

NOTE: CORRESPONDENCE IS ATTACHED TO THESE MINUTES

THE CORPORATION OF THE TOWNSHIP OF HORTON

Special Council Meeting
May 1, 2012

Following the Adjournment of the May 1, 2012 Regular Council Meeting, Council Members started to individually discuss a personal letter they received from Ray Puhalski. When all Members started to discuss the letter, Mayor Eady called the Council Members into a Special Council Meeting. All Members of Council were present. Staff present was Mackie McLaren, CAO/Clerk.

1. CALL TO ORDER

Mayor Eady called this Special Council Meeting to Order at 7:55 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of Council or Staff.

3. CORRESPONDENCE RECEIVED FROM RAY PUHALSKI

Council Members continued their discussion into the claims made in the letter dated April 24, 2012. After review, the following resolution was put forward:

Moved by Glen Campbell,

RESOLUTION NO. 2012-154

Seconded by Bob Kingsbury

That Council Members agree to send the April 24, 2012 Correspondence along with all other correspondence Council Members and Staff received over the last 12 months from Mr. Puhalski to our Solicitor for direction into the allegations made in the letters.

Further, Council requests an opinion from our Solicitor into the question raised on Council's direction made to By-law 2010-08.

Carried.

4. CONFIRMING RESOLUTION

Moved by Glen Campbell

Seconded by Jamey Larone

155

RESOLUTION NO. 2012-

That Council pass this confirming resolution to cover any actions or directions given during the open portion of this Council meeting which are minor in nature and which were not set out in By-law or Resolution.

Carried.

5. CLOSE MEETING

Moved by Glen Campbell

Seconded by Bob Kingsbury

156

RESOLUTION NO. 2012-

That Council close this Special Council Meeting at 8:40 p.m.

Carried.

MAYOR

CAO/Clerk

Ray and Regina Puhalski
27 Ruttan Road
Renfrew, Ontario K7V 3Z8
(613) 433-3461 Ray.Puhalski@gmail.com

APR 24 2012

April 24, 2012

To : Mayor Eady
Councillor Kingsbury
Councillor Larone
Councillor Whyte
Councillor Campbell

On January 31, 2012, I requested and received the Council/Committee Attendance for 2011 which was prepared as per By-Law 2010-08 (Being a By-Law to provide for the remuneration of Members of the Council of the Township of Horton).

Following the guidelines of this By-Law, I attempted to reconcile the remuneration reported by Horton Council. After checking my calculations many times, I was still unable to arrive at the figures reported by Horton Council.

CAO Mackie McLaren sent me a copy of the Special Council Meeting of December 21, 2010 in reply to one of my requests (these minutes are not on Horton Website). After reviewing the minutes of this Special Council Meeting, it is my opinion that had Council Members not been so preoccupied with their remuneration for meetings, they would have realized that By-Law 2010-08 existed.

Mayor Eady and Councillor Kingsbury were certainly aware of the By-Law as they had voted to approve this By-Law just three months earlier, and now expressed opposition to the method of calculating remuneration for meetings. Why did they not express their concerns prior to passing this By-Law on September 7, 2010 ?

The decisions arrived at during this Special Council Meeting were fine for the remainder of 2010; however, if you examine By-Law 2010-08, you will see that it came into effect on January 1, 2011; therefore, superceding, on January 1, 2011, any decisions made during the Special Council Meeting of December 21, 2010.

The correct procedure for Council would have been to amend By-Law 2010-08, and then, **and only then**, provide direction for Township Staff to calculate the remuneration for meetings in accordance with the amended By-Law. This was not done, and therefore, Council has been in violation of By-Law 2010-08 since January 1, 2011. Will Horton Township staff make the necessary adjustments for 2011, to conform to this By-Law ?

This action by Council begs that our fellow residents of Horton Township be made aware that if one does not like the contents of a particular By-Law, one only has to have a discussion, decide what one thinks is best, and then do what one decides upon, without any consideration given to working towards changing the By-Law in question and then adhering to the amended By-Law.

Horton Council has, after all, set the example that we should follow.

Page two of Puhalski letter to Horton Council dated April 24, 2012.

Item 7 of By-Law 2010-08 reads as follows :

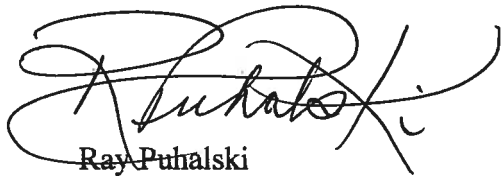
“That Horton Township at the completion of each operating year produce an annual report in January setting out the number and length of Council and Committee meetings listing each of the Councillors in attendance. This report shall be produced with the annual Remuneration Statement. These two reports will be posted on the Township Website.”

I have not been able to find these two reports on the Township Website even though these reports should have been finalized in January as per the By-Law.

In the past sixteen months, this is the third instance where I have discovered that Council Members have not conformed to the Laws of Horton Township.

Do Members of Council feel that they do not have to conform to our By-Laws ?

Surely our fellow residents of Horton Township need to be made aware of the example that Members of Council are setting.

A handwritten signature in black ink, appearing to read 'Ray Puhalski', with a large, stylized flourish extending from the end of the signature.

Ray Puhalski