

CORPORATION OF THE MUNICIPALITY OF CALVIN

AGENDA
REGULAR COUNCIL MEETING
Tuesday November 9, 2021 at 7:00 p.m. - ELECTRONICALLY

- 1. CALL TO ORDER**
- 2. WRITTEN DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**
- 3. PETITIONS AND DELEGATIONS** Mr. Dean Grant – Council Vacancies
- 4. REPORTS FROM MUNICIPAL OFFICERS** Dean Maxwell, Fire Chief
Jacob Grove, Recreation, Landfill, Cemetery
Shane Conrad, Chief Building Official – Written Report Only
- 5. REPORTS FROM COMMITTEES** None
- 6. ACTION LETTERS**
 - A) Municipality of Calvin - Council Acceptance of Resignation of Councillor Dan Maxwell
 - B) Minutes of Council Meeting Adopt Minutes of Tuesday, October 26, 2021
 - C) Municipality of Calvin – Council Declaration of Council Seats Vacant
 - D) Report from Clerk-Treasurer 2021CT57 Report to Council – Office of Councillor Vacancy
 - E) Municipality of Calvin – Council Resolution to Fill the Vacancy within the Required 60 Days as per Municipal Act, 2001, Section 263(5)1 – Options 1, 2 or 3
 - F) Councillor Sandy Cross Request for Letter to be sent to Province regarding Weighted Assessment Use for Calculating Levies
 - G) By-Law #2021-033 Agreement with the North Bay and District Humane Society -First and Second Reading
 - H) By-Law No. 2021-031 Confirm the Proceedings of Council (July to September 2021)
 - I) Report from Clerk-Treasurer 2021CT56 – Emergency Control Group Meeting Summary – October 20/21
 - J) Municipality of Calvin – Council Council Meetings in December 2021
 - K) Municipality of Calvin – Fire Declaration of Fire Truck Surplus
 - L) Report from Clerk-Treasurer 2021CT58 Report to Council – Update on Road Use Agreement for Kevin and Cindy Grant
 - M) The Royal Canadian Legion Donation Request
 - N) Township of Enniskillen Support Letter for Cannabis Production and Processing Facilities

O)	Report from Clerk-Treasurer	2021CT60 Report to Council – Advertising in our Newsletter
P)	Municipality of Calvin	Plan for Return to In Person Council Meetings
Q)	Municipality of Calvin – Council	A Year in Review Letter for 2021
R)	By-Law No. 2021-030	Municipal Vaccination Policy
S)	Cassellholme Home for the Aged	Appointment of New Member to Cassellholme Board
T)	Municipality of Calvin – Educational	Municipal World Podcast and Toronto Star Article – Putting the Civil back into Society, https://www.municipalworld.com/podcasts/putting-civil-back-in-society/

7. INFORMATION LETTERS

A)	Discovery Routes	2020-2021 Impact Report – Creating Connections
B)	Tribunals Ontario	ARB Digital Delivery Initiative - Update
C)	Association of Municipal Clerks & Treasurers	Advocacy Update – Local Government Priorities for the 2022 Provincial Election
D)	Association of Municipalities of Ontario	Community Paramedicine Expansion, Broadband Internet Expansion, and Launch of Long Term Care Inspections Program
E)	Association of Municipalities of Ontario	New Long Term Legislation, Additional Personal Support Workers' Wage Enhancements, New LTC Personal Support Workers and Nurses Training
F)	Association of Municipalities of Ontario	OMPF Allocations and LTC Development Call
G)	City of Kitchener	Vaccination Passport Program and Associated Costs
H)	North Bay Parry Sound District Health Unit	Public Funding for 2022
I)	Municipality of Leamington	Support for AMO Recommendations to Long Term Care Covid-19 Commission
J)	Ontario Parks	New Trailer Dump and Fill Station and Entrance Road to Canisbay Campground

8. INFORMATION LETTERS AVAILABLE

9. OLD AND NEW BUSINESS

10. ACCOUNTS APPROVAL REPORT

11. CLOSED PORTION

12. BUSINESS ARISING FROM CLOSED SESSION

13. NOTICE OF MOTION

14. ADJOURNMENT

Dear Mayor and remaining councilors

I have written this letter after learning of the resignation Councilor Olmstead and Councilor Maxwell. The community has been following the developments of council after hearing about the resignation of myself, Councilor Grant some months ago.

As it stands the council only has 2 elected candidates on it. That means 3 out of the 4 councilors 75% of elected councilors have resigned council citing working conditions.

Although council has chosen to not engage in the community facebook page (Calvin Convo) it remains to be a cornerstone of the community when it comes to sharing information and opinions of the community. While Council can choose not to engage in the facebook page, it does not negate its value to the members of this page and the community itself.

Recently a poll was posted to the Facebook page asking residents what they felt was the best next steps for our municipal government. At the time this was written there were 60 participants.

95% of respondents choose – “They should call an election of the entire council and Mayor” (57 votes)

5% of the respondents choose – “At least a by-election for the empty seats” (3 votes)

0% of respondents choose “Continue and allow current councilors to appoint more councilors as they sees fit” (0 votes)

The intention of my letter is to inform councilors of the wishes of their constituents, while not a formal communication it is non the less an avenue for residents to voice their opinions. Further should council choose to ignore the thoughts of these ratepayers I'm confident they will not forget at election time.

As it stands if council was to appoint 2 more councilors we would be left with a council of 2 elected officials and 3 appointed officials giving the opportunity for non-elected officials to make critical decisions in our community. This would disturb the balance of democracy and order in our community. Do democratic principles matter? Will council stand with the 57 ratepayers, and support an election to uphold the right ratepayers have to be represented by a council they elect and not one that was selected for them?



MUNICIPALITY OF CALVIN FIRE DEPARTMENT MONTHLY REPORT



PROTECTING CALVIN SINCE 1976

Report Date: October 2021

Originator: Dean Maxwell/ Fire Chief

Responded alarm

Oct/6/21 / 17:04 MVC Hwy 17 @ Champlain Park.

Oct/8/21 / 13:45 Car on fire 1668 Hwy 630.

Meeting nights/Training

Oct/7/21/Meeting night: Review back boarding/Spider straps.

Oct/14/21/Meeting night: Driver training/ Fill Breathing air at Pap-Cam.

Oct/21/21/Meeting night: Install new marker lights on Pt#2/ Upgrades to cascade system.

Oct/28/21 Meeting night: Make room for new pumper/Hand out smoke alarm to residents on Moreau Rd.

Fleet status report

Pt#1 had new brake chamber installed to pass annual safety.

Pt#2 and rescue passed with no problems.

Chief report

Mattawa Christmas parade is a go for 2021.

Dean Maxwell

Cindy Pigeau

MUNICIPALITY OF CALVIN
REPORT TO COUNCIL
Recreation, Cemetery, Landfill JG2021-18

REPORT DATE: 03/11/2021
PREPARED BY: Jacob Grove; Landfill, Cemetery, Recreation Manager
Municipal Enforcement Officer
SUBJECT: Council Report

Recreation

The grass cutting is done for the season and the equipment will receive its fall servicing once the cemetery clean-up is completed.

The part to repair the furnace is expected to come in on November 9th and the servicing is schedule for November 10th.

The playground received its annual inspection October 22nd. Once I receive the report, any concerns will be provided to council.

On October 13th the Community Center received its annual inspection from the Health Unit and passed.

Landfill

The oil and filters have been received for the fall servicing of the compactor truck and the servicing is planned for later this month. New batteries were also ordered as the old ones were getting weak. The new batteries have been installed.

The fall monitoring of the wells was done October 26th.

Our well monitoring contract is completed at the end of this year. I have received pricing for a two year renewal and their price has gone up approximately 54%. The increase is because the hours were under estimated in the previous contract and this is an adjustment to reflect the actual hours. With this information does councils wish to forgo the procurement policy and renew the contract with our existing contractor?

Cemetery

Fall clean-up of the pine needles has started.

There is a burial scheduled for November 14th.

Municipal Enforcement

There was one By-Law call this month.

Respectfully submitted;

Jacob Grove
Landfill, Cemetery, Recreation Manager
Municipal Enforcement Officer
Municipality of Calvin

Cindy Pigeau
Clerk - Treasurer
Municipality of Calvin



MUNICIPALITY OF CALVIN

1355 PEDDLERS DRIVE, MATTAWA ON, P0H 1V0

Tel: (705) 744-2700 • Fax: (705) 744-0309

building@calvintownhsip.ca • www.calvintownship.ca

BUILDING REPORT

MONTH: October, 2021

1. NUMBER OF PERMITS ISSUED	2
2. TOTAL MONTHLY VALUE	\$ 40,000
3. TOTAL FEES COLLECTED	\$ 100
4. TOTAL BUILDING VALUE TO DATE	\$513,190
5. TOTAL FEES COLLECTED TO DATE	\$3,130

COMMENTS:

Permit: 16-2021 Type: Garage

Value: \$30,000

Fee: \$310

17-2021

Alterations and Improvements

\$10,000

\$100

NOTES: Permit 16-2021 not picked up and not paid for.

SHANE CONRAD
CHIEF BUILDING OFFICIAL

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021

NO. ____

MOVED BY _____

SECONDED BY _____

“That the Council of the Municipality of Calvin hereby accepts, Councillor Dan Maxwell’s resignation dated Tuesday, October 26, 2021.”

CARRIED _____

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Coun Cross	_____	_____
Coun Maxwell	_____	_____
Coun	_____	_____
Coun Shippam	_____	_____
Mayor Pennell	_____	_____

CORPORATION OF THE MUNICIPALITY OF CALVIN
MINUTES OF THE REGULAR COUNCIL MEETING TUESDAY, OCTOBER 26, 2021

The regular meeting of Council was held this date by Zoom electronic meetings (due to Covid-19 pandemic). Present were Mayor Ian Pennell, Deputy Mayor Sandy Cross, Coun Dan Maxwell, Coun Heather Olmstead, Coun Christine Shippam, Clerk-Treasurer, Cindy Pigeau, Fire Chief Dean Maxwell and Administrative Assistant, Aleysha Blake.

