



THE MUNICIPALITY OF CALVIN

Regular Meeting of Council

Minutes

May 14, 2024

6:00 p.m.

APPROVED

MAY 28 2024

Attendance:

Mayor Gould, CAO Donna Maitland, Councillor Moreton, Councillor Grant, Councillor Latimer, Deputy Clerk Teresa Scroope Fire Chief Mariel Labreche

Guest: Guy Giorno, Municipal Integrity Commissioner

Absent: Councillor Manson

1) Call to Order

Resolution Number: 2024-187

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

The May 14, 2024 Regular Meeting of Council be called to order at 6:05 p.m. and noted that quorum has been achieved.

Results: Carried

2) Declaration of Disqualifying, Pecuniary Interest/Conflict of Interest-NIL

3) Approval of Agenda

Resolution Number: 2024-188

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

The Council for the Corporation of the Municipality of Calvin hereby approves the agenda as circulated.

Results: Carried

4) Approval of Minutes

Resolution Number: 2024-189

Moved By: Councillor Latimer

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

The Council for the Corporation of the Municipality of Calvin approves the Meeting Minutes of April 30, 2024 be hereby adopted and signed as circulated.

Results: Carried

5) Delegations: -None

6.) Consent Agenda Items for Information Purposes

Resolution Number: 2024-190

Moved By: Councillor Latimer

Seconded By: Councillor Moreton

NOW THEREFORE BE IT RESOLVED THAT:

The Council for the Corporation of the Municipality of Calvin hereby receive the Consent Agenda items as circulated.

Items requested by Council for separate review and discussion will be brought forward by resolution at the next regular meeting.

Requests: 0

Results: Carried

7.1.1.1 (A) REPORT

- Please welcome Guy Girono, Municipal Integrity Commission, here to present his report.
- By-Law to establish Council Code of Conduct.

7.1.1.1) (B)

Resolution Number: 2024-191

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

WHEREAS,

The Ad Hoc Code of Conduct Committee requested by Council by resolution on November 14, 2023 to review the Draft By-Law 2023-009 being a By-Law to establish a Council Code of Conduct in accordance with Part V.1-Accountability and Transparency of the Municipal Act, 2001, c25;

AND WHEREAS,

The Ad Hoc Code of Conduct Committee met in public meetings on January 12, 2024, March 1st, 2024 and April 19th, 2024 to carry out this initiative, having consulted with the Integrity Commissioner and bring forth to Council as a whole;

NOW THEREFORE BE IT RESOLVED THAT, Council for the Corporation of the Municipality of Calvin has received and approves the municipal Integrity Commissioner report as presented.

Results: Carried

7.1.1.2)

By-Law 2024-29

Resolution Number: 2024-192

Moved By: Councillor Grant

Seconded By: Councillor Latimer

WHEREAS,

In accordance with Part V.1-Accountability and Transparency of the Municipal Act, 2001, c25; 223.2 (1) A municipality shall establish codes of conduct for members of the council of the municipality and of its local boards. 2017, c. 10, Sched. 1, s. 18.

AND WHEREAS,

The Ad Hoc Code of Conduct Committee having consulted with the Integrity Commissioner bring forth to Council as a whole this By-Law;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Calvin ratifies the attached **By-Law 2024-29** as follows:

1. That the Mayor and CAO are designated as the Signing Officers and are authorized to execute on behalf of the Corporation of the Municipality of Calvin.
2. That the attached be hereto and form part and parcel of this By-Law.
3. That By-Law 2023-009 and any other By-law inconsistent with this by-law is hereby repealed.
4. This By-Law shall be enacted and in effect upon the signing thereof.

Results: Carried

7.1.1.3)

Resolution Number: 2024-193

Moved By: Councillor Moreton

Seconded By: Councillor Grant

WHEREAS,

The Ad Hoc Code of Conduct Committee was formed by and requested by Council to review the Draft By-Law 2023-009 being a By-Law to review and establish Council Code of Conduct in accordance with Part V.1-Accountability and Transparency of the Municipal Act, 2001, c25;

NOW THEREFORE BE IT RESOLVED THAT, Council for the Corporation of the Municipality of Calvin agrees to dissolve this Ad Hoc Code of Conduct Committee as the purpose of the Committee has now been actioned and completed to Council's satisfaction.

