

Minutes of a Regular Meeting of Council of the
Corporation of the Township of Pelee
held at the Royal Canadian Legion Hall
on December 1, 2014

Present:
Mayor: Richard Masse
Deputy Mayor: Dave DeLellis
Councillors:
Darlene Wiper
Dayne Malloch
Peter Letkeman

Staff: Wayne Miller – CAO/Clerk/Treasurer
Katrina DiGiovanni-Deputy Clerk

Public: Inspector Glen Miller
Staff Sgt. Mike Beatty
Sgt. Dino Tsitomeneas

1.) Swearing Oath of Office

The CAO began the Inaugural meeting of Council by swearing in all Council members, beginning with the Mayor, each candidate read their oath and each statement was commissioned.

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

2.) Agenda

The Mayor presented the agenda for the Regular Meeting of Council of December 1, 2014, with one addition under New Business, being:

7. j.) Campground Rental Agreement for Pelee Unplugged

Moved by: *Darlene Wiper*

Seconded by: *Peter Letkeman*

Carried.

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3.) Minutes

a.) The minutes for the Regular Meeting of Council held on October 20, 2014 were presented and accepted with a spelling correction made under section 10. d.

Moved by:

Darlene Wiper

Seconded by:

Peter Letkeman

Carried.

b.) The minutes for the Regular Meeting of Council held on November 3, 2014 were presented and accepted with a grammatical correction under section 4.a.)

Moved by:

Dayne Malloch

Seconded by:

Dave DeLellis

Carried.

4.) Disclosure of Pecuniary Interest

Mayor Masse addressed Council and asked if there were any pecuniary interests to declare. Mayor Masse declared a conflict under disbursements cheque 11355 being a cheque written to himself. No other conflicts were declared.

5.) Petitions and Delegations

a) OPP

The Mayor introduced representatives from Essex County OPP and thanked them for coming to speak to council.

Mayor Masse began with a question to the OPP about keeping more open lines of communication when there is something new going on in the community because he is the first point of contact with the media. Inspector Miller agreed to inform the Mayor when new items arise about the community.

The Mayor proceeded with his second question regarding increased presence and calls about boaters docking on the federal dock and being asked to move or being ticketed.

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Staff Sgt. Beatty responded that the complaints came in from the federal government and research was done on the subject with the conclusion that the portion of concrete docking area cannot be used by anyone but the Department of Fisheries and Oceans and the Canadian Border Services. Staff Sgt. Beatty went on to state that this was a vital piece of infrastructure that had to be kept free. He also stated that the increased marine unit presence was because the marine unit had been enhanced and there is now a greater presence on Lake Erie.

The Mayor continued with his next question regarding the Ministry of Labour (MOL) investigation and the issue of not having a holding cell.

Inspector Miller stated that the MOL investigation was brought up through a recommendation from their Health and Safety Committee about accommodations and a holding area. He further stated that township administration had met their obligations for repairs and upgrades but the issue is with having a cell or holding area. Inspector Miller stated that currently when someone is detained they are released immediately but if they need to be moved the marine unit is called in. Inspector Miller went on to state that the MOL had made requests but that no official order had been made and they were hoping to come up with some viable solutions.

Inspector Miller stated that there was no particular incident that occurred where health and safety had been in issue and that he would keep the Mayor informed after subsequent meetings with the MOL.

The Mayor moved on to ask the representatives about the new OPP Billing Model and stated that the Township had received a response from the Superintendent that OPP will be able to respond to situations 24/7. The Mayor asked how the OPP can adjust their schedule to meet that statement, he further stated that the Township appreciates their services but more clarification was needed.

Inspector Miller began by stating that the OPP does not provide 24/7 active coverage in Essex County but they have the ability to provide 24/7 emergent response. He went on to state that he understood the impact of the model and they currently try to position officers on the Island for the time when it is most required. Inspector Miller also stated that officers volunteer to come to the Island and enjoy spending time here and want to meet the expectations of having a safe community.

Sgt. Dino Tsitomeneas explained that the basis of the model is the base cost per property which everyone in the province has to pay. He stated that on the Island the majority of the budget is the base cost because there are not many calls for service. He further stated that a portion of this budget was going towards proactive policing, ride programs, intelligence, patrols, prevention programs, training and administration.

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The Mayor responded by saying that with the base cost being provincially mandated if the Township cannot meet the financial obligation it is not a personal issue with the OPP and further asked if payments cannot be made will policing still be provided.