Regret: 0

Guests: 2 – Tammy Albers, E4M Solutions
- Colleen Hannigan, E4M Solutions

The meeting was called to order at 7:01 p.m. by Mayor Ian Pennell

PECUNIARY/CONFLICT OF INTEREST: NONE

PRESENTATIONS/DELEGATIONS: NONE

2021-253 AMENDMENT TO AGENDA

Moved by Coun Cross and seconded by Coun Maxwell that Council hereby authorizes the following amendments to the October 26, 2021 agenda:

A1)	Municipality of Calvin	Amendment to Agenda
M1)	Ms. Tammy Albers, E4M	Apology

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea
Councillor Maxwell	Yea
Councillor Olmstead	Yea
Councillor Shippam	Yea
Mayor Pennell	Yea

Carried

2021-254 ADOPT MINUTES OF TUESDAY, OCTOBER 12, 2021

Moved by Coun Olmstead and seconded by Coun Shippam that the minutes of the regular meeting of Council held on Tuesday, October 12, 2021 be hereby adopted and signed as circulated.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea
Councillor Maxwell	Yea
Councillor Olmstead	Yea
Councillor Shippam	Yea
Mayor Pennell	Yea

Carried

2021-255 RESIGNATION

Moved by Coun Maxwell and seconded by Coun Cross that the Council of the Municipality of Calvin hereby accepts (accepts/rejects), Councillor Heather Olmstead's resignation as of Tuesday, October 26, 2021.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea	
Councillor Maxwell		Nay
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	

Carried

2021-241 BY-LAW NO. 2021-029 ROAD USE AGREEMENT – CHRISTOPHER AND LAURIE BOILEAU BEING A BY-LAW TO AUTHORIZE A ROAD USE AGREEMENT BETWEEN CHRISTOPHER AND LAURIE BOILEAU AND THE CORPORATION OF THE MUNICIPALITY OF CALVIN.

Moved by Coun Shippam and seconded by Coun Maxwell that by-law No. 2021-29 being a by-law to authorize a road use agreement between Christopher and Laurie Boileau and the Corporation Municipality of Calvin. This by-law received third and final reading on Tuesday, October 26, 2021 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

Third Reading

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

2021-248 BY-LAW NO. 2021-030 MUNICIPAL VACCINATION POLICY BEING A BY-LAW TO ADOPT A POLICY REGARDING THE VACCINATION OF WORKERS AGAINST COVID-19 FOR THE MUNICIPALITY OF CALVIN.

Moved by Coun Shippam and seconded by Coun Cross that by-law No. 2021-030 being a by-law to adopt a policy regarding the vaccination of workers against COVID-19 for the Municipality of Calvin. The third reading of this by-law was deferred to Tuesday November 9, 2021, Regular Council Meeting.

Recorded Vote as per Electronic Meeting Best Practices

Vote for 3rd Reading to be deferred to Tuesday, November 9th, 2021 Meeting.

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

2021-249 BEING A BY-LAW TO AMEND BY-LAW 2020-020 and BY-LAW 2020-025 - A POLICY OUTLINING THE TERMS AND CONDITIONS AND FEES FOR THE RENTAL OF THE CALVIN COMMUNITY CENTRE AND ITS EQUIPMENT (Commonly Known as the Hall Rental and Equipment Use Policy) TO INCLUDE PANDEMIC SCREENING, CONTRACT TRACING AND VACCINATION REQUIREMENTS.

Moved by Coun Cross and seconded by Coun Maxwell that being a by-law to amend By-law 2020-020 and By-law 2020-025 – A policy outlining the terms and conditions and fees for the rental of the Calvin Community Centre and its Equipment (Commonly known as the Hall Rental and Equipment Use Policy) to include pandemic screening, contract tracing and vaccination requirements. This by-law received third and final reading on Tuesday, October 26, 2021 and finally passed before an open Council on this date.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

2021-256 BY-LAW NO. 2021-031 BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL (JULY 1, 2021 TO SEPTEMBER 30, 2021).

Moved by Coun Shippam and seconded by Coun Maxwell (First Reading), moved by Coun Cross and Seconded by Coun Shippam (Second Reading) that by-law No. 2021-031 that being a by-law to confirm the proceeding of Council (July 1, 2021 to September 30, 2021.) This by-law received 1st & 2nd reading on Tuesday, October 26, 2021 and will come before Council for a 3rd and final reading on Tuesday, November 9th, 2021.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	

Recorded Vote as per Electronic Meeting Best Practices

Second Reading

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	

Carried

2021-257 ADVERTISING IN THE CALVIN NEWSLETTER – LOCAL MATTAWA EVENTS

Moved by Coun Shippam and seconded by Coun Cross that the Council of the Municipality of Calvin ~~will hereby~~
~~_____ (allow/not allow), the regional municipalities to advertise in our monthly newsletter, will charge a fee~~
~~of \$_____ (per word/per page) and requests the Clerk-Treasurer to add this fee to the Fees and Charges By-Law~~
requests the Clerk-Treasurer to research and develop a policy on outside sources advertising in our monthly newsletter including costs associated with advertising in the newsletter.

Recorded Vote as per Electronic Meeting Best Practices

Acceptance of Amendments

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	

Carried

Recorded Vote as per Electronic Meeting Best Practices

Acceptance of Motion

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	

Carried

2021-258 REQUEST FOR PURCHASE OF NEW PUMPER TRUCK

Moved by Coun Maxwell and seconded by Coun Shippam that the Council of the Municipality of Calvin hereby deems it in the best interest of the Municipality to replace the old 1985 pumper truck as parts are difficult to obtain, it is rusting quite badly and it repair bills are quite costly because of the age of the truck; Whereas the funds of approximately \$85,000 were not included in the 2021 budget for the replacement of the aging pumper truck as it was not anticipated to be replaced in 2021; Whereas Council acknowledges that they will be evoking clause 4.3.2.2. of the "Procurement By-Law" and consider this a sole source supply; Therefore Be It Resolved that Council hereby authorizes the Clerk-Treasurer to transfer funds in the amount of \$85,000 from the Fire Reserves to allow this important project to proceed in a timely manner and for the expense and revenue to be allocated into the applicable calendar year.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

2021-259 ACKNOWLEDGEMENT OF INSURANCE REQUEST PROPOSAL

Moved by Coun Maxwell and seconded by Coun Cross that the Council of the Municipality of Calvin hereby acknowledges that the Clerk-Treasurer will be putting out a Request for Proposal for a Municipal Insurance Provider.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

2021-260 REQUEST FOR PETITION TO BE PUT IN TH MUNICIPAL OFFICE, RE: CASSELLHOME

Moved by Coun Maxwell and seconded by Coun Cross that the Council of the Municipality of Calvin hereby authorizes a copy of the petition made by Mr. Richard Gould, resident of the Municipality of Calvin to be placed in the Municipal Office for the convenience of those members of the community who wish to sign it; And further the petition will placed just inside the Municipal Office door to provide minimal contact with staff during a pandemic and residents with questions regarding the petition will be requested to contact Mr. Gould.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Nay	
Mayor Pennell	Nay	
Defeated		

2021-261 REQUEST FOR APOLOGY FROM TAMMY ALBERS, E4M REGARDING COMMENTS MADE AT THE OCTOBER 12, 2021 REGULAR COUNCIL MEETING

Moved by Coun Shippam and seconded by Coun Maxwell that the Council of the Municipality of Calvin hereby requests that Ms. Tammy Albers, Wellness and Relationship Building Consultant make a formal apology to Councillor Maxwell regarding her comments made at the October 12, 2021 Regular Council Meeting and that Ms. Albers not be allowed to attend any future Municipality of Calvin Council Meetings.

Recorded Vote as per Electronic Meeting Best Practices

Acceptance of Amendments

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

Recorded Vote as per Electronic Meeting Best Practices

Acceptance of Motion

Councillor Cross		Nay
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam		Nay
Mayor Pennell		Nay
Defeated		

2021-262 BY-LAW NO. 2021-032 BEING A BY-LAW TO AUTHORIZE ROAD USE AGREEMENT BETWEEN KEVIN AND CINDY GRANT AND THE MUNICIPALITY OF CALVIN.

Moved by Coun Cross and seconded by Coun Maxwell (First Reading), moved by Coun Shippam and seconded by Coun Cross (Second Reading) that being a by-law to authorize road use agreement between Kevin and Cindy Grant and the Municipality of Calvin. This by-law received 1st reading on Tuesday, October 26, 2021 and will come before Council for a 2nd, 3rd and final reading on Tuesday, November 9th, 2021.

Recorded Vote as per Electronic Meeting Best Practices

First Reading

Councillor Cross	Yea	
Councillor Maxwell	Yea	
Councillor Olmstead		Resigned
Councillor Shippam	Yea	
Mayor Pennell	Yea	
Carried		

Recorded Vote as per Electronic Meeting Best Practices

Second Reading: Deferred to Regular Council Meeting of Tuesday, November 9, 2021 to hear response back from solicitor.

Councillor Cross		
Councillor Maxwell		
Councillor Olmstead		Resigned
Councillor Shippam		
Mayor Pennell		
Carried		

2021-263 ADJOURMENT

Moved by Coun Maxwell and seconded by Coun Shippam that this Regular meeting of Council now be adjourned at 9:10 p.m.

Recorded Vote as per Electronic Meeting Best Practices

Councillor Cross Yea

Councillor Maxwell Yea

Councillor Olmstead Resigned

Councillor Shippam Yea

Mayor Pennell Yea

Carried

MUNICIPALITY OF CALVIN
2021CT57 REPORT TO COUNCIL

REPORT DATE: **November 2, 2021**
ORIGINATOR: **Cindy Pigeau – Clerk-Treasurer**
SUBJECT: **Office of Councillor Vacancies**

RECOMMENDATION:

- A. That Council declare the Office of Councillor to be vacant at the November 9, 2021 Regular Council Meeting.
- B. That Council selects one of the following methods for filling the vacant Office of Councillor:
 - i) Council considers candidates for appointment through an application process
 - ii) Council selects a person known to Council

PURPOSE/BACKGROUND:

At the Regular Council Meeting on October 26th, 2021, Councillor Heather Olmstead submitted her verbal resignation, followed by her written resignation on Wednesday, October 27. On Tuesday, October 26th, after the Regular Council Meeting, Councillor Dan Maxwell submitted his resignation by email. Pursuant to Sections 262 and 263 of the Municipal Act, Council must now declare the Office of Councillor vacant and within 60 days from the date of the declaration of vacancy (by January 9, 2022) fill the vacancy by appointment or call a by-election.

Within sixty (60) days after the office has been declared vacant, as per Section 263 (1) of the Act, Council must do one of the following:

- (a) Fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) Require a by-election to be held to fill the vacancy in accordance with the Municipal Elections Act, 1996 (ie. pass a by-law requiring a by-election be held).

ANALYSIS/RATIONALE FOR RECOMMENDATION:

It should be noted that the first choice given in the Act is the appointment of someone to fill the position. The Act does not prescribe how the Council should select the person to be appointed, other than that they need to be eligible and consent to the appointment.

If appointing someone to fill a vacancy, it is recommended for Council to review the duties of the position and to ensure the person being appointed is aware of the duties and responsibilities. Appendix A to this report include the role of Council as per the Municipal Act and the Municipality of Calvin's procedural by-law.

If Council chooses to appoint someone to fill the vacancy, he or she would need to be appointed by by-law.

