THE TOWNSHIP OF TARBUTT
Inaugural Council Meeting Agenda
Wednesday, November 18, 2026 at 6:00 pm
Township Council Chambers, 27 Barr Road S.

1. CALL TO ORDER

2. SWEARING IN OF THE NEW TERM OF MUNICIPAL COUNCIL

3. DISCLOSURES OF PECUNIARY INTEREST

4. PREVIOUS MINUTES

a. Minutes of the regular Council meeting held October 21, 2026. 1-5

5. FINANCIAL STATEMENTS

a. List of payables and non tax receivables for the month of October, 2026. 6-8

6. PRESENTATIONS / DEPUTATIONS

7. STAFF AND COMMITTEE REPORTS

a. Council Orientation for the 2026 – 2030 Term
b. Review of Boards and Standing Committee Appointments 9-14
c. Report from the Treasurer - Finances in Brief 15
d. Code of Conduct Complaint Final Report 16-27
e. Administrative Update (verbal)

8. BY-LAWS

a. Clerk's Appointment By-law 28-29

9. INFORMATION / CONSENT AGENDA

Correspondence and Information Items 30

10. OTHER BUSINESS

11. CLOSED SESSION

a. Overview of Closed Session Meetings 31-33

12. CONFIRMATION BY-LAW

A By-law to confirm the proceedings of the Council meeting held November 18, 2026. 34

13. ADJOURNMENT

Council will adjourn the regular council meeting of November 18, 2026 to meet again on Wednesday, December 16, 2026 at 6:00 pm.

3a

THE TOWNSHIP OF TARBUTT
Minutes of the Council Meeting
Wednesday, October 21, 2026 at 4:00 pm
Township Council Chambers, 27 Barr Road S.

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

STAFF: Michael Pigeon, Road Superintendent (left the meeting at 4:25)
Carol Trainor, CAO/Clerk

1. CALL TO ORDER

Mayor Smith called the Regular Council meeting to order at 4:00 pm.

2. DISCLOSURES OF PECUNIARY INTEREST

3. PREVIOUS MINUTES

a. Minutes of the Special Council meeting held October 7, 2026.

Resolution No: 2026 – 162
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that the Minutes of the Special Council meeting held October 7, 2026 be adopted as circulated.
Carried

4. DEPUTATIONS / PRESENTATIONS

5. FINANCIAL STATEMENTS

Previously approved.

6. STAFF AND COMMITTEE REPORTS

a. Roads Superintendent Verbal Report

Road Superintendent Mike Pigeon reported on work to the Pine Island Causeway, Town Line Road, repairs to the plow truck, a final round of park and cemetery groundskeeping, and commented on the collegial relationship between Tarbutt and Laird Township. There may be a need to share resources this coming winter.

Resolution No: 2026 – 163
Moved by: U. Abbott Seconded by: J. Nagel
Be it resolved that the verbal report from the Road Superintendent be received.
Carried

b. Roads Committee Recommendation – Plow Truck

Following the Notice of Motion presented at the October 7, 2026 meeting, the Roads Committee discussed this matter and submitted a recommendation.

Resolution No: 2026 – 164
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the Report and draft minutes from the Roads Committee meeting of October 14, 2026 be received; and
That Council accept the recommendation of the Roads Committee to purchase a set of eight (8) tires and rims for the Western Star plow/dump truck at a cost not to exceed $5,500.
Carried

c. DRAFT Standardized Format Policy

The Clerk advised that a standardized format policy provides guidance on how information is structured and presented, to provide consistency, a professional image, and compliance with AODA guidelines. In this case, this policy will focus mainly on council documents such as reports, correspondence, policies and by-laws.

Resolution No: 2026 – 165
Moved by: J. Nagel Seconded by: U. Abbott
Be it resolved that the report from the CAO/Clerk regarding the introduction of a Standardized Format Policy be received; and
That Council support proceeding with the Standardized Format Policy attached as a guideline for staff.
Carried

d. DRAFT Planning Application Fee Refunds

Resolution No: 2026 – 166
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that the report from the CAO/Clerk regarding partial refund of planning application fees be received; and
That Council approve the staff recommendation to amend Schedule "D" of the Fees and Charges By-law to reflect the sliding scale for planning application refunds; and

That this by-law amendment be presented at a Regular Council meeting, to take effect January 1, 2027.
Carried

e. Election Worker Policy

Resolution No: 2026 – 167
Moved by: U. Abbott Seconded by: J. Nagel
Be it resolved that the report from the CAO/Clerk establishing a policy for Election workers be approved for implementation.
Carried

f. Administrative Update

Resolution No: 2026 – 168
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the Administrative Update dated October 21, 2026 be received.
Carried

7. BY-LAWS

a. By-law to Enter into Agreement with the Minister of Northern Economic Development and Growth for NORDS Funding.

Resolution No: 2026 – 169
Moved by: J. Nagel Seconded by: U. Abbott
Be it resolved that leave be granted to introduce By-law 2026 – 31 being a By-law authorizing the Clerk to Enter into a Transfer Payment Agreement with the Minister of Northern Economic Development and Growth for NORDS Funding; and
That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty First day of October, 2026.
Carried

8. INFORMATION / CONSENT AGENDA

9. OTHER BUSINESS / ADDENDUM

a. 2026 Christmas Closure

Proposed landfill closure on the statutory holiday has been sent to members of the Landfill Committee and Johnson Township for approval.

Resolution No: 2026 – 170
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the report from the CAO/Clerk regarding the 2026 Christmas Holiday shutdown be received; and
That Council authorizes the closure of the municipal office from 12:30 pm on Thursday, December 24 until 9 am on Monday, January 4, 2027; and
That the Johnson Tarbutt Joint Landfill be closed on Boxing Day, Saturday, December 26, and resume regular hours on Wednesday, December 30 and Saturday, January 2, 2027.
Carried

b. Letter and Declaration from the Town of Ganonoque
Re: Declaration against religious violence

Resolution No: 2026 – 171
Moved by: U. Abbott Seconded by: J. Nagel
Be it resolved that the council of The Township of Tarbutt supports the letter from the Mayor and Declaration from the Town of Ganonoque to stand against any person or group that denies all persons equal rights, dignity and freedoms, and against any person or group that seeks to use violence or intimidation to target persons or groups or to try to change our society, our way of life and who we are as Canadians.
Carried

The Clerk advised that all three components of the Community Emergency Preparedness Grant have all been received and are operational, being the emergency generator for the fire hall, new radios for emergency management that are compatible with the Fire Department, and the office, fire hall and roads garage now have potable water. MPP Bill Rosenberg attended the Township for a presentation.

