



THE MUNICIPALITY OF CALVIN

Regular Meeting of Council

Minutes

February 27, 2024

6:00 p.m.

Attendance:

Mayor Gould, Councillor Manson, Councillor Grant, Councillor Moreton, Councillor Latimer, CAO Donna Maitland and Deputy Clerk Teresa Scroope

Guest: Christina Zardo, Food Cycle Science, Cindy Grant & Tom Wrona

Absent:

1) Call to Order

Resolution Number: 2024-68

Moved By: Councillor Moreton

Seconded By: Councillor Grant

"The February 27, 2024 Regular Meeting of Council be called to order at 6.07 p.m. and noted that quorum has been achieved."

Results: Carried

2) Suspend Procedural By-Law

Resolution Number: 2024-69

Moved By: Councillor Grant

Seconded By: Councillor Moreton

The procedural by-law be suspended for the duration of this meeting.

Results: Carried

3) Declaration of Disqualifying, Pecuniary Interest/Conflict of Interest-Yes-Councillor Grant-Stewarts Rd

4) Approval of Agenda

Resolution: 2024-70

Moved By: Councillor Moreton

Seconded by: Councillor Grant

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

Results: Carried

5) Approval of Minutes

Resolution: 2024-71

Moved By: Councillor Manson

Seconded By: Councillor Latimer

The Council for the Corporation of the Municipality of Calvin approves the Meeting Minutes of Special Meeting held on February 9, 2024 and Regular Meeting February 13, 2024 be hereby adopted and signed as circulated.

Results: Carried

6) Delegations: Yes

1. Christina Zardo-Food Cycle Science Corporation
2. Cindy Grant-Stewarts Rd
3. Tom Wrona-375 Stewarts Rd

7.) Presentation: National Food Waste Diversion Program

7.) Delegation Request-Cindy Grant

Resolution: 2024-71A

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

The Council for the Corporation of the Municipality of Calvin directs staff to consult with our Planner and Legal regarding Grant request as per their delegation today and bring request back to Council.

Results: Carried

7.) Delegation Request-Tom Wrona

Resolution: 2024-71B

Moved By: Councillor Manson

Seconded By: Councillor Moreton

The Council for the Corporation of the Municipality of Calvin directs staff to consult with our Planner and Legal regarding Wrona request as per their delegation today and bring request back to Council.

Results: Carried

8.) Consent Agenda Items for Information Purposes

Resolution: 2024-72

Moved By: Councillor Manson

Seconded By: Councillor Grant

The council for the Corporation of the Municipality of Calvin hereby receive the Consent Agenda items as circulated, less any items requested for separate review and discussion.

Results: Carried

9.1.1) Amendment to Schedule for 2024 Regular Council Meetings- April dates

Resolution: 2024-73

Moved By: Councillor Grant

Seconded by: Councillor Manson

WHEREAS

Council for the Corporation of the Municipality of Calvin received a tentative schedule for 2024 Calendar as outlined in the Procedural By-Law By Law 2022-062 on and passed December 12, 2023 by Resolution 2023-338 outlining the Regular Council meetings.

THEREFORE, Be It Resolved

Council for the Corporation of the Municipality of Calvin has been informed by staff that there are 2 dates out of order for the Month of April and hereby approve an amendment to the Schedule for 2024 Calendar to show the Meeting dates in April to be April 9th and 30th and direct staff to update the website to reflect this change.

Results: Carried

9.1.2) Ontario's Energy Board Decision Phase 1 of Enbridge Gas 2024 rebasing application

Resolution: 2024-74

Moved By: Councillor Manson

Seconded by: Councillor Moreton

Enbridge Gas Inc regarding the Ontario Energy Board's (OEB) decision on phase 1 of the Enbridge Gas 2024 rebasing application, issued in December 21, 2023 and given the survival of Calvin depends on fossil fuels Council directed staff to

prepare a resolution to support Enbridge Gas request by Resolution 2024-56 at the past meeting February 13,2024.

THEREFORE, BE IT RESOLVED THAT

The Council for the Corporation of the Municipality of Calvin deems it essential and necessary to take quick action and direct staff to reach out to our local MPP, write the OEB (Ontario Energy Board) about the consequences of reduced access to the natural gas grid to support economic development, housing growth, energy reliability, the need for natural gas and infrastructure in Ontario and to also reach out to our municipal advisor at Enbridge.

Mayor Gould presented during the meeting correspondence for Council to review and consider in their vote Ontario Clean Air Alliance and the action towards climate change.

Results: Carried

10.1.1) MTO Webinar Mayor Gould Attended

Resolution: 2024-75

Moved By: Councillor Moreton

Seconded by: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

The Council for the Corporation of the Municipality of Calvin will receive the Mayor's Report regarding The Ministry of Transportation (MTO) modernization on land development applications using new Land Development Review (LDR) module in the Highway Corridor Management System (HCMS) as attended a recent webinar on February 13 2024.

