

**THE CORPORATION OF THE TOWNSHIP OF TAY
COMMITTEE OF ALL COUNCIL MEETING
WEDNESDAY, SEPTEMBER 16TH, 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
Councillor Bill Rawson

STAFF PRESENT:

Simone Latham, C.A.O./Deputy Clerk
Alison Thomas, Clerk
Nick Colucci, Director of Public Works
Brian Thomas, Fire Chief
Gerard Lachapelle, Works Superintendent (Section B)
Holly Bryce, Recreation Coordinator (Sections C)
Mara Burton, Dir. of Planning & Development (Section D)

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. - Mr. Fred Parker - Re: Canine Control Matter (3 Dog Request)

Mr. Parker did not attend.

3:30 p.m. - Ms. Kim Charlebois - Re: Canine Control Matter (4 Dog Request)

Ms. Charlebois did not attend.

3:00 p.m. – Mr. Archie McLeod – Re: Albin Rd. Road Allowance

Mrs. Jean Prophet appeared before Committee on behalf of Mr. Archie McLeod regarding the state of the Albin Rd. Road Allowance and water access. Mrs. Prophet provided an overview of the past history of the water access along Albin Rd. indicating that through prior correspondence dating to 1993 that, in their opinion, permission was given for the maintenance of the Albin Rd. Road Allowance. In addition, she noted that per their records the cement dock/pier was installed by the Township many years ago. Since 1993, the ownership evolved and the property was not maintained. She noted that recently the owner's son has taken it upon himself to clean up the property to its previously maintained state (i.e. mowing of grass, new cement cover on dock).

In addition, she commented that they are asking to be given permission to maintain the existing access along the lake as their family has done so for six generations.

Committee advised that they will review the matter further and advise those involved of their decision in due course.

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 1:02 p.m.

A.2.1 We received for information the Southern Georgian Bay O.P.P. monthly Corporate & Emergency Services Report for the month of August 2009.

A.2.2 We received for information the monthly Fire Chief's report under date of September 2, 2009 for the month of August, 2009.

A.2.3 We received a report from the Fire Chief under date of September 9, 2009 regarding a Fire Master Plan.

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

THAT WHEREAS THE COUNCIL OF THE TOWNSHIP OF TAY HAS IDENTIFIED THAT THERE IS A NEED FOR A MASTER FIRE PLAN FOR THE TOWNSHIP; AND

WHEREAS THE ONTARIO FIRE MARSHAL'S OFFICE HAS OFFERED THEIR ASSISTANCE IN PROVIDING AND IN USING THEIR "FIRE SAFE COMMUNITIES" PROGRAM;

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF TAY CONCURS WITH THE USE OF THE "FIRE SAFE COMMUNITIES" PROGRAM AND AUTHORIZES THE FIRE CHIEF TO PROCEED WITH THE PREPARATION OF THE TERMS OF REFERENCE FOR THE PROJECT.

CARRIED.

A.2.4 We received a report from the Clerk under date of September 16, 2009 regarding a Contract with OSPCA – Tag Issuing Outlet.

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

THAT STAFF BE AUTHORIZED TO ENTER INTO A CONTRACT WITH THE OSPCA MIDLAND & DISTRICT BRANCH FOR THE PROVISION OF A TAG ISSUING SERVICES FOR A FIVE-YEAR TERM ENDING SEPTEMBER 1, 2014.

CARRIED.

- A.3 No Other Business Items were presented.
- A.4.1 We received for information the Deputy Fire Chief/Fire Prevention Officer's monthly activity report for August 2009.
- A.4.2 We received for information the Care Animal & Pest Control monthly activity report for August 2009.
- A.4.3 We received for information from the O.P.P. the Field Operations 2008 Annual Report.

B: PUBLIC WORKS COMMITTEE - CHAIRED BY COUNCILLOR BILL RAWSON:

- B.1 The Public Works Committee was called to order by the Chair at 1:10 p.m.
- B.2.1 We received for information a report from the Environmental Superintendent under date of September 16, 2009, regarding Monthly Activity Report for August 2009.
- B.2.2 We reviewed a report from the Director of Public Works under date of September 16, 2009, regarding the Port McNicoll WWTP Phase 2 Expansion, Membrane Replacement.

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

THAT THE PROPOSAL SUBMITTED BY GE WATER/PRO AQUA INC. FOR THE PORT MCNICOLL WASTE WATER TREATMENT PLANT PHASE 2 EXPANSION – INSTALLATION OF ADDITIONAL MEMBRANES IN THE AMOUNT OF \$1,266,400.00 EXCLUDING TAXES BE ACCEPTED; AND FURTHER, THAT STAFF BE DIRECTED TO ISSUE A PURCHASE ORDER TO GE WATER IN THE AMOUNT OF \$1,266,400.00 AND A DEPOSIT OF 15% TO ALLOW FOR IMMEDIATE PRODUCTION OF THE MEMBRANE MATERIAL. CARRIED.

