



## **MINUTES OF THE REGULAR MEETING OF COUNCIL**

held in the Council Chambers  
French River Municipal Complex  
October 17, 2012 at 7:00 p.m.

### **Members Present:**

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Larry Bouffard, Mike Bouffard, Ronald Garbutt, Shawnda Martin-Cross, Denny Sharp

### **Members Excused:**

### **Officials Present:**

Harold Duff, Chief Administrative Officer/Clerk  
Julie Bouthillette, Treasurer/Tax Collector  
Mélanie Bouffard, Deputy Clerk, Recording Secretary  
Kyle Anderson, By-law Enforcement Officer/Waste Management Coordinator

### **Guests:**

Const. Nicholson, Ontario Provincial Police  
Bryan Searle, Municipal Advisor, Ministry of Municipal Affairs and Housing  
10 guests

### **1. CALL TO ORDER, ROLL CALL AND ADOPTION OF THE AGENDA**

The Chair called the meeting to order at 7:00 p.m.

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 356

**BE IT RESOLVED THAT** the agenda be accepted as distributed and amended as follows:

- 1) to add an Addendum  
-Appointment of Chair for the Environmental Advisory Committee,  
resignation of Michel Bigras as Chair
- 2) to withdraw an Item  
-Item 5.5.4 By-law to assume Sedgwick Road extension
- 3) to add a Resolution at Item 4.5.1 Revised Grader Options Report and  
that the Item be moved to follow Item 4.5.3

Carried

## **2.0 DISCLOSURE OF PECUNIARY INTEREST**

Councillor Denny Sharp declared a pecuniary interest at Item 6.4; she is a member of the Children's Christmas Party Committee.

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## **3.0 DELEGATIONS**

### **3.1 Ontario Provincial Police**

Constable Nicholson gave the OPP Monthly Policing Report for the month of September 2012.

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## **4.0 MANAGEMENT AND COMMITTEE REPORTS**

### **4.1 Mayor's Report**

The Mayor gave a verbal report.

#### **4.1.1 Letter and presentation made to the Electoral Boundaries Commission on the Federal Redistribution of Boundaries**

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### **4.2 CAO/Clerk's Report**

#### **4.2.1 Presentation on the 2011 Financial Indicator Review, Ministry of Municipal Affairs and Housing**

Mr. Bryan Searle, Municipal Advisor from the Ministry of Municipal Affairs and Housing presented the 2011 Financial Indicator Review. The review indicates that the municipality is on a positive trend and has improved its financial position.

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### **4.3 Treasurer's Report**

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### **4.4 By-law Enforcement Officer/Waste Management Coordinator**

#### **4.4.1 Status Update on Landfill Site Operations**

The Waste Management Coordinator summarized the reports submitted under separate cover.

Council directed staff to have the landfill site operating hours return to regular hours (Wednesday, Thursday, Saturday, 7am to 5:30pm) as of November 1, 2012 and that a notice be given as of the change.

#### **4.4.2 Direction to staff to proceed with the provision of animal control services**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 357

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby directs staff to proceed with the provision of animal control services by negotiating an agreement with Rainbow District Animal Shelter and that the draft agreement be presented to Council for consideration.

Motion to Defer

Moved By: Mike Bouffard  
Seconded By: Shawnda Martin-Cross

Motion to defer for 60 days.

Deferral Carried

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#### **4.5 Public Works Committee**

##### **4.5.1 Item was moved to follow Item 4.5.3**

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#### **4.5.2 Capital Appropriation Request for a Motor Grader**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 358

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves the purchase of a Motor Grader as per the recommendation made in the Capital Appropriation Request submitted August 1, 2012.

Carried

#### **4.5.3 Award the purchase of a Motor Grader with plow attachments**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 359

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby awards the Tender for a Motor Grader with plow attachments to NORTRAX for the purchase of a John Deer Model 770GP for an amount of \$258,544.00 plus applicable taxes.

#### *Recorded Vote*

Councillor Michel Bigras requested a Recorded Vote.