Results: Carried

10.1.2) Bell Canada Universal Broadband Funding

Resolution: 2024-76

Moved By: Councillor Moreton

Seconded by Councillor Grant

WHEREAS

The Council for the Corporation of the Municipality of Calvin is in receipt of that attached resolution from the East Ferris Municipality advising that in July and August 2021, East Ferris and area municipalities were informed that Bell had received Universal Broadband funding that would provide 50/10 Mbps service to some 8,566 premises throughout the Nipissing area, Bell informally shared maps with area municipalities, and East Ferris would see 98% of homes receiving fiber optic service;

AND WHEREAS in April 2022, another announcement was made regarding broadband funding for many of the same areas, again under the Universal Broadband program, but interestingly, this time the areas covered by Bell were reduced to a single project in Nipissing to include the communities of Astorville, East Ferris, Bonfield, Calvin, Kiosk, Mattawa, and Rutherglen;

AND WHEREAS in August 2022, the province announced the details of its Accelerated High-Speed Internet Access Program (AHSIP), and many of the areas that had been announced as going to Bell, but did not appear in the April announcement, were now included in this announcement;

AND WHEREAS after winning a contract from the provincial government in 2022 to provide fiber optic internet to 98% of East Ferris homes, Bell Canada has yet to begin construction of the project in East Ferris which has a completion deadline of 2025;

AND WHEREAS since May 2023, the Municipality of East Ferris has repeatedly invited Bell to appear before Council to discuss the project scope, but Bell has continuously declined our invitations and has privately communicated to the Municipality about its intention to descope the project;

AND WHEREAS as of today, we are unaware of the plans by Bell to build a fiber internet network in Calvin and we understand this same situation is also occurring in other communities in northern Ontario;

AND FURTHERMORE, THAT a copy of this resolution be send to MP, Anthony Rota, MPP, Vic Fedeli, Minister of Innovation, Science and Industry, Francois-Philippe Champagne, and the other area municipalities that were included in the joint project.

***Update*: February 24, 2024-The Province and Bell Canada confirm the project remains on track for completion in 2025. See attached North Bay News Communication.**

Results: Defeated

10.1.3) Road Maintenance Agreements

Resolution: 2024-77

Moved By: Councillor Latimer

Seconded by Councillor Moreton

NOW THEREFORE BE IT RESOLVED THAT:

That Council for the Municipality of Calvin discontinue the practice of receiving requests for and issuing road maintenance agreements.

Results: Carried

Recorded Vote:

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

10.1.4) Canadian Ecology Centre Firefighting Services and Equipment Agreement

By-Law 2024-14

Resolution: 2024-78

Moved By: Councillor Moreton

Seconded By: Councillor Latimer

WHEREAS

The Municipal Act S.O.2001, c 25 authorizes municipalities to enter into an agreement,

ANDWHEREAS the Council of the Corporation of the Municipality of Calvin deems it advisable to enter into an agreement with the Canadian Ecology Centre for the use of certain firefighting services and equipment of Calvin within the described fire area of the Canadian Ecology Centre,

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality ratifies the attached agreement as follows:

1. That the Mayor and CAO are designated as the Signing Officers and are authorized to execute an agreement on behalf of the Corporation of the Municipality of Calvin.
2. That the "Agreement between the Corporation of the Municipality of Calvin and the Canadian Ecology Centre" be hereto attached and form part and parcel of this by-law as Schedule "A".

This agreement shall be enacted and if effect upon the signing thereof.

Results: Carried

10.1.5) Lauder Fire Agreement

By-Law 2024-15

Resolution: 2024-79

Moved By: Councillor Manson

Seconded By: Councillor Moreton

BEING a By-law to enter into an agreement with the residents in the designated area of the unincorporated townships of Lauder and Boulter

WHEREAS THE MUNICIPALITY OF CALVIN FIRE DEPARTMENT was established by By-Law No. 565;

AND WHEREAS By-Laws have been duly enacted pursuant to the provisions of Section 3(1) of the Fire Protection and Prevention Act, 1997 to authorize an agreement between the said parties relative to the use of certain firefighting equipment of "Calvin" within the described area of Lauder and Boulter Townships.

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

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality ratifies the attached agreement as follows:

1. That the Mayor and CAO are designated as the Signing Officers and are authorized to execute an agreement on behalf of the Corporation of the Municipality of Calvin.
2. That the Agreement be hereto attached and form part and parcel of this by-law as Schedule "A".

This agreement shall be enacted and if effect upon the signing thereof.

Results: DEFERRED

10.1.6) Repeal By-Law 2021-034

Resolution: 2024-80

Moved By: Councillor Manson

Seconded By: Councillor Grant

Being a By-Law to repeal By-Law 2021-034 Being a By-Law to enter into an agreement with the Township of Chisholm and East Ferris for the enforcement of Municipal By-Laws.

