

DUFFERIN COUNTY COUNCIL



Thursday, July 8, 2010

7:00 p.m.

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

Council Members Present:

Warden Allen Taylor (East Garafraxa)
Councillor Ken Bennington (Shelburne) (arrived 7.10p.m.)
Councillor Ed Crewson (Shelburne) (arrived 7:20 p.m.)
Councillor Debbie Fawcett (Melancthon)
Councillor Bill Hill (Melancthon)
Councillor Lorie Haddock (Mono)
Councillor Walter Kolodziechuk (Amaranth)
Councillor Don MacIver (Amaranth)
Councillor Ken McGhee (Mono)
Councillor Gordon D. Montgomery (Mulmur)
Councillor John Oosterhof (East Luther Grand Valley)
Councillor Sue Snider (Mulmur)

Members Absent:

Councillor Rob Adams (Orangeville) (prior notice)
Councillor Warren Maycock (Orangeville) (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
Wayne Townsend, Museum Director/Curator
Pam Hillock, Clerk
Linda Knight, Admin Assistant

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

The Warden noted the upcoming meetings and events:

General Government Services Committee – Monday, August 23, 2010
Public Works Committee – Tuesday, August 24, 2010
Community Services/Dufferin Oaks Committee – Wednesday, August 25, 2010
Community Development Committee – Thursday, August 26, 2010
Museum Board – At the call of the Chair

The County offices will be closed for Civic Holiday, Monday August 2, 2010.

1. APPROVAL OF AGENDA

Moved by Councillor Snider, seconded by Councillor McGhee

THAT the Agenda and any Addendums distributed for the July 8, 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 #6 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 #6 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 Oosterhof, seconded by Councillor Kolodziechuk

THAT the minutes of the Regular Meeting of Council of June 10, 2010 be adopted.

-Carried-

4. PRESENTATIONS, DELEGATIONS AND PROCLAMATIONS

4.1. Mr. Walter Benotto, Chair of the Accessibility Advisory Committee presented the 2010 Accessibility Plan.

Moved by Councillor Fawcett, seconded by Councillor Hill

THAT the 2010 Accessibility Plan, be adopted.

-Carried-

Councillor Bennington arrived at the meeting (7.10pm)

- 4.2.** Presentation: Ms. Sally Slumski, BDO Dunwoody and Mr. Alan Selby, Treasurer presented the 2009 Financial Statements for the County of Dufferin.

Moved by Councillor Fawcett, seconded by Councillor Hill

THAT the financial statements of the County of Dufferin for the year ended December 31, 2009, as presented by BDO Dunwoody, be received.

-Carried-

Councillor Crewson arrived during the presentation (7.20pm)

5. PUBLIC QUESTION PERIOD

There were no questions from the public.

PRESENTATION AND CONSIDERATION OF REPORTS

6. PUBLIC WORKS COMMITTEE - June 22, 2010

Moved by Councillor Fawcett, seconded by Councillor Kolodziechuk

THAT the Public Works Committee minutes of June 22, 2010, and the recommendations set out, be adopted.

-Carried-

**7. PUBLIC WORKS COMMITTEE – June 22, 2010 – ITEM #1
Dufferin Grey ATV Club**

THAT the Dufferin Grey ATV Club presentation be reviewed by Council prior to the setting of the 2011 budget, for consideration of permission of use of the multi-use trail on the CP Rail line.

**8. PUBLIC WORKS COMMITTEE – June 22, 2010 – ITEM #2
Correspondence AECOM**

THAT the correspondence from AECOM dated May 6, 2010 with respect to a Detail Design Study and Environmental Assessment for the rehabilitation of Highway 10 and 89 be received.

9. PUBLIC WORKS COMMITTEE – June 22, 2010 – ITEM #3
Correspondence - Residents of the Town of Mono

THAT the email correspondence dated May 6, 2010 and correspondence dated May 25, 2010, from residents of the Town of Mono with respect to speed limits on County Road 8 and County Road 7, be received;

AND THAT it be circulated to the Town of Mono for comment.

