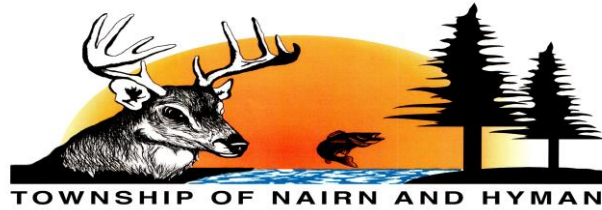


MINUTES

THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN



Monday, August 12, 2019

There was a regular council meeting held at the Nairn Community Centre on Monday, August 12, 2019 at 7:00 p.m.

PRESENT:

COUNCIL	Laurier Falldien	Mayor
MEMBERS	Frederic Diebel	Deputy Mayor
	Rod MacDonald	Councillor
	Katherine Bourrier	Councillor
	Brigita Gingras	Councillor
STAFF	Belinda Ketchabaw	Clerk Treasurer

OPEN COUNCIL MEETING

RESOLUTION # 2019-12-193

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that the Council meeting of August 12, 2019 do now open for business at 7:00 p.m.

CARRIED

DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no declarations of pecuniary interest presented.

DELEGATIONS

None.

ADOPTED COUNCIL MINUTES

RESOLUTION # 2019-12-194

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that the following council minutes be accepted as presented:

- a) Regular Council Minutes – July 8, 2019.
- b) Public Meeting Minutes – July 8, 2019.
- c) Closed Session Council Minutes – July 8, 2019.

CARRIED

RECEIVED ITEMS

RESOLUTION # 2019-12-195

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that the following be noted as being received:

- a) Township of Nairn and Hyman RFP Opening Minutes – July 29, 2019 – 10:30 a.m.
- b) Township of Nairn and Hyman RFP Opening Minutes – July 29, 2019 – 11:00 a.m.
- c) Espanola & Area Safety Coalition Minutes – June 18, 2019.
- d) Township of Nairn and Hyman Bank Reconciliation – May 2019.
- e) Ontario Clean Water Agency Work Order Summary Report – July 2019.
- f) Township of Nairn and Hyman Clerk’s Report – August 7, 2019.
- g) Township of Nairn and Hyman Municipal Superintendent Report – August 8, 2019.

CARRIED

OCWA EXPENDITURE APPROVAL

RESOLUTION # 2019-12-196

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that Council approves the expenditure request submitted by Ontario Clean Water Agency dated June 13, 2019, for the Water Treatment Plant lighting upgrade and to utilize funds from the water reserve in the amount of \$12,448.49.

DEFEATED

ALTERNATE CEMC RESIGNATION

RESOLUTION # 2019-12-197

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that Council accept the resignation of Melanie Bilodeau as the Alternate Community Emergency Management Coordinator effective August 12, 2019 with regrets.

CARRIED

SPONSOR ADVERTISEMENT IN SUPPORT OF THE ROYAL CANADIAN LEGION

RESOLUTION # 2019-12-198

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that council agrees to sponsor an advertisement space in the amount of \$340.00 in support of The Royal Canadian Legion Ontario Command “Military Service Recognition Book”.

CARRIED

AGNEW LAKE PROPERTY GROUP PRIVATE ROADS

RESOLUTION # 2019-12-199

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that Council will direct the Public Works Superintendent to indicate to Council the desired road standard for the Agnew Lake Property Group.

CARRIED

RECEIVED CORRESPONDENCES

RESOLUTION # 2019-12-200

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that correspondences 7a) – 7e) are noted as being received.

CARRIED

SUPPORT RESOLUTION RE ENDORSEMENT OF LUMCO RESOLUTION REGARDING RETAIL CANNABIS STORES

RESOLUTION # 2019-12-201

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that Council agrees to support the resolution of the City of Brantford regarding the Endorsement of LUMCO Resolution regarding Retail Cannabis Stores.

