

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held at the Municipal Office

On Wednesday, November 18, 2009

PRESENT: Mayor Steven Harasen  
Councillor Dawne Kilgour  
Councillor Roger Shott  
Councillor Bev Dale  
Councillor James Jeffery  
Councillor Maureen Schmidt  
Councillor Beverly Mercer  
Clerk Delma Stajkowski

Mayor Harasen called the meeting to order at 7:33 p.m.

DISCLOSURE OF CONFLICT OF INTEREST:

No disclosure of conflict of interest was declared at this time.

ADOPTING THE MINUTES:

Special Meeting of Council - October 27, 2009

Res. No. 390-11-2009

Moved by: Roger Shott  
Seconded by: Maureen Schmidt

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Tuesday, October 27<sup>th</sup> be adopted as circulated.

**CARRIED**

Statutory Public Meeting - October 28, 2009

Res. No. 391-11-2009

Moved by: Maureen Schmidt  
Seconded by: Dawne Kilgour

BE IT RESOLVED THAT the minutes of the Statutory Public Meeting of Council held on Wednesday, October 28<sup>th</sup> be adopted as circulated.

**CARRIED**

Special Meeting of Council - October 28, 2009

Res. No. 392-11-2009

Moved by: B. A. Dale  
Seconded by: James Jeffery

**BE IT RESOLVED** THAT the minutes of the Special Meeting of Council held on Wednesday, October 28<sup>th</sup>, 2009 be adopted as circulated.

**CARRIED**

ADOPTING THE MINUTES: con't

Special Meeting of Council - November 4, 2009

Res. No. 393-11-2009

Moved by: James Jeffery  
Seconded by: B. A. Dale

BE IT RESOLVED THAT the minutes of the Special Meeting of Council held on Wednesday, November 4<sup>th</sup> be adopted as circulated.

**CARRIED**

Regular Meeting of Council - November 4, 2009

Res. No. 394-11-2009

Moved by: Maureen Schmidt  
Seconded by: Roger Shott

BE IT RESOLVED THAT the minutes of the Regular Meeting of Council held on Wednesday, November 4<sup>th</sup> be adopted as circulated.

**CARRIED**

AUDIENCE DEPUTATIONS:

Mr. Bill Bartley Ms. Mervi Hentonen - LRCA

Mr. Bartley & Ms. Hentonen reviewed the process that was used to determine whether or not a new LRCA building was feasible and cost appropriate. In light of the assessment made on the current building, it was determined, by the Board, to proceed with constructing a new building if the necessary funds could be appropriated. Discussions ensued regarding 'building new' versus 'renovating old' versus 'renting' for a period of time. It was noted that the Municipality of Oliver Paipoonge and Dorion had already supported the building of a new structure; as well, it was anticipated that the City of Thunder Bay would be entertaining a resolution shortly supporting the LRCA Board's decision. Mr. Bartley added that, due to the uncertainty of the potential costs required to renovate the old building, the Board felt that developing a new structure was a better use of acquired funds. Neebing's financial assessment would remain at \$42,000 regardless, as either 'building new', or renovating the old structure, would each cost the member municipalities \$2,000,000.<sup>00</sup>.

Mr. Mike Payne - Wind Farm

Mr. Payne brought Council up to date on the activities of the Nor'Wester Mountain Escarpment protection Committee. He provided studies and reports that described the potential negative impacts on the health of people who live close to a wind farm.

AUDIENCE DEPUTATIONS: con't

Messieurs Bill & Jim Salamon

Mr. Bill Salamon advised that they were present, to inform Council with regard to some of their past history with the Municipality, and to try to iron out a few of the negative consequences that they had experienced as prospective developers. Mr. Bill Salamon stated that their overall concept for their property at Cloud Bay would be to eventually construct 14 cottages. In conclusion, it was noted that once Eagle Mountain receives a clearance letter from the LRCA, the "Stop Work Order" with regard to the project would be rescinded, and the building on the Point could resume.

RESOLUTIONS:

To accept Voucher Number 10/2009 being October 2009

Res. No. 395-11-2009

Moved by: Dawne Kilgour  
Seconded by: B. A. Dale

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Neebing hereby approves the vouchers as presented:  
VOUCHER NUMBER 10/09 - October 2009

Liabilities

GST and Source Deductions	\$ 24,215.28
Expense Accounts	
General Government	43,329.38
Protections to Persons & Property	27,045.56
Transportation Services	51,003.09
Environmental Services	1,985.69
Health Services	38,654.10
Social and Family Services	55,988.42
Recreation and cultural services	0.00
Planning and development	16.85
Capital Purchases - all departments	3,831.49
School Board Payments	0.00

**Total disbursements in month \$246,069.86**

1<sup>st</sup> & 2<sup>nd</sup> Reading of By-law Number 836-2009 being a by-law to appoint a Chief Building Official for the Municipality of Neebing.

