

THE CORPORATION OF THE TOWNSHIP OF TAY
REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 12TH, 2008
7:00 P.M.

PRESENT: Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor Axel Frandsen
Councillor James Pearsall
Councillor Rick Black
Councillor Bill Rawson

STAFF PRESENT: Simone Latham, C.A.O.
Alison Thomas, Clerk
Mara Burton, Director of Planning & Development
Joanne Sanders, Director of Finance

REGRETS: Councillor Nelson Baumgardner
Brian Thomas, Fire Chief

1. CALL TO ORDER:

Mayor Warnock called the meeting to order at 7:00 p.m.

2. MOMENT OF SILENT REFLECTION:

Mayor Warnock called for a moment of silence.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

4. CORRESPONDENCE:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

**THAT THE CORRESPONDENCE BE DIRECTED TO FILE WITH
THE EXCEPTION OF THOSE ITEMS BEING REFERRED TO
COMMITTEE CHAIRPERSONS.**

CARRIED.

5. DELEGATIONS:

None were presented.

6. MUNICIPAL REPORT NO. 2008-10-01:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

**THAT MUNICIPAL REPORT NO. 2008-11-01 BE AND IS HEREBY
ADOPTED AS FOLLOWS:**

Cont'd.....

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| 1. CARRIED | 5. CARRIED | 9. CARRIED |
| 2. CARRIED | 6. CARRIED | 10. CARRIED |
| 3. CARRIED | 7. CARRIED | 11. CARRIED |
| 4. CARRIED | 8. CARRIED | 12. CARRIED |

CARRIED.

7. OTHER BUSINESS:

7.1 Verbal – Mayor Warnock – Re: Review of Personnel – Conference Policy:

Council considered a verbal report from Mayor Warnock regarding a request to review the Township’s Personnel – Conference Policy.

Mayor Warnock spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT WHEREAS COUNCIL IS EXPECTED TO ATTEND VARIOUS CONFERENCES/CONVENTIONS AS PART OF THEIR OFFICE; AND

WHEREAS THE TOWNSHIP OF TAY HAS A ‘PERSONNEL – CONFERENCE’ POLICY DETAILING WHAT EXPENSES ARE COVERED AS PART OF ATTENDING THESE CONFERENCES;

WHEREAS SECTION 5.4 OF THE ‘PERSONNEL – CONFERENCE’ POLICY STATES THAT ‘A PER DIEM OF \$25.00 PER DAY SHALL BE PAID WHEN A MEMBER OF COUNCIL IS ATTENDING A CONFERENCE/CONVENTION WHERE OVERNIGHT ACCOMMODATION IS REQUIRED;

NOW THEREFORE BE IT RESOLVED THAT STAFF BE REQUESTED TO REVIEW THE ‘PERSONNEL – CONFERENCE’ POLICY.

CARRIED.

7.2 Report – Dir. Of Planning & Development – Re: Application No. 2008ZB07(1617036 Ontario Inc.) – Conc. 6 Pt. 13 Riverdale Subdivision

Council reviewed a report from the Director of Planning & Development under date of October 27, 2008 with respect to an application to amend Zoning By-law 2000-57 on behalf of 1617036 Ontario Limited – Part Lot 13, Concession 6 – Riverdale Subdivision.

The Director of Planning & Development spoke to the matter and responded to questions brought forth.

Cont’d.....

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANDBEN

THAT APPLICATION NO. 2008ZBA07 FOR PART OF LOT 13, CONCESSION 6, AND BEING THE RIVERDALE SUBDIVISION BE APPROVED.

CARRIED.

7.3 Verbal – Clerk – Re: Resolution of Support for Georgian Bay Destination Development

Council reviewed a verbal report regarding a resolution of support for Georgian Bay Destination Development originating from their October 2008 delegation.

The Clerk spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT WHEREAS GEORGIAN BAY, OFTEN CALLED "THE SIXTH GREAT LAKE," IS AN OUTSTANDING NATURAL TREASURE THAT LIES WHOLLY WITHIN THE PROVINCE OF ONTARIO;

AND, WHEREAS THE GEORGIAN BAY REGION CONTAINS A WEALTH OF TOURISM ASSETS INCLUDING FASCINATING VILLAGES, TOWNS AND CITIES, HERITAGE ATTRACTIONS, ABORIGINAL CULTURAL EXPERIENCES, UNSURPASSED SCENERY, AND HISTORICALLY SIGNIFICANT PLACES;

AND, WHEREAS THE 740 KM LOOP AROUND GEORGIAN BAY HAS THE POTENTIAL TO BECOME AN INTERNATIONALLY RECOGNIZED TOURISM ICON DESTINATION FOR ONTARIO;

AND WHEREAS THE GEORGIAN BAY COASTAL ROUTE INITIATIVE BRINGS TOGETHER TOURISM MARKETING ORGANIZATIONS AND INDUSTRY STAKEHOLDERS FROM AROUND GEORGIAN BAY, INCLUDING THE TOWNS OF PENETANGUISHENE AND MIDLAND AND THE TOWNSHIPS OF TAY AND TINY, TO COOPERATIVELY FOSTER THE DEVELOPMENT OF THIS TOURISM ICON DESTINATION;

THEREFORE BE IT RESOLVED THE COUNCIL OF THE MUNICIPALITY OF TAY SUPPORTS THE EFFORTS OF THE GEORGIAN BAY COASTAL ROUTE ORGANIZATION TO DEVELOP AND PROMOTE GEORGIAN BAY AS AN ICON DESTINATION;

COUNCIL DIRECTS STAFF TO COOPERATE WITH AND ASSIST WITH THE ORGANIZATION, SOUTHERN GEORGIAN BAY CHAMBER OF COMMERCE;

Cont'd...

FINALLY, THAT COUNCIL CALLS UPON THE PROVINCIAL AND FEDERAL GOVERNMENTS TO PROVIDE FINANCIAL ASSISTANCE TO ENSURE THE CONTINUED DEVELOPMENT OF THIS DESTINATION.

CARRIED.

7.4 Report – Fire Chief - Re: 210 Palmer Street:

Council reviewed a report from the Fire Chief under date of October 21st, 2008 with respect to 210 Palmer Street.

The C.A.O. spoke to the report and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT REQUEST FOR THE WRITE-OFF FOR THE FINE BE DENIED.

CARRIED.

7.5 Report – Dir. Of Planning & Development – Re: Proposed Land Sale – Former Dump Site – Newton St. & Highway 12:

Council reviewed a report from the Dir. Of Planning & Development under date of November 5, 2008 with respect to the proposed land sale – former dump site at Newton Street and Highway 12.

The Director of Planning & Development spoke to the report and responded to questions brought forth.

7.6 Report – Clerk – Re: Closed Meeting Investigator:

Council received a report from the Clerk under date of November 12, 2008 in regard to the continued appointment of a closed meeting investigator.

The Clerk spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR BILL RAWSON

THAT THE TOWNSHIP OF TAY CONTINUE TO RETAIN THE CLOSED MEETING INVESTIGATOR SERVICES OF JGM CONSULTING FOR 2009 UNDER THE SAME TERMS AND CONDITIONS AS ESTABLISHED IN 2008.

CARRIED.

7.7 Report – Clerk – Delegation of Duties – Authority to Temporarily Close Municipal Roads and Highways for Events, Parades and Celebrations

Council received a report from the Clerk under date of November 12, 2008 respect to the delegation of authority to close municipal roads and highways for events, parades and celebrations.

The Clerk spoke to the matter and responded to questions brought forth.

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR JIM PEARSALL**

THAT THE COUNCIL OF TOWNSHIP OF TAY DEEMS IT DESIRABLE TO DELEGATE AUTHORITY TO TEMPORARY CLOSE ROADS TO THE DIRECTOR OF PUBLIC WORKS OR THEIR DESIGNATE FOR THE PURPOSES OF COUNCIL-SANCTIONED CEREMONIAL EVENTS, PARADES AND COMMUNITY CELEBRATIONS.

FURTHER THAT BY-LAW NO. 2008-68 BE CONSIDERED FOR ADOPTION.

CARRIED.

7.8 Verbal – C.A.O – Re: Victoria Harbour Wastewater Treatment Plant – Public Information Center Number 1

Council received a verbal report from the C.A.O. with regards to the upcoming Victoria Harbour Wastewater Treatment Plant – Public Information Center.

The C.A.O. spoke to the matter and advised that the Public Information Center is being held at the Township Municipal Office in Council Chambers on Monday, November 24, 2008.

7.9 Report – Dir. Of Planning & Development – Application for Condominium Development Agreement – Skyline Phase 1A

Council received a report from the Director of Planning & Development under date of November 5, 2008 in regard to a Condominium Development Agreement for Skyline Phase 1A.

The Director of Planning & Development spoke to the matter and responded to questions brought forth.

**MOVED BY: COUNCILLOR RICK BLACK
SECONDED BY: COUNCILLOR AXEL FRANDBSEN**

THAT THE TOWNSHIP ENTER INTO THE CONDOMINIUM DEVELOPMENT AGREEMENT WITH SKYLINE (PORT MCNICOLL) DEVELOPMENT INC. FOR PHASE 1A OF THE SKYLINE DEVELOPMENT.

CARRIED.

7.10 Report – C.A.O. – Re: Build Canada Fund – Communities Component Agreement

Council received a report from the C.A.O. under date of November 6, 2008 in regard to the Build Canada Fund – Communities Component.

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MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: COUNCILLOR RICK BLACK

THAT WHEREAS THE PROVINCE OF ONTARIO HAS INITIATED A GRANT APPLICATION PROCESS FOR THE BUILD CANADA FUND, COMMUNITIES COMPONENT;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENDORSES THE RETROFIT OF THE WAUBAUSHENE BRIDGE UNDER INTAKE 1 OF THE BUILD CANADA FUND, COMMUNITIES COMPONENT.

CARRIED.

7.11 Verbal – Dir. Of Finance – Budget Schedule

Council received a verbal report from the Director of Finance regarding the changes in the budget schedule.

Following discussions Council agreed to hold the Operating Budget meeting on Tuesday, November 25, 2008 at 7:00 p.m. dependent on the budget being delivered no later than Friday, November 21, 2008.

7.12 Letter from Heritage Committee – Re: Request for Meeting

Council received a letter from the Heritage Committee requesting a meeting to discuss the mandate of the Committee and the decision by Council to pass a motion which differs from the recommendations of the Committee.

Council received comments from the Committee and discussed the matters of concern.

7.13 Verbal - Dir. Of Planning & Development – Re: Heritage Application – Doors for 154 William Street:

Council received a verbal report from the Director of Planning and Development in regards the heritage application respecting the doors for 154 William Street.

The Director of Planning and Development spoke to the matter and responded to questions brought forth.

DEFERRED PENDING A SITE VISIT BY AND REPORT BACK FROM THE HERITAGE COMMITTEE REGARDING THE DOORS.

7.14 Verbal – Dir. Of Planning and Development – Re: C.I.P. Application for 154 William Street:

Council received a verbal report from the Director of Planning and Development in regards to the C.I.P. Application for 154 William Street.

The Director of Planning and Development spoke to the matter and responded to questions brought forth.

DEFERRED PENDING RECEIPT OF FURTHER COST ESTIMATES BEING PROVIDED BY THE PROPERTY OWNER AND REPORT BACK FROM STAFF.

7.15 Verbal – C.A.O. – Re: Council Workshop – Development Charge Review:

Council received a verbal report from the C.A.O. in regard to the scheduling of a Council workshop on the Development Charge Review.

The C.A.O. spoke to the matter and advised that the Workshop would be held on Wednesday, December 10, 2008 at 4:00 p.m.

7.16 Verbal – C.A.O. – Re: Claim for Accident on Trail:

Council received a report from the C.A.O. regarding a claim for an accident on the Tay Shore Trail.

The C.A.O. spoke to the matter and responded to questions brought forth.

8. BY-LAWS:

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

THAT LEAVE BE GRANTED TO INTRODUCE BY-LAWS 2008-63, 2008-67 AND 2008-68.

CARRIED.

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

THAT BY-LAWS 2008-63, 2008-67 AND 2008-68 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.

CARRIED.

9. NOTICES OF MOTION:

None were presented.

10. IN CAMERA SESSION:

MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

**THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;
AND FURTHER THAT THIS PORTION OF THE MEETING BE
CLOSED TO THE PUBLIC PURSUANT TO THE FOLLOWING
SECTION(S) - AS MARKED, OF SECTION 239, SUBSECTION (2)
OF THE MUNICIPAL ACT, 2001;**

- **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (DIR. OF PUBLIC WORKS POSITION);**
- **LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (UPDATE ON POTENTIAL LAWSUIT)**

CARRIED.

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR JIM PEARSALL
THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT
8:56 P.M. AND RETURN TO THE REGULAR MEETING.
CARRIED.**

**MOVED BY: COUNCILLOR JIM PEARSALL
SECONDED BY: COUNCILLOR BILL RAWSON
THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE
ADOPTED AS READ.
CARRIED.**

11. ADJOURNMENT:

**MOVED BY: COUNCILLOR AXEL FRANSEN
SECONDED BY: COUNCILLOR RICK BLACK
THAT THIS REGULAR MEETING OF COUNCIL ADJOURN AT
8:57 P.M. AND TO RECONVENE ON DECEMBER 10, 2008 AT 7:00
P.M.
CARRIED.**

MAYOR

CLERK