



**MINUTES OF THE
REGULAR MEETING OF COUNCIL**
held in the Council Chambers
French River Municipal Complex
May 16, 2012 at 7:00 p.m.

Members Present:

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

Members Excused:

Officials Present:

Harold Duff, Chief Administrative Officer/Clerk
Brigitte Carrière, Treasurer/Tax Collector
Mélanie Bouffard, Deputy Clerk, Recording Secretary

Guests:

Sergeant Michelle Warth, Ontario Provincial Police
85 guests (approx.)

1. Call to order, roll call and adoption of the agenda

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

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 147

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

- 1) To move Items 5.5.1 and 5.5.2 out of the Consent Agenda to allow debate and to be dealt with after Items in Section 3.0 of the Agenda; and
- 2) To hold a closed session under section 239 (2) (f) of the Municipal Act, 2001 to receive advice from the municipal solicitor regarding the subject matters of Items 5.5.6 and 5.5.7; and
- 3) To move Items 5.5.6 and 5.5.7 to Section 10.1 as Resolutions emanating from the closed session.

Carried

2.0 Disclosure of Pecuniary Interest

Mayor Bouffard declared a pecuniary interest at Item 4.3.4; he is the owner of Jean's Home Hardware.

3.0 Delegations

3.1 Ontario Provincial Police

Sergeant Michelle Warth gave the OPP Monthly Policing Report for the month of April 2012.

3.2 French River Citizens Association, Budget 2012 - Concerns with proposed tax rate increase

Mr. Ron Robert gave a brief description of the association, thanked Council for giving them the opportunity to express their concerns with regard to the 2012 budget and made a presentation outlining the concerns with regard to the proposed tax rate increase.

Items 5.5.1 and 5.5.2 were moved from the Consent Agenda to allow debate and moved up in the order of the Agenda to allow the Director of Planning to present her report and be excused afterwards.

Planning Report re: Zoning By-law Amendment (Robert & Wendy Lacombe) *(item was moved from Item 5.5.1)*

Ms. Riou summarized the Planning Report dated May 9, 2012 and recommended that Council consider adopting the zoning by-law amendment with and address the concerns previously brought forward through site specific provisions limiting the number of vehicles for sale on site and allowing repairs not to occur on site.

By-law 2012-15 - Zoning By-law Amendment (Robert & Wendy Lacombe) *(item was moved from Item 5.5.2)*

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 148

BE IT RESOLVED THAT By-law 2012-15, being a by-law to amend Zoning By-law 2003-23, as amended (Robert & Wendy Lacombe) be read a first, second and third time and finally passed.

Carried

4.0 Management and Committee Reports

4.1 Mayor's Report

Mayor gave a verbal report.

Council gave consensus to allow the Municipality of St.-Charles to use the Land of the Voyageur mark; Council had given direction to staff to prepare a by-law to authorize an agreement to allow its use but it has not been prepared yet.

The Mayor announced that the Town Hall meeting scheduled for May 23 was changed to May 30 at 7pm due to the Council Members' required attendance at the Manitoulin-Sudbury District Services Board's Annual General Meeting. The municipalities in Sudbury-East have made a request and are making a presentation regarding the seats on the board.

The Mayor presented Mélanie Bouffard's Certificate received from the Association of Municipal Clerks and Treasurers of Ontario for her successful completion of the Municipal Administration Program (MAP).

4.2 CAO/Clerk's Report

CAO/Clerk gave a verbal report.

4.2.1 Legal Counsel Agreement - Extension for an additional year

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 149

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby extends the Legal Counsel Agreement with Parisé Law Office to April 30, 2013.

Carried

4.2.2 Economic Development Committee - Amendment to the Terms of Reference for the appointment of the Chair

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 150

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the following amendment in the Terms of Reference of the Economic Development Committee:

Item 4.1.1 The Chairperson shall be appointed by Council for the full term of Council.

Carried

4.2.2 Roads Committee - Amendment to the Terms of Reference for the appointment of the Chair

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 151

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the following amendment in the Terms of Reference of the Roads Committee:

Item 4.1.2 The Chairperson shall be appointed by Council for the full term of Council.

Carried

4.2.4 Environmental Advisory Committee - Amendment to the Terms of Reference for the appointment of the Chair

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 152

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the following amendment in the Terms of Reference of the Environmental Advisory Committee:

Item 4.1.1 The Chairperson shall be appointed by Council for the full term of Council.

