

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

**MINUTES**

January 8, 2013

The regular meeting of the Council of the Township of Armour was held on Tuesday, January 8, 2013 at 7:00 p.m. Those in attendance were: Reeve Bob MacPhail; Councillors, Marty Corcoran, Rod Blakelock, Jerry Brandt, Councillor Pat Hayes (arrived at 7:45 p.m.); Delegates, Stephen Scholten, Fisheries Biologist, Ministry of Natural Resources, Jim Shaw, Almaguin Fish Improvement Association, Carol Downs & Marie Stitt, Katrine Leisure Club, Keith McCoy, Road Supervisor, Robert Miller, Municipal Planner and Linda Maurer, Burk's Falls & District Historical Society; Staff, Wendy Whitwell, Clerk-Administrator and Melinda Torrance, Deputy Clerk.

Guests; Barb Marlow, Tim Brunton, Kelly McShane, Doug Weddel, Glenn Miller, George Sterling, Richard Jeffrey, Heather Proulx, Robin Haslam, Terry Hewitt, Bruce Campbell, Wayne Simpson, Mike Derry, Connie Thompson, Leah Gardner, Lois Shaw, Rosalind Hall, Larry Hurtubise, Paul VanDam, Judy Ransome, Alice Evangelista, and Howard Grace.

**CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the regular meeting held on December 11, 2012 were approved as circulated.

The minutes of the public meeting held on December 11, 2012 were approved as circulated.

The minutes of the closed meeting held on December 11, 2012 were approved as circulated.

The minutes of the closed meeting held on November 27, 2012 were approved as circulated.

**DECLARATION OF PECUNIARY INTEREST:** None

**DELEGATIONS:**

Steve Scholten, Fisheries Biologist, Ministry of Natural Resources attended as a delegate to discuss the fish habitat and siltation issues that continue to affect the Magnetawan River. Mr. Scholten set out the roles and processes that MNR provides but when provincial projects are introduced under the *Green Energy Act*, as is the case with the solar farm on Chetwynd Road, MNR is only a review and commenting body and has no authority or direct control. Mr. Scholten explained the sediment entering the river and that it is fine grain clay and the particles reflect light making the river look as if there is an abundance of sediment. The dilution factor in the river itself helps alleviate and disperse this sediment and Mr. Scholten does not anticipate any significant damage to the river. The solar farm has been alerted to the siltation entering the river and an Inspectors Direction issued by the Department of Fisheries and Oceans as an official warning to control the silt issues.

The siltation concerns that continue to enter into the river from the infilling on Magview Drive was discussed and the Ministry of Transportation is the agency responsible regardless of contractual obligations to outsourced contractors and that these issues need to be addressed with MTO.

Residents raised their concerns regarding monitoring the river, spawning beds, endangered species and species at risk through which Mr. Scholten explained and answered all these issues. Jim Shaw from the Almaguin Fish Improvement Association stated that what gets measured, gets done and that he would like to see accountability and responsibility and for our environment.

Mr. Scholten suggested that contact be maintained with the Ministry of Environment for the next solar farm project as they are the lead agency and approval authority.

Carol Downs & Marie Stitt, Katrine Leisure Club attended to request renovations in the basement kitchen at the Katrine Community Centre where the Katrine Leisure Club meets. Councillor Hayes advised Carol and Marie to provide a list of what items they would like to see renovated and that he would like to have a site visit with them to go over the request. It was also discussed that this request may be able to be provided for within the 2013 budget.

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Keith McCoy, Road Supervisor attended to discuss the following:

- A resolution of council was passed indicating Keith's successful completion of a one year probation.
- A staff report was provided to council from Keith speaking to the GPS units and that the industry is leaning away from the passive system, however Keith would still like to use this system as it records all the pertinent information and that the township does not really need an active type system.
- Future road projects were discussed to determine costs for budgeting purposes. The advantages and disadvantages of surface treatment versus reclamite were debated. Keith was directed to cost the 2013 projects using both products, including proper spreading equipment for the reclamite. Reeve MacPhail instructed Keith to price out the five priority roads that were set out in the November 13, 2012 council meeting and report back to council.

Robert Miller, Municipal Planner attended as a delegate to answer any questions regarding the Official Plan Amendment for secondary dwelling units.

Linda Maurer attended and put forth a proposal to potentially lease the Watt family farm homestead for the Burk's Falls & District Historical Society to allow room for growth and be able to provide an excellent educational opportunity. Arrangements will be made to pursue this request.

