

MINUTES OF THE FIFTY-SECOND REGULAR MEETING OF COUNCIL HELD ON THE TWENTY-FIFTH DAY OF MAY 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

ALSO PRESENT: Wendy Hamlin, Clerk
Eric Collingwood, Chief Administrative Officer
Craig Baumann, Manager of Operations
Don MacLeod and Bill Paul
Gordon Ryan
Approximately 11 others in audience

ABSENT: Councillor Ron Giardetti, with regrets

1. CALL TO ORDER

Resolution No.: 1161/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT this meeting of Council is hereby called to order at 5:00 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.: 1162/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
THAT the agenda be accepted as presented with the following amendment:	
Item 4 Closed Session to be dealt with after Item 6 Petitions and Delegations and renumbered in order of Business.	
CARRIED	

Remembrance of Past Reeves

The Reeve read out remembrance of John Clarke, William Kosny and Joseph G. Caron. She requested Council consider a wooden plaque in honour these Reeves and those deceased starting with George Tyska.

A moment of silence was held in honour of the past Reeves.

4. PETITIONS AND DELEGATIONS

- a) Don MacLeod, Representative for the Cottage Associations re: Opposition to the establishment of public trails on CN's Kinghorn Line

Don MacLeod and Bill Paul came forward. Mr. MacLeod presented Council with a list of items to be presented. He explained that this issue is very sensitive to the cottagers. He spoke of past incidents which brought concerns of an open trail so close to the cottagers.

Bill Paul noted that there are about 400 people in the associations, which run from Alder Road to Wild Goose, stating that the CN rail property is in some of the camper's back yards. He also noted annoyance of noise with motorbikes and quads. He spoke to the culverts that need to be maintained which could affect the fibre optics. He doesn't feel people should be allowed to run through other people's yards. He understands some buildings on the CN property, which were constructed many years ago.

Mr. MacLeod noted that property owners from Alder Road may be coming forward with concerns as well.

Mr. Paul spoke to some of the vandalism in the past including recent incidents of theft. On the advice of the OPP, they closed extra entrances, which has helped.

Mr. MacLeod informed Council he met with CN and noted that the railway may be interested in leasing at this point but not selling. Councillor Bishop asked he would be supported if a trail went along and was diverted away from the cottages. Mr. MacLeod suggested it could follow the new highway.

Mr. MacLeod spoke of risk management to the Municipality and gave a sample of an incident in Mississauga. He informed Council that they are ready to fight this to the highest level, with Government's, Municipal Board and/or Supreme Court.

- b) Gordon Ryan of the Thunder Bay Triathlon requesting bike route portion along Lakeshore Drive for July 2010

Gordon Ryan and Roger Quiring organizers for the Thunder Bay Triathlon. Mr. Ryan explained they are looking for permission to use Lakeshore Drive for a triathlon and explained the route. He explained the City requirements are strenuous and expensive, looking for permission for July 2011. It's a non-profit organization, but not a fund raising event; the money collected is spent on the race day expenses. He spoke to Constable Wojciechowski for legal input. There was a discussion on practising bikers who need to respect the rules of the road. Mr. Q informed Council that he is waiting to hear from City of Thunder Bay for the area they would be looking at. The Reeve informed not marking on the road and policing would be required at their expense. Council will discuss and get back to them within the next 3 months.

Item 8 c) i)

At this time, the Reeve asked permission of Council to deal with Item 8 c) i) which was a resolution to request the Minister of Transportation to consider redesigning an access road off the proposed highway to provide a service corridor for existing business. Council concurred.

The Reeve read out a draft letter that will be forwarded to the Minister of Transportation. Council agreed to hear from those present who have concerns with this matter. There was a discussion held between Council and persons in the audience. The Manager of Operations informed Council that he and the CAO will attend a meeting with the Ministry of Transportation in June and will inquire about the improvements to the existing highways.