A. That the Association of Municipalities of Ontario (AMO) and the Premier of Ontario be advised that Brantford City Council ENDORSES the following Resolution adopted by LUMCO (Large Urban Mayors Caucus of Ontario) at its May 24, 2019 meeting:

WHEREAS in April 2017, the Federal Government introduced Bill C-45, The Cannabis Act, and Bill C-46, An Act to Amend the Criminal Code, outlining plans to legalize, regulate and restrict access to cannabis in Canada; and

WHEREAS the Province of Ontario responded with corresponding legislation, the Cannabis Control Act, 2017, the Ontario Cannabis Retail Corporation Act, 2017, the Cannabis License Act, 2018, and Bill 36- Cannabis Statue Law Amendment Act, 2018; and

WHEREAS collectively, this legislation created a regulatory regime effective October 17, 2018 that allows Ontario residents who are 19 years of age or older to: 1. Purchase recreational cannabis online through the Ontario Cannabis Store 2. Possess up to 30 grams of cannabis 3. Grow up to four (4) cannabis plants per household 4. Purchase cannabis from a provincially approved private retail supplier as of April 1, 2019; and

WHEREAS municipalities across Ontario were given until January 22, 2019 to choose if retail cannabis stores will be prohibited within their borders and those that “opted out” may at a later date by resolution of their respective Council, lift the prohibition and permit them into the future; and

WHEREAS Ontario Regulation 468/18 permits limited municipal regulatory control over location and zoning, licensing and spatial separation to sensitive land uses other than a school as defined by the Education Act;

NOW THEREFORE BE IT RESOLVED THAT the Large Urban Mayors Caucus of Ontario (LUMCO) recommends that additional local regulatory controls be approved by the Province of Ontario around retail cannabis stores that would: A. Provide a municipality with the unrestricted ability to control the location of retail cannabis stores through zoning; and, B. In the alternative to A; 1) Limit the concentration and number of cannabis retail stores in any one municipality by introducing a minimum distance separation measure between retail stores (minimum 500 metres); and 2) That cannabis stores be restricted to a Commercial Zone or Area which permits retail stores; and 3) Clearly defining sensitive land uses, in addition to schools, which would be impacted by having a retail cannabis store located to them. Such other sensitive land uses would include, but not be limited to, day cares, colleges and universities, community centres, nursing homes, libraries and

actively programmed municipal parks; and, 4) That the current minimum distance separation of 150 meters from a cannabis retail store to a school be increased to a minimum of 500 metres from any sensitive land use to be defined as noted in paragraph 3 above; and C. that all municipalities that have approved retail cannabis stores to be located in their jurisdictions receive 50% of ALL excise tax collected by the Province of Ontario on the sale of cannabis; not limited to revenues in excess of \$100 million; and

THAT upon adoption of this Resolution by LUMCO, it be presented to all Ontario Municipal Councils with a request to endorse and that the municipally adopted resolutions then be forwarded to the Association of Municipalities of Ontario (AMO) and the Premier of Ontario's office;

Further, THAT members of the LUMCO Retail Cannabis Committee request a meeting with minister Doug Downey regarding this resolution and to also request the AMO Board add this topic as an agenda item for discussion at the August 2019 AMO Annual Conference.

B. THAT a copy of this Resolution BE FORWARDED to MP and MPP Brantford-Brant, the Federation of Canadian Municipalities (FCM) and other municipalities in the Province of Ontario.

CARRIED

SUPPORT RESOLUTION RE REDUCING LITTER AND WASTE IN OUR COMMUNITIES

RESOLUTION # 2019-12-202

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that Council agrees to support the resolution of the Town of Halton Hills regarding the paper entitled "Reducing Litter and Waste in our Communities";

WHEREAS the Province of Ontario, through the Ministry of the Environment, Conservation and Parks, has posted a discussion paper entitled "Reducing Litter and Waste in our Communities";

AND WHEREAS a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia;

AND WHEREAS these successful programs have eliminated many of these containers from the natural environment;

THEREFORE BE IT RESOLVED that the Council of the Town of Halton Hills call upon the Province of Ontario, through the discussion paper entitled "Reducing Litter and Waste in our Communities", to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;

AND FURTHER THAT that the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging;

AND FURTHER THAT a copy of this motion be sent to the Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs; the Association of Municipalities of Ontario; the Region of Halton and all municipalities in the Province of Ontario.

