

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 5, 2025
(To follow Committee of the Whole)**

AGENDA

Members of the public wishing to attend can do so by attending in person to the Council Chambers located in the Administration Centre at 5786 County Road 21, Utopia.

1. OPENING OF MEETING BY THE MAYOR

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

- p. 1 Recommendation: ***BE IT RESOLVED THAT*** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and ***THAT*** the minutes of the Committee of the Whole and Regular Council meetings held on the 15th day of January, 2025 be adopted as circulated.

4. CONSENT AGENDA

Recommendation: ***BE IT RESOLVED THAT*** the items listed in the Consent Agenda dated February 5th 2025, be received for information.

5. COMMITTEE REPORTS

a. **Minutes of the Essa Public Library Board**

p. 7

Recommendation: ***BE IT RESOLVED THAT*** the minutes of the Essa Public Library Board from their meeting of December 16, 2024, be received.

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. **Proclamation - Designate the Month of February, 2025 as "Black History Month"**

Recommendation: ***WHEREAS*** the celebration of Black History Month originates from the U.S. Professor Carter G. Woodson's 1926 declaration of Negro History Week, a week in February which marked the birthdates of civil rights activists Frederick Douglass and Abraham Lincoln, and ***WHEREAS*** in 1976, the Toronto City Council declared February as Black History Month. National recognition occurred on December 14, 1995, when the House of Commons unanimously agreed to a motion presented by the Honourable Jean Augustine to recognize February as Black History Month; and ***WHEREAS*** Black History Month sought to level the imbalance in historical perspective and has become an important part of multicultural and antiracism programs; and

WHEREAS *Black History Month in Canada is essential since it educates Canadians. Few Canadians know that slavery once existed in Canada, or that many of the British Loyalists who came here after the American Revolution were Black. Black History Month recognizes the important sacrifices and contributions of Black people to the development of Canada and the world. Racial discrimination and intolerance is on the rise, it is time for good people to help raise awareness and show their support of the fight against racial discrimination;*

NOW THEREFORE BE IT RESOLVED THAT *Council of the Township of Essa hereby proclaims the month of February, 2025, as "Black History Month" in our community, and encourages all citizens to participate in educational activities related to and honour the significant role that Black people, both past and present, have played in shaping the Township of Essa and its values.*

8. UNFINISHED BUSINESS

9. BY-LAWS

- p. 11 a. By-law 2025-05 – A By-law to appoint a Municipal Law Enforcement Officer.
- p. 13 b. By-law 2025-06 – A By-law to appoint an additional Deputy Clerk and a Director of Infrastructure.
- p. 14 c. By-law 2025-07 – A By-law to amend By-law 2005-23, that being a By-law to regulate the operation of Motorized Snow Vehicles.

Recommendation: **BE IT RESOLVED THAT** *By-laws 2025-05, 2025-06, and 2025-07 be read a first, and taken as read a second and third time and finally passed.*

10. QUESTIONS

11. CLOSED SESSION

12. CONFIRMATION BY-LAW

p. 20 **By-law 2025-08**

Recommendation: **BE IT RESOLVED THAT** *leave be granted to introduce By-law 2025-08, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 5th day of February, 2025; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

13. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** *this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 19th day of February, 2025 at 6:00 p.m.*

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, JANUARY 15, 2025
6:00 p.m.**

MINUTES

A Committee of the Whole meeting was held in person on Wednesday January 15, 2025, in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
D. Dollmaier, Manager of Finance
S. Haniff, Manager of Planning
J. Kolb, Manager of Public Works
P. Granes, Chief Building Official
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:00 p.m.

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

3a

STAFF REPORTS

4. PLANNING AND DEVELOPMENT / BUILDING

- a. Staff Report PD001-25 submitted by the Manager of Planning,
re: Proposed Telecommunication Tower – 7009 11th Line – SLI Towers Inc.

Resolution No: CW001-2025 Moved by: Kiezebrink Seconded by: Maltby

*BE IT RESOLVED THAT Staff Report PD001-25 be received; and
THAT Council endorse a Letter of Concurrence for the proposed telecommunication
tower to be located at 7009 11th Line.*

---Carried---

5. PARKS AND RECREATION / COMMUNITY SERVICES

- a. Staff Report PR001-25 submitted by the Manager of Parks and Recreation,
re: Storm Adventure Race.