Results: Carried

7.1.1.4)

Resolution Number: 2024-194

Moved By: Councillor Grant

Seconded By: Councillor Moreton

WHEREAS,

Council declared Municipal Surplus -2006 Chevrolet 3500 Rescue truck by Resolution 2024-146 on April 9, 2024, Sealed Bids were to be submitted using the Township's prescribed bid form and be received by 3:00 PM, May 13, 2024 at the Municipal Office marked "2006 Chevrolet 3500 Rescue Bid",

And whereas the sealed bids were opened by the CAO and Fire Chief on May 14, 2024 as witnessed by Mayor Gould.

And whereas the highest bid was received from Mark Anderson \$1,117.00 plus HST,

Now therefore be it resolved that Council for the Corporation of the Municipality of Calvin accepts the sale of these items to Mark Anderson and that the funds, net of any taxes be deposited into the general bank account and be allocated to the fire department surplus fund.

Results: Carried

7.1.1.5)

Resolution Number: 2024-195

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

WHEREAS,

Council declared Municipal Surplus -1985 G.M.C Brigadier Pumper Tanker by Resolution 2024-62 on February 13, 2024, Sealed Bids were to be submitted using the Township's prescribed bid form and be received by 3:00 PM, May 13, 2024 at the Municipal Office marked "1985 G.M.C. Brigadier, Pumper Bid",

And whereas the sealed bids were opened by the CAO and Fire Chief on May 14, 2024 as witnessed by Mayor Gould

And whereas the highest bid was received from Mark Anderson \$3,687.00 plus HST,

Now therefore be it resolved that Council for the Corporation of the Municipality of Calvin accepts the sale of these items to Mark Anderson and that the funds, net of any taxes be deposited into the general bank account and be allocated to the fire department surplus fund.

Results: Carried

7.1.1.6)

Resolution Number: 2024-196

Moved By: Councillor X

Seconded By: Council X

Resolution 2024-174-Deferred: April 30, 2024 Regular Council Meeting to bring back to Council May 14, 2024 for further discussion.

Whereas under section 373(1) of the Municipal Act, 2001, a municipality may register a tax arrears certificate against title to land where realty taxes have not been paid for two years,

And whereas on the heels of their audit of the 2022 fiscal year, at an open Council meeting in January 2024, and in a subsequent management letter issued to the Municipality, BDO, auditors for the Municipality identified that in 2022 "there have been only limited attempts related to the collection of outstanding taxes owed to the Municipality..." and recommended the Municipality "actively pursue collection on overdue balances possibly using tax sales if required.",

And whereas unpaid taxes impact the municipality's financial health, its borrowing capacity, can create cash flow problems for the municipality or result in higher tax rates to fund uncollectable taxes or tax write-offs, tax rates and increases borne by those who do pay their taxes on time,

And whereas the Municipality is obligated to and does pay school board taxes on behalf of all its property owners, whether or not they keep their tax payments current,

And whereas since late 2023, tax balance notices have been sent to all property owners who were in tax arrears for years 2023, 2022 and prior years two times,

And whereas while this did result in near \$10,000 of unpaid taxes being recovered, in spite of reminders sent to all property owners in tax arrears, the balance of unpaid taxes as of April 25, 2024 is over \$110,000 for 2022 and prior years, and is approaching \$100,000 for the year 2023,

And whereas registering a tax arrears certificate against title to land is not a collection avenue this Council desires to take, but one it must, when necessary, to meet its own financial obligations and to honor those who do pay their taxes on time,

Now therefore be it resolved that Council for the Corporation of the Municipality direct staff to send a notice of arrears to all property owners who are in arrears two years or more requesting they contact the office to set up a formal payment plan while keeping current this year's tax payments; a payment plan which will see all 2022 and prior year overdue taxes paid off within one year.

