



CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING /
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

**MINUTES OF THE COMBINED COUNCIL MEETING
HELD IN COUNCIL CHAMBERS
ON TUESDAY, DECEMBER 18, 2018 AT 6:30 PM**

PRESENT: MAYOR JOANNE SAVAGE
COUNCILLOR YVON DUHAIME
COUNCILLOR CHRISTOPHER FISHER
COUNCILLOR ROLAND LARABIE
COUNCILLOR LÉO MALETTE
COUNCILLOR DAN ROVEDA
COUNCILLOR JEREMY SÉGUIN
COUNCILLOR DENIS SÉNÉCAL
COUNCILLOR LISE SÉNÉCAL

ABSENT:

A) DECLARATION OF PECUNIARY INTEREST / DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES

There were no pecuniary interests declared.

B) ADDENDUM (IF APPLICABLE) AND AGENDA / ADDENDA (SI NÉCESSAIRE) ET ORDRE DU JOUR

B-1 A resolution was passed to approve the Addendum.

No. 2018/427 Moved by: Councillor Séguin
Seconded by: Councillor Roveda

BE IT RESOLVED THAT the Addendum for the meeting of Council held on December 18, 2018 be adopted as presented / amended.

CARRIED

B-2 A resolution was passed to adopt the Agenda.

No. 2018/428 Moved by: Councillor Séguin
Seconded by: Councillor Roveda

BE IT RESOLVED THAT the Agenda for the meeting of Council held on December 18, 2018 be adopted as presented / amended.

CARRIED

C) DELEGATIONS & PETITIONS / DÉLÉGATIONS ET PÉTITIONS NIL

**COMMITTEE OF THE WHOLE MEETING /
COMITÉ PLÉNIER**

D-1) SEWER AND WATER / LES ÉGOÜTS ET L'EAU

D-1(a) Update re: Waste Water By-pass into municipal waterways

A presentation was made by the ^{Chair of Committee} Manager of Water and Waste Water concerning the ongoing problem of combined sanitary and storm water and the impact on municipal infrastructure. During storm events, excess storm water is entering the system causing stress on infrastructure and resulting in untreated and partially treated sewage entering the waterways. Council discussed the matter and all agreed that a course of education needs to be undertaken. Staff were directed to prepare a plan of action with associated costs for review by Council.

→ Engineering Comment

Dan Roveda,
Chair

Jean-Pierre (Jay) Barbeau,
Chief Administrative Officer

D-2) ENVIRONMENTAL / L'ENVIRONNEMENT NIL

D-3) GENERAL GOVERNMENT / GOUVERNEMENT GÉNÉRAL

D-3 (a) Policing Transition – Financial Update

The Chair of General Government introduced a presentation concerning an update to the OPP policing transition costs. The CAO indicated that the information being provided is based on information which is now available and the point is to provide information on where we were, where we are now and where we are going. A timeline and brief history was given of the previous costing and a brief history of the events leading up to the present time. The CAO presented a scenario indicating that the time frame in order to achieve savings will be realized in 2023. Following the presentation the Chair opened the floor for comments. Councillor Duhaime declined to make comments due to previously declared conflict of interest but did ask some specific questions based on the financial information provided. Councillor D. Senecal expressed concern that new Councillors have not had the opportunity to hear the original presentations and the CAO indicated that the appropriate time to have the OPP answer questions would be when the contract is presented to Council in January.

D-3 (b) WN Police Services Board – Request for Payment of Legal Expenditures

A request to pay the invoices relating to the legal action by the West Nipissing Police Service Board was discussed. Councillor Duhaime declared a conflict of interest and declined to comment on this matter other than to ask some questions. The Mayor indicated that she felt the bills should be paid in order to avoid further legal costs resulting from the non-payment. Councillor L. Sénécal concurred that the bills should be paid; Councillor Malette suggested splitting the cost over 2 budget years; Councillor D. Sénécal recommended payment; Councillor Fisher asked the Treasurer to explain an option of paying the amounts owed from reserves rather than moving money from one area of the budget to another. Councillor Seguin also asked if there are options for dealing with the invoices which would protect the Municipality. The Chair requested a show of hands as to who supported paying the invoices and it was agreed to proceed with payment of the invoices.

