



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
COUNCIL WORKING SESSION
AGENDA

Thursday, April 25, 2024, 6:30 P.M.
Main Level Chambers

An audio recording of the Open Session of this meeting is being made and will be available through the Municipal Website as a public service to further enhance access to municipal government services and to continue to promote open and transparent government. As a visitor, your presence may be recorded and your name and address may be revealed during certain parts of the Council meeting.

Pages

1. **CALL TO ORDER AND ROLL CALL**
2. **ADOPTION OF THE AGENDA**
Draft Motion:
BE IT RESOLVED THAT the Working Session Agenda dated April 25, 2024 be adopted as presented/amended.
3. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
4. **DELEGATIONS/PRESENTATIONS**
 - 4.1 **Registered Delegations - With Presentations**
 - 4.2 **Invited Presentations**
 1. **OCWA Presentation re Lagoon Ecofix Project** 1
Draft Motion:
That the Council of the Municipality of Temagami receive the invited presentation by OCWA regarding the Lagoon Ecofix Project.
 - 4.3 **Registered Delegations - Without Presentations**
5. **DISCUSSION ITEMS AND RELATED REPORTS**
 - 5.1 **Memo 2024-M-079 re PHU-THU Merger** 32
Draft Motion:
BE IT RESOLVED THAT Council of the Municipality of Temagami receives memo 2024-M-079;

AND FURTHER THAT the Municipality of Temagami send a letter to the Timiskaming Health Unit Board of Health to recommend that additional municipal representatives be included on the Board of the proposed merged Health Unit.
 - 5.2 **Memo 2024-M-080 EcDev Memo re TREDCO** 46
Draft Motion:
BE IT RESOLVED That Council discuss the incorporation of the Temagami Region Economic Development Corporation via a special meeting in order to understand the role of the corporation and its relationship with the municipality and invite members of the present board designate to this meeting to be on hand to answer any of

Council's queries.

5.3 **Memo 2024-M-081 re Sale of Land By-law** 63

Draft Motion:

BE IT RESOLVED THAT Council of the Municipality of Temagami receives memo 2024-M-081;

AND FURTHER THAT the Council direct staff to draft an updated Sale of Land By-law for Council's consideration, based upon the information discussed at the April 25, 2024 Working Session of Council.

6. **CORRESPONDENCE**

7. **UNFINISHED BUSINESS**

7.1 **By-law 24-1734 to appoint a Municipal Clerk** 67

Draft Motion:

BE IT RESOLVED THAT By-law 24-1734, being a by-law to appoint a Clerk for the Corporation of the Municipality of Temagami be taken as read a first, second, and third time and finally passed this 25th day of April 2024;

AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

8. **NEW BUSINESS**

9. **NOTICE OF MOTION**

10. **QUESTIONS FROM PUBLIC - ITEMS ON THE AGENDA**

11. **CONFIRMATION BY-LAW**

11.1 **24-1735 - Confirmation By-law for April 25, 2024** 68

Draft Motion:

BE IT RESOLVED THAT By-law 24-1735, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Temagami, be taken as read a first, second and third time and finally passed this 25th day of April 2024;

AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

12. **ADJOURNMENT**

Draft Motion:

BE IT RESOLVED THAT this Council Working Session dated April 25, 2024 adjourn at __:__ p.m.



Temagami North Lagoon

April 25th, 2024

Historical Background – Why Ecofixe?

- Temagami has seen some population growth
 - Temagami North WWTP is reaching its treatment capacity
 - Lagoon discharges to Net Lake which feed into Cassels Lake
 - Treating ammonia in cold water is a challenge
 - Capital investment for treatment option is costly

Amended ECA Process

- Same process as ECA:
 - Fill out ECA application
 - Provide supporting documents
 - Pay ECA application fee
 - Obtain approval

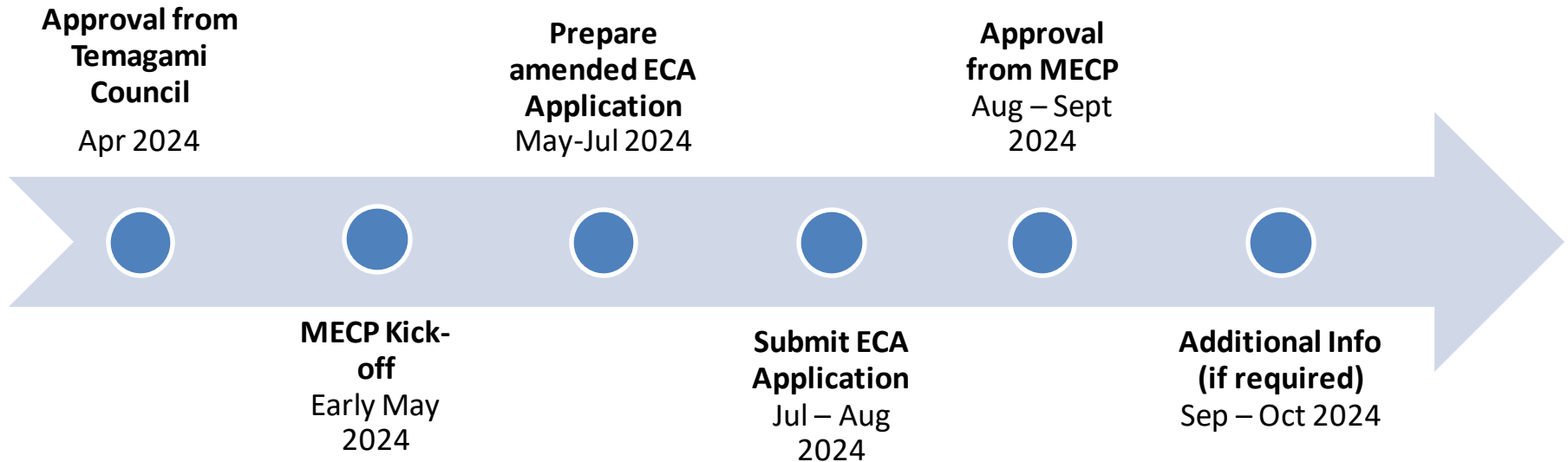
Required Documents for Amended ECA:

- ECA Application form
- Project description
- Executive summary of the material required
- Maps, plans and drawings

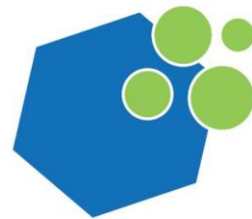
OCWA's Support:

- Preparation of documents including:
 - ECA application form
 - Project description report (PDR)
 - Executive summary of the material required
 - Site map to indicate installation
- Assist in collecting required drawings:
 - Ecofixe drawings
 - Revise Site Plan drawings
- Develop ECA amendment schedule:
 - Schedule kick-off meeting with MECP
 - Updates to Temagami Lagoon team on ECA amendment application
 - Obtain amended ECA before expiry of Pilot Approval (expires Dec 31st, 2024)

Timeline



Temagami North Presentation



Technologies
ECOFIXE



ONTARIO CLEAN WATER AGENCY
AGENCE ONTARIENNE DES EAUX

ECOFIXE

For over 10 years Technologies Ecofixe has offered simple and modular wastewater solutions to help customers improve effluent quality and treatment capacity while minimizing cost, additional infrastructure requirements, and ecological impacts.



Ontario Clean Water Agency



***Giving a 2nd life to
Wastewater
Treatment Plants***

ECOFIXE

Specifically designed for organic load removal



Both solutions can be combined in a single installation

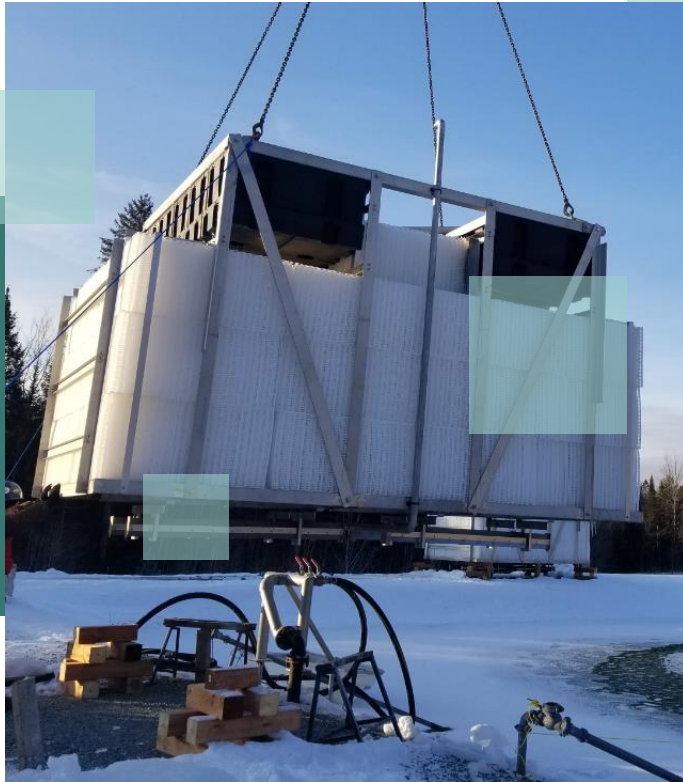


Year-round ammonia removal, even in cold water

BIOFIXE

Specifically designed for ammonia removal

Solutions



95%

Organic load removal capacity of
the ECOFIXE module

Concentration of module effluent
down to $\leq 5 \text{ mg/L}$

ECOFIXE Performance

BIOFIXE Performance

98%

Ammonia removal capacity of
the BIOFIXE module

Module effluent concentrations
down to ≤ 1 mg/L summer and
winter





How it works

ECOFIXE and BIOFIXE are modular biological reactors **submerged directly** into the aerated lagoons or other bioreactors.

Depending on the application approach ECOFIXE and BIOFIXE are **FBBR** or **IFAS** systems.

O&M

Triple-Use Aeration system:

Provides aeration to the biomass

Creates an Action Zone:

Developing Biomass on the media is partially released creating a larger colonization zone. The result allows for successful wastewater treatment beyond the modules. No forced direction

Easy Maintenance

Every 4-6 weeks, the operator redirects air pressure to the open aerators to clean the media. The operator then repeats this to the remaining modules.





Temagami North Project Overview

Project Details

Sponsorship through
Innovative Solutions Canada

Investment: **\$571,500**

Installation completed in 1 week
Approved by MECP

Turnkey Project Included:

- 3 BIOFIXE modules
- New 7.5 HP Blower
- Transportation, Assembly, Installation, Training and Support



Installation - July 2022

Temagami, ON

Population: 1000 residents

Average Daily Flow: 390 m³/d

Goal: Optimize the plant and treat TAN year-round

Environmental Advantages

ADVANTAGES

- **No** Chemicals or Consumables
- **No** Replacement Parts
- **Will Not Degrade**
 - Performance or Modules
- **New** High-Efficiency Blower

EVEN MORE!

