TOWN OF KEARNEY
AGENDA

REGULAR COUNCIL MEETING
Council Chambers
Thursday, September 7, 2023 – 6:00 p.m.

A Moment of Silence may be observed, as requested

1. **Call the Meeting to Order**

2. **Approval of Agenda**

3. **Disclosure of Interest**
[At this time, Members of Council shall declare pecuniary interest, if any, with items on the agenda.]

4. **Presentations**

5. **Delegations**

   a. **Tabbetha Guthro re:** Canine Muzzle Order

6. **Public Meetings Pursuant to the Planning Act - nil**

7. **Public Meetings Pursuant to the Municipal Act - nil**

8. **Consent List**
[Items from the Consent List may be moved by members to be debated/discussed in Committee of the Whole]

   a) **Adoption of Council Minutes**
      i. August 3, 2023 Regular Council Meeting
   b) **Receive Committee, Agency & Other Reports**
      i. Joint Waste Management Board, August 23, 2023
   c) **Staff Reports**
      i. **DRAFT Consent Agreement (Pateman)**
      ii. **Clam Lake Road Report from Tatham**
      iii. **Quotations re: Seniors Room Windows**
      iv. **Quotations re: KCC Septic System**
      v. **Sand Lake Boat Ramp Report from Tatham**
      vi. **Recreation Committee Appointments**
      vii. **DRAFT Recreation Committee Terms of Reference**
      viii. **Gazebo Report**
      ix. **Transfer Station Report**

d) **By-laws**
   i. **Fees & Charges**
   ii. **Procedural By-law**
   iii. **Enter into Consent Agreement (Pateman)**
   iv. **Shore Road Closing (Dyke)**

9. Items Referred from the Consent List

10. Other Business

11. Payment Register

12. Correspondence for Information
a) **Township of Emo re:** Black Ash Tree Classification under Endangered Species Act
b) **Chatham-Kent re:** Time for Change – Municipal Freedom of Information and Protection of Privacy Act

13. Correspondence for Action
a) Hiring Committee for Treasurer Position
b) Hiring Committee for Public Works Superintendent Position
c) District of Parry Sound Municipal Association Fall Meeting
d) ACED CIINO Funding (DRAFT resolution)
e) Regional Community Bus Partnership Appointment
f) SLAPOA request to lower speed limit on North Shore Road
g) Slurry Seal and SST for Rain Lake Road

14. Notice of Motion
[Members of Council may introduce motions for discussion at the next regular meeting.]

15. Council Announcements
[Members of Council may share items of interest]

16. Talk to the Mayor
[This open forum provides members of the public a two-minute opportunity to address the Mayor on matters of public interest. Item discussed during this time will not be included in the Council minutes.]

17. Closed Session

That Council enter into a Closed Session for discussion regarding:
Under Section 239 (2) of the Municipal Act, Council moves to closed session under the following subsections:

(a) Labour Relations or Employee Negotiations; and
(b) Personal Matters about an identifiable individual.

18. Business Arising from Closed Session

[Resolutions, if any, arising from the closed meeting will be presented here. A closed meeting report will be provided at the next Regular meeting of council]

19. Confirming By-Law

20. Adjournment

Recommendation

That Council adjourn at _____p.m.

JOINT WASTE MANAGEMENT COMMITTEE
MINUTES
August 23, 2023
Hybrid Electronic Meeting Hosted by
Perry Township

Attendance

Board Members:	Jim Hilt, Jim Cushman (online), Sean Murdy, Keven Beaucage, Jill Sharer(online)
Absent:	Gina Newhall, Paul Sowrey
Staff:	Kim Seguin, Secretary-Treasurer
Audience:	Doug Boyce

The meeting was called to order at 6:05pm by the Secretary in the absence of the Chair.

It was;
Moved by: Keven Beaucage
Seconded by: Jim Hilt
Resolution 2023-22
Be it Resolved that the Joint Waste Committee appoint Sean Murdy as Acting Chairperson for the August 23, 2023 meeting.
Carried

Pecuniary Interest: None were declared

The minutes of the May 31, 2023 meeting were reviewed, and it was;
Moved by: Keven Beaucage
Seconded by: Jim Hilt
Resolution 2023-23
Be it Resolved that the minutes of the May 31, 2023 meeting of the committee be approved as circulated.
Carried

Business Arising from the Minutes:
A verbal update was provided by the secretary that we are still waiting on the report from the engineers on the survey and next steps for closing cell 1, the excavation of cell 2 has commenced.

DRAFT

The Bank Reconciliations for May, June and July 2023 for Kawartha Credit Union and Scotiabank accounts were reviewed, it was;
Moved by: Jim Hilt
Seconded by: Keven Beaucage
Resolution 2023-24
Be it Resolved that the Kearney Perry Joint Waste Management Committee have received and reviewed the bank reconciliations for May, June and July 2023 for the Scotiabank and Kawartha Credit Union accounts.
Carried

The bill payment list was presented, it was;
Moved by: Sean Murdy
Seconded by: Keven Beaucage
Resolution 2023-25
Be it Resolved that the bill payment report as of August 17, 2023 in the amount of $76,240.11 be approved. **Carried**

The Financial Report 2023 year to date as August 17, 2023 was reviewed, it was
Moved by: Jim Hilt
Seconded by: Jill Sharer
Resolution 2023-26
Be it Resolved that the Kearney Perry Joint Waste Management Committee accept the 2023 Year to Date report as of August 17, 2023 as presented.
Carried

New Business
A discussion took place regarding the new regulations in regards to recycling and the alternatives for the municipalities.

Being that there was no further business, it was;
Moved by: Keven Beaucage
Seconded by: Jill Sharer
Resolution 2023-27
Be it resolved that the Kearney Perry Joint Waste Management Committee does hereby adjourn at 6:37 pm until the next regular meeting or at the call of the Chair.
Carried

Sean Murdy Acting Chairperson Kim Seguin Recording Secretary
These minutes are not official until reviewed and passed by the Committee.

DRAFT

Minutes

REGULAR COUNCIL MEETING
Council Chambers
Thursday, August 3, 2023 – 6:00 p.m.

Council Members Present: Mayor: Cheryl Philip
Deputy Mayor: Michael Rickward
Councillors: Keven Beaucage, Heather Pateman and Jill Sharer

Staff Present: Nicole Gourlay, Clerk Administrator
Cindy Filmore, Deputy Clerk
Paul Schaefer, Fire Chief

1. Call the Meeting to Order – the meeting was called to order at 6:03 pm

2. Approval of Agenda
Res. No. 207 – 23 **Keven Beaucage, Michael Rickward**
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of August 3, 2023 agenda, be adopted as circulated:
CARRIED

3. Disclosure of Interest
a. Heather Pateman – cheque #32903 re: to my business
b. Michael Rickward – 8.c.vi re: Fire Department purchase of ATV from family business
c. Jill Sharer – cheque #32925 re: re-imbursement for baseball supplies

4. Presentations
a. Paul Schaefer re: Recognition of Exemplary Service Award
Mayor Philip presented the medal for Exemplary Service (20 yr. pin) and thanked Chief Schaefer for his dedication to the Town, its' residents and his team and for his many years of service with the Kearney Volunteer Fire and Emergency Services Department.

5. Delegations
a. Bob Lovell, Grass Lake re: Bell Canada batteries at outbuildings
Res. No. 208-23 **Keven Beaucage, Heather Pateman**
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney thanks Mr. Lovell for his information and directs that Staff will further investigate to determine a beneficial course of action to be taken.
CARRIED

6. Public Meetings Pursuant to the Planning Act – nil

7. Public Meetings Pursuant to the Municipal Act – nil

8. Consent List

a. Adoption of Council Minutes
i. Regular Council Meeting, Thursday, July 6, 2023
ii. Special Meeting (Budget), July 13, 2023

b. Receive Committee, Agency & Other Reports
i. DPPSSAB – CAO's Report

c. Staff Reports
i. DRAFT Procedural By-law and Report
ii. DRAFT Fees & Charges By-law and Report
iii. Sucker Creek Bridge Report from Tatham Engineering
iv. Fire Chief Report re: Emergency Management Plan
v. Fire Chief Report re: Regatta Activities
vi. Fire Chief Report re: ATV (three quotes)
vii. Clerk-Administrator Report re: Updates on KCC & Seniors Room Reno, MOL orders and Sand Lake Boat Ramp
viii. Transfer Station Hours (King William Street)
ix. Transfer Station Report

x. Quote from IT Service Provider re: Server & Security

d. By-laws

i. By-law 2023-46 being a by-law to enter into an agreement with Tatham re: Engineer of Record
ii. By-law 2023-47 Confirming By-law

e. Receive Resolution Report - Nil

Res. No. 209 -23 Keven Beaucage, Michael Rickward
BE IT RESOLVED that Council accepts the Consent List of August , 2023, and the Recommendations contained therein be adopted as Resolutions of Council, except for items 8.c.i, 8.c.ii, 8.c.vi, 8.c.x. which shall be moved out of the consent list for discussion and debate.

CARRIED

9. Items Referred from the Consent List

a. Draft Procedure By-law
Staff was given direction to make amendments as discussed and bring back to the next meeting for passing.

b. Draft Fees and Charges By-law
Staff was given direction to make amendments as discussed and bring back to the next meeting for passing

c. Fire Chief Report re: ATV (three quotes)
Res. No. 210-23 Jill Sharer, Keven Beaucage
WHEREAS the Council of the Corporation of the Town of Kearney had requested that the Fire Chief obtain no less than 3 quotations for the impending purchase of a Side by Side ATV;
AND WHEREAS three quotations were received:

1. Rickward's Small Motors $25,976.97 + HST
2. Wayne's World Polaris $26,642.46 + HST
3. Edge Performance Centre $29,177.97 +HST

NOW THEREFORE BE IT RESOLVED that Council awards the purchase of a Side by Side ATV to Rickward's Small Motors at a cost of $25,976.97 + HST and applicable licensing (total $29,428.98)

CARRIED

d. Transfer Station Hours (King William)
Res. No. 211-23 Michael Rickward, Keven Beaucage
BE IT RESOLVED that Council of the Corporation of the Town of Kearney hereby directs Staff to change the hours of operation of the King William Street Transfer Station to 9:00 am until 1:00 pm in order to facilitate a half hour lunch break for Staff.

CARRIED

e. Quote from IT Service Provider re: Server & Security
Res. No. 212-23 Michael Rickward, Keven Beaucage
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves and accepts the quotation from Lake Country Office Solutions Inc. in the amount of $66,000.00 (not inclusive of HST) for a one time capital cost and $5,000.00 (not inclusive of HST) in annual subscription fees.

CARRIED

10. Other Business

11. Payment Register

Res. No. 213– 23 Keven Beaucage, Jill Sharer
BE IT RESOLVED That Council receives the List of Accounts for Cheques # 32891 to # 32946 in the total amount of $126,097.72

CARRIED

12. Correspondence for Information

a. Town of Parry Sound re Support for Resolution of Township of Archipelago regarding sustainable development and Bill 23
b. Township of Cramahe re support for The Women of Ontario Say No
c. Approval of Fireworks display for Regatta and suspension of associated by-laws

Res. No. 214 – 23 Jill Sharer, Michael Rickward
BE IT RESOLVED that Correspondence Item 12.a. through 12.c. be received as information.

CARRIED

13. Correspondence for Action

a. The Women of Ontario Say No – Resolution regarding improvements to Municipal Codes of Conduct and Enforcement.

Res. No. 215-23 Keven Beaucage, Heather Pateman

WHEREAS, all Ontarians deserve and expect a safe and respectful workplace;
WHEREAS, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;
WHEREAS several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;
WHEREAS, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;
WHEREAS, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;
WHEREAS, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;
NOW, THEREFORE BE IT RESOLVED that the Corporation of the Town of Kearney supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;
ALSO BE IT RESOLVED that the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office

CARRIED

b. KWEF letter of support for SLAPOA regarding a call for sustainable development.

Res. No. 216-23 Michael Rickward, Keven Beaucage

WHEREAS, the Sand Lake Property Owners have presented Council with their requests to initiate changes to the Zoning By-law and to implement other by-laws to encourage sustainable development of our area;

AND WHEREAS, the Kearney Watershed Environmental Foundation has echoed their support for both the request for changes to the Zoning By-law and to implement other by-laws to encourage sustainable development of our area;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney thanks both the Sand Lake Property Owners Association and the Kearney Watershed Environmental Foundation for their concerns, their insight, and their information and requests that Staff prepare a report outlining the potential DRAFT by-laws such as a Site Alteration By-law to address these concerns.

CARRIED

c. Approval of Fireworks display for Regatta and suspension of associated by-laws

Res. No. 217-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Regatta Committee, hereby declares the Kearney Regatta to be a community festival and to be held on August 5th & 6th, 2023;
AND FURTHER that all By-laws that this festival contravenes (i.e. Noise By-law regarding fireworks and the Fireworks By-law) shall be suspended during the 2023 Kearney Regatta event;
AND FURTHER Council authorizes the use of the Kearney Community Centre and equipment, as well as assistance from Custodial Services and the Town Public Works equipment and employees, as available for the 2023 Kearney Regatta event;
AND FURTHER Council authorizes the closure of the section of Main Street from the intersection of Lakeview Avenue and Main Street, to the parking lot of the LCBO near the intersection of Rain Lake Road and Main Street, for the duration of the event.

CARRIED

14. Notice of Motion

[Members of Council may introduce motions for discussion at a future Council meeting.]
Council members requested information moving forward for:

- the Algonquins of Ontario and education regarding their concerns
- the Recreation Committee, terms of reference and getting the committee going
- Mrs. Murdy's concern regarding the large trees next to the Fire Hall
- Internet connectivity (StarLink)

15. Council Announcements

Councillor Pateman –

- Reminder that Council members have been asked to assist with annual Fireworks funds collection.
- Customer at the gas bar wanted to let Council know that they are very impressed with Town Staff and to commend all Staff for their ability to work with the Public

Mayor Philip

- Grand Opening of the Kearney Community Centre to welcome the Public and show our newly renovated facilities set for September 16, 2023. Staff to organize catering (coffee/tea/juice, etc. check with Kearney Seniors), notice to public (social media, mail out, website), set up, etc..

16. Talk to the Mayor

Dave Matson – Thank you for having the transfer station open on the Statutory Holidays

17. Closed Session

Res. No. 218-23 Heather Pateman, Jill Sharer

BE IT RESOLVED that Council hereby convenes in Closed Session for discussion regarding:

BE IT RESOLVED that the Council of the Corporation of the Town at 8:07 p.m., moves into closed session under Section 239 (2) of the Municipal Act, under the following subsections:

(a) Labour Relations or Employee Negotiations;
(c) Acquisition or disposition of land; and
(b) Personal Matters about an identifiable individual.

Res. No. 219-23 Heather Pateman, Michael Rickward

BE IT RESOLVED that the Council meeting goes beyond the four hour curfew.

CARRIED

18. Business Arising from Closed Session

Res. No. 220-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that Council reconvenes in Open Session at 10:12 pm

CARRIED

Res. No. 221-23 Heather Pateman, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk-Administrator to post for a full-time Treasurer as soon as possible.

CARRIED

19. Confirming By-Law No. 2023-47

Res. No. 222 – 23 Cheryl Philip, Jill Sharer

BE IT RESOLVED that By-law No. 2023-47, being a By-law to confirm the proceedings of Council of its Regular Meeting held of August 3, 2023, be approved.

CARRIED

20. Adjournment

Res. No. 223– 23 Michael Rickward, Heather Pateman

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 10:13 pm to meet again at 6:00 pm on Thursday, September 7, 2023 in the Council Chambers, Kearney, Ontario.

CARRIED

THE CORPORATION OF THE

TOWN OF KEARNEY

_____

Mayor

_____

Clerk

CONSENT AGREEMENT

THIS AGREEMENT made between:

HEATHER MARGARET PATEMAN

hereinafter called the "Owner"
OF THE FIRST PART

- AND -

THE CORPORATION OF THE TOWN OF KEARNEY

hereinafter called the "Municipality"
OF THE SECOND PART

WHEREAS the lands affected by this Agreement are the lands described in paragraph 1.1 herein annexed;

AND WHEREAS the Owner obtained, from the Southeast Parry Sound District Planning Board (Files B-027/22 and B-028/22) approval of a consent to sever the subject lands (the "Severance Approval") into two severed lots and one retained lot;

AND WHEREAS the conditions of approval require the Owner to enter into this Agreement pursuant to section 53 of the *Planning Act*, and to register such Agreement on title to the lands;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and for other good and valuable consideration (the receipt whereof is hereby acknowledged), the parties hereto covenant and agree with one another as follows:

1. SCOPE OF AGREEMENT

1.1 DESCRIPTION OF LANDS – See Schedule "A" paragraph 1 (hereinafter referenced as "the Subject Lands").

1.2 CONFORMITY WITH AGREEMENT - The Owner covenants and agrees that no development of or work shall be performed on the Subject Lands except in compliance with:

a) the provisions of this Agreement;

b) all Schedules attached hereto;

c) all applicable Municipal By-laws and all Provincial and Federal Legislation; and

d) all of the recommendations set out in the Environmental Impact Study prepared by Riverstone Environmental Solutions Inc., dated March 4, 2022.

1.3 SCHEDULES ATTACHED - The following schedules are attached to this Agreement:

Schedule "A" - Legal Description
Schedule "B" - Cash Deposits
Schedule "C" – Environmental Impact Study – Riverstone Environmental Solutions Inc., dated March 4, 2022
Schedule "D" - Environmental Recommendation Conditions

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1.4 DEFINITIONS

a) “Severed Lot 1” shall mean those lands identified Part 1, 42R-42R-22218.

b) “Severed Lot 2” shall mean those lands identified as Part 2, 42R-22218.

c) “Retained Lands” shall mean the Subject Lands except for Severed Lot 1 and Severed Lot 2.

2. CONDITIONS PRIOR TO EXECUTION OF AGREEMENT BY THE MUNICIPALITY

2.1 Prior to the execution of this Agreement by the Municipality, the Owner shall:

a) Taxes - have paid all municipal tax bills issued and outstanding on the said lands,

b) Cash Deposits, Cash Payments & Security - have delivered to the Municipality all cash deposits, cash payments and security required by Schedule "B" attached,

c) Land Ownership - be the registered owner in fee simple of the lands described in section 1.1,

d) Postponements Mortgage/Charge - obtain and provide a postponement for any Mortgage/Charge registered on the subject lands to give priority to this agreement, including:

The Township may accept a solicitor’s undertaking to obtain and register such postponements.

