

THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY

Minutes of the Council meeting held on Monday, July 19, 2010 at 6:30 p.m. in the Council Chambers.

Members Present: Mayor M. King
Councillors: G. Leblanc
R. St. Louis
J. Davis
J. Robinson

Staff: Carmelo Notarbartolo, Stan Spadoni(part), Dean Main(part), Sean Irwin (part), Terry Hanley (part), Real Deschatelets (part), M. Stark (part), Kate Larson (part).

Others: J. McPherson, R. Hamilton, L. Spadoni, S. Spadoni, L. Costa, S. Helmink, D. Helmink, S. Corrigan, D. Desrosiers, S. Querry, B. Spadoni, P. Spadoni, B. Scott and J. Scott.

1. **Additions and Approval of Agenda Items**

Approved as attached.

2. **Disclosure of Pecuniary Interest and the General Nature Thereof**

None declared.

3. **Delegations and Presentations**

a) OCWA Report - Jamie McPherson

The monthly maintenance report for the period April 1 - June 30, 2010 was reviewed by Mr. McPherson. He also provided Council with an update regarding the municipal drinking water license.

4. **C.A.O. Update**

a) Hydro Road/Scott Avenue verbal discussions

General discussions took place regarding the maintenance on HydroRoad and Scott Avenue with residents of Hydro Bay.

R. Hamilton expressed concerns that Hydro Road is now becoming a safety issue with increased pot holes, etc., due to no maintenance on this road and that residents would like a short term solution to this problem, as well as a plan for the long term.

CAO brought forward to Council a recommendation that the Township grade the municipal portion of the road and that the remaining section of road, (private property), be graded at a minimal cost to resident owners. The charge to grade this section of road would be \$140.00/hour. The cost would be divided among each property owner, which in turn, would be \$20.00 per residence.

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b) Maintenance on Municipal Green Spaces
Resolution CR 199 -2010
Moved By: J. Davis
Seconded By: J. Robinson

RESOLVED THAT Council approve the additional cost of \$2,000 for the 2010 year to allow Administration to hire a summer student to strictly help maintain our green spaces.

CARRIED

c) AMO Conference discuss travel arrangements
Discussions regarding who will attend the AMO Conference to be held in August and method of travelling.

d) Terrace Bay Superior Wires legal issue
CAO advised that he had received correspondence regarding the overcharging of interest by Terrace Bay Superior Wires in 1988. It was determined that Administration pay the fine, in the amount of \$3,600.

5. **Reports from Department Managers**

i. Public Works

ii. Fire Department

a) Changes to Fire Chief and Deputy Fire Chief Duties
Resolution CR 200 -2010
Moved By: J. Robinson
Seconded By: G. Leblanc

RESOLVED THAT Council approve the attached report regarding the changes to the Fire Chief and Deputy Fire Chief Duties and that the appropriate by-law be brought forward under agenda item 11(a).

CARRIED

iii. Finance

a) Quarterly Financial Report
Treasurer/Deputy Clerk reviewed financial reports for both 2010 capital and operating expenditures. No issues at this time.

iv. Community Development Supervisor

a) Downtown Revitalization Project - verbal update
Community Development Supervisor provided a progress report on the status of the downtown project. Site construction commenced July 12, 2010 for the lighthouse portion of Contract Nos. 2 & 3. Project moving forward as scheduled. Contract No. 1 (canopy licenses) letter of intent was issued to LTL Contracting for work to commence as soon as possible.

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v. Special Projects Co-ordinator

- a) Terrace Bay ATV By-law
Resolution CR 201 -2010
Moved By: J. Davis
Seconded By: J. Robinson

RESOLVED THAT Council accept the attached report regarding All Terrain vehicles and that the appropriate By-law be brought forward under Agenda item 11(b).

CARRIED

- b) Terrace Bay Rebranding Project
Resolution CR 202 -2010
Moved By: J. Davis
Seconded By: R. St. Louis

RESOLVED THAT Council approve the Logo, Option No. 4, as presented and revise slogan development to be brought back in fall 2010.

CARRIED

- c) Lake Superior Day - verbal update
Special Projects Co-ordinator provided an update on Lake Superior Day held on July 18, 2010. Very successful, over 200 people participated.

6. Council Meeting Minutes

- a) Minutes of Council Meeting held on June 28, and Special Council Meeting held on June 29, 2010.
Resolution CR 203 -2010
Moved By: G. Leblanc
Seconded By: J. Davis

RESOLVED THAT the minutes of the Council meeting held on June 28, and Special Council meeting held on June 29, 2010 be approved.

CARRIED

7. Passing of Accounts

- a) General Disbursements for the month ending June 30, 2010
Resolution CR 204 -2010
Moved By: J. Davis
Seconded By: J. Robinson

RESOLVED THAT Council approve the General Disbursements for the month ending June 30, 2010 in the amount of \$699,103.97 be approved.

