



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

Minutes of Sept. 11, 2018

Minutes of a regular meeting of Council held on Tuesday, September 11, 2018 at 19:00 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, Nancy Rose and Ernie Villeneuve.

Staff: Melinda Reith, Clerk; Crystal Fischer, Administrative Assistant; approximately 20 members of the public.

Consultants: Peggy Young Lovelace, Expertise for Municipalities and Paul Cassan, Wishart Municipal Law Group

Absent/Regrets: Noella LeBreton, Treasurer; Councillor Chartrand – delayed, on his way. Arrived at 19:03.

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: 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.

5. **DEPUTATIONS/PRESENTATIONS**

- i. Harvey Creek Road residents

7:23 – Paul Cotey – left the meeting.

- ii. Peggy Young-Lovelace and Paul Cassan, E4M and Wishart Municipal Group – in attendance for closed meeting purposes

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

- i. Council Minutes - June 12, June 20 and July 24, 2018

Resolution #11/09/18/001

Moved by Councillor McKay and seconded by Councillor Rose

BE IT RESOLVED THAT the minutes of the regular meeting of Tuesday, June 12, 2018 and the minutes of the special meetings of June 20 and July 24, 2018 be accepted as presented.

Carried

Refer to closed session for additional discussion.

Recorded Vote

Chartrand, C	Yea <u> X </u> Nay <u> </u>
McKay, C	Yea <u> X </u> Nay <u> </u>
Reid, B	Yea <u> X </u> Nay <u> </u>
Rose, N	Yea <u> </u> Nay <u> X </u>
Villeneuve, E	Yea <u> </u> Nay <u> X </u>

- ii. Rural Mayor's Forum of Eastern Ontario - none

- iii. Library Board - information
- iv. Recreation Committee – information
 - i. June 20, 2018

7. CORRESPONDENCE & PETITIONS

Petitions

- i. Harvey Creek Road Residents re: Opening the access to the Ottawa River.
- ii. HCM Residents – re: Support for the use of the railbed through the municipality.

Correspondence

- i. Stewardship Ontario - re: Municipal Blue Box Funding - information
 - ii. Township of North Frontenac, Horton and Bonnechere Valley – re: Support for Rural Firefighters and Double Hatters - information
 - iii. Community Living Ottawa Valley – re: Minimum Wage Exemption
- Action:** Clerk to prepare a resolution for the next meeting
- iv. City of Hamilton – re: support -Cannabis Grace Period Request - information
 - v. City of Niagara Falls – re: support – NAFTA and Trade Disputes - information
 - vi. North Stormont – re: support - Green Energy and assistance to municipalities
- Action:** Clerk to contact North Stormont – re: staff report for next meeting
- vii. Whitewater – re: additional to Community Living - #3 - information
 - viii. Oakville – re: Regulating the Display and Distribution of Objectionable Images - information
 - ix. MMAH – re: MOU signed with AMO - information
 - x. AMCTO – re: Better Local Government Act – information
 - xi. AMO – re: Support for NAFTA – addition to #5 - information
 - xii. AMO – re: Cannabis sales – information
 - xiii. AMO – re: Speech from the Throne – information
 - xiv. County of Renfrew – re: Explanation of Speech from the Throne – information
 - xv. County of Renfrew – re: new CAO- Welcome to Paul Moreau – information
 - xvi. County of Renfrew – re: County Communique – information
 - xvii. ROMA – re: notice of Annual Conference – information
 - xviii. County of Renfrew – Tax Rate Summary – information
 - xix. Cunningham Swan – Legal Matters – information
 - xx. L1 – South Glengarry – re: Paramedic Services and Essential Services
- Action:** letter of support for South Glengarry