Resolution No: CW002-2025 Moved by: Sander Seconded by: Smith

*BE IT RESOLVED THAT Staff Report PR001-25 be received; and
THAT Council authorize the Manager of Parks and Recreation to permit **Adventure
Storm Race** to utilize Albert Breau Community Park for use of storing canoes
overnight at Albert Breau Community Park as well as using the green space, renting
the pavilion and launching the canoes into the Nottawasaga River at the Albert Breau
boat launch subject to receiving an approval from Simcoe to utilize the County's roads
& Trails network, receiving the appropriate insurance documentation, rental fee and
overhead cost recovery deposit.*

---Carried---

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. Staff Report PW001-25 submitted by the Manager of Public Works,
re: Speed Reduction on 5th Sideroad and 10th Sideroad.

Motion Amended.

Resolution No: CW003-2025 Moved by: Kiezebrink Seconded by: Sander

*BE IT RESOLVED THAT Staff Report PW001-25 be received; and
THAT Council approve reducing the posted speed limit to 60 km/hr on the 5th
Sideroad from 9th Line to County Road 56 with the exact distance to be determined by
the Manager of Public Works in consultation with Township consulting firm; and
THAT a by-law to reduce the posted speed limit on the 5th Sideroad (outlining exact
distances) be presented to Council at a future meeting; and*

THAT an amendment to By-law No. 2023-33, that being a by-law to designate parts of highway / road network as "Community Safety Zones", be presented to Council at a future meeting designating a segment on the 5th Sideroad as a community safety zones; and

THAT Council's consideration of a speed reduction on the 10th Sideroad be deferred to a future meeting.

---Carried---

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

- a. **Staff Report CAO001-25 submitted by the Chief Administrative Officer, re: Review of Mileage Rate.**

Resolution No: CW004-2025 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT Staff Report CAO001-25 be received; and **THAT** Council approve an increase to the mileage rate for staff using their personal vehicles to conduct Township business from \$0.61 per km to \$0.72 per km due to the increase in expenses associated with operating such vehicles.

---Carried---

11. OTHER BUSINESS

- Deputy Mayor Smith has asked staff to investigate and report back on ways to gather information from residents on accessibility concerns within the Township.

12. ADJOURNMENT

Resolution No: CW005-2025 Moved by: Smith Seconded by: Maltby

Recommendation: **BE IT RESOLVED THAT** this meeting of Committee of the Whole of the Township of Essa adjourn at 6:11 p.m., to meet again on the 5th day of February, 2025 at 6:00 p.m.

---Carried---

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

3a

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JANUARY 15, 2025**

MINUTES

A Regular Council meeting was held in person on Wednesday January 15, 2025, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
D. Dollmaier, Manager of Finance
S. Haniff, Manager of Planning
J. Kolb, Manager of Public Works
P. Granes, Chief Building Official
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:11 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR001-2025 Moved by: Kiezebrink Seconded by: Maltby

***BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
THAT the minutes of the Special Budget, Public Meeting, Committee of the Whole, Closed Session and Regular Council meetings held on the 18th day of December, 2024 be adopted as circulated.*

---Carried---

4. CONSENT AGENDA

Resolution No: CR002-2025 Moved by: Maltby Seconded by: Sander

***BE IT RESOLVED THAT** the items listed in the Consent Agenda dated January 15th 2025, be received for information; and
THAT item A5 be referred to Staff for action.*

---Carried---

5. COMMITTEE REPORTS

Resolution No: CR003-2025 Moved by: Sander Seconded by: Smith

a. Minutes of the Essa Public Library Board

BE IT RESOLVED THAT the minutes of the Essa Public Library Board from their meeting of November 25, 2024, be received.

---Carried---

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

8. UNFINISHED BUSINESS

9. BY-LAWS

By-law 2025-01 was withdrawn by the Manager of Planning.

Resolution No: CR004-2025 Moved by: Sander Seconded by: Smith

a. By-law 2025-02 – A By-law to authorize the temporary use of land, buildings or structures within the Corporation of the Township of Essa (253 Barrie Street).

b. By-law 2025-03 – A By-law to amend the Township’s Zoning By-law, By-law 2003-50, affecting all lands throughout the Municipality (Housekeeping).

BE IT RESOLVED THAT By-laws 2025-02, and 2025-03 be read a first, and taken as read a second and third time and finally passed.