D-3 (c) Request for monthly rent support – Filles d'Isabelle

Council considered a request from Les Filles d'Isabelle to continue the support of their monthly rent for the 2019 fiscal year. Council was agreeable to the request.

D-3 (d) Integrity Commissioner – Draft Request for Proposal

Council discussed the draft terms of a Request for Proposal for Integrity Commissioner Services and agreed with the terms set for in the Staff Report. The Mayor reiterated that training by the individual was a priority as well as ensuring that the successful candidate be fully bilingual.

D-3 (e) Information for January 8th Meeting Re: Cannabis Legislation

An information package was shared with Council pertaining to the new Cannabis Legislation. This matter will be discussed at the January 8th Council meeting with a view of making a decision on the Province's Opt in or out requirement;


Lise Sénécal,
Chair


Melanie Ducharme,
Clerk

A motion was tables to extend the Council meeting passed curfew. The motion was moved by Councillor Fisher and seconded by Councillor Séguin.

D-4) PLANNING / PLANIFICATION NIL

D-5) EMERGENCY MEASURES AND PUBLIC SAFETY / MESURES D'URGENCE ET SÉCURITÉ PUBLIQUENIL

D-6) ECONOMIC DEVELOPMENT / DÉVELOPPEMENT ÉCONOMIQUENIL

D-7) SOCIAL SERVICES AND HEALTH / SERVICES SOCIAUX ET SANTÉ


D-7 (a) Update re: Municipal Levy for the construction of the North Bay Regional Health Centre

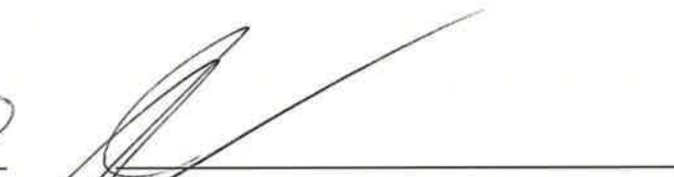
Due to time constraints, Council agreed to defer discussion on this matter until January 8, 2019.

D-8) PUBLIC WORKS / TRAVAUX PUBLICS

D-8(a) Discussion re : potential amendment to By-Law # 2006/63 – Snow Fouling / Encumbering of Public Highways (Snow Plowing By-Law)

Council was asked to consider an amendment to the by-law which would permit people to push their snow across the road to vacant property with the property owner's permission. The CAO advised that the *Highway Traffic Act* prohibits such actions and council was satisfied that the current by-law not be changed.


Yvon Duhaime,
Chair


Jean-Pierre (Jay) Barbeau,
Chief Administrative Officer

D-9) COMMUNITY SERVICES / SERVICES COMMUNAUTAIRES

D-9(a) Club Calumet – Use of Cache Bay Community Centre

Direction was sought to enter into negotiations with the Club Calumet for the use of the Cache Bay Community Centre. Following discussion regarding the current use of the hall, Council directed staff to bring forth a draft agreement for consideration at a future meeting. The Director agreed that he would ensure that the existing activities held at the hall such as the fishing derby, spaghetti suppers, and other fundraising activities be considered in such negotiation with the Club Calumet.


Jeremy Séguin,
Chair


Stephan Poulin,
Director of Economic Development and
Community Services

**REGULAR COMMITTEE MEETING /
RÉUNION RÉGULIÈRE**

E) PLANNING / PLANIFICATION

E-1 A resolution was passed to receive Drainage Petition to appoint an Engineer to carry out an examination of the area (97 Poirier Road - Northland Farms/Daniel Schwartzentruber).