AND FURTHERMORE, that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration

CARRIED

RESCINDMENT OF RESOLUTION # 2019-11-164

RESOLUTION # 2019-12-203

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

WHEREAS: Let it be noted that the improper quote from COX Roofing for roof repairs was approved.

NOW THEREFORE BE IT RESOLVED: that the municipality hereby rescinds the previous resolution number 2019-11-164.

CARRIED

FIREHALL ROOF REPAIRS

RESOLUTION # 2019-12-204

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that Council accepts the following quotes submitted by Fire Chief Richard Austin for the Fire Hall Station #1 roof repairs.

1. Northern Commercial Exteriors Ltd. dated May 23, 2019, in the amount of \$15,700.00 plus taxes
2. ECO Insulation dated June 26, 2019, in the amount of \$11,131.60 plus taxes.

THEREFORE BE IT RESOLVED that Council authorizes the Fire Chief to proceed with the repairs.

CARRIED

FIREHALL ROOF REPAIRS – USE OF RESERVE FUNDS

RESOLUTION # 2019-12-205

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: WHEREAS that Council has agreed to perform roof repairs at the Township of Nairn and Hyman Firehall Station #1.

AND WHEREAS the 2019 budgeted amount for roof repairs was approved at \$20,000.00

AND WHEREAS the short amount of \$9068.52 was not accounted for in the current year budget.

THEREFORE LET IT BE RESOLVED that the difference in amount of \$9068.52 will be taken out of Fire Reserves to pay for the repairs.

CARRIED

DISBURSEMENT SHEETS

RESOLUTION # 2019-12-206

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that the following disbursement sheets be authorized for payment:

a) 2019 GEN-8	General	\$ 52,293.38
b) 2019 PW-7	Public Works	\$ 36,559.32
c) 2019 FIRE-7	Fire Department	\$ 3,751.20

CARRIED

ADDITIONAL INVOICE SUMMARY

RESOLUTION # 2019-12-207

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: the following disbursement sheets – Additional Summary sheet be authorized for payment \$600.00.

DEFEATED

RECORDED VOTE:

FOR AGAINST

Bourrier, Katherine _____	X _____
Diebel, Frederic _____	X _____
Gingras, Brigita _____	X _____
MacDonald, Rod _____	X _____
Falldien, Laurier _____	X _____

DECLARATION OF CONFLICT OF INTEREST:

Bourrier, Katherine _____
Diebel, Fredric _____
Gingras, Brigita _____
MacDonald, Rod _____
Falldien, Laurier _____

(The Mayor will circle the name of the council member deemed to have requested the recorded vote.)

WAGE LOSS REPLACEMENT

RESOLUTION #2019-12-208

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: That the Fire Chief be authorized to receive \$300.00 for Wage Loss Replacement as per the 2019 Budget

CARRIED

RECORDED VOTE:

FOR AGAINST

Bourrier, Katherine _____	X _____
Diebel, Frederic _____	X _____
Gingras, Brigita _____	X _____
MacDonald, Rod _____	X _____
Falldien, Laurier _____	X _____

DECLARATION OF CONFLICT OF INTEREST:

Bourrier, Katherine _____
Diebel, Fredric _____
Gingras, Brigita _____
MacDonald, Rod _____
Falldien, Laurier _____

(The Mayor will circle the name of the council member deemed to have requested the recorded vote.)

BY-LAW TO AUTHORIZE THE EXECUTION OF A TAX ARREARS EXTENSION AGREEMENT

RESOLUTION # 2019-12-209

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that “Being a by-law to authorize the execution of a tax arrears extension agreement pursuant to section 367(1) of the municipal act, R.S.O. 2001” be read a first, second and third time, and finally passed in open council and its number shall be 2019-19.

