

#10 (F)



## Township of McGarry REPORT TO COUNCIL

<b>Report Title:</b>	Vested properties
<b>Prepared By:</b>	Karine Pelletier
<b>Date:</b>	November 2024

A Tax Sale was held on July 10, 2024 and only one property received a successful bid. At the September 10, 2024 meeting, Council directed the Clerk to vest the remaining properties into the Township's name and write off the taxes pursuant to section 354(2) and (3) of the Municipal Act, 2001 and charge back to the upper tier, school board, or any other levying body for which the municipality collects taxes, its proportionate share of the unpaid taxes that are written off (subsection 353(3)).

The properties have now all been vested into the Township's name and I am working with our auditors to write off all taxes owing. The land is now owned by the Township and the municipality can now offer the property at a Minimum Tender Amount that might be more attractive to purchasers.

The next step is for Council to decide if they wish to sell or keep the properties as well as determine a minimum tender amount at a fair market value.

**List of properties and assessed value from MPAC:**

- 4 Connell Avenue, assessed value is \$6,200
- 6 Colville Street, assessed value is \$29,500
- 126 Government Road, assessed value \$6,100
- 152 Government Road, assessed value \$22,500
- 9 Cockeram Street, assessed value \$24,500
- 8 Dorfman Street, assessed value \$6,200
- 24 Kearns Avenue, assessed value \$6,100
- 25 Kearns Avenue, assessed value \$23,000
- 12 – 26<sup>th</sup> Street, assessed value \$ 12,400
- Mining Claim L13007, assessed value \$26,000

The assessed value from MPAC is not accurate for all the properties. It might be in the Township's best interest to get an appraisal done of some of properties to give us a starting point.

Staff are looking for directions from Council on how to continue moving forward.

Respectfully Submitted by:

Karine Pelletier, Clerk-Treasurer



#10 (9)

Minutes of a Recreation Committee Meeting held on Tuesday September 3<sup>rd</sup>, 2024, at 7:00 p.m.

**1. Opening of Meeting by the Committee Chair / Ouverture de la réunion par le/la Président(e) du comité:**

The Chair called the meeting to order at 7:00 p.m. and welcomed those in attendance.

**2. Roll Call / Appel nominal:**

<u>Attendance:</u>	<u>Present</u>	<u>Absent</u>
Chair Councillor Louanne Caza	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Co-Chair Councillor Annie Keft	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paulette Paquet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alyson Nickel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Walsh	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Bonita Culhane	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Deputy-Clerk: Melanie Jensen  
Members of the Public: 1

**3. Adoption of the Agenda and Addendum / Adoption de l'ordre du jour et de l'addenda.**

Moved by Paulette Paquet	<b>33/2024</b>
Seconded by Alyson Nickel	<b>Agenda</b>

THAT the agenda for the Recreation Committee Meeting held on September 3<sup>rd</sup>, 2024 be adopted.

Carried

**4. Disclosure of Pecuniary Interest / Déclaration d'intérêts pécuniaires: None**

**5. Minutes of Previous Meetings / Procès-verbal des réunions précédentes :**

Moved by Alyson Nickel  
Seconded by Paulette Paquet

**34/2024**  
**Minutes**

THAT the minutes of the Recreation Committee meeting held on August 12<sup>th</sup>, 2024, be adopted.

Carried

**6. Matters arising from the minutes/Affaires découlant des procès-verbaux: None**

**7. Deputations / Délégations / Députations / Délégations : None**

**8. Correspondence, Information / Correspondance, Information: None**

**9. Members Update Reports / Rapports de mise à jour des membres :**

-Report was given verbally and posted online.

**10. New Business/ Nouvelles affaires:**

- a) **Truth and Reconciliation Day:** Members discussed doing a craft on September 28<sup>th</sup>, 2024. Poster to follow.
- b) **Kids Activities Night:** Members discussed starting back up the kid's activities back up starting on October 2<sup>nd</sup>, 2024 from 5:30 -7:30. Poster to follow
- c) **Halloween Dance Adults / Children:** Members discussed the dances, and some details have been confirmed for the adult dance.
- d) **Thanksgiving Craft:** Members discussed certain details on that craft, and it was brought to the attention of the Clerk that the date on the poster was wrong. It has been correct.
- e) **Volunteer Christmas Party:** members decided to have the Christmas Volunteer party on December 14<sup>th</sup>, 2024. The invitation will be sent out soon.
- f) **Kids Christmas Party:** Members have decided to have the kids Christmas party on December 7<sup>th</sup>, 2023. Poster to follow.
- g) **Painting:** Members discussed doing some finishing touches on the painting at the community centre.

**11. a) Submitted Questions / Questions soumises : None**

**b) Audience Questions / Questions de l'auditoire : None**

A question period was held.

**12. Closed Meeting/ Réunion à huis clos: None**

**13. Adjournment / Clôture de l'assemblée:**

Moved by Paulette Paquet  
Seconded by Alyson Nickel

**35/2024**  
**Adjournment**

THAT this meeting be adjourned at 7:39 p.m.

  
\_\_\_\_\_  
Chair – Councilor Louanne Caza



#10 (h)

Minutes of a Tourist Committee Meeting held on Wednesday September 4<sup>th</sup>, 2024, at 6:00 p.m. in person or on the phone.

**1. Opening of Meeting by the Committee Chair:**

The Chair called the meeting to order at 6:00 p.m. and welcomed those in attendance.

**2. Roll Call:**

<u>Attendance:</u>	<u>Present</u>	<u>Absent</u>
Chair Councillor Francine Plante	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Co-Chair Councillor Elaine Fic	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nyla Koomans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Renate Schmitz	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wendy Weller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Bonita Culhane	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Deputy-Clerk: Melanie Jensen  
Members of the public: 2

Moved by Bonita Culhane	<b>28/2024</b>
Seconded by Wendy Weller	<b>Absent</b>

THAT the chair agrees to grant a leave of absence to member Elaine Fic for the Tourist Committee Meeting of September 4<sup>th</sup>, 2024, due to appropriate advance notice submitted to the Clerk or Chair.

Carried

**3. Adoption of the Agenda and Addendum**

Moved by Bonita Culhane	<b>29/2024</b>
Seconded by Wendy Weller	<b>Agenda</b>

THAT the agenda for the Tourist Committee Meeting held on September 4<sup>th</sup>, 2024, be adopted with the addition of item #10 (e) – change meeting day.

Carried

**4. Disclosure of Pecuniary Interest: None**

**5. Minutes of Previous Meetings**

Moved by Bonita Culhane  
Seconded by Wendy Weller

**30/2024  
Minutes**

THAT the minutes of the Tourist Committee Meeting held on August 7<sup>th</sup> , 2024 be adopted.

Carried

**6. Matters arising from the minutes: None**

**7. Deputations / Délégations: None**

**8. Correspondance, Information: None**

**9. Members Update Reports:**

Members update was done verbally. It can be listened to online.

**10. New Business:**

- a) **Jam-Berry:** Due to no registration the Jam-Berry event has been cancelled.
- b) **Tree Lighting:** Members discussed some details of the event.
- c) **Calendars:** Calendars are ready to print a sample copy.
- d) **Committee members and public sharing ideas- what should The Tourist Committee do next?:** Members discussed different events for the Tourist Committee to do.
- e) **Change of meeting day:**

Moved by Bonita Culhane  
Seconded by Wendy Weller

**31/2024  
Change meeting Day**

THAT the Tourist Committee change the monthly meetings to the third Tuesday of each month, and forward this motion to Council for approval.

Carried

**11. a) Submitted Questions: None**

**b) Audience Questions:**

A question period was held.

**12. Closed Meeting: None**

**13. Adjournment:**

Moved by Wendy Weller  
Seconded by Bonita Culhane

**32/2024**  
**Adjournment**

THAT this meeting be adjourned at 6:33 p.m.

Carried

  
\_\_\_\_\_  
Chair – Councillor Francine Plante



#10 (i)

Karine Pelletier <kpelletier@mcgarry.ca>

## Establishment of an Ontario Rural Road Safety Program

1 message

Scott Butler <scott@goodroads.ca>  
To: "kpelletier@mcgarry.ca" <kpelletier@mcgarry.ca>

Tue, Oct 29, 2024 at 6:34 PM

Wednesday, October 09, 2024

To: Township of McGarry Head of Council and Council Members

Sent via email to: [kpelletier@mcgarry.ca](mailto:kpelletier@mcgarry.ca)

**Subject: Establishment of an Ontario Rural Road Safety Program**

Too many Ontarians are being seriously injured or killed on our roads.

In 2023, there were 616 people killed and 36,090 people injured. The number of fatalities is up nearly 20% in the last ten years.

In 2021, the most recent year of complete data from MTO's *Ontario Road Safety Annual Report (ORSAR)*, there were 561 fatalities – 426 of which occurred on municipal roads. While rural Ontario only represents 17% of the province's population, 55% of these deaths occurred on rural roads. By any measure, Ontario's rural roads are disproportionately more dangerous.

At the same time, municipal insurance premiums continue to increase. With no plausible reform being considered for joint and several liability, municipalities need to find innovative means for managing risk, particularly on their roadways,

To deal with this crisis, Good Roads has designed a multifaceted rural road safety program and have been in discussions with the Ministry of Transportation to fund it. The program would target a municipality's most dangerous roads, perform road safety audits, and install modern safety infrastructure that prevents serious injuries and save lives. This program is designed to be cost effective while also providing rural municipalities with a direct means for addressing risk associated with their roadways.

Good Roads has proposed leading a five-year \$183 million program that leverages our 131 years of municipal road expertise and our industry partnerships to quickly put in place the solutions that will address some of Ontario's most dangerous roads.

Good Roads is seeking support to address these preventable tragedies.

If the Township of McGarry would be interested in pursuing this, a Council resolution similar to the example below should be adopted and sent to the Premier and the Minister of Transportation:

WHEREAS official statistics from the Government of Ontario confirm that rural roads are inherently more dangerous than other roads;

AND WHEREAS, despite only having 17% of the population, 55% of the road fatalities occur on rural roads;

AND WHEREAS, rural, northern, and remote municipalities are fiscally strained by maintaining extensive road networks on a smaller tax base;

AND WHEREAS, preventing crashes reduces the burden on Ontario's already strained rural strained health care system;

AND WHEREAS, roadway collisions and associated lawsuits are significant factors in runaway municipal insurance premiums. Preventing crashes can have a significant impact in improving municipal risk profiles;



THEREFORE, BE IT RESOLVED THAT the Township of McGarry requests that the Government of Ontario take action to implement the rural road safety program that Good Roads has committed to lead. It will allow Ontario's rural municipalities to make the critical investments needed to reduce the high number of people being killed and seriously injured on Ontario's rural roads; and

FURTHER THAT a copy of this resolution be forwarded to Premier Doug Ford, Hon. Prabmeet Sarkaria, Minister of Transportation, Hon. King Surma, Minister of Infrastructure, Hon. Rob Flack, Minister of Agriculture, Hon. Lisa Thompson, Minister of Rural Affairs, Hon. Trevor Jones, Associate Minister of Emergency Preparedness and Response, and Hon. Sylvia Jones, Minister of Health, and Good Roads; and

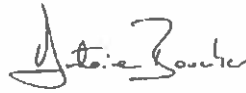
FURTHER THAT this resolution be circulated to all municipalities in Ontario requesting their support.

If you have any questions regarding this initiative please contact Thomas Barakat, Good Roads' Manager of Public Policy & Government Relations, at [thomas@goodroads.ca](mailto:thomas@goodroads.ca) at your convenience.

Sincerely,



Scott R. Butler  
Executive Director



Antoine Boucher  
President

Good Roads Board of Directors

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**2 attachments**

 **PNG image**  
6K

 **PNG image[46]**  
7K

#10 Gj)



J. Paul Dubé, Ombudsman

**BY EMAIL**

October 29, 2024

Township of McGarry  
c/o Mayor Bonita Culhane  
27 Webster Street, PO Box 99  
Virginiatown, ON P0K 1X0

Dear Members of Council for the Township of McGarry:

**Re: Report – Office of the Ontario Ombudsman**

I have completed my investigation into a complaint regarding a meeting of council for the Township of McGarry on September 1, 2023.

Please find my final report enclosed.

The Clerk-Treasurer indicated that my report would be shared with council and made available to the public no later than council's next meeting. At that time, I will also post a copy of the report on my website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Dubé', written over a large, loopy blue scribble.

