

MINUTES
For the Regular Meeting of the
Council of the Municipality of West Grey
Held on Monday, December 21, 2009 at 7:00 p.m.
At the Council Chambers – West Grey Municipal Office

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| <u>Council</u> | Mayor Kevin Eccles, Councillor John A. Bell, Councillor John S. Black, Councillor Bev Cutting, Councillor Carol Lawrence, Councillor Don Marshall, Councillor David Mollison, Councillor Bev Plume |
| <u>Absent</u> | Deputy Mayor Dan Sullivan |
| <u>Staff</u> | Christine Robinson, CAO/Clerk; Mark Turner, Deputy Clerk Kerri Mighton, Treasurer-Deputy Tax Collector; Ken Gould, Public Works Manager – during reports |

Lord's Prayer/Moment of Reflection

Declarations of Pecuniary Interest

Councillor Bell declared a pecuniary interest relating to the delegation by Ron Davidson, Municipal Planner, regarding the Durham Settlement Area Expansion Draft Report (revised December 18, 2009). Councillor Bell left the Council meeting prior to commencement of discussions on same, and did not participate on any discussions regarding this issue.

Closed Session - None

Matters Arising from the Closed Session – n/a

Public Meetings - None

Part I - Consent Agenda

**PLUME-LAWRENCE, BE IT RESOLVED THAT, Items A1 to D7 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.**

... #449-09

CARRIED.

Adoption of Minutes

Council:

A1 Minutes of Regular Council Meeting – December 7, 2009

Committees:

A2 West Grey Planning Advisory Committee – September 14, 2009 & October 5, 2009
Neustadt New Hall Building Committee – September 23, 2009
West Grey Public Works Committee – October 30, 2009
Neustadt Recreation Advisory Committee – November 11, 2009
West Grey Waste Management & Environmental Committee – November 12, 2009

(2) December 21, 2009

West Grey Public Works Committee – December 11, 2009 (draft)
West Grey Waste Management & Environmental Committee – December 11, 2009
West Grey Planning Advisory Committee – December 14, 2009 (draft)

Other

A3 West Grey Public Library Board – October 22, 2009
Saugeen Mobility and Regional Transit (S.M.A.R.T.) – November 3, 2009
Elmwood Community Centre Board – November 17, 2009 (draft)
West Grey Public Library Board – November 18, 2009 (draft)
Saugeen Municipal Airport Commission – November 19, 2009 (draft)
Saugeen Mobility and Regional Transit (S.M.A.R.T.) – December 4, 2009 (draft)
– resolution #450-09

**MOLLISON-BELL, BE IT RESOLVED THAT, the minutes of the Regular Meeting of the Council of the Municipality of West Grey, held on December 7, 2009, be adopted as printed;
AND FURTHER THAT, the Minutes of the West Grey Committees – A2, be received, as circulated;
FURTHER THAT, the Other Minutes – A3, be received, as circulated.
... #450-09 **CARRIED.****

Award of Tenders

B1 None

Routine Department Reports

C1 CBOC/By-law Enforcement Officer – Report #CBOC 12/21/09 (received for information)

By-Laws - 1st & 2nd Reading

D1 86-2009 A By-law for governing the calling, place and proceedings of meetings of Council and Committees
D2 87-2009 A By-law for the licensing of dogs, and for regulating the running at large of dogs and regulating kennels
D3 88-2009 A By-law to appoint officials and citizens to various committees
D4 89-2009 A By-law to enter into an Ontario Disaster Relief Assistance Program Grant Agreement (attachment)
D5 90-2009 A By-law to enter into a Recreation Infrastructure Canada Program in Ontario Contribution Agreement (attachment)
D6 91-2009 A By-law to enter into an agreement for the provision of a municipal capital facility (Durham Art Gallery) (attachment)
D7 92-2009 A By-law to exempt from taxation for municipal and school purposes on which capital facilities are located (Durham Art Gallery) – resolution #451-09

(3) December 21, 2009

BELL-BLACK, BE IT RESOLVED THAT, By-law Numbered 86-2009, 87-2009, 88-2009, 89-2009, 90-2009, 91-2009 & 92-2009 be introduced and read a first and second time. ... #451-09 **CARRIED.**

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

- E1 Saugeen Economic Development Corporation – 2009 3rd Quarter Report for The Saugeen Economy, and notice of moving of SEDC Office
- E2 Land Use Council – letter to MNR Minister re: Conservation Authorities
- E3 Rick Parker, Canine Control Officer's Report – month of November, 2009
- E4 Drinking Water Source Protection Committee – re: appointment of Ken Furlong

Future Committee Meetings

- F1 None

Part II - Regular Agenda

Communications from the Mayor and Council

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

Delegations

West Grey Service Awards

Mayor Eccles presented West Grey Services Awards to Joanne Christie (20 years), Warren Harrison (10 years), Christopher Frizzell (10 years), and Steve Davis (10 years), with Warren Harrison and Joanne Christie in attendance to receive their awards.

Mayor Eccles presented Bill Scriven, Chair of the Grey County Tornado Disaster Relief Assistance Program, with a cheque in the amount of \$97,999.50, representing the amount raised through donations to the West Grey Tornado Disaster Relief Assistance Program. There is approximately \$260,000 raised to date, with the Province matching at a 2:1 ratio.

Dick O'Brien

Dick O'Brien came before Council to note his concerns with wind turbines proposed in West Grey (former Township of Glenelg), and to provide some suggestions for dealing with this matter.

Mr. O'Brien also noted the County of Grey's resolution contained within the CAO/Clerk's Report regarding wind turbines, and requested West Grey Council support said resolution.

(4) December 21, 2009

Ron Davidson, Municipal Planner - Durham Settlement Area Expansion Draft Report (revised)

Ron Davidson, Municipal Planner, presented the Durham Settlement Area Expansion Draft Report (revised December 18, 2009).

Ron noted receipt of a recent email from Ken Teasdale, Senior Project Manager, Ministry of Transportation Ontario, regarding the issue of a proposed entrance off Highway #6. Mr. Teasdale indicated M.T.O. is not willing to provide access from Highway #6 to Area F, and noted future requirements if urban expansion is approved for this Area. Council noted Jackson Street East is already accessible to Highway #6, and is within the Connecting Link.

The County of Grey has provided for a 30-day extension for submission of Comprehensive Review Report for the Town of Hanover, and staff will verify if this applies to West Grey as well.

The Municipal Planner noted Council will need to address the re-allocation of lands in the northwest quadrant currently in the urban designation. These lands will need to be removed from the urban designation to justify residential urban expansion in the northeast quadrant. There is a need to inform any landowners impacted by removal of lands from urban area. The Municipal Planner also noted West Grey should address the abandoned landfill site identified by the County of Grey Official Plan in the northwest quadrant of Durham.

Council requested the Municipal Planner to consider re-allocating further lands in the northwest quadrant to justify urban expansion in Areas E & F, and report back to Council at their first meeting in January 2010 in time for submission to Grey County. The Municipal Planner will contact Grey County to determine if an extension has already been granted to West Grey, or if a request for an extension is required.

Business Arising from the Previous Meeting - None

Managers' Report/Question Period

Treasurer - Report #TR 12/21/09

Approval of Accounts, Voucher 23-2009 – resolution #452-09

Recommendations from the Dec. 16, 2009 Finance Committee Meeting – resolution #453-09, #454-09, #455-09-09, #456-09, #457-09, #458-09 (Councillor Cutting and staff to provide cost of graphics for promotional tent for next Council meeting)

Neustadt New Hall Building Committee Recommendation – resolution #459-09

Public Works Capital Budget Recommendation – resolution #460-09, #461-09, #462-09

Year End Supplementary Assessments & Write-offs – resolution #463-09

(5) December 21, 2009

Council Remuneration – month of November 2009 and Year-To-Date (received for information)

Jardine Lloyd Thompson Canada Inc. (see resolution #477-09)

New Heights Building Group Inc. (see resolution #478-09)

West Grey Public Library Board (see resolution #479-09)

CUTTING-LAWRENCE, BE IT RESOLVED THAT, the Treasurer be authorized to pay the accounts presented as Voucher #23-2009 of the Municipality of West Grey, in the amount of \$452,628.43. ... #452-09 CARRIED.

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the yearend transfer recommendations 1 through 14 as supported by the Finance Committee and contained in Report TR#12-21-09. ... #453-09 CARRIED.

MARSHALL-PLUME, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the application to transfer back to a WSIB Schedule 1 Employer effective January 1, 2010 due to the inability to obtain Excess Workers Compensation Indemnity Insurance Coverage for 2010 as recommended by the Finance Committee. ... #454-09 CARRIED.

BLACK-MOLLISON, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves that there be no cost of living increase for 2010 and further that staff move up one step on the grid effective July 1, 2010 upon completion of a successful performance review as recommended by the Finance Committee. ... #455-09 CARRIED.

MARSHALL-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves that the Council remuneration remains at the 2008 level for 2010. ... #456-09 CARRIED.

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the payment of \$4,112.89 to the Saugeen Mobility and Regional Transit (S.M.A.R.T.) representing the balance due for 2009 and further that a letter be sent advising of the Municipality's guaranteed participation for the first six months of 2010 with the option at that point to give three months notice to withdraw from the service. ... #457-09 CARRIED.

PLUME-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the purchase of a 10' x 10' promotional tent complete with back and sides and including customized graphics to be funded from the Economic Development Initiatives budget. ... #458-09 CARRIED.

(6) December 21, 2009

BLACK-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the recommendations of the Neustadt New Hall Building Committee regarding Change Order #7 for Domm Construction in the amount of \$26,453.00 and landscaping invoicing paid to Botanical Designs in the amount of \$27,246.50 and wrought iron fencing invoicing paid to B&L Farm Services in the amount of \$4,995.00. ... #459-09 CARRIED.

MARSHALL-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the full cost of the new Grader to be funded from the Investing in Ontario Grant. ... #460-09 CARRIED.

MOLLISON-BLACK, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the full cost of the two new pick-up trucks and the new tractor be funded from the Investing in Ontario Grant. ... #461-09 CARRIED.

PLUME-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the surplus left from the GIC Investment after applying the expenditures for the Normanby Gravel Pit Rehabilitation be transferred to a Public Works Reserve for future pit rehabilitation. ... #462-09 CARRIED.

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the Supplementary/Omitted Taxes and Write-offs in the amount of \$18,990.56 and -\$86.81 for local taxation and area rates respectively. ... #463-09 CARRIED.

Public Works Manager - Report #PWMR 12/21/09

Neustadt Maintenance Proposal – resolution #464-09

College and Chester Street Parking – resolution #465-09, #466-09

Durham Upper Dam - Ice has formed upstream from the upper dam back to the 2nd of Glenelg. There is no indication of frazil ice downstream from the upper dam. The current weather and river conditions are favourable for not having frazil ice problems (received for information)

Becker Tank Rental - Gary Becker has agreed to renew the rental agreement for the sludge storage tank located at his farm for 2010. This will allow for the transfer of sludge from The Durham Sewage Plant to the storage tank during the winter months. The cost for 2010 is \$8,834.27, which includes the CPI increase of 0.2% as per agreement. (received for information)

Clear Bag Garbage System et al. (Public Works Manager noted flyers were sent to all ratepayers)

Durham Landfill Attendant (Public Works Manager reported that Keith Paylor will be assuming the Durham Landfill Attendant position effective January 2, 2010)

(7) December 21, 2009

BELL-BLACK, BE IT RESOLVED THAT, the Council of The Municipality of West Grey accepts the recommendation of the Public Works Committee to accept the revised contract from Botanical Designs beginning in December 2009. The revised contract would include supplying a forklift and operator as required at the Neustadt Arena. ... #464-09 **CARRIED.**

BLACK-PLUME, BE IT RESOLVED THAT, the Council of The Municipality of West Grey accepts the recommendation of the Public Works Committee to install no parking signs on the west side of College St between Durham Road West and Chester St. and on the south side of Chester St. between College St and the westerly dead end. Signs to read no parking Monday to Friday 8:00 a.m. to 4:00 p.m. ... #465-09 **TABLED.**

BELL-MOLLISON, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby tables resolution #465-09. ... #466-09 **CARRIED.**

Deputy Clerk – Report #DCR 12/21/09

Proposed Changes to 2010 Council Meeting Date – resolution #467-09

Municipal Elections Act, 1996, as amended – Compliance Audit Committee – resolution #468-09

Development Charges Study (Council directed municipal staff to inform the consultant updating the Development Charges Study to include calculations for a possible Development Charge for sewer and water services)

MOLLISON-BLACK, RESOLVED THAT, the Council of the Municipality of West Grey hereby approves changing the Thursday, January 7, 2010, 10:00 a.m. Council meeting date to Monday, January 11, 2010, 10:00 a.m. ... #467-09 **CARRIED.**

MARSHALL-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby supports the establishment of a Joint Compliance Audit Committee, pursuant to the Municipal Elections Act, 1996, as amended, to represent participating Grey County municipalities. ... #468-09 **CARRIED.**

CAO/Clerk – Report #CR 12/21/09

Wind Turbines (resolution from County of Grey received for information) (Staff to prepare a more strongly worded resolution requesting a moratorium on wind turbines, dissatisfaction with Province removing wind turbine approvals by municipalities, etc., and bring back to next regular meeting of Council. Staff to review other municipal resolutions regarding wind turbines i.e. Arran-Elderslie, Prince Edward County)
Elmwood Community Centre Hydro Bill (received for information)

Block Parent Program (Durham) (CAO/Clerk reported Mr. Cousins advised he will require 200-400 copies of five different documents at various intervals and is currently utilizing the services of a business for local photocopying. The CAO/Clerk will advise Mr. Cousins that he can utilize the Durham Arena foyer for display purposes during the Olympic Torch Run events. West Grey Police turned down the photocopying request from the Block Parent Program (Durham) as the Police Force previously provided photocopying and provided free criminal record checks.

Royal Canadian Legion Agreement (see resolution #476-09)

By-Laws – Third Readings

- D1 86-2009 A By-law for governing the calling, place and proceedings of meetings of Council and Committees – resolution #469-09
- D2 87-2009 A By-law for the licensing of dogs, and for regulating the running at large of dogs and regulating kennels – resolution #470-09
- D3 88-2009 A By-law to appoint officials and citizens to various committees – resolution #471-09
- D4 89-2009 A By-law to enter into an Ontario Disaster Relief Assistance Program Grant Agreement – resolution #472-09
- D5 90-2009 A By-law to enter into a Recreation Infrastructure Canada Program in Ontario Contribution Agreement – resolution #473-09
- D6 91-2009 A By-law to enter into an agreement for the provision of a municipal capital facility (Durham Art Gallery) – resolution #474-09
- D7 92-2009 A By-law to exempt from taxation for municipal and school purpose on which capital facilities are located (Durham Art Gallery) – resolution #475-09

MOLLISON-BELL, BE IT RESOLVED THAT, By-law Number 86-2009, being a By-law for governing the calling, place and proceedings of meetings of Council and Committees, 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. ... #469-09 CARRIED.

MARSHALL-LAWRENCE, BE IT RESOLVED THAT, By-law Number 87-2009, being a By-law for the licensing of dogs, and for regulating the running at large of dogs and regulating kennels, 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. ... #470-09 CARRIED.

BLACK-MOLLISON, BE IT RESOLVED THAT, By-law Number 88-2009, being a By-law to appoint officials and citizens to various committees, 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. ... #471-09 CARRIED.

(9) December 21, 2009

PLUME-CUTTING, BE IT RESOLVED THAT, By-law Number 89-2009, being a By-law to enter into an Ontario Disaster Relief Assistance Program Grant Agreement with the Ministry of Municipal Affairs & Housing, 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. ... #472-09 CARRIED.

BELL-BLACK, BE IT RESOLVED THAT, By-law Number 90-2009, being a By-law to enter into a Recreation Infrastructure Canada Program in Ontario Contribution Agreement, 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. ... #473-09 CARRIED.

LAWRENCE-MARSHALL, BE IT RESOLVED THAT, By-law Number 91-2009, being a By-law to authorize an agreement for the provision of a municipal capital facility (Durham Art Gallery), 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. ... #474-09 CARRIED.

MOLLISON-BLACK, BE IT RESOLVED THAT, By-law Number 92-2009, being a By-law to authorize an agreement for the exemption from taxation (Durham Art Gallery), 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. ... #475-09 CARRIED.

New Business - None

Addendum - None

Notice of Motion/Direct Motions

Royal Canadian Legion Branch 308 – resolution #476-09

Jardine Lloyd Thompson Canada Inc. – resolution #477-09

New Heights Building Group Inc. – resolution #478-09

West Grey Public Library Board – resolution #479-09

MARSHALL-CUTTING, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the Mayor and CAO/Clerk to sign an Agreement with the Royal Canadian Legion Branch 308 regarding the provision of an evacuation centre, shelter, rest area and food service provider during severe winter weather conditions and emergency situations, and as amended to include West Grey Police Service, subject to their approval. . . . #476-09 CARRIED.

(10) December 21, 2009

**CUTTING-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves the renewal of the municipal insurance for the period January 1, 2010 to December 31, 2010 with Jardine Lloyd Thompson Canada Inc for a total annual premium of \$211,914 plus applicable provincial sales tax.
... #477-09 CARRIED.**

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves Payment Certificate #1 to New Heights Building Group Inc. in the amount of \$203,525.82 including GST. ... #478-09 CARRIED.

**BLACK-BELL, BE IT RESOLVED THAT, the Municipality of West Grey hereby supports the resolution of the West Grey Public Library Board requesting the Municipality of West Grey, on behalf of the West Grey Public Library Board, to submit an application to Intake Two of the Community Adjustment Fund prior to the deadline of January 18, 2010, incorporating the financial parameters used previously in the Infrastructure Stimulus Fund application.
... #479-09 CARRIED.**

Closed Session – Incomplete Items Only – n/a

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

Question Period

Dick O'Brien thanked Council for considering the concerns of ratepayers regarding wind turbines.

Joan Raschle requested a copy of the proposed draft wind turbine resolution prior to the January 11, 2010 Council meeting. Mayor Eccles noted the draft resolution may be available in the CAO/Clerk Report contained within the January 11, 2010 Council Agenda package.

Mac Galbraith noted his concerns with the Durham Settlement Area Expansion Draft Report, as revised, regarding looping of services, Jackson Street, Hazard vs. Significant Woodland, MDS – Banjavcic, reference on page 26 to potential commercial uses. Mr. Galbraith also requested he be notified of any Council, planning or public works committee meetings regarding same, and Mayor Eccles indicated this request needs to be made in writing. (Councillor Bell declared a pecuniary interest during discussions by Mac Galbraith relating to the delegation by Ron Davidson, Municipal Planner, and the Durham Settlement Area Expansion Draft Report (revised December 18, 2009).)

Municipal Act – Notices

Notice of Intent to Amend West Grey Fees & Charges By-law No. 31-2008, as amended by By-law No. 50-2009

(11) December 21, 2009

Conducting Business after 11:00 p.m. – resolution #480-09

Closed Session – resolution #481-09

Open Session – resolution #482-09

MARSHALL-PLUME, RESOLVED THAT, the Council of the Municipality of West Grey hereby approves conducting business after 11:00 p.m.

... #480-09

CARRIED.

MOLLISON-BLACK, 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 11:00 p.m., with the CAO/Clerk and Deputy Clerk, 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.

... #481-09

CARRIED.

PLUME-MARSHALL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 11:45 p.m.

... #482-09

CARRIED.

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

Adjournment

MOLLISON, RESOLVED THAT, we do now adjourn at 11:58 p.m., to meet again on Monday, January 11th, 2010, 10:00 a.m., or at the call of the Mayor. CARRIED.

Kevin Eccles, Mayor

Christine Robinson, CAO/Clerk