

DUFFERIN COUNTY COUNCIL



AGENDA
Thursday, September 9, 2010
7:00 p.m.
Council Chambers
51 Zina Street, Orangeville

1. APPROVAL OF AGENDA

THAT the Agenda and any Addendums distributed for the September 9, 2010, meeting of Council, be approved.

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.

3. APPROVAL OF MINUTES OF THE PREVIOUS MEETING

THAT the minutes of the Regular Meeting of Council of July 8, 2010, and the Special Meeting of Council of August 12, 2010, be adopted.

4. PRESENTATIONS, DELEGATIONS AND PROCLAMATIONS

5. PUBLIC QUESTION PERIOD

6. PRESENTATION AND CONSIDERATION OF REPORTS

6.1. COMMUNITY SERVICES DUFFERIN OAKS COMMITTEE – August 25, 2010

THAT the Community Services Dufferin Oaks Committee minutes of August 25, 2010, and the recommendations set out, be adopted.

*COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #1
Funding Announcements*

THAT the report of the Administrator dated August 25, 2010 with respect to the increases in funding be received.

*COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #2
Long Term Care Homes Act 2010 – Regulation 79/10*

THAT the report of the Administrator dated August 25, 2010 with respect to the new Long Term Care Homes Act and Regulations be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #3
Resident Council Minutes – June 16 and July 27, 2010.

THAT the minutes of the Resident Council Meetings dated June 26, 2010 and July 27, 2010 be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #4
Mel Lloyd Centre Permanent Coordinating Committee Minutes – June 7, 2010.

THAT the minutes of the Mel Lloyd Centre Permanent Coordinating Meetings minutes dated June 7, 2010 be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #5
Accessibility Advisory Committee Minutes – May 31 and June 22, 2010

THAT the minutes from the Accessibility Advisory Committee meeting held on May 31, 2010, and the special meeting held on June 22, 2010, be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #6
Emergency Management/Accessibility Coordinator

THAT the report of the Director of Community Services dated August 25, 2010 with respect to the actions and accomplishments of the Emergency Management/ Accessibility Coordinator be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #7
Homelessness Prevention Program

THAT the report of the Director of Community Services dated August 25, 2010 with respect to the Homelessness Prevention Program be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #8
Community Services Program Review, June 2010

THAT the report of the Director of Community Services dated August 25, 2010 with respect to the Community Services Program Review, June 2010 be received.

COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #9
2011 Rent Increase Guideline

THAT the report of the Director of Community Services dated August 25, 2010 with respect to 2011 rent increases be received;

AND THAT the 2011 market rents of Dufferin owned social housing locations are increased by the maximum level of 0.7% over the previous year.

6.2. Treasurer Report – Mid-Year Financial Update – June 2010

A report from the Treasurer dated September 9, 2010, to provide a summary of the County of Dufferin's financial position as at June 30, 2010.

THAT the Treasurer's report dated September 9, 2010 with respect to Mid-Year Financial Update, June 2010, be received.

6.3. Treasurer Report – RFP for Insurance Providers

A report from the Treasurer dated September 9, 2010, with respect to the RFP for Insurance Providers for 2011.

*THAT the report from the Treasurer on RFP for Insurance be received;
AND THAT the Ontario Municipal Insurance Exchange (OMEX) be appointed as insurance providers for Dufferin County for 2011 and 2012.*

6.4. Treasurer Report – Re-statement of 2010 County Budget

A report from the Treasurer dated September 9, 2010, with respect to re-stating the 2010 County Budget.

THAT, the report from the Treasurer on Re-statement of 2010 County Budget, be received.

6.5. Treasurer Report – RFP for Auditors

A report from the Treasurer dated September 9, 2010, with respect to the RFP for Auditors.

*THAT the report from the Treasurer on RFP for Auditors be received;
AND THAT a bylaw be presented to re-appoint BDO Dunwoody LLP as County Auditors for the year 2010.*

6.6. Clerks Report – Broadband RFP Results

A report from the Clerk dated September 9, 2010, with respect to the RFP results for the Broadband.

THAT the Report of the County Clerk dated September 9, 2010 regarding the RFP for the Broadband, be received;

AND THAT the RFP for the Broadband Initiative be closed and that staff be directed to advise OMAFRA that the project will not be proceeding.

6.7. Administrator of Dufferin Oaks Report – Community Care Access Centre Lease

A report from the Administrator of Dufferin Oaks dated September 9, 2010, with respect to the lease with Community Care Access Centre.

THAT the County of Dufferin enter into a lease agreement with the Community Care Access Centre for the rental of office space in the Mel Lloyd Centre

AND THAT the necessary By-Law be enacted.

6.8. Director of Public Works Report – Dufferin County Active Transportation and Trails (DCATT) Master Plan Update

A report from the Director of Public Works dated September 9, 2010, with respect to the Dufferin County Active Transportation and Trails (DCATT) Master Plan Update.

