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THE TOWNSHIP OF TARBUTT
Minutes of the Council Meeting
Wednesday, May 24, 2023 at 6:00 pm
Township Council Chambers, 27 Barr Road S.

PRESENT: Lennox Smith, Mayor
Ursula Abbott
David Farrar
Darren McClelland
Jacqui Nagel

STAFF: Michael Pigeon, Road Superintendent
Carol Trainor, Clerk

1. CALL TO ORDER

Mayor Smith called the regular Council meeting to order at 6:00 pm.

2. DISCLOSURES OF PECUNIARY INTEREST

3. PREVIOUS MINUTES

a. Minutes of the Council meeting held April 19, 2023

Resolution No: 2023-61

Moved by: D. McClelland Seconded by: D. Farrar

Be it resolved that the minutes of the Regular Council meeting held April 19, 2023 be approved as circulated.

Councilor Abbott requested a recorded vote.

U. Abbott In favour

D. Farrar In favour

D. McClelland In favour

J. Nagel In favour

L. Smith In favour

Motion carried.

4. DEPUTATIONS / PRESENTATIONS

5. FINANCIAL STATEMENTS

a. General Financial Statement for April, 2023

Budget to actuals to the end of April 2023 was circulated to Council by e-mail. A cheque log was distributed on table. Council will receive these with the agenda in future.



Resolution No: 2023 – 62

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that the financial statements for April 2023 be approved as circulated.

Carried

6. STAFF AND COMMITTEE REPORTS

a. Application for Zoning By-law Amendment (Cilia)

The property owners of 180 Brown's Island Road were in attendance to speak to their application to amend the zoning by-law to reduce the side yard setback from 10 feet to 3 feet for the construction of an accessory building. While there is more room on the west side of the dwelling, the southeast side already has the proper foundation to support the building, and it would not interfere with any visual sightlines.

Resolution No: 2023 – 63

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the report regarding the Application for Zoning By-law Amendment for the property located at 180 Brown's Island Road be received; and

That the Clerk be directed to prepare and circulate the public notice to amend the Zoning By-law to reduce the side yard setback on the southeast side of the dwelling located at 180 Brown's Island Road.

Carried as amended

b. Roads Department

Road Superintendent Mike Pigeon discussed guard rail repairs and ditching. He is investigating the use of expansion concrete to blast rock, and has been talking with a contractor to pulverize the corduroy road on Port Findlay. M Pigeon also noted the condition of portions of Smith Road that were resurfaced in the last few years, and recommends that resurfacing be accelerated as it is badly broken up.

Resolution No: 2023 – 64

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the verbal report by the Road Superintendent be received.

Carried

c. Smith Road conveyance / ditch clearing

The Road Superintendent has proposed a cost effective method of clearing the ditch in order to proceed with the conveyance of a portion of Smith Road, as previously discussed.

Resolution No: 2023 – 65

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the information provided by the Road Superintendent and the Mayor regarding the portion of Smith Road to be conveyed to the Township in exchange for ditch clearing along the east side of Smith Road be received; and



That Council authorize staff to proceed with the conveyance at the expense of the Township.
Carried

d. Property complaint

A written complaint has been received about the condition of a property that is littered with many types of debris, derelict vehicles, and waste which is beginning to encroach into the neighbouring property. The 1975 "Cleaning and Clearing" by-law is still in effect but should be updated to allow for a progressive penalty process.

Resolution No: 2023 – 66

Moved by: U. Abbot

Seconded by: J. Nagel

Be it resolved that the written complaint regarding the condition of a property on Government Road be received; and

That staff be directed to begin a progressive process of working with the property owner to have the yard cleared, and to provide an updated version of a Clean Yards by-law that provides for fines and penalties for failure to comply.

Carried

e. Civil Marriage Policy and Fee Schedule

Resolution No: 2023 – 67

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the draft Civil Marriage Solemnization policy and proposed fee schedule be received; and

That the Civil Marriage Solemnization policy be approved as circulated.

Carried

f. Clerk's Report

Resolution No: 2023 – 68

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the Clerk's Report for April 2023 be received for information; and

That Council approves proceeding with an agreement with Guardian Electric for twice/year inspections plus annual maintenance of two emergency generators.

Carried

7. BY-LAWS

a. 2023 Tax Rate By-law

Resolution No: 2023 – 69

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that leave be granted to introduce By-law 2023 - 12, being a By-law to establish a rate of taxation for the year 2023, and to repeal By-law 2023-03; and



That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty Fourth day of May, 2023.
Carried

- b. By-law to Enter into Agreement with Comprint Systems Inc (Datafix)

Resolution No: 2023 – 70

Moved by: D. McClelland Seconded by: D. Farrar

Be it resolved that leave be granted to introduce By-law 2023 - 13, being a By-law authorizing the Clerk to enter into a Voter List Management Services Agreement with Comprint Systems Incorporated (Datafix), for an Election Management System; and That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty Fourth day of May, 2023.

