

THE CORPORATION OF THE TOWNSHIP OF JOCELYN
Regular Meeting of Council Minutes
Wednesday March 12, 2025
7:00PM

Location: Jocelyn Township Office 3670 5th Side Road, Hilton Beach, ON

Call To Order

25-100

Moved by: Jason Kennedy

Seconded by: Greg Gilbertson

Be it resolved that Council call this Regular Meeting of Council to order at 7:04pm
Cd.

Approval of Agenda

25-101

Moved by: Greg Gilbertson

Seconded by: Jason Kennedy

Be it resolved that we adopt the agenda as presented.
Cd.

Reeve's Address

Copy attached

Delegate Presentation by Brian Dukes, Rate Payer

Copy attached.

Committee Reports / Updates

25-102

Moved by: Jason Kennedy

Seconded by: Greg Gilbertson

Be it resolved that all committee reports are to be submitted to the Clerk in writing (or email) no later than the Wednesday at 5:00pm prior to all regular scheduled Council meetings (first Tuesday of the month)
Cd.

Roads – A reminder that ½ load restrictions take effect tomorrow night at midnight.

Museum – Fundraisers will be approaching, advertisements to follow. A new storage building was received. New gardens will be in the works. A student will also begin in the near future.

Planning – N/A

Landfill – N/A

Tenby Bay Cemetery- N/A

Fire Department -N/A

Building

Clerk's Report- *Copy attached*

Recreation – N/A

Health Care- N/A

Previous Business

Job Descriptions for Clerk, Treasurer and Tax Collection Roles

25- 103

Moved by: Greg Gilbertson

Seconded by: Jason Kennedy

Be it resolved that Council approve the job descriptions as presented for the positions of Clerk, Treasurer, Deputy Clerk/ Deputy Treasurer and Tax Collection Roles- Effective immediately.

Cd.

New Business

Health and Safety

25-104

Moved by: Jason Kennedy

Seconded by: Greg Gilbertson

Be it resolved that Council direct both Clerk D'Angelo and Peter Barnas in partnership, to address the updating of all Health and Safety requirements for the Municipality. Including but not limited to required signage, training, resources etc.

Cd.

It was discussed that the Clerk should consult with the Township lawyer to confirm the wording on the signs.

Tax rate for 8 properties that MPAC has now classified as Aggregate Extraction, Taxable Full.

25-105

Moved by: Jason Kennedy

Seconded by: Albert Crowder

Be it resolved that Council accept the VT rates as the same as IT tax rates as suggested by our IT team.

Cd.

Council Seat Vacancy

25-106

Moved by: Greg Gilbertson

Seconded by: Jason Kennedy

Be it resolved that Council declares a Council seat vacant

Section 260 (1) of the Municipal Act, 2001 provides that member of a municipal Council can resign from office in writing to the Clerk, as long as the resignation doesn't reduce the number of members to less than a quorum (s.260 (2)

Following a resignation filed in compliance with section 260, Council must declare the seat vacant at its next meeting (s.262 (1).

Council may fill the vacancy, either by the appointment of a councillor or a member of the public, or by-election (s.263 (1). Appointments must be made within 60 days of declaring the seat vacant (s.263 (5). Section 263 (4) which deals with the appointment process, is applicable to upper-tier municipalities, but not single tier municipalities such as Jocelyn Township.

Cd.

Road Surface Treatment

25-107

Moved by: Albert Crowder

Seconded by: Jason Kennedy

Be it resolved that Council approve and confirm the surface treatment plan for 2025 of 36 000 sq. meters (approximately 6km).

Cd.

Roads Committee

25-108

Moved by: Jason Kennedy

Seconded by : Albert Crowder

Be it resolved that Council direct Clerk D'Angelo to create a Vy-Law to Authorize the Establishment and Operation of a Committee for the Municipal Upgrade and Maintenance of Township Roads.

Cd.

Municipal Insurance

25-109

Moved by: Greg Gilbertson

Seconded by: Albert Crowder

Be it resolved that Council approve the Municipal Insurance Policy for the term of January 9, 2025 – January 9, 2026 at the annual premium of \$58 815.

The payment must be issued immediately.

Note: This is the same insurance policy approved at a previous meeting, but due to procedural issues during that meeting – this had to be repealed and redone.

Cd.