THAT Report PW-10-19, Dufferin County Active Transportation and Trails (DCATT) Master Plan Update, from the Director of Public Works dated September 9, 2010 be received;

AND THAT the draft Dufferin County Active Transportation and Trails (DCATT) Master Plan be adopted in principle;

AND THAT that the draft Master Plan be made available for public review and comment on the County website and at the County's offices until the October County Council meeting;

AND THAT a digital copy of the revised draft Master Plan be issued to the local municipalities, adjacent municipalities, the Ontario Ministry of Transportation (Policy Branch and Design Branch), and local school boards.

6.9. Verbal Reports from Outside Boards

BOARD	MEMBER
WDG Health Unit	A. Taylor/G. Montgomery
Hills of Headwaters Tourism Association	A. Taylor
Chamber of Commerce	J. Oosterhof

Greater Dufferin Area Physician Search Committee	J. Oosterhof
Centre Dufferin Medical Recruitment Committee	S. Snider
Western Ontario Wardens Caucus	A. Taylor
Niagara Escarpment Commission	See attached updates from David Baldwin

7. CORRESPONDENCE

7.1. Dufferin Child & Family Services – Child Abuse and Neglect Prevention Month

Correspondence from Dufferin Child & Family Services dated September 1, 2010 regarding Child Abuse and Neglect Prevention Month.

The County of Dufferin hereby proclaims the Month of October 2010 as “Child Abuse and Neglect Prevention Month.”

8. NOTICE OF MOTIONS

9. MOTIONS

10. BY-LAWS

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)

THAT by-law 2010-29 be read a third time and enacted.

2010-37 A by -law to approve an amendment to the Memorandum of Understanding between the Corporation of the County of Dufferin and Alter NRG Corp. (Dufferin Eco-Energy Park – DEEP)
(Authorization: Council – December 10, 2009)

2010-38 A by -law to approve an agreement between the Corporation of the County of Dufferin and Central West Community Care Access Centre. (Lease Agreement)
(Authorization: Council - September 9, 2010)

2010-39 A by-law to appoint the auditors for the Corporation of the County of Dufferin and to repeal by-law #2007-39 (BDO Canada LLP)
(Authorization: Council – September 9, 2010)

THAT by-laws 2010-37 to 2010-39, inclusive, be read a first, second and third time and enacted.

11. OTHER BUSINESS

12. CLOSED SESSION

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

12.1. Closed Session Minutes - for information only
County Council – July 8, 2010

13. CONFIRMATORY BY-LAW

2010-XX A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on September 9, 2010.

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

14. ADJOURNMENT

THAT the meeting adjourn.

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

DUFFERIN COUNTY COUNCIL – Special Meeting



**Thursday, August 12, 2010
10:50 p.m.
Orangeville Fairgrounds
247090 Five Side Road, Mono**

Council Members Present:

Warden Allen Taylor (East Garafraxa)
Councillor Ken Bennington (Shelburne)
Councillor Ed Crewson (Shelburne)
Councillor Debbie Fawcett (Melancthon)
Councillor Bill Hill (Melancthon)
Councillor Lorie Haddock (Mono)
Councillor Walter Kolodziechuk (Amaranth)
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 Rob Adams (Orangeville)(prior notice)

Staff Present:

Mike Giles, Acting CAO/Chief Building Official
Trevor Lewis, Director of Public Works
Pam Hillock, Clerk
Michelle Dunne, Council Committee Coordinator

Warden Taylor called the meeting to order at 10:50 p.m.

1. APPROVAL OF AGENDA

Moved by Councillor Snider , seconded by Councillor Oosterhof

THAT the Agenda and any Addendums distributed for the August 12, 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.

PRESENTATION AND CONSIDERATION OF REPORTS

3. COMMUNITY DEVELOPMENT COMMITTEE – August 12, 2010

Moved by Councillor Kolodziechuk, seconded by Councillor Bennington

THAT the Community Development Committee minutes of August 12, 2010, and the recommendations set out, be adopted.

-Carried-

*COMMUNITY DEVELOPMENT COMMITTEE – August 12, 2010 – Item #1
County Assumption of Waste Management Services*

THAT staff be directed to amend By-law 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, with the following provisions included:

- 1. That the timing of the assumption of waste be December 31, 2012, or the latest expiry date of existing contracts.*
- 2. Include a clause to state that the County will be managing curbside collection, and not paying for the service contracts until all contracts expire.*
- 3. Tipping fees must be competitive with current commercial rates at the time of commission.*
- 4. Curbside collection service continue for all municipalities as it currently exists, except Melancthon, which will have the option to commence curbside pickup and the County will set the level of service.*

AND THAT staff seek opinions from the relevant ministries on the following questions regarding the Certificates of Approval for the existing landfill sites:

- 1. Can the County of Dufferin deliver municipal waste to existing landfill sites (collect and deposit within the municipality that has a landfill (ie. can County deliver Mono's waste to the Mono landfill site)*
- 2. Upon assumption and the commissioning of the energy from waste facility, do the municipalities have to close their landfills or do they have to keep them open?*
- 3. Does the Certificate of Approval remain with the relevant landfill site?*

4. CONFIRMATORY BY-LAW

2010-36 A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on August 12, 2010.