**ACCOUNTS:**

- road accounts voucher #1-2013, was approved by resolution
- general accounts voucher #1-2013, was approved by resolution
- Tri R waste management accounts voucher #1-2013, was approved by resolution

**BUSINESS ARISING FROM A PREVIOUS MEETING:**

- The letter from Fisheries and Oceans Canada, regarding Magnetawan River siltation was reviewed.
- The letter from the Ministry of Transportation, regarding Magnetawan River siltation was reviewed.
- The application for Official Plan Amendment, 2293398 Ont. Inc. Pickerel Lake Treatment Centre, Pt. of Lots 29 & 30, Conc. 10 was accepted by resolution and the municipal planner was instructed to prepare a draft amendment.

**APPLICATIONS:**

- Application for Re-Zoning, Harmer, Murray, Con. 14, Pt. Lot 32 was accepted by resolution.
- Application for Re-Zoning, Barr, Judith, Con. 5, Lot 22 was accepted by resolution.
- Application for Consent, File No. B-034/12, Joiner, Chris & Kim, Con. 5, Lot 10 was supported by resolution, with conditions.

**BY-LAWS:**

- By-Law #1-2013 to authorize temporary borrowing, was read a first, second and third time.
- By-Law #2-2013 to establish a penalty charge, was read a first, second and third time.
- By-Law #3-2013 to provide for interest on tax arrears, was read a first, second and third time.
- By-Law #4-2013 to establish a Committee of Adjustment, was read a first, second and third time.

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- By-Law #5-2013 to adopt Amendment No. 1 to the Official Plan, was read a first, second and third time.
- By-Law #6-2013 to enter into a Contribution Agreement regarding CIIF for improvements to the Katrine Community Centre, was read a first, second and third time.

### **REPORTS:**

- Arena, Pat and Jerry reported, minutes were provided and reviewed.
- Library, Rod Blakelock reported.
- Tri R, Bob MacPhail reported that WDO funding will increase for 2013 due to the excellent best practices reporting grade of 96%.
- The meeting in December for Economic Development was cancelled, no report.
- Staff report setting out costs for basement shelving will be included in the 2013 budget.
- Staff report regarding emergency lighting to be installed in the north stairwell was supported by council.
- Reeve MacPhail reported that a Fire Board meeting will be held on Thursday, January 10, 2013.

### **CORRESPONDENCE:**

- Resolution No. 009, dated December 11, 2012 from the Township of Joly was acknowledged and reviewed by council.
- A letter from Industry Canada – FedNor notifying the Township of Armour that application C0254 was not selected for funding.
- Press Release from FONOM meeting to discuss strategies on key northern issues was reviewed.
- Letter from FONOM regarding Ontario Liberal leadership candidates rejected invitation to address Northern concerns was reviewed.
- AMO breaking news on Ontario's new child care funding framework and funding formula was provided for council's review.
- AMO provided a report from the Ontario Distribution Sector Review Panel on Renewing Ontario's Electricity Distribution Sector: Putting the Consumer First and was reviewed by council.
- Provincial Auditor's 2012 Report – Key Municipal Interest in OPP Recommendations was provided for review.
- Letter from the South East Planning Board regarding funding was discussed.
- Letter from the Municipal Property Assessment Corporation was provided to council updating them on the approval of a four-year expenditure plan.

### **UNFINISHED BUSINESS:**

- A letter from the Clerk of the Township of Armour was addressed to the Township of Ryerson and the Village of Burk's Falls confirming Armour Council's position and advising that the next shared services committee meeting will be taking place on Thursday, January 10 at 7:00 p.m. to further discuss cost sharing between the three municipalities.

### **NEW BUSINESS:**

- Royal Bank resolution regarding banking was approved.
- Request of funding from the Village of Burk's Falls regarding the Towne Theatre was discussed. This will be considered during 2013 budget deliberations.
- Invitation to attend the Kearney Perry and Area Business Association was extended to council.
- List of correspondence received, not on agenda was reviewed.

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**CLOSED SESSION:**

- resolution to move into closed session at 10:41 p.m.
- resolution to move out of closed session at 10:58 p.m.

