changed from a system of paying a levy to the Library Board to supporting payroll costs for the wages and related employment costs for a weekly seven hour day at the same rate as the municipal office assistant;

AND WHEREAS this arrangement has allowed our Treasurer to reduce the amount of time spent on Library business and has freed up time to focus on Municipal business;

AND WHEREAS our Treasurer will continue to act as Treasurer for the Library Board;

AND WHEREAS the contribution to the Library Board will amount to approximately \$5,600 for 2009;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria agrees to continue to support the funding for payroll costs for the Librarian and the secretary/CEO position for the Library Board and agrees to pay all wage and employment costs for a seven hour per week position at the same rate as the municipal office assistant;

AND FURTHER THAT this arrangement continue until and unless Council decides by resolution to amend this arrangement.

AND FURTHER THAT on condition of this funding, where the Library Board does not have existing policy, that they adopt corresponding municipal policy as their own.

Carried

b. Library Use of Hall for May Madness

Resolution #7

Moved by Councillor Foote and seconded by Councillor Aiston

WHEREAS the Library Board has requested free use of the Municipal Hall to organize and host their annual May Madness Fundraiser;

AND WHEREAS the Library Board has taken the lead in and has been successful in encouraging community involvement in other activities;

AND WHEREAS encouraging social activity for our ratepayers is an important function of Council;

AND WHEREAS Council can effectively contribute with limited effort by supporting the Library Board;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria supports the Library Board in its endeavour to fundraise and increase social activity within the Municipality and hereby authorizes the free use of the Municipal Hall for their annual May Madness Fundraiser;

AND FURTHER THAT the members may access the hall the afternoon of Friday, May 8, 2009 for preparation and planning purposes understanding that any material left in the hall is done so at their own risk.

Carried

c. Council Honorariums

Resolution #8

Moved by Councillor Aiston and seconded by Councillor Reid

WHEREAS municipal representation is the most effective way for the specific needs of our municipality to be heard by outside organizations;

AND WHEREAS the current council compensation by-law allows for payment for attendance at meetings of this Council and Joint Council only;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria agrees to amend by-law Number 2007-08 by inserting a clause outlining new compensation conditions;

AND BE IT FURTHER RESOLVED that this amendment be made the April 3, 2009 meeting where a by-law will be presented for acceptance making the condition effective the beginning of the second quarter of 2009.

Carried – implement changes in by-law for next meeting.

d. Succession Planning and Adding a New Position

Resolution #9

Moved by Councillor Foote and seconded by Councillor Gibson

WHEREAS the absence of the Clerk over the past 7 months for personal reasons clearly demonstrates the probability and consequences of absences of office staff;

AND WHEREAS this absence resulted in some hardship to existing staff members, some disruption to normal workplace schedules and practises, and an increased backlog of work;

AND WHEREAS due to personal obligations and holiday time owed to staff the office will be manned by only one person for as much as 15 weeks during 2009;

AND WHEREAS our Treasurer is contemplating retirement within the next 3 – 4 years;

AND WHEREAS it is difficult to locate trained individuals willing to work on a part time basis and willing to travel for a part-time position;

AND WHEREAS the Clerk and Treasurer have developed a plan which will provide for on the job training at no extra cost to the ratepayer for the current year and limited additional expense for the subsequent 2 years;

AND WHEREAS the municipality currently has \$9,500 in reserves to be used towards succession planning;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria agrees to allow the Clerk and Treasurer to work a regular 4 day work week each, using the payroll savings realized to hire a trainee by July of 2009 to job shadow and eventually take over the position of Treasurer;

Carried

e. Resuming Normal Meeting Schedule

Resolution #10

Moved by Councillor Aiston and seconded by Councillor Reid

WHEREAS since July 2008 the Council meeting schedule has been changed due to staff absences;

AND WHEREAS the Municipal Procedure By-law 2008-10 expresses in paragraph 3.2 that "Regular meetings of Council shall be held on the first and third Friday of each month at 2:00 p.m. unless Council, by resolution, directs otherwise..."

AND WHEREAS staffing issues have been resolved;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby agree to resume the legislated meeting schedule with our first regular meeting to take place on Friday, April 3, 2009.

Carried

f. Working Document Discussion – Budget Deliberations 2009

Resolution #11

Moved by Councillor Foote and seconded by Councillor Gibson

WHEREAS Council is required to adopt a by-law approving an annual budget of expenses and revenues each operating year;

AND WHEREAS Staff have presented a draft working document and report detailing projected revenues and expenses for Council discussion and amendment for 2009;

THEREFORE BE IT RESOLVED THAT Council and Staff shall review the draft 2009 Working Document in an effort to finalize the budget process for 2009;

AND BE IT FURTHER RESOLVED that a formal by-law to adopt the budget will be prepared for the next regular meeting of Council.

Carried

13. IN CAMERA OR CLOSED SESSION -none

14. QUESTIONS AND ANSWERS

- Wind storm – 24 hours – only a small number of people from Deux Rivieres without power – letter to OPG thanks for preventative maintenance. Proof that work did what they intended.
- ORNGE air has not contacted us. Waiting to hear from new director.
- Training courses – registered interested individuals.

15. CONFIRMATION OF PROCEEDINGS

a. Resolution # 12

Moved by Councillor Foote and Seconded by Councillor Gibson

BE IT RESOLVED THAT By-Law 2009-05 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on March 27, 2009 be read a first time short and passed.

Carried

16. ADJOURNMENT – (Resolution Prepared)

Resolution # 13

Moved by Councillor Foote and seconded by Councillor Gibson

BE IT RESOLVED THAT this meeting adjourn at 15:21h to meet again Friday, April 3, 2009 at 14:00 h.

Carried

Reeve- Tammy-Lea Stewart

Clerk – Melinda Reith