



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
REGULAR COUNCIL MEETING  
AGENDA**

**Thursday, February 14, 2019, 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.

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**Pages**

1. **CALL TO ORDER AND ROLL CALL**
2. **ADOPTION OF THE AGENDA**  
Draft Motion:  
BE IT RESOLVED THAT the Regular Council Meeting Agenda dated February 14, 2109 be adopted as presented / amended.
3. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
4. **CLOSED SESSION**
5. **ADOPTION OF MINUTES**
  - 5.1 **19-01-24 - Open Session - January 24, 2019 at 6 - DRAFT Minutes** 1  
Draft Motion:  
BE IT RESOLVED THAT the Minutes of the Open Council Meeting held on January 24, 2019 at 6:00 p.m. be adopted as presented/amended.
  - 5.2 **19-01-24 - Regular Council Meeting January 24, 2019 - DRAFT Minutes** 2  
Draft Motion:  
BE IT RESOLVED THAT the Minutes of the Regular Council Meeting held on January 24, 2019 be adopted as presented/amended.
6. **BUSINESS ARISING FROM THE MINUTES**
7. **DELEGATIONS/ PRESENTATIONS**
  - 7.1 **Registered Delegations/ Presentations**
    1. **Carolyn Lowery - Community Schools Alliance delegation** 11  
Draft Motion:  
BE IT RESOLVED THAT Council receive the presentation from Carolyn Lowery.
    2. **Presentation from Montgomery Cummings regarding By-Law enforcement & 2018 Annual Building Report** 16  
Draft Motion:  
BE IT RESOLVED THAT Council receive the presentation from Monty Cummings, Chief Building Official and Zoning By-Law Enforcement Officer.

3.	<b>Presentation from Ike Laba regarding Proposed New Fishing Regulations</b>	24
	Draft Motion: BE IT RESOLVED THAT Council receive the presentation from Ike Laba.	
7.2	<b>Unregistered Presentations (Maximum 15 Minutes in Total- in accordance with rules in By-law)</b> <i>* 5 minutes per each presenter for a Maximum of 15 Minutes in total for all unregistered presentations*</i>	
8.	<b><u>CONSENT AGENDA ITEMS</u></b>	
	Draft Motion: BE IT RESOLVED THAT Council adopt the consent agenda motions as presented on the agenda.	
8.1	<b>Staff Report(s) for Information:</b>	
	Draft Motion: BE IT RESOLVED THAT Staff item numbered: 8.1.1 on this agenda be received by Council for information and be noted, filed, and recorded in the minutes of this meeting;	
1.	<b>Memo 2019-M-037 - Treasurer/Administrator Report</b>	28
8.2	<b>Correspondence for Information:</b> <i>Hard copies of all correspondence for information is available at the Municipal office on request. The information items have been circulated to Council prior to the meeting.</i>	
	Draft Motion: BE IT RESOLVED THAT correspondence items numbered: 8.2.1 to 8.2.2 on this agenda be received by Council for information and be noted, filed, and recorded in the minutes of this meeting; AND FURTHER THAT the minutes of the Advisory Committees and Local Boards that have been submitted for Council's consideration be received and listed in the minutes of this meeting.	
1.	<b>11791 - Timiskaming Health Unit Invitation to Strategic Planning Session</b>	
2.	<b>11793 - Federation of Canadian Municipalities January Newsletter</b>	
8.3	<b>Minutes of Local Boards &amp; Committee Meetings</b>	
1.	<b>Temagami Public Library Board held on November 27, 2018</b>	29
2.	<b>Temagami Public Library Board held on December 13, 2018</b>	31
9.	<b><u>STAFF REPORTS</u></b>	
9.1	<b>Items to be Considered Separately from Consent Agenda:</b>	
1.	<b>Memo 2019-M-035 - Changes to the Municipal Act s. 270 Adoption of Policies</b>	32
	Draft Motion: WHEREAS as of March 1, 2019 section 270 "Adoption of Policies" of the <i>Municipal Act, 2001</i> will be amended for municipalities to have policies in place regarding relations between Members of Council and staff; NOW THEREFORE BE IT RESOLVED THAT Council receive Memo 2019-M-035; AND FURTHER THAT Council approved the Draft Council-Staff Relations Policy AND FURTHER THAT Council directs Staff to prepare the necessary by-law for Council's consideration.	

**2. Memo 2019-M-036 - Changes to the Municipal Act s.223.3 Integrity Commissioner**

Draft Motion:

WHEREAS as of March 1, 2019 section 223.2 “Code of Conduct” and section 223.3 “Integrity Commissioner” of the *Municipal Act, 2001* will be amended for municipalities to appoint an Integrity Commissioner and have a policy in place for inquiry protocols; NOW THEREFORE BE IT RESOLVED THAT Council receive Memo 2019-M-036; AND FURTHER THAT Council approves the Draft Integrity Commissioner Inquiring Protocol; AND FURTHER THAT Council directs staff to prepare the necessary by-law for Council’s consideration.

**3. Memo 2019-M-038 - A Place to Heal Temagami**

61

Draft Motion:

BE IT RESOLVED THAT Council receive Memo 2019-M-038 regarding A Place to Heal, Temagami; AND FURTHER THAT Council supports this initiative in principle as the required corporation is formed and the studies are completed to confirm that this initiative will improve and provide opportunities for employment, improve the local economy and provide a needed service within the Municipality of Temagami.

**4. Memo 2019-M-039 - Integrity Commissioner Appointment**

62

Draft Motion:

BE IT RESOLVED That Council receive Memo 2019-M-039 regarding the Integrity Commissioner appointment; AND FURTHER THAT Council directs Staff to negotiate a contract with e4M for the provision of Integrity Commissioner Services for the Municipality.

**10. COUNCIL COMMITTEE REPORTS**

**10.1 Items to be Considered Separately from Consent Agenda:**

**11. ANNOUNCEMENTS AND VERBAL REPORTS FROM MAYOR AND COUNCILLORS**

**11.1 Roma Conference Report by Deputy Mayor Dwyer**

63

**12. CORRESPONDENCE**

**12.1 Action Correspondence**

**12.2 Resolution from Other Municipalities**

**13. BY-LAWS**

**13.1 Items to be Considered Separately from Consent Agenda:**

**14. APPROVED MINUTES OF COMMITTEE MEETINGS**

**15. UNFINISHED BUSINESS**

**16. NEW BUSINESS**

**16.1 Committee Appointments**

Draft Motion:

BE IT RESOLVED THAT Council of the Municipality of Temagami receive the expression of interest for the vacancy on the Police Services Board as the Community Representative; AND FURTHER THAT Council direct Staff to prepare the necessary By-Law for the appointment.

Draft Motion:

WHEREAS the Committee of Adjustment shall consist of no fewer than three and a

maximum of nine plus the Mayor as ex-officio; NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Temagami receives the expression of interests for the Committee of Adjustment; AND FURTHER THAT Council direct Staff to prepare the necessary By-Law for the appointment.

Draft Motion:

WHEREAS the Planning Advisory Committee shall consist of eight members, four members from the Lake Temagami Neighbourhood, two members from the mainland boundaries, and two from the newly amalgamated areas; NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Temagami receives the expression of interests for the Planning Advisory Committee; AND FURTHER THAT Council direct Staff to prepare the necessary By-Law for the appointments.

17. **NOTICES OF MOTION**

18. **CONFIRMATION BY-LAW**

65

Draft Motion:

BE IT RESOLVED THAT By-law 19-1442, 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 14th day of February, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

19. **ADJOURNMENT**

Draft Motion:

BE IT RESOLVED THAT this meeting adjourn at      p.m.



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

**Thursday, January 24, 2019, 6:00 P.M.  
Main Level Chambers**

PRESENT: J. Harding, D. O'Mara, J. Shymko, C. Dwyer, B. Leudke, M. Youngs, J. Koistinen  
STAFF: C. Davidson

**1. CALL TO ORDER AND ROLL CALL**

Mayor O'Mara called the meeting to order at 6:00 pm. The Mayor called the Roll.  
19-75

MOVED BY: J. Harding

SECONDED BY: B. Leudke

BE IT RESOLVED THAT this Regular Council meeting proceed in camera at 5:00 p.m., under section 239 of the Municipal Act, 2001 as amended, in order to address matters pertaining to: (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
REGULAR COUNCIL MEETING  
DRAFT MINUTES**

**Thursday, January 24, 2019, 6:30 P.M.  
Main Level Chambers**

PRESENT: J. Harding, D. O'Mara, J. Shymko, C. Dwyer, B. Leudke, M. Youngs, J. Koistinen  
STAFF: Q. Cormier, J. Sanderson, C. Davidson, B. Turcotte, S. Pandolfo, T. Lepage  
GUESTS: S. Poirier, M. Cummings, A. Lefebvre, D. Larochelle, D. McDonald, P. Hamel,

**CALL TO ORDER AND ROLL CALL**

Mayor O'Mara called the meeting to order at 6:30 pm. There were 24 people in the audience. The Mayor called the Roll.

**ADOPTION OF THE AGENDA**

19-76

MOVED BY: C. Dwyer

SECONDED BY: B. Leudke

BE IT RESOLVED THAT the Regular Council Meeting Agenda dated January 24, 2019 be adopted as presented.

**CARRIED**

**DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None.

**CLOSED SESSION**

Mayor O'Mara reported that during the closed session, Council had given direction to staff regarding the potential acquisition of land.

**ADOPTION OF MINUTES**

**Open Council Meeting January 10, 2019 @ 5:00 p.m. - DRAFT Minutes**

19-77

MOVED BY: J. Harding

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT the Minutes of the Open Council Meeting held on January 10, 2019 at 5:00 p.m. be adopted as presented.

**CARRIED**

**Regular Council Meeting January 10, 2019 - DRAFT Minutes**

Direction for Staff to provide a report at the next meeting regarding correspondence No.11760 Timiskaming Health Unit Board of Health appointments.

Direction for Staff to invite Mark Wilson consultant providing information material to the Timiskaming Municipal Association along with the Ministry of Transportation regarding the 2+1 Highway.

19-78

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT the Minutes of the Regular Council Meeting held on January 10, 2019 be adopted as presented.

**CARRIED**

### **BUSINESS ARISING FROM THE MINUTES**

#### **Motion to delay Draft Official Plan Amendment for Second Units**

19-79

MOVED BY: C. Dwyer

SECONDED BY: B. Leudke

BE IT RESOLVED that Council delay sending the draft Official Plan Amendment regarding Second Units to the Ministry of Municipal Affairs until Council has a chance to review the wording with the Planner.

**CARRIED**

### **DELEGATIONS/ PRESENTATIONS**

#### **Registered Delegations/ Presentations**

##### **Staff Recognition**

*Mayor O'Mara & C. Davidson moved away from the Council table.*

Mayor O'Mara and C. Davidson presented the standing years of service recognition with the Municipality to S. Poirier, M. Cummings, A. Lefebvre and D. Larochelle. C. Davidson gave a brief background of time with the Municipality for each recipient and then presented them with a gift on behalf of Council. He also gave a brief background of time with the Municipality for those unable to attend K. Abraham, K. Jones, J. Parcher, K. Oulette, C. Richard and S. Taylor.

Fire Chief J. Sanderson, presented M. Cummings his 30 years of service bar on behalf of the Office of the Fire Marshal and Emergency Management for his continued service to the Community as a Volunteer Fire Fighter. He gave a brief background of his time with the Municipality.