Resolution No.: 1163/09

Moved By: Alana Bishop
Seconded By: Ab Covello

WHEREAS the Council of the Municipality of Shuniah attended an open house sponsored by the Ministry of Transportation at the MacGregor Recreation Centre on May 14, 2009 with respect to the future four lane plans for Highway 11/17;

AND WHEREAS the Minister's office has not yet provided the Municipality with answers to the questions asked at the meeting held in February 2009 during the OGRA/ROMA Conference;

AND WHEREAS the well being and ability of our business owners to provide to the needs of our community and the travelling public is of great concern to us;

THEREFORE BE IT RESOLVED that the Council of the Corporation of Shuniah strongly requests the Minister of the Ministry of Transportation to give serious consideration to the needs of our community with the redesign of an access road off the proposed highway to provide a service corridor that would direct traffic to the existing businesses being the Crystal Beach Complex; the Fish Shop and other home and tourist businesses;

AND FURTHER that a copy of this resolution be forwarded to Larry Lambert of the Ministry of Transportation and Michael Gravelle, M.P.P.

CARRIED

5. MINUTES OF PREVIOUS MEETING

- a) Minutes of the previous Meeting of Council held May 11, 2009

Councillor Blunt noted and typo that the Clerk will correct.

Resolution No.: 1164/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT the Minutes of the previous Meeting of Council held May 11, 2009 be adopted as circulated and filed in the Clerk's Office.

CARRIED

- b) Matters Arising from Previous Minutes

Councillor Bishop noted that the minutes stated Council would go into closed session re a policing matter. The Reeve informed Council that this item has been withdrawn.

6. CLOSED SESSION

- a) To discuss labour relations

Resolution No.: 1165/09

Moved By: Ab Covello
Seconded By: Donna Blunt

THAT, in accordance with Section 239(2) of the Municipal Act, we adjourn at the hour of 6:15 pm to meet in closed session to discuss the following:

- 1) Labour Relations

CARRIED

Resolution No.: 1166/09

Moved By: Donna Blunt
Seconded By: Ab Covello

THAT at the hour of 6:45 pm we resume meeting in open session.

CARRIED

7. **REPORTS & MINUTES FROM OTHER BOARDS & COMMITTEES**
 - a) Minutes of the previous Committee of the Whole of Council meeting held May 11, 2009

Resolution No.: 1167/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT the minutes of the previous Committee of the Whole of Council meeting held May 11, 2009 be adopted as circulated and filed in the Clerk's Office.

CARRIED

- b) Minutes of the Special Meeting of the Committee of the Whole of Council held May 19, 2009

Resolution No.: 1168/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT the Minutes of the Special Meeting of the Committee of the Whole of Council held May 19, 2009 be adopted as circulated and filed in the Clerk's Office.

CARRIED

- c) Minutes of the District Health Unit Board of Health held April 21, 2009

Resolution No.: 1169/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT the minutes of the Thunder Bay District Health Unit's meeting held April 21, 2009 be received as circulated and same be filed in the Clerk's Office.

CARRIED

- d) OPP Monthly report for April 2009

Resolution No.: 1170/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT the Ontario Provincial Police's Report for the month of April 2009 be received as circulated and same be filed in the Clerk's Office.	
CARRIED	

- e) Minutes of the Police Services Board meeting held April 20, 2009

Resolution No.: 1171/09	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
THAT the minutes of the Shuniah Police Services Board's Meeting held April 20, 2009 be received as circulated and same be filed in the Clerk's Office.	
CARRIED	

- f) Report from the Rural Representative of the Thunder Bay District Social Services Board

Resolution No.: 1172/09	
Moved By:	Ab Covello
Seconded By:	Donna Blunt
THAT the Report from the Rural Representative of the Thunder Bay District Social Services Board (TB DSSAB) received from Maureen Schmidt, Councillor for Neebing and the Rural Representative on the TB DSSAB, dated May 11, 2009 be received as circulated and same be filed in the Clerk's Office.	
CARRIED	

- g) Minutes of the Lakehead Source Protection Committee meeting held May 6, 2009

Resolution No.: 1173/09	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
THAT the minutes of the Lakehead Region Conservation Authority Conservation's Source Protection Committee meeting held May 6, 2009 be received as circulated and same be filed in the Clerk's Office.	
CARRIED	

8. MOTIONS AND NOTICE OF MOTIONS

Councillor Blunt stated that she would move or cause to have moved a resolution requesting the Ministry of Transportation to reconsider the by-pass as it relates to the economic downturn.

- a) By-law Enforcement
- b) Building and Planning
- c) Public Works
 - i) Resolution to request the Minister of Transportation to consider redesign of an access road off the proposed highway to provide a service corridor for existing business

This matter was dealt with earlier in the meeting after Item 4) was completed. The Clerk was directed to invite Michael Gravelle to a future meeting.

