

May 26, 2004

The regular meeting of the Council of the Corporation of the Municipality of Huron Shores was held on Wednesday, May 26, 2004 and called to order by Mayor Ted Linley at 7:00 p.m.

PRESENT WERE: Mayor Ted Linley, Councillors Gord Campbell, Don Dallimore, John Fullerton, David Ratz, Gil Mayors, Archie Roach, and Kent Weber; Dale Wedgwood; and Clerk Deborah Tonelli.

ALSO PRESENT: Mike Morgan, Clayton Senecal, Dieter Krumbach; Treasurer Sandra Leach; Public Works Foreman Tom Dumont; Assistant Clerk Beverly Eagleson; By-Law Enforcement Officer Dale Swan

DECLARATION OF PECUNIARY INTEREST

Mayor Linley – Village General Store
Councillor Wedgwood – Wedgwood Cleaning Services

ADOPTION OF MINUTES

04-12-01 THAT we adopt minutes of the Regular Meeting of Council held
A. Roach Wednesday, May 12, 2004, and the minutes of Special Meeting held May
D. Wedgwood 19, 2004 as corrected. CARRIED.

04-12-02 THAT **By-law #04-29** being a by-law of the Corporation of the
K. Weber Municipality of Huron Shores to **Adopt the Minutes** of the Regular and
G. Mayors Special Council Meetings held on May 12, 2004, and May 19, 2004
authorizing the taking of any action authorized therein and thereby, was
read a first, second and third time and passed in open Council this 26th day
of May, 2004. CARRIED.

ADOPTION OF ACCOUNTS

Questions on accounts were answered by staff.

04-12-03 THAT we approve payment of the General Accounts excluding accounts
K. Weber of Pecuniary Interest, for the period from May 13 to May 26, 2004 in the
G. Mayors amount of **\$122,785.05**. CARRIED.

04-12-04 THAT we approve payment to **Wedgwood Cleaning Services** account in
G. Mayors the amount of **\$114.59**.
K. Weber PECUNIARY INTEREST: Dale Wedgwood CARRIED.

04-12-05 THAT we approve payment of the **Village General Store** in the amount
D. Dallimore of **\$289.37**.
D. Ratz PECUNIARY INTEREST: Ted Linley CARRIED.

DELEGATIONS AND PETITIONS

Mike Morgan & Clayton Senecal of **Midway Lumber Mills Ltd.** attended regarding the **No Smoking By-law** for Huron Shores effective May 31, 2004. Mr. Morgan made a presentation to Council explaining the impact the by-law will have on Midway Lumber Mills Ltd. He informed Council that there is next to no area outside of the mill buildings other than the parking lot that would be safe enough to allow smoking outdoors due to combustible products and by-products. The facility stretches over approximately 2 acres and it would take workers longer to get to these safe places than their break times allow. His presentation identified that within the last five years changes have been implemented at the mill to meet Ministry of Labour requirements to provide separate smoking and non-smoking break/lunch room facilities and they requested that these areas be permitted to avoid fire hazards from having workers smoking outdoors in very fire volatile areas. Smoking is only allowed in specified designated areas. It has worked well for the

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workers and management. While the company appreciates the good intentions of the no smoking by-law, they are requesting to be exempt from the no smoking by-law under the premise that their designated areas will be strictly enforced by policies they follow since implementing designated smoking areas. There was dialogue between Midway representatives and Council and Council concurred that they would investigate the possibility of passing a site specific by-law for the Lumber Company and would try to do so by the next meeting of Council.

Treasurer's Report

2003 Financial Statements have been provided by the Auditor. Treasurer Leach reported highlights to Council along with explanatory information.

Treasurer had provided a **preliminary budget with explanatory notes** for Council's review and highlighted same. While the Education Tax Rate has been reduced by the Province, the Municipal Tax Rate will absorb this savings resulting in an overall tax rate increase over 2003 to meet budget requirements as presented. Council discussed some options and how the overall percentage increase might be affected. Subject to two inquiries from Councillors, Treasurer provided the tax increase that could be anticipated if the budget were increased by \$100,000.00. The rate increase generated by this amount was not acceptable to Council. Council requested that the Treasurer work the budget with an approximate 2.18% overall increase based on the residential tax rate.

Consultation with OPTA (Online Property Taxation Analysis) representatives resulted in a recommendation to **adjust the tax ratios** to bring the commercial share closer to the same percentage as residential.

