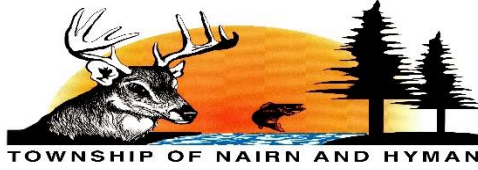


# MINUTES

THE CORPORATION OF THE  
TOWNSHIP OF NAIRN AND HYMAN



Monday, September 9, 2024

There was a Regular Council Meeting and public meeting held at the Nairn Community Centre on Monday, September 9, 2024, at 6:00 p.m. (The meeting was open to the public and recorded to allow for viewing on our website.)

Present:	Amy Mazey	Mayor
	Trevor McVey	Deputy Mayor
	Wayne Austin	Councillor
	Guy Despatie	Councillor
	Rod MacDonald	Councillor
	Belinda Ketchabaw	CAO, Clerk Treasurer

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

Councillor Wayne Austin has declared a pecuniary interest on Item b) Approval of Closed Session Meeting Minutes – July 8, 2024 due to a family member involved.

## **DELEGATIONS**

Tiffany Cecchetto, KPMG, attended the Council Meeting to present the Township of Nairn and Hyman 2023 Financial Statements to Council.

## **FINANCIAL STATEMENTS FOR YEAR ENDED DECEMBER 31, 2023**

### **RESOLUTION # 2024-9-205**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** the Consolidated Financial Statements for the Corporation of the Township of Nairn and Hyman for the year ended December 31, 2023 as presented to Council on September 9<sup>th</sup>, 2024 be accepted as presented.

**CARRIED**

## **TEMPORARY ADJOURNMENT**

### **RESOLUTION # 2024-9-206**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**BE IT RESOLVED** that the council meeting be temporarily adjourned at 6:30 p.m. for the purpose of a public meeting.

**CARRIED**

**PUBLIC MEETING – CONSENT APPLICATION**

**RESOLUTION # 2024-9-207**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** that pursuant to Section 53 of the *Planning Act, R.S.O., 1990*, as amended, the public meeting is declared open for the purpose of hearing comments on Consent Application:

- a) APPLICATION FOR CONSENT (File No. B-01-24) submitted by applicant Richard Austin, for the purpose to create an easement across the rear yard of 89 Minto St (CON 4, PT LT 3; M40 Lots 1 & 2; NAIRN & HYMAN) to provide for both access and services to the adjacent lands, whose parcel is currently land locked, located CON 4, PT LT 3; M40 Lots 3 & 4; NAIRN & HYMAN.

**CARRIED**

There were no members of the public present, and no written comments were received for the consent application.

**RETURN TO COUNCIL MEETING**

**RESOLUTION # 2024-9-208**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**BE IT RESOLVED** that the public meeting is now officially closed at 6:38 p.m. and the council meeting is now reconvened.

**CARRIED**

**PLANNING MEMO RE: APPLICATION FOR CONSENT**

**RESOLUTION # 2024-9-209**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** the planning memo prepared and presented by J.L. Richards Ltd. regarding an Application for Consent – 89 Minto Street is accepted as presented.

**CARRIED**

**NO FURTHER NOTICE TO BE GIVEN RE: APPLICATION FOR CONSENT**

**RESOLUTION # 2024-9-210**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**WHEREAS** that having been satisfied that the notices were given in accordance with the Planning Act;

**AND WHEREAS** a Public Meeting was held by the Council of the Township of Nairn and Hyman regarding the application for consent on September 9th, 2024 in accordance with the *Planning Act*;

**THEREFORE BE IT RESOLVED THAT** Consent Application No. B-01-24 be approved, subject to the outlined conditions in the Notice of Decision Document.