Retention By-Law

25-110

Moved by: Albert Crowder

Seconded by: Jason Kennedy

Be it resolved that Council approve a Records Retention By-Law 25-1627.

Cd.

Correspondence: Action

Hunters and Anglers Association- Ernie Eddy Memorial Children's Ice Fishing Derby
Attached

The Clerk will look into what was done in previous years.

Correspondence: Information

Addressing Our Struggling Healthcare System – An email submitted by Rebecca Remdeholl to Reeve Murdock.

Attached

Councillor Albert Crowder spoke to the lack of emergency doctors in this area.

Going forward the only correspondence to be shared in Council Meetings will be items for Council and public information that require action or are sharing information, such as concerns, events, requests.

Closed Session

25-111

Moved by; Jason Kennedy

Seconded by: Albert Crowder

Be it resolved that Council proceed to a Closed Session at 8:05pm. In accordance with Section 239 of the Municipal Act, in order to address the matters pertaining to:

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

b) personal matters about an identifiable individual, including municipal or local board employees;

d) labour relations or employee negotiations

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Discussion regarding the current Treasury Department – Staff roles, progress and requirements.

Arising From Closed Session

Moved by: Jason Kennedy

Seconded by: Albert Crowder

25-112

Be it resolved that Council arise from Closed Session at 8:57pm

Business Arising From Closed Session

25-113

Moved by: Jason Kennedy

Seconded by: Albert Crowder

Be it resolved that Council ask Clerk D'Angelo to advertise in all appropriate avenues for the position of Treasurer with the job description and expectations listed. Clerk D'Angelo can reach out to Consultant Heather Coleman for assistance.
Cd.

Confirmation of Proceedings By-Law

25-114

Moved by : Jason Kennedy

Seconded by: Albert Crowder

Resolved that we do pass By-Law 2025-1631 to confirm the proceedings of the meeting of Council held on March 12, 2025.

Cd.

Adjournment

25-115

Moved by: Greg Gilbertson

Seconded by: Jason Kennedy

Resolved that we do agree to adjourn and meet again on April 8, 2025 at 7:00pm or at the call of the Reeve.

Cd.

Reeve's Address - Mar. 12

Welcome

Just a few friendly reminders for everyone in attendance today and at all future meetings.

Please note that all members of the public have the right to attend Council Meetings, however, the right to attend is different than the right to participate in said meeting.

All members of the public are asked to be respectful, and quiet during the meeting. No member shall speak out through speech, noise or disturbance. Any person contravening this rule shall be asked to leave the meeting.

Should a member of the public wish to address Council, they are encouraged to fill out a delegation form to be considered for the next regular Council meeting.

Please note that a delegate -

- shall give a written submission attached to form Schedule A detailing the matters they wish to present to Council to Clerk D'Angelo
- shall submit this request by 3 pm on the Tuesday of the week prior to the Council meeting.
- Shall have up to 10 minutes to make their presentation.
- Shall speak to Council in a respectful manner

Council cannot speak to the issues brought forward by the delegate, this is not a question and answer session, Delegations are designed to allow Council to receive information only.

In addition to this, there will be no addressing or answering of questions, prior to, during or after Council Meetings.

All of the above items are outlined via the Municipal Act and our Municipal By-Laws.

Schedule "A" to By-law No. 2024 – 1574
Corporation of the Township of Jocelyn
DELEGATION REQUEST FORM

Date of Meeting you wish to attend: MAR 12/25

Name of Person(s) wishing to make presentation: _____
BRIAN DUKES

Title/Position, if applicable: _____

Group/Organization Delegation Represents, if applicable:
RATE PAYER

Mailing Address: 1326 ORREN CALLAHAN DR.

Postal Code: P0R 1G0 Contact Telephone Number: 705 542 0129

Action/Decision being Requested: AS STATED IN
ATTACHED DOCUMENT

Additional Comments, if applicable: _____

If you require assistance completing this form, please contact: admin@jocelyn.ca

Note: Pursuant to the Procedural By-Law, delegations may be heard by Council. Matters that, in the opinion of Council, are not within their legislative authority to control, or are repetitive in nature, may be declined. Requests for inclusion must be received in writing, on this form, no later than the Tuesday of the week prior to the date of the Council meeting.

