



TOWNSHIP OF NAIRN AND HYMAN

## Council Minutes

Tuesday September 2<sup>nd</sup>, 2014

There was a regular Council meeting held at the Nairn Community Centre on Tuesday, September 2<sup>nd</sup>, 2014 at 7:02 p.m.

Present:	Rod MacDonald	Deputy Mayor
	Brigita Gingras	Councillor
	Charlene Y. Martel	Councillor
	Edward Mazey	Councillor
	Robert Deschene	CAO/Clerk

Regrets:	Laurier Falldien	Mayor
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### **OPEN MEETING**

RESOLUTION # 2014-12-178

MOVED BY: Edward Mazey

SECONDED BY: Brigita Gingras

RESOLVED: that the Council meeting of September 2, 2014 do now open for business at 7:02 p.m.

**CARRIED**

### **DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None were declared.

### **DELEGATIONS**

Roland McLean and Reino Salo were present to discuss with Council road maintenance on Lakeview Drive (Private Road).

### **ADOPTION OF COUNCIL MINUTES**

RESOLUTION # 2014-12-179

MOVED BY: Brigita Gingras

SECONDED BY: Edward Mazey

RESOLVED: that the following Council minutes be adopted as presented:  
a) July 7, 2014.  
b) August 5, 2014.

**CARRIED**

**2014-2023 FINANCIAL PLAN-  
NAIRN WATER**

RESOLUTION# 2014-12-180

MOVED BY: Edward Mazey

SECONDED BY: Charlene Y. Martel

RESOLVED: that Council endorse and approve the Township of Nairn and Hyman 2014-2023 Financial Plan for the Nairn Centre Water Treatment and Distribution System as submitted.

**CARRIED**

**TAX WRITE OFFS**

RESOLUTION# 2014-12-181

MOVED BY: Charlene Y. Martel

SECONDED BY: Edward Mazey

RESOLVED: that Council approve the summary of tax write offs dated August 21, 2014.

**CARRIED**

**SOLAR LIGHT AT BOAT LAUNCH**

RESOLUTION# 2014-12-182

MOVED BY: Edward Mazey

SECONDED BY: Charlene Y. Martel

RESOLVED: that Council approve the cost of material from Soleil Power Canada to install a solar light at the Nairn Centre boat launch at an estimated cost of \$1,719.21 plus taxes.

**CARRIED**

**ACCEPTED ITEMS**

RESOLUTION# 2014-12-183

MOVED BY: Edward Mazey

SECONDED BY: Brigita Gingras

RESOLVED: that the following be accepted as presented:

- a) Township of Nairn and Hyman Bank Reconciliation - April 2014.
- b) Township of Nairn and Hyman Fire Department Report to Council - July 28, 2014.
- c) Township of Nairn and Hyman Public Works Committee minutes - July 14, 2014.
- d) Township of Nairn and Hyman Public Works Committee minutes - August 25, 2014.
- e) Township of Nairn and Hyman Tenders to Purchase Lands - July 30, 2014.
- f) Township of Nairn and Hyman Municipal Performance Measurement Program - 2013 Results.

**CARRIED**

**NOTED ITEMS**

RESOLUTION# 2014-12-184

MOVED BY: Brigita Gingras

SECONDED BY: Edward Mazey

RESOLVED: that the following be noted as being received:

- a) Sudbury and District Board of Health minutes - June 19, 2014.
- b) Espanola and Area Safety Coalition minutes - June 18, 2014.

**CARRIED**

**POLICING SERVICES IN SMALL MUNICIPALITIES**

RESOLUTION# 2014-12-185

MOVED BY: Charlene Y. Martel

SECONDED BY: Edward Mazey

RESOLVED: that Council agrees with the comments made in the Township of Baldwin correspondence dated July 7, 2014 to the Honourable Yasir Naqvi, Minister of Community Safety and Correctional Services concerning transferring the responsibility for policing service costs for municipalities with a population under 5,000 back to the Province of Ontario.