- ii) Resolution to award for Winter Control Sand for the 2009/2010 season

Resolution No.: 1174/09	
Moved By:	Donna Blunt
Seconded By:	Alana Bishop
<p>THAT the quote submitted by Esko Savela and Son Contracting for the screening, hauling, salt mix and stockpiling of winter control sand for the 2009/2010 season at the unit rate of \$8.86 per cubic yard BE ACCEPTED.</p> <p style="text-align: center;">CARRIED</p>	

- iii) Resolution to approve application for funding to the Recreational Infrastructure Funding Initiative for improvements to the McTavish Recreation Field

Resolution No.: 1175/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
<p>THAT Council hereby directs Administration to complete and forward an application to the Recreational Infrastructure Funding Initiative for improvements to the McTavish Recreation Field located on Road No. 5 South prior to the deadline for submissions being May 29, 2009.</p> <p style="text-align: center;">CARRIED</p>	

- d) Fire Department
 - i) Resolution to approve new revisions of the Standard Operating Procedures for the Shuniah Volunteer Fire Department.

Resolution No.: 1176/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
<p>THAT Council hereby approves the Fire Chief implement the new revisions of the Standard Operating Procedures for the Shuniah Fire Department as outlined in the Fire Chief's Report dated May 20, 2009.</p> <p style="text-align: center;">CARRIED</p>	

- ii) Resolution to support Bill 221 the workplace Safety and Insurance Amendment Act

Resolution No.: 1177/09

Moved By: Alana Bishop
Seconded By: Donna Blunt

WHEREAS the Ontario Provincial Government on May 3, 2007 with “all party support” passed Bill 221 the Workplace Safety and Insurance Amendment Act (Presumptions for Firefighters). This legislation was passed in record time (one day) recognizing the urgent need to assist firefighters, who develop job-related cancer or sustain a heart injury, when they file a claim with the Workplace Safety and Insurance Board (WSIB);

AND WHEREAS presented with scientific proven data, the Government of Ontario implemented Regulations to immediately cover “Full Time” firefighters;

AND WHEREAS the Act clearly identifies the intent and allows for the inclusion in the Regulations for “Volunteer and Part Time” Firefighters;

AND WHEREAS the Liberal Government in the past two years made promise through three Ministers of Labour, the Minister of Community Safety and Correctional Services, Assistant Deputy Ministers and other levels of Government, yet has failed to deliver the inclusion Regulations for Presumptive Legislation for Volunteer and Part-Time Firefighters;

AND WHEREAS in today’s fire service of Composite Departments and Province wide emergency deployment of Mutual Aid, Full-time, Volunteer and Part-Time firefighters work side by side every day. Volunteer and Part-Time Firefighters are the backbone to the Ontario Fire Service; who’s brave men and women give their time and service to protect our homes, properties and families and deserve better;

AND WHEREAS Cancer and Heart Attacks do not discriminate between Full Time, Volunteer, and Part Time firefighters.

AND WHEREAS there is no explanation other than the Government clearly discriminating against Volunteer and Part-Time Firefighters;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Shuniah strongly urges that the Provincial Government take immediate action to implement Presumptive Legislative Regulations to include Volunteer and Part-Time Firefighters;

AND FURTHER THAT the Council of the Municipality of Shuniah requests the support of all other Municipalities in the Province of Ontario in this resolution;

AND FURTHER THAT this resolution be forwarded to Ontario Premier Dalton McGuinty, Minister of Labour; the Honourable P. Fonseca, Minister of Community Safety and Correctional Services; the Honourable R. Bartolucci, Local MPP; Michael Gravelle Minister of Northern Development and Mines; the Leader of the New Democratic Party of Ontario; the Association of Municipalities of Ontario (AMO); The Fire Fighters Association of Ontario (FFAO); The Ontario Association of Fire Chiefs (O AFC).

CARRIED

- iii) Appoint new members to the Shuniah Volunteer Fire Department

Resolution No.: 1178/09

Moved By: Ab Covello
Seconded By: Alana Bishop

THAT Thomas Gillespie is hereby appointed as a member of the Shuniah Fire Department.

