

**THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA**

**December 16, 2011**

Minutes of a regular meeting of Council held on Friday, December 16, 2011 at 14:00 h. in the Municipal Hall.

**1. CALL TO ORDER & MOMENT OF SILENCE**

**2. ROLL CALL**

The following were present Reeve Tammy Stewart, Councillors: Dave Foote, Jim Gibson and Robert Reid.

Approximately 4 members of the public and media were present.

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF –**

Reeve Stewart declared a Conflict of Interest in respect of the Clerk's Report 16/12/11/801 due to potential litigation. When asked which number, she responded "all of it".

**4. DEPUTATIONS/PRESENTATIONS – none**

**5. ADOPTION of MINUTES of PREVIOUS MEETINGS (INCLUDING COMMITTEES)**

**i. Council Minutes**

Resolution # 16/12/11/001

Moved by Councillor Foote and seconded by Councillor Reid

**BE IT RESOLVED THAT** the minutes of the regular meeting of Friday, December 2, 2011 be accepted as presented.

Carried Unanimously

**6. CORRESPONDENCE & PETITIONS – None**

**7. CORRESPONDENCE**

- i.** Jp2g Consultants – re: costs of modification to the storage at the disposal site for MHSW – information, costs prohibitive
- ii.** Barry's Bay this Week – re: decision of KHR to transport their material and increase bag stickers from \$1 to \$2 to cover the extra costs - information
- iii.** Renfrew County Senior Games – re: request for funding - information
- iv.** AMCTO – re: Year-end reminders – information
- v.** Ministry of Citizenship and Immigration - information
- vi.** L1 – MNDM – re: Bissett Graphite Mine moving from project status of Temporary Suspension to Mine Development and Production - information
- vii.** L2 – The Delfi Group – re: Media/Communication Protocol regarding the investigation process initiated this month – protocol agreed to be followed by Council members

At 14:10 h. Reeve Stewart removed herself from the chair which was assumed by Councillor Gibson as Alternate Head of Council;

**8. STAFF REPORTS**

- i.** Clerk's Report #16/12/11/801 – information

Resolution # 16/12/11/001- C

Moved by Councillor Foote and seconded by Councillor Reid

**WHEREAS** resolution #20/05/11/006-A delegated to Councillor Aiston the duty of being Council's representative to staff until further notice;

**AND WHEREAS** with Councillor Aiston's resignation this position is left unfilled;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby appoint Robert Reid to fulfill that obligation until further notice.

Carried Unanimously

**Recorded Vote**

Reeve Stewart	Not at table
Councillor Foote	Yes
Councillor Gibson	Yes
Councillor Reid	Yes

Resolution # 16/12/11/001- A

Moved by Councillor Reid and seconded by Councillor Foote

**WHEREAS** Council has previously agreed through resolution #12/08/11/004 to not pay the costs owing to Mr. Instance as incurred by Reeve Stewart during the Form 4 challenge;

**AND WHEREAS** at its meeting of Friday, December 2, 2011 Council agreed to pay the entire invoice of Mr. Instance leaving staff no direction with relation to recouping those costs;

**THEREFORE BE IT RESOLVED** that the Council of the United Townships of Head, Clara & Maria does hereby resolve to have the Treasurer invoice Reeve Tammy Lea Stewart for the amount of the invoice incurred by her without prior approval of Council.

Carried

Recorded Vote	
Reeve Stewart	Not at Table
Councillor Foote	Yes
Councillor Gibson	Yes
Councillor Reid	No

The chair asked Reeve Stewart if she would like to resume her position at this time. She declined.

Resolution # 16/12/11/001- B

Moved by Councillor Foote and seconded by Councillor Reid

**WHEREAS** staff have been tasked with creating a 360 degree appraisal product to use to evaluate the work of the Clerk for the 2011 calendar year and it was suggested that a consultant be utilized to complete the process;

**AND WHEREAS** it has been learned that the Delfi Group can complete the entire process including creating, performing, tabulating reporting and discussing the results for a fee of approximately \$500;

**THEREFORE BE IT RESOLVED THAT** in an effort to obtain an objective appraisal in a time and cost effective method that the Delfi Group be contacted to complete a performance appraisal using their Checkpoint 360 tool.