3. ENVIRONMENTAL RECOMMENDATION CONDITIONS

3.1 Further to the terms of this Agreement, the Owner covenants and agrees that no development of, or work shall be performed on, the Subject Lands except in compliance with all of the environmental recommendations set out in the Environmental Impact Study prepared by Riverstone Environmental Solutions Inc., dated March 4, 2022, as attached hereto as Schedule “C” and which environmental recommendations are more particularly set out in Schedule “D”.

4. CASH IN LIEU OF PARKLAND

4.1 As a condition of approval of the consents, the Owner shall pay a fee in lieu of parkland in the amount of 5% of the appraised value of each new lot, the total fee being $4,750.00, as more particularly described in Schedule “B” hereto.

5. REGISTRATION OF AGREEMENT AND OTHER DOCUMENTS

5.1 The parties hereto consent to the registration of this Agreement by the Municipality upon the title of the Subject Lands, which registration shall be included as a legal expense to the Owner. The Owner further agrees that she will execute such further and other documents, consents, or applications as may be reasonably required by the solicitor for the Municipality for the purpose of any registration against the Subject Lands, or for the purpose of giving effect to the provisions required under this Agreement.

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6. EXPENSES TO BE PAID BY OWNER

6.1 Every provision of this Agreement by which the Owner is obliged in any way shall be deemed to include the words "at the expense of the Owner" unless the context otherwise requires.

6.2 The Owner shall pay such reasonable fees as may be invoiced to the Municipality by its Solicitor, Landscape Architect or Engineer (as applicable) in connection with all work to be performed as a result of the provisions of this Agreement.

6.3 All expenses for which demand for payment has been made by the Municipality shall bear interest at the rate of 12% per annum commencing 30 days after demand.

6.4 In the event that the Municipality, acting reasonably, finds it is necessary to engage the services of an engineer or technical personnel not permanently employed by the Municipality, to review the plans of the Owner, and/or carry out on-site inspections of the work performed, the Municipality will advise the Owner accordingly of this need, and the costs of such outside engineers so engaged shall be the responsibility of the Owner. The Municipality may require a deposit for this purpose.

7. CASH DEPOSITS AND SECURITY - SCHEDULE "B"

7.1 The Owner shall lodge with the Municipality, those cash deposits and security more particularly described in Schedule "B", and at the dates specified therein.

7.2 In the event that the expenses of the Municipality exceed the amount of the cash deposits, and security set out in Schedule "B" attached, the Owner shall pay such excess charges within 30 days after demand by the Municipality, or if less, such excess deposit or security shall be refunded upon the satisfaction by the Owner of all obligations under this Agreement.

7.3 Default and Entry - Where the Owner is in default under any of the provisions of this Agreement, the Municipality, if it so elects, shall have the right and privilege at all times to enter upon the lands described in Schedule "A" for the purpose of repairing or completing any work or services required to be completed by the Owner under this Agreement, or to arrange for such works to be completed on behalf of the Owner. In furtherance of such work the Municipality is authorized to use and realize upon the security held under this Agreement.

7.4 Any security filed with the Municipality is based upon the estimated cost of completing the various matters prescribed by this Agreement. However, all security received by the Municipality may be used as security for any item or any other matter which under the terms of this Agreement is the responsibility of the Owner.

7.5 Exceeding Cost Estimates - If the costs of completing such work or service, exceeds the amount of security held by the Municipality, such excess shall be paid by the Owner to the Municipality 30 days after invoicing by the Municipality. All overdue accounts shall bear interest at the rate of 12% per annum.

7.6 Save Harmless - The Owner on behalf of itself, its successors and assigns agrees to indemnify and save harmless the Municipality from and against any and all claims, suits, actions and demands whatsoever which may arise either directly or indirectly be reason of any work or service performed by the Municipality, its servants or sub-contractors in order to complete the work or services required to be completed under this Agreement, provided the subject matter of such action, suits, claims or demands was not caused intentionally or

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through gross negligence on the part of the Municipality, its servants or agents or subcontractors.

7.7 The *Construction Act* - If the Municipality becomes obligated to make any payments, or pay any costs, under the provisions of Section 17(4) of the *Construction Act*, R.S.O. 1990, c. C.30, this will constitute a default and entitle the Municipality to realize upon its security.

7.8 Surplus - In the event that the Municipality realizes upon security to complete municipal services, any surplus monies that remain after this work is completed shall be returned to the issuing financial institution for transmission to that party that took out the original Letters of Credit.

8. ATTACHED SCHEDULES

8.1 It is agreed that everything included in this Agreement and the Schedules attached hereto filed by the Owner and accepted by the Municipality shall be included in and form part of this Agreement.

9. RESTRICTIVE COVENANTS

9.1 The Owner agrees that the covenants, agreements and obligations agreed to in this Agreement are and shall be of the same force and effect to all intents and purposes as a covenant, the burden of which shall run with the said lands and each and every part of this Agreement shall extend to, and be binding upon and enure to the benefit of each and all of the heirs, executors, administrators, successors-in-title, and assigns of the parties hereto respectively.

9.2 The covenants, agreements and obligations agreed to in this Agreement are declared to be appurtenant to and for the benefit of the lands of the Municipality abutting the said lands.

10. INDEMNIFICATION FROM LIABILITY AND RELEASE

10.1 The Owner covenants and agrees with the Municipality, on behalf of itself, its successors and assigns, to indemnify and save harmless the Municipality, and its employees, officers, directors, agents, servants and invitees, from any and all actions, suits, claims and demands whatsoever which may arise either directly or indirectly by reason of any work performed by the Owner or on her behalf in connection with the carrying out of the provisions of this Agreement or by reason of the failure of the Owner or its successors in title and assigns to comply with and/or fulfill its obligations hereunder and without limitation those obligations set out in section 1.2.

10.2 The Owner further covenants and agrees to release and forever discharge the Municipality from and against all claims, demands, causes of actions, of every nature and type whatsoever that may arise either as a result of the failure of the Municipality to carry out any of its obligations under this Agreement, or, as a result of the Municipality performing any municipal work on adjacent properties which may damage or interfere with the works of the Owner, provided that such default, failure or neglect was not caused intentionally or through negligence on the part of the Municipality, its servants, agents or subcontractors.

11. NOTICE TO PARTIES

11.1 Any Notice to be given by any party under this Agreement may be given by:

a) personal service on the parties hereto,

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b) prepaid registered mail addressed to the other party at their last known address and which shall be deemed to have been received three (3) business days after mailing, or

c) by telecopier message (fax machine) and such telecopier message shall be deemed to have been received the day it was sent up to the hour of 4:30 p.m. and any time a telecopier message is sent thereafter, it shall be deemed to be received on the following day.

11.2 For the purposes of the foregoing, the addresses for the parties to this Agreement are as follows:

Owner: Heather Pateman
Box 69
Kearney, Ontario
P0A 1M0

Municipality: Town of Kearney
Main Street, P,O. Box 38
Kearney, ON P0A 1M0
Attention: Clerk Administrator

12. TIME OF THE ESSENCE

12.1 The parties hereto agree that time shall be of the essence in this Agreement.

13. ESTOPPEL OF OWNER

13.1 The Owner agrees to not call into question directly or indirectly in any proceeding whatsoever, in law or in equity, or before any administrative tribunal, the right of the Municipality to enter into this Agreement and to enforce each and every term, covenant and condition herein contained and this Agreement may be pleaded as an estoppel against the Owner in any such proceedings.

14. INTERPRETATION

14.1 It is hereby agreed that in construing these presents the word "Owner" and the personal pronoun "he" or "his" relating thereto and used therewith, shall be read and construed as "Owner" and "his", "hers", "its" or "their" respectively as the number and gender of the party or parties referred to in each case requires, or vice versa, and the number of the verb agreeing therewith shall be so construed as agreeing with the said word or pronoun so substituted.

14.2 And that all covenants, liabilities and obligations entered into and imposed hereunder upon the Owner shall be equally binding upon his, her, its or their heirs, executors, administrators and assigns, or successors and assigns as the case may be, and that all such covenants and liabilities and obligations shall be joint and several.

THIS AGREEMENT shall enure to the benefit of and be binding upon each of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

DRAFT

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the following dates:

By the Owner on the _____ day of_____, 2023.

_____
Heather Margaret Pateman

By The Corporation of the Town Kearney on the ____ day of _____, 2023.

THE CORPORATION OF THE
TOWN OF KEARNEY
Per: _____
Name: Cheryl Philip
Title: Mayor

Per: _____c/s
Name: Nicole Gourlay
Title: CAO/Clerk

We have the authority to bind the corporation.

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SCHEDULE "A"

THIS IS SCHEDULE "A" TO THE DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWN OF KEARNEY AND HEATHER MARGARET PATEMAN

LEGAL DESCRIPTION OF LANDS

PCL 19856 SEC SS; PT LT 33 CON 11 PERRY; PT LT 34 CON 11 PERRY AS IN LT116446 EXCEPT PT 1 & 2 42R6990; KEARNEY

Being all of the lands described in PIN 52159-0032 (LT).

DRAFT

SCHEDULE "B"

THIS IS SCHEDULE "B" TO THE DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF TOWN OF KEARNEY AND HEATHER MARGARET PATEMAN

CASH DEPOSITS, CASH PAYMENTS AND SECURITY

The Owner shall, on the dates specified herein, lodge with the Municipality the following described cash deposits, capital levies and security:

1. TYPE OF SECURITY

   Any security required to be filed under this Agreement shall be in cash or by Letter of Credit valid for a period of one year with extension provisions and prepared in a form provided by the Municipality. It shall be drawn on a Chartered Bank of Canada and shall be for the amount hereinafter set out.

2. REDUCTION OF SECURITY

   The Owner may, as portions of the work are completed, make application to the Municipality to reduce the security to such amount as, in the sole discretion of the Municipal Clerk Administrator, is sufficient to guarantee the due performance of all the terms of the Development Agreement including, but not so as to limit the generality of the foregoing, Municipal Services, internal services and any other financial obligations required of the Owner under this Agreement (the costs of which will be estimated by the Municipality for holdback purposes), and to cover any obligations of the Municipality that might arise under Section 17 of the *Construction Act*, and this amount will also include the security holdbacks required for the maintenance periods.

3. SECURITY FOR WARRANTY PERIODS

   Two Year Guarantee Against Defects: Municipal Services

   In the event that the Owner by the terms of this Agreement is required to construct Municipal Services, a cash deposit or a Letter of Credit equal to 10% of the total value of the Municipal Services, shall be deposited with and retained by the Municipality for a period of 2 years after acceptance of the services, as a guarantee against any defects in the construction of such services, and also as a guarantee of due compliance of all provisions and obligations of this Agreement.

   One Year Guarantee Against Defects: Internal Services

   A cash deposit or a Letter of Credit equal to ten percent (10%) of the total value of the internal services shall be deposited with and retained by the Municipality for a period of 1 year after acceptance works.

4. CASH DEPOSITS/SECURITY - FOR THE MUNICIPALITY

   The following cash deposits are estimates only and are to be paid to the Municipality prior to the execution of this Agreement by the Municipality, except where otherwise noted. In the event that the actual costs incurred by the Municipality exceed the deposits, such excess shall be invoiced to the Owner and be due and payable 30 days after demand:

   A. Cash Deposits

      i. Deposit for the municipality's legal and planning Expenses (paid) $1,200.00

      ii. Consent application fee (paid) $400.00

iii. Consent pre-consultation fees - initial (paid) $200.00

iv. Consent pre-consultation planning fees (paid) $954.86

B. Cash in Lieu of Parkland

i. Cash in lieu of parkland for Severed Lots 1 and 2 (paid) $4,750.00

DRAFT

SCHEDULE "C"

THIS IS SCHEDULE "C" TO THE DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF TOWN OF KEARNEY AND HEATHER MARGARET PATEMAN

ENVIRONMENTAL IMPACT STUDY - RIVERSTONE ENVIRONMENTAL SOLUTIONS INC, DATED MARCH 4, 2022.

This document, prepared by Riverstone Environmental Solutions Inc., dated March 4, 2022, is hereby incorporated into this Agreement as part of this Schedule “C”. Copies of this document are available at the Town of Kearney offices, 8 Main Street, Kearney, ON, Monday to Friday, during regular business hours.

DRAFT

SCHEDULE "D"

THIS IS SCHEDULE "C" TO THE DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF TOWN OF KEARNEY AND HEATHER MARGARET PATEMAN

ENVIRONMENTAL RECOMMENDATION CONDITIONS

1. To minimize the potential for road-killed snakes, the length and numbers of roads and driveways are to be minimized to the greatest extent possible.

2. Tree clearing for the purposes of development to only occur in the fall, winter and early spring (from October 15 to April 15). This timeframe is outside of the maternal roosting period for endangered bats.

3. In the event that tree clearing must occur between April 15 and October 15, additional studies will need to be completed to confirm the presence or absence of SAR bats. These studies will include snag tree surveys and acoustic monitoring of the area where trees will be removed, by a qualified professional. Should SAR bats be detected, the Ministry of Environment, Conservation and Parks (the “MECP”) should be contacted to determine if a permit would be required to proceed.

4. Any lighting incorporated into the final building designs should be directed downwards and away from the open areas.

5. Should any development or work occur after January 27, 2024, the Owner shall be required to confirm updated requirements for Black Ash from a qualified professional environmental consultant to ensure ongoing compliance with the ESA, and shall comply with applicable further requirements, if any.

6. Limit the removal or spreading of earth piles in the south portion of the property adjacent to wetland features to outside of nesting young emergent period of May 15 to September 20 to limit the potential for impacts on turtle nests.

7. All development is to be set back a minimum of 15 meters from the edge of wetland features.

8. Vegetation removal and disturbance outside of the development envelopes should be minimized.

9. Site alteration (i.e., felling of trees, clearing, grading, etc.) not occur on the Subject Property from April 1 to October 15, as this time corresponds to the peak nesting/breeding period for the majority of avian species at risk, and the roosting period for species at risk bats.

10. If site alternation must occur between April 1 and October 1 then a nest survey shall be conducted by a qualified individual prior to commencement of activities. The nests of all species protected under the *Migratory Birds Convention Act, 1994* shall be identified and a mitigation plan prepared to address potential impacts; mitigation may require establishing appropriate buffers around active nests or delaying construction activities until the conclusion of the nesting season.

11. Vegetation removal and disturbance outside of the building and septic development envelopes should be minimized to the greatest extent possible.

