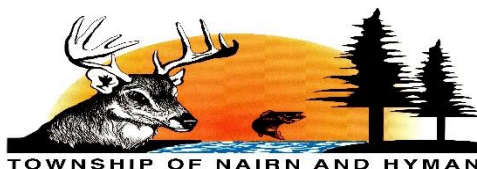


# MINUTES

THE CORPORATION OF THE  
TOWNSHIP OF NAIRN AND HYMAN



Monday, July 11, 2022

There was a Regular Council Meeting held at the Nairn Community Centre on Monday, July 11<sup>th</sup>, 2022, at 7:00 p.m. The meeting was open to the public and recorded to allow for viewing on our website.

Present:        Frederic Diebel        Mayor  
                 Katherine Bourrier    Councillor  
                 Rod MacDonald        Councillor  
                 Brigita Gingras        Councillor  
                 Guy Despatie            Councillor  
                 Belinda Ketchabaw    CAO Clerk Treasurer

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

- a) Councillor Gingras declared a pecuniary interest with agenda item 6c - Integrity Commissioner Inquiry Report/Decision – Contravention of the Township of Nairn and Hyman's Code of Conduct Complaint re: Councillor Brigita Gingras.

Councillor Gingras left the Council Chambers at 7:34 p.m. and returned at 7:42 p.m.

## **DELEGATIONS**

- a) Jeff Edwards from Phoenix Emergency Management Logic presented a proposal for the vacant position of the Community Emergency Management Coordinator (C.E.M.C) for the Township of Nairn and Hyman (Please see Correspondences 7b for Proposal).
- b) Amy Mazey, Chair of Community Parks and Recreation Committee provided an update regarding recreation activities.

## **ACCEPTED PROPOSAL FOR CEMC SERVICES**

### **RESOLUTION # 2022-8-135**

MOVED BY: Guy Despatie

SECONDED BY: Rod MacDonald

**RESOLVED THAT** Council accepts the proposal from Phoenix Emergency Management Logic for Contract CEMC Services for the year/s 2022/23, in the amount of \$17,000; and

**FURTHER THAT** Council directs that a by-law is presented at the next meeting to appoint the CEMC for the Township.

**CARRIED**

## **ADOPTED COUNCIL MINUTES**

### **RESOLUTION # 2022-8-136**

MOVED BY: Katherine Bourrier

SECONDED BY: Guy Despatie

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

- a) Special Council Meeting Minutes – June 7, 2022.
- b) Regular Council Meeting Minutes – June 13, 2022.

**CARRIED**

**RECEIVED MINUTES AND REPORTS**

**RESOLUTION # 2022-8-137**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the following Minutes and Reports 6 a) - k) are noted as received:

- a) Public Health Sudbury & Districts – Unapproved Meeting Minutes - June 16, 2022.
- b) Township of Nairn and Hyman – Opening Minutes, June 23, 2022 - RFP # 2022-01 – Integrity Commissioner Services.
- c) Office of the Integrity Commissioner – Integrity Commissioner Inquiry Report/ Decision– Contravention of the Township of Nairn & Hyman’s Code of Conduct Complaint re: Councillor Brigita Gingras.
- d) CAO’s Report No. 2022-23– re Restricted Acts of Council after Nomination Day – “Lame Duck Provisions”.
- e) CAO’s Report No. 2022-24– RFP Submissions for Integrity Commissioner Services.
- f) CAO’s Report No. 2022-25–Update: Investing in Canada Infrastructure (ICIP) Green Stream Funding – Transfer Payment Agreement.
- g) CAO’s Report No. 2022-26–Retirement of Wayne Ashton – Community Emergency Management Coordinator.
- h) CAO’s Report No. 2022-27 – Municipal Office Closure on July 12, 2022.
- i) CAO’s Report No. 2022-28 – Animal Control By-law (Draft).
- j) CAO’s Report No. 2022-29 – Update to Human Resources By-laws and Policies.
- k) Municipal Superintendent’s Report– July 5, 2022.

**CARRIED**

**ACCEPTED AS PRESENTED – INTEGRITY COMMISSIONER INQUIRY REPORT/DECISION**

**RESOLUTION # 2022-8-138**

MOVED BY: Rod MacDonald

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** Council accepts as presented the Minutes/Reports item 6 c): Integrity Commissioner Inquiry Report/Decision – Contravention of the Township of Nairn and Hyman’s Code of Conduct Complaint, re Councillor Brigita Gingras.