Dear Members of Council,

I am writing to express serious concerns regarding recent decisions and governance practices of the Council. Based on the Ontario Municipal Act, 2001 and other applicable laws and ethical standards, several of Council's actions appear to contravene legal requirements and good governance principles. I urge you to address the following issues immediately:

1. **Improper Procedure in Filling Vacant Reeve and Council Positions:** The haste with which the vacant Reeve position was filled – and the apparent plan to fill a councillor vacancy – raises procedural red flags. Under Section 262(1) of the Municipal Act, when a council seat becomes vacant (e.g. due to a resignation), the council must officially declare the seat vacant at its next meeting. Thereafter, Council has up to 60 days from the declaration to either appoint a replacement or pass a by-law to hold a by-election. These rules exist to ensure transparency and due process. Filling the Reeve's seat on the same night of the resignation (or without proper notice) defies the intent of the Act, which is to allow time for public awareness and input. In fact, making an appointment in a single "special meeting" with no prior public input or open call for candidates is procedurally questionable and denies the community a voice. Council should have considered seeking public input – for example, advertising the vacancy or considering the next-highest election candidates – or at least deliberated in a regular meeting, rather than rushing to a unilateral decision. This "knee-jerk" appointment approach not only appears undemocratic but may have violated Section 262 of the Municipal Act by not waiting until the proper meeting to decide how to fill the role.

2. **Lack of Transparency and Public Participation:** Good governance in Ontario mandates openness. The Municipal Act Section 239(1) stipulates that all council meetings shall be open to the public (with only narrow exceptions for genuinely confidential matters). Major decisions – like altering the composition of Council or creating new senior staff positions – should not be made behind closed doors or without due notice. I am concerned that recent Council actions were taken in special and/or closed sessions with minimal public notice or opportunity for community input. If the February 8th and 19th meetings were convened and then later "repealed" due to process irregularities, it suggests that proper procedure was not followed initially. The Municipal Act Section 270(1) requires municipalities to adopt and maintain a policy ensuring accountability and transparency, including provisions for giving the public notice of important decisions. Ignoring these obligations is a serious matter. Council must improve its transparency by adhering strictly to open-meeting laws and providing clear public notice and engagement opportunities on significant issues. The public has a right to be informed and heard on decisions that affect the community's leadership and direction.

3. **Ethical Concerns: Nepotism and Conflicts of Interest:** The pattern of appointments and hirings by this Council gives rise to allegations of nepotism and insider favoritism. Since the last election, Council has unilaterally replaced multiple councillors and even the Reeve – in each case with individuals seemingly chosen behind closed doors and without meaningful public input. This has created an appearance of "stacking" council with friends or allies, rather than fair, merit-based selections. Nepotism is commonly defined as

favoritism toward relatives or friends in appointments or hiring, without regard to merit, and it has no place in ethical municipal governance. I note the community's perception that these replacements "all...smelled of nepotism". Such practices undermine public trust and may violate the Council's Code of Conduct, which (as required by the Municipal Act) holds members to high standards of impartiality and integrity .

Furthermore, if any Council member participated in appointing or hiring a family member or someone with whom they have a close private relationship, that member may have breached the Municipal Conflict of Interest Act. Under that Act, a council member must not participate in or influence a decision where they have a pecuniary interest. In other words, hiring a relative (or otherwise benefiting them) is illegal unless the member declares a conflict and abstains. Any failure to do so could result in the member being removed from office by a court. Even if no direct relatives are involved, "reciprocal nepotism" (trading favors to benefit each other's associates) is equally unethical. I urge Council to reflect on its ethical obligations – decisions must be made in the public interest, free from personal bias or benefit. Council should also publicly assure residents that it will refrain from nepotism and will handle any future appointments through an open and merit-based process.