*Mayor O'Mara and C. Davidson returned to the Council table.*

#### **Dave MacDonald Presentation on improving Cellular service**

Dave MacDonald gave a presentation to Council regarding connectivity and the importance of cellular service and internet. He provided Council with statistics on the success rate of funding applications regarding connectivity and requests the support from Council to proceed with establishing a community committee. He answered questions from Council and the following motion was amended.

19-80

MOVED BY: J. Harding

SECONDED BY: B. Leudke

Regular Council Meeting January 24, 2019 – DRAFT Minutes

BE IT RESOLVED THAT Council receive the presentation from Dave MacDonald.  
**AMENDED**

**To Amend:**

19-81

MOVED BY: J. Shymko

SECONDED BY: B. Leudke

BE IT RESOLVED THAT the motion be amended to add to ask Mr. MacDonald to work on forming a committee to start this process more formally.

**CARRIED**

19-80 (As Amended)

MOVED BY: J. Harding

SECONDED BY: B. Leudke

BE IT RESOLVED THAT Council receive the presentation from Dave MacDonald and ask that Mr. MacDonald work on forming a committee to start the process more formally.

**CARRIED**

**Paul Hamel presentation 12 Parkwood Lane**

Paul Hamel gave a presentation to Council regarding water services to be provided to residents on Parkwood Lane. He informed Council that water services are available approximately 200 feet away from his property and that residents are serviced with sewer and gas. He answered questions from Council. The Public Works Superintendent, B. Turcotte spoke to this matter and answered questions from Council. The following motion was amended:

19-82

MOVED BY: B. Leudke

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT Council receive the presentation from Paul Hamel.

**AMENDED**

**To Amend:**

19-83

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT the motion be amended to add to refer the presentation to the budget process and reply to Mr. Hamel when decided.

**CARRIED**

19- 82 (As Amended)

MOVED BY: B. Leudke

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT Council receive the presentation from Paul Hamel and to refer the presentation to the budget process and reply to Mr. Hamel when decided.

**CARRIED**



**Unregistered Presentations (Maximum 15 Minutes in Total- in accordance with rules in By-law) \* 5 minutes per each presenter for a Maximum of 15 Minutes in total for all unregistered presentations\***

Presenter: Sue Daneault Temagami Public School; Subject: To invite Mayor and Council to judge for the first annual cake decorating contest held on February 14, 2019.

**CONSENT AGENDA ITEMS**

19-84

MOVED BY: J. Shymko

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council adopt the consent agenda motions as presented on the agenda.

**CARRIED**

**Staff Reports Information Items:**

19-84

MOVED BY: J. Shymko

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Staff report items numbered: 8.1.1 to 8.1.2 on this agenda be received by Council for information and be noted, filed and recorded in the minutes of this meeting;

The following items were received for information:

- 2019- 01 - Temagami Fire Department Monthly Report - November 2018
- 2019-02 - Temagami Fire Department Monthly Report - December 2018
- 2019-03 - Public Works Department Monthly Report - January 2019

**Correspondence Information Items:**

19-84

MOVED BY: J. Shymko

SECONDED BY: M. Youngs

BE IT RESOLVED THAT correspondence items numbered: 8.2.1 on this agenda be received by Council for information and be noted, filed, and recorded in the minutes of this meeting;

The following item was received for information:

- 11773 Correspondence from Ministry of Children, Community and Social Services District Social Services Administration Board

**Minutes of Local Boards & Committees:**

19-84

MOVED BY: J. Shymko

SECONDED BY: M. Youngs

BE IT RESOLVED THAT the minutes of the Advisory Committees and Local Boards that have been submitted for Council's consideration be received, filed and listed in the minutes of this meeting.

The following items were received for information:

- Au Chateau Board Meeting held on December 19, 2018
- Temagami Police Services Board held on November 14, 2018
- Emergency Management Program Committee held on January 14, 2019

### **STAFF REPORTS**

#### **Items to be Considered Separately from Consent Agenda:**

#### **Memo - 2019-M-027 - Emergency Management Ontario Requirements Submission of 2018 Compliance report**

19-85

MOVED BY: B. Leudke

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT Council acknowledge receipt of Memo 2019-M-027 regarding completion of Emergency Management Ontario requirements; AND FURTHER THAT Council authorize the submission of the Municipal Compliance Report for 2018.

**CARRIED**

#### **Memo 2019-M-028 - Visitor's Information Centre**

19-86

MOVED BY: C. Dwyer

SECONDED BY: J. Koistinen

BE IT RESOLVED That Council receive Memo 2019-M-028; AND FURTHER THAT Council continues with the past practice of the Temagami Chamber of Commerce operating the Visitor's Information Centre in exchange for rent of the facility.

**CARRIED**

#### **Memo 2019-M-029 - Incoming Mail**

19-87

MOVED BY: C. Dwyer

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT Council receive Memo 2019-M-029; AND FURTHER THAT Council direct Staff to amend the incoming mail policy as indicated in the report for Council's consideration

**CARRIED**

#### **Memo 2019-M-030 - Shiverfest - Temagami Winter Carnival**

19-88

MOVED BY: C. Dwyer

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Memo 2019-M-030 regarding Shiverfest; AND FURTHER THAT Council hereby declares February 15 to 18, 2019 as the dates for the Temagami Winter Carnival; AND FURTHER THAT Council accept the invitation to host the Shiverfest community barbeque on Sunday, February 17<sup>th</sup>, 2019 from 12:00 pm - 2:00 pm as in years past.

**CARRIED**

**Memo 2019-M-031 - Terms of Reference for the Climate Change Action Ad Hoc Committee**

19-89

MOVED BY: B. Leudke

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Memo 2019-M-031 regarding the Terms of Reference for the Climate Change Action Ad Hoc Committee; AND FURTHER THAT Council approve the Terms of Reference for the Climate Change Action Ad Hoc Committee and direct Staff to advertise for members.

**CARRIED**

**Memo 2019-M-032 - Organization Chart**

19-90

MOVED BY: J. Shymko

SECONDED BY: B. Leudke

BE IT RESOLVED THAT Council receive Memo 2019-M-032; AND FURTHER THAT Council approves the position changes as outlined in the Organizational Chart.

**CARRIED**

**Memo 2019-M-033 - 2018 Emergency recommendations**

19-91

MOVED BY: B. Leudke

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT Council receive Memo 2019-M-033 for information; AND FURTHER THAT Council direct the Emergency Management Program Committee and the Treasurer/Administrator to develop a plan and take the necessary steps to address the recommendations and responses.

**CARRIED**

*Council took a brief 10 minute recess.*

**Memo 2019-M-034 - Finance Update**

*Council resumed at 8:20 p.m.*

19-92

MOVED BY: J. Harding

SECONDED BY: B. Leudke

BE IT RESOLVED THAT Council receive Memo 2019-M-034 Finance Update for information.

**CARRIED**

**COUNCIL COMMITTEE REPORTS**

None.

**ANNOUNCEMENTS AND VERBAL REPORTS FROM MAYOR AND COUNCILLORS**

- Mayor O'Mara reported on that a motion of support request for "A Place to Heal Temagami" will be at the next meeting in February and that an upcoming meeting is scheduled with S. Watt attorney regarding upcoming Ontario Municipal Board & Local Planning Appeal Tribunal hearings. He also reported on his attendance to Au Chateau, DSSSAB, and Temiskaming Mayor's Action Group meetings. Direction given to staff to invite J. Kenrick to make a presentation to Council regarding the forest management proposal at the second meeting in February.
- Councillors C. Dwyer, J. Shymko and J. Koistinen attended the Ministry of Municipal Affairs presentation in Latchford.
- Councillors J. Shymko, C. Dwyer, M. Youngs and Mayor O'Mara were scheduled to attend a Standard of Care training presented by OCWA and this session was rescheduled due to weather.

### **CORRESPONDENCE**

#### **Action Correspondence:**

#### **11788 - Temagami Non Profit Housing Corporation Recommendation for new board member**

19-93

MOVED BY: J. Koistinen

SECONDED BY: B. Leudke

BE IT RESOLVED THAT Council receive correspondence from the Temagami Non Profit Housing Corporation dated January 15, 2019 regarding a Board Vacancy; AND FURTHER THAT Council endorses the appointment of Carmen Koski to fill the Board Vacancy.

**CARRIED**

#### **Resolution from Other Municipalities:**

#### **11786 - City of Hamilton Maintaining the Voter's List for Municipal Elections**

19-94

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council receive the correspondence from the City of Hamilton dated January 3, 2019 regarding the maintenance of the Voter's List for Municipal Elections; AND FURTHER THAT as the Municipality of Temagami have the same concerns with the maintenance of the voter's list Council endorse the re-establishment of a working group including Municipal Representation charged with exploring and identifying ways to create an accurate and current voter's list for future Municipal Elections.

**CARRIED**

### **BY-LAWS**

#### **Items to be Considered Separately from Consent Agenda:**

#### **19-1435 - To rescind By-law No.15-1251, and to establish a Public Library**

19-95

MOVED BY: C. Dwyer

SECONDED BY: J. Shymko

BE IT RESOLVED THAT By-law 19-1435, being a by-law to rescind By-law No.15-1251 and to establish a Public Library, be taken as read a first, second and third time and finally passed

this 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**19-1436 - To appoint Members to the Temagami Public Library**

19-96

MOVED BY: J. Koistinen

SECONDED BY: B. Leudke

BE IT RESOLVED THAT By-law 19-1436, being a by-law to appoint Members to the Temagami Public Library Board, be taken as read a first, second and third time and finally passed this 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**19-1437 - To appoint a Deputy Treasurer**

19-97

MOVED BY: J. Koistinen

SECONDED BY: M. Youngs

BE IT RESOLVED THAT By-law 19-1437, being a by-law to appoint a Deputy Treasurer, be taken as read a first, second and third time and finally passed this 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**19-1438 - To Appoint a Treasurer-Administrator and Acting Clerk**

19-98

MOVED BY: J. Harding

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT By-law 19-1438, being a by-law to appoint a Treasurer-Administrator and Acting Clerk, be taken as read a first, second and third time and finally passed this 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**19-1439 - To execute a lease agreement with Living Temagami for part of Train Station**

19-99

MOVED BY: C. Dwyer

SECONDED BY: J. Shymko

BE IT RESOLVED THAT By-law 19-1439 being a by-law to execute a lease agreement with Living Temagami for the South part of the Train Station, be taken as read a first, second and third time and finally passed this 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**19-1440 - To execute a lease agreement with the Temagami & District Chamber of Commerce**

19-100

MOVED BY: J. Shymko

SECONDED BY: J. Harding

BE IT RESOLVED THAT By-law 19-1440 being a by-law to execute a lease agreement with Temagami & District Chamber of Commerce for the North part of the Train Station, be taken as read a first time this 24th day of January, 2019.

**CARRIED**

**APPROVED MINUTES OF COMMITTEE MEETINGS**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**NOTICES OF MOTION**

None.

**CONFIRMATION BY-LAW**

19-101

MOVED BY: C. Dwyer

SECONDED BY: J. Shymko

BE IT RESOLVED THAT By-law 19-1441, 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 24th day of January, 2019; AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the by-law book.

**CARRIED**

**ADJOURNMENT**

19-102

MOVED BY: J. Harding

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT this meeting adjourn at 8: 51 p.m.

