

DUFFERIN COUNTY COUNCIL



Thursday, June 10, 2010

7:00 p.m.

**Council Chambers, Court House
51 Zina Street, Orangeville**

Council Members Present:

Warden Allen Taylor (East Garafraxa)
Councillor Rob Adams (Orangeville)
Councillor Ken Bennington (Shelburne) (arrived 8:30 p.m.)
Councillor Ed Crewson (Shelburne) (arrived 7:30 p.m.)
Councillor Debbie Fawcett (Melancthon)
Councillor Bill Hill (Melancthon)
Councillor Lorie Haddock (Mono)
Councillor Don MacIver (Amaranth)
Councillor Warren Maycock (Orangeville)
Councillor Ken McGhee (Mono)
Councillor Gordon D. Montgomery (Mulmur)
Councillor John Oosterhof (East Luther Grand Valley)
Councillor Sue Snider (Mulmur)

Members Absent:

Councillor Walter Kolodziechuk (Amaranth) (prior notice)

Staff Present:

Mike Giles, Acting CAO/Chief Building Official
Alan Selby, Treasurer
Trevor Lewis, Director of Public Works
Keith Palmer, Director of Community Services
Brenda Urbanski, Dufferin Oaks Administrator
Wayne Townsend, Museum Director/Curator
Pam Hillock, Clerk
Michelle Dunne, Council/Committee Coordinator

Warden Taylor called the meeting to order at 7:00 p.m.

The Warden announced that during his holidays, Councillor Maycock, as Chair of General Government Service will be the Acting Warden.

The Warden noted the upcoming meetings and events:

Public Works Committee – Tuesday, June 22, 2010
Accessibility Advisory Committee – Monday, June 22, 2010 – Joint meeting
Community Services/Dufferin Oaks Committee – Wednesday, June 23, 2010
Community Development Committee – Thursday, June 24, 2010
General Government Services Committee – Monday, June 28, 2010
Museum Board – At the call of the Chair

The Warden also reminded Council that the tour of the Westinghouse Research facility in Madison Pennsylvania is taking place on Wednesday, June 16, 2010.

There will be a candidate information session held on Tuesday, June 22, 2010 at the Mel Lloyd Centre, Shelburne at 7 p.m. He asked to contact the Clerk's office if interested in attending.

The County offices will be closed for Canada Day, Thursday, July 1, 2010.

1. APPROVAL OF AGENDA

Moved by Councillor Adams , seconded by Councillor McGhee

THAT the Agenda and any Addendums distributed for the June 10, 2010, meeting of Council, be approved.

-Carried-

2. DECLARATIONS OF INTEREST BY MEMBERS

Members of Council are required to state any pecuniary interest in accordance with the Municipal Conflict of Interest Act.

Councillor Crewson declared a pecuniary interest in Item #7 in the General Government Services minutes regarding the former rail line because a party involved in the proposed purchased is his client. He declared that he would take no part in the voting or discussion on these matters and would vacate the room during discussion and voting.

Councillor Bennington declared a pecuniary interest in Item #7 in the General Government Services minutes regarding the former rail line because his sister owns land adjacent to the former rail line. He declared that he would take no part in the voting or discussion on these matters and would vacate the room during discussion and voting.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Moved by Councillor Maycock, seconded by Councillor Oosterhof

Councillor Haddock asked that Item #23 regarding the trails master plan be amended to state that the lower tier municipalities be consulted prior to any further action being taken.

THAT the minutes of the Regular Meeting of Council of May 13, 2010, as amended, be adopted.

-Carried-

4. PRESENTATIONS, DELEGATIONS AND PROCLAMATIONS

- 4.1.** Presentation: Certificate to Jean Hamlyn Day Care Staff, to recognize the award of a perfect licence to the Jean Hamlyn Day Care Centre in December 2009 by the Ministry of Children and Youth Services.

In attendance to accept the certificate was Lori-Jane Harding, Manager, Mary Little, Supervisor, Susie Amos, Wendy Bauer, Brenda Hoddinnott, Lillian Preskar-Smit, Charlene Timmins, Laurie Whittaker and Tracey Zarudny. The Warden congratulated everyone on the first daycare in Ontario to be awarded 100% on an evaluation.

- 4.2.** Delegation: Mr. Bob Collin addressed Council with respect to Run Dufferin.