No. 2018/429 Moved by: Councillor Séguin
Seconded by: Councillor Roveda

WHEREAS on November 14th, 2018, a Petition for new drainage works under Section 4(1) of the *Drainage Act* was received from Northland Farms & Contracting Inc., registered owner of Roll No. 48-52-060-001-33522, being Part of Lot 12, Concession B, Township of Caldwell, municipally located at 97 Poirier Road, Verner;

AND WHEREAS the drainage works is required for the drainage of lands used for agricultural purposes;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing, having considered the Petition, hereby agrees to proceed with the proposed drainage works pursuant to the *Drainage Act*; and

BE IT FURTHER RESOLVED THAT K. Smart Associates Ltd. be appointed, pursuant to Section 8(1) of the *Drainage Act*, to make an examination of the area requiring drainage being Part of Lot 12, Concession B, Township of Caldwell, located at 97 Poirier Road, Verner in the Municipality of West Nipissing (Roll No. 48-52-060-001-33522).

CARRIED

- E-2** A resolution was passed to receive Drainage Petition to appoint an Engineer to carry out an examination of the area (Trottier Road - Roy Hains.)

No. 2018/430 Moved by: Councillor Séguin
 Seconded by: Councillor Roveda

WHEREAS on November 14th, 2018, a Petition for new drainage works under Section 4(1) of the *Drainage Act* was received from Roy Hains, registered owner of Roll No. 48-52-100-001-04200, being Part of Lot 1, Concession 2, Part 6, Plan 36R-13548, Township of Macpherson, municipally located on Trottier Road in Lavigne;

AND WHEREAS the drainage works is required for the drainage of lands used for agricultural purposes;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing, having considered the Petition, hereby agrees to proceed with the proposed drainage works pursuant to the *Drainage Act*; and

BE IT FURTHER RESOLVED THAT K. Smart Associates Ltd. be appointed, pursuant to Section 8(1) of the *Drainage Act*, to make an examination of the area requiring drainage being Part of Lot 1, Concession 2, Part 6, Plan 36R-13548, Township of Macpherson, located Trottier Road in the Municipality of West Nipissing (Roll No. 48-52-100-001-04200).

CARRIED

- E-3** A resolution was passed to approve By-Law **2018/94** to accept, assume and dedicate lands for public highway purposes (Consent File No. C40/18 - Pt of Laplage Rd in Verner)

No. 2018/431 Moved by: Councillor Séguin
 Seconded by: Councillor Roveda

BE IT RESOLVED THAT By-law **2018/94**, being a by-law to accept, assume and dedicate lands for public highway purposes, shall come into force and take effect on the date it is passed.

Part of Lot 3, Concession C,
Part 3, 36R-13931
Geographic Township of Caldwell
Municipality of West Nipissing
District of Nipissing

Being part of the travelled road known as chemin Laplage Road, Verner, Ontario.

CARRIED

- E-4** A resolution was passed to approve By-Law **2018/95** to accept, assume and dedicate lands for public highway purposes (Consent file C05/17 - Pt of Marleau Rd, Springer Twp.)

No. 2018/432 Moved by: Councillor Séguin
 Seconded by: Councillor Roveda

BE IT RESOLVED THAT By-law **2018/95**, being a by-law to accept, assume and dedicate lands for public highway purposes, shall come into force and take effect on the date it is passed.

Part of Lot 5, Concession B,
Part 2, Plan 36R-9011
Geographic Township of Springer
Municipality of West Nipissing
District of Nipissing

Being parts of the travelled road known as chemin Marleau Road, Sturgeon Falls, Ontario.

CARRIED

F) CORRESPONDENCE AND ACCOUNTS / COMPTES ET COURIER

- F-1** A resolution was passed to adopt the minutes of the meeting of Council held on November 13, 2018.

No. 2018/433 Moved by: Councillor Séguin
 Seconded by: Councillor Roveda

BE IT RESOLVED THAT the minutes of the meeting of Council held on November 13, 2018 be adopted, as presented / amended.

CARRIED

F-2 Resolution to adopt the minutes of the meeting of Council held on December 11, 2018.

No. 2018/434 Moved by: Councillor Roveda
Seconded by: Councillor Duhaime

BE IT RESOLVED THAT the minutes of the meeting of Council held on December 11, 2018 be adopted, as presented / amended.