**CARRIED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Community  
Schools  
Alliance

Ministry of Education Delegation - ROMA

Date: Monday January 28, 2019

Time: 11:15-11:30 am

Location: Leaside Room, Fourth Floor Sheraton

Minister Lisa Thompson

Madam Minister, on behalf of the Township of Zorra and the Community Schools Alliance, which includes 38 Ontario municipalities and growing, I thank you and your Staff for offering us this meeting.

The Community Schools Alliance is a non-profit organization committed to working with the Ontario Ministry of Education, municipalities, and school boards. Our goal is to have a collaborative process that results in democratically determined decisions regarding education infrastructure. Such decisions about school consolidations and closures should consider community impacts.

**Our aim is to have municipalities become partners with school boards in making decisions about where new schools are built and where schools are closed.**

The Community Schools Alliance is asking the Minister of Education to continue to honour your commitment to a moratorium by **extending the current moratorium** on school closures until the 2018 Pupil Accommodation Review Guideline is ready for implementation.

During that time we ask that the Ministry work together with school boards and municipalities to develop policies addressing such issues as planning for declining enrolments, completing the templates required for the implementation of the 2018 PARG, a review of funding to rural and small community schools, and defining the working relationship, transparency and accountability between municipalities and school boards.

Additionally, while the welcome “Provincial Asset Management Survey” is conducted, and potential changes are considered, we believe it is appropriate to continue the moratorium.



We would like to make it clear that **we were very pleased to have been involved in the two-stage review of the PARG in 2017-18** which resulted in the new document; and we look forward to the resumption of the process and the completion of the templates for the Initial Staff Report and the Economic Impact Study required if at least one school in a Review qualifies for the Rural and Northern Education Fund.

We are especially pleased that the revised document calls for the consideration of the impact of a school closure on the local community and, if the school qualifies for the RNEF, on the local economy.

**We consider the RNEF to be a very significant policy introduction.** The \$20 M is helpful, but not large enough compared to the reduction in the top-up funding that preceded it.

**This is a significant and appropriate departure from the one-size-fits-all approach of previous PARGs.**

The Community Schools Alliance, and Zorra, pride ourselves on understanding the larger context of the issue we are addressing.

We understand that the Ministry has a budgetary context to work in and a large system to manage.

We do not demand that there be no more school closures.

We do not demand that the Province simply throw money at the problem.

We strive to be the reasonable voice in the room.

The formation of district school boards about 20 years ago followed the creation of county school boards in most of rural Ontario about 20 years before that. A recent decision by the Elgin County Council to separate the county from the Thames Valley DSB and return the governance of schools to Elgin has reignited discussion about the governance of education.

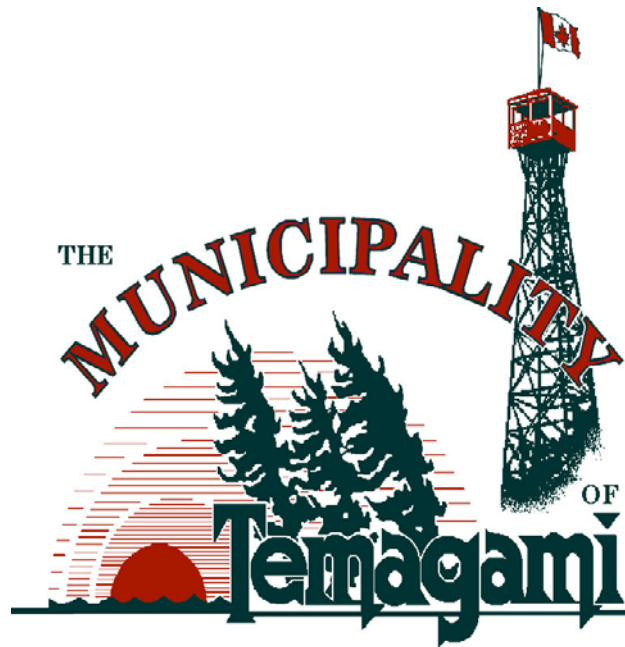
The Community Schools Alliance has for years heard concerns about the challenges presented by the large geographic area of most district boards in rural and northern Ontario. Because of the distances between most trustees and the schools and communities in a district, decisions about both are made by elected trustees who lack familiarity with local communities. Parents and citizens see decisions with profound consequences for their community in the hands of representatives who have very little accountability to them.

Similarly, candidates for election to a district board experience great difficulty familiarizing themselves to municipal voters due to the distances and limited affordable options of communicating with their electorate. The result unfortunately is underinformed voters or a voter participation rate much lower for school boards than municipal councils, or both. Citizens, especially parents, tend to see the governance of education and their schools to be much less democratic than that of their municipality.

Therefore the Community Schools Alliance suggests that a review of the governance of education in rural and northern Ontario is due. We would hope that the outcome of such a review would include a more collaborative relationship between the governors of education and those of our municipalities.

**The Community Schools Alliance would like to work with you on improving on the work that has already been done, and implementing your obvious and very real commitment to rural, northern, and single school communities.**

Again, Minister, we thank you for being willing to again meet with us today.



**BUILDING / BYLAW DEPARTMENT**

**ANNUAL REPORT**

**FOR**

**2018**

## **Introduction**

Mayor and Council:

Please accept the Temagami Building and By-law Department Annual Report for the year ending December 31, 2018.

Attached to the report is the 2018 annual report of Building Department permit fees.

Submitted by:

Monty Cummings, CBCO

- Chief Building Official
- Municipal Law Enforcement Officer
- Provincial Offences Officer
- Deputy Fire Chief
- Property Standards Officer
- Fire Prevention Officer
- Zoning Inspector
- Weed Inspector

### **RECOMMENDATION**

That Report 2019-004:, The Building/ By-Law Department Annual Report for 2018 be received for information and whereas the attached report on Building permit fees is filed pursuant to the requirements of Section 7(4) of the Building Code Act, S.O. 1992, c23 and Division C, Sentence 1.9.1.1(1) of the Ontario Building Code Regulations be made available to the public upon request.

## Building Department

Permit numbers were down slightly in 2018; with overall construction value down 20% over 2017. The majority of building permits in 2018 were for small projects and minor renovations, with three new cottages.

As with previous years, there were active older permits requiring inspection.

In 2018 the Building Department carried out 220 building inspections, 108 on Lake Temagami, 76 in the rural areas, 26 in the urban neighborhood, 8 on remote properties, 2 on the Rabbit and Cassels lakes system.

The following Tables show permit numbers and construction values for the last 10 years.

### 10 Year Construction/Demolition Permit Numbers

	Total Permits	New homes	New cottages	Other Residential	Commercial/Industrial	Government
2009	51	0	2	45	2	2
2010	47	1	4	30	10	2
2011	37	3	3	29	2	0
2012	43	1	1	33	4	4
2013	34	0	3	25	3	3
2014	37	1	3	27	6	0
2015	33	0	0	29	4	0
2016	36	1	5	22	7	1
2017	42	2	4	28	7	1
2018	38	0	3	27	8	0

- Other residential includes all renovation and small building permits

- Government includes municipal and provincial

### 10 Year Construction Values by Type

Year	Total Value	New homes	New cottages	Other Residential	Commercial/Industrial	Government
2009	\$1,765,463	0	\$300,000	\$1,059,463	\$95,000	\$311,000
2010	\$2,607,699	\$170,000	\$931,400	\$1,153,799	\$296,500	\$56,000
2011	\$2,360,720	\$650,000	\$947,420	\$762,100	\$1,200	0
2012	\$1,655,301	\$225,000	\$299,146	\$842,655	\$147,000	\$141,500
2013	\$1,340,200	0	\$270,000	\$880,600	\$41,000	\$148,600
2014	\$2,088,810	\$139,000	\$500,000	\$914,810	\$535,000	0
2015	\$ 830,235	0	0	\$756,235	\$74,000	0
2016	\$2,766,000	\$543,000	\$550,000	\$1,029,000	\$444,000	\$200,000
2017	\$2,734,060	\$700,000	\$1,043,000	\$573,360	\$230,000	\$187,700
2018	\$2,143,315	0	\$525,000	\$1,286,315	\$332,000	0

In 2018 the majority of permits were for residential renovations and new accessory buildings along with three new cottages.

### 10 Year Permit Distribution by Neighbourhood

Year #	Urban	Lake Temagami	Rural	Remote	Rabbit Cassels Lakes	Industrial
2009 51	14 27%	24 47%	12 24%	1 2%	0	0
2010 47	13 28%	18 38%	9 19%	4 9%	3 6%	0
2011 37	11 30%	12 32%	5 14%	7 19%	2 5%	0
2012 43	16 37%	12 28%	11 26%	3 7%	1 2%	0
2013 34	8 23%	18 53%	6 18%	2 6%	0	0
2014 37	4 11%	11 30%	17 46%	5 13%	0	0
2015 33	5 15%	15 46%	7 21%	1 3%	4 12%	1 3%
2016 36	4 11%	25 69%	6 17%	1 3%	0	0
2017 42	8 19%	15 36%	13 31%	6 14%	0	0
2018 38	6 15%	14 37%	13 34%	4 11%	1 3 %	0

- Remote properties include those properties not located on municipally maintained roads or on lakes other than Rabbit, Cassels or Temagami
- Rural properties are those properties accessible by Highway 11 or municipal roads.
- As with previous years, the majority of permits were on rural, remote or water access properties

### Stagnant Permits

As with most Municipal Building Departments ours has a back log of stagnant or open permits. This problem is largely due to contractors or home owners not calling for final inspections. Over the last few years it has been the intention of staff to address this issue. Unfortunately, backfilling for other departments due to staff turnover has made this difficult to achieve. Staff was able to clear some of the stagnant permits in 2018.

### Property Standards

There were three formal property standards complaints submitted to the Building and Bylaw department and several phone complaints / inquiries. The complaints varied in nature. These were dealt with quickly with a site visit and direct contact with the occupants. No orders were required in 2018. Two files are still in process.



### **By-Law Enforcement Activities**

Staff dealt with parking complaints at access points and the town waterfront. These were all dealt with promptly. The parking of Commercial vehicles in the train station parking lot was monitored and drivers encountered were educated on the alternative areas to park.

Other By-law enforcement activities during the year included investigating burning bylaw and animal control bylaw complaints, all animal investigations were referred to the Animal Control Officer.

As per our agreement with the MNR, staff attempted to complete two inspections of the Cross Lake Access Point in Torrington Township. The first by road through River Valley was not successful as the road was not passable by pickup truck. The second inspection was carried out by boat. The access point appeared to have been used very little if at all in 2018. The signage in the parking area was in good shape, but in need of brushing, this should be done in 2019. There was no garbage removed from the site in 2018.

### **Fire Prevention/Investigation**

In 2018 staff carried out fire inspections at the Temagami Public School and the Temagami Non Profit Housing facilities. During Fire Prevention Week Staff provided one lucky student with a ride to school in a fire truck then visited the Public School and Seniors Home Support to talk about fire prevention and distribute educational material. Staff maintained pamphlet displays at local marinas, the library and Welcome Centre.

Staff conducted smoke alarm surveys in conjunction with other department duties when time permitted.

### **Planning**

In 2018 Building Departments staff assisted the Planning Department by answering telephone inquiries, meeting with clients when the Planning Assistant was away, reviewing applications and completing field inspections and site visits as required. Department staff have been assisting the planning department since 2005 due to the large turnover of staff in that department.