---Carried---

10. QUESTIONS

11. CLOSED SESSION

12. CONFIRMATION BY-LAW

By-law 2025-04

Resolution No: CR005-2025 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT leave be granted to introduce By-law 2025-04, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 15th day of January, 2025; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

---Carried---

13. **ADJOURNMENT**

Resolution No: CR006-2025 Moved by: Smith Seconded by: Maltby

Recommendation: **BE IT RESOLVED THAT** *this meeting of Council of the Township of Essa adjourn at 6:15 p.m. to meet again on the 5th day of February, 2025 at 6:00 p.m.*

---Carried---

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

Essa Public Library Board
Minutes
Monday, December 16, 2024, 7:00pm
Virtual meeting

Directors Present: J. Hunter, Chair; J. Bushey; J. Eagleson; S. Hyatt; L. Maltby, Council Representative

Staff Present: L. Wark, CEO/Secretary/Treasurer; G. Newbatt, Manager of Library Services

Regrets: C. Cryer, Vice-Chair

Respect and Acknowledgement Declaration: (L. Maltby)

We are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818, between the Government of Upper Canada and the Anishinaabe Indigenous peoples.

The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and are committed to moving forward in the spirit of reconciliation and respect with all First Nations, Metis and Inuit People. We are grateful to work and live on this land.

1. Call to Order at 7:03pm by Chair, J. Hunter

2. Chairperson's Remarks:

We have come to the end of Year 3 of our 4-year term on the Board. It has been a busy one, and we have accomplished a lot!

The community survey we conducted provided us with very useful information that was incorporated into our 2025 – 2029 Strategic Plan. This Strategic Plan invites us to stretch our involvement in and service to the community in a purposeful and meaningful way. Thank you for your input and commitment to making EPL a destination for everyone and anyone.

Budgeting is always challenging, and this year was no different. The Finance Committee was very thoughtful in putting together a budget that would finance more efficient staffing in critical areas and still be mindful keeping the costs as low as reasonably possible. Laura and Glenda put in many, many hours to that end, and I wish to thank them and everyone else who contributed with ideas.

Also, this year we were required to apply for re-accreditation. There are 380 public libraries in Ontario and 37 are fully accredited. I am proud to say that we are one of them! Laura will speak to this later in the meeting. Thank you, Laura, for all the hard work and please extend our thanks to everyone who assisted you in this process.

As a Library Board, we reviewed and improved a lot of policies. The Policy and Planning Committee did an excellent job. In four year's time, when the policies are reviewed again, the job will be much simpler. Once again, thanks again for the time and effort in bringing policies up to standard.

This was a very satisfying year in so many ways, but we still have this meeting and a couple more weeks before we can say we're done with 2024 and move on to 2025.

Let's get to it!

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3. Approval of the Agenda
2024:075 Moved: JB Seconded: JE Carried
THAT the Agenda for December 16, 2024 be approved as circulated.

4. Declaration of Conflicts of Interest for proceedings before this Board: None

5. Minutes of the Preceding Regular Meeting
2024:076 Moved: SH Seconded: LM Carried
THAT the November 25, 2024, Regular Meeting Minutes be approved as circulated.

6. Business Arising from past Minutes: None

7. Communications:

7.1 Letter to MPP Brian Saunderson from Essa Public Library Board, Dec 2

7.2 Re-Accreditation Letter from Ontario Public Library Monitoring Council, Dec 13

8. Treasurer Report:

8.1 Actual to Budget Year to Date 10Dec2024

8.2 Township of Essa Council meets again on December 18th for 2025 Budget

8.3 Grants & Donations:

Canada Summer Jobs – \$2,310.12 received

Provincial Summer Employment Opportunity – \$3,816 received

Adjala-Tosorontio 2024 Library Services Contract - \$5,000 received

Public Library Operating Grant: submitted; funds expected in December

Simcoe County Age Friendly Municipal Grant, Grow Getters - \$9,557.

First 70% of funds received (Nov 21)

Tim Horton's Smile Cookie campaign for Thornton Branch - \$7,804.46

Starbucks' Neighbourhood Grant - \$2,700

Essalicious - \$2,452

Federal New Horizon Grant – Applied: \$14,326

2024:077 Moved: SH Seconded: JB Carried
THAT the Library Board receives the Treasurer's Report, including the Actual to Budget Year to Date Comparison to December 10, 2024 as circulated.