#### **Recorded Vote**

	FOR	AGAINST
COUNCILLOR Michel Bigras		x
COUNCILLOR Larry Bouffard		x
COUNCILLOR Mike Bouffard		x
COUNCILLOR Ron Garbutt	x	
COUNCILLOR Shawnda Martin-Cross		x
COUNCILLOR Denny Sharp		x
MAYOR Claude Bouffard		x

Defeated

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#### **4.5.1 Revised Grader Options Report**

A revised report was submitted under separate cover to provide additional information.

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 360

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby agrees to repair and upkeep the current grader as per Option 1 of the revised Public Works Grader Options Report.

Carried

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#### **4.5.4 Pavement work on Notre Dame Street West**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 361

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves to share the cost of the pavement work on Notre Dame Street West with the Co-opérative Régionale de Nipissing-Sudbury Ltd for a total maximum amount of \$9,000.

Carried

## **4.6 Finance and Administration Committee**

### **4.6.1 Changes to Employee Policy Manual to close the Municipal Office on Remembrance Day November 11<sup>th</sup>**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 362

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves the following amendment to the Municipal Employee Policy Manual:

1) Section D-1.5. Statutory Holidays, to return the statutory holiday of Remembrance Day November 11<sup>th</sup> instead of January 2<sup>nd</sup>, to be effective immediately.

Carried

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### **4.6.2 Budget Process, Budget Format and Budget Development**

The Treasurer summarized the report submitted under separate cover of the new Budget Process, the Budget Format and the Budget Development.

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## **4.7 Environmental Advisory Committee**

### **4.7.1 Creation of Ad hoc committee to draft a waterways protection by-law**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 363

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby agrees to create an Ad hoc committee to the Environmental Advisory Committee to draft a waterways protection by-law;

**AND THAT** the terms of reference of the Ad hoc committee be drafted by the Environmental Advisory Committee and presented to Council for consideration.

Carried

## **5.0 CONSENT AGENDA**

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 364

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves the Items of the Consent Agenda under Sections 5.1, 5.3 and 5.5 and receives the Items under Sections 5.2 and 5.4.

PPP

**Items 5.5.1, 5.5.3 and 5.5.7 were taken out of the Consent Agenda to allow debate.**

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### **5.1 Adoption of Minutes by Resolution**

Moved By: Larry Bouffard  
Seconded By: Shawnda Martin-Cross

Resol. 2012- 365

**BE IT RESOLVED THAT** the following minutes be adopted as presented:

Regular Council Meeting held September 19, 2012  
Committee of the whole meeting held October 3, 2012

Carried

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### **5.2 Minutes Received by Resolution**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 366

**BE IT RESOLVED THAT** the following minutes be received as presented:

Sudbury & District Board of Health held June 21, 2012  
Sudbury East Planning Board held August 9, 2012  
Economic Development Committee held August 16, 2012  
Sudbury & District Board of Health held September 26, 2012  
Sudbury & District Board of Health held September 26, 2012 (Strategic Planning)  
Environmental Advisory Committee meeting held August 29, 2012  
Public Works Committee Meeting held September 4, 2012  
Sudbury East Planning Board held September 13, 2012  
Public Works Committee Meeting held October 10, 2012  
Finance and Administration Committee Meeting held October 11, 2012

Carried

### **5.3 Award of Tenders and Request for Proposals by Resolution**

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#### **5.4 Correspondence for Council's Information Received by Resolution**

##### **5.4.1 Federation of Northern Ontario Municipalities, Northern Ontario Parks Closures**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 367

**BE IT RESOLVED THAT** the correspondence from The Federation of Northern Ontario Municipalities (FONOM) regarding the fight to protect the Ontario Northland and the closure of Northern Ontario Parks be received.

