



# Corporation of the Municipality of Calvin

## Regular Meeting of Council Minutes

March 2, 2023 – 2:00 PM

### Council Chambers

In attendance: Richard Gould, Mayor; William Moreton, Deputy Mayor; Dean Grant, Councillor; Donna Maitland Temporary Clerk; virtually, Leanne Cozier, Treasurer

Regrets: Robert Latimer, Councillor

---

1. **Call To Order**

The meeting was called to order by Mayor Gould at 2:02 p.m. Regrets from Councillor Latimer. Quorum was achieved.

2. **Appointment of Clerk Tempore**

**Resolution number 2023-034**

Moved by: Councillor Moreton

Seconded by: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT the Council of Municipality of the Township of Calvin hereby appoints Donna Maitland as Clerk Tempore. **Carried: Mayor Gould**

3. **Approval of the Agenda**

**Resolution Number 2023 – 035**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Calvin hereby approves the agenda as circulated. **Carried: Mayor Gould**

4. **Declarations of Disqualifying Interest**

There were none.

5. **Approval of Previous Meeting Minutes Dated Feb 21, 2023**

**Resolution Number 2023 – 036**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Calvin hereby approves the minutes of the Special Meeting of Council dated Feb 21, 2023, as circulated. **Carried: Mayor Gould**

6. **Council Direction from the Previous Meeting Minutes**

**6i. Appointment of Integrity Commissioner (By-law 2023-006)**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

**BEING A BYLAW TO APPOINT AN INTEGRITY COMMISSIONER**

---

**Legal Authority**



# Corporation of the Municipality of Calvin

## Scope of Powers

Subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, ("*Municipal Act*"), as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

## Powers of a Natural Person

Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

## Broad Authority

Subsection 11(2) of the *Municipal Act* provides that a lower-tier municipality may pass bylaws respecting matters that include: 1. Governance structure of the municipality and its local boards. 2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.

## Powers Exercised by Council

Subsection 5(1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council.

## Powers Exercised by Bylaw

Subsection 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

## Integrity Commissioner

Subsection 223.3(1) of the *Municipal Act* provides that sections 9 and 11 [as well as section 10, which does not apply to Calvin] authorize a municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1, 5.2 and 5.3 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.



# Corporation of the Municipality of Calvin

7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the *Municipal Conflict of Interest Act*.

## Preamble

By-law 2019-007, which appointed the previous Integrity Commissioner, was repealed December 9, 2022.

The Municipality has chosen to appoint Guy W. Giorno, partner in the law firm Fasken Martineau DuMoulin LLP, as Integrity Commissioner.

The initial appointment shall be for an interim period of six months.

The Municipality and Giorno and his law firm will enter into an agreement that sets the terms under which Integrity Commissioner services will be provided.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Calvin enacts as follows:

1. Guy W. Giorno is appointed as Integrity Commissioner of the Municipality, effective March 2, 2023.
2. The initial appointment shall be for a six-month term, expiring 11:59 p.m., September 1, 2023.
3. The Mayor and Clerk pro tempore are hereby authorized to execute an agreement for Integrity Commissioner services between the Corporation of the Municipality of Calvin and Guy W. Giorno and his law firm.
4. Any bylaw previously passed that is contrary to this bylaw is repealed.
5. This bylaw comes into effect on the day it is passed.

Read a first, second, and third time, and passed, this 2nd day of March 2023.

**Carried: Mayor Gould**

## 7. Delegations

There were none this meeting

## 8. Legislative Matters

- i. **Consent Agenda** (items of correspondence not requiring administrative reports/action, committee reports not requiring any action by Council – matters that are for information purposes only)



# Corporation of the Municipality of Calvin

- Notice of Tp. of Papineau-Cameron Councillor Melanie Chenier's appointment as the area's representative on the DNSSAB
- Employment Insurance Legislative Update
- Municipality of Shuniah Resolution No. 45-23
- FONOM joins with Police Departments and Association to discuss Catch and Release
- Tp. of Ashfield-Colborne-Wawanosh Re: Future Accuracy of Permanent Register of Electors
- Corp. of the Municipality of West Nipissing, Support Resolution for Bill 23

## **Resolution Number 2023 – 037**

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT Council for the Corporation of the Municipality of Calvin hereby receive the Consent Agenda Items included in the March 2, 2023, meeting package as circulated, less any items requested for separate review and discussion.

**Carried: Mayor Gould**

## ii. **By-laws**

### **i. Repeal by-law appointing Teresa Scroope as Clerk (By-law 2023-007)**

Moved by: Councillor Moreton

Seconded by: Councillor Grant

WHEREAS Tereasa Scroope has resigned, now therefore BE IT HEREBY RESOLVED that a by-law to rescind the section of by-law 2022-068 appointing Teresa Scroope as Clerk Pro Tempore be READ, passed, and **numbered 2023-007**

AND THAT said by-law be signed by the Mayor and Clerk and sealed with the Seal of the Corporation.

