

**MINUTES OF THE FIFTY-SEVENTH REGULAR MEETING OF COUNCIL HELD ON THE FOURTEENTH DAY OF SEPTEMBER 2009 AT THE MUNICIPAL OFFICE, 420 LESLIE AVENUE, THUNDER BAY, ONTARIO AT THE HOUR OF 5:00 P.M.**

**THOSE PRESENT:** Reeve Maria Harding  
Councillor Alana Bishop  
Councillor Donna Blunt  
Councillor Ab Covello  
Councillor Ron Giardetti

**ALSO PRESENT:** Wendy Hamlin, Clerk  
Eric Collingwood, Chief Administrative Officer  
Craig Baumann, Manager of Operations  
Blair Arthur, Fire Chief  
Alan Cooke, Chief Building Official  
Bill Bartley, Chair & Mervi Henttonen, General Manager and John Cameron, all of the Lakehead Region Conservation Authority  
Michelle Knudson  
One other person in audience

1. CALL TO ORDER

<b>Resolution No.: 1307/09</b>	
<b>Moved By:</b>	Ron Giardetti
<b>Seconded By:</b>	Alana Bishop
THAT this meeting of Council is hereby called to order at 5:00 pm.	
<b>CARRIED</b>	

2. DISCLOSURE OF PECUNIARY INTEREST

Councillors Blunt stated she had a disclosure with Item 6) B) Michelle Knudson's presentation as it may effect her properties. There was no other disclosure of pecuniary interest by any other member of Council on any item listed on the agenda.

3. APPROVAL OF AGENDA

<b>Resolution No.: 1308/09</b>	
<b>Moved By:</b>	Ab Covello
<b>Seconded By:</b>	Donna Blunt
THAT the agenda be accepted as presented.	
<b>CARRIED</b>	

4. CLOSED SESSION

5. MINUTES OF PREVIOUS MEETING

a) Minutes of the previous Meeting of Council held August 10, 2009

Councillor Blunt informed Council that there were a few typos in the minutes that she discussed with the Clerk who has amended same.

**Resolution No.: 1309/09**

**Moved By:** Alana Bishop  
**Seconded By:** Ron Giardetti

THAT the Minutes of the previous Meeting of Council held August 10, 2009 be adopted as circulated and filed in the Clerk's Office.

**CARRIED**

b) Matters Arising from Previous Minutes

Councillor Blunt inquired if anyone kept up with the Hacquoil Quarry Application. The Manager of Operations stated he had attended the session and continues to look into it.

The letter from Don MacLeod; re Kinghorn Line is to go to Committee for discussion.

6. PETITIONS AND DELEGATIONS

a) Bill Bartley-Existing and Proposed Office building for the Lakehead Region Conservation Authority.

Bill Bartley, Chair of the Lakehead Region Conservation Authority (LRCA) reviewed the history of the current LRCA office building. He spoke to the appraisals report and noted that the LRCA already owned the property at 1111 Fort William Road where it is planned for the new office building to be constructed.

Mervi Henttonen, General Manager reviewed the financial aspect, explaining that the rest of the funds would be financed by the member municipalities; of which Shuniah's share is \$77,400. In order to implement the project they would require a resolution from the municipalities in 2009 with a commitment to pay in 2010.

The presenters completed their presentation with a question and answer session.

b) Michelle Knudson – Access Road to the Mackenzie Moraine

Councillor Blunt left the Council Chambers at this time.

Mrs. Knudson handed out a copy of her presentation and informed Council that she was speaking on behalf of the residents of Mackenzie Station and Otte Roads. The purpose was to discuss the increase demand for aggregate with the new four lane project and the recent transfer of 2 controversial aggregate properties in the neighbourhood. The concern was with access to the aggregate properties.

Mrs. Knudson reviewed the history of the comprehensive zoning by-law, which was appealed, and Council rezoned 4 properties back to rural which was also appealed. She spoke to the Mackenzie Moraine Report and reviewed the sketch included in her presentation

She spoke to the OMB decision and noted that holding zoning could only be lifted when Municipality is satisfied that an access route has been established west of this property. She reviewed Eric's report on an Ad Hoc Committee Res. 1274/06 supported these recommendations however to date no committee was established.

The Reeve explained that when Council received Mr. Manahan's report Council discussed and agreed there appears to be a need for a road to isolate Otte and Mackenzie Station Road, however it should be put in by the people who derived the money from it.

