

MEETING NO. 21

OF THE

COUNCIL

OF THE

TOWN OF MARATHON

Held in the Council Chambers, Administration Building on Monday, December 14, 2009.

Present: R. Dumas - Mayor
 T. Fox - Councillor
 R. Lake - Councillor
 K. Tsubouchi - Councillor
 B. Tocheri - CAO/Clerk

Also

Present: R. Kerster - CBO/Emergency Services Manager
 L. Lees - Deputy Clerk
 M. McCuaig - Administrative Assistant/Human Resources Specialist
 D. Skworchinski - Tourism & Economic Development Manager
 C. Verbo - Administration & Finance Manager/Treasurer

Absent: R. Souckey - Councillor
 J. Zimmerman - Works & Operations Manager

1. The meeting was called to order at 7:04 p.m.

2. **ADDITIONS OR DELETIONS TO THE AGENDA:**

Mayor Dumas asked members for any additions or deletions to the Agenda and the following items were added:

Mayors' Report:	6 a)	Mayor Dumas will provide an update on the transfer of chemical issue
Administration Report:	8 f)	Report on COMRIF Intake 2 Funding Agreement Amendment
By-Laws:	11 c)	By-Law No. 1681 (COMRIF amendment)
New Business:	13 a)	Resolution request received from Ojibways of Pic River
Report of Appointed Members to Boards And Committees	10 a)	Councillor Fox will provide a verbal report of his attendance at the Thunder Bay District Health Unit Board Meeting.

MOTION #322/09: Moved by: R. Lake
 Seconded by: T. Fox
 Resolved: **THAT Council hereby accepts the Agenda for the Monday, December 14, 2009, Regular Meeting of Council as amended.**

CARRIED

3. Mayor Dumas asked members for any disclosure of interest and hearing none, proceeded with the meeting.

4. Minutes of the Regular Meeting of Council held on Monday, November 23, 2009, and the Closed Meetings held on Monday, November 23, 2009, and Tuesday, December 1, 2009, were presented.

MOTION #323/09: Moved by: T. Fox

Seconded by: R. Lake
 Resolved: THAT Council hereby adopts the minutes of the Regular Meeting of Council held on Monday, November 23, 2009 and the Closed Meetings held on Monday, November 23, 2009, and Tuesday, December 1, 2009, as circulated.

CARRIED

5. **DELEGATION:**

- a) Students from Margaret Twomey Public School were present to sing and play a few Christmas songs. Mayor Dumas thanked the students and presented them with a little thank you from the town. They left the meeting.
- b) Members of the Superior North EMS will be in attendance to receive recognition awards. Mayor Dumas congratulated the members and they left the meeting.

6. **MAYOR'S REPORT:**

- a) Mayor Dumas read the following prepared statement: "On December 2, 2009, the Environment Review Tribunal (ERT) ruled that Tembec Industries could remove the black liquors from the mill site and place them temporarily in the spill basin located at the end of the treatment road. The ERT Plan approved movement through piping to the basin as a temporary safety measure, but a burst pipe resulted in a spill and the need for a new plan for moving the chemicals. The new circumstances have given rise to new concerns in relation to the movement of the materials by truck through the community and the eventual disposal of the materials, both of which are subject of continuing discussions with the MOE and Tembec.

Council of the Town of Marathon would like to make it clear to the residents of our community that Council's immediate goal is to have the material maintained safely and securely on-site or moved safely and securely off-site. This is due to concern of spills on site due to freezing which may have significant adverse effects on and off site, including risks to drinking water sources.

Council wishes to advise its residents that Marathon will continue to facilitate all parties of the blockade, being the protesters, MOE and Tembec, in order to reach a solution that will allow the materials to be safely moved forthwith or to be otherwise secured within the mill itself."

7. **C.A.O. REPORTS:**

- a) No items were received.

8. **ADMINISTRATION REPORTS:**

- a) Report on Accessible Customer Service Policy.