Moved by Councillor Oosterhof, seconded by Councillor Maycock

THAT By-law 2010-36 be read a first, second and third time and enacted.

-Carried-

5. ADJOURNMENT

Moved by Councillor Hill, seconded by Councillor Fawcett

THAT the meeting adjourn (10:55 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

**COMMUNITY SERVICES/
DUFFERIN OAKS COMMITTEE OF MANAGEMENT
COMMITTEE MINUTES**



Wednesday, May 26, 2010.

The Committee met at 3.00pm in the Dufferin Room,

Committee Members Present: Councillor Sue Snider (Chair)
Councillor Bill Hill
Warden Allen Taylor

Members Absent: Councillor Gord Montgomery (Prior Notice)

Staff Present: Pam Hillock, Clerk
Mike Giles, Acting CAO
Brenda Urbanski, Administrator of Dufferin Oaks
Keith Palmer, Director of Community Services
Linda Knight, Administrative Assistant

Declarations of Pecuniary Interests - None

DUFFERIN OAKS

REPORTS

1. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #1
Funding Announcements.

A report from the Administrator, dated August 25, 2010 with respect to funding announcements for Dufferin Oaks.

Moved by Warden Taylor , seconded by Councillor Hill

THAT the report of the Administrator dated August 25, 2010 with respect to the increases in funding be received.

-Carried-

2. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #2
Long Term Care Homes Act 2010 – Regulation 79/10

A report from the Administrator dated August 25, 2010 to inform the Committee of the new Long Term Care Homes Act and Regulations.

Moved by Warden Taylor, seconded by Councillor Hill

THAT the report of the Administrator dated August 25, 2010 with respect to the new

Long Term Care Homes Act and Regulations be received.

-Carried-

3. **COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #3**
Resident Council Minutes – June 16, 2010 and July 27, 2010.

As part of the Committee self-evaluation conducted June 24, 2003, Committee Members requested copies of Resident Council minutes. Minutes have been enclosed for Committee Members only.

Moved by Councillor Hill, seconded by Warden Taylor

THAT the minutes of the Resident Council Meetings dated June 26, 2010 and July 27, 2010 be received.

-Carried-

4. **COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 - ITEM #4**
Mel Lloyd Centre Permanent Coordinating Committee Minutes – June 7, 2010.

As part of the Committee self-evaluation conducted October 24, 2007 Committee Members requested copies of minutes of the Mel Lloyd Centre User group meetings.

Moved by Councillor Hill, seconded by Warden Taylor

THAT the minutes of the Mel Lloyd Centre Permanent Coordinating Meetings minutes dated June 7, 2010 be received.

-Carried-

The Administrator reported that the application to the Ministry of Health and Long Term Care for a Nurse Practitioner Clinic in Shelburne had not been approved.

COMMUNITY SERVICES

REPORTS

5. **COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #5**
Accessibility Advisory Committee Minutes – May 31 & June 22, 2010

Moved by Warden Taylor , seconded by Councillor Hill

THAT the minutes from the Accessibility Advisory Committee meeting held on May 31, 2010, and the special meeting held on June 22, 2010, be received.

-Carried-

6. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #6
Emergency Management/Accessibility Coordinator

A report from the Director of Community Services dated August 25, 2010 to update the Committee regarding the actions and accomplishments of the Emergency Management/Accessibility Coordinator.

Moved by Councillor Hill, seconded by Warden Taylor

THAT the report of the Director of Community Services dated August 25 ,2010 with respect to the actions and accomplishments of the Emergency Management/Accessibility Coordinator be received.

-Carried-

7. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #7
Homelessness Prevention Program

A report from the Director of Community Services dated August 25, 2010 to update the Committee regarding the Federal Homelessness Partnering Strategy and the Dufferin Community Advisory Board (CAB).

Moved by Councillor Hill, seconded by Warden Taylor

THAT the report of the Director of Community Services dated August 25 ,2010 with respect to the Homelessness Prevention Program be received.

-Carried-

8. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #8
Community Services Program Review, June 2010

A report from the Director of Community Services dated August 25, 2010 to update the Committee regarding the state, statistical overview and trends related to the programs/services within the Community Services department.

Moved by Councillor Hill, seconded by Warden Taylor

THAT the report of the Director of Community Services dated August 25, 2010 with respect to the Community Services Program Review, June