9. CEO Report, December 2024

Active Strategic Plan goals:

Purposeful Fiscal Application goals applied in 2025 Draft Budget:

- Protect Services:
 - funding for additional Public Engagement Representative hours
 - prevent dissolution of services in face of rising costs (software)
- Technology: funds for mandatory computer replacements

Purposeful Fiscal Application goals in advocacy to MP, Brian Saunderson:

- Support the Federation of Ontario Public Libraries (FOPL) in support of a province wide Ontario Digital Public Library for equitable access to databases

Library Report: prepared by E. Nakeff [9.1]

Manager Report: prepared by G. Newbatt [9.2]

Meetings & Training:

Essa Township Senior Management Team meetings, CEO
 Ontario Library Service: Excel Training, Coordinator of Public Engagement
 SCDSB, NPSS, Township of Essa and EPL Administrative Committee Meeting, Dec4
 Minutes from Administrative Committee Meeting of 2023 [9.3]
 Administrators of Medium Sized Public Libraries in Ontario (AMPLO), CEO Dec6
 Ontario Library Service (OLS) update shared at AMPLO meeting [9.4]
 EPL/NPSS Working Committee meeting re-scheduled for December 18th
 Advancing Public Library Leadership Certificate via the Ontario Library Service, Manager
 Cyber-Security Training via Innisfil IT Support and Simcoe County IT

Technology: Website and ILS identified for future IT grant opportunities. 2025 Computer replacements for cybersecurity improvements identified.

Facilities - Thornton Branch: Electrician repaired lights due to aged ballasts. Windows need replacing.
 Angus Branch: Snow removal contract to be detailed – contractor neglecting sidewalks.

Local Landscape: Accreditation Approval Dec11. EPL recommended for a pass – 90% is required. Some improvements were suggested and some of these have already been tended to.

Larger Landscape: Ontario Digital Library goal – CEOs in Simcoe-Grey Riding will reach out as a group; Letter to MPP Saunderson from EPL Board Chair, Judith Hunter sent and copied to Township of Essa Council. The Federation of Ontario Public Libraries is forwarding this communication from EPL [see 7.1] to the FOPL Government Relations Team as an example of member advocacy. MPP Saunderson will be reaching out to the Ministry of Tourism, Culture and Gaming to gather more information.

2024:078 Moved: JE Seconded: JB Carried
THAT the Library Board receives the CEO Report as circulated.

10. Ontario Library Service Trustee report (Eagleson): None

11. Committee of the Whole

11.1 Library Board Meeting Dates for 2025

2024:079 Moved: SH Seconded: JB Carried
THAT the Essa Public Library Board hold Regular Board Meetings on: January 27, February 24, March 24, April 28, May 26, June 23, September 22, October 27, November 24, and December 15. The meetings in January, February, November and December are virtual.

11.2 Library Closed Dates for 2025

2024:080 Moved: JB Seconded: LM Carried
THAT Essa Public Library be closed January 1, February 17 - Family Day, April 4 - Good Friday, April 7 - Easter Monday, May 19 - Victoria Day, July 1 - Canada Day, August 3 - Civic Holiday, September 1 - Labour Day, October 13 - Thanksgiving, December 24 at 1pm, December 25 and 26, and December 31 at 1pm.

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Planning and Policy Committee (Hunter, Hyatt, Cryer): No meeting

11.3 Health and Safety Policy Discussion (Hunter)

12. Closed Meeting: None

13. Other Business: None

14. Next meeting: January 27, 2025, 7pm, Virtual

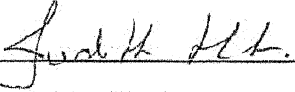
15. Adjournment

2024:081 Moved: JB

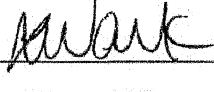
THAT the Meeting be adjourned at 7:47pm.

Carried

APPROVED: January 27, 2025



Chair: Judith Hunter



CEO: Laura Wark

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THE CORPORATION OF THE TOWNSHIP OF ESSA

By-law No. 2025 – 05

Being a By-law to appoint a Municipal Law Enforcement Officer; and also a Tobacco Enforcement Officer, Weed Inspector and Zoning By-law Enforcement Officer.

WHEREAS section 8 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act; and

WHEREAS Section 11 of the *Municipal Act*, 2001, provides that a lower-tier municipality may pass By-laws respecting matters within the spheres of jurisdiction set out therein, and is responsible for the enforcement of the By-laws pertaining to those sections; and

WHEREAS Section 227 of the *Municipal Act*, 2001, authorizes Councils to pass By-laws for appointing such officers and employees as may be necessary for the purposes of the Corporation, for carrying into effect the provisions of any By-law of the Council; and

WHEREAS provisions contained in Section 1.1 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, include a Provincial Offences Officer as an officer, employee or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a By-law, an Act or a regulation under an Act, while in the discharge of his or her duties; and