8. STAFF REPORTS

- i. Report #11/09/18/801 – Clerk's Report
- ii. Report #11/09/18/801- A – Clerk's Report - Education and Training Bill 68 Policies
- iii. Report #11/09/18/802 – Treasurer's Report - none
- iv. Report #11/09/18/803 – Mayor's Report
 - i. County council – meeting and Board of Health and Committee Meeting
 - ii. Ambulance and moving through to Ottawa – Chief Nolan has made arrangements that Ottawa ambulance will not be covered in the future;
 - iii. Two new ambulances
 - iv. Pilot project to use old ambulances to put in use for community vehicles.
 - v. Villeneuve – comment – attended the last county meeting – a lot of positive comments made about the use of the railbed.
- v. Report #11/09/18/804 – Admin Assistant Report

9. FINANCIAL REPORTS

- i. Cheque Log
- Resolution #11/09/18/002
 Moved by Councillor Rose and Seconded by Councillor McKay
BE IT RESOLVED THAT the Cheque log from January 1, 2018 – September 7, 2018 totalling \$739,246.23 be accepted as presented.
 Carried Unanimously

ii. Income Statement

Resolution #11/09/18/003

Moved by Councillor McKay and Seconded by Councillor Rose

BE IT RESOLVED THAT the Income Statement from January 1, 2018 – September 7, 2018 be accepted as information as presented.

Carried Unanimously

10. **BY-LAWS**

i. Report #11/09/2018 – 1001 – Bill 68 Policies – Adopt Council Code of Conduct, Council/Staff Relations, Integrity Commissioner Inquiry Protocol – 2018-18

Resolution #11/09/18/004

Moved by Councillor Rose and Seconded by Councillor McKay

WHEREAS Council has passed By-Law 2018-08 Establishing the Office of Integrity Commissioner and adopting a policy with respect to the actions of the Integrity Commissioner;

AND WHEREAS it is recommended that the current Code of Conduct and Code Complaint process be updated;

AND WHEREAS it is required that each municipality adopt a Council/Staff Relationship Policy;

AND WHEREAS Council has at its meeting of July 24, 2018 adopted these documents by resolution;

THEREFORE BE IT RESOLVED THAT By-Law 2018-18 being a by-law to adopt a Council Code of Conduct, Council/Staff Relations Policy, and the Integrity Commissioner Inquiry Protocol pre and post March 1, 2019 for the Council of the United Townships of Head, Cara & Maria be read a first time short and passed this 11th day of September, 2018.

Carried Unanimously

ii. Report #11/09/2018/1002 – ATV and Off Road Vehicle By-Law 2018-19

Resolution #11/09/18/005

Moved by Councillor McKay and Seconded by Councillor Rose

WHEREAS Council has an obligation to protect the health and safety of the public under the Municipal Act;

AND WHEREAS many residents and visitors to Head, Clara & Maria enjoy the use of off road vehicles;

AND WHEREAS Council wishes to continue to permit the use of off road vehicles but in a safe and respectful manner, attempting to ensure the safety of riders and others alike;

AND WHEREAS without a municipal ATV and/or Off Road By-law off road vehicles are illegal on any municipal road;

THEREFORE BE IT RESOLVED THAT in order to permit off road vehicle use in a safe and controlled manner, and to provide a document which Ontario Provincial Police and any municipal enforcement staff might use to enforce municipal rules, the Council of the United Townships of Head, Clara & Maria does approve the attached by-law number 2018-19, ATV and Off Road Vehicle By-Law as amended to become effective immediately on final passing.

AND FURTHER THAT this by-law be read a first time this 11th day of September 2018 as amended September 11, 2018.

Carried Unanimously

Councillor Villeneuve presented a motion to defer. No seconder.

Direction to staff to remove section 2.6, 2.7 and 2.8.

iii. Report #11/09/2018/1003 – Snowmobile By-Law 2018-20
Resolution #11/09/18/006
Moved by Councillor Rose and Seconded by Councillor McKay
WHEREAS Council has an obligation to protect the health and safety of the public under the Municipal Act;

AND WHEREAS many residents and visitors to Head, Clara & Maria enjoy the use of snowmobiles;

AND WHEREAS Council wishes to continue to permit the use of snowmobiles but in a safe and respectful manner, attempting to ensure the safety of riders and the general public alike;

THEREFORE BE IT RESOLVED THAT in order to permit snowmobile use in a safe and controlled manner, and to provide a document which Ontario Provincial Police and any municipal enforcement staff might use to enforce municipal rules, the Council of the United Townships of Head, Clara & Maria does approve the attached by-law number 2018-20, the Snowmobile By-Law as amended to become effective immediately on final passing.