10. CLOSED SESSION

Resolution No: 2026 – 172
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that Council will move into closed session at 4:40 pm under Section 239 (2) (b) of the *Municipal Act* in order to discuss personal matters about an identifiable individual, including municipal or local board employees.
Carried

a. Personal Matters about an identifiable property owner

Resolution No: 2026 – 173
Moved by: J. Nagel Seconded by: U. Abbott
Be it resolved that Council rise from closed session at 5:08 pm; and

That the CAO/Clerk be authorized to advise the Township solicitor to proceed with the offer to discontinue as recommended.
Carried

11. CONFIRMATION BY-LAW

Resolution No: 2026 – 174
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that leave be granted to introduce By-law 2026 - 32 being a By-law to confirm the proceedings of the Regular Council meeting held this Twenty First day of October, 2026; and
That said By-law be read a first, and taken as read a second and third time and finally passed this Twenty First day of October, 2026.
Carried

12. ADJOURNMENT

The Inaugural meeting of the new Council following the municipal election is tentatively scheduled for Wednesday, November 18, 2026.

Resolution No: 2026 – 175
Moved by: U. Abbott Seconded by: J. Nagel
Be it resolved that the Regular Council meeting of October 21, 2026 be adjourned at 5:10 pm, to meet again following the municipal election.
Carried

_____
Mayor Lennox Smith

_____
Clerk Carol O. Trainor

Payment Log
For the Period Ending October 31, 2026

Cheque No.	Date	Payee		Amount
5885	10/01/2026	Algoma Public Health - 4th Quarter Levy	$	7,295.50
5886		Dated September 2026		
5887	10/02/2026	Receiver General - Employee Remittance	$	9,962.81
5888	10/05/2026	Employee Mileage Reimbursement	$	342.80
5889	10/05/2026	Spadafora Johnson Lepore - Legal	$	2,189.52
5890	10/05/2026	Fire Marshal's Public Fire Safety Council - Training Supplies	$	475.02
5891	10/05/2026	Employee Mileage + Per Diem for Zone 7 Meeting	$	468.12
5892	10/06/2026	Spectrum Telecom Group Ltd. - VHF Radios	$	4,106.06
5893	10/07/2026	SSM Construction Association - Chainsaw Training	$	1,090.22
5894		VOID Printing Error		
5895	10/13/2026	Algoma Dairy Producers Hall rental Rebate	$	100.00
5896	10/13/2026	Minister of Finance-Policing Contract	$	8,947.00
5897	10/13/2026	Gilbertson Enterprises - Winter Sand + Gravel Townline Rd.	$	19,037.11
5898	10/13/2026	Canoe Procurement Group - Grader Tires	$	10,721.51
5899	10/19/2026	Traction Heavy Duty Parts - Rims - Plow Truck	$	2,505.98
5900	10/19/2026	Heritage Home Hardware - Road Supplies	$	93.68
5901	10/19/2026	Vulcan Fire & Safety Systems - FD Compressor Testing/Maint.	$	711.90
5902	10/19/2026	Receiver General - Employee remittance	$	514.36
5903	10/27/2026	City of Sault Ste. Marie Fire Training	$	1,525.50
5904	10/26/2026	Tulloch Engineering Inc. Cemetery Survey Field Stakes	$	344.37
5905	10/26/2026	Ledger Management Service- Monthly Bookkeeping	$	113.00
5906	10/26/2026	Superior Truck Center Ltd. Annual Inspection Dump Truck	$	847.50
5907	10/26/2026	Canoe Procurement Group - Plow Truck Tires	$	3,179.89
5908	10/28/2026	Election Worker Pay	$	576.00
5909	10/28/2026	Election Worker Pay	$	528.00
5910	10/28/2026	Election Worker Pay	$	478.50
5911	10/28/2026	Election Worker Pay	$	510.00
5912	10/28/2026	FD per diem and milage for training	$	655.80
5913	10/28/2026	FD per diem and milage for training	$	655.80
5914	10/28/2026	FD per diem and milage for training	$	655.80
5915	10/28/2026	Goulais Fire & Rescue Fire 1 & 2 Training	$	6,779.97
5916	10/28/2026	Carol Trainor Kent - Canada Post Registered Mail	$	16.49
5917	10/28/2026	Plumbers Plus - UV Water Filtration Municipal Office/Garage	$	9,017.40
DD10-13	10/13/2026	Algoma Power Inc. - Municipal Office	$	246.30
DD10-01	10/01/2026	MPAC 4th Quarter Levy	$	4,029.06
DD10.01	10/01/2026	Esso and Mobil Business Card - Gas & Diesel	$	1,454.60
DD10.01	10/01/2026	Equitable Life Insurance Employee Benefits	$	3,185.91
DD10.13	10/13/2026	Algoma Power Inc. - Landfill	$	40.05
DD10/13	10/13/2026	Algoma Power Inc. - MacLennan Hall	$	171.44
EFT10.05	10/02/2026	Barriston Law - Legal	$	884.79
EFT10.08	10/05/2026	GFL Environmental Inc - September Landfill	$	14,864.39
EFT10.08	10/08/2026	OMERS - Employee Pension Contributions	$	5,748.38
EFT10.08	10/05/2026	WSIB 3rd Quarter Payment	$	3,866.71
EFT10.08	10/05/2026	Quattra SCS LTD. - FD Alarms & Dispatch	$	441.15

