

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

MINUTES of the Regular Meeting of Ear Falls Council #13
Ear Falls Municipal Council Chambers
September 19th, 2018 @ 7:00 p.m.

1 CALL TO ORDER

Mayor Kevin Kahoot called the Meeting to order at 7:00 p.m.

2 ROLL CALL

Mayor Kevin Kahoot, Councillor Jim Desmarais, Councillor Rob Eady, Councillor Vic Robinson, Councillor Daniel Sutton, Deputy Clerk Darlene Stone, and two (2) members of the public.

3 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None Declared.

4 DELEGATIONS AND PRESENTATIONS

4.1 Leslie Reynolds

- Leslie's Pizza Kitchen – Water Rate.

Mayor Kahoot invited Ms. Reynolds to join the Council Meeting.

Ms. Reynolds thanked Mayor and Council for being given the opportunity to speak to them about an issue with her water services. Ms. Reynolds opened a small at-home-pizza delivery business with her daughter in December of 2017 to provide her daughter an opportunity for employment. Prior to opening the business she consulted with municipal staff to ensure she was in compliance with all rules and regulations. Ms. Reynolds stated that at no time was she made aware that she would be paying commercial water rates on her residential property.

Thanks to the support of residents, tourists, and itinerant workers, the business has grown unexpectedly. Currently they use three (3) to four (4) sinks of water per day. Water is not used in the food preparation as all produce is delivered washed.

Ms. Reynolds then advised that six (6) months after opening, a notice from the Township was received that they would now begin paying commercial rates for the business. Ms. Reynolds believes that this notice was received to appease the calls and complaints received at the Municipal Office, no doubt from competitors, complaints that have no real basis.

Ms. Reynolds stated that the additional fee of \$500.00 / month is an

enormous burden on her small business. Small at-home-businesses are allowed in Ontario and are mostly run by women to provide gaps in services, products, and light employment for women who are also raising families. Ms. Reynolds advised that the Provincial Policy Statement, in the section called “Building Strong Healthy Communities”, states that home-occupied and home industries are permitted uses. Nowhere does it say that these businesses should be charged commercial or industrial rates for taxes or water and nowhere has Ms. Reynolds been able to find full commercial water billing being applied to a residential at-home business.

Ms. Reynolds advised that she has continued to pay her residential water bill while attempting to deal with the issue of the commercial bill. She has also paid \$1,000.00 toward the commercial bill to avoid having the water shut off to both her residence and business. In addition, another water bill for \$1,400.00 was just received.

Ms. Reynolds feels that other home enterprises that contribute fresh baked goods in town are not similarly billed and other home businesses are only subject to a \$40.00 / sink fee. Ms. Reynolds is seeking relief from the current decision and would like to pay either the residential rate or the per-sink rate that other businesses pay. She also requested a full retroactive refund for the amounts paid.

Mayor Kahoot inquired as to the number of students Ms. Reynolds employs. Ms. Reynolds advised that she employs seven (7) students.

Mayor Kahoot thanked Ms. Reynolds and stated that they would take her recommendation under advisement and that they may need to have a meeting to discuss commercial water rates.

PART I – CONSENT AGENDA

(For the purpose of convenience and for expediting Meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Member of Council. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the Minutes of the Meeting.)

Council requested to discuss Item No. 7.1.3.

RESOLUTION NO. 192

Moved by Rob Eady. Seconded by Daniel Sutton.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby adopts the Items in Sections 5 – 7 of Part 1 – Consent Agenda.

Carried.

5 MINUTES

5.1 The review and passing of the Minutes of the previous Meetings.

5.1.1 September 5th, 2018 – Regular Meeting of Council Minutes.

RESOLUTION NO. 193

Moved by Daniel Sutton. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls accepts the Minutes of the previous Meetings of Council numbered 5.1.1 at the September 19th, 2018 Regular Meeting of Council.

Carried.

C.O.

5.2 Minutes of Committees.

None.

C.O.