## **Breakdown of Department Responsibilities in 2018**

Enforcement of the Ontario Building Code Act	48% of time
- Front counter, dealing with Public	
- Pre-consultation	
- Permit intake	
- Permit review	
- Permit Issuance	
- Inspections	
- Property Standards enforcement	
Assisting the planning department	18% of time
- Filling in during the absence of planning staff	
- Conduct field inspections and site visits	
- Posting of properties under application.	
Other duties as assigned including but not limited to the following:	12% of time
- The Industrial Access to Lake Temagami project	
- Train station project	
- Assist during fire emergency in July	
- Health and Safety Rep for the Municipal Office (Monthly inspections, Staff complaints and other issue as they arise)	
- Docks project	
- Bear complaints	
- Emergency management team	
- Noxious weeds inquiries and enforcement	
- Assist Public works with various tasks	
- Staff member on the Protection to Persons and Property committee	
- building maintenance	
By-law enforcement	15% of time
- Enforcement of Municipal Bylaws on complaint.	
- Parking	
- Monitoring of the Cross Lake Access Point	
- First contact for animal control complaints	
- Review and update by laws when time permits.	
Fire Department	7% of time
- Fire prevention	
- Public education.	
- Fire prevention inspections	
- Fire education visits at the public school and Non-profit Apartments	
- Maintain fire pamphlet displays	

## **Municipality of Temagami**

### **Building Department 2018 Annual Report on Permit Fees**

This report is filed pursuant to the requirements of Section 7(4) of the Building Code Act, S.O. 1992, c23 and Div. C, Sentence 1.9.1.1(1) of the Ontario Building Code Regulations

#### **Revenues**

Total revenues from permits collected for the period, January 1, 2018 to December 31, 2018 under By-Law No. 08-782 ..... \$ 27,959.00

#### **Indirect costs:**

Indirect costs are deemed to include the costs for support and overhead services to the Building Department of the Municipality of Temagami. The value is based on estimates for time spent by front desk and other administration staff as well as building maintenance and operations.

Sub Total – Indirect Costs..... \$ 2,500.00

#### **Direct costs:**

Direct costs are deemed to include the costs of the Building Department of the Municipality of Temagami for the processing of building permit applications, the review of plans, conducting inspections and building related enforcement duties.

Total Administrative Cost (training and memberships).....\$ 2,519.56

Total Enforcement Costs.....\$ 41,169.11

Sub-total – Direct costs.....\$ 43,688.67

Grand Total Indirect and Direct Costs.....\$ 46,188.67

Revenues over costs as of December 31, 2018 .....\$ NIL

Statement of Reserves for Building Department ..... \$ NIL  
(to December 31, 2018)

In summary, the 2018 revenue collected through permit fees did not exceed the municipality's costs for administration of the Ontario Building Code Act's statutory responsibilities.

**Dated this 6<sup>th</sup> Day of February, 2019**

## Tammy Lepage

---

**From:** craig.d  
**Sent:** February 7, 2019 1:18 PM  
**To:** Tammy Lepage  
**Subject:** FW: FMZ 11 Proposed New Fishing Regulations

I Craig Davidson  
Treasurer/Administrator  
Municipality of Temagami  
[craig.d@temagami.ca](mailto:craig.d@temagami.ca)

---

**From:** Ike Laba [mailto:ikelaba@onlink.net]  
**Sent:** Thursday, February 7, 2019 10:20 AM  
**To:** craig.d <craig.d@temagami.ca>; 'Dan O'Mara' <danomar@ontera.net>  
**Subject:** FMZ 11 Proposed New Fishing Regulations

Attention: Mayor Dan Omara; CAO Craig Davidson & Members of Council

As a committee member of the FMZ 11 Fisheries Council representing the Municipality of Temagami for the past number of years I am willing to make a presentation to Council on some of the issues that the Municipality should have concerns with:

1. Social Economic Benefits: Within the FMZ 11 proposed document the statement is very vague as to any benefits for any community. This is very evident with the Lake Trout proposal especially for the Temagami area where the recommendation is to cut the season by 1 month during the month of September. By going this route it would be detrimental to tourist operators within the Temagami area on and off Lake Temagami.
2. Brook Trout: There are 3 variable recommendations which are not consistent with other FMZ's which should be addressed.
3. Walleye: Although there is no change for our area many other FMZ's have a better system e.g. 4 Walleye 1 one allowable over 18" where ours quota is 4 but there is a major slot size.
4. There are other concerns that I will bring up to Council that should be challenged by Council.

If you can let me know a.s.a.p. if I am allowed to make a presentation on Feb 14<sup>th</sup>. I will have a more detailed report ready for Council viewing prior to the next meeting.

Thanks  
Ike Laba  
1 705 569 3252

Municipality of Temagami  
7 Lakeshore Drive  
Temagami, Ontario  
POH 2H0

Attention: Mayor Dan Omera and Council

Re: Major concerns from the FMZ11 proposed changes to Fishing Regulation on the Temagami area.

Mayor Dan O'Mara & Council

As you are aware the MNRF FMZ 11 fisheries council are holding public open house meetings at various locations. Council should be aware and challenge some major changes being proposed by the MNRF FMZ 11 Council which can and will greatly affect the future tourism economy within the Temagami area.

**Socio-Economic Statement as presented:**

Provide diverse ways for users to experience and interact with resources and promote a fair valuation of the resources so that there is a broad appreciation of the socio-economic benefits that resources furnish.

Socio-Economic benefits

The Temagami area has some major differences from any other community within the FZ11 area such as:

- Marten River and areas south are in the Hardwood transition area where lakes are more productive.
- The Temagami area is closely related to the Boreal forest which has very rocky shallow soil which affects lake quality and fishery production.
- The Temagami area is very restrictive to many back-country lakes due to the MNRF road closures. This issue places excessive pressure on Lakes within the immediate Temagami community. These restrictions are not applied in the surrounding areas of North Bay.
- There is an issue on the Matabitchuan Lakes System (Cassells; Net; Rabbit; Snake etc.) where the Lake Trout spawn in the fall then the lake levels drop dramatically due to Hydro dam systems destroying many of the Lake Trout eggs. Corrective action should take place vs cutting the season.
- By cutting the Lake Trout season by 1 month can be very detrimental to many of the tourist camps especially on Lake Temagami where they are dependent on the income provided during this time period.

**Lake Trout Proposal:**

<u>Current:</u>	<u>Option #1</u>	<u>Option #2</u>	<u>Option #3</u>
Feb. 15/3 <sup>rd</sup> .Sun Mar.	Same	Same	Same
3 <sup>rd</sup> Sat. May/Sept. 30	3 <sup>rd</sup> Sat. May Labour Day	3 <sup>rd</sup> Sat. May/Aug. 31	3 <sup>rd</sup> Sat. May/Aug. 31
S 2 C1 No size	S 2 1 over 40cm C O	S 2 C1	S 1 C O

**Lake Temagami**

Feb 15/3 <sup>rd</sup> Sun/Mar.	Feb 15/3 <sup>rd</sup> Sun/Mar.
3 <sup>rd</sup> Sat. May/Sept. 30	3 <sup>rd</sup> Sat. May/Labour Day
S 2 C1	S 2 -1 over 45cm C 1

**NOTE:** Present Lake Trout Seasons surrounding FMZ 11 area

FMZ 08 Temiskaming North: Feb. 15 to Mar. 15 & 3<sup>rd</sup> Sat. May to Sept. 30 Limit S 3 C1

FMZ 10 Sudbury Area West: Jan. 1 to Labour Day Limit S 2 Not more than 1 greater than 40 cm C1

FMZ 15 Algonquin South: Jan. 1 Sept. 30 Limits S 2 C1

**Brook Trout:** Most lakes within the Temagami area are stocked although there are some natural lakes.

Present FMZ 11 Regs.

Natural Brook Trout Season Feb. 15 to Sept. 30

Stocked fish Open all year. Limit S 5 allow 1 over 30cm (12.1") C2 None over 30cm.

Issue: Recommendation Live bait vs No bait

Additional Opportunities

Option #1

Open all Yr.

Limit S 5 C 2

No size restriction

No live bait allowed

Option #2

Open all yr.

S 5 allow 1 over 30cm

C 0 none over 30 cm

Live Bait allowed

Option #3

Open all yr.

S 5 allow 2 over 30 cm

C 0 none over 30 cm

Live Bait allowed

**Note:** Present Brook Trout seasons surrounding FMZ 11 on additional opportunity lakes

FMZ 8 Temiskaming North S 5 C 2 No size restrictions

FMZ 10 Sudbury West S 5 C 2 No size restrictions

FMZ 15 Algonquin South S 5 C2 No size restrictions.

**NOTE: The Temagami/North Bay area is the most restrictive in keeping Brook Trout size as compared to surrounding FMZ'S.**

**Northern Pike** Although not identified at this time, it should be challenged as to length of season.

FMZ 11 Present Regs.

Jan. 1 to 3<sup>rd</sup> Sun. Mar.

3<sup>rd</sup> Sat. May/Dec. 31

Limit S 6 not more than  
2 greater than 61 cm. not  
more than 1 greater than  
86 cm

Limit C 2 not more than 1  
Greater than 61 cm. Non  
Greater than 86 cm.

FMZ 8 Regs.

Open all Yr.

Limit S 6 Same as  
FMZ 11

Limit C 2 Same as  
FMZ 11

FMZ 10 Regs.

Open all Yr.

Limit S 6 Same as  
FMZ 11

Limit C 2 Same as  
FMZ 11

FMZ 15 Regs.

Jan 1/Mar. 31

3<sup>rd</sup> Sat. May/Dec 31

Limit S 6 No size  
Restrictions

Limit C 2 No size  
Restriction

**Note:** Minimal or no data available. Basically, any small lake in the Temagami area have an abundance of Northern Pike. The Northern Pike season should be challenged and extended to a minimum of March 31.

**Walleye:** Recommend changes to Regulations although FMZ 11 committee recommend keeping present regulations.

FMZ 11 Present Regs.

Jan. 1 to 3<sup>rd</sup> Sun. Mar.

3<sup>rd</sup> Sat. May to Dec. 31

Limit S 4 and C2 none  
Between 43-60cm.

FMZ 8 Regs.

Jan. 1/Apr. 14

3<sup>rd</sup> Sat. May/Dec. 31

Limit S 4 and C 2 not  
more than 1 greater  
than 46 cm

FMZ 10 Regs.

Jan. 1 to Mar31

3<sup>rd</sup> Sat. May/Dec. 31

Limit S 4 and C 2 not  
more than 1 greater  
than 46 cm.

FMZ 15 Regs.

Jan. 1 to Mar. 15

3<sup>rd</sup> Sat. to Dec 31

Limit S 4 and C 2 not  
more than 1 greater  
than 46 cm. (18")

**Note:** All surrounding areas have a size limit of 1 over 46 cm except for our area FMZ 11. We should all be comparable to areas with the adjoining FMZ's

#### Socio-Economic Benefits

1. We as a Temagami community do not feel that the Socio-Economic Benefits were considered for the Temagami area.
2. North Bay Sturgeon Falls and Smaller communities within the immediate vicinity have a diversified economy such as: manufacturing, service providers, many private businesses etc. Reduced or restricted Fishery regulations does not affect them the same as it would the Temagami area.
3. Along with many various businesses the North Bay area are at a central point for major traffic flow e.g. Hwy # 11 North and South; Hwy # 17 South and West; along with a direct road into the province of Quebec. This central junction in North Bay give them great exposure in attracting multi businesses to the area.
4. The Temagami area is almost totally dependent on the Tourism industry. Because of all the restrictions imposed by FMZ in the past and possibly new proposed recommendations in the future there is no Socio-Economic benefits to the Temagami area.
5. We should recommend that the FMZ 11 regulations match FMZ 8; 10; and 15, this would be a great addition as it would bring many more people from Southern Ontario; North Bay, Sturgeon as well as many more groups from the Tri Town areas during our now off season. These day or weekly users not only purchase gas, they spend some time at camps or lodges, eat at restaurants etc.