Paul Dubé  
Ombudsman of Ontario

CC: Karine Pelletier, Clerk-Treasurer

483 Bay Street, 10<sup>th</sup> Floor, South Tower / 483, rue Bay, 10<sup>e</sup> étage, Tour sud  
Toronto, ON M5G 2C9

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## **Ombudsman Report**

**Investigation into a complaint about  
a meeting of council for the Township of McGarry  
on September 1, 2023**

**Paul Dubé  
Ombudsman of Ontario**

**October 2024**

## Complaint

- 1 My Office received a complaint about a meeting of council for the Township of McGarry (the “Township”) held on September 1, 2023. The complaint alleged that, in response to the former Mayor’s resignation, council inappropriately discussed how to fill the vacancy as well as specific candidates in closed session, and that this discussion did not fit within the exceptions to the open meeting rules in the *Municipal Act, 2001* (the “Act”).<sup>1</sup> The complaint also raised procedural concerns about notice of the meeting and alleged that council inappropriately voted in closed session.
- 2 My investigation determined that council for the Township of McGarry did not contravene the open meeting rules on September 1, 2023. Parts of council’s discussion fit within the cited exceptions for personal matters and advice subject to solicitor-client privilege. Although certain parts of council’s discussion did not fit within the exceptions to the open meeting rules on their own, requiring council to have parsed those parts of the discussion would have detracted from free, open, and uninterrupted discussion. Accordingly, council’s entire closed session discussion was permitted under the Act.
- 3 In addition, I found that the Township of McGarry provided notice for the emergency meeting in accordance with its procedure by-law. I also determined that council did not hold votes contrary to the *Municipal Act, 2001*.

## Ombudsman jurisdiction

- 4 Under the Act, all meetings of council, local boards, and committees of either must be open to the public, unless they fall within prescribed exceptions.
- 5 As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality or local board has complied with the Act in closing a meeting to the public. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 6 The Ombudsman is the closed meeting investigator for the Township of McGarry.

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<sup>1</sup> SO 2001, c 25.

- 7 When investigating closed meeting complaints, we consider whether the open meeting requirements in the Act and the applicable governing procedures have been observed.
- 8 Our Office has reviewed and investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: [www.ombudsman.on.ca/digest](http://www.ombudsman.on.ca/digest).
- 9 The Ontario Ombudsman also has the authority to conduct impartial reviews and investigations of hundreds of public sector bodies. This includes municipalities, local boards, and municipally-controlled corporations, as well as provincial government organizations, publicly funded universities, and school boards. In addition, the Ombudsman's mandate includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: [www.ombudsman.on.ca/have-a-complaint/who-we-oversee](http://www.ombudsman.on.ca/have-a-complaint/who-we-oversee).

## Investigative process

- 10 On November 22, 2023, my Office advised the Township of our intent to investigate this complaint.
- 11 We reviewed the Township's procedure by-law,<sup>2</sup> the open session agenda and audio recording, the open and closed session minutes, a closed session staff report, correspondence related to the emergency meeting, and relevant portions of the Act.

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<sup>2</sup> Township of McGarry, by-law No 2021-57, *Being a By-law to provide rules for governing the order and procedures of the council of the Township of McGarry* (24 November 2021) [*Procedure By-law*].

- 12 My Office interviewed the current Mayor, the other current council member who was present on September 1, 2023,<sup>3</sup> and the Clerk-Treasurer. We also spoke with the Township's two external counsel who had phoned in to the September 1, 2023 meeting.
- 13 My Office received full co-operation during our investigation.

## Background

- 14 The Township's council is composed of a mayor and four councillors. The former Mayor resigned his position on August 30, 2023. The Clerk-Treasurer contacted the Township's external counsel and prepared a staff report for council to consider at an emergency council meeting.
- 15 On August 31, 2023, at 4:00 p.m., the Clerk-Treasurer posted an agenda on the Township's website that an emergency council meeting would take place on September 1, 2023 at 5:00 p.m.

## September 1, 2023 meeting

- 16 Council met at the Township office on September 1, 2023 at 5:00 p.m. Council passed a motion waiving the notice period and the acting chair announced that council was meeting for the purpose of discussing the resignation of the former Mayor.
- 17 At 5:03 p.m., council resolved to go into closed session under the exceptions for personal matters about an identifiable individual and advice subject to solicitor-client privilege at sections 239(2)(b) and 239(2)(f) of the Act.
- 18 In closed session, council discussed matters related to the former Mayor's conduct and his resignation. Shortly after moving into closed session, the Township's two external counsel joined the meeting by phone. External counsel answered a few questions from the Clerk-Treasurer and council related to the former Mayor's resignation. After these brief exchanges, external counsel disconnected from the meeting.

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<sup>3</sup> Of the four councillors present on September 1, 2023, only the current Mayor and one other councillor were still members of council at the time of our interviews.

- 19 Council then discussed its options for filling the head-of-council vacancy, which included either holding a by-election or appointing someone to fill the vacancy. After discussing the two methods, council members each expressed their views, which were in favour of making an appointment. Those we interviewed said that no vote was taken.
- 20 Council next discussed whom it could appoint. Two members of council expressed and explained their interest in being considered to fill the vacancy. The other two members of council shared opinions about the experience and suitability of the interested councillors. Those we interviewed indicated that by the end of this part of the discussion, each councillor had an idea of which person they wanted to appoint as mayor, but no vote was taken.
- 21 Council next discussed its options for filling the councillor vacancy that would result from appointing a councillor to be mayor. As before, council discussed whether to fill such a vacancy through a by-election or an appointment. Those we interviewed stated that council members each expressed a preference for making an appointment, but no vote was taken.
- 22 Finally, council discussed whom it could appoint to the resulting councillor vacancy. While some interviewees recalled council discussing more than one name, those we interviewed all agreed that council discussed at least one specific individual along with that person's previous experience and other qualifications. The Clerk-Treasurer was asked to contact the individual to determine their interest in the position. Those we interviewed told my Office that there was no formal decision in closed session to appoint a specific person to the councillor position.
- 23 Council returned to open session at 7:36 p.m. and passed several resolutions to address the vacancies. Council declared the seat of the head of council to be vacant, directed the Clerk-Treasurer to fill the head-of-council vacancy by appointment, and appointed one of the councillors (the current Mayor at the time of this investigation) as head of council. Council next declared the current Mayor's former council seat vacant, directed the Clerk-Treasurer to fill the vacant council seat by appointment, and appointed the individual discussed in closed session as a councillor.
- 24 Aside from brief procedural questions and requests for recorded votes, council did not substantively debate the resolutions they passed in open session. Council passed a confirmatory by-law and adjourned at 7:44 p.m.

## Analysis

- 25 Under the Act, all meetings of council, local boards, and committees of either of them must be open to the public, unless they fall within a prescribed exception in section 239 of the Act.
- 26 Council's resolution to proceed into closed session cited the exceptions for personal matters about an identifiable individual (section 239(2)(b)) and advice subject to solicitor-client privilege (section 239(2)(f)).

### *Applicability of the exception for personal matters about an identifiable individual*

- 27 The exception for personal matters about an identifiable individual allows a meeting to be closed to the public when the discussion pertains to personal matters about an identifiable individual.
- 28 I have previously determined that "personal information" is information that can be reasonably expected to identify an individual.<sup>4</sup> To qualify as "personal information," information must be about an individual in their personal capacity, rather than their professional, official, or business capacity. However, information about an individual in their professional capacity may qualify as personal information if it reveals something of a personal nature about the individual.<sup>5</sup>
- 29 I have previously found that a discussion scrutinizing the personal conduct and temperament of identifiable individuals, including council members, fit within this exception.<sup>6</sup>
- 30 At the September 1, 2023 meeting, council first discussed matters related to the former Mayor and his resignation, including scrutiny of his conduct. This part of the discussion fit within the exception for personal matters.
- 31 Council next discussed whether to appoint a new mayor or hold a by-election.

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<sup>4</sup> *Amherstburg (Town of) (Re)*, 2022 ONOMBUD 11 at para 19 [*Amherstburg*], online: <<https://canlii.ca/t/jr5rc>>; *Nipissing (Township of) (Re)*, 2023 ONOMBUD 2 at para 22 [*Nipissing*], online: <<https://canlii.ca/t/jv6ch>>.

<sup>5</sup> *Nipissing*, *supra* note 3 at para 23.

<sup>6</sup> *Lanark Highlands (Township of) (Re)*, 2018 ONOMBUD 1 at para 52, online: <<https://canlii.ca/t/hvmtf>>; *Lanark Highlands (Township of) (Re)*, 2021 ONOMBUD 15 at paras 37, 45, online: <<https://canlii.ca/t/jhx9n>>; *Greater Sudbury (City of) (Re)*, 2017 ONOMBUD 2 at para 49–53, online: <<https://canlii.ca/t/h4rwp>>.



- 32 In a 2021 report to the Town of Plympton-Wyoming, I investigated a closed meeting about the process for filling a council vacancy. I determined that the discussion of whether or not to hold a by-election or make an appointment did not fit within the exception for personal matters.<sup>7</sup>
- 33 In this case, the part of council's discussion about which method to use to fill the vacancy did not fit within the exception for personal matters because council did not discuss any personal matters about any identifiable individuals.
- 34 Council subsequently considered the interest and experiences of two members of council who indicated they wished to be considered for the head-of-council position.
- 35 In my report to the Town of Plympton-Wyoming mentioned above, I found that discussion of individuals' community involvement, past performance, and potential to work cooperatively with the rest of council qualified as personal information that fit within this exception.<sup>8</sup>
- 36 In this case, council discussed the experiences of two members of council and shared their views about their suitability for the head-of-council position. Council considered personal information about the members of council, and accordingly this part of the discussion fit within the exception for personal matters.
- 37 Council subsequently discussed whether to fill the resulting council vacancy through a by-election or through an appointment. As with the discussion concerning the head-of-council vacancy, this part of the discussion did not fit within the exception for personal matters because council did not discuss any personal matters about any identifiable individuals.
- 38 Finally, council discussed whether or not to appoint at least one named individual. Council discussed at least one individual's experience and why that individual would be suited to the council position before contacting the individual.
- 39 I have previously investigated a closed meeting where there were differing accounts about the specific individuals discussed as potential appointees to council. In a 2018 report to the Township of The North Shore, I concluded

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<sup>7</sup> *Plympton-Wyoming (Town of) (Re)*, 2021 ONOMBUD 4 at paras 27–28 [*Plympton-Wyoming*], online: <<https://canlii.ca/t/jd49k>>.

<sup>8</sup> *Ibid* at para 34. I have reached a similar conclusion elsewhere: *Johnson (Township of) (Re)*, 2021 ONOMBUD 1 at paras 40–41 [*Johnson*], <<https://canlii.ca/t/jckg4>>.

that as council members agreed that at least one individual's qualifications and experiences had been discussed, the exception for personal matters applied to the discussion.<sup>9</sup>

- 40 Those we interviewed collectively indicated that council discussed at least one individual's experience and qualifications. Accordingly, this part of the discussion fit within the exception for personal matters.

*Applicability of the exception for advice subject to solicitor-client privilege*

- 41 Council also cited the exception for advice subject to solicitor-client privilege at section 239(2)(f) of the Act. This exception applies to discussions between a municipality and its solicitor in seeking or receiving legal advice intended to be confidential and includes communications for that purpose.<sup>10</sup> The purpose of the exception is to ensure that municipal officials can speak freely about legal advice without fear of disclosure.<sup>11</sup>
- 42 I have previously noted that communication will only be found to be subject to solicitor-client privilege if it is: (1) between a client and their solicitor, where the solicitor is acting in a professional capacity; (2) made in relation to the seeking or receiving of legal advice; and (3) intended to be confidential.<sup>12</sup>
- 43 In a 2022 report to the Township of McMurrich/Monteith, I investigated a meeting where the township's lawyers provided advice at the beginning of a closed session regarding a development, but then did not participate further when the discussion shifted to a related topic. Despite the lawyers' remaining present, no legal advice was sought or given, and the rest of council's discussion focussed on other matters. I found that the latter part of the discussion did not fit within the exception for solicitor-client privilege.<sup>13</sup>
- 44 In this case, external counsel were present during the first part of the closed meeting related to council's discussion of the former Mayor's resignation. I am satisfied that council sought and received legal advice during this part of

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<sup>9</sup> *The North Shore (Township of) (Re)*, 2018 ONOMBUD 9 at paras 64–65 [*The North Shore*], online: <<https://canlii.ca/t/hvmv3>>.

