

# **The Corporation of the Township of Burpee and Mills**

## **Regular Council Meeting Minutes**

### **Wednesday, September 6, 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 and Lynn Jackes, Deputy Clerk-Treasurer were also in attendance. Patsy Gilchrist, Clerk-Treasurer recorded the minutes.

GUESTS: Cheryl Burridge, Greg Hayden, Chuck Bailey, Melanie Blain, Rob Thirkill and Bob Halliday.

The Regular Council Meeting was called to order at 7 p.m. by Reeve Noland.

CONFLICT OF INTEREST: Roger Morrell – Agenda Item #11

#### **MOTION: 2023-148**

Moved By: Kim Middleton

Seconded By: Roger Morrell

THAT Council approved the Agenda for the September 6, 2023 Regular Council Meeting.....carried K.N.

#### **MOTION: 2023-149**

Moved By: David Deeg

Seconded By: Kim Middleton

THAT Council approve the Regular Council Meeting Minutes of August 1, 2023.....carried K.N.

#### **MOTION: 2023-150**

Moved By: Kim Middleton

Seconded By: Roger Morrell

THAT Council approve the Special Council Meeting Minutes of August 9, 2023.....carried K.N.

#### **Road Superintendent's Report**

Gye Taylor reported the road repair has been completed on Morden Noakes Road.

The plow truck was taken to pick up cold patch asphalt (7 tons) from Beamish in Sudbury.

Roadside grass cutting has been completed for the second cut this year.

The brusher for the excavator has been hooked up and is operational. This work was done in house.

The crush for the roads is expected to be delivered by the end of September.

The two ton dodge has been sent to Manitoulin Chrysler for repairs.

- The exhaust particulate filter was presumed to be plugged and the computer had error codes. The result was a sensor causing the issue. It has now passed its annual emissions and is scheduled for annual inspection.
- A problem was found with the transfer case and resulted in a new unit to replace the cracked housing. The cost came in at \$6,986.79. The cost of sensor repairs are unknown at this time.
- The estimated total cost for repairs may be under \$10,000.00.

David Deeg questioned the gravel not arriving until the end of September. Arthur F. Hayden advised if it has not arrived by then, the order will be cancelled.

#### **MOTION: 2023-151**

Moved By: Arthur F. Hayden

Seconded By: David Deeg

That the Road Voucher in the amount of \$12,231.63 be approved for payment.....carried K.N.

**MOTION: 2023-152**

Moved By: Roger Morrell

Seconded By: Kim Middleton

THAT the General Voucher in the amount of \$55,278.87 be approved for payment.....carried K.N.

**MOTION: 2023-153**

Moved By: David Deeg

Seconded By: Arthur F. Hayden

THAT the Fire Voucher in the amount of \$2,197.66 be approved for payment.....carried K.N.

Gye Taylor, Road Superintendent excused himself from the meeting at 7:15 p.m.

Roger Morrell excused himself from the meeting as he had declared a conflict of interest for the next agenda item.

Mr. Bob Halliday from Tulloch Engineering presented a drainage plan for Concession 6, Part of Lots 33 and 34, Burpee. This plan was explained in detail.

- A low area in the north east needs to be filled in.
- MTO needs to be in agreement
- A culvert will need to be installed on Union Road
- The entire ditch on Hwy 540 needs to be cleaned out.
- Swale holes will be installed to manage the run off to the ditches.

A question was asked if this drainage plan could be registered on title? The answer is unknown at this time.

The general consensus of council is that once implemented it would be satisfactory to Council. The Reeve is to advise the Manitoulin Planning Board.

**MOTION: 2023-154**

Moved By: Roger Morrell

Seconded By: Kim Middleton

WHEREAS Council approves the signing of the Municipal Property Assessment Corporation Data Sharing and Services Agreement with the Corporation of the Township of Burpee and Mills.....carried K.N.

**MOTION: 2023-155**

Moved By: David Deeg

Seconded By: Arthur F. Hayden

THAT a Hiring Committee be created to review the Bylaw Officer Applications and begin the interview process. The members of the Hiring Committee will be Kim Middleton and Roger Morrell.....carried K.N.

**MOTION: 2023-156**

Moved By: Arthur F. Hayden

Seconded by: David Deeg

WHEREAS a resolution of support has been requested from the Corporation of the Municipality of St. Charles, as follows:

WHEREAS prior to being repealed by the Modernizing Ontario's Municipal Legislation Act, 2017, Section 380 (6) of the Municipal Act 2001, allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction;

AND WHEREAS the current Public Tax Sale process is a burdensome process to a municipality that invests a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario;

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St. Charles Supports the Corporation of the Town of Essex in the reinstatement of previous legislation

that permitted municipalities to apply for and retain surplus proceeds from tax sales in their jurisdictions;

AND BE IT FURTHER RESOLVED THAT this Resolution be circulated to the Ministry of Municipal Affairs and Housing (MMAH); the Ministry of Finance (MOF), the Ontario Municipal Tax & Revenue Association (OMTRA); the Association of Municipalities of Ontario (AMO), the local Member of Provincial Parliament (MPP); and, all Ontario Municipalities.

The Corporation of the Township of Burpee and Mills supports this resolution.....carried K.N.

**MOTION: 2023-157**

Moved By: Kim Middleton

Seconded By: Arthur F. Hayden

WHEREAS a resolution of support has been requested from the Municipality of Chatham-Kent, as follows:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Chatham-Kent, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS, the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery; and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requestors to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies.
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions.
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied.
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in the Occupational Health and Safety Act.
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process.
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

The Corporation of the Township of Burpee and Mills supports this resolution.....carried K.N.

**MOTION: 2023-158**

Moved By: David Deeg

Seconded By: Kim Middleton

WHEREAS Council is aware of the health crisis on Manitoulin Island and wishes to provide correspondence to the Hon. Sylvia Jones, Minister of Health, stating their concerns regarding this issue.....carried K.N.

**Reports:**

**Airport** – Reeve Noland advised the Airport Project is moving slowly. There is a site meeting scheduled for next Wednesday.

Roger Morrell advised the Audit is coming up.

**MMA** – The Manitoulin Municipal Association Meeting has been scheduled for September.

**MPB** – Reeve Noland advised the Natural Heritage information had been submitted as required but no response has been received to date.

**CPAC** – Kim Middleton advised the meeting is scheduled for next Wednesday.

**Recreation** – Arthur F. Hayden advised the next meeting is scheduled for September 11.

**Library** – Kim Middleton advised the next meeting is scheduled for September 12<sup>th</sup>.

**Waste** – Roger Morrell advised he is still working on an E Waste Solution.

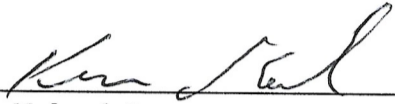
**Manor** – Art Hayden advised there is 97% occupancy at the Manor. Full Government Funding is being received. There is a surplus that appears to be approximately 9% under budget. Roof issues need to be addressed. The Extendicare Assist contract is being reviewed for renewal.


**MOTION: 2023-159**

Moved By: Arthur F. Hayden

Seconded By: Roger Morrell

THAT the Regular Council Meeting be adjourned at 7:53 p.m.....carried K.N.

  
Ken Noland, Reeve

  
Patsy Gilchrist, Clerk-Treasurer