



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

Minutes of March 20, 2018

Minutes of a regular meeting of Council held on Tuesday, March 20, 2018 at 19:01 h. in the Municipal Hall.

1. **CALL TO ORDER & MOMENT OF SILENT 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 persons were present: Mayor Bob Reid, Councillors: Calvin Chartrand, Cathy McKay and Ernie Villeneuve.

Staff: Melinda Reith, Clerk; Noella LeBreton, Treasurer; Crystal Fischer, Administrative Assistant; approximately 15 members of the public.

Absent/Regrets: Councillor Dave Foote

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

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

HCM Vision: Proving 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/PRESENTATION**

- i. Jim Gibson – Suggestions for Amendment to the Procedure By-Law
- ii. Began deputation at 7:03.
- iii. Background, reasoning behind suggested changes to enhance democracy. Provided a draft resolution for council consideration. Mr. Gibson will email a copy to clerk. Deputation ended at 7:15

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

- i. Council Minutes – February 13, 2018

Resolution #20/03/18/001

Moved by Councillor McKay and seconded by Councillor Chartrand

BE IT RESOLVED THAT the minutes of the regular meeting of Tuesday, February 13, 2018 be accepted as presented.

Carried Unanimously

7. **CORRESPONDENCE & PETITIONS**

- i. Essex – re: Offering School Property to Municipalities - information
- ii. Nancy Rose – re: accusations as a result of deputation – information
- iii. Chat's Lake Stewarts – re: CPR Right-of-Way Dispute – information
- iv. Chief Grant Tysick – re: Agreement in Principle, Trail Permits and OFSC, Accommodation for Algonquin Trail – Ontario and Algonquins – information
- v. The Missing Link Snowmobile Club – re: Request for clarification – information
- vi. AMO Communications – re: Guidance on Traditional Land Acknowledgement Statements – information

Action: Approach Golden Lake group for interest in participating.

- vii. AMO Communications – re: Main Street Revitalization Initiative for Ontario – information

Action: Still don't have guidelines.

- viii. Emergency Management Ontario – re: Guidance note – training – information
- ix. FCM – re: Federal Budget 2018 Highlights – information
- x. AMO Communications – re: Canada-Ontario Infrastructure Program Agreement Phase 2 – information
- xi. Arnprior – re: MCSCS request for comments – information
- xii. MAH – re: The Municipal Councillor’s Guide – Role of the Councillor – information
- xiii. MCSCS – re: Alert Ready in Ontario – public alert system – information
- xiv. Ontario Parks – re: Algonquin Park Work Schedule – information
- xv. L1 - Councillor McKay – re: Strategic Planning meeting – DRDH 3-5 year plan – please submit concerns to Councillor McKay

Action: Submit concerns to Councillor McKay

- xvi. L2 - AMO Communications – re: Speech from the Throne – information
- xvii. L3 – Missing Link Snowmobile Club – re: MLSC and Snow Country not able to meet and can only meet in Pembroke – information
- xviii. L4 – MLSC – re: MLSC Contact – information
- xix. L5 – MLSC – re: Defense of its reputation – information
- xx. L6 – Jim & Gayle Watters – re: HCM Communications – information

Note: County Official Plan Review - Thursday night – meeting – Eganville County Official Plan. Details in handouts and social media.

8. STAFF REPORTS

- i. Report #20/03/18/801 – Clerk’s Report

Resolution #20/03/18/002

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS 2017 fireworks held for Canada Day were a huge hit with residents and visitors alike;

AND WHEREAS plans need to be made soon for Canada Day for 2018;

THEREFORE BE IT RESOLVED THAT Council does hereby authorize staff to arrange for fireworks at Old Mackey Park in a similar manner as in 2017 and that up to \$1500 be contributed to this event in addition to Council’s normal Canada Day activities with a limit of \$1,000 in Council contributions.