DRAFT

Clam Lake Road Preliminary Investigation

Council Presentation

Town of Kearney

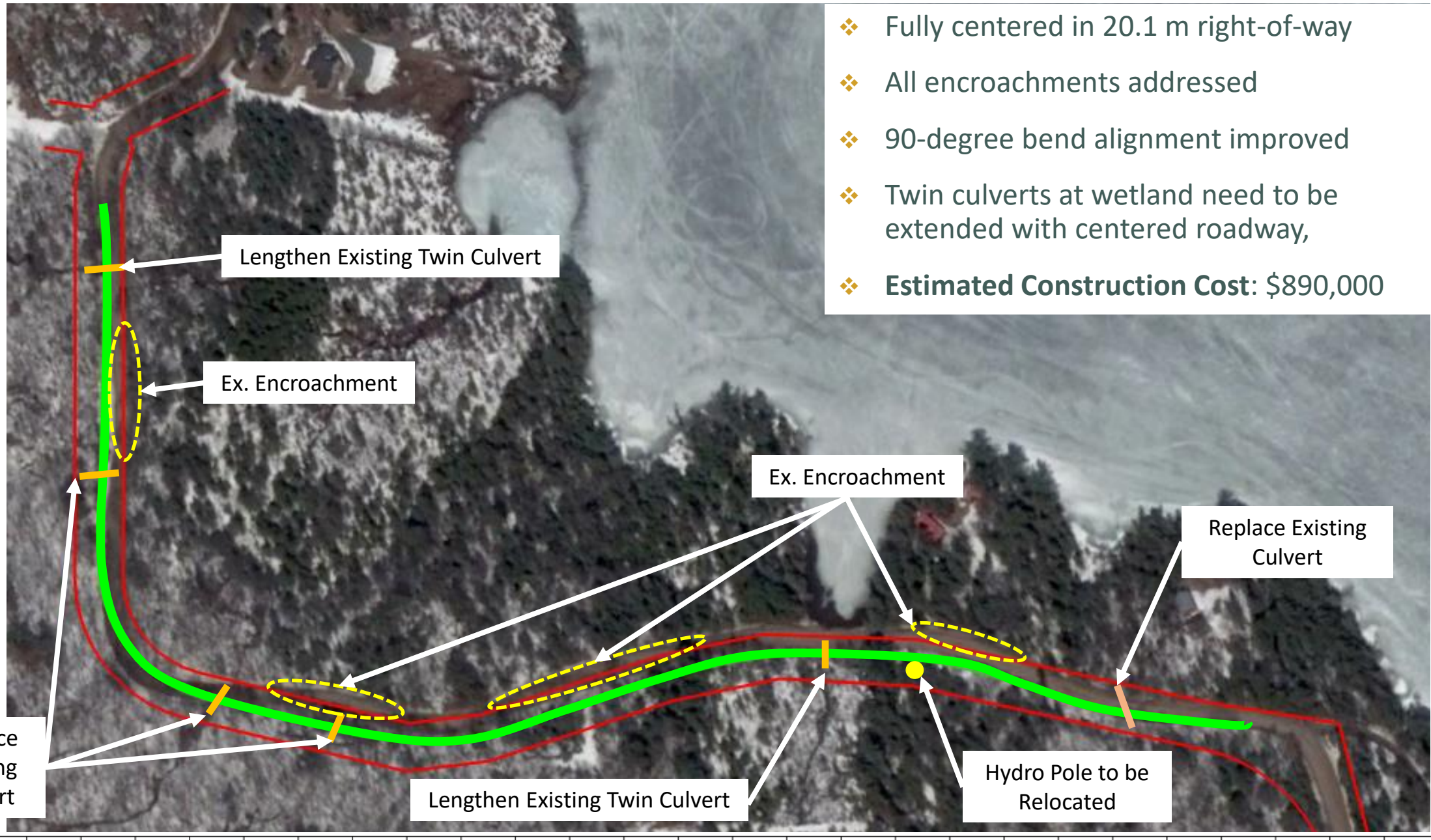
TATHAM ENGINEERING

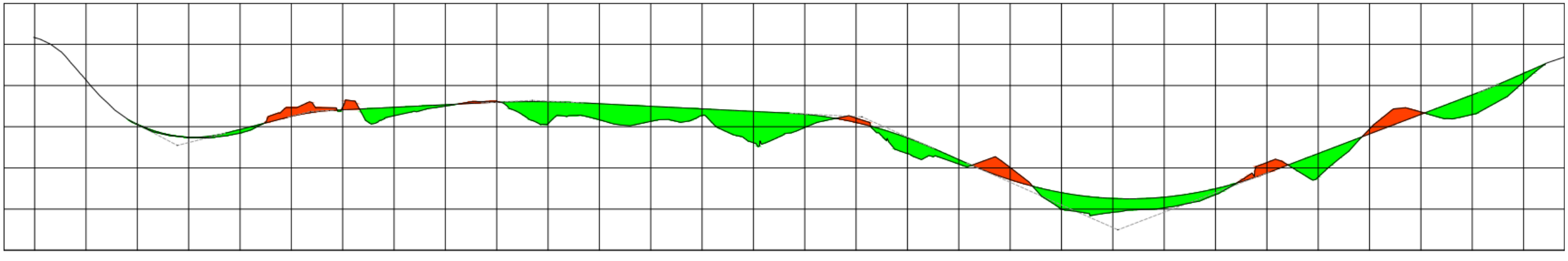
September 7, 2023

Kearney

Alternative 1 – Centre Within Right-of-Way

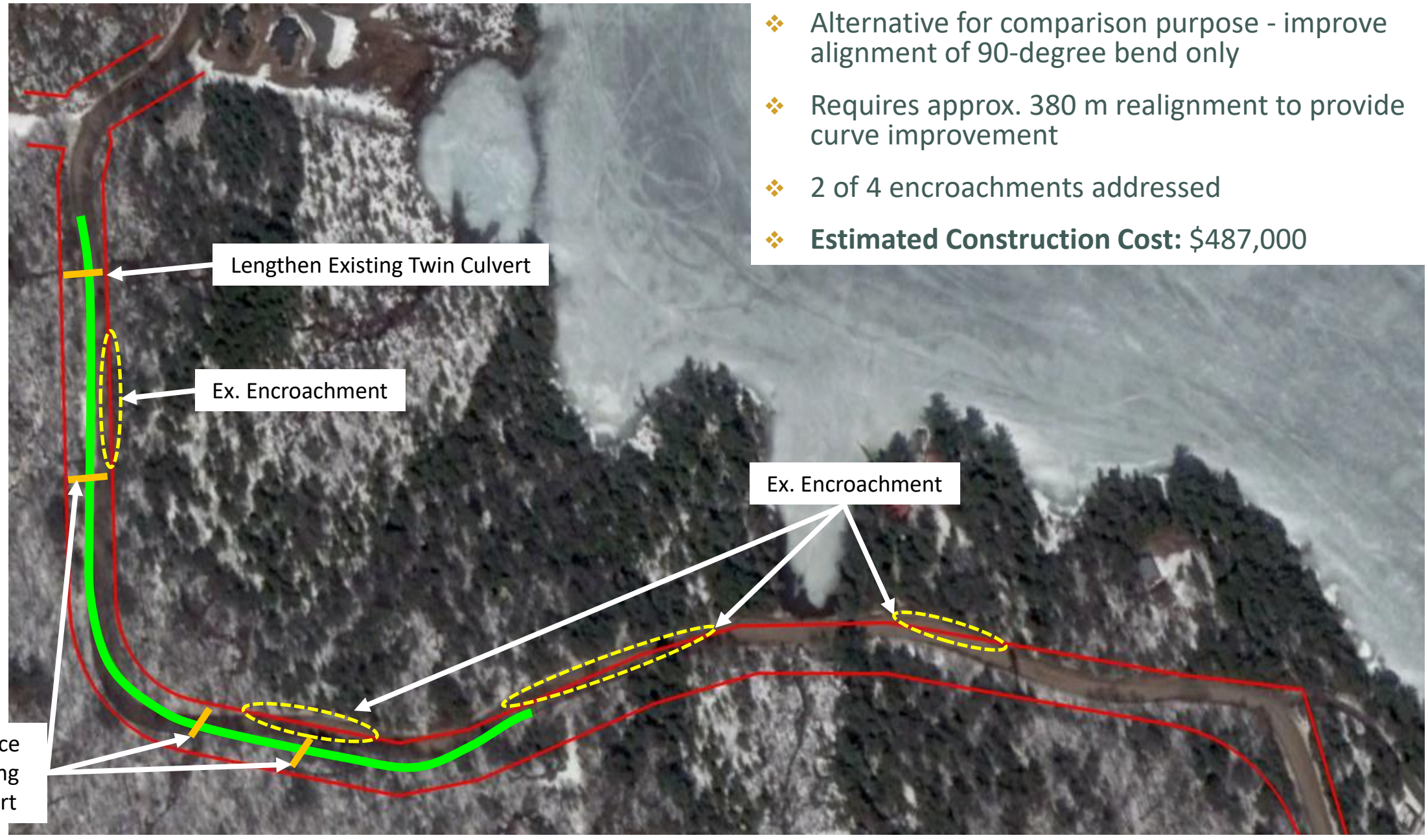
- Fully centered in 20.1 m right-of-way
- All encroachments addressed
- 90-degree bend alignment improved
- Twin culverts at wetland need to be extended with centered roadway,
- **Estimated Construction Cost**: $890,000

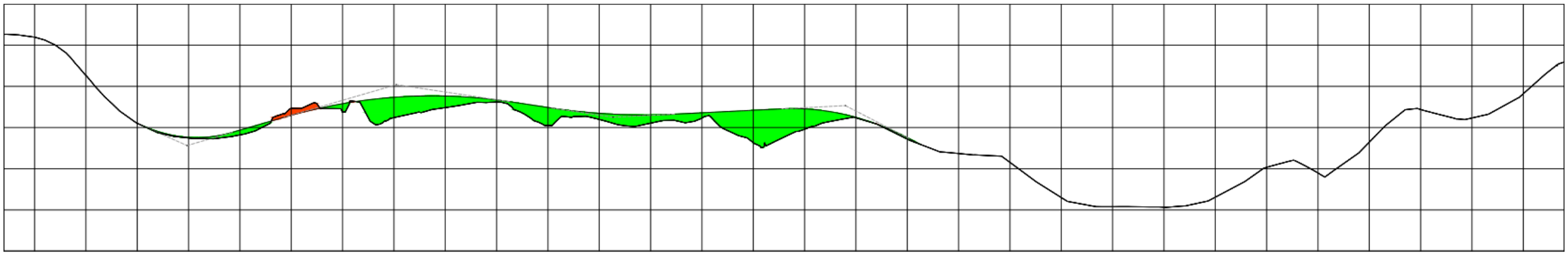




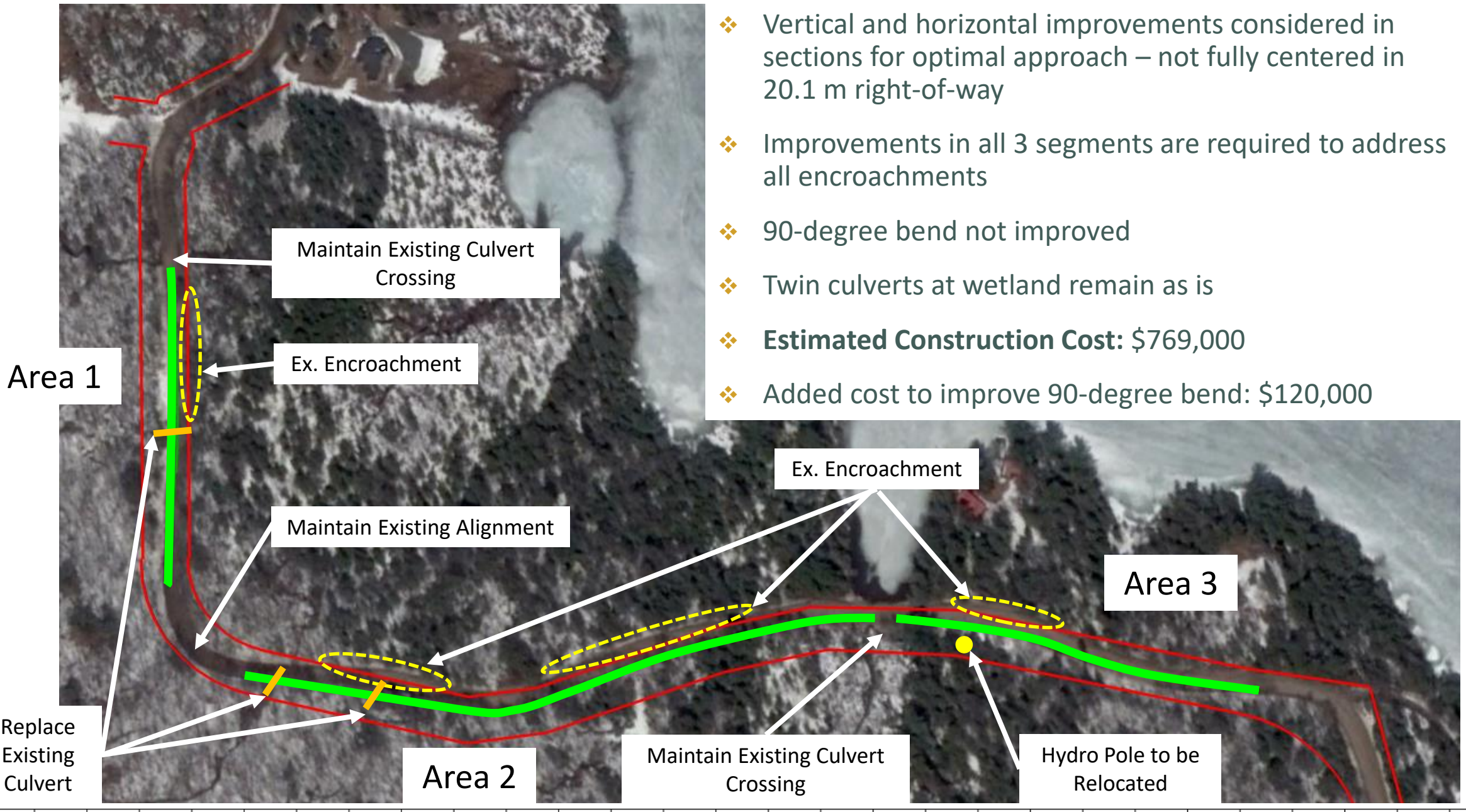
Alternative 2 – Realign 90-Degree Curve

- Alternative for comparison purpose - improve alignment of 90-degree bend only
- Requires approx. 380 m realignment to provide curve improvement
- 2 of 4 encroachments addressed
- **Estimated Construction Cost:** $487,000

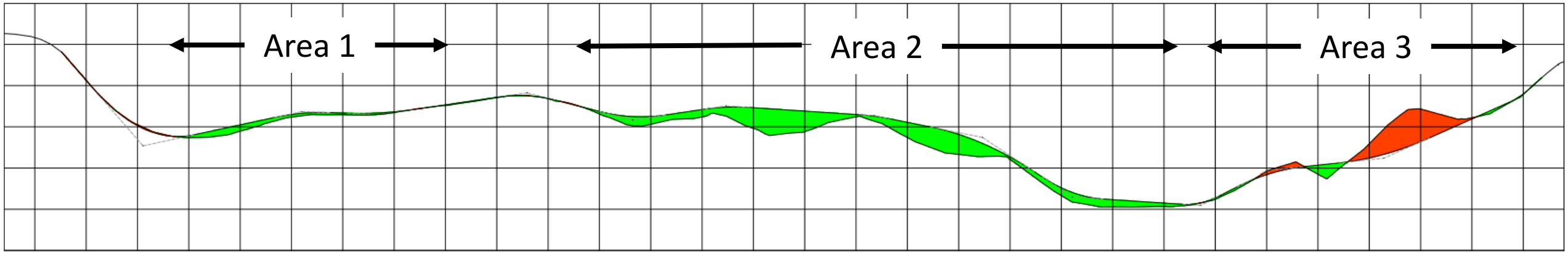




Alternative 3 – Realign Segments



- Vertical and horizontal improvements considered in sections for optimal approach – not fully centered in 20.1 m right-of-way
- Improvements in all 3 segments are required to address all encroachments
- 90-degree bend not improved
- Twin culverts at wetland remain as is
- **Estimated Construction Cost:** $769,000
- Added cost to improve 90-degree bend: $120,000



COUNCIL RESOLUTION # _____-23

Date: September 7, 2023

MOVED BY:

- ❑ Beaucage, Keven
- ❑ Pateman, Heather
- ❑ Philip, Cheryl – Mayor
- ❑ Rickward, Michael – Deputy Mayor
- ❑ Sharer, Jill

SECONDED BY:

- ❑ Beaucage, Keven
- ❑ Pateman, Heather
- ❑ Philip, Cheryl - Mayor
- ❑ Rickward, Michael – Deputy Mayor
- ❑ Sharer, Jill

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves and accepts the quotation from Bradanick Construction Services Inc. for the replacement of the windows in the Senior's Room and display board installation in the amount of $45, 113.71 (not inclusive of HST).

CARRIED ❑_____ **DEFEATED** ❑ _____

Recorded Vote Requested by: _____

Recorded Vote:	For	Opposed
Beaucage, Keven	❑	❑
Pateman, Heather	❑	❑
Philip, Cheryl – Mayor	❑	❑
Rickward, Michael – Deputy Mayor	❑	❑
Sharer, Jill	❑	❑

DRAFT

Bradanick
Construction Services Inc.

August 15, 2023

Quotation 22057-CN-25

Project name	21044-50 Kearney
Consultant	LAROCQUE ELDER ARCHITECTS, ARCHITECTS INC.

As per CN #25, regarding the replacement of the septic system and the associated asphit, fencing and landscaping repairs as per the drawings, we submit the following for your consideration. As discussed there is a second connection point from the building that we will need to address with theuinstaller once awarded. No new electrical was noted,so we are assuming the existing electrical feed is adequate for the new pumps, floats and alarms. Also note that we have not included for the exterior grease trap as that was removed withhte main contract. I have shown the insurance as a separate line item just incase we cannot coordinate this work with the new windows and display board work.

Septic System

Breakdown

Trade/Materials

Northern Disposal- two portable washrroms		$	460.00
Five Point Landscaping		$	139,049.10
Markup	5%	$	6,975.46
	Sub-total	$	**146,484.56**

Bradanick work

Subtotal	**Sub-total**	$	-
Markup	15%	$	-
		$	-
	TOTAL	$	**146,484.56**

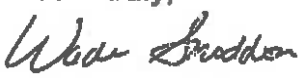
Insurance

Additional Insurance premium		$	3,828.00
Markup	5%	$	191.40
	Sub-total	$	**4,019.40**

The contract sum is increased by the sum of **$ 150,503.96** **(HST extra)**

Please review the above and contact our office with any questions. This proposal will need to be reviewed after 7 days and will add another month to the overall completion date.

Yours truly,



Wade Snoddon
Estimator
Bradanick Construction Services Inc.
WS: ws

C.c. James Goodreau, Bradanick Construction Services Inc.

Wade Snoddon

From: info@northerndisposal.ca
Sent: July 18, 2023 10:16 AM
To: Wade Snoddon
Subject: RE: Kearney Hall

Good morning, Wade,

Most of our Wheelchair Accessible units are rented until after Thanksgiving – so I honestly don't think I will be able to supply – but I can make note you are looking and if anything comes, I can let you know ASAP. The unit you have is currently $230.00 per month + taxes including sewage disposal and weekly servicing. This is the unit with a sink in it so you can wash your hands. We are in your area on Wednesday – so no additional delivery or pick up fee if we can do this on a Wednesday.
Thank you and hope this helps.

Please note my address change.

Katy McGregor | Logistics Supervisior
Environmental 360 Solutions Ltd.
108 Meg Drive, London, ON N6E 3T7
T. 705-382-0991 | C. 705-204-5692 | kmcgregor@e360s.ca | www.e360s.ca

This email is confidential and intended solely for the use of the individual to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of Environmental 360 Solutions Ltd. If you are not the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error, please contact the sender.

From: Wade Snoddon <wade@bradanick.com>
Sent: Tuesday, July 18, 2023 8:51 AM
To: info@northerndisposal.ca
Subject: RE: Kearney Hall

We won't need them for a month or two likely. Can you provide pricing on two o wheel chair and a separate for two of the standard units?
Wade

Thanks,

Wade Snoddon
Senior Estimator
Bradanick Construction Services Inc.

