



## TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

#15 Council Meeting, August 8, 2017

# AGENDA

### **COUNCIL – CALL TO ORDER 5:00 p.m.**

**PLEASE NOTE:** *Meetings of Council and the Committee of the Whole are open to the public however they are not a public forum. Members of the public are welcome to attend and your interest is appreciated, however due to time constraints, we request that individuals or groups wishing to appear before Council or the Committee at a regular meeting shall advise the Clerk not later than 4:30 p.m. on the Thursday prior to the meeting as per By-law No. 2015-011*

### **MEMBERS WISHING TO DISCLOSE A PECUNIARY INTEREST DO SO NOW.**

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**Township of Drummond/North Elmsley**  
**#14 Special Council Meeting of June 27, 2017.**  
**Township Council Chambers**

**Minutes**

**Call To Order:** Reeve Churchill called the meeting to order at 7:00 p.m.

**Present:**

**Council:**

|              |                  |
|--------------|------------------|
| Reeve        | Aubrey Churchill |
| Deputy Reeve | Gail Code        |
| Councillor   | Steve Fournier   |
| Councillor   | George Sachs     |
| Councillor   | Ray Scissons     |

**Staff:**

|                     |               |
|---------------------|---------------|
| Clerk-Administrator | Cindy Halcrow |
| Deputy Clerk        | Cathy Ryder   |

**Members Wishing To Disclose A Pecuniary Interest Do So Now.**

**1.0 MINUTES**  
**1.1 Regular Minutes of June 27, 2017**

**Moved By: Steve Fournier**  
**Seconded By: George Sachs**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Drummond/North Elmsley** does hereby approve the minutes of the Regular Meeting of June 27, 2017, as circulated.

**Carried**  
**17-085**

**2.0 APPROVAL OF AGENDA**  
**2.1 Approval of Agenda**

**Moved By: Steve Fournier**  
**Seconded By: George Sachs**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Drummond/North Elmsley** does hereby adopt the agenda for the special meeting of June 27, 2017 as circulated.

**Carried**  
**17-086**

**3.0 DELEGATIONS: None**

**4.0 COMMITTEE & BOARD REPORTS**

**4.1 Committee of the Whole Report to Council**

- **June 27, 2017**

**BE IT RESOLVED THAT** the Report #10 CoW-June 27, 2017 is hereby adopted this twenty-seventh day of June 2017.

**“A” 1 Engineering Services for the Development of an Engineers Report**

**“B” 1 THAT the Council of the Corporation of the Township of Drummond/North Elmsley** appoints McIntosh Perry Consulting as the Engineer to prepare a report under Section 8 of the Drainage Act for the Gold Creek Municipal Drain.

**“A” 2. Employee Group Insurance Benefits**

**“B” 2. THAT the Council of the Corporation of the Township of Drummond/North Elmsley** authorize the group insurance benefits coverage to be transferred from Sun Life Assurance Company of Canada to Industrial Alliance, effective September 1, 2017.

**“A” 3. Local Improvements on Private Property – Islandview Drive**

**“B” 3. THAT the Council of the Corporation of the Township of Drummond/North Elmsley** approve the request for Local Improvements on private property for Islandview Drive subject to entering into a Local Improvements Agreement with 100% of the property owners.

**“A” 4. Tax-Exempt Portion of Remuneration Paid to Local Officials**

**“B” 4. THAT the Council of the Corporation of the Township of Drummond/North Elmsley** supports the Township of Lake of Bays Resolution regarding the tax-exempt portion of remuneration paid to local officials be reinstated.

**“A” 5. Anthology Book – Memories of Home**

**“B” 5. THAT the Council of the Corporation of the Township of Drummond/North Elmsley** approves charging \$25.00 for the Anthology Book – Memories of Home and provide a gift of appreciation to Linda Meyers for her outstanding contribution to the book.

Councillor George Sachs presented and read Report #10 CoW-June 27, 2017 to Council on behalf of the Committee of the Whole.