EFT10.08	10/05/2026	Fort Garry Fire Trucks - Vehicle Pump Test	$	2,327.80
EFT10.13	10/13/2026	J.L. Richards - Planning/Zoning	$	194.97
EFT10.19	10/14/2026	Algoma Office Equipment - Copier	$	180.13
EFT10.29	10/29/2026	Algoma Business Computers - IT Help	$	62.15
EFT10.30	10/27/2026	TESTMARK Labratories - Hall Water Sample	$	50.85
EFTOCT05	10/05/2026	Algoma District Services Admin Brd October Levy	$	34,213.67
DD	10/06/2026	Bell - Telephone Hall	$	76.99
DD	10/06/2026	Bell - Telephone Office	$	166.07
DD	10/06/2026	Bell - Telephone Fire Dept	$	70.77
DD	10/20/2026	Bell Mobility - Township Cell Phones	$	205.66
DD	10/01/2026	RCAP Lease - Photocopier monthly lease	$	93.33
DD	10/2/2026	CIBC Ad-Hoc Fees for Payments made	$	42.00
DD	10/8/2026	CIBC Admin Fee	$	25.00
DD	10/31/2026	CIBC Monthly Fee	$	55.00
DD	10/31/2026	Paper Statement Fee	$	5.00
		Payments to Vendors	**$**	**167,147.78**

*EFT = Payments processed manually from the bank account
*DD = Automatic withdrawals from the bank account

VISA	Canadian Tire Roads equipment repair	$	166.06
VISA	Home Depot Hall water softener salt	$	90.17
VISA	Construction Equipment Co. Roads parts	$	229.03
VISA	Construction Equipment Co. Roads parts	$	458.05
VISA	Starlink - Internet Services	$	169.50
VISA	Adobe Subscription	$	105.06
VISA	Zoom Subscription	$	25.98
VISA	Sootoday - Job Ad	$	169.50
VISA	Staples Office supplies	$	50.84
VISA	Onlands property search	$	36.50
VISA	Canadian Tire pest control	$	24.84
VISA	Cherry on Top Lunch for training session	$	105.09
VISA	Purolator Fire Department Bunker Gear	$	202.60
VISA	Staples Election Supplies	$	58.40
	Total Visa Charges	**$**	**1,891.62**
	Total Payroll	**$**	**37,796.94**
	TOTAL PAYMENTS FOR OCTOBER 2026	**$**	**206,836.34**

Revenue Received October 2026

Bank Interest	Monthly Interest	$	1,117.64
USD Exchange Retained		$	235.10
Hall Rental Revenue	LDS Church	$	500.00
Building Permits		$	2,956.87
Misc. Revenue	Copies, Dog Tags, Trailer Permits etc.	$	5.00
	Tax Certificates	$	50.00
	Rain Gauge	$	100.00
Landfill Revenue	Tipping Fees	$	9,335.02
API Microfit	Solar Revenue	$	1,222.29
Total		**$**	**15,521.92**

*Excluding Property Tax Revenue

6b

The Township of Tarbutt
27 Barr Road South
Desbarats, Ontario P0R 1E0
Ph: 705-782-6776 Fax: 705-782-4274

REPORT TO COUNCIL

Date: November 18, 2026

From: Carol Trainor, CAO/Clerk

Re: Composition of Boards and Standing Committees

BACKGROUND / OVERVIEW

With the new term of Council, members should consider their strengths and interests when considering where they would like to focus their efforts, where they may have expertise, and on which Boards and Committees they wish to participate.

Appointments to all positions, advisory committees, standing committees and Boards will be for the four year term of Council, unless otherwise stated. Some external boards, such as ADSAB or the Police Services Board may establish different terms.

Individuals appointed to committees or positions may be altered throughout the term in the event of a request, or life events, or if the individual is removed.

Attached hereto is the last revised version of the Appointment By-law. Council is asked to review each opportunity and discuss so that the 2026-2030 By-law can be presented at the December council meeting.

FINANCIAL IMPACT

There is no financial impact as a result of this report. Most committee or statutory positions are voluntary and no compensation is paid to a council member or a community member, with the exception of Planning Board members, who receive a stipend from the Planning Board. In the case of a fence viewer or livestock valuer, expenses for mileage will be reimbursed upon submission of an expense voucher as legislated.

SUMMARY

Council is asked to consider the composition of committees so that, in addition to members of Council, members of the community at large with certain skill sets or interest may participate on a committee.

RECOMMENDATION:

Be it resolved that the report regarding the appointment of Council members and members of the public to Boards and Committees of Council be received; and
That Tarbutt Council recommends to The Township of Johnson that the landfill committee include one member of the community at large, as stated in the Joint Landfill By-law; and
That the Clerk contact the individuals from the Fence Viewers Committee, the Livestock Valuer, who will all be compensated at the provincially legislated rate, where applicable; and
That an Appointment By-law be prepared for passing at the December council meeting.

THE CORPORATION OF THE TOWNSHIP OF TARBUTT

BY-LAW 2026-19

A BY-LAW TO ESTABLISH AND APPOINT COMMITTEES AND SUB-COMMITTEES OF COUNCIL FOR THE TOWNSHIP OF TARBUTT FOR THE 2022-2026 TERM, AND TO AMEND BY-LAW 2022-30.

WHEREAS Section 9 of the *Municipal Act*, R.S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Section 5 of the *Municipal Act*, R.S.O. 2001, c.25, as amended states that the powers of the municipal council shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise; and

WHEREAS it is deemed necessary to appoint certain persons to Boards and Committees of The Township of Tarbutt to advise and represent Council on various matters under its jurisdiction; and

WHEREAS from time to time Council may, by resolution, appoint members to an Ad Hoc Committee or establish a Task Force for the purpose of managing projects of a specialized nature; and

WHEREAS Council may, at its discretion, establish and appoint Committees of Council as a means of obtaining public participation, public consultation on Township policies and programs, or to work on specific projects, the composition, qualification and recruitment of Volunteer Committee Members of which shall be in accordance with the provisions of this by-law, unless otherwise determined by Council; and

WHEREAS municipal representation on the Desbarats to Echo Bay Planning Board is governed by the four municipalities within the Planning Area under the provisions of the *Planning Act*;

NOW THEREFORE the Council of the Corporation of The Township of Tarbutt enacts as follows:

1. Definitions:

a. "Ad-Hoc Committee" means a committee formed for a specific task or objective, and dissolved after the completion of the task or achievement of the objective. Most committees (other than Advisory Committees) are of ad hoc nature.