Res. No. 396-11-2009

Moved by: James Jeffery  
Seconded by: B. A. Dale

THAT By-law Number 836-2009 being a by-law to appoint a Chief Building Official for the Municipality of Neebing be read for a first and second time this 18<sup>th</sup> day of November, 2009.

**CARRIED**

DISCUSSIONS:

Financial Statements as at October 31, 2009

Council was presented with the financial report to the end of October, 2009.

Policy on Tangible Capital Assets for review

Council perused the tangible capital assets policy and procedures.

Tender for fencing for Council review

Council advised that this could go out for public tender. The Tender Committee was reminded that they would meet on Tuesday, December 1<sup>st</sup> to open all received tender packages.

Meeting with MNR - Species at Risk

Councillors Schmidt, Shott and Kilgour agreed to meet with MNR on November 26<sup>th</sup> at 9:30 or 10:00 at our Office regarding the Species at Risk Act.

Bell - DSL

Council reviewed a letter, submitted by Bell, requesting that the Municipality provide to them, by way of a petition, all the names and phone numbers of those who wished to subscribe to high speed internet. Once **it was** received, Bell would then review the petition to ascertain how feasible it is to provide the service to their subscribers.

Comprehensive Zoning By-law - comments and recommendations

Council reviewed the comments and recommendations from the Open House and the Statutory Public Meeting and directed the Clerk to proceed with making the changes as outlined:

LRCA - Table of contents does not correspond to the appropriate sections

**RECOMMENDATION - re-do - ACCEPTED**

Proposed Zoning By-law text references Lakefront Residential (LR Zone, but no zones exist - **RECOMMENDATION - no LR Zones have been set up yet and will only be used when a new year-round plan of subdivision is created - ACCEPTED**

Little Trout Bay Conservation Area is noted on Schedule C as being within the Institutional Zone - Would like it to be in the Open Space Zone - **RECOMMENDATION - put in the Open Space Zone - re-do map - ACCEPTED**

Re-word non-conforming uses and repair and/or rebuilding - use the following wording:

"Nothing in this By-law shall prevent the rebuilding of an existing or permitted building or structure, even though such building or structure or lot on which such building or structure is located does not conform to one or more of the provisions of this By-law, provided that no exterior dimension is increased and the use is not altered except in accordance with the provisions of this By-law

DISCUSSION: con't

Comprehensive Zoning By-law - comments and recommendations con't

~~Where, for an reason, the use of land, buildings and/or structures for a legally non conforming use has ceased and is not resumed within a 12 month period of time, such non permitted status and use shall not be resumed, and any future use of the land, buildings and/or structures shall be in accordance with this By-law" - RECOMMENDATION - What does Council wish to see? NOT ACCEPTED Delete stroked out portion.~~

Rick & Judy Osipenko - Their property should be zoned Tourist Recreation - **RECOMMENDATION - Change the mapping to reflect Tourist Recreation ACCEPTED**

.../5  
Gordon Cuthbertson - plans of subdivision with back-tier lots should have a separate zone or some form of identification so that the buildings or structures do not have to be 75 feet back from their rear property line - **RECOMMENDATION - make a separate zone for these back lots - Recreation back-tier (S4) Zone - would be identical to S2 except the rear lot line would be 10 metres and not 23. These lots do not abut the water and should not have such a large restriction on their rear lot line. ACCEPTED**

Office - minimum square footage is 55 sq. metres - it does not indicate if it has to be on one level or a combined amount - there is no minimum width except for modular homes which have to be 16 feet wide - **RECOMMENDATION - what would Council consider? TOTAL OVERALL SQUARE FOOTAGE HAS TO BE THE MINIMUM AREA AS SPECIFIED**

We have noticed that there are some "ghosting" of roads on the Crooks Map which will have to be removed. **ACCEPTED**

Performance Appraisal - draft for review

Council reviewed the changes made to the document and agreed to utilize this form at this time. The Clerk was directed to fill in the Employee Information of the form and to provide each Member with a copy prior to the evaluations on the 25<sup>th</sup>.

Resolutions from Other Municipalities

Township of Frontenac islands - Closing of Prison Farms

Res. No. 397-11-2009

Moved by: James Jeffery  
Seconded by: B. A. Dale

THAT the Council of the Corporation of the Municipality of Neebing hereby supports the Township of Frontenac Island and requests the Honourable Peter Van Loan, and Corrections Canada, to keep the six prison farms in question open.