Ike Laba



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.  
2019-M-037

☒ Staff  
☐ Committee

**Subject:** Report from Treasurer Administrator

**Agenda Date:** February 14, 2019

**Attachments:**

**RECOMMENDATION**

BE IT RESOLVED that the Council of the Municipality of Temagami receive this report for information.

**INFORMATION**

Vadim

We have completed the initial training for Vadim for all modules. We will now turn our attention to training Staff Members for their job functions in the system and working through the confirmation of information prior to getting the interim tax levy issued.

Asset Management

Our first call with Hemson Consulting through the AMP2.0 program is scheduled for February 28, 2019.

Staff

The intake period for applications to be received for both the Clerk and the Office Assistant Positions has passed. Applications received will be 'short-listed' and interviews arranged as soon as practical. With some absences planned for medical reasons, we should be pretty close to full complement by mid-March.

Year-End Accounting and Financial Audit

We are maintaining our plan to have the year-end accounting completed by the end of February. We have been advised by our auditor that their procedures will commence mid-March rather than at the beginning but they have still committed to having their procedures completed by the end of March.

Draft Budget

Due to the issues with the Vadim roll out I am a little tardy in getting a draft budget pulled together and discussed with the managers. I am proposing that a draft budget be presented to Council for the March 14<sup>th</sup> meeting.

**Prepared by:**

**Reviewed by:**

**Craig Davidson, Treasurer/Administrator**  
Name, Position

Name, Position



# Temagami Public Library

Minutes of November 27<sup>th</sup> 2018

7:00pm Library Board Room

Present: Carol Lowery (Vice Chair), Lorie Hunter, Anita Mamen, Marvyn Morrison

Staff: Quelia Cormier (CEO)

Absent With Notice: Peter DeMan, Claudia Smith

Members of the public in attendance: John Shymko

1. **ADOPTION OF THE AGENDA:** MOVED by Anita Mamen and SECONDED by Lorie Hunter that the agenda of November 27<sup>th</sup> 2018 regular board meeting be approved. CARRIED.
2. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST:** None declared.
3. **APPROVAL OF THE MINUTES** of the regular board meeting of October 30<sup>th</sup> 2018. MOVED by Marvyn Morrison and SECONDED by Anita Mamen that the minutes of October 30<sup>th</sup> 2018 board meeting be accepted as presented. CARRIED.
4. **BUSINESS ARISING FROM THE MINUTES:**
  - Carol Lowery will meet with Dick Grant of the Temagami Community Foundation in the New Year to discuss the Tracy Gauvreau Scholarship Fund.
5. **CORRESPONDENCE:**
  - Email from Grants Ontario with regards to our Public Library Operating Grant, Pay Equity and First Nations Salary Supplement Grant 2018-19 (PLOG) being processed by Electronic Fund Transfer to our organization.
  - Email from the Temagami Canoe Festival wishing to use the Library again for the 2019 Canoe Festival July 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup> for their green room.  
  
**Motion:** MOVED BY Anita Mamen and SECONDED BY Lorie Hunter that the Temagami Public Library allow the Temagami Canoe Festival use of the library for the 2019 Canoe Festival. CARRIED.
6. **TREASURERS REPORT:** MOVED BY Anita Mamen and SECONDED BY Marvyn Morrison that the Treasurers Report dated November 16<sup>th</sup> 2018 be accepted as presented. CARRIED.

**7. CEO's REPORT:**

- The Library is holding its annual "CAN YOUR FINES" Campaign again this year. All non-perishable food items collected will be donated to the legion for their Christmas Food Baskets.
- The Library will have a table set up again this year at the Temagami Country Christmas.

**8. Motion with regards to the 2% cost of living increase for Library employees.**

MOVED by Marvyn Morrison and SECONDED by Anita Mamen that the library employees receive a 2% cost of living increase. CARRIED.

**9. NEXT MEETING:** December 11<sup>th</sup> at 6:00pm at the Temagami Shores.

**10. ADJOURNMENT:** MOVED BY Lorie Hunter and SECONDED BY Anita Mamen that the Meeting of the regular board meeting of the Temagami Public Library be adjourned at 7:45pm. CARRIED.

# Temagami Public Library

Minutes of December 12<sup>th</sup> 2018

7:00pm at Temagami Shores Inn and Resort

Present: Carol Lowery (Vice Chair), John Shymko, Marvyn Morrison, Claudia Smith

Staff: Quelia Cormier (CEO)

Absent With Notice: Lorie Hunter, Anita Mamen

1. **ADOPTION OF THE AGENDA:** MOVED by Claudia Smith and SECONDED by John Shymko that the agenda of December 12<sup>th</sup> 2018 Regular Board meeting be approved.
2. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST:** None declared.
3. **APPROVAL OF THE MINUTES** of the regular board meeting of November 27<sup>th</sup> 2018. MOVED by John Shymko and SECONDED by Marvyn Morrison that the minutes of November 27<sup>th</sup> board meeting be accepted as presented. CARRIED.
4. **BUSINESS ARISING FROM THE MINUTES:** NONE DECLARED
5. **CORRESPONDENCE:**
  - Thank You card received from the grade 7 and 8 classes at English Catholic Central School thanking us for the donation for their silent auction and spaghetti supper fundraiser.
6. **COUNTRY CHRISTMAS:** We had many visitors at the Library's display table. We had over 300 entries into the library's draw. It was said that 2018 was a record breaking year for visitors.
7. **OTHER BUSINESS :**

The board passed the following motion and has directed the CEO to send a draft by-law to council with regarding the size and composition of the library board.

The Board shall consist of 7 members, comprised of 1 members of Council and 6 citizen appointees. MOVED by Claudia Smith and SECONDED by Marvyn Morrison. CARRIED.
8. **NEXT MEETING:** January 22<sup>nd</sup> 2018
9. **ADJOURNMENT:** MOVED by Claudia Smith and SECONDED by John Shymko that the meeting of the regular board meeting of December 12<sup>th</sup> 2018 be adjourned at 7:45pm. CARRIED.



Corporation of the Municipality of Temagami

Memo No.  
2019-M-035

Memorandum to Council

☒ Staff  
☐ Committee

**Subject:** Changes to the Municipal Act as of March 1, 2019

**Agenda Date:** February 14, 2019

**Attachments for Information:**

- Draft Council-Staff Relations Policy

**RECOMMENDATION**

WHEREAS as of March 1, 2019 section 270 “Adoption of Policies” of the *Municipal Act, 2001* will be amended for municipalities to have policies in place regarding relations between Members of Council and staff; NOW THEREFORE BE IT RESOLVED THAT Council receive Memo 2019-M-035; AND FURTHER THAT Council approved the Draft Council-Staff Relations Policy AND FURTHER THAT Council directs Staff to prepare the necessary by-law for Council’s consideration.

**INFORMATION**

As of March 1, 2019 several changes to the *Municipal Act, 2001* are coming into effect. In Section 270 “Adoption of Policies” of the *Municipal Act, 2001* one change will be for municipalities to have policies in place regarding the relations between members of Council and Staff.

Currently in our Code of Conduct By-Law 13-1138 it discusses the roles and responsibilities of Council in s. 4 and ss. 4.7 “Relations with Staff”. The intent within our Code of Conduct is to have a clear understanding of the roles and responsibilities for Staff and for Members of Council.

The general rule of thumb is that individual Members of Council should refrain from directing individual Staff members and direction for Staff should come from Council as a whole, passed by resolution. Currently, the Treasurer/Administrator will intercede if the workload from individual Members affects the Staff member’s daily duties.

Wishart Law Firm LLP have prepared the attached Draft policy for Council’s consideration. The draft policy provides more detail, definitions and a clearer understanding with respect to the roles and responsibilities of Staff and Members of Council. Council can proactively adopt the policy if Council deems it desirable.

Prepared by:

Approved for Council consideration by:

**Tammy Lepage,  
Planning Clerk/Deputy Clerk**

**Craig Davidson  
Treasurer/Administrator**

Name, Position

Name, Position



# **Council-Staff Relations Policy**

*Municipality of Temagami*

**Important Disclaimer:** this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the “Act”). If you have any questions or concerns about this policy or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this policy other than as expressly authorized or directed by Wishart Law Firm LLP.

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## Table of Contents

1. Introduction .....	1
2. Scope and Intent.....	1
3. Definitions .....	1
4. Clarifying Roles.....	2
5. Guiding Principles.....	2
6. Complaints.....	4

DRAFT

## 1. Introduction

As of March 1, 2019, amendments to section 270 of the *Municipal Act, 2001* will require the Municipality to adopt and maintain a policy with respect to the relationship between Members of Council and the Officers and Staff of the Municipality.

The Municipality has proactively adopted this Council-Staff Relations Policy to ensure that the Municipality will be in full compliance with the above-noted amendments upon their coming into force.

## 2. Scope and Intent

This Policy shall apply to all Municipal Staff, Officers and Members of Council.

The intent of this Policy is to ensure that the relationship between Members of Council and the Officers and Staff of the Municipality is co-operative and supportive with a clear understanding of the respective roles and responsibilities.

## 3. Definitions

“Member(s) of Council” means a member or members of the municipal council of the Municipality of Temagami.

“Municipality” means the Municipality of Temagami.

“Officer(s)” means a person who holds a position of responsibility with definite rights and duties prescribed by statute or by-law.

“Staff” means any of the following:

- i. A person, not including Members of Council, who performs work for the municipality for wages;
- ii. A person who supplies services to the Municipality for wages;
- iii. Such other persons as may be prescribed who perform work or supply services to the municipality for no monetary compensation.



## 4. Clarifying Roles

### Role of Council:

- **Policy Focus:**
  - Represent the Municipality, provide direction and create policy.

### Role of Senior Management:

- **Direction Focus:**
  - Liaison between Council and Staff, direct implementation of Council's policies, hire and develop a team of competent Staff.

### Role of Staff and other Officers:

- **Implementation Focus:**
  - Research policy and programs, give best professional advice, implement decisions of Council, fulfill statutory duties, follow direction of Treasurer/Administrator generally see to the operation of the municipal organization.

## 5. Guiding Principles

### 1. Members of Council are Public Figures, not Staff and Officers.

Once a matter is proposed or decided, Staff should only comment on matters of fact or history in discussing issues with the public and the media and should comply with Social Media Policy, 14-1202. Dealing with the media is generally part of an elected representative's job.

### 2. All Members of Council are Equal

Regardless of how they interrelate with Members, Staff and Officers must avoid favouritism and the appearance of favouritism. Differences in experience and abilities amongst Members of Council are irrelevant – they all must be treated equally.

### 3. Respect the Chain of Command

Members of Council must understand they have no individual capacity to direct Staff to perform, or not perform functions or duties. The Treasurer/Administrator is responsible for Staff and Officers - Members of Council who need to engage with Staff and Officers must do so through the Treasurer/Administrator. This would include both in person, verbal, written and electronic messages.