**CARRIED**

**RECORDED VOTE:**

**DECLARATION OF CONFLICT OF INTEREST:**

	<b>FOR</b>	<b>AGAINST</b>		
<b>Diebel, Frederic</b>	_____	_____	<b>Diebel, Frederic</b>	_____
<b>Bourrier, Katherine</b>	_____	_____	<b>Bourrier, Katherine</b>	_____
<b>Gingras, Brigita</b>	_____	_____	<b>Gingras, Brigita</b>	<u>  X  </u>
<b>MacDonald, Rod</b>	_____	_____	<b>MacDonald, Rod</b>	_____
<b>Despatie, Guy</b>	_____	_____	<b>Despatie, Guy</b>	_____

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

**CONSIDERATION OF INTERGRITY COMMISSIONER RECOMMENDATIONS**

**RESOLUTION # 2022-8-139**

MOVED BY: Guy Despatie

SECONDED BY: Katherine Bourrier

**WHEREAS** a request for inquiry was made to the Integrity Commissioner alleging that Councillor Gingras had contravened the Township’s Code of Conduct;

**WHEREAS** an inquiry was conducted by the Integrity Commissioner in response to the request and a report was presented to Council on June 13, 2022;

**WHEREAS** the Integrity Commissioner found that Councillor Gingras did violate Section 6.1 the Township’s Code of Conduct, which states that “Every Member shall conduct himself or herself properly and in a civil and respectful manner at meetings”, when she did make an unknowingly false and potentially embarrassing comment towards an ALPG executive at the November 8, 2021 Council Meeting;

**WHEREAS** the Integrity Commissioner found that Councillor Gingras did violate Section 6.2 the Township’s Code of Conduct, which states that “Members will respect the decision-making process. Members will attempt to accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with a majority decision of Council”, when she spoke against a decision of Council;

**WHEREAS** the Integrity Commissioner found that Councillor Gingras contravened the Township's Council Proceedings By-law, sections 18.1 and 30.5 when she pursued a subject not currently under debate, and when she refused to support a Council decision once it was made;

**WHEREAS** Council has considered the findings and recommendations of the Integrity Commissioner;

**NOW THEREFORE BE IT RESOLVED THAT**

- a) Council suspends Councillor Gingras' remuneration for a period of fourteen (14) days, for her contravention of the Township's Code of Conduct;

**AND FURTHER THAT** Council directs that a mandatory training session be required following the fall election, concerning the Municipal Conflict of Interest Act, the Code of Conduct and the Council Proceedings Bylaw for elected Members and senior Administration Staff.

**CARRIED**

**CAO REPORT RE: DELEGATION OF AUTHORITY**

**RESOLUTION # 2022-8-140**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED THAT** CAO's Report #2022-23, be received for information purposes; and **THAT** three readings of the Delegation of Authority By-law No. 2022-18 be undertaken to delegate authority to the CAO with respect to the actions set out in the Municipal Act, 2001 Section 275 (3) during the period which Council may be restricted from certain acts, as set out in Section 275 of the *Municipal Act*; and

**FURTHER THAT** the Inaugural meeting date for Council be adjusted to Tuesday, November 15, 2022.

**CARRIED**

**CAO REPORT RE: INVESTING IN CANADA INFRASTRUCTURE GREEN STREAM FUNDING**

**RESOLUTION # 2022-8-141**

MOVED BY: Brigita Gingras

SECONDED BY: Guy Despatie

**WHEREAS** the CAO's Report #2022-25 has been received for information purposes; and **THEREFORE BE IT RESOLVED THAT** Council directs that the Mayor and the Clerk enact By-law No. 2022-19 on July 11, 2022 to execute the Transfer Payment Agreement for the Investing in Canada Infrastructure Green Stream Funding for the Rehabilitation of the Nairn Centre Water Treatment Plant.

**CARRIED**

**CAO REPORT RE: RESIGNATION OF CEMC**

**RESOLUTION # 2022-8-142**

MOVED BY: Katherine Bourrier

SECONDED BY: Brigita Gingras

**RESOLVED THAT** Council receives the CAO's Report #2022-26 for information purposes; and **FURTHER THAT** Council accepts the resignation of Wayne Ashton as the Township of Nairn and Hyman's Community Emergency Management Coordinator with regret and extend their thanks for his many years of service.