b. "Advisory Committee" means a committee whose members have a unique skill set, formed to provide advice to Council and perform assigned work on an ongoing basis.

c. "Committee of Council" means any advisory committee, ad-hoc committee, task force, statutory, or steering committee of The Township of Tarbutt, authorized by by-law, to which Council appoints Volunteer Committee Members and Council representatives.

d. "Ex-Officio" means a person who holds a position on a Board, Committee or organization as a result of their office or position, and which may or may not have voting privileges.

e. "External Appointments" mean Boards, Committees, or Associations that have requested representation from Council or Administration as part of their territorial jurisdiction.

f. "Statutory Committee" means a Committee or Board established under a Provincial or Federal Statute, and which may require the recruitment of community members.

g. "Terms of Reference" means a document outlining the mandate and board or committee operational details including such things as composition, activities, term, quorum, meeting schedule, staff roles, etc. Terms of Reference must be approved by Council, including any amendments.

h. "Volunteer Committee Member" means all persons who volunteer to fulfill a role or seat on a committee without compensation, and who are appointed by the Council of The Township of Tarbutt.

2. Standing Committee and Advisory Committee Appointments:

The following persons are hereby appointed to the following Standing Committees:

Joint Johnson Tarbutt Landfill Committee:

Two members: Darren McClelland, Jacqui Nagel

Roads Committee:

Two members: David Farrar, Ursula Abbot

Personnel Committee:

Two members: Darren McClelland, Ursula Abbott

Fire Liaison Committee (added 2026):

Two members: Darren McClelland, Jacqui Nagel

Building Committee, Ad-hoc (added 2026):

Two members: Ursula Abbott and Darren McClelland

3. Board Appointments:

Tarbutt Township Cemetery Board:

One member: Ursula Abbott
Alternate: David Farrar

Members: Debbie Conway, Jared Brice, Carey Smith, Gerald Rooney

Desbarats to Echo Bay Planning Board:

One member: Lennox Smith
Tarbutt Community Member appointed in 2023: Ruth Wigmore

4. Statutory Appointments

Municipal Legal Council: Mark Lepore, Partner
Laidlaw Paciocco Dumanski Spadafora & Johnson LLP

Auditor: Stefanizzi Professional Consultants

Integrity Commissioner: Ironside Consulting
Fence Viewer Committee: Jack Tindall, Keith Good
Livestock Valuer: Jack Tindall
Weed Inspector: Jacqui Nagel
Health and Safety Worker Representative: Jared Brice

Deputy Mayor / second signing authority: David Farrar

5. External Appointments

Algoma District Municipal Association (ADMA):

One member: Lennox Smith
Alternate: David Farrar

6. ENACTMENT

a. This By-law shall be known and referred to as the "Committee Appointment By-law".

b. That By-law 2022-30, as amended, and any previous policy, by-law or resolution which conflicts with this by-law be and is hereby repealed.

c. This By-law and any amendments thereto shall take effect on the date of passing.

READ A FIRST TIME and taken as read a second and third time and finally passed, as amended, this Twentieth day of May, 2026.

Lennox Smith, Mayor

Carol O. Trainor, Clerk

6 c

The Township of Tarbutt
27 Barr Road South
Desbarats, Ontario P0R 1E0
Ph: 705-782-6776 Fax: 705-782-4274

REPORT TO COUNCIL

Date: November 18, 2026

From: Jillian Hayes Elliott, Treasurer

Re: Finances in Brief

BACKGROUND / OVERVIEW

The Township of Tarbutt has fully funded reserves. These reserves are diversified through bank accounts, GICs and approved municipal investments accounts.

In February 2026, the Township invested with ONE Investment. These funds are split between a Canadian Government Bond Portfolio and a Canadian Equity Portfolio. To date, these investments have generated a 3% return. Bond and equity portfolios are complimentary investment products that fluctuate with the market. GICs have been restructured to capitalize on bonus rates and staggered maturity dates. These funds are accumulating interest at rates of between 2.00% and 3.30%.

FINANCIAL IMPACT

Deficiencies noted in the Township's most recent Asset Management Plan should direct reserve allocations at budget time. It is recommended that the 2027 budgeting process include the development of a 5-year Capital Plan as well as an annual budget. Multi-year plans ensure appropriate grant and funding vehicles are in place prior to making large purchases.

SUMMARY

The auditor plans to attend the Township early December to begin the 2026 pre-audit preparations. We can expect this process to run smoothly, as the Township's financials and cash management processes are in good order, with tax balancing and bank account reconciliations completed up to date.

RECOMMENDATION:

Be it resolved that the Treasurer's Investment and Reserve Update be received as information

JHElliott

Jillian Hayes Elliott, Treasurer

6d

Cunningham Swan
LAWYERS
• EST 1894 •

Tony E. Fleming
Direct Line: 613.546.8096
E-mail: tfleming@cswan.com

August, 2026

SENT BY EMAIL TO: clerk@tarbutt.ca

Mayor and Council
c/o Carol Trainor, Clerk/CAO
Township of Tarbutt

Dear Mayor and Council:

RE: Code of Conduct Complaint – Final Report – Mayor and Council
Our File No.: 41788-1

This public report of our investigation is being provided to Council in accordance with Section 223.6(1) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should otherwise be made public.

Should Council desire, the Integrity Commissioner is prepared to attend virtually at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority to alter the findings of the report, only consider the recommendations.

The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the

TEL:613-544-0211
FAX:613-542-9814
EMAIL:INFO@CSWAN.COM
WEB:WWW.CSWAN.COM

Smith Robinson Building, Suite 300 • 27 Princess St. Kingston, ON, K7L 1A3

Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

Timeline of Investigation

- April 22, 2026, Provided with the complaint after the decision of the Divisional Court;
- April 30, 2026, request background information from staff;
- May 19, 2026, Preliminary Information Report sent to Council;
- May 26, 2026, complaint packages sent to Council members;
- May 26, 27, 2026, interviews;
- June 1, 2026, interview;
- June 15, 2026 interview;
- June 17, 2026, interview;
- June 29, 2026, Send summary of interviews to complainant and request response;
- June 29, 2026, complainant requests extension for response;
- July 20, 2026, follow up with legal counsel for complainant;
- July 29, 2026, response from complainant received;
- August 5, 2026, interview complainant.

