



THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

Minutes October 17, 2017

Minutes of a regular meeting of Council held on Tuesday, October 17, 2017 at 19:00 h. in the Municipal Hall.

1. **CALL TO ORDER & MOMENT of REFLECTION** - *Let us take a moment of silent reflection to contemplate in our own way the responsibility we have to collectively use our skills and experience to ensure the mutual long term benefit of our Municipality and those we represent.*

2. **ROLL CALL**

The following were present Mayor Reid, Councillors: Calvin Chartrand, Dave Foote, Cathy McKay and Ernie Villeneuve.

Staff: Noella LeBreton, Treasurer/Deputy Clerk; Crystal Fischer, Admin Assistant; 16 members of the public.

Absent/Regrets: Melinda Reith, Clerk/CAO

3. **RECITAL OF THE MUNICIPAL MISSION AND VISION STATEMENTS – Councillor**

HCM Mission: At your service; working effectively to bring together people, partnerships and potential for a strong, connected community.

HCM Vision: Providing a healthy, connected, and sustainable community teeming with possibilities for our citizens now and into the future.

4. **DISCLOSURE of PECUNIARY INTEREST & GENERAL NATURE THEREOF**
Pecuniary Interest applies to you if it applies to clubs/organizations you are involved in, your employer, or activities of your children, parents or spouse; - None

5. **DEPUTATIONS/PRESENTATIONS - none**

6. **ADOPTION of MINUTES of PREVIOUS MEETINGS (INCLUDING COMMITTEES)**

- i. Council Minutes – September 15, 2017

Corrections to minutes:

- i. to add to pg. 13 par 8 Councillor Villeneuve's question to Jim Watters re if noise issue was resolved, would there be issues with the rail bed use? Jim Watters answ: No
 - ii. pg. 8 no. 1 Legacy trail - change though to thought

Resolution # 17/10/17/001

Moved by Councillor McKay and seconded by Councillor Villeneuve

BE IT RESOLVED THAT the minutes of the regular meeting of Friday, September 15, 2017 be accepted as presented.

Carried Unanimously

- iii. Rural Mayor's Forum of Eastern Ontario Meeting Minutes – none
 - iv. Dave re will the mayor attend
 - v. Library Board Minutes - information

1. March 2, 2017
 2. March 29, 2017
 3. May 2, 2017
 4. June 8, 2017

- vi. Recreation Committee Minutes - none

7. **CORRESPONDENCE & PETITIONS**

- i. Mayor Reid – info in council package (personal email between Todd Dowser and Campground Residents) returned to Todd Dowser
- ii. County of Renfrew Communique - re: County news – information
- iii. Ministry of Seniors Affairs – re: new grant opportunity –
- iv. Eastern Warden's Caucus – re: VIA rail proposal –
- v. ROMA – re: Annual conference –
- vi. Municipal World – re: Who's Land is it Anyway? –
- vii. AMO Communications – re: Health Bill – information
- viii. AMCTO – Bill 68 Dates – information
- ix. TransCanada – Energy East Project Withdrawal – information
- x. AMO Communications – re: Policing Policy and Bill 68 Update – information
- xi. Health Links – re: communications – information
- xii. L1 – Raj Patel – re: snowmobile trails and his business – information
- xiii. L2 – Jim Gibson – re: received and read
- xiv. L3 – Jim Gibson – re: received and read
- xv. L4 – Debbi Grills – re: printed and provided council a copy
- xvi. L5 Ernie Villeneuve re: Letter to Council read – Council agreed to move up - Report #17/10/17/1202– Letter from Councillor Villeneuve Resolution #17/10/17/014

8. STAFF REPORTS

- i. Report #17/10/17/801 – Clerk's Report
Resolution #17/10/17/002

Moved by Councillor Villeneuve and Seconded by Councillor McKay

WHEREAS the legal seminar presented to all local municipalities held annually in Eganville provides a cost effective educational opportunity for staff and council;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize staff to close the municipal office as occurred in 2016 so that all admin staff can attend the training.

Carried Unanimously

- ii. Report #17/10/17/802 – Treasurer's Report
- iii. Report #17/10/17/803 – Mayor's Report – verbal – attend 1st council mtg – sits on 2 committees (health & property) - Councillor Foote to go to the next Rurals Mayor meeting
- iv. Report #17/10/17/804 – Admin Assistant Report - None

9. FINANCIAL REPORTS

- i. Cheque Log – October 15, 2017
Resolution #17/10/17/003

Moved by Councillor Villeneuve and Seconded by Councillor McKay

BE IT RESOLVED THAT the Cheque Log to October 15, 2017 totalling \$ 684,077.97 be accepted as presented.