5.3 Minutes from other Agencies / Organizations.

5.3.1 May 8th, 2018 – Keewatin-Patricia District School Board Regular Meeting #6 Minutes.

5.3.2 May 22nd, 2018 – Keewatin-Patricia District School Board Special Meeting Minutes.

5.3.3 July 10th, 2018 – Ear Falls Public Library Board Meeting Minutes.

RESOLUTION NO. 194

Moved by Daniel Sutton. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the Minutes from other Agencies / Organizations numbered 5.3.1 to 5.3.3 at the September 19th, 2018 Regular Meeting of Council.

Carried.

6 TENDERS / PROPOSALS / QUOTES

None.

7 MISCELLANEOUS MOTIONS

7.1 Correspondence.

D05-MI

7.1.1 Letter dated September 4th, 2018 from First Mining Gold re: Notification of the commencement of the Terms of Reference phase of the Provincial Environmental Assessment process for the Springpole Gold Project.

S08-NO

7.1.2 Letter from the Northwestern Health Unit re: Update regarding the Smoke-Free Ontario Act.

P03-EM

7.1.3 Letter dated August 29th, 2018 from the Ministry of Community Safety and Correctional Services re: Congratulations for being in compliance with the Emergency Management and Civil Protection Act (EMCPA).

Council requested that a letter of commendation be sent to Fire Chief Darryl Desjardins to thank him for his dedication and commitment in completion of the Emergency Plan.

FYI

7.1.4 Letter dated August 22nd, 2018 from Local Planning Appeal Support Centre re: New Agency that began operation in April, working to develop services to support the Ontario public with information, advice, and representation in planning matters.

RESOLUTION NO. 195

Moved by Rob Eady. Seconded by Jim Desmarais.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls receives and files the documents numbered 7.1.1 to 7.1.4 at the September 19th, 2018 Regular Meeting of Council.

Carried.

C.O.

7.2 Reports from Departments.

7.2.1 Monthly Report from Marg Trippier, Day Care / EarlyON Coordinator re: August.

RESOLUTION NO. 196

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township

of Ear Falls receives and files the Report from Departments numbered 7.2.1 at the September 19th, 2018 Regular Meeting of Council.

Carried.

- 7.3 Financial Operations Statement – year to date (dated September 12th, 2018).

Council reviewed the Financial Operations Statement – year to date (dated September 12th, 2018) in accordance with By-Law No. 1635-11.

A.P.

- 7.4 Travel and attendance to the 116th Independent Field Battery, Royal Canadian Artillery, being held in Kenora on September 29th, 2018 beginning at 11:00 a.m.

RESOLUTION NO. 197

Moved by Jim Desmarais. Seconded by Vic Robinson.

RESOLVED THAT Councillor Daniel Sutton be hereby authorized travel and attendance to the 116th Independent Field Battery, Royal Canadian Artillery, being held in Kenora on September 29th, 2018 beginning at 11:00 a.m.

Carried.

H11-FI

- 7.5 Letter dated August 27th, 2018 from Matthew Beaudry re: Resignation from his position of Volunteer Firefighter for the Ear Falls Fire Department.

RESOLUTION NO. 198

Moved by Vic Robinson. Seconded by Jim Desmarais.

RESOLVED THAT the resignation of Matthew Beaudry from his position as Volunteer Firefighter for the Ear Falls Fire Department, be accepted with regrets, effective October 1st, 2018.

Carried.

L07-LA

- 7.6 Request from Pakwash Lake Lodge, LLC re: Purchase of Crown shoreline reservation adjacent to the property described as 160 Pakwash Lake Road (Plan M534, Lots 2 to 4).

RESOLUTION NO. 199

Moved by Jim Desmarais. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection to Pakwash Lake Lodge, LLP, purchasing the Crown shoreline reservation adjacent to the property described as 160 Pakwash Lake Road (Plan M534, Lots 2 to 4); and

FURTHER THAT the Mayor is hereby authorized and directed to send a letter to that effect.