It is not recommended to fill the vacancy by calling a by-election (which requires passing a by-law requiring that a by-election be held) for the following reasons:

- a) It take longer to fill the vacancy through a by-election. The timeframe set out in the Municipal Elections Act (MEA) is from 75 to 105 days from the date the by-law is passed until Voting day. This means that the office could remain vacant until the end of February, which could present many challenges.
- b) A by-election will generally cost more than a regular election in terms of man-hours and dollars. Additional election supports are not in place for a by-election, so there is more work for the Clerk's department to do things such as creating a by-election calendar to ensure deadlines are met, arranging for voters' list data and updates from MPAC, etc.. Additional advertising should be done to help make the electorate aware of the election. The estimated cost to run a by-election, presuming it is done using traditional in person voting and manual counting, is about \$5,000, plus the cost of staff time. If using full-time staff to assist with the election, this will mean other duties will be impacted.
- c) While this is often seen as the most democratic method, statistics have demonstrated that by-elections generally have a lower voter turn-out than regular elections and given that the turnout for Calvin's 2018 regular election was approximately 35-45%, a by-election may not provide enough turn-out to make it worth the extra time and cost to fill the position.

The following chart also provides a brief summary of some pros and cons to the various alternatives.

Method	Pros	Cons
Candidate from 2018 Election	<ul style="list-style-type: none"> • Takes little time and cost to fill the vacancy. • Person has already demonstrated an interest and electoral support at the time of the election can be gauged from election results. 	<ul style="list-style-type: none"> • It is now over 28 months since 2018 Voting day and 30 since 2018 Nomination Day – there could be additional potential candidates now and the support of the electorate could have changed since then. • Limits choice of Council with respect to people to consider.
Council selects a person known to Council	<ul style="list-style-type: none"> • Takes little time and cost to fill the vacancy. • Reasonable assurance that person will work well with Council. 	<ul style="list-style-type: none"> • Council may not have considered all available candidates. • May not be able to gauge the support of the electorate.
Application Process	<ul style="list-style-type: none"> • Time and cost are significantly less than by-election • More transparent than direct appointment. • Demonstrates due diligence of Council in considering all available candidates. • Provides reasonable assurance that person will work well with Council. 	<ul style="list-style-type: none"> • Time and cost are greater than direct appointment, could take a few weeks, cost to advertise. • May not be able to gauge the support of the electorate. • Need to decide on details of the process to ensure fairness and transparency.

By-election (not recommended)	<ul style="list-style-type: none"> • Allows the electorate to choose directly (presuming sufficient turn-out for good representation). 	<ul style="list-style-type: none"> • Takes at very least 75 days from the time a by-law is passed to fill the vacancy. • The cost ~\$5,000 + staff time. • Possibility of insufficient voter turn out to make it worthwhile.
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NEXT STEPS:

Next steps will be for Council to determine how they wish to fill the vacancy.

Council should reference the Council Vacancies Policy developed earlier this year (included for your reference in your Council Package).

APPENDICES/SCHEDULES:

Appendix A – Roles and Responsibilities

Respectfully submitted;
Cindy Pigeau
Clerk-Treasurer

PART 3

3.0 ROLES AND DUTIES

3.3 Role of Council

It is the role of Council,

- 1) to represent the public and to consider the well-being and interests of the municipality;
- 2) to develop and evaluate the policies and programs of the municipality;
- 3) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;
- 4) to determine which services the municipality provides in accordance with applicable legislation;
- 5) to maintain the financial integrity of the municipality;
- 6) to carry out the duties of council under this or any other Act; and
- 7) to ensure accountability & transparency of the municipal operations, and of activities of Senior Management (Section 225).

3.4 Duty of Councillors

It is the duty of the Councillors to attend all meetings of Council, and;

- 1) to prepare for meetings including reviewing the agenda and background information prior to the meeting;
- 2) to speak only to the subject under debate;
- 3) to vote on all motions before the Council unless prohibited from voting by law;
- 4) to observe proper procedure and decorum at all meetings;
- 5) to state questions to be asked through the Mayor;
- 6) to support the Council;
- 7) to attend Standing Committee, Advisory Committee and AD-Hoc Committee meetings to which the member has been appointed by Council;
- 8) to carry out the duties of Councillor under the Municipal Act or any other Act; and
- 9) to act in accordance with their Oath of Allegiance and Oath of Elected Office (Section 224).

From Municipal Act, 2001, S.O. 2001, c. 25

Role of council

224 It is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224; 2006, c. 32, Sched. A, s. 99.



Council Vacancy Policy

PURPOSE:

To establish an open, accountable and transparent process for filling a vacancy on municipal Council in accordance to the *Municipal Act, 2001* and the *Municipal Elections Act, 1996*.

SCOPE:

This Policy and Procedure applies to all Council office declared vacant on municipal Council during the term of Council.

DEFINITIONS:

Appointment means the appointment of a qualified individual, by majority vote of Council, to fill a vacancy on Council for the remainder of the current term of Council.

By-Election means an election to fill a vacancy on municipal Council, conducted in accordance with the provisions of Section 65 of the *Municipal Elections Act, 1996*, as amended.

Council means the Corporation of the Municipality of Calvin Council.

Lot means a method of determination by placing the names of the nominees on equal sized pieces of paper and placed in a container with one name being drawn by the Municipal Clerk.

Nominee means individuals wishing to fill a vacancy on Council who meet the eligibility requirements and who have submitted the required documentation as outlined in this policy.

Regular Election Year means the year established for a regular municipal election in accordance with the *Municipal Elections Act, 1996*, as amended.

Vacancy means when a seat on Council has become vacant in a manner described by the Act.

GENERAL:

1. Council is required to declare a seat vacant in accordance with Section 262(1) of the *Municipal Act*.
2. Council shall determine whether to fill the vacancy, within 60 days after the day a declaration of vacancy is made, in accordance with Section 263 of the *Municipal Act, 2001*. By either:
 - a) Appointing a person who has consented to accept the office if appointed; or
 - b) Passing a By-law requiring a By-election to be held to fill the vacancy.

The Exceptions to S. 263 are:

- a) Section 65(2) of the *Municipal Elections Act* states that no By-election shall be held to fill an office if the vacancy occurs after March 31 in the year of a regular election; and
 - b) Section 263(5)(b) if a vacancy occurs within 90 days before Voting Day of a regular election, the municipality is not required to fill the vacancy.
- 3. The Procedure for filling a vacancy by appointment is contained in Appendix “A” and the vote to appoint an individual to the vacancy shall occur during an open meeting of municipal Council;
 - 4. Any individual filling a vacancy must meet the eligibility requirements of office as outlined in the *Municipal Act* and the *Municipal Elections Act* as an eligible elector.
 - 5. Any employee of the Corporation of the Municipality of Calvin wishing to fill a vacancy on Council shall provide advance written notice of their intention to take unpaid leave. If the employee is appointed to office, they will be deemed to have resigned their position with the Municipality before making the declaration of office.

POLICY:

A. Filling a Vacancy by appointment

Office of the Mayor

If a vacancy in the Office of the Mayor is to be filled by appointment, Council may choose to fill the vacancy by appointing:

- a) A current member of Council in accordance with the Act; or
- b) The candidate who ran for the position that is vacant from the previous election who received the next greatest amount of votes but was not elected; or
- c) An open call for individuals for consideration by Council through a public appointment process (see Schedule “A”).

Office of Councillor

If a vacancy in the Office of Councillor is to be filled by appointment, Council may choose to fill the vacancy by either:

- a) The Candidate who ran for the position that is vacant from the previous election who received the next greatest amount of votes but was not elected; or
- b) An open call for individuals for consideration by Council through a public appointment process (see Schedule “A”).

Filling a vacancy by by-election

If a vacancy for either Office of Mayor or Councillor is to be filled by by-election, Council shall pass a By-law to fill the vacancy by By-election within 60 days of declaring the seat vacant.

Once the By-law has passed, a By-election shall be held in accordance with the *Municipal Elections Act* and the Municipal Clerk shall conduct the By-election in accordance with the *Municipal Elections Act* and all applicable policies and procedures.

RESPONSIBILITIES:

The Corporation of the Municipality of Calvin municipal Council is responsible for the adoption and application of this Policy.

The Municipal Clerk or designate shall be responsible for conducting any By-election in accordance with the *Municipal Election Act* and all applicable policies and procedures.

SCHEDULE "A"

PROCEDURE

There will be two procedures for the Corporation of the Municipality of Calvin Municipal Council to follow in the event they wish to fill the vacancy by appointment:

1. Procedure for Filling Council Vacancy: Appointment from Previous Election Candidates
2. Procedure for Filling Council Vacancy: Appointment by Nomination at Large

Procedure for Filling Council Vacancy: Appointment from Previous Election Candidates

The Municipal Clerk, or designate, shall be responsible for interpreting and where appropriate, facilitating the appointment application process.

The Municipal Clerk has the authority to make minor technical amendments to this procedure as may be required from time to time.

- I. Council shall declare the seat of the member of Council to be vacant in accordance with the *Municipal Act*.
- II. The Clerk shall provide Council with a staff report including:
 - a) The details regarding the results of the most recent election for the now vacant seat.
 - b) Information regarding whether the candidate who received the next greatest amount of votes for the Council seat in question would be agreeable and able to fill the vacancy.
 - c) If the proposed candidate is able and agreeable to filling the vacancy, Council will pass a resolution appointing that candidate to fill the vacancy for the remainder of the term of the present Council.
 - d) The Chair shall then administer the Declaration of Office to the successful candidate.
- III. The vote to appoint a member to the position of Councillor from previous election candidates shall be held within 60 days from the declaration of the vacancy and shall occur at a Council meeting.

Procedure for Filling Council Vacancy: Appointment by Nomination at Large

The Municipal Clerk, or designate, shall be responsible for interpreting and where appropriate, facilitating the appointment application process.

The Municipal Clerk has the authority to make minor technical amendments to this procedure as may be required from time to time.

Notice

- I. Council shall declare the seat of the Councillor/Mayor to be vacant in accordance with the *Municipal Act*. Council will then have 60 days to appoint a new member.
- II. The Municipal Clerk shall post a Council Vacancy Notice which shall indicate Council's intention to appoint an individual to fill a vacancy, the requirements to be considered for an appointment and the application process. The Municipal Clerk advertises the vacancy:
 - On the Municipal website and Facebook page
 - In the monthly newsletter
 - By sending notice directly to candidates who ran for the office in the last election who were not disqualified or withdrawn
 - Posting notice on the Municipal Office bulletin board
 - Any other method direct by Council

The advertisement will direct the applicant to the website or municipal office for further information including:

- The qualifications required to be appointed to office
- The duties of Office
- The deadline for the application (as determined by the Municipal Clerk)
- Any additional information to be submitted with the application
- The process to be used.