Carried Unanimously

- ii. Report #20/03/18/802 – Treasurer’s Report - none
- iii. Report #20/03/18/803 – Mayor’s Report – missed County Council meeting due to personal family health issues
- iv. Report #20/03/18/804 – Admin Assistant Report - none

9. FINANCIAL REPORTS

- i. Cheque Log – none
- ii. Comparative Income Statement – none

10. BY-LAWS

- i. Budget Report – deferred to next meeting
- ii. Report #20/03/18/1002 - Residential Tenancies Act Officer Appointment By-law – Internal Property Standards Regulation 517/06

Resolution #20/03/18/003

Moved by Councillor McKay and Seconded by Councillor Chartrand

WHEREAS By-Law # 2018-07 being a by-law to appoint an inspector for the purpose of enforcing the prescribed maintenance standards contained in Ontario Regulation 517/06 under the *Residential Tenancies Act, 2006* for the Corporation of the United Townships of Head, Clara & Maria has been presented to Council for approval;

THEREFORE BE IT RESOLVED THAT By-Law 2018-07 be read a first time short and passed this 20th day of March, 2018.

Carried Unanimously

- iii. Report #20/03/18/1003 – Election’s Signage By-Law

Resolution #20/03/18/004

Moved by Councillor Chartrand and Seconded by Councillor McKay

WHEREAS By-Law # 2018-06 being a by-law to regulate the use and placement of signs for election purposes within the geographic area of the Corporation of the United Townships of Head, Clara & Maria.

THEREFORE BE IT RESOLVED THAT By-Law 2018-06 be read a first time this 20th day of March, 2018.

Carried Unanimously

11. UNFINISHED BUSINESS

i. Report #20/03/18/1101 – 2017 Council Code of Conduct Complaints
Resolution #20/03/18/005

Moved by Councillor McKay and seconded by Councillor Chartrand

WHEREAS a Councillor Code of Conduct Report has been received based on Code complaints against fellow Council members as filed by Councillor Villeneuve;

AND WHEREAS it was found that there were no conflict of interest violations based on the *Municipal Conflict of Interest Act*;

AND WHEREAS there was found to be one conflict of interest infraction based on the loose definitions and interpretation of the municipal Code of Conduct policy;

THEREFORE BE IT RESOLVED THAT the Code of Conduct Report and summary be disseminated to the public as required under *the Municipal Act*.

AND FURTHER THAT as per legal counsel, no sanctions be implemented based on the one code infraction and the Code be amended to provide more detailed instructions and guidance to Council members through a newly appointed Integrity Commissioner.

AND FURTHER THAT Council directs staff to make the entire report public including the Summary, Background, Investigation, Analysis, Recommendations and Appendices to be used as an educational tool for Council members, employees and members of the public who may share similar misconceptions as the complainant.

Carried Unanimously

Councillor Villeneuve made a request that his ex-wife's name be redacted. Approved by Council.

ii. Report #20/03/18/1102 – The Algonquin Trail Update
Resolution #20/03/18/006

Moved by Councillor Chartrand and seconded by Councillor McKay

WHEREAS the Council of the County of Renfrew have utilized taxpayer dollars to obtain a legal opinion with respect to the use of the lands known as the Algonquin Trail within Head, Clara & Maria;

AND WHEREAS this document will be used in part to formulate County Council decision making moving forward concerning the use of property within this municipality;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby respectfully request that a copy of the legal opinion obtained by the committee be provided to this council for review and information.

Carried

Recorded Vote

Councillor Chartrand – Yes

Councillor Foote – Absent

Councillor McKay – yes

Mayor Reid – Yes

Councillor Villeneuve – No

Resolution #20/03/18/007

Moved by Councillor McKay and seconded by Councillor Chartrand

WHEREAS the Council of the United Townships of Head, Clara & Maria does see the benefit in providing correction to misinformation being circulated at the County level through local media;

THEREFORE BE IT RESOLVED THAT Council does hereby authorize staff to create a press release reconfirming its position on the Algonquin Trail through Head, Clara & Maria to be circulated to local press.

