

MINUTES
For the Regular Meeting of the
Council of the Municipality of West Grey
Held on Monday, December 7, 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, Councillor John S. Black (left meeting at 12:03 p.m.), Councillor Bev Cutting, Councillor Carol Lawrence, Councillor Don Marshall, Councillor David Mollison, Councillor Bev Plume
<u>Staff</u>	Christine Robinson, CAO/Clerk; Mark Turner, Deputy Clerk Kerri Mighton, Treasurer-Deputy Tax Collector; Ken Gould, Public Works Manager; Phil Schwartz, Fire Chief – during reports

Lord's Prayer/Moment of Reflection
Declarations of Pecuniary Interest - None

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 9:12 a.m., with the CAO/Clerk, Deputy Clerk, 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. ... #423-09 **CARRIED.**

SULLIVAN-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 10:01 a.m.
... #424-09 **CARRIED.**

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

Matters Arising from the Closed Session – None

Public Meetings:

Proposed Update to the West Grey Procedural By-law, being a by-law governing holding of Council and Committee meetings

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The Deputy Clerk noted the purpose of the public meeting and stated the intent of the proposed by-law

Council requested section 6.2 of the proposed by-law be amended to state that the Mayor will appoint a member of Council as Head of Council when the Mayor and Deputy Mayor are absent.

Proposed Update to the West Grey Dog/Kennel By-law

The Deputy Clerk noted the purpose of the public meeting and stated the intent of the proposed by-law.

Council requested the deletion of section 3 b iv)

Part I - Consent Agenda

MARSHALL-CUTTING, 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.

... #425-09

CARRIED.

Adoption of Minutes

Council:

- A1 Minutes of Regular Council Meeting – November 16, 2009
- Minutes of Committee of the Whole Meeting – November 30, 2009

Committees:

- A2 West Grey Economic Development Committee – September 17, 2009
- West Grey Fire Committee – September 17, 2009
- West Grey Waste Management & Environmental Committee – October 1, 2009
- Neustadt Recreation Advisory Committee – November 11, 2009 (draft)
- West Grey Waste Management & Environmental Committee – November 12, 2009 (draft)
- West Grey Economic Development Committee – November 13, 2009 (draft)
- West Grey Fire Committee – November 19, 2009 (draft)

Other

- A3 West Grey Health & Safety Committee – January 29, 2009
- West Grey Health & Safety Committee – May 14, 2009 (draft)
- Saugeen Municipal Airport Commission – October 21, 2009
- Elmwood Community Centre Board – October 27, 2009 – resolution #426-09

BELL-BLACK, BE IT RESOLVED THAT, the minutes of the Regular Meeting of the Council of the Municipality of West Grey, held on November 16, 2009, and the minutes of the Committee of the Whole Meeting, held on November 30, 2009, be adopted as printed;

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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.

... #426-09

CARRIED.

Award of Tenders

B1 None

Routine Department Reports

C1 CAO/Clerk - Report #CC 12/07/09 – resolution #427-09

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

Paul Weirmier, Lot 14, Concession 10, Bentinck, suffered the loss of one Dorsett ewe with an estimated live weight of 180-185 pounds in the amount of \$185.00, killed by coyotes on or about October 31, 2009. ... #427-09

CARRIED.

By-Laws - 1st & 2nd Reading

D1 82-2009 A By-law to appoint members to the Municipality of West Grey Committee of Adjustment

D2 83-2009 A By-law to license, regulate and govern refreshment vehicles in the Municipality of West Grey

D3 84-2009 A By-law for Licensing, Regulating and Governing the Owners and Drivers of Motor Vehicles Used as Taxicabs – resolution #428-09

MOLLISON-BLACK, BE IT RESOLVED THAT, By-law Numbered 82-2009, 83-2009 & 84-2009 be introduced and read a first and second time.

... #428-09

CARRIED.