CARRIED

BY-LAW TO APPOINT AN ALTERNATE CEMC

RESOLUTION #2019-12-210

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that “Being a by-law to appoint an alternate community emergency management coordinator” be read a first, second and third time, and finally passed in open council and its number shall be 2019-20.

CARRIED

INFORMATION RECEIVED

RESOLUTION # 2019-12-211

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that the information only item 11a) on the August 12, 2019, council agenda be noted as received.

CARRIED

SMITH STREET - RECEIPT OF BID

RESOLUTION #2019-12-212

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that council acknowledges receipt of the bid submitted by Pioneer Construction Inc. for Bid No. 2019SMITH-1 Smith St. Rehabilitation in the amount of \$405,670.00 inclusive of HST.

CARRIED

SMITH STREET – REQUEST FOR PROPOSALS

RESOLUTION # 2019-12-213

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that the Request for Proposals (Bid No. 2019SMITH-1) received for Smith St. Rehabilitation not be awarded and be it further resolved that a new RFP be issued.

CARRIED

GRAVEL SAND BAY VILLAGE – RECEIPT OF BID

RESOLUTION # 2019-12-214

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that council acknowledges receipt of the bid submitted by Carlyle Construction Ltd. for Bid No. 2019GRAVEL-2 for Gravel- Sand Bay Village in the amount of \$79,665.00 inclusive of HST.

CARRIED

GRAVEL SAND BAY VILLAGE – RECEIPT OF BID

RESOLUTION # 2019-12-215

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that council acknowledges receipt of the bid submitted by OCL Custom Crushing & Quarrying Ltd. for Bid No. 2019GRAVEL-2 for Gravel-Sand Bay Road in the amount of \$69,596.70 inclusive of HST.

CARRIED

GRAVEL SAND BAY VILLAGE – AWARD CONTRACT

RESOLUTION # 2019-12-216

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that council awards the contract to OCL Custom Crushing & Quarrying Ltd. for Bid No. 2019GRAVEL-2 for Gravel-Sand Bay Road in the amount of \$69,596.70 inclusive of HST.

CARRIED

EXTENSION OF SPANISH LANE

RESOLUTION # 2019-12-217

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that Council agrees to extend Spanish Lane conditional to an offer to purchase on the subject properties.

CARRIED

MOVE TO CLOSED SESSION

RESOLUTION #2019-12-218

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that council move into closed session at 7:58 p.m. to review correspondence from legal counsel, a proposed sale of municipal property, and a proposed or pending acquisition or disposition of land by the municipality.

CARRIED

RETURN TO OPEN MEETING

RESOLUTION # 2019-12-219

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

RESOLVED: that council return to the open meeting at 8:12 p.m. and report on the general discussions held in closed session.

CARRIED

Mayor Falldien explained that council discussed correspondence from legal counsel, a proposed sale of municipal property, and a proposed or pending acquisition or disposition of land by the municipality.

AUTHORIZATION TO ACT ON BEHALF OF COUNCIL

RESOLUTION # 2019-12-220

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that the Mayor be authorized to act on behalf of Council and negotiate on a matter discussed in closed session.

CARRIED

VESTING OF PROPERTY

RESOLUTION #2019-12-221

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that as discussed in closed session Council direct staff to vest the following property into municipal ownership.

1. Roll 000-11700, Stanley Street, Con 4, Lot 2, Pcl 933

CARRIED

OFFER ACCEPTED – MUNICIPAL PROPERTY

RESOLUTION #2019-12-222

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

RESOLVED: that Council agrees accept the agreement of purchase for property located at Front St. Con 4 Lot 2 Plan M8 Lot 1 to Lot 6 Lot 25 BLK B PCL 1678 20625RP.

CARRIED

ADJOURNMENT

RESOLUTION # 2019-12-223

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

RESOLVED: that the meeting of August 12, 2019 do now adjourn at 8:14 p.m. to meet again on the 9th day of September, 2019 at 7:00 p.m. or at the call of the mayor.

CARRIED

Mayor

Clerk

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