

The Corporation of the Township of Burpee and Mills

Regular Council Meeting Minutes

Tuesday, February 7, 2023

The Corporation of the Township of Burpee and Mills Council met for the Regular Council Meeting at the Municipal Complex. Reeve Ken Noland and Councillors, Arthur F. Hayden, David Deeg, Roger Morrell and Kim Middleton were in attendance. Gye Taylor, Road Superintendent, Bylaw Officer Tim Bailey and Deputy Clerk-Treasurer Lynn Jackes were in attendance. Patsy Gilchrist, Clerk-Treasurer recorded the minutes.

REGRETS: Richard Graham, Fire Chief

GUESTS: Cheryl Burrridge, Melanie Blain, Gail Andrews

The Regular Meeting was called to Order at 7 p.m.

CONFLICT OF INTEREST: Agenda Item 12 – David Deeg

MOTION: 2023-06

Moved By: Arthur F. Hayden

Seconded By: Roger Morrell

THAT Council approve the Agenda for the February 7th, 2023 Regular Council Meeting.....carried K.N.

MOTION: 2023-07

Moved By: Roger Morrell

Seconded By: Kim Middleton

THAT Council approve the Regular Council Meeting Minutes of January 4, 2023.....carried K.N.

Fire Chief's Report

In the absence of the Fire Chief, Reeve Noland stated there were some issues with the radios and pagers that the Chief is working on. Training is being provided and proper manuals, etc. are being provided.

Road Superintendent's Report

Gye Taylor, Road Superintendent reported there are no major issues with the roads. The remaining winter sand is at 50% but will cover off the rest of the winter season.

Reeve Noland requested that the new exit lights be installed. The Road Superintendent will address this.

Cheryl Burrridge had submitted a Request to Be Heard by Council regarding the following issues:

- Proposed Short Term Accommodations Bylaw 2022-08 and
- Municipal Transparency

Ms. Burrridge's Presentation to Council is attached to these minutes as Appendix "A".

Bylaw Officer's Report

Tim Bailey, Bylaw Officer presented his report for January, 2023.

- Property Inspections are ongoing
- Burpee and Mills Zoning Bylaw – Mapping is with Jake at the MPB.
Working on securing dates for Open House with J.L. Richards
- Emergency Response Readiness – working on developing a Tabletop Exercise

Tim was asked by Council to address the Short Term Rental Bylaw. He stated he had a productive meeting with Cheryl Burridge. He agrees there is room for improvement and would like to re-evaluate this bylaw. This bylaw is similar to Central Manitoulin's bylaw. Tim would like to ensure that any potential liability issues for the township are addressed in this bylaw. For example; possibly property owners can add the Township to their insurance policies to hold the Township harmless. The inspections required in the bylaw could possibly be signed off by the property owner which limits the municipal liability.

Council has suggested that Bylaw 2022-08 being a Bylaw to Manage Short Term Accommodations for the Municipality of Burpee and Mills be redrafted for review.

MOTION: 2023-08

Moved By: Arthur F. Hayden

Seconded By: Kim Middleton

THAT the Road Voucher for January, 2023, in the amount of \$44,302.91 be approved for payment.....carried K.N.

MOTION: 2023-09

Moved By: David Deeg

Seconded By: Roger Morrell

THAT the General Voucher for January in the amount of \$86,157.08 be approved for payment.....carried K.N.

MOTION: 2023-10

Moved By: Kim Middleton

Seconded By: Arthur F. Hayden

THAT the Fire Voucher for January in the amount of \$533.28 be approved for payment.....carried K.N.

MOTION: 2023-11

Moved By: David Deeg

Seconded By: Roger Morrell

THAT the Road Voucher for February, 2023, in the amount of \$18,417.16 be approved for payment.....carried K.N.

MOTION: 2023-12

Moved By: Arthur F. Hayden

Seconded By: Roger Morrell

THAT the General Voucher for February in the amount of \$136,262.42 be approved for payment.....carried K.N.

MOTION: 2023-13

Moved By: Kim Middleton

Seconded By: David Deeg

THAT the Fire Voucher for February in the amount of \$784.30 be approved for payment.....carried K.N.

MOTION: 2023-14

Moved By: David Deeg

Seconded By: Arthur F. Hayden

THAT Council give By-Law No. 01-2023, being a bylaw to Set a Pay Range from Municipal Officers and Employees, necessary readings and be passed.....carried K.N.

MOTION: 2023-15

Moved By: Kim Middleton

Seconded By: Roger Morrell

THAT Council give By-Law No. 02-2023, being a bylaw to Appoint Officers and Confirm Salaries, necessary readings and be passed.....carried K.N.

A discussion was held regarding possible funding through the Green and Inclusive Community Buildings Funding. A suggestion was to have the outdoor rink tarped. Roger Morrell will followup with Billings Township to review costs and explore options. Council has been asked to bring any further suggestions forward.

The Rural Economic Development Funding has become available for minor capital projects and projects that remove barriers to business and job growth. Reeve Noland suggested that he would discuss this information with Lambac.

A donation request had been received from Lambac to assist with a Volunteer Fair through Gordon/Barrie Island and Burpee and Mills Township. Since Lambac is provincially funded Reeve Noland will discuss this with Lambac. It has been the practice of the Township to not donate taxpayers money.

Reports:

Airport - Roger Morrell advised the terminal project had been tendered. This will include the terminal building and the helipad however the runway has been removed from that scope.

MMA – Reeve Noland advised that MMA will be meeting on February 15, 2023.

Manitoulin Planning Board – Reeve Noland suggested the Natural Heritage information be brought forward to the March, 2023 in order to allow Council time to review.