FIVEPOINT
LANDSCAPING

TOWN OF KEARNEY
KEARNY, ONTARIO

Sales: Emily Keown
Kearny Township - Septics
Kearny, Ontario

Est ID: EST4036064
Date: Jul-18-2023

We are pleased to submit a proposal to you as Owner or Contractor for the performance of the following described work

DESCRIPTION AND PRICE OF WORK:

Decommission Old Septic System — $7,016.15

- Pump septic tank and pump chamber, remove and dispose of at registered facility
- Excavate and remove old septic field (distribution pipe)
- Remove existing wiring associated with old septic system

Waterloo Biofilter — $112,519.66

Supply and Install The Following Waterloo Biofilter system

- 30,000L. Anaerobic digester tank
- 9000L. Pump holding tank
- 22,500 Waterloo Basket Tank
- Components for 30,000 L Anaerobic Digester Tank
- Polylok PL-525 Effluent Filter w/ Tee Handle
- Components for 9,000 L Pump Tank
- Liberty 280-2 Submersible Effluent Pump (115V)
- Plumbing – Simplex 2"(Ø) Dosing w/ Inline Filter
- Float Tree – 1xPM 1xSM (COMM)
- Polylok 24"(Ø) x 12"(H) Riser w/ Orenco SBEX1-4 Electrical Splice Box
- Components for 22,000 L Basket Biofilter Tank
- Spray Nozzle, Clamp, and Extension
- Basket – 7.0 Cubic Metre
- Liberty 280-2 Submersible Effluent Pump (115V)
- Plumbing – Simplex 2"(Ø) Disposal (loose)
- Float Tree – 1xPM 1xSM (COMM)

- Polylok 24"(Ø) x 12"(H) Riser w/ Orenco SBEX1-4 Electrical Splice Box
- Control Panel - SJE Rhombus 2-in-1 Timer/Demand Control Panel (120V)

*** Please make sure that an engineer has sized the grease trap to the right size to be tied in to the septic system.

*** Maintenance contract will to be signed before final inspection

Sewer Force Main Insulation (recommended) **$3,983.09**

- Supply and install 2 layers of 2'x8'x2" shiplap rigid SM insulation on sewer force main from holding tank to waterloo BA-100 treatment tank

Note: due to sewer line crossing parking lot it is recommended to insulate the sewer force main regardless of the trench depth

Waterloo Biofilter Smart Panel (Optional Recommendation) **$1,535.04**

Upgrade to Waterloo Smart Panel

*Note: Recommended to be able to monitor system remotely

Asphalt Removal & Parking Lot Restoration **$8,921.58**

- Saw cut and remove asphalt 75'x6' area in order to run new force main
- Prepare and replace asphalt using HL3(450 Ft^2x2")
- Sweeper rental to clean asphalt parking lot post construction
- Install 3 new parking curbs around septic tank and holding tank location

Mobilization **$2,546.70**

- Mobilize equipment to the job site
- Construction bathroom (port-a-potty)
- Private locates to locate services

Chain Link Fence **$1,680.79**

- Remove sections of fence necessary to carry out the contracted work of decommissioning the existing septic system and installation of the new septic treatment system
- Re-instate chain link fence to its original configuration
- Price does not include any new fence materials only labor

Traffic and Pedestrian Control **$846.09**

Supply and install the following for the duration of the project

- Construction fencing and barriers
- Adequate construction signage

Subtotal	**$139,049.10**
Taxes	**$17,928.89**
Estimate Total	**$156,977.99**

Quote Disclaimer: This quote is provided for informational purposes only and is subject to change. Any additional work or changes requested by the client may result in additional charges. This quote is not a guarantee of final cost, and actual costs may vary based on various factors, including unforeseen circumstances or changes to the project scope. This quote does not constitute a contract or agreement between the client and the contractor, and the contractor is not liable for any damages or losses resulting from reliance on this quote."

This type of disclaimer helps to manage expectations and prevent misunderstandings between the contractor and client. It also ensures that the client understands that the quote is subject to change and that additional charges may apply for additional work or changes to the project scope. It is important for both the contractor and the client to have a clear understanding of the terms and conditions of the quote before proceeding with any work.

Wade Snoddon

From: Lyell Bergstrome <info@whitepinecontracting.ca>
Sent: August 14, 2023 1:22 PM
To: Wade Snoddon
Subject: Re: Fwd: Re: Proposal

Round three!

On Mon, 14 Aug 2023 at 11:11 AM Me wrote:

> Hey Wade,
>
> Round two, hopefully this gets to you.
>
> Thanks,
>
> Lyell
> White Pine Contracting Ltd.
> 705-309-5456

---------- Forwarded message ---------

From: info@whitepinecontracting.ca
Subject: Re: Proposal
Date: Aug 10, 2023 at 9:45 AM
To: Wade Snoddon <wade@bradanick.com>

White Pine Contracting
3323 Brunel Road, Baysville, ON
705-309-5456
info@whitepinecontracting.ca

Quotation for Septic System Replacement
Project: Town of Kearny Community Centre Septic System Replacement
Client: Town of Kearny, Bradanick Construction Services Inc.
Date of Quote: August 10th, 2023

Dear Wade Snodden,

Thank you for considering White Pine Contracting for your septic system replacement project. We have thoroughly reviewed the provided drawing prepared by Fivepoint Landscaping and the scope of work outlined in your request for quotation. We are pleased to provide you with a comprehensive quotation for the entire project, including the specialized nature of the system and the requirement for a material deposit.

Quotation: $215, 295.35 plus HST

Scope of Work:

1. Provide temporary washroom facilities as needed throughout the project duration.
2. Removal and legal disposal of existing septic system components, including the field bed, holding tank, septic tank, pumping chamber, pumps, distribution box, and associated piping and electrical connections.
3. Removal and reinstatement of existing chain link fencing to accommodate septic system removal.
4. Sawcutting and reinstating existing asphalt paving as indicated on the provided drawing.
5. Supply and installation of a Waterloo Biofilter treatment system along with all associated septic system components, including the Time / Demand Control Panel.

Additional Notes:

- Septic system replacement work to be completed by the end of the 2023 working season.
- All requirements from the request for quotation will be met.
- White Pine Contracting will obtain the necessary septic system permit from the North Bay Mattawa Conservation Authority.
- Due to the specialized nature of the septic system and to secure the required materials, a materials deposit of 15% of the total quotation amount ($32, 293.30) will be required upon acceptance of this quotation.

We understand the importance of completing this project within the specified timeframe and minimizing disruptions to your building operations. As a qualified installer listed on Waterloo Biofiler's website and holding a valid BCIN #, White Pine Contracting is well-equipped to handle all aspects of the septic system replacement, from permit application to installation and commissioning.

We are committed to delivering high-quality work and ensuring your satisfaction throughout the project. If you have any questions or require further clarification on our quotation or the proposed scope of work, please do not hesitate to contact us at 705-309-5456 or info@whitepinecontracting.ca. We are here to assist you.

Thank you for considering White Pine Contracting for your septic system replacement needs. We look forward to the opportunity to work with you and exceed your expectations.

Sincerely,

Lyell Bergstrome, C.E.T
White Pine Contracting Ltd. Sent from my iPhone

On Jul 31, 2023, at 7:47 AM, Wade Snoddon <wade@bradanick.com> wrote:

> Good morning, please have a look at the attached material for a new septic system at the Kearney Community Hall. We would like to get the pricing back ASAP but the work can be scheduled in for Late September or Early October.
>
> Wade
>
> Thanks,
>
> <image001.jpg>

Robinson Haulage Inc.

Kilworthy, Ontario
1216A Sparrow Lake Rte. D
Kilworthy ON

QUOTE

Date	Estimate #
8/9/2023	12838

Bradanick Construction Services Inc.
PO Box 397 Station Main
Orillia, ON. L3V 6J8

Town of Kearney Generator Pad

Qty	Item	Description	Rate	Total
	Job Price	Cost to install new Waterloo System	131,100.00	131,100.00
	Pump out	-Septic tank pump out	0.00	0.00
		-Remove the old tank		
	Septic Tank	-AD - 27,500 litter Waterloo Digester tank	0.00	0.00
	Pump Chamber	-9,000 litter - Concrete Pump Chamber	0.00	0.00
	Pump Chamber	-22,000 Litter Waterloo Basket tank	0.00	0.00
	Supplies - Job Site	-Waterloo equipment	0.00	0.00
		-Crane to set the tanks		
		-All pipe and fittings		
		-Sand / Filter sand / Topsoil		
		-Rake & seed		
		-All equipment / Material / Labour costs included		
		Not included - The cost of installing a Oil & grit tank		
		Not included - The cost of any pavement or curbs		
		Not included - The cost of Installing any fencing		

HST Extra

Total $131,100.00

There will be an interest charge of 2% per month on overdue accounts.

Signature _____

GST/HST No. 888765955

LAROCQUE ELDER ARCHITECTS, ARCHITECTES INC.

CHANGE NOTICE NO. 25

Project : Town of Kearney
Community Hall and Kitchen Renovation
Town of Kearney Building Permit #: 36-22

Project Number: 21044-45

For: Town of Kearney

Contractor: Bradanick Construction Services Inc.

Date: July 14, 2023

Attention: Mr. James Goodreau

Distribution:			
	Nicole Gourlay	Town of Kearney	TK
	Cindy Filmore	Town of Kearney	TK
	Cam Smith	Bradanick Construction Services Inc.	BCS
	Steve Cairns	A2S Consulting Engineers	A2S
	Alan Miller	Jain Sustainability Consultants Inc.	JAIN
	Craig Vanderbolt	Jain Sustainability Consultants Inc.	JAIN
	Tony Resendes	Van Velzen+Radchenko Design Associates Ltd.	VVR
	Jean Larocque	Larocque Elder Architects Architectes Inc.	LEA
	Brian Horsman	Town of Kearney	TK

The following items are contemplated changes to the contract for this project. Work is not to proceed until authorized by a Change Order. All material and workmanship are to be as described in the Contract Documents unless otherwise stated. Please submit an itemized proposal for the changes to the Contract Price and/or Contract Time.

Provide three (3) quotations for septic system replacement, as per the attached drawing prepared by Fivepoint Landscaping (1 page) and the following scope of work:

1 Provide temporary washroom facilities, for the Owner's continued use of the building, as required throughout the duration of the work.

2 Remove and legally dispose of existing septic system in its entirety including, but not necessarily limited to, existing field bed, holding tank, septic tank, pumping chamber and pumps, distribution box and all associated piping and electrical connections and wiring.

3 Remove and reinstate existing chain link fencing as required to accommodate septic system removals.

4 Sawcut existing asphalt paving as required to facilitate new septic system installation work. Reinstate as noted on the attached drawing.

5 Supply and install a Waterloo Biofilter treatment system c/w all associated septic system components as detailed and described on the attached drawing.

.1 Install the new Timer / Demand Control Panel in location as identified by the Owner.

The Contractor shall also note the following requirements:

1 ***The septic system subcontractor must be listed as a qualified installer on Waterloo Biofilter's website (www.waterloo-biofilter.com).***

2 ***All septic system replacement work must be completed before the end of the 2023 working season. Time is also of the essence in completing this work and every effort must be made to minimize disruption to building operations. Therefore, each bidding septic system subcontractor must provide the following with their bid:***

.1 ***Quotation for the work.***

.2 ***Duration of work (including a proposed start date and completion date).***

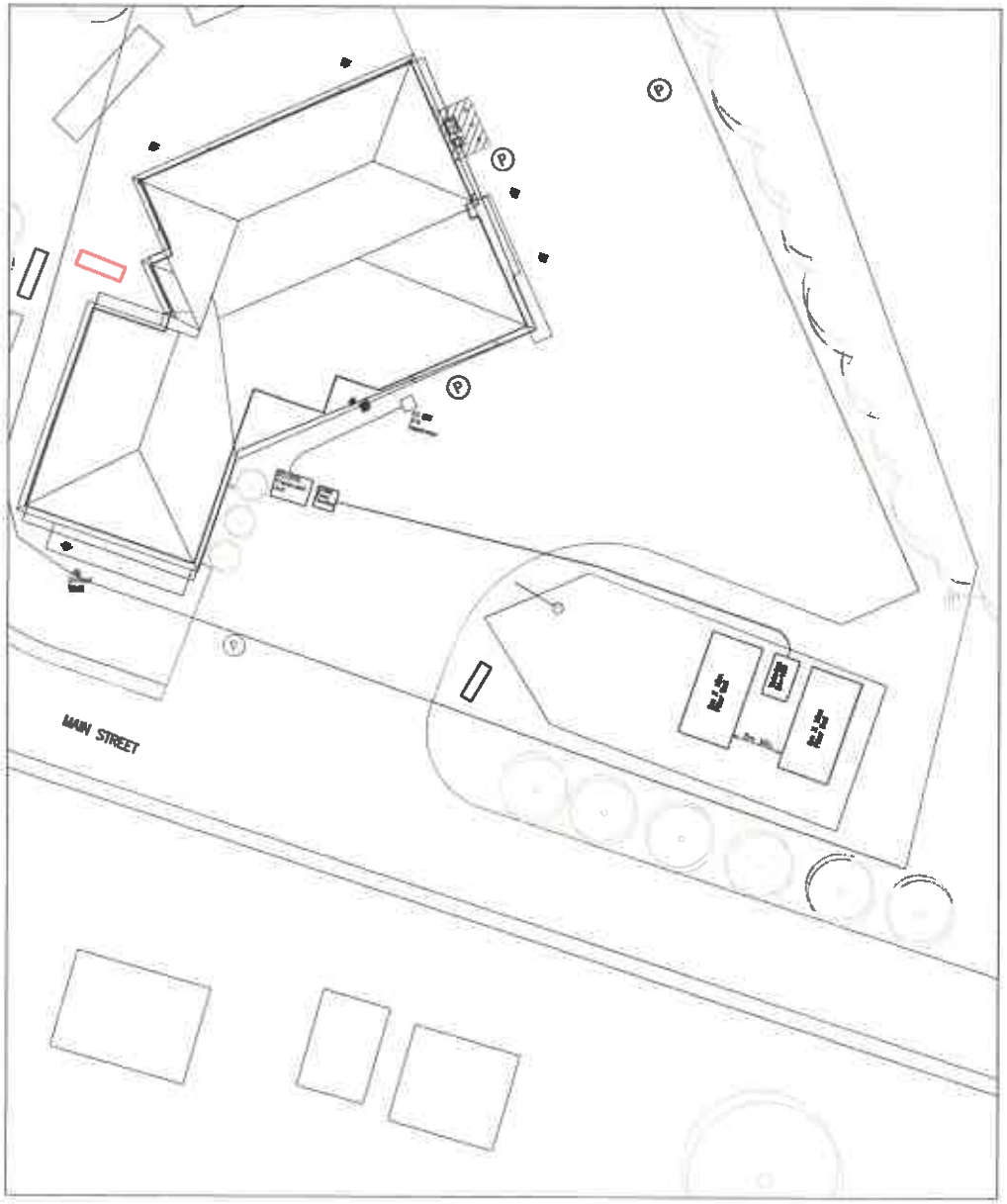
3 ***The septic system subcontractor must have a BCIN# in good standing and shall prepare and submit the septic system permit application to the North Bay Mattawa Conservation Authority. The Contractor shall pay for the septic system permit.***

Reason for changes: Existing system has reached its life expectancy.

Issued by:

Jeff DeDecker, BCIN B.A. Dip.Arch.Tech.
Project Manager / Administrator

188 5TH AVENUE E . NORTH BAY . ON . CANADA . P1B 1N6 T 705.497.9191 F 705.497.9497



Components List

Waterloo BIOFILTER

Project: Off-C-0000-0000, Kearney Community Centre, 8 Main Street – Kearney

Sewage Flow: 25,000 L/day

Discharge: Filter Bed

May 17, 2023

Prepared For:
Waterloo Landscaping
Andy Moore
andy@waterlooboulevard.com
705-555-5555

Prepared By:
Waterloo Biofilter
Toronto Office
(Waterloo Biofilter)
905-885-4900 x 204

Components Supplied by Waterloo Biofilter	Quantity	Unit
Components for 25,000 L Concrete Dispose Tank (tank supplied by others)		
Polylok PL-625 Effluent Filter w/ Risers/Lids	1	Pkg
Components for 50GPM, Pump Tank (tank supplied by others)		
Model 200-3 Submersible Effluent Pump (1 HP)	1	Pkg
Plumbing – Simplex 2"(5) Discharge Valve Pkg	1	Pkg
Float Tree – 3x3W 1x10W (Z3003)	1	Pkg
Polylok 24"(61) x 12"(31) Riser w/ Gasket (PSX1-4 Shielded Splice Box	1	Pkg
Components for 50,000L Dosing Chamber Tank (tank supplied by others)		
Spray Heads, Clamp, and Retainer	3	Pkg
Relay – 120 Coil, 4 form	2	Pkg
Liberty 200-3 Submersible Effluent Pump (1 HP)	1	Pkg
Plumbing – Simplex 2"(5) Disposal Zone(s)	1	Pkg
Float Tree – 3x3W 1x10W (Z3003)	1	Pkg
Polylok 24"(61) x 12"(31) Riser w/ Gasket (PSX1-4 Shielded Splice Box	1	Pkg
Control Panel		
QS Simplex 3-in-1 Timer/Control Control Panel (120v)	1	Pkg

Onsite Wastewater Treatment Experts Since 1993

May 17, 2023
Page 2 / 2

- 25,000 L concrete dispose tank (Shoreline Concrete or equivalent)
  - 1"(25) conn(5) inlet w/ 2,500 L Scum Baffle under Polylok PSX-conn(5) baffle and (5)
  - 1"(25) conn(5) outlet under Polylok PSX-conn(5) baffle and (5)
  - additional 600 mm(5) Polylok riser above top of tank
- 50GPM, pump tank (Shoreline Concrete or equivalent)
  - 1"(25) conn(5) inlet under Polylok PSX-conn(5) baffle and (5)
  - 1"(25) conn(5) outlet under Polylok PSX-conn(5) baffle and (5)
  - 1 polyriser(5) conn(5) Polylok riser above top of tank
- 50,000 L Insulated Tank (Shoreline Concrete or equivalent)
  - 1 manifold through riser (5) Polylok PSX-conn(5) baffle and [illegible] conn(5) inlet, outlet, baffle
  - 1"(25) conn(5) outlet under Polylok PSX-conn(5) baffle and (5) over the tanks wall space
  - 3 polyrisers(5) conn(5) Polylok riser above top of tank
- Valves and Fasteners
- Leveling Bed Materials and Aggregate
- Excavation, Backfill (on, Trenching, Pipes, Electrical, Plumbing
- Engineering, Permits
- Startup and Commissioning

Onsite Wastewater Treatment Experts Since 1993

General Notes

- Contractor responsible to obtain utility locates
- Existing septic tank to be removed and disposed at approved offsite site
- All connections to existing lot area, the contact shall be clear and prior to construction
- Trench parking lot area shall be replaced with 450mm Granular-B, 150mm Granular-A, and 50 mm of HL-3 Asphalt.
- Granular Base and Subbase shall be compacted to 98% SPMDD

Building Type	Required	Provided
Parking Spaces	25%	25%
Total Lot Coverage	50%	50%
Total Lot Coverage Area	1,000 m²	1000
Landscaping		
Minimum Lot Frontage	1.5m	30m
Minimum Front Yard Setback	6m	10.5m
Minimum Rear Yard Setback	6m	10.5m

No.	Revision/Issue	Date

Site Name and Address
Prepared: Landscaping
2575 Hwy 69
Designed
Drawn

Project Name and Address
Kearney Municipal Office
Septic Replacement
8 Main St.
Kearney, ON

Name: Septic
Date: 13.07.2023
Scale: Not To Scale
Sheet: 1

TRANSFER STATION COUNCIL REPORT						
Date (Week of)	**Curbside Pick-Up**	**Kearney**	**$**	**Sand Lake**	**$**	**NOTES**
July 17 – 18			$74.00		$338.00	
July 21 – July 25	54	372	$145.00	250	$637.00	
July 28 – August 1	70	335	$138.00	300	$955.00	
August 4 – August 8		320	$176.00		$620.00	
August 11 – August 15	62	320	$122.00		$591.00	
August 18 – August 21	64		$128.00		$720.00	
TOTALS			$783.00		$3,861.00	**$4,644.00**

COMMENTS

This report covers the full period that Bruce Curzon worked the transfer stations. (July 17 – August 21)

Attendant: Bruce Curzon	Date

COUNCIL RESOLUTION # _____-23

Date: September 7, 2023

MOVED BY:

- ❑ Beaucage, Keven
- ❑ Pateman, Heather
- ❑ Philip, Cheryl – Mayor
- ❑ Rickward, Michael – Deputy Mayor
- ❑ Sharer, Jill

SECONDED BY:

- ❑ Beaucage, Keven
- ❑ Pateman, Heather
- ❑ Philip, Cheryl - Mayor
- ❑ Rickward, Michael – Deputy Mayor
- ❑ Sharer, Jill

WHEREAS the Town of Kearney received applications from Karen Pudsey, Pauleen Patton, Laura Seaton, Tracey Mashinter and Patti Kennery to sit on the Recreation Advisory Committee;

AND BE IT RESOLVED that the Council of the Corporation of the Town of Kearney appoints those listed above to sit on the Recreation Advisory Committee.

