

**THE CORPORATION OF THE TOWNSHIP OF TAY
COMMITTEE OF ALL COUNCIL MEETING
WEDNESDAY, FEBRUARY 17, 2010
1:00 P.M.**

PRESENT: Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor Nelson Baumgardner
Councillor James Pearsall
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 (Section A)
Raymond Knuff, Environmental Superintendent (Section B)
Gerard LaChapelle, Works Superintendent (Section B)
Joanne Sanders, Director of Finance (Section A, B, C)
Mara Burton, Dir. of Planning & Development (Section D)

REGRETS: Councillor Rick Black
Councillor Axel Frandsen

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 declared.

3. DELEGATIONS:

1:15 p.m. – Mr. Charles Taylor - Re: Canine Control Issue (3 Dog Request)

Delegation did not appear as matter has been resolved.

1:30 p.m. – Ms. Brittany Erwin - Re: Canine Control Issue (5 Dog Request)

Ms. Brittany Erwin appeared before Committee regarding a request to keep five dogs on the premises at 4 Earldom Blvd. She noted that 1 dog is hers, 2 are her boyfriend's and 2 belong to her landlord. Ms. Erwin commented that she will be moving in with her mother in Coldwater once her mother's new house is constructed. In addition, it was noted that the two dogs that belong to her boyfriend are only visiting and meet the Township's by-law requirement for visiting as they will not be in permanent residence at 4 Earldom Blvd.

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 MS. BRITTANY ERWIN, 4 EARLDOM BOULEVARD, REQUEST FOR PERMISSION FOR THREE DOGS BE APPROVED; AND

THAT DUE TO EXTENUATING CIRCUMSTANCES 4 EARLDOM BOULEVARD BE PERMITTED TO RETAIN THREE DOGS UNTIL DECEMBER 31, 2010;

AND FURTHER, WHEN CIRCUMSTANCES RESULT IN THE NUMBER OF DOGS BEING REDUCED PERMISSION FOR THE ADDITIONAL DOGS WILL AUTOMATICALLY EXPIRE.

CARRIED.

4. COMMITTEE BUSINESS:

A: PROTECTION TO PERSONS & PROPERTY COMMITTEE – CHAIRED BY 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. 2009 Annual Report and the monthly Corporate & Emergency Services Report for the month of January 2010.
- A.2.2 We received for information the monthly Fire Chief's report, under date of February 3, 2010, for the month of January 2010.
- A.2.3 We received a report from the Clerk, under date of February 17, 2010, regarding Continuity of Government – Emergency Governance Committee & Delegations of Authority.

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 COUNCIL PROCEDURAL BY-LAW BE AMENDED AS FOLLOWS:

1. THAT THE PROCEDURAL BY-LAW BE AMENDED TO CREATE A STANDING COMMITTEE KNOWN AS THE "EMERGENCY GOVERNANCE COMMITTEE" (THE "EGC"), TO BE COMPOSED OF A MINIMUM OF THREE MEMBERS OF COUNCIL; AND

THAT THE MANDATE OF THE EGC COMMITTEE WOULD BE RESTRICTED TO THOSE TIMES DURING WHICH:

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- A) AN EMERGENCY HAS BEEN DECLARED BY THE MAYOR AND/OR HIS/HER DESIGNATE, IN ACCORDANCE WITH THE TOWNSHIP'S EMERGENCY PLAN; AND
 - B) AT LEAST THREE MEMBERS OF COUNCIL HAVE DIED, OR ARE OTHERWISE NOT ABLE, FOR VALID REASONS, TO ATTEND A PROPERLY SCHEDULED MEETING OF MUNICIPAL COUNCIL.
2. FURTHER THAT BY-LAWS BE BROUGHT FORWARD TO DELEGATE THE FOLLOWING POWERS AND DUTIES:
- TO THE EGC, ALL POWERS AND DUTIES THAT MAY LEGALLY BE DELEGATED BY COUNCIL PURSUANT TO THE ACT, SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS:
- A) THE DELEGATION SHALL BE EFFECTIVE ONLY FOLLOWING THE DECLARATION OF AN EMERGENCY BY THE MAYOR AND/OR HIS/HER DESIGNATE, IN ACCORDANCE WITH THE TOWNSHIP'S EMERGENCY PLAN , AND
 - B) THE EMERGENCY GOVERNANCE COMMITTEE SHALL CONDUCT ITS BUSINESS IN ACCORDANCE WITH THE TOWNSHIP'S PROCEDURAL BY-LAW, PROVIDING THAT THE QUORUM FOR THE CONSTITUTION OF A VALID MEETING OF THE ECG SHALL BE THREE.