**Moved By: George Sachs**  
**Seconded By: Steve Fournier**

**Carried**  
**17-087**

- 5.0 BY-LAWS:** None
- 6.0 RESOLUTIONS/NOTICE OF MOTIONS:** None
- 7.0 CLOSED SESSION:** None
- 8.0 COMMUNICATIONS/CORRESPONDENCE:** None
- 9.0 UNFINISHED BUSINESS:** None
- 10.0 CONFIRMATION OF COUNCIL PROCEEDINGS**

**Moved By: Ray Scissons**  
**Seconded By: Gail Code**

**BE IT RESOLVED THAT By-law #2017-034** being a By-law to confirm the proceedings of Council at its special meeting of June 27, 2017, be read a first, second and third time and finally passed in open Council.

**Carried**  
**17-088**

**11.0 ADJOURNMENT**

**Moved By: Ray Scissons**  
**Seconded By: Gail Code**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Drummond/North Elmsley** adjourn their regular meeting of Council.

Adjourned at 7:04 p.m.

**Carried**  
**17-089**

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**Reeve**

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**Clerk Administrator**

**THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2017-035**

**INTER-MUNICIPAL AGREEMENT FOR THE PROVINCIAL OFFENCES ACT**

**BEING** a by-law to authorize the signing of an agreement between the Corporation of the Township of Drummond/North Elmsley and the Corporation of the Town of Perth for the addition of outstanding Provincial Offences Act fines to property tax rolls for collection.

**WHEREAS** Section 441.1 of the Municipal Act 2001 (S.O. 2001, c.25) authorizes a municipality to add any part of a fine, for a commission of a provincial offence that is in default under Section 69 of the Provincial Offences Act to the tax roll for any property in the municipality for which all the owners are responsible for paying the fine and collect it in the same manner as municipal taxes at the request of a municipality that has entered into a transfer agreement under Part X of the Provincial Offences Act;

**AND WHEREAS** the Council of the Town of Perth Provincial Offences Court (POA Court) wishes to formalize an agreement with the Corporation of the Township of Drummond/North Elmsley so that defaulted fines under the Provincial Offences Act may be added to the tax rolls in the municipality at the Town of Perth's request and appropriately share any collected revenue;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. That the Reeve and Clerk shall be and is hereby authorized to execute an agreement between the Corporation of the Township of Drummond/North Elmsley and the Corporation of the Town of Perth for the addition of outstanding Provincial Offences Act fines to property tax rolls for collection.
2. That the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Township of Drummond/North Elmsley to the said agreement.
3. That Schedule "A" attached hereto form part of this by-law.

BY-LAW READ, passed, signed and sealed in open Council this 8<sup>th</sup> day of July, 2017.

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator



**CORPORATION OF THE TOWN OF PERTH  
INTER-MUNICIPAL AGREEMENT**

This Agreement shall be executed in nine (9) original copies this \_\_\_\_ day of \_\_\_\_.

Each Party shall receive one (1) original copy, all of which shall be equally valid and enforceable.

**BETWEEN:** The Corporation of the Town of Perth

**AND:** The Corporation of the Town of Carleton Place;  
The Separated Corporation of the Town of Smith Falls;  
The Corporation of Tay Valley Township;  
The Corporation of the Municipality of Mississippi Mills;  
The Corporation of the Township of Drummond/North Elmsley;  
The Corporation of the Township of Beckwith;  
The Corporation of the Township of Lanark Highlands, and;  
The Corporation of the Township of Montague

**WHEREAS** Section 441.1 of the *Municipal Act*, 2001, permits a local municipality to add any part of a fine, for a commission, of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any property in the municipality for which all of the owners are responsible for paying the fine and, collect it in the same manner as municipal taxes at the request of a municipality that has entered into a transfer agreement under Part X of the *Provincial Offences Act*,

**AND WHEREAS** the Corporation of the Town of Perth Provincial Offences Court (“POA Court”) wishes to formalize an arrangement so that defaulted fines under the *Provincial Offences Act* may be added to the tax rolls in their respective municipalities at the Town of Perth’s request, and; appropriately share any collected revenue. This arrangement includes the following municipalities:

1. The Corporation of the Town of Carleton Place;
2. The Separated Corporation of the Town of Smiths Falls;
3. The Corporation of Tay Valley Township;
4. The Corporation of the Municipality of Mississippi Mills;
5. The Corporation of the Township of Drummond/North Elmsley;
6. The Corporation of the Township of Beckwith;
7. The Corporation of the Township of Lanark Highlands, and;

8. The Corporation of the Township of Montague (*"the Municipalities"*),

**NOW THEREFORE** the Town and the Municipalities hereby agree to the following Terms and Conditions:

**1. Requests:**

- 1.1. Subject to applicable law, the Provincial Offences Court ("POA Court") wishes to request that another municipality ("the tax rolling municipality") add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any property in the tax rolling municipality for which all of the owners are responsible for paying the fine ("defaulting property owners") may do so by providing the tax rolling municipality details on the fine and the property including:
  - 1.1.1. A Schedule of the outstanding fine(s), and;
  - 1.1.2. The address of any property owned by the defaulting offenders.
- 1.2. A tax rolling municipality that receives a request from the POA Court to add to its tax roll any part of a defaulted fine shall add the amount to the tax roll of any property in the local municipality for which the tax rolling municipality confirms that all of the owners are responsible for paying the fine.

**2. Payment, Fees and Interest:**

- 2.1. A tax rolling municipality may add any fee to the tax roll that the tax rolling municipality charges under its by-law for adding amounts to the tax roll, and; may charge any interest that the tax rolling municipality charges under its by-law for amounts collected in the same manner as municipal taxes.
- 2.2. The tax rolling municipality shall, within thirty (30) days of adding the defaulted fine to the tax roll, provide written notice to the property owners responsible for paying the defaulted fine, of the amount added to the tax roll, and of any fees and interest that may accrue under the tax rolling municipality's by-law.
- 2.3. The tax rolling municipality shall review tax rolled accounts quarterly to report and remit any fine amounts paid to the POA Court.
- 2.4. The POA Court shall review tax rolled accounts quarterly to report any fine amounts paid which may be removed from the tax roll.
- 2.5. The tax rolling municipality may retain any of its fees charged for adding the amount to the tax roll and may retain any of its interest charges on the amount.

**3. Recovery and Short-fall:**

- 3.1. A tax rolling municipality may apply amounts it receives on behalf of defaulting property owners or through a tax sale to outstanding property taxes, fine amounts and other charges on the tax roll in accordance with applicable legislation and with the tax rolling municipality's by-laws and policies.
- 3.2. If the POA Court receives any payment for a fine after receiving payment for the fine from a tax rolling municipality, the POA Court shall pay the amount to the tax rolling municipality and the tax rolling municipality shall apply the payment to the amount tax rolled.

**4. Accounting:**

- 4.1. The Municipalities shall, during the term of this Agreement and for four (4) years following the termination of this Agreement, maintain detailed and accurate accounts, records, books and data of all financial transactions undertaken by it pursuant to this Agreement, prepared in accordance with generally accepted accounting principles. Such records shall be available for review or audit by any municipality party to this Agreement, during the term of the Agreement and for four (4) years following the termination of this Agreement.

**5. Errors and Omissions:**

- 5.1. In the event that a municipality becomes aware of an error, inaccuracy or omission in any transaction, report or notice, the municipality shall correct the transaction, report or notice and shall provide written notice of such correction to the other municipality or property owners. In no event will a municipality be liable or responsible for any damages resulting from the errors, inaccuracies or omissions of another municipality.

**Notice:**

- 5.2. Any notice required in this Agreement shall be in writing and shall be effective if:
  - 5.2.1. Delivered personally;
  - 5.2.2. Sent by mail, or;
  - 5.2.3. sent by facsimile or email.