**RESOLUTIONS:**

- Moved by Jerry Brandt, Seconded by Marty Corcoran, That the Council of the Township of Armour hereby approve the minutes of the regular meeting held on December 11, 2012, as circulated. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That the Council of the Township of Armour hereby approve the minutes of the public meeting held on December 11, 2012, as circulated. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That the Council of the Township of Armour hereby approve the minutes of the closed meeting held on December 11, 2012, as amended. Carried
- Moved by Marty Corcoran, Seconded by Jerry Brandt, That the Council of the Township of Armour hereby approve the minutes of the closed meeting held on November 27, 2012, as circulated. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That the Council of the Township of Armour hereby acknowledge that Keith McCoy, Road Supervisor, has successfully completed a one year probation ending on December 31, 2012. Carried
- Moved by Jerry Brandt, Seconded by Rod Blakelock, That the Council of the Township of Armour approve Road Accounts Voucher #1-2013, in the amount of \$46,442.27 for payment, and the Reeve and Treasurer are hereby authorized to sign cheques for same. Carried
- Moved by Jerry Brandt, Seconded by Rod Blakelock, Whereas the Township of Armour received an application for an Official Plan amendment submitted on November 21, 2012 by Wayne Simpson and Associates on behalf of Pickerel Lake Recovery Centre, 2159 Pickerel and Jack Lake Road;
  - And Whereas on December 21, 2012 the Township of Armour received a sketch to provide clarification of the lands owned by 2293398 Ontario Inc. which are subject to the application for an official plan amendment;
  - Now Therefore the Council of the Township of Armour hereby deem this application to be complete, and request the municipal planner, Robert Miller prepare the required documents for circulation to the Ministry of Municipal Affairs in draft, in advance of a notice of public meeting. Carried
- Moved by Jerry Brandt, Seconded by Rod Blakelock, That the Council of the Township of Armour approve General Accounts Voucher #1-2013, in the amount of \$177,941.61 for payment, and the Reeve and Treasurer are hereby authorized to sign cheques for same. Carried
- Moved by Marty Corcoran, Seconded by Rod Blakelock, That the Council of the Township of Armour approve Tri R Waste Management Accounts Voucher #1 2013, in the amount of \$24,890.25 for payment, and the Reeve and Treasurer are hereby authorized to sign cheques for same. Carried
- Moved by Marty Corcoran, Seconded by Jerry Brandt, That the Council of the Township of Armour acknowledge receipt of a zoning by-law amendment application submitted by Murray and Jannette Harmer, Part Lot 32, Concession 14 and authorize the Municipal Planner, Robert Miller to prepare the amendment for circulation. Carried

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- Moved by Marty Corcoran, Seconded by Jerry Brandt, That the Council of the Township of Armour acknowledge receipt of a zoning by-law amendment application submitted by Michael Hardy, Agent for Judith Barr, Lot 22, Concession 5 and authorize the Municipal Planner, Robert Miller to prepare the amendment for circulation. Carried
- Moved by Marty Corcoran, Seconded by Rod Blakelock, That the Council of the Township of Armour support the application for consent No. B-034/12 submitted by Joiner, Chris and Kim, Lot 10, Concession 5, subject to the following conditions:
  - that the applicant convey the required cash-in-lieu of parkland dedication to the Township of Armour as per the current by-law;
  - that the applicant apply for and receive a re-zoning to the Rural Special Exception (Ru-X) Zone order to recognize that a duplex dwelling is permitted on the severed parcel in addition to the list of permitted land uses in the Ru Zone; and
  - that the North Bay-Mattawa Conservation Authority provide comments regarding the suitability of the retained parcel for servicing. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That leave be given to introduce a bill # 1-2013 to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2013. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 1-2013 be read a second time. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 1-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8<sup>th</sup> day of January, 2013. Carried
- Moved by Marty Corcoran, Seconded by Rod Blakelock, That leave be given to introduce a bill # 2-2013 to establish a penalty charge for non-payment of current taxes. Carried
- Moved by Marty Corcoran, Seconded by Rod Blakelock, That By-law # 2-2013 be read a second time. Carried
- Moved by Marty Corcoran, Seconded by Rod Blakelock, That By-law # 2-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8<sup>th</sup> day of January, 2013. Carried
- Moved by Jerry Brandt, Seconded by Pat Hayes, That leave be given to introduce a bill # 3-2013 to provide for interest to be added to tax arrears. Carried
- Moved by Jerry Brandt, Seconded by Pat Hayes, That By-law # 3-2013 be read a second time. Carried
- Moved by Jerry Brandt, Seconded by Pat Hayes, That By-law # 3-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8<sup>th</sup> day of January, 2013. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That leave be given to introduce a bill # 4-2013 to establish a committee of adjustment. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 4-2013 be read a second time. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 4-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8<sup>th</sup> day of January, 2013. Carried

