

THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA
September 18, 2009

Minutes of a regular meeting of Council held on Friday, September 18, 2009 at 14:00 h. in Council Chambers.

1. CALL TO ORDER & MOMENT OF SILENCE

2. ROLL CALL

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

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

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

(Resolution Prepared)

a. Resolution # 18/09/09/001

Moved by Councillor Reid and seconded by Councillor Gibson **BE IT RESOLVED THAT** the minutes of the regular meeting of Friday, August 7th, 2009 be accepted as presented.

Carried

5. DEPUTATIONS/PRESENTATIONS - none

6. CORRESPONDENCE & PETITIONS

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

- a. Ontario Forest Industries Association – re: Lightening the Footprint in Algonquin Park - info
- b. Ministry of Northern Development, Mines and Forestry – re: Modernizing Ontario's Forest Tenure and Pricing System - info
- c. Township of Madawaska Valley – re: support for HomeCare services - info
- d. Greater Sudbury – re: Unemployment Insurance changes - info
- e. Greater Sudbury – re: Proposed Workplace Fatalities Family Bill of Rights - info
- f. Town of Fort Erie – re: support for OMA and a call for a moratorium on Major Health Care Restructuring until after a review of the Rural and Northern Health Care programs -info
- g. Land Use Council – re: letter to Minister Cansfield on the *Endangered Species Act* and the lack of consultation - info
- h. MMAH – re: new MPMP reporting requirements - info

8. STAFF REPORTS (For information only)

- a. Clerk's Report – 04/09/09/201
- b. Clerk's Report – 18/09/09/201
- c. CBO's Report – 04/09/09/201B
- d. Road Super's Report – 18/09/09/201B

9. FINANCIAL REPORTS

a. Cheque Register Report #04/09/09/202

Resolution # 18/09/09/002

Moved by Councillor Foote and seconded by Councillor Reid **BE IT RESOLVED THAT** the Cheque Register from July 28, 2009 to August 26, 2009 be accepted as presented.

Carried

b. Budget Report/Income Statement #18/09/09/202

Resolution # 18/09/09/003

Moved by Councillor Reid and seconded by Councillor Aiston **BE IT RESOLVED THAT** the budget report for the period ending September 4, 2009 be accepted as presented.

Carried

10. BY-LAWS

a. 2009-21 – To Appoint an Auditor – Report #04/09/09/203

Resolution # 18/09/09/004

Moved by Councillor Aiston and seconded by Councillor Reid **BE IT RESOLVED THAT** By-Law Number 2009-21 being a by-law to appoint a Municipal Auditor for the Corporation of the United Townships of Head, Clara & Maria be read a first and second time.

Carried

Resolution # 18/09/09/005

Moved by Councillor Foote and seconded by Councillor Reid **BE IT RESOLVED THAT** By-Law Number 2009-21 being a by-law to appoint a Municipal Auditor for the Corporation of the United Townships of Head, Clara & Maria be read a third time short and passed.

Carried

b. 2009-23 – To Enter into Agreement with Province – Report #18/09/09/203

Resolution # 18/09/09/006

Moved by Councillor Gibson and seconded by Councillor Foote **BE IT RESOLVED THAT** By-Law Number 2009-23 being a by-law to authorize the execution of an Agreement between the Corporation and Her Majesty The Queen in Right of Ontario as represented by OMAFRA and the Minister of Energy and Infrastructure in respect to the Infrastructure Stimulus Fund Contribution Agreement be read a first and second time.

Carried

Resolution # 18/09/09/007

Moved by Councillor Gibson and seconded by Councillor Foote **BE IT RESOLVED THAT** By-Law Number 2009-23 being a by-law to authorize the execution of an Agreement between the Corporation and Her Majesty The Queen in Right of Ontario as represented by OMAFRA and the Minister of Energy and Infrastructure in respect to the Infrastructure Stimulus Fund Contribution Agreement be read a third time short and passed.

11. UNFINISHED BUSINESS

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

a. Report # 04/09/09/204 - North Renfrew Community Centre Assessment Group – received for information

