

**THE CORPORATION OF THE TOWNSHIP OF TAY
COMMITTEE OF ALL COUNCIL MEETING
WEDNESDAY, MARCH 18TH, 2009
1:00 P.M.**

PRESENT: Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor Nelson Baumgardner
Councillor James Pearsall
Councillor Rick Black
Councillor Axel Frandsen

STAFF PRESENT: Simone Latham, C.A.O./Deputy Clerk
Alison Thomas, Clerk
Nick Colucci, Director of Public Works
Brian Thomas, Fire Chief
Joanne Sanders, Director of Finance (Section C)
Mara Burton, Dir. of Planning & Development (Section D)
Holly Bryce, Recreation Coordinator (Section C)
Terry Tompkins, Chief Building Official (Section D)

REGRETS: Councillor Bill Rawson

1. CALL TO ORDER:

Mayor Warnock called the meeting to order at 1:00 p.m.

(The order of items dealt with during the meeting may differ from the order presented in these Minutes.)

2. DECLARATIONS OF INTEREST:

None were presented.

3. DELEGATIONS:

1:00 p.m. – Ms. Amy Hutchinson – 214 Pine St. – Re: Canine Control Matter (3 Dogs)

Delegation did not attend.

5:30 p.m. – Ms. Victoria Murphy - 558 Camilla St. – Re: Flooding Damage.

Ms. Victoria Murphy appeared before Committee regarding flooding damage at 558 Camilla Street. She provided an overview of the flooding and noted that, in her opinion, the lack of ditch clearing has caused the flooding. In addition, Ms. Murphy noted that following her report of the flooding that Public Works responded and did clear out the ditch. As directed by staff, she has obtained three quotes from area suppliers for Council's consideration.

In conclusion, Ms. Murphy requested that Council cover the costs to have the basement damages repaired.

Following discussion, staff was directed to contact the Township's insurance provider to provide an assessment/appraisal of the matter and report back.

4:00 p.m. – Mr. John Sharpe – Re: Request for Chip Wagon Approval

Request for delegation withdrawn.

4:15 p.m. – Mrs. Erika Weitzenbauer & Mr. Henry Frietag – Re: 83 Anderson Crescent – Building Dept./Basement Floor Workmanship

Mr. Frietag appeared on behalf of Mrs. Erika Weitzenbauer regarding the basement floor workmanship for the home at 83 Anderson Crescent. He provided an overview of the history of this matter and related correspondence.

Mr. Frietag requested clarification regarding the sections of the Building Code that address basement area inspections and the requirement to do so. In conclusion, he requested that Council direct staff to review the matter and respond to the homeowners.

Staff reviewed the history of the construction/building permits for the home and advised the homeowners to follow up with their contractor regarding the workmanship problems.

4. COMMITTEE BUSINESS:

A: PROTECTION TO PERSONS & PROPERTY COMMITTEE – CHAIRED BY CHAIR COUNCILLOR JIM PEARSALL:

A.1 The Protection to Persons & Property Committee was called to order by the Chair at 1:01 p.m.

A.2.1 We received for information the Southern Georgian Bay O.P.P. monthly statistics report for the month of February 2009.

A.2.2 We received for information the Southern Georgian Bay O.P.P., Re: 2008 Annual Report.

A.2.3 We received for information the monthly's Fire Chief's report under date of March 11, 2009 for the month of February, 2009.

A.2.4 We received for information a report from the Fire Chief under date of March 3, 2009 regarding EOC Upgrade Expenditures.

Staff was directed to ensure any future EOC Group recommendations are brought forward to the Committee as well as any changes in approved expenditures.

- A.3.1 Councillor Pearsall outlined the upcoming Municipal Politicians Seminar being held as part of the Ontario Fire Chief's Conference. Councillor Pearsall requested Council permission to attend the 2-day politicians' session.

After discussion and consideration the following motion was moved by Councillor Frandsen and seconded by Councillor Baumgardner recommending the following to Council for consideration:

THAT THE CHAIR OF THE PROTECTION TO PERSONS AND PROPERTY COMMITTEE BE GIVEN PERMISSION TO ATTEND THE MUNICIPAL POLITICIANS SEMINAR AT THE UPCOMING ONTARIO FIRE CHIEF'S CONFERENCE.

CARRIED.

- A.4.1 We received for information the Deputy Fire Chief/Fire Prevention Officer's monthly activity report for February 2009.
- A.4.2 We received for information the Care Animal & Pest Control monthly activity report for February 2009.
- A.4.3 We received for information correspondence from Emergency Management Ontario, Re: Completion of Mandatory Emergency Management Activities for 2008.

B: PUBLIC WORKS COMMITTEE - CHAIRED BY VICE-CHAIR COUNCILLOR RICK BLACK:

- B.1 The Public Works Committee was called to order by the Chair at 1:42 p.m.
- B.2.1 We received a report from the Environmental Superintendent under date of March 18, 2009 regarding the 2008 Summary Reports for Township Water Systems.

After discussion and consideration the following motion was moved by Councillor Baumgardner and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE 2008 SUMMARY AND ANNUAL REPORTS FOR THE TOWNSHIP OF TAY WATER SYSTEMS AS LISTED BE RECEIVED:

- **VICTORIA HARBOUR/PORT MCNICOLL/WAUBAUSHENE WATER SYSTEM**
- **ROPE SUBDIVISION WATER SYSTEM.**

CARRIED.

- B.2.2 We received a report from the Environmental Superintendent under date of March, 2009 regarding the 2009 Toilet Replacement Reimbursement Program.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT THE 2009 TOILET REPLACEMENT REIMBURSEMENT PROGRAM BE APPROVED AND ALLOWED TO PROCEED AS DESCRIBED HEREIN.

CARRIED.

- B.2.3 We received a report from the Director of Public Works and Clerk under date of March 18, 2009 regarding a Watermain Easement – 191 Limestone Road.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT STAFF BE DIRECTED TO CONDUCT THE NECESSARY WORK, AT THE TOWNSHIP'S EXPENSE, TO DETERMINE THE LOCATION OF THE PIPELINE; AND

THAT THE HOMEOWNERS PAY ANY LEGAL OR SURVEY COSTS INCURRED BY THE MUNICIPALITY; AND

THAT IF THE PIPELINE IS FOUND TO BE UNDER THE GARAGE, THAT STAFF REPORT BACK REGARDING THE ANTICIPATED COSTS.

OR

THAT IF THE PIPELINE IS FOUND TO BE UNDER THE PROPERTY LINE, THAT THE EASEMENT BE REDUCED AROUND THE GARAGE AS NECESSARY AND THAT THE REMAINDER OF THE EASEMENT REMAIN AS IS.

CARRIED.

- B.3.1 We reviewed a letter from Cowan Insurance Company under date of February 11, 2009 regarding G. H. Stewart Construction Inc. and a Saturday, November 29, 2009 Incident.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT COUNCIL HAVING REVIEWED THE INFORMATION PROVIDED DENY THE CLAIM BY G.H. STEWART CONSTRUCTION INC.

CARRIED.

- B.4 No Items for Information were presented.

C: GENERAL GOVERNMENT/FINANCE – CHAIRED BY CHAIR COUNCILLOR FRANSEN:

C.1 The General Government & Finance Committee was called to order by the Chair at 2:40 p.m.

C.2.1 We reviewed for information a report from the Recreation Coordinator under date of March 18, 2009 regarding a recreation update for the month of February 2009.

In addition, Mayor Warnock and the Recreation Coordinator reported on the recent Junior Civitan's event and certificate received.

C.2.2 We reviewed a report from the Clerk under date of March 18, 2009 regarding the Land Sale of 172 & 180 Forest Harbour Parkway.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT THE PROPERTIES KNOWN AS 172 & 180 FOREST HARBOUR PARKWAY BE RE-LISTED AT THIS TIME AT A REDUCED PRICE OF \$95,000.00 EACH.

DEFEATED.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT THE PROPERTIES KNOWN AS 172 & 180 FOREST HARBOUR PARKWAY BE RE-LISTED AT THIS TIME AT A PRICE OF \$112,500.00 EACH.

CARRIED.

C.2.3 We reviewed a report from the Director of Finance under date of March 10, 2009 regarding the 2008 Financial Summary.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Black recommending the following to Council for consideration:

THAT WHEREAS COMPUTER EQUIPMENT PURCHASED IN 2008 WAS PREDOMINANTLY FOR THE IMPLEMENTATION OF E-AGENDA WHICH WAS NOT PROVIDED FOR PREVIOUSLY IN THE EQUIPMENT RESERVE;

NOW THEREFORE BE IT RESOLVED THAT THE 2008 CAPITAL COST OF COMPUTER EQUIPMENT IN THE AMOUNT OF \$23,355.13 BE FUNDED FROM GENERAL TAXATION.

CARRIED.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Baumgardner recommending the following to Council for consideration:

THAT WHEREAS THE RENOVATION COST OF THE MUNICIPAL BUILDING AND LIBRARY FACILITIES ON ALBERT STREET EXCEEDED THE BUDGET;

AND WHEREAS THE PROJECT INCLUDED RENOVATIONS TO BOTH THE LIBRARY FACILITIES AND THE MUNICIPAL BUILDING;

AND WHEREAS THE EXPANSION OF THE LIBRARY FACILITIES ALLOWS FUNDS TO BE WITHDRAWN FROM THE DEVELOPMENT CHARGES RESERVE;

NOW THEREFORE BE IT RESOLVED THAT THE SHORTFALL IN FUNDING FOR THE RENOVATION OF THE MUNICIPAL BUILDING AND LIBRARY FACILITIES BE FUNDED AS FOLLOWS: \$8,911.00 WITHDRAWN FROM THE LIBRARY DCA FUND, \$10,256.00 FROM THE 2008 LIBRARY OPERATING SURPLUS AND 37,916.00 FROM GENERAL TAXATION.

CARRIED.

After discussion and consideration the following motion was moved by Mayor Warnock and seconded by Councillor Pearsall recommending the following to Council for consideration:

THAT WHEREAS COUNCIL APPROVED THE PURCHASE OF A VACUUM TRUCK IN 2008 FOR A COST OF \$50,000.00 AND;

THAT WHEREAS 2008 EQUIPMENT PURCHASED FROM THE EQUIPMENT RESERVE WAS \$9774.00 UNDER BUDGET;

NOW THEREFORE BE IT RESOLVED THAT THE COST OF THE VACUUM TRUCK BE FUNDED \$9,774.00 FROM EQUIPMENT RESERVE AND \$41,226.00 FROM GENERAL TAXATION.

CARRIED.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Baumgardner recommending the following to Council for consideration:

THAT WHEREAS COUNCIL APPROVED THE PURCHASE OF A PARKS TRACTOR MOWER WAS PURCHASED IN 2008 AT A COST OF \$19,115.99;

NOW THEREFORE BE IT RESOLVED THAT THE COST OF THE 2008 PARKS TRACTOR MOWER BE FUNDED FROM GENERAL TAXATION.

CARRIED.

After discussion and consideration the following motion was moved by Councillor Pearsall and seconded by Deputy Mayor Ladouceur recommending the following to Council for consideration:

THAT WHEREAS THE CAPITAL BUDGET FOR BRIDGEWORK WAS NOT SPENT IN 2008;

NOW THEREFORE BE IT RESOLVED THAT AN AMOUNT OF \$82,000.00 BE TRANSFERRED TO THE RESERVE FOR ROADS INFRASTRUCTURE.

CARRIED.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Black recommending the following to Council for consideration:

THAT WHEREAS THE 2008 EXPENSES FOR THE BUILDING EXPANSION HAVE BEEN FUNDED BY A PORTION OF THE SURPLUS GRANT ISSUED BY THE PROVINCE;

AND WHEREAS THE 2007 OPERATING SURPLUS OF \$550,604.00 SET ASIDE FOR THE BUILDING EXPANSION HAS NOT BEEN SPENT;

AND WHEREAS THE 2008 TRANSFER TO CAPITAL FOR THE OFFICE EXPANSION OF \$100,000.00 HAS NOT BEEN SPENT;

AND WHEREAS CAPITAL FURNITURE PURCHASES HAVE BEEN DEFERRED TO 2009;

AND WHEREAS CAPITAL IMPROVEMENTS TO THE PHONE SYSTEM HAVE NOT BEEN SPENT AND A REQUEST HAS BEEN MADE TO USE THESE FUNDS FOR ADDITIONAL COSTS FOR FIBRE CABLE INSTALLATION TO THE EOC CENTER;

AND WHEREAS ROADS CAPITAL FOR THE RESURFACING OF ELLEN ST AND WALDIE AVENUE ALONG WITH DRAINAGE HAS BEEN DEFERRED TO 2009;

AND WHEREAS COMMUNITY IMPROVEMENT APPLICATIONS HAVE BEEN RECEIVED BUT NOT COMPLETED;

NOW THEREFORE BE IT RESOLVED THAT 2008 MUNICIPAL SURPLUS BE INCLUDED IN THE 2009 FINAL BUDGET DISCUSSIONS, WITH \$653,604.00 BEING SET ASIDE FOR ADMINISTRATION CAPITAL, \$6,000.00 BEING SET ASIDE FOR THE PROTECTION TO PERSONS AND PROPERTY CAPITAL, \$335,000.00 BEING SET ASIDE FOR ROADS CAPITAL, \$37,381.00 BEING SET ASIDE FOR THE COMMUNITY IMPROVEMENT PROJECT AND THE BALANCE TO BE DECIDED AT THAT TIME.

CARRIED.

C.2.4 We reviewed a report from the Chief Administrative Officer under date of March 5, 2009 regarding Personnel Policy Changes.

After discussion and consideration the following motion was moved by Deputy Mayor Ladouceur and seconded by Councillor Black recommending the following to Council for consideration:

THAT THE FOLLOWING REVISED PERSONNEL POLICIES BE ADOPTED:

- **HIERARCHY**
- **FULL TIME**
- **EMPLOYEE DEFINITION**
- **BENEFITS**
- **DISABILITY – BENEFIT PACKAGE**
- **HOURS OF WORK/OVERTIME**
- **VACATION**
- **CONFERENCE - STAFF**

CARRIED.

C.2.5 We reviewed correspondence from Huronia Hospitals Foundation under date of February 23, 2009 regarding Draft Terms of Reference for Working Group and Request for Municipal Representatives.

After discussion and consideration the following motion was moved by Councillor Black and seconded by Mayor Warnock recommending the following to Council for consideration:

THAT COUNCIL CONFIRMS THAT THEY WILL NOT PARTICIPATE IN THE PROPOSED WORKING GROUP AS REQUESTED BY THE HURONIA HOSPITAL FOUNDATION; FURTHER THAT COUNCIL REAFFIRMS THAT THEY WILL NOT FUND OR PARTICIPATE IN THE PHYSICIAN RECRUITMENT CAMPAIGN.

CARRIED.

C.3 No Other Business Items were presented.

C.4.1 We received for information the Summary of Remuneration and Expenses for Council, Committee and Library Board for 2008.

C.4.2 We received for information correspondence from the Township of Springwater regarding the Mayor's Annual Log-Sawing Contest – The Elmvale Maple Syrup Festival.

It was requested that a letter be sent to the organizers noting that Mayor Warnock, Deputy Mayor Ladouceur and Councillor Pearsall will be in attendance.

C.4.3 We received for information correspondence from the County of Simcoe Museum regarding the Hockey Hall of Fame Traveling Exhibit.

C.4.4 We received for information correspondence the Ontario Good Roads Association regarding Ontario's Cosmetic Pesticide Ban Will Take Effect This Spring.

D: PLANNING & DEVELOPMENT COMMITTEE – CHAIRED BY DEPUTY MAYOR LADOUCEUR:

D.1 The Planning & Development Committee was called to order by the Chair at 4:15 p.m.

D.2.1 We received for information a report from the Director of Planning and Development under date of March 10, 2009, regarding Application No. 2009SPA01 – Anne-Marie Martin – 188 Woodlands Avenue.

D.2.2 We received a report from the Director of Planning and Development under date of March 10, 2009 respecting a Proposed Interim Control By-law – Outdoor Wood Boilers.

After discussion and consideration the following motion was moved Councillor Frandsen by and seconded by Mayor Warnock recommending the following to Council for consideration:

THAT PLANNING AND DEVELOPMENT COMMITTEE RECOMMENDS TO THE COUNCIL THEY PASS INTERIM CONTROL BY-LAW 2009-24 BEING AN INTERIM CONTROL BY-LAW TO PROHIBIT OUTDOOR SOLID-FUEL-COMBUSTION APPLIANCES.

DEFEATED.

Staff was requested to review the matter and report back in due course.

D.2.3 We received for information a memorandum from the Director of Planning and Development under date of March 11, 2009 respecting a Tourism Readiness Workshop.

D.2.4 We reviewed for information the monthly Municipal By-law Enforcement Services report under date of March 2, 2009 for the month of February 2009.

D.2.5 We reviewed for information the monthly Building Services report under date of March 2, 2009 for the month of February 2009.

D.3 No Other Business Items were presented.

D.4 No Items for Information were presented.

5. IN CAMERA SESSION:

Following the regular Committee of All Council business we adjourned to an "In Camera" Session and the following motion was passed.

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

**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.**

CARRIED.

- 5.1 We received a verbal report from the Fire Chief with respect to personnel matters about an identifiable individual, including municipal or local board employees.

After discussion, Council provided and directed that the amended policy be brought forward to the next Council meeting for adoption.

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

**THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION
AT 4:50 P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

6. ADJOURNMENT:

Moved by Councillor Pearsall and seconded by Councillor Frandsen.

**THAT THIS COMMITTEE OF ALL COUNCIL MEETING
ADJOURN AT 5:49 P.M. AND RECONVENE APRIL 15, 2008.**

CARRIED.

Minutes Recorder: Alison Thomas, Clerk