

TOWNSHIP OF O'CONNOR - MINUTES – MARCH 23, 2009

Minutes of the meeting held on March 23, 2009 at 7 p.m. in the municipal building.

Present: Mayor Nelson
Councillors: Garbutt, Racicot, Vezina
Clerk-Treasurer Buob

Visitors: Staff Sergeant Ken Mantey, OPP
Fire Department members – Mike Styles and Josh Turk
Fire Chief Henry Mattas
Leadhand Kelly Johnson
Jacquie Cottingham
Darren Henderson and Ken Mosley – Taranis Contracting Ltd. Arrived at 7:52 p.m.

Mayor Nelson called the meeting to order at 7:13 p.m..

Disclosure of pecuniary interest and general nature thereof: Councillor Racicot declared an interest in items 16 d) e) f) g) and 17 b) as his spouse is an employee of the township.

1. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE MINUTES OF THE COUNCIL MEETING HELD ON MONDAY, MARCH 9, 2009 BE ACCEPTED AS PRINTED.

Carried

2. Moved by Bishop Racicot
Seconded by J. Vezina

THAT COUNCILLOR NYGARD BE MARKED ABSENT DUE TO WORK.

Carried

Mayor Nelson asked the visitors if they wished to address Council on any matters other than those already on the agenda. They replied no.

Staff Sergeant Mantey was welcomed to the table. Staff Sergeant Mantey was asked to attend the meeting to discuss two issues of concern, enforcement of half loads on township roads and hunting on and beside township roads, including ditches.

Staff Sergeant Mantey informed Council that The Ontario Provincial Police can lay charges if a vehicle is found to have traveled on a half load road, including a township highway, if a township by-law is in place. The Township of O'Connor does have a half load by-law. If an overweight vehicle is suspected they can take it to any scale to have it weighed. The OPP now have radios that can communicate with the Ministry of Transportation and they would also assist them if needed. They can also do commercial vehicle inspections.

He also informed Council that if there was no by-law in place for the discharge of fire arms the Fish and Wildlife Act would apply. This Act states that you cannot shoot down the roadway, across a roadway or from a roadway, only in the ditch towards the bush line but not if there are houses or farm animals. Farmers do not have to post their property no hunting; it is the law unless given permission. If a resident is having a problem with a hunter they should get the vehicle licence plate number and description, also a description of the hunters and recognize what the person is wearing to help identify this person and contact the OPP.

Staff Sergeant Mantey will provide information on hunting for the September cornerstone.

The OPP Estimated Policing Costs for the period of January 1, 2009 to December 31, 2009 were presented to Council. These estimated costs have increased from 2008 by approximately 10%. There is a new formula for calculating the vehicle usage expense, as well two new line items have been included in the operating expenses. The constable remains the same.

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The 2009 Thunder Bay Detachment Business Plan was also presented. The 2008 crime rate has never been lower and the property crime overall has been stable. The OPP have increased their traffic enforcement, including ride checks and seatbelt checks, which also allows for more appearance in the areas. The first three months of 2009 have also been good.

The OPP will be celebrating their 100th Anniversary and the Thunder Bay detachment will be celebrating their 15th Anniversary at their new location. More information and invitations will be coming for a couple of upcoming events they have planned. Overall there are a lot of new officers and a lot of new changes in the detachment.

Council informed Staff Sergeant Mantey of the township's upcoming O'Connor Day celebrations as well as the O'Connor Women's Institutes 100th Anniversary. As more detail becomes available for these events, Diana Cole, Community Services Officer and Staff Sergeant Mantey, will be notified.

Council also asked for Staff Sergeant Mantey's opinion on a speed limit reduction to 70km/hr on Highway 590 from Highway 11/17 to approximately 300 metres past Winslow/Loghrin road intersection. He was in support of this change.

Council thanked Staff Sergeant Mantey for his input and for attending the meeting.