CARRIED ❑_____ **DEFEATED** ❑ _____

Recorded Vote Requested by: _____

Recorded Vote:	For	Opposed
Beaucage, Keven	❑	❑
Pateman, Heather	❑	❑
Philip, Cheryl – Mayor	❑	❑
Rickward, Michael – Deputy Mayor	❑	❑
Sharer, Jill	❑	❑

DRAFT

THE CORPORATION OF THE TOWN OF KEARNEY

Recreational Activities Advisory Committee

TERMS OF REFERENCE

Purpose

The purpose of the Recreational Activities Advisory Committee is to advise and make recommendations to Council on all aspects of the provision of leisure and recreational programming and services, and active living opportunities, in the Town of Kearney.

Mandate

The Recreational Activities Advisory Committee will work to encourage healthy active living for residents of all ages in the Town of Kearney through the provision of recreational activity programs.

Membership

The Recreational Activities Advisory Committee shall be comprised of a minimum of four (4) members ~~and~~ plus one (1) staff member and one (1) Councillor representative, as appointed by resolution of Town Council. The members appointed to the Advisory Committee shall be representative of the Community, as deemed by Council.

Applications for the Recreational Activities Advisory Committee require Council approval and may be submitted, in writing, to the Committee or to the Town Clerk directly. Applicants will be advised in writing, of Council's decision.

Resignations from the Committee must be in writing to the Committee or the Town Clerk directly.

The Recreational Activities Advisory Committee~~s~~ will appoint members to their sub committees, as required, from the membership of the Committee~~s~~. If sub committees require members that are not a member of an established Advisory Committee, appointments must be made by Council resolution.

Term of Office

Members will be appointed to the Recreational Activities Advisory Committee for the duration of the Committee or the Term of Council, whichever is shorter.

Appointments may be altered by Council or upon written request to Council.

Committee Positions & Roles

1) Chair – shall be appointed by a majority of the membership. The role of the Chair is as per the Procedural By-Law. The Chair may present recommendations to Council through the Clerk's office.

2) Vice Chair – shall be appointed by a majority of the Committee membership. The role of Vice-Chair is that of Chair when the Vice-Chair assumes the role of Chair.

3) Secretary - shall be appointed by a majority of the Committee membership. The role of Secretary is to confirm the meeting date and location with the Municipal Office, prepare the Agenda, take the Minutes, and provide a copy of the Minutes to the

Municipal Clerk's office and all Committee Members. Minutes of meetings, indicating if they are "draft" shall be provided to the Municipal Clerk within ten (10) days following the meeting.

4) Treasurer – shall be appointed by a majority of the Committee membership. The Treasurer will capture budgetary requirements and track the finances of the Committee. The Treasurer will ensure that Council approves budgetary requirements through the Town's budget process and that Council approves all expenditures greater than $500.00. All revenues and expenditures shall be reported to Council, through the Town's Treasurer.

Meetings

The Recreational Activities Advisory Committee shall meet monthly at a predetermined time and location. Notice of the meeting shall be reported by the Secretary to the Municipal Office, a minimum of one week prior to the Committee meeting, for scheduling and recording. Meeting dates and times may be altered when required and notice shall be posted for the public in accordance with the Town's Procedural By-law.

Meetings shall be open to the Public.

Quorum for an Advisory Committee shall be 50% plus 1.

Members of the Advisory Committee who are unable to attend a regular monthly meeting are required to report their absence to the Secretary prior to the meeting date and/or time. Members having three (3) consecutive unexcused absences shall be deemed to have resigned from the Committee.

Agenda

The Agenda of the Recreational Advisory Committee may contain the following items;

1) Call To Order Motion required
2) **Declaration of Pecuniary Interest**
2) Delegations if required
3) Minutes of Last Meeting. Motion to Approve
4) Business Arising from the Minutes
5) Sub-Committee Reports if any
6) New Business
7) Closed Session Motion required
8) Adjournment Motion required

Governance

Meetings are governed by Council's Procedural By-law, being a By-Law to govern the calling, location, and proceedings of meetings of Council and Committees.

Minutes

Minutes of the Recreational Activities Advisory Committee will be recorded by the Secretary of the Committee and will be prepared for distribution within ten (10) days of the meeting date.

Copies of the meeting minutes, indicating that they are “draft” minutes, shall be provided to the Town Clerk. The Chairperson of the Advisory Committee will forward the requests.

Municipal Support

Requests for documentation, reports and support materials required by the Recreational Activities Advisory Committee will be directed to the Town Clerk. The Chairperson of the Committee will forward the requests.

Routine Administrative costs associated with the work of the Recreational Activities Advisory Committee will be paid by the Town of Kearney (i.e. photocopying).

Committee volunteers are not paid for Committee attendance however volunteers will be reimbursed for Committee expenditures if budgeted and pre-approved by the Committee.

The Secretary of the Recreational Activities Advisory Committee will be the contact for the Municipal Office to schedule and change meetings. A schedule of the meeting(s) shall be submitted to the Municipal Office prior to the meeting and will be posted at least 48 hours before the new meeting is being scheduled or an established meeting is being changed.

The Recreational Activities Advisory Committee Secretary will submit a list of its members' names, addresses, phone numbers, signed consents, and positions on the Committee, to the Municipal Office for Advisory Committee purposes. The Secretary shall be the “contact” person for the Committee.

Recreational Activities Advisory Committee members are permitted to use the Town photocopier, for Town purposes, however, it shall be during normal working hours and shall not interfere with the day to day activities or priorities of the Municipality.

Municipal support resources shall be requested and approved through the Clerk Administrator.

Budget

The Recreational Activities Advisory Committee will submit an annual budget for Council’s approval, through the Town Treasurer, in December for the following year, to include anticipated revenue and estimated expenditures.

The Recreational Activities Advisory Committee has the authority to spend the necessary funds allocated in the annual approved budget, within the guidelines of Council’s Purchasing Policy.

Any purchases over and above the approved budget and the Purchasing Policy will require a decision of Council.

Authority

The Recreational Activities Advisory Committee is a Committees of Council and has no decision-making authority.

The Recreational Activities Advisory Committee has the ability to act on matters to carry out the mandate of the Recreational Activities Advisory Committee, using its discretion and judgment, which shall not significantly bind the Municipality.

Any information or action that significantly binds the Corporation will require Council's approval.

Correspondence / Letterhead

The Recreational Activities Advisory Committee has the ability to draft correspondence, i.e. Newsletters, and make contacts with external organizations/individuals to solicit information to/from the public, to carry out its mandate. However, the nature and information shall not significantly bind the Municipality.

A letterhead template has been provided by the Town for the use of the Recreational Activities Advisory Committee in carrying out the mandate of the Committee

A copy of all correspondence sent out by the Committee shall be provided to Council, through the Town Clerk, for information.

Reporting and Recommendations to Town Council

When requiring a matter to be considered or a decision of Council, the Recreational Activities Advisory Committee shall make recommendations to the Council, by reporting in a memo format to include:

- background information to be a brief synopsis or history of the issue
- options for consideration to include financial and policy implications
- a recommendation for Council's consideration

This report will be separate from the Minutes. However, information in the minutes pertinent to the recommendation will be summarized in the report to Council. Majority and minority opinions will both be recorded for the advice and consideration of Council.

Reports for consideration to Council shall be provided to the Town Clerk for processing.

Should the Recreational Activities Advisory Committee wish to be a delegation to Council, a request shall be made through the Town Clerk.

Confidentiality

The *Municipal Act* shall bind the members of the Recreational Advisory Committee as it relates to confidentiality, conflict of interest, closed sessions, and any other requirements under the Act, which pertain to the conduct of officials.

Review and Update of the Terms of Reference

The Terms of Reference shall be reviewed at the beginning of a Term of Council. Council approves the Terms of Reference. At any time, the Recreational Activities Advisory Committee may initiate a review, by Council, of the Terms of Reference however, Council shall approve changes to the Terms of Reference.

Staff Report

Staff Report No. SR-2023-0
Date: September 7, 2023
To: Mayor, Deputy Mayor and Members of Council
From: Nicole Gourlay, Clerk-Administrator
Subject: Gazebo – Mirror Bay Parking Lot

Recommendation:

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby accepts the recommendation to move forward with the engineering on the Gazebo purchased by the Senior's Group and directs Staff to issue a Request for Quotes for the building of the Gazebo to occur in spring 2024.

Background:

The Kearney's Seniors Group purchased a gazebo package from Home Hardware a few years ago, hoping to install it behind the mirror bay parking lot. After it was purchased and the engineer of record reviewed it, the gazebo was put into storage and not installed where requested. Council requested that Staff look into what it would take to get the gazebo installed for the upcoming season.

Analysis:

Staff engaged the Engineer of Record to have them review the building permit obtained as well as the physical appearance and the structural integrity of the gazebo after being in storage for so long. The Engineer of Record has outlined that the storage has been done quite well and there are some warped planks, but they look to be regular length boards that could just be replaced. The Engineer of Record will need to review the package from Home Hardware, oversee the construction, and sign off on the install of the gazebo and accessibility ramp. There will be a cost associated with this, but Staff and the Engineer of Record suggest that if Council would like to move forward with the install for 2024, that we begin the work on it now and engage a builder as soon as possible.

Financial Consideration:

The Engineer of Record has given a rough estimate of up $7,000.00 plus expenses for the project. That does not include the construction of the gazebo or ramp, which would be determined through the request for quotation process.

Conclusion:

Should Council wish to proceed with the installation of the gazebo and accessibility ramp to have a covered sitting area at Mirror Bay, Staff suggests approving the engineering today in order to issue a request for quotations as soon as possible. Hopefully, the cost of construction could then be included in the 2024 budget as a capital project.

Prepared by: Nicole Gourlay, Clerk-Administrator

-

THE CORPORATION OF THE TOWN OF KEARNEY

BY-LAW NUMBER 2023- 48

BEING A BY-LAW TO ESTABLISH FEES OR CHARGES FOR SERVICES OR ACTIVITIES PROVIDED OR DONE BY THE CORPORATION OF THE TOWN OF KEARNEY

WHEREAS the Corporation of the Town of Kearney charges various fees for licenses, permits and services offered by the Corporation;

AND WHEREAS Section 8 of the Municipal Act, S.O. 2001 (herein after referred to as the "*Act*") provides that the powers of a municipality under the *Act* or any other *Act* shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Act* or any other *Act*;

AND WHEREAS Section 391 of the *Act* authorizes municipalities to impose fees or charges on persons,

(a) For services or activities provided or done by or on behalf of it;
(b) For costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
(c) For the use of its property, including property under its control.

AND WHEREAS Section 398 of the *Act* provides the Municipality with authority to add unpaid fees and charges, including any interest on the unpaid balance, to the tax roll for any real property within the Municipality owned by the person responsible for paying the fees and charges, and the amount may be collected in the same manner as municipal taxes;

AND WHEREAS Section 7 of the *Building Code Act*, S.O. 1992, Chapter 23, as amended, authorizes a municipal Council of a municipality to pass a By-law requiring the payment of fees on applications for and issuance of permits and prescribing the amounts thereof;

AND WHEREAS Section 69 (1) of the *Planning Act,* R.S.O. 1990, Chapter P. 13, as amended, provides that a Municipality may by By-law establish a tariff of fees for the processing of applications made in respect of planning matters;

NOW THEREFORE THE CORPORATION OF THE TOWN OF KEARNEY enacts as follows:

1. Definitions:

   1.1 "**Act**" means the *Municipal Act, S.O. 2001*
   1.2 "**By-law**" means this By-law, as amended from time to time.
   1.3 "**Town**" means The Corporation of the Town of Kearney.
   1.4 "**Council**" means the elected Council of the Town.

2. That the fees and charges for various municipal services and activities, including applicable taxes, be established in the Schedules attached hereto and forming part of this By-Law as follows:

   Schedule "A" Corporate Services – Clerk's Department

   Schedule "B" Corporate Services – Finance Department

   Schedule "C" Planning Department

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Schedule “D” Facilities / Recreational Programming and Trails

Schedule “E” Public Works

Schedule “F” Transfer Station

Schedule “G” Fire Department

Schedule “H” Building Department

3. That the attached Schedules may be amended from time to time as deemed expedient by Council and that the complete By-law be reviewed within one year to ensure the appropriateness of the fee structure and every three (3) years thereafter.

4. That with respect to Planning Department fees, the applicant/agent and the owner shall understand, acknowledge and accept that the Town does not retain as full-time staff professional engineers, planners and solicitors that the Town contracts out private firms for these services. The applicant/agent and/or the owner SHALL be jointly and severally liable for paying to the Town all costs it incurs in processing or reviewing the applications including but not limited to fees for planning, engineering and legal services, together with any Town administration fees. The Town shall notify the applicant/agent and/or owner from time to time of any costs incurred by the Town and the applicant/agent and/or the owner shall have thirty (30) days to pay the Town for those costs after notice is given. In the event that the applicant/agent and/or the owner do not pay those costs within thirty (30) days, the Town has a right to apply any deposit held against those costs and further to cease doing any work on the review of this application until such time as all outstanding costs are paid in full.

5. Notwithstanding that a tariff of fees is prescribed, the Council of the Town may reduce the amount of, or waive the requirement for the payment of a fee at its discretion in cases of hardship where it is determined that the action for which the fee is to be charged will be for the general benefit of the municipality and its ratepayers;

6. Where the provisions of this By-law may conflict with any other By-Laws, this By-Law shall prevail.

7. This By-Law shall be known as the “Tariff of Fees By-Law”.

8. That By-law 2021-25 is hereby repealed.

9. This By-Law shall come into full force and effect on the date of passing.

Read a First, Second and Third time and finally passed this 7th of September, 2023

_____
Mayor

_____
Clerk

SCHEDULE "A"
TO BY-LAW NUMBER 2023-48

CORPORATE SERVICES – CLERK'S DEPARTMENT

Fee Title	Fee Plus applicable taxes	Fee Basis
Photocopies Black & White	$0.30 $0.35 $1.00	Per page 8.5" x 11" Per page 8.5 " x 14" Per page 11" x 17"
Photocopies Colour	$0.50 $0.75 $2.00	Per page 8.5" x 11" Per page 8.5" x 14" Per page 11" x 17"
Faxes – Outgoing	$2.00	Per page
Faxes – Incoming	$1.00	Per page
Copy of Zoning By-law	$50.00	Per copy
Copy of Official Plan	$50.00	Per copy
Maps **	$5.00	8.5 x 11 colour print of property
Freedom of Information Request	$5.00	Per request as per legislation
FOI records search	$7.50	Per legislation - Per ¼ hour
Lottery License	3% of prize value	Per OLGC regulations
Dog License	$12.00 $15.00 $20.00 $5.00	First dog Second dog Each additional Replacement tag
Kennel License Each dog tag for Kennel dogs Replacement Kennel License	$100.00 $5.00 $50.00	Annually
Dog redemption from impound First Offence Second Offence Third offence Each subsequent offence	 $ 50.00 $ 75.00 $100.00 $100.00	
Food Vendor License	$300.00	Per Event
Trailer / Camper license	$700.00	Per Year commencing after 30 days have elapsed
Marriage License	$125.00	Per License
Remove Property Standards Order from Title	$100.00	Per application
Line Fence Dispute Administration Fee	$100.00 plus legal fees	Per application
Civic Address Signs Replacement Civic Address Sign	$45.00 $20.00	New signs with pole Replacement Sign (no pole)
~~Showers~~	~~$5.00~~	~~Per person~~
Tender Documents	$50.00	Per tender package

** **Map** could include zoning, lakes, roads, road names, contours, tributaries, lots and concession

SCHEDULE "B"
TO BY-LAW NUMBER 2023-48

CORPORATE SERVICES – FINANCE DEPARTMENT

Fee Title		**Fee** **Plus Applicable Taxes**	**Fee Basis**
Tax Certificates		$50.00	Per property
Returned Items (NSF)		$45.00	Per cheque
Tax Registrations		$1,500.00	Per Property
Tax history search		$30.00	Per hour
Credit Card Transaction Fee		2% of value	Per item

SCHEDULE "C"
TO BY-LAW NUMBER 2023-48
PLANNING DEPARTMENT

Fee Title		Fee Plus applicable taxes	Fee Basis
Zoning By-law Amendment		$750.00: Residential $1,500.00: Commercial $1,000: Deposit (each)	Administration fee per application
Official Plan Amendment		$1,000.00: Residential $2,000.00: Commercial $1,000.00: Deposit (each)	Administration fee per application
Minor Variance		$750.00	Administration fee per application
Consent (Severance) Validation, Foreclosure, Power of Sale		$400.00 $50.00 $1,000.00 Deposit (each)	Administration fee per application Each additional application
Agreements – Development, Subdivision, Consent, Condo, User Mtce. and Site Plan		$500.00 $1,000.00 Deposit (each)	Administration Fee per Agreement Deposit required
Plan of Subdivision / Condominium		$1,500.00 $1,000.00 Deposit (each)	Administration fee per application
<u>Road Allowance Closings</u> Road Allowance Shore Road Allowance Road Allowance within 100 m of a waterbody		$600.00 $0.45/sq ft or $4.84/sq m plus HST $0.65/sq ft or $6.99/sq m plus HST $0.65/sq ft or $6.99/sq m plus HST $1,000.00 Deposit (each)	Administration fee per application Deposit required Plus: Administration Fee Appraisal Fee (if applicable) Survey Costs (if applicable) Legal Costs (if applicable)
Deeming By-law		$500.00 $1,000.00 Deposit	Administration fee per By-law
Staff Review/Report Fee		$500.00	Administration Fee
Pre-consultation Report Fee		Residential: $150.00 Fee Deposit $2000.00 Commercial: $200 Fee Deposit - $3000.00	Administration fee per report
Official Plan, Zoning, Building, Subdivision Compliance Report		$100.00: Residential $200.00: Commercial	Administration fee per report

NOTE:

1. When necessary, the Town of Kearney reserves the right to require a deposit amount for the purpose of retaining professional services (solicitor, engineer, planner) in all planning matters**.**

2. With respect to Planning Department fees, *the applicant and the owner* shall understand, acknowledge and accept that the Town of Kearney does not retain as full-time staff professional engineers, planners and solicitors and that the Town of Kearney contracts out these services.