Melissa McCuaig, Administrative Assistant & HR Specialist, reviewed the report in its entirety. Mrs. McCuaig recommended that the policy be adopted as presented. Questions were posed regarding the complaint process, committee meeting dates, timeframes for the private sector and the importance of the one person one fair policy.

MOTION #324/09: Moved by: R. Lake
 Seconded by: T. Fox
 Resolved: THAT Council hereby accept the attached report and recommendation on Accessible Customer Service Policy;

AND THAT the policy be approved as presented;

AND FURTHER THAT the policy be placed in the Town's Policy/Guideline Manual.

CARRIED

b) Report on Marathon Landfill Site – Expansion.

Brian Tocheri, CAO/Clerk, reviewed the report in the absence of Jim Zimmerman, Works and Operations Manager. Mr. Tocheri recommended that Council support the environmental screening process to expand our landfill site by 100,000 cubic meters.

Discussion took place regarding the Declaration Order process, landfill life, regional landfill partners, financial implications, options for the landfill site and process for the emergency overfill application.

MOTION #325/09: Moved by: K. Tsubouchi
 Seconded by: R. Lake
 Resolved: THAT Council hereby accept the attached report and recommendation on Marathon Landfill Site – Expansion;

AND FURTHER THAT Council hereby supports the environmental screening process to expand our current landfill site by 100,000 cubic meters.

CARRIED

c) Report on E-Waste Collection Site Agreement.

Brian Tocheri, CAO/Clerk, reviewed the report in the absence of Jim Zimmerman, Works and Operations Manager. Mr. Tocheri recommended that the Town enter into an agreement with Ontario Electronic Stewardship Corporation for an Approved Collection Site for acceptable Waste Electrical and Electronic Equipment. A brief discussion ensued regarding storage of waste, household hazardous waste depot, more accessible hours of operation and financial implications.

MOTION #326/09: Moved by: R. Lake
 Seconded by: T. Fox
 Resolved: THAT Council hereby accept the attached report and recommendation on E-Waste Collection Site Agreement;

AND FURTHER THAT the appropriate by-law be adopted later in the meeting entering into an agreement with Ontario Electronic Stewardship.

CARRIED

d) Report on 2010 Election Method Option – Vote-By-Mail.

Louise Lees, Deputy Clerk, reviewed the report in its entirety. Mrs. Lees noted that the report was being presented for Council information and direction. Questions were posed regarding the vote-by-mail procedure and staffing. Member requested the issue be brought back to the Regular Meeting in January with a recommendation from Administration.

e) Report on 2010 Fees and Service Charges.

Chuck Verbo, Finance & Administration Manager/Treasurer, reviewed the reports in its entirety. It was noted that the report was being presented for Council consideration and approval. A lengthy discussion took place regarding waste and water fees. Administration was instructed to report back to the meeting in January with further statistics for the increases in waste and water fees.

MOTION #327/09: Moved by: R. Lake
 Seconded by: T. Fox
 Resolved: THAT Council hereby accept the attached report and

recommendation on 2010 Fees and Service Charges;

AND FURTHER THAT the appropriate by-law be adopted later in the meeting approving the 2010 Fees and Service Charges, as amended.

CARRIED

Councillor Souckey joined the meeting

f) COMRIF Intake 2 Funding Agreement Amendment.

Chuck Verbo, Finance & Administration Manager/Treasurer, reviewed the reports in its entirety. Mr. Verbo recommended that a by-law be adopted which amended By-Law No. 1512 which is the COMRIF funding agreement. A brief discussion ensued regarding the amendment.

9. CHEQUE RUN:

A motion to approve the cheque runs was presented:

MOTION #328/09: Moved by: R. Souckey
 Seconded by: R. Lake
 Resolved: THAT the following cheque runs be approved for payment:

Nov.25–Dec.8, 2009	A/P & Payroll	\$344,654.53
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CARRIED

10. REPORT OF APPOINTED MEMBERS TO BOARDS AND COMMITTEES:

a) Councillor Fox provided an update on his attendance at the Thunder Bay District Health Unit Training and Board Meeting held on December 7 and 8, 2009. He noted that the municipality will see an increase in 2010.