- HDPE made with partially recycled plastics
- Stainless steel frame
- All elements are 100% recyclable
- Faster treatment recovery during extreme weather events

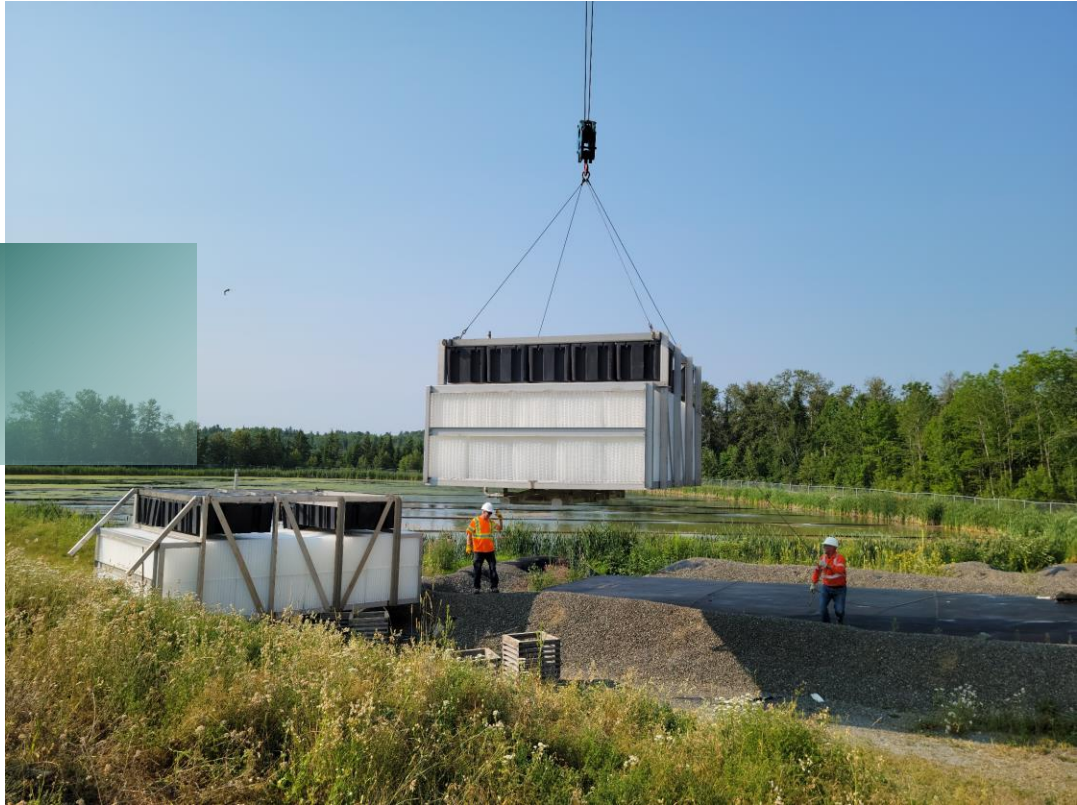


Operations Advantage



Maintenance

- **Set-It and Forget-It**
- Lasts the lifetime of the WWTP
- No new infrastructure required
- Modular system provides flexibility
 - Fast and easy to assemble
 - Operational in weeks
 - Add additional Modules over time
- Maintains optimal performance
 - Preventative monthly activity to increase aeration through on-shore blower



Operations Advantage

Annual O&M cost estimates

Description	Cost
Modules maintenance time	\$975
Electricity (module only)	\$6,625
Blower filter	\$350
Total	\$7,950

Temagami North WWTP

BIOFIXE Annual Summary

A few water treatment concepts

Three majors contaminants

Organic load (BOD5): Organic substances in the water that consume oxygen.

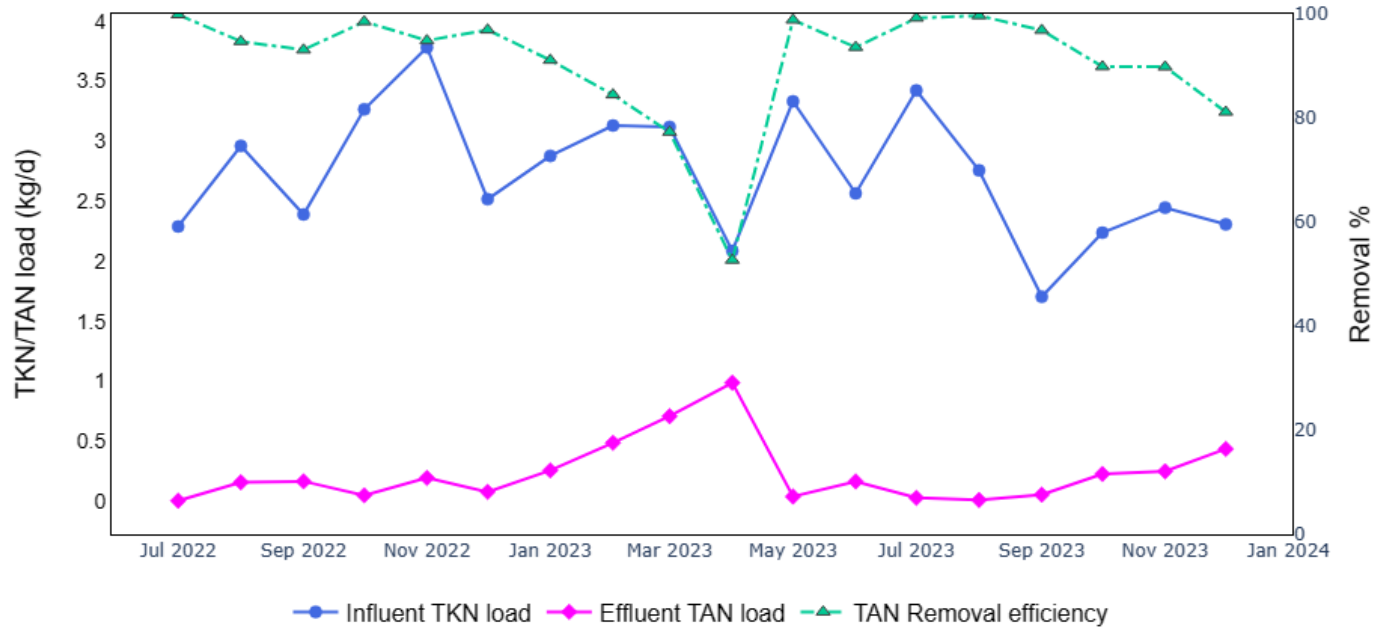
Total Ammonia Nitrogen (TAN): the nitrogen form that atrophies water

Total Suspended Solid: Solid particles that cloud water.



TAN Removal Efficiency

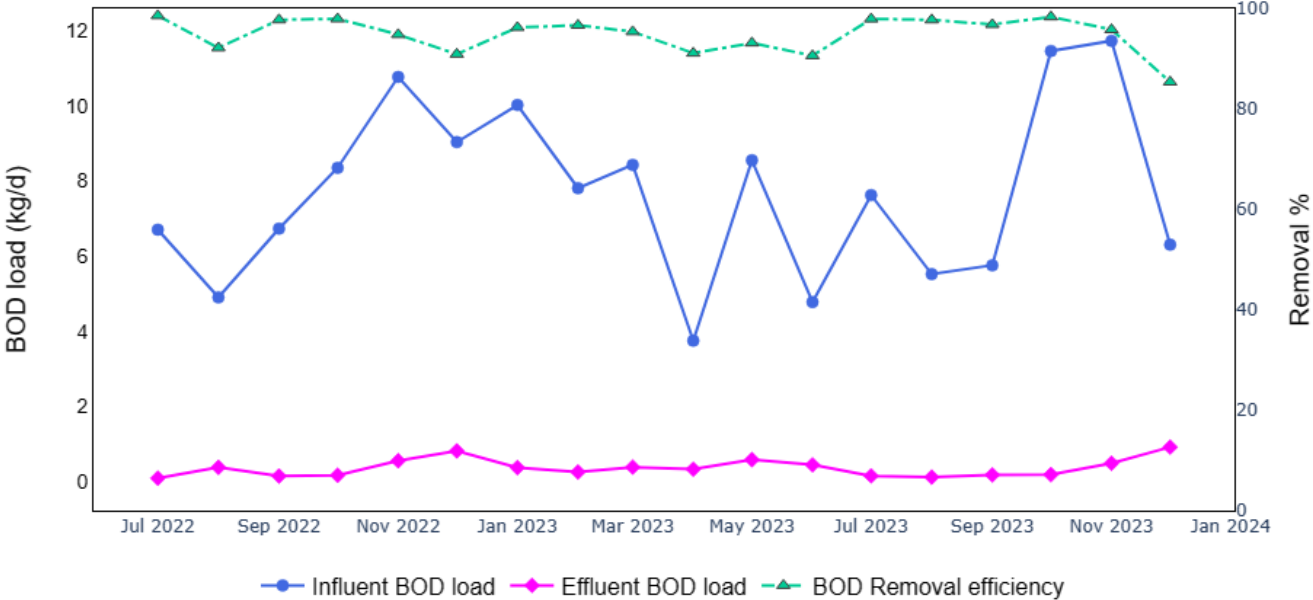
Temagami WWTP Monthly TAN removal efficiency



92.5%
Average
TAN Removal

BOD5 Removal Efficiency

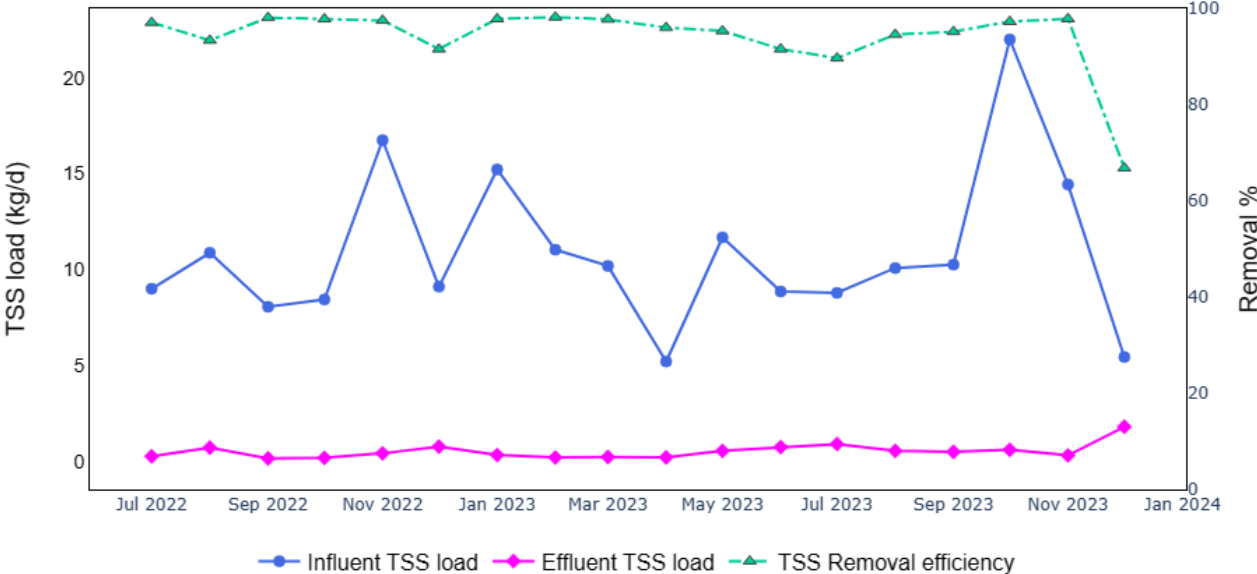
Temagami WWTP Monthly BOD removal efficiency



93%
Average
BOD5
Removal

TSS Removal

Temagami WWTP Monthly TSS removal efficiency



90%
Average on
TSS removal

ECOFIXE modules are not designed for TSS removal but have a measurable positive impact on this parameter.



Temagami North Next Steps

Temagami North WWTP

- Temagami Council approval
- Amendment to ECA
- Power supply upgrade
- High-efficiency blower connection



Why should you preserve modules in your facility?

- Community owns the equipment
- Modules provide a significant capacity increase for the future need
- Modules require very low OPEX
- Temagami North is a role model for all small communities facing similar challenges



Thanks

Regan Smith

Ecofixe Technologies

P. 514-581-5576

Email: rsmith@ecofixe.com

Do you have a project?