3. *The applicant and the owner* **SHALL** be jointly and severally liable for paying to the Town of Kearney all costs incurred in processing or reviewing applications including but not limited to fees for planning, engineering and legal services, together with any Town of Kearney administration fees.

4. The Town of Kearney shall notify the applicant and owner from time to time of any costs incurred by the Town and the applicant and the owner shall have thirty (30) days to pay the Town for those costs after notice given. In the event that the applicant and the owner do not pay those costs within thirty (30) days, the Town has the right to apply the deposit held against those costs and further, to cease work on this application until such time as all outstanding costs are paid in full.

SCHEDULE "D"
TO BY-LAW 2023-48

Facilities / Recreational Programming and Trails

Fee Title		Fee Plus applicable taxes	Fee Basis
Gymnasium-Weddings and other large group affairs		$420	Includes ½ day before event, event day and ½ day clean up
Gymnasium- all other events		$75 $25	Per 3 hour rental – for all purposes Each additional hour (or part thereof)
Bar Area / Kitchen		$100 $25.00	Per 4 hour rental Each additional hour (or part thereof)
Security/cleaning deposit		50% of rental fee	At booking
Chafing Dishes		$10	Per item
Tablecloths		$10	Per item
SOCAN Music Fees		$31.72 $63.49	Without dancing With dancing
Seniors Room Kitchen		$75 $25 $25.00	Per 3 hour event Each additional hour (or part thereof Per hour (or part thereof)
Recreational Classes , Workshops, Activities		Based on Actual Cost(s)	Per Event
Additional Amenities		As per Rental Agreement	

SCHEDULE "E"
TO BY-LAW NUMBER 2023-48
PUBLIC WORKS

Fee Title	**Fee** **Plus applicable taxes**	**Fee Basis**
Sign Permit	$80.00	Per Year
Portable (A Frame) sign permit	$25.00	Per Year
Mobile Sign Permit	$75.00	Per year
Driveway Culvert Permit Application	$300.00 $500.00	Administration fee – non refundable Deposit – Refund subject to correct install
Driveway Paving Permit Application	$300.00 $500.00	Administration fee – non refundable Deposit – Refund subject to correct install
Pavement Cut for Development Purposes (cables, pipes, etc.)	$300.00 $500.00	Administration fee – non refundable Deposit – Refund subject to correct install
Entrance way permit for concrete curb cut	$300.00 $500.00	Administration fee – non refundable Deposit – Refund subject to correct install
Road Occupancy Permit	$80.00	Per Year
Work on Town Property	Letter of Credit for $10,000.00	Letter of credit per event to be held pending damage
Oversize/overweight permit • Application	$200.00	Per application Plus Cost Recovery

SCHEDULE "F"
TO BY-LAW NUMBER 2023-48
TRANSFER STATION

Fee Title		**Fee** **Plus applicable taxes**	**Fee Basis**
Transfer Station Card		$25	Replacement card
Additional bags of garbage		$2	For each bag over limit (limit being 5 bags per household, per month)
UNSORTED		$20	Additional Fee
Large Appliances		Free $50 $10	**Tagged – Freon removed** **With Freon** - Fridge, freezer, air-conditioner Non-metal
Furniture		$10 $20	Small Per Item: Couch, Love Seat, Chair, Mattress, Box Spring, Kitchen Set, Dining Set
Burnable brush or building material (**NO** Logs Or Stumps)		$25 $75 $125	Pick-up 8' box or 4'x8' trailer Single Axle trailer Tandem Axle trailer
Construction Waste		$5 $25 $75 $125	Per Single Item: Window, Countertop, Insulation, Drywall, Plumbing Fixture, Styrofoam Pick-up 8' box or 4'x8' trailer Single Axle trailer Tandem Axle trailer
Asphalt shingles		$150 $250 $300	Pick-up truck 8' box or 4' x 8' trailer Single-axle Trailer Tandem-axle Trailer
Electronics		Free	
Tires		Free	
Non-Compliance with respect to Town Pick-up		$100.00	Per offense

SCHEDULE "G"
TO BY-LAW NUMBER 2023-48

CLASSES OF PERMITS

FIRE DEPARTMENT

Fee Title	Fee Plus applicable taxes	Fee Basis
Fire (Burn) Permit	$2 $20 $50	Evening campfire (3 days) Incinerator/campfire (per season) Day burn (per day)
Green Leaf 911 Sign To identify Solar Photovoltaic Installation	$15	Per reflective green leaf sticker
<u>False Alarm</u> 1st False Alarm 2nd and subsequent false alarms in any 12 month period	 No Charge $410 Minimum	 Per Vehicle and staff
Open Fire without a permit	$250 Minimum <u>Plus</u> $410 Per vehicle (min. 1 hr) $205 for each additional ½ hr	Minimum charge Cost of vehicle, staff
Fire Department response fees – *Indemnification Technology®*	Current MTO rate per hour per vehicle, plus personnel costs, plus any additional costs to the Town of Kearney Should the Insurer pay the coverage to the Property Owner, the Property Owner is liable to remit these funds to the Town or its representative	For each call
Fire CALL response to extinguish non-compliant fire	$410	Per vehicle, Per hour
Fire CALL to Ministry of Natural Resources air/ground	All costs associated with extinguishment as per Agreement with MNR	
Fire Letter/Report	$50	Per Letter/Report
Inspection Fees	 $100 $60/hr $100 $50 $100 $110/hr $100 $75 $100 $75/hr	**Per Inspection :** Single family dwelling with 1 re-inspection (no wood burning appliance) Apartment or multi unit building, per Inspector In-home day care Additional inspections Special Needs home Nursing home inspections (2 persons) Liquor Licence Inspection Follow-up inspections Retail/Commercial facility Restaurant, per Inspector
Copy and Release Inspection Report	$50	Per Release

SCHEDULE "H"
TO BY-LAW 2023-48
BUILDING DEPARTMENT

Also serves as

SCHEDULE "A" to By-law 2023 - 18

CLASSES OF PERMITS

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1. Building Permit
To be for the purpose of allowing the construction of a building, includes erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit moved from elsewhere**.**

2. Demolition Permit
For the demolition of all or part of a building.

3. Conditional Permit
Pertains to construction only and may be issued only in accordance with Section 8(3) of the *Building Code Act*.

4. Stage of Construction
For the purpose of allowing the commencement of construction of a building or part thereof and completion to a certain stage as permitted by such Permit and includes but is not limited to solid fuel burning appliances, heating, ventilation systems and air conditioning systems, or any part thereof.

5. Designated Structure
To be for the purpose of constructing a designated structure as defined in the *Ontario Building Code*.

6. Temporary Structure
To permit the erection of a tent or temporary structure which exceeds sixty (60) square metres in ground area.

7. Transfer Permit
To be issued to a new owner where ownership changes occur during or prior to the closing of any previously issued permit.

8. Occupancy Permit
To allow occupancy of an unfinished building in accordance with the Building Code.

9. Change of Use Permit
To comply with the requirements of Part 10 of the Building Code.

10. Moving Permit
A building unit or structure moved from elsewhere to be placed on a property within the limits of the Town of Kearney prior to obtaining a Building Permit or in conjunction with an application for a Building Permit.

SCHEDULE "I"
TO BY-LAW 2023-48
Which also serves as **SCHEDULE "B" to**
By-law 2023 - 18
PERMIT FEE SCHEDULE

Cost Guidelines

$200.00 (non-refundable)	+ $16.00 per Thousand
$100.00	Change of Use Permit – Inspection fee only with no Building Permit Issued
$100.00	Transfer Permit
$100.00	Searching of Records (Building and Zoning compliance letters)
$100.00	Re-inspection
$50.00	Per page for review of revised plans or plans submitted with application and no permit issued and/or an amendment to a current permit
$100.00	+$50.00 per page for review of revised plans and/or documents to amend an existing Building Permit
$200.00	Application fee for Alternative Solution Design by an Architect and/or Engineer
$200.00	Special Inspection Fee, to inspect buildings or structures where a request has been made for a final inspection, or occupancy/use where the permit has been inactive for more than one year, or to determine the status of Dormant Files
FEE DOUBLED	Building without a Permit The fees are doubled up to a Maximum of $2,500.00.

CONSTRUCTION COST GUIDELINES – cost per square foot of floor area

Residential Unit:

Single Storey House	$175.00 minimum per square foot
Two Storey House (1st floor)	$150.00 minimum per square foot
Each Additional Storey	$ 75.00 minimum per square foot
Attached Garage	$ 40.00 minimum per square foot

Cottage / Recreational Dwelling:

Dwelling with Basement	$175.00 minimum per square foot
Dwelling on Piers / Frost Wall	$125.00 minimum per square foot
Dwellings on Slab	$125.00 minimum per square foot
Each Additional Storey	$ 75.00 minimum per square foot

Garage / Farm Buildings:

Garage / Shed on Slab	$40.00 minimum per square foot
Garage / Shed no floor	$30.00 minimum per square foot
Barns / Outbuildings located on Assessed Farm Lands	$25.00 minimum per square foot

Commercial – Industrial:

Based on cost price……or	$95.00 minimum per square foot
Renovations:	Based on cost price estimates
Decks / Porches / Additions:	$50.00 per square foot
Demolition Permits:	$15.00 minimum per square foot
Moving Permits:	$500.00 for a one storey building $750.00 for a two storey building

The cost construction guidelines are only a guideline. The Chief Building Official may place a valuation on the cost of the proposed work as per Section 5 of this Building By-law.

No permit is required for re-shingling a roof.
A permit is required for re-roofing with metal or metal siding.
No permit is required for a shed less than 165 sq.ft. provided that the principal structure is erected on the property or a permit for such structure has been issued. Lot coverage and setback distances for the Accessory Building must also comply with the Zoning By-law.
No Permit is required for a tent structure not exceeding sixty (60) square metres.

TO OBTAIN A BUILDING PERMIT, it is necessary to first apply and receive the following:

1. A septic permit for a Class 4 Sewage system from the North Bay Mattawa Conservation Authority in all areas not serviced by Municipal Sewers and for Buildings that require plumbing facilities.

2. An Entrance Permit or Culvert Permit from the Municipality if necessary.

3. An Entrance Permit or Building Permit from the Ministry of Transportation if the property fronts onto a Provincial Highway or Secondary Highway.

4. A legal Survey may be required if the survey stakes are not clearly visible to the Chief Building Official.

THE CORPORATION OF THE TOWN OF KEARNEY

BYLAW 2023 – 49

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES - COMMONLY KNOWN AS THE PROCEDURE BY-LAW

WHEREAS Section 238 (2) of the *Municipal Act, 2001,* S.O. 2001, c 25, as amended, requires that every Town shall pass a procedure by-law for governing the calling, place and proceedings of meetings and the public notice of meetings;

AND WHEREAS Section 238 (3.3) of the *Act* was amended March 19, 2020 to provide that, during emergencies declared locally or provincially under the *Emergency Management and Civil Protection Act*, members of councils, local boards and Committees who participate electronically in open and closed meetings may be counted for purposes of quorum;

AND WHEREAS Council deems it expedient to pass such a by-law;

NOW THEREFORE the Council of the Corporation of the Town of Kearney enacts as follows:

1. **DEFINITIONS**

CAO - the Chief Administrative Officer of the Corporation of the Town of Kearney
Clerk - the Clerk of the Corporation of the Town of Kearney
Closed Meeting - a meeting of Council or other Committee to which public access is restricted.
Confirmatory By-law - a by-law of Council that adopts all resolutions passed at a Council meeting.
Committee – an advisory group created by, and members appointed by Council, which may or may not have a member of Council appointed.
Council - the elected and sworn members of the Council of the Corporation of the Town of Kearney.
Deputation - an address to Council or Committee at the request of a person wishing to speak on a specific item.
Electronic Participation - Includes telephone, video, audio conferencing or other interactive method whereby Members, staff and the public are able to hear the Member(s), staff and public participating by electronic means and the Member(s) participating by electronic means can hear other Members, staff and the public.
Head of Council - the Mayor or in cases of a Committee - the Chair.
Member – an elected and/or appointed representative of Council or a Committee acting in their elected and/or appointed position.
Point of Order – a question by a Council member with the view to calling attention to any issue relating to the Procedure By-Law or the conduct of Council's business or in order to assist the member in understanding Council's procedures, making an appropriate motion

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or understanding the effect of a motion.

Point of Privilege or Personal Privilege – a question by a member who believes that another member has spoken disrespectfully towards that member or another member or who considers that his or her integrity or that of a member or Municipal official has been impugned or questioned by a member.

Quorum - a majority of members of Council or Committee.

Recorded Vote - the recording in the minutes of the names and vote of every member present on any motion.

Resolution – the decision of Council on any motion.

2. ROLE OF COUNCIL

As outlined in *the Municipal Act,* 2001, Section 224, it is the role of Council:

2.1 to represent the public and to consider the well-being and interests of the Town,

2.2 to develop and evaluate the policies and programs of the Town;

2.3 to determine which services the Town provides;

2.4 to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;

2.5 to ensure the accountability and transparency of the Town, including the activities of the senior management of the Town;

2.6 to maintain the financial integrity of the Town; and

2.7 to carry out the duties of Council under the *Municipal Act* or any other *Act*.

3. MEETINGS OF COUNCIL

3.1 **Regular Council Meeting** - Regular Meetings of Council shall be held at 6:00 p.m., in the Council Chambers, at 8 Main Street, Kearney, the first and third Thursday of each month. During the months of July, August and December, Regular Meeting of Council shall be held at 6:00 p.m. on the first Thursday only, of each month.

3.2 Council meetings shall be held in the Community Centre, 8 Main St,. Kearney, ON P0A 1M0. Alternate locations may be considered with a Council resolution and appropriate public notice.

3.3 Notice of meetings shall be posted on the Municipal website. A meeting of Council may be cancelled or changed by Council resolution, with appropriate public notice to be provided as soon as possible. When a regular meeting of Council is cancelled or changed, the Clerk shall give notice at least seven (7) days in advance by posting on the website and, if possible, by publication in a local newspaper.

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3.4 Council may, by resolution, alter the date and/or time and/or access of a Regular Meeting provided that adequate notice of the change is posted and published in accordance with the Public Notice By-law.

3.5 All Regular Council Meetings may be streamed virtually to allow for public to view and participate in the meeting as per Section 3.8 Electronic Participation. If the meeting is to lose connectivity, the Chair shall pause the meeting when the connectivity issue is brought forward. Staff will re-attempt the connectivity up to a maximum of 15 minutes from the pause of the meeting. If the meeting cannot be reconnected within that period of time, the meeting will be adjourned and reconvened at a later date. The reconvening of the meeting will provide the public with at least 36 hours' notice.

3.5 **Special Meeting of Council -** Any Member of Council may call a special meeting, with twenty-four (24) hours' notice if possible, through the Clerk's office. Public notice shall be given on the municipal website as soon as possible and by any other method that is possible within the time frame. The only item(s) of business to be dealt with at a special meeting is that which is listed in the notice of the meeting.

3.6 **Inaugural Meeting** - The inaugural meeting of Council shall take place in accordance with the *Municipal Elections Act.*

3.7 **Closed Meeting** - All meetings of Council and all meetings of any Committee of Council shall be open to the public, except if the subject matter being considered is permitted by the *Municipal Ac*t, to be discussed in closed session. Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution the fact of holding a closed meeting and the general nature of the matter to be discussed at the closed meeting.

3.8 **Electronic Participation-** Council or committee meetings may offer electronic participation, at the discretion of the Chair, in accordance with the *Municipal Act*. Council may offer electronic participation for a Council meeting during an emergency declared by either the Provincial Government, the Municipal Head of Council (or appointed designate), under the *Emergency Management and Civil Protection Act.*, in accordance with the Municipal Act. Members participating electronically will be counted towards quorum. Members may fully participate and vote in both open and closed meetings. Members of the public may participate electronically in open meetings, as the chosen technology permits.

A member of Council, a Committee or Local Board may participate electronically in open or closed meetings.
(2) Any such member shall be counted towards quorum of members present at any point in time and shall be able to vote; as permitted by the Municipal Act.

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(3) Pursuant to the Municipal Conflict of Interest Act, as amended, members who have declared a pecuniary interest regarding a matter being discussed, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.
(4) The Clerk shall advise the Member(s) when to re-connect to the meeting, as appropriate.
(5) Members are requested to notify the Clerk twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.
(6) Members of the public and staff may participate electronically. Members participating electronically shall make every effort to keep their camera-on through the entirety of the meeting.
(7) Notwithstanding s. 5.17, 'electronic participation' does not exclude the necessity of advance notice of agendas and meetings times/locations for public access and must adhere to s. 4.3, meeting notice provisions.

3.9 **Communication Device-**

3.9.1. Each member shall place any communication devices on an inaudible setting during any open or closed meeting, with the exception of assistive devices for people with disabilities or authorized devices which facilitate the official duties of Members of Council and staff related to the agenda of the current meeting.

3.9.2. Members should make every effort to refrain from sending or receiving electronic communication during Meetings, though it may sometimes be necessary to send or receive urgent/emergency communications.