Carried.

L07-LA

7.7 Request from 5029325 Manitoba Ltd. (o/a Golden Fawn Outfitters) re: Purchase of Crown shoreline reservation adjacent to the property described as 180 Golden Fawn Road (Plan M534, Lots 2 to 4).

RESOLUTION NO. 200

Moved by Jim Desmarais. Seconded by Vic Robinson.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls has no objection to 5029325 Manitoba Ltd. (o/a Golden Fawn Outfitters), purchasing the Crown shoreline reservation adjacent to the property described as 180 Golden Fawn Road (Roll No. 6042-000-002-01100-0000); and

FURTHER THAT the Mayor is hereby authorized and directed to send a letter to that effect.

Carried.

H11-FI

7.8 Volunteer Firefighter Application for the Ear Falls Fire Department.

RESOLUTION NO. 201

Moved by Rob Eady. Seconded by Jim Desmarais.

RESOLVED THAT the following individual, as recommended by Fire Chief Darryl Desjardins, be approved as a Volunteer Firefighter subject to the submission of an acceptable medical recommendation and Vulnerable Sector Check:

- Dakota Stephen Goddard

Carried.

8 BY-LAWS

Council requested that Item No. 8.3, By-Law No. 2178-18, be pulled from the Consent Agenda for debate.

F22-TA

- 8.3 By-Law No. 2178-18, a By-Law to Authorize the Execution of a Tax Arrears Extension Agreement Pursuant to Section 378 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as Amended.

RESOLUTION NO. 202

Moved by Vic Robinson. Seconded by Daniel Sutton.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law No. 2178-18 as passed.

Defeated.

- 8.1 By-Law No. 2176-18, a By-Law to Affirm Minor Decisions by Council.

R03-RO

- 8.2 By-Law No. 2177-18, a By-Law to Authorize the Execution of an External Loan Agreement with the National Aeronautics and Space Administration (NASA) for the Inert Nike Cajun Sounding Rocket.

F22-TA

- 8.3 By-Law No. 2178-18, a By-Law to Authorize the Execution of a Tax Arrears Extension Agreement Pursuant to Section 378 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as Amended.

Otherwise dealt with.

RESOLUTION NO. 203

Moved by Vic Robinson. Seconded by Rob Eady.

RESOLVED THAT the Council of the Corporation of the Township of Ear Falls hereby consider By-Law Nos. 2176-18 and 2177-18 as passed.

Carried.

PART II – OTHER ITEMS

9 ITEMS FOR DIRECTION

A16-WH

- 9.1 Request received from the Whispering Pines Seniors Centre re: Lease of an area to accommodate Lawn Sports for the Ear Falls Seniors.

Council discussed various locations to accommodate Lawn Sports for the Seniors (east edge of Plaza parking lot, prior Public Library site, grassy area in front of the Community Health Centre). With regard to the Plaza parking lot, an enquiry was made to see if the lots could be surveyed and sold as commercial lots. The need for fencing and

possibly a shed to store equipment was also discussed.

Mayor Kahoot advised that he would meeting with Dennis Kristjanson, on behalf of the Whispering Pines Seniors Centre, and Clerk Treasurer Administrator Kimberly Ballance.

10 REPORTS OF MEMBERS OF COUNCIL

10.1 Mayor Kevin Kahoot

- Advised that he has an upcoming meeting with the Honourable Greg Rickford, the Ministry of Natural Resources and Forestry (MNR) in Kenora, and Myles Perchuk, MNR in Red Lake to discuss the Cottage Lot Development project.
- Mayor Kahoot also spoke with Chief Riffel from Wabauskang First Nation.

11 CLOSED MEETING

N/A

12 CLOSED REPORT

N/A

13 ADJOURNMENT

13.1 RESOLUTION NO. 204

Moved by Rob Eady. Seconded by Jim Desmarais.

RESOLVED THAT this Regular Meeting of Council adjourn at the hour of 7:35 p.m.

Carried.

Mayor

Clerk