<sup>10</sup> *Amherstburg*, *supra* note 3 at para 26.

<sup>11</sup> *McMurrich/Monteith (Township of) (Re)*, 2022 ONOMBUD 4 at para 20, online: <<https://canlii.ca/t/jncmn>>.

<sup>12</sup> *Ibid* at para 21.

<sup>13</sup> *Ibid* at para 25.

the discussion, and accordingly this part of the discussion fit within the exception for advice subject to solicitor-client privilege.

- 45 However, my investigation determined that the lawyers left before this discussion ended, and were no longer participating in the meeting by the time council began to discuss what method to use to fill the head-of-council vacancy. Those we interviewed did not recall receiving or discussing legal advice during the remainder of council's discussion.
- 46 Although the legal advice sought and received during the first part of council's discussion may have touched on matters relevant to the latter part of the discussion, council's subsequent discussion was not about seeking or receiving any legal advice, or considering any legal advice previously received. Accordingly, the exception for advice subject to solicitor-client privilege did not apply to the parts of the discussion concerning how to fill the council vacancies.

#### *Parsing the discussion*

- 47 The parts of council's discussion regarding how to fill both the head-of-council vacancy and the resulting council vacancy did not fit within either of the cited exceptions. However, the parts of the discussion immediately before and after these were appropriate for *in camera* consideration. Accordingly, it is necessary to determine whether the discussion could have been parsed.
- 48 In *St. Catharines v IPCO, 2011*, the Divisional Court found that it is unrealistic to expect municipal councils to split up discussions between open and closed sessions where it would "detract from free, open and uninterrupted discussion."<sup>14</sup> In other words, where it would be unrealistic to expect council to parse intertwined subjects, topics that do not otherwise fit within a closed meeting exception may still be discussed *in camera*.<sup>15</sup> However, if the topics can be separated, council is expected to return to open session for those portions of the discussion that do not fit within an open meeting exception.
- 49 Those we interviewed explained that the five parts of the discussion were discrete topics, and council finished its discussion of each topic before moving to the next. In particular, the discussion about the former Mayor's

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<sup>14</sup> *St. Catharines (City) v IPCO, 2011 ONSC 2346* at para 42, online: <<https://canlii.ca/t/fkqfr>>.

<sup>15</sup> *Plympton-Wyoming, supra* note 7 at para 26.

resignation was not connected to the remainder of the discussion about addressing the council vacancies.

- 50 In my Office's reports to the Town of Plympton-Wyoming and the Township of The North Shore, I previously investigated closed meetings where each council discussed how to fill a singular vacant councillor's seat. Both meetings concerned discussions about what method to use for filling the vacancy, both councils preferred to make an appointment, and both councils then discussed at least one individual's qualifications.<sup>16</sup> In those cases, I determined that the discussions about which method to use to fill each vacancy should not have occurred in closed session, while the discussion of potential appointees fit within the exception for personal matters.<sup>17</sup>
- 51 In those cases, there were only two parts of the closed session discussion: consideration of the method to fill the vacancy and discussion of potential appointees. Those two parts of the discussions could have easily been parsed between open and closed sessions.
- 52 In this case, however, council discussed five matters in closed session, of which the first, third, and fifth fit within at least one exception to the open meeting rules. It would have been unrealistic to require council to have parsed its discussion because that would entail council moving repeatedly between open and closed sessions. While doing so would have been procedurally feasible, I find that it would have detracted from free, open, and uninterrupted discussion. Accordingly, council's entire discussion was appropriate for *in camera* consideration.
- 53 Although I have concluded that the open meeting rules permitted council's closed session discussion, in the future, council may wish to structure its conversations about council vacancies so that general discussions concerning the process for filling vacancies that do not involve legal advice or personal information can occur in open session. This would increase the openness and transparency of council's decision-making about these important topics.

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<sup>16</sup> *Plympton-Wyoming*, supra note 7 at paras 13–15; *The North Shore*, supra note 9 at paras 61, 64

<sup>17</sup> *Plympton-Wyoming*, supra note 7 at para 32; *The North Shore*, supra note 9 at para 67.

## Procedural matters

### Notice

- 54 The complaint alleged that the Township did not provide public notice of the September 1, 2023 emergency council meeting at 5:00 p.m. The Clerk-Treasurer provided my Office with correspondence that showed that notice of the meeting was uploaded to the Township's website on August 31, 2023 at 4:00 p.m., the day before the meeting.
- 55 The Act does not specify how notice of meetings must be provided to the public. However, section 238(2.1) of the Act requires that every municipality's procedure by-law provide for public notice of meetings. I have previously found that adequate notice includes the time, date, and location of a meeting.<sup>18</sup>
- 56 The Township's procedure by-law has a specific provision regarding emergency meetings that arise in the case of the death, resignation, or illness of the mayor or a member of council, which allows the head of council or the Clerk to summon an emergency meeting without notice. The procedure by-law requires council to waive notice on a two-thirds vote and agree to meet for a named purpose.<sup>19</sup>
- 57 In this case, the Clerk-Treasurer also provided approximately 25 hours' notice of council's emergency meeting. The agenda posted online provided information about the time, date, and location of the meeting. At the September 1, 2023 meeting, council passed the required motion to waive notice and listed the former Mayor's resignation as the meeting's purpose. Accordingly, I find that the Township complied with its procedure by-law in providing notice of the emergency meeting.

### Voting

- 58 The complaint alleged that council inappropriately voted to appoint a new mayor and a new councillor in closed session, contrary to the Act.
- 59 Section 239(6) of the Act permits a municipality to hold a vote in closed session if the meeting discussion fits within an exception to the Act, and if the vote is for a procedural matter or for giving directions or instructions to municipal staff. I have also previously determined that reaching a

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<sup>18</sup> *Johnson, supra* note 8 at para 48.

<sup>19</sup> *Procedure By-law, supra* note 2, ss 1.1, 6.17.

consensus can be considered a vote for the purposes of the open meeting rules.<sup>20</sup>

- 60 In this case, those we interviewed told my Office that no votes or informal consensus occurred in closed session. While individual council members may have crystallized their preferred approaches or appointees during the closed session discussions, the open session audio recording and minutes confirmed that council formally passed all their resolutions to address the vacancies in open session. Accordingly, council did not contravene section 239(6) of the Act.

## Opinion

- 61 Council for the Township of McGarry did not contravene the *Municipal Act, 2001* on September 1, 2023 when it met in closed session to discuss the former Mayor's resignation as well as potential appointees to fill the head-of-council vacancy and the resulting council vacancy. Although the parts of council's discussion concerning the methods for filling the vacancies did not fit within the exceptions to the open meeting rules on their own, requiring council to have parsed the discussion between open and closed session would have detracted from free, open, and uninterrupted discussion. Accordingly, council's entire discussion fit within the exceptions to the open meeting rules.
- 62 Council for the Township of McGarry did not contravene its procedure by-law, as it provided sufficient notice for the September 1, 2023 meeting.
- 63 Council for the Township of McGarry did not contravene section 239(6) of the *Municipal Act, 2001*, as it did not hold improper votes in closed session to address the council vacancies.

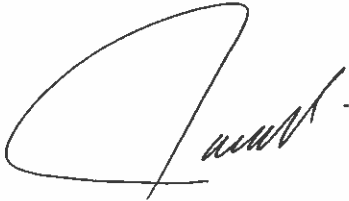
## Report

- 64 Council for the Township of McGarry was given the opportunity to review a preliminary version of this report and provide comments to my Office. All comments received were considered in the preparation of this final report.

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<sup>20</sup> *Leeds and the Thousand Islands (Township of) (Re)*, 2022 ONOMBUD 5 at para 60, online: <<https://canlii.ca/t/jnkk9>>.

- 65 The Township told my Office that it was in the process of developing a policy concerning council vacancies to increase the openness and transparency of council's decision-making. I recognize the steps taken by the Township to increase the transparency of future council discussions.
- 66 The Clerk-Treasurer indicated that my report would be shared with council and made available to the public at the next council meeting. This report will also be published on our website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).



---

Paul Dubé  
Ombudsman of Ontario



#10 (K)

Minutes of a Strategic Planning Committee Meeting held on Tuesday September 24<sup>th</sup> 2024 at 7:00 p.m. in person in the meeting room or by phone.

**1. Opening of Meeting by the Committee Chair:**

The Chair called the meeting to order at 7:00 p.m. and welcomed those in attendance.

**2. Roll Call:**

<u>Attendance:</u>	<u>Present</u>	<u>Absent</u>
Chair Councillor Elaine Fic	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Co-Chair Councillor Annie Keft	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Gabourie	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wendy Weller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rodney Pennington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Bonita Culhane	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Deputy Clerk: Melanie Jensen  
Member of the audience: 2

Moved by Rodney Pennington **37/2024**  
Seconded by Wendy Weller **Absence**

THAT the Chair agrees to grant a leave of absence to member Annie Keft for the Strategic Planning Committee Meeting of September 24<sup>th</sup>, 2024, due to appropriate advance notice submitted to the Clerk.

Carried

**3. Adoption of the Agenda and Addendum:**

Moved by Rodney Pennington **38/2024**  
Seconded by Wendy Weller **Agenda**

THAT the agenda for the Strategic Planning Committee Meeting held on September 24<sup>th</sup>, 2024 be adopted.

Carried



4. **Disclosure of Pecuniary Interest: None**

5. **Minutes of Previous Meetings :**

Moved by Rodney Pennington  
Seconded by Wendy Weller

**39/2024  
Minutes**

THAT the minutes of the Strategic Planning Committee Meeting held on August 27<sup>th</sup> , 2024, be adopted.

Carried

6. **Matters arising from the minutes: None**

7. **Deputations: None**

8. **Correspondence, Information: None**

9. **Members Update Reports:**

-Members gave a verbal report.

10. **New Business:**

- a) **Strategic Plan:** Members discussed the Strategic Plan and are waiting for the final approved of the province.
- b) **Playgrounds and Painting:** Members discussed the Kearns Playground and how it will be closed for the remaining of this year as it needs sand/gravel and more repairs.
- c) **Signage:** Members discussed signage at the medical centre and members asked if it was possible to paint the medical centre letters in white.
- d) **Future plans:** Chair mentioned that she has been looking into different grants, but nothing is at 100 % at the moment and those are the only grants we can apply for at this time.

11. **a) Submitted Questions: None**

**b) Audience Questions:**

A question period was held.

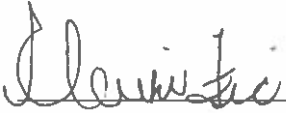
**12. Adjournment:**

Moved by Rodney Pennington  
Seconded by Wendy Weller

**40/2024**  
**Adjournment**

THAT this meeting be adjourned at 7:33 p.m.

Carried



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Chair Councillor Elaine Fic

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**ROMA Conference: Request your Delegation Meetings**

1 message

**ROMA Events** <events@roma.on.ca>  
Reply-To: events@roma.on.ca  
To: kpelletier@mcgarry.ca

Fri, Nov 1, 2024 at 12:31 PM



# ROMA 2025 Rural Routes

## Request your Delegation Meetings for ROMA 2025 Conference!

**Sunday, January 19 - Tuesday, January 21, 2025**  
**Sheraton Centre Hotel - 123 Queen Street West, Toronto**

The Ministry of Municipal Affairs and Housing (MMAH) has launched the delegation forms to request your meetings at the 2025 ROMA Annual Conference.

Delegation meetings are a unique opportunity for your council to engage with Ministers, Parliamentary Assistants, and senior Ontario Government officials on local matters that impact your municipality.

Registered ROMA Conference delegates are eligible to request meetings with the provincial government.

**Submit delegation meeting requests [here](#).**

To ensure an accurate submission, please use the following format examples below:

- Municipality: **Toronto, City of** or **Bruce, County of**
- Alternate Contact: **John Smith, 416-416-4161, johnsmith@email.ca**
- Full name and titles for delegates: **John Smith, Mayor; Christina Smith, Councillor**

The request form is also be posted on ROMA's website. You can select either French or English using the global icon in the top right corner of the form.

The deadline to submit your delegation request is **Wednesday, November 27, at 5:00pm EST.**

**MMAH is Your Key Contact for All Things Related to Delegation Meetings**

If you have questions you can reach out to: [delegations@ontario.ca](mailto:delegations@ontario.ca)

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**AMO Guide to Request, Prepare and Participate in Delegation Meetings**

AMO has developed a guide for its members to request, prepare for and participate in delegation meetings.