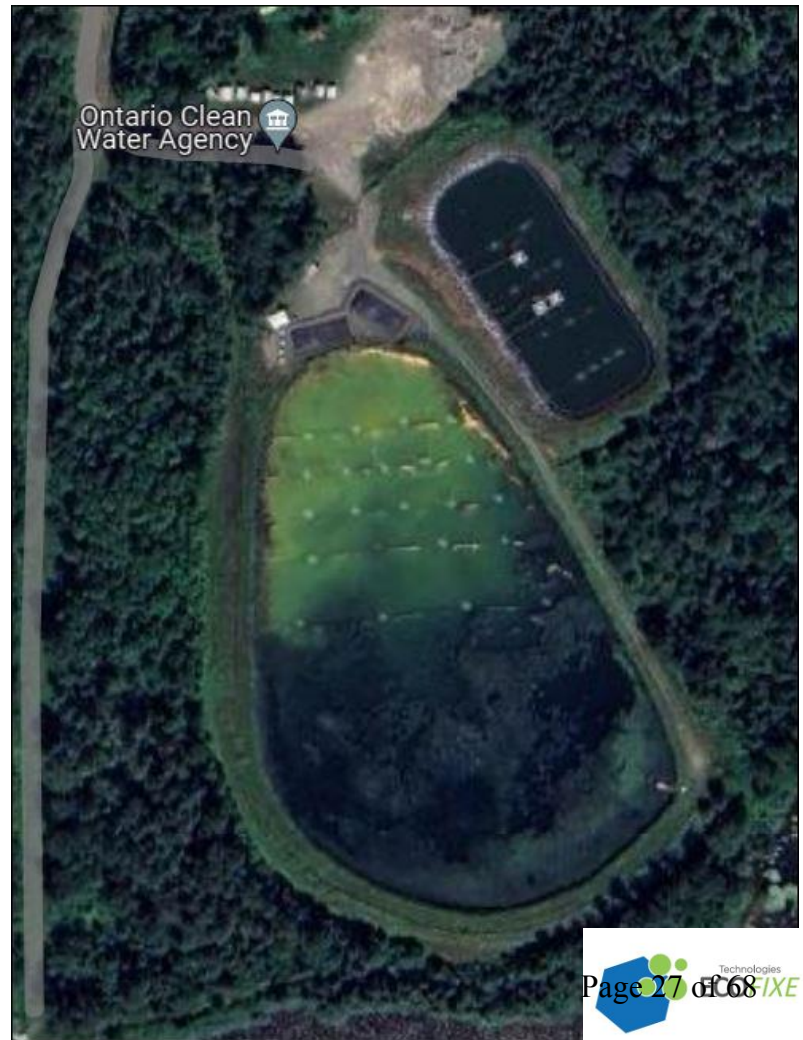
Contact us for more information

www.ecofixe.com



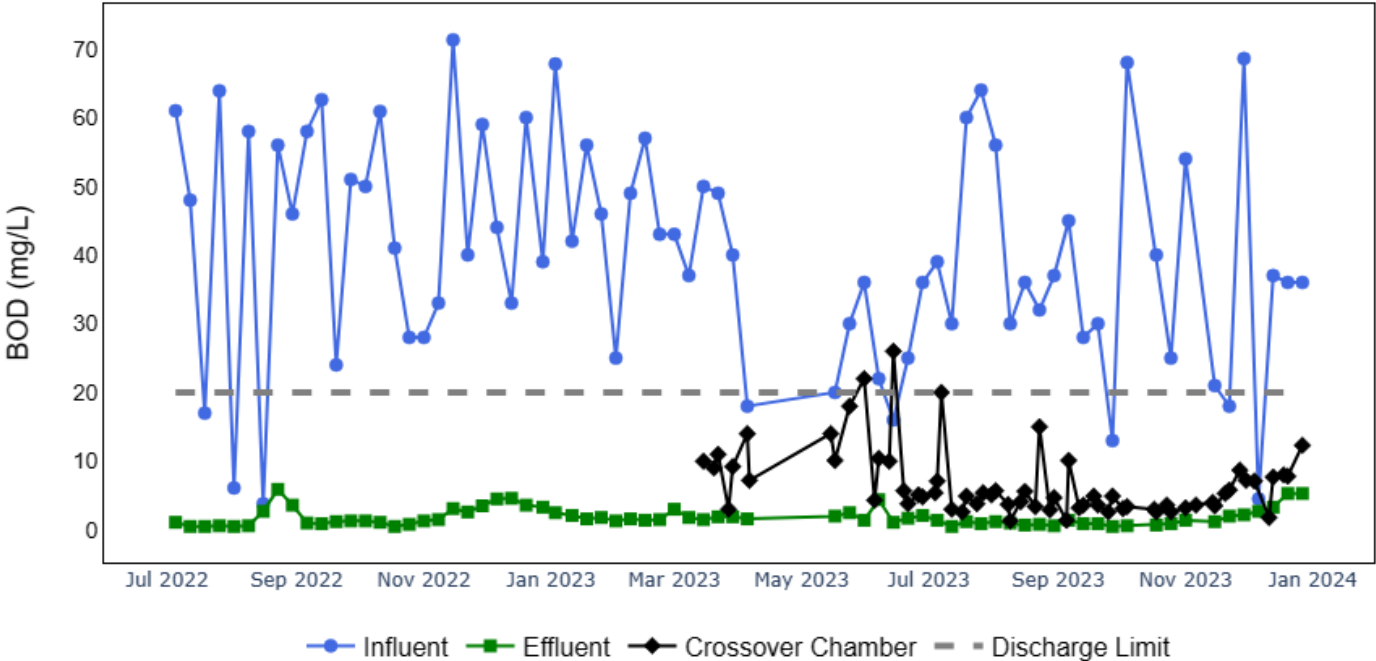
Performance Review

Opportunity: Increase the treatment capacity of the existing Wastewater Treatment Plant.