Application

- I. Any sitting members of Council and/or qualified Citizens of the Corporation of the Municipality of Calvin (as per the *Ontario Elections Act*) wishing to be considered for appointment to the vacancy shall advise the Municipal Clerk in writing.
- II. Applications for the vacant seat may be filed with the Municipal Clerk commencing the next business day following Council's decision to adopt an appointment process. Candidates shall submit the Council Vacancy Application Form to the Clerk in person by the deadline to be established by the Clerk.
- III. The application and all requirements shall be made available through the Municipality's Website.
- IV. All applications shall be considered public documents and will be made available for public viewing at the Corporation of Municipality of Calvin Municipal Office and will be included in the Council Agenda package.
- V. It is the candidate's sole responsibility to meet any deadline, complete the application or otherwise comply with any requirements of this procedure.
- VI. A candidate who wishes to withdraw their application may do so in person and in writing to the Municipal Clerk. The deadline for any withdrawal shall be any time up to 2:00 p.m. on the business day prior to the date of the advertised Council meeting for the purpose of filling the vacancy.

Council Meeting

- I. The vote to fill the vacant Council seat shall occur at an open municipal Council meeting.
- II. If no prospective candidate has filed prior to the deadline, Council may choose to fill the vacancy by appointing the Candidate who ran for the position that is vacant from the previous election that received the next greatest amount of votes but was not elected.
- III. At the advertised Council meeting, the following shall take place:
 - i. Any Candidate who is not present at the start of the Council meeting will be disqualified from the selection process.
 - ii. The Chair shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
 - iii. Any member of Council seeking appointment shall declare a conflict of interest.
 - iv. The Municipal Clerk will provide to the Chair a list of the names of those individuals who have indicated, in writing, their interest in being appointed to the vacancy.
 - v. If there is only one person placing their name forward to fill the vacancy, the Municipal Clerk shall declare them the successful candidate.
 - vi. If there is more than one person placing their name forward, the Chair will call for a resolution from Council that states the following:

BE IT RESOLVED THAT the following candidates, who have signified in writing their interest in being appointed to the #position#, be considered for appointment to fill such vacancy:

#List of Candidates#

- vii. Each of the candidates shall be afforded the opportunity to address Council for a period of not more than 10 minutes. The Municipal Clerk shall determine, by lot, the order of speaking.
- viii. Members of Council not seeking appointment shall be permitted three previously determined questions for each candidate. Each candidate will be asked the same three questions.
- ix. When all submissions have been heard, Council will proceed to vote as follows:
 - a) Municipal Council will vote in Open Session by a show of hands as the Municipal Clerk calls the candidates' names in alphabetical order.
 - b) Council members may vote for one (1) candidate only per round of voting.
 - c) The Municipal Clerk will record the votes and announce how each Member of Council has voted and record the results at the end of each round of voting.
 - d) If the candidate receiving the greatest number of votes cast is not more than 50% + 1 of the total vote, the candidate or candidates who received the fewest number of votes shall be excluded from consideration. The vote will be taken again by the Municipal Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes. This process

shall be repeated until the candidate receiving the greatest number of votes has also received 50% + 1 of the votes of the voting members of Council.

- e) In the event of a tied vote, the Clerk shall break the tie by selecting, by lot, one such candidate to fill the Council vacancy. If there is only one candidate who indicated an interest in being considered to fill the vacancy or upon the conclusion of the voting and drawing of lots, the Clerk will declare them the successful candidate.
- f) Council shall pass a motion appointing the successful candidate as follows:

THAT _____ (candidate) be appointed as _____ (Office) for the Corporation of the Municipality of Calvin for the remainder of the (Term of Office) _____ Term of Council.

- g) The appointment of the Candidate will be made by by-law. A by-law confirming the appointment will be enacted by Council.
- h) The Clerk will administer the Declaration of Office required by subsection 232(1) of the *Municipal Act 2001*, before or at the meeting where the by-law is enacted by Council, or as directed by Council.

- IV. Where a situation occurs that is not otherwise accounted for in these proceedings, the Clerk shall recommend an alternate process to Council, which Council may adopt with a simple majority of vote.

NOTE Regarding Closed Sessions

In accordance with the Municipal Act, any votes related to filling a vacancy on council must be done in open session. As much of the process as possible should be done in open session in the interest of transparency. Council may, however, deem it necessary to convene in closed session to discuss any PERSONAL matters relating to candidates that may affect their ability to fill the office or work well with the existing Council. A Council should be cautious in using the allowance under subsection 239(2)(b) of the Municipal Act (personal matters about an identifiable individual) to go into closed session for such discussion.

**MUNICIPALITY OF CALVIN
COUNCIL VACANCY - APPLICATION FORM**

For appointment to Municipal Council (Mayor / Councillor)

Please complete this application form in its entirety and attach a written Expression of Interest. The Municipality reserves the right to reject applications that are not fully completed and accompanied by an Expression of Interest, and applications that provide any false or misleading information. Applicants must meet the qualifications set out in the Municipal Elections Act, 1996 (MEA) and the Municipal Act, 2001 to be elected or appointed to office. *All applications shall be considered public documents and made available for public viewing at the Municipality of Calvin's Municipal Office (consistent with Section 88(5) of the MEA).*

PLEASE PRINT OR TYPE

Applicant Information:

Full Name: ☐ Mr. ☐ Mrs. ☐ Ms. _____

Street & Mailing Address: _____

_____ Postal Code: _____

Telephone Number: _____ e-mail Address: _____

Qualification Questions: (Please check Yes or No)	Yes	No
I am at least 18 Years of Age		
I am a Canadian Citizen		
I am a resident of the Municipality of Calvin or the owner or tenant of land in the Municipality of Calvin or the spouse of such owner or tenant.		
I am ineligible or disqualified under the Municipal Elections Act, 1996, the Municipal Act, 2001, or any other Act to be elected to or hold the above-mentioned office. (See reverse of this form for further details.)		

By submitting this form you consent to having your name listed on a Council Agenda and to have this form available for public viewing at the Municipal Office until a by-law is passed to fill the vacancy.

Declaration:

I, _____, a candidate for the office of Mayor / Councillor, do Solemnly Declare that I am qualified pursuant to the Municipal Elections Act, 1996 and the Municipal Act, 2001 to be elected to and to hold the office; and that I consent to accept the office if appointed; and that I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me at Calvin (Mattawa), Ontario

This _____ day of _____, 2021

(Signature of candidate)

(Signature of Clerk or Commissioner, etc.)

This form must be submitted in person, or by an agent to: The Corporation of the Municipality of Calvin, Attn: Cindy Pigeau, Municipal Clerk, 1355 Peddlers Dr, Mattawa, ON, P0H 1V0.

Date Filed (yyyy/mm/dd)	Time Filed	Applicant or Agent Initial	Clerk or Designate

Deadline for Receipt of Application is 2:00 p.m. on _____.

A person may withdraw his or her application by filing a written withdrawal in the Clerk's Office.

VACANCIES

Vacant seat

259 (1) The office of a member of council of a municipality becomes vacant if the member,

- (a) becomes disqualified from holding the office of a member of council under section 256, 257 or 258;
- (b) fails to make the declaration of office before the deadline in section 232;
- (c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;
- (d) resigns from his or her office and the resignation is effective under section 260;
- (e) is appointed or elected to fill any vacancy in any other office on the same council;
- (f) has his or her office declared vacant in any judicial proceeding;
- (g) forfeits his or her office under this or any other Act; or
- (h) dies, whether before or after accepting office and making the prescribed declarations. 2001, c. 25, s. 259 (1).

Exception

(1.1) Clause (1) (c) does not apply to vacate the office of a member of council of a municipality who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member. 2017, c. 10, Sched. 1, s. 30.

Exception

(2) Clause (1) (e) does not apply to vacate the office of a member of an upper-tier council when the member is appointed head of council if the composition of council requires or permits the member to hold both offices. 2001, c. 25, s. 259 (2).

Dual vacancies

(3) If one of the offices of a person who is a member of council of both a local municipality and its upper-tier municipality becomes vacant under this section, the other office also become vacant. 2001, c. 25, s. 259 (3).

Exception

(4) Subsection (3) does not apply to vacate an office of a member when another office of the member becomes vacant if the composition of the councils does not require the member to hold both offices. 2001, c. 25, s. 259 (4).

Section Amendments with date in force (d/m/y)

Resignation as member

260 (1) A member of council of a municipality may resign from office by notice in writing filed with the clerk of the municipality. 2001, c. 25, s. 260 (1).

Restriction

(2) Despite subsection (1), a resignation is not effective if it would reduce the number of members of the council to less than a quorum and, if the member resigning from office is a member of the councils of both a local municipality and its upper-tier municipality, the resignation is not effective if it would reduce the number of members of either council to less than a quorum. 2001, c. 25, s. 260 (2).

Restriction

261 (1) Except where otherwise provided, no person may hold more than one office governed by the *Municipal Elections Act, 1996* at the same time anywhere in Ontario. 2001, c. 25, s. 261 (1).

Election void

(2) If a person is nominated for and his or her name appears on the ballots for more than one office and he or she is elected to any of those offices, his or her election is void and the office is vacant. 2001, c. 25, s. 261 (2).

Declaration

262 (1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings. 2001, c. 25, s. 262 (1).

Upper-tier declaration

(2) If an upper-tier municipality declares the office of one of its members who also holds office on the council of a local municipality to be vacant, the upper-tier municipality shall immediately forward a copy of its declaration to the council of the local municipality. 2001, c. 25, s. 262 (2).

Lower-tier declaration

(3) If a local municipality declares the office of one of its members who also holds office on the council of the upper-tier municipality to be vacant, the local municipality shall immediately forward a copy of its declaration to the council of the upper-tier municipality. 2001, c. 25, s. 262 (3).

Filling vacancies

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*. 2001, c. 25, s. 263 (1).

Dual vacancies

(2) If the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant, the local municipality and not the upper-tier municipality shall fill the vacancy in accordance with subsection (1). 2001, c. 25, s. 263 (2).

Court-ordered election

(3) If an order is made in any judicial proceeding requiring a by-election be held to fill a vacancy on a council, the clerk shall hold the by-election in accordance with the *Municipal Elections Act, 1996*. 2001, c. 25, s. 263 (3).

Vacancy, head of council

(4) Despite subsections (1) to (3), if the head of council of an upper-tier municipality is required to be appointed by the members of the upper-tier council, the upper-tier municipality shall fill a vacancy in the office of head of council by appointment in the same manner as the head was originally appointed. 2001, c. 25, s. 263 (4).

Rules applying to filling vacancies

(5) The following rules apply to filling vacancies:

- 1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,

- i. appoint a person to fill the vacancy under subsection (1) or (4), or

- ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection (1).