CARRIED

- iv) Request members to attend Training course being held May 21st to 24th in East Gorham

Resolution No.: 1179/09

Moved By: Alana Bishop
Seconded By: Ab Covello

THAT Robert Trevesinutto, Joey Machura and Andrew Fortier, of the Shuniah Fire Department, are hereby authorized to attend Modular A- Firefighter Training Course in East Gorham being held May 21st to 24th 2009 and that their expenses be paid according to policy.

CARRIED

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

Resolution No.: 1180/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT the Council of the Municipality of Shuniah of Shuniah hereby authorizes payment of the accounts for the month of April 2009 in the amount of 602,793.31.

CARRIED

- ii) Allocation of Gas Tax Funds to Capital Road Projects for West Loon Road

Resolution No.: 1181/09

Moved By: Alana Bishop
Seconded By: Ab Covello

WHEREAS the Federal Gas Tax Municipal Funding Agreement limits how long money can be banked by a municipality being up to three years;

THEREFORE be it resolved that the Council of the Corporation of the Municipality of Shuniah hereby approves the allocation of Gas Tax Funds in the amount of \$48,906.00 for the following Capital Road Projects;

West Loon Road \$48,906.00

CARRIED

- iii) Minister of Finance 2009 Social Program Costs

Resolution No.: 1182/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

THAT Council receives the Ministry of Finance 2009 Social Program Costs Report with the Ontario Municipal Partnership Fund and same be filed in the Clerk's Office.

CARRIED

9. REPORTS OF REEVE AND MEMBERS OF COUNCIL

10. CORRESPONDENCE

- a) General
- b) Referred

11. BY-LAWS

- a) A by-law to amend text in By-law 2038-00

Resolution No.: 1183/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
BE IT RESOLVED THAT a by-law to amend general text in By-law 2038-00 the Zoning By-law be received and deemed to have been read a third time and numbered 2392-09;	
AND THAT the said By-law be engrossed in the By-law Book.	
CARRIED	

- b) A by-law respecting construction Demolition and Change of Use Permits and Inspections

Resolution No.: 1184/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
BE IT RESOLVED THAT a by-law respecting Construction. Demolition and Change of Use Permits and Inspections, be received and deemed to have been read a third time and numbered 2393-09;	
AND THAT the said By-law be engrossed in the By-law Book.	
CARRIED	

- c) A by-law to authorize an agreement with the Municipality of Shuniah and Lakehead Region Conservation Authority to convey lands to Shuniah and establish a municipal highway to provide access.

Resolution No.: 1185/09	
Moved By:	Alana Bishop
Seconded By:	Donna Blunt
THAT a by-law to authorize an agreement with the Lakehead Region Conservation Authority to convey lands to Shuniah to establish a municipal highway providing access to and for abutting lands be read a First and Second Time this Twenty-fifth day of May 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 Council complete third and final reading.

Resolution No.: 1186/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
BE IT RESOLVED THAT a by-law to authorize an agreement with the Lakehead Region Conservation Authority to convey lands to Shuniah to establish a municipal highway providing access to and for abutting lands be received and deemed to have been read a third time and numbered 2394-09;	
AND THAT the said By-law be engrossed in the By-law Book.	
CARRIED	

- c) A by-law to declare certain lands surplus and authorize the direct sale of said lands

Resolution No.: 1187/09	
Moved By:	Alana Bishop
Seconded By:	Ab Covello
THAT a by-law to repeal and replace By-laws Numbered 2388-09 and 2390-09; to declare certain lands surplus and authorize the direct sale of said lands be read a First and Second Time this Twenty-fifth day of May 2009;	
AND THAT same be referred to the Committee of the Whole of Council.	
CARRIED	

Councillor Bishop requested that due to the nature of the by-law Council complete third and final reading.

Resolution No.: 1188/09	
Moved By:	Donna Blunt
Seconded By:	Ab Covello
THAT a by-law to repeal and replace By-laws Numbered 2388-09 and 2390-09; to declare certain lands surplus and authorize the direct sale of said lands be received and deemed to have been read a third time and numbered 2397-09;	
AND THAT the said By-law be engrossed in the By-law Book.	
CARRIED	

- d) A by-law to adopt the estimates required for the 2009 taxation levy

Resolution No.: 1189/09

Moved By: Alana Bishop
Seconded By: Donna Blunt

THAT a by-law to adopt the estimates of all sums required during 2009 for the purposes of the Municipality; to set the rates of taxation; and to impose a tax levy for municipal and education purposes for that year be read a First and Second time this Twenty-fifth day of May 2009;

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

CARRIED

The passing of the tax levy budget was advertised and no one from the public attended. The Treasurer completed a short review the 2009 budget for Council.