- B.2.3 We reviewed a report from the Director of Public Works under date of September 16, 2009, regarding the Tender 2009-07 Waubaushene Standpipe Tower, Refurbishment Tender.

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

THAT THE TENDER SUBMITTED BY C3 INDUSTRIAL SERVICES IN THE AMOUNT OF \$158,850.00 INCLUDING GST FOR CONTRACT 2009-07 – WAUBAUSHENE STANDPIPE TOWER REFURBISHMENT TENDER BE ACCEPTED; AND

Cont'd....

THAT THE REQUIRED BY-LAW TO AUTHORIZE THE EXECUTION OF THE CONTRACT BETWEEN THE TOWNSHIP OF TAY AND C3 INDUSTRIAL SERVICES BE BROUGHT FORWARD TO THE NEXT COUNCIL MEETING FOR CONSIDERATION.

CARRIED.

B.2.4 We reviewed a verbal report for information from the Director of Public Works under date of September 16, 2009, regarding the Port McNicoll Rink Update.

B.2.5 We reviewed a report from the Director of Public Works under date of September 16, 2009, regarding Contract 2009-09, Bay Street – South Ditch Subdrain Installation.

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

THAT THE TENDER SUBMITTED BY S. CHARLEBOIS HAULAGE & EXCAVATING IN THE AMOUNT OF \$43,500.00 EXCLUDING GST FOR CONTRACT 2009-09 BAY STREET – SOUTH DITCH SUBDRAIN INSTALLATION TENDER; AND

THAT THE REQUIRED BY-LAW TO AUTHORIZE THE EXECUTION OF THE CONTRACT BETWEEN THE TOWNSHIP OF TAY AND S. CHARLEBOIS HAULAGE & EXCAVATING BE ADOPTED BE BROUGHT FORWARD TO THE NEXT COUNCIL MEETING FOR CONSIDERATION.

CARRIED.

B.2.6 We received for information a report from the Works Superintendent under date of September 16, 2009, regarding Monthly Activity Report for August 2009.

B.3 No Other Business Items were presented.

B.4.1 We received for information correspondence from the Severn Sound Environmental Association regarding municipal participation in the 2009 Tree Seedling Distribution Program.

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

C.1 The General Government & Finance Committee was called to order by the Chair at 2:15 p.m.

C.2.1 We received for information a report from the Recreation Coordinator under date of September 16, 2009 regarding a recreation update for the month of August, 2009.

C.2.2 We received for information a report from the Recreation Coordinator under date of September 16, 2009 regarding the Bridgeview Park Community Room Use Contract Policy & Rental Fees.

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

THAT THE USE CONTRACT AND RENTAL FEE STRUCTURE FOR THE BRIDGEVIEW PARK COMMUNITY ROOM ARE ACCEPTED AND APPROVED AS SUBMITTED; AND

THAT STAFF BE DIRECTED TO AMEND THE FEE BY-LAW TO REFLECT THE RENTAL FEE STRUCTURE FOR THE BRIDGEVIEW PARK COMMUNITY ROOM AS OUTLINED IN THIS REPORT.

CARRIED.

- C.2.3 We reviewed a report from the Director of Finance under date of September 16, 2009 regarding the Audit Contract Renewal.

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

THAT COUNCIL ACCEPTS THE PROPOSED FEES FOR THE 2009 TO 2011 AUDIT YEARS; AND

THAT THE TREASURER BE DIRECTED TO PREPARE A BY-LAW APPOINTING GAVILLER AND COMPANY AS THE MUNICIPAL AUDITORS FOR THE TOWNSHIP OF TAY FOR 2009 TO 2012.

CARRIED.

- C.2.4 We reviewed a report from the Chief Administrative Officer under date of September 10, 2009 regarding a NT Power Dividend Policy & 4-Year Projection.

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

THAT THE DIVIDEND POLICY FOR NEWMARKET-TAY POWER DISTRIBUTION LTD. BE RECEIVED FOR INFORMATION AND FURTHER THAT STAFF BE DIRECTED TO INCLUDE THE REVISED DIVIDEND REVENUE IN THE 2010 BUDGET.

CARRIED.

- C.2.5 We reviewed a report from the Chief Administrative Officer under date of September 10, 2009 regarding a Grant Application through the Ministry of Tourism/Memorandum of Understanding with the Township of Oro-Medonte and Skyline Development.