2. Despite paragraph 1, if a court declares an office to be vacant, the council shall act under subsection (1) or (4) within 60 days after the day the court makes its declaration.
3. Despite subsections (1) to (4), if a vacancy occurs within 90 days before voting day of a regular election, the municipality is not required to fill the vacancy. 2001, c. 25, s. 263 (5).

Term

264 A person appointed or elected to fill a vacancy under section 263 shall hold office for the remainder of the term of the person he or she replaced. 2001, c. 25, s. 264.

Application to court

265 (1) Any elector entitled to vote at the election of members of a council may apply to the Superior Court of Justice for a declaration that the office of a member of the council has become vacant in accordance with this Act. 2001, c. 25, s. 265 (1).

Judicial finding

(2) If the court finds that the office of a member of the council has become vacant, it may order the member removed from office and declare the office vacant. 2001, c. 25, s. 265 (2).

Application of S.O. 1996, c. 32

(3) Subsection 83 (3) and sections 85, 86 and 87 of the *Municipal Elections Act, 1996* apply to the application as if it were an application under section 83 of that Act. 2001, c. 25, s. 265 (3).

Combined application

(4) The application may be combined with an application under section 83 of the *Municipal Elections Act, 1996*, in which case the applications shall be heard and disposed of together. 2001, c. 25, s. 265 (4).

Minister's order

266 (1) If the council of a municipality is unable to hold a meeting for a period of 60 days because of a failure to obtain a quorum, the Minister may by order declare all the offices of the members of the council to be vacant and a by-election shall be held in accordance with the *Municipal Elections Act, 1996*. 2002, c. 17, Sched. A, s. 45 (1).

Timing

(2) The 60-day period referred to in subsection (1) commences on the day of the first meeting that could not be held because of a failure to obtain a quorum. 2001, c. 25, s. 266 (2).

Interim order

(3) Where the Minister makes an order under subsection (1), or the offices of a majority of the members of a council are for any reason declared vacant, the Minister may by order exercise or appoint one or more persons to exercise the duties and obligations of the council until such time as a by-election is held in accordance with the *Municipal Elections Act, 1996*, and the members so elected have taken office. 2001, c. 25, s. 266 (3); 2002, c. 17, Sched. A, s. 45 (2).

Not regulation

(4) An order of the Minister under this section is not a regulation within the meaning of Part III (Regulations) of the *Legislation Act, 2006*. 2006, c. 21, Sched. F, s. 120 (4).

Section Amendments with date in force (d/m/y)

Temporary vacancy

267 (1) If a person who is a member of the councils of a local municipality and its upper-tier municipality is unable to act as a member of those councils for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council to act in place of the member until the member is able to resume acting as a member of those councils. 2001, c. 25, s. 267 (1).

Alternate member

(2) If the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant and the vacancies will not be filled for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council until the vacancies are filled permanently. 2001, c. 25, s. 267 (2).

Exception

(3) This section does not authorize the appointment of an alternate head of council of the upper-tier municipality. 2001, c. 25, s. 267 (3).

Temporary replacement, member of upper-tier council

268 (1) Subject to subsection (2), the council of a local municipality may appoint one of its members as an alternate member of the upper-tier council, to act in place of a person who is a member of the councils of the local municipality and its upper-tier

municipality, when the person is unable to attend a meeting of the upper-tier council for any reason. 2017, c. 10, Sched. 1, s. 31.

Limitation

(2) Subsection (1) does not authorize,

- (a) the appointment of more than one alternate member during the term of council;
 - (b) the appointment of an alternate member to act in place of an alternate member appointed under subsection 267 (1) or (2); or
 - (c) the appointment of an alternate head of council of the upper-tier municipality.
- 2017, c. 10, Sched. 1, s. 31.

Other temporary replacement

(3) Despite clause (2) (a), if the seat of the member who has been appointed as an alternate member under subsection (1) becomes vacant, the council of a local municipality may appoint another of its members as an alternate member for the remainder of the council term. 2017, c. 10, Sched. 1, s. 31.

Section Amendments with date in force (d/m/y)

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021

NO.

MOVED BY _____

SECONDED BY _____

“That Council has declared two seats Vacant on Council at their regular meeting of November 9, 2021 as per the Municipal Act 2001, c. 25 s. 259 (1)(d), as a result of Ms. Heather Olmstead and Mr. Dan Maxwell resigning from their positions as a members of Council, and further;

That the Municipal Act 2001, c. 25, s.263 (5) provides the rules for filling vacancies, and further:

That as per the Municipal Act 2001, c. 25, s. 263 (5)1.i Council hereby resolves that it will fill the vacancy by appointing a person who has consented to accept the office if appointed, and that the appointment will move to a call for Expressions of Interest from those qualified to hold office as a member of Council in the Municipality of Calvin, followed by an interview by Council of those submissions qualified, followed by the final selection after those interviews at the sole discretion and decision of Council.”

CARRIED

DIVISION VOTE

NAME OF MEMBER OF COUNCIL	YEA	NAY
---------------------------	-----	-----

Coun Cross		
Coun		
Coun		
Coun Shippam		
Mayor Pennell		

CORPORATION OF THE MUNICIPALITY OF CALVINResolutionDATE: November 9, 2021NO. MOVED BY SECONDED BY

“T That Council has declared two seats Vacant on Council at their regular meeting of November 9, 2021 as per the Municipal Act 2001, c. 25 s. 259 (1)(d), as a result of Ms. Heather Olmstead and Mr. Dan Maxwell resigning from their positions as a members of Council, and further;

That the Municipal Act 2001, c. 25, s.263 (5) provides the rules for filling vacancies, and further;

That as per the Municipal Act 2001, c. 25, s. 263 (5)1.i Council hereby resolves that it will fill the vacancy by appointing a person who has consented to accept the office if appointed, and that the appointment will first be offered to the next candidate with the most votes who was unsuccessful in being elected in the 2018 Municipal Election; and, should that person not accept the appointment, then the process will move to a call for Expressions of Interest from those qualified to hold office as a member of Council in the Municipality of Calvin, followed by an interview by Council of those submissions qualified, followed by the final selection after those interviews at the sole discretion and decision of Council.”

CARRIED DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun Shippam</u>	<u></u>	<u></u>
<u>Mayor Pennell</u>	<u></u>	<u></u>

Coun Cross		
Coun		
Coun		
Coun Shippam		
Mayor Pennell		

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE November 9, 2021

NO. _____

MOVED BY _____

SECONDED BY _____

WHEREAS the Province of Ontario has reduced and/or withdrawn funding over the past 10+ years to municipalities and their associated boards, and continues to do so;

WHEREAS because of the reduced funding all parties are and will be required to reduce or cut spending for hiring, salaries, administrative overhead, planned projects, and supplied services, and;

WHEREAS the District of Nipissing Social Services Administration Board (DNSSAB) in a meeting on October 13th, 2021 with the member municipalities has indicated that there will be a levy increase of approximately 4.5% in the upcoming 2022 year, and;

WHEREAS the operation levy and proportion of the capital rebuild costs for Cassellholme are steadily increasing as well, and;

WHEREAS the Government of Canada is trying to eliminate or significantly reduce the use of carbon based industries by the year 2030 which could potentially mean the elimination of the pipeline running through the Municipality of Calvin;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Council of the Municipality of Calvin requests that the levies and capital rebuild costs be calculated using Population and/or Current Value Assessment, in order to make the Municipality of Calvin's portion more accurately reflect our community's benefit from both DNSSAB and Cassellholme services. Currently, the levy is being calculated by DNSSAB and Cassellholme using Weighted Assessment which provides a skewed representation and the Municipality may not have this source of revenue over the next 25 years for the Cassellholme capital rebuild project.

Be IT FURTHER RESOLVED THAT a Copy of this Motion be sent to the Honourable Vic Fedeli, MPP(Nipissing), the Honourable John Yakabuski, MPP (Renfrew – Nipissing – Pembroke) and our neighbouring municipalities of the Town of Mattawa, the Municipality of East Ferris, Municipality of Mattawan, Township of Papineau-Cameron, Township of Bonfield for their consideration; and further that a copy of this Motion be sent to the District of Nipissing Social Services Administration Board and the Cassellholme for the Aged Board.

CARRIED _____

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u> </u>	<u> </u>
<u>Coun</u>	<u> </u>	<u> </u>
<u>Coun</u>	<u> </u>	<u> </u>
<u>Coun Shippam</u>	<u> </u>	<u> </u>
<u>Mayor Pennell</u>	<u> </u>	<u> </u>

THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2021-033

BEING A BY-LAW TO RENEW AN AGREEMENT BETWEEN THE NORTH BAY AND DISTRICT HUMANE SOCIETY AND THE CORPORATION OF THE MUNICIPALITY OF CALVIN FOR THE DURATION OF JANUARY 1, 2022 TO DECEMBER 31, 2022.

WHEREAS THE MUNICIPAL ACT S.O. 2001, c. 25 authorizes municipalities to enter into an agreement,

AND WHEREAS the Council of the Corporation of the Municipality of Calvin deems it advisable to enter into a service agreement with the North Bay and District Humane Society to provide pound keeping services for the municipality.

NOW THEREFORE THE Council of the Municipality ratifies the attached agreement as follows:

- 1) That the Mayor and the Clerk-Treasurer are designated as the signing officers and are authorized to execute an agreement on behalf of the Corporation of the Municipality of Calvin.
- 2) That "The Service Contract Agreement Between the North Bay and District Humane Society and the Corporation of the Municipality of Calvin" be attached hereto and form part and parcel of this by-law as Schedule "A"

This agreement shall be enacted and in effect upon the signing thereof.

Read a first time and second time this 9th day of November 2021.

Read a third time and finally passed in open council this day of 2021.

MAYOR

CLERK - TREASURER

**SERVICE CONTRACT AGREEMENT BETWEEN:
THE NORTH BAY AND DISTRICT HUMANE SOCIETY
AND
THE CORPORATION OF THE MUNICIPALITY OF CALVIN**

The following outlines an agreement for the North Bay and District Humane Society to provide pound keeping services for the Corporation of the Municipality of Calvin.

1. DEFINITIONS:

For the purpose of this Agreement, the term “animal” shall refer to domestic dogs.

For the purpose of this Agreement, the North Bay and District Humane Society will be referred to as “NB&DHS”.

For the purpose of this Agreement, the Corporation of the Municipality of Calvin will be referred to as “the Municipality”.

2. THE HUMANE SOCIETY AGREES:

Shelter:

To provide an animal shelter capable of providing adequate accommodations, food and water, daily housekeeping and veterinary care (when deemed necessary) for animals impounded, and of meeting the requirements set for this type of building by the NB&DHS, and of meeting the requirements of all applicable provincial legislation.