[The AMO Guide to Delegation Meetings](#) provides information for you to consider what issues to focus on for your delegation meetings, what information you need to provide in your delegation forms and how to prepare for your delegation meetings.

Make the most of your time in your delegation meetings on local issues, have a look at the [Guide](#)

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Registration Information is [here](#). Accommodation information is [here](#).

For more information reach out to [events@roma.on.ca](mailto:events@roma.on.ca)

Keep up to date with the rural municipal voice  
of the province, on social media.



Wish to Opt Out of ROMA Communications ? | [Opt Out](#)

[155 University Ave Suite 800 | Toronto, ON M5H 3B7 CA](#)

This email was sent to [kpelletier@mcgarry.ca](mailto:kpelletier@mcgarry.ca).

To continue receiving our emails, add us to your address book.



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## Christmas Food Hampers!

1 message

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**Paulette Paquet** <paulette\_paquet@hotmail.com>  
To: Karine Pelletier <kpelletier@mcgarry.ca>

Fri, Nov 1, 2024 at 1:37 PM

Township of McGarry  
27 Webster Street  
Virginiatown ON  
P0K 1X0

Dear Council Members,

Would it be possible to use, free of charge, the canteen at the Community Center to store the donations from the residents for the Christmas Food Hampers?

Thank you in advance and hoping for a positive response,

Paulette Pâquet, president and the members of L'Union Culturelle des Franco-Ontariennes and the elves

Get [Outlook for Android](#)

**Fwd: Motion - Fair Share**

3 messages

**Francine Plante** <francine.mcgarry@gmail.com>  
To: Karine Pelletier <kpelletier@mcgarry.ca>

Wed, Oct 30, 2024 at 9:52 AM

Bonjour Karine

Here is a motion that I feel the council should support at our next council meeting.

Merci et bonne journée

**Francine Plante****Councillor - Township of McGarry****27 Webster Street****P.O. Box 99****Virginiatown, Ontario****POK 1X0****Tél: 705-634-2145****Fax: 705-634-2700****Cell: 705-471-1543****McGarry** TOWNSHIP OF

----- Forwarded message -----

From: **Mrakas, Tom** <TMrakas@aurora.ca>

Date: Tue, Oct 29, 2024 at 2:56 PM

Subject: Motion - Fair Share

To: Mrakas, Tom &lt;TMrakas@aurora.ca&gt;

Good day Elected Official,

For many years, we have advocated for our fair share of funding from both Provincial and Federal governments. Through FCM and AMO, we've pushed for reforms and for sustainable, predictable funding for municipal infrastructure. With both Provincial and Federal elections approaching, I believe it's time for us to unite and propose a solution for municipalities' fair share.

As we're asked to meet growth targets, our municipalities urgently need predictable, long-term funding to support critical infrastructure, including roads, bridges, and public transit. We need all levels of government to collaborate on a solution that doesn't rely solely on property taxes to fund essential infrastructure in our communities. That's why we're calling on the Province to allocate a portion of the Land Transfer Tax, and on the Federal Government to allocate a portion of the GST from new home sales—no new taxes, just a fair distribution of our own funds for our communities!

Bellow is a Motion I respectfully ask you to bring forward at your council.

This motion ensures that we have the resources to build and maintain the infrastructure that keeps our municipalities running smoothly, without increasing property taxes.

Please consider adding this Motion to your Council agendas. It is essential that our collective voices are heard. Local governments deserve predictable, long-term funding to support critical infrastructure. Together, we can build a brighter future for all Ontarians.

*Motion: Request the Redistribution of the Provincial Land Transfer Tax and GST to Municipalities for Sustainable Infrastructure Funding*

*Whereas municipalities face growing infrastructure needs, including roads, bridges, public transit, water systems, and other critical services, which are essential to community well-being and economic development; and*

*Whereas the current sources of municipal revenue, including property taxes and user fees, are insufficient to meet these increasing demands for infrastructure investment; and*

*Whereas the Province of Ontario currently collects the Land Transfer Tax (LTT) on property transactions in municipalities across the province, generating significant revenue that is not directly shared with municipalities; and*

*Whereas the Federal Government collects the Goods and Services Tax (GST) on property transactions, a portion of which could be directed to municipalities to address local infrastructure needs; and*

*Whereas redistributing a portion of the Provincial Land Transfer Tax and GST to municipalities would provide a predictable and sustainable source of funding for local infrastructure projects without creating a new tax burden on residents or homebuyers; and*

*Whereas a redistribution of a portion of the existing Land Transfer Tax and GST would*

*allow municipalities to better plan and invest in long-term infrastructure initiatives, supporting local economic growth and improving the quality of life for residents;*

*1. Now Therefore Be It Hereby Resolved That           Municipality           Council formally requests the Provincial Government to consider redistributing a portion of the Land Transfer Tax collected on property transactions to municipalities; and*

*2. Be It Further Resolved That           Municipality           Council calls on the Federal Government to allocate a percentage of the GST collected on property sales to municipalities; and*

*3. Be It Further Resolved That this redistribution of the Land Transfer Tax and GST should be structured to provide predictable and sustainable funding to municipalities, allowing for better long-term planning and investment in infrastructure projects that benefit local communities, thus ensuring that local governments receive a fair share of the revenue to address critical infrastructure needs; and*

*4. Be It Further Resolved That copies of this resolution be forwarded to Prime Minister Justin Trudeau, Premier Doug Ford, the Ontario Minister of Finance, the Minister of Municipal Affairs and Housing, local Members of Parliament (MPs) and Members of Provincial Parliament (MPPs); and*

*5. Be It Further Resolved That copies of this resolution be forwarded to all 444 Municipalities in Ontario, the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their endorsement and advocacy.*

Regards,

Tom Mrakas

Mayor Town of Aurora

416-543-1624



#10 (0)

**SOLAIRE MCGARRY SOLAR INC.**

**INDEPENDENT AUDITOR'S REPORT AND  
FINANCIAL STATEMENTS**

**DECEMBER 31, 2023**

**Baker Tilly HKC**  
2 Ash Street, Suite 2  
Kapuskasing, ON  
Canada P5N 3H4

**T:** 705.337.6411  
**F:** 705.335.6563

kapuskasing@bakertilly.ca  
[www.bakertilly.ca](http://www.bakertilly.ca)

## **INDEPENDENT AUDITOR'S REPORT**

To the shareholders of  
Solaire McGarry Solar Inc.

### *Opinion*

We have audited the financial statements of Solaire McGarry Solar Inc., which comprise the statement of financial position as at December 31, 2023, and the statements of loss and comprehensive loss, changes in equity and cash flows for the year then ended, and notes to the financial statements, including material accounting policy information.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the company as at December 31, 2023, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards as issued by the International Accounting Standards Board.

### *Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### *Material Uncertainty Related to Going Concern*

We draw attention to Note 2 in the financial statements, which indicates that the company incurred a net loss of \$329,566 during the year ended December 31, 2023 and, as of that date, the company's total liabilities exceeded its total assets by \$1,967,204. As stated in Note 2, these events or conditions, along with other matters as set forth in that note, indicate that a material uncertainty exists that may cast significant doubt on the company's ability to continue as a going concern. Our opinion is not modified in respect of this matter.

### *Responsibilities of Management and Those Charged with Governance for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards as issued by the International Accounting Standards Board, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the company or to cease operations, or has no realistic alternative but to do so.

ASSURANCE • TAX • ADVISORY

Baker Tilly HKC is a member of Baker Tilly Canada Cooperative, which is a member of the global network of Baker Tilly International Limited. All members of Baker Tilly Canada Cooperative and Baker Tilly International Limited are separate and independent legal entities.

## INDEPENDENT AUDITOR'S REPORT, (CONT'D)

Those charged with governance are responsible for overseeing the company's financial reporting process.

### *Auditor's Responsibilities for the Audit of the Financial Statements*

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- ♦ Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ♦ Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control.
- ♦ Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- ♦ Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.
- ♦ Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*Baker Tilly HKC*

Chartered Professional Accountants  
Licenced Public Accountants  
October 16, 2024

**SOLAIRE MCGARRY SOLAR INC.**

**FINANCIAL STATEMENTS**

**DECEMBER 31, 2023**

Statement of Loss and Comprehensive Loss	1
Statement of Changes in Equity	2
Statement of Financial Position	3
Statement of Cash Flows	4
Notes to Financial Statements	5 - 14

**SOLAIRE MCGARRY SOLAR INC.**  
**STATEMENT OF LOSS AND COMPREHENSIVE LOSS**  
**YEAR ENDED DECEMBER 31, 2023**

	<b>2023</b>	<b>2022</b>
<b>SALE OF ENERGY</b>	<b>\$ 196,838</b>	<b>\$ 175,498</b>
<b>EXPENSES</b>		
Amortization	222,982	222,982
Financing fees	2,571	2,805
Insurance	11,895	14,455
Interest and bank charges	3,106	2,739
Interest on amounts due to related parties (note 5)	121,317	116,163
Interest on long term debt	126,886	135,444
Other expenses	416	347
Professional fees	4,000	4,250
Repairs and maintenance	22,250	25,813
Utilities	10,981	10,839
	<u>526,404</u>	<u>535,837</u>
<b>LOSS BEFORE INCOME TAXES</b>	<b>(329,566)</b>	<b>(360,339)</b>
<b>FUTURE PAYMENT IN LIEU OF TAXES (note 7)</b>	<b>-</b>	<b>(178,211)</b>
<b>NET LOSS AND COMPREHENSIVE LOSS</b>	<b>\$ (329,566)</b>	<b>\$ (538,550)</b>

The accompanying notes are an integral part of these financial statements.

**SOLAIRE MCGARRY SOLAR INC.****STATEMENT OF CHANGES IN EQUITY****YEAR ENDED DECEMBER 31, 2023**

	<b>Capital Stock</b>	<b>Accumulated Deficit</b>	<b>Total Deficit</b>
Balance, December 31, 2021	\$ 100	\$ (1,099,188)	\$ (1,099,088)
Net loss and comprehensive loss	-	(538,550)	(538,550)
Balance, December 31, 2022	100	(1,637,738)	(1,637,638)
Net loss and comprehensive loss	-	(329,566)	(329,566)
Balance, December 31, 2023	\$ 100	\$ (1,967,304)	\$ (1,967,204)

The accompanying notes are an integral part of these financial statements.

**SOLAIRE MCGARRY SOLAR INC.****STATEMENT OF FINANCIAL POSITION****DECEMBER 31, 2023**

	<b>2023</b>	<b>2022</b>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash	\$ 116,387	\$ 76,861
Accounts receivable	4,502	159,478
Prepaid expenses	7,084	6,835
Due from related party (note 5)	50	50
	<u>128,023</u>	<u>243,224</u>
PROPERTY AND EQUIPMENT (note 6)	<u>3,069,659</u>	<u>3,292,641</u>
	<u>\$ 3,197,682</u>	<u>\$ 3,535,865</u>
<b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable and accrued liabilities	\$ 14,240	\$ 14,111
Due to related parties (note 5)	3,181,255	3,037,589
Current portion of long-term debt	159,127	152,412
	<u>3,354,622</u>	<u>3,204,112</u>
LONG-TERM DEBT (note 8)	<u>1,810,264</u>	<u>1,969,391</u>
	<u>5,164,886</u>	<u>5,173,503</u>
GOING CONCERN (note 2)		
<b>CAPITAL DEFICIENCY</b>		
CAPITAL STOCK (note 9)	100	100
ACCUMULATED DEFICIT	(1,967,304)	(1,637,738)
	<u>(1,967,204)</u>	<u>(1,637,638)</u>
	<u>\$ 3,197,682</u>	<u>\$ 3,535,865</u>

The accompanying notes are an integral part of these financial statements.