In early December of 2024, the Township received a complaint alleging improper conduct by all members of Council.

The Township's Integrity Commissioner received the 2024 complaint and on December 16, 2024, declined to investigate on the basis that they had no jurisdiction. The complainant commenced a judicial review of the decision to refuse to investigate which proceeded to a hearing before the Divisional Court. The Divisional Court found that the Integrity Commissioner did not describe sufficient grounds for refusing to investigate and ordered the Township to retain a new Integrity Commissioner and have the newly appointed Integrity Commissioner undertake an investigation.

Our firm was appointed as Integrity Commissioner for purposes of the complaint by Council.

JURISDICTION

Our first task was to assess the complaint and determine whether we had jurisdiction to undertake an investigation. We provided Council with a preliminary information report

dated May 19, 2026 which set out which aspects of the complaint were within our jurisdiction.

The *Municipal Act* states:

> **223.3** (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:
>
> 1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
>
> 2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
>
> ...

The Code of Conduct applies only to the behaviour of individual members of Council. Integrity Commissioners do not have the jurisdiction to investigate a decision of Council; only individual members of Council or Local Boards may be investigated. Any person who believes that a decision of Council is illegal or was made in bad faith may resort to the courts by way of an application to quash that decision under section 273 of the *Municipal Act.*

Integrity Commissioners do not have jurisdiction to investigate any action or inaction undertaken by staff; the *Municipal Act* applies to members of Council and Local Boards only.

The complaint was supported by an affidavit sworn by the complainant that included very detailed facts and allegations. A number of allegations related to alleged decisions of Council; those decisions, even if they were made by Council, are outside the jurisdiction of an Integrity Commissioner and cannot be investigated. Other allegations suggested inappropriate actions or inaction by staff. As an Integrity Commissioner only has jurisdiction to apply the Code of Conduct to members of Council and local boards and committees, staff cannot be investigated. Our findings related to jurisdiction were set out in detail in our May 19, 2026 report and will not be repeated here.

The complainant, through legal counsel, took issue with our opinion on jurisdiction as set out in the May 19 preliminary information report and argued that where the complaint alleged decisions were made by Council it meant implicitly that the decision was made by individual councillors and was therefore within the jurisdiction of the Integrity Commissioner to investigate.

In support of this interpretation, the complainant suggests that informal decisions of Council are not "decisions" in the sense of Section 5 of the *Municipal Act*, which requires that all decisions be made by by-law; therefore, those individual members of Council who voted are stating a position/making a decision and can be investigated.

What the complainant's argument did not consider is that Council is entitled to give direction to staff in closed session in accordance with Section 239(6) of the *Municipal Act.* Therefore, any decision to direct staff in closed session is a "decision" of Council - whether or not it is captured as a formal resolution.

Counsel for the complainant provided two cases to support their position that Integrity Commissioners have jurisdiction to investigate decisions of council. After careful review of the jurisprudence, the Integrity Commissioner is satisfied that he does not have jurisdiction to investigate a decision of council, even direction to staff given in closed session.

The complainant then argued that giving any direction to staff on an enforcement matter was improper. The Integrity Commissioner takes no position on this argument as it is not relevant to the matters within the Integrity Commissioner's jurisdiction. A decision of Council is not subject to the Code of Conduct – while other legal remedies may be available to the complainant if they feel Council did something inappropriate, that is not a matter the Integrity Commissioner can address.

The Code of Conduct provides:

> **Influence on Staff**
>
> "...No member shall compel any staff member to engage in activities that are contrary to the direction of Council or the policies of the Municipality.
>
> No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities; nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity."

It is important to note that the Code uses the word "member"; the Code is not applicable to decisions of Council, only acts of individual members of Council. If all members of Council vote to direct staff, that is not an individual member of Council exerting undue influence or improper direction under the Code of Conduct, it is a decision of Council, which is outside the Integrity Commissioner's jurisdiction.

After interviewing the complainant, it is evident that the complainant has had a difficult time dealing with the Township. According to the complainant, he was upfront with the Township and did everything that they asked in order to comply with the Building Code and requirements of the Township.

The Integrity Commissioner makes no findings related to the chronology of events that involve enforcement activity. To the extent that decisions of staff or the Township as a corporate entity are in dispute as between the complainant and the Township, that is not a

matter for an Integrity Commissioner. This is the area where the complainant has the most concern; and is unfortunately the area where the Integrity Commissioner has no jurisdiction. Allegations of differential treatment or malfeasance by the Township do not form part of this investigation.

Notwithstanding the Integrity Commissioner's position on jurisdiction, the investigation did examine and consider all behaviour of individual members of Council, which included asking pointed questions of staff and councillors about what direction, if any, was given to staff (whether done by Council as part of in-camera direction to staff or by individuals).

COMPLAINT OVERVIEW

The following are those aspects of the complaint that were within the jurisdiction of the Integrity Commissioner and which were investigated [note that paragraph numbers refer to the supporting affidavit submitted with the complaint]:

Complaint 1

> 55. The Conduct section of the Code of Conduct requires members of Township Council to treat me appropriately and without abuse, bullying, or intimidation. In my opinion, Township Council's decision to solely hold me responsible for [redacted] Contracting's decision to re-grading and renovation our property without the necessary permits is abusive and bullying conduct.
>
> 59. I further believe that Township Council directed enforcement action only be brought against me, rather than [redacted] Contracting, was an improper use of their influence. In my opinion, the members of Township Council thought that it would bring a private advantage to shield this local business, which employs their friends and associates, from the costs of enforcement, while imposing the full consequences of their actions upon me, an innocent homeowner.

Complaint 2

> 93. Additionally, it continues to be wrong – as it was for [redacted] Contracting – for Township Council to improperly use their influence to favor the [West neighbour's] interests. I believe that Township Council believes that it provides them with a private advantage to side with employees of another wellknown, local business. This private advantage includes the pecuniary and non-pecuniary benefits that members of Township Council receive when they are seen to side with local businesses against a someone who is not a Desbarats local, such as myself.