### 4. Make Good Use of Staff's Time

Members of Council should use the resources of Staff and Officers judiciously. Reports cost taxpayer money and take Staff and Officers time away from other issues or problems that may need attention. Members should be discouraged from asking for reports as a means of getting past an unhappy public delegation. The public respects political courage and decisiveness.

#### **5. Council Time is Valuable**

Members should not allow presentations by Staff or Officers to consume all of the time they have to debate various issues. Such presentations should, to the extent possible, be concise. Members of Council should understand they can take any one or more of the following actions where appropriate:

- Pass on an audio-visual presentation;
- Urge Staff or Officers to be more concise;
- Require multiple public delegations with essentially the same point to select a spokesperson, or to impose a limited speaking time, or to provide information in advance or in written form; and/or
- Enact 'curfew' procedures for Council deliberations.

#### **6. Represent the Whole Community**

Members, together with the Municipality's Staff and Officers, work for the public good. Decision making by Members should be based on complete information and unbiased recommendations from Staff and Officers. Members should, in addition to such information and recommendations, rely on their own judgment and show leadership in their decision making.

#### **7. Control Anger**

Members of Council should avoid the temptation to play up divisions or conflicts. Staff and Officers shall not be targets of derisive/vexatious comments/behaviour/conduct. The public expects Members to do the job that they have been elected to do. The public expects Staff and Officers to do the job that they have been hired to do. Comments on Staff and Officer performance shall be directed through the appropriate confidential performance reviews.

#### **8. Politics or Management – Not Both**

Council provides direction, Staff and Officers give professional advice and implement Council's directives. Members of Council are not elected to be technical experts nor to act

in their professional capacities. Likewise, Staff and Officers are not politicians. Advice comes from Staff, policy and service delivery decisions are made by Council.

## **9. A Formal Relationship**

Staff and Officers shall treat Council as a collective decision-making body. Staff and Officers shall not communicate directly with individual Members on municipal business, rather they must communicate on such matters through the Treasurer/Administrator. Information from the Treasurer/Administrator shall be communicated to all Members. Staff and Officers shall stay out of political lobbying.

## **10. Professionalism**

Members of Council, Staff and Officers must treat each other with professionalism. When Council requests that Staff and Officers appear before Council, they must comply and be prepared for any questions Council has. Advance notice of questions to Staff provides an opportunity for Staff to provide quality reports and advice.

## **11. Respect**

Members, Staff and Officers shall work hard at fostering a climate of mutual respect. Each must be respectful of others' intelligence and professional duties. Members, Staff and Officers must understand that they all face different, often unique, challenges and recognize their overarching goal is to serve the best interests of the Municipality.

## **6. Complaints**

The Municipal Clerk shall be responsible for receiving complaints and/or concerns related to this Policy. Upon receipt of a complaint and/or concern, the Clerk shall notify:

- a. In the case of Staff and Officers other than the Treasurer/Administrator, the Treasurer/Administrator;
- b. In the case of the Treasurer/Administrator, Council; or
- c. In the case of a Member, the Integrity Commissioner.

Handling of complaints shall be done in the manner set out in the applicable Code of Conduct or policy.

Where there is a discrepancy between this Policy and the applicable Code of Conduct of Conduct, the applicable Code of Conduct prevails.

DRAFT



Corporation of the Municipality of Temagami

Memo No.  
2019-M-036

Memorandum to Council

☒ Staff

☐ Committee

**Subject:** Changes to the Municipal Act as of March 1, 2019 s. 223.2 Code of Conduct & s. 223.3 Integrity Commissioner.

**Agenda Date:** February 14, 2019

**Attachments for Information:**

- Draft Integrity Commissioner Inquiry Protocol

**RECOMMENDATION**

WHEREAS as of March 1, 2019 section 223.2 “Code of Conduct” and section 223.3 “Integrity Commissioner” of the *Municipal Act, 2001* will be amended for municipalities to appoint an Integrity Commissioner and have a policy in place for inquiry protocols; NOW THEREFORE BE IT RESOLVED THAT Council receive Memo 2019-M-036; AND FURTHER THAT Council approves the Draft Integrity Commissioner Inquiring Protocol; AND FURTHER THAT Council directs staff to prepare the necessary by-law for Council’s consideration.

**INFORMATION**

As of March 1, 2019 several changes to the *Municipal Act, 2001* are coming into effect. Section 223.2 “Code of Conduct” and s. 223.3 “Integrity Commissioner” of the *Municipal Act, 2001* will be changed for municipalities to have procedures in place that outlines the protocol for the Integrity Commissioner. The Integrity Commissioner will review inquiries into allegations of contravention of the Code of Conduct and sections 5, 5.1 and 5.2 of the *Municipal Conflicts of Interest Act (MCIA)* etc.

The Municipality will be appointing an Integrity Commissioner prior to March 1, 2019, the draft policy submitted by Wishart Law Firm is attached for Council’s consideration. The draft policy provides more details on the functions of an Integrity Commissioner, definitions and a clearer understanding of how inquiries are to be handled.

The draft policy provides an outline of the functions, powers and duties, and the protocol the Integrity Commissioner is to follow during the inquiries he/she has received.

Council can proactively adopt the policy if Council deems it desirable.

Prepared by:

Approved for Council consideration by:

**Tammy Lepage,  
Planning Clerk/Deputy Clerk**

**Craig Davidson  
Treasurer/Administrator**

Name, Position

Name, Position



# **Integrity Commissioner Inquiry Protocol (Post March 1, 2019 Draft)**

*Municipality of Temagami*

**Important Disclaimer:** this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the “*Act*”). Wishart Law Firm LLP recommends that legal advice be sought by the Integrity Commissioner or anyone acting under his or her authority in responding to an application or conducting an inquiry pursuant to this protocol. If you have any questions or concerns about this protocol or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this protocol other than as expressly authorized or directed by Wishart Law Firm LLP.

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## Table of Contents

1. Introduction .....	1
2. Definitions .....	1
3. Integrity Commissioner .....	2
3.1. Functions.....	2
3.2. Powers and duties.....	3
3.3. Delegation .....	3
3.4. Outside assistance.....	3
4. Requests for advice.....	3
4.1. Requests for advice shall be in writing.....	3
4.2. Advice shall be in writing.....	3
4.3. Release of advice .....	3
5. Inquiry by Integrity Commissioner re Code of Conduct.....	4
5.1. Request for inquiry.....	4
5.2. Request contents.....	4
5.3. Jurisdiction re workplace violence, harassment, and sexual harassment .....	4
5.4. Request review .....	4
5.5. Powers on inquiry .....	5
5.6. Information .....	5
5.7. Penalties the Municipality may impose.....	5
5.8. Penalties the Local Board may impose.....	6
5.9. Termination of inquiry when regular election begins .....	6
5.10. Other rules that apply during regular election.....	6
6. Inquiry by Integrity Commissioner re s. 5, 5.1 or 5.2 of the <i>MCLA</i> .....	7
6.1. Application .....	7
6.2. Content of application .....	7
6.3. Review of application.....	7
6.4. No application for inquiry during regular election.....	7
6.5. Application timing.....	8
6.6. Exception.....	8
6.7. Public meeting.....	8
6.8. Powers on inquiry .....	8
6.9. Information .....	8



6.10.	Termination of inquiry when regular election begins .....	9
6.11.	No other inquiry in respect of the matter to commence without application .....	9
6.12.	Timing for completion of inquiry .....	9
6.13.	Decision to apply to a judge upon completion of inquiry.....	9
6.14.	Notice to Applicant re decision not to apply to judge.....	9
6.15.	Reasons re decision to apply to a judge.....	9
6.16.	Costs .....	9
7.	Conduct of inquiry .....	10
8.	Reference to appropriate authorities .....	10
8.1.	Referral of matter by Integrity Commissioner.....	10
8.2.	No derogation of rights.....	10
9.	Confidentiality .....	11
9.1.	Integrity Commissioner's duty of confidentiality .....	11
9.2.	Confidentiality of those involved in inquiry.....	11
9.3.	Disclosure required by law .....	11
9.4.	Retention of records.....	11
10.	Reports .....	11
10.1.	Periodic report to council .....	11
10.2.	Report about conduct .....	11
10.3.	Report to Council or Local Board.....	12
10.4.	Publication of reports .....	12
11.	Bad Faith Applications or Requests .....	12
12.	Indemnity .....	13
13.	Protocol review .....	13
	SCHEDULE "A" .....	14
	SCHEDULE "B" .....	15

## 1. Introduction

The Municipality has, pursuant to section 223.2 of the *Municipal Act, 2001*, established a Code of Conduct for members of council of the Municipality and members of its Local Boards.

The Municipality has appointed an Integrity Commissioner whose duties include, among other things, conducting inquiries in respect of alleged contraventions of the Code of Conduct and sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* (“*MClA*”).

The purpose of this protocol is to set out a framework for the Integrity Commissioner’s inquiries into allegations of contraventions of the Code of Conduct and sections 5, 5.1 and 5.2 of the *MClA* breaches.

## 2. Definitions

“**Applicant**” means the person who has submitted an application to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention by a Member of sections 5, 5.1 or 5.2 of the *MClA*.

“**Code of Conduct**” means a code of conduct established pursuant to section 232.2 of the *Municipal Act, 2001*.

“**Elector**” means a person entitled to vote at a municipal election in the Municipality.

“**Integrity Commissioner**” means the Integrity Commissioner appointed by Municipal Council and any individual acting under powers delegated to him or her in writing by the Integrity Commissioner.

“**Local Board**” means a Local Board other than:

- a. A society as defined in subsection 2(1) of the *Child, Youth and Family Services Act, 2017*;
- b. A board of health as defined in subsection 1(1) of the *Health Protection and Promotion Act*;
- c. A Committee of management established under the *Long-Term Care Homes Act, 2007*;
- d. A police service board established under the *Police Services Act, 2018*;
- e. A board as defined in section 1 of the *Public Libraries Act*; and,
- f. A corporation established in accordance with section 203 of the *Municipal Act, 2001*;

**“Member”** means a member of the municipal council and any person on his or her staff and/or a member of a Local Board or a Committee of the Municipality and any person on his or her staff.

**“Requestor”** means the person who has submitted a request to the Integrity Commissioner for an inquiry concerning an alleged contravention of the applicable Code of Conduct.

**“Respondent”** means the person who is alleged to have violated the Code of Conduct or sections 5, 5.1 or 5.2 of the *MClA* and whom an Integrity Commissioner inquiry application has been submitted.

### 3. Integrity Commissioner

#### 3.1. Functions

The Integrity Commissioner reports to council and is responsible for performing in an independent manner, the functions assigned by the Municipality with respect to any of the following:

1. The application of the Code of Conduct for Members.
2. The application of any procedures, rules and policies of the Municipality and Local Boards governing the ethical behaviour of Members.
3. The application of sections 5, 5.1 and 5.2 of the *MClA* to Members.
4. Requests from Members for advice respecting their obligations under the Code of Conduct applicable to the Member.
5. Requests from Members for advice respecting their obligations under a procedure, rule or policy of the Municipality or of the Local Board, as the case may be, governing the ethical behaviour of Members.
6. Requests from Members for advice respecting their obligations under the *MClA*.
7. The provision of educational information to Members, the Municipality and the public about the Municipality’s Code of Conduct for Members and about the *MClA*.