Sgt. Dino Tsitomeneas stated that policing services would continue while payments were sorted out regardless of the timing.

Staff Sgt. Beatty addressed the OPP's ability to respond to calls by stating that the Island is a unique challenge but they will meet the challenges through their marine unit, which runs longer than any other in Ontario, as well as by having access to postal flights and regular winter flights if needed.

The Mayor stated that the bigger issue is that the Township cannot afford the service as a rural remote community the province needs to step up.

Councillor Letkeman asked if regular annual meetings with the OPP could continue as they had in the past to discuss issues.

Inspector Miller agreed to come over in the spring to meet with Policing Committee and further stated that he would follow through with visits with Council in the future.

The Mayor thanked the OPP representatives for coming to our community and Inspector Miller congratulated our new Council.

6.) Old Business

None.

7.) New Business

- a.) Mayor Masse presented the first item of new business to appoint a Deputy Mayor. No objections were made.

The following resolution was passed:

Resolution 2014-135:

“WHEREAS the Municipal Act, 2001 Section 148(2) (b) states that Council must appoint a Deputy Mayor to act in place of the Mayor when the Mayor is unable to carry out the powers, duties and functions of this position.

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THEREFORE BE IT RESOLVED that the Council of the Corporation of the Township of Pelee hereby appoints David DeLellis as Deputy Mayor for the Council term of December 1, 2014- November 30, 2018”.

b.) 2015 Council Meeting Dates

Carried.

The CAO stated that although there is typically one meeting a week in the winter, two should be scheduled for February and March due to budget.

The following resolution was passed:

Resolution 2014-136:

Moved By:

Dayne Malloch

Seconded By:

Darlene Wiper

“Resolved that the Council of the Corporation of the Township of Pelee hereby agrees on the 2015 Regular Meeting of Council dates for the winter being December 18, January 15, February 5 and 19 and March 5 and 19”.

c.) 2014/2015 Staff Holidays

Carried.

The CAO presented the dates that staff would be taking for 2014/2015 holidays and stated that office staff would still be in to conduct necessary business and other departments would also still be completing necessary tasks.

The following resolution was passed:

Resolution 2014-137:

Moved By:

Dayne Malloch

Seconded By:

Dave DeLellis

“Be it resolved that the Council of the Corporation of the Township of Pelee hereby agrees on the 2014/2015 dates for staff holidays”.

Carried.

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d.) Committee Appointments

The Mayor introduced the CAO's next report regarding committee appointments for the new term of Council. The CAO stated that council would need to decide what committees they wanted to keep and if they wanted to add any new ones. The CAO stated that all the committees need clear mandates, administrative support, and appropriate funds to carryout mandates moving forward. The CAO also addressed the past practice of not allowing council members sitting on a committee to vote; the CAO commented that they should be allowed to vote as is common practice elsewhere.

The CAO went on to suggest that the Committee of Adjustment be reappointed with the same composition of members.

The CAO also stated that the pheasant hunt committee was still important especially with all the upcoming changes it would be beneficial to review the hunt each year and survey residents and businesses to support the long term health of the hunt.

The CAO brought forward a suggestion of having a tourism committee as it was a common thread in the last election. The CAO stated that he believed it would be more effective to promote tourism as a united group, partnering and corresponding with other groups on the Island to be more uniform. The CAO commented that past tourism and transportation reports should be referenced to help council to determine the best ways to improve tourism while examining transportation at the same time.

The next committee the CAO suggested was a drainage committee, he stated that the system runs well now but capital issues need to be looked at to decide future needs for capital programs and to help avoid public uncertainty. He further stated that this committee would be purely advisory and not responsible for managing budget, staff or operations.

The Mayor stated that it was also necessary to form an Environmental Advisory Committee and that the Ministry of Natural Resources was looking for two members to sit on the committee. The CAO stated that the role of this committee was to review development applications and that the process of approval may take more time but eventually a body of expertise would be made to use in the future.

The CAO proceeded to make the following recommendations on committees and composition:

Recommendation 1: For Council to have full voting rights while sitting on a committee.

Moved by:
Seconded by:

Darlene Wiper
Dave DeLellis

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Carried.

Recommendation 2: That the Committee of Adjustments be made up of 4 lay persons and 1 member of Council.

Moved by:

Seconded by:

Dave DeLellis

Dayne Malloch

Carried.

Recommendation 3: That the Library Committee be made up of 4 lay persons and 1 member of Council.