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

E1 Heart & Stroke Foundation of Ontario – request to designate February 2010 as Heart & Stroke Foundation of Ontario month, and to permit canvassing

E2 Grey Bruce Health Unit – October 156, 2009 Board Report

E3 Grey Bruce Health Unit – November 20, 2009 Board Report

E4 Rick Parker, Canine Control Officer/Livestock Valuer Report – month of October, 2009

E5 Conservation Ontario – 2008 Annual Report

E6 Southwest Economic Alliance – October 2009 powerpoint presentation

E7 Grey Roots Museum & Archives – November 2009 E-Update

Future Committee Meetings

F1 West Grey Public Works Committee – December 11, 2009, 8:30 a.m., West Grey Municipal Office

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- F2 West Grey Waste Management & Environmental Committee – December 11, 2009, 1:00 p.m., West Grey Municipal Office
- F3 West Grey Planning Advisory Committee – December 14, 2009, 1:00 p.m., West Grey Municipal Office
- F4 West Grey Finance Committee – December 16, 2009, 9:00 a.m., West Grey Municipal Office

Part II - Regular Agenda

Communications from the Mayor and Council

Mayor Eccles, Deputy Mayor Sullivan, Councillors Mollison, Lawrence, Cutting and Plume, reported on their activities and events since the last regular meeting of Council, and on upcoming activities and events.

Delegations

Mike McMurray et al.

Mike McMurray and concerned ratepayers came before Council to note their concerns regarding wind turbines being proposed by Next Era Energy in the former Township of Glenelg, including health concerns, physical safety, economic feasibility, impact on livestock, and property devaluation.

Mr. McMurray stated the concerned ratepayers believe there is insufficient data available to determine safety of wind turbines. Mr. McMurray noted the County of Grey has passed a resolution supporting a moratorium on wind turbines until the Province completes a wind turbine study at its own cost. Mr. McMurray proposed that West Grey go on record in support of a judicial review of Ontario's Green Energy Act based on the Precautionary Principle as it applies to industrial wind turbine installations.

Ken Toldness presented a petition with approximately 177 signatures of ratepayers to Council noting their opposition to the proposed wind turbines.

Council will defer direction regarding wind turbines until the Public Information Meeting being held later today by Next Era Energy and until receipt of the resolution from the County of Grey respecting wind turbines. The wind turbine issue will be further discussed at the December 21, 2009 Council meeting.

Frank Devisser, CFBW, Bluewater Radio Station

Mr. Devisser, a member of the Board of Directors of CFBW, Bluewater Radio Station, came before Council requesting an official partnership with West Grey; for West Grey to appoint a representative on the Board of Directors; and for West Grey to provide financial help to help pay for listener survey and debts. Mr. Devisser requested West Grey to provide \$6,000 in financial assistance to the Bluewater Radio Station.

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Mayor thanked Mr. Devisser for his presentation, and noted Council will consider the request during 2010 budget deliberations upon receipt of a letter requesting same.

Rene Berger, West Grey Police Service Chief

Chief Berger presented an update on the ATV By-law and occurrences relating to ATV's.

Chief Berger reported that during the first three months after passage of the ATV By-law (March-May 2009), West Grey Police Services received a number of complaints relating to ATV's, mainly in the northeast part of the former Township of Glenelg, however, the number of complaints dwindled thereafter, with the last complaint received on July 2009. Few charges were laid against ATV users, and charges were mainly relating to paper work issues. No accidents from ATV's were reported. Chief Berger concluded that a majority of ATV users are responsible drivers.

The ATV By-law will be reviewed again in November 2010.

Business Arising from the Previous Meeting - None

Councillor Black left the meeting at 12:03 p.m.

Council temporarily adjourned for lunch at 12:03 p.m., and reconvened at 12:43 p.m.

Managers' Report/Question Period

Treasurer - Report #TR 12/07/09

Approval of Accounts, Voucher #22-09 – resolution #428-09

Ontario Trillium Foundation Letter of Agreement – resolution #429-09

West Grey Activity Centre – resolution #430-09, #431-09

WSIB Schedule 2 Excess Indemnity Coverage – resolution #444-09

Durham Firefighters Association – resolution #432-09

West Grey-Durham Lions Club – resolution #433-09

PLUME-CUTTING, BE IT RESOLVED THAT, the Treasurer be authorized to pay the accounts presented as Voucher #22-2009 of the Municipality of West Grey, in the amount of \$2,576,615.31. ... #428-09 **CARRIED.**

SULLIVAN-MOLLISON, BE IT RESOLVED THAT, the Council of The Municipality of West Grey hereby authorizes the Mayor and CAO/Clerk to sign the Letter of Agreement from the Ontario Trillium Foundation for the Durham Arena Siding/Insulation/Louvers Project. ... #429-09 **CARRIED.**

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MARSHALL-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the replacement of the equipment at the West Grey Activity Centre to be purchased using Purchase Order(s) which are to be presented to Council for prior approval/authorization for CAO/Clerk to sign, in accordance with municipal purchasing by-law. ... #430-09 CARRIED.