Mr. Collins introduced the organization Run Dufferin and gave a brief overview of their history and their future goals. They wanted to make Council aware of them and noted they would like to work with local governments to promote and support health and fitness within the community and community events.

Mr. Collins asked Council for a letter of support to approve of their organization using the name Dufferin as part of their name.

Moved by Councillor Adams, seconded by Councillor Hill

THAT the County of Dufferin support Run Dufferin and the use of the name Dufferin.

-Carried-

- 4.3.** Department Head Presentation: Ms. Pam Hillock, Clerk, did a presentation on the activities of the Clerks and Information Technology Departments.

Councillor Crewson arrived at the meeting during Question Period (7:30 p.m.).

5. PUBLIC QUESTION PERIOD

Mr. Darren White, Melancthon resident and Melancthon Councillor voiced his concern with respect to the Trails Master Plan and the Rail corridor lands. He asked when the appraisal will be made public and if there will be a public meeting prior to the sale? The Warden responded that there will be a public meeting held prior to the sale if there is one.

Mr. John Lever, Melancthon resident, asked why Council is going into closed session to discuss the rail line. The Warden responded that discussions on property acquisitions and dispositions are allowed to be discussed in closed session under the Municipal Act.

Mr. Ron Munro, East Garafraxa resident, inquired if the County website is compatible with the area municipal websites and if information was shared. Ms. Pam Hillock, Clerk, noted there is a Dufferin Municipal Officers Association that meet regularly and the County has links to each municipality's external website from our website.

Mrs. Joan Lever, Melancthon Resident, inquired about the Dufferin Eco-Energy Park. She noted that the April 15, 2010 letter from the Chair of Community Development Committee stated there were no issues raised at the Waste Forum, when three primary concerns were noted in the March 27, 2010 report. She stated she has written three letters to Council and noted she has six main concerns, cancer causing dioxins, arsenic slag, minimum two week downtime, 50,000 tonnes of compost of human waste, increased truck traffic and contaminated water. Councillor Crewson noted that all of her concerns have been addressed by the engineers at AlterNRG, but the County is getting an independent peer evaluation to confirm the validity of the answers provided.

PRESENTATION AND CONSIDERATION OF REPORTS

6. COMMUNITY SERVICES DUFFERIN OAKS – May 26, 2010

Moved by Councillor Snider, seconded by Councillor Montgomery

THAT the Community Services Dufferin Oaks Committee minutes of May 26, 2010, and the recommendations set out, be adopted.

-Carried-

7. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 – ITEM #1 Accessibility Advisory Committee Minutes – March 22, 2010

THAT the minutes from the Accessibility Advisory Committee meeting held on March 22, 2010, be received.

8. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #2 211 Service in Dufferin County

THAT the report of the Director of Community Services dated May 26, 2010 with respect to the 211 service in Dufferin County be received;

AND THAT the County partner with the Region of Peel to participate in the delivery of 211 services locally.

- 9. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #3**
Early Learning Program

THAT the report of the Director of Community Services dated May 26, 2010 with respect to the Early Learning Program be received.

- 10. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #4**
Jean Hamlyn Day Care Centre

THAT the report of the Director of Community Services dated May 26, 2010 with respect to the operations and services at the Jean Hamlyn Day Care Centre be received.

- 11. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #5**
Auditorium Rental Fees

THAT the rental fees for the auditorium in the Mel Lloyd Centre be established at \$90.00 per day or \$50.00 per half day plus \$25.00 per hour for set up and take down,

AND THAT the County fees by-law be amended accordingly.

- 12. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #6**
Mel Lloyd Centre Permanent Coordinating Committee Minutes – April 12, 2010 and May 3, 2010.

THAT the minutes of the Mel Lloyd Centre Permanent Coordinating Meetings minutes dated April 12, 2010 and May 3, 2010 be received.

- 13. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #7**
Resident Council Minutes – March 24, 2010 and April 22, 2010.

THAT the minutes of the Resident Council Meeting dated March 24, 2010 and April 22, 2010 be received.

- 14. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #10**
Nurse Practitioner Led Clinics

THAT the report of the Administrator dated May 26, 2010 be received;

AND THAT the Administrator be authorized to retain Michael Klejman and Associates to assist with the submission of a proposal by the deadline date of June 25, 2010, for a Nurse Practitioner led clinic in Shelburne.

15. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 - ITEM #11
Long Term Care Home Service Accountability Agreement

THAT the County of Dufferin enter into a Long Term Care Home Service Accountability Agreement with the Central West Local Health Integration Network;

AND THAT the necessary By-law be enacted.

16. COMMUNITY SERVICES/DUFFERIN OAKS – May 26, 2010 – ITEM #13
Closed Session – Property Matter

THAT a subcommittee be struck consisting of Warden Taylor, Councillors Hill and Montgomery to meet with the board of the Mel Lloyd Family Health Team to discuss the Lease.

17. COMMUNITY DEVELOPMENT COMMITTEE – May 27, 2010

Moved by Councillor Crewson, seconded by Councillor Oosterhof

Chair Crewson stated that a question from Mr. Lever who was in attendance at the meeting, was omitted from the minutes. The following paragraph will be added to the minutes: “Mr. John Lever asked Chair Crewson about a statement he made stating there was no opposition to the DEEP project resulting from the Waste Management Forum forum on March 27th. Chair Crewson answered by saying he stated that there did not appear to be any opposition from those who attended the forum.

THAT the Community Development Committee minutes of May 27, 2010, as amended, and the recommendations set out, be adopted.

-Carried-

18. COMMUNITY DEVELOPMENT COMMITTEE – May 27, 2010 – Item #1
Update – Marketing Dufferin Initiative

THAT the Marketing Strategy 2010-2014 for Dufferin County and Member Municipalities dated May 27, 2010, be received;

AND THAT a copy of the Final Report Stage 1 be presented to each participating economic development committee and to each municipality by the Marketing Dufferin Initiative Committee for review and comment;

AND THAT the County proceed with a commitment to the County Economic Marketing Strategy following a review of comments;

AND THAT an amount of \$150,000 be included for consideration in the draft 2011 Budget for the Marketing Strategy 2010-2014.

19. COMMUNITY DEVELOPMENT COMMITTEE – May 27, 2010 – Item #2
Discussion with Local Councils re: County Assumption of Waste Management

THAT Report CDC-10-08, Discussions with Local Councils - Waste Assumption, from the Director of Public Works dated May 27, 2010 be received;

AND THAT the attached bylaw be presented to Council for consideration;

AND THAT if the bylaw obtains first and second reading that staff be directed to circulate the bylaw to the municipalities for review and pass a resolution if they consent to the County assuming the responsibility for waste management as spelled out in the bylaw.

20. COMMUNITY DEVELOPMENT COMMITTEE – May 27, 2010 – Item #5
County of Wellington – Dufferin ECO Energy Park (DEEP)

THAT the correspondence dated May 11, 2010 from the County of Wellington with respect to Dufferin ECO Energy Park, be received.

21. GENERAL GOVERNMENT SERVICES – May 31, 2010

Moved by Councillor Maycock, seconded by Councillor Hill

THAT the General Government Services minutes of May 31, 2010, and the recommendations set out, exclusive of Items #4, 6 and 7, be adopted.

-Carried-

22. GENERAL GOVERNMENT SERVICES – May 31, 2010 – Item #1
Rail Subcommittee Minutes – May 4, 2010

THAT the minutes from the Rail Subcommittee meeting held on May 4, 2010, be received and that the recommendations contained therein be approved.

23. GENERAL GOVERNMENT SERVICES – May 31, 2010 – Item #2
Annual Tax Tools Bylaw

THAT the Treasurer's Report on Annual Tax Tools Bylaw be received;

AND THAT the Tax Tools Bylaw for 2010 be brought forward to the June County Council meeting, with the same parameters as found in the 2009 Tax Tools Bylaw.

24. GENERAL GOVERNMENT SERVICES – May 31, 2010 – Item #3
Hills of Headwaters Tourism Association

THAT the Hills of Headwaters Tourism Association be invited to a future Committee meeting to do a presentation on the recent changes to the Association.

25. GENERAL GOVERNMENT SERVICES –May 31, 2010 – Item #4
Chief Building Official Salary Allocation

Moved by Councillor Crewson, seconded by Councillor Snider

THAT Item #4 regarding the allocation of the Chief Building Official salary be tabled to the next General Government Services meeting for further deliberations in light of the CAO’s leave of absence.