Carried

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##### **5.4.2 Sudbury East Planning Board, Receipt of a Notice of Application**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 368

**BE IT RESOLVED THAT** the following Notice of Application received from the Sudbury East Planning Board be received:

1. Application for a Proposed Amendment to Zoning By-law by Gro-Bark Ontario Ltd. (File ZBA 12-09FR)

Carried

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### **5.5 Adoption of By-laws by Resolution**

**The following By-laws were read and adopted:**

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#### **5.5.1 Item was separated from the Consent Agenda to allow debate.**

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##### **5.5.2 Zoning By-law Amendment (Gro-Bark Ontario Ltd.)**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 369

**BE IT RESOLVED THAT** By-law 2012-42, being a by-law to amend Zoning By-law 2003-23, as amended (Gro-Bark Ontario Ltd) be read a first, second and third time and finally passed.

Carried

### **5.5.3 Item was separated from the Consent Agenda to allow debate.**

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### **5.5.4 Item Withdrawn**

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### **5.5.5 Renewal of summer road maintenance operations agreement**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 370

**BE IT RESOLVED THAT** By-law 2012-59, being a by-law to authorize the Mayor and Clerk to execute an extension to the Grader for Summer Maintenance Operations Agreement with J & S Arbour Contracting Inc. be read a first, second and third time and finally passed.

Carried

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### **5.5.6 Renewal of winter road maintenance operations agreement**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 371

**BE IT RESOLVED THAT** By-law 2012-60, being a by-law to authorize the Mayor and Clerk to execute an extension to the Equipment for Winter Operations Agreement with B. Thomas Bulldozing Inc. be read a first, second and third time and finally passed.

Carried

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### **5.5.7 Item was separated from the Consent Agenda to allow debate.**

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### **5.5.8 Confirmation By-law**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 372

**BE IT RESOLVED THAT** By-law 2012-62, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on October 17, 2012 be read a first, second and third time and finally passed.

Carried



## **Items separated from the Consent Agenda to allow debate**

### **5.5.1 Smoke Free By-law**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 373

**BE IT RESOLVED THAT** By-law 2012-39, being a by-law to regulate smoking in public places, in workplaces and in all municipal properties including public outdoor spaces in the Municipality of French River be read a first, second and third time and finally passed.

Motion to Amend

Moved By: Michel Bigras  
Seconded By: Shawnda Martin-Cross

Motion to Amend to read a first and second time and that the Third Reading be brought forward at the November Regular Meeting with amendments.

Amendment Carried

Resolution now reads:

**BE IT RESOLVED THAT** By-law 2012-39, being a by-law to regulate smoking in public places, in workplaces and in all municipal properties including public outdoor spaces in the Municipality of French River be read a first and second time.

Carried

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### **5.5.3 Establish and assume Harold Fryer Drive**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 374

**BE IT RESOLVED THAT** By-law 2012-57, being a by-law to establish and assume a municipal highway to provide access to a residential subdivision (Harold Fryer Drive) be read a first, second and third time and finally passed.

Carried

### **5.5.7 To approve, in principle, development of solar photovoltaic projects**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 375

**BE IT RESOLVED THAT** By-law 2012-61, being a by-law to approve, in principle, development of solar photovoltaic projects be read a first, second and third time and finally passed.

Carried

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## **6.0 CORRESPONDENCE FOR COUNCIL'S CONSIDERATION**

### **6.1 Ontario Convenience Stores Association (OCSA), Request for support to stop the spread of contraband tobacco in our communities**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 376

**WHEREAS** Contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco products, and an increase in criminal activity; and

**WHEREAS** contraband tobacco products are easily accessible in our community; and

**WHEREAS** small businesses are sometimes forced to close because of the sale of contraband tobacco; and

**WHEREAS** small business in our community and government in general stand to benefit from the institution of tougher restrictions on contraband tobacco;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby supports the Ontario Government's most recent Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the Tobacco Tax Act. Particularly, in support of measures such as:

- increased fines for those convicted of offenses related to contraband tobacco;
- more authority for law enforcement officials with respect to: forfeiture of items seized, and impounding of vehicles;
- drawing on the best practices of other jurisdictions and working collaboratively with the federal government and other jurisdictions to enhance contraband tobacco control through joint enforcement

efforts.