### **3.2. Powers and duties**

In carrying out the responsibilities described in section 3.1 above, the Integrity Commissioner may exercise such powers and shall perform such duties as may be assigned to him or her by the Municipality.

### **3.3. Delegation**

After satisfying himself or herself that a person is fully capable of carrying out the Integrity Commissioner's powers or duties, the Integrity Commissioner may, in writing, delegate to any person, other than a member of council, any such duties or powers. For greater certainty, if the Integrity Commissioner delegates any duties or powers, the Integrity Commissioner may continue to exercise the delegated powers and duties despite the delegation.

### **3.4. Outside assistance**

In performing any of his or her duties, the Integrity Commissioner may engage outside assistance or consult with the Municipality's legal counsel. When the Municipality's legal counsel is assisting the Integrity Commissioner their role is solely to assist the Integrity Commissioner and not any particular individual.

## **4. Requests for advice**

### **4.1. Requests for advice shall be in writing**

A request by a Member for advice from the Integrity Commissioner under paragraphs 4, 5 or 6 of section 3.1 above, shall be made in writing.

### **4.2. Advice shall be in writing**

If the Integrity Commissioner provides advice to a Member under paragraphs 4, 5 or 6 of section 3.1 above, the advice shall be in writing.

### **4.3. Release of advice**

Advice provided by the Integrity Commissioner to a Member under paragraphs 4, 5 or 6 of section 3.1 above may be released by the Integrity Commissioner:

1. With the Member's written consent; or
2. Without the Member's written consent if the Member releases part of the advice.

## 5. Inquiry by Integrity Commissioner re Code of Conduct

### 5.1. Request for inquiry

A request for inquiry may be made in writing to the Integrity Commissioner by a Member, staff or member of the public about whether a Member has contravened the Code of Conduct.

### 5.2. Request contents

A request for inquiry under section 5.1 above may be in the form set out in Schedule “A” or, otherwise, shall include sufficient information to set out a prima facie contravention of the applicable Code of Conduct, including, but not necessarily limited to, all of the following:

- The Requestor’s name and contact information.
- What happened – a description of the events or situation.
- When it happened – dates and times of the events or incidents.
- Where it happened – the location(s) where the events or incidents occurred.
- Who saw it happen – the names of any witnesses, if any.

### 5.3. Jurisdiction re workplace violence, harassment, and sexual harassment

Requests made under this section must specifically refer to alleged contraventions of the Code of Conduct by a Member. Allegations of workplace violence, harassment, and sexual harassment by a Member must be reported in the manner set out in the Municipality of Temagami Workplace Anti-Violence, Harassment and Sexual Harassment Policy and must be reported as provided thereunder and that policy shall exclusively apply in respect of any such report.

### 5.4. Request review

The Integrity Commissioner will conduct an initial review of the request to ensure that it is a proper allegation of a breach of the Code of Conduct. If, after the initial review, the Integrity Commissioner determines that the request is not properly an allegation of a breach of the Code of Conduct, there are insufficient grounds to believe that there has been a contravention of the Code of Conduct, or the Integrity Commissioner determines that an inquiry is not appropriate for any other reason in the Integrity Commissioner’s reasonable discretion, the Integrity Commissioner will dismiss the request. When determining if an inquiry is appropriate, the Integrity Commissioner may, among other things, take into account the date of the alleged

breach. Further, the Integrity Commissioner shall, in his or her discretion, dismiss the request. If, upon initial review, the Integrity Commissioner determines that the Requestor has not supplied the information as mentioned by section 5.2, the Integrity Commissioner will advise the Requestor that he or she must supply additional information and shall take no further action until the information is provided.

### **5.5. Powers on inquiry**

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

### **5.6. Information**

The Municipality, its Local Boards and Committees shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality, Committee or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

### **5.7. Penalties the Municipality may impose**

Council may impose any of the following penalties on a Member if the Integrity Commissioner reports to the Municipality that the Member has contravened the Code of Conduct:

1. A reprimand;
2. Suspension of the remuneration paid to the Member for a period of up to 90 days;
3. Other penalties, including, but not necessarily limited to:
  - a. Removal from membership of a Committee or Local Board;
  - b. Removal as Chair of a Committee or Local Board;
  - c. Require repayment or reimbursement of moneys received;
  - d. Return of property or reimbursement of its value;
  - e. Request for an apology to Council, the Requestor or other relevant party;
  - f. Revocation of travel or other budget;
  - g. Request for resignation;

h. Trespass Order restricting access except for Council Meetings.

### **5.8. Penalties the Local Board may impose**

A Local Board may impose any of the penalties described in section 5.7 above on a member of the Local Board if the Integrity Commissioner reports to the Local Board that, in his or her opinion, the member of the Local Board has contravened the Code of Conduct applicable to the Member of the Local Board, and if the Municipality has not imposed a penalty on the member of the Local Board under section 5.7 above in respect of the contravention.

### **5.9. Termination of inquiry when regular election begins**

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, the Integrity Commissioner shall terminate the inquiry on that day. If an inquiry is so terminated, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act*, 1996, the person or entity who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

### **5.10. Other rules that apply during regular election**

The following rules apply during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*:

1. There shall be no requests for an inquiry about whether a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.
2. The Integrity Commissioner shall not report to the Municipality or Local Board about whether, in his or her opinion, a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.
3. The Municipality or Local Board shall not consider whether to impose the penalties referred to in sections 5.5 and 5.6 above on a member of council or of a Local Board.

## **6. Inquiry by Integrity Commissioner re s. 5, 5.1 or 5.2 of the *MClA***

### **6.1. Application**

An Elector, or a person demonstrably acting in the public interest, may apply in writing to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of sections 5, 5.1 or 5.2 of the *MClA* by a Member.

### **6.2. Content of application**

An application may be in the form set out in Schedule “B” or, otherwise, shall set out the reasons for believing that the Member has contravened sections 5, 5.1 or 5.2 of the *MClA* and include the Applicant’s name and contact information and a statutory declaration attesting to the fact that the Applicant became aware of the contravention not more than six weeks before the date of the application or, in the case where the Applicant became aware of the alleged contravention during the period of time described in paragraph 1 of section 6.6 below, a statutory declaration attesting to the fact that the Applicant became aware of the alleged contravention during that period of time.

### **6.3. Review of application**

The Integrity Commissioner will conduct an initial review of the application to ensure that it complies with this section. If the application does not comply with this section, the Integrity Commissioner will advise the Applicant about the non-compliance in writing and the Integrity Commissioner shall take no further action unless or until the Applicant submits a compliant application. If upon initial review, the Integrity Commissioner determines that the application is not properly an application alleging contravention of sections 5, 5.1 or 5.2 of the *MClA* or there are no reasonable grounds to support the application, the Integrity Commissioner shall dismiss the application.

### **6.4. No application for inquiry during regular election**

No application for an inquiry under this section may be made to the Integrity Commissioner during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election as set out in section 5 of that *Act*.



### **6.5. Application timing**

An application under this section may only be made within six weeks after the Applicant became aware of the alleged contravention. No application shall be brought after the expiration of six years from the time at which the contravention is alleged to have occurred.

### **6.6. Exception**

Despite section 6.5 above, an application may be made more than six weeks after the Applicant became aware of the alleged contravention if both of the following are satisfied:

1. The Applicant became aware of the alleged contravention six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that *Act*.
2. The Applicant applies to the Integrity Commissioner under section 6.1 within six weeks after the day after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*.

### **6.7. Public meeting**

If the Integrity Commissioner decides to conduct an inquiry, the Integrity Commissioner may have a public meeting to discuss the inquiry.

### **6.8. Powers on inquiry**

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

### **6.9. Information**

The municipality and its Local Boards shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

### **6.10. Termination of inquiry when regular election begins**

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.

### **6.11. No other inquiry in respect of the matter to commence without application**

If an inquiry is terminated under section 6.10, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act, 1996*, the person who made the application or the Member or former Member whose conduct is concerned applies in writing to the Integrity Commissioner for the inquiry to be carried out.

### **6.12. Timing for completion of inquiry**

The Integrity Commissioner shall complete the inquiry within 180 days after receiving the completed compliant application under section 6.1 above unless the inquiry is terminated under section 6.10 above.

### **6.13. Decision to apply to a judge upon completion of inquiry**

Upon completion of the inquiry, the Integrity Commissioner may, if he or she considers it appropriate, apply to a judge for a determination as to whether the Member has contravened sections 5, 5.1 or 5.2 of the *MCLA*.

### **6.14. Notice to Applicant re decision not to apply to judge**

The Integrity Commissioner shall advise the Applicant if the Integrity Commissioner will not be making an application to a judge.

### **6.15. Reasons re decision to apply to a judge**

After deciding whether or not to apply to a judge, the Integrity Commissioner shall publish written reasons for the decision.

### **6.16. Costs**

The Integrity Commissioner's costs of applying to a judge shall be paid by:

1. The municipality, if the Member is alleged to have contravened sections 5, 5.1 or 5.2 of the *MCLIA* as member of council of the Municipality; or
2. The Local Board, if the Member is alleged have contravened sections 5, 5.1 or 5.2 of the *MCLIA* as member of the Local Board.

## 7. Conduct of inquiry

The Integrity Commissioner may conduct such inquiry as he or she considers necessary in response to a compliant request or application under sections 5 or 6 above and such inquiry may include all or some of the following:

- Informing the Respondent of the application;
- Interviewing the Applicant, the Respondent, any person involved in the incident, and any identified witnesses;
- Interviewing any other person who may have knowledge of the incidents related to the application or any other similar incidents; and
- Reviewing any information the Integrity Commissioner believes necessary and document such review.

## 8. Reference to appropriate authorities

### 8.1. Referral of matter by Integrity Commissioner

If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of the Criminal Code of Canada or any other *Act*, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting investigation, including, but not limited to, police investigations and/or the charges have been finally disposed of, and shall report the suspension to council. Contravention of any other *Act* includes, but is not limited to, contravention of the *Occupational Health and Safety Act*.

### 8.2. No derogation of rights

The provisions of this protocol in no way affect the right of anyone to:

- (a) contact the police, other law enforcement agency, or any other appropriate authority on their own initiative;
- (b) exercise their right(s) under any legislation; or

(c) take any other available legal action.

## 9. Confidentiality

### 9.1. Integrity Commissioner's duty of confidentiality

The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of performing his or her duties. This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*.

### 9.2. Confidentiality of those involved in inquiry

Out of respect for the relevant individuals, it is essential that the Applicant, Respondent, witnesses and anyone else involved in an inquiry conducted by the Integrity Commissioner hereunder maintain confidentiality throughout the inquiry and afterwards.

### 9.3. Disclosure required by law

Notwithstanding sections 9.1 or 9.2 above, information may be disclosed in a criminal proceeding, or as required by law.

### 9.4. Retention of records

The Integrity Commissioner and person providing outside assistance to the Integrity Commissioner pursuant to section 3.4 above, shall retain all records related to any application and any inquiry indefinitely.

## 10. Reports

### 10.1. Periodic report to council

If the Integrity Commissioner provides a periodic report to the Municipality on his or her activities, the Integrity Commissioner may summarize advice he or she has given, but shall not disclose confidential information that could identify a person concerned.

### 10.2. Report about conduct

After completing an inquiry, the Integrity Commissioner shall provide a written report to the Municipality or the Local Board (the "Report").

