



THE TOWNSHIP OF TARBUTT
Minutes of the Council Meeting
Wednesday, August 14, 2024 at 5:00 pm
Township Council Chambers, 27 Barr Road S.

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

STAFF: Carol Trainor, CAO/Clerk
Mike Pigeon, Road Superintendent

GUEST: Kevin Morris, Chief Building Official, Tulloch Engineering

1. CALL TO ORDER

Mayor Smith called the regular Council meeting to order at 5:00 pm.

2. DISCLOSURES OF PECUNIARY INTEREST

Councillor Abbott declared a potential conflict with Item 4, presentation of the Building Official as a result of her husband's business.

Councillor D. Farrar declared a pecuniary interest with agenda item 5 a. as his company is listed on the monthly payables.

3. PREVIOUS MINUTES

a. Minutes of the Regular Council meeting held July 17, 2024

Resolution No: 2024 – 124

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

Be it resolved that the minutes of the Regular Council meeting held July 17, 2024 be adopted as circulated.

Carried

4. DEPUTATIONS / PRESENTATIONS

a. Chief Building Official Kevin Morris
Re: Inspections, Orders, Code Compliance



The Township's Chief Building Official Kevin Morris, employed by Tulloch, was in attendance to discuss conditions that must be in place before a Stop Work Order and Orders to Comply can be issued. He explained other conditions taken into consideration, such as what is defined as a temporary structure (short term use), and minimum distances required between a septic field and permanent structures.

Mr. Morris noted that zoning contraventions must be corrected before orders can be issued, or before building permit can be issued. A verbal order to stop work issued June 3 was ignored and construction continues. Mr. Morris will revisit the site to issue the paper order. Zoning must also be addressed as part of the process because building permits cannot be issued if the proposed structure is not zoning compliant.

5. FINANCIAL STATEMENTS

- a. Payment log for the month of July, 2024.

Resolution No: 2024 – 125

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that the list of payables for the month of July, 2024 be approved.

Carried

6. STAFF AND COMMITTEE REPORTS

- a. Report from the Road Superintendent for August 2024

Road Superintendent Mike Pigeon brought Council up to date on the rock hammering on Smith Road, which is now complete, the need for a new industrial sized weed whacker, and follow up on all recommendations coming out of the 2024 Bridge Inspection report from Kresin Engineering.

Resolution No: 2024 – 126

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that the monthly report from the Road Superintendent dated August 14, 2024 be received.

Carried

- b. 2024 Bridge Inspection Report

Resolution No: 2024 – 127

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the 2024 Bridge Inspection Report from Kresin Engineering be received; and



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Re: Inspections, Orders, Code Compliance



That staff be authorized to proceed with the recommended repairs and maintenance items noted in the report.

Carried

c. Draft minutes of the Tarbutt Cemetery Board meeting of August 7, 2024

Resolution No: 2024 – 128

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

Be it resolved that the minutes of the Tarbutt Cemetery Board meeting held on August 7, 2024 be received.

Carried

d. Great Waterfront Trail Adventure 2024 Northern Ontario Tour Stop

This cycling event will be a good opportunity to publicize and showcase the Active Transportation Hub facility at the MacLennan Hall.

Resolution No: 2024 – 129

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

Be it resolved that the report from the CAO/Clerk and the press release regarding the Great Waterfront Trail Adventure 2024 be received.

Carried

e. Tax Certificate Fees

The Clerk provided a comparison of tax certificate fees charged by 11 other small, rural municipalities. Tarbutt is currently one of the lowest. These incremental changes can be made to recoup costs until a comprehensive Fees and Charges By-law is ready for presentation.

Resolution No: 2024 – 130

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

Be it resolved that the report from the CAO/Clerk regarding fees for Tax Certificates be received; and

That Council supports increasing the fee for Tax Certificates issued to legal firms to \$50.00 effective September 1, 2024.

Carried as amended

f. Report from the CAO/Clerk for August 2024

The Clerk brought council up to date on recycling transition discussions with Circular Materials, completion of final tax billing, progress on the recent zoning amendment, the need to retain a professional planner, repairs at the MacLennan Hall, and a possible appeal of tax reclassification.



Resolution No: 2024 – 131

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

Be it resolved that the Clerk’s Report for August 2024 be received; and
That the Clerk be authorized to engage the services of a registered planner and
the Township Solicitor to represent the municipality at the Ontario Land Tribunal;
and

That staff be directed to pursue compliance with Section 7 of the Clean Yards By-
law for the property on Lakeshore Drive.

Carried as amended

7. BY-LAWS

a. 2024 Tax Rate By-law

Resolution No: 2024 – 132

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

Be it resolved that leave be granted to introduce By-law 2024 – 20, being a By-
law to adopt Tax Rates for the year 2024; and

That said by-law be given a first, and taken as read a second and third time
and finally passed this Fourteenth day of August, 2024.

Carried

8. INFORMATION / CONSENT AGENDA

a. Resolution from The Town of Bradford West Gwillimbury
Re: AMO / Ontario Medical Association Joint Health Resolution

Resolution No: 2024 – 133

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

Be it resolved that the resolution from the Town of Bradford West Gwillimbury
regarding the Joint Health Resolution Campaign be received; and

That the Council of The Township of Tarbutt supports the resolution circulated
by AMO and the Ontario Medical Association urging the Province of Ontario to
recognize the physician shortage, particularly in rural and northern Ontario, and
to fund health care appropriately to ensure that every Ontarian has access to
physician care.

Carried

9. OTHER BUSINESS / ADDENDUM



a. Public Holiday Pay

Both provincial and federal employment legislation state that an internal policy is necessary to modify public pay calculations when employees at a single place of employment have two or more varying work week schedules. Council did not express a desire to stray from the legislated 8 hour public holiday pay provided.

Resolution No: 2024 – 134

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

Be it resolved that the verbal report from the CAO/Clerk regarding public holiday pay be received; and

That staff be directed to prepare a policy defining parameters around public holiday pay for positions within the Salary Grid.

Carried

10. CLOSED SESSION

Resolution No: 2024 – 135

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

Be it resolved that Council move into closed session at 7:05 pm under Section 239 2 f), advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

- a. Legal Advice regarding a Planning Matter
- b. Legal Advice regarding employee claim

Resolution No: 2024 – 136

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

Be it resolved that Council rise from closed session at 7:35 pm, and that the verbal report from the CAO/Clerk be received for information.

Carried as amended

Resolution No: 2024 – 137

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

Be it resolved that the information provided by the Township solicitor regarding the employee claim be received; and

That the CAO/Clerk provide the Solicitor with Council's direction.

Carried

11. CONFIRMATION BY-LAW



Resolution No: 2024 – 138

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

Be it resolved that leave be granted to introduce By-law 2024 – 21, being a By-law to confirm the proceedings of the Council meeting held this Fourteenth day of August, 2024; and

That said by-law be read a first, and taken as read a second and third time and finally passed this fourteenth day of August, 2024.

Carried


12. ADJOURNMENT

Resolution No: 2024 – 139

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

Be it resolved that the regular Council meeting of August 14, 2024 be adjourned at 7:37 pm, to meet again for the regular Council meeting on September 18, 2024 at 6:00 pm.

Carried



Lennox Smith, Mayor



Carol O. Trainor, Clerk