**SOLAIRE MCGARRY SOLAR INC.****STATEMENT OF CASH FLOWS****YEAR ENDED DECEMBER 31, 2023**

	<b>2023</b>	<b>2022</b>
<b>OPERATING ACTIVITIES</b>		
Net loss and comprehensive loss	\$ (329,566)	\$ (538,550)
Items not involving cash:		
Amortization	222,982	222,982
Future payment in lieu of taxes	-	178,211
	<u>(106,584)</u>	<u>(137,357)</u>
Changes in:		
Accounts receivable	154,976	18,170
Prepaid expenses	(249)	1,052
Accounts payable and accrued liabilities	129	9,955
	<u>48,272</u>	<u>(108,180)</u>
<b>FINANCING ACTIVITIES</b>		
Repayment of long-term debt	(152,412)	(146,080)
Advances from Énergie Kapuskasing Energy Inc.	34,959	45,826
Advances from Solaire Kapuskasing Solar Inc.	183,039	79,466
Advances from (to) Solaire Cobalt Solar Inc.	(76,332)	18,526
Advances from Englehart Solar Inc.	2,000	-
	<u>(8,746)</u>	<u>(2,262)</u>
<b>CHANGE IN CASH POSITION</b>	<b>39,526</b>	<b>(110,442)</b>
<b>CASH POSITION, BEGINNING OF YEAR</b>	<b>76,861</b>	<b>187,303</b>
<b>CASH POSITION, END OF YEAR</b>	<b>\$ 116,387</b>	<b>\$ 76,861</b>

The accompanying notes are an integral part of these financial statements.



# **SOLAIRE MCGARRY SOLAR INC.**

## **NOTES TO FINANCIAL STATEMENTS**

**DECEMBER 31, 2023**

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### **1. STATUS AND NATURE OF OPERATIONS**

Solaire McGarry Solar Inc. was incorporated under the Ontario Business Corporations Act on September 13, 2012 pursuant to section 142 of the Electricity Act (Ontario). The address of its registered office and its principal place of business is in McGarry, Ontario.

The corporation is owned in proportion by the Corporation of the Town of McGarry and Énergie Kapuskasing Energy Inc., which is wholly owned by the Corporation of the Town of Kapuskasing.

The company's principal activity is the ownership, administration and management of solar power generating projects for the purpose of generating, transmitting, distributing and retailing electricity.

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### **2. GOING CONCERN**

These financial statements have been prepared on a going concern basis which contemplates the realization of assets and the payment of liabilities in the ordinary course of business. Should the company be unable to continue as a going concern, it may be unable to realize the carrying value of its assets and to meet its liabilities as they become due.

The company incurred operating losses since inception and as of Decemebr 31, 2023, the company's total liabilities exceeded its total assets by \$1,967,204. The continuation of the company is dependent upon the continued availability of operating and long-term financing and achieving and maintaining a profitable level of operations. These conditions, among others, raise substantial doubt about the ability of the company to continue as a going concern.

Management is continuing to actively address the situation by increasing revenue, controlling costs and working with the company's creditors in order to ensure that it is able to meet its financing requirements. Management is also considering divestment. As the outcome of management's actions is dependent on future events, there is no certainty that management will be able to satisfactorily resolve these issues.

The accompanying financial statements do not include any adjustments relating to the recoverability of assets and to the reclassification of asset and liability amounts that might be necessary should the company be unable to continue its operations. These adjustments could be material.

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## **SOLAIRE MCGARRY SOLAR INC.**

### **NOTES TO FINANCIAL STATEMENTS**

**DECEMBER 31, 2023**

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#### **3. STATEMENT OF COMPLIANCE**

These financial statements have been prepared in accordance with International Financial Reporting Standards (IFRS) and interpretations adopted by the International Accounting Standards Board (IASB).

The financial statements for the year ended December 31, 2023 were approved and authorized for issue by the board of directors on October 16, 2024.

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#### **4. MATERIAL ACCOUNTING POLICIES**

##### **BASIS OF MEASUREMENT**

The financial statements have been prepared on a historical cost basis. The financial statements are presented in Canadian dollars, which is also the company's functional currency, and all values are rounded to the nearest dollar. Additionally, the financial statements have been prepared using the accrual basis of accounting.

The preparation of financial statements in compliance with IFRS requires management to make certain critical accounting estimates. It also requires management to exercise judgment in applying the company's accounting policies. The areas involving a higher degree of judgment, complexity, or areas where assumptions and estimates are significant to the financial statements are further discussed below under Significant Accounting Judgments and Estimates.

##### **REVENUE RECOGNITION**

Transmission revenue is collected through pre-approved rates, which are based on contractual agreements with the purchaser. Such sale of energy is recognized when electricity is transmitted and delivered to the purchaser and when collection is reasonably assured.

##### **PROPERTY AND EQUIPMENT**

Property and equipment are recognized at cost, being the purchase price and directly attributable cost of acquisition or construction required to bring the asset to the location and condition necessary to be capable of operating in the manner intended by the company, including eligible borrowing costs.

Amortization of property and equipment is recorded in the statement of profit or loss on a straight-line basis over the estimated useful life of the related asset. The estimated useful lives, residual values and depreciation methods are reviewed at the end of each reporting period, with the effect of any changes in estimate being accounted for on a prospective basis. The estimated useful life is as follows:

Solar panel systems

20 years

# SOLAIRE MCGARRY SOLAR INC.

## NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2023

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### 4. MATERIAL ACCOUNTING POLICIES, (CONT'D)

#### INCOME TAXES

##### *Tax status*

The company is a Municipal Electricity Utility (“MEU”) for purposes of the payments in lieu of taxes (“PILs”) regime contained in the Electricity Act, 1998. As an MEU, the company is exempt from tax under the Income Tax Act (Canada) and the Corporations Tax Act (Ontario).

Under the Electricity Act, 1998, the company is required to make, for each taxation year, PILs to Ontario Electricity Financial Corporation (“OEFC”). These payments are calculated in accordance with the rules for computing taxable income and taxable capital and other relevant amounts contained in the Income Tax Act (Canada) and the Corporation Tax Act (Ontario) as modified by the Electricity Act, 1998, and related regulations.

##### *Future tax*

Future income tax assets and liabilities are recognized for the future tax consequences attributable to differences between the financial statement carrying amount and their tax bases. Future income tax assets are recognized for the benefit of any deductions or losses available to be carried forward to future periods for tax purposes that are probable to be realized. These amounts are measured using enacted or substantively enacted tax rates and are re-measured annually for changes in these rates. Any future income tax assets are reassessed each year to determine if a valuation allowance is required. Any effect of the re-measurement or reassessment is recognized in the period of the change.

#### FINANCIAL INSTRUMENTS

Financial assets and liabilities are recognized initially at fair value, plus for those financial assets and financial liabilities not classified at fair value through profit or loss, directly attributable transaction costs.

Financial assets are subsequently classified as either amortized cost, fair value through profit and loss or fair value through other comprehensive income. Financial assets classified as fair value through profit or loss are measured at fair value with any resultant gain or loss recognized in profit or loss. Financial assets classified as fair value through other comprehensive income are measured at fair value with any resultant gain or loss being recognized directly under other comprehensive income. Other financial assets are measured at amortized cost using the effective interest rate method. The company does not have any financial assets classified as fair value through profit or loss or fair value through other comprehensive income.

Financial liabilities are subsequently measured at amortized cost using the effective interest rate method or at fair value through profit or loss, depending on the nature of the liability. The company does not have any financial liabilities classified as fair value through profit or loss.

# SOLAIRE MCGARRY SOLAR INC.

## NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2023

### 4. MATERIAL ACCOUNTING POLICIES, (CONT'D)

#### FINANCIAL INSTRUMENTS, (CONT'D)

The company's financial assets include accounts receivable and due from related parties. The company's financial liabilities include accounts payable and accrued liabilities, due to related parties and long-term debt. All financial assets and liabilities are measured at amortized cost.

#### SIGNIFICANT ACCOUNTING JUDGMENTS AND ESTIMATES

The company makes certain estimates and assumptions regarding the future. Estimates and judgments are continually evaluated based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. In the future, actual experience may differ from these estimates and assumptions. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities are discussed below.

#### *Useful lives of property and equipment*

Management reviews its estimate of the useful lives of property and equipment at each reporting date. The actual useful lives of property and equipment may vary from estimated useful lives.

#### *Payments in lieu of taxes*

The company is required to make payments in lieu of taxes calculated on the same basis as income taxes. Significant judgment is required in determining the provision and liability or asset for PILs. Changes in future PILs may be required due to changes in future tax rates.

### 5. DUE FROM / TO RELATED PARTIES

The company has the following related parties which are related by common control:

Corporation of the Town of McGarry	50% shareholder of the company
Énergie Kapuskasing Energy Inc.	50% shareholder of the company
Solaire Kapuskasing Solar Inc.	100% owned by Énergie Kapuskasing Energy Inc.
Solaire Cobalt Solar Inc.	49.50% owned by Énergie Kapuskasing Energy Inc.

#### Due from related party

	2023	2022
Due from the Corporation of the Town of McGarry	\$ 50	\$ 50

The balance due from the Corporation of the Town of McGarry is unsecured, non-interest bearing with no specific terms of repayment.

**SOLAIRE MCGARRY SOLAR INC.****NOTES TO FINANCIAL STATEMENTS****DECEMBER 31, 2023****5. DUE FROM / TO RELATED PARTIES, (CONT'D)**

Due to related parties	2023	2022
Due to Énergie Kapuskasing Energy Inc.	\$ 910,074	\$ 875,115
Due to Solaire Kapuskasing Solar Inc.	2,249,154	2,066,115
Due to Solaire Cobalt Solar Inc.	20,027	96,359
Due to Englehart Solar Inc.	2,000	-
	<u>\$ 3,181,255</u>	<u>\$ 3,037,589</u>

The balances due to related parties bear interest of 4% and are unsecured with no specific terms of repayment.

Transactions with related parties were as follows:

Transactions with related parties were as follows:	2023	2022
Interest to Énergie Kapuskasing Energy Inc.	\$ 34,499	\$ 33,172
Interest to Solaire Kapuskasing Solar Inc.	85,405	79,465
Interest to Solaire Cobalt Solar Inc.	1,413	3,526
	<u>\$ 121,317</u>	<u>\$ 116,163</u>

Transactions with these related parties are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

There is currently no key management compensation paid through the company.

**SOLAIRE MCGARRY SOLAR INC.****NOTES TO FINANCIAL STATEMENTS****DECEMBER 31, 2023****6. PROPERTY AND EQUIPMENT**

	<b>Solar panel systems</b>
<hr/>	
<b>COST</b>	
At December 31, 2022	\$ 4,459,635
Capital additions	<u>-</u>
At December 31, 2023	<u>4,459,635</u>
<b>ACCUMULATED AMORTIZATION</b>	
At December 31, 2022	1,166,994
Amortization	<u>222,982</u>
At December 31, 2023	<u>1,389,976</u>
<b>NET BOOK VALUE AT DECEMBER 31, 2023</b>	<b><u>\$ 3,069,659</u></b>
<hr/>	
	<b>Solar panel systems</b>
<hr/>	
<b>COST</b>	
At December 31, 2021	\$ 4,459,635
Capital additions	<u>-</u>
At December 31, 2022	<u>4,459,635</u>
<b>ACCUMULATED AMORTIZATION</b>	
At December 31, 2021	944,012
Amortization	<u>222,982</u>
At December 31, 2022	<u>1,166,994</u>
<b>NET BOOK VALUE AT DECEMBER 31, 2022</b>	<b><u>\$ 3,292,641</u></b>
<hr/>	

**SOLAIRE MCGARRY SOLAR INC.****NOTES TO FINANCIAL STATEMENTS****DECEMBER 31, 2023****7. FUTURE PAYMENTS IN LIEU OF TAXES**

Temporary differences between accounting and taxable income which result in future payment in lieu of taxes are as follows:

- i) amortization on property and equipment recorded in excess of capital cost allowance claimed, and
- ii) unused non-capital losses available to carry forward.

	<u>2023</u>	<u>2022</u>
Undepreciated capital cost for tax purposes	\$ 4,459,635	\$ 4,459,635
Property and equipment - net book value	<u>(3,069,659)</u>	<u>(3,292,641)</u>
	1,389,976	1,166,994
Unused non-capital losses available to carry forward	<u>505,568</u>	<u>489,346</u>
Temporary differences	<u>\$ 1,895,544</u>	<u>\$ 1,656,340</u>

Future income tax assets are recognized for the benefit of any deductions or losses available to be carried forward to future periods for tax purposes that are probable to be realized. Management has determined that the benefit of these deductions are no longer probable to be realized. Therefore, the future income tax asset is not recorded.

