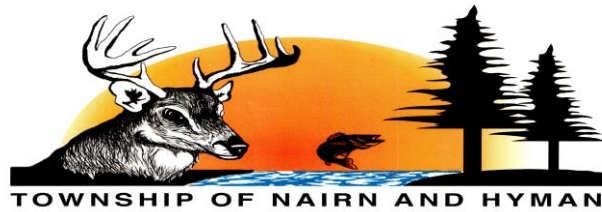


# MINUTES

THE CORPORATION OF THE  
TOWNSHIP OF NAIRN AND HYMAN



Monday, December 16, 2019

There was a regular council meeting held at the Nairn Community Centre on Monday, December 16, 2019 at 7:00 p.m.

**PRESENT:**

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

**OPEN COUNCIL MEETING**

**RESOLUTION # 2019-16-292**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that the Council meeting of December 16<sup>th</sup>, 2019 do now open for business at 7:01 p.m.

**CARRIED**

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

Mayor Falldien declared a pecuniary interest due to following item – Minutes and Reports 6L: Township of Nairn and Hyman CAO’s Report to Council Regarding Vesting of Property to the Municipality File: 18-09.

**DELEGATIONS**

None.

**ADOPTED COUNCIL MINUTES**

**RESOLUTION # 2019-16-293**

MOVED BY: Frederic Diebel

SECONDED BY: Katherine Bourrier

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

- a) Regular Council Minutes – November 4, 2019.
- b) Public Meeting Minutes – November 4, 2019.

**CARRIED**

**AGREEMENT FOR BUILDING INSPECTION SERVICES**

**RESOLUTION #2019-16-294**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that the Mayor and the Clerk be authorized to negotiate a new Memorandum of Agreement for Building Inspection services.

**CARRIED**

**NOTICE FOR THE SALE OF SURPLUS EQUIPMENT**

**RESOLUTION # 2019-16-295**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that Council accepts the draft tender notice for the sale of surplus equipment – 2000 International Model 4990 Tanker Truck, and authorizes the CAO to proceed with the Request for Tenders.

**CARRIED**

**ACCEPTED ITEMS**

**RESOLUTION # 2019-16-296**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that the following be accepted as presented:

- a) Ontario Clean Water Agency Workorder Summary Report – October 31, 2019.
- b) Township of Nairn and Hyman Summary of Tax Write Offs – December 4, 2019.

**CARRIED**

**VESTING OF PROPERTY – FILE: 18-11**

**RESOLUTION # 2019-16-297**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that Council receives the CAO's Report to Council Regarding Vesting of Property to the Municipality– File: 18-11, as information;

**AND FURTHER:** that Council defers the decision of vesting for the property known as 207 Highway 17, Roll number 5231 000 000 26600 0000 until there is further consultation made regarding the municipality's obligations to mitigate the possible contamination.

**CARRIED**

**VESTING OF PROPERTIES – FILE NH 18-06 AND FILE 18-07**

**RESOLUTION # 2019-16-298**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that Council receives the CAO's Report to Council Regarding Vesting of Property to the Municipality– File: NH 18-06 and File: 18-07, as information;

**AND FURTHER:** that Council direct the CAO to vest the properties at 21 Smith St, and Taylor St. (no assigned street number),

**AND FURTHER:** that Council authorize the CAO to write off taxes/penalties/interest in the amount of \$2,796.91 plus any accumulated taxes/penalties/interest after December 16, 2019 on lands vested by the municipality known as property roll number 5231 000 000 16700 0000, in accordance with Section 357(1)(a) of the Municipal Act.

**AND FURTHER:** that Council authorize the CAO to write off taxes/penalties/interest in the amount of \$2,486.23 plus any accumulated taxes/penalties/interest after December 16, 2019 on lands vested by the municipality known as property roll number 5231 000 000 16701 0000, in accordance with Section 357(1)(a) of the Municipal Act.