Complaint 3

> 125. My previous complaints in relation to [redacted] Contracting and the [West neighbour] has claimed a breach of the Conduct and Improper Use of Influence sections of the Code of Conduct. While I repeat those allegations against Township

Council as it relates to [East neighbour], it is also my opinion that Township Council's decision to refuse the zoning by-law amendment required to correct [redacted] Contracting errors to provide a private advantage to [East neighbour] represents an additional breach of the Code: the Influence of Staff section of the Code.

126. The Influence on Staff section of the Code states that members of Township Council are not supposed to compel Township staff to engage in partisan political activities or interfere with the discharge of their duties. Township staff are supposed to provide consultation, advice, and direction to Council with political neutrality and objectivity. The section identifies the Chief Administrative Officer and Clerk, a position currently held by Ms. Carol Trainor, as performing an essential role regarding the administration of the Township's affairs and business.

127. In my opinion, Township Council have breached the Influence on Staff section of the Code of Conduct by directing Township staff become partisan political actors, specifically Ms. Carol Trainor, the Township's current Chief Administrative Officer and Clerk.

128. As the subsequent section will show, it is my good faith and sincere belief that Township Council directed Ms. Carol Trainor to not present a staff report during the July 3, 2024 zoning by-law amendment public meeting that would have recommended approval of it, due to their political opposition to its approval, and then directed her to pursue [East neighbour] drainage related complaint at the Ontario Land Tribunal per the Municipal Record forwarded to the OLT.

129. I believe that this breach of the Township's Code of Conduct is among the most severe due to the Township's contradictory representations regarding its refusal to get involved in private disputes when it came to the [West neighbour], as well as the consequences of this improper influence on staff, which included the previously mentioned direction *to* demolish parts of my property.

Complaint 4

149. As the subsequent section will show, it is my good faith and sincere belief that Township Council directed Ms. Carol Trainor to not present a staff report during the July 3, 2024 zoning by-law amendment public meeting that would have recommended approval of it, due to their political opposition to its approval, and then directed her to pursue [East neighbour's] drainage related complaint at the Ontario Land Tribunal per the Municipal Record forwarded to the OLT.

Complaint 5

No aspect of Complaint 5 was within the jurisdiction of the Integrity Commissioner and therefore was not investigated.

CODE OF CONDUCT

The sections of the Code of Conduct that may be engaged in the complaint include:

Influence on Staff

"… Council directs the business of the Municipality and passes by-laws or resolutions, as appropriate, for decision adopted by Council. Council has delegated responsibility to the Clerk/Chief Administrative Officer (CAO) for the administration of the affairs of the Municipality in accordance with decisions adopted by Council. This means that under the direction of the Clerk/CAO, staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy. Accordingly, staff establishes the appropriate administrative policies, systems, structures and internal controls to implement the goals and objectives of Council, and manage implementation within the resources at their disposal. Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. No member shall compel any staff member to engage in activities that are contrary to the direction of Council or the policies of the Municipality.

No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities; nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity."

Conduct

"As a representative of the Municipality, every member has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation …"

Improper Use of Influence

"No member shall use the influence of his or her office for any purpose other than for the exercise of her or his official duties.

Examples of prohibited conduct are the use of one's status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties…."

FINDINGS

General Findings

As a general comment, given the significant time lapse between the original complaint and this investigation – owing to the refusal to investigate and subsequent Divisional Court challenge – many members of Council did not recall specifics or dates. The Integrity Commissioner does not draw any adverse inference from any lapse in memory and was able to verify through minutes and agendas that the matters in dispute were dealt with by Council infrequently and did not result in Council direction through resolution. That is not to say that staff did not update Council or that Council did not give informal direction to staff in some instances – discussed below. The Integrity Commissioner is satisfied on a balance of probabilities that the recollections of Council and staff were truthful and reliable.

The complainant did not have any direct evidence related to the actions of any member of Council. The complainant experienced decisions of the Township and felt that they were being treated differently, either because they were not "locals" or because they proceeded with construction in advance of obtaining a building permit. The complainant also saw relationships between individuals involved in certain events and felt that created a conflict. It is important to note that we found no evidence of actual conflicts of interest as between any member of Council and any individual involved in events pertinent to the complaint.

Complaint 1

The complaint alleged that individual members of Council directed enforcement action against the complainant related to activities on their property and further directed that no enforcement be initiated against the contractor who did the work without the proper permits. The complainant alleged that this was to provide a private advantage to the members of Council by protecting a local contractor.

In the complaint, the word "enforcement" was used consistently. The Township did not prosecute the complainant at any time. "Enforcement" refers only to actions by the Township to bring the complainant's property into compliance with the Building Code and other Township regulations.

The complainant had no evidence to support this allegation other than the fact that the Township dealt with him on the non-compliance issues and did not prosecute or otherwise direct enforcement action against their contractor. The complainant's allegation was also based on the fact that he filled out a building permit application and was advised that his contractor would complete it and submit it to the Township. The complainant attended the Township offices regularly to advise them of progress on his property and expected that if there was an issue with the building permit or construction it would have been raised at that time.

As part of this investigation we interviewed all members of Council, staff with relevant knowledge and the complainant.

Every member of Council denied that they personally spoke to or directed staff with respect to any aspect of enforcement. Council did receive some updates from staff in closed session. There is no evidence in the minutes or any recorded resolutions that Council provided direction to staff by way of resolution.

Staff interviewed were also consistent that no individual member of Council gave them any directions or instructions related to any enforcement action. Several members of Council stated independently that it would be improper for an individual member of Council to attempt to direct staff.

There is no evidence that Council was asked whether to enforce against the contractor and no evidence that Council made a decision not to enforce against the contractor.

There was no evidence that an informal direction to staff was given by Council in closed session (not recorded in the minutes as a formal resolution) to not enforce against the contractor. A number of Councillors stated that they were not aware that a contractor was involved until much later in the process. Some councillors stated that even if they had been aware of a contractor's involvement, it is not Township practice to enforce against contractors, as it is the homeowner's responsibility to obtain permits. Staff also reported that it is standard practice not to enforce against contractors.

We are satisfied that the evidence of councillors and staff is truthful that there was no decision not to enforce as against the contractor. There are two factors that support this finding.