4. DUTIES OF THE HEAD OF COUNCIL

The Head of Council shall:

4.1 open the meeting of Council by taking the chair and calling the meeting to order;

4.2 announce the business before the Council in the order in which it is to be considered;

4.3 receive and submit, in the proper manner, all motions presented by the members of Council;

4.4 put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings and to announce the result;

4.5 decline to put to vote motions which are counter to the procedure by-law;

4.6 ensure that members follow the procedure by-law when engaged in debate;

4.7 be permitted to participate in any debate without leaving the chair;

4.8 enforce on all occasions the observance of order and decorum among the members and those present as observers;

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4.9 if quorum agrees, Council may direct questions to the public during the meeting only if no disruption results to the decorum of the meeting;

4.10 call by name, any member or person who persists in breaching the procedure by-law of the Council, ordering him/her to vacate the Council chamber;

4.11 adjourn the meeting when the business is concluded; or adjourn the meeting without question put, in the case of serious disorder arising in the Council chamber;

4.12 authenticate by signature, all by-laws, resolutions, and minutes of Council.

5. ABSENCE OF HEAD OF COUNCIL

5.1 If the Mayor is absent from the meeting, the Deputy Mayor shall assume the role of Head of Council, with all the rights, powers, and authority. The acting Head of Council shall preside during the meeting or until the Mayor arrives. In the absence of the Mayor and the Deputy Mayor, the remaining members shall appoint by resolution, another member as acting Head of Council.

CONDUCT OF MEMBERS AND THOSE PRESENT

No member of Council or other person present shall:

6.1 speak disrespectfully or make allegations concerning another member of Council, staff or the public;

6.2 use offensive words or unparliamentary language;

6.3 disturb Council or other person(s) by using disorderly conduct that is disconcerting including calling out questions or addressing Council without permission;

6.4 criticize any decision of Council, except by a Member of Council for the purpose of moving that the question be reconsidered.

7. QUORUM

7.1 A majority of Council members present shall constitute a quorum.

7.2 If no quorum is present thirty (30) minutes after the time appointed for the meeting, the Clerk shall record the names of the members present and the meeting shall be adjourned until the date of the next regular meeting or until a special meeting is called.

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8. **REGULAR COUNCIL AGENDA**

8.1 The Clerk shall prepare a Council agenda with the following items in an order deemed fit:

Opening Remarks/Announcements

Approval of Agenda

Disclosure of Pecuniary Interest

Deputations and Presentations

Consent List

- Minutes of Previous Meetings
- Municipal Boards and Committees Minutes
- Staff Reports
- By-laws

Items for Discussion

Accounts

New Business

Talk to the Mayor

Closed Session (if required)

Confirmatory By-law

Adjournment

8.2 Any item which is not on the agenda as set but has been determined by the Clerk to be of a nature which requires attention prior to the next scheduled meeting, the item may be added by addendum at the discretion of the Clerk.

8.3 Any items brought forward as a time-sensitive issue by other means shall require a majority vote of the members present to be added to the agenda.

8.4 All items not included in the agenda package and presented as an 'on desk item' will be included in the posted agenda.

8.5 **Regular Council Agenda Packages** – Agenda Packages will be available for Council pick-up and online by 4:00 pm on the Friday preceding a regular meeting of Council. The package will be available for public viewing on the website on the Monday preceding a Regular meeting of Council. If the Monday preceding a Council Meeting is a holiday, the agenda package will be posted on the website on

the Tuesday preceding the Council Meeting.

9. DISCLOSURES OF PECUNIARY INTEREST (CONFLICT OF INTEREST)

9.1 Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Committee which the matter is the subject of consideration, the Member, shall govern themselves in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 and shall:

i. determine whether they may have a direct or indirect pecuniary interest and to disclose the nature thereof;

ii. prior to any consideration of the matter at the meeting, disclose the interest verbally at the meeting and then in writing, in a form provided, to the Clerk, the general nature thereof;

iii. not take part in the discussion of, nor vote on any question in respect of the matter;

iv. not attempt in any way whether before, during or after the meeting to influence the voting on the matter;

v. where a meeting is open to the public, the Member shall, in addition to complying with the requirements of *Municipal Conflict of Interest Act,* R.S.O. 1990, c. M.50 forthwith leave the meeting or part of the meeting during which the matter is under consideration;

vi. where a meeting is not open to the public, the Member shall, in accordance with the *Municipal Conflict of Interest Act,* R.S.O. 1990, c. M.50 forthwith leave the meeting or the part of the meeting during which the matter is under consideration;

vii. where the interest of a Member has not been disclosed by reason of the Member's absence from a particular meeting, the Member shall disclose the Member's interest and otherwise comply at the first meeting of the Council or Committee, as the case may be, attended by the Member after the particular meeting.

9.2 Every declaration of interest and the general nature thereof, shall where the meeting is open to the public, be recorded in the minutes of the meeting by the Clerk of the Town or secretary of the Committee, as the case may be;

9.3 Every declaration of interest made, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of

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the next meeting that is open to the public

9.4 Where the number of members who, by reason of the Provisions of *Municipal Conflict of Interest Act,* R.S.O. 1990, c. M.50 Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special *Act*, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

10. MINUTES

Minutes shall be recorded by the Clerk, or designate, and shall contain the following:

10.1 the date, time and place of meeting;

10.2 the names of members and staff present;

10.3 the adoption and any corrections of the minutes of prior meetings;

10.4 proceedings of the meeting which will include motions, resolutions, decisions, and directions, without note or comment.

11. DEPUTATIONS AND PRESENTATIONS

11.1 Persons who wish to make a presentation to Council on matters may request in writing providing an outline of the nature of the deputation by 12:00 noon on the two weeks prior to the next regular meeting, that the Clerk place their name and the topic on the agenda as a deputation or presentation.

11.2 The Clerk, at his/her discretion will determine the eligibility, date and time of the deputation.

11.3 The Clerk may approve a deputation to Council with less notice than required in this section.

11.4 Deputations shall be limited in speaking to not more than ten (10) minutes.

11.5 A member of Council may ask questions only for the purpose of obtaining information relating to the matter under discussion and such questions must be stated concisely.

11.6 After Council has rendered a decision on the issue and written notification of that decision has been given, Council will not consider that issue again within six (6) months. An exception may be granted at the discretion of the Clerk, if substantially new and/or substantially significant information is provided.

11.7 The Clerk may limit the number of deputations heard at any meeting to a

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maximum of two (2) per meeting.

11.8 Any person giving a deputation or presentation shall not:

1. speak disrespectfully of any person;
2. use offensive words;
3. speak on any subject other than the subject for which he or she has received approval to address Council or Committee;
4. disobey the rules of procedure or a decision of the Chair or Council.

12. CORRESPONDENCE

12.1 All correspondence, including petitions to be presented to the Council, shall be legibly written, or printed and shall not contain any improper language and shall be signed by at least one person, filed with the Clerk, and should include an address and telephone number.

12.2 All correspondence shall be delivered to the Clerk during regular office hours, by 12:00 noon on the Wednesday prior to the next regular meeting of Council, so that the item may be included in the agenda circulated to members.

13. MOTIONS

13.1 **Voting on Motions** - Motions shall be in writing, showing the signature of the member who moved the motion and the member who seconded the motion.

When a motion is moved and seconded, it shall be read or stated by the Head of Council before debate.

A motion to call the vote, by the Chair shall preclude all further amendments of the question. A motion to the Chair to call the vote by a Member other than the Chair, requires consent of the majority of members.

After a motion is called to vote by the Chair, no Member shall speak to the question, nor shall any other motion be made until after the vote is taken and the result has been declared.

When the Head of Council calls for a vote on a question, each member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Head of Council.

Immediately preceding the vote, the Head of Council shall state the question in the precise form in which it will be recorded in the minutes.

The manner of determining the decision of Council on a motion shall be at the discretion of the Head of Council and may be by show of hands, verbal, standing,

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or any other method.

13.2 **Recorded Vote** - If a member present at a Council or Committee meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any *Act*, shall announce his or her vote openly and the Clerk shall record each vote.

13.3 Any resolution shall require a majority of votes in order to be valid and binding on the Council. If there is an equality of votes, the vote shall be deemed to be lost. A failure to vote by a member who is present at the meeting and who is qualified to vote, shall be deemed to be a negative vote.

13.4 **Notice of Motion -** When a member provides the Clerk with written notice of any motion, the matter shall be included on the agenda for the next regular meeting of Council.

13.5 **Motion to Reconsider** – A motion to reconsider shall not be made during the same meeting of Council at which the original determination was taken. If a decision has not been substantially acted upon, a Member of Council who voted on the prevailing side may at any time within six months of the original decision, introduce a motion to reconsider a previous decision.

14. READING OF BY-LAWS

14.1 Every by-law shall be introduced upon motion by a member of Council specifying the title of the by-law.

14.2 Every by-law shall be typed and contain no blanks except as required to conform to accepted procedure or to comply with provisions of any act.

14.3 Every by-law shall have three (3) readings prior to being passed. If Council so determines, a by-law may be taken as read three (3) times.

14.4 Every by-law enacted by the Council shall be numbered and dated, signed by the Clerk and the Mayor, sealed with the corporate seal, and filed in the Municipal Vault.

14.5 No by-law except a by-law to confirm the proceedings of Council shall be presented to Council unless the subject matter has been considered and approved by Council.

15. CONFIRMATORY BY-LAW

As the last item of business before adjournment, Council shall consider a confirmatory by-law to adopt, ratify and confirm all actions of Council at that meeting and to authorize the Mayor and municipal officers to take action as directed.

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16. MISCELLANEOUS

16.1 **New Business -** Any matter arising from a deputation or presentation will be considered at a future Council meeting. However, a matter may be considered by Council during this time if sufficient information is available and time permits.

16.2 **Curfew -** Regular Council meetings shall not exceed four (4) hours in duration.

16.3 **Electronic Recording Devices -** Electronic recording devices shall not be permitted in the Council Chambers, unless approved by the Head of Council.

17. SUSPENSION OF RULES

Any procedure required by this by-law may be suspended with consent of a majority of the members of Council present.

18. AMENDMENT

18.1 No amendment or repeal of this by-law or any part shall be considered at any meeting of Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of Council.

18.2 Waiving of this notice by the Council is prohibited.

19. PREVIOUS BY-LAWS RESCINDED

By-law No. 2023-01 and all previous By-laws and resolutions and parts of By-laws and resolutions inconsistent with the provisions of this By-law, governing the calling, place and proceedings of Council, the conduct of its members and the calling of meetings, are hereby repealed.

20. EFFECTIVE DATE

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME on the _____ day of _____, 2023.

THE CORPORATION OF THE
TOWN OF KEARNEY

_____
Mayor

_____
Clerk

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THE CORPORATION OF THE TOWN OF KEARNEY

By-Law No. 2023-XX

Being a By-law to authorize the execution of a consent agreement between The Corporation of the Town of Kearney and Heather Pateman

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WHEREAS Section 5 (3) of the *Municipal Act, S.O. 2001*, c.25, as amended, requires a municipal Council to exercise its powers by By-law unless specifically authorized to do otherwise;

AND WHEREAS Section 8 of the *Municipal Act, S.O. 2001*, c.25, as amended, authorizes broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the *Municipal Act, 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 the Corporation of the Town of Kearney deems it expedient to enter into a consent agreement with Heather Pateman;

NOW THEREFORE the Council of The Corporation of the Town of Kearney enacts as follows:

1. That the Corporation of the Town of Kearney enter into a consent agreement substantially in the format attached hereto as "this Agreement".

2. That the Mayor and the Clerk be authorized to execute all documentation necessary to fulfill the agreement.

3. That this agreement be registered on title.

4. That this By-law come into effect upon the date of signing.

READ A FIRST, SECOND AND THIRD TIME, passed, signed and the Corporate Seal attached hereto, this day of , 2023.

THE CORPORATION OF THE TOWN OF KEARNEY

_____
Mayor

_____
Clerk

DRAFT

THE CORPORATION OF THE
TOWN OF KEARNEY

NOTICE OF PROPOSED ROAD CLOSING AND SALE BY-LAW

TAKE NOTICE that the Council of The Corporation of the Town of Kearney (the "Town") intends to pass a by-law to close part of an original shore road allowance, in the Town of Kearney, District of Parry Sound, more particularly described in Schedule "A" hereto (the "Lands") and to authorize the sale of the Lands.

THE CLOSURE shall be made pursuant to Section 34 of the Municipal Act, 2001 and the sale in accordance with Sections 8 and 9 of the said Municipal Act.

ANY PERSON wishing to comment on the proposed sale may submit comments in writing by 4:30 p.m. on the 30th day of August, 2023 to the Clerk of the Town at the address set out below. Also at the Council meeting Council will hear electronically any person or counsel/solicitor or agent who claims that his/her land will be prejudicially affected by the by-law and who applies to be heard. Please contact the Clerk for more information as to how a person may attend the meeting electronically.

THE COUNCIL of the Town will give consideration to all submissions received in writing or made at the Council meeting and will then determine whether or not to proceed with the passage of the said by-law.

THE SAID by-law will come before Council for consideration at the Council meeting to be held at 6:00 p.m. on the 7th day of September, 2023, in the Council Chambers at 8 Main Street, Kearney, Ontario.

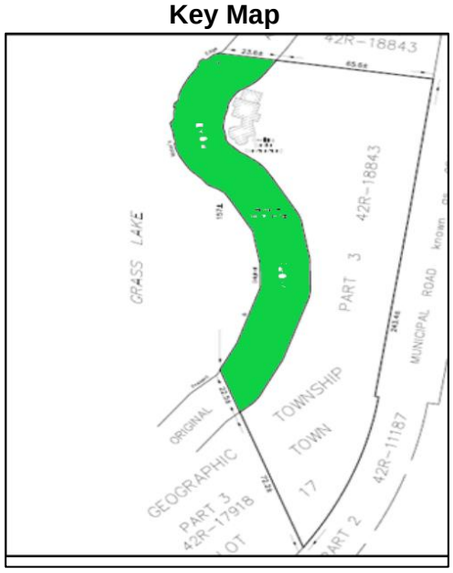
Nicole Gourlay, Clerk Administrator
The Corporation of the Town of Kearney
8 Main Street, P.O. Box 38
Kearney, ON P0A 1M0
(705) 636-7752
nicole.gourlay@townofkearney.ca

SCHEDULE "A"

Part of the original shore road allowance lying in front of Lot 17, Concession 9; Geographic Township of Proudfoot now in the Town of Kearney, District of Parry Sound; designated as Part 1, Plan 42R-22222.

A Key Map of the Lands is set out below:

Key Map



Town of Kearney
Accounts Report for July 31 - Aug 21/23
Batch: 2023-00044 to 2023-00050

Bank Code: AP - GENERAL AP

COMPUTER CHEQUE

Payment #	Date	Vendor Name		Payment Amount
32947	2023-07-31	Abell Pest Control	KCC & P/W Monthly Pest Control	207.41
32948	2023-07-31	Bell Mobility Inc.	P/W Monthly Cell / B/D Monthly Data	186.09
32949	2023-07-31	Bickley Ford Sales	Parks Truck Oil/Lube/Filter	237.02
32950	2023-07-31	Bowman Fuels Ltd.	P/W Vehicle Diesel	3,536.70
32951	2023-07-31	Burk's Falls Building Ctr Ltd	KCC Supplies / Parks Porta-potty Repair	371.17
32952	2023-07-31	CRA - Receiver General	Payroll Source Deductions July 1-31	26,432.42
32953	2023-07-31	ClayMar Electric	Trans Stn external receptacle	322.12
32954	2023-07-31	Cupe Local 1813	July Union Dues	683.27
32955	2023-07-31	Dist. Parry Sound Soc. Ser.	3rd Qtr Levy Payment	42,406.29
32956	2023-07-31	Evan Hughes Excavating	Roads Gravel Application	74,155.89
32957	2023-07-31	Federal Express Canada Corp	Trans Stn Garbo Grabber Delivery	34.59
32958	2023-07-31	Fetterley's Gas & Convenience	Invoices - July 4-17 (Gas)	2,448.56
32959	2023-07-31	Fire Marshal's Public	F/D Annual Membership renewal	100.00
32960	2023-07-31	Fowler Construction	Roads cold mix asphalt	1,656.68
32961	2023-07-31	Freightliner North Bay	P/W Oil change & brake cleaning	2,777.08
32962	2023-07-31	Grenier, Jason	F/D Reimburse for DZ drive test	49.50
32963	2023-07-31	Debbie Ann Hall	B/D Sandridge Court	2,755.06
32964	2023-07-31	Huronia Alarm & Fire Security	KCC Repairs & Upgrades to System	1,786.53
32965	2023-07-31	Kawartha Credit Union - Visa	All departments Monthly	5,585.96
32966	2023-07-31	Kennedy Ins Brokers Inc	P/W Added vehicle to policy	1,474.00
32967	2023-07-31	Kidd's Home Hardware Bldg. Centre	Parks Maintenance Supplies	115.96
32968	2023-07-31	Lake Country Office Solutions	Library Firewall / Licence Renew	3,053.81
32969	2023-07-31	Min Of Fin-Ontario	OPP June LSR Billing	25,109.00
32970	2023-07-31	Moore Propane Ltd.	KCC Propane	88.91
32971	2023-07-31	North Bay/Parry Sound District	September levy payment	2,322.99

Town of Kearney
Accounts Report for July 31 - Aug 21/23
Batch: 2023-00044 to 2023-00050