Carried Unanimously

Recorded Vote	
Reeve Stewart	Not at table
Councillor Foote	Yes
Councillor Gibson	Yes
Councillor Reid	Yes

Councillor Gibson turned over chair to Reeve Stewart at 14:27h.

ii. Treasurer's Report #16/12/11/802 - information

## 9. FINANCIAL REPORTS

i. Comparative Income Statement Report #16/12/11/901

Resolution # 16/12/11/002

Moved by Councillor Foote and Seconded by Councillor Reid

**BE IT RESOLVED THAT** the Comparative Income Statement dated December 13, 2011 be accepted as presented.

Resolution Withdrawn

**Note:** there were challenges with the formulas used to create the "differences" column. This will be corrected and returned for the next meeting.

## 10. BY-LAWS

i. Report #16/12/11/1002 – By-Law 2011- 31 Recycling Contract Renewal

Resolution # 16/12/11/003

Moved by Councillor Reid and Seconded by Councillor Foote

**BE IT RESOLVED THAT** By-Law #2011-31 being a by-law to authorize the execution of an Agreement for provision of recycling collection services for the municipality be read a 1<sup>st</sup> and 2<sup>nd</sup> time this 16<sup>th</sup> day of December, 2011.

Carried Unanimously

Resolution # 16/12/11/004

Moved by Councillor Foote and Seconded by Councillor Reid

**BE IT RESOLVED THAT** By-Law #2011-31 being a by-law to authorize the execution of an Agreement for provision of recycling collection services for the municipality be read a 3<sup>rd</sup> time short and finally passed this 16<sup>th</sup> day of December, 2011.

Carried Unanimously

## **11. UNFINISHED BUSINESS**

- i. Report #16/12/11/1101 – Support by Resolution County of Huron and Use of Rural Buildings

Resolution # 16/12/11/005

Moved by Councillor Reid and Seconded by Councillor Foote

**WHEREAS** the Province through the Ontario Fire Marshal's office has directed that rural municipalities restrict residents in using barns, sheds and other rural structures for social functions which form an important part of their rural culture and history;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby join and support the County of Huron in its request to lobby the provincial government to change the current restricting direction of the Ontario Fire Marshal's office and to allow past practice to continue.

Carried Unanimously

- ii. Report #16/12/11/1102 – Support by Resolution Muskoka Lakes and Green Energy Approvals

Resolution # 16/12/11/0006

Moved by Councillor Reid and Seconded by Councillor Foote

**WHEREAS** the Council of the United Townships of Head, Clara & Maria does agree with the Townships of Muskoka Lakes and its request of the province to meet with municipalities to come to an amicable conclusion that respects the role of municipalities and the goals of the province in planning and locating Renewable Energy Projects;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby join and support the enclosed resolution of the Townships of Muskoka Lakes.

Carried Unanimously

## **12. ADDENDUM (NEW BUSINESS)**

- i. Report #16/12/11/1201– Recycling and Blue Box Program Update

Resolution # 16/12/11/007

Moved by Councillor Foote and Seconded by Councillor Reid

**WHEREAS** Council has received and reviewed report #16/12/11/1201 informing Council of the Blue Box and Waste Management Program and changes for 2011;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby accept the report as presented.

Carried Unanimously

- ii. Report #16/12/11/1202 – Cancel January 6, 2012 meeting

Resolution # 16/12/11/008

Moved by Councillor Foote and Seconded by Councillor Gibson

**WHEREAS** there are only 7 working days between this meeting and the date that the package for the January 6, 2011 meeting will have to be ready;

**AND WHEREAS** other year end obligations will take up most of staff time, not allowing much time for meeting preparation;

**THEREFORE BE IT RESOLVED THAT** in order to make the most effective use of time and money the Council of the United Townships of Head, Clara & Maria does hereby agree to cancel the regular meeting of Friday, January 6, 2012 to meet again on Friday, January 20, 2012. Staff are to advertise as per the municipal Notice By-law.