General Service Provision:

- a) To provide pound services up to an annual limit of 15 animals. Any decision relating to animals above the annual limit will be made at the discretion of the NB&DHS.
- b) To hold for claiming by owners, any stray animal delivered to the NB&DHS shelter or any animal received or impounded by the Animal Control Officer of the Municipality, and, if not claimed by the owner, to dispose of such animal by sale or euthanasia. Owners of licensed and/or microchipped dogs will be contacted, whenever possible.
- c) To provide an animal shelter capable of providing adequate accommodations, food and water, daily housekeeping and veterinary care (when deemed necessary) for animals impounded.
- d) To meet the requirements set for this type of building by the NB&DHS and Provincial legislation.

- e) To install in the animal shelter all the equipment necessary for the proper operation of the animal shelter, and, in particular, to supply the methods and equipment necessary to humanely euthanize unwanted or unclaimed animals, if necessary. Such methods and equipment must meet the standards and comply with the applicable Provincial legislation.

Hours of Operation:

The NB&DHS shelter will be open to the public and in operation between 10:00 a.m. and 5:00 p.m. Monday to Friday (exclusive of statutory holidays), between 10:00 a.m. and 4:00 p.m. Saturdays, and between 12:00 p.m. and 4:00 p.m. Sundays. Hours of Operation may change from time to time at the discretion of the NB&DHS.

It is understood by the Municipality and NB&DHS that the preferred hours for the Municipality to bring in animals to the NB&DHS are Monday to Friday between 9:00 a.m. and 5:00 p.m. For emergency purposes, a NB&DHS emergency contact number will be provided to the Municipality for Saturdays, Sundays and statutory holidays.

It is understood by the Municipality and NB&DHS that, should the NB&DHS be unable to accept animals for any reason (e.g. facility at capacity or virus is present) or for any period of time, the Municipality will be notified immediately.

It is understood by the Municipality and the NB&DHS that all calls reporting complaints or concerns from residents of the Municipality will be forwarded to the Animal Control Officer of the Municipality or his/her authorized delegate.

It is understood by the Municipality and NB&DHS that any animal brought to the NB&DHS by any person(s) other than the Animal Control Officer of the Municipality or his/her authorized delegate, will not be accepted by the NB&DHS and that the person(s) bringing in the animal will be advised by the NB&DHS to return to and contact the Municipality. The Municipality will not be charged for animals accepted by the NB&DHS which are not brought in to the NB&DHS by the Animal Control Officer of the Municipality or his/her delegate.

Licenses:

The NB&DHS will NOT issue licenses for dogs within the Municipality jurisdiction.

Invoicing:

The NB&DHS will invoice the Municipality \$100.00 per animal. There will be no additional charges to the Municipality (e.g. for euthanization).

Indemnity:

To indemnify and save harmless the Municipality in respect to all charges, costs, expenses, suits, and damages, and claims for loss or accident or injury of any nature or kind whatsoever in connection with the carrying out of this agreement and in connection with the shelter.

Insurance:

To insure and keep insured the shelter building for fire and any other hazards and to provide, if required, the Municipality a proof of insurance.

Such liability policy shall provide for the indemnification of the Municipality and the NB&DHS against the loss arising from claims of damage, injury or otherwise in connection with the carrying out of the terms of this agreement.

The NB&DHS shall maintain the policy of insurance in force during this agreement. The limits of such policy shall not be less than One Million Dollars (\$1,000,000.00) inclusive for public liability and property damage and for liability coverage for injury to animals caused by an accident and resulting in the death or destruction while in the care, custody and control of the NB&DHS.

Such policy shall include the names of the Municipality and the NB&DHS as the insured.

The NB&DHS shall pay the premium on the policy.

3. THE CORPORATION OF THE MUNICIPALITY OF CALVIN AGREES:

- a) To appoint the NB&DHS as a Pound Keeper.
- b) To grant the NB&DHS the right to dispose of all animals impounded by the NB&DHS in accordance with the By-laws.
- c) To grant the NB&DHS the right to dispose of the carcasses of all animals lawfully impounded and lawfully euthanized or found dead in accordance with the By-laws.
- d) To grant the NB&DHS the right to collect impound fees, fines, destruction, and disposal fees levied by the NB&DHS in accordance with the scale of fees and penalties authorized by the NB&DHS.

4. DURATION OF AGREEMENT:

The term of this agreement shall be from the 1st day of January, 2022 to the 31st day of December 2022, inclusive. This agreement may be terminated by either party upon

three (3) months written notice of intention to terminate, delivered to the other party by prepaid registered mail.

This agreement is made on the _____ day of _____, 20____.

FOR THE CORPORATION OF THE MUNICIPALITY OF CALVIN:

Ian Pennell, Mayor
The Corporation of the Municipality of Calvin

Cindy Pigeau, Clerk-Treasurer
The Corporation of the Municipality of Calvin

FOR THE NORTH BAY AND DISTRICT HUMANE SOCIETY:

Mary Davis, President of the Board of Directors
North Bay and District Humane Society

Liam Cullin, Executive Director
North Bay and District Humane Society

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2021-031

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL.

WHEREAS it is the desire of Council to confirm all proceedings, motions and by-Laws:

NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF CALVIN HEREBY ENACTS AS FOLLOWS:

1. THAT the Confirmatory Period of this By-Law shall be for all Regular and Special Council meetings from July 1, 2021 up to and including September 30, 2021;
2. THAT all By-Laws passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed;
3. THAT all resolutions passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed;
4. THAT all other proceedings, decisions and directives of the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.

Read a first time this 26th day of October, 2021.

Read a second time this 26th day of October, 2021.

Read a third time and finally passed in open council this 9th day of November, 2021.

MAYOR

CLERK-TREASURER

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021 NO.

MOVED BY

SECONDED BY

“WHEREAS the Municipality of Calvin recently purchased a used fire truck to replace the old one that is rapidly declining;

AND WHEREAS the 1985 GMC Brigadeer truck has been taken out of service to the Municipality of Calvin;

NOW BE IT THEREFORE RESOLVED that Council hereby declares the 1985 GMC Brigadeer truck (VIN 519273) to be surplus to the further needs of the Municipality and hereby authorizes the Fire Chief, the Road Superintendent and the Clerk-Treasurer to then offer up this vehicle, or any of its’ parts for sale at best offer.

CARRIED

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun Shippam</u>	<u></u>	<u></u>
<u>Mayor Pennell</u>	<u></u>	<u></u>

MUNICIPALITY OF CALVIN

2021CT58 REPORT TO COUNCIL

REPORT DATE: **November 3, 2021**
ORIGINATOR: **Cindy Pigeau – Clerk-Treasurer**
SUBJECT: **Update on Road Use Agreement for Kevin and Cindy Grant**

Recommendation

Defer any further readings of the Municipal Road Use Agreement between Kevin and Cindy Grant and the Corporation of the Municipality of Calvin until all questions (from various sources) regarding the Municipal Road Use Agreement have been answered.

Background/Update

At the October 26, 2021 Regular Council Meeting, a Municipal Road Use Agreement was presented to Council for approval. For reference, a copy of the Road Use Agreement written by Kevin and Cindy Grant was included with the Municipal Road Use Agreement in the event that Council would like to incorporate some of the requests of Mr. and Mrs. Grant into the Municipal Road Use Agreement.

At this same meeting, the concern of whether it would be an issue if both property owners on Stewarts Road with Municipal Road Agreements (one Municipal Road Agreement passed third and final reading at the October 26, 2021 meeting and one Municipal Road Agreement passed first reading at the October 26, 2021 meeting) should be responsible for the same section of road for winter maintenance.

Questions from various sources regarding the Municipal Road Use Agreement had been sent to the solicitor for his comment. Council decided to defer any further readings of the Municipal Road Use Agreement to the November 9, 2021 regular Council meeting to incorporate the solicitor's comments in their decision.

The solicitor is still investigating some of the questions that were asked but indicated that the two property owners with Municipal Road Agreements should not be responsible for the same piece of road, if it can be avoided. It was then requested how this differentiation should be indicated in the Municipal Road Agreement. We are awaiting a response.

Respectfully submitted;
Cindy Pigeau
Clerk-Treasurer

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021 NO.

MOVED BY

SECONDED BY

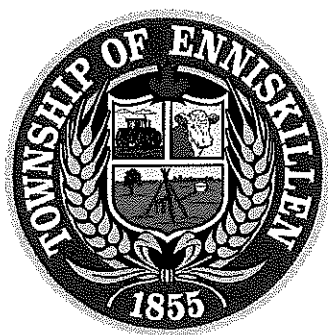
“Be It Resolved that the Municipality of Calvin supports the Township of Enniskillen Letter to the Federal Minister of Agriculture & Rural Affairs and the Provincial Minister of Agriculture & Rural Affairs requesting that the Minister of Agriculture and Rural Affairs re-evaluate their position that cannabis is not an agricultural product such as food, fur and fiber but is in-fact Industrial/Commercial in nature; That the Minister of Agriculture and Rural Affairs support all Ontario Municipalities to be able to determine appropriate setbacks in Zoning Bylaws as appropriate for their municipality for the placement of cannabis facilities within their Official Plans knowing full well that one size does not fit all;

Further that a copy of this resolution be forwarded to the Township of Enniskillen, the Honourable Marie-Claude Bibeau, Federal Minister of Agriculture & Rural Affairs, the Honourable Lisa Thompson, Provincial Minister of Agriculture & Rural Affairs. ”

CARRIED

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u> </u>	<u> </u>
<u>Coun</u>	<u> </u>	<u> </u>
<u>Coun</u>	<u> </u>	<u> </u>
<u>Coun Shippam</u>	<u> </u>	<u> </u>
<u>Mayor Pennell</u>	<u> </u>	<u> </u>



TOWNSHIP OF ENNISKILLEN
4465 Rokeby Line
Petrolia, Ontario
N0N 1R0
Phone (519) 882-2490
Fax (519) 882-3335

Duncan McTavish
Administrator-Clerk/Treasurer
Mike Cumming
Road Superintendent

October 5 2021

Hon Lisa Thompson
Minister of Agriculture, Food & Rural Affairs
1 Stone Road West
Guelph ON
N1G 4YZ

Dear Minister,

Re: Cannabis Resolution-Township of Enniskillen

At the regular meeting of the Council of the Township of Enniskillen of October 4 2021
the following resolution was endorsed:

As the Council of the Corporation of the Township of Enniskillen through a resolution January, 2021
had enacted an Interim Control Bylaw to undertake a review of land use policies related to Cannabis
Production & Processing Facilities.