**CARRIED: Mayor Gould**

### **ii. Repeal by-law appointing Barbara Major as Elections Clerk (By-law 2023-008)**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

WHEREAS the 2022 Municipal and School Board elections have taken place and Ms. Majors has confirmed the Municipality's reporting requirements to all relevant governments/agencies/board and the municipality itself have been filed,

NOW THEREFORE BE IT RESOLVED THAT a by-law to repeal bylaw 2022-035 a by-law to appoint Barbara Majors as the Elections Clerk be READ, passed and numbered **2023-008**

AND THAT said by-law be signed by the Mayor and Clerk and sealed with the Seal of the Corporation.

**Carried: Mayor Gould**



# Corporation of the Municipality of Calvin

### iii. Code of Conduct (By-law 2023-009)

Moved by: Councillor Moreton

Seconded by: Councillor Grant

WHEREAS on Dec 9, 2022, By-law 2022-073 repealed the Corporation of The Municipality Calvin's Code of Conduct, numbered 2019-001

Be it resolved THAT the Corporation of The Municipality of Calvin adopt an interim Code of Conduct, subject to review, amendment, or acceptance of The Integrity Commissioner.

And THAT this interim Code of Conduct, numbered **By-law 2023-009** be READ, and passed

AND THAT said by-law be signed by the Mayor and Clerk and sealed with the Seal of the Corporation.

**Carried: Mayor Gould**

## 9. Administrative Matters (*New Business/Reports from Officers/Employees/Boards*)

### i. Internal Reports

#### ia. Fire Department Request

**Resolution Number: 2023- 038**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

Whereby the Municipality of Calvin's Fire Equipment needs to be tested and supplies need to be replenished,

Now Therefore Be It Resolved That Fire Captain Whalley be authorized, on behalf of the Township of Calvin, to, within the next 30 days, contact the appropriate firms/agencies to arrange for testing of the Fire Department's equipment and to replenish any supplies which need to be replaced.

Invoicing for the test and replacement items in this case are to be billed directly to the Municipality, and a written report of the results be submitted by Mr. Whalley to Council. **Carried: Mayor Gould**

#### ib. Financial Update (**Leeann Crozier, Treasurer**)

A written report from the Leanne Crozier, Treasurer was received and accompanied by a virtual, verbal report of the status of 2022 transaction recordings, audit plans and current prioritization placed on responding to taxpayer enquiries.

She indicated there have been many challenges encountered updating the financial transactions and that she, along with the Corporate Services Coordinator Sandra Carmichael are working very well together to meet those challenges.



# Corporation of the Municipality of Calvin

Discussion surrounding the written financial report provided was deferred to a future meeting as Council had received the written report only just prior to the meeting. Leeann left the meeting after her report was delivered.

## ic. Chief Building Official Report

A written report from The Chief Building Official Report for the month of Feb 2023 was received. There was no discussion.

## id. Corporate Services Coordinator time off in lieu of request

**Resolution Number: 2023- 039**

Moved by: Councillor Moreton

Seconded by: Councillor Grant

WHEREAS the Corporate Services Coordinator will be away from the office on Wednesday, March 15, and Thursday March 16, 2023,

NOW THEREFORE BE IT RESOLVED THAT a public notice be posted the office will be closed that day, with the exception of visitors who have confirmed appointments with the Chief Building Official on Wednesday, March 15. These visitors will be greeted by the Chief Building Code Official upon their arrival.

**Carried: Mayor Gould**

## ie. Water Testing

**Resolution Number: 2023- 040**

Moved by: Councillor Moreton

Seconded by: Councillor Grant

WHEREAS the North Bay and District Health Unit requires the Municipality's water testing be carried out by a certified operator, and whereas the Health Unit informed the Municipality that no staff currently in its employ is certified to do so,

NOW THEREFORE BE IT RESOLVED THAT up to two municipal personnel in the Public Works Department enrol and participate in the next available Health Unit approved course being offered,

AND THAT in the interim, Clean Water Solutions be engaged to perform the next water sampling test which is due no later than March 15, 2023.

**Carried: Mayor Gould**

## ii. Casselholme Update

**The following correspondence was received and reviewed for information purposes:**

- dated Feb 17, 2023, from Mark King, Casselholme Board Chair, Re: Casselholme 2023 Municipal Operating Levy



# Corporation of the Municipality of Calvin

- dated Feb 14, 2023 from North Bay Mayor Peter Chirico, Re: Feasibility Study on transitioning Casselholme from a district board of management to a City of North Bay municipal home
- dated Feb 16, 2023 from Veronique High, Deputy Clerk, City of North Bay, Re: Resolution 2023-82.