**CARRIED**

**SURPLUS ITEMS**

RESOLUTION# 2014-12-186

MOVED BY: Edward Mazey

SECONDED BY: Charlene Y. Martel

RESOLVED: that Council declares the following items as surplus to our needs and they be publicly advertised for sale by bid process according to By-law No. 2013-21, Being a by-law to adopt a policy to govern the disposal of municipal assets:

- a) Four (4) steel pole light standards with light bar (20' in length).
- b) Four (4) 400 watt metal halide light fixtures and guards.

**CARRIED**

**PROPERTY STANDARDS**

RESOLUTION# 2014-12-187

MOVED BY: Charlene Y. Martel

SECONDED BY: Edward Mazey

RESOLVED: that we propose that the Property Standards appeal committee for each of the municipalities of the Township of Baldwin, Township of Nairn and Hyman, Township of Sables-Spanish Rivers and the Town of Espanola be comprised of the Clerks from these municipalities;

AND BE IT FURTHER RESOLVED:

that we request that respective Councils consider this proposal and provide their endorsement.

**CARRIED**

**PROPOSED CHANGES TO**

**BUILDING CODE**

RESOLUTION# 2014-12-188

MOVED BY: Brigita Gingras

SECONDED BY: Charlene Y. Martel

RESOLVED: that Council supports the concerns raised by the Cement Association of Canada that we lobby the Province of Ontario to defer any proposed mid-rise wood frame changes to the Ontario Building Code until after the 2015 National Building Code of Canada is debated and the fire issues are adequately addressed.

**CARRIED**

**POWER DAM SPECIAL PAYMENT**

**PROGRAM**

RESOLUTION# 2014-12-189

MOVED BY: Edward Mazey

SECONDED BY: Charlene Y. Martel

WHEREAS: in December 2000, the Province of Ontario passed the Continued Protection for Property Taxpayers Act, (Bill 140); and

WHEREAS: the Continued Protection for Property Taxpayers Act, among other matters, exempted certain hydro-electric stations and poles & wires from municipal taxation as of January 1, 2001; and

WHEREAS: the Continued Protection for Property Taxpayers Act removed the right and authority of affected municipalities across the Province to levy property tax notices to hydro-electric stations, poles & wires, representing significant taxable property assessment; and

WHEREAS: the Province of Ontario replaced the above noted rights and authority to tax hydro-electric stations, poles & wires with a compensatory payment, known as the Power Dam Special Payment Program, equivalent to the taxes levied on the subject structures in 2000; and

WHEREAS: the amount of payments under the Power Dam Special Payment Program were adjusted for the Consumer Price Index in some but not all years, an adjustment which did not keep pace with either changes in municipal taxation rates or costs; and

WHEREAS: the above noted changes resulted in an unfair shift in taxation to the remaining property assessment base, more specifically to residents and businesses alike; and

WHEREAS: upon exempting from municipal property taxation, hydro-electric stations, poles & wires that had been subject to such taxation, the Province of Ontario amended the Electricity Act, 1998 requiring owners of the subject structures to pay to the Province of Ontario a Gross Revenue Charge (GRC) of three components:

- A Property tax component payable to the Minister of Finance
- A property tax component payable to the Ontario Electricity Financial Corporation
- A water rental component payable to the Minister of Finance;

and;

WHEREAS: in July 2014, the Province of Ontario introduced Bill 14, Building Opportunity and Securing Our Future Act (Budget Measures) which phases down or decreases the Power Dam Special Payment Program for hydro-electric stations, poles & wires by 23.53%, starting in 2015; and

WHEREAS: the reduction in the Power Dam Special Payment Program will result in a reduction of annual revenues for affected municipalities by 2017; and

WHEREAS: District Social Services Administration Board (DSSAB's) that use the proceeds of the Power Dam Special Payment Program as part of their funding formula will also be directly affected, thereby affecting municipalities who do not participate in the Power Dam Special Payment Program; and