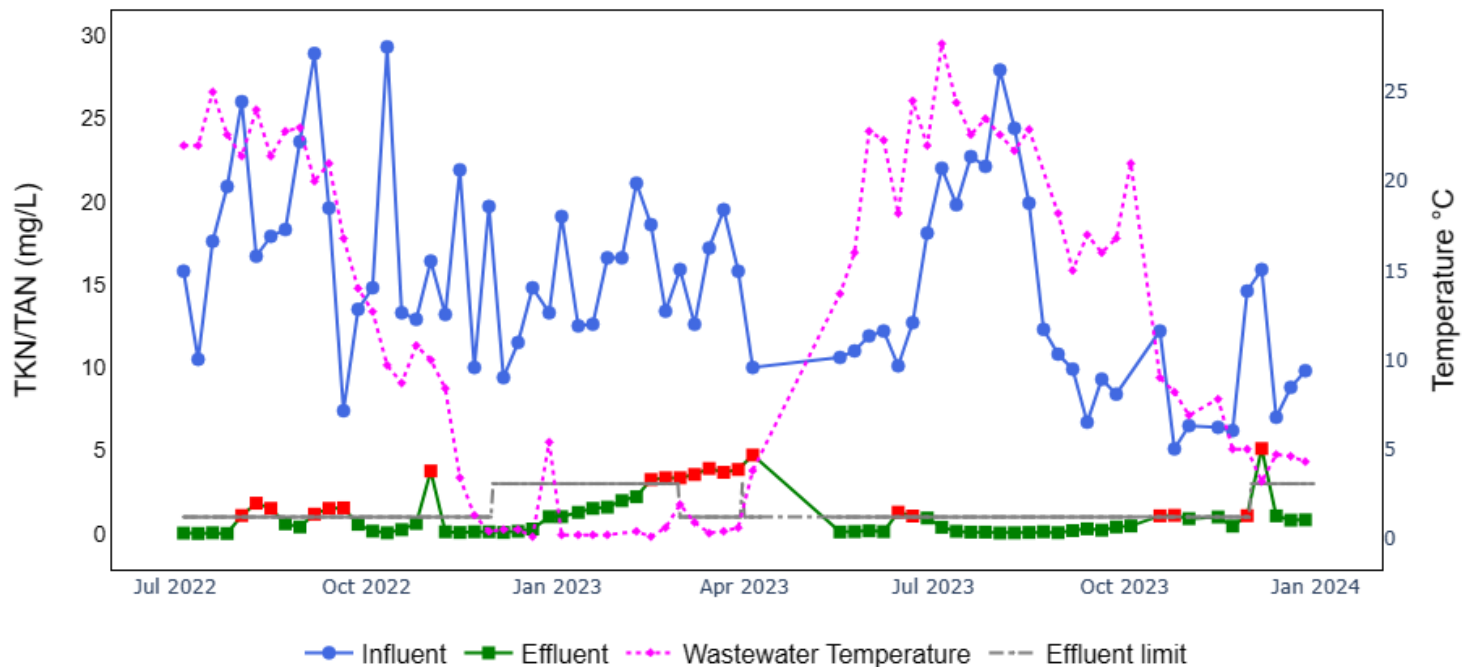
BOD Removal

Temagami WWTP BOD Removal Performance



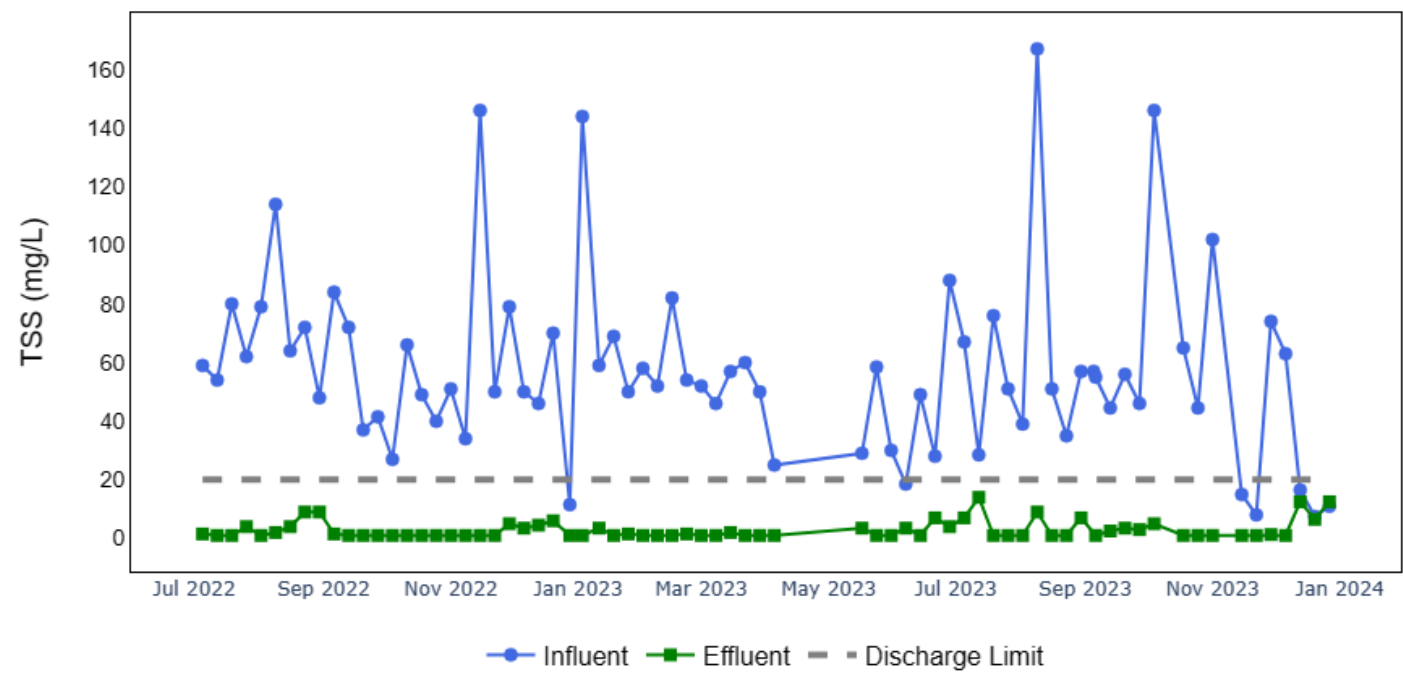
TAN Performance

Temagami WWTP TAN Removal Performance



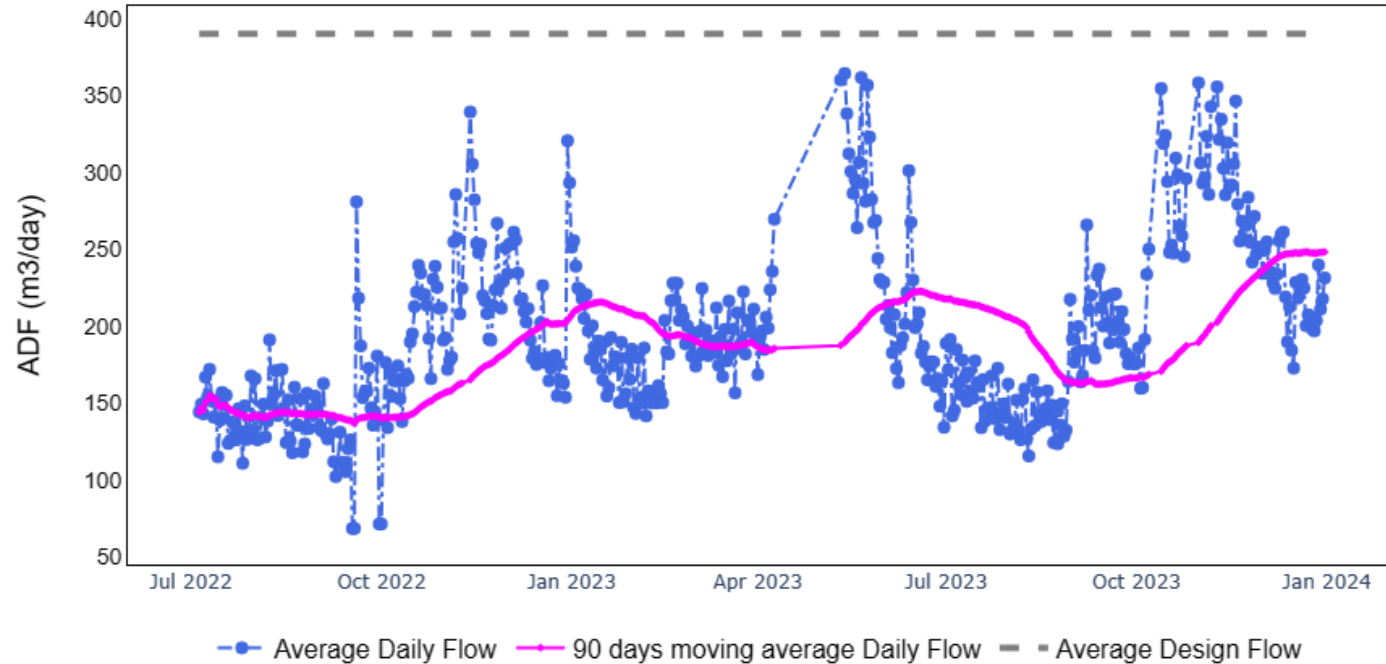
TSS Performance

Temagami WWTP TSS Removal Performance



Average Daily Flow (m³/d) ???

Temagami WWTP Average Daily Flow





Corporation of the Municipality of Temagami

Memo No.
2024-M-079

Memorandum to Council

Subject:	PHU-THU Merger
Agenda Date:	April 25, 2024
Attachments:	THU correspondence dated August 30, 2023 and February 29, 2024, and THU Board Minutes of January 31, 2024

RECOMMENDATION

BE IT RESOLVED THAT Council of the Municipality of Temagami receives memo 2024-M-079;

AND FURTHER THAT the Municipality of Temagami send a letter to the THU, with a copy to the Ministry of Health, to recommend that additional municipal representatives be included on the Board of the proposed merged Health Unit.

INFORMATION

On August 30, 2023, the Timiskaming Health Unit sent correspondence to Community Partners, including the Municipality of Temagami, to advise that the Porcupine Health Unit (PHU) and the Timiskaming Health Unit (THU) were moving towards a voluntary merger. A copy of that correspondence is attached for reference. At the April 11, 2024 Regular Council meeting, Council received an update from the THU (attached) and the minutes of the THU Board meeting of January 31, 2024. The minutes included an update on the merger with the following information:

Currently the THU has nine municipal representatives sitting on the board:

3 for the City of Temiskaming Shores

1 for the Towns and Latchford, the Municipality of Temagami, and Township of Coleman

1 for the Townships of Larder Lake, McGarry & Gauthier

1 for the Townships of Brethour, Harris, Harley & Casey, and the Village of Thornloe

1 for the Townships of Armstrong, Hudson, James, Kerns & Matachewan

1 for the Town of Kirkland Lake

1 for the Townships of Chamberlain, Charlton, Evanturel, Hilliard, Dack & the Town of Englehart

After the merger, the proposed representation on the board is three from the current THU. The Municipal representative for the Towns and Latchford, the Municipality of Temagami, and Township of Coleman is currently Councillor Carol Lowery from Temagami. Councillor Lowery has brought to Council's attention the concern over the significant reduction in municipal representation that this would bring about. Council may wish to submit a letter of objection to this reduction and propose a more suitable alternative.

Respectfully Submitted
Elaine Gunnell



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Kirkland Lake Tel.: 705-567-9355 Fax: 705-567-5476

www.timiskaminghu.com

Wednesday, August 30, 2023

Dear Community Partner,

To strengthen public health across the Northeast region, I am sharing that the Boards of Health for the Porcupine Health Unit (PHU) and for the Timiskaming Health Unit (THU) are moving towards a voluntary merger.

While several reports over many years have recommended a merger between our health units, recent events including the COVID-19 pandemic have confirmed the benefits of a merger to increase staff capacity to deliver local public health programming and to respond to surges and emergencies.

Programs and services will continue as is in local health unit offices in both regions during the merger.

Throughout this process, including pending final government approval, the PHU and the THU will reach out to you and your staff to ensure that our local voices and our strong connections are maintained as we continue to work together to promote the health and well-being of all of our communities in the Northeast.

Sincerely,

Dr. Glenn Corneil, MD, CFPC, FCFP
Acting Medical Officer of Health/CEO

PHU-THU Merger: Community Update

February 29, 2024

Together, the Porcupine Health Unit and the Timiskaming Health Unit strive for an efficient and effective integration of our public health units to strengthen public health in Northeastern Ontario. We are committed to transparent communication, fostering a positive and inclusive culture, and optimizing our resources to deliver resilient and responsive public health programs and services for the best possible health outcomes in the diverse communities we serve.

Porcupine Health Unit-Timiskaming Health Unit (PHU-THU) merger updates are expected to be shared quarterly with municipalities, First Nations communities, and community partners.

Questions or comments can be sent to [Rachelle Côté](#) or [Lori McCord](#).

Where are we now?



- Working on an application for the merger, as required by the Ministry of Health.
- Developing change management plans for staff and partners to help streamline this transition.
- Established an organizational structure for the merger integration team and created work plans to organize key projects and timelines.
- Members of the Board of Health (BOH) merger working group have been selected, with equal representation from both boards.

Communities and Public Health

- Merging the health units will increase efficiency and capacity to strengthen public health programs and services for all communities.
- There are many partnerships shared between PHU and THU. The health units will maintain these key partnerships to work together to continue to meet the needs of our communities.

Next steps

- Continuing to work on the merger application, which will be submitted by April 2nd to the Ministry of Health.
- The ministry has shared an approval process, and it is expected that final government approval will be received later this fall.
- Continuing to engage municipalities, First Nations communities, community partners, and the public to ensure this merger strengthens public health and local connections.

Messaging for your community members

- Programs and services will continue as is in local health unit offices in both regions during the merger process.

Strengthening public health in Northeastern Ontario

MINUTES

Timiskaming Health Unit Board of Health

Regular Meeting held on January 31, 2024 at 6:30 PM

NL Auditoriums / Microsoft Teams

1. The meeting was called to order at 6:30 p.m.

2. **ROLL CALL**

Board of Health Members

Stacy Wight	Chair, Municipal Appointee of Kirkland Lake (<i>video</i>)
Jesse Foley	Vice-Chair, Municipal Appointee for Temiskaming Shore
Mark Wilson	Municipal Appointee for Temiskaming Shores
Jeff Laferriere	Municipal Appointee for Temiskaming Shores
Curtis Arthur	Provincial Appointee
Carol Lowery	Municipal Appointee for Town of Cobalt, Town of Latchford, Municipality of Temagami, and Township of Coleman
Paul Kelly	Municipal Appointee for Township of Larder Lake, McGarry & Gauthier (<i>video</i>)
David Lowe	Provincial Appointee
Guy Godmaire	Municipal Representative for Township of Brethour, Harris, Harley & Casey, Village of Thornloe (<i>video</i>)
Steve McIntyre	Municipal Appointee for Township of Armstrong, Hudson, James, Kerns & Matachewan (<i>video</i>)
Casey Owens	Municipal Appointee for Town of Kirkland Lake (<i>video</i>)

Regrets

Gord Saunders	Municipal Appointee for Township of Chamberlain, Charlton, Evanurel, Hilliard, Dack & Town of Englehart
Cathy Dwyer	Provincial Appointee
Todd Steis	Provincial Appointee

Timiskaming Health Unit Staff Members

Dr. Glenn Corneil	Acting Medical Officer of Health/CEO
Randy Winters	Director of Corporate and Protection Services
Rachelle Cote	Executive Assistant

3. ELECTIONS OF OFFICERS/APPOINTMENT OF SUB-COMMITTEES

a. YEAR 2024 ELECTIONS OF OFFICERS

Motion #	Nominations for	Elected Officer(s)	Moved by	Seconded by
Motion #1R-2024	Board Chair:	Stacy Wight	Jeff Laferriere	Paul Kelly
Motion #2R-2024	Board Vice-Chair:	Jesse Foley	Jeff Laferriere	Mark Wilson
	Auditors:	Kemp, Elliott & Blair, Steve Aclands	Appointed as per Temiskaming Shores	
Motion #3R-2024	Signing Officers:	Stacy Wight Curtis Arthur Jesse Foley Dr. Glenn Corneil Randy Winters	Paul Kelly	David Lowe
Motion #4R-2024	Finance Sub-Committee:	Stacy Wight Cathy Dwyer Paul Kelly Curtis Arthur Dr. Glenn Corneil Randy Winters	Guy Godmaire	Carol Lowery
Motion #5R-2024	Policy/Procedure Sub-Committee:	Stacy Wight Jesse Foley Curtis Arthur Carol Lowery Dr. Glenn Corneil Randy Winters Rachelle Cote	Paul Kelly	Mark Wilson
Motion #6R-2024	Personnel/Grievance Sub-Committee:	Stacy Wight Carol Lowery Jesse Foley Steve McIntyre Dr. Glenn Corneil Randy Winters	Curtis Arthur	Casey Owens

CARRIED

4. APPROVAL OF AGENDA

MOTION #7R-2024

Moved by: Paul Kelly

Seconded by: Guy Godmaire

Be it resolved that the Board of Health adopts the agenda for its regular meeting held on January 31, 2024, as presented.

CARRIED

5. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

None.

6. **APPROVAL OF MINUTES**

MOTION #8R-2024

Moved by: Jeff Laferriere

Seconded by: Jesse Foley

Be it resolved that the Board of Health approves the minutes of its regular meeting held on December 6, 2023, as presented.

CARRIED

7. **BUSINESS ARISING**

None noted.

8. **2024 PUBLIC HEALTH BUDGET & RELATED PROGRAMS**

a. **2024 Budget Presentation and Discussion**

Mr. Winters presented the budget details for review and discussion.

b. **2024 Budget Program Breakdown**

A breakdown of budget items was presented for information.

MOTION #9R-2024

Moved by: Jeff Laferriere

Seconded by: Paul Kelly

Be it resolved that the Board of Health approves the 2024 Public Health and Related Budget as presented with a 5% or \$75,459 municipal levy increase and that a funding request be submitted for the Seniors Dental Program.

CARRIED

9. **REPORTS OF MOH/CEO**

Dr. Corneil updated the Board on recent program updates. Awaiting more information on the Ontario Public Health Standards (OPHS) review. Will keep the Board informed as ministry updates are shared.

10. **NEW BUSINESS**

a. **PHU-THU Merger Update and Briefing Note**

Dr. Corneil provided the following update:

- The briefing note issued to the ministry in September 2023 was shared for reference.
- Working on budget and merger application due to the ministry, April 2, 2024. The merger application consists of 3 areas; Board, Corporate and Services. Working on general costs over the next 3 years, 2024-2026. There are ministry incentives available for those that merge. Any cost savings as a result of the merger process will be kept by the new entity as directed by the ministry. An annual 1% provincial funding increase has also been confirmed for year 2024 to 2026.

- The PHU-THU working group developed a draft high level organizational structure which will be revisited once the next steps are completed.
- Working on roadmap, timelines and communication templates to keep the Board of Health, all staff and municipal partners informed. Looking to provide a roadmap model at the next meeting.
- The new entity is expected to formally take effect in January 2025. All health units are proceeding in different ways and rates. Nine other health units are apparently pairing or merging with two more sites per the ROMA Conference.
- MOH to provide an update to all staff tomorrow.
- The full Board may need to meet end of March to finalize/approve the merger application.

b. **PHU-THU Board Working Group Discussion**

Dr. Corneil and Chair Wight discussed the creation of a PHU-THU Board Working Group to perform the short-term work and discuss recommendations for the new entity. The discussions and recommendations will be shared and presented to the full Board of Health for further approval or direction required. The group is looking for both rural/urban geographical representation that will consist of an equal membership of (3) board members from each health unit, including the Chair and Medical Officers of Health. The draft Terms of Reference were read by Dr. Corneil.

Merger Board Working Group Membership:

Board members are to submit their interest to Chair Wight by February 5, 2024. The group will be determined by both Board Chairs. Looking to hold the first meeting next week.

MOTION #10R-2024

Moved by: Casey Owens

Seconded by: Jesse Foley

Be it resolved that the Timiskaming Board of Health approves the creation of the Board Merger Working Group, with the structure and process of membership as presented, and determined by Board Chairs Boileau and Chair Wight.

c. **AMO Presentation: Ending Homelessness**

Mr. Wilson shared an overview of recent presentations attended, Ending Homelessness, for information and awareness.

d. **alPha Winter Symposium**

MOTION #11R-2024

Moved by: Guy Godmaire

Seconded by: Steve McIntyre

Be it resolved that the Board of Health approves the virtual registration to the alPha Winter Symposium on February 16, 2024:

- Curtis Arthur

CARRIED

11. **CORRESPONDENCE**

MOTION #12R-2024

Moved by: Casey Owens

Seconded by: Carol Lowery

Be it resolved the Board of Health acknowledges receipt of the correspondence for information purposes.

CARRIED

12. **IN-CAMERA**

MOTION #13R-2024

Moved by: Paul Kelly

Seconded by: Steve McIntyre

Be it resolved the Board of Health agrees to move in-camera at 7:49 pm to discuss the following matter under section 239(2):

- In-Camera Minutes (December 6, 2023)

CARRIED

13. **RISE AND REPORT**

MOTION #14R-2024

Moved by: Jeff Laferriere

Seconded by: Steve McIntyre

Be it resolved the Board of Health agrees to rise with report at 7:51 pm.

CARRIED

a. **IN-CAMERA MINUTES – DECEMBER 6, 2023**

MOTION #1C-2024

Moved by: Jesse Foley

Seconded by: Guy Godmaire

Be it resolved the Board of Health approves the in-camera minutes of the regular Board meeting held on December 6, 2023.

CARRIED

14. **DATES OF NEXT MEETINGS**

The next Board of Health meeting will be held on March 6, 2024 at 6:30 pm in Englehart.

15. **ADJOURNMENT**

MOTION #15R-2024

Moved by: Casey Owens

Seconded by: Mark Wilson

Be it resolved that the Board of Health agrees to adjourn the regular meeting at 7:51 pm.

CARRIED

Stacy Wight, Board Chair

Rachelle Cote, Recorder

MINUTES

Timiskaming Health Unit Board of Health
Special Meeting held on March 25, 2024 at 4:30 P.M.
Microsoft Teams

1. The meeting was called to order at 4:30 pm.

2. **ROLL CALL**

Board of Health Members

Stacy Wight	Chair, Municipal Appointee of Kirkland Lake
Casey Owens	Municipal Appointee for Town of Kirkland Lake
Jeff Laferriere	Municipal Appointee for Temiskaming Shores
Curtis Arthur	Provincial Appointee
Guy Godmaire	Municipal Representative for Township of Brethour, Harris, Harley & Casey, Village of Thornloe
Steve McIntyre	Municipal Appointee for Township of Armstrong, Hudson, James, Kerns & Matachewan
Carol Lowery	Municipal Appointee for Town of Cobalt, Town of Latchford, Municipality of Temagami, and Township of Coleman
Paul Kelly	Municipal Appointee for Township of Larder Lake, McGarry & Gauthier
Cathy Dwyer	Provincial Appointee
Todd Steis	Provincial Appointee
David Lowe	Provincial Appointee

Regrets

Mark Wilson	Municipal Appointee for Temiskaming Shores
Gord Saunders	Municipal Appointee for Township of Chamberlain, Charlton, Evanturel, Hilliard, Dack & Town of Englehart
Jesse Foley	Vice-Chair, Municipal Appointee for Temiskaming Shores

Timiskaming Health Unit Staff Members

Dr. Glenn Corneil	Acting Medical Officer of Health/CEO
Randy Winters	Director of Corporate and Protection Services
Erin Cowan	Director of Strategic Services and Health Promotion
Rachelle Cote	Executive Assistant

3. **APPROVAL OF AGENDA**

MOTION #1S-2024

Moved by: Jeff Laferriere

Seconded by: Guy Godmaire

Be it resolved that the Board of Health adopts the agenda for its special meeting held on March 25, 2024, as presented.

CARRIED

4. **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE**

None.

5. **NEW BUSINESS**

a. **BOH Merger Working Group Minutes**

Minutes of February 27 were shared for information.

b. **Proposed Recommendations for Discussion**

i. **Board of Health Sub-Committee**

MOTION #2S-2024

Moved by: Paul Kelly

Seconded by: Casey Owens

Be it resolved that the Board of Health approves the creation of a Finance Board of Health sub-committee for the merged public health agency.

CARRIED

ii. **Formal Intent to Merge**

Dr. Corneil reaffirmed the benefits of voluntary merging with Porcupine Health Unit. After many meetings, discussions and planning, the PHU-THU will be submitting the merger application to the ministry on April 2, 2024, including the following motion:

MOTION #3S-2024

Moved by: Guy Godmaire

Seconded by: Casey Owens

WHEREAS the Boards of Health for the Porcupine Health Unit and the Timiskaming Health Unit have long recognized the opportunity to strengthen local public health across the combined region through a voluntary merger with funding from the Ministry of Health and direction from the Boards of Health to move forward exploring this since 2020; and,

WHEREAS the Boards of Health for the Porcupine Health Unit and the Timiskaming Health Unit, each passed a resolution in October-November 2023 to direct their Medical Officers of Health/Chief Executive Officers (MOH/CEOs) to work towards a voluntary merger between the Porcupine and Timiskaming Health Units; and,

WHEREAS the Boards of Health for the Porcupine Health Unit and the Timiskaming Health Unit do not support discussions nor work towards mergers beyond these two health units; and,

WHEREAS the MOH/CEOs for the Porcupine Health Unit and the Timiskaming Health Unit have since undertaken a process of collaboration, negotiation, and joint engagement, along with the Porcupine Health Unit and the Timiskaming Health Unit

Boards of Health and senior management teams to pursue this merger with the development of the required Ministry of Health Voluntary Merger Business Case; and,

THEREFORE, BE IT RESOLVED THAT the Board of Health for the Porcupine Health Unit and the Timiskaming Health Unit agrees to voluntarily merge to strengthen public health across their combined region, subject to the following conditions:

- a. The Government approves the intended merger; and,
- b. The Government commits to providing adequate and appropriate funding to the Porcupine Health Unit and the Timiskaming Health Unit to support the intended merger, including transition costs and business continuity funding.

FURTHERMORE, that the Boards of Health authorize the MOH/CEO to forward a copy of this resolution to the Ministry of Health;

AND FURTHER, that the Boards of Health authorize the MOH/CEO to forward the Voluntary Merger Business Case to the Ministry no later than April 2, 2024, fully signed by the MOH/CEOs and Board Chairs for the Porcupine Health Unit and the Timiskaming Health Unit, confirming agreement on intent to merge Porcupine Health Unit and Timiskaming Health Unit, pending government approval.

CARRIED

iii. **Board of Health Composition**

A briefing note was shared for information. Dr. Corneil briefed the board on the discussions and criteria agreed on by the BOH Merger Working group. The proposed composition based on agreed principles, both geographical and population-based considerations was utilized to determine municipal representation.

Note: should any of the PHU grouping of municipal representation be modified, the THU motion will not be affected, if the changes are minor.

MOTION #45-2024

Moved by: Casey Owens

Seconded by: Curt Arthur

Be it resolved that the Board of Health approves the Board of Health composition for the merged local public health agency as presented.

CARRIED

Municipality	Current Health Unit Area	Number of Appointees (10)	Population Size
City of Timmins	Porcupine Health Unit	2	41,145
Temiskaming Shores	Timiskaming Health Unit	1	9,634
Kapuskasing	Porcupine Health Unit	1	8,057
Kirkland Lake	Timiskaming Health Unit	1	7,750
Cochrane and surrounding (Smooth Rock Falls,)	Porcupine Health Unit	1	6,608
Hearst and surrounding (Mattice Val Cote, Moonbeam, Val Rita Harty, Opatatika, Fauquier-Strickland, Hornepayne)	Porcupine Health Unit	1	8,885
Iroquois Falls and surrounding (Black River Matheson, Larder Lake, McGarry, Gauthier, Matachewan)	Porcupine Health Unit / Timiskaming Health Unit	1	8,733
Rural South (Charlton & Dack, Englehart, Chamberlain, Ewanturel, Armstrong, Bréthour, Casey, Cobalt, Coleman, Harley, Harris, Hilliard, Hudson, James, Kerns, Latchford, Temagami, Thornloe)	Timiskaming Health Unit	1	9,878
Moosonee (James Bay and Hudson Bay region)	Porcupine Health Unit	1	1,471

6. **DATES OF NEXT MEETING**

The next regular Board of Health meeting will be held on April 3, 2024 at 6:30 pm in New Liskeard.

7. **ADJOURNMENT**

MOTION #5S-2024

Moved by: Todd Steis

Seconded by: Guy Godmaire

Be it resolved that the Board of Health agrees to adjourn the special meeting at 5:26 pm.

CARRIED

Stacy Wight, Board Chair

Rachelle Cote, Recorder



Corporation of the Municipality of Temagami

Memo No.
2024-M-080

Memorandum to Council

Subject: Economic Development Memo

Agenda Date: **April 25, 2024**

Attachments: Bylaw of TREDCO v3 as of April 2, 2024 - final draft
TREDCO Financial Agreement with Municipality draft v4 April 2

RECOMMENDATION

BE IT RESOLVED That Council discuss the incorporation of the Temagami Region Economic Development Corporation via a special meeting in order to understand the role of the corporation and its relationship with the municipality and invite members of the present board designate to this meeting to be on hand to answer any of Council's queries.

INFORMATION

Tredcorp:

On April 11, 2024, Council deferred item 9.4, staff report 24-M-072 from the Economic Development Office, to the April 25, 2024 working session of Temagami Council in relation to the Temagami Region Economic Development Corporation incorporation.

Should Council wish to understand, in depth, these issues, it is my recommendation that Council discuss the incorporation of the Temagami Region Economic Development Corporation via a special meeting in order to understand the role of the corporation and it's relationship with the municipality and invite members of the present board designate to this meeting to be on hand to answer any of Council's queries.

Additionally, I recommend Council review the corporation's primary bylaw.

The Temagami Region Economic Development Corporation has a final draft of their incorporation bylaw and financial agreement with the municipality and are awaiting council approval to complete the legal incorporation progress. Both documents are attached to this report.

Respectfully submitted by
John Shymko
Economic Development Officer

BE IT ENACTED as a By-Law of the Temagami Regional Economic Development Corporation (hereinafter referred to as the “Corporation”) as follows:

1. INTERPRETATION

1.1 In this By-Law and all other By-Laws and resolutions of the Corporation, unless the context requires otherwise:

- a) “Act” means the *Not-for-Profit Corporations Act, 2010* and, where the context requires, includes the regulations made thereunder, as amended from time to time;
- b) “Board” means the Board of Directors of the Corporation;
- c) “By-Laws” means this By-Law and all other By-Laws of the Corporation as amended from time to time, and from time to time in force and effect;
- d) “Chair” means the chairperson of the Board;
- e) “Contract, documents, or any instruments in writing” as used herein shall include deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real and personal, immovable or movable, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignment of share, stocks, bonds, debentures, or other securities and all paper writings;
- f) “Corporation” means the corporation that has passed these by-laws under the *Act* or that is deemed to have passed these by-laws under the *Act*;
- g) “Director” means an individual occupying the position of Director of the Corporation by whatever name he or she is called;
- h) “Infrastructure” refers to the foundational elements and resources that facilitate business operations, enhance the social well-being of the population, and ensure a stable regulatory environment. This includes physical assets like roads, utilities, and telecommunications, as well as government programs and regulations that support and govern economic activities.
- i) “Member” means a Member of the Corporation. The Board of Directors shall constitute the members of the Corporation.
- j) “Officer” means an officer of the Corporation.
- k) “Working Groups” means groups established by the Corporation which shall contain at least one member of the Board who shall be Chair. Participants shall possess pertinent subject expertise and will develop Terms of Reference and a timetable for work progression. They will make recommendations to the Board of Directors for consideration.

1.2 In these By-Laws and in all other By-Laws of the Corporation hereafter passed unless the context otherwise requires, words importing the singular number of the masculine gender shall include the plural number or the feminine gender, as the case may be, and vice versa, and references to persons shall include firms and Corporations.

2. HEAD OFFICE

2.1 The Head Office of the Corporation shall be located in the Municipality of Temagami in the Province of Ontario at such location within the Municipality of Temagami as the Directors may determine from time to time.

3. SEVERABILITY AND PRECEDENCE

3.1 The invalidity or unenforceability of any provision of this By-law shall not affect the validity or enforceability of the remaining provisions of this By-law. If any of the provisions contained in the By-laws are inconsistent with those contained in the articles or the *Act*, the provisions contained in the articles or the *Act*, as the case may be, shall prevail.

4. SEAL

4.1 The seal, and impression whereof is stamped in the margin hereof, shall be the corporate seal of the Corporation in the form determined by the Board.

5. EXECUTION OF DOCUMENTS

5.1 Deeds, transfers, assignments, contracts, obligations and other instruments in writing requiring execution by the Corporation may be signed by any two of its Officers or Directors. In addition, the Board may from time to time direct the manner in which and the person by whom a particular document or type of document shall be executed. Any person authorized to sign any document may affix the corporate seal, if any, to the document. Any Director or Officer may certify a copy of any instrument, resolution, By-law or other document of the Corporation to be a true copy thereof.

6. CORPORATION OBJECTIVES

6.1 The Corporation shall work to:

- create a stimulating economic environment for residents, businesses and visitors to the region.
- support the growth and sustainability of existing businesses while actively seeking and taking action toward additional opportunities.
- facilitate an infrastructure that supports economic development consistent with the region's strategic vision.
- pursue development initiatives that do not detract from ecological sustainability and are respectful of the rights, traditions and values of indigenous and non-indigenous communities.
- establish and nurture productive relationships with key government ministries at both the federal and provincial levels to advance the Corporation's objectives.
- engage in a collaborative and respectful partnership with all neighbouring communities in order to achieve mutually beneficial outcomes for all stakeholders.
- prioritize effective community communication to ensure the Corporation solicits ideas from and remains responsive to the evolving needs and aspirations of our communities.
- actively celebrate, preserve and showcase our region's rich culture, heritage, and lifestyle.
- promote and enhance the visibility and recognition of Temagami's unique cultural, historical and natural assets and identity.
 - *Innovation – Stewardship – Partnership – Growth – Prosperity*

6.2 Regional Economic Development Strategic Plan

Through a stakeholder consultation process, and with regard to the laws and mores of the region, Directors of the Corporation will begin to identify the Temagami of the future and, following the objectives of the Corporation, the steps required to unlock the potential of this very special area.

6.3 Regional Annual Economic Development Plan

Directors of the Corporation will develop an annual plan of activities and a companion budget that will respond to stakeholder interests that have demonstrated potential of economic benefit. The annual plan will be structured to contribute to the progressive achievement of the Strategic Plan.

7. BOARD OF DIRECTORS

7.1 Affairs

The affairs of the Corporation shall be managed by a Board of no less than five and no more than fourteen Directors. The Mayor of the Municipality of Temagami or a delegate from the Municipality of Temagami appointed by the Mayor is an ex-officio non-voting Member of the Board. The initial Directors will be appointed by the Municipality of Temagami. Each Director elected subsequent to the initial Directors shall be elected by the Directors of the Corporation.

7.2 Qualifications of Directors

No person shall be eligible for election or appointment as a Director if they:

- (a) are less than eighteen (18) years of age
- (b) have the status of bankrupt
- (c) have been found under the *Substitute Decisions Act, 1992*, or under the *Mental Health Act* to be incapable of managing property
- (d) have been found to be incapable by any court in Canada or elsewhere

Those appointed as the first Directors of the Board and thereafter shall be recruited from individuals having experience and specialized knowledge beneficial to the Corporation, and/or who operate businesses, and/or who pay taxes within the region.

7.3 Conflict of Interest

A Director who is a party to a material contract or transaction or proposed material contract or transaction with the Corporation or is a Director or officer of, or has a material interest in, any person who is a party to a material contract or transaction or proposed material contract or transaction with the Corporation shall make the disclosure required by the Act. Except as provided by the Act, no such Director shall attend any part of a meeting of Directors during which the contract or transaction is discussed or vote on any resolution to approve any such contract or transaction.

The Board of Directors, Officer(s), Manager(s), Employee(s) or Members of any Committee or Working Group established by the Corporation are required to notify the Chair (in the case of the Chair, must

notify the Vice-Chair of the Board) of any conflict of interest (as defined by the Municipal Conflict of Interest Act) or any matter coming to their attention where preferential consideration may accrue towards themselves, their immediate families and/or employers and employees through actions of the Corporation. This disclosure may result in a recusal of vote without further discussion.

7.4 Term of Office

Directors shall hold office for a term not to exceed three (3) years and shall not serve more than two (2) years consecutively. Notwithstanding this, the initial terms of Directors shall be staggered so that one-third of the Directors would have their term expire at the end of any given year. Directors shall be eligible for reappointment or re-election as the case may be, after a two-year absence from the Board for successive terms not to exceed six years in total.

7.5 Removal of Director

The Board may remove a Director before the expiration of their term if:

- (a) the Director has failed to maintain the confidentiality of any and all information, discussions or proceedings at in-camera meetings of the Board or its committees;
- (b) the Director has failed to comply with the provisions of declaring a conflict of interest;
- (c) the Director has knowingly failed to comply with the Act, Board policies, or any other policies applicable;
- (d) the Director has failed to attend meetings;
- (e) the Director has neglected or refused to participate or contribute to effective discussion and decision-making of the Board;
- (f) the Director has adversely affected the reputation or operations of the Board; or
- (g) in the opinion of the Board, the behavior of the Director is so egregious or disruptive that they require removal.

The Members of the Corporation may, by ordinary resolution at a special meeting, remove from office any Director or Directors, except persons who are Directors by virtue of their office.

7.6 Vacancies

A vacancy on the Board shall be filled as follows, and the Director appointed or elected to fill the vacancy holds office for the remainder of the unexpired term of the Director's predecessor:

- (a) A quorum of Directors may fill a vacancy among the Directors by an ordinary resolution;
- (b) If there is not a quorum of Directors or if there has been a failure to elect the number or minimum number of Directors provided for in the articles, the Directors then in office shall without delay call a special meeting of the Members to fill the vacancy and, if they fail to call a meeting or if there are no Directors then in office, the meeting may be called by any Member.

7.7 Powers

The Board of Directors may administer the affairs of the Corporation in all things and make or cause to be made for the Corporation, in its name, any kind of contract which the Corporation may lawfully enter into and, save as hereinafter provided, generally, may exercise all such other powers and do all such other acts and things as the Corporation is by its charter or otherwise authorized to exercise.

The Board of Directors is expressly empowered to seek private sector and government sponsorships, grants and partnerships and to collect and distribute assets, both financially and in kind, in the name of the Corporation and its Objectives.

7.8 Remuneration

The Directors shall serve as such without remuneration and no Director shall directly or indirectly receive any profit from their position as such provided that Directors may be paid reasonable preauthorized expenses incurred by them in the performance of their duties.

7.9 Duties

The Directors of the Corporation shall be responsible for the achievement of the Corporation Objectives of the Corporation, for the co-ordination of the work and definition and implementation of the policies and directives of the Corporation, and for ensuring that all books and records of the Corporation required by this By-Law or by any applicable law are regularly and properly kept and subject to independent audit as may be determined advisable. The Directors shall ensure that funds of the Corporation are accounted for and shall ensure that minutes of meetings of the Corporation are maintained and will use Corporation resources responsibly and for the intended purposes. The Directors shall ensure compliance with all applicable laws, regulations, and Corporation policies and procedures.

7.10 Confidentiality

Every Director, Member, Officer, employee, member(s) of Working Group(s) or agent(s) of the Corporation shall respect the confidentiality of matters brought before the Board of Directors, or brought before any Working Group.

The Board of Directors may give authority to one or more Directors or Officers of the Corporation to make statements about matters brought before the Board.

8. MEETINGS OF THE BOARD

8.1 Calling of Meetings

Meetings of the Directors may be called by the Chair, president or any two Directors at any time and any place on notice as required by this By-law, provided that, for the first organizational meeting following incorporation, an incorporator or a Director may call the first meeting of the Directors by giving not less than five days' notice to each Director, stating the time and, if applicable, the place of the meeting.

8.2 Regular Meetings

The Board may fix the place, if applicable, and time of regular Board meetings and send a copy of the resolution fixing the place, if applicable, and time of such meetings to each Director, and no other notice shall be required for any such meetings.

8.3 Special Meetings

The Directors may call a special meeting of the Members. The Board shall call a special meeting on written requisition of the Members who hold at least 10 per cent of votes that may be cast at the meeting sought to be held within 21 days after receiving the requisition unless the *Act* provides otherwise.

8.4 Notice

Except as otherwise required by law, the Board of Directors may hold its meetings at such place or places as it may determine from time to time, including virtual platforms. No formal notice of any such meeting shall be necessary if the majority of the Directors are present, or if those absent have signified their consent to the meeting being held in their absence or reasonable efforts have been made to solicit their consent.

Board of Directors' meetings may be formally called by the Chair or Vice-Chair, or by the Secretary or Treasurer on direction of the Chair or Vice-Chair, or by the Secretary-Treasurer on direction in writing of two Directors. Notice of such meetings shall be delivered, telephoned, forwarded by facsimile transmission or e-mailed to each Director not less than one day (24 hours) before the meeting is to take place or shall be mailed to each Director not less than five days before the meeting is to take place. The statutory declaring of the Secretary and/or Secretary Treasurer or Chair that notice has been given pursuant to this By-Law shall be sufficient and conclusive evidence of the giving of such notice.

The Board of Directors may appoint a day or days in any month or months for regular meetings at an hour to be named and of such regular meeting no notice need be sent. A Board of Directors' meeting may also be held, without notice, immediately following the annual meeting of the Corporation. The Directors may consider or transact any business either special or general at any meeting of the Board. No errors or omission in giving such notice for a meeting of Directors shall invalidate such meeting or invalidate or make void any proceedings taken or had at such meeting and any Directors may at any time waive notice of any such meeting and may ratify and approve of any or all proceedings taken or had thereat.

Any meetings of the Corporation or of the Directors may be adjourned at any time and from time to time and such business may be transacted at such adjourned meetings as might have been transacted at the original meeting from which such adjournment took place. No notice shall be required of any such adjournment. Such adjournment may be made notwithstanding that no quorum is present.

8.5 Quorum

A majority (50% plus 1) of Directors shall form a quorum for the transactions of business of the Corporation. If a quorum is present at the beginning of a meeting of the Members, the Members

present may proceed with the business of the meeting, even if a quorum is not present throughout the meeting.

8.6 Electronic Participation in Meetings

Directors and committee members may participate in meetings of the Board or committees via electronic means, such as telephone or video conferencing, provided that:

- a) All participants can communicate with each other simultaneously and effectively.
- b) The electronic platform used for the meeting allows for the verification of participants' identities and maintains the confidentiality of the meeting's proceedings.
- c) The Board or committee chair approves the use of electronic participation for the specific meeting.

8.7 Votes

Decisions are to be made in the form of a resolution duly made and seconded and voted on. Unless a recorded vote is requested, votes cast will be by show of hands for or against. Any Director can request a vote be recorded up to the point where the next item on the agenda introduced. If requested, Directors shall be called in alphabetical order by the Secretary and/or Secretary-Treasurer except the meeting's Chair, who shall vote last. After a recorded vote, or a show of hands, as the case may be, the meeting's Chair shall declare the motion carried or defeated. The numbers voting for or against a particular motion need not be recorded in the minutes.

8.8 Meeting Chair

Meetings shall be Chaired by the Chairperson. In the Chair's absence, the Vice-Chair shall assume the duties of the Chair. Should both the Chair and the Vice-Chair be absent, a Director will be appointed from the Directors present to Chair the meeting.

8.9 Annual Meeting

The annual meeting shall be held on a day and at a place within Ontario fixed by the Board. Any Member, upon request, shall be provided, not less than five business days or other number of days that may be further prescribed in regulations before the annual meeting, with a copy of the approved financial statements, auditor's report or review engagement report and other financial information required by the By-laws or articles.

The business transacted at the annual meeting shall include:

- a. receipt of the agenda;
- b. receipt of the minutes of the previous annual and subsequent special meetings;
- c. consideration of the financial statements;
- d. report of the auditor or person who has been appointed to conduct a review engagement;
- e. reappointment or new appointment of the auditor or a person to conduct a review engagement for the coming year;
- f. election of Directors; and
- g. such other or special business as may be set out in the notice of meeting.

No other item of business shall be included on the agenda for annual meeting unless a Member has given notice to the Corporation of any matter that the Member proposes to raise at the meeting in

accordance with the *Act*, so that such item of new business can be included in the notice of annual meeting.

Subject to the provisions of the articles, if any, a meeting of the Members may be held entirely by one or more telephonic or electronic means or by any combination of in-person attendance and by one or more telephonic or electronic means, and it must enable all persons entitled to attend the meeting to reasonably participate. A person who, through telephonic or electronic means, votes at or attends a meeting of the Members is deemed for the purposes of this Act to be present at the meeting.

9. COMMITTEES OF THE BOARD

9.1 Executive Committee

The Board of Directors may, but shall not be required to, elect an Executive Committee consisting of not fewer than three elected Directors and may delegate to the Executive Committee any powers of the Board, subject to such restrictions as may be imposed by the Board by resolution. The Executive Committee shall fix its quorum at not less than a majority of its Members. Any Executive Committee Member may be removed by a majority vote of the Board.

9.2 Committees of the Board

The Board of Directors retains the discretionary authority to constitute committees of the Board as deemed necessary to address specialized areas of focus or particular concerns. The Board shall designate a chairperson for each committee, who shall be accountable for a Terms of Reference, a timetable and shall be responsible for communicating the committee's undertakings and recommendations to the Board of Directors.

10. OFFICERS

10.1 Officers

The Board shall appoint, from among the Directors, a Chair and may appoint any other person to be president, treasurer and secretary at its first meeting. The office of treasurer and secretary may be held by the same person and may be known as the secretary-treasurer. The office of Chair and president may also be held by the same person. The Board may appoint such other Officers and agents as it deems necessary, and who shall have such authority and shall perform such duties as the Board may prescribe from time to time.

Specific duties of the Secretary and Treasurer position may be assisted by a non-voting staff member of either the Temagami Region Economic Development Corporation or the Municipality of Temagami, as delegated by the Board. The Economic Development Officer will be a non-voting Officer of the Corporation.

10.2 Term

The Officers shall hold office for one-year terms. There is a limit of three consecutive terms that they can be elected to hold that office.

10.3 Duties of the Chair

The Chair shall preside at all meetings of the Board of Directors of the Corporation. The Chair shall also be charged with the general management and supervision of affairs of the operations of the Corporation. The Chair, with the Secretary, shall sign all By-Laws and minutes.

10.4 Duties of the Vice-Chair

The Vice-Chair shall assume the duties of the Chair during the Chair's absence or inability to act.

10.5 Duties of the Secretary and Treasurer

The Secretary shall attend all meetings of the Board of Directors and see that a record of all votes and minutes of all proceedings are kept. They shall give or cause to be given all notices required by the By-Law or by the law to be given. They shall be the custodian of the seal of the Corporation and of all books, papers, records, correspondence, contracts and other documents belonging to the Corporation which they shall deliver up only when authorized by a resolution of the Board of Directors to do so and to such person or persons as may be named in the resolutions.

The Treasurer shall attend all meetings of the Board of Directors and shall have custody of the corporate funds and securities and shall keep full and accurate accounts of all receipts and disbursements of the Corporation in proper books of account and shall ensure deposit of all moneys or other valuable effects in the name and to the credit of the Corporation in such bank or banks as may from time to time be designated by the Board of Directors.

The Treasurer shall oversee the disbursement the funds of the Corporation under the direction of the Board of Directors, taking proper vouchers therefore and shall render to the Board of Directors at the regular meetings there of or whenever required of them, an account of all transactions as Secretary and Treasurer and of the financial position of the Corporation.

The Municipality of Temagami, and their municipal staff, shall also perform such other duties as may from time to time be determined by the Board of Directors.

Municipal staff of the Municipality of Temagami will be tasked with items under the supervision and direction of Board of Directors, specifically, but not exclusive to, the responsibilities of the Secretary and/or Treasurer.

The Directors shall see that all necessary books and records of the Corporation required by the By-laws of the Corporation or by any applicable statute or law are regularly and properly kept.

10.6 Duties of the President

The President shall be responsible for implementing the plans and policies of the Corporation and shall, subject to the authority of the Board, have general supervision of the affairs of the Corporation.

10.7 Other Officers

The Board of Directors can appoint other Officers as the need arises and will develop a summary of duties for any such appointment.

10.8 Return of Corporate Records and Property

In all cases of death, resignation, retirement or removal from office, an Officer shall return to the Head Office all books, papers, vouchers, money and other property of whatever kind in their position and control.

10.9 Signing Officers

The Chair, Vice-Chair and Secretary and Treasurer of the Corporation shall be charged with responsibility to sign documents on behalf of the Corporation. Typically, either the Chair or Vice-Chair will sign along with the Secretary.

10.10 Additional Signing Officer

In addition to the Chair, Vice-Chair, and Secretary and Treasurer, the Board may grant signing authority for bank accounts to the Treasurer and/or Deputy Treasurer of the Municipality, provided that Board oversight is present. Such signing authority shall be granted or removed through a resolution of the Board. The Economic Development Officer, if appointed as an Officer, may also be considered for signing authority as determined by the Board.

10.11 Economic Development Officer and Municipality of Temagami Staff

The Economic Development Officer shall refer to the professional responsible for planning, implementing, and overseeing day to day activities, strategies and initiatives aimed at fostering economic growth and prosperity on behalf of the Board. The Economic Development Officer, a non-voting Officer, and applicable municipal staff will be, from time to time, on loan from and paid for by the Municipality. The Economic Development Officer and staff will be guided by the restrictions of Corporation and shall be indemnified. There will be work as between the Board and municipal staff for completing various functions which shall be further outlined in an agreement between the Board and the Municipality of Temagami.

10.12 Reporting Duties

The Directors of the Corporation shall be responsible for financial reporting to the municipality on a biannual basis, and activity reporting on a quarterly basis.

They will also report as required to funders.

11. CODE OF CONDUCT

The Corporation is committed to providing and maintaining an environment that is based on respect for the dignity and rights of everyone. It is the Corporation's goal to provide a healthy and safe environment that is free from any form of harassment or violence. All people associated with the Corporation will refrain from personal harassment and conflict behaviour, including offensive remarks or other actions that may create intimidating, hostile or humiliating conditions.

In particular, all individuals associated with the Corporation shall:

- a) Act in the best interests of the Corporation and its stakeholders, avoiding conflicts of interest and disclosing any potential conflicts as they arise.

- b) Maintain the confidentiality of information obtained in the course of their duties, except when disclosure is authorized or legally required.
- c) Treat all individuals with respect, fairness, and dignity, fostering an environment free from harassment, discrimination, and violence.
- d) Comply with all applicable laws, regulations, and Corporation policies and procedures.
- e) Use Corporation resources responsibly and for the intended purposes
- f) not accept gifts of any kind.

12. FINANCIAL

12.1 Banking

The Board shall by resolution from time to time designate the bank in which the money, bonds or other securities of the Corporation shall be placed for safekeeping.

12.2 Financial Year

The Fiscal Year for the Corporation will be from January 1 to December 31 of any given year.

13. INDEMNIFICATION OF OFFICERS AND DIRECTORS

Upon approval by the Board from time to time, every Director and Officer of the Corporation and every member of a committee, or any other person who has undertaken, or is about to undertake, any liability on behalf of the Corporation or any corporation controlled by it, and the person's respective heirs, executors and administrators, and estate and effects, successors and assigns, shall from time to time and at all times, be indemnified and saved harmless out of the assets, if any, of the Corporation, and if needed may be supplemented or covered by the Board's insurance coverage referenced in article 14, or the municipality, from and against:

- (a) all costs, charges and expenses whatsoever which such Director, Officer, committee member or other person sustains or incurs in or in relation to any action, suit or proceeding which is brought, commenced or prosecuted against the Director, Officer, committee member or other person, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by them, in or in relation to the execution of the duties of such office or in respect of any such liability; and
- (b) all other costs, charges and expenses which the Director, Officer, committee member or other person sustains or incurs in or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by their own failure to act honestly and in good faith in the performance of the duties of office, or by other willful neglect or default.

The Corporation shall also, upon approval by the Board from time to time, indemnify any such person in such other circumstances as any legislation or law permit or requires. Nothing in this By-Law shall limit the right of any person entitled to indemnity to claim indemnity apart from the provisions of this By-Law to the extent permitted by any legislation or law.

Any modification or repeal of this indemnification provision shall not adversely affect any right or protection existing at the time of such modification or repeal. Indemnification under this section shall

not be exclusive of any other rights to which those indemnified may be entitled under any agreement, vote, or otherwise.

No Director, Officer or committee member of the Corporation is liable for the acts, neglects or defaults of any other Director, Officer, committee member or employee of the Corporation or for joining in any receipt or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by resolution of the Board or for or on behalf of the Corporation or for the insufficiency or deficiency of any security in or upon which any of the money of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or Corporation with whom or which any moneys, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in the execution of the duties of his or her respective office or trust provided that they have:

1. complied with the *Act* and the Corporation's articles and By-laws; and
2. exercised their powers and discharged their duties in accordance with the *Act*

14. INSURANCE

Upon approval by the Board and from time to time, the Corporation shall purchase and maintain insurance for the benefit of any Director, Officer or other person acting on behalf of the Corporation against any liability incurred in that person's capacity as a Director, Officer or other person acting on behalf of the Corporation, except where the liability relates to that person's failure to act honestly and in good faith.

The Corporation shall maintain Directors' and Officers' liability insurance to effectuate the indemnification provided herein, the premiums of which shall be paid from the funds of the Corporation or the Municipality of Temagami, as the case may be, and subject to any agreement between the Corporation and the Municipality of Temagami.

15. WINDING UP

Dissolution Process: In the event of the dissolution or winding-up of the Corporation, the Board shall follow a process that includes obtaining any necessary approvals or notifications as required by law or the Corporation's constating documents.

Disbursement of Assets: Upon the dissolution or winding-up of the Corporation, any funds and assets of the Corporation remaining after the satisfaction of its debts and liabilities shall be disbursed to the Municipality of Temagami.

16. AMENDMENTS OF BY-LAWS

The Board may from time to time, in accordance with the *Act*, amend or repeal and replace this By-law by a majority vote of the Board of Directors at a meeting.

Any and all changes to the By-Laws shall be included in the annual report to the Members and the Municipality of Temagami.

AGREEMENT made this _____ day of _____, 2024

Between:

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
(hereinafter referred to as the “Municipality”)

-and-

TEMAGAMI REGION ECONOMIC DEVELOPMENT CORPORATION
(hereinafter referred to as “TREDCO”)

WHEREAS the TREDCO was created under the *Not-for-Profit Corporations Act, 2010* (the “NFP Act”) and pursuant to the *Municipal Act, 2001* (the “Act”) for the purpose of advancing economic development activities for the region of the Municipality of Temagami;

AND WHEREAS the Municipality and TREDCO wish to maintain a working relationship together;

AND WHEREAS the Municipality wishes to continue delegating to TREDCO a responsibility for the delivery of economic development, promotion, entrepreneurship, and tourism services within the region of the Municipality of Temagami;

AND WHEREAS the Municipality will provide financial assistance and human resources to assist in the operation of the TREDCO;

NOW THEREFORE the parties agree as follows:

1.00 Governance

1.01 The TREDCO will be governed by its Board of Directors as provided for under TREDCO’s organizational by-law and the NFP Act.

1.02 The Municipality shall cooperate and assist the Board of Directors of TREDCO with accomplishing its economic development mandate, performance, obligations including potential extension of any grants or funding from FEDNOR or any other institution to support TREDCO.

2.00 TREDCO’s Objectives

2.01 The objectives of TREDCO include the following:

- create a stimulating economic environment for residents, businesses and visitors to the region;
- support the growth and sustainability of existing businesses while actively seeking and taking action toward additional opportunities;

- facilitate an infrastructure that supports economic development consistent with the region's strategic vision;
- pursue development initiatives that do not detract from ecological sustainability and are respectful of the rights, traditions and values of indigenous and non-indigenous communities;
- establish and nurture productive relationships with key government ministries at both the federal and provincial levels to advance the Corporation's objectives;
- engage in a collaborative and respectful partnership with all neighbouring communities in order to achieve mutually beneficial outcomes for all stakeholders;
- prioritize effective community communication to ensure the Corporation solicits ideas from and remains responsive to the evolving needs and aspirations of our communities;
- actively celebrate, preserve and showcase our region's rich culture, heritage and lifestyle; and
- promote and enhance the visibility and recognition of Temagami's unique cultural, historical and natural assets and identity.

3.00 Services to be provided by the TREDCO

- 3.01 The parties agree that the TREDCO shall act as an economic development organization for the region of the Municipality of Temagami and shall have the responsibility for the provision of economic development within the Municipality and surrounding region.
- 3.02 In carrying out its mandate, the TREDCO shall create a Regional Economic Development Strategic Plan and Annual Regional Economic Development Plans and Budgets.

4.00 Reporting and Accountability

- 4.01 The TREDCO shall be responsible for financial reporting to the Municipality on a biannual basis, and activity reporting on a quarterly basis.

5.00 Financial Arrangements

- 5.01 The TREDCO shall have a fiscal year end of December 31st.
- 5.02 The ongoing operation of TREDCO shall be funded by the Municipality as follows:
- i. support services to the TREDCO, with respect to finance, banking, accounting, payroll, human resources and purchasing. The following services included, but are not limited to:
 - Payroll
 - Accounting
 - Auditing
 - Insurance
 - Incidental and preapproved board member expenses

- Cooperation in funding applications
- Administration support

- 5.03 If, appropriate, the auditor for the Municipality shall be the auditor for the TREDCO.
- 5.04 The Municipality shall purchase the required insurance coverage for the TREDCO Board of Directors related to indemnification, liability insurance and D&O coverage, as recommended from time to time by a licensed insurance broker.
- 5.05 The Municipality commits to financing relevant corporate expenses through the utilization of a designated fund. The TREDCO, in turn, undertakes the responsibility to replenish said fund promptly upon realizing profitability and achieving financial autonomy. This obligation encompasses the timely and complete restoration of the fund to ensure its sustained availability for the coverage of future corporate expenditures. In the event of any delay or shortfall in replenishing the fund, the TREDCO agrees to promptly communicate such circumstances to the Municipality, providing a detailed explanation of the reasons for the delay and presenting a feasible plan for expeditious fund restoration. The TREDCO acknowledges the critical importance of maintaining financial transparency and fulfilling its commitment to fiscal responsibility in adherence to the terms stipulated herein.

Temagami Council approval is required for any municipal funding outside operational requirements.

6.00 General Provisions

- 6.01 Dispute Resolution Process. The Municipality and TREDCO will develop a process that ensures a fair and impartial resolution of conflicts between the parties.
- 6.02 Governing Law. This agreement shall be construed in accordance with and governed by the laws of the Province of Ontario.

The Corporation of the Municipality of Temagami

Mayor

Clerk

We have the authority to bind the Corporation.

The Temagami Region Economic Development Corporation

Chair

Secretary

We have the authority to bind the Corporation.



Corporation of the Municipality of Temagami

Memo No.
2024-M-081

Memorandum to Council

Subject:	Sale of Land By-law
Agenda Date:	April 25, 2024
Attachments:	Office Consolidated Copy of Current By-law 14-1171 as amended by 17-1734

RECOMMENDATION

BE IT RESOLVED THAT Council of the Municipality of Temagami receives memo 2024-M-081;

AND FURTHER THAT the Council direct staff to draft an updated Sale of Land By-law for Council's consideration, based upon the information discussed at the April 25, 2024 Working Session of Council.

INFORMATION

At the closed session meeting on Thursday, April 4, 2024, Council considered a potential sale of land and as a result requested staff to bring the current Sale of Land By-law to a working session of Council for review and further direction.

Respectfully Submitted
Elaine Gunnell

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BYLAW NUMBER 14-1171

Being a Bylaw to govern the disposal of real property of the Corporation of the Municipality of Temagami

Office Consolidated version, as amended by By-law 17-1374

WHEREAS Section 270 (1) of the Municipal Act S.O. 2001, C.25, as amended, requires a municipality to adopt and maintain policies with respect to its sale and other disposition of land;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it desirable to update its policy with respect to its sale and other disposition of land, as passed by By-law 03-549 on the 21st day of May, 2003;

AND WHEREAS on the 12th day of December 2013, Council passed resolution 13-583 to consider a by-law to adopt a new policy to govern the disposal of real property.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. Title

This by-law may be cited as the “real property disposal by-law”.

2. Definitions

For the purposes of this by-law:

- a. “Municipality” shall mean the Corporation of The Municipality of Temagami.
- b. “Disposal” shall mean the sale of real property or the lease of real property for a period of 21 years or longer.
- c. "real property" shall mean land (including land covered with water) and buildings, or any part of any building, and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land.

3. Disposal Process

Prior to the disposal of any and all real property, the Municipality shall take the following steps, as specified in the applicable sections of this by-law:

1. The property shall be declared surplus to the needs of the Municipality;
2. The Municipality shall obtain an Appraisal of the property;
3. The Disposal Method shall be determined;
4. Council shall approve the Disposal Price;
5. Public Notice shall be given;
6. Council shall pass a by-law to authorize the disposal of the property.

4. Surplus Lands

Prior to the disposal of any real property, the Council shall, by resolution passed at a meeting open to the public, declare the real property to be surplus.

5. Appraisals

Except for disposals of those classes of real property, or to those classes of public bodies exempted by the Municipal Act 2001, the Chief Administrative Officer shall, prior to the disposal of real property, determine the fair market value of the property. The fair market value may be determined based upon the assessed value provided by the Municipal Property Assessment Corporation (MPAC). If, in the opinion of Council, the MPAC value is not sufficiently accurate or current, an independent appraisal or opinion of value may be obtained for all classes of properties. Independent appraisals shall be valid for a period of five (5) years, unless determined otherwise by Council. *(This section amended by By-law 17-1374)*

6. Disposal Method

The municipality shall utilize one or more of the following methods of sale:

- a) Public Auction
- b) Tender Process
- c) Direct Negotiation
- d) Listing with a licensed realtor.

Where the Municipality chooses to list with a licensed realtor, the realtor shall be determined through a competitive process for purchasing services in accordance with the Municipality's purchasing by-law.

7. Disposal Price

When Municipal property is to be sold, or otherwise disposed of, the Council of the Corporation of the Municipality of Temagami shall approve the price, which shall normally be based upon the appraised value of the property, except as authorized by legislation. The Municipality also reserves the right to recover certain costs relating to the sale of surplus municipal lands from a proponent. These costs include, but are not limited to the appraisal, survey, notice, legal and general administration costs, unless such costs are waived in writing within the provisions of an offer to purchase.

Planning applications (i.e. for an Official Plan Amendment, Zoning By-law Amendment, etc.) shall be the responsibility of the proponent following the sale of the land, unless specifically provided for in the purchase and sale agreement.

8. Public Notice

- a) The Chief Administrative Officer shall ensure that the public notice of the disposal of real property shall be effected prior to the passage of the by-law approving the disposal of real property of the Municipality.
- b) Public Notice shall consist of the publication of a notice that the Municipality intends to enact a by-law to dispose of surplus real property, the description of said property, and the date of the meeting at which the by-law is to be considered. Said notice shall be published on the municipal website, bulletin board and in at least one newspaper with general circulation in the Municipality, a minimum of one week prior to the date of the Council meeting at which the by-law to dispose of the property is to be considered.
- c) Notwithstanding subsection (b), in the event that notice to the public is specified by statute, the Chief Administrative Officer shall ensure that notice in accordance with the provisions of the applicable statute be effected, in addition to the public notice required by this by-law.

9. Proceeds from Sales

All proceeds from the sale of municipal real property shall be allocated to the *Capital Project Reserve (capital asset sales)* in the year of the sale. Amounts in this reserve shall then be moved to an appropriate reserve or project as determined by Council in the budget process the following year.

10. Repeal Clause

Bylaw 03-549 is hereby repealed.

11. Changes

The Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

TAKEN AS READ a first time this 30th day of January, 2014.

READ a second and third time and finally passed this 30th day of January, 2014.

Mayor

Clerk

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 24-1734

Being a by-law to appoint a Clerk for the Corporation of the Municipality of Temagami.

WHEREAS under Section 9 of the Municipal Act, 2001, S.O., 2001, c.25, as amended, (the Act) 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 Section 8 (1) of Act provides for the powers of a municipality under this 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 228 the Act requires a municipality to appoint a Clerk and outlines the statutory obligations of that position;

AND WHEREAS Section 288 (3) of the Act provides that a Clerk is not required to be an employee of the Municipality;

AND WHEREAS since the Municipality of Temagami is currently in the process of hiring a Chief Administrative Officer and is undergoing an organization review, the Council of the Corporation of the Municipality of Temagami deems it desirable to appoint, on an interim basis, a Clerk who is not an employee of the Municipality of Temagami;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. THAT Elaine Gunnell is appointed Municipal Clerk for the Municipality of Temagami;
2. THAT section 2 of By-Law 23-1715 (to appoint a Municipal Clerk), is hereby repealed;
3. THAT the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
4. That this by-law shall take effect on the final passage thereof.

TAKEN AS READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF APRIL, 2024.

Mayor

Clerk

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 24-1735

Being a By-Law to confirm the proceedings of Council of the Corporation of the Municipality of Temagami

WHEREAS pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council; and

WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, shall be exercised by By-Law unless the municipality is specifically authorized to do otherwise; and

WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Temagami at this Session be confirmed and adopted by By-Law.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. **THAT** the actions of the Council of The Corporation of the Municipality of Temagami in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Municipality of Temagami, documents and transactions entered into during the April 25th, 2024 working meeting of Council are hereby adopted and confirmed, as if the same were expressly embodied in this By-Law.
2. **THAT** the Mayor and proper officials of The Corporation of the Municipality of Temagami are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Municipality of Temagami during the said meetings referred to in paragraph 1 of this By-Law.
3. **THAT** the Mayor and the Acting Administrator/Deputy Treasurer or Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-Law and to affix the Corporate Seal of The Corporation of the Municipality of Temagami to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 25th day of April, 2024.

Mayor

Clerk