10. PUBLIC WORKS COMMITTEE – June 22, 2010 – ITEM #5
Concerns Regarding County Road 11 at 5 Sideroad

THAT Report PW-10-15, Concerns About CR 11 at 5 Sideroad , from the Director of Public Works dated June 22, 2010 be received;

AND THAT a street light be installed at the intersection of County Road 11 and 5th Sideroad, Amaranth;

AND THAT the intersection be considered for rehabilitation and curbing during budget deliberations.

11. PUBLIC WORKS COMMITTEE – June 22, 2010 – ITEM #6
Closed Session – Property Acquisition for Intersection Improvements

THAT the confidential Report PW-10-16, County Road 5 Intersection Improvements, from the Director of Public Works dated June 22, 2010 be received;

AND THAT staff be directed to negotiate with the property owner in accordance with the recommendation in the confidential report.

12. COMMUNITY DEVELOPMENT COMMITTEE – June 24, 2010

Chair Crewson suggested that a special committee meeting and council meeting be held over the summer regarding the assumption of waste for the DEEP Project. It was agreed that Thursday, August 12th, a CDC meeting would be scheduled followed by a Special Council Meeting. Local Members of Council will be invited to attend.

Moved by Councillor Crewson, seconded by Councillor Oosterhof

THAT the Community Development Committee minutes of June 24, 2010, and the recommendations set out, be adopted.

-Carried-

13. COMMUNITY DEVELOPMENT COMMITTEE – June 24, 2010
Question Period

THAT the Article presented by Mr. Lever dated April 12, 2002, from the Blue Ridge Environmental Defense League regarding Incineration and Gasification: A Toxic Comparison, be received.

14. COMMUNITY DEVELOPMENT COMMITTEE – June 24, 2010 – Item #2
Question Period

THAT the email correspondence between Marni Walsh, Chair Crewson, and the Director of Public Works, regarding the DEEP Project, be received.

15. COMMUNITY DEVELOPMENT COMMITTEE – June 24, 2010 – Item #3
Feasibility Study – Peer Review

THAT as soon as Peer Review is complete, that it be circulated to area municipalities, committee members and County Councillors to enhance the knowledge of the technology and process proposed for the DEEP project.

16. GENERAL GOVERNMENT SERVICES – June 28, 2010

Moved by Councillor Haddock, seconded by Councillor Fawcett

THAT the General Government Services minutes of June 28, 2010, and the recommendations set out, exclusive of Item #3 be adopted.

-Carried-

17. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #1
Replacement of Facilities Service Van

THAT the report of the Chief Building Official dated June 28, 2010, regarding the replacement of Facilities Service Van, be received;

AND THAT staff be authorized to purchase a used off-lease replacement Facilities Service Van.

18. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #2
Addition of Part Time Staff in the Facilities Department

THAT the report of the Chief Building Official dated June 28, 2010, regarding addition of Part Time Staff in the Facilities Department, be received;

AND THAT staff be authorized to hire a part time facilities worker for 24 hours per week.

19. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #4
Temporary Bank Borrowing

THAT Treasury Report TR-10-10 on Temporary Bank Borrowing be received;
AND THAT a bylaw be presented to the July County Council meeting to authorize short-term borrowing of up to \$4.5 million related to the Lawrence Avenue housing project.

20. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #5
Town of Mono - Request for Parking Lot

THAT approval be granted to the Town of Mono to construct a parking lot located off Hockley Road on County property at the Island Lake Trail subject to a suitable agreement being entered into.

21. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #6
Rail Land Corridor

THAT a special meeting with General Government Services Committee and the Rail Sub-committee be called at a future date to be determined to discuss the various options available with respect to the rail land corridor and how to proceed;

AND THAT Committee members and sub-committee members submit their ideas to staff prior to the meeting.

22. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #8
Confidential Report - Property Matter – Wellington Dufferin Health Unit

THAT staff be directed to proceed with direction to the Public Health Unit in accordance with discussion in closed session.

23. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #9
Confidential Report – Rural Broadband Funding

THAT the confidential report from the Clerk, dated June 28, 2010 with respect to the Rural Broadband project be received;

AND THAT a Request for Proposal be issued regarding the Rural Broadband Intake 2;

AND THAT Campbell Patterson continue to be retained as project manager.