Carried

- c. Amend Committee Appointment By-law 2022 – 30 (Cemetery Board)

Resolution No: 2023 – 71

Moved by: J. Nagel Seconded by: U. Abbott

Be it resolved that leave be granted to introduce By-law 2022-30, as further amended, being a by-law to establish and appoint committees and subcommittees of Council for The Township of Tarbutt for the 2022 – 2026 term.

Carried

8. INFORMATION/ CONSENT AGENDA

- a. Letter to Premier Ford from the Association of Municipalities of Ontario (AMO)
Re: Bill 5: Stopping Harassment and Abuse by Local Leaders Act, 2022

- b. Support for Bill 5: *Stopping Harassment and Abuse by Local Leaders Act*
Resolutions from:

The Municipality of Chatham-Kent

The Town of Plympton-Wyoming

The Township of Mulmur

The Township of Southgate

The Township of West Lincoln

Lanark Highlands

The City of Sault Ste. Marie

The Town of Witchurch-Stouffville

The County of Oxford

The Municipality of Shuniah

The Township of Wellington North

The City of Cambridge

The City of Port Colborne

#thewomenofontariosayno An Overview of Bill 5

- c. Resolution from the Township of Armour

Re: Lack of Municipal and Provincial consultation on water aerodromes and to prohibit the construction and use of mixed use docks and structures



- d. Resolution from The County of Prince Edward
Re: Pause Bill 23 and reinvest trust in local planning authorities.
- e. Resolution from The Town of Fort Frances
Re: Seeking additional resources to combat the opioid crisis in Northern Ontario
- f. Resolution from the United Counties of Stormont, Dundas & Glengarry
Re: Pause proposed PPS changes and reinvest trust in local planning authorities
- g. Resolution from FONOM
Re: Request Federal Government to make legislative changes to Bail Reform
- h. Resolution from the Municipality of Wawa
Re: Revisions to the Municipal Oath of Office
- i. Letter from Central Algoma Intermediate & Secondary School
Re: Donation toward the CASS 50th Reunion
- j. History of Hockey Magazine Request for Donation/Sponsorship
Re: Request for the Law Enforcement Torch Run for Special Olympics

Resolution No: 2023 – 72

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that correspondence items a. through j. on the Consent Agenda dated May 24, 2023 be received; and

That The Township of Tarbutt adds its support to the letter from the AMO President, and over 100 Ontario municipalities in support of Bill 5, *Stopping Harassment and Abuse by Local Leaders Act*, to update and increase municipal Codes of Conduct, and improve enforcement to reduce the number and severity of incidents of disrespectful, uncivil, and egregious conduct by some municipal council members in an effort to improve the working environment of municipal elected and staff officials; and

That Council supports the resolutions from The Township of Armour, The County of Prince Edward, the Town of Fort Frances, and the United Counties of Stormont, Dundas & Glengarry, the Resolution from FONOM, and from the Municipality of Wawa regarding revisions to the Municipal Oath of Office.

Carried Unanimously

9. OTHER BUSINESS

At their last meeting, the Planning Board approved a recommendation to permit a second Tarbutt representative to sit on the Board. Mayor Smith suggested the name of an individual with a great deal of township history and knowledge.

Resolution No: 2023 – 73

Moved by: U. Abbott Seconded by: J. Nagel

Be it resolved that the Council of The Township of Tarbutt requests that the Planning Board authorize Council to appoint Ruth Wigmore to the Planning Board as a member at large to represent Tarbutt.

Carried unanimously



10. CLOSED SESSION

Resolution No: 2023 – 74

Moved by: D. Farrar Seconded by: D. McClelland

Be it resolved that Council move into closed session at 7:14 pm under Sec. 239 b) of the *Municipal Act* in order to discuss matters pertaining to personal matters about an identifiable individual, including municipal or local board employees; and also Sec. 239 f), advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

- a. Council/Staff Relations and Code of Conduct Policies
- b. Board members Conflict of Interest
- c. Solicitor letter re: Joint Landfill Site

Resolution No: 2023 – 75

Moved by: D. Farrar Seconded by: D. McClelland

Be it resolved that Council rise from closed session at 8:22 pm, and that staff confer with the Township Solicitor as directed.

Carried

11. CONFIRMATION BY-LAW

Resolution No: 2023 – 76

Moved by: U. Abbott Seconded by: J. Nagel

Be it resolved that leave be granted to introduce By-law 2023 - 14, being a by-law to confirm the proceedings of the regular council meeting held this Twenty Fourth day of May, 2023; and

That said by-law be read a first, and taken as read a second and third time and finally passed.

Carried.


12. ADJOURNMENT

Resolution No: 2023 – 77


Moved by: D. Farrar Seconded by: D. McClelland

Be it resolved that the regular Council meeting of May 24, 2023 be adjourned at 8:34 pm, to meet again on Wednesday, June 21, 2023.

Carried



Lennox Smith, Mayor



Carol O. Trainor, Clerk