b. Report #04/09/09/205 - Free Trade Support by Resolution FCM

Resolution # 18/09/09/008

Moved by Councillor Aiston and seconded by Councillor Gibson

WHEREAS the world's economy has entered into a period of slow economic growth;
AND WHEREAS governments throughout the world have introduced various stimulus packages to encourage economic growth;
AND WHEREAS the North American market for a wide variety of construction supplies and manufactured goods used in municipal infrastructure projects is highly integrated;
AND WHEREAS the United States of America is Canada's largest trading partner and a signatory of the North American Free Trade Agreement, and both countries benefit from a highly integrated market for construction supplies and related manufactured goods used in municipal infrastructure projects;
AND WHEREAS Canadian municipalities are supportive of the Free Trade agreement between Canada and the United States which has existed for many years;
AND WHEREAS the Government of the United States has introduced infrastructure stimulus packages including the American Recovery and Reinvestment Act (ARRA) which includes a "Buy American" provision for steel and other manufactured products;
AND WHEREAS these restrictive provisions which are contrary to the spirit of free trade will prevent Canadian companies from bidding on contracts which contain the "Buy American" provisions at the municipal and state levels in the United States since NAFTA and The Agreement on Government Procurement of the World Trade Organization do not nullify such provisions at those levels;
AND WHEREAS Canadian stimulus infrastructure programs do not contain any restrictions on manufacturers from other countries, including the United States, bidding on such contracts in Canada;
AND WHEREAS Canadian-based companies may be adversely affected by these restrictions possibly leading to lay-offs and financial losses and could lead to the erosion of their overall ongoing viability;
AND WHEREAS the economic outlook of local employers is of municipal interest because of the potential negative effects of business failures on local quality of life, community vibrancy and the property tax base;
AND WHEREAS Canadian municipalities have the right to undertake measures to protect their local economies and quality of life;
THEREFORE BE IT RESOLVED THAT municipalities express support for the spirit of free and fair trade between the United States and Canada and assert that the restrictive "Buy American" provisions in the American Recovery and Reinvestment Act are contrary to that spirit of free trade;
AND BE IT FURTHER RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby support the Federation of Canadian Municipalities (FCM) in its stance to support the Government of Canada and the Canadian Manufacturers and Exporters and other

stakeholders in their efforts to urge the United States Congress to repeal “Buy American” requirements in federal stimulus packages;

AND BE IT FURTHER RESOLVED THAT FCM urge the US National League of Cities and the US Conference of Mayors to also support the spirit of this resolution and the spirit of free trade, so that municipalities on both sides of the border can continue to procure supplies in the fairest and most efficient manner;

AND BE IT FURTHER RESOLVED THAT the United Townships of Head, Clara & Maria and the FCM support municipalities who choose to adopt procurement policies which favour free and fair trade by ensuring that the managers of local infrastructure projects, including environmental projects such as water and wastewater treatment projects, procure goods and materials required for these projects only from companies whose countries of origin do not impose trade restrictions against goods and materials manufactured in Canada;

AND BE IT FURTHER RESOLVED THAT, given that the Prime Minister, the Premiers and the US Chamber of Commerce have recently called for bi-lateral negotiations to resolve this issue, that this Council allows time for a negotiated resolution of this matter and should this matter not be resolved in a way that results in the lifting of the trade restrictions, that this Council proceed to amend its Procurement By-law to include a clause that states that we will only purchase equipment and do business with companies whose countries of origin do not impose trade restrictions against goods and materials manufactured in Canada.

Carried

c. Report #04/09/09/206 – Tooley Severance Road Maintenance Agreement

Resolution # 18/09/09/009

Moved by Councillor Gibson and seconded by Councillor Aiston

WHEREAS Council has amended its Zoning By-law to allow severance and building on properties that do not front on Municipal roads to encourage growth within the municipality;

AND WHEREAS in order to facilitate any maintenance issues with private roads within the municipality a Municipal Road Construction Minimum Standards Policy was created;

AND WHEREAS Mr. & Mrs. Tooley have applied for a severance of a large parcel of land in Bissett Creek that will not front on a Municipal road;

AND WHEREAS the County requested an agreement between the property owner and the municipality in order for consent to be granted;

AND WHEREAS the agreement protects the municipality and ratepayers from ever assuming responsibility for the maintenance of this private road amongst other things;

THEREFORE BE IT RESOLVED that the Council of the United Townships of Head, Clara & Maria does hereby recommend that the agreement be endorsed and registered on title.

Carried

d. Report #04/09/09/207 – Solar Power Property Assessment

Resolution # 18/09/09/010

Moved by Councillor Aiston and seconded by Councillor Gibson

WHEREAS the Town of Amherstburg has requested support for its resolution in modifying the calculation of Property Assessment for solar energy operations;

AND WHEREAS it makes sense to offer some type of rebate or reduced rate to unconventional land uses due to projects which are being encouraged by the Provincial Government to solve an energy problem in an environmentally friendly way;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby support the Town of Amherstburg and request that the Province, specifically the Ministry of Finance, continue with consultation with Municipalities and the Solar Industry to reach a fair and equitable property assessment valuation method for these operations;

AND FURTHER THAT a copy of this resolution be forwarded to our MPP, AMO and the Town of Amherstburg.