Defeated Unanimously

Action: Post the ad for the stakeholders' consultation meetings in the NRT. Mail stakeholder meeting flyers asap.

iii. Report #20/03/18/1103 – The County of Renfrew Official Plan Review

Resolution #20/03/18/008

Moved by Councillor Chartrand and seconded by Councillor McKay

WHEREAS Council has had the opportunity to review the proposed amendments to the County of Renfrew Official Plan review;

AND WHEREAS it commends the County staff for work to date and amendments which help to protect property owner rights especially those in proximity to at capacity or sensitive lakes;

AND WHEREAS Council feels there are still steps which could be taken to lighten the restrictions on rural Ontario property owners;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby reiterate its concern with the limitations imposed on landowners specifically that:

1. Section 14.3 (2) be reconsidered to allow severance, on a case by case basis, on large tracts of land which will require private roads but do not front on water;
2. Section 13.3 (13) be reconsidered so private property owners retain priority rights over any recreation trail rights-of-way and that proposed building and development restrictions be removed.

Carried Unanimously

12. ADDENDUM (NEW BUSINESS)

i. Report #20/03/18/1201 – Report of the Ontario Fire Marshal's Office re: Municipal Fire Service Operations Review

Resolution #20/03/18/009

Moved by Councillor Chartrand and seconded by Councillor McKay

WHEREAS the Ontario Fire Marshal and Emergency Management have completed an investigation and report into the fire service being provided by the municipality;

AND WHEREAS staff have reviewed the recommendations and have provided a plan to address the outstanding issues;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize staff to follow the plan as outlined in the report to council #20/03/2018/1201.

Carried Unanimously

ii. Report #20/03/18/1202 – March Code of Conduct Complaints – New

Resolution #20/03/18/010

Moved by Councillor Villeneuve and seconded by Councillor McKay

WHEREAS 3 new Complaints have been filed on March 14, 2018 against Council members and staff;

AND WHEREAS Council has options to process these complaints including the ability to amend its own policy and not have the complaints investigated;

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

1. _____ Hire Cunningham Swan to conduct Code of Conduct and Harassment Complaints;
2. _____ Direct staff to research and hire an independent firm to conduct the investigations;
3. Defer the complaints until an Integrity Commissioner is appointed to provide education and training to Council, staff and the public.

(Council's choice will be noted with a check or other mark in the space beside the desired option.)

Carried

Recorded Vote

Councillor Chartrand – Yes
Councillor Foote – Absent
Councillor McKay – yes
Mayor Reid – yes
Councillor Villeneuve – no

iii. Report #20/03/18/1203 – Strategic Plan Report - Information

13. CLOSED SESSION – Personal Information about an Identifiable Individual

- i. Report #20/03/18/1301 – 2017 Harassment Complaints Report
- ii. Report #20/03/18/1302 – Staffing Report

Resolution #20/03/18/011

Moved by Councillor Villeneuve and seconded by Councillor McKay

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 20:17 h to discuss personal information about identifiable individuals including municipal and local employees under section 239 (2) (b) in relation to Workplace Violence and Harassment Policy Complaints and subsequent report to Council and in a second matter in relation to staffing.

Carried Unanimously

Resolution #20/03/18/012

Moved by Councillor Villeneuve and seconded by Councillor McKay

WHEREAS Council went into closed session to discuss personal information about an identifiable individual and labour matters and did receive a confidential harassment complaint report from the investigator and an internal staffing report;

THEREFORE BE IT RESOLVED THAT this meeting come out of closed session at 20:52 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 aside from providing direction to employees.

Carried Unanimously

14. BUSINESS ARISING FROM CLOSED SESSION

Resolution #20/03/18/013

Moved by Councillor Chartrand and seconded by Councillor McKay

WHEREAS council has received the investigator's confidential report under the Municipal Workplace Violence and Harassment Policy outlining recommendations specifically that;

- 1. The Municipality would benefit from additional education about harassment in the workplace;
- 2. Council arrange for specific training for both Council and staff; and
- 3. Council creates rules of decorum (to be followed) at Council meetings.

AND WHEREAS legislation to come in force in 2019 requires the hiring of an Integrity Commissioner to assist Council in conflict, code and integrity issues in addition to providing council, staff and public education;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby decide to be pro-active and immediately begin the process of appointing an Integrity Commissioner to assist in reacting to investigation findings as well as to prepare for the future as will be required under the Bill 68 changes to the *Municipal Act*;

AND FURTHER THAT as per legislation, the summary of the harassment complaints relating to each respondent be forwarded to each person respectively, including warnings of the need to maintain confidentiality;

AND FURTHER THAT the names of the 5 persons found to have harassed municipal staff and the fact that two citizens were exonerated be released to the public.