**CARRIED**

**VESTING OF PROPERTY – FILE: NH 18-08**

**RESOLUTION # 2019-16-299**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that Council receives the CAO's Report to Council Regarding Vesting of Property to the Municipality– File: NH 18-08, as information;

**AND FURTHER:** that Council defers the decision of vesting for the property known as 169 Highway 17, Roll number 5231 000 000 18600 0000 until there is further consultation made regarding the building demolition and possible remediation costs, and negotiations for the possible reduction of Provincial and Federal Crown liens.

**CARRIED**

**CHAIR OF PUBLIC MEETING**

**RESOLUTION # 2019-16-300**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that F. Diebel chair the meeting due to Mayor Laurier Falldien declaring a pecuniary interest with the following: Township of Nairn and Hyman CAO's Report to Council Regarding Vesting of Property to the Municipality – File: 18-09

**CARRIED**

**VESTING OF PROPERTY – FILE: 18-09**

**RESOLUTION # 2019-16-301**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that Council receives the CAO's Report to Council Regarding Vesting of Property to the Municipality– File: 18-09, as information;

**AND FURTHER:** that Council direct the CAO to vest the property at 161 Highway 17,

**AND FURTHER:** that Council authorize the CAO to write off taxes/penalties/interest in the amount of \$38,769.12 plus any accumulated taxes/penalties/interest after December 16, 2019 on lands vested by the municipality known as property roll number 5231 000 000 19200 0000, in accordance with Section 357(1)(a) of the Municipal Act.

**CARRIED**

**MAYOR TO RETURN TO CHAIR MEETING**

**RESOLUTION # 2019-16-302**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that Mayor Laurier Falldien return to chair the Council meeting.

**CARRIED**

**COMMUNITY SAFETY AND WELL BEING PLAN**

**RESOLUTION # 2019-16-303**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** On January 1, 2019, new legislative amendments to the Police Services Act, 1990 came into effect which mandate municipalities to prepare and adopt Community Safety and Well-Being Plans. Municipalities are required to work with community partners and carry out consultations during the planning process. The plan must be completed and adopted by January 1, 2021.

**FURTHER BE IT RESOLVED THAT:** The legislation allows for the development of joint plans across municipalities and Council supports the LaCloche Foothills Association Communities to work together to develop the plan.

**CARRIED**

**COMMUNITY SAFETY AND WELL BEING PLANNING COMMITTEE**

**REPRESENTATIVE**

**RESOLUTION # 2019-16-304**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that that Council agrees to appoint Brigita Gingras as the representative of the Township of Nairn and Hyman to the joint Community Safety and Well Being planning committee.

**CARRIED**

**MUNICIPAL REPRESENTATION IN ARB HEARINGS**

**RESOLUTION # 2019-16-305**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that Council agrees with the CAO's recommendation to accept MTE Paralegal Professional Corporation's proposal to represent the municipality fully in the ARB hearings at the estimated cost of \$6,500.00.

**CARRIED**

**RECEIVED REPORTS AND MINUTES**

**RESOLUTION # 2019-16-306**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that the following reports and minutes be noted as being received:

- a) Township of Nairn and Hyman CAO's Report – December 6, 2019.
- b) Township of Nairn and Hyman Municipal Superintendent Report – December 4, 2019.
- c) Township of Nairn and Hyman Planning Economic Development & Public Works Committee Minutes – November 5, 2019.
- d) Public Health Sudbury and Districts Minutes – November 21, 2019.
- e) Township of Nairn and Hyman Fire Chief's Report – December 2, 2019. Township of Nairn and Hyman – Tenders to purchase lands, November 29, 2019 (There was no meeting held as there were no tenders received).
- f) Township of Nairn and Hyman – CAO's Report to Council Regarding Vesting of Property to the Municipality – File 18-11.
- g) Township of Nairn and Hyman – CAO's Report to Council Regarding Vesting of Property to the Municipality – File: NH18-06 and File: 18-07.
- h) Township of Nairn and Hyman – CAO's Report to Council Regarding Vesting of Property to the Municipality – File: NH18-08.
- i) Township of Nairn and Hyman – CAO's Report to Council Regarding Vesting of Property to the Municipality – File 18-09.
- j) LaCloche Foothills Municipal Association Meeting Report – December 2, 2019.
- k) Township of Nairn and Hyman CAO's Report – December 12, 2019.