Carried Unanimously

- ii. Comparative Income Statement – October 15, 2017
Resolution #17/10/17/004

Moved by Councillor McKay and Seconded by Councillor Villeneuve

BE IT RESOLVED THAT the Comparative Income Statement from January 1, 2017 – October 15, 2017 be accepted as presented.

Carried Unanimously

10. BY-LAWS – none

11. UNFINISHED BUSINESS

- i. Report #17/10/17/1101 – Snow on Roads and Municipal Liability
Resolution #17/10/17/005

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS the 2016/2017 winter season presented significant issues with the use of municipal roads for snowmobiling leaving the municipality in an increased position of liability;

AND WHEREAS under Ontario law, a municipality may pass a by-law regulating, governing or prohibiting operation of snow mobiles on municipal roads;

AND WHEREAS no such by-law exists in Head, Clara & Maria;

AND WHEREAS the Motorized Snow Vehicle Act allows that snowmobiles cross serviced roads at a 90 degree angle;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby:

1. Continue to allow the club groomer to cross municipal roads at a 90 degree angle, paying careful attention to remove as much snow as possible avoiding any build-up of snow on municipal roads;
2. Authorize municipal staff to remove snow placed inadvertently on trail crossings either by the groomer and/or snowmobilers at no cost to the club;
3. Authorize the club to work with municipal employees to have installed various club provided signage and equipment to promote a community safety zone where snowmobile trails travel through residential areas;
4. ~~Prohibit the use of municipal roads including Yates Road and Pine Valley Road for club directed snowmobile traffic;~~
5. Authorize staff to work with the municipal solicitor to draft a license agreement with the snowmobile club to deal with matters such as permitted and impermissible use, insurance, liability and rules that apply to the permitted use including a detailed set of operating procedures that would prohibit applying snow to municipal roads and grooming of those roads, how the road and trail will be delineated, proper signage, speed limits etc.

AND FURTHER THAT a copy of this resolution and supporting documentation is forwarded to the Missing Link Snowmobile Club and the Snow Country Snowmobile Association - OFSC District 6 executive for their information and dissemination to association membership.

Carried

Recorded Vote

Chartrand, C	Yea <u> x </u>	Nay <u> </u>
Foote, D	Yea <u> x </u>	Nay <u> </u>
McKay, C	Yea <u> x </u>	Nay <u> </u>
Villeneuve, E	Yea <u> </u>	Nay <u> x </u>
Reid, B	Yea <u> x </u>	Nay <u> </u>

Report #17/10/17/1102 – The Use of the Rail Corridor as Trail

Resolution #17/10/17/006

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS Council has received formal complaints concerning the use of the rail bed as a snowmobile trail through the community this past winter season;

AND WHEREAS staff have previously identified significant safety challenges with trail operations as they occurred over 2016/2017;

AND WHEREAS the use of the rail corridor as a trail will ultimately lead to the use by other off road vehicles affecting the quiet enjoyment of private property owners for a large part of the year;

AND WHEREAS the OPP have limited resources to increase its presence along recreation trails to enforce any type of signage;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby:

1. Request that the Missing Link Snowmobile Club reroute their “A” trail to the south side of Highway 17 avoiding travel through the centre of the community of Stonecliffe making use of connector trails; **or**
2. Return to the decades old “legacy” trail along Logger’s Road as has been adequate for access to businesses in the past;

3. Consider ~~Refrain from~~ using the Rail Corridor through the hamlet of Stonecliffe as there are other viable options;
4. Consider using the Rail Corridor through the hamlet of Stonecliffe as there are other viable options;
5. Allow trail crossing of municipal roads including Pine Valley and Yates Roads at 90 degree angles to provide trail access to accommodation along Pine Valley Road and services at Yates General Store;
6. Prohibit the use of municipal roads, snowbanks and ditches as trails except in areas as specifically authorized by municipal employees and according to land use permits;
7. Direct staff to enter into a Land Use Agreement with the club transferring liability to the club for any municipal road crossings or shoulder use as to be determined;
8. Request formal consultation with the County of Renfrew to initiate talks concerning the long term use of the rail corridor within this municipality prior to its leasing sections to any user without prior local council consultation and input;

AND FURTHER THAT a copy of this resolution and supporting documentation is forwarded to the Missing Link Snowmobile Club and the Snow Country Snowmobile Association - OFSC District 6 executive and the County of Renfrew Council members for their information and dissemination to association membership and permit holders.