A recorded vote was requested and taken as follows:

		Yes	No
Councillor Adams	(7)		x
Councillor Bennington	(0)	Absent	
Councillor Crewson	(2)	x	
Councillor Fawcett	(1)	x	
Councillor Haddock	(2)	x	
Councillor Hill	(1)	x	
Councillor Kolodziechuk	(0)	Absent	
Councillor MacIver	(1)	x	
Councillor Maycock	(6)		x
Warden Montgomery	(1)	x	
Councillor McGhee	(2)	x	
Councillor Oosterhof	(2)	x	
Councillor Snider	(1)	x	
Councillor Taylor	(2)	x	
Total	(29)	15	13
		-CARRIED-	

Councillor Crewson declared a pecuniary interest and left the room (8:15 p.m.)

26. GENERAL GOVERNMENT SERVICES –May 31, 2010 – Item #7
Confidential Report - Property Matter – Rail Committee Closed Session Minutes

Moved by Councillor Hill, seconded by Councillor Haddock

THAT Item #7 regarding the rail line be tabled until after public meetings have taken place.

Councillor Adams called for a point of personal privilege stated his rights have been offended during this process, in particular, the conflict of interest matter.

A recorded vote was requested and taken as follows:

		Yes	No
Councillor Adams	(7)		x
Councillor Bennington	(0)	Absent	
Councillor Crewson	(2)	Absent	
Councillor Fawcett	(1)		x
Councillor Haddock	(2)	x	
Councillor Hill	(1)	x	
Councillor Kolodziechuk	(0)	Absent	
Councillor MacIver	(1)	x	
Councillor Maycock	(6)		x
Warden Montgomery	(1)	x	
Councillor McGhee	(2)	x	
Councillor Oosterhof	(2)		x
Councillor Snider	(1)	x	
Councillor Taylor	(2)	x	
Total	(29)	10	16
		-LOST-	

27. GENERAL GOVERNMENT SERVICES –May 31, 2010 – Item #7
Confidential Report - Property Matter – Rail Committee Closed Session Minutes

Moved by Councillor Adams, seconded by Councillor Maycock

THAT the proponent for the purchase of the rail line and the Rail Sub-committee be invited to the next General Government Services committee meeting to discuss the disposition of the land and to answer questions of the committee in closed session as to the Municipal Act .

A recorded vote was requested and taken as follows:

		Yes	No
Councillor Adams	(7)	x	
Councillor Bennington	(0)	Absent	
Councillor Crewson	(2)	Absent	
Councillor Fawcett	(1)		x
Councillor Haddock	(2)		x
Councillor Hill	(1)		x
Councillor Kolodziechuk	(0)	Absent	
Councillor MacIver	(1)		x
Councillor Maycock	(6)	x	
Warden Montgomery	(1)		x
Councillor McGhee	(2)		x
Councillor Oosterhof	(2)		x
Councillor Snider	(1)		x
Councillor Taylor	(2)		x
Total	(29)	13	13
		-LOST-	

Council consented to sending this back to General Government Service and the Rail sub-committee to discuss as a group.

Councillor Crewson returned to the meeting (8:40 p.m.)

Councillor Bennington arrived (8:40 p.m.)

Warden Taylor called a recess. (8:40 p.m.)

28. CLOSED SESSION

Moved by Councillor McGhee, seconded by Councillor Hill

THAT Council move into closed session (8:50 pm) in accordance with Section 239 (c) a proposed or pending acquisition or disposition of land by the municipality.

-Carried-

Council moved into a closed session to hear a delegation from Dr. Nicola Mercer and Carole Desmeules from the Wellington Dufferin Guelph Public Health Unit regarding a property matter.

29. Moved by Councillor McGhee, seconded by Councillor Hill

THAT Council move into Open Session (10:03 pm).

-Carried-

30. BUSINESS ARISING FROM CLOSED SESSION

Moved by Councillor Crewson, seconded by Councillor Haddock

THAT the Warden and Acting CAO communicate the discussion in closed session to the Wellington Dufferin Guelph Health Unit regarding the property matter.

-Carried-

Warden Taylor called a recess to discuss the decision from closed session with the representatives from the Health Unit. (10:04 p.m.)

31. Director of Public Works - Postpone Adoption of DCATT Master Plan

Moved by Councillor Montgomery, seconded by Councillor Hill

THAT Report PW-10-14, Postpone Adoption of DCATT Master Plan , from the Director of Public Works dated June 10, 2010 be received;

AND THAT the County of Dufferin postpone the adoption of the Active Transportation and Trails Master Plan until the September 9th, 2010 meeting of County Council.