Mike Styles and Josh Turk of the O'Connor Fire Department were welcomed to the table. A communication report from the department explaining how a radio demonstration test was conducted was read. The department, as requested by Council, conducted this test to see which type of radio would work best in the township. The department did the test from nine different locations with three radios. The conclusion was that the Kenwood brand worked the best and was the cheapest. The price is guaranteed until the end of April. The purchasing of these radios will be discussed further at the budget meeting. Mr. Styles is recommending that six radios be purchased to ensure that all first responders have one. The personal protective equipment was also discussed. The department is currently getting sizes for boots. Eight pairs of boots are needed and six pairs of gloves. The old boots were discussed and what can be done with them. Fire Chief Mattas is currently looking into what the City of Thunder Bay do with their older equipment which no longer meets code but is still in good condition.

Mr. Styles and Mr. Turk were thanked for a job well done and for attending the meeting.

Fire Chief Mattas was welcomed to the table. The Fire Department report was read. There was one fire call and two first response calls since the last report. The cause of the fire is unknown. Mutual Aid was called in to assist with the fire. Seven members of the team attended an information meeting with the OPP on March 11th. The department's roll and the OPP's roll on highway calls were discussed at the meeting.

The pump that was approved for replacement at the last meeting for the tanker truck was discussed. Parts are not available for the old pump that was on the truck. The truck was not out of service without the pump however with the spring weather the truck may not be able to get into all locations and water may need to be pumped to the pumper. Council agreed that the pump was important and was needed to be purchased as soon as possible. It was suggested that an inline screen be purchased to minimize the amount of debris sucked up when collecting water from a creek.

A memo from the Clerk-Treasurer with regard to the service agreement for the new radio equipment was read. The contract that was signed with CACC is only a communications contract between the township and CACC. The maintenance agreement will be a separate document and will be between Bell Mobility and the township. This agreement is not out yet. There will be more meetings in this regard once the equipment is installed. The Municipality of Oliver Paipoonge has taken the lead on this. The maintenance costs will be divided evenly amongst the municipalities involved. The group is also awaiting the approval of the JEPP Funding application for the equipment.

Fire Chief Mattas reported that four members of the fire department will be taking Regulation 101 training in April.

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Fire Chief Mattas was thanked for attending.

Darren Henderson, Taranis Contracting Group, was welcomed to the table. The following documents were read by Council: a reply letter to Taranis Contracting Group from the Ministry of Natural Resources regarding the purchasing of crown land in Marks Township, Rock Solid Holding's response to opposition letters to both the Township of O'Connor and Ms. Jacquie Cottingham, a response letter to the Ministry of Natural Resources with regard to the purchase of land to construct a road on this land and a copy of the letter to Taranis Contracting Group from their solicitor commenting on the Ministry's suggestions. Mr. Henderson summarized the Ministry of Natural Resources decision. They are not willing to sell this land to Taranis Contracting Group and Taranis Contracting Group is not willing to put forth the money to build a road when it could be taken away from them at anytime as Land Use Permits or leases can be broken. They feel that there is too much risk involved without them owning the property.

Mayor Nelson will contact the Ministry of Natural Resources to discuss this matter with them.

A draft road maintenance agreement presented by Rock Solid Holdings Inc. was read. Council informed Mr. Henderson that they are willing to look over this document with him to get clarification on the agreement as well as address any concerns they might have tonight but they will not be making any final decisions. It will be discussed further under the closed portion of the meeting due to the legal issues involved.

Each member of Council and Mr. Johnson, Leadhand, expressed their comments or concerns with the agreement. Council will not sign the agreement with Item 4.2 as written. Mr. Henderson will take this back to his legal counsel. Other items were discussed and clarified. The Clerk-Treasurer will get back to them with other concerns that may come up in the closed portion of the meeting.