And furthermore, if payment in full is not received and/or written and signed payment arrangement have not been made and agreed to within 90 days of the notice being served, and or the payment plan as agreed upon is not thereafter honored, staff is directed to proceed with registering a tax arrears certificate against the property which would initiate tax sale proceedings.

And furthermore, that staff continue to carry out activities necessary to collect all tax arrears for the 2023 and current year.

Results: DEFEATED

7.1.1.6) (A)

Resolution Number: 2024-196A

Moved By: Mayor Gould

Seconded By: Councillor Latimer

Resolution 2024-174-Deferred: April 30, 2024 Regular Council Meeting to bring back to Council May 14, 2024 for further discussion.

Whereas under section 373(1) of the Municipal Act, 2001, a municipality may register a tax arrears certificate against title to land where realty taxes have not been paid for two years,

And whereas on the heels of their audit of the 2022 fiscal year, at an open Council meeting in January 2024, and in a subsequent management letter issued to the Municipality, BDO, auditors for the Municipality identified that in 2022 "there have been only limited attempts related to the collection of outstanding taxes owed to the Municipality..." and recommended the Municipality "actively pursue collection on overdue balances possibly using tax sales if required."

And whereas unpaid taxes impact the municipality's financial health, its borrowing capacity, can create cash flow problems for the municipality or result in higher tax rates to fund uncollectable taxes or tax write-offs, tax rates and increases borne by those who do pay their taxes on time,

And whereas the Municipality is obligated to and does pay school board taxes on behalf of all its property owners, whether or not they keep their tax payments current,

And whereas since late 2023, tax balance notices have been sent to all property owners who were in tax arrears for years 2023, 2022 and prior years two times,

And whereas while this did result in near \$10,000 of unpaid taxes being recovered, in spite of reminders sent to all property owners in tax arrears, the balance of unpaid taxes as of April 25, 2024 is over \$110,000 for 2022 and prior years, and is approaching \$100,000 for the year 2023,

And whereas registering a tax arrears certificate against title to land is not a collection avenue this Council desires to take, but one it must, when necessary, to meet its own financial obligations and to honor those who do pay their taxes on time,

Now therefore be it resolved that Council for the Corporation of the Municipality direct staff to send a notice of arrears to all property owners who are in arrears two years or more requesting they contact the office to set up a formal payment plan while keeping current this year's tax payments; a payment plan which will see all 2022 and prior year overdue taxes paid off within one year, or where there are special circumstances and there is a mutually agreed re-payment plan, not more than three years.

And furthermore, if payment in full is not received and/or written and signed payment arrangement have not been made and agreed to within 90 days of the notice being served, and or the payment plan as agreed upon is not thereafter honored, staff is directed to proceed with registering a tax arrears certificate against the property which would initiate tax sale proceedings.

And furthermore, that staff continue to carry out activities necessary to collect all tax arrears for the 2023 and current year and that this

Resolution now forms as the Municipality of Calvin's Tax Collection Policy.

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Manson (Absent)	<input type="checkbox"/>	<input type="checkbox"/>
Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results: Carried

7.1.1.6) (B)

Resolution Number: 2024-196B

Moved By: Councillor Grant

Seconded By: Councillor Latimer

Whereas Council deferred Resolution 2024-174 to bring back to Council May 14, 2024 for further discussion, the below are recommendations to amend the resolution brought forward by Councillor Manson for Council as a whole to consider,

- 1, In the communications to residents that are in arrears, use a coloured envelope such as red to indicate the importance of the content.
- 2, For the initial communication, clearly outline to the residents that continued tax arrears WILL result in the municipality eventually selling their property at auction and under that process the resident would lose the full value of their property. The taxes are collected from the proceeds of sale and the province is sent any funds over and above what the municipality collects. The resident loses the property and all property rights. Also let them know that interest is being applied to their outstanding balance at a rate of 15%.
- 3, For the same initial communication, let residents know some possible options such as: Borrowing from a bank with a line of credit or loan, Selling investments, Borrowing from a friend or family member, Severing a portion of their property and selling it, and as a potential last resort, sell the property yourself to realize your funds before the tax arrears sale process begins.
- 4, In the above noted resolution it gives 90 days to have a formal plan in place with the municipality to repay in one-year 2022 and prior years while keeping 2024 updated.
Instead of the one-year payment plan, allow the residents up to 3 more full years to catch up their arrears payments before registering a tax arrears certificate against the property.

accompanying language about what will happen should they not catch up, and what suggested options they have.