**CARRIED**

**MUNICIPAL MODERNIZATION PROGRAM**

**RESOLUTION # 2019-16-307**

MOVED BY: Brigita Gingras

SECONDED BY: Frederic Diebel

**RESOLVED:** that Council supports the CAO's submission of "Expression of Interest" with the Ministry of Municipal Affairs and Housing's - Municipal Modernization Program for the following project: Asset Management Service Delivery Review

**TABLED**

**PROPOSAL FOR ASSET MANAGEMENT SERVICE DELIVERY REVIEW**

**RESOLUTION # 2019-16-308**

MOVED BY: Frederic Diebel

SECONDED BY: Brigita Gingras

**RESOLVED:** that as per the proposal submitted by PSD Research, Consulting, Software (PSD) specialists in providing municipalities with asset management consulting services, that Council accept in principle the proposal from PSD for the Asset Management Service Delivery Review in the amount of \$27,200.00 to be funded 100% by the Municipal Modernization Program, and to accept any associated travel costs for PSD's consultants to perform the review.

**TABLED**

**CULTURAL HERITAGE VALUE OF THE NAIRN FALLS GENERATING STATION**

**RESOLUTION # 2019-16-309**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that in response to the email from Golder Associated Ltd., Council does not consider the Nairn Falls Generating Station Building to any have cultural heritage value.

**CARRIED**

**RECEIVED CORRESPONDENCES**

**RESOLUTION # 2019-16-310**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that Correspondences 7 a) to b) be noted as received.

**CARRIED**

**SUPPORT RESOLUTION RE E-CIGARETTE AND AEROSOLIZED PRODUCT PREVENTION AND CESSATION**

**RESOLUTION # 2019-16-311**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that council supports the resolution adopted by Public Health Sudbury & Districts, No.48-19, dated November 21, 2019, regarding E-Cigarette and Aerosolized Product Prevention and Cessation.

**CARRIED**

**SUPPORT RESOLUTION RE INTEGRITY COMMISSION MATTERS**

**RESOLUTION # 2019-16-312**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Town of The Blue Mountains requesting that the Ontario Ministry of Municipal Affairs and Housing create a searchable database of all matters placed before all Integrity Commissioners within the province and the resolution of such matters.

**AND FURTHER THAT:** a copy of this motion be sent to the Association of Municipalities of Ontario (AMO); and the Town of The Blue Mountains.

**CARRIED**

**SUPPORT RESOLUTION RE DELEGATED ADMINISTRATIVE AUTHORITY**

**RESOLUTION # 2019-16-313**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Municipality of Prescott requesting that the Province of Ontario work with the current building sector group, and provide evidence based justification to municipalities that the creation of a new Delegated Administrative Authority is necessary prior to any legislative changes to the Building Code Act, with regard to building service delivery, are introduced in the Legislature.

**AND FURTHER THAT:** a copy of this motion be sent to the Premier of Ontario; the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), and the Municipality of Prescott.

**CARRIED**

**SUPPORT RESOLUTION RE DECLARATION OF CLIMATE EMERGENCY IN THE TOWN OF AMHERSTBURG**

**RESOLUTION # 2019-16-314**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Town of Amherstburg declaring a Climate Emergency and directing administration to prepare a report containing recommendations to urgently work towards the reduction of emissions and preparing for their climate future.

**AND FURTHER THAT:** a copy of this motion be sent to the Premier of Ontario, the Association of Ontario Municipalities (AMO), and the Town of Amherstburg.

**CARRIED**

**SUPPORT RESOLUTION RE BAN OF SINGLE-USE DISPOSABLE WIPES**

**RESOLUTION # 2019-16-315**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Town of Whitchurch-Stouffville calling upon the Provincial and Federal Governments to ban single-use disposable wipes.