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the CAO/Clerk to sign the Purchase Order for aerobic steps at a total cost of \$748.00 plus applicable taxes. ... #431-09 CARRIED.

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves a donation of \$600.00 to the Durham & District Firefighters Association for the Durham Santa Claus Parade. ... #432-09 CARRIED.

PLUME-LAWRENCE, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby approves a gold sponsorship by West Grey in the amount of \$500.00 for the West Grey – Durham Lions Club Fireworks Display during the 2010 Olympic Torch Run events. ... #433-09 CARRIED.

SULLIVAN-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the West Grey Finance Committee at the Dec. 16/09 meeting to approve a decision relating to WSIB coverage for 2010. ... #444-09 CARRIED.

Public Works Manager - Report #PWMR 12/07/09

Lion's Club Fireworks – resolution #434-09

Durham Trailblazers Snowmobile Club – resolution #435-09 (Public Works staff to verify with Club that trail is in safe condition in area where tornado hit)

Drinking Water Licensing Permits (received for information)

BELL-MOLLISON, BE IT RESOLVED THAT, the Council of The Municipality of West Grey approves the fire works display hosted by the West Grey - Durham Lion's Club at the Durham Arena Parking lot or other municipal facilities on December 28th, 2009. ... #434-09 CARRIED.

MARSHALL-PLUME, RESOLVED THAT, the Council of the Municipality of West Grey hereby grants permission to the Durham & District Trailblazers Snowmobile Club to use certain municipal properties as detailed in their letter dated November 12, 2009, and subject to the Municipality being named as an insured in their insurance policy. ... #435-09 CARRIED.

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Fire Chief – Report #FCR 12/07/09

Mapping (Council requested some amendments along Highway 6, and to retain present fire coverage area for Mount Forest as per current contract. An Open House will be scheduled to explain changes to fire response areas, once implemented by Council.)

Council requested the Fire Chief and West Grey Fire Committee Chair to enter into discussions with the Municipality of South Bruce regarding a possible agreement for fire protection services in the Neustadt and Carrick-Mildmay coverage areas.

Council requested the West Grey Fire Committee to assess Neustadt Fire Department coverage.

Deputy Clerk – Report #DCR 12/07/09

Development Charges Study Quotations – resolution #436-09

Proposed 2010 Council and Committee of the Whole Meeting Dates – resolution #437-09

Proposed Update to Committees Appointment By-law No. 12-2009 (Add “West Grey Beautification Committee”; “Durham Medical Clinic Expansion Committee – Councillors Bell & Cutting (Council reps); 2012 Durham Homecoming Committee – Councillor Mollison (Council rep) and DHC members”; “West Grey Signage Committee – Councillors Cutting & Plume”, Finance & Personnel Committee – all Council; delete – Markdale & Area Fire Department, West Grey Main Street Committee, West Grey Signing, Awning and Façade Improvement (SAFI) Evaluation Committee; keep Council reps on current Recreation Advisory Committees. Council to advise Deputy Clerk of any other changes, and draft By-law to be presented at December 21, 2009 Council meeting)

**CUTTING-PLUME, BE IT RESOLVED THAT, the Council of the Municipality of West Grey supports the recommendation of the Committee of the Whole to accept the quotation from Morehouse Associates in the amount of \$9,896.00 inclusive of G.S.T., for completion of a Development Charges Study for the Municipality of West Grey.
... #436-09 CARRIED.**

MOLLISON-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey approves the following 2010 Council and Committee of the Whole Meeting Dates:

2010 COUNCIL MEETING DATES

Thursday, January 7, 2010, 10:00 a.m.*	Monday, January 18, 2010, 7:00 p.m.**
Monday, February 1, 2010, 10:00 a.m.	Monday, February 15, 2010, 7:00 p.m.
Monday, March 1, 2010, 10:00 a.m.	Monday, March 15, 2010, 7:00 p.m.
Monday, April 5, 2010, 10:00 a.m.	Monday, April 19, 2010, 7:00 p.m.
Monday, May 3, 2010, 10:00 a.m.	Monday, May 17, 2010, 7:00 p.m.
Thursday, June 10, 2010, 10:00 a.m.	Monday, June 21, 2010, 7:00 p.m.
Monday, July 5, 2010, 10:00 a.m.	Monday, July 19, 2010, 7:00 p.m.
Wednesday, August 4, 2010, 10:00 a.m.	Thursday, August 19, 2010, 7:00 p.m.
Wednesday, September 8, 2010, 10:00 a.m.	Monday, September 20, 2010, 7:00 p.m.
Monday, October 4, 2010, 10:00 a.m.	Monday, October 18, 2010, 7:00 p.m.
Monday, November 1, 2010, 10:00 a.m.	Monday, November 15, 2010, 7:00 p.m.

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Monday, December 6, 2010, 10:00 a.m. **Monday, December 20, 2010, 7:00 p.m.**

***Closed sessions of morning Council meetings commence 9:00 a.m.**

****Closed sessions of evening Council meetings commence 6:00 p.m.**

2010 COMMITTEE OF THE WHOLE MEETINGS (last Monday, bi-monthly)

January 25, 2010, 9:00 a.m.

March 29, 2010, 9:00 a.m.

May 31, 2010, 9:00 a.m.

July 26, 2010, 9:00 a.m.

September 27, 2010, 9:00 a.m.

November 29, 2010, 9:00 a.m.

... #437-09

CARRIED.

CAO/Clerk – Report #CR 12/07/09

Accessible Customer Service Standards Under The Accessibility For Ontarians With Disabilities Act Legislation – Draft Policy – resolution #438-09

West Grey Public Library Logo – Draft (received for information – suggested either all black lettering or all burgundy lettering)

Laptops – Members of Council – resolution #439-09

Block Parent Program (Durham) – (CAO/Clerk recommended against West Grey becoming a Block Parent; not to permit photocopying at the West Grey Municipal Office; or permit a Block Parent booth to be set up at the Durham Arena during Olympic Torch Run events. Councillor Cutting will discuss with West Grey Police Services Board if it will allow Block Parent to use photocopier for startup purposes. Council okay with Block Parents setting up a booth during Olympic Torch Run events at Durham Arena) – resolution #440-09

West Grey Public Library Board (resolution dated November 18, 2009 noting seeking individual for casual help for branch libraries. This item is within the budget – received for information)

WG Economic Development Committee (cancelled meeting originally scheduled for December 10, 2009)

SULLIVAN-BELL, BE IT RESOLVED THAT, the Council of the Municipality of West Grey adopts the Accessible Customer Service Standards Under The Accessibility for Ontarians With Disabilities Act Legislation Policy, and as contained within the CAO/Clerk – Report CR #12/07/09, as amended.

... #438-09

CARRIED.

CUTTING-LAWRENCE, RESOLVED THAT, the Council of the Municipality of West Grey hereby supports the recommendation of the Committee of the Whole to purchase seven ASUS Laptops from Infinity Network Solutions at a cost of \$9,594.83 inclusive of G.S.T. ... #439-09

CARRIED.

SULLIVAN-MOLLISON, RESOLVED THAT, the Council of the Municipality of West Grey hereby requests the Mayor to provide a letter of support regarding the establishment of the Block Parent Program Initiative in the former Town of Durham, as recommended by the Committee of the Whole. ... #440-09

CARRIED.

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By-Laws – Third Readings

- D1 82-2009 A By-law to appoint members to the Municipality of West Grey Committee of Adjustment – resolution #441-09
- D2 83-2009 A By-law to license, regulate and govern refreshment vehicles in the Municipality of West Grey – resolution #442-09
- D3 84-2009 A By-law for Licensing, Regulating and Governing the Owners and Drivers of Motor Vehicles Used as Taxicabs – resolution #443-09

MARSHALL-LAWRENCE, BE IT RESOLVED THAT, By-law Number 82-2009, being a By-law to appoint members to the Municipality of West Grey Committee of Adjustment, 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. ... #441-09 CARRIED.

MOLLISON-SULLIVAN, BE IT RESOLVED THAT, By-law Number 83-2009, being a By-law to license, regulate and govern refreshment vehicles in the Municipality of West Grey, 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. ... #442-09 CARRIED.

PLUME-CUTTING, BE IT RESOLVED THAT, By-law Number 84-2009, being a By-law for Licensing, Regulating and Governing the Owners and Drivers of Motor Vehicles Used as Taxicabs, 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, as amended. ... #443-09 CARRIED.

New Business

Bill Scriven, Chair, Tripartite Disaster Relief Committee - Ontario Disaster Relief Assistance Program (Mr. Scriven provided a brief background regarding intent of the program and claims process. The Committee will be releasing a final number of claims in the near future. Mr. Scriven is hopeful that the adjusted claims will be known by January 2010.)

Addendum - None

Notice of Motion/Direct Motions

Heart & Stroke Foundation of Ontario – resolution #445-09
By-law No. 85-2009 – resolution #446-09
Durham Art Gallery – resolution #447-09
West Grey Tornado Relief Fund – resolution #448-09

(10) December 7, 2009

**SULLIVAN-BELL, RESOLVED THAT, the Council of the Municipality of West Grey hereby recognizes February 2010 as Heart Month and approves door-to-door canvassing in West Grey by Heart & Stroke Foundation of Ontario volunteers.
... #445-09 CARRIED.**

MARSHALL-PLUME, BE IT RESOLVED THAT, By-law Number 85-2009, being a By-law to enter into a Winter Maintenance Agreement with the County of Grey, be 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. ... #446-09 CARRIED.

**SULLIVAN-MOLLISON, WHEREAS West Grey recognizes the municipal value of quality cultural services and experiences being available in West Grey and has been providing annual grants to the Durham Art Gallery;
AND WHEREAS such annual grants do not provide a reliable or stable foundation for the long term planning needs of the Durham Art Gallery as the grant remains subject to the annual discretion of Council and other annual factors that may limit or eliminate the budgeted grant allocation;
AND WHEREAS the West Grey Council recognizes the benefit derived in establishing a more stable financial recognition of the cultural services provided by the Durham Art Gallery;
AND WHEREAS West Grey Council has enacted bylaws regarding the Durham Legion Branch #308 and the Durham Medical Clinic as authorized by the Municipal Act to recognize their municipal value and establish municipal property tax exemptions;
THEREFORE BE IT RESOLVED THAT THE COUNCIL OF WEST GREY HEREBY DIRECTS; THAT a bylaw be prepared to authorize the entering into an agreement with the Durham Art Gallery as provided by Section 110 of the Municipal Act which will provide for exemption from all of the property taxes levied for municipal and education purposes; commencing January 1, 2010 in recognition of the Durham Art Gallery's cultural contribution to West Grey and surrounding area. ... #447-09 CARRIED.**

MARSHALL-PLUME, BE IT RESOLVED THAT, the Council of the Municipality of West Grey hereby authorizes the Treasurer to transfer the funds held in the West Grey Tornado Relief Fund bank account to the Grey County Tornado Disaster Relief Committee which will benefit the victims of the Aug. 20th, 2009 tornado disaster, including residents affected from the Municipality of West Grey, and further that the funds will be eligible for the 2:1 matching Provincial ODRAP Funding. ... #448-09 CARRIED.

Closed Session – Incomplete Items Only – n/a

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

Question Period

In response to a question posed by Council, the Treasurer/Deputy Tax Collector advised that MPAC applies different assessment valuations for managed forest lots.

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Council was advised of a joint Public Meeting to be held by West Grey and Grey County during the West Grey Planning Advisory Committee on December 14, 2009, at 1:00 p.m., regarding the former Township of Normanby Gravel Pit property. Immediately after this Public Meeting, the West Grey Planning Advisory Committee will receive a Draft Report from the Municipal Planner respecting the proposed Durham Settlement Area Expansion. Council members not on the WGPAC are also invited to this meeting.

Council directed that the \$300.00 cheque received from the Durham Firefighters Association for the West Grey float winning first prize in the Durham Santa Claus Parade be donated to the Grey County Disaster Relief Committee fund. This donation will be reflected in the Accounts Voucher to be included in the Treasurer-Deputy Tax Collector's report during the December 21, 2009 Council meeting.

Municipal Act – Notices - None

Adjournment

MOLLISON, RESOLVED THAT, we do now adjourn at 4:27 p.m., to meet again on Monday, December 21st, 2009, 10:00 a.m., or at the call of the Mayor. CARRIED.

Kevin Eccles, Mayor

Christine Robinson, CAO/Clerk