AND FURTHER THAT this by-law be read a first time this 11th day of September 2018 as amended September 11, 2018.

Carried

Councillor Villeneuve – presented a move to defer – needs a seconder. No seconder.

Direction to staff to remove sections 2.1, 2.3 and 2.2 after the word “walkway”.

Recorded Vote

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

iv. Report #11/09/2018/1004 – Election’s Compliance Audit Committee – By-Law 2018-21

Resolution #11/09/18/007
Moved by Councillor McKay and Seconded by Councillor Rose
WHEREAS the Municipal Elections Act, 1996 legislates that each municipality shall appoint an Elections Compliance Audit Committee;

AND WHEREAS in 2014 upon request for candidates we received but one response for our representative on a joint committee with Laurentian Hills and Deep River;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby adopt By-Law 2018-21 being a by-law to appoint an Elections Compliance Audit Committee for the Corporation for the term of council beginning in December of 2018 as read a first time short and passed this 11th day of September, 2018.

Carried Unanimously

11. UNFINISHED BUSINESS

- i. Report #11/09/18/1101 – The Algonquin Trail Update – Information
- ii. Report #11/09/18/1102 – To Accept the Report and Action Plan as provided by Wishart Municipal Law Group and Expertise for Municipalities

Resolution #11/09/18/008
Moved by Councillor McKay and Seconded by Councillor Rose
WHEREAS Council has received training and authorized staff to provide documentation to Wishart and E4M for review concerning recent Council and Council/Staff Relations;

AND WHEREAS the municipality has recently contracted with Wishart Law Group for legal services and E4M who have been charged with providing advice to facilitate Council moving forward in a cohesive manner;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby accept the resulting report and recommendations and direct staff to implement same as soon as possible;

Carried Unanimously

Resolution #11/09/18/009

Moved by Councillor Rose and Seconded by Councillor McKay

WHEREAS Expertise for Municipalities have already spent considerable time reviewing our situation and providing advice for council to follow moving forward;

AND WHEREAS they and Wishart Municipal Law Group have been hired by this municipality to provide legal and various other professional services for the municipality including acting as Integrity Commissioner;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize the Clerk and Mayor to contract with E4M to work with Council and staff to implement the action plan presented at the July 24th meeting of Council and approved by Council today.

Carried Unanimously

iii. Report #11/09/18/1103 – Waste Management By-Law

Resolution #11/09/18/010

Moved by Councillor McKay and Seconded by Councillor Rose

WHEREAS the Waste Management By-Law was passed in 2012 and requires regular review;

AND WHEREAS concerns with some practises have been raised by staff;

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

1. Eliminate the fee for the acceptance of white goods at the municipal disposal sites unless they require processing prior to being removed by the scrap metal processor;
2. Eliminate the fee for the acceptance of contaminated soil suitable for cover at the sites unless the site has to be opened to accommodate the contractor's schedule;
3. Form a waste management committee comprised of residents, Bill Donnelly, one other staff member, 1 to 2 council members and representatives from local businesses to regularly review by-law and report to council.

AND FURTHER THAT this resolution becomes effective immediately.

Carried Unanimously

iv. Report #11/09/18/1104 – Strategic Plan, Election Questions - Information

12. ADDENDUM (NEW BUSINESS) - None

13. CLOSED SESSION

Resolution #11/09/18/011

Moved by Councillor Rose 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 20:56 h to discuss personal matters about an identifiable individual including municipal and local employees under section 239 (2) (b).