WHEREAS: many municipalities are already struggling as a result of accelerated cuts to the Ontario Municipal Partnership Fund (OMPF), the unknown aspects of a new OPP Billing Model, the elimination of the Connecting Link program and other cuts; and

WHEREAS: as a result of reductions in the Power Dam Special Payment Program, affected municipalities may not be able to meet their fiduciary obligations; and

WHEREAS: the reduction of the Power Dam Special Payment Program is punitive in nature; and

WHEREAS: the Power Dam Special Payment Program is very small when compared to the multi-billion dollar annual budget of the Province of Ontario yet the impact of the decreased funding is devastating for affected municipalities; and

WHEREAS: affected municipalities will have to increase property tax rates to the remaining property assessment base (assessment in some cases which is decreasing) to compensate for the loss of revenue or be forced to significantly compromise municipal services;

NOW THEREFORE BE IT RESOLVED:

that the Township of Nairn and Hyman request that the Government of the Province of Ontario reverse the decision to decrease funding to the Power Dam Special Payment Program; and

FURTHER: that the Province of Ontario also be requested to annually increase the amount of funding by the amount of any change in the Consumer Price Index (CPI) to compensate for the increase in municipal costs; and

FURTHER: that a copy of this resolution be sent to the Premier of the Province of Ontario, the Minister of Finance, the Minister of Municipal Affairs and Housing, the Ministry of Northern Development and Mines, the Minister of Natural Resources, Michael Mantha, MPP, Algoma Manitoulin, the local DSSAB, FONOM, NOMA and AMO.

**CARRIED**

**NOTICE OF VESTING**

RESOLUTION# 2014-12-190

MOVED BY: Charlene Y. Martel

SECONDED BY: Edward Mazey

RESOLVED: that Council authorize the Notice of Vesting for the following properties which the municipality did not receive any tenders for the recent tax sale proceedings:

- a) Roll 523100000011804, Pin No. 73393-0176 (LT).
- b) Roll 523100000012701, Pin No. 73393-0014 (LT).
- c) Roll 523100000012900, Pin No. 73393-0165 (LT).

**CARRIED**

**APPLICATION FOR CONSENT**

RESOLUTION# 2014-12-191

MOVED BY: Brigita Gingras

SECONDED BY: Charlene Y. Martel

WHEREAS: Council adopted motion number 2013-12-215 recommending approval for an application for consent for the Canadian Pacific Railway Company, file number 52-C-131392 for the purpose of severing approximately 9.5 hectares having frontage on Highway 17 and rear frontage on the Canadian Pacific Railway tracks for access purposes and approval of this application for consent for the transfer of lands was subject to the transferee receiving the necessary approval for their applications for a zoning by-law and official plan amendments;

NOW THEREFORE BE IT RESOLVED:

that Council hereby rescinds motion number 2013-12-215 and grants consent approval for the subject lands since the said transfer of lands will only be used for an entrance access.

Deputy Mayor Rod MacDonald requested a record vote with resolution number 2014-12-191.

Recorded Vote:	For	Against
Gingras, Brigita	X	
MacDonald, Rod		X
Martel, Charlene	X	
Mazey, Edward	X	

**CARRIED**

**MUNICIPAL MANAGEMENT**

**INTERNSHIP PROGRAM**

RESOLUTION# 2014-12-192

MOVED BY: Charlene Y. Martel

SECONDED BY: Brigita Gingras

RESOLVED: that Council supports the concerns raised by the Association of Municipal Managers, Clerks and Treasurers of Ontario in their letter dated August 13, 2014 in advocating the Ministry of Municipal Affairs and Housing to provide ongoing and stable funding for the Municipal Management Internship Program.

**CARRIED**

**NOTED CORRESPONDENCES**

RESOLUTION# 2014-12-193  
MOVED BY: Charlene Y. Martel  
SECONDED BY: Brigita Gingras  
RESOLVED: that correspondences 7a) to 7u) be noted as being received.