Carried

Recorded Vote

Councillor Chartrand – yes
Councillor Foote – Absent
Councillor McKay – yes
Mayor Reid – yes
Councillor Villeneuve – No

Resolution #20/03/18/014

Moved by Councillor Villeneuve and seconded by Councillor McKay

WHEREAS personnel issues have resulted in a backlog of unfinished tasks requiring additional short term support;

AND WHEREAS Council has reserves to provide for such contingencies;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize staff to hire short term help and to borrow from contingency funds if required to cover additional employment related costs up to a maximum of \$5,000 for a period of three months.

Carried Unanimously

Resolution #20/03/18/015

Moved by Councillor McKay and seconded by Councillor Chartrand

WHEREAS Council did adopt a Professional and Courteous Conduct Policy to provide resources to Council to adopt measures when investigations have been completed into unwanted conduct in the workplace and to enforce a workplace free of harassing behaviour;

AND WHEREAS Councillor Villeneuve has been found to be in violation of various aspects of Workplace Harassment legislation and policy and continues to exhibit the same behaviours;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby impose the following sanctions as outlined in P&G 168 as follows. Council does hereby restrict Councillor Villeneuve's:

- Attendance at future council meetings if he continues to make frivolous or vexatious complaints against fellow council members or municipal employees;
- Communication with staff or council to email sent through a newly created email address specifically for that purpose and refuse to reply to any other attempts at contact.
- That attempts to discredit employees via email or during council meetings will not be tolerated.
- Attendance at the municipal office for any reason other than to conduct personal business such as paying taxes or other such permits.
- That Councillor Villeneuve be prevented from filing frivolous and vexatious claims against staff and members of Council, as to be determined by the Clerk until an Integrity Commissioner is appointed.

Carried

Recorded Vote

Councillor Chartrand – yes
Councillor Foote – Absent
Councillor McKay – yes
Mayor Reid – yes
Councillor Villeneuve – no

15. QUESTIONS AND ANSWERS - none

16. CONFIRMATION OF PROCEEDINGS

Resolution #20/03/18/016

Moved by Councillor Villeneuve and seconded by Councillor McKay

BE IT RESOLVED THAT By-Law 2018 -05 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on Tuesday, March 20, 2018 be read a first time short and passed.

Carried Unanimously

17. ADJOURNMENT

Resolution #20/03/18/0

Moved by Councillor Villeneuve and seconded by Councillor McKay

BE IT RESOLVED THAT this meeting adjourn at 21:03 h. to meet again on Tuesday, April 17, 2018 at 19:00 h.

Carried Unanimously

MAYOR – BOB REID

CLERK – MELINDA REITH

Notes to Council Meeting

Deputation – Mr. Jim Gibson - Perceived problem to basic democracy. Procedural By-law. Item 11.2 – duty of clerk to ensure minutes and all meetings held ...are made available to each member not more than 48 hours prior to meeting.

Notice of special meetings – on-line posting of meeting. Agenda details – when some people get to see contents of package.

Time constraints, constituent's ability to address items in the package. Provide notice to Clerk 5 business days prior to meeting of council.

Issue is that resident doesn't find out about the matter on the agenda until its too late to submit a request for a deputation. No procedural method for them to do so. Leaves limited option – email council and/or staff or call them. Doesn't ensure that constituents have an option to address council.

Suggest changes to procedures to allow constituents to address council.

Details changes....(included in report submitted to Council.)

Verbal or written notice prior to council.

Questions & Answers

McKay – our procedures are in line with other municipalities. Most packages are out on Friday, not posted on line. They don't have a chance to see what's on the agenda. Common practise. Past council, even less lead time. Friday afternoon with Friday morning posting. Much shorter. I agree with reasoning for councillors to go through packages to see what people are calling us beforehand. Its been this way for years, why is this different now?

Gibson – appreciate research – issue is one of democracy. How can a ratepayer address anything in package when they only just heard about it? If a person wants to place an opinion on the table. They should do it as well.

McKay – system before – if you have a problem – call or email – make a deputation later, Why does that not work now?

Gibson – it's too late.

Mayor Reid – put on table for April meeting for Council debate and discussion.