Carried

- To have Mayor Reid address Todd Dowser:
- Would it be manageable for the club to go back to the legacy trail for one more year if the ball diamond taken care of for the club?

Recorded Vote		
Chartrand, C	Yea <u> x </u>	Nay <u> </u>
Foote, D	Yea <u> x </u>	Nay <u> </u>
McKay, C	Yea <u> x </u>	Nay <u> </u>
Villeneuve, E	Yea <u> x </u>	Nay <u> </u>
Reid, B	Yea <u> x </u>	Nay <u> </u>

Is it doable to have the trail go back to the legacy trail. Todd could not answer for the club.

To use the Rail corridor:

Recorded Vote		
Chartrand, C	Yea <u> </u>	Nay <u> x </u>
Foote, D	Yea <u> </u>	Nay <u> x </u>
McKay, C	Yea <u> </u>	Nay <u> x </u>
Villeneuve, E	Yea <u> x </u>	Nay <u> </u>
Reid, B	Yea <u> </u>	Nay <u> x </u>

To go back to the Legacy Trail:

Recorded Vote		
Chartrand, C	Yea <u> x </u>	Nay <u> </u>
Foote, D	Yea <u> x </u>	Nay <u> </u>
McKay, C	Yea <u> x </u>	Nay <u> </u>
Villeneuve, E	Yea <u> </u>	Nay <u> x </u>
Reid, B	Yea <u> x </u>	Nay <u> </u>

ii. Report #17/10/17/1103 – Recreation Committee – Council Representation
 Resolution #17/10/17/007
 Moved by Councillor Chartrand and Seconded by Councillor McKay
WHEREAS the Recreation Committee Terms of Reference provide for annual appointments to the Recreation Committee;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby amend its previous resolution and appoint to the Recreation Committee for the remainder of 2017 Councillor McKay to replace Councillor Foote and Mel Theil as staff representative.

Carried Unanimously

iii. Report #17/10/17/1104 – Resolutions of Support from Previous Council Meetings

Resolution #17/10/17/008

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS the County of Renfrew has written to the Premier of Ontario expressing their continued support for the Sustainable Forestry in Algonquin Provincial Park;

AND WHEREAS residents of Head, Clara & Maria rely on this forestry for their livelihood and can attest to the sustainability of the processes currently used;

THEREFORE BE IT RESOLVED THAT the Province of Ontario consider the detrimental effects changes to the current practises would have on County residents and businesses and respectfully request that the province continue to support the long proven success of sustainable management of Algonquin Provincial Park's forests.

Carried Unanimously

Resolution #17/10/17/009

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS the Municipality of the United Townships of Head, Clara & Maria supports, promotes and encourages the responsible and fiscally accountable development of municipal Asset Management Plans and was completing this process long before it was mandated;

AND WHEREAS the proposed Municipal Asset Management Planning Regulation through the Ministry of Economic Development, Employment and Infrastructure has been determined to be overly prescriptive and will cause unnecessary work for rural municipalities who are already hard pressed to meet the ever increasing burden of mandated regulatory processes with limited staff and stretched resources;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby request that the Ministry reconsider the continued and increased regulation of small rural municipalities who have limited resources to meet the increased demands.

Carried Unanimously

Resolution #17/10/17/010

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS the revitalization of the economy of Eastern Ontario continues to be the primary objective of the Eastern Ontario Warden's Caucus (EOWC);

AND WHEREAS the Eastern Ontario Wardens' Caucus Inc. in its Economic Development Strategy for Eastern Ontario has identified the necessity of improving mobile broadband and cellular networks as critical to propelling innovation and economic growth in all sectors of the regional economy including manufacturing, agriculture, and transportation services;

AND WHEREAS the EOWC and the Eastern Ontario Regional Network (EORN) have undertaken a detailed and comprehensive engineering analysis of the gaps in cellular coverage and capacity across the region;

AND WHEREAS that analysis demonstrated the existence of significant gaps in both coverage and capacity that is impacting public safety, economic growth and the quality of life for residents;

AND WHEREAS EORN, on behalf of the EOWC, has prepared a full business case to support improvement and expansion of cellular networks and mobile broadband services across Eastern Ontario;

AND WHEREAS establishing a Public Safety Broadcast Network (PSBN) for First Responders is a national imperative;

AND WHEREAS EORN is proposing the development of a Public Safety Broadcast Network pilot project covering Eastern Ontario to support a national network;

AND WHEREAS the EOWC has proven itself capable of designing, building and delivering a major telecommunications project on behalf of businesses and citizens of Eastern Ontario, Ontario and Canada;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the United Townships of Head, Clara & Mara hereby strongly supports submission of The Eastern Ontario Regional Cellular Mobile Broadband Project as the region's highest economic development priority;

AND FURTHER THAT this Council requests the both MP Cheryl Gallant and MPP John Yakabuski work closely with the EOWC and EORN on this essential infrastructure project.