**CARRIED**

**ADOPTED COUNCIL MINUTES**

**RESOLUTION # 2024-9-211**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**BE IT RESOLVED THAT** the following council minutes be accepted as presented:

- a) Regular Council Meeting Minutes – July 8, 2024
- b) Closed Session Meeting Minutes – July 8, 2024
- c) Joint Emergency Meeting Minutes of the Council of the Township of Nairn and Hyman and Council of the Township of Baldwin – August 19, 2024

**CARRIED**

**CAO REPORT RE: Q2 2024 FINANCIAL UPDATE**

**RESOLUTION # 2024-9-212**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**WHEREAS** Council has received the CAO's Report #2024-24 outlining the 2024 Q2 Financial Update for information; and

**THEREFORE BE IT RESOLVED THAT** Council accepts the report as presented.

**CARRIED**

**CAO REPORT TO BE DISCUSSED IN CLOSED SESSION**

**RESOLUTION # 2024-9-213**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**RESOLVED THAT** Council will discuss the CAO's report in Closed Session due to identifiable individuals.

**CARRIED**

**RECEIVED MINUTES AND REPORTS**

**RESOLUTION # 2024-9-214**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**RESOLVED THAT** the Minutes and Reports Items 7 a) - f) are noted as received.

**CARRIED**

**OPENING OF ROAD TENDER MINUTES**

**RESOLUTION # 2024-9-215**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** Council accepts the minutes for the opening of the tenders received for the Rehabilitation of sections of Sand Bay Road on September 4, 2024, as presented.

**CARRIED**

**SAND BAY ROAD TENDER CONTRACT**

**RESOLUTION # 2024-9-216**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**WHEREAS** Council acknowledges the tender amounts received for the Sand Bay Road Project as noted below:

- GIP Interpaving in the amount of \$523,274.00 inclusive of HST,
- MCA Contracting Ltd. in the amount of \$403,234.17 inclusive of HST,
- Future Wood Products Ltd. in the amount of \$332,516.71 inclusive of HST;

**FURTHER THAT** Council discussed the tenders at the Public Works Committee meeting held on September 9, 2024 with the Municipal Superintendent; and

**THEREFORE BE IT RESOLVED THAT** directs that the contract be awarded to MCA Contracting Ltd. In the amount of \$403,234.17 inclusive of HST.

**CARRIED**

**REPLACEMENT OF CULVERTS ON SAND BAY ROAD**

**RESOLUTION # 2024-9-217**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**RESOLVED THAT** Council directs that the CAO and the Municipal Superintendent approach MCA Contracting for additional works contract to replace the two large culverts on Sand Bay Rd for the maximum amount of \$120,000.00 to be withdraw for the Road Reserve.

**CARRIED**

**ACCEPTED MINUTES AND REPORTS**

**RESOLUTION # 2024-9-218**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**BE IT RESOLVED THAT** Council accepts the following minutes and reports as presented:

- Township of Nairn and Hyman – Community Parks and Recreation Committee Meeting Minutes – July 30, 2024
- Township of Nairn and Hyman – Community Parks and Recreation Committee Meeting Minutes – August 27, 2024
- OCWA – Work Order Summary – July, 2024

**CARRIED**

**FALL YOGA BUDGET REQUEST**

**RESOLUTION # 2024-9-219**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**WHEREAS** Council notes the Recreation Committee Resolution# 2024REC-36 requesting \$800.00 for a Fall Yoga Session with the note that this program is self funding due to the revenue received from fees; and

**BE IT RESOLVED THAT** Council approves the budget request.

**CARRIED**

**CORRESPONDENCE RECEIVED RE : THE TRANSPORTATION AND DEPOSITION OF NORM AT THE AGNEW LAKE TAILINGS MANAGEMENT AREA**

**RESOLUTION # 2024-9-220**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**WHEREAS** Council notes the correspondence received from MPP Michael Mantha, MPP France Gelinas, and the Township of Conmee regarding the transportation and intention to deposit naturally occurring radioactive material North of Agnew Lake in Hyman Township at the Agnew Lake Tailings Management Area; and

**WHEREAS** Council wished to express their appreciation for this support.

**CARRIED**

**REQUEST TO ADVERTISE – MILITARY SERVICE RECOGNITION BOOK**

**RESOLUTION # 2024-9-221**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**WHEREAS** Council notes the correspondence from the Royal Canadian Legion Ontario Command requesting support through the purchase of an advertisement in the Military Service Recognition Book; and