Defeated

e. Report #18/09/09/204 – Paper Reduction

Resolution # 18/09/09/011

Moved by Councillor Gibson and seconded by Councillor Aiston

WHEREAS this Council recognizes the importance and courtesy of acknowledging the receipt of correspondence;

AND WHEREAS it also recognizes the importance of conservation and environmentally friendly practices in the homes and workplaces of all Ontarians;

AND WHEREAS this office routinely receives form letters acknowledging receipt of resolutions of Council received by the Prime Minister’s Office, the Premier’s Office and our local MP’s office which are costly and use vast amounts of paper;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby respectfully request that the Prime Minister’s Office, the Premier’s Office and all MPs offices refrain from using taxpayers’ money to print and mail routine form letters simply acknowledging receipt of correspondence;

AND FURTHER THAT should these government offices deem it necessary to continue acknowledging receipt of correspondence that these letters be generated by email in the future;
AND FURTHER THAT this email be forwarded to AMO for circulation and to all area municipalities for support.

Carried

f. Report #18/09/09/205 – Gas Tax Funding

Resolution # 18/09/09/012

Moved by Councillor Gibson and seconded by Councillor Reid

WHEREAS the Gas Tax funds are legislated to be used within three years of receipt or returned;
AND WHEREAS nearly \$4,000 of Gas Tax funds needs to be used by the end of 2010 or returned;

AND WHEREAS the costs for garage repairs will likely exceed our budgeted amounts due to higher than anticipated costs for the roof project and the requirement for 2/3 of the garage door replacement and heating system projects;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria do hereby agree to remove up to 100% of the Gas Tax funds to use towards the allowable garage roof project which fulfills our obligations by contributing to increased energy efficiency.

Carried

g. Report #18/09/09/206 – Taxing Software – Received for Information

h. Report #18/09/09/207 – Disposal Site Hours Review

Resolution # 18/09/09/013

Moved by Councillor Foote and seconded by Councillor Reid

WHEREAS the current disposal site schedule is excessive and is difficult to staff;

AND WHEREAS it has been determined that larger neighbouring municipality's function successfully with limited site hours and no collection;

AND WHEREAS our residents are being serviced with weekly curbside collection for waste and bi-weekly curbside collection for recyclables;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria do hereby adopt staffing option #3 as outlined in the staff report #18/09/09/207 amending the disposal site hours within the municipality.

AND BE IT FURTHER RESOLVED THAT this change be made effective as soon as the changes can be properly advertised.

Carried

i. Report #18/09/09/208 – Disposal Site Job Description and Policy

Resolution # 18/09/09/014

Moved by Councillor Aiston and seconded by Councillor Reid

WHEREAS the current disposal site job description and environment policy are outdated, vague, and overlap;

AND WHEREAS upon hiring for any position a current job description accurately reflecting skills, knowledge, working conditions and responsibilities is required;

AND WHEREAS policy should provide clear direction and clarification to staff in order for them to fulfill the duties and responsibilities of their position and implement Council intention;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria do hereby adopt the new Job Description for the Disposal Site Attendant and the new Environment Policy as enclosed in staff report #18/09/09/208.

AND BE IT FURTHER RESOLVED THAT these changes be made effective immediately.

Carried

j. Resignation of Library Board Member

Resolution # 18/09/09/014-A

Moved by Councillor Gibson and seconded by Councillor Reid

WHEREAS a letter of resignation from the Library Board has been forwarded from Mrs. Joyce Aiston to Council for its acceptance;

AND WHEREAS it is important to begin the process of advertising to fill the vacant seat as soon as possible and Council's next meeting is not for two weeks;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby formally acknowledge and accept the resignation of Mrs. Aiston from the library board;

AND BE IT FURTHER RESOLVED THAT the clerk begin the process of advertising to fill the vacant seat immediately and advise the library board of activities.

Carried

Letter of Thanks from Council.

13. IN CAMERA OR CLOSED SESSION - none

14. QUESTIONS AND ANSWERS

15. CONFIRMATION OF PROCEEDINGS

a. Resolution # 18/09/09/015

Moved by Councillor Gibson and Seconded by Councillor Foote

BE IT RESOLVED THAT By-Law 2009 -22 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on September 18, 2009 be read a first time short and passed.

Carried

16. ADJOURNMENT – (Resolution Prepared)

Resolution # 18/09/09/016

Moved by Councillor Gibson and seconded by Councillor Foote

BE IT RESOLVED THAT this meeting adjourn at 15:16 h to meet again Friday, October 2, 2009 at 14:00 h.

Carried

Reeve – Tammy Stewart

Clerk – Melinda Reith

Note - Councillor Reid to be absent from October 2, meeting.