4. **Municipal Hiring Practices and CAO Appointment:** Recent discussions about creating and filling a Chief Administrative Officer (CAO) position are also concerning. The Municipal Act Section 229 allows a municipality to appoint a CAO to oversee day-to-day operations, but this should be done with careful consideration, transparency, and adherence to hiring policies. Notably, Section 270(1) of the Act requires every municipality to have a policy on the hiring of employees. If Council has an established hiring by-law or policy, it must follow it – not ignore it. Bypassing a competitive recruitment process to appoint an un-vetted individual (especially if that individual is a recently resigned Reeve or another insider) is a grave breach of good hiring practice and fairness. Such an action might even be viewed as an abuse of power for personal or political gain. The letter from a concerned resident noted that Council had "failed to initiate its own Hiring By-Law" and was contemplating appointing the former Reeve as CAO, which understandably "sends chills" through the community. Indeed, installing the very person who just resigned as head of Council into the top staff job raises conflict of interest and nepotism alarms. It blurs the line between elected officials and staff, and suggests an attempt to retain power through an unelected role. I strongly caution Council against proceeding in that manner. Any creation of a CAO position should be justified by clear need and filled through an open, merit-based hiring process – e.g. public posting of the job, interviews of qualified candidates, and selection on merit. Council's statutory duty is to ensure staffing decisions are made in a way that is ethical, competitive, and transparent, to serve the best interests of the Township.

5. **Financial Accountability and Reporting:** Perhaps most distressing are reports that the Township has not completed its required financial duties. By law, every Ontario municipality must prepare and adopt a budget each year for its operating and capital needs. In addition, the Municipal Act requires that municipalities produce annual audited financial statements and make them available to the public. Failing to do so is not optional – it is a direct breach of statutory obligations. Yet it has come to light that the Township does not have an

approved audited financial statements for 2023 or any financial info for 2024. This situation is utterly unacceptable. It deprives the public (and provincial overseers) of basic transparency about the Township's financial health, and it hampers any effort at responsible planning for services or infrastructure. Moreover, operating without up-to-date budgets and audits can lead to uncontrolled spending or deficits, which violates the Municipal Act's balanced budget requirements and could put the Township in financial jeopardy .

Part of the problem may be the lack of qualified financial staff. It's noted that for some time, the administration was run by inexperienced individuals and volunteers in key roles like Clerk and Treasurer. The Municipal Act Section 286 explicitly requires that Council appoint a Treasurer who is responsible for handling the municipality's finances. If Council has failed to appoint a proper, qualified Treasurer (or allowed that role to remain effectively vacant or filled by an unqualified person), it has violated the law and contributed to the financial "disarray and chaos" reported in the Township. I do acknowledge that a competent Clerk was finally hired and that steps are being taken to get the 2023–2024 finances in order. However, these actions are long overdue. The Council must immediately prioritize financial accountability: adopt a lawful budget, appoint a competent Treasurer (through a fair hiring process), and complete the outstanding financial audits. The community deserves to know the true state of the Township's finances – "the public needs to know where this Township stands financially" – and Council has a duty to provide that information in compliance with the law.

In summary, the Council's recent actions – from how it filled vacancies, to how it attempted to hire a CAO, to its transparency lapses, to its neglect of financial duties – indicate a pattern of governance that is inconsistent with Ontario law and the principles of ethical municipal leadership. These issues are extremely serious. They risk not only the municipality's reputation but also potential legal consequences. As a concerned resident, I implore the Council to rectify these matters immediately:

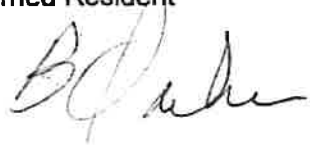
- Revisit any appointments made improperly, and ensure all future council or mayoral appointments follow a transparent, lawful process with public notice/involvement.
- Adhere strictly to open meeting requirements and never "repeal" or conduct meetings in a manner that shuts out the public.
- Recommit to your Code of Conduct and ethical duties – cease any form of nepotism or favoritism, and when in doubt, err on the side of openness and merit.
- Follow your hiring policy (as required by law) for all staff appointments, especially high-level positions, to restore confidence that qualified professionals – not insiders – are running the administration.
- Immediately address the budgeting and auditing backlog, appoint a qualified Treasurer, and comply with all financial reporting laws so that the Township's books are brought up to date and presented openly to the community and province.

Please remember that municipal councils are "creatures of the province" expected to act in a responsible and accountable manner. If this Council cannot or will not uphold the minimum standards set out in legislation and expected by your constituents, further oversight or intervention by provincial authorities could be warranted. I sincerely hope that won't be necessary, and that you will take this letter as an opportunity to correct your course. The citizens of this Township deserve a Council that follows the law, conducts business transparently, and earns the public's trust.

Sincerely,

BrianDukes

Concerned Resident

A handwritten signature in black ink, appearing to read "B. Dukes", written in a cursive style.