First, we considered the argument advanced by the complainant that the *Building Code Act* obligated their contractor to obtain permits pursuant to section 1.1(3(a). Despite this obligation, the complainant alleged throughout their complaint that Council (or individual members of Council) decided to enforce only against the complainant, and not the contractor.

Section 1.1(3)(a) of the *Building Code Act* reads, "It is the role of a Builder, (a) to ensure that construction does not proceed unless any permit required under this Act has been issued by the chief building official". The complainant is not correct that the contractor had an obligation to obtain the permit, their obligation is not to do work without the permit. Section 1.1.(1)(b) of the Act states, "It is the role of every person who causes a building to be constructed, … (b) to ensure that construction does not proceed unless any permit required under this Act has been issued by the chief building official." The complainant therefore had the obligation to obtain a permit or not allow construction to take place unless they had obtained a permit. The informal practice of the Township not to enforce against contractors is consistent with the obligations of owners as set out in the *Building Code Act.*

The Integrity Commissioner finds that it is reasonable in the circumstances that Council was not asked and did not decide whether or not to enforce as against the contractor.

Second, we rely on the fact that no prosecution was commenced in this matter. As the contractor did not own the complainant's property, and therefore had no authority to do work there without the approval of the owner, it is reasonable that the Township did not take any action against the contractor. Because the Township was seeking compliance with by-laws that required actions on the owner's property, there was no role for the contractor. Had the owner chosen to involve the contractor that was an option for them, but was not something the Township could require.

The complainant limited the allegation of abuse, bullying and intimidation to the manner of enforcement only – there was no allegation that any individual member of Council treated the complainant inappropriately otherwise. This is also consistent with the recollection of Council members. With the exception of the Mayor, no member of Council personally spoke with the complainant. The Mayor's interactions were professional and cordial.

There is no evidence supporting the allegations. The Integrity Commissioner finds that no member of Council directed staff and there was no Council direction to staff to selectively enforce. Given that there was no direction to selectively enforce, the allegation that selective enforcement conferred a private advantage on any member of Council is also not supported by any evidence. There is no evidence of discrimination against the complainant because they were not "local", nor any evidence of preferential treatment given to the contractor.

At various points in the affidavit supporting the complaint, the complainant refers to a property standards (clean yards) order related to drainage. The order was ultimately withdrawn by the Township. There was similarly no evidence that Council directed staff in the matter of the order.

Complaint 1 is dismissed.

Complaint 2

The complaint alleged that members of Council derived a private advantage by refusing to investigate and respond to their complaints against their West Neighbours.

The complainant had no evidence to support this allegation other than their personal belief that members of Council were treating them differently and therefore must be doing so for a private advantage. In addition, the complainant noted that the West Neighbours worked for a local engineering firm that also worked for the Township. This relationship, they allege, was a conflict and led to the Township ignoring their complaints against the West Neighbour.

Most Councillors interviewed did not recall receiving or considering any complaints filed by the complainant related to the West Neighbours. A number of Councillors did not know at

the time that the West neighbours worked for a local engineering firm. Those Councillors that did recall a complaint coming to Council only recalled an issue with a property boundary and a concrete pad, and no other complaints made by the complainant. Councillors did recall the West Neighbours attending the re-zoning public meeting to speak against the application – that is not what was referenced in this aspect of the complaint.

All Councillors were clear that they did not direct staff in this matter. Staff also did not recall any member of Council attempting to provide direction in this matter.

The Integrity Commissioner was provided with Township records related to the complaints filed by the complainant which showed that staff dealt with the complaints. Part of those records included handwritten notes that the Integrity Commissioner confirmed were made by staff.

There was no evidence that any member of Council attempted to direct staff in this matter and there was no informal direction from Council on the matter of how to proceed with the complaints, with one exception. The only direction from Council to staff was to require the complainant to do a survey to establish the property boundary between the complainant and the West Neighbours. This is not evidence of a refusal to investigate a valid complaint or evidence of preferential treatment.

Regardless of the employment relationship between the engineering firm and the neighbours, and notwithstanding the fact that the Township retained the engineering firm, there is no evidence that any member of Council acted inappropriately with respect to Complaint 2.

In order to find a breach of the Code of Conduct there must be more than a relationship between the West Neighbours and the engineering firm that the Township retained for discrete matters. The missing evidence is any direction from councillors to favour the West Neighbours. The Integrity Commissioner reviewed the complaints made by the complaint against the West Neighbours and the response of the Township and is satisfied that the majority of the complaints were not properly matters of enforcement for the Township. For the complaints within the Township's jurisdiction there is no evidence of any councillor involvement or improper direction. In the absence of any direction, there is also no evidence that any member of Council was attempting to obtain a private advantage by favouring the West Neighbours.

Complaint 2 is dismissed.

Complaints 3 and 4

The complaint alleged that members of Council directed staff not to bring forward a positive staff report at the public meeting where a re-zoning of the complainant's property was being considered. The complaint alleges that members of Council directed staff this way to further a political objective.

The complaint also alleges that Council then directed staff to pursue a drainage issue at the subsequent Ontario Land Tribunal appeal hearing to favour the neighbour to the east of the complainant.

The complainant was advised by staff that a favourable recommendation for their re-zoning would be provided. At the public meeting, no report was presented and the complainant was not advised why. The complainant faced a public meeting where a number of people attended to oppose the application, which they were not prepared to address given the fact that they expected staff to recommend approval.

The complainant did not provide any evidence in support of the allegation other than the fact that no staff report was submitted and that drainage issues were advanced at the Ontario Land Tribunal appeal, which was contrary to the engineering opinion obtained by the complainant.

Staff explained to the Integrity Commissioner's complete satisfaction why no staff report was presented at the public meeting. The reasons for not providing the report had nothing to do with political opposition to the complainant or their re-zoning application.

Of most importance, no member of Council directed staff to not present a report – this was consistent in all interviews of members of Council and staff. There was also no evidence of any informal direction of Council to staff directing them not to present a report.

No member of Council directed which issues were to be presented at the Ontario Land Tribunal hearing – that was decided by legal counsel and the witnesses at the hearing.

There is no evidence in support of the allegations and as such complaints 3 and 4 are dismissed.