**CARRIED**

CORRESPONDENCE:

Council reviewed various pieces of correspondence.

Councillor Dale asked that all Council fill out the enclosed Grow North Statement and fax it to Iain Angus at 474-0881 at their earliest convenience.

BY-LAWS

3<sup>rd</sup> Reading of By-law Number 836-2009 being a by-law to appoint a Chief Building Official for the Municipality of Neebing.

Res. No. 398-11-2009

Moved by: Dawne Kilgour  
Seconded by: Roger Shott

THAT By-law Number 836-2009 being a by-law to appoint a Chief Building Official for the Municipality of Neebing be read for a third time and finally passed this 4<sup>th</sup> day of November, 2009.

**CARRIED**

UNFINISHED BUSINESS:

Councillor Kilgour informed Council that she had received correspondence from Larry Lambert (MTO) that confirmed a light standard would only be erected at the corner of Sturgeon Bay Road and Highway 61 after it went through the appropriate channels. There was no indication of when the planning department would forward the actual work order for erection.

NEW BUSINESS:

Councillor Schmidt asked that the outdoor light at the Blake Hall be looked at as it "dims down" when on.

Councillor Dale provided the Clerk with 2 separate policies that the LRCA was looking at implementing - "driving while eating" and "Use of Hand-held devices and display screens in vehicles".

In reply to Councillor Schmidt the Clerk advised that no grants have been released at this time for festivals and fireworks, but the Office would watch for it and apply as soon as possible.

Councillor Kilgour asked that copies of the Official Plans from the Municipality of Shuniah and the Township of Gillies be obtained.

Councillor Kilgour requested that the MNR be approached and invited to attend an Environmental Advisory Committee Meeting with any completed maps from active sites so they could be reviewed.

Councillor Shott noted that the 2<sup>nd</sup> portion of the Sturgeon Bay Road construction had been completed. He requested that the Operations Manager ensure that all aspects of the tender had been completed to spec and to bring forth a report on the construction.

NEW BUSINESS: con't

Councillor Mercer requested copies of individual township maps for the Fire Department for insertion in each Emergency vehicle.

Councillor Mercer outlined and updated Council on her meeting with CPAC. She stated that they were trying to have Community Officers attend at Municipal Offices while doing their shift rotation; that 2 persons on ATV's had been fined on the Sturgeon Bay Road area; and that a new Detachment Commander should be in place by the early New Year.

Council approved the request by the Clerk to once again close the municipal Office and Public Works garage for the holiday season, closing at noon on the 24<sup>th</sup> of December and re-opening on January 4<sup>th</sup>, 2010.

Adjourn to an in-camera session to discuss personnel issues.

Res. No. 399-11-2009

Moved by: Dawne Kilgour  
Seconded by: Roger Shott

WHEREAS the time being 10:40 p.m., be it resolved that this Regular meeting of council be adjourned to an In-Camera meeting to discuss personnel issues.

**CARRIED**

Council reviewed the overtime hours for staff.

To extend the meeting

Res. No. 404-11-2009

Moved by: Maureen Schmidt  
Seconded by: Roger Shott

THAT the time being 11:00 p.m. and the business on the agenda is not yet complete,

THEREFORE BE IT RESOLVED that in accordance with by-law 716-2006 paragraph 9, Council approves the extension of the 11:00 p.m. curfew.

**CARRIED**

To adjourn the in-camera session and return to the Regular Meeting

Res. No. 405-11-2009

Moved by: B. A. Dale  
Seconded by: James Jeffery

THAT the time being 11:09, the In-Camera portion of the meeting is hereby adjourned and the Regular Meeting of Council is resumed.

**CARRIED**

NEW BUSINESS: con't

The Clerk was directed to advise senior staff members to have their overtime report with them for their evaluations. Council wishes to see all overtime; accrued and used. The Clerk was directed to bring a quarterly report to Council, beginning in the New Year, describing all overtime sustained by all staff members.

CONCLUDING REPORTS

No concluding reports at this time.

ADJOURNMENT:

Res. No. 406-11-2009

Moved by: Maureen Schmidt  
Seconded by: Dawne Kilgour

THAT the time being 11:12 p.m., this Regular Meeting of Council is hereby adjourned.

**CARRIED**

REGULAR MEETING OF COUNCIL

\_\_\_\_\_  
MAYOR  
Steven Harasen

\_\_\_\_\_  
Clerk  
Delma Stajkowski, AMCT