-Carried-

32. Verbal Reports from Outside Boards

The Warden reported the Western Ontario Wardens Caucus meeting is to be held tomorrow, where they will discuss forming a united front to deal with wind power

companies. An update from David Baldwin regarding the Niagara Escarpment Commission was circulated with agenda.

CORRESPONDENCE

Moved by Councillor Adams, seconded by Councillor Oosterhof

The Correspondence listed as follows, be received:

- 33. Ontario Family Fishing Week**
The Ontario Family Fishing Weekend Steering Committee, dated May 7, 2010 with respect to proclaiming July 3-11, 2010 as Ontario Family Fishing Week.
- 34. Discussion of Rail Line Sale**
Correspondence from Councillor Bill Hill, dated May 31, 2010 with respect to discussion of the rail line sale.
- 35. Trails Master Plan**
Correspondence from The Dufferin Drift Snowmobilers Club dated June 8, 2010 with respect to Trails Master Plan.
- 36. Building Permit Fees**
Correspondence from John M. Alati of Davies Howe Partners dated June 9, 2010 with respect to Building Permit Fees.

-Carried-

37. NOTICE OF MOTIONS

38. MOTIONS

39. BY-LAWS

- 2010-23 A by-law to adopt the optional tools for calculating the amount of taxes for municipal and school purposes payable in respect of property in the commercial classes, industrial classes or multi-residential property class during the year 2010.
(Authorization: General Government Services – May 31, 2010)
- 2010-24 A by-law under the building Code Act respecting permits and related matters (Building By-law – Repeals 2005-25)
(Authorization: Council – May 13, 2010)
- 2010-25 A by-law to amend the funding agreement between the Corporation of the County of Dufferin and Her Majesty The Queen In Right Of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs.

(Intake Two Rural Broadband Partnership Program Agreement – Amendment for HST)
(Authorization: Council – September 10, 2009)

- 2010-26 A by-law to approve an agreement between the Corporation of the County of Dufferin and 2199277 Ontario Limited for an access easement at 40 Lawrence Avenue, Orangeville. (Shared driveway)
(Authorization: Council – October 8, 2009)
- 2010-27 A by-law to approve an agreement between the Corporation of the County of Dufferin and Central West Local Health Integration Network (LHIN). (Long-term Care Home Service Accountability – Dufferin Oaks Home for the Aged)
(Authorization: Community Services Dufferin Oaks – May 26, 2010)
- 2010-28 A by-law to amend by-law 2007-14, fees and charges for services and activities provided by the County of Dufferin. (Dufferin Oaks Home for the Aged).
(Authorization: Community Services Dufferin Oaks – May 26, 2010)
- 2010-30 A by-law to approve a funding agreement between the Corporation of the County of Dufferin and the Federation of Canadian Municipalities.
(Funding Agreement for Feasibility Study – DEEP)

Moved by Councillor Adams, seconded by Councillor Oosterhof

THAT by-laws 2010-23 to 2010-28, inclusive and 2010-30 be read a first, second and third time and enacted.

-Carried-

- 2010-29 A by-law to empower the County of Dufferin to assume authority for the establishment, operation and delivery of waste collection and treatment programs and services for the county of Dufferin and all its constituent lower-tier municipalities.
(Authorization: Community Development Committee – May 27, 2010)

40. Moved by Councillor Crewson, seconded by Councillor Snider

THAT by-law 2010-29, be read a first and second time.

-Carried-

41. OTHER BUSINESS

42. CLOSED SESSION

The closed session minutes for the May 13, 2010 Council meeting, the May 26, 2010 Community Services Dufferin Oaks Committee meeting and the May 31, 2010 General Government Services meeting were circulated with the June 10, 2010 Council agenda. Since there was no discussion, Council did not move into Closed Session.

-Carried-

43. CONFIRMATORY BY-LAW

2010-31 A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on June 10, 2010.

Moved by Councillor McGhee, seconded by Councillor Fawcett

THAT By-law 2010-31 be read a first, second and third time and enacted.

-Carried-

44. ADJOURNMENT

Moved by Councillor Hill, seconded by Councillor Haddock

THAT the meeting adjourn (10:20 p.m.)

-Carried-

Next meeting: July 8, 2010 at 7:00 p.m.
Council Chambers, 51 Zina Street, Orangeville

Allen Taylor,
Warden

Pam Hillock,
Clerk