RECOMMENDATIONS

As the Integrity Commissioner found no evidence of any breach of the Code of Conduct, there are no recommendations for Council to consider.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP



Tony E. Fleming,
Anthony Fleming Professional Corporation

7a

THE CORPORATION OF THE TOWNSHIP OF TARBUTT
BY-LAW 2026 – 33

A By-law to appoint a Clerk, whose title shall be CAO/ Clerk/Deputy Treasurer for The Township of Tarbutt, and to repeal By-law 2021-10.

WHEREAS Section 228 (1) of the *Municipal Act* S.O. 2001, c. 25 as amended, states that a municipality shall appoint a clerk whose duty it is;

(a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
(b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
(c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
(d) to perform the other duties required under this Act or under any other Act; and
(e) to perform such other duties as are assigned by the municipality; and

WHEREAS it is deemed expedient and desirable to appoint a full time permanent Clerk for the Corporation of The Township of Tarbutt to fulfill the statutory duties set out in the *Municipal Act* as well as those described in the position description; and

WHEREAS Council has accepted the notice of retirement from the CAO/Clerk/Deputy Treasurer effective December 18, 2026;

WHEREAS Section 286 (1) of the *Municipal Act* states that a municipality shall appoint a Treasurer who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by the council of the municipality; and

WHEREAS Section 286 (2) states that a municipality may appoint deputy treasurers who shall have all the powers and duties of the treasurer under this and any other Act; and

WHEREAS the full title of the appointed position is CAO/Clerk/Deputy Treasurer, whose duties shall include those of the Chief Administrative Officer, Municipal Clerk and Deputy Treasurer, in the absence of the Treasurer; and

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of The Township of Tarbutt does hereby enact the following:

1. That Kaylee D'Angelo be hereby appointed to the position of CAO / Clerk / Deputy Treasurer in accordance with the terms and conditions set out in the Employment Agreement signed by both parties.

2. That By-law 2021-10 and any other by-law previously passed which conflicts with the provisions of this By-law shall be hereby repealed effective December 7, 2026, and the terms of this By-law shall prevail.

3. That this By-law shall be known as the "Clerk Appointment By-law".

4. That this by-law and said appointment shall take effect on Monday, December 7, 2026.

Read a first, and taken as read a second and third time and finally passed this Eighteenth day of November, 2026.

_____
Lennox Smith, Mayor

_____
Carol O. Trainor, Clerk

THE TOWNSHIP OF TARBUTT
COUNCIL MEETING OF NOVEMBER 18, 2026
CONSENT AGENDA

a. Resolution from Algoma Public Health
Re: Improvements to Highway Safety in Algoma

b. Press Release from the North Shore Health Network
Re: NSHN Board Update on Future Healthcare Infrastructure Planning

c. Correspondence from the Dr. H.S. Trefry Memorial Centre
Re: Support the call for the federal government to secure a long term federal/ provincial funding agreement for home care, and to establish dedicated, sustained funding for community support services.

d. Resolutions from the Municipality of Central Manitoulin
Re: Physician Shortage in Northern Ontario; and
Establishment of a Northern Ontario Policing Grant

e. Letter from the Ontario Provincial Police
Re: 2027 Annual Billing Statement increases

f. Letter from MPP Bill Rosenberg
Re: Congratulations on your Election to Tarbutt Council

g. Resolution from the Municipality of Red Lake
Re: Establish a funding program for Community Safety and Well Being Plans

h. Letter from the Ministry of the Environment, Conservation and Parks
Re: Regulatory Amendments for waste disposal sites

i. Association of Ontario Road Supervisors Briefing
Re: Potential Implications of Bill 140 on Public Works and Infrastructure

j. Resolution from the Township of Stone Mills
Re: Extend deadline for Bill 140 Submissions

k. Central Algoma Freshwater Coalition Fall 2026 Newsletter
Re: Riparian Forests and Autumn Cyanobacteria

MUNICIPAL ACT, S.O. 2001, C. 25, AS AMENDED

CLOSED SESSION MEETINGS

Meetings open to public

239. (1) Except as provided in this section, all meetings shall be open to the public.

Exceptions

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

(a) the security of the property of the municipality or local board;

(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(d) labour relations or employee negotiations;

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

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

(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001,

Other criteria

(3) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act.

Educational or training sessions

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Resolution

(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

(a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or

(b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

Open meeting

(5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote.

Exception

(6) Despite section 244, a meeting may be closed to the public during a vote if,

(a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

Record of meeting

(7) A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not.

Same

(8) The record required by subsection (7) shall be made by,

(a) the clerk, in the case of a meeting of council; or

(b) the appropriate officer, in the case of a meeting of a local board or committee.

Record may be disclosed

(9) Clause 6 (1) (b) of the *Municipal Freedom of Information and Protection of Privacy Act* does not apply to a record of a meeting closed under subsection (3.1).

Investigation

239.1 A person may request that an investigation of whether a municipality or local board has complied with section 239 or a procedure by-law under subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public be undertaken,

(a) by an investigator referred to in subsection 239.2 (1); or

(b) by the Ombudsman appointed under the *Ombudsman Act*, if the municipality has not appointed an investigator referred to in subsection 239.2 (1).

THE CORPORATION OF THE TOWNSHIP OF TARBUTT

BY-LAW NO. 2026 – 34

A BY-LAW to confirm the proceedings of the Regular and Inaugural Council Meeting held on November 18, 2026.

WHEREAS Section 5(3) of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that a municipal council shall exercise its powers by by-law, except where otherwise provided; and

WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual by-law or resolution of Council;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF TARBUTT HEREBY ENACTS AS FOLLOWS:

1. THAT the actions of the Council of The Township of Tarbutt, at its meeting of Wednesday, November 18, 2026 with respect to each motion, resolution, direction and other action passed and taken by the Council at its said meeting, except where prior approval of the Ontario Land Tribunal is required, is hereby adopted, ratified and confirmed.

2. THAT the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and to execute all documents as may be necessary and directed, and to affix the Corporate Seal to all such documents as required.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME and finally passed in open Council this Nineteenth day of November, 2026.

_____

Lennox Smith, Mayor

_____

Carol O. Trainor, Clerk