Councillors Crewson and Bennington left the room due to a pecuniary interest in the potential rail sale.

Members were advised that a special meeting regarding the potential sale of the rail will take place shortly.

Councillors Crewson and Bennington returned to the room.

Moved by Councillor Crewson, Seconded by Councillor Hill,

24. GENERAL GOVERNMENT SERVICES – June 28, 2010 – Item #3
Chief Building Official Salary Allocation

Moved by Councillor Crewson, Seconded by Councillor Hill

THAT the matter of discussion regarding the allocation of the Chief Building Official salary be tabled to the next General Government Services meeting for further discussion.

-Carried-

25. Treasurer Report – Borrowing By-law

A report from the Treasurer dated July 8, 2010, to provide information on the by-law to authorize temporary borrowing.

Moved by Councillor Fawcett, seconded by Councillor Oosterhof

THAT the Treasurer's report dated July 8, 2010 with respect to Temporary Borrowing, be received.

-Carried-

26. Director of Community Services Report – Social Assistance Restructuring Reinvestment

A report from the Director of Community Services dated July 8, 2010 with respect to the Social Assistance Restructuring (SAR) Municipal Savings and Reinvestment Service Managers Protocol for 2010.

Moved by Councillor Snider, seconded by Councillor Montgomery

THAT the report of the Director, Community Services dated July 8, 2010 – Social Assistance Review (SAR) be received;

AND THAT the County of Dufferin re-invest monthly social assistance savings in the community as outlined in the SAR protocols.

-Carried-

27. Director of Community Services Report – Partnership Pilot Program between Orangeville District Secondary School and County of Dufferin Community Services Child Care

A report from the Director of Community Services dated July 8, 2010 with respect to the Partnership Pilot Program between Orangeville District Secondary School and County of Dufferin Community Services Child Care.

Moved by Councillor Snider, seconded by Councillor McGhee

THAT the report of the Director, Community Services dated July 8, 2010 – Partnership Pilot Program between Orangeville District Secondary School and County of Dufferin Community Services Child Care be received;

AND THAT, that the County of Dufferin Community Services enter into an agreement with the Upper Grand District School Board to provide child care and parent educational programs;

AND THAT, The Jean Hamlyn Day Care Centre provide child care for this program by hiring a total of five part – time contract staff on a cost recovery basis;

AND THAT, the pilot program commence September 7, 2010;

AND THAT the program be revenue neutral and any proceeds be directed back into the program.

-Carried-

28. CLOSED SESSION

Moved by Councillor Oosterhof, seconded by Councillor Kolodziechuk

THAT Council move into closed session (8:30 pm) in accordance with Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality, Section 239 (2) (e) potential litigation and Section 239(2)(f) solicitor client privilege.

-Carried-

29. Moved by Councillor Crewson, seconded by Councillor Snider

THAT Council move into open session (9:35 pm)

-Carried-

BUSINESS ARISING FROM CLOSED SESSION

30. Chief Building Official Report – Tender for Courthouse Addition

A report from the Chief Building Official dated July 8, 2010 with respect to the Tender for the Courthouse Addition.

Moved by Councillor Oosterhof, seconded by Councillor Haddock

THAT, the report on the POA/Courthouse tender be received;

AND THAT the tender AD-10-02 POA/Courthouse Expansion be awarded to the low bidder, Bertram Construction & Design in the amount of \$8,607,900 plus applicable taxes, with financing as discussed in prior year budgets;

AND THAT the Warden and Clerk be authorized to sign the necessary agreements and documents relating to this project.

-Carried-

31. Property Acquisition

Moved by Councillor Haddock, seconded by Councillor Oosterhof

THAT staff be directed to negotiate the acquisition of the proposed property as discussed in Closed Session.