COMPUTER CHEQUE

Payment #	Date	Vendor Name		Payment Amount
32972	2023-07-31	Novexco Inc	Admin Office Supplies	222.59
32973	2023-07-31	OMERS	July Pension Remittance	13,106.24
32974	2023-07-31	Rickwards Small Motors Inc	F/D Supplies	31.63
32975	2023-07-31	Royal Canadian Legion	Reimburse Regatta Expense	120.00
32976	2023-07-31	Silver Screen Printing	Regatta T shirts	3,714.65
32977	2023-07-31	SPCA-Ontario	3rd Qtr Animal Control Fees	440.47
32978	2023-07-31	Spectrum Telecom Group Ltd.	F/D Monthly Internet/Peversey Tower	325.95
32979	2023-07-31	StarMetroLand Media	Advertising Re: Dreja RCA	351.27
32980	2023-07-31	Wishart Law Firm LLP	General Human Resources	3,164.00
32981	2023-08-09	Bradanick Construction Services	KCC Renovations Draw 9	106,912.90
32982	2023-08-09	CRA - Receiver General	Payroll Source Deductions Aug 1-15	17,762.51
32983	2023-08-15	ACE Accent Controles Elec,Inc	P/W Annual GPS Renewal	1,130.00
32984	2023-08-15	Aird & Berlis LLP	B/D legal Re: Cannabis/bldg codes	1,002.88
32985	2023-08-15	Allied Medical Instruments Inc.	F/D Medical Supplies	231.47
32986	2023-08-15	Appleyard, Penny	Reimburse Regatta Supplies	76.19
32987	2023-08-15	Burk's Falls Building Ctr Ltd	P/W Shop Supplies	353.08
32988	2023-08-15	Burk's Falls Home Hardware	P/W Shop Supplies	13.53
32989	2023-08-15	Canada Post Corporation	Final Tax Billing Mailings	1,579.56
32990	2023-08-15	Forum Athletic Products	KCC Sports Supplies	2,657.76
32991	2023-08-15	Girad, Aedan	Regatta Life Guard (Replacement Chq)	150.00
32992	2023-08-15	Global Industrial Canada	KCC Tables & Chairs	28,004.17
32993	2023-08-15	Dorothy Hopson	Reimbursement for Regatta Supplies	28.44
32994	2023-08-15	Huntsville Truck Repair	P/W Shop Supplies	57.13
32995	2023-08-15	Hydro One Networks Inc.	Monthly Hydro	2,032.98
32996	2023-08-15	.I.machine services	P/W Brush Head	149.16
32997	2023-08-15	Jones Motor Lines	Porta Potty Servicing	423.75

Town of Kearney
Accounts Report for July 31 - Aug 21/23
Batch: 2023-00044 to 2023-00050

COMPUTER CHEQUE

Payment #	Date	Vendor Name		Payment Amount
32998	2023-08-15	Lisa Lahn	Regatta Reimbursement for Supplies	44.38
32999	2023-08-15	Lake Country Office Solutions	Office Monthly Photocopy Fees .	427.69
33000	2023-08-15	Marra, Christopher	Regatta lifeguard (Replacement Chq)	300.00
33001	2023-08-15	Midwestern Line Striping Inc	Roads Annual line Painting	4,378.75
33002	2023-08-15	Mark Niemi Trucking Services Inc.	Crane Service July 26/23	1,525.00
33003	2023-08-15	Muskoka Auto Parts	Parks Weed eater parts	6.51
33004	2023-08-15	Muskoka Rent-All Huntsville	Parks Weed eater blade	105.06
33005	2023-08-15	Novexco Inc	F.D./B.D/Admin office Supplies	457.31
33006	2023-08-15	Shane O'Hara	Boot Allowance/Kms to Kalkfest Training	238.01
33007	2023-08-15	Leonard Peacock	P/U Road Signs	270.00
33008	2023-08-15	Les Phinney	Beaver Trapping x 2 in July	200.00
33009	2023-08-15	Pollard Distribution Inc.	Roads - Calcium Dust Control	11,216.58
33010	2023-08-15	Redding, Emma	Regatta lifeguard	150.00
33011	2023-08-15	Reeder Web Design	Dogsled Qtrly Website Maintenance	126.96
33012	2023-08-15	Russell Christie LLP	General Legal - Re Title Search	209.41
33013	2023-08-15	Smellies Copy & Print Shop	Final Tax Bill Printing	1,118.31
33014	2023-08-15	Telequip Systems Limited	P/U Monthly Radio Usage	257.07
33015	2023-08-15	Telizon Inc	Monthly long Distance	6.71
33016	2023-08-15	Tumber, Jacquline	Reimburse for Regatta Supplies	415.15
33017	2023-08-15	Waste Connections of Canada	Trans Stn blue box recycling	18,348.54
33018	2023-08-15	Wishart Law Firm LLP	General Legal Re: Human Resources	1,584.83
33019	2023-08-21	Bradanick Construction Services	KCC Kitchen Renovations Draw 10	153,401.40

Total Computer Cheque: 576,726.99

Total AP: 576,726.99

Town of Kearney
Accounts Report for July 31 - Aug 21/23
Batch: 2023-00044 to 2023-00050

Be it resolved that Council has received the 'List of Accounts' report
for Cheques #32947 to #33019 in the total amount of $576,726.99
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The Corporation of the Township of Emo

P.O. Box 520, Emo, Ontario, P0W 1E0

Website: www.emo.ca
E-mail: township@emo.ca

Phone: 807-482-2378
Fax: 807-482-2741

August 14, 2023

Via email only

Premier's Office
Room 281
Legislative Building
Queen's Park
Toronto, ON
M7A 1A1

Dear Honourable Doug Ford,

Re: Black Ash Tree Classification as "endangered" under the Endangered Species Act

Please be advised that the Council of the Municipality of Emo, at its meeting held on Wednesday, June 14, 2023 passed the following resolution.

Resolution June 14, 2023 No. 16

WHEREAS the Ministry of Environment, Conservation and Parks listed the Black Ash Tree as endangered in the Province of Ontario as a result of the Emerald Ash Borer infestation in eastern and southern Ontario;

WHEREAS this classification was given even though the Emerald Ash Borer is not known to be widespread in Northwestern Ontario;

WHEREAS the Black Ash Tree is assumed to remain abundant on the landscape of Northwestern Ontario;

WHEREAS the Species at Risk in Ontario (SARO) classification of "endangered" under the Endangered Species Act (ESA) prohibits killing (Harvesting), harming, harassing, possessing, transporting, trading, and selling of live or dead Black Ash, and damaging or destroying its habitat on both Crown and Private Land;

The Corporation of the Township of Emo

P.O. Box 520, Emo, Ontario, P0W 1E0

Website: www.emo.ca
E-mail: township@emo.ca

Phone: 807-482-2378
Fax: 807-482-2741

WHEREAS the Species at Risk in Ontario (SARO) classification of "endangered", for the Black Ash Tree, came into effect on January 26, 2022;

WHEREAS the Ontario Black Ash Recovery Strategy is proposed to come into enforcement in January 2024;

WHEREAS the strategy is not expected to change the 50-99% destruction of Black Ash by the Emerald Ash Borer;

WHEREAS the strategy contains 170 references to possibilities that "may" be or are "poorly understood", including 80-year climate change models;

WHEREAS one of these unknown factors is the Rainy River forests of Northwestern Ontario;

WHEREAS the Rainy River forests, while having features of Great Lakes – St. Lawrence, also include Boreal and Prairie habitats following a continuum from northern Minnesota rather than from Southern Ontario;

WHEREAS the strategy, if applied, will certainly have severe impact on the economy, agriculture, forestry, tourism, recreation, First Nations and residential landowners of the Rainy River District;

WHEREAS it would be impossible to fully comply with the strategy and continue living in much of the Rainy River District;

WHEREAS consultation on the Black Ash and Emerald Ash Borer did not include the majority of Northwestern Ontario.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Emo urges the Provincial Government to:

a) Rescind the Ontario Black Ash Recovery Strategy at least as it concerns the Rainy River District and Northwestern Ontario;
b) Seek further understanding of the health of the Black Ash in the Rainy River District and Northwestern Ontario.
c) Complete a provincial study regarding socio-economic impact on this part of Northwestern Ontario

in consultation with stakeholders BEFORE any policies are passed and enacted upon.

Should you have any questions, please do not hesitate to contact this office.

Regards,

Crystal Gray
CAO/Clerk-Deputy Treasurer
Acting Treasurer
Township of Emo
E: cao@emo.ca
P: (807) 482-2378

cc. Thunder Bay – Superior North MP, Marcus Powlowski
Premier Doug Ford
Kenora-Rainy River MPP, Greg Rickford
Ministry of Agriculture, Food, and Rural Affairs
Ministry of Northern Development, Mines, Natural Resources and Forestry
The Association of Municipalities of Ontario (AMO)
The Federation of Northern Ontario Municipalities (FONOM)
Northwestern Ontario Municipal Association (NOMA)
Rural Ontario Municipal Association (ROMA)
The Federation of Agriculture
Ontario Federation of Agriculture
Office of the Ontario Regional Chief – Chiefs of Ontario
Northwestern Ontario First Nations
Rainy River District Municipal Association (RRDMA)
Rainy River District Clerks & CAO's

Municipality of Chatham-Kent
Corporate Services
Municipal Governance
315 King Street West, P.O. Box 640
Chatham ON N7M 5K8

July 5, 2023

Via Email: Kaleed.Rasheed@ontario.ca
Minister of Public and Business Service Delivery (MPBSD)

Honourable Rasheed:

Re: Time for Change
Municipal Freedom of Information and Protection of Privacy Act

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on June 26, 2023 passed the following resolution:

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;

The Town Of
PLYMPTON-WYOMING

DELIVERED VIA EMAIL
Kaleed.Rasheed@ontario.ca
Minister of Public and Business Service Delivery (MPBSD)

August 21, 2023

Re: Time for Change – Municipal Freedom of Information and Protection of Privacy Act

Honourable Rasheed:

Please be advised that at the Regular Council Meeting on August 9th 2023, the Town of Plympton-Wyoming Council passed the following motion, supporting the attached resolution from the Council of the Municipality of Chatham-Kent regarding a *Time for Change – Municipal Freedom of Information and Protection of Privacy Act.*

Motion 8
Moved by Councillor Mike Vasey
Seconded by Deputy Mayor Netty McEwen
That Council support item 'e' of correspondence from the Municipality of Chatham-Kent regarding a Time for Change – Municipal Freedom of Information and Protection of Privacy Act.

Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at ekwarciak@plympton-wyoming.ca.

Sincerely,

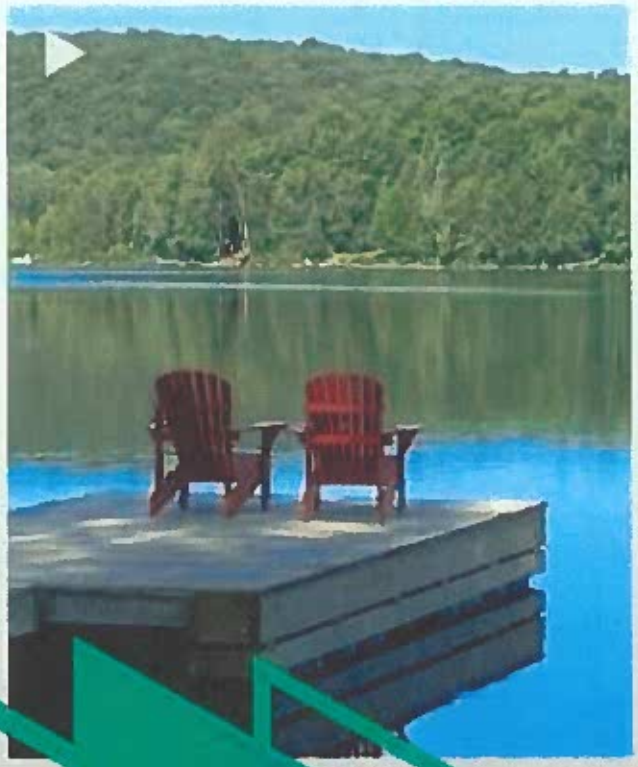
Erin Kwarciak
Clerk
Town of Plympton-Wyoming

cc: Marilyn Gladu, MP
Bob Bailey, MPP
Lianne Rood, MP
Monte McNaughton, MPP
Information and Privacy Commissioner of Ontario
Association of Municipalities of Ontario
AMCTO Legislative and Policy Advisory Committee
All Ontario Municipalities

District of Parry Sound Municipal Association
c/o Township of McKellar, 701 Hwy 124 McKellar, ON P0G 1C0
President: Lynda Carleton **Secretary-Treasurer:** Karlee Britton

Fall 2023 Agenda – 167th Meeting – Friday, September 29, 2023
Hosted by the Municipality of Whitestone
Dunchurch Community Centre, 2199 Hwy 124, Ontario

8:15-9:00	Registration / Coffee sponsored by **Aird & Berlis, LLP**
9:00-10:00	Opening Remarks by Mayor George Comrie, Municipality of Whitestone Introduction of the Head Table Greetings from the Office of Scott Aitchison, MP Parry Sound-Muskoka Appointment of Vice-President {Res} Adoption of Minutes from Spring 2023 and Treasurer's Report {Res} Lynda Carleton, FONOM Update Greetings from the Office of Graydon Smith, MPP Parry Sound-Muskoka
10:00-10:15	Meeting Accessibility Standards by 2025 under the *AODA* presented by the Ministry for Seniors and Accessibility
10:15-10:30	Accelerated High-Speed Internet Program (AHSIP) presented by Luke Barker, Director of Commercial Projects, Infrastructure Ontario
10:30-10:45	Coffee break sponsored by **Tulloch**
10:45-11:15	North Bay Parry Sound District Health Unit Updates presented by Dr. Carole Zimbalatti, Acting Medical Officer of Health
11:15-11:30	Almaguin Community Hatchery Program presented by Jerry Brandt, Vice President
11:30-12:00	Bluebox Transition Presentation and Q&A presented by Mike Birett, Birett & Associates
12:00-1:00	Lunch – 3 course plated and served Roast Beef dinner by **Tanners Inn & Dining**, with salad, mixed veg, Yorkshire pudding, mashed potatoes, gravy and pie for dessert
1:00-2:00	Short Term Rentals presented by Jamie Robinson and Kathy Suggitt of MHBC Planning Ltd.
2:00	Resolutions / Business Meeting Draw for Mystery Door Prize: Must be present to claim Host and Date of Next Meeting: East Side host and date to be determined Adjournment



DPSMA FALL MEETING 2023

SEPTEMBER 29, 2023

8:15AM - 2:30PM

DUNCHURCH COMMUNITY CENTER

SHORT TERM RENTALS

Presented by MHBC

THE SPEAKERS



Jamie Robinson
MHBC Planning Ltd.

North Bay Parry Sound District
Health Unit
Bureau de santé

Dr. C. Zimbalatti
NBPSD Health Unit

ALMAGUIN COMMUNITY HATCHERY PROGRAM

Almaguin Hatchery
Jerry Brandt, VP



Mike Birett
Birett & Associates

DISCUSSIONS AND INSIGHTS

BLUEBOX TRANSITION

Mike Birett is extremely knowledgable in Bluebox Legislation having 12 years experience as the Managing Director at the Continous Improvement Fund

AODA COMPLIANCE 2025

The Ministry for Seniors and Accessibility will provide updates to the legislation where all Municipal facilities will need to be in compliance by 2025

HIGH SPEED INTERNET PROGRAM

Infrastructure Ontarion will provide an update on the Accelerated High Speed Internet Program (AHSIP)

DUNCHURCH COMM CENTER

REGISTRATION ▶ EMAIL: deputyclerk@mckellar.ca

District of Parry Sound Municipal Association
c/o Township of McKellar
701 Hwy 124, McKellar, ON P0G 1C0
President: Lynda Carleton | **Secretary-Treasurer:** Karlee Britton

2023 Fall Meeting

The Fall Meeting of the District of Parry Sound Municipal Association will be held on **Friday, September 29, 2023** hosted by the Municipality of Whitestone. The location of the meeting is at the **Dunchurch Community Centre**, 2199 Hwy 124, Dunchurch, Ontario P0A 1G0.

Registration/coffee begins at 8:15 am with the Meeting starting at 9:00 am.

The cost is **$50.00** per person and includes lunch and refreshment breaks.

Please make cheques payable to the 'District of Parry Sound Municipal Association' and forward c/o The Township of McKellar, P.O. Box 69, McKellar, ON P0G 1C0.

_____will be sending (Name of Municipality/Organization)

_____ delegates @ $50.00 each, for a total of _____.

The following delegates will be attending:

_____

_____

_____

_____

_____

Please confirm attendance on or by Monday, September 11, 2023, so that catering arrangements can be finalized.

Registration can be made by fax to 705-389-1244, by phone at 705-389-2842 x5 or by e-mail to deputyclerk@mckellar.ca, with payment to follow by mail. **Payment is expected for all delegates registered, regardless if they attend, as meal payment is based on the registration**.

Please email **questions for the Short Term Rental presentation** to Karlee Britton deputyclerk@mckellar.ca no later than September 26th so a list can be compiled and forwarded to the presenter to allow for time.

ALMAGUIN COMMUNITY ECONOMIC DEVELOPMENT
Box 533 - 56 Ontario St. Burk's Falls ON. P0A 1C0
(705)571-1564 / director@investalmaguin.ca

Sample Support Resolution Wording for ACED's 3 Year Renewal Application to FedNor's CIINO Program.

ACED Member's Sample

WHEREAS The <Municipality/Organization> recognizes the benefit of participating in Almaguin Community Economic Development (ACED) with regional partners to jointly deliver economic development services to the Almaguin Highlands Region;

AND WHEREAS The <Municipality> has invested in the delivery of economic development services through making annual contributions to ACED in partnership with conditional contributions from FedNor's Community Investment Initiative for Northern Ontario program;

NOW THEREFORE BE IT RESOLVED that the <municipality> hereby declares their support for the Township of Armour's application to renew the ACED funding for another three-year term.

ACED Partner / Non-Member Sample

WHEREAS The <Municipality/Organization> recognizes the benefits that Almaguin Community Economic Development (ACED) provides to the Almaguin Highlands Region and its businesses, visitors, and residents;

NOW THEREFORE BE IT RESOLVED that the <municipality> hereby declares their support for the Township of Armour's application to renew the ACED funding for another three-year term.

Kearney Town Council
P.O. Box 38, 8 Main St.
Kearney, Ontario P0A 1M0
August 14, 2023

RE: Speed Limit Signs on North Shore Road

Dear Madam Mayor and Town Councillors,

SLAPOA has had a request to ask the Town of Kearney to post speed limit signs on North Shore Road. The road is used by many of the residents of all ages as a place to walk their dogs, ride their bikes, take an early morning run or after dinner stroll. It's not uncommon to use the road as the way to get to another cottage for a visit, or as a place to meet friends for a chat. The rocky shore on that side of Sand Lake prevents walking on the along shoreline between cottages, so North Shore Road is what connects the community.

North Shore Road is a gravel road which has no shoulders, is often very dusty, and has many hills and turns all of which can significantly reduce sight lines. While most vehicles travel along the road at a respectable speed and slow down when passing pedestrians, there is a concern that some motorized vehicles do not.

The residents have requested speed limit signs posted in several places along the road as a visual reminder to vehicles to slow down and share the road. They have suggested a limit of 40 kph given the amount of foot and bicycle traffic using the road on a regular basis.

Sincerely,

Jen Dewar,

SLAPOA Treasurer