Mrs. Knudson stated her concern is the direction of the route

The CAO stated that there have been discussions with Rock Solid who have looked at accesses west of their property. He explained the submission to quash the Municipality's load restriction by-law led to the discussions have resulted, have not had a recent meeting but want the Municipality to use its 5% of road reserve

Mrs. Knudson will meet with the CAO and the Manager of Operations to look at the map and review other options.

At this time Councillor Blunt returned to the table.

**7. REPORTS & MINUTES FROM OTHER BOARDS & COMMITTEES**  
a) Minutes of the Committee of the Whole of Council held August 10, 2009

<b>Resolution No.: 1310/09</b>	
<b>Moved By:</b>	Ab Covello
<b>Seconded By:</b>	Alana Bishop
THAT the Minutes of the Committee of the Whole of Council held August 10, 2009 be adopted as circulated and filed in the Clerk's Office.	
<b>CARRIED</b>	

b) Minutes of the Shuniah Tender Opening Committee for the Rehabilitation of Silver Harbour Road and Drive held August 26, 2009.

<b>Resolution No.: 1311/09</b>	
<b>Moved By:</b>	Ron Giardetti
<b>Seconded By:</b>	Ab Covello
THAT the Minutes of the Shuniah Tender Opening Committee for the Rehabilitation of Silver Harbour Road and Drive held August 26, 2009 be received as circulated and filed in the Clerk's Office.	
<b>CARRIED</b>	

c) Minutes of the Shuniah Tender Opening Committee for Hot Mix Asphalt Paving of various Municipal locations held August 28, 2009.

<b>Resolution No.: 1312/09</b>	
<b>Moved By:</b>	Ab Covello
<b>Seconded By:</b>	Ron Giardetti
THAT the Minutes of the Shuniah Tender Opening Committee for Hot Mix Asphalt Paving of various Municipal locations held August 28, 2009 be received as circulated and filed in the Clerk's Office.	
<b>CARRIED</b>	

d) Minutes of the Shuniah Tender Opening Committee for Granular "M" Gravel Supply and Delivery for various Municipal locations held September 3, 2009

**Resolution No.: 1313/09**

**Moved By:** Donna Blunt  
**Seconded By:** Ab Covello

THAT the Minutes of the Shuniah Tender Opening Committee for Granular "M" Gravel Supply and Delivery for various Municipal locations held September 3, 2009 be received as circulated and filed in the Clerk's Office.

**CARRIED**

- e) Copy of the decisions from the Committee of Adjustment hearing held August 20, 2009

**Resolution No.: 1314/09**

**Moved By:** Ab Covello  
**Seconded By:** Ron Giardetti

THAT the Copy of the decisions from the Committee of Adjustment hearing held August 20, 2009 be received as circulated and filed in the Clerk's Office.

**CARRIED**

- f) Minutes of the Committee of Adjustment hearing held March 12, 2009

**Resolution No.: 1315/09**

**Moved By:** Donna Blunt  
**Seconded By:** Alana Bishop

THAT the Minutes of the Committee of Adjustment hearing held March 12, 2009 be received as circulated and filed in the Clerk's Office.

**CARRIED**

- g) Township of Conmee request to urge Lakehead Region Conservation Authority to revise their plan for a new building

**Resolution No.: 1316/09**

**Moved By:** Ron Giardetti  
**Seconded By:** Alana Bishop

THAT the Township of Conmee's request to urge Lakehead Region Conservation Authority to revise their plan for a new building be received as circulated and filed in the Clerk's Office.

**CARRIED**

- h) Registration and Agenda for the Thunder Bay District Municipal League Fall Meeting being held October 16 & 17 in Thunder Bay.

**Resolution No.: 1317/09**

**Moved By:** Donna Blunt  
**Seconded By:** Ab Covello

THAT the following persons are hereby authorized to attend the Thunder Bay District Municipal League Fall Meeting being held October 16 & 17 in Thunder Bay and that their expenses be paid according to policy:

Councillors Covello, Blunt, Giardetti, and Reeve Harding.

**CARRIED**

- i) North of Superior Tourism Letter and Quarterly Board Report

**Resolution No.: 1318/09**

**Moved By:** Donna Blunt  
**Seconded By:** Ron Giardetti

THAT the North of Superior Tourism Letter and Quarterly Board Report be received as circulated and filed in the Clerk's Office.