**AND FURTHER THAT:** a copy of this motion be forwarded to the Right Honourable Prime Minister of Canada, the Honourable Premier of Ontario, the Minister of the Environment, Conservation and Parks, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), and the Town of Whitchurch-Stouffville.

**DEFEATED**

**SUPPORT RESOLUTION RE TRANSFORMING AND MODERNIZING THE DELIVERY OF ONTARIO'S BUILDING CODE**

**RESOLUTION # 2019-16-316**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Township of Perry requesting that the Province of Ontario research their own efficient and cost effective means to deliver their own services, and work with the current building sector group, and provide documented evidence based justification prior to any legislative changes to the Building Code Act, with regard to building service delivery, are introduced in the Legislature.

**AND FURTHER THAT:** a copy of this motion be sent to the Premier of Ontario; the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), and the Township of Perry.

**CARRIED**

**SUPPORT RESOLUTION RE GREY SAUBLE CONSERVATION AUTHORITY BOARD**

**RESOLUTION # 2019-16-317**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Grey Sauble Conservation Authority (GSCA) Board of Directors supporting the continuation of the programs both mandatory and non-mandatory of the GSCA, and that no programs of the GSCA be “wound down” at this time.

**AND FURTHER THAT:** the Ministry of the Environment, Conservation and Parks give clear direction as to what programs are considered mandatory and non-mandatory and how those programs will be funded in the future.

**AND FURTHER THAT:** The Minister of the Environment, Conservation and Parks utilize the Conservation Authorities Act regulations to ensure that all programs and projects of the Authority that are consistent with the Objects and Powers of an Authority be considered core programs.

**AND FURTHER THAT:** a copy of this motion be sent to the Premier of Ontario; the Town of Ingersoll; the Minister of the Environment, Conservation, and Parks; the Association of Municipalities of Ontario (AMO); the Upper Thames River Conservation Authority; and Conservation Ontario.

**CARRIED**

**DISBURSEMENT SHEETS**

**RESOLUTION # 2019-16-318**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

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

a)	2019 GEN-12	General	\$ 137,988.74
b)	2019 PW-12	Public Works	\$ 63,502.44
c)	2019 FIRE-12	Fire Department	\$ 20,981.99

**CARRIED**

**ADDITIONAL SUMMARY SHEET**

**RESOLUTION # 2019-16-319**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** the following disbursement sheets – Additional Summary sheet be authorized for payment \$198,383.08.

**CARRIED**

**BY-LAW TO PROHIBIT THE DEPOSITING OF SNOW ON HIGHWAYS WITHIN THE TOWNSHIP OF NAIRN AND HYMAN**

**RESOLUTION # 2019-16-320**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that “Being a by-law to prohibit the depositing of snow on highways within the Township of Nairn and Hyman” be read a first, second and third time, and finally passed in open council and its number shall be 2019-25.

**CARRIED**

**INFORMATION RECEIVED**

**RESOLUTION # 2019-16-321**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the information only items 11 a) – b) on the December 16, 2019, council agenda be noted as received.

**CARRIED**

**MOVE TO CLOSED SESSION**

**RESOLUTION # 2019-16-322**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that council move into closed session at 8:43 p.m. to review personal matters regarding an identifiable individual, including municipal employees.

**CARRIED**

**RETURN TO OPEN MEETING**

**RESOLUTION # 2019-16-323**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that council return to the open meeting at 8:56 p.m. and report on the general discussions held in closed session.

**CARRIED**

Mayor Falldien explained that council discussed personal matters regarding an identifiable individual, including municipal employees.

**ADJOURNMENT**

**RESOLUTION # 2019-16-324**

MOVED BY: Katherine Bourrier

SECONDED BY: Rod MacDonald

**RESOLVED:** that the meeting of December 16th, 2019 do now adjourn at 8: 57 p.m. to meet again on the 13th day of January, 2020 at 7:00 p.m. or at the call of the mayor.

**CARRIED**

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**Mayor**

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**Clerk**

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