**CARRIED**

**DISBURSEMENT SHEETS**

RESOLUTION# 2014-12-194  
MOVED BY: Brigita Gingras  
SECONDED BY: Charlene Y. Martel  
RESOLVED: that the following disbursement sheets be authorized for payment:

a)	2014 GEN-8	General	\$86,027.20
b)	2014 PW-8	Public Works	\$75,104.85
c)	2014 FIRE-8	Fire	\$42,916.00

**CARRIED**

**ADDITIONAL INVOICE SUMMARY**

RESOLUTION# 2014-12-195  
MOVED BY: Charlene Y. Martel  
SECONDED BY: Brigita Gingras  
RESOLVED: that additional invoice summary 2014-6, dated September 2, 2014 in the amount of \$67.08 be authorized for payment.

**CARRIED**

**BY-LAW-TAX REBATE PROGRAM**

RESOLUTION# 2014-12-196  
MOVED BY: Brigita Gingras  
SECONDED BY: Charlene Y. Martel  
RESOLVED: that "Being a by-law to establish a tax rebate program for the vacant portions of property in the commercial property classes or the industrial property classes" be read a first and second time.

**CARRIED**

**BY-LAW-TAX REBATE PROGRAM**

RESOLUTION# 2014-12-197  
MOVED BY: Charlene Y. Martel  
SECONDED BY: Brigita Gingras  
RESOLVED: that "Being a by-law to establish a tax rebate program for the vacant portions of property in the commercial property classes or the industrial property classes" be read a third time and finally passed in open Council and its number shall be 2014-29.

**CARRIED**

**BY-LAW-BORROWING FUNDS  
FOR PLOW TRUCK**

RESOLUTION# 2014-12-198

MOVED BY: Brigita Gingras

SECONDED BY: Charlene Y. Martel

RESOLVED: that "Being a by-law to authorize the borrowing of funds from the Township of Nairn and Hyman reserves for the cost of purchasing a plow truck" be read a first and second time.

**CARRIED**

**BY-LAW-BORROWING FUNDS  
FOR PLOW TRUCK**

RESOLUTION# 2014-12-199

MOVED BY: Charlene Y. Martel

SECONDED BY: Brigita Gingras

RESOLVED: that "Being a by-law to authorize the borrowing of funds from the Township of Nairn and Hyman reserves for the cost of purchasing a plow truck" be read a third time and finally passed in open Council and its number shall be 2014-30.

**CARRIED**

**JANITOR APPOINTMENT**

RESOLUTION# 2014-12-200

MOVED BY: Brigita Gingras

SECONDED BY: Charlene Y. Martel

RESOLVED: that Calvin Smith be hired as the permanent part-time janitor for the Township of Nairn and Hyman effective July 9, 2014.

**CARRIED**

**OPENING TENDERS-BID NO.  
2014PAVING-2**

RESOLUTION# 2014-12-201

MOVED BY: Brigita Gingras

SECONDED BY: Charlene Y. Martel

RESOLVED: that Council acknowledge receipt of the following bids for the Front, MacDonald and Spencer Streets rehabilitation - Bid No. 2014Paving-2:

- a) Interpaving Limited - \$108,141.00 (includes taxes)
- b) K.J. Beamish Construction Co. Ltd. - \$91,021.50 (includes taxes)
- c) Pioneer Construction Inc. - \$ 115,085.26 (includes taxes)

**CARRIED**

**QUESTION PERIOD**

Deputy Mayor Rod MacDonald entertained the questions from the floor.



**ADJOURNMENT**

RESOLUTION# 2014-12-202

MOVED BY: Charlene Y. Martel

SECONDED BY: Brigita Gingras

RESOLVED: that the Council meeting of September 2, 2014 do now adjourn at 9:11 p.m. to meet again on the 6<sup>th</sup> day of October, 2014 at 7:00 p.m. or at the call of the Mayor.

**CARRIED**

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**Mayor**

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**Clerk/CAO**

**These minutes shall not be considered as official minutes until they have been approved by council at their next meeting.**