A recorded vote was requested and taken as follows;

		Yes	No
Councillor Adams	(0)	Absent	
Councillor Bennington	(1)	x	
Councillor Crewson	(2)	x	
Councillor Fawcett	(1)		x
Councillor Haddock	(2)	x	
Councillor Hill	(1)		x
Councillor Kolodziechuk	(0)		x
Councillor MacIver	(1)		x
Councillor Maycock	(0)	Absent	
Councillor Montgomery	(1)		x
Councillor McGhee	(2)	x	

Councillor Oosterhof	(2)	x	
Councillor Snider	(1)		x
Warden Taylor	(2)	x	
Total	(29)	11	6
		-CARRIED-	

32. Director of Public Works Report – Giant Hogweed as a Local Weed

A report from the Director of Public Works dated July 8, 2010 to recommend the passing of a bylaw to add giant Hogweed as a local weed under the Weed Control Act

Moved by Councillor Haddock, seconded by Councillor Oosterhof

THAT Report PW-10-18, Giant Hogweed as a Local Weed , from the Director of Public Works dated July 8, 2010 be received;

AND THAT the attached bylaw be presented to County Council for consideration.

-Carried-

33. Verbal Reports from Outside Boards

Western Ontario Wardens Caucus:

Warden Taylor reported that John Green, former Warden of Wellington County is in the process of arranging a meeting with other municipalities regarding wind power issues.

Niagara Escarpment Commission:

An update from David Baldwin was circulated with the Council Agenda

CORRESPONDENCE

34. Stewardship Ontario – C-MHSW Municipality Engagement and Contracting Offer Sheet

Correspondence from Stewardship Ontario, date June 28, 2010 with respect to the C-MHSW Municipality Engagement and Contracting offer to replace the existing Shared Responsibility Agreement. (Copy of the confidential C-MHSW Municipality Engagement and Contracting offer sheet circulated to Council Members only)

Moved by Councillor Crewson, seconded by Councillor Hill

THAT the C-MHSW Municipality Engagement and Contracting offer, version V.1 June 28, to replace the existing Shared Responsibility Agreement between the County of Dufferin and Stewardship Ontario, be accepted.

-Carried-

35. Ontario Good Roads Association – Minimum Maintenance Standards (MMS) Litigation Fund

Correspondence from Ontario Good Roads Association, date June 16, 2010 with respect to MMS Litigation Fund.

Moved by Councillor Crewson, Seconded by Councillor Hill

THAT the C-MHSW Municipality Engagement and Contracting offer, version V.1 June 28, to replace the existing Shared Responsibility Agreement between the County of Dufferin and Stewardship Ontario, be received.

-Carried-

36. NOTICE OF MOTIONS

37. MOTIONS

38. BY-LAWS

2010-32 A by-law to approve an agreement between the Corporation of the County of Dufferin and the Corporation of the Town of Orangeville. (Use of Space at 51 Zina Street, Orangeville and shared use of Fibre Optic Cable)
(Authorization: General Government Services- March 22, 2010)

2010-33 A by -law to authorize the borrowing of money to finance a construction project of the Corporation of the County of Dufferin during the year 2010.
(Authorization: General Government Services- June 28, 2010)

2010-34 A by-law to designate Giant Hogweed as a noxious weed in the County of Dufferin.
(Authorization: County Council - July 8, 2010)

Moved by Councillor Snider , seconded by Councillor Montgomery

THAT by-laws 2010-32 to 2010-34, inclusive, be read a first, second and third time and enacted.

-Carried-

39. OTHER BUSINESS

Further to the discussion during the adoption of the Community Development minutes, Councillor Crewson asked for confirmation that a special Community Development Committee meeting on August 12, 2010 would be scheduled to share input and ideas regarding the assumption of waste by the County. All councillors from each of the area municipalities would be invited to attend. Resolutions from each municipality regarding waste assumption should ideally be received by the County prior to the meeting date. It was agreed that the venue for the meeting should be the Courthouse facility. The Warden gave notice that a special meeting of County Council would take place immediately following the CDC meeting.

40. CONFIRMATORY BY-LAW

2010-35 A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on July 8, 2010.

Moved by Councillor Oosterhof, seconded by Councillor Fawcett

THAT By-law 2010-35 be read a first, second and third time and enacted.

-Carried-

41. ADJOURNMENT

Moved by Councillor Hill, seconded by Councillor Haddock

THAT the meeting adjourn (10.00 p.m.)

-Carried-

Next meeting: September 9, 2010 at 7:00 p.m.
Council Chambers, 51 Zina Street, Orangeville

Allen Taylor,
Warden

Pam Hillock,
Clerk