**AND** that the provincial government be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco and maintain their commitment to introduce amendments this fall to implement these measures.

**AND** that surrounding municipalities be made aware of the actions taken by this Council to address the concerns presented by contraband tobacco.

Carried

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**6.2 French River Multi-Use Trail Association, Request to release the approved funding of \$25,000**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 377

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves to release the budgeted funding amount of \$25,000 to the French River Multi-Use Trail Association and that an auditable financial report be submitted to the Treasurer once the expenses have been incurred.

Carried

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**6.3 Sudbury East Board of Trade (SEBOT), Request for Donation for the Job, Training and Education Fair being held on November 3, 2012 in St.-Charles**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 378

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby agrees to donate the following for the Sudbury East Board of Trade's Job, Training and Education Fair on Saturday, November 3<sup>rd</sup>, 2012 held in St.-Charles:

1) \$250.00

Carried

#### **6.4 Grants and Subsidy Application, Children's Christmas Party Committee**

Moved By: Denny Sharp  
Seconded By: Michel Bigras

Resol. 2012- 379

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby approves the Grants & Subsidy Application received from the Children's Christmas Party Committee for their annual French River Children's Christmas Party on December 2, 2012.

Carried

#### **Disclosure of Pecuniary Interest**

Name: Councillor Denny Sharp

**Disclosed his/her (their) interest(s), abstained from discussion and did not participate on this Item.**

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#### **6.5 Municipality of St.-Charles, Request for support for Alpha en Partage de Sudbury Est**

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 380

**WHEREAS** Alpha en Partage has recently lost funding from Cambrian College resulting in the loss of the Academic Upgrading Program as well as the Academic and Career Entrance (ACE) Program; and

**WHEREAS** these programs are vital to the residents of Sudbury East who are unable to travel to Sudbury to attend these programs.

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby calls on the Ministry of Training, Colleges & Universities (MTCU) to step in and ensure that Cambrian College is meeting its obligations to MTCU and the residents of Sudbury East.

Carried

## **7.0 ADDENDUM** (if required and by resolution)

Moved By: Denny Sharp  
Seconded By: Larry Bouffard

Resol. 2012- 381

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby allows an Addendum to the Agenda as per the rules of the Procedural By-law 2012-11 under Section 8.8 authorizing Council to deal with an urgent matter that requires the immediate consideration of Council.

Carried

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Moved By: Mike Bouffard  
Seconded By: Larry Bouffard

Resol. 2012- 382

Mayor opened nominations for appointment of Chair.

Councillor Michel Bigras Nominated Councillor Ron Garbutt  
Seconded by Councillor Martin-Cross

Nomination closed.

**BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of French River hereby appoints the following Member of Council as Chair of the Environmental Advisory Committee:

Councillor Ron Garbutt

Carried

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## **8.0 NOTICES OF MOTION**

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### **9.0 ANNOUNCEMENTS AND INQUIRIES**

Councillor Ron Garbutt announced that the tree planning event at the Landfill site with the high school students was a great success; a thank you letter will be sent to the volunteers and participants.

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## **10.0 CLOSED SESSION**

Moved By: Larry Bouffard  
Seconded By: Mike Bouffard

Resol. 2012- 383

**BE IT RESOLVED THAT** the next portion of the meeting be closed to the public in order to consider directions that should be given to senior staff pursuant to section 239 (2) (b) "personal matters about an identifiable individual, including municipal or local board employees" with respect to an employee.

Carried

Moved By: Mike Bouffard  
Seconded By: Larry Bouffard

Resol. 2012- 384

**BE IT RESOLVED THAT** the open session reconvenes at 10:59 p.m.

Carried

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**11.0 ADJOURNMENT**

Moved By: Mike Bouffard  
Seconded By: Larry Bouffard

Resol. 2012- 385

**BE IT RESOLVED THAT** the meeting be adjourned at 11:00 p.m.

Carried

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**MAYOR**

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**CLERK**