Mr. Henderson also expressed their concern with regard to the fact that the Strom pit, also on Strom road, is a wayside pit and could be running seven days a week, twenty-four hours a day and Taranis Contracting would be restricted from doing so. Mr. Henderson also reported that they feel they have satisfied three of the four residents on Strom road as they have not heard any further response from them.

The Mayo road option was discussed. Mr. Henderson was concerned with this option as it would be a long term option and would not happen immediately. It would be expensive and it would still be a township road. The Clerk-Treasurer will look into a previous agreement that was held with a property owner who constructed a new road within the township to see the details in it and how it worked.

The agreement was again discussed. Mr. Henderson was informed that year round hauling on Strom road was not acceptable. Half loads will be imposed. No Sunday hauling was also suggested. Winter maintenance was also discussed. If the township was to maintain the road in the winter for the gravel trucks it would require additional sand be put on the road. Mr. Henderson suggested that possibly the township could get some material from their pit at a reduced rate.

Mr. Henderson asked Council if they could inform Mr. Weise and Ms. Cottingham that Taranis Group Contracting Group did everything they could and they are giving them everything they have make the issues work as best it can.

Mr. Henderson was thanked for attending.

Bills to be paid were passed around the table and it was

3. Moved by Bishop Racicot
Seconded by G. Garbutt

THAT THE FOLLOWING BILLS FOR MARCH 2009 BE PAID – THESE BILLS WILL BE INCLUDED ON THE MARCH 2009 ROAD AND ADMINISTRATION VOUCHER.

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CH#8594	MINISTER OF FINANCE (REGISTRATION)	\$ 225.00
CH#8595	B. DENNHARDT (DENTAL/MEDICAL)	\$ 100.00
CH#8596	TOWNSHIP OF GILLIES (CBO TRAINING)	\$ 824.37
CH#8597	HYDRO ONE	\$ 528.00
CH#8598	TBAYTEL (TELEPHONE)	\$ 374.61
CH#8599	LAKEHEAD DISTRICT SCHOOL BOARD	\$23,398.68
CH#8600	THUNDER BAY CATHOLIC DIST SCHOOL BOARD	\$ 3,180.03
CH#8601	CONSEIL de DISTRICT du GRAND NORD L'ONT	\$ 38.94
CH#8602	CSDC des AURORES BOREALES	\$ 162.93
CH#8608	VANLENTHE AUTO SERVICE	\$ 1,003.19
		<hr/>
		\$29,835.75

Carried

A consent application for severance was discussed and it was

4. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE CONSENT APPLICATION 1B/01/09 FOR PATRICK DAIGLE, CONCESSION 4, PT N ½ LOT 5 FOR A 2.02 HA SEVERANCE BE APPROVED.

Carried

Resolutions for endorsement were read as follows:

- a) Town of Mattawa petitioning the Federal and Provincial government to negotiate a more feasible and accessible cost sharing plan for funding. It was

5. Moved by G. Garbutt
Seconded by Bishop Racicot

THAT THE RESOLUTION FROM THE TOWN OF MATTAWA PETITIONING THE FEDERAL AND PROVINCIAL GOVERNMENT TO NEGOTIATE A MORE FEASIBLE AND ACCESSIBLE COST SHARING PLAN TO ALLOW ALL MUNICIPALITIES, REGARDLESS OF THEIR FINANCIAL SITUATION, TO PARTICIPATE IN THIS GREAT OPPORTUNITY THROUGH THE BUILD CANADA FUND BE ENDORSED.

Carried

- b) Municipality of South Bruce regarding fair funding for Ontario's Conservation Authorities was filed.
c) City of Sault Ste Marie regarding the intent of the Northern Ontario School of Medicine and Ministry policies for medical specialists and resulting health care services was filed.
d) Municipality of Middlesex Centre regarding the Department of Fisheries and Ocean requirements pertaining to drainage works and bridge reconstruction was filed.
e) Town of Lakeshore regarding imposing a restriction window on in line municipal drain construction from March 15 to June 20 throughout the Province was filed

DSSAB issues were discussed as follows: a) A copy of a letter to the Right Honourable Stephen Harper, P.C., M.P. Prime Minister of Canada regarding Best Start Program was read. The letter is requesting a written guarantee of 100% funding from the Government of Ontario, and authorizing a letter be sent expressing TBDSSAB's support for the federal-provincial agreement.