**CARRIED**

- j) Lakehead Region Conservation Authority Source Protection Committee Meetings held July 8, 2009 and August 5, 2009

**Resolution No.: 1319/09**

**Moved By:** Donna Blunt  
**Seconded By:** Ab Covello

THAT the Lakehead Region Conservation Authority Source Protection Committee Meetings held July 8, 2009 and August 5, 2009 be received as circulated and filed in the Clerk's Office.

**CARRIED**

- k) Minutes of the Lakehead Region Conservation Authority Board held June 17, 2009

**Resolution No.: 1320/09**

**Moved By:** Ron Giardetti  
**Seconded By:** Ab Covello

THAT the Minutes of the Lakehead Region Conservation Authority Board held June 17, 2009 be received as circulated and filed in the Clerk's Office.

**CARRIED**

**8. MOTIONS AND NOTICE OF MOTIONS**

- a) By-law Enforcement
- b) Building and Planning
- c) Public Works

- i) Draft Resolution to Ministry of Transportation requesting an intersection be installed at Beck Road.

**Resolution No.: 1321/09**

**Moved By:** Donna Blunt  
**Seconded By:** Alana Bishop

WHEREAS the Ministry of Transportation (MTO) and their consultants did meet with municipal officials to discuss among other items the need for additional access locations;

AND WHEREAS the MTO has responded to the Municipality's request for an access from the existing Beck Road by stating they will take requests from municipalities for additional public access locations along the new four-lane facility, however the locations must meet ministry safety and design requirements and that the municipality would be responsible for leading the initiative, undertaking the design, acquiring the necessary property, obtaining all provincial and federal approvals, and securing the necessary funding for construction;

AND WHEREAS the objective of the Shuniah Official Plan for Natural Resources, which consists of timber, Mineral aggregate, wetlands, Areas of Natural and Scientific Interest (ANSI's), fish, minerals and wildlife, is to ensure that local and regional needs for the natural resources in the Municipality are met with a minimum degree of impact or disturbance to the residents of the surrounding area and the natural environment;

AND WHEREAS the Beck Road, a private access road, currently intersects with Highway 11/17 is used as an access road to remote properties which alleviates land use conflicts and assures the continued productivity of the natural resources needed for the construction of various road and highway infrastructure;

AND WHEREAS the location of the Beck Road is midway between Mackenzie Heights Road and Birch Beach Road, being approximately four kilometres in each direction;

AND WHEREAS the Beck route Road would serve as an additional access to the existing the Highway 11/17 for both the travel needs of the public and emergency vehicles;

THEREFORE BE IT RESOLVED that the Council of the Corporation of the Municipality of Shuniah hereby petitions the Minister of the Ministry of Transportation to ensure the Municipality is able to retain this much needed access road to the north and to the south by installing an intersection at Beck Road on the proposed new four-lane highway and that the Ministry incorporate the design and costs in with the current four-lane facility project;

AND FURTHER THAT a copy of this resolution be forwarded to Bruce Hyer, MP Thunder Bay Superior North; and Michael Gravelle, M.P.P Thunder Bay Superior.

**CARRIED**

- d) Fire Department  
i) Fire Con Municipal Delegate Registration

**Resolution No.: 1322/09**

**Moved By:** Donna Blunt  
**Seconded By:** Rpm Giardetti

THAT the following persons are hereby authorized to attend Fire Con- Municipal Leaders Program being held September 18 in Thunder Bay and that their expenses be paid according to policy.

Councillor Covello and Reeve Harding

**CARRIED**

- e) Administration
  - i) Resolution to approve Leave of Absence

<b>Resolution No.: 1323/09</b>	
<b>Moved By:</b>	Ab Covello
<b>Seconded By:</b>	Alana Bishop
<p>BE IT RESOLVED THAT the Council of the Municipality of Shuniah does hereby authorize a leave of absence for the CAO for the period from September 25<sup>th</sup> to November 2<sup>nd</sup>, 2009 without pay or accrual of benefits.</p> <p style="text-align: center;"><b>CARRIED</b></p>	