04-12-06

G. Mayors

D. Wedgwood

THAT **By-law #04-30** being a by-law of the Corporation of the Municipality of Huron Shores for the purpose of establishing **tax ratios for 2004**, was read a first, second and third time and passed in open Council this 26th day of May, 2004.

CARRIED.

04-12-07

G. Mayors

D. Ratz

THAT **By-law #04-31** being a by-law of the Corporation of the Municipality of Huron Shores to **Enter Into an Agreement with Tax Recovery Group to review accounts payable and the accounting of the Municipality of Huron Shores to ascertain any legal recoveries of Goods and Services Tax, Canada Customs Duty, Payroll Tax, Provincial Sales Tax, Excise Tax, Industry Overages**, was read a first, second and third time and passed in open Council this 26th day of May, 2004.

CARRIED.

04-12-08

D. Dallimore

D. Wedgwood

THAT we authorize the Treasurer to obtain a Corporate **Visa Card** to be held in the name of Tom Dumont with a maximum spending limit of \$2500.00.

CARRIED.

Treasurer advised Council of an **Assessment Review Board Decision** on one property that will result in a decrease of \$155,000 in assessment meaning approximately \$6,000 less tax revenue. Again Treasurer advised Council of the volatility of the assessment base with all of the Requests for Reconsideration and Assessment Review Board Appeals being experienced.

Public Works Report

Councillor Wedgwood provided estimates of between \$34,700 and \$44,000 excluding taxes for **replacement of the one-ton**. Councillor Ratz had researched different options to replace the one-ton and provided a spreadsheet for food for thought for council. There was brief discussion on the advantages/disadvantages of having a one-ton as opposed to a 4 x 4 half-ton or other type of vehicle.

Subject to queries received from Private Roads Committees, Mr. Dumont was advised by Council that he is **not to provide advice on work on private roads** but that he could provide the MTO standards that the municipality uses for assuming public roads.

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Mr. Dumont advised that he contacted the Drainage Superintendent approximately 2 to 3 weeks ago regarding **reports on various drainage works** in the municipality and the status of same. He has not received any reply. Council directed Clerk to write a letter to the Drainage Superintendent to request a report on municipal drains and to also advise in the correspondence that property owners involved in municipal drains be advised in writing of drainage work to be undertaken well in advance of work commencing.

Planning Report

C.G. Trivers Limited / File 57C-030008 – Deferred - information not received from the agent. **Provisional Consent** for File Nos. 57-C-040002 and 57-C-040003 has been granted by Ministry of Municipal Affairs and Housing. Staff can advise the applicants that we will be ready to proceed with the survey work when the municipal fee is received.

Mr. Swan advised Council that he has received the first inquiry about **building in the Island View Estates Subdivision**. The individual advised that he hoped to retire in a couple of years. Mr. Swan advised that the zoning on the subdivision is seasonal residential as required by the Ministry of Municipal Affairs and Housing and would not permit year round residential use.

A letter of request was received for a **building permit for a garage** on Mississagi Crescent which is in the **flood zone**. The owner advised that he was willing to sign a waiver and to confirm that the building would not be for human habitation.

04-12-09

D. Wedgwood

D. Dallimore

THAT Council authorize the 15'x20' addition to the garage on property described as Plan H484, Lot 12 to 13, RP1R5181, PARTS 9 to 12, Gladstone Twp., providing the owners sign a waiver recognizing the property is in the flood prone zone and that said addition be identified and restricted to garage purposes only.

AND THAT no exterior openings to said addition be below the elevation of 604.5 feet (184.95 metres) C.G.D. CARRIED.

Recorded Vote

E. W. Linley	YEA
G. Campbell	NAY
D. Dallimore	YEA
J. Fullerton	YEA
D. Ratz	YEA
L. (Gil) Mayors	YEA
A. D. Roach	YEA
K. Weber	YEA
D. Wedgwood	YEA

Councillor Reports

Mayor Linley, Councillors Ratz, Mayors and Wedgwood attended the **Water Regulations Question and Answer Session** on May 20, 2004. Information provided was based on various businesses within the municipality providing various thresholds for levels of testing required. Information indicated that changes to the regulations are being considered. AMO is campaigning to defer the regulations to further investigate the impacts.