WHEREAS provisions are included under the *Provincial Offences Act*, the *Weed Control Act*, the *Pounds Act*, the County of Simcoe and Township of Essa prohibitive smoking By-laws, and the Township of Essa Zoning By-law to provide for municipal enforcement; and

WHEREAS Section 15 of the *Police Services Act*, R.S.O. 1990 c. P.15, as amended, authorizes a Municipal Council to appoint persons who shall be peace officers for the purposes of enforcing municipal By-laws; and

WHEREAS Council of the Township of Essa deems it advisable to appoint a Municipal Law Enforcement Officer and any inspectors and administrators as are necessary for the purposes of the enforcement of said Acts and By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA ENACTS AS FOLLOWS:

1. That Nathan Degagne be and is hereby appointed to the position of Municipal Law Enforcement Officer in accordance with the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended, for the Township of Essa to carry out the duties and responsibilities as set out in the job description for the period during which she is an employee of the municipality.

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2. That Nathan Degagne be and is hereby appointed as a Tobacco Enforcement Officer, Weed Inspector, Canine Control and Zoning Enforcement Officer; and shall perform all the duties required to be performed by the said titles under statutory authority and other duties that may be imposed by the Council of The Township of Essa for the period during which she is an employee of the municipality.
3. That Nathan Degagne does hereby agree and acknowledge to abide by the Township of Essa's policies and procedures, including the Acceptable Computer Usage Policy, the Employee Code of Conduct, the Corporation's Health and Safety Program, and other policies as provided.
4. That the said appointment shall become effective as of January 13, 2025.
5. This By-law shall come into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5th day of February, 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2025 - 06

Being a By-law to appoint an additional Deputy Clerk and Director of Infrastructure for the Township of Essa.

WHEREAS Section 228 (1) of the *Municipal Act 2001*, S.O. 2001, c.25, states that a municipality shall appoint a Clerk whose duty it is,

- a) to record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- d) to perform the other duties required under this Act or under any other Act;
- e) to perform such other duties as are assigned by the municipality; and

WHEREAS Section 228 (2) of the *Municipal Act 2001*, S.O. 2001, c.25 states that a municipality may appoint deputy clerks who has all the powers and duties of the Clerk under this and any other Act; and

WHEREAS to ensure the business continuity of the Council of the Corporation of the Township of Essa deems it desirable and necessary to appoint the Chief Administrative Officer as an additional Deputy Clerk; and

WHEREAS the Council of the Township of Essa deems it desirable and necessary to appoint the Chief Administrative Officer as the Director of Infrastructure;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby enacts as follows:

- 1. That Michael Mikael be and is hereby appointed to the position of Deputy Clerk and Director of Infrastructure for the Corporation of the Township of Essa.
- 2. That said appointment shall remain in effect while Michael Mikael is an employee of the Township of Essa.
- 3. That the said appointment shall become effective on February 5, 2025.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this 5th day of February, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9c

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2025 – 07

A By-law to amend By-law 2005-23, that being a By-law to regulate the operation of Motorized Snow Vehicles in the Township of Essa, and to authorize execution of a Memorandum of Understanding with Bonsecour Track and Trail Snowmobile Club.

WHEREAS Section 7 of the Motorized Snow Vehicles Act provides that a Council of a local municipality may pass by-laws regulating and governing the operation of motorized snow vehicles within the municipality including highways therein or any part or parts thereof; and; and

WHEREAS it is deemed expedient to prohibit the use of motorized snow vehicles on sidewalks or boulevards and park areas within the settlement areas of The Township of Essa; and

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA HEREBY ENACTS AS FOLLOWS:

1. That Council authorize execution of a Memorandum of Understanding between the Township of Essa and the Bonsecour Track and Trail Snowmobile Club, specific to providing permission for use of prescribed snowmobile trail land in the Township of Essa.
2. That By-law 2005-23 be amended to include the amending provisions as contained in Schedule A to this By-law.
3. This By-law shall come into force and take effect on the final day of passing thereof.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5th day of February, 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9c

AMENDING AGREEMENT

This Agreement is made this ___ day of _____, 2025.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF ESSA

(herein the "Town")

and

BONSECOUR TRACK AND TRAIL SNOWMOBILE CLUB

(hereinafter "LSC")

Together referred to as the "Parties"

RECITALS:

- A. The Parties entered into a binding Memorandum of Understanding on December 9, 2011, for the purpose of granting snowmobile trail land use permissions on the Thornton-Cookstown Trans Canada Trail ("MOU").
- B. This Amending Agreement is being entered into for the purposes of adding a Schedule "A" to the MOU to specify and include certain roadways and crossings for motorized snow vehicles.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements herein, the sufficiency of which is acknowledged, and subject to the terms and conditions set out in this Amending Agreement, the Parties agree as follows:

- 1. Capitalized terms in this Amending Agreement shall have the same meaning ascribed to them in the MOU unless the context otherwise requires.
- 2. Section 12 of the MOU is deleted and replaced with the following new Section 12: Additional Conditions: On the former abandoned rail line north of Cookstown at Essa – Innisfil boundary to Thornton Essa – Innisfil boundary at Innisfil Beach Road and County Road 27, and north of County Road 21 to County Road 90, north easterly to County Road 27 and north westerly to 6th Line Essa north of 30 Sideroad, including roadways and crossings. (See Schedule "A" for roadway and crossing maps).

9c

- 3. The MOU is revised by adding a new Schedule "A", which is attached to this Amending Agreement as Schedule "A".
- 4. Except as set out in this Amending Agreement, the terms and conditions of the MOU remain in full force and effect.
- 5. This Amending Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

This Amending Agreement is executed as of the date first written above.

**THE CORPORATION OF THE
TOWNSHIP OF ESSA**

Per:

Name: Michael Mikael

Title: CAO

**BONSECOUR TRACK AND TRAIL
SNOWMOBILE CLUB**

Per: _____

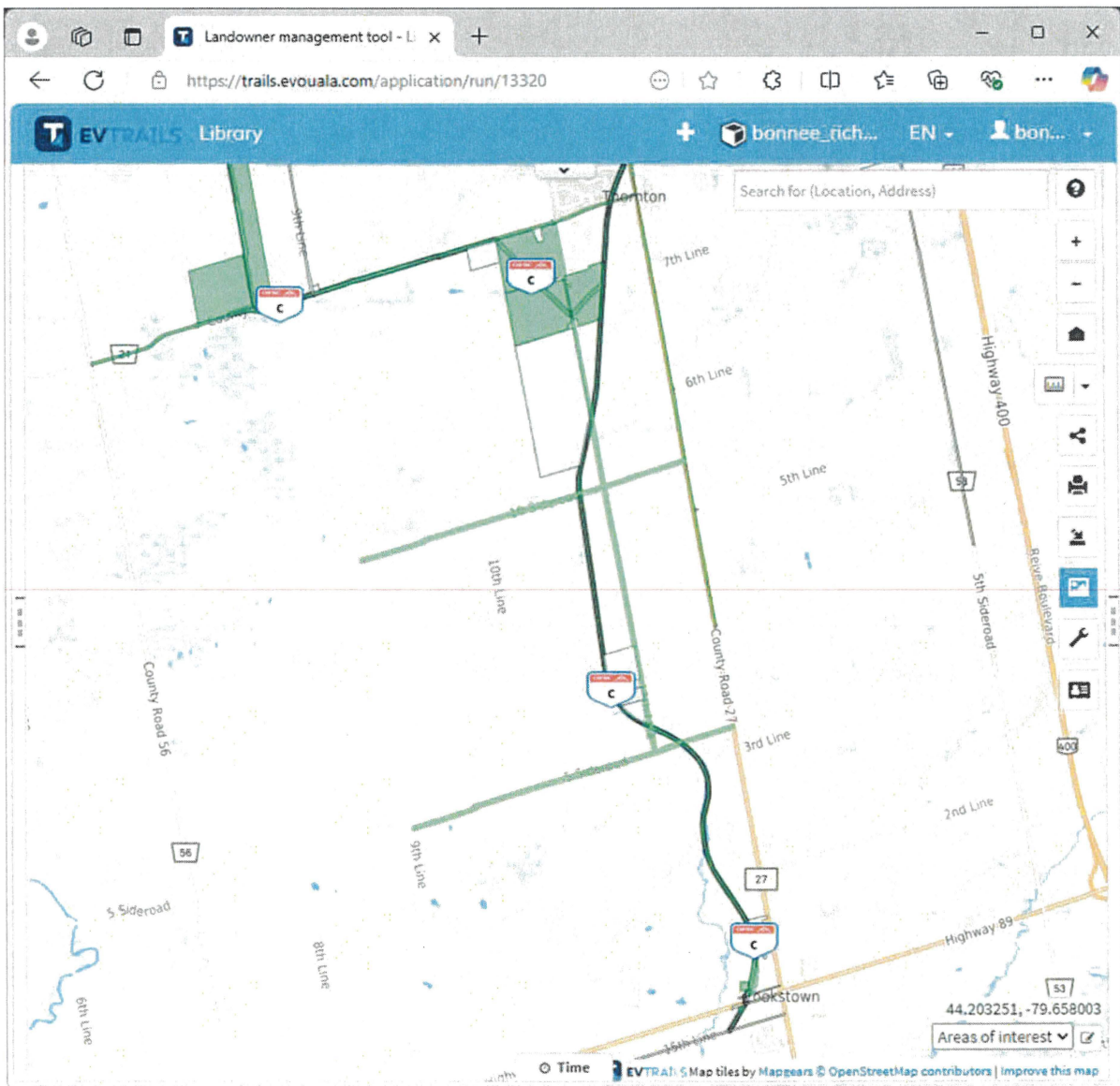
Name: Richard Hildebrandt

Title: Secretary Treasurer

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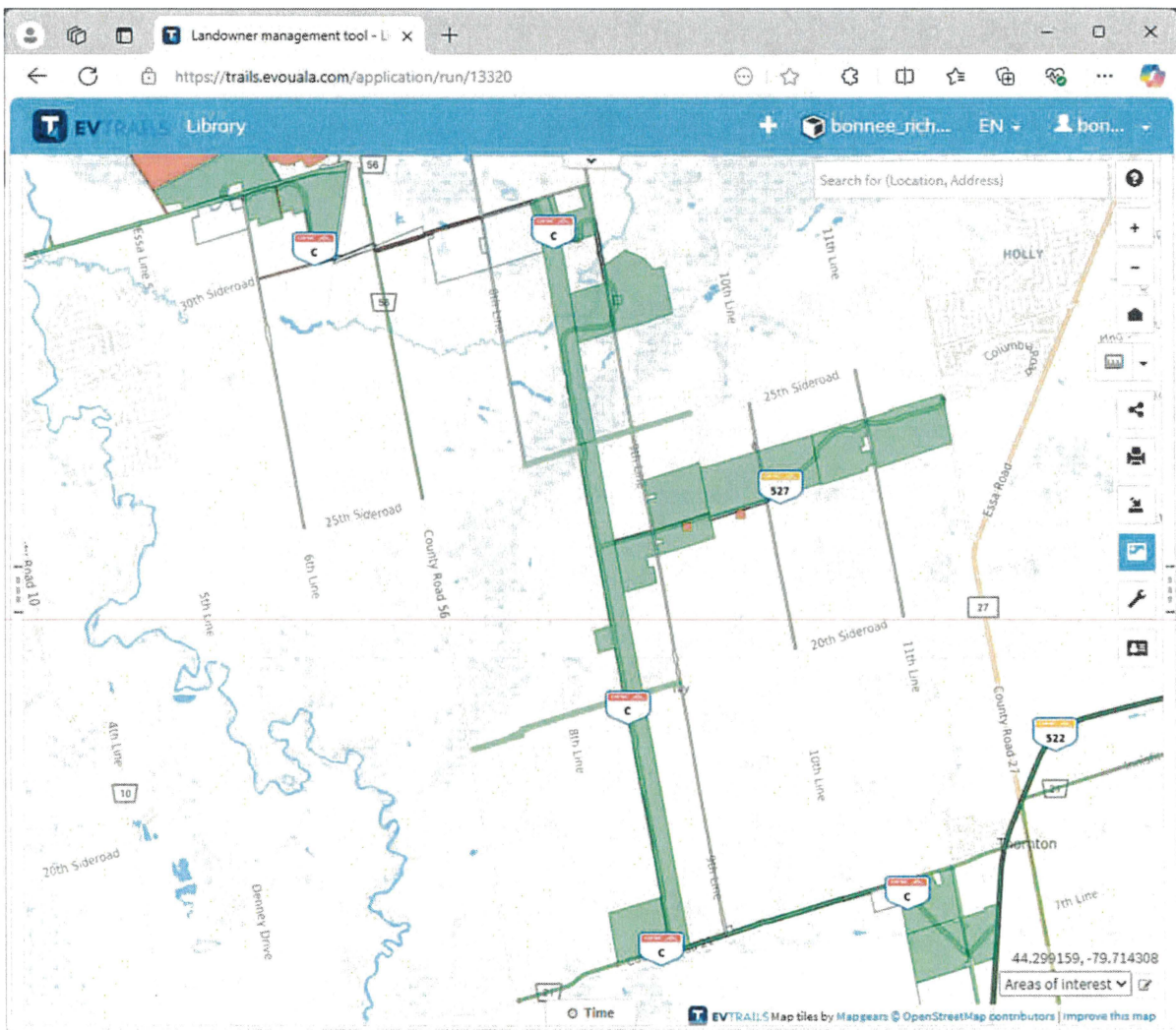
Page 3 of 4

