

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

THOSE PRESENT: Donna Blunt, Acting Reeve
Councillor Alana Bishop
Councillor Ab Covello
Councillor Ron Giardetti

ALSO PRESENT: Wendy Hamlin, Clerk
Karen Kelner, Deputy Treasurer
Craig Baumann, Manager of Operations
Blair Arthur, Fire Chief
Karen and Robert Powell
Dennis Johnson

ABSENT: Reeve Maria Harding, with regrets

1. CALL TO ORDER

Resolution No.: 1116/09	
Moved By:	Ron Giardetti
Seconded By:	Ab Covello
THAT this Meeting of Council is hereby called to order at 5:05 pm	
CARRIED	

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest by any member of Council on any item listed on the agenda.

3. APPROVAL OF AGENDA

Resolution No.: 1117/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT the agenda be accepted as presented with the following additions, with respect to the Committee of the Whole's Recommendations and the funding application timelines: Item 8) c) i) Rescind Council Resolution No. 1113/09 Item 8) c) ii) Apply for funding under the Building Canada Fund – Intake Two Item 8) c) iii) Apply for funding under the Stimulus Funding Initiative	
CARRIED	

4. CLOSED SESSION

5. MINUTES OF PREVIOUS MEETING

a) Minutes of the previous Meeting of Council held April 14, 2009

Councillor Bishop informed Council that the Clerk has amended the April 14, 2009 Council minutes to reword, under Section 12, the notes from a point form to a fuller explanation.

Resolution No.: 1118/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT the Minutes of the Forty-ninth Meeting of Council held April 14, 2009 be adopted as circulated and filed in the Clerk's Office.

CARRIED

b) Minutes of the Special Meeting of Council held April 20, 2009

Resolution No.: 1119/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT the Minutes of the Special Council Meeting held April 20, 2009 be adopted as circulated and filed in the Clerk's Office.

CARRIED

c) Matters Arising from Previous Minutes

6. PETITIONS AND DELEGATIONS

a) Robert Powell and Karen Cameron-Powell request for Transfer of a portion of Municipal water lot.

Karen and Robert Powell, owners of the Lakeview Lodge, and Dennis Johnson were present to update Council on the progress of their project, which is to develop a marina that would allow boats to dock and have access by water to their business. Mr. Johnson stated that they were seeking confirmation from Shuniah that it would be willing to transfer a portion of its waterlot. He presented Council with copies of a letter from Lakehead Region Conservation Authority along with underground pictures of the crib.

He explained that the LRCA were requesting the owners to obtain a study from a Costal Engineer, which could be quite costly for a small business. They had already retained a local engineer, one whom Ocean and Fisheries believes to be qualified. He noted that as Shuniah is a member of this organization that is requesting support to allow the local engineer to do the study. The Clerk was directed to discuss this with the Chief Administrative Officer.

The Powell's require a sliver of the waterlot, about one acre and are asking if Shuniah would be willing to transfer this portion of waterlot in exchange for the work of removing the crib, which is currently a liability. Mr. Powell explained that he would haul rock from crib, then use it to build the marina, and use the boulders for construction of the break wall.

The Manager of Operations informed Council that he has dealt with similar liabilities with respect to municipal docks; and believed it advisable to remove the crib.

Mr. Johnson is requesting a resolution from Council in support of transferring the water lot in exchange for services in the elimination of the hazard and liability, noting that the Powells would be responsible to obtain all the

necessary permits. Councillor Giardetti stated he would like to see the water lot come back to Shuniah if the project does not take effect. Mr. Johnson requested a realistic time frame with a minimum of at least 3 years and if the resolution could reiterate Shuniah's support in principle for the Powell's project.

The Clerk was directed to prepare a resolution of support and to obtain a legal opinion on the liability of the crib.