Councillor Wedgwood attended the **NCCDC Meeting** on May 20, 2004. The Committee resolved that the established format for applying for the balance of funds will remain. Applications for both Regional and Community Funds must be submitted by June 21, 2004. Projects approved have two years in which to spend the dollars. Dollars cannot be clawed back before the two-year expiration. Project time frame adjustments can be requested in writing.

Councillor Ratz provided a **Museum Board Report and a 2002 and 2003 Income and Expense Report for the Day & Bright Community Hall**. Council asked Councillors Ratz and Fullerton to convey their thanks and appreciation to the committee for their hard work and dedication.

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BUSINESS ARISING FROM MINUTES / CLERK'S REPORT

Clerk advised that there has been a request for a **Noise By-law**. Copies of the noise by-laws of the former municipalities will be provided to Council for review. Clerk to contact Inspector McCaig to inquire if the O.P.P. can provide assistance with enforcing the noise by-law and to discuss a variety of other issues regarding policing in our community.

GENERAL BUSINESS

8-1. Resolution to request amendment to Tally Ho Park NOHFC Funding Project.

04-12-10 THAT the Council of the Municipality of Huron Shores authorize Clerk
G. Mayors Tonelli to request an **Amendment** to NOHFC File No. 40048,
D. Wedgwood Development of Regional **Public Park**, to add the \$5,085.00 remaining in
Huron Shores Community Share of the Patten Post Regional
Diversification Fund, for the purpose of preparing Recreation Bridge
entrances for easier accessibility from Richard Avenue on the west and
Hwy. 546 on the east and allow for an additional contingency for the
project.
AND THAT Clerk Tonelli request that Schedule C of Project No. 40048
be amended accordingly. CARRIED.

8-2. Resolution to set date for 2004 Budget Meeting.

04-12-11 THAT we set Wed., June 16/04 at 7:00 p.m. for the **Annual Budget**
K. Weber **Meeting** to set Tax Rates for 2004.
G. Mayors CARRIED.

8-3. By-law: Topsoil.

The Topsoil Preservation Act has been repealed. The New Municipal Act provides the authority to pass by-laws to regulate removal of topsoil.

8-4. By-law: Head of Council name change to Mayor.

04-12-12 THAT **By-law #04-32** being a by-law of the Corporation of the
J. Fullerton Municipality of Huron Shores for the purpose of changing the **Head Of**
D. Ratz **Council Title** to Mayor to Confirm the Title of Other Elected Members of
Council as Councillors, was read a first, second and third time and passed
in open Council this 26th day of May, 2004. CARRIED.

8-5. Resolution for Shania Twin Special Occasion Permit.

04-12-13 THAT the Council of the Municipality of Huron Shores deem the **Shania**
G. Campbell **Twin Concert** to be held June 26, 2004, at the Municipal Arena, to be a
D. Wedgwood significant event;
AND THAT Mayor Linley and Clerk Tonelli be authorized to sign the
Application for a Special Occasion Permit for the event, identifying Arena
Board Member Bradley Beemer, Sr. as the person who will attend and be
responsible for the event. CARRIED.

8-6. Resolution to renew commitment to Health and Safety Policy.

04-12-14 THAT we renew the following **Health & Safety Policy**:
K. Weber "A healthy and safe workplace benefits both the Corporation of the
J. Fullerton Municipality of Huron Shores and its employees. It is the commitment of
the Corporation of the Municipality of Huron Shores to:
(a) strive toward eliminating personal injury, and workplace
illnesses;
(b) provide a healthy and safe work environment;
(c) provide an environment as free as is reasonably possible
from fire, security loss and property damage; and
(d) ensure that design of the work environment considers
individual employee capabilities and limitations.
The Corporation will ensure that a health and safety program is
maintained which will clearly establish the responsibilities of all

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04-12-14 (Cont.) workplace parties and will establish specific safe work procedures for all areas of the Corporations' activities."
AND THAT Mayor Linley and Clerk/General Administrator Tonelli be authorized to sign that Health and Safety Policy of the Municipality of Huron Shores. **CARRIED.**

8-7. Resolution for Marker Purchase for Carlyle and Sunset Cemeteries.

04-12-15 THAT we do authorize the Cemetery Board to **purchase Cemetery Markers** for Carlyle and Sunset Cemeteries as identified in their 2004 budget. **CARRIED.**
G. Mayors
D. Ratz

8-8. Resolution for Sash Button for Ambassador Program.