- ii) Bill 173, Amendment to the Mining Act

<b>Resolution No.: 1324/09</b>	
<b>Moved By:</b>	Ron Giardetti
<b>Seconded By:</b>	Alana Bishop
<p>WHEREAS the introduction of Bill 173, (Mining Amendment Act, April 30, 2009) is an amendment aimed at bringing the mining legislation into harmony with the values of a modern Ontario while at the same time promoting a strong, vibrant and competitive mineral industry;</p> <p>AND WHEREAS the amendment would promote mineral exploration and development that is more respectful of Aboriginal communities and private land holders and further would mitigate the conflicts between mineral exploration companies and private landholders;</p> <p>AND WHEREAS the amendment proposes to withdraw Crown held mining rights in Southern Ontario and in Northern Ontario, private land holders could apply for such withdrawals;</p> <p>AND WHEREAS when private land is involved, there would be enhanced requirements for notification, as well as enhanced provisions covering the post-staking and exploration stages.</p> <p>AND WHEREAS owners of patented mining land who are not using that land for mining purposes would be able to apply for an exemption from mining land tax;</p> <p>AND WHEREAS since the introduction of this Bill in April of 2009, prospectors are in a staking frenzy, and appear to be staking every piece of land that may have potential for mineral or quarry realization;</p> <p>AND WHEREAS the Municipality of Shuniah is seeing an unusually aggressive staking process on lands that have not been staked in prior years giving concern to both Council and the Tax Payers of Shuniah;</p> <p>THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Shuniah hereby requests the Minister to look into the cause of this recent staking frenzy and should this activity prove to be caused by the introduction of Bill 173, then this Council further requests that the Province of Ontario place a Moratorium on Claim Staking within the Municipal boundaries of Shuniah to be retroactive to the date of the introduction of Bill 173;</p> <p>AND FURTHER, the Council of the Municipality of Shuniah hereby requests the Minister to withdraw the Crown held mining rights on all private lands within the boundaries of the Municipality of Shuniah</p>	

**CARRIED**

- f) Finance Department
  - i) Monthly expenditures for August 2009

**Resolution No.: 1325/09**

**Moved By:** Alana Bishop  
**Seconded By:** Donna Blunt

THAT the Council of the Municipality of Shuniah hereby authorizes payment of the accounts for the month of August 2009 in the amount of \$409,259.94.

**CARRIED**

- ii) Resolution to approve reduced fees for zoning applications

**Resolution No.: 1326/09**

**Moved By:** Alana Bishop  
**Seconded By:** Ron Giardetti

THAT the Clerk is currently preparing a by-law for Council's consideration that would amend Schedule "A" of By-law No. 1931-98, to reduce the Zoning Application Fee from \$1,000. to \$500.;

BE IT RESOLVED THAT until the by-law is put in place, any applications for rezoning that are accepted for processing be at the reduced fee of \$500 and that the applicant be responsible for any additional external costs associated with the said applications such as, but not limited to, advertisement; surveys, reports/studies, planning and/or legal comments that may be required to a maximum of \$1,000.

**CARRIED**

**9. REPORTS OF REEVE AND MEMBERS OF COUNCIL**

The Reeve thanked Councillor Bishop for her working with Parks Canada to recognize the Municipality of Shuniah as part of the history of the Terry Fox Marathon of Hope.

Councillor Blunt informed Council that she and the CAO attended a water source session and noted that part of the water protection area includes bare point and that this should be noted in the Official Plan review.

**10. CORRESPONDENCE**

- a) General

**Resolution No.: 1327/09**

**Moved By:** Alana Bishop  
**Seconded By:** Ab Covello

THAT the following items of General Correspondence be received as circulated and filed in the Clerk's Office.

- i) Update on the Northern Growth Plan
- ii) Rodney Stafford's 3400 km "Ride for Tori"
- iii) Local Government Week

**CARRIED**

b) Referred

<b>Resolution No.: 1328/09</b>	
<b>Moved By:</b>	Alana Bishop
<b>Seconded By:</b>	Ron Giardetti
THAT the North of Superior Travel Region Memorandum of Understanding be received as presented and that it be referred to the Committee of the Whole of Council for further discussion.	
<b>CARRIED</b>	

<b>Resolution No.: 1329/09</b>	
<b>Moved By:</b>	Ron Giardetti
<b>Seconded By:</b>	Alana Bishop
THAT the Information regarding the Changes to Forest Tenure be received as presented and that it be referred to the Committee of the Whole of Council for further discussion.	
<b>CARRIED</b>	

## 11. BY-LAWS

a) A by-law to establish a Public Highway for the purposes of access

<b>Resolution No.: 1330/09</b>	
<b>Moved By:</b>	Alana Bishop
<b>Seconded By:</b>	Ab Covello
THAT a by-law to establish a Public Highway for the purposes of access be read a First and Second time this Fourteenth Day of September 2009;	
AND THAT same be referred to the Committee of the Whole of Council.	
<b>CARRIED</b>	

Councillor Covello requested that due to the timelines Council complete the third reading.