WHEREAS the Corporation of the Municipality of Calvin has received an official notice of termination dated December 12, 2023 from the Township of Chisholm advising they will no longer be providing shared By-Law enforcement services to the Communities of East Ferris, Bonfield, Papineau Cameron and Calvin.

NOW THEREFORE BE IT RESOLVED THAT By-Law 2024-16 hereby be in effect to repeal By-Law 2021-034 being a By-Law to enter into agreement with the Township of Chisholm for By-Law enforcement as it is officially terminated and this be passed and numbered **2024-16**

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

Results: Carried

10.1.7) In Support to Resolution passed by the Municipality of Wawa Fire Apparatus

Resolution: 2024-82

Moved By: Councillor Grant

Seconded By: Councillor Moreton

WHEREAS apparatus and equipment are directly tied to the delivery of fire protection services and a safe, reliable and diverse fleet is required to service operational needs;

AND WHEREAS fire apparatus is governed by industry best practices, the application of law and recognized industry partners, including the Ontario Fire Service Section 21 Guidance Notes, National Fire Protection Association Standards, The Occupational Health and Safety Act, and Fire Underwriters Survey (FUS);

AND WHEREAS no provincial funding is available for new fire trucks, yet, small and rural municipalities must meet the same standards set by FUS as larger municipalities for fire equipment, including additional pressure to move fire trucks out when they reach a specific age, even though they can still meet the safety regulations;

THEREFORE, BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Calvin is in support of the attached resolution as passed by the Municipality of Wawa and directs the Fire Chief to prepare a letter to give to the clerk as follows; attention to the Fire Underwriters Survey requesting the creation of a new community fire-protection and fire prevention insurance system that does not put all municipalities under the same umbrella, with distinct categories for rural and urban municipalities;

AND FURTHERMORE, THAT this resolution be sent to Premier Doug Ford, The Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, Paul Calandra, Minister of Affairs and Housing, The Federation of Canadian Municipalities, The Association of Municipalities of Ontario (AMO) MPP Vic Fedeli and all 444 Municipalities in Ontario.

Results: Carried

10.1.8) Amendment to the Occupational Health and Safety Act to Clarify the Definition of "Employer"

Resolution: 2024-82

Moved By: Councillor

Seconded By: Councillor

WHEREAS many municipalities in Ontario have seen an increase to their insurance rates due to Joint and Several Liability;

WHEREAS in 2015 the City of Greater Sudbury (the "City") entered into a contract with a contractor experienced in road construction projects to complete a project on Elgin Street in the City's downtown core;

AND WHEREAS the contract provided that the contractor would be the constructor for the project as that term is defined in the Occupational Health and Safety Act (the "Act");

AND WHEREAS an employee of the constructor operating a grader on the project struck and killed a pedestrian;

AND WHEREAS the City was charged with offences under the Act as the constructor and the employer;

AND WHEREAS after being acquitted at trial and on appeal, the Ontario Court of Appeal, in a decision issued on April 23, 2021, found the City to be liable for contraventions of the Construction Regulations as an employer as it employed quality control inspectors to monitor the quality of work on the project from time-to-time;

AND WHEREAS the Supreme Court of Canada, in a decision issued on November 10, 2023, was evenly divided 4-4 on the issue resulting in dismissal of the City's appeal;

AND WHEREAS the consequence of this decision is that municipalities in Ontario, as well as all other owners of property in the province, who wish to undertake construction, are subject to being charged and convicted as an employer for offences in relation to project sites for which they have no control and have, in accordance with the Act, contracted with an entity to assume plenary oversight and authority over the work on such site as the constructor; **AND WHEREAS** the potential of an owner being charged as an employer as that term is defined in the Act in circumstances where it has engaged a constructor disregards and renders meaningless the owner-constructor provisions contained in the Act and presents an unacceptable level of increased risk and confusion for owners and contractors throughout the province;

AND WHEREAS the Corporation of the Municipality of Calvin believes that the safety of workers is paramount however the safety of workers on construction projects in Ontario is not increased by placing liability on parties that do not have control of and are not responsible for the conduct of the work on such sites;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Calvin requests that the province amend the Occupational Health and Safety Act to clarify the definition of "employer" to exclude owners that have contracted with a constructor for a project;

AND BE IT FURTHER RESOLVED THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, France Gelin, MPP for Nickel Belt, Jamie West, MPP for Sudbury, MPP Vic Fedeli, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Ontario's Big City Mayors, Mayors and Regional Chairs of Ontario, Northern Ontario Large Urban Mayors, the Council of Ontario Construction Associations, the Ontario

Results: Carried

10.1.9) District of Nipissing Social Services Administration board (DNSSAB) -The Reaching Home program