**CARRIED**

**CAO REPORT RE: CLOSURE OF MUNICIPAL OFFICE**

**RESOLUTION # 2022-8-143**

MOVED BY: Katherine Bourrier

SECONDED BY: Brigita Gingras

**RESOLVED THAT** Council receives the CAO's Report #2022-27 for information purposes; and **FURTHER THAT** the Mayor and the CAO are authorized to close the Municipal Office in extenuating circumstances.

**CARRIED**

**CAO REPORT RE: INTEGRITY COMMISSIONER RFP  
RESOLUTION # 2022-8-144**

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

**WHEREAS** the CAO's Report #2022-24 has been received for information purposes; and  
**FURTHER THAT** Council acknowledges the proposal received from Expertise for  
Municipalities (E4M) for the Integrity Commissioner RFP# 2022-01; and

**FURTHER THAT** Council rejects the proposal from E4M;

**THEREFORE BE IT RESOLVED THAT** Council directs the CAO to put out a new RFP for  
Integrity Commissioner service.

**CARRIED**

**CAO REPORT RE: DRAFT ANIMAL CONTROL BY-LAW  
RESOLUTION # 2022-8-145**

MOVED BY: Rod MacDonald

SECONDED BY: Guy Despatie

**RESOLVED THAT** Council receives the CAO's Report #2022-28 for information purposes; and  
**FURTHER THAT** Council directs that the Draft Animal Control By-law be presented to Council  
for enactment at the next Council Meeting.

**CARRIED**

**CAO REPORT RE: BY-LAW TO CODIFY HUMAN RESOURCE RECRUITMENT AND  
MANAGEMENT POLICIES**

**RESOLUTION # 2022-8-146**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED THAT** Council receives the CAO's Report #2022-29 for information purposes; and  
**FURTHER THAT** Council directs that the Mayor and the Clerk enact By-law No. 2022-16,  
"Being a By-law to Codify Human Resource Recruitment and Management Policies", by giving  
three readings of the by-law on July 11, 2022.

**CARRIED**

**MUNICIPAL SUPERINTENDENT REPORT RE: LOCATION OF RECYCLING DEPOT  
RESOLUTION # 2022-8-147**

MOVED BY: Guy Despatie

SECONDED BY: Rod MacDonald

**RESOLVED THAT** Council accepts the Municipal Superintendent's Report dated July 5, 2022;  
and

**FURTHER THAT** Council defers the decision to amend the location of the recycling depot and  
the contract until the next Council Meeting.

**CARRIED**

**RECEIVED CORRESPONDENCE**

**RESOLUTION # 2022-8-148**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED THAT** Council notes the Correspondence Items 7 a) – c) as received.

**CARRIED**

**SUPPORT RESOLUTION RE: RELEASE OF ALL FEDERAL AND PROVINCIAL DOCUMENTS RELATED TO THE FORMER MOHAWK INSTITUTE RESIDENTIAL SCHOOL**  
**RESOLUTION # 2022-8-149**

MOVED BY: Guy Despatie

SECONDED BY: Rod MacDonald

**RESOLVED:** that the Council of the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the City of Brantford calling on the Government of Canada, the Government of Ontario, and the Anglican Church to release all documents related to the former Mohawk Institute Residential School;

**AND THAT:** a copy of this motion be sent to Prime Minister Justin Trudeau; Premier Doug Ford, the Minister of Crown-Indigenous Relations, Marc Miller; Minister of Indigenous Services, Patty Hajdu; Minister of Indigenous Affairs, Greg Rickford; Primate of the Anglican Church of Canada, Linda Nicholls; the Federation of Canadian Municipalities, the Association of Municipalities Ontario, and the City of Brantford.

**CARRIED**

**SUPPORT RESOLUTION RE: DRAVEN ALERT**  
**RESOLUTION # 2022-8-150**

MOVED BY: Rod MacDonald

SECONDED BY: Guy Despatie

**RESOLVED:** that the Council of the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the Municipality of Brighton calling on the Solicitor General, the Commissioner of the Ontario Provincial Police and the Premier's Office to create a new alert called the Draven Alert, to protect vulnerable children who have not been abducted but are at high risk of danger, injury or death and alert the public that they are missing;

**AND THAT:** a copy of this motion be sent to Premier Doug Ford, the Office of the Solicitor General, the Commissioner of the Ontario Provincial Police, the AMO and the Municipality of Brighton.