THE AUTHORITY OF HEAD OF COUNCIL, IN THE ABSENCE OF THE HEAD OF COUNCIL DURING AN EMERGENCY OR ACTIVATION OF THE COMMUNITY CONTROL GROUP (SHOULD HE/SHE BE UNABLE TO FULFILL HIS/HER OBLIGATION) AS FOLLOWS:

- A) THE DEPUTY MAYOR (SHOULD THE HEAD OF COUNCIL BE UNABLE TO FULFILL HIS/HER OBLIGATION)
- B) CHAIR OF GENERAL GOVERNMENT & FINANCE COMMITTEE (SHOULD THE DEPUTY MAYOR BE UNABLE TO FULFILL HIS/HER OBLIGATION)
- C) CHAIR OF PROTECTION TO PERSONS AND PROPERTY COMMITTEE (SHOULD THE CHAIR OF GENERAL GOVERNMENT & FINANCE COMMITTEE BE UNABLE TO FULFILL HIS/HER OBLIGATION).

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 January 2010.
- A.4.2 We received for information the Care Animal & Pest Control monthly activity report for January 2010.
- A.4.3 We received for information a report from the Administrative Support regarding Dog Tags – 2009 Overview.

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

- B.1 The Public Works Committee was called to order by the Chair at 1:51 p.m.
- B.2.1 We received for information a report from the Environmental Superintendent, under date of February 17, 2010 regarding Monthly Activity Report for January, 2010.
- B.2.2 We received for a report from the Environmental Superintendent, under date of February 17, 2010 regarding 2009 Water System's Annual Summary Report.

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 2009 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.2.3 We received for information a report from the Works Superintendent, under date of February 17, 2010, regarding Monthly Activity Report for January, 2010.
- B.2.4 We received a report from the Director of Public Works, under date of February 17, 2010 regarding an Agreement with Township of Springwater for Winter Maintenance of Scarlett Line.

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

THAT A BY-LAW BE BROUGHT FORWARD TO THE NEXT REGULAR COUNCIL MEETING AUTHORIZING THE ENTERING INTO OF AN AGREEMENT WITH THE TOWNSHIP OF SPRINGWATER REGARDING THE WINTER MAINTENANCE OF THE SCARLETT LINE AND FURTHER THAT THE 2010/11 BUDGETS BE AMENDED TO INCLUDE THE \$1,200.00 COST FOR THE 2010/11 SEASON.

CARRIED.

B.2.5 We received a report from the Works Superintendent, under date of February 17, 2010 regarding the Design and Maintenance of Mailboxes on Township Road Allowances.

Removed from the agenda as the policy is already in effect.

B.2.6 We received a report from the Director of Public Works, under date of February 17, 2010 regarding Way Finding Signage.

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 IN THE AMOUNT OF \$71,650.00 SUBMITTED BY CONCEPT SIGNS BE ACCEPTED AND THAT CONCEPT SIGNS BE CONTRACTED IMMEDIATELY TO COMMENCE THE FABRICATION OF THE WAYFINDING SIGNAGE FOR INSTALLATION PRIOR TO MARCH 31, 2010; AND

THAT THE BY-LAW ALLOWING THE EXECUTION OF THE CONTRACT BETWEEN THE TOWNSHIP OF TAY AND CONCEPT SIGNS BY THE MAYOR BE ADOPTED; AND

THAT ONCE THE CONTRACT IS EXECUTED BY THE MAYOR AND CONCEPT SIGNS THE BID DEPOSITS RECEIVED FROM THE NON SUCCESSFUL BIDDERS BE RETURNED.

CARRIED.

B.3.1 Councillor Rawson made a verbal report regarding McDermitt Trail and the works in the area. Staff advised that the works relate to the sanitary sewer works underway in the area.

B.4.1 We received for information Guidelines for Creating and Maintaining Outdoor Ice (DRAFT).

B.4.2 We received for information correspondence from the County of Simcoe regarding Waste Strategy.