Moved by:

Seconded by:

Darlene Wiper

Dave DeLellis

Carried.

Recommendation 4: That the Policing Committee be made up of up to 6 members.

Moved by:

Seconded by:

Dave DeLellis

Pete Letkeman

Carried.

Recommendation 5: That the transportation committee be reactivated for the new term and kept separate from the tourism committee because there are other sectors affected by transportation other than just tourism; and further that the committee be made up of 3 lay persons and 1 member of council.

Moved by:

Seconded by:

Dayne Malloch

Darlene Wiper

Carried.

Recommendation 6: That the pheasant hunt committee be made up of 3-5 members, with one member of council.

Moved by:

Seconded by:

Darlene Wiper

Dave DeLellis

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Carried.

Recommendation 7: That there be no strategic planning committee for this term of council.

Moved by:
Seconded by:

Dayne Malloch
Dave DeLellis

Carried.

Recommendation 8: That the tourism committee have 7 members.

Moved by:
Seconded by:

Dayne Malloch
Darlene Wiper

Carried.

Recommendation 9: That the drainage committee be made up of 5 members.

Moved by:
Seconded by:

Darlene Wiper
Dayne Malloch

Carried.

The Mayor stated that the Essex Region Conservation Authority and Tourism Windsor Essex Pelee Island also needed new member's appointed with the new term of council. The Mayor asked council if he could remain on the ERCA board. Councillor Malloch stated that he wanted to move to have the Mayor sit as a member of ERCA and TWEPI.

Moved by:
Seconded by:

Dayne Malloch
Darlene Wiper

Carried.

e) Report on Transparency

The Mayor asked the CAO to proceed with his report on transparency. The CAO began by saying that transparency was a common theme that candidates addressed through their campaigns, further stating that he believes that the township is now being more transparent with the public and council. The CAO stated that now the public can view the entire agenda package online prior to the meetings and can come into the office at any point to ask for information.

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The CAO also stated that a Twitter account has been started to update the public on winter driving conditions, as well as public and council meetings. The CAO commented that there has been an effort made to have more public meetings, such as the drainage, hunt and water meetings that have taken place; he stated that there was generally good attendance and questions from the public and they were able to leave with facts. The CAO went on to state that if council wanted to request additional public meetings they were welcome to.

The CAO continued his report by stating that currently the public could not speak at Council meetings unless they were listed as a deputation on the agenda, but council may consider allowing members of the public to speak through resolution. The CAO stated that an option may be to allow the public to review the agenda until 4:00 p.m. on the day of the meeting and call into the office to be added to the agenda to comment on a particular item within a specified time limit. The CAO suggested that this method be used for six months and then reviewed again by Council.

Councillor Malloch supported this recommendation and further stated that it would be good to hear public input.

The following resolution was passed:

Resolution 2014-138:

Moved by:

Dayne Malloch

Seconded by:

Pete Letkeman

“Be it resolved that the Council of the Corporation of the Township of Pelee hereby accepts the CAO’s report on Transparency and further that the CAO’s recommendation on allowing public interaction for a 6 month trial period during council meetings be instituted”.

Carried.

f.) Building Inspection Services

The CAO went forward with his report on Building Inspection Services being provided by the Town of Leamington in 2015, requesting that Council agree in principle due to the fact that the arrangement is reviewed every term of Council and Leamington’s new Council may not be in favour because they have previously lost money. The CAO stated that the minimum fee requested was \$17,000 through 2018 to cover costs, but they would phase in the increase starting in 2015 at \$14,000. The CAO further clarified that if the Township collected less than the minimum charge in building fees, it would have to pay the difference to the Town of Leamington. The CAO also suggested that the Township’s building fees by raised to match Leamington’s, and

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that their council would be reviewing the same agreement at their next meeting. The CAO pointed out the termination clause of 90 days but suggested that due to restrictions in travel and difficulty in finding a replacement that the end of the calendar year be used for termination if necessary.

The following resolution was passed:

Resolution 2014-139:

Moved by:

Dayne Malloch

Seconded by:

Darlene Wiper

“Be it resolved that the Council of the Corporation of the Township of Pelee hereby accepts the CAO’s report on Building Inspection Services and approves the agreement in principle with changes to the termination clause being the end of the calendar year”.