**CARRIED**

**SUPPORT RESOLUTION RE: INCLUSION OF MAILING ADDRESSES OF VOTERS ON THE VOTER'S LISTS TO BE INCLUDED TO CANDIDATES**  
**RESOLUTION # 2022-8-151**

MOVED BY: Katherine Bourrier

SECONDED BY: Brigita Gingras

**RESOLVED:** that the Council of the Corporation of the Township of Nairn and Hyman endorse the resolution of the Township of Matachewan expressing its support for the inclusion of mailing addresses of voters on the voter's lists be provided to candidates;

**AND THAT:** a copy of this motion be sent to Premier Doug Ford, the Minister of Municipal Affairs and Housing, and the Township of Matachewan.

**CARRIED**

**SUPPORT RESOLUTION RE: REMOVAL OF MUNICIPAL COUNCILLORS UNDER PRESCRIBED CIRCUMSTANCES**  
**RESOLUTION # 2022-8-152**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the Council of the Corporation of the Township of Nairn and Hyman endorse and supports the resolution of the City of Owen Sound requesting that the Ministry of Municipal Affairs and Housing study the merits of allowing the recall of municipal councillors under carefully prescribed circumstances, such as displays of hatred, misogyny, and all forms of discriminations:

**AND FURTHER:** that the Ministry facilitate a strengthened program of orientation and training sessions for councils, local boards and committees;

**AND THAT:** a copy of this motion be sent to Premier Doug Ford, the Minister of Municipal Affairs and Housing, the AMO, and the City of Owen Sound.

**CARRIED**

**BY-LAW TO CODIFY HUMAN RESOURCE RECRUITMENT AND MANAGEMENT POLICIES**

**RESOLUTION # 2022-8-153**

MOVED BY: Guy Despatie

SECONDED BY: Rod MacDonald

**RESOLVED:** that “Being a By-law to Codify Human Resource Recruitment and Management Policies” be read a first, second and third time, and finally passed in open council and its number shall be 2022-16.

**CARRIED**

**BY-LAW TO AUTHORIZE THE CAO TO TAKE ACTION ON CERTAIN ACTS DURING THE LAME DUCK PERIOD**

**RESOLUTION # 2022-8-154**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED:** that “Being a By-law to Authorize the Chief Administrative Officer of the Corporation of Nairn and Hyman to Take Action, Where Necessary, on Certain Acts During the Restricted Acts After Nomination Day “Lame Duck” Period” be read a first, second and third time, and finally passed in open council and its number shall be 2022-18.

**CARRIED**

**BY-LAW TO ENTER INTO AN AGREEMENT WITH THE MINISTER OF INFRASTRUCTURE**

**RESOLUTION # 2022-8-155**

MOVED BY: Rod MacDonald

SECONDED BY: Guy Despatie

**RESOLVED:** that “Being a By-law of the Corporation of the Township of Nairn and Hyman to Enter into an Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure (Ontario or the Province) and the Corporation of the Township of Nairn and Hyman (the Recipient)” be read a first, second and third time, and finally passed in open council and its number shall be 2022-19.

**CARRIED**

**RECEIVED FOR INFORMATION ONLY ITEMS**

**RESOLUTION # 2022-8-156**

MOVED BY: Katherine Bourrier

SECONDED BY: Brigita Gingras

**RESOLVED THAT** the For Information Only Item 10 a) be noted as received.

**CARRIED**

**BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL**

**RESOLUTION # 2022-8-157**

MOVED BY: Guy Despatie

SECONDED BY: Rod MacDonald

**RESOLVED:** that “Being a by-law to confirm the proceedings of the Council of the Corporation of 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 2022-20.

**CARRIED**

**ADJOURNMENT**

**RESOLUTION # 2022-8-158**

MOVED BY: Brigita Gingras

SECONDED BY: Katherine Bourrier

**RESOLVED:** that the meeting of July 11th, 2022, do now adjourn at 8:34 p.m. to meet again on the 12th day of September, 2022, or at the call of the Mayor.

**CARRIED**

(signature on original)

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**Mayor**

(signature on original)

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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.**