And Whereas the Township of Enniskillen is considered rural with several settlement areas and is
primarily zoned Agricultural and has endured the placement of a cannabis facility in our township
since the inception of the *Cannabis Act* with little or no compliance, enforcement or oversight from
Health Canada. Furthermore, dealing with the enforcement of nuisances such as odour, lights and
noise on the shoulders of the ratepayers of this municipality, with the only recourse being an appeal
to the *Normal Farm Practices Protection Board or LPAT*. These processes are both costly and
lengthy and, in the meantime, causes negative impacts on neighbouring homeowners and
unsatisfactory living conditions.

And Whereas Ministry of Agriculture, Food and Rural Affairs stated Dec 20, 2019 "The ministry
recognize the broader concerns raised about the potential for nuisance impacts with the expansion of
federally licensed and registered cannabis operations in the province. We also recognize the need for
research to inform control measures and effective planning." We are still waiting for this research.

And Whereas the Minister also recommended townships have "tools under the Planning Act and
Municipal Act to set siting requirements providing the Provincial Policy Statement 2014 is followed."
The "tools" as such consist of Official Plans and Zoning Bylaws. Many municipalities have tried to
use these tools effectively only to be slammed with appeals to LPAT and NFFPP at huge expense.
Many of the surrounding municipalities have allowed cannabis facilities to be situated only in
Industrial/Commercial Zones. For those allowing these facilities in Agriculturally zoned, there are
required setbacks. However, our experience has shown the setbacks to be too small and of little
assistance to neighbours as far as nuisance complaints.

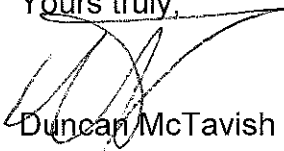
And Whereas the Minister of Agriculture, Food and Rural Affairs has stated cannabis is an agricultural product with little regard to the PPS. Provincial Policy Statement must be read in its entirety and make reference to *Part IV: Vision for Ontario's Land Use Planning System* – “The Province’s natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic, and social benefits., The wise use and management of these resources over the long term is

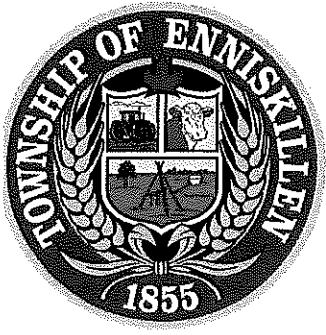
a key provincial interest. The province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for **the production of food, fur and fiber**, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.” This statement explicitly identifies **food, fur and fiber** and this reference sets the playing field for Agricultural Resources. Cannabis is neither food, fur nor fiber.

Now therefore, the Council of the Township of Enniskillen enacts the following:

- That Minister of Agriculture and Rural Affairs re-evaluate their position that cannabis is **not** an agricultural product such as food, fur and fiber but is in-fact Industrial/Commercial in nature;
- That Minister of Agriculture and Rural Affairs support all Ontario municipalities to be able to determine appropriate setbacks in Zoning Bylaws as appropriate for their municipality for the placement of cannabis facilities within their Official Plan knowing full well that one size does not fit all;
- That copies of this resolution be forwarded to **ALL** Ontario municipalities, and the following:
Federal Minister of Agriculture & Rural Affairs – Hon. Marie-Claude Bibeau
Provincial Minister of Agriculture & Rural Affairs – Hon. Lisa Thompson
Minister of Municipal Affairs & Housing – Hon. Steve Clark
Sarnia-Lambton-Kent MP – Marilyn Gladu
Sarnia-Lambton-Kent MPP – Bob Bailey
London West MPP - Peter Fragiskatos

Yours truly,


Duncan McTavish
Clerk



TOWNSHIP OF ENNISKILLEN
4465 Rokeby Line
Petrolia, Ontario
N0N 1R0
Phone (519) 882-2490
Fax (519) 882-3335

Duncan McTavish
Administrator-Clerk/Treasurer
Mike Cumming
Road Superintendent

October 5 2021

Minister of Health
Patti Hajdu
House of Commons
Ottawa ON K1A 0A6

Re: Cannabis Act

Dear Minister:

At the regular meeting of the Council of the Township of Enniskillen of October 4 2021 the following resolution was endorsed:

As the Council of the Corporation of the Township of Enniskillen through a resolution January, 2021 had enacted an Interim Control Bylaw to undertake a review of land use policies related to Cannabis Production & Processing Facilities.

The Township of Enniskillen is considered rural with several settlement areas and is primarily zoned Agricultural and has endured the placement of a cannabis facility in our township since the inception of the *Cannabis Act* with little or no compliance, enforcement or oversight from Health Canada. Furthermore, dealing with the enforcement of nuisances such as odour, lights and noise and having only one recourse which is an appeal to the *Normal Farm Practices Protection Board*. This process is costly, lengthy and, in the meantime, causes negative impacts on neighbouring homeowners and unsatisfactory living conditions with the end results costing ALL of the ratepayers of this municipality.

And Whereas correspondence from Health Canada has stated that licenses have regulatory requirements for producers and Health Canada has a range of enforcement tools at its disposal to verify compliance including regular inspections of license holders. This has been proven ineffective in our municipality with both *medicinal and recreational licensed cannabis*. Health Canada also encouraged to immediately contact our local law enforcement should we suspect illegal activity in our community. Enniskillen, as well as municipalities all across Ontario have incurred extraordinary expenses due to this "encouragement" as the only alternative.

And Whereas with the establishment of cannabis growing operations, and lights, odours and noise are not being properly regulated, and being left up to municipalities to shoulder these concerns, and Health Canada controls the regulations for cannabis growing operations.

THEREFORE, BE IT RESOLVED the Council of the Township of Enniskillen enacts the following:

- ***that Health Canada research more fully when AND before an applicant is issued a license for either medicinal or recreational cannabis***
- ***AND notification and/or communication be given to the appropriate municipality***
- ***AND that regular inspections of these facilities should be MANDATORY to verify compliance by license holders***
- ***AND upon complaints received by Health Canada online reporting should trigger an unannounced inspection.***
- ***AND a comprehensive study of the Cannabis Act be undertaken as many Ontario municipalities have encountered problems.***

AND That copies of this resolution be forwarded to **ALL** Ontario municipalities, and the following:

Federal Minister of Health –
Provincial Minister of Health – Hon. Christine Elliott
Minister of Municipal Affairs & Housing – Hon. Steve Clark
Sarnia-Lambton-Kent MP – Marilyn Gladu
Sarnia-Lambton-Kent MPP – Bob Bailey
London West MPP - Peter Fragiskatos

Yours truly,


Duncan McTavish
Clerk

MUNICIPALITY OF CALVIN
2021CT60 REPORT TO COUNCIL

REPORT DATE: **November 3, 2021**
ORIGINATOR: **Cindy Pigeau – Clerk-Treasurer**
SUBJECT: **Advertising in our Municipal Newsletter**

Background

At the October 26, 2021 Regular Council Meeting, Council requested the Clerk-Treasurer further investigate what other area municipalities are doing regarding their newsletters.

The average cost for those who allowed advertising in the municipal newsletter was \$50-100 to offset the printing costs. For those municipalities only doing electronic newsletters (which we will be moving to as of January 2022), there was a charge of \$5.00 for any electronic advertisements. Finally, a number of the municipalities that we polled only have quarterly newsletters so may charge an annual fee to advertise in their newsletter.

We charge 0.30 cents per page for copying and currently make 250 copies of the newsletter. This however will change when we go electronical. We currently only have a handful of people who have requested to continue to receive a paper copy of the newsletter.

Some municipalities require that the advertisement is fully prepared when it is provided to them while others prefer to prepare it themselves so they have control over the content. Many of the municipalities polled only allow certain sizes of advertisements – quarter, half or full page.

Some municipalities have a designated area in their newsletter for other municipalities to promote their events. This is usually in areas where there is a municipality surrounded by smaller municipalities.

There are some municipalities who allow businesses to advertise in their newsletter as well. This is a relatively small number though.

Respectfully submitted;
Cindy Pigeau
Clerk-Treasurer

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021 NO.

MOVED BY

SECONDED BY

“Be It Resolved that the Municipality of Calvin Council would like staff to develop a plan for returning to In Person Council Meetings.”

CARRIED

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun Shippam</u>	<u></u>	<u></u>
<u>Mayor Pennell</u>	<u></u>	<u></u>

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021 NO.

MOVED BY

SECONDED BY

“Be It Resolved that the Municipality of Calvin Council would like staff to develop a “Year in Review” letter to be included in the December 2021 Newsletter.”

CARRIED

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
<u>Coun Cross</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun</u>	<u></u>	<u></u>
<u>Coun Shippam</u>	<u></u>	<u></u>
<u>Mayor Pennell</u>	<u></u>	<u></u>

THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2021-030

BEING A BY-LAW TO ADOPT A POLICY REGARDING THE VACCINATION OF WORKERS AGAINST COVID-19 FOR THE MUNICIPALITY OF CALVIN.

WHEREAS the Council of the Municipality of Calvin deems it advisable to adopt a Policy under Responsible and Flexible Government regarding the vaccination of workers against Covid-19, as required pursuant to the Occupational Health and Safety Act to take every reasonable precaution to protect it's workers (broadly defined) and the responsibility to assess the workplace for risks, including that of COVID-19 transmission;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CALVIN HEREBY ENACTS AS FOLLOWS:

1. That the Policy regarding Worker Vaccination, be hereto attached as Schedule "A".

And

2. That this by-law shall come into full force and effect immediately upon final passing of same.

READ A FIRST AND SECOND TIME THIS ____ day of _____, 2021.

READ A THIRD TIME AND FINALLY PASSED BEFORE AN OPEN COUNCIL THIS ____ DAY OF _____, 2021.

MAYOR

CLERK- TREASURER



Municipality of Calvin Worker Vaccination Policy

BACKGROUND

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic. The first case in the North Bay Parry Sound District Health Unit region was reported on March 26, 2020. As the pandemic evolves, variants of the virus have circulated globally as well as locally in Ontario and in the Nipissing and Parry Sound districts. Some variants, for example; the delta variant, have proven to be more easily transmissible and/or cause more severe illness than the original strain. They have required more robust public health measures, including high vaccination rates.

PURPOSE

The purpose of this policy is to outline the workplace's expectations with regards to COVID-19 immunization of employees, elected officials, volunteers and students. It may also apply to contracted service-providers, where circumstances warrant and in the discretion of the Clerk-Treasurer. Collectively, the above mentioned individuals are referred to in this policy as "workers."

As the health and safety of our workers and the public is a top priority, we are committed to taking all reasonable precautions to protect the health and safety of workers during the pandemic of COVID-19. Vaccination is an effective way to protect oneself and one's co-workers from COVID-19.

Contingent upon vaccine availability and unless medically contraindicated, it is the expectation that all eligible employees, elected officials, volunteers and students are fully vaccinated against COVID-19 (i.e. against infections caused by SARS-CoV-2) regardless of how often or how much time is spent in their respective workplace.