Carried.

g.) Resolved.

h.) Toronto Sportsman’s Show

The CAO addressed Council and asked if they would like to have someone attend the show again; Councillor Wiper stated that she would attend again and that this show was a good way to promote the hunts as well as other tourism offerings. The Mayor stated that there was a lot of interest in the Island from attendees of the show. The Mayor asked Councillor Wiper to contact the Winery to see if they would like to share the costs of the show again.

The following resolution was passed:

Resolution 2014-140:

Moved by:

Dayne Malloch

Seconded by:

Dave DeLellis

“Be it resolved that the Council of the Corporation of the Township of Pelee hereby supports the attendance at the 2015 Toronto Sportsman’s Show and further that Darlene Wiper attend”.

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Carried.

i.) ERCA Appointments

Resolved through 7. D. Committee Appointments

j.) Campground Rental Agreement for Pelee Unplugged

The CAO stated that himself and the Campground Manager met with representatives for Pelee Unplugged and agreed on terms for the rental of the campground, he further stated that if Council agrees to the terms that the festival will proceed following the terms as stated as well as the noise and alcohol exemptions being the same as 2014.

Councillor Malloch stated that as long as the Campground Manger was satisfied with the terms he would agree to move to accept the terms of the agreement.

The following resolution was passed:

Resolution 2014-141:

Moved by:

Dayne Malloch

Seconded by:

Dave DeLellis

“Be it resolved that the Council of the Corporation of the Township of Pelee hereby supports the agreement between the East Park Campground and The Island Unplugged Music Festival for the 2015 August Civic Holiday long weekend and further that Council authorize the CAO and the Campground Manager to sign the agreement”.

Carried.

8.) Correspondence

a.) Mayor Masse introduced the request for support of a resolution to ask Canada Post not to end home to home delivery.

The following resolution was passed:

Resolution 2014-142:

Moved by:

Dayne Malloch

Seconded by:

Pete Letkeman

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“The Corporation of the Township of Pelee hereby request that Canada Post reconsider eliminating home to home postal services;

WHEREAS Canada Post has proposed a plan to end residential home delivery in Canada;

AND WHEREAS the lack of home delivery will disadvantage many seniors and people with mobility issues which will be compounded during inclement weather;

THEREFORE BE IT RESOLVED THAT the Township of Pelee does not support the proposed plan to eliminate residential home to home delivery and herein petition Canada Post to reconsider this plan immediately and retain this valuable service for communities;

AND FURTHER THAT a copy of this resolutions be forwarded to the Association of Municipalities of Ontario (AMO), Federation of Canadian Municipalities (FCM), municipalities on the County of Essex, as well as local MP, MPP and representatives of Canada Post and its unions to encourage others to speak up against this plan”.

Carried.

b.) The Mayor introduced the resolution to support other small rural municipalities in requesting a review of the new OPP Billing Model.

The following resolution was passed:

Resolution 2014-143:

Moved by:

Dayne Malloch

Seconded by:

Pete Letkeman

“WHEREAS the Minister of Community Safety and Correctional Services, Mr. Yasir Naqvi announced a new OPP billing model to take effect on January 1, 2015 based on service calls and base costs;

AND WHEREAS the effect of the new billing model is to shift policing costs from the urban centres to small rural centres;

AND WHEREAS the Federal Government’s definition of households does not include seasonal dwellings as households and therefore may affect the new formula;

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AND WHEREAS the new funding model will force small rural communities to consider alternative policing arrangements, cuts to existing programs and services, depletion of capital reserves or major tax increases;

AND WHEREAS there will be no increase in OPP levels of services;

AND WHEREAS the new funding formula will mean an increase for the Township of Pelee in OPP costs from \$35,000 in 2014 to \$52,629 in 2015 with an increase of 244% over the five year phase in adjustment, ending at \$118,393 in 2019;

AND WHEREAS there is nothing in the new formula which controls future OPP cost increases;

AND WHEREAS the new OPP funding formula will negatively affect over 130 small rural municipalities;

AND WHEREAS unorganized municipalities have not been considered in this formula;

AND WHEREAS small rural communities do not have the same economic ability to generate new tax revenues from commercial properties to off-set new costs;

AND WHEREAS larger urban municipalities are going to receive savings on new OPP costs and yet have higher calls for service and crime rates;

AND WHEREAS this means that small seasonal communities that are relatively safe are subsidizing larger urban centres;

AND WHEREAS the overall OPP review process was flawed whereby many resolutions, delegations and dispositions by various communities were not listened to; the various committees that were established were weighed in favour of large communities and the results appear to be predetermined;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Pelee reiterate its objection to the new OPP billing model and call on the Premier of Ontario, the Honourable Kathleen Wynne, the Minister of Community Safety and Correctional Services, Mr. Yasir Naqvi, the Auditor General, Ms. Bonnie Lysyk to call a moratorium on the implementation of the new billing model until such a time as a fair and more equitable billing model for Ontario municipalities can be introduced;

AND FURTHER THAT this resolution be circulated to all municipalities in the County of Essex, all small rural municipalities in Ontario, AMO, the Ministry of Municipal Affairs and Housing, and the Liberal and NDP parties”.