C: GENERAL GOVERNMENT/FINANCE – CHAIRED BY VICE-CHAIR COUNCILLOR BAUMGARDNER:

C.1 The General Government & Finance Committee was called to order by the Chair at 2:10 p.m.

C.2.1 We received for information a report from the Recreation Coordinator, under date of February 17, 2010, regarding the Monthly Recreation Update for the month of January, 2010.

C.2.2 We reviewed a report from the Recreation Coordinator, under date of February 17, 2010 regarding the Annual Review of Waived Fee Rentals.

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

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THAT THE REPORT DATED FEBRUARY 17, 2010 PERTAINING TO THE ANNUAL REVIEW OF WAIVED FEE RENTALS BE ACCEPTED AND THAT THE RECOMMENDATIONS REGARDING THE INDIVIDUAL USER GROUPS ARE APPROVED.

CARRIED.

- C.2.3 We reviewed a report from the Clerk, under date of February 17, 2010 regarding the 2010 Municipal Election – Revised Council Schedule.

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

THAT THE REGULARLY SCHEDULED COUNCIL MEETING ON DECEMBER 8, 2010 BE MOVED TO NOVEMBER 24, 2010 TO PROVIDE THE CURRENT COUNCIL WITH AN OPPORTUNITY TO PASS RESOLUTIONS BROUGHT FORWARD DURING THEIR NOVEMBER 17, 2010 COMMITTEE OF ALL COUNCIL MEETING;

AND FURTHER THAT THE FIRST REGULAR COUNCIL MEETING FOR THE NEWLY ELECTED COUNCIL BE HELD ON JANUARY 12, 2011.

CARRIED.

- C.2.4 We reviewed a report from the Clerk, under date of February 17, 2010 regarding an Agreement for Cellular Telephone Service with Bell Mobility.

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 A BY-LAW BE PASSED AUTHORIZING THE ENTERING INTO OF AN AGREEMENT WITH BELL MOBILITY FOR THE PROVISION OF CELLULAR TELEPHONE SERVICES TO THE TOWNSHIP; AND

FURTHER, THAT STAFF BE DIRECTED TO INCLUDE A CLAUSE IN THE REQUIRED BY-LAW TO PROVIDE AUTHORIZATION THAT FUTURE PRICE CHANGES TO THE CELLULAR TELEPHONE CONTRACT DO NOT REQUIRE COUNCIL AUTHORIZATION.

CARRIED.

- C.2.5 We reviewed a report from the Clerk, under date of February 17, 2010 regarding an Inquiry to Purchase Township Vacant Land – 39 Sallows Drive.

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 THE REQUEST TO PURCHASE 39 SALLOWS DRIVE BE DENIED.

CARRIED.

- C.2.6 We reviewed a report from the Director of Finance, under date of February 17, 2010 regarding the Land Sale Summary 2009.

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 TREASURER IS HEREBY AUTHORIZED TO INCREASE THE BUDGETED TRANSFER TO THE CONTINGENCY RESERVE BY \$13,314.00 TO A RESERVE TRANSFER OF \$39,014.00; AND

FURTHER THAT THE TREASURER IS HEREBY AUTHORIZED TO REDUCE THE BUDGETED TRANSFER TO RESERVE FOR PARKLAND DEVELOPMENT BY \$189,000.00 TO A RESERVE TRANSFER OF \$0; AND

FURTHER THAT THE TREASURER IS HEREBY AUTHORIZED TO TRANSFER THE REVENUE FROM THE SALE OF SUNSET COURT, IN THE AMOUNT OF \$23,063.20, TO THE WATER RESERVE.

CARRIED.

- C.2.7 We reviewed a report from the Director of Finance, under date of February 17, 2010 regarding 2010 Tax Ratios.

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 TOWNSHIP OF TAY IS IN SUPPORT OF NO CHANGE TO THE CURRENT TAX RATIOS FOR THE 2010 TAXATION YEAR.

CARRIED.

- C.2.8 We reviewed correspondence from a ratepayer requesting that a Tax Penalty and Interest Write-off.

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

THAT THE REQUEST FOR A TAX PENALTY AND INTEREST WRITE-OFF BE DENIED AND THAT STAFF BE DIRECTED TO CONTACT THE INDIVIDUAL REGARDING PAYMENTS.

CARRIED.