Carried Unanimously

Break from 20:57 to 21:10 – Council resumed in Closed session

Resolution #11/09/18/012

Moved by Councillor McKay and seconded by Councillor Rose

WHEREAS Council went into closed session to discuss personal matters about an identifiable individual and labour matters;

THEREFORE BE IT RESOLVED THAT this meeting come out of closed session at 22:48 h. and the public portion of the meeting continue.

Carried Unanimously

14. BUSINESS ARISING FROM CLOSED SESSION - none

15. QUESTIONS AND ANSWERS - none

16. CONFIRMATION OF PROCEEDINGS

Resolution #11/09/18/013

Moved by Councillor McKay and seconded by Councillor Rose

BE IT RESOLVED THAT By-Law 2018 - 22 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on Tuesday, September 11, 2018 be read a first time short and passed.

Carried Unanimously

17. ADJOURNMENT

Resolution #11/09/18/014

Moved by Councillor Rose and seconded by Councillor McKay

BE IT RESOLVED THAT this meeting adjourn at 22:51 h. to meet again on Tuesday, October 16, 2018 at 19:00 h.

Carried Unanimously

MAYOR – BOB REID

CLERK – MELINDA REITH

Notes to Council meeting – Deputations

Harvey Creek Residents

Paul Cotey - I'm here to speak tonight on this ridiculous resolution passed. Along Harvey Creek Road – widening access – keep parking spaces for the public.

Ask Ms. McKay to provide clarification.

I don't know what you are doing; I'm upset – asked a question Wednesday of all of you. Is it not proper and professional for people to have a voice? You all said yes.

Councillor McKay visited and spoke with a number of residents who were home.

What I see here is your opening a major can of worms, allowing more people to access to go down and drink, do drugs and through garbage on road, and get back to highway 17 possible get run over.

You have a park; you have a boat launch – why are you going to a residential area and open this up? I bought up here for a little piece and quiet, and to open it up for more public is ludicrous – you've got a boat launch, you've got a park – I'm not understanding what this is going to provide.

I don't understand why, we're here tonight, we should have known about this in June – one more council meeting before the election that this can be re-addressed and rescinded – so we don't have to deal with – walk down and pick up garbage and beer cans. Doing what you're addressing makes no sense – hoping you people would

reconsider, re table this, give us what you thought we owned – de-value our properties doing this. is doing nothing positive.

Mayor Reid – August 2006 letter – residents wanted it opened then. That trail has been used for many years. Reads letter from 2006 – they wanted access then. We have the right to access and use the property – restore the access. Residents wanted the access.

Cotey - I can ask for a lot of things too.

Chartrand - It was asked so that people could walk their dogs there.

McKay – I spoke with some residents right before the meeting, they told me that so long as it's not a boat launch some way garbage is to be picked up – they have no problems with a trail to be opened. Some said no. One is worried about the ditch being filled. There wasn't a big boat launch – trail they are fine with it.

Villeneuve – this letter were dated 2006. Are any of these residents still living there? There is a petition signed. Letter dated, Wed. Aug 15, 2018. It's not included. Can I share this?

Pat Charbonneau – yes go ahead.

Villeneuve – read the letter the clerk sent to Mr. Charbonneau.

McKay – I spoke with some of the people who signed the petition they were led to believe that a boat launch and a park were going in. Once they were reassured, so long as their concerns about garbage and the ditch being built due to flooding basement – they would be fine with a trail. Not a boat launch, not a park.

Cotey – How much would this cost?

Villeneuve – spoke to the date of the original resolution, the date the letter was sent from the clerk to Mr. Charbonneau and the amount of time left in the construction season?

Cotey – I think you're making a mistake – we see what's there now – they drink and throw their crap around. Already lost things on their property. For the amount of people you're talking about – it's a residential area. I hope to get a letter to say that this is squashed.

Do we need a resolution? How does Council wish to proceed?

Mayor - Council has already given the direction.

Mckay - There are people who are concerned – garbage and ditch.

Rose/Reid – tabled for time being – direct staff to set up a stakeholders meeting – no more he said, she said.

Cotey - Should have been done back in June. Let's talk.