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

THAT WHEREAS THE SKYLINE DEVELOPMENTS IN PORT MCNICOLL AND HORSESHOE VALLEY WILL REQUIRE PROJECT COORDINATION AND PLANNING CONSULTATION AFFECTING BOTH MUNICIPALITIES THAT WOULD PLACE A STRAIN ON EXISTING TOWNSHIP STAFF RESOURCES; AND WHEREAS THE MINISTRY OF TOURISM HAS IDENTIFIED A GRANT SOURCE UNDER THE TOURISM DEVELOPMENT FUND TO ASSIST WITH CONSULTING/PROJECT COORDINATION; AND

WHEREAS THE NORTH SIMCOE COMMUNITY FUTURES DEVELOPMENT CORP. AND THE ORILLIA AREA COMMUNITY FUTURES DEVELOPMENT CORP. HAVE RECOGNIZED THE ECONOMIC CONTRIBUTION THAT THESE PROJECTS WILL MAKE TO THE AREA AND HAVE INDICATED A DESIRE TO ASSIST FINANCIALLY IN THIS GRANT APPLICATION; AND

WHEREAS IT IS AGREED THAT THE APPLICATION TO THE TOURISM DEVELOPMENT FUND WILL BE IN THE NAME OF THE TOWNSHIP OF ORO-MEDONTE;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY AUTHORIZES STAFF TO PARTICIPATE IN THE TOURISM DEVELOPMENT GRANT APPLICATION AND COMMITS FUNDING IN 2009 TO A LIMIT OF \$12,500.00;

FURTHER THAT WHEREAS THE SCOPE OF THE PROPOSED GEORGIAN VALLEY PROJECT WILL REQUIRE STRATEGIC PLANNING, FUNDING, COORDINATION AND APPROVALS THAT WILL BE DIFFICULT TO ACHIEVE IN A TIMELY MANNER WITHOUT PROFESSIONAL ASSISTANCE; AND

WHEREAS SKYLINE INTERNATIONAL DEVELOPMENT INC. HAS COMPLETED A SELECTION PROCESS AND IDENTIFIED OEB ENTERPRISE AS THE PREFERRED FIRM TO COMPLETE THE WORK; AND

WHEREAS COUNCIL DIRECTED STAFF TO DRAFT THE AGREEMENT FOR COUNCIL'S CONSIDERATION;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY HEREBY AUTHORIZES STAFF TO PREPARE THE NECESSARY BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO SIGN THE MEMORANDUM OF UNDERSTANDING DATED SEPTEMBER 16, 2009.

CARRIED.

C.3.1 We received a verbal report from Mayor Warnock regarding Site 41.

Mayor Warnock advised that a motion is anticipated at County Council on Tuesday, September 22, 2009 regarding the future of the works/development at Site 41.

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

**THAT IN THE MATTER OF SITE 41, PT LOTS 10 & 11, CONCESSION 2, TOWNSHIP OF TINY, COUNTY OF SIMCOE;
AND IN THE MATTER OF THE ONE-YEAR MORATORIUM RELATIVE TO THE DEVELOPMENT OF SITE 41;**

AND IN THE MATTER THAT CONSIDERATION IS TO BE GIVEN TO STOP THE DEVELOPMENT AND OPERATION OF SITE 41;

BE IT RESOLVED THAT THE TOWNSHIP OF TAY HEREBY REQUESTS ALL MUNICIPALITIES IN THE COUNTY OF SIMCOE SUPPORT THE CLOSING AND FUTURE DEVELOPMENT OF SITE 41 AND WITH SUCH CLOSING THAT:

- **SITE 41 BE CONFIRMED ABANDONED AND CLOSED;**
- **THE COUNTY OF SIMCOE REQUEST THE PROVINCE OF ONTARIO, THE MINISTRY OF THE ENVIRONMENT TO REVOKE THE CERTIFICATE OF APPROVAL FOR SITE 41;**
- **SITE 41 BE DECOMMISSIONED THE COUNTY OF SIMCOE;**
- **THE COUNTY OF SIMCOE AS PER ITS MANDATE UNDERTAKE IN CONSULTATION WITH THE MUNICIPALITIES A COUNTY-WIDE MANAGEMENT MASTER PLAN WITH AN AIM TO FURTHER REDUCE GENERAL WASTE THROUGHOUT THE COUNTY.**

CARRIED.

C.4.1 We received for information correspondence from the Town of New Tecumseth, Re: Harmonization of Taxes.

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 THE PROVINCE OF ONTARIO HAS PROPOSED TO HARMONIZE THE GOODS AND SERVICES TAX WITH THE PROVINCIAL SALES TAX EFFECTIVE JULY 1, 2010;
AND WHEREAS CONSIDERABLE CONCERN HAS BEEN RAISED BY RESIDENTS AND BUSINESSES OVER THE NEGATIVE FINANCIAL IMPACTS THAT WILL OCCUR AS A RESULT;**

Cont'd....