Carried Unanimously

- iii. Report #16/12/11/1203 – Performance Appraisals

Resolution # 16/12/11/009

Moved by Councillor Gibson and Seconded by Councillor Foote

**WHEREAS** the Council of the United Townships of Head, Clara & Maria has adopted a performance assessment policy and wage grid for use by management and Council to perform employee evaluations;

**AND WHEREAS** employee evaluations were completed this December for the 2011 year for the employees by the Clerk with assistance from employee supervisors where applicable for the 2011 year;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby agree that based on completed assessments for the 2011 work year and to become effective January 1<sup>st</sup> 2012 all qualified staff receive a step increase on the salary grid.

Carried Unanimously

iv. Report #16/12/11/1204 – Amendment to PSAB Depreciation Schedule  
Resolution # 16/12/11/010

Moved by Councillor Foote and Seconded by Councillor Gibson

**WHEREAS** the proposed change has been approved by the Auditor;

**AND WHEREAS** the change will significantly reduce administration;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the United Townships of Head, Clara & Maria does hereby declare that the Tangible Capital Assets Policy be amended to change the amortization and depreciation period from monthly to yearly.

Carried Unanimously

v. Report #16/12/11/1205 – Code of Conduct Complaints against Melinda Reith, Clerk and the Council of the United Townships of Head, Clara & Maria, Councillor Gibson and Councillor Foote

Resolution # 16/12/11/011

Moved by Councillor Gibson and Seconded by Councillor Reid

**WHEREAS** a ratepayer has filed a Harassment Complaint according to the Municipal Policy on Harassment and Workplace Violence and the Municipal Code of Conduct against Council in general, against Councillors Dave Foote and Jim Gibson in particular and against the Municipal Clerk Melinda Reith;

**AND WHEREAS** in order to resolve these long standing issues Council must take some definitive action;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby resolve to take these matters seriously and does agree to bring these complaints to Mr. Ray Bonenberg of the Delfi Group for consideration and final resolution as they relate to the same events listed in the complaints Mr. Bonenberg is currently investigating;

Carried Unanimously

There was discussion around the copies received by individual council members as questioned by Reeve Stewart in response to a comment from Councillor Foote. As Council is not the entity required to investigate complaints, only the respondent in each case is to receive a copy of the complaint. For this reason Councillor Reid and Reeve Stewart only received a copy of the complaint listing them as "Council". Councillor's Foote and Gibson were each named individually as well and as a member of "Council" and as such received the complaint listing them as respondent as well.

**13. CLOSED SESSION – None**

**14. BUSINESS ARISING FROM CLOSED SESSION - none**

**15. QUESTIONS AND ANSWERS**

- i. Councillor Gibson asked a question about the helipad and its use for the upcoming winter season. The Clerk has contacted Brian Leahy of Renfrew County Emergency Services as well as ORNGE Air on numerous occasions and has not received a response concerning an agreement for use. Councillor Gibson then expressed the desire of the Missing Link Snowmobile Club to utilize the area for their trail until further notice.
- ii. Councillor Reid took the opportunity to express on behalf of himself and his wife Lucy a Merry Christmas to all present.

**16. CONFIRMATION OF PROCEEDINGS**

Resolution # 16/12/11/012

Moved by Councillor Reid and Seconded by Councillor Gibson

**BE IT RESOLVED THAT** By-Law 2011-32 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on December 16, 2011 be read a first time short and passed.

Carried Unanimously

**17. ADJOURNMENT**

Resolution # 16/12/11/013

Moved by Councillor Gibson and seconded by Councillor Foote

**BE IT RESOLVED THAT** this meeting adjourn at 14:50 h to meet again Friday, January 20, 2011 at 14:00h.

Carried Unanimously

\_\_\_\_\_  
Reeve – Tammy Lea Stewart

\_\_\_\_\_  
Clerk – Melinda Reith

*December 16, 2011*

*I, Declare a conflict of interest on the  
clerk's report: 16/12/11/801 dated December  
16, 2011 due to potential litigation*

*T. Stewart*