- 5.3. All Notices and other communications shall be given to the parties at the following addresses:
- 5.3.1. The Corporation of the Town of Carleton Place  
ATTN:  
175 Bridge Street  
Carleton Place, ON K7C 2V8
  - 5.3.2. The Separated Corporation of the Town of Smith Falls  
ATTN:  
P.O. Box 695  
77 Beckwith Street North  
Smiths Falls, ON K7A 4T6
  - 5.3.3. The Corporation of Tay Valley Township  
ATTN:  
217 Harper Rd  
Perth, ON K7H 3C6
  - 5.3.4. The Corporation of the Municipality of Mississippi Mills  
ATTN:  
3131 Old Perth Road  
P.O. Box 400  
Almonte, ON K0A 1A0
  - 5.3.5. The Corporation of the Township of Drummond/North Elmsley  
ATTN:  
310 Port Elmsley Road  
Perth, ON K7H 3C7
  - 5.3.6. The Corporation of the Township of Beckwith  
ATTN:  
1702 9th Line Beckwith  
Carleton Place, ON K7C 3P2
  - 5.3.7. The Corporation of the Township of Lanark Highlands  
ATTN:  
Box 340  
Lanark, ON K0G 1K0
  - 5.3.8. The Corporation of the Township of Montague  
ATTN:  
6547 Roger Stevens Drive  
Box 755 Smiths Falls, ON K7A 4W6

5.4. Any party may change any particulars of its address for Notice by written Notice to the others.

**6. Termination:**

6.1. This Agreement shall continue as long as the arrangement provided for is permitted by provincial legislation.

A municipality may terminate its participation in this Agreement for convenience by providing thirty (30) days written notice to the POA Court.

6.2. Any amounts that are added to the tax roll for any property pursuant to this Agreement prior to the date of termination shall continue to be owed to the POA Court. For greater certainty, the rights and obligations under Subsections 2.3 and 3.2, shall survive upon termination of this Agreement.

**SIGNED, SEALED AND DELIVERED**, in the presence of:

**THE CORPORATION OF THE TOWN OF PERTH**

\_\_\_\_\_  
John Fenik, Mayor

\_\_\_\_\_  
Lauren Walton, Clerk

**THE CORPORATION OF THE TOWNSHIP OF BECKWITH**

\_\_\_\_\_  
Richard Kidd, Reeve

\_\_\_\_\_  
Cassandra McGregor, Acting Clerk  
Administrator

**THE CORPORATION OF THE TOWN OF CARLETON PLACE**

\_\_\_\_\_  
Louis Antonakos, Mayor

\_\_\_\_\_  
Duncan Rogers, Clerk

**THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

\_\_\_\_\_  
Aubrey Churchill, Reeve

\_\_\_\_\_  
Cindy Halcrow, Clerk

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS**

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Brian Stewart, Mayor

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Stacey Blair, Clerk

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

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Shaun McLaughlin, Mayor

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Shawna Stone, Clerk

**THE CORPORATION OF THE TOWNSHIP OF MONTAGUE**

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Bill Dobson, Reeve

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Jasmin Ralph, Clerk

**THE SEPARATED CORPORATION OF THE TOWN OF SMITH FALLS**

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Shawn Pankow, Mayor

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Nadine Bennett, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP**

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Keith Kerr, Reeve

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Amanda Mabo, Clerk

**THE CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2017-036**

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

**WHEREAS** pursuant to Section 5 of the Municipal Act 2001 S.O. 2001 c.25, the powers of a municipal corporation are to be exercised by its Council through the passage of a by-law;

**AND WHEREAS** Subsection 2 of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of every Council are to be exercised by By-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Drummond/North Elmsley at this meeting be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. The action of the Council of the Corporation of the Township of Drummond/North Elmsley at its special meeting held on August 8, 2017 in respect of each recommendation contained in each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Drummond/North Elmsley at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. The Reeve and proper officials of the Corporation of the Township of Drummond/North Elmsley are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Drummond/North Elmsley referred to in the preceding section hereof.
3. The Reeve and the Clerk are authorized and directed to execute all documents necessary to that behalf and to affix thereto the seal of the Corporation of the Township of Drummond/North Elmsley.

By-law read a first, second and third time and finally passed this 8th day of August 2017.

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrtor