

**MINUTES**  
**For the Regular Meeting of the**  
**Council of the Municipality of West Grey**  
**Held on Wednesday, August 5, 2009 at 9:00 a.m.**  
**At the Council Chambers – West Grey Municipal Office**

---

<u>Council</u>	Mayor Kevin Eccles, Deputy Mayor Dan Sullivan, Councillor John A. Bell (left meeting at 2:15 p.m.), Councillor John S. Black, Councillor Bev Cutting (left meeting at 2:15 p.m.), Councillor Carol Lawrence, Councillor Don Marshall, Councillor David Mollison, Councillor Bev Plume (left meeting at 3:15 p.m.)
<u>Staff</u>	Christine Robinson, CAO/Clerk, Mark Turner, Deputy Clerk; Kerri Mighton, Treasurer-Deputy Tax Collector; Ken Gould, Public Works Manager

**Lord's Prayer/Moment of Reflection**

**Declarations of Pecuniary Interest**

Mayor Eccles declared a pecuniary interest relating to the Interforest Action Committee By-laws No.'s 63-2009 & 64-2009

**Closed Session**

**MARSHALL-PLUME, WHEREAS, the Municipal Act, S.O. 2001, Section 239 (2), authorizes Councils of municipalities to close to the public a meeting or part of a meeting for dealing with certain subject matters,**

**NOW THEREFORE BE IT RESOLVED, that the Municipality of West Grey, does now go into a closed session of Council at 9:08 a.m., with the CAO/Clerk, Deputy Clerk, Chief Building Official, and Public Works Manager, to discuss items which relate to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land for municipal or local board purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. ... #287-09** **CARRIED.**

**MOLLISON-MARSHALL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 10:33 a.m. ... #288-09** **CARRIED.**

(Mayor Eccles confirmed that only closed session items identified were discussed in closed session).

**Public Meetings - None**

(2) August 5, 2009

**Part I - Consent Agenda**

**BLACK-MARSHALL, BE IT RESOLVED THAT, Items A1 to D3 inclusive, contained in Part 1 – Consent Agenda, be adopted; AND FURTHER THAT, authorization be given for the action to be taken as may be necessary to give effect to the recommendations contained therein.  
... #289-09 CARRIED.**

**Adoption of Minutes**

Council:

A1 Minutes of Regular Council Meeting – July 20, 2009  
Minutes of Committee of the Whole – July 27, 2009

Committees:

A2 West Grey Public Works Committee – June 5, 2009  
West Grey Normanby Recreation Advisory Committee – June 10, 2009

Other

A3 None – resolution #290-09

**MARSHALL-PLUME, BE IT RESOLVED THAT, the minutes of the Regular Meeting of the Council of the Municipality of West Grey, held on July 20, 2009, and the minutes of the Committee of the Whole, held on July 27, 2009, be adopted as printed; AND FURTHER THAT, the Minutes of the West Grey Committees – A2, be received, as circulated. ... #290-09 CARRIED.**

**Award of Tenders**

B1 Municipal Drain #14 – Partial Reconstruction – 2009 (David Grahlman, West Grey Drainage Engineer, with Harold McKnight, West Grey Drainage Inspector in attendance, noted receipt of four tenders, with one tender not opened due to being received after the deadline of August 5, 2009, at 9:00 a.m. Mr. Grahlman provided information relating to the firms and their tendered prices. Mr. Grahlman recommended Council accept the low tender from Marquardt Farm Drainage in the amount of \$83,443.12 including G.S.T. Mr. Grahlman requested the Deputy Clerk to send letters to the respective firms noting thanks for their tender submissions and to provide tender results. – resolution #292-09

**SULLIVAN-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the tender from Marquardt Farm Drainage for Municipal Drain #14 in the amount of \$83,443.12 including G.S.T.  
... #292-09 CARRIED.**

**Routine Department Reports**

C1 C.A.O./Clerk - Report #CC 08/05/09 – resolution #291-09

(3) August 5, 2009

**PLUME-MARSHALL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the following payments for livestock claims:**

**Les Miller, Lot 28, Concession 6, former Township of Bentinck, suffered the loss of one Suffolk lamb, with an estimated live weight of 85 pounds, in the amount of \$144.75, killed by coyotes, on or about the 13<sup>th</sup> day of July, 2009.**

**Les & Helen Miller, Lot 28, Concession 6, former Township of Bentinck, suffered the loss of one Suffolk lamb, with an estimated live weight of 80 pounds, in the amount of \$140.00, killed by coyotes, on or about the 15<sup>th</sup> day of July, 2009.**

... #291-09

**CARRIED.**

**By-Laws - 1<sup>st</sup> & 2<sup>nd</sup> Reading**

- D2 62-2009 A By-law to assume lands into the Municipality of West Grey highway system
- D3 63-2009 A By-law to enter a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee
- D3 64-2009 A By-law to enter into a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee to compensate their Coordinator through the West Grey employment system – resolution #293-09

**CUTTING-LAWRENCE, BE IT RESOLVED THAT, By-law Numbered 62-2009, 63-2009 & 64-2009 be introduced and read a first and second time.**

... #293-09

**CARRIED.**

**Miscellaneous Correspondence** (For Information Only - Not Circulated but Available for Viewing at Meeting)

- E1 Grey Bruce Health Unit – July 17, 2009 Board Report
- E2 Grey Bruce Health Unit – July 2009 Program Report
- E3 Grey Roots Museum & Archives – July 2009 E-Update
- E4 Community Schools Alliance – request for support of resolution

**Future Committee Meetings**

- F1 West Grey Public Works Committee – August 6, 2009, 9:00 a.m., West Grey Municipal Office
- F2 West Grey Fire Committee – August 6, 2009, 4:00 p.m., West Grey Municipal Office
- F3 West Grey Committee of Adjustment – August 10, 2009, 1:00 p.m., West Grey Municipal Office
- F4 West Grey Planning Advisory Committee – August 10, 2009, 1:45 p.m., West Grey Municipal Office
- F5 West Grey Finance Committee – August 12, 2009, 8:30 a.m., West Grey Municipal Office

(4) August 5, 2009

## **Part II - Regular Agenda**

### **Communications from the Mayor and Council**

Mayor Eccles and Deputy Mayor Sullivan reported on activities and events since the last regular meeting of Council, and on upcoming events and activities.

### **Delegations**

#### **Cheonan City, South Korea**

Representatives from Cheonan City, South Korea, including Cheonan City Councillor, In Chi-Gyeon, came before Council to reinforce their interest in a twinning relationship with the Municipality of West Grey. Pleasantries and gifts of friendship were exchanged. A slide show of Cheonan City Council activities was shown during the Council meeting. West Grey Council and Cheonan City representatives agreed to further foster relationships between the Municipality and City.

### **Business Arising from the Previous Meeting - None**

### **Managers' Report/Question Period**

#### **Treasurer - Report #TR 08-05-09**

Approval of Accounts, Voucher #14-2009 – resolution #294-09  
Mileage Rate Remuneration (received for information)

**MOLLISON-BELL, BE IT RESOLVED THAT, the Treasurer be authorized to pay the accounts presented as Voucher #14-2009 of the Municipality of West Grey, in the amount of \$677,016.67. ... #294-09 CARRIED.**

#### **Fire Chief – Report #FCR 08/05/09**

Police/Fire Station Re-Roofing Project (see “Direct Motions”)  
Police/Fire Station Furnaces (see “Direct Motions”)

#### **Public Works Manager - Report #PWMR 08-05-09**

Durham Creek Update (Council directed the Public Works Manager to follow up on enhancement and awareness programs, and Biodiversity Grant from Hydro One.) – resolution #295-09  
Neustadt Well Supply Inspection Report (received for information)

**LAWRENCE-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby requests municipal staff to take necessary actions to facilitate the naming of the unnamed creek in Durham as the “Durham Creek.”**

(5) August 5, 2009

CAO/Clerk – Report #CR 08-05-09

Bell Creek – resolution #296-09

Council Size – resolution #297-09

West Grey Business Beautification Program – Former SAFI Program – resolution #298-09 (CAO/Clerk to ensure advertisement for citizen appointment to West Grey Business Beautification Program be placed in a local newspaper and on the West Grey website)

Neustadt & District Lion’s Club, Request for Reduced Rates – resolution #299-09

**PLUME-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey supports the recommendation of the Committee of The Whole to accept the request from Mrs. Shirley Bell and accepts the approval from The Ministry of Natural Resources to name the creek that meanders through the south west side of former Glenelg Township, to be known as Bell Creek and further that two signs be installed at locations to be determined by staff and in consultation with Mrs. Bell. ... #296-09**

**CARRIED.**

**MOLLISON-BELL, RESOLVED THAT, the Council of The Municipality of West Grey supports the recommendation of the Committee of the Whole to not reduce the number of Council members from nine to seven.**

**RECORDED VOTE:**

**FOR: Councillor Bell, Councillor Black, Councillor Cutting, Mayor Eccles, Councillor Lawrence, Councillor Mollison, Councillor Plume**

**AGAINST: Councillor Marshall, Deputy Mayor Sullivan**

**... #297-09**

**CARRIED.**

**LAWRENCE-PLUME, RESOLVED THAT, the Council of the Municipality of West Grey hereby supports the recommendation of the Committee of the Whole that Council support, as amended all recommendations listed in COW#2 as contained within Report #2 of CAO/Clerk – Report COW #07/27/09, as follows:**

**That Council rename the program to the West Grey Business Beautification Program;**

**That Council designates the following areas and streets under the West Grey Business Beautification Program to be eligible for a possible grant:**

- Ayton - Louisa Street, old school to the T-intersection, Mary Street, 2 blocks after the mill
- Durham - Highway 6 and Grey Road 4 from Durham Road to Douglas Street, west to Queen Street and east to Albert Street
- Neustadt - The Brewery to Granny’s and around the corner to the right on Queen Street up to Grey Road #10.

**That the Guidelines, Eligibility Criteria and the Review Criteria be approved, as amended;**

**That Council appoint Councillor Don Marshall and the CAO/Clerk and one citizen to the West Grey Business Beautification Program Evaluation Committee;**

**That Council authorize the West Grey Business Beautification Program Evaluation Committee to review all applications and approve the applications for the grant, or decline the application(s) or request more information on the application(s) based on the Guidelines, Eligibility Criteria and the Evaluation Criteria;**

(6) August 5, 2009

**That Council authorizes Staff to issue the grant cheque to the approved applicants based on the decisions of the West Grey Business Beautification Program Evaluation Committee; And further that Staff report back to Council, on a regular basis, with respect to the progress of this program, overall approvals for this program, the number of applications received, the details of the improvements made to the businesses and any other information relevant to this program. ... #298-09** **CARRIED.**

**BLACK-SULLIVAN, RESOLVED THAT, the Council of The Municipality of West Grey supports the recommendation of the Committee of the Whole recommending that Council adhere to the current fee structure of all recreation facilities within the Municipality. ... #299-09** **CARRIED.**

(Council temporarily adjourned for lunch at 1:00 p.m.)

Closed session – resolution #300-09

**LAWRENCE-SULLIVAN, WHEREAS, the Municipal Act, S.O. 2001, Section 239 (2), authorizes Councils of municipalities to close to the public a meeting or part of a meeting for dealing with certain subject matters, NOW THEREFORE BE IT RESOLVED, that the Municipality of West Grey, does now go into a closed session of Council at 1:35 p.m., with the CAO/Clerk, Deputy Clerk, and Public Works Manager, to discuss items which relate to a proposed or pending acquisition or disposition of land for municipal or local board purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. ... #300-09** **CARRIED.**

**MARSHALL-PLUME, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 2:16 p.m. ... #301-09** **CARRIED.**

(Mayor Eccles confirmed that only closed session items identified were discussed in closed session).

**By-Laws – Third Readings**

D2 62-2009 A By-law to assume lands into the Municipality of West Grey highway system – resolution #302-09

Mayor Eccles declared a pecuniary interest relating to By-law No.'s 63-2009 and 64-2009, left the room and did not participate in any discussions relating to these By-laws. Deputy Mayor Sullivan assumed presiding over the Council meeting during discussions relating to By-law No.'s 63-2009 & 64-3009.

(7) August 5, 2009

- D3 63-2009 A By-law to enter a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee – resolution #303-09
- D3 64-2009 A By-law to enter into a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee to compensate their Coordinator through the West Grey employment system – resolution #304-09

Table Resolution #304-09 – resolution #305-09

Mayor Eccles resumed presiding over the Council meeting.

- D4 60-2009 A by-law to approve and authorize the execution of a Contract for the operation of the food booth at the Normanby Arena – Ayton (Kathy Kocher) – resolution #306-09

**SULLIVAN-BLACK, BE IT RESOLVED THAT, By-law Number 62-2009, being a By-law to assume lands into the Municipality of West Grey highway system, be now read a third time, passed and numbered and that the said by-law be signed by the Mayor and Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #302-09** **CARRIED.**

**MARSHALL-PLUME, BE IT RESOLVED THAT, By-law Number 63-2009, being a By-law to enter a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee, be now read a third time, passed as amended and numbered, and that the said by-law be signed by the Mayor and CAO/Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #303-09** **CARRIED.**

**MOLLISON-BLACK, BE IT RESOLVED THAT, By-law Number 64-2009, being a By-law to enter into a Memorandum of Understanding with the Interforest Looking Forward Adjustment Committee to compensate their Coordinator through the West Grey employment system, be now read a third time, passed and numbered, and that the said by-law be signed by the Mayor and CAO/Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #304-09** **TABLED.**

**PLUME-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby tables resolution #304-09. ...#305-09** **CARRIED.**

**PLUME-MARSHALL, BE IT RESOLVED THAT, By-law Number 60-2009, being a By-law to approve and authorize the execution of a Contract for the operation of the food booth at the Normanby Arena (Kathy Kocher), be now read a third time, passed as amended, and numbered and that the said by-law be signed by the Mayor and CAO/Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #306-09** **CARRIED.**

(8) August 5, 2009

**New Business**

Future Lawn Inc. – the Deputy Clerk provided an update on the proposed purchase of lands from West Grey (see “Direct Motions”)

Optimist Club of Normanby Township – request for waiving of fee (Council requested municipal staff to draft a letter and send out through Mayor’s signature to extend appreciation for fundraising efforts, however, noting regret that West Grey is not willing to provide relief from applicable recreation fee. Municipal staff to check if fees by-law has discretionary provisions for waiving fees, and staff to check any earlier waiving of fees)

**Addendum - None**

**Notice of Motion/Direct Motions**

Police/Fire Station Re-Roofing Project – resolution #307-09

Police/Fire Station Furnaces – resolution #308-09

Declare Certain Land as Surplus – resolution #309-09

By-law No. 65-2009 – resolution #310-09

**PLUME-MARSHALL, RESOLVED THAT, the Council of The Municipality of West Grey awards the re-roofing tender for the West Grey Police/Fire Station to DJ Peat Roofing and Sheet Metal Ltd., for the quoted price of \$71,287.00 plus applicable taxes, to be paid for in part by the Infrastructure Stimulus Grant; AND FURTHER THAT, Council approves the completion of optional work for Steel Siding at High Wall Areas by DJ Peat Roofing and Sheet Metal Ltd., at a quoted price of \$3,793.00 plus applicable taxes, to be paid for in part by the Infrastructure Stimulus Grant. ... #307-09** **CARRIED.**

**SULLIVAN-BLACK, RESOLVED THAT, the Council of the Municipality of West Grey awards the furnace replacement tender for the West Grey Police Bay and Fire Station Offices to J.J. McLellan & Son at a quoted price of \$8,721.25 plus applicable taxes;**

**AND FURTHERMORE installation will include a 3 ton air condition unit.**

**... #308-09**

**CARRIED.**

**MARSHALL-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby declares Part Lots 19 & 20, Concession 3 NDR, Part 1, RP16R-9706, former Township of Bentinck, in the Municipality of West Grey, as surplus to the needs of the municipality. ... #309-09** **CARRIED.**

**MOLLISON-BLACK, BE IT RESOLVED THAT, By-law Number 65-2009, being a By-law to enter into an Agreement of Sale of lands by the Municipality of West Grey to Future Lawn Inc., described as Part Lots 19 & 20, Concession 3 NDR, RP16R-9706, Part 1, former Township of Bentinck, Municipality of West Grey, be**

(9) August 5, 2009

**now read a first, second and third time, passed, and numbered and that the said by-law be signed by the Mayor and CAO/Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #310-09 CARRIED.**

**Closed Session – Incomplete Items Only – n/a**

**Matters Arising from Closed Session – Incomplete Items Only – n/a**

**Question Period**

Council requested municipal staff assess canine control contract for Durham.

Council was informed that two members from the Durham Activity Centre are competing in the World Triathlon Championships, and Council supported some souvenir material being provided to these two individuals for dispersal at the event.

Councillor Plume left the meeting at 3:15 p.m.

Council discussed the requirement for payment for a building permit for temporary tents for events. Mayor Eccles noted the Ontario Building Code requires building permits for tents greater than 650 square feet, although not all are inspected.

Council discussed the issue of fines for false alarms. Mayor Eccles noted there was some discussion on this issue at the July 27, 2009 Committee of the Whole meeting.

**Municipal Act – Notices - None**

**Adjournment**

**MOLLISON, RESOLVED THAT, we do now adjourn at 3:25 p.m., to meet again on Monday, August 24<sup>th</sup>, 2009, 10:00 a.m., or at the call of the Mayor. CARRIED.**

---

Kevin Eccles, Mayor

---

Christine Robinson, CAO/Clerk