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- Moved by Jerry Brandt, Seconded by Marty Corcoran, That leave be given to introduce a bill # 5-2013 to adopt Amendment No. 1 to the Township of Armour's Official Plan. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 5-2013 be read a second time. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 5-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8th day of January, 2013. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That leave be given to introduce a bill # 6-2013 to enter into a Contribution Agreement with the Minister responsible for the Federal Economic Development Agency for Community Infrastructure Improvement Fund ("CIIF") for the Katrine Community Centre. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 6-2013 be read a second time. Carried
- Moved by Jerry Brandt, Seconded by Marty Corcoran, That By-law # 6-2013 be read a third time, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 8th day of January, 2013. Carried
- Moved by Marty Corcoran, Seconded by Jerry Brandt,

That the Council of the Corporation of the Township of Armour (the "Customer") be it resolved that:

1. That ROYAL BANK OF CANADA ("Royal Bank") is appointed banker for the Customer.
2. That any One of Reeve, Deputy Reeve, Councillor with any One of Clerk-Administrator or Treasurer are authorized on behalf of the Customer from time to time:
  - (a) to withdraw or order transfers of funds from the Customer's accounts by any means including the making, drawing, accepting, endorsing or signing of cheques, promissory notes, bills of exchange, other orders for the payment of money or other instruments or the giving of other instructions;
  - (b) to sign any agreements or other documents or instruments with or in favour of Royal Bank, including agreements and contracts relating to products or services provided by Royal Bank to the Customer; and
  - (c) to do, or to authorize any person or persons to do, any one or more of the following:
    - (i) to receive from Royal Bank any cash or any securities, instruments or other property of the Customer held by Royal Bank, whether for safekeeping or as security, or to give instructions to Royal Bank for the delivery or other transfer of any such cash, securities, instruments or other property to any person named in those instructions;
    - (ii) to deposit with or negotiate or transfer to Royal Bank, for the credit of the Customer, cash or any security, instrument or other property, and for those purposes to endorse (by rubber stamp or otherwise) the name of the Customer, or any other name under which the Customer carries on business, on any security or instrument;
    - (iii) to instruct Royal Bank, by any means, to debit the accounts of third parties for deposit to the credit of the Customer;
    - (iv) to receive statements, instruments and other items (including paid cheques) and documents relating to the Customer's accounts with or any service of Royal Bank, and to settle and certify the Customer's accounts with Royal Bank.

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3. That all instruments, instructions, agreements (including contracts relating to products or services provided by Royal Bank) and documents made, drawn, accepted, endorsed or signed (under the corporate seal or otherwise) as provided in this Resolution and delivered to Royal Bank by any person, shall be valid and binding on the Customer, and Royal Bank is hereby authorized to act on them and give effect to them.
4. That Royal Bank be furnished with:
  - (a) a copy of this Resolution; and
  - (b) a list of the names of the persons authorized by this Resolution to act on behalf of the Customer, and with written notice of any changes which may take place in such list from time to time, and with specimens of the signatures of all such persons;

Each certified by the (1) Reeve, Deputy Reeve, Councillor and (2) Clerk-Administrator or Treasurer of the Customer; and

(c) in writing, any authorization made under paragraph 2(c) of this Resolution.

5. That any document furnished to Royal Bank as provided for in paragraph 4 of this Resolution shall be binding upon the Customer until a new document repealing or replacing the previous one has been received and duly acknowledged in writing by the branch or agency of Royal Bank where the Customer has its account.

We hereby certify that the above is a true copy of a resolution passed at a meeting of Council of the Township of Armour duly convened and regularly held in accordance with the law governing the Customer on the 8<sup>th</sup> day of January, 2013. Carried

- Moved by Rod Blakelock, Seconded by Pat Hayes, That the Council of the Township of Armour hereby move into closed session at 10:41 p.m. as per Section 239 2(b)(c) and (e) of *the Municipal Act*, regarding personal matters about an identifiable individual; acquisition or disposition of land and litigation. Carried
- Moved by Rod Blakelock, Seconded by Pat Hayes, That the Council of the Township of Armour hereby move out of closed session at 10:58 p.m. Carried
- Moved by Marty Corcoran, Seconded by Jerry Brandt, That the Council of the Township of Armour hereby adjourn this regular council meeting at 10:59 p.m. until the next regular council meeting scheduled for January 22, 2013, or at the call of the Reeve. Carried

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REEVE

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CLERK