- b) 2008 Statement of Remuneration and Expenses for Councillor Garbutt as a board member.

Correspondence were read as follows:

- a) Donna Cansfield, Minister of Natural Resources regarding flooding and an update on how the Ministry is prepared for flooding and how their staff may be involved in our community during flood season.
b) Hydro One Networks Inc regarding Hydro One 2008 Delivery Rate Change.
c) Thunder Bay Area Emergency Measures Organization regarding 2009 EMO levy and budget for 2009.

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- d) Municipality of Oliver Paipoonge regarding Agreement between themselves and the Lakehead Rural Planning Board and the 2009 Contract Levy
 - e) AMO – i) Province Hosting Workshops on Renewable Energy Approvals Process Proposed in Bill 150 (Green Energy Act). It was noted that the Green Energy Act will supercede the Freedom of Information Act.
 - ii) Federal Rules Changed for Building Canada Fund Projects with Provincial Environmental Assessments until 2011.
 - iii) Province Announces Poverty Reduction Measures: New Housing Funding and Increase to Provincially Funded Ontario Child Benefit
 - f) Ministry of Municipal Affairs and Housing regarding Earth Hour to be held March 28, 2009 between 8:30 and 9:30 p.m.
 - g) Ministry of the Environment regarding the Implementation of the Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement
 - h) Ontario Forest Industries Association and Conseil de L'industrie forestiere du Quebec – OFIA and QFIC ask Government of Canada – Do the right thing
 - i) Scott Jackson, OFIA – London Court of International Arbitration Summary
 - j) Ministry of Government Services reply to Council's supporting resolution asking the Alcohol and Gaming Commission of Ontario to expedite its modernization for charitable gaming initiative.
 - k) Municipality of Thames Centre regarding Municipal Impact – Collapse of Recycled Materials Commodities Market
- The balance of correspondence was passed around table.

Under Old Business, Council discussed:

- a) Ministry of Transportation's letter regarding the proposed speed limit reduction on Highway 590, from the junction of Highway 11/17 to approximately emergency #194. It was

- 6. Moved by Bishop Racicot
Seconded by J. Vezina

THAT THE COUNCIL OF THE TOWNSHIP OF O'CONNOR SUPPORT THE MINISTRY OF TRANSPORTATION'S PROPOSED SPEED LIMIT REDUCTION FROM 80KM/H TO 70 KM/H BEGINNING AT THE JUNCTION OF HIGHWAY 11/17 AND EXTENDING ALONG HIGHWAY 590 TO APPROXIMATELY 300 METRES WEST OF WINSLOW/LOGHRIN ROADS.

Carried

- b) Closed Meeting Investigator – Information from the City of Thunder Bay with regard to hiring an investigator was discussed. The Township of O'Connor does have the option of joining in on the current agreement with Mr. Paul Heayn, with a yearly retainer of \$500.00 plus an hourly rate for any investigation. This matter will be looked into further to see what other options are available.
- c) Bell and True Sport regarding training bibs. The Township will receive one more set of bib from them.
- d) A memo from the Clerk-Treasurer with regard to Mr. Ken Raabe's letter requesting posting of no discharge of firearms on Blaikie road was read. The Council will not post the road at this time. The Clerk-Treasurer will contact Mr. Raabe with Staff Sergeant Mantey's information previously discussed in the meeting and will be asked to contact the OPP should it happen again.
 - ii) Ontario Hunters Education Manual – page 32 regarding violations of the law was read.
- e) NOMA – i) Nominations for President and Executive Vice President was discussed.
 - ii) Request for draw prizes for upcoming conference. It was

- 7. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE TOWNSHIP OF O'CONNOR GIVE A DONATION OF 1 HISTORY BOOK AND 1 O'CONNOR SWEATSHIRT, KEY CHAIN AND PIN TO THE NORTHWESTERN ONTARIO MUNICIPAL ASSOCIATION FOR THEIR ANNUAL GENERAL MEETING AND CONFERENCE.