Councillor Blunt requested that due to the nature of the by-law Council complete third and final reading.

Resolution No.: 1190/09

Moved By: Donna Blunt
Seconded By: Alana Bishop

BE IT RESOLVED THAT a by-law to adopt the estimates of all sums required during 2009 for the purposes of the Municipality; to set the rates of taxation; and to impose a tax levy for municipal and education purposes for that year be received and deemed to have been read a third time and numbered 2395-09;

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

CARRIED

- e) A by-law to implement procedures with respect to giving notice of actions of Council to the public

Resolution No.: 1191/09

Moved By: Ab Covello
Seconded By: Alana Bishop

THAT a by-law to describe the form, manner and times for the provision of notices to the public, be read a First and Second time this Twenty-fifth day of May 2009;

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

CARRIED

Councillor Bishop requested that due to the nature of the by-law Council complete third and final reading.

Resolution No.: 1192/09

Moved By: Ab Covello
Seconded By: Alana Bishop

BE IT RESOLVED THAT a by-law to describe the form, manner and times for the provision of notices to the public, be received and deemed to have been read a third time and numbered 2396-09;

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

CARRIED

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a) Request for Support from the Township of Sioux Narrows – Nestor Falls to the Provincial Government to abandon the proposed harmonized sales tax

Resolution No.: 1193/09

Moved By: Alana Bishop
Seconded By: Donna Blunt

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Shuniah hereby supports the Township of Sioux Narrows – Nester Falls Resolution No. 60-09 passed May 5, 2009 requesting the government of Ontario abandon the harmonized sales tax plan announced in the 2009 Budget;

AND FURTHER THAT the government of Ontario abide by the Taxpayer Protection Act and consult with taxpayers and voters through a referendum or by campaigning on a platform of raising taxes before introducing any tax increase.

CARRIED

- b) MS Society request for revision to Council Resolution 891/08 regarding in line skate for MS on Lakeshore Drive July 19, 2009

Resolution No.: 1194/09

Moved By: Ab Covello
Seconded By: Alana Bishop

THAT the Council of the Municipality of Shuniah hereby amends its Resolution passed on October 27, 2998 and Numbered 891/08 as follows:

That the second paragraph of the said resolution be deleted and replaced with the following:

“AND WHEREAS the above noted event is scheduled to be held on July 19, 2009 commencing at 7:00 am and continuing through to 10:00 am,”

CARRIED

- c) Request from Councillor Bishop to discuss Bass Lake Road Traffic

Councillor Bishop read out a draft letter on the signage for Amethyst Mine Panorama as previously requested. Council supported the letter to be forwarded by the Clerk.

- d) Drugs and Addiction magazine request for sponsorship

Resolution No.: 1195/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
<p>THAT Council hereby sponsors purchasing an ad the size of a business card as requested on an annual basis, which is to be placed in a magazine that is geared to kids, titled Drugs and Addiction Magazine Facts you need to Know, and is to be distributed to kids in the community free of charge.</p> <p style="text-align: center;">CARRIED</p>	

Council directed that the sign up at the Recreation Centre note the Lakehead Region Conservation Authority’s session on taking care of the shoreline schedule for June 11th.

14. CONFIRMATORY BY-LAW

Resolution No.: 1196/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
<p>THAT a by-law to confirm the proceedings of Council be read a First, Second and Third time on this Twenty-fifth day of May 2009 and Numbered 2398-09;</p> <p>AND THAT the said by-law be engrossed in the By-law Book.</p> <p style="text-align: center;">CARRIED</p>	

15. ADJOURNMENT

Resolution No.: 1197/09	
Moved By:	Ab Covello
Seconded By:	Alana Bishop
<p>THAT the hour of 7:40 pm having arrived the meeting adjourn.</p> <p style="text-align: center;">CARRIED</p>	

CONFIRMED AND ADOPTED THIS DAY OF 2009

Reeve

Clerk