LEGISLATIVE FRAMEWORK

This policy is aligned with the employer's general duty under the *Occupational Health and Safety Act* to take every reasonable precaution to protect its workers (broadly defined) and the responsibility to assess the workplace for risks, including that of COVID-19 transmission. This policy is applied in accordance with the *Ontario Human Rights Code*, *Occupational Health and Safety Act* and any other applicable legislation and/or collective agreement.

Information collected under this policy and procedure is in compliance with relevant legislation including but not limited to the *Personal Health Information Protection Act* and the *Ontario Human Rights Code*.

As the pandemic evolves, and/or legislation or public health guidance changes, the purpose and requirements outlined in this policy may change.

REQUIREMENTS

The Municipality has implemented and will continue to implement, various measures in the workplace as a result of the Covid-19 pandemic and as may be recommended by public health authorities. All

workers must comply with these measures.

One such measure is vaccinations. All employees, staff, contractors, volunteers and students will be required to provide one of the following by November 30th, 2021:

1. Proof of COVID-19 vaccine administration as per the following requirements:
 - a. If the individual has only received the first dose of a two-dose COVID-19 vaccination series approved by Health Canada, proof that the first dose was administered and, as soon as reasonably possible, proof of administration of the second dose; or
 - b. Proof of receiving the full series (two doses) of a vaccine or a combination of vaccines approved by Health Canada.
 - c. In the event that “booster” shots are recommended by public health authorities, these will also be required. Additional information will be provided when known.
2. Written proof of a medical reason, provided by either a licensed doctor or nurse practitioner that states:
 - a. the person cannot be vaccinated against COVID-19 – It does not need to include the reason for the exemption; and
 - b. the effective time period for the medical reason (i.e., permanent or time-limited).
 - c. Personal beliefs against vaccination that do not fall within the Human Rights Code will not be accommodated.

POLICY IMPLICATIONS

Workers who do not provide proof of having received two vaccinations (either because they have not been vaccinated or because they do not consent to providing proof of vaccination), and who are not being accommodated pursuant to the *Human Rights Code*, must take the following measures when at work:

Testing

- a) the worker must undergo a rapid antigen test, once a week. The Municipality is currently eligible to receive the rapid tests at no charge and will have a trained employee to administer the test. If the Municipal eligibility for the no charge rapid tests is revoked then the tests will need to be undergone at the workers own cost.

Masks

- b) the worker must wear a three-ply mask of the type provided by the Municipality;
- c) the mask must cover the mouth and nose and be worn at all times during working hours, whether in municipal buildings, privately-owned buildings, municipal vehicles or outside;
- d) the mask may be removed when the worker is on a smoke break or other type of approved break, which must be taken outside and while maintaining a physical distance of at least 2 meters from other people;
- e) the mask may be removed when the worker is drinking or eating while on a coffee or eating break, but such break cannot be taken in a space that is also used by other workers;
- f) the mask may be removed when driving alone in the worker's own, private vehicle; and
- g) the mask must be replaced as soon as they get damp, soiled or crumpled and disposed of properly in a lined garbage container.

Hands

- h) the worker must wash their hands frequently with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands both before and after:
 - i. touching their eyes, nose, or mouth;
 - ii. touching their mask; and
 - iii. eating, smoking or vaping.

Additional

- i) additional measures may be prescribed upon the recommendation of public health authorities, which must then also be taken by the worker.

PRIVACY

Information pertaining to vaccination status, including proof of vaccination, will be maintained, protected and secured by the Clerk-Treasurer. This information will be used only for the purpose of ensuring compliance with this policy or for a consistent purpose. The information will remain confidential, subject only to being disclosed where there is a need for others to know, internally or externally, or as required by law. All such information will be destroyed as soon as it is no longer needed.

HARASSMENT

The Municipality does not tolerate harassment. This includes harassment on the basis of or related to vaccination status. All workers, regardless of whether they get vaccinated, do not get vaccinated but are accommodated, or do not get vaccinated but follow the prescribed measures, are entitled to work in a manner that supports their dignity and affords them respect. Any worker who engages in harassment will be subject to discipline, up to and including dismissal. Please see the Municipality's Harassment and Violence in the Workplace Policy, Staff Code of Conduct and/or the Council Code of Conduct, as applicable. The Municipality will also take steps in the event that a service-provider, or constituent or community member engages in harassment of a worker in the workplace.

CHANGES TO MEASURES

As we have all seen throughout this pandemic, recommendations from public health authorities can change as new information is received. The Municipality makes best efforts to remain current, and the measures described in this policy may therefore change from time to time. Any changes will be communicated to workers, who are then required to comply with the updated measures.

FAILURE TO COMPLY

Failure to comply with this policy will result in disciplinary actions up to and including dismissal. We all have a shared responsibility to keep each other safe. Please direct any questions regarding this policy to the Clerk-Treasurer.

REVIEW AND UPDATE

This Policy shall be reviewed at a minimum of an annual basis and will be updated as needed.

CORPORATION OF THE MUNICIPALITY OF CALVIN

Resolution

DATE: November 9, 2021 NO.

MOVED BY

SECONDED BY

“That Council hereby appoints as the Municipality of Calvin’s representatives to the Cassellholme, East Nipissing Home for the Aged – Procurement and Finance Sub-Committee.”

CARRIED

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEAS</u>	<u>NAYS</u>
Coun Cross	<u> </u>	<u> </u>
Coun	<u> </u>	<u> </u>
Coun	<u> </u>	<u> </u>
Coun Shippam	<u> </u>	<u> </u>
Mayor Pennell	<u> </u>	<u> </u>

November 4, 2021

Ms. Cindy Pigeau
Clerk Treasurer
Municipality of Calvin
1355 Peddlers Dr.
R.R. #2
Mattawa, ON P0H 1V0

Dear Ms. Pigeau

On September 21, 2021, Mr. Dean Backer submitted his resignation from the Cassellholme Board of Management. Mr. Backer represented Area 2, as a reappointment, beginning January 2019. Mr. Backer was reappointed to replace the historical rotation of a council member from the Township of South Algonquin.

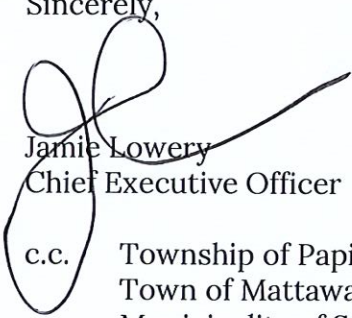
South Algonquin has once again declined to appoint a new member to Cassellholme. At this time, I would like to offer the Municipality of Calvin to select a member to sit on the Cassellholme Board for the remainder of Mr. Backer's appointment, which will expire on December 31, 2022.

A letter of approval from the other municipalities in Area 2 (Mattawa, Papineau-Cameron and South Algonquin) should be forwarded to Cassellholme.

I would ask that after the selection has been made that Cassellholme be contacted as soon as possible so that we can arrange an orientation to Cassellholme for the new member.

I would be pleased to provide further details or answer any questions that you or any councilors might have on this or any other issue regarding Cassellholme.

Sincerely,



Jamie Lowery
Chief Executive Officer

c.c. Township of Papineau-Cameron
Town of Mattawa
Municipality of South Algonquin

Our society has made space for hate, rather than empathy. We will all pay the price

By [Jaime Watt](#) Contributing Columnist
Article from The Toronto Star
Sun., Oct. 17, 2021 Timer: 3 min. read
Update: Article was updated Oct. 19, 2021

Yup, that was me. They guy in the big black car casually blocking southbound traffic on the Allen Expressway last Sunday evening at about 9:30 p.m. The guy who was such a jerk and so inconsiderate that he simply refused to move his car out of a live traffic lane and on to the shoulder. The privileged, entitled guy who just purposely sat 75 metres from Eglinton as traffic backed up for kilometres behind. Just sat there doing — oh, let's make the story good for the telling — Sudoku puzzles.

Or, put another way, that's the guy who the people yelling, swearing and honking must have thought I was. As they contorted their faces into replicas of Halloween masks, I observed they wore not masks of anger or annoyance, but of hatred. Absolute hatred.

And in that moment, on that highway, I realized just how profoundly wrong things had gone when it comes to how we treat one another. What I experienced that night was, in every way, the quieting of the coal mine canary's song.

But, of course, it didn't have to be — and, in fact, there was a time when it wasn't. I wonder what it would have taken to have those people consider what really happened.

After a long drive home from a glorious outdoor, physically distanced Thanksgiving dinner with my extended family for the first time in almost two years, we were stopped in the inevitable queue that forms to turn left off the Allen Expressway and onto Eglinton Avenue West. Suddenly, my car put itself into park and turned off the engine. Because it was in park, it was impossible to move it off the road. I immediately called roadside assistance, who advised us to stay in the car and wait for help to arrive.

In short, we had acted entirely reasonably in an unfortunate situation. But that didn't matter. Just as it doesn't seem to matter that low-wage workers, abused when checking vaccine passports, are simply doing their job in unusual times. Just as it doesn't seem to matter that second- or third-generation Canadians (also subject to increased verbal and physical abuse) have every right to the same freedoms and liberties as the rest of us. Or that our politicians — regardless of their stripes — are for the most part respectable individuals, and certainly in no way deserving of the kinds of harm that they face these days.

All these phenomena point to a culture that seems to have forgotten the importance of civil courtesy. That refuses to give strangers the benefit of the doubt or to practice empathy in those quotidian interactions that ultimately make up a lifetime.

This sad reality was on full display throughout our election campaign, as protestors hurled rocks at the prime minister and accused other candidates of the most ludicrous things imaginable. And just this week, it came to its inevitable nadir with the horrific murder of British MP Sir David Amess, slain while visiting with his constituents.

Amess, a Conservative, is the second British politician to be murdered in five years — the last being Labour MP Jo Cox. It sadly proves the point that this is no partisan issue; no political party is immune from the vitriol, or to its impact.

But enough is enough, and the time has come to turn back this pandemic of hate one empathic undertaking at a time. And in doing so, to take back personal responsibility for putting a stop to it all.

So, as I sat there on the Allen last weekend, taking in the gallery of grotesques issuing abuse from their cars — not one of whom offered any help to me at all — I didn't so much feel sorry for myself that my motives had been so incredibly impugned. Rather, I felt for all the Canadians who have entered public life as candidates, volunteers or in other roles devoted to participation in our society, only to face an increasingly hostile and malignant civil society.

And then, my thoughts went to all of those who will never enter public life, for fear of being targeted, taunted or harassed. What an absolute waste.

Jaime Watt is the executive chairman of Navigator Ltd. and a Conservative strategist. He is a freelance contributing columnist for the Star. Follow him on Twitter: [@jaimewatt](https://twitter.com/jaimewatt)