Carried Unanimously

Resolution #17/10/17/011

Moved by Councillor Foote and Seconded by Councillor Villeneuve

WHEREAS proposed changes to the *Municipal Act, 2001* would see in part and end to payments out of court for municipalities;

AND WHEREAS tax sale proceedings involve a significant amount of staff time which is an expense to a municipality and it is only fair that municipalities continue to be eligible for these payments out of court;

AND WHEREAS tax sale revenues assist municipalities with various other expenditures which to some extent alleviate the burden of the reduction of revenues of various Provincial grants/programs and the continual downloading of responsibilities onto small municipalities without associated funding;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby support the position and resolution of the Municipality of Killarney and appeal to the Minister of Municipal Affairs to reconsider the proposed changes to the Municipal Act which would claw back payment out of court for tax sale proceeds from municipalities and revert them to the province;

AND FURTHER THAT this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs, MPP John Yakabuski, FONOM and AMO.

Carried Unanimously

Resolution #17/10/17/012

Moved by Councillor Foote and Seconded by Councillor Villeneuve

WHEREAS in a country as vast and sparsely populated as Canada, safe and efficient air transportation is essential to connecting families and communities and to continued economic prosperity;

AND WHEREAS Canada's airports are vital assets that contribute to the quality of life and economic growth in the cities, communities and regions they serve;

AND WHEREAS media reports indicate that the Government of Canada is actively considering selling Canada's airports to for-profit entities to achieve a one-time financial windfall;

AND WHEREAS the international experience in airport privatization has often resulted in higher fees and reduced services for travellers and airlines as a result of efforts to maximize return on investment;

AND WHEREAS such outcomes would negatively affect communities of all sizes across Canada by making air travel more expensive and reducing service;

AND WHEREAS the last decade has seen a massive increase in the number of Canadians using air travel to connect with loved ones, enjoy well deserved vacations and explore the country, or help create jobs;

AND WHEREAS any increase in fees on air travel resulting from the privatization of airports would constitute an unfair tax on Canada's middle class;

AND WHEREAS divestiture of airports to local not-for-profit authorities in 1994, led to massive user-financed investments in airport infrastructure which have given Canada an enviable network of world class airports;

AND WHEREAS the physical infrastructure of airports has been modernized, the governance system under which they operate has not kept up with the times and is now in urgent need of repair;

AND WHEREAS that situation would only be exacerbated in a privatized for-profit system;

THEREFORE BE IT RESOLVED THAT the municipality of the United Townships of Head, Clara & Maria calls on the Government of Canada to renounce its push for the for-profit privatization of Canada's airports and clear the way for needed improvements to the current airport governance and financing system;

AND BE IT FURTHER RESOLVED THAT the Federation of Canadian Municipalities (FCM) bring this matter forward for emergency debate at the next meeting of its National Board of Directors.

Carried Unanimously

Resolution #17/10/17/013

Moved by Councillor Foote and Seconded by Councillor Villeneuve

WHEREAS the Township of Edwardsburgh Cardinal has forwarded a resolution for support concerning the downloading of enforcement responsibility for residential maintenance standards under Bill 7, with no corresponding funding, training or process;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby support the enclosed resolution and calls on the Government of Ontario and the Ministry of Housing to halt the download of enforcement responsibility for residential rental maintenance standards proposed in Schedule 5 of Bill 7, in light of the significant fiscal challenge each municipality will face to provide this service to the public in a cost effective manner;

AND FURTHER THAT a copy of this resolution be forwarded to the appropriate entities for attention and action.

Carried Unanimously

12. ADDENDUM (NEW BUSINESS)

i. Report #17/10/17/1201 – Legal Report Review – Information Only

ii. Report #17/10/17/1202– Letter from Councillor Villeneuve

Resolution #17/10/17/014

Moved by Councillor Foote and Seconded by Councillor McKay

WHEREAS some members of Council feel that the content of Councillor Villeneuve's letter and emails has merit and demands attention;

AND WHEREAS the allegations made are outside of Council purview;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Mara does hereby direct staff to bring this issue and the Clerk's advice to the municipal solicitor for opinion and direction.