CARRIED

F-3 Resolution to adopt the minutes of the CLOSED meeting of Council held on December 11, 2018.

No. 2018/435 Moved by: Councillor Duhaime
Seconded by: Councillor Roveda

BE IT RESOLVED THAT the minutes of the CLOSED meeting of Council held on December 11, 2018 be adopted, as presented / amended.

CARRIED

G) UNFINISHED BUSINESS / AFFAIRES EN MARCHÉ NIL

H) NOTICE OF MOTION / AVIS DE MOTIONS

I) NEW BUSINESS / AFFAIRES NOUVELLES

I-1 A resolution was passed to approve By-Law **2018/96** to enact a Code of Conduct for Council

No. 2018/436 Moved by: Councillor Roveda
Seconded by: Councillor Duhaime

WHEREAS at the Committee of the Whole meeting held on December 11th, 2018; the West Nipissing Council reviewed the proposed Policy regarding "Code of Conduct for Council";

BE IT RESOLVED THAT By-law **2018/96**, being a by-law to adopt a Code of Conduct Policy for Council, shall come into force and take effect on the date it is passed.

CARRIED

I-2 A resolution was passed to write off the 2018 taxes for certain Charities and Organizations.

No. 2018/437 Moved by: Councillor Malette
Seconded by: Councillor Fisher

WHEREAS Section 361(4), of the *Municipal Act* 2001 S.O. 1991, as amended, provides authority for municipalities to establish tax rebate programs for eligible charities for the purpose of giving them relief from taxes or amounts paid on account of taxes on eligible property they occupy;

BE IT RESOLVED THAT the 2018 taxes for the organizations listed below be rebated in the amounts shown:

**COLLECTOR'S ROLL FOR THE YEAR 2018
NON PROFIT / CHARITABLE ORGANIZATIONS**

NAME	Municipal Taxes	Education Taxes			TOTAL
Centre Culturel Lavigne	1,230.72	204.00			1,434.72
Club d'Age D'Or (River Valley)	794.84	131.75			926.59
Royal Canadian Legion (Branch 225)	3,102.45	514.25			3,616.70
Club d'Amitié (Verner)	3,110.17	1,836.65			4,946.82
Chevalier de Colomb (Verner)	999.96	165.75			1,165.71

Golden Age Club Sturgeon Falls & Joyeux Copains	7,242.07	4,276.66	X	X	11,518.73
College Boréal	3,156.31	1,863.90	5,020.21	40%	2,008.09
TOTALS:					25,617.35

CARRIED

I-3 A resolution was passed to award the bid tender for drainage work on the Krause-Piquette Drain.

No. 2018/438 Moved by: Councillor Fisher
Seconded by: Councillor Malette

WHEREAS tenders for the construction of the **KRAUSE-PIQUETTE DRAIN** were received and opened publicly on November 16, 2018 by the Municipal Clerk/Planner and the Director of Corporate Services;

AND WHEREAS five (5) tenders were received;

AND WHEREAS K. Smart Associates Ltd. Consulting Engineers and Planners have reviewed the tenders and are satisfied that the award being recommended herein consists of the best prices meeting all of the specifications;

AND WHEREAS Council concurs with the recommendation received;

BE IT RESOLVED THAT the tender for the **KRAUSE-PIQUETTE DRAIN** be awarded to **JOHNSON CONSTRUCTION**, being the lowest tender received at a cost of \$109,435.00 (plus HST), meeting all specifications.

CARRIED

I-4 A resolution was passed to approve By-Law **2018/97** to authorize signatories for cheques / financial documents.

No. 2018/439 Moved by: Councillor Malette
Seconded by: Councillor Fisher

BE IT RESOLVED THAT By-Law **2018/97**, being a by-law to authorize the signing of cheques, promissory notes and other documents shall come into force and take effect on the date it is passed.

CARRIED

I-5 A resolution was passed to approve By-Law **2018/98** to authorize signatories for agreements, contracts and documents.