***Note: Interest of 15% is being charged on these outstanding taxes and the taxation will be collected either voluntarily or by the tax arrears sale process. Giving residents more time has a true win-win element as it doesn't force residents out of their homes as fast and gives them more time, and interest grows and accrues for the municipality."

Now therefore be it resolved that Council for the Corporation of the Municipality agrees/does not agree with the above recommendations, And furthermore, direct staff continue to carry out activities as directed above and proceed with the actions to collect all tax arrears for the 2023 and current year.

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Grant	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Latimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Manson (Absent)	<input type="checkbox"/>	<input type="checkbox"/>
Moreton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Gould	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Results: Defeated

7.1.1.7)

Resolution Number: 2024-7600

Moved By: Councillor Moreton

Seconded By: Councillor Grant

WHEREAS,

Council declared Municipal Surplus -2005 International 7600 series Diesel Tandem Dump/Sander Truck with front Harness & Side Wing by Resolution 2024-117 on March 26, 2024, Sealed Bids were to be submitted using the Township's prescribed bid form and be received by 12:00 PM, May 7, 2024 at the Municipal Office marked "2005 INTERNATIONAL DUMP/SANDER TRUCK BID",

And whereas the sealed bids were opened by the CAO, Donna Maitland and Public Works Superintendent Alex Hackenbrook on May 9, 2024 as witnessed by Trish Araujo, Administrative Assistant,

And whereas the highest bid was received from Ed Popkie O/A Fifth Wheel Training Institute \$7,500 plus HST,

Now therefore be it resolved that Council for the Corporation of the Municipality of Calvin accepts the sale of these items to Ed Popkie and that the funds, net of any taxes be deposited into the general bank account and be allocated to the public works department surplus fund.

Results: Carried

8.1.1.1)

Resolution Number: 2024-197

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

Council has received and approves the Municipality of Calvin Fire Department Report.

Results: Carried

8.1.1.2)

By-Law 2024-30

Resolution Number: 2024-198

Moved By: Councillor Moreton

Seconded By: Councillor Grant

WHEREAS the intention of the parties to enter into an agreement for the provision of communication (call taking and alerting) services to the Municipality of Calvin Fire Department by the North Bay CACC which is operated by the North Bay Regional Health Centre, under the authority of the Minister of Health and Long-Term Care,

AND WHEREAS council for the Corporation of the Municipality of Calvin accepts the recommendation from the Fire Chief to renew the Agreement for the provision of communication (call taking and alerting) services to the Calvin Fire Department by North Bay Central Ambulance Communication Centre (CACC).

AND WHEREAS the Agreement requires the Municipality to appoint a representative on the Joint Steering Committee from its Fire Department who accordingly, for the purposes of all matters arising under this Agreement the representative shall among other things, act as the sole spokesperson for the Fire and Emergency Service and act as its sole liaison with the CACC, and the Committee.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Calvin ratifies the attached By-Law 2024-30

as follows:

1. That the Mayor and CAO are designated as the Signing Officers and are authorized to execute on behalf of the Corporation of the Municipality of Calvin.
2. That the attached be hereto and form part and parcel of this By-Law.

2. That the attached be hereto and form part and parcel of this By-Law.
3. That any other By-law inconsistent with this by-law is hereby repealed.
4. This By-Law shall be enacted and in effect upon the signing thereof.
5. That the Fire Chief be appointed to the Joint Committee as the Municipality's representative.

Results: Carried

8.1.1.3)

Resolution Number: 2024-199

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

Whereas as outlined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, (AODA) "The purpose of this Act is to benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025."