Carried

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- f) Cheryl Maki – Certified Energy Manager training update was read. The Township's of Gillies and Conmee have agreed to share the cost of this training. Ms. Maki will not take a wage while she is away at this training. A cheque will be issued to the Township of Gillies for the Township of O'Connor's 1/3 share of the expenses for registration and flight.
- g) Thunder Bay District Women's Institute letter requesting the Township's acknowledgement with congratulations to the membership of the O'Connor Women's Institute celebrating their 100th anniversary in June, 2009. Council have already discussed the anniversary and will be participating in their celebration.

Under New Business, Council discussed

- a) Ministry of Northern Development and Mines – Summer Jobs Service program – It was

8. Moved by G. Garbutt
Seconded by Bishop Racicot

THAT THE TOWNSHIP OF O'CONNOR ASK FOR 2 STUDENTS UNDER THE MINISTRY OF NORTHERN DEVELOPMENT AND MINES SUMMER JOBS SERVICE 2009 FOR A PERIOD OF 6 WEEKS. 1 STUDENT FOR THE ROADS DEPARTMENT AND 1 STUDENT FOR ADMINISTRATION.

START DATE FOR THE PROGRAM WOULD BE JULY 13, 2009.

Carried

- ii) an email from Canada Summer Jobs 2009 regarding an adjustment to the Township of O'Connor's application for funding was read. The Township of O'Connor had originally applied for 4 students under this program. After a conversation with their office, the Clerk-Treasurer was informed that the township will not be successful with 4 students and was asked which position would be of highest priority. This email confirmed that the Township's application was now for 1 Labourer for 6 weeks, 35hrs/wk @ \$4.75/hr. This email does not in no way represent or suggest the township's approval to the application.
- b) Councillor Garbutt reported on the Species at Risk meeting she recently attended. There are ten species habitat criteria's due by June 30, 2009. Forty-two animals on a list will also have their habitat criteria completed by June 30, 2011. There are also hundreds of other species on the list but they are not sure as to when they will be completed. The Ministry cannot go onto private property without permission to prove these species are present. Currently they are doing fly overs to identify these species.
- c) AON Reed Stenhouse – insurance renewal information. A request for quotes was discussed. It was agreed that a request for quotes would be done for this years renewal.

9. Moved by Bishop Racicot
Seconded by J. Vezina

TIME BEING: 10:30 P.M. THAT THE BUSINESS OF THE MEETING CONTINUE.

Carried

Councillor Racicot left the room

- d) MFOA – Municipal Financial Reporting for 2009 – training to be held May 22, 2009 in Thunder Bay. It was

10. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE FOLLOWING PERSON/S ATTEND THE PSAB MUNICIPAL FINANCIAL REPORTING FOR 2009 WORKSHOP TO BE HELD IN THUNDER BAY ON MAY 22, 2009.

REGISTRATION: \$197.13

CLERK-TREASURER BUOB AND DEPUTY CLERK-TREASURER RACICOT.

Carried

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The municipal office will be closed on this date to allow staff to attend.

e) Municipal Dataworks – Defining the Standard for Asset Management – webinars April 7 & 9, 2009. It was

11. Moved by G. Garbutt
Seconded by J. Vezina

THAT THE CLERK-TREASURER AND THE DEPUTY CLERK-TREASURER TAKE PART IN THE MUNICIPAL DATAWORKS WEBINAR TRAINING TO BE HELD ON APRIL 7 AND APRIL 9, 2009. REGISTRATION: \$25.00/MUNICIPALITY.