Carried

4.3 Treasurer's Report

4.3.1 Presentation of the 2011 Financial Statement - Collins Barrow

Ms. Roxanne Gervais of Collins Barrow Chartered Accountants presented the 2011 Financial Statements to Council.

4.3.2 Accept the audited Financial Statements of 2011

Moved By Ron Garbutt
Seconded By: Denny Sharp

Resol. 2012- 153

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River accepts the audited Financial Statements prepared by Collins Barrow Chartered Accountants for the year ending December 31, 2011.

Carried

4.3.3 Designation of Signing Authorities

Moved By Ron Garbutt
Seconded By: Denny Sharp

Resol. 2012- 154

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby reaffirms that the following two members of Council and two employees are the signing authorities for the Municipality of French River:

1. Mayor Claude Bouffard
2. Councillor Michel Bigras
3. Mélanie Bouffard, Deputy Clerk
4. Harold Duff, Interim Chief Administrative Officer/Clerk

AND THAT the signing authority for Brigitte Carrière is revoked.

AND FURTHER THAT the change become effective May 28th, 2012.

Carried

4.3.4 Disbursements

Moved By Ron Garbutt
Seconded By: Denny Sharp

Resol. 2012- 155

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby ratifies the total disbursement for the month of April 2012 in the amount of \$408,748.83.

Carried

Disclosure of Pecuniary Interest

Name: Mayor Claude Bouffard

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

4.3.5 Tax Reductions

Moved By Ron Garbutt
Seconded By: Denny Sharp

Resol. 2012- 156

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby accepts the Treasurer's report dated May 16, 2012 regarding the MPAC Assessment Changes as per the attached sheet and that the necessary changes and write-off of any late penalty charges be made to each individual tax file to reflect these changes.

Carried

4.3.6 2012 Operational and Capital Budget

The Treasurer gave a verbal report related to the different scenarios of tax rates presented on a sheet that was distributed to Council.

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 157

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the 2012 Operational and Capital Budget as presented and dated May 14, 2012.

Motion to Defer

Moved by: Councillor Bouffard
Seconded by: Councillor Garbutt

To allow more time to examine the budget items and make a decision

Deferral Defeated

Motion to Amend

Moved by: Councillor Bigras
Seconded by: Councillor Martin-Cross

Motion to Amend to have a 0% tax rate increase and to use the funds from the General Reserves

Motion to Amend the Amendment to further decrease the tax rate

Moved by: Councillor Garbutt
No Seconder

Amendment Carried

Resolution now reads:

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of French River hereby approves the 2012 Operational and Capital Budget as presented and amended to allow for a 0% tax rate increase and to use the funds for an amount of \$72,537 from the Working Fund Reserve.

Councillor Garbutt requested a Recorded Vote.

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

Carried

5.0 Consent Agenda

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

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 158

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

Carried

5.1 Adoption of Minutes

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 159

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

Regular Council Meeting held April 18, 2012
Committee of the whole meeting held May 2, 2012
Special Meeting of Council held May 4, 2012

Carried

5.2 Minutes Received

Moved By Denny Sharp
Seconded By: Mike Bouffard

Resol. 2012- 160

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

Health & Safety Meeting held February 16, 2012
Sudbury East Planning Board held March 8, 2012
Environmental Advisory Committee meeting held March 15, 2012
Economic Development Committee held March 19, 2012
Manitoulin-Sudbury DSB meeting held March 22, 2012
Roads Committee Meeting held April 4, 2012
Sudbury & District Board of Health held April 19, 2012

Carried

5.3 Award of Tenders and Request for Proposals

5.4 Correspondence for Council's Information

5.4.1 Receipt of two (2) Notices of Application from the Sudbury East Planning Board

Moved By Mike Bouffard
Seconded By: Michel Bigras

Resol. 2012- 161

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

1. Application for a Proposed Minor Variance by Richard & Pamela Humphrey
2. Application for Consent by Don & Mary Jane and Dwayne & Linda Vernon

Carried

5.4.2 Correspondence from the Canadian Union of Public Employees (CUPE)

Moved By Ron Garbutt
Seconded By: Denny Sharp

Resol. 2012- 162

BE IT RESOLVED THAT the correspondence dated April 23, 2012 from Canadian Union of Public Employees (CUPE) regarding Council's resolution concerning the Comprehensive Economic and Trade Agreement (CETA) be received.