**THEREFORE BE IT RESOLVED THAT** Council agrees to purchase an ad in the amount of \$0.

**CARRIED**

**DONATION REQUEST – SEND-A-KID TO CAMP PROGRAM**

**RESOLUTION # 2024-9-222**

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

**WHEREAS** Council notes the correspondence from the Sudbury Manitoulin Children's Foundation requesting a donation to support the Send-A-Kid to Camp Program; and

**THEREFORE BE IT RESOLVED THAT** Council agrees to give a donation in the amount of \$0.

**CARRIED**

**COMMUNITY SPORT AND RECREATION INFRASTRUCTURE FUND**

**RESOLUTION # 2024-9-223**

MOVED BY: Trevor McVey

SECONDED BY: Guy Despatie

**BE IT RESOLVED THAT** the For Information Only Item 11 a) regarding the Community Sport and Recreation Infrastructure Fund is noted as received; and

**FURTHER THAT** Council directs that the CAO will not pursue this funding due to the cost sharing percentage of 50% of the requested funding that the Township would be required to cover.

**CARRIED**

**LOCATION FOR POST OFFICE BOXES**

**RESOLUTION # 2024-9-224**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**WHEREAS** Council has received the update from Mayor Mazey regarding the possibility of allocating a location on municipal property for the Post Office boxes; and

**BE IT RESOLVED THAT** Council approves the use of the municipal property at the corner of Nelson and MacDonald Street for the location of the Post Office boxes.

**CARRIED**

**MOVE TO CLOSED SESSION**

**RESOLUTION # 2024-9-225**

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

**BE IT RESOLVED** that Council move into closed session at 7:50 p.m. for the purpose stated in section 239.2 of the Municipal Act:

- Personal matters about an identifiable individual
- A proposed or pending acquisition or disposition of land by the municipality or local board
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

**CARRIED**

**Resolution Number 2024-9-226 was dealt with in closed session and is in a sealed envelope and filed in the office of the CAO/Clerk.**

**RETURN TO OPEN MEETING**

**RESOLUTION # 2024-9-227**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**BE IT RESOLVED** that council return to the open meeting at 8:28 p.m. and report on the general discussions held in closed session:

- Personal matters about an identifiable individual
- A proposed or pending acquisition or disposition of land by the municipality or local board & Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, which both dealt with a property that is proposed to be donated to the Township.

**CARRIED**

Mayor Mazey explained that council discussed matters related to an identifiable individual, and a potential acquisition of donated land.

**AMENDMENT TO THE MUNICIPAL NOISE BY-LAW**

**RESOLUTION # 2024-9-228**

MOVED BY: Guy Despatie

SECONDED BY: Trevor McVey

**WHEREAS** Council has received the CAO's Report #2024-25 for information; and **THEREFORE BE IT RESOLVED THAT** Council approves the proposed amendment to the Municipal Noise By-law No. 2014-12; and **FURTHER THAT** By-law No. 2024-28 will be given three readings at the September 9th Council Meeting to enact the changes.

**CARRIED**

**BY-LAW TO AMEND BY-LAW 2014-12 BEING A BY-LAW TO PROVIDE FOR THE REGULATION AND PROHIBITION OF UNUSUAL NOICES FOR NOISES LIKELY TO DISTURB THE PUBLIC AND FOR THE PREVENTION OF PUBLIC NUISANCES**

**RESOLUTION # 2024-9-229**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**BE IT RESOLVED THAT** "Being a By-law to Amend By-law Number 2014-12 Being a By-law to Provide for the Regulation and Prohibition of Unusual Noises for Noises Likely to Disturb the Public and for the Prevention of Public Nuisances" be read a first, second and third time, and finally passed in open council and its number shall be 2024-28.

**CARRIED**

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

**RESOLUTION # 2024-9-230**

MOVED BY: Rod MacDonald

SECONDED BY: Wayne Austin

**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 2024-29.

**CARRIED**

**ADJOURNMENT**

**RESOLUTION # 2024-9-231**

MOVED BY: Wayne Austin

SECONDED BY: Rod MacDonald

**RESOLVED** that the meeting of September 9, 2024, do now adjourn at 8:33 p.m. to meet again on the 21 day of October, 2024, 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.**