11. BY-LAWS:

a) By-Law No. 1679, being a by-law to authorize The Corporation of the Town of Marathon to enter into an Agreement with Ontario Electronic Stewardship for the operation of an Approved Collection Site for Acceptable WEEE (Waste Electrical and Electronic Equipment), was presented.

MOTION #329/09: Moved by: R. Souckey
 Seconded by: T. Fox
 Resolved: THAT By-Law No. 1679, being a by-law to authorize The Corporation of the Town of Marathon to enter into an Agreement with Ontario Electronic Stewardship for the operation of an Approved Collection Site for Acceptable WEEE (Waste Electrical and Electronic Equipment), be read a first and second time this 14th day of December, 2009.

CARRIED

b) By-Law No. 1680, being a by-law to authorize the establishment of Fees and Charges for the Town of Marathon for the year ending December 31, 2010, was presented, as amended.

MOTION #330/09: Moved by: T. Fox
 Seconded by: K. Tsubouchi
 Resolved: THAT By-Law No. 1680, being a by-law to authorize the establishment of Fees and Charges for the Town of Marathon for the year

ending December 31, 2010, be read a first and second time this 14th day of December, 2009, with water and landfill fees being removed.

CARRIED

- c) By-Law No. 1681, being a by-law to amend By-Law No. 1512, being a by-law to authorize The Corporation of the Town of Marathon to enter into a Funding Agreement with regard to COMRIF (In-Take 2), was presented.

MOTION #331/09: Moved by: R. Lake
 Seconded by: T. Fox
 Resolved: THAT By-Law No. 1681, being a by-law to amend By-Law No. 1512, being a by-law to authorize The Corporation of the Town of Marathon to enter into a Funding Agreement with regard to COMRIF (In-Take 2), be read a first and second time this 14th day of December, 2009.

CARRIED

MOTION #332/09: Moved by: T. Fox
 Seconded by: K. Tsubouchi
 Resolved: THAT By-Law Nos. 1679, 1680 and 1681 be read a third time and finally passed this 14th day of December, 2009.

CARRIED

12. **UNFINISHED BUSINESS:**

- a) No items were received.

13. **NEW BUSINESS:**

- a) A request was received from the Pic River First Nation seeking support of their resolution regarding preservation of First Nation point of sale tax exemptions.

MOTION #333/09: Moved by: R. Lake
 Resolved: T. Fox
 Resolved: THAT Council hereby supports the attached resolution received from the Ojibways of the Pic River First Nation regarding preservation of First Nation point of sale tax exemptions;

AND FURTHER THAT a copy of this motion be forwarded to Federal Finance Minister Flaherty, Minister of Indian Affairs Strahl, Ontario Finance Minister Duncan, and Ontario Minister of Aboriginal Affairs Duguid, to ensure that First Nation citizens are exempt from the harmonized sales tax at the point of sale;

AND FURTHER THAT Ojibways of the Pic River First Nation directs that Federal Finance Minister Flaherty, Minister of Indian Affairs Strahl, Ontario Finance Minister Duncan and Ontario Aboriginal Affairs Duguid, at a minimum, preserve the tax treatment currently accorded First Nation citizens under the RST/PST system, including "First Nation point of sales tax exemption";

NOW THEREFORE BE IT RESOLVED THAT First Nations are entitled to consultation and accommodation with respect to changes to policy and the development of legislation that may impact any treaty and aboriginal right including changes to the system of taxation for the proposed harmonization of taxes.

CARRIED

14. **ANNOUNCEMENTS:**

Mayor Dumas and members of Council wished staff and residents a Merry Christmas and Happy New and they each took a moment to pass along person greetings.

Mayor Dumas announced that members will be adjourning to a closed meeting to discuss a personnel matter, property matter and a matter which Council can hold a closed meeting under another Act, immediately following adjournment of this meeting.

15. **ADJOURN:**

MOTION #334/09: Moved by: R. Lake
Seconded by: K. Tsubouchi
Resolved: THAT we do now adjourn at the hour of 8:25 p.m.

CARRIED

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Mayor

(SEAL)

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Clerk