Carried

5.5 By-laws

The following By-laws were read and passed:

5.5.1 Item separated from the Consent Agenda to allow debate and moved to the beginning of the meeting.

5.5.2 Item separated from the Consent Agenda to allow debate and moved to the beginning of the meeting.

**5.5.3 By-law 2012-19 to amend By-law 2005-59 Building Permit
Regulating By-law (Amendments to Fee Schedule)**

Moved By Mike Bouffard
Seconded By: Denny Sharp

Resol. 2012- 163

BE IT RESOLVED THAT By-law 2012-19, being a by-law to amend Schedule 'A' of By-law 2005-59, a by-law to regulate the administration of Building Permits be read a first, second and third time and finally passed.

Carried

5.5.4 By-law 2012-20 - Tax Ratio By-law

The By-law was presented under separate cover.

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 164

BE IT RESOLVED THAT By-law 2012-20, being a by-law to establish the Tax Ratios for 2012 be read a first, second and third time and finally passed.

Carried

5.5.5 By-law 2012-21 - Adoption of current estimates and tax rates

The By-law was presented under separate cover.

Moved By Denny Sharp
Seconded By: Michel Bigras

Resol. 2012- 165

BE IT RESOLVED THAT By-law 2012-21, being a by-law to provide for the adoption of the current estimates and tax rates and provide for penalty and interest in default of payment thereof for the year 2012 be read a first, second and third time and finally passed.

PPP

5.5.6 Item separated from the Consent Agenda to be dealt with after the closed session and having received legal advice.

5.5.7 Item separated from the Consent Agenda to be dealt with after the closed session and having received legal advice.

5.5.8 Confirming By-law

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 166

BE IT RESOLVED THAT By-law 2012-23, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on May 16, 2012 be read a first, second and third time and finally passed.

Carried

6.0 Correspondence for Council's Consideration

7.0 Addendum (if required and by resolution)

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 167

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

Carried

Moved By Larry Bouffard
Seconded By: Denny Sharp

Resol. 2012- 168

BE IT RESOLVED THAT By-law 2012-24, being a by-law to set tax-capping parameters for 2012 for properties in the multi-residential, commercial and industrial property classes be read a first, second and third time and finally passed.

Carried

8.0 Notice of Motion

9.0 Announcements and Inquiries

10.0 Closed Session

Moved By Denny Sharp
Seconded By: Mike Bouffard

Resol. 2012- 169

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider directions that should be given to senior staff pursuant to section 239 (2) (f) "advice that is subject to solicitor-client privilege, including communications necessary for that purpose" with respect to the agreement with the Maurice Family regarding the Prévost Road Expropriation and to the assumption of Gordon William Drive as a municipal highway.

Carried

Moved By Mike Bouffard
Seconded By: Michel Bigras

Resol. 2012- 171

BE IT RESOLVED THAT the open session reconvenes at 9:56 p.m.

Carried

10.1 Resolutions emanating from Closed Session

10.1.1 By-law 2012-22 - Agreement with the Maurice Family re: Prévost Rd Expropriation *(item was moved from Item 5.5.6)*

Moved By Michel Bigras
Seconded By: Denny Sharp

Resol. 2012- 172

BE IT RESOLVED THAT By-law 2012-22, being a by-law to authorize the Mayor and Clerk to enter into an agreement with the Maurice Family relating to the Prévost Road Expropriation be read a first, second and third time and finally passed.

Councillor Mike Bouffard requested for a Recorded Vote.

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

Carried

10.1.2 By-law 2011-09 - 3rd Reading of the by-law Assuming Gordon

William Drive as a municipal highway

(item was moved from Item 5.5.7)

Moved By Michel Bigras
Seconded By: Mike Bouffard

Resol. 2012- 173

BE IT RESOLVED THAT By-law 2011-09, being a by-law to provide for the establishment and assumption of Gordon William Drive as a Municipal Highway be read a third time and finally passed.

Councillor Ron Garbutt requested a Recorded Vote.

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

Carried

11.0 Adjournment

Moved By Michel Bigras
Seconded By: Mike Bouffard

Resol. 2012- 174

BE IT RESOLVED THAT the meeting be adjourned at 10:00 p.m.

Carried

MAYOR

CLERK