No. 2018/440 Moved by: Councillor Fisher
Seconded by: Councillor Malette

BE IT RESOLVED THAT By-Law **2018/98**, being a by-law to authorize the signing of agreements, contracts and other documents shall come into force and take effect on the date it is passed.

CARRIED

I-6 A resolution was passed, as amended, to request the Provincial Government to restore Franco-Ontario rights.

No. 2018/441 Moved by: Councillor Fisher
Seconded by: Councillor Malette

WHEREAS the economic statement presented by Doug Ford's provincial government on November 15th, 2018 abolished the Office of the French Language Services Commissioner and the *Université de l'Ontario français*. Two achievements and pillars of the Franco-Ontarian community are disappearing, a huge setback in that community's future and development.

WHEREAS the francophone presence in Ontario goes back more than 400 years.

WHEREAS the Government of Ontario has formally apologized in 2016 for the harm done to the Franco-Ontarian community during the Regulation XVII (1912-1927) crisis.

WHEREAS the Franco-Ontarian community has been calling for the creation of a French-language university in Ontario for decades.

WHEREAS the main recommendation of the 2013 community-led *États généraux sur le postsecondaire en Ontario français* was the creation of a French-language university in Ontario.

WHEREAS Franco-Ontarians have the right to be educated in their own language in institutions that unite them and that the creation of the *Université de l'Ontario français* is intended to meet that objective.

WHEREAS the Franco-Ontarian community has the right to develop the community tools it requires to ensure its sustainability and development.

WHEREAS the French Language Services Act, unanimously passed by the Legislative Assembly of Ontario in 1986, was given quasi constitutional status.

WHEREAS the Office of the French Language Services Commissioner has been working scrupulously and with great professionalism since it was founded in 2007.

WHEREAS the French Language Services Commissioner has been an independent officer of the Legislative Assembly of Ontario since January 1, 2014.

WHEREAS the independence of the Commissioner, with the power to investigate, provided an oversight of the application of the French Language Services Act and provided a recourse to Franco-Ontarians when this Act was flouted by the government and designated agencies.

WHEREAS the Municipality of West Nipissing is a municipality in the mid-north Ontario, where 62% of its residents are Francophones, along with a large number of Francophiles. The community has always proudly promoted its rich Francophone heritage.

BE IT THEREFORE RESOLVED THAT the Municipality of West Nipissing urges the Ontario Provincial Government review its decisions which are most disadvantageous for Ontarians and to restore Franco-Ontario rights.

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Ontario, Ontario Minister of Education, French Language Services Commissioner of Ontario, MPP for Timiskaming-Cochrane, MP for Nickel Belt, Association of Municipalities of Ontario (AMO), Association française des municipalités de l'Ontario (AFMO) and surrounding municipalities.

CARRIED as amended

I-7 A resolution was passed to support the Town of Kearney in their request seeking ways to create and maintain the Municipal Voters' List.

This item was deferred to the January 8th, 2019 Council meeting.

J) ADDENDUM / ADDENDA

K) INFORMATION & QUESTIONS / INFORMATION ET QUESTIONS

K-1 The Mayor gave her report.

L) CLOSED MEETING / RÉUNION À HUIS CLOS.....NIL

M) ADJOURNMENT / AJOURNEMENT

M-1 A resolution was passed to adopt By-law **2018/99** confirming the proceedings of Council at its meeting held on December 18, 2018.

No. 2018/442 Moved by: Councillor Fisher
Seconded by: Councillor Malette

BE IT RESOLVED THAT By-law No. **2018/99** being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 18th day of December 2018, shall come into force and take effect on the date it is passed.


CARRIED

M-2 A resolution was passed to adjourn the meeting of Council.

No. 2018/443 Moved by: Councillor Malette
Seconded by: Councillor Fisher

BE IT RESOLVED THAT the meeting of Council held on December 18, 2018 be adjourned.

CARRIED



JOANNE SAVAGE
MAYOR



MELANIE DUCHARME
CLERK