

Minister's Appointee to Black River – Matheson Report – May 15, 2024

To: Honourable Paul Calandra, Minister of Municipal Affairs and Housing

From: Kathy Horgan, Minister's Appointee

Date: May 15, 2024

On April 29, 2024 by Minister's order, I was appointed to exercise the duties and obligations of the Township of Black River - Matheson council, including making necessary decisions in relation to the by-election for a new council and making any other decision that would otherwise be made by council, if required, in accordance with the duties and obligations of council as set out in the Municipal Act, 2001, any by-law or policy of the Township or any other applicable legislation.

The order also required that the appointee shall report to the Minister of Municipal Affairs and Housing on the 15th and 30th of each month on the exercise of my duties and obligations under the order. This report will also be posted on the municipality's website.

Meetings

A special meeting was held on May 10, 2024 for the sole purpose of rescheduling the regular meeting normally scheduled for May 14th. The regular meeting was held on May 13, 2024, during which only critical matters were dealt with, including matters related to the 2024 municipal budget, by-election and labour dispute.

By-Election

The by-election is scheduled for August 12, 2024 with nomination day set for June 28, 2024. The municipal clerk is conducting the by-election in accordance with the *Municipal Elections Act, 1996*.

Questions from the public have been raised about the use of alternative voting, particularly internet and telephone voting, for this by-election. The township council passed a by-law authorizing an alternative voting method prior to the 2022 municipal election along with authorizing traditional methods of voting in-person using voting machines, voting recorders and optical scanning vote tabulators. According to subsection 42(2) of the *Municipal Elections Act, 1996*, the by-law authorizing an alternative voting method for the 2022 municipal election applies to this by-election because it was passed more than 60 days before voting day.

The clerk has adopted an [accessibility plan](#) as required by the *Municipal Elections Act, 1996*, which is posted on the municipal website for the public to view.

2024 Budget

At the May 13th council meeting, the Clerk-Treasurer presented a report that provides budget guidelines that will be used to adopt the 2024 operating and capital budgets. By adopting this report, the 2024 budget deliberation process was officially initiated. Deliberations on the operating budget, including items deemed critical to the operation of the municipality, will be brought forward at a future meeting.

Labour Dispute

The township learned on May 10, 2024 that the contract negotiated between the township and the CUPE negotiating committee was rejected by the workers. The committee appointed by the previous council to represent them at the negotiating table continues to seek advice on next steps from its legal counsel and will seek further direction from me as required.

Public Inquiries

As the Minister's Appointee to council, I have received questions about my role in relation to the role of municipal administration. I have consistently advised that I am appointed to make decisions that would otherwise be made by Council as noted in the Minister's Order dated April 29, 2024.

In addition, I have advised that my role is not to function as an officer or employee of the township performing the day-to-day operations of the municipality or any other duty that falls under the purview of municipal staff, including the chief administrative officer. Staff will continue to report to me as they would have to council, and I will have the same oversight as council would have had.

I have referred members of the public to [The Ontario Municipal Councillor's Guide](#) on the [Ministry of Municipal Affairs and Housing](#) website for more information about the difference between council and staff roles.

In addition, some members of the public have shared concerns about various municipal matters, which have been referred to municipal staff to investigate in accordance with the township's complaint policy.

The next report from the Minister's Appointee will be submitted on May 30, 2024.

Respectfully submitted,



Kathy Horgan
Minister's Appointee
Township of Black River – Matheson