Carried

Recorded Vote

Chartrand, C	Yea <u> x </u>	Nay <u> </u>
Foote, D	Yea <u> x </u>	Nay <u> </u>
McKay, C	Yea <u> x </u>	Nay <u> </u>
Villeneuve, E	Yea <u> </u>	Nay <u> x </u>
Reid, B	Yea <u> x </u>	Nay <u> </u>

iii. Report #17/10/17/1203 - 2018 Meeting Schedule

Resolution #17/10/17/015

Moved by Councillor Foote and Seconded by Councillor Villeneuve

WHEREAS the Council of the United Townships of Head, Clara & Maria has agreed to hold an average of one regular Council meeting per month as per section 3.3 of By-Law 2015-07;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby agree to set its 2018 meeting schedule as outlined:

1. Council Meeting – Tuesdays at 7:00 pm or 19:00 h
 - January 23
 - February 13
 - March 20
 - April 17
 - **May 1, 2018 – Nomination Period for Candidates for 2018 Election opens**
 - May 15
 - June 12
 - July – no meeting
 - **July 27, 2018 – Nomination Day all Candidates are to have submitted Nomination by 2:00 p.m.**
 - August – no meeting
 - September 11
 - October 16 – Last Meeting of Current Council
 - **October 22, 2017 – Municipal Elections**
 - November – no meeting
 - December 3 – Inaugural meeting of New Council
2. Committee of the Whole – to be determined as required
3. Emergency Management – to be determined

Carried Unanimously

Action: Add to next agenda re council meeting in July or Aug of 2018

13. CLOSED SESSION

- i. Report 17/10/17/1301 and Report 17/10/17/1302 - Municipal Policy, Personal Information about an Identifiable Individual, Litigation and Information Protected Through Solicitor-Client Privilege

Resolution #17/10/17/016

Moved by Councillor Villeneuve and Seconded by Councillor Foote

WHEREAS the Municipal Act allows for closed meetings under section 239;

THEREFORE BE IT RESOLVED THAT this meeting go into an in-camera session at 21:03 h. to discuss personal information about identifiable individuals including municipal and local employees under section 239 (2) (b) potential litigation under section 239 (2) (e) and advice that is subject to solicitor-client privilege, including communications necessary for that purpose under section 239 (f);

Carried Unanimously

Resolution #17/10/17/017

Moved by Councillor Foote and Seconded by Councillor Villeneuve

WHEREAS Council went into closed session to discuss personal information about an identifiable individual, potential litigation and information subject to solicitor-client privilege and did receive a confidential report;

THEREFORE BE IT RESOLVED THAT this meeting come out of closed session at 21:42 h. and the public portion of the meeting continue. Let it be public record that no business of Council was advanced during this closed session.

Yes ___ No x Votes were held in closed session.

Yes x No ___ Votes were held in camera for the sole purpose of providing direction to staff.

Carried Unanimously

14. **BUSINESS ARISING FROM CLOSED SESSION** – Municipal Policy, Personal Information about an Identifiable Individual, Litigation and Information Protected Through Solicitor-Client Privilege

Resolution #17/10/17/018
Moved by Councillor McKay and Seconded by Councillor Chartrand
WHEREAS Council referred alleged Policy and Code violations to the municipal solicitor for advice and has received a response;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby direct staff to follow the recommendations of the municipal solicitor and:

- In order to meet the requirements of the *Occupational Health and Safety Act* initiate an investigation into the complaints received as per Municipal Policy.
 - Once the investigation is complete, if there is a finding of harassment, have municipal legal counsel assist in determining next steps.
- Carried

Recorded Vote

Chartrand, C	Yea	<input type="checkbox"/>	Nay	<input checked="" type="checkbox"/>
Foote, D	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
McKay, C	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Villeneuve, E	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Reid, B	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

15. **QUESTIONS AND ANSWERS**
i. Councillor Villeneuve: Does any Council Member have a right to contact the municipal solicitor? Mayor Reid will get back to Councillor Villeneuve.

16. **CONFIRMATION OF PROCEEDINGS**
Resolution # 17/10/17/019
Moved by Councillor Foote Seconded by Councillor Villeneuve
BE IT RESOLVED THAT By-Law 2017-13 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on Tuesday, October 17, 2017 be read a first time short and passed.
Carried Unanimously

17. **ADJOURNMENT**
Resolution # 17/10/17/020
Moved by Councillor Chartrand and seconded by Councillor McKay
BE IT RESOLVED THAT this meeting adjourn at 21:51 h. to meet on Tuesday, November 14, 2017 at 19:00h.
Carried Unanimously

Mayor – Bob Red

Deputy Clerk – Noella LeBreton