The unused non-capital losses available to carry forward expire as follows:

2037	\$ 53,864
2038	162,168
2039	85,927
2040	50,030
2042	137,357
2043	<u>16,222</u>
	<u>\$ 505,568</u>

**SOLAIRE MCGARRY SOLAR INC.****NOTES TO FINANCIAL STATEMENTS****DECEMBER 31, 2023****8. LONG-TERM DEBT**

	<u>2023</u>	<u>2022</u>
Loan payable to PNC Equipment Finance, payable in variable semi-annual principal payments and quarterly interest payments, bearing interest at 5.94%, due in 2033, secured by leasehold debenture on real property leases, the solar panel systems and anassignment of material contracts including the FIT contracts	\$ 1,969,391	\$ 2,121,803
Current portion	<u>159,127</u>	<u>152,412</u>
	<u>\$ 1,810,264</u>	<u>\$ 1,969,391</u>

The principal instalments to be paid over the next five fiscal years are as follows:

2024	\$ 159,127
2025	166,249
2026	173,801
2027	181,810
2028	199,314
Subsequent years	<u>1,089,090</u>
	<u>\$ 1,969,391</u>

**9. CAPITAL STOCK**

	<u>2023</u>	<u>2022</u>
Authorized		
Unlimited number of Class A shares, redeemable and retractable for \$ 1,000 per share, entitled to a dividend at a rate of 4 % of the redemption amount, non-voting		
Unlimited number of Class B shares, entitled to one vote per share, and entitled to the remaining assets of the corporation on the dissolution of the corporation after payment of the redemption value of the Class A shares		
Issued		
100 Class B shares	<u>\$ 100</u>	<u>\$ 100</u>



## **SOLAIRE MCGARRY SOLAR INC.**

### **NOTES TO FINANCIAL STATEMENTS**

**DECEMBER 31, 2023**

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#### **10. FINANCIAL INSTRUMENTS RISKS AND UNCERTAINTIES**

Transactions in financial instruments may result in an entity assuming or transferring to another party one or more of the financial risks described below. The information below assists users of financial statements in assessing the extent of risk related to its financial instruments.

##### **CAPITAL MANAGEMENT**

The objectives of the company when managing capital are to:

Maintain a capital structure that allows it to finance its growth strategy with cash flows from its operations and its debt capacity;

Preserve its ability to meet its financial obligations by funding the capital needs via various private and institutional sources;

Optimise the use of its capital to provide an appropriate return on investment to its shareholders.

##### **FAIR VALUE**

The fair value of current financial assets and current financial liabilities approximates their carrying value due to the relatively short-term nature of the instruments. The fair value of long-term financial liabilities also approximate carrying values due to the fact that effective interest rates are not significantly different from market rates.

##### **CREDIT RISK**

Credit risk is the risk that one party to a transaction will fail to discharge an obligation and cause the other party to incur a financial loss. The company has credit risk in its accounts receivable. In the opinion of management, the credit risk exposure to the company is low.

##### **LIQUIDITY RISK**

Liquidity risk is the risk that the company cannot repay its obligations when they become due to its creditors. The company is exposed to liquidity risk in respect of their accounts payable and accrued liabilities, due to related parties and long-term debt. Management closely monitors cash flow requirements to ensure that current and long-term obligations are met. In the opinion of management and as noted in note 2, the liquidity risk exposure to the company is currently high.

##### **INTEREST RATE CASH FLOW RISK**

The company is exposed to interest rate cash flow risk to the extent that the long-term debt bears interest at a floating interest rate. However, the company entered into an interest rate swap agreement in exchange for a fixed rate of interest. Therefore, the company is exposed to an interest rate price risk in relation to its long-term debt. In the opinion of management the interest rate risk exposure to the corporation is low.

**SOLAIRE MCGARRY SOLAR INC.****NOTES TO FINANCIAL STATEMENTS****DECEMBER 31, 2023**

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**10. FINANCIAL INSTRUMENTS RISKS AND UNCERTAINTIES, (CONT'D)****CLIMATE AND WEATHER RISK**

The company is exposed to climate and weather risk. Climate and weather risk is the risk of changes in solar power electricity generation due to poor weather conditions, such as reduced or lack of sunshine. This risk could have an impact on the realization of revenues. The climate and weather risk exposure to the company is out of their control.

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**11. NEW STANDARDS AND INTERPRETATIONS ISSUED BUT NOT YET EFFECTIVE**

At the date of authorization of these financial statements, certain new standards, amendments and interpretations to existing standards have been published by the IASB but are not yet effective, and have not been early adopted by the company.

Management anticipates that all of the relevant pronouncements will be adopted in the company's accounting policies for the first period beginning after the effective date of the pronouncement. The company does not expect the amendments to have a material impact on the financial statements.

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## MCGARRY PUBLIC LIBRARY BOARD

Minutes of the regular meeting held at 5:30 pm at the McGarry Public Library

September 30, 2024

**PRESENT:** Margo Jollette (Chairperson, presided)  
Merdy Armstrong, trustee  
Ginette Guilbeault, trustee  
Francine Plante, council representative  
Annie Keft, council representative  
Samantha Goulet, CEO/Librarian

**AUDIENCE:** none

**1. Opening of meeting**

Meeting was opened at 5:31, p.m.

**2. Conflicts of interest**

None declared

**3. Approval of Agenda**

**2024:30** Moved by Annie Keft  
Seconded by Ginette Guilbeault

That the agenda for the meeting of September 30, 2024 be accepted with two additions to correspondence: Connect Libraries, website

**Carried**

**4. Minutes of the meeting of May 27, 2024**

**2024:31** Moved by Merdie Armstrong  
Seconded by Ginette Guilbeault

That the minutes of the meeting of June 24, 2024, be accepted.

**Carried**

**5. Business arising from the minutes**

- Chairperson informed board that no letter was sent to Council re grant cuts. All agree this item should be discussed with council prior to submitting next budget.
- Temiskaming Placemaking Grant re roadside library has been finalized and accepted by donor. Balance of monies will go towards purchase of a sun umbrella for next summer.
- The EPRA bin is installed and ready to use. Signs will be posted on the bin and on all available bulletin boards.
- Bylaws and Policies will be finalized by chairperson and brought to Sutherland Printing.

**6. Correspondence**

- CVITP has forwarded certificates of appreciation to the library and to Margo for their participation in the tax preparation program, as well as a letter of appreciation. A letter explaining the new Simple File program was received. Grant approval for tax returns has been approved.
- Federation of Ontario Library updates were received.

- Thank you letter from Raphael Goulet for the graduation bursary.
- Ontario Library Services has completed Interlibrary Loan Lending revision; the virtual conference for OLS will be held on for October 23. Conference presentations will be available on LearnHQ at the end of October.
- OPL statistics for the province are available on the Ministry of Culture site.
- The summer student report has been received and approved.
- The Public library Operating Grant from the province has been completed and submitted.
- MPL is in discussion with Internet WebDezines regarding developing a website.
- A letter from Amedeo Bernardi outlined the new plan to bring fibre optic Internet service to our library.

**2024:32** Moved by Francine Plante  
Seconded by Ginette Guilbeault

That the correspondence presented on September 24, 2024, be received.

**Carried**

## **7. CEO/Chairperson report**

- The CEO reported on the Summer Reading Program. The library participated in the TD Summer Reading Program. The theme was about space and different activities based on the theme were completed by participants. The program also talked about natural disasters participants created mini tornados and volcanos. The program went well and was appreciated. The summer student was a big help in the program.
- CEO also reported on the summer student. She was a good worker and she interacted very well with the patrons of all ages. She learned rapidly how the library system worked and could deal with customer requests. She was prompt and courteous. She was definitely an asset to our summer activities and will be available over the next months when we need her help.
- Chairperson informed the board that the library has submitted a grant request with the New Horizons Seniors Program. The grant, if it is accepted, will help create a website for the library and will allow the library to move forward with downloading reading material for reading on tablets, readers or phones. Patrons could also search the library database for available titles.
- Library returned to regular fall and winter hours on September 1.
- The outside door is in no way secure and there is no lighting in the entrance porch. CEO will advise township.

## **8. Treasurer's Report and Financial Statements**

**2024:33** Moved by Annie Keft  
Seconded by Merdy Armstrong

That the accounts for June 2024 in the amounts: **wages and benefits** – 1399.30\$ and **general accounts** 261.83\$, July 2024 in the amounts: **wages and benefits** – 3786.45\$ and **general accounts** 566.34\$, August 2024 in the amounts: **wages and benefits** – 3411.52\$ and **general accounts** 287.76\$, September 2024 in the amounts: **wages and benefits** – 1601.47\$ and **general accounts** 264.81\$ be paid.

**Carried**

The quarterly report on income and expenses was submitted to the board for review and discussion. It will be forwarded to council as requested.

**2024:34** Moved by Merdy Armstrong  
Seconded by Ginette Guilbeault

That the quarterly report of income and expenses for January to September 2024 be accepted and forwarded to council.

**Carried**

Planning for last quarter includes finding appropriate storage and display options for magazines.

**9. New Business.**

- CEO talked about plans for Hallowe'en activity. Hallowe'en is on a Thursday and library is open Thursday evening so preparations will be made to greet youngsters.

**10. Adjournment**

**2024:23** Moved by Ginette Guilbeault

That the meeting be adjourned at 7:08 p.m.

The next regular meeting will be on Monday, October 28, 2024, at 5:30 p.m.

**Carried**

Chairperson

Mary Jolette

Secretary

Jamanda Coult

Approved

Oct. 28, 2024

**AGENDA**  
**Regular Meeting**  
**Monday September 30, 2024**  
**McGarry Public Library, 5:30 p.m.**

1. Opening of Meeting
2. Apologies for non-attendance
3. Declaration of Conflicts of Interest
4. Approval of Agenda
5. Minutes of meeting 24/06/2024
6. Business arising from the minutes
  - Letter to council re budget cuts
  - Timiskaming Placemaking Grant
  - EPRA update
  - Bylaws and Policies
7. Correspondence
  - CVITP recognition \ Simple File \ Cash for School \ Grant
  - Federation of Ontario Libraries update
  - Thank you letter
  - OLS \ ILL upgrade \ CEO networking \ Virtual Conference
  - OPL Library Statistics online
  - Summer Student report
  - Public Library Operating Grant
  - Township supper
8. CEO \ Chairperson Report
  - Summer Reading Program
  - Summer Student
  - Ontario Seniors New Horizons Grant request
  - Library Open Hours
9. Financial Reports
  - Accounts: June, July, August, September
  - Quarterly April-June; July-September
  - Last quarter planning
10. Other Business
  - Hallowe'en
11. Next Meeting \ Adjournment  
October 28, 2024, McGarry Public Library, time

November 7, 2024

**Re: Municipal Appointees for new Board of Health – Due December 13, 2024**

Dear Mayor and Council,

In anticipation of formal approvals for the voluntary merger between the Porcupine Health Unit and the Timiskaming Health Unit, we encourage Municipalities to start discussions of appointments to the new Board of Health for Northeastern Health Unit /Conseil de santé de la circonscription sanitaire du Nord-Est.

### **Appointment**

Regulation 559 (1990) of the Health Protection and Promotion Act directs how municipal appointments are distributed but provides no direction on how the municipality makes that choice where one member is appointed by a cluster of municipalities. To support municipalities who have a shared seat, we have included a *Guidance document - shared municipal seats on the Board of Health* with considerations that municipalities can apply. We are asking for a copy of the municipal resolution from each municipality, including each municipality in a shared grouping indicating that they support that particular appointment.

To provide quality governance, exercise due diligence on behalf of the Members, and to meet HPPA requirements, municipalities should consider the skill sets, interests, knowledge, and competencies of appointees. In addition, to reflect the uniqueness of our district, individual characteristics of appointees should also be considered. Having a Board with Indigenous, Francophone, rural and urban diversity strengthens the Board's ability to reflect and understand the needs of the communities the public health unit serves. While most members of Boards of Health are elected officials, municipalities can choose to appoint a community member who is recognized by council as having skills and expertise for effective governance as well as an interest in improving the health and wellbeing of communities across our entire new region.