7. REPORTS & MINUTES FROM OTHER BOARDS & COMMITTEES

- a) Minutes of the Special Committee of the Whole of Council Meeting held April 8, 2009

Resolution No.: 1120/09	
Moved By:	Ron Giardetti
Seconded By:	Ab Covello
THAT the Minutes of the Special Committee of the Whole of Council Meeting held April 8, 2009 be adopted as circulated and filed in the Clerk's Office.	
CARRIED	

- b) Minutes from the Thunder Bay District Health Unit (TBDHU) Board of Health Meeting held February 26, 2009 and March 24, 2009

Resolution No.: 1121/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT the Minutes from the Thunder Bay District Health Unit Board of Health Meetings held February 26, 2009 and March 24, 2009 be received as circulated and a copy filed in the Clerk's Office.	
CARRIED	

- c) Notice of the 2009 Association of Municipalities of Ontario (AMO) Annual Conference being held in Ottawa August 16th to the 19th, 2009

Resolution No.: 1122/09	
Moved By:	Alana Bishop
Seconded By:	Ron Giardetti
THAT the following persons are hereby authorized to attend the 2009 Association of Municipalities of Ontario (AMO) Annual Conference being held in Ottawa August 16 th to the 19 th , 2009 and that their expenses be paid according to policy:	
Reeve Harding, Councillor Blunt	
CARRIED	

8. MOTIONS AND NOTICE OF MOTIONS

- a) By-law Enforcement
- b) Building and Planning
- i. Memo re: Building Permit By-law amendment

Resolution No.: 1123/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT Council receives the Clerk's Memo on the amendment to the proposed building by-law and a copy of same be filed in the Clerk's Office.

CARRIED

- ii. Notice of the Public Meeting being held May 11th, 2009 for a zoning by-law amendment

Resolution No.: 1124/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT Council receives the Notice of the Public Meeting being held May 11th 2009 for a zoning by-law amendment and a copy of same be filed in the Clerk's Office.

CARRIED

- iii. Memo re: By-law to declare lands owned by the Municipality as surplus and to authorize the sale of lands described as a portion of Mining Location 8, Herrick;s Survey, Part 1 of Reference Plan 55R-7823

Resolution No.: 1125/09

Moved By: Ron Giardetti
Seconded By: Alana Bishop

THAT Council receives the Clerk's Memo stating Real Property owned by the Municipality of Shuniah be Declared as Surplus and be disposed, being the lands described as a Portion of Mining Location 8, Herrick;s Survey, Part 1of Reference Plan 55R-7823 and a copy of same be filed in the Clerk's Office.

CARRIED

- c) Public Works
 - i) Rescind Council Resolution No. 1113/09

Resolution No.: 1126/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT Council Resolution No. 1113/09 is hereby rescinded.

CARRIED

- ii) Apply for funding under the Building Canada Fund – Intake Two

Resolution No.: 1127/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT Council hereby directs Administration to complete and forward an application to the Building Canada Fund Intake Two for Grandview Beach prior to the deadline for submission being May 1, 2009.

CARRIED

- iii) Apply for funding under the Stimulus Funding Initiative

Resolution No.: 1128/09

Moved By: Ron Giardetti
Seconded By: Ab Covello

THAT Council hereby directs Administration to complete and forward an application to the Stimulus Funding for road rehabilitation for the following roads as listed in the order of priority:

- 1) Joint application with Building Canada Fund Intake Two for Grandview Beach;
- 2) Bass Lake Road;
- 3) Edorado Beach; and
- 4) Scott Drive

prior to the deadline for submission, being May 1, 2009.

CARRIED

- d) Fire Department
 - i. Resolution to appoint Andrew Fortier and Joey Machura as new members to the Volunteer Fire Department

Resolution No.: 1129/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT Andrew Fortier and Joey Machura are hereby appointed as members of the Shuniah Fire Department.