04-12-16 THAT we authorize the use of the design submitted by the Huron Shores **Ambassador Program** for their **sash buttons**. **CARRIED.**
G. Mayors
G. Campbell

8-9. Resolution for Private Roads Committees.

04-12-17 THAT we donate \$400.00 per road committee plus \$500/km of road, (any portion of road less than 1 km will be pro-rated) maintained by **Road Committee**, to a maximum of \$3,000.00 to each Road Committee that meets the following criteria, with all **donations** not to exceed \$15,100 for the year 2004;
AND THAT the following criteria must be met to qualify:
➤ Minimum of 4 property owners must utilize the Road as the only access to their properties in order to qualify for funding
➤ Committee must carry Liability Insurance subject to limits of not less than One Million Dollars (\$1,000,000.00).
➤ Accounting Statement and invoice copies, must be submitted to Sandra Leach, Treasurer, Municipality of Huron Shores, P.O. Box 460, Iron Bridge, ON, P0R 1H0, no later than December 15, 2004. The Accounting Statement must identify all revenues and monies spent on the road and/or reserves in place for future year's maintenance/construction work. Cost of Liability Insurance Policy will not be considered and does not qualify as maintenance/construction cost for the purpose of this donation.
➤ Accounting Statement must identify at least \$100/km collection from Committee members or face disqualification from any possible donation the following year.
➤ The 2004 Application must be submitted prior to March 31, 2004 in order to qualify for possible 2004 donations. **CARRIED.**
G. Campbell
K. Weber

LETTERS & COMMUNICATIONS FOR ACTION

9-1. Fred Dean letter – Renewal of Legal Services

04-12-18 THAT we accept the **retainer package** submitted by **Fred Dean** for a total fee, including GST, of \$4,922.00, commencing June 1, 2004 and ending May 31, 2005. **CARRIED.**
D. Wedgwood
G. Mayors

9-2. All Star Children Services Inc. – Letter of Intent

This group indicated that they would be interested in using the **Iron Bridge Medical Clinic** to provide children services in this area. Council directed the Clerk to invite the group to a Council Meeting to outline their program and to advise that we will in all likelihood be asking for Requests for Proposals from various groups that have indicated an interest in utilizing this building.

9-3. FONOM – Softwood Lumber

04-12-19 THAT we support FONOM in their request of April 11, 2004 and authorize Mayor Linley to sign the template letter provided by **FONOM** to seek a **solution to the softwood lumber problem** with the United States;
D. Ratz
D. Dallimore

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04-12-19 (Cont.) AND THAT said letter be addressed to the Prime Minister of Ontario with copies to Minister Jim Peterson and Minister David Ramsay, M.P. Brent St. Denis, M.P.P. Mike Brown and Jamie Lim, President Ontario Forest Industries Association. CARRIED.

LETTERS & COMMUNICATIONS FOR INFORMATION

- 10-1. Foundation of Rural Living – 2004 Call for Nominations
- 10-2. Township of Canton – MPAC Assessment Inadequacies
- 10-3. Minister Responsible for Seniors – D-Day Commemorations, 60th Anniversary
- 10-4. AMO Alert – Ontario Budget Principled; Good Start
- 10-5. Ontario Coalition for Better Child Care – Status of Regulated Child Care 2004 Municipal Budgets
- 10-6. Rachel Tyczinski, Prince Twp – Assessment of Maple Syrup Production
- 10-7. Rachel Tyczinski, Prince Twp – MPAC
- 10-8. Rachel Tyczinski, Prince Twp – Capital Funding for Northern Ontario
- 10-9. City of Elliot Lake – Emergency Management – Red Cross Response

ANNOUNCEMENTS AND INQUIRIES

CLOSED SESSION

04-12-20 THAT we proceed **in Camera** at 10:04 p.m. in order to address a matter
D. Dallimore pertaining to:
D. Ratz Personal matters about an identifiable individual, including municipal or local board employees;
Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; CARRIED.

04-12-21 THAT we return to Open Session at 11:13 p.m.
J. Fullerton CARRIED.
K. Weber

04-12-22 THAT we proceed beyond 11:00 p.m.
D. Wedgwood CARRIED.
G. Mayors

04-12-23 THAT we do adjourn at 11:14 p.m.
D. Wedgwood CARRIED.
K. Weber

MAYOR

CLERK