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Carried.

9.) Disbursements

Mayor Masse presented disbursements for approval, Councillor Wiper asked for clarification on payment 11408 and the CAO provided clarification on the payment. Deputy Mayor DeLellis as what the payments for MIII were for and the Mayor informed him they were for the water plant updates.

The following resolution was passed:

Resolution 2014-144:

Moved By: Dayne Malloch

Seconded By: Dave DeLellis

“Resolved that the Council of the Corporation of the Township of Pelee hereby resolves to pay disbursements as presented and attached in the amount of \$226,846.67”.

Carried.

10.) Boards and Committees

There were no presentations from any boards or committees.

11.) Councillor Reports

a.) Councillor Malloch stated that there has been a lot of dead ash trees that have fallen in recent wind storms and that there are a lot of bush areas with rotting trees. Councillor Malloch addressed the CAO asking whose responsibility it was to clean this up and if Hydro One was responsible for the portion around there lines.

The CAO stated that Hydro One is responsible for clearing trees away around their lines but they are not obligated to do so. He further stated that the Township cleans up trees on roadways and our properties and will be doing more between now and spring. The CAO also stated that the Nature Conservancy of Canada was asking for assistance in cleaning up some of their lands.

Councillor Malloch asked if it was possible to allow the public to go in to certain areas to cut trees for heating.

The CAO stated that the liability wouldn't be that great and that he would look into the

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possibility.

b.) Councillor Malloch stated that he was concerned about the ferry schedule in late fall with leaving off departure times and adding and taking away trips with little notice.

The Mayor stated that transportation was updating trip schedules through Twitter and that the trips were made to revolve around getting the grain off the Island.

Councillor Malloch further stated that the issue should be addressed in the future if boats were being added and taken away because of lack of interest.

The Mayor commented that he would bring the issue up to PITSAC with Wayne at their next meeting.

12.) In Camera

No In-Camera items.

13.) By-Laws

- a)** Mayor Masse brought forward By-Law 2014-36 being a by-law to authorize borrowing for capital expenditures.

The following resolution was passed:

Resolution 2014-145:

Moved by:

Darlene Wiper

Seconded by:

Dayne Malloch

“Resolved that the Council of the Corporation of the Township of Pelee hereby agrees to pass By-Law 2014-36 being a by-law to authorize certain capital works of the Corporation of the Township of Pelee; to authorize long-term borrowing from LIBRO Credit Union Ltd for such works through a bank loan”.

Carried.

b.) Mayor Masse brought forward By-Law 2014-37 being a by-law to enter into an agreement with OCIF.

The CAO stated that this agreement was part two of the application that was sent in for road work

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and that the funding provided was formula based with a minimum of \$25,000 for three years.

The following resolution was passed:

Resolution 2014-146:

Moved by: *Darlene Wiper*

Seconded by: *Dave DeLellis*

“Resolved that the Council of the Corporation of the Township of Pelee hereby agrees to pass By-Law 2014-37 being a by-law to authorize execution by the Mayor and Chief Administrative Officer of an agreement between the Municipality and the Ontario Community Infrastructure Fund (OCIF) Program”.

Carried.

c.) Mayor Masse presented By-Law 2014-38 being a by-law to confirm proceedings.

The following resolution was passed:

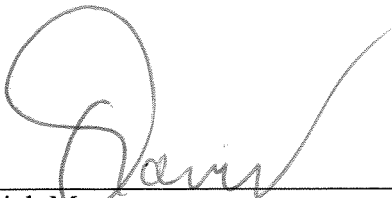
Resolution 2014-147:

Moved by: *Dayne Malloch*


Seconded by: *Peter Letkeman*

“Resolved that the Corporation of the Township of Pelee hereby agrees to pass By-Law 2014-38 being a by-law to confirm proceedings for this December 1, 2014 meeting of Council”.

Carried.



Rick Masse
Mayor



Wayne Miller
Chief Administrative Officer