Schedule "A"



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**MEMORANDUM OF UNDERSTANDING (MOU)
PRESCRIBED SNOWMOBILE TRAIL LAND USE PERMISSION**

I, _____, being the owner and/or occupier (hereinafter the "Landowner") of the legally described lands below, hereinafter the "Lands",

<i>Address including lot #, concession # and/or other legal description.</i>	<i>Township, County, District, Region, Municipality. Include all that apply.</i>

hereby gives the Bonsecour Track and Trail Snowmobile Club, hereinafter the "Local Snowmobile Club" and/or "LSC", a license to enter onto, and access, the Lands on the following terms and conditions:

- The term of this MOU is from October 15th to April 30th each season.
- The LSC shall remain a member in good standing with the Ontario Federation of Snowmobile Clubs (OFSC) during the term of this MOU. At the Landowner's request, the LSC will provide its current OFSC Certificate of Insurance (COI).
- The Landowner grants a license to the LSC so the LSC can enter the Lands to establish, groom, maintain, sign and use the Lands for snowmobiling by legally permitted snowmobiles and their riders.
- The LSC will provide liability insurance of \$15,000,000.00 through an OFSC-held insurance policy (the "OFSC Insurance Policy" or "OFSCIP") for liability arising from the grooming, operation, use and maintenance of the snowmobile trail but only with respect to the negligence of the LSC for those operations usual to a snowmobile trail. The Landowner's signature on this MOU confirms its coverage provided that the Landowner charges no fee to use the Lands.
- The Landowner will be added as an additional insured under the OFSCIP but only with respect to liability arising from the operations of the named LSC. Coverage will be extended to the Lands through an insurance policy held by the OFSC and its member organization snowmobile club. The OFSCIP does not cover the Landowner's willful misconduct and/or negligence.
- The Landowner and LSC have each initialed a sketch or map of the Lands attached as "Schedule 'A'" to this MOU.
- Before or after the winter months when there is no snow cover, the LSC may access the Lands to open, close, upgrade and maintain the snowmobile trail.
- During the winter months the LSC shall maintain that portion of the Lands used as a snowmobile trail in reasonably good condition for snowmobiling and the LSC may also perform other upgrades and/or trail maintenance or other similar works or projects.
- The LSC shall post snowmobiling signage on the snowmobile trail and annually remove litter from the snowmobile trail.
- If valid permitted and exempted snowmobiles and their riders damage property on the Lands used for snowmobiling, the LSC will repair or replace the damaged property.
- The Landowner authorizes the LSC's or OFSC District's representative(s) to be its agent(s) to cooperate with local law enforcement agencies' efforts to supervise and enforce the uses of the Lands permitted by this MOU under the *Trespass to Property Act*, R.S.O., 1990 C. T.21, the *Motorized Snow Vehicles Act*, R.S.O. 1990 c. M.44 and the *Occupiers Liability Act*, R.S.O. 1990 c. O.2, all as amended.
- Either party may terminate this MOU by providing at least 60 days' prior written notice to the other party as listed below.
- Additional Conditions:

LANDOWNER/OCCUPIER

<i>Name</i>	<i>Email</i>
Corporation of the Township of Essa	
<i>Address</i>	<i>Phone</i>
5786 County Road 21, Utopia, Ontario L0M 1T0	705-424-9770

LOCAL SNOWMOBILE CLUB

<i>Name - Club Contact</i> Bonsecour Track & Trail Richard Hildebrandt	<i>Phone</i> 905-715-2581	<i>Email</i> bonsecour1974@gmail.com
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Landowner Signature: _____ **Date:** _____

Club Signature: _____ **Date:** 29-Jan-25

Schedule A Attachments:
<input type="checkbox"/> sketch and/or
<input type="checkbox"/> map

Privacy Policy: Personal information provided on this form will only be used for purposes related to this agreement.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025 - 08

Being a By-law to confirm the proceedings of the Council meeting held on the 5th day of February, 2025.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA
HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 5th day of February, 2025 and, in respect of each recommendation contained in the Regular Council meeting held on the 15th day of January, 2025, and the Minutes of the Committee of the Whole meeting held on the 15th day of January, 2025, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 5th day of February, 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services