**Porcupine Health Unit**  
169 Pine St. S  
Timmins, ON P4N 8B7  
1-800-461-1818

**Timiskaming Health Unit**  
247 Whitewood Avenue, Unit 43  
New Liskeard, ON P0J 1P0  
1-866-747-4305



For the Board of Health for the Northeastern Health Unit (operating as Northeastern Public Health), the municipal appointments are as follows (effective 2025-01-01):

<b>Municipality</b>	<b>Municipal Appointees (13)</b>
City of Timmins	3
Temiskaming Shores	2
Kapuskasing	1
Kirkland Lake	1
Cochrane, Smooth Rock Falls	1
<b>Rural North</b> Hearst, Mattice Val Cote, Moonbeam, Val Rita Harty, Opatatika, Fauquier-Strickland, Homepayne	1
<b>Rural Central - North</b> Iroquois Falls, Black River Matheson	1
<b>Rural Central - South</b> Larder Lake, McGarry, Gauthier, Matachewan, Charlton & Dack, Englehart, Chamberlain, Evanturel, James	1
<b>Rural South</b> Armstrong, Brethour, Casey, Cobalt, Coleman, Harley, Harris, Hilliard, Hudson, Kerns, Latchford, Temagami, Thomloe	1
<b>Rural Far North</b> Moosonee (James Bay and Hudson Bay region)	1

Based on best practice recommendations and legal advice, ideally the NEPH Board of Health will primarily be made up of experienced, currently active Board of Health members from the Porcupine Health Unit and Temiskaming Health Unit Boards of Health. This is imperative to facilitate continuity and will ensure an effective, strong, and active Board of Health.

### **First Meeting**

Due to legislative requirements, the very first meeting for the Board of Health for the Northeastern Health Unit will occur on **January 1, 2025**. While this date is not ideal, appointees will receive the meeting package well in advance and the agenda will be limited to those items that are legally required to support an efficient first meeting.

## Term

As per the Health Protection and Promotion Act, the term of office of a municipal appointee of a board of health continues during the pleasure of the council that appointed the individual but, unless ended sooner, ends with the ending of the term of office of the council. R.S.O. 1990, c. H.7, s. 49 (7).

By **December 13, 2024**, please provide to Lori McCord [Lori.McCord@porcupinehu.on.ca](mailto:Lori.McCord@porcupinehu.on.ca) or Rachele Cote [coter@timiskaminghu.com](mailto:coter@timiskaminghu.com) your municipal appointee's:

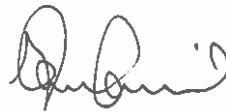
- Name
- Council Position (if applicable)
- Phone number
- Email address
- Municipal resolution

Yours in Health Protection and Health Promotion,



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Dr. Lianne Catton  
Medical Officer of Health and  
Chief Executive Officer  
Porcupine Health Unit



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Dr. Glenn Corneil  
Acting Medical Officer of Health and  
Chief Executive Officer  
Timiskaming Health Unit

# Guidance Document – Shared municipal seats on the new Board of Health - Northeastern Public Health / Santé publique du Nord-Est<sup>1</sup>

## **Purpose:**

To provide background information to inform potential options to municipalities who share municipal positions on the new Board of Health - Northeastern Public Health / Santé publique du Nord-Est.

## **Background:**

### ***Municipal Appointees to Boards of Health***

Regulation 559 (1990) of the Health Protection and Promotion Act directs how municipal appointments are distributed but provides no direction on how the municipality makes that choice where one member is appointed by a grouping of municipalities. To support municipalities with this, this guidance document contains considerations and examples of current practices that municipalities can apply.

Due to the considerable number of obligatory municipalities between the two regions (38 in total) not all municipalities have direct representation every term, as is the case in all Northern health unit Boards of Health (see below).

Municipalities with shared seats will need to work together and adopt/enhance a system within each municipal cluster that will allow for all interested municipalities, during different terms, opportunities to sit on the Board of Health.

### ***Boards of Health in Northern Ontario***

	<b>Number of Municipal Appointees<sup>1</sup></b> (Max of 13 as per HPPA)	<b>Number of Municipalities with <u>direct</u> representation on the Board<sup>2</sup></b>	<b>Number of known Obligatory Municipalities for the District</b>
Porcupine Health Unit	12	9	14
Timiskaming Health Unit	10	7	24
Algoma Health Unit	8	6	21
Northwestern Health Unit	8	7	19
Thunder Bay District Health Unit	12	10	15

<sup>1</sup> As prescribed in R.R.O. 1990, Reg. 559: DESIGNATION OF MUNICIPAL MEMBERS OF BOARDS OF HEALTH.

<sup>2</sup> In areas with many member municipalities, Board members must represent multiple communities to fit into the HPPA municipal appointee number requirements, not just the community where they were elected.

	<b>Number of Municipal Appointees<sup>1</sup></b> (Max of 13 as per HPPA)	<b>Number of Municipalities with <u>direct</u> representation on the Board<sup>2</sup></b>	<b>Number of known Obligatory Municipalities for the District</b>
Sudbury and District Health Unit	11	5	18
North Bay Parry Sound District Health Unit	10	6	31
<b>Northeastern Public Health</b>	<b>13</b>	<b>10</b>	<b>38</b>

***Roles and Responsibilities:***

Boards of Health provide important governance contributions to help achieve public health’s mandate to promote and protect community health and advance health equity in the new area.

Although municipalities are responsible for funding local public health (with the support of provincial grants), the Board of Health is not a direct committee of the municipality like other local boards.

It is also important to note that while the Board of Health works closely with the Medical Officer of Health / Chief Executive Officer (MOH/CEO), it is the MOH/CEO’s responsibility to lead the public health unit in ensuring the OPHS and accountabilities are met as well as achieving board-approved directions. Therefore, the responsibility for the day-to-day management and operations of the health unit lies with the MOH/CEO.

The Health Protection and Promotion Act outlines the number of municipal appointees on each Board of Health and directs how municipal appointments are distributed. Municipalities are responsible to appoint their respective members (usually by resolution) to Boards of Health. The Health Unit does not appoint municipal members for the Board of Health. When municipalities share seats (which occurs in other Boards as well, like DSSAB as well as all other Northern Ontario Boards of Health), it is up to municipalities to work together to jointly appoint a member.

**Considerations**

By carefully considering these factors, municipalities with shared seats can create a collaborative, effective, and equitable process when selecting municipal representation for the new Board of Health that contributes to strengthening public health in each community.


1. All member municipalities receive updates/communication on Board of Health activities.
  - a. Currently, all municipalities have access to Board of Health information:
    - Meetings are open to the public.
    - Minutes and resolutions are shared with every member municipality, not just those who have direct membership.
  - b. There are opportunities within the governance function to ensure strengthened communication with each municipality regardless of direct representation on the Board of Health. Within the policies for the new Board of Health there are opportunities to ensure strong connections with each member municipality, including:
    - Clear expectations outlined for Board members regarding communication with any council they may be representing at a shared seat.
    - Enhanced promotion of Board of Health meeting dates and times for any municipal member to attend across the region.
    - Regular MOH/CEO updates with all municipal partners throughout the year.
2. Shared seats have occurred throughout the history of the Porcupine and Timiskaming Boards of Health, and municipalities who share seats have created process that work best for their cluster, which may look different from other municipal clusters.
  - a. Municipalities with a shared seat have worked with their partner municipalities to jointly appoint a municipality to represent.
  - b. With some clusters, the same municipality has always represented the group, based on the desires, functions, and capacities/demands within that cluster. Likewise, there are some municipalities that have expressed no capacity to be able to participate in the Board of Health. This is a joint decision that occurs between the municipalities. There may be clusters that may want to continue this way on the new Board of Health.
3. To provide quality governance, exercise due diligence on behalf of the Members, and to meet HPPA requirements, all municipalities should consider the following characteristics when appointing their Board of Health representative:
  - a. Skill sets
  - b. Interests
  - c. Knowledge

- d. Competencies
- e. In addition, to reflect the uniqueness of our district, individual characteristics of appointees should also be considered. Having a Board with Indigenous, Francophone, rural and urban diversity strengthens the Board's ability to reflect and understand the needs of the communities the public health unit serves.
- f. Applying only a "fairness" lens, may create missed opportunities to have a diverse Board of Health.

### Summary of Options

An environmental scan was conducted to see how municipalities with shared seats on Boards jointly selected their appointees. We reached out to other Northern Health Units and other types of district-wide boards to examine current processes. Below is a summary of current practices. There are strengths and challenges for each option, and different groupings may choose different processes:

1. Municipalities communicate amongst themselves to choose a single representative. Each term, the municipality is jointly appointed, based on desire / capacity, and is not equally distributed amongst the cluster.
2. The position cycles through the clustered municipalities in a predictable, outlined schedule, ensuring each municipality has a turn each new election year.
3. Population-based – the position cycles equally, but each municipality in cluster is weighted based on their population (for example, a municipality with double the population may have two turns within the rotation schedule). Another option that has been utilized is the municipality with the largest population base is the representative.
4. Municipalities can create Memorandums of Understanding between their partner municipalities that further refine this process and outline the agreed upon schedule / appointment process.
5. If municipalities within a shared seat cannot decide, voting could occur.
6. Meeting together to determine if there is interest from all municipalities to sit on the Board of Health. There may be some municipalities who may not have the capacity or member interest to do so. Currently, both the Porcupine and Timiskaming have member municipalities that have not had direct membership on the Board of Health by choice.
7. Appointment is split – one municipality will have a representative for two years in a term, and the other will take the remaining two years.



McGarry Christmas Food Baskets  
29 30th Street, Box 248  
Virginiatown, ON, P0K 1X0

Received  
Nov. 8/2024

November 2nd, 2024

addition #2

The Township of McGarry  
27 Webster Street  
Virginiatown ON  
P0K 1X0

Dear Council Members,

The Christmas season is fast approaching and not all are in great financial shape.

Once again, a group of volunteers have agreed to donate time and effort to help the less fortunate celebrate the holidays. They will be reasonable for transparency of all monetary donations. Cheques will have to be written to \* McGarry Christmas Food Baskets\*.

The name of residents to receive the hampers will be withheld from the public. Hampers will be delivered with discretion.

Baskets for non-perishable food items will be set up at the municipal office, post office and the library.

If you would consider supporting this worthy cause your donation will be greatly appreciated.

Thanking you in advance for taking the time to consider helping make Christmas Merry for those in need.

Sincerely yours,

*Paulette Pâquet*

*Wendy Weller*

Paulette Pâquet and Wendy Weller and the elves



November 6, 2024



addition  
#3

Help Us Make this Christmas a Memorable One for Everyone

To the Mayor and Council of McGarry Township,

Thank you so much for making our 2023 Christmas Dinner a great success, it was your generosity that enabled us to create a great event for everyone, THANK YOU!

Trees Lakeside, Larder Lake Coop & Larder Lake Legion Branch 293 will once again be collaborating to provide a warm Christmas experience to those in the communities of McGarry, Larder Lake, Kirkland Lake and Area who may be alone or down on their luck during this Holiday Season.

We would greatly appreciate the use of the Virginiatown Community Centre December 24<sup>th</sup> & 25<sup>th</sup> 2024.

If you should have any questions, please do not hesitate to contact me.

Our goal is that no-one in our Amazing Communities need be alone this Christmas.

We thank you for your consideration and look forward to hearing from you.

Season's Greeting

Theresa & Jeanne

Trees Lakeside

1-705-568-3592



**IT'S THE SEASON IF YOU'RE ABLE  
TO HELP THOSE WHO ARE NOT STABLE  
TO PUT FOOD UPON THEIR TABLE!**

**IF YOU HAVE AND YOU CAN SHARE  
THEN LET'S SHOW THEM ALL WE CARE  
AND LIGHTEN THE LOADS THEY HAVE TO  
BEAR**

**LET'S COME TOGETHER ALL AS ONE  
FOR A NIGHT OF GREAT FOOD AND FUN  
THAT'S INCLUSIVE TO EVERYONE!**



# Land use (MOU) with township of McGarry

5 messages

Tue, Nov 12, 2024 at 2:00 PM

Hi Karine

The OFSC is asking all the clubs to update their land use agreements with private landowners where our trail system intersects their property. This is a requirement of our insurer in order for the OFSC to obtain liability insurance for the Trail system. Without these MOU's the OFSC will not be able to secure liability coverage which will affect the local Clubs ability to open and maintain trails in the area.

The township of McGarry has two mining Claims which our trail A110Q cuts through.

I have included a memorandum of understanding along with copies of the trail system and the two parcels Of land affected.

I require the township to sign the MOU and return it to me so it can be uploaded to the trail system.