AND WHEREAS THE PROVINCE OF ONTARIO HAS CONSIDERED AMENDMENTS TO THE PROPOSAL AND HAS FURTHER MADE CHANGES TO THE ORIGINAL PROPOSAL; THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF TAY ADVISE THE PROVINCIAL GOVERNMENT OF ITS CONCERN THAT EFFORTS BE MADE TO MINIMIZE THE FINANCIAL IMPACT AND ADDITIONAL TAX ON TAXPAYERS AND BUSINESSES;

AND FURTHER BE IT RESOLVED THAT THE PROVINCIAL GOVERNMENT BE REQUESTED TO CONSIDER THAT THE GST AND PST HARMONIZATION NOT INCLUDE ANY ITEMS, GOODS OR SERVICES THAT ARE CURRENTLY SUBJECT TO ONLY ONE OF THE TAXES NOT BE SUBJECT TO THE OTHER, SO THAT NO NEW TAXATION IS CREATED;

AND FURTHER BE IT RESOLVED THAT THIS RESOLUTION BE FORWARDED TO ALL ONTARIO MUNICIPALITIES FOR THEIR CONSIDERATION AND SUPPORT.

CARRIED.

- C.4.2 We received for information correspondence from the County of Simcoe, Re: Homeownership a Reality for Low to Moderate Income Renters in Simcoe County.
- C.4.3 We received for information correspondence from the County of Simcoe, Re: New Funding Available for Low-to-Moderate Income Renters Working Towards Homeownership.
- C.4.4 We received for information correspondence from the Association of Municipalities of Ontario, Re: Ontario Government Consultation – Safeguarding & Sustaining Ontario’s Water Resources for Future Generations.
- C.4.5 We received for information correspondence from Environment Canada, Re: Council’s Motion with respect to the Wye Marsh National Wildlife Area.
- C.4.6 We received for information a report from Huronia Curling Centre, Re: Proposed Regional Curling & Recreation Facility.

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

- D.1 The Planning & Development Committee was called to order by the Chair at 3:15 p.m.
- D.2.1 We reviewed a report from the Director of Planning and Development regarding an Outdoor Wood Burning Furnace Study.
After discussion and consideration the following motion was moved by Councillor Rawson and seconded by Councillor Baumgardner recommending the following to Council for consideration:

THAT THE TOWNSHIP UNDERTAKE A PLANNING PROCESS TO ESTABLISH REGULATIONS FOR OUTDOOR SOLID-FUEL-COMBUSTION APPLIANCES IN THE TOWNSHIP OF TAY ZONING BY-LAW.

CARRIED.

- D.2.2 We reviewed a report from the Director of Planning and Development under date of September 9, 2009, regarding Wycliffe Lift Part Lot Control Blocs 1, 4, 21 and 23 Plan 51M-834.

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

THAT THE APPLICATION TO LIFT PART LOT CONTROL FOR BLOCKS 1, 4, 21 AND 23 ON PLAN 51M-834, WYCLIFFE GEORGIAN LANDING BE APPROVED.

CARRIED.

- D.2.3 We reviewed for information the monthly Municipal By-law Enforcement Services report under date of September 1, 2009 for the month of August 2009.

- D.2.4 We reviewed for information the monthly Building Services report under date of September 2, 2009 for the month of August 2009.

- D.3 No Other Business Items were presented.

- D.4.1 We received for information correspondence from Skyline International Development Inc., regarding a Strategic Vision for Growth.

- D.4.2 We received for information correspondence from a resident concerning residential burning.

- D.4.3 We received for information correspondence from the Heritage Committee regarding the Doors Open 2009 Information.

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 JIM PEARSALL

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

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 Municipal Law Enforcement Officer with respect to personnel matters about an identifiable individual, including municipal or local board employees (Albin Rd. Road Allowance) After discussion, Council reviewed the matter and staff was directed accordingly.
- 5.2 We received a verbal report from the Fire Chief with respect to personnel matters about an identifiable individual, including municipal or local board employees (Fire Department Complaint) After discussion, Council reviewed the matter and staff was directed accordingly.
- 5.3 We received a verbal report from the Councillor Rawson with respect to personnel matters about an identifiable individual, including municipal or local board employees (Summer Student) After discussion, Council reviewed the matter and staff was directed accordingly.

MOVED BY: COUNCILLOR NELSON BAUMGARDNER

SECONDED BY: COUNCILLOR JIM PEARSALL

**THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION
AT 4:22 P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

6. ADJOURNMENT:

Moved by Councillor Baumgardner and seconded by Councillor Black.

**THAT THIS COMMITTEE OF ALL COUNCIL MEETING
ADJOURN AT 4:24 P.M. AND RECONVENE OCTOBER 21, 2009.**

CARRIED.

Minutes Recorder: Alison Thomas, Clerk