Resolution: 2024-83

Moved By: Councillor Moreton
Seconded By: Councillor Latimer

WHEREAS

The Corporation of the Municipality of Calvin has received a request from Mark King, Chair of the District of Nipissing Social Services Administration board (DNSSAB) asking for support and notes;

The District of Nipissing Social Services Administration Board (DNSSAB) has seen reduced federal funding for the Reaching Home program for 2026-27 and 2027-28 in the amount of \$738,144 for each year. The Reaching Home program provides federal funding to urban, Indigenous, rural, and remote communities to help them address their local homelessness needs. This abrupt change will present significant financial challenges for the funded agencies providing homelessness services and supports with Reaching Home funds. Communities across Canada are advocating with the Federal Government to reconsider the funding cuts, and we are asking you to do the same. The DNSSAB has also written letters to MPs Rota and Serré, also attached, asking them to advocate for reconsideration of the Reaching Home funding decreases.

NOW THEREFORE BE IT RESOLVED THAT:

THAT The Corporation of the Municipality of Calvin supports the stabilization of the Federal Government's Reaching Home funding to the District of Nipissing Social Services Administration Board as the Community Entity; and,

THAT funding be maintained, at minimum, at current levels for future fiscal years; and,

THAT this resolution be shared with local federal representatives

Results: Carried

10.1.10) Chief Building Official Report-January

Resolution: 2024-84

Moved By: Councillor Moreton

Seconded By: Councillor Grant

NOW THEREFORE BE IT RESOLVED THAT:

Council for the Corporation of the Municipality of Calvin Township has received a report from the Chief Building Official.

Results: Carried

11) Agencies, Boards, Committee Reports & Minutes

- North Bay Mattawa Conservation Authority-Councillor Moreton-Media Release
- Mattawa and Area Police Services Board-Councillor Moreton-Nothing New
- East Nipissing Planning Board-Mayor Gould/Grant--0
- Physicians Recruitment-Mayor Gould -Minutes Attached
- Ad Hoc Code of Conduct Committee-Councillor Grant/Councillor Manson/Latimer-Next Meeting March 1 2024

12) ROUND TABLE DISCUSSION

1. Mayor Gould-News Letter attached
2. Councillor Grant-Thank you for the News Letter, Great to see & Bill too!
3. Councillor Latimer-Thank you for the News Letter-Positive news and development
4. Councillor Manson-Nothing to add
5. Councillor Moreton-Thank you for the News Letter & Contribution

13) Moving into Closed Meeting

Resolution: 2024-85

Moved By: Councillor Moreton

Seconded By: Councillor Manson

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;

- personal matters about an identifiable individual, including municipal or local board employees

(239,2, b)

-labour relations or employee negotiations (239,2, d)

-litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (239, 2, e)

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (239, 2, f)

- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

2014, c. 13, Sched. 9, s. 22 (239, 3, b)

Results: Carried

13) Moving out of Closed Meeting

Resolution: 2024-86

Moved By: Councillor Moreton

Seconded By: Councillor Manson

NOW THEREFORE BE IT RESOLVED THAT:

That Council for the Municipality of Calvin return to Open Session at 10:25 p.m. and report that it received and discussed information of the following nature:

-Labour relations or employee negotiations - s.239, 2, d.

-Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - s. 239, 2, e

-Personal matters about an identifiable individual, including municipal or local board employees - s. 239,2, b

-Advice that is subject to solicitor-clint privilege, including communications necessary for that purpose - s. 239, 2, f

-An ongoing investigation respecting the municipality, a local board or municipally-controlled corporation by the Ombudsman, appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.2(1) of this Act, or the investigator referred to in subsection 239.2(1) 2014, c13, Sched 9, s, 22 (s. 239,3,b)

-On the advice of the Municipality's Solicitor, in line with the Municipal Act, that prior to proceeding with obtaining legal or planning advice on matters brought forward by two individual delegates at the Feb 27th, 2024 regular meeting of council, that both delegates(requesters) pay costs related to processing their requests; 50% of those anticipated costs up front as a deposit, with the balance due upon the Township receiving that professional advice.

And further that, the record note Councillor Grant's absence when this last item and others were discussed. A COI declaration is on file for matters he was not present to participate in.

Dean Grant abstained for voting on this matter in open session.

Results: Carried

14.) Confirmatory By-Law 2024-17

Resolution: 2024-87

Moved By: Councillor Moreton

Seconded by Councillor Manson

NOW THEREFORE BE IT RESOLVED THAT:

By-Law 2024-17 Being a By-Law to confirm the proceedings of Council

Results: Carried

15.) Adjournment

Resolution: 2024-88

Moved By: Councillor Moreton

Seconded by: Councillor Grant

"Council for the Corporation of the Municipality of Calvin now be adjourned @

10:31 pm."

Results: Carried