<b>Resolution No.: 1331/09</b>	
<b>Moved By:</b>	Alana Bishop
<b>Seconded By:</b>	Ron Giardetti
BE IT RESOLVED THAT a by-law to establish a Public Highway for the purposes of access be received and deemed to have been read a third time and numbered 2412-09;	
AND THAT the said By-law be engrossed in the By-law book.	
<b>CARRIED</b>	

b) A by-law to amend the Shuniah Official Plan

<b>Resolution No.: 1332/09</b>	
<b>Moved By:</b>	Ron Giardetti
<b>Seconded By:</b>	Alana Bishop
THAT a by-law to amend the Shuniah Official Plan be read a First and Second time this Fourteenth Day of September 2009;	
AND THAT same be referred to the Committee of the Whole of Council	

**CARRIED**

Councillor Blunt requested that due to the nature of the by-law it be read a third time.

**Resolution No.: 1333/09**

**Moved By:** Ab Covello  
**Seconded By:** Alana Bishop

BE IT RESOLVED that a By-law to amend the Shuniah Official Plan be received and deemed to have been read a third time and numbered 2413-09;

AND THAT the said By-law be engrossed in the By-law book.

**CARRIED**

- c) A by-law to designate signing officers and to authorize the Municipality of Shuniah to enter into an agreement with the Minister of Energy and Infrastructure and Agriculture Food and Rural Affairs for funding.

**Resolution No.: 1334/09**

**Moved By:** Alana Bishop  
**Seconded By:** Ron Giardetti

THAT a By-law to designate signing officers and to authorize the Municipality of Shuniah to enter into an agreement with the Minister of Energy and Infrastructure and Agriculture Food and Rural Affairs for funding be read a First and Second time this Fourteenth Day of September 2009;

AND THAT same be referred to the Committee of the Whole of Council

**CARRIED**

Councillor Blunt requested that due to the nature of the by-law it be read a third time.

**Resolution No.: 1335/09**

**Moved By:** Donna Blunt  
**Seconded By:** Alana Bishop

THAT a By-law to designate signing officers and to authorize the Municipality of Shuniah to enter into an agreement with the Minister of Energy and Infrastructure and Agriculture Food and Rural Affairs for funding be received and deemed to have been read a third time and numbered 2414-09;

AND THAT the said By-law be engrossed in the By-law book.

**CARRIED**

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS**

- a) Request to proclaim October 21, 2009 as Child Care Worker & Early Childhood Educator Appreciation Day

**Resolution No.: 1336/09**

**Moved By:** Ron Giardetti  
**Seconded By:** Ab Covello

WHEREAS thirty-six years of research confirms the benefits of high quality child care for young children’s intellectual, emotional, social and physical development and later life outcomes;

AND WHEREAS child care promotes the well-being of children and responds to the needs of parents, child care workers and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of their community;

AND WHEREAS the Council is very aware of the need to provide for the health, safety and the welfare of the inhabitants of its community;

THEREFORE BE IT RESOLVED THAT the Corporation of the Municipality of Shuniah participate by displaying posters and distributing pins on behalf of the Ontario Coalition for Better Child Care in recognition of the influence, dedication and commitment of child care workers to children, their families and quality of life of the community

**CARRIED**

**14. CONFIRMATORY BY-LAW**

**Resolution No.: 1337/09**

**Moved By:** Ab Covello  
**Seconded By:** Alana Bishop

THAT a by-law to confirm the proceedings of Council be read a First, Second and Third time on this Fourteenth Day of September 2009 and Numbered 2415-09;

AND THAT the said By-law be engrossed in the By-law Book.

**CARRIED**

**15. ADJOURNMENT**

**Resolution No.: 1338/09**

**Moved By:** Alana Bishop  
**Seconded By:** Ab Covello

THAT the hour of 6:40 pm having arrived the meeting adjourn.

**CARRIED**

CONFIRMED AND ADOPTED THIS DAY OF 2009

\_\_\_\_\_  
Reeve