CARRIED

8. Correspondence - Action Items

- a) The Corporation of the Town of Atikokan Council request for resolution support - Utility Vehicles
Resolution CR 205 -2010
Moved By: J. Davis
Seconded By: J. Robinson

8. Correspondence - Action Items cont'd

RESOLVED THAT Council agree that Utility Vehicles (UTV's) are currently not of a prescribed class of vehicle to be allowed on provincial and municipal highways; and

WHEREAS the Provincial Government through their vehicle licensing program recognizes UTV's as an All-Terrain Vehicle (ATV); and

WHEREAS manufacturers and retailers continue to build and sell UTV's; and

WHEREAS there are economic benefits with the manufacturing, sale and use of UTV's; and

WHEREAS there are further economic benefits in the tourism industry to develop ATV and UTV trails; and

WHEREAS a thorough review of the Off-Roads Vehicle Act in conjunction with the Highway Traffic Act has not taken place to consider expanding UTV's as an allowable vehicle on provincial and municipal highways;

NOW THEREFORE BE IT RESOLVED that Council requests the Minister of Transportation to give a directive for a thorough review of the Off-Roads Vehicle Act to include UTV's in the Off-Roads Vehicle Act; and

FURTHER BE IT RESOLVED that this resolution be forwarded to the Minister of Transportation and to Bill Mauro, MPP Thunder Bay-Atikokan, as well as Michael Gravelle, Minister of Northern Development and Mines.

CARRIED

b) Ontario Heritage Trust - 2010 volunteer recognition programs
Information only - no action required.

c) Ontario Good Roads Association Contribution towards MMS Litigation Fund
Resolution CR 206 -2010
Moved By: G. Leblanc
Seconded By: J. Robinson

RESOLVED THAT Council support OGRA in their fight against an application filed with the Supreme Court of Justice to have the minimum maintenance standards declared Null and Void

AND FURTHER THAT a contribution in the amount of \$162.50 based on the per capita calculation set out by OGRA be sent to OGRA to help defend this action.

CARRIED

d) Superior North EMS - request for display of municipal logo on new headquarters
Administration will confirm consent.

9. **Committee & Correspondence Information Items**

- a) Minutes of Thunder Bay District Health Unit meeting held on May 18, 2010
- b) MPAC review of 2010 assessment products in support of upcoming municipal and board elections
- c) Councillor J. Robinson appointed to McCausland Hospital Board of Governors for the 2010/2011 board year
- d) OPP - semi annual policing cost reconciliation process
- e) Lake Superior High School thank you letter

10. **Water**

11. **Bylaws**

- a) By-law to amend by-law 99-11 to establish Operating Guidelines for the Terrace Bay Fire Department
Resolution CR 207 -2010
Moved By: J. Davis
Seconded By: R. St. Louis

RESOLVED THAT a By-law to amend by-law 99 to establish Operating Guidelines for the Terrace Bay Fire Department, be read a first, second and third time and finally passed, signed by the Mayor and Clerk, sealed and numbered this 19th day of July, 2010.

CARRIED

- b) By-law to regulate the operation of All Terrain Vehicles on Municipal Highways.
Resolution CR 208 -2010
Moved By: J. Davis
Seconded By: G. Leblanc

RESOLVED THAT a By-law to regulate the use of All Terrain Vehicles on Municipal highways, be read a first, second and third time and finally passed, signed by the Mayor and Clerk, sealed and numbered this 19th day of July 2010.

CARRIED

Councillor J. Robinson requested a division vote on the By-law to regulate the use of All Terrain Vehicles on Municipal Highways.
Resolution CR 209-2010
Mayor King - Yea
Councillor Davis - Yea
Councillor Leblanc - Yea
Councillor Robinson - Nay
Councillor St. Louis - Yea

CARRIED

12. **Other Business**

a. 1) Other/Additions
Resolution CR 210-2010
Moved By: G. Leblanc
Seconded By: J. Davis

RESOLVE THAT an amendment to by-law 37-2009, being by-law to authorize the municipality to enter into an agreement with her Majesty, The Queen in Right of Ontario, as represented by the Minister of Training, Colleges and Universities be read a first, second and third time and finally passed, signed by the Mayor and Clerk, sealed and numbered this 19th day of July, 2010.

CARRIED

2) Parkway Pipe Connections Update

Public Works Supervisor recommended possible solutions to the Parkway Pipe connections situation. Installation of a new six inch isolation valve and ensure the remaining two valves on Parkway are operational at an estimated cost of \$12,000 or consider replacement of the pipe at an estimated cost of \$42,000. It was determined to replace the valves as included in the 2010 budget.

3) Support of Terrace Bay troops in Afghanistan

Council recommended that we show our support for our local residents who are serving in Afghanistan. Administration will determine how other municipalities are showing their support and will advise at next council meeting.

b) Personnel/Legal (in-camera)
Resolution CR 211-2010
Moved By: R. St. Louis
Seconded By: J. Davis

RESOLVE THAT Council proceed in-camera to address a matter pertaining to:
Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
The receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

CARRIED

Resolution CR 212-2010
Moved By: G. Leblanc
Seconded By: J. Robinson

RESOLVED THAT the in-camera session adjourn to open Council meeting.

CARRIED

In-camera discussions related to legal liability regarding Hydro road.

13. **Resolutions**

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14. **Public Question Period**

15. **Adjournment**

Resolution CR 213-2010
Moved By: J. Robinson
Seconded By: G. Leblanc

RESOLVED THAT we do now adjourn at 10:20 p.m.

CARRIED

Minutes approved at Council meeting held on August 9, 2010, by Resolution No. CR 222-2010.

Michael G. King (signed)

Mayor