And whereas the AODA mandates that each and every municipality in Ontario shall prepare an accessibility plan and update it every 5 years,

Now therefore be it resolved that Council for the Municipality of Calvin accepts and adopts the 2023-2028 Municipal Accessibility Plan as presented.

Results: Carried

8.1.1.4)

Resolution Number: 2024-200

Moved By: Councillor Moreton

Seconded By: Councillor Grant

Whereas, it is in the best interest of the Municipality to declare surplus properties in order to optimize resource allocation and promote efficient land use; and

Whereas, the property described as CON 6 PT LOT 34 PCL 13904 (no civic address) was identified at its April 30, 2024 meeting as surplus to the needs of the municipality due to it being landlocked, and with only one adjacent owner

Now, Therefore, Be It Resolved that as a housekeeping issue, In accordance with By-law 2008-015 a by-law to adopt policies for the sale of land, by way of this resolution, the property described as CON 6 PT LOT 34 PCL 13904 is hereby formally declared surplus to the needs of the municipality.

Results: Carried

8.1.1.5)

Resolution Number: 2024-201

Moved By: Mayor Gould

Seconded By: Councillor Moreton

WHEREAS prior to being repealed by the Modernizing Ontario's Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001, allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction;

AND WHEREAS the current Public Tax Sale process is a burdensome process to a municipality that invests a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario;

NOW THEREFORE BE IT RESOLVED THAT Council for the Corporation of the Municipality of Calvin supports The Town of Plympton-Wyoming and the Municipality of St. Charles directing staff to forward a copy of this resolution to the sender, the Ministry of Municipal Affairs and Housing (MMAH); the Ministry of Finance (MOF); the Ontario Municipal Tax & Revenue Association (OMTRA); the Association of Municipalities of Ontario (AMO) and Vic Fedeli MPP.

Results: Carried

9-9.1.1.4 Agencies, Boards, Committee Reports & Minutes

1. North Bay Mattawa Conservation Authority-Councillor Moreton
2. East Nipissing Planning Board-Mayor Gould & Councillor Grant
3. Physician Recruitment-Mayor Gould
4. OPP Detachment Board-Councillor Grant

Meeting Notes: Councillor Moreton-To bring initiative forward to the NBMCA as our Committee representative why residence should we be testing their water and why the recent publication does not mention rural Municipalities such as Calvin. Councillor Moreton to bring this

10-A) Moving into Closed Meeting

Resolution Number: 2024-202

Moved by: Councillor Moreton

Seconded by: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

Council for the Corporation of the Municipality of Calvin hereby move into closed session at 8:00 p.m. to discuss;

Pursuant to Section 239 of the Municipal Act, 2001, Council will move from Open Session into this Closed Session to consider:

-A proposed or pending acquisition or disposition of land by the municipality or local board; {(s. 239 (2) (c)}

-Personal matters about an identifiable individual, including municipal or local board employees {(s 239 (2) (b)}

Results: Carried

10-B) Moving out of Closed Meeting

Resolution Number: 2024-203

Moved by: Councillor Moreton

Seconded by: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

That Council for the Municipality of Calvin return to Open Session at 8:47 p.m. and report that it received and discussed information of the following nature:

Pursuant to Section 239 of the Municipal Act, 2001,

-Personal matters about an identifiable individual, including municipal or local board employees (s 239 (2) b)) and move forward with hiring Public Works Superintendent through a hiring committee made up of CAO, Mayor Gould and acting PW Manager.

-A proposed or pending acquisition or disposition of land by the municipality or local board; {(s. 239 (2) (c)} and that Council accept the sale of Con 6 PT Lot 34, PCL 13904 as negotiated by the CAO and authorizes the Mayor and CAO to finalize the legal documents on its behalf.

Results: Carried

11)

Resolution Number: 2024-204

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

By-Law 2024-031 being a By-Law to confirm the proceedings of Council.

Results: Carried

12)

Resolution Number: 2024-205

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

NOW THEREFORE BE IT RESOLVED THAT:

Council for the Corporation of the Municipality of Calvin now be adjourned @ 8:50 pm.

Results: Carried