## iii. **Town of Petrolia motion regarding School Board Elections**

**Resolution Number: 2023- 041**

Moved by: Councillor Moreton

Seconded by: Councillor Grant

WHEREAS the correspondence dated June 25, 2023, from the Town of Petrolia regarding Ontario School Board Elections highlights that municipalities do not receive compensation for conducting trustee elections on behalf of School Board;

NOW THEREFORE BE IT RESOLVED THAT The Corporation of the Municipality of Calvin hereby supports the letter and resolution of the Town of Petrolia;

AND FURTHER THAT a letter of support be sent to the Town of Petrolia, with a copy of the letter to the Minister of Education and MPP Victor Fedeli. **Carried: Mayor Gould**

## iv. **Mattawa & Area Polices Services Board**

**Resolution Number: 2023- 042**

Moved by: Councillor Morton

Seconded by: Councillor Grant

WHEREAS the Mattawa & Area Police Services Board has adopted a rotation schedule for the Council appointed member seats in order to have the Town of Mattawa's Council seat a permanent one on the Board,

AND WHEAREAS correspondence dated November 18, 2022, indicates the rotation schedule for the Term of Council 2023-26 includes one seat for a member of Council to represent the Municipality of Calvin for the duration of this term,

NOW THEREFORE BE IT RESOLVED THAT The Corporation of the Municipality of Calvin hereby appoints Councillor Morton to this seat;

AND FURTHER THAT the Municipality's Administration Staff notify the Police Services Board's Secretary, in writing of this appointment. **Carried: Mayor Gould**

## v. **Participation in the City North Bay Hazardous Waste Program**

**Resolution Number: 2023-043**

Motion by: Councillor Moreton

Seconded by: Councillor Grant



# Corporation of the Municipality of Calvin

WHEREAS the City of North Bay is once again inviting surrounding municipalities to participate in the City's Household Hazardous Waste Program, whereby it accepts hazardous waste from participating municipalities that share in the operating costs and disposal costs, at a rate of \$2 per dwelling based on the most recent census data,

AND WHEREAS the Corporation of the Municipality of Calvin's landfill site's useful life benefits from this service,

NOW THEREFORE BE IT RESOLVED THAT The Corporation of the Municipality of Calvin renew its annual membership in this program. **Carried: Mayor Gould**

## vi. Appointment of CAO/Clerk Hiring Committee

**Resolution: 2023-044**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

WHEREAS the Corporation of the Municipality of Calvin has received several applications in response to its advertisement of the CAO/ Clerk position,

AND WHEREAS there is a need to strike a hiring committee to review applications, carry out interviews and make a hiring recommendation to Council,

NOW THEREFORE BE IT RESOLVED THAT a hiring committee composed of: Councillor Grant, Councillor Moreton, Clerk Pro tempore Donna Maitland carry out this work and report back to Council at the earliest opportunity. **Carried: Mayor Gould**

## 10. In-Camera Session

**Resolution Number: 2023 -045**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

WHEREAS Council will discuss confidential human resource matters, in accordance with section 239(2) (b), (d), and (f) of the Municipal Act, RSO 2001, be it now therefore resolved that Council move into closed session at 3: 15 pm to discuss these matters. **Carried: Mayor Gould**

## 11. Resolution of result of in-camera session

**Resolution Number: 2023 – 046**

Moved by: Councillor Grant

Seconded by: Councillor Moreton

NOW THEREFORE BE IT RESOLVED THAT:





# Corporation of the Municipality of Calvin

COUNCIL FOR THE Corporation of the Municipality of Calvin hereby move back into open session at 4:35 P.M. and report that Council discussed matters about identifiable individuals including municipal employees, labour relations, and gave direction to the Municipality's staff and council related to the above said matters.

**Carried: Mayor Gould**

## 12. **Confirmatory BY-LAW NUMBER 2023-010**

Moved by: Councillor Moreton

Seconded by: Councillor **Grant**

**BEING A BYLAW TO CONFIRM THE PROCEEDINGS OF COUNCIL**

Legal Authority

Scope of Powers

Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, ("Municipal Act") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5 (1) of the Municipal Act provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the Municipal Act provides that a municipal power, including a municipality's capacity, rights, powers, and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Preamble

Council for the Corporation of the Municipality of Calvin ("Council") acknowledges that many of the decisions it makes during a meeting of Council, regular, special, or otherwise, are done by resolution. Section 5 (3) requires that Council exercise their powers by Bylaw.

Council further acknowledges that the passing of resolutions is more expedient than adopting Bylaws for each decision.

Decision

Council of the Corporation of the Municipality of Calvin decides it in the best interest of the Corporation to confirm its decisions by way of Confirmatory Bylaw.

Direction

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

**Regular Meeting of Council March 2, 2023**



# Corporation of the Municipality of Calvin

1. The Confirmatory Period of this By-Law shall be for the Regular Meeting of Council, March 2, 2023
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.
5. This Bylaw takes effect on the day of its final passing.

Read and adopted by **Resolution 2023 – 047** this 2<sup>nd</sup> Day of March 2023.

**Carried: Mayor Gould**

## 13. **Adjournment**

### **Resolution 2023-048**

Motion by: Councillor Moreton

Seconded by: Councillor Grant

THAT we do now adjourn the meeting at 4: 36 p.m.

**Carried: Mayor Gould.**