Carried

f) IAPA – Inspecting your workplace – ½ day course to be held in Thunder Bay on April 7, 2009. It was

12. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE FOLLOWING PERSON/S ATTEND THE IAPA INSPECTING YOUR WORKPLACE ½ DAY COURSE TO BE HELD IN THUNDER BAY ON APRIL 7, 2009. REGISTRATION: \$160.00

**KELLY JOHNSON, LEADHAND
ROSS CHESSELL, SAFTEY REPRESENTATIVE**

Carried

g) IAPA – Investigating Accidents – ½ day course to be held in Thunder Bay on April 7, 2009. It was

13. Moved by G. Garbutt
Seconded by J. Vezina

THAT THE FOLLOWING PERSON/S ATTEND THE IAPA INVESTIGATION ACCIDENTS ½ DAY COURSE TO BE HELD IN THUNDER BAY ON APRIL 7, 2009. REGISTRATION: \$160.00

BRENT DENNHARDT, EQUIPMENT OPERATOR

Carried

Councillor Racicot returned to the table.

h) A memo from the Clerk-Treasurer was read with regard to Mr. George DeCorte and the removal of fridges and freezers from the disposal site. Mr. DeCorte was in the office and informed the Clerk-Treasurer that he now has a storage area where he holds all the refrigerators and freezers that he collects. He then has the Fridge Doctor come and remove the freon from them all at once. Mr. DeCorte would like to know if Council would allow him to take these appliances from the O'Connor disposal site when he is picking up the scrap metal. Council would like a letter signed by both Mr. DeCorte and the Fridge Doctor stating that all refrigerated units that are removed from the disposal site will be stored in the proper manner and that all the freon from these appliances will be removed as required.

i) Dates for budget meetings were discussed and it was

14. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE BUDGET MEETINGS BE SET AS FOLLOWS: APRIL 14TH FROM 6 TO 7 P.M. AND APRIL 27TH FROM 6 TO 7 P.M. FOLLOWED BY REGULAR COUNCIL MEETINGS. MAY 12TH A FULL BUDGET MEETING AT 7 P.M.

Carried

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Issues brought forward or letters received after agenda was mailed

- a) Oliver Agricultural Society requesting a sponsorship or donation for the Murillo Fair. It was agreed that no donation or advertisement will be provided.

Councillor Racicot left the room

- b) AMCTO – Zone 9 Spring meeting to be held in Thunder Bay on May 4,5 & 6, 2009. It was

- 15. Moved by G. Garbutt
Seconded by J. Vezina

THAT THE FOLLOWING PERSON/S ATTEND THE AMCTO ZONE 9 SPRING MEETING AND CONFERENCE TO BE HELD IN THUNDER BAY ON MAY 4, 5 & 6, 2009.

REGISTRATION: \$100.00

CLERK-TREASURER BUOB

Carried

Councillor Racicot returned to the table.

- 16. Moved by G. Garbutt
Seconded by J. Vezina

BE IT RESOLVED THAT THE NEXT PORTION OF THE MEETING BE CLOSED TO THE PUBLIC IN ORDER TO DISCUSS LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; PURSUANT TO SUBSECTION 239(2)(E) OF THE MUNICIPAL ACT, 2001.

TIME BEING: 10:57 P.M.

Carried

The road maintenance agreement presented by Rock Solid Holdings was reviewed.

- 17. Moved by Bishop Racicot
Seconded by G. Garbutt

TIME BEING: 11:37 P.M.

THAT WE NOW MOVE TO OPEN MEETING.

Carried

- 18. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE MEETING ADJOURN TO THE COUNCIL MEETING TO BE HELD ON TUESDAY, APRIL 14, 2009 AT 7:00 P.M.

TIME BEING: 11:38 P.M.

Carried

Mayor

Clerk-Treasurer