CARRIED

- e) Administration
- f) Finance Department
 - i. Monthly Expenditures for March 2009

Resolution No.: 1130/09

Moved By: Ron Giardetti
Seconded By: Ab Covello

THAT the Council of the Municipality of Shuniah of Shuniah hereby authorizes payment of the accounts for the month of March 2009 in the amount of \$837,511.95

CARRIED

The Clerk was directed to request the Chief Administrative Officer to bring forward to Council's next meeting who is responsible to pay the legal fees for the Grann property exchange.

The Fire Chief was directed to obtain a copy of the Annual Report from the Pass Lake Fire Team.

9. REPORTS OF REEVE AND MEMBERS OF COUNCIL

Councillor Covello reported on the Northwestern Ontario Municipal Association (NOMA) Conference he attended and reviewed the various items dealt with. He would recommend that two representatives attend future sessions.

Councillor Blunt reported on her attendance at the Shuniah Police Services Board's meeting to inquire about R.I.D.E. program as discussed at Council's last meeting and explained it was the result of a resident who called in a complaint of young people drinking at the Conservation Authority property.

10. CORRESPONDENCE

a) General

Resolution No.: 1131/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

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

- i. Thank you letter from Ministry of Community Safety and Correctional Services for participating in Exercise Trillium.
- ii. Ministry of Community Safety and Correctional Services notice of appointment - Kevin Schooler for Fire Protection Adviser with the Office of the Fire Marshal, Northwest Region
- iii. Copy of the letter from the Honourable Michael Gravelle to the Honourable David Caplan, Minister of Health and Long term Care supporting Councillor Alana Bishop's correspondence regarding cutting of RN positions at the Thunder Bay Regional Health Sciences Centre.

CARRIED

b) Referred

11. BY-LAWS

- a) A by-law respecting Construction Demolition and Change of Use Permits and Inspections and to repeal By-laws Number 1785-93, 2290-07 and 2319-08

Resolution No.: 1132/09

Moved By: Ab Covello
Seconded By: Ron Giardetti

THAT a by-law respecting Construction Demolition and Change of Use Permits and Inspections and to repeal By-laws Number 1785-93, 2290-07 and 2319-08 be read a First and Second time this Twenty-seventh day of April 2009;

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

CARRIED

- b) A by-law to declare lands owned by the Municipality as surplus and to authorize the sale of lands described as a portion of Mining Location 8, Herrick's Survey, Part 1 of Reference Plan 55R-7823

Resolution No.: 1133/09

Moved By: Ron Giardetti
Seconded By: Alana Bishop

THAT a by-law to declare lands owned by the Municipality as surplus and to authorize the sale of lands described as a portion of Mining Location 8, Herrick's Survey, Part 1 of Reference Plan 55R-7823 be read a First and Second time this Twenty-seventh day of April 2009;

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

CARRIED

Councillor Covello requested that due to the nature of the by-law third and final readings be completed.

Resolution No.: 1134/09

Moved By: Ab Covello
Seconded By: Alana Bishop

BE IT RESOLVED THAT a by-law to declare lands owned by the Municipality as surplus and to authorize the sale of lands described as a portion of Mining Location 8, Herrick's Survey, Part 1 of Reference Plan 55R-7823 be received and deemed to have been read a third time and numbered 2388-09;

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

CARRIED

12. UNFINISHED BUSINESS

Councillor Giardetti stated he was concerned that the cost of engineering studies required to transfer to a permanent residency could be high.

13. NEW BUSINESS

14. CONFIRMATORY BY-LAW

Resolution No.: 1135/09

Moved By: Alana Bishop
Seconded By: Ron Giardetti

THAT a by-law to confirm the proceedings of Council be read a First, Second and Third time on this Twenty-seventh day of April 2009 and Numbered 2389-09;

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

CARRIED

15. ADJOURNMENT

Resolution No.: 1136/09	
Moved By:	Ab Covello
Seconded By:	Ron Giardetti
THAT the hour of 6:35 having arrived the meeting adjourn.	
CARRIED	

CONFIRMED AND ADOPTED THIS

DAY OF

2009

Reeve

Clerk