If you have any questions please feel free to contact me at 705-568-0243

Sincerely

Mike Guimond  
President GCSD

[Quoted text hidden]



**DISCLAIMER:** This message may contain information that is privileged or confidential and is intended to be for the use of the individual(s) or entity named above. This material may contain confidential or personal information which may be subject to the provisions of the Municipal Freedom of Information & Protection of Privacy Act. If you are not the intended recipient of this e-mail, any use, review, retransmission, distribution, dissemination, copying, printing, or other use of, or taking of any action in reliance upon this e-mail, is strictly prohibited. If you have received this e-mail in error, please contact the sender and delete the original and any copy of this e-mail, and any printout thereof, immediately. Thank-you.

**VERTÈSÈMENT :** Ce message peut contenir des renseignements confidentiels ou privilégiés et est destiné à l'usage de la personne ou de l'entité mentionnée ci-dessus. Ce document peut contenir des renseignements confidentiels ou personnel qui peuvent être soumis aux dispositions de la Loi sur l'accès à l'information et la protection des renseignements personnels. Si vous n'êtes pas le destinataire de ce courriel, toute utilisation, révélation, rétransmission, distribution, diffusion, copie, impression ou autre utilisation ou prise de mesures en fonction de ce courriel est strictement interdite. Si vous avez reçu ce courriel par erreur, veuillez en aviser l'expéditeur et supprimer immédiatement l'original et toute copie de ce courriel ainsi que tout document imprimé. Merci.

1 record found.

**Add a Landowner**

LANDOWNER NAME:

TOWNSHIP OF MCGARRY

ADDRESS :

PIN: 612240027

DESCRIPTION: SRO OF PCL

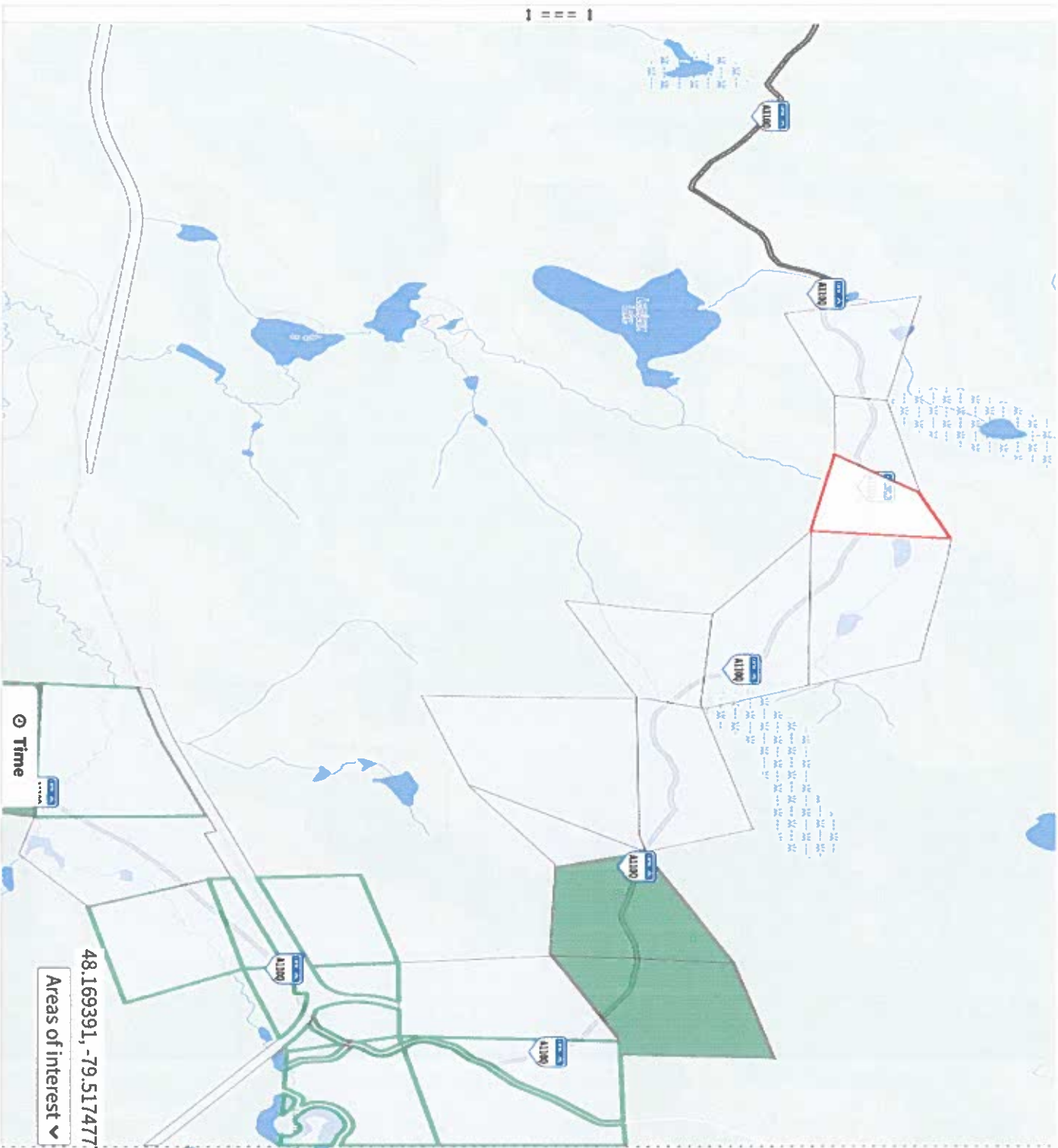
7441 SEC CST; MINING CLAIM

L44542 MCGARRY; MCGARRY ;

DISTRICT OF TIMISKAMING

**Expired on:**

No MOU attached



Time

Areas of interest

48.169391, -79.517477



1 record found.

**Add a Landowner**

LANDOWNER NAME: THE CORPORATION OF THE TOWNSHIP OF MCGARRY

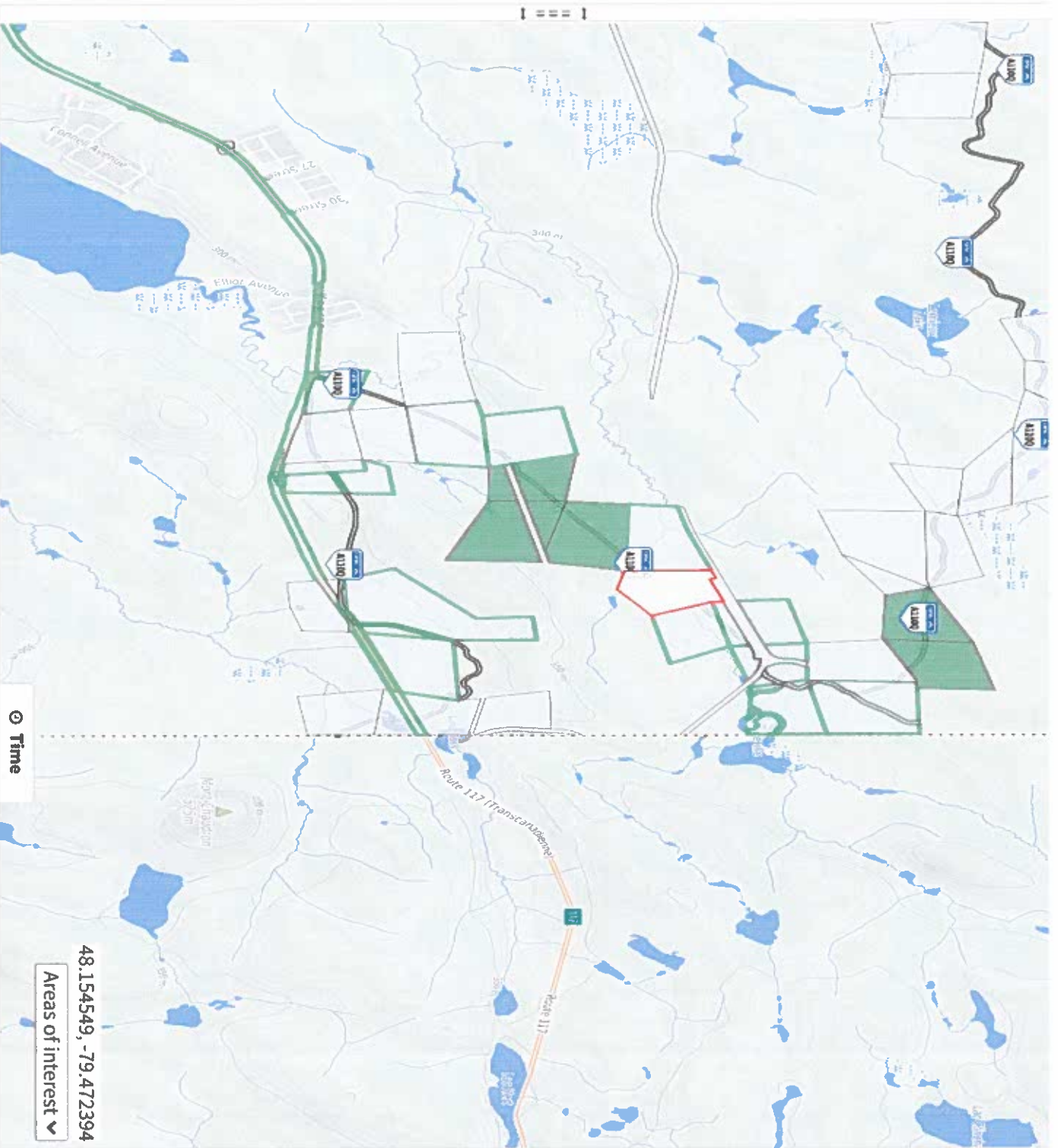
ADDRESS :

PIN: 612240600

DESCRIPTION: PCL 5331 SEC CST; MINING CLAIM L24181 MCGARRY EXCEPT MRO AS IN LT263267; MCGARRY ; DISTRICT OF TIMISKAMING

**Expired on:**

**No MOU attached**



#12

Ontario  
Provincial  
Police

Police  
provinciale  
de l'Ontario



Municipal Policing Bureau  
Bureau des services policiers des municipalités

777 Memorial Ave.  
Orillia ON L3V 7V3

777, avenue Memorial  
Orillia ON L3V 7V3

Tel: 705 329-6200  
Fax: 705 330-4191

Tél. : 705 329-6200  
Télééc.: 705 330-4191

File Reference:600

The Corporation of  
The Township of McGarry

27 Webster Street  
P.O. Box 99  
Virginiatown, ON  
P0K 1X0,  
October 1, 2024

Dear Sir / Madam

This letter is a follow up to our August 2023 correspondence sent to advise of upcoming changes to the Primary Public Safety Answering Point (P-PSAP) service agreement with the Ontario Provincial Police (OPP) to align with the requirements of Next Generation 9-1-1 (NG9-1-1) services. The P-PSAP service is a necessary requirement of providing 9-1-1 to the public as it is the first point of contact when dialing 9-1-1; operators determine whether the caller requires police, fire or ambulance service before routing to the call to the appropriate agency. The new OPP P-PSAP agreement has been developed and is attached to this letter.

At this time, the rate for this service will remain at \$0.561 / capita / annum. Accordingly, the annual cost of the service to The Corporation of the Township of McGarry in 2025 will be 0.561\*579 based on a residential population served of 579.

While we encourage you to review the new agreement in its entirety, a summary of significant updates to the agreement include:

	Previous Agreement(s)	New Agreement
Terminology	Central Emergency Reporting Bureau (CERB) Public Emergency Reporting Service (PERS)	P-PSAP NG 9-1-1
Termination	90-day notice period	180-day notice period
Term length	2 (two) & 5 (five) year, renewable by written notice	Rolling term

To proceed with services under the new agreement, the OPP will require the attached agreement to be signed by the appropriate party, be accompanied by a by-law or band council resolution, and returned to the OPP by December 1, 2024.

Agreements will be effective as of January 1, 2025, and changes to billing based on population updates will be reflected in the annual billing issued in January 2025.

I have attached a P-PSAP information package for your reference. Please notify us at the soonest opportunity if you have any questions, or if you wish to discontinue the P-PASP service from the OPP. Note that the OPP is one of multiple providers of P-PSAP service to choose from, and that a P-PSAP service must be in place for members of your community to continue to be able to access 9-1-1. If you have any questions regarding the service, changes to the agreement, or billing please contact [ppsap@opp.ca](mailto:ppsap@opp.ca).

Kind Regards,



Superintendent Steve Ridout  
Commander, Municipal Policing Bureau

Attachments P-PSAP Agreement  
P-PSAP Information Package