The Integrity Commissioner may disclose in the Report, such matters as in the Commissioner's opinion are necessary for the purposes of the Report. Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report may, at the Integrity Commissioner's discretion, contain the following:

1. An outline of the Integrity Commissioner's finding; and,
2. The terms of any recommended corrective action;

Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report must contain sufficient information for the Municipality or Local Board to determine whether or not to impose corrective action under section 5.7.

### **10.3. Report to Council or Local Board**

Upon receipt of the Report, the Clerk shall indicate on the regular agenda of Council or the Local Board, notice of intent from the Integrity Commissioner to submit a Report for consideration at the following regular meeting.

The Respondent shall have the right of reply when the Report is considered by the Municipality or the Local Board.

Upon review of the Report, Council shall pass a resolution stating whether or not it intends to take action in response to the Report, and if so, what action Council will take.

### **10.4. Publication of reports**

The Municipality and each Local Board shall ensure that reports received from the Integrity Commissioner by the Municipality or by the Local Board, as the case may be, are made available to the public upon request.

## **11. Bad Faith Applications or Requests**

If a person or entity makes a request or application for an inquiry hereunder and the Integrity Commissioner determines such request or application is made in bad faith or is vexatious or frivolous in nature, notwithstanding anything to the contrary in protocol, the Integrity Commissioner may disclose all relevant information concerning the request or application to the Municipality such that the Municipality may pursue any recourse available against the individual or entity. Examples of bad faith include, but are not limited to, making a report knowing the allegations therein are untrue or making a report for an improper purpose.

## 12. Indemnity

The Municipality shall indemnify and save harmless the Integrity Commissioner, or any person acting under the instructions of the Integrity Commissioner, for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority hereunder or an alleged neglect or default in the performance in good faith of such duty or a by-law passed under Part V.1 of the *Municipal Act, 2001*. For greater certainty, nothing in this section affects the application of section 448 of the *Municipal Act, 2001* with respect to a proceeding referred to in this section.

## 13. Protocol review

The Municipality will review this Policy as often as it deems reasonably necessary and will post the most current version of this protocol on its website.

## SCHEDULE "A"

### INTEGRITY COMMISSIONER REQUEST FOR INQUIRY CODE OF CONDUCT

This form will be used to request the Integrity Commissioner conduct an inquiry of an alleged Code of Conduct contravention	Submit completed complaint in a sealed envelope to: <b>Integrity Commissioner</b> <b>Request for Inquiry Re Code of Conduct</b> <b>[Integrity Commission Contact Information]</b>
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#### REQUESTOR'S INFORMATION

Last Name:	First Name:
Street Address:	Municipality:
Postal Code:	Phone #:
E-mail Address:	Name of Member:

#### DETAILS OF ALLEGED CODE OF CONDUCT CONTRAVENTION

Date(s) of alleged Code of Conduct contravention:		
Provision(s) of Code of Conduct allegedly contravened:		
Facts constituting the alleged Code of Conduct contravention (please use separate page(s) if required)		
Name(s) and contact information of any witnesses:		
<input type="checkbox"/> I agree to release my identity with regard to this request <input type="checkbox"/> I do NOT agree to release my identity with regard to this request		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; padding: 5px;">Signature:</td> <td style="width: 50%; border: none; padding: 5px;">           Date:             Year:                      Month:                      Day:         </td> </tr> </table>	Signature:	Date:  Year:                      Month:                      Day:
Signature:	Date:  Year:                      Month:                      Day:	

#### FOR OFFICE USE ONLY

Date Received Year:              Month:              Day:	Request #:	Comments:
Personal information contained on this form is collected under the authority of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> and will be used for the purpose of requesting an inquiry.		

## SCHEDULE "B"

### INTEGRITY COMMISSIONER APPLICATION FOR INQUIRY *MUNICIPAL CONFLICT OF INTEREST ACT*

**AFFIDAVIT OF** \_\_\_\_\_ (insert full name) I,  
 \_\_\_\_\_ (insert full name), of the (insert City, Town etc.)  
 \_\_\_\_\_ (Municipality of residence) in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have personal knowledge of the facts as set out in this affidavit, because: (insert reasons - e.g. I work for/I attended a meeting at which, etc.)
  2. I have reasonable and probable grounds to believe that a Member, namely: (insert specify name of Member)
- has contravened section(s) \_\_\_\_\_ (specify section(s) 5, 5.1 or 5.2) of the *Municipal Conflict of Interest Act*, RSO 1990, c M.50. The particulars of which are as follows:

(If more room is required, attach and initial extra pages to set out the statement of facts in consecutively numbered paragraphs, with each paragraph being confined as far as possible to a particular statement of fact. Exhibits should be labelled as Exhibit A, B, etc. and attached to this affidavit.)

3. I became aware of the alleged contravention:
  - ☐ not more than six weeks before the date of this application.
  - ☐ within the period of time beginning six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*.

This affidavit is made for the purpose of applying for an inquiry by the Integrity Commissioner and for no other purpose.

SWORN (or AFFIRMED) before me at the \_\_\_\_\_ )  
 City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ )  
 ,20\_\_\_\_. \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )

A Commissioner etc.





Corporation of the Municipality of Temagami

Memo No.  
2019-M-038

Memorandum to Council



Staff



Committee

**Subject:** A Place to Heal, Temagami

**Agenda Date:** February 14, 2019

**Attachments:**

**RECOMMENDATION**

That Council receive Memo 2019-M-038 regarding A Place to Heal, Temagami;

AND FURTHER THAT Council supports this initiative in principle as the required corporation is formed and the studies are completed to confirm that this initiative will improve and provide opportunities for employment, improve the local economy and provide a needed service within the Municipality of Temagami.

**INFORMATION**

At the January 10<sup>th</sup> meeting of Council a presentation was made by Mr. Leger and Ms. Anderson regarding the 'A Place To Heal, Temagami' initiative that is in its early stages.

As the corporation is being formed to govern this initiative, the time is approaching when they will be able to approach different funders to cover the costs of a business plan and feasibility study which would for the foundation of future funding applications to create, and possibly run, the wellness centre.

To increase the programs they can consider for funding, a resolution from the municipality indicating support is required.

**Prepared by:**

**Reviewed by:**

**Craig Davidson, Treasurer/Administrator**  
Name, Position

Name, Position



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.  
2019-M-039

☒ Staff  
☒ Committee

**Subject:** Integrity Commissioner

**Agenda Date:** February 14, 2019

**Attachments:**

**RECOMMENDATION**

That Council receive Memo 2019-M-039 regarding the Integrity Commissioner appointment;

AND FURTHER THAT Council directs Staff to negotiate a contract with e4M for the provision of Integrity Commissioner Services for the Municipality.

**INFORMATION**

A Request for Proposal (RFP) was issued for the provision of Integrity Commissioner services with responses due by 4:00pm, February 6, 2019. There were four responses received.

Included in the RFP documentation issued was a scoring template that was used to compare the proposals to each other. This template covered items such as firm experience and expertise (30%), workplans to ensure timely completing and flexibility with education and workshops (30%), and their schedule of fees (40%). On the last point, fees received ranged from low of \$125 per hour to a high of \$350 per hour plus a \$12,000 annual retainer.

Resulting from the evaluations of the submissions received, the proposal received from Expertise for Municipalities (e4M) flexibility is being recommended as the successful proposal.

**Prepared by:**

**Reviewed by:**

**Craig Davidson, Treasurer/Administrator**

Name, Position

Name, Position

# ROMA CONFERENCE REPORT

Jan 27-29, 2019

Cathy Dwyer

## 1. Participation in education sessions:

The Conference is a premiere education opportunity for rural and northern municipal governments. With over 20 distinct conference sessions, they provided an opportunity to learn about new trends, best practices and emerging issues important to smaller Ontario municipalities.

I participated in the following sessions;

1. Bill 68: Changes to the Municipal Conflict of Interest Act and the Municipal Act and Why they Matter to You ( I recorded this presentation if anyone wants to listen)
2. The Bell weather Effect: Stop Following! Start Inspiring!
3. Update on Cannabis Legalization and the Licensing Framework
4. Here Comes 5G
5. Shifting into a Higher Gear: Processes to Streamline Planning and Development
6. Labour Law and Municipal Government Employers
7. Municipal Role in Duty to Consult

## 2. Interaction with Ministers and other government officials:

Sunday morning we met with Jim McDonell, Parliamentary Assistant to the Minister of Municipal Affairs and Housing, and, Lynn Buckham, Regional Director, Northern Ontario (Lynn and her husband, Andy Stevens have a cottage on the NE Arm of Lk Temagami).

<C:\Users\cathy.dwyer\Documents\ROMA 2019 Municipal Affairs.docx> This is the document we worked from.

Tuesday morning we met with Rod Phillips, Minister of the Environment, Conservation and Parks and his staff regarding the Temagami North lagoons.

<C:\Users\cathy.dwyer\Documents\ROMA 2019 Environment.docx> This is the document we worked from.

With both meetings we did not get a commitment, nor did we ask for one, we merely highlighted the issues requested that they look into it for us or expect the Municipality to be contacting them regarding each issue.

On Monday January 28, 2019 The Honourable Doug Ford, Premier of Ontario gave a speech about how they are listening to rural and northern Ontario municipalities and the level of red tape impacting municipalities and business (380,000 regulations), plus eliminating duplication between levels of government (Fed & Prov). He mentioned reducing fuel prices by 5 cents, scrap the cap and trade carbon trade, double hatters for

firefighters, acted on natural gas-78 communities, working to help municipalities; 58 have been designated to receive help with infrastructure planning (we are one of them), he talked about help to medium size hospitals to end hallway health care. He also mentioned many times about the level of consultation that they are doing. He mentioned scraping the green energy act which got applause, Bill 66 and eliminating Sch 10 to protect the Greenbelt in Ont. Joint and Several Liability; the liability chill that stopped tobogganing, street hockey, increasing insurance costs, and that the Government is taking the next 6 months to do a comprehensive review of each ministry.

We also heard from The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and The Honourable Steve Clark, Minister of Municipal Affairs and Housing. <https://municipalinfonet.com/article/municipal/category/Economy/63/745751/B-Ontario-Working-to-Support-Rural-Communities.html>

Then there was the Ministers Forum with most of the Ministers present and the audience was able to ask many questions that were wide ranging.

### 3. Networking:

I met many people from all over the province. I had breakfast with a good friend of Dan's Sue? who has been on Council for 4 terms. She told me the story of their grocery store burning down and how the Municipality built a new store and lease it out to Freshmart, she talked about purchasing land from a private developer along the river and that they are going to be building a marina, how the attracted 24 new families to town and how important the CIP was.

I talked with Temiskaming Shores Mayor about the Forest Management Plan, he presented the resolution from Temiskaming Municipal Assoc. to the Ministry of Natural Resources and Forestry regarding support for the project.

And many more people.

There was a good trade show so I picked up material of interest, including the Economic Developers Council of Ontario. [www.edco.on.ca](http://www.edco.on.ca)

Overall, I came away with sense that just because we are small or remote, we have the ear of the government through ROMA and AMO who are doing a lot to advance our positions with government. Additionally, they are there to help us and work through problems and issues.

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

## BY-LAW NO. 19-1442

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### Being a bylaw to confirm the proceedings of Council of the Corporation of the Municipality of Temagami

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**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 February 14, 2019 Regular 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 Chief Administrative Officer 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 14<sup>th</sup> day of February, 2019.

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Mayor

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Clerk