- C.2.9 We received a report for information from the Library CEO, under date of February 17, 2010 regarding Tay Township Public Library – Fall/Winter Update.
- C.2.10 We reviewed a report from the Director of Public Works, under date of February 17, 2010 regarding a Tangible Capital Asset Policy.
- 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 THE CORPORATE TANGIBLE CAPITAL ASSET POLICY ATTACHED HERETO BE APPROVED AS AMENDED.

CARRIED.

- C.3 None were presented.
- C.4.1 We received for information correspondence from the County of Simcoe, Re: Funding for the Simcoe County Children’s Aid Society.
- C.4.2 We received for information correspondence from the County of Simcoe, Re: Transfer Station Telephone Number Change.
- C.4.3 We received for information correspondence from the County of Simcoe, Re: Long Term Care Services Receives Funding.
- C.4.4 We received for information correspondence from Tay Township Public Library, Re: Support for Knowledge Ontario.
- C.4.5 We received for information a report from the Ministry of Municipal Affairs and Housing, Re: Financial Indicator Review.

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

- D.1 The Planning & Development Committee was called to order by the Chair at 3:01 p.m.
- D.2.1 We reviewed a report from the Director of Planning & Development, under date of February 1, 2010, regarding Proposed Fee to Collect and Store Abandoned Ice Huts.
- 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 FEE BY-LAW 2007-78 BE AMENDED INCLUDE A \$100.00 ADMINISTRATION FEE FOR THE REMOVAL OF ICE HUTS FROM MUNICIPAL PROPERTY PLUS A STORAGE FEE OF \$10.00 PER DAY.**
- CARRIED.**
- D.2.2 We reviewed a report from the Director of Planning & Development, under date of February 5, 2010, regarding Subdivision Agreement for Victoria Woods Phase 1.

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 COMMITTEE AUTHORIZE COUNCIL TO ENTER INTO A SUBDIVISION AGREEMENT WITH MAXSON BUILDING CORPORATION FOR PHASE ONE OF THE VICTORIA WOODS SUBDIVISION.

CARRIED.

Committee requested that staff report back on the status of the Booster Station and anticipated costs with timelines.

- D.2.3 We reviewed a report from the Director of Planning & Development, under date of February 1, 2010, regarding the County Official Plan Appeal to the OMB on Lack of Decision.

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 COUNTY OF SIMCOE HAS WORKED COOPERATIVELY WITH ALL THE MEMBER MUNICIPALITIES AND PROVIDED ALTERNATIVE TARGETS FOR INTENSIFICATION, AND GREENFIELD DEVELOPMENT AS PER THE PLACES TO GROW LEGISLATION;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF TAY SUPPORTS THE COUNTY OF SIMCOE APPEAL TO THE ONTARIO MUNICIPAL BOARD REGARDING THE LACK OF DECISION ON THE COUNTY'S OFFICIAL PLAN BY THE APPROVAL AUTHORITY UNDER SECTION 17(40) OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED AND SUPPORT THE COUNTY OF SIMCOE REQUEST FOR A PROVINCIAL FACILITATOR TO BE APPOINTED TO THE CASE.

CARRIED.

- D.2.4 We received for information the monthly Municipal By-law Enforcement Services report, under date of February 1, 2010, for the month of January 2010.
- D.2.5 We received for information the monthly Building Services report, under date of February 2, 2010, for the month of January 2010.
- D.2.6 We reviewed a report from the Director of Planning & Development, under date of February 10, 2010, regarding Commercial Development Charges.

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

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THAT THE NON-RESIDENTIAL DEVELOPMENT CHARGE BE PHASED IN WITH THE INCREASE OF 20% AS PER SECTION 3.11 OF BY-LAW 2009-23.

CARRIED.

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 NELSON BAUMGARDNER

SECONDED BY: COUNCILLOR JIM PEARSALL

**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 (REQUEST FOR DIRECTION WITH
RESPECT TO UNPAID WATER ACCOUNT).**

CARRIED.

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

After discussion, Council reviewed the matter and provided direction.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

**THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION
AT 3:52 P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

6. ADJOURNMENT:

Moved by Councillor Pearsall and seconded by Councillor Rawson.

**THAT THIS COMMITTEE OF ALL COUNCIL MEETING
ADJOURN AT 3:53 P.M. AND RECONVENE MARCH 17, 2010.**

CARRIED.

Minutes Recorder: Alison Thomas, Clerk