Recreation – Arthur F. Hayden advised the Fire Department would be hosting Family Day on February 20th.
The Golden Age Club has approached the Recreation Committee to suggest an amalgamation of the two groups. All areas will be investigated to ensure a proper transition.

Newsletter – Roger Morrell has volunteered to compose the newsletter. If anyone has any information that should be included, please forward it to Roger.

Cheryl Burridge, Melanie Blain and Gail Andrews excused themselves from the meeting. Reeve Noland and Deputy Reeve Hayden will be meeting with Cheryl Burridge on Monday, February 13, 2023 at 7:30 p.m. at the Municipal Complex.

MOTION: 2023-16

Moved By: Roger Morrell

Seconded By: Arthur F. Hayden

THAT Council move to an In Camera Meeting to discuss a personnel matter About an identifiable individual, including municipal or local board employees of the municipality as required under section 239(1) and (2)(b) of the Municipal Act 2001 at 8:25 p.m.....carried K.N.

MOTION: 2023-19

Moved By: Arthur F. Hayden

Seconded By: Kim Middleton


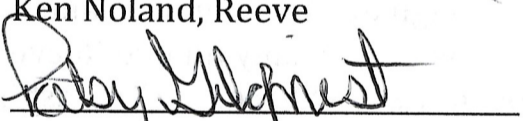
THAT the In Camera Council Meeting be adjourned at 8:37 p.m.....carried K.N.

MOTION: 2023-20

Moved By: Roger Morrell

Seconded By: David Deeg

THAT the Regular Council Meeting be adjourned at 8:38 p.m.....carried K.N.


Ken Noland, Reeve

Patsy Gilchrist, Clerk-Treasurer

Good evening Reeve and Councilors

APPENDIX "A"

Thank you for this opportunity to address the council tonight.

For the sake of expediency I will be reading from a prepared statement, then if at the end you have any questions I would be happy to try and answer them.

I would like to begin by voicing my concern with what appears to be a lack of transparency with our Municipal level government . I will tell you why I say that. On Jan 3rd at approximately 1 P.M. I received an anonymous message informing me that there would be a 2nd reading of a proposed new short term rental by-law....., which I will address specifically in my 2nd point, I do receive and read the monthly newsletter that Burpee and Mills publish, however there was no mention of this proposed by-law in it. I was able to find the proposed by-law on the Municipalities web-site and after immediately reading it I called the Municipal office to arrange to address this matter with council. I was informed that I was a matter of

hours too late to file the required "Request to be Heard by Council" form in writing to speak at January's meeting. So here I am tonight. Please don't misjudge my tardiness in speaking to this issue as lack of interest, it came down to timing requirements. As with any new by-law that might severely, or one might argue unfairly, restrict a residents ability to earn a viable income, I for one would certainly like to have heard about it from the Municipality as opposed to second hand from an anonymous well intentioned neighbor. I respectfully suggest that any proposed by-law of this magnitude warrant not only full disclosure, but also a "Town Hall" type meeting to ensure anyone that has a stake in, or question about, any new proposed by-law may have direct unencumbered input on that issue in a timely manner prior to a formal decision by council being made. On a going forward basis I would like to see a physical notice be delivered to each of our 167 occupied private dwellings well enough in advance of any substantive change or addition to our by-laws being made. It is after all OUR community, all 382 of us.

Now I would like to address my 2nd concern, this proposed new Short Term Rental By-law. After I read this document, as it is penned now, I was unable to see how this instrument reflects our municipal needs in any meaningful way.

Taking into consideration our demographics and the geographical make-up of our municipality I do not believe that we are in any way in danger of becoming the next "Honey Harbor".....ever! This proposed by-law appears to be trying to solve a problem that does not exist or could be more easily and effectively remedied with a more inclusive piece of legislature . An example of that would be if noise were the problem, the solution would be simple enough, adopt the Provincial noise by-law as our own, the Province actually encourages it. Problem solved. I am unable to ascertain clearly the objectives of this proposed measure. What clearly are the problems it is trying to solve or realistic issues it is trying to address proactively? After a phone call and in person meeting with Mr. Bailey, our by-law officer, we did agree that a more inclusive, representative document could be created with more meaningful input and some more time.

I would like to point out a specific example of where the municipality might be exposing themselves to an unnecessary liability. In section 3.18 and 5.12, sub-section (d) which both mandate under threat of financial penalty I must provide my full name and contact information to all guests. I exclusively use a booking platform and ALL my guests are required to communicate exclusively via this platform so there may be a record of all communications if ever needed. This is for the guest's safety as well as my own. If a guest requires my personal information for any valid reason they may obtain it from the rental platform. All my guests are properly vetted with their government ID being verified by the platform I use prior to staying with me. As Mr. Bailey pointed out during our meeting, the OPP will likely not respond to my address after the tragedy in Gore Bay. So again, as a woman, especially, a 60 year old woman, living alone in an entirely rural area, I will not be providing that information to the public, requiring me to do so would unjustly put me in potential peril.

Another quick example of where the current instrument does not really make sense is that the proposed fee to register a short term rental unit is \$650/ year, and the fine for operating an unlicensed unit is \$600.00..... I'm unclear

why the penalty would be less than the initial registration fee....? Again, what are we trying to accomplish?

I don't want to beat a dead horse but I see absolutely no reason to rush to pass such a critically flawed document.

Although, if you as council do decide to adopt this proposed by-law as it stands now, I will have no choice but to challenge it in a court of law where I will also be seeking compensatory damages and costs. I really hope it doesn't come to that.

As a small rural community, I am sure that we can all work together for our mutual benefit and fundamental well-being.

Thank you.