

OPEN MINUTES

Special Meeting of Council

Municipality of Calvin

DATE: December 9, 2022

TIME: 3:30 pm

ATTENDANCE

Council:	Mayor Gould Councillor Adams Councillor Grant Councillor Latimer Councillor Moreton
Absent:	NIL
Staff:	Teresa Scroope Clerk Pro Tempore Andrew Sprunt- Clerk Pro Tempore Jacob Grove – Municipal Administrator

1. CALL TO ORDER

Chair Mayor Gould called the meeting to order at 3:30pm.

2. DISCLOSURES OF PECUNIARY INTEREST

Dean Grant –Agenda Item 7 By-Law 2022-071-Fire Department
William Moreton-Agenda Item By-Law 2022-071-Fire Department

3. Moved Into Closed Session

Resolution 2022-350
Moved By: Councillor Latimer
Seconded By: Councillor Moreton
Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

1. This special closed portion is called under the Municipal Act, 2001, ch. 25 as per Section 239 (2) (b) personal matters about an identifiable individual, including a municipal or local board employee and (2) (d) labour relations or employee negotiations RE: to discuss employment contract for Municipal Administrator, Municipal Clerk, Integrity Commissioner, E4m and affiliates, and legal representation.
2. Moving out of Closed Session (Resolution) and report on the Nature of Discussion (above)

4. Moved back Into Open Session-

Resolution 2022-351
Moved By: Councillor Latimer
Seconded By: Councillor Adams
Results: Carried

1. **NOW THEREFORE BE IT RESOLVED THAT:** Resolution 351

“COUNCIL FOR THE Corporation of the Municipality of Calvin hereby move back into open session at
___4:10_____ P.M

5. Business arising from Closed Session.

5.1 BY-LAW NUMBER 2022-068 BEING A BY-LAW TO APPOINT A NEW MUNICIPAL CLERK PRO TEMPORE AND TO TERMINATE POSITION OF EXISTING CLERK PRO TEMPORE.

Resolution 2022-352

Moved by: Councillor Moreton

Seconded by: Councillor Grant

Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

1. That Teresa Scroope is hereby appointed as the Municipal Clerk Pro Tempore for the Corporation of the Municipality of Calvin.
2. That the powers and duties of the Clerk shall be those powers and duties as set forth in the Municipal Act and every other Act.
3. The bylaw 2022-058 appointing Peggy Young Lovelace as Clerk-Pro Tempore is hereby repealed.
4. This by-law takes effect on the day of its passing as bylaw 2022-068

5.2 Reporting of members of staff to Council

Resolution 2022-353

Moved By: Councillor Latimer

Seconded By: Councillor Moreton

Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

“Council for the Corporation of the Municipality of Calvin hereby establishes that the Clerk and Municipal Administrator, shall each report directly to Council. The staff of the municipal office, with the exception of the Municipal Administrator) will report to the Clerk Pro Tempore, and the remainder of the staff, (Roads, Public Works, Landfill, Cemetery) will report to their immediate superiors and then to the Municipal Administrator. Furthermore, an additional policy will be studied in consultation with staff to create an organization chart for responsibilities and reporting of all staff and the Council enacts a moratorium on hiring until the Ad Hoc Committee reports to Council and that this act takes effect Dec 9 2022.

This resolution shall be reviewed amended as necessary by March 31, 2023.

Read and adopted by Resolution 2022-353 this 9th Day of December 2022

5.3 Signing authority.

Resolution 2022-354

Moved By: Councillor Moreton

Seconded By: Councillor Adams

Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

All expenditures issued by E4m or affiliates to the town of Calvin are to be reviewed and approved by Council.

Read and adopted by Resolution 2022-354 this 9th Day of December 2022

5.4 To Appoint Legal Council. BY-LAW NUMBER 2022-069

Resolution 2022-355

Moved By: Councillor Grant

Seconded By: Councillor Adams

Results: Carried

NOW THEREFORE BE IT RESOLVED THAT: Council of the Corporation of the Municipality of Calvin deems it necessary and expedient to pass a bylaw to appoint Legal Council.

Council of the Corporation of the Municipality of Calvin therefore enacts as follows:

A. That Wishart Law is not the legal counsel and that Thomas Davis of/and Valin Partners LLP is hereby appointed as the Municipality's Lawyers of record.

B. That this bylaw supersedes any bylaw previously passed that is contrary to this bylaw.

C. This by-law takes effect on the day of its final passing.

Read and adopted as bylaw 2022-069 this 9th day of December 2022.

Read and adopted by Resolution 2022-355 this 9th Day of December 2022.

6. Discontinuation of Acceptance of Copyrighted Bylaws. - BY-LAW 2022-070

Resolution 2022-356

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

Results: Carried

Whereas the Municipality of Calvin has in the last few years adopted and approved a number of Copyrighted Bylaws and policies;

And whereas copyright by-laws are not owned in entirety by the municipality of Calvin and this could inhibit future uses and changes of these documents;

And Whereas it is not in the long-term best interest of the Municipality of Calvin to adopt any further By-laws and policies that it doesn't maintain full legal authority over;

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin herby wants to make it known to public and staff that we longer support adopting any Copyright Bylaws.

Bylaw Number 2022-070

Read and adopted by Resolution 2022-356 this 9th Day of December 2022.

7. BY-LAW NUMBER 2022-071 Repeal of Bylaw 2022 – 051-

Resolution 2022-357

Moved By: Councillor Adams

Seconded By: Councillor Latimer

Results: Carried

Whereas the Municipality of Calvin has decided to work on the strength and development of the Fire Department.

And whereas bylaw 2022 -51 contains certain paragraphs that council agrees need to be amended.

And whereas the bylaw is copyrighted by an outside entity and cannot be modified or amended without risk to the township, the municipality of Calvin

And whereas this copyright by-law is not owned by the municipality of Calvin.

And whereas it is not in best interest of the Municipality of Calvin to make modifications to this bylaw

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin herby repeals the Bylaw number 2022-051 being a Bylaw to Codify Human Resources Management Policies for the Municipality of Calvin Fire Department by Bylaw Number 2022-071

Read and adopted by Resolution 2022-357 this 9th Day of December 2022.

8. BY-LAW NUMBER 2022-072 Repeal of bylaw 2022-065 being a Bylaw to Adopt a Workplace Violence and Harassment Policy and Program the Municipality of Calvin.

Resolution 2022-358

Moved By: Councillor Grant

Seconded By: Councillor Moreton

Results: Carried

Whereas bylaw 2022-65 directs complaints and requests be sent to Wishart Law LLP.

And whereas Wishart Law is no longer the legal counsel for the township,

And whereas this bylaw is copyrighted by Wishart Law LLP and cannot be modified or amended without risk to the township, the municipality of Calvin

It is therefore advisable to repeal bylaw 2022-065.

NOW THEREFORE BE IT RESOLVED THAT: Council for the Corporation of the Municipality of Calvin hereby repeals the Bylaw number 2022-065 being a Bylaw to Adopt a Workplace Violence and Harassment Policy and Program the Municipality of Calvin

by Bylaw Number 2022-072

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

9. BY-LAW NUMBER 2022-073 Termination of Integrity Commissioner Services.

Resolution 2022-358

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

Results: Carried

Whereas E4m has announced its resignation as Integrity Commissioner effective December 31.

Whereas The Municipality is in discussion to use the Integrity Commissioner of a neighbouring township.

NOW THEREFORE BE IT RESOLVED THAT: Council of the Corporation of the Municipality of Calvin deems it necessary and expedient to repeal bylaw 2019-007 to immediately terminate the contract with E4m, the present Integrity Commissioner.

That this bylaw supersedes any bylaw previously passed that is contrary to this bylaw.

This by-law takes effect on the day of its final passing.

Bylaw 2022-072 this 9th day of December 2022.

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

10. Bylaw Number 2022-074, to terminate all contracts with E4m and affiliates.

Resolution 2022-359

Moved By: Councillor Adams

Seconded By: Councillor Latimer

Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

Council for the Corporation of the Municipality of Calvin hereby terminates all contracts and commercial relationships with E4M and affiliates, which includes but is not limited to, Giacomo Pastore, Summit PCG, My Momentum Strategies, Wishart Municipal Law Group, Investigative Solutions Network, EmcompassIT, The Managed Municipality, and Cassels Brock. And that the clerk be authorized to manage the closing of the accounts and that all closing documents be received by Dec 31 2022.

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

11 a). BY-LAW NUMBER 2022-073 Repeal of bylaw 2019 -001

Resolution 2022-360

Moved BY: Councillor Grant

Seconded By: Councillor Moreton

Results: Carried

Whereas the Municipality of Calvin has a bylaw called the Code of Conduct Bylaw, issued and copyrighted by Wishart Law and since Wishart Law is no longer the legal council for the township, and E4m is no longer the Integrity Commissioner it is in the best interest of the township or repeal this bylaw.

And whereas this bylaw is copyrighted by Wishart Law LLP and cannot be modified or amended without risk to the township, it is therefore necessary to repeal bylaw 2019 – 001.

NOW THEREFORE BE IT RESOLVED THAT: Council for the Corporation of the Municipality of Calvin hereby repeals the Bylaw number 2019 -001, including Schedule “A” Code of Conduct, “B” Council Staff Relations Policy and “C” Integrity Commissioner Inquiry Protocol

by Bylaw Number 2022-073

Read and adopted by Resolution 2022-360 this 9th Day of December 2022.

11 b). Motion to Begin the process of making arrangement for the responsibilities of the Integrity Commissioner to be assigned to the Integrity Commissioner of another Municipality.

Resolution 2022-361

Moved By: Councillor Adams

Seconded By: Councillor Latimer

Results: Carried

Whereas the Integrity Commissioner ad hoc group has already made progress in the establishment of a new Integrity Commissioner and has done some work on a new Code of Conduct, it is time to move forward in this direction.

NOW THEREFORE BE IT RESOLVED THAT: Council for the Corporation of the Municipality of Calvin hereby proposes to move forward with a temporary assignment of an Integrity Commission and present this for approval at the next regular meeting.

All Inquiries to be directed to the clerk.

Read and adopted by Resolution 2022-361 this 9th Day of December 2022.

12. Confirmatory By-law- BYLAW NUMBER 2022-076

Resolution 2022-362

Moved By: Councillor Grant

Seconded By: Councillor Moreton

Results: Carried

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin directs as follows:

1. The Confirmatory Period of this By-Law shall be for the Special Council Meeting of December 9, 2022.
2. All By-Laws passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.
3. All resolutions passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.
4. All other proceedings, decisions, and directives of the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.

1. This Bylaw takes effect on the day of its final passing.

2. Read and adopted by Resolution 2022-362 this 9th Day of December 2022.

13: Adjournment

Moved by: Councillor Moreton
Seconded by: Councillor Latimer
Results: Carried

NOW THEREFORE BE IT RESOLVED THAT:

“The special council meeting of December 9, 2022, be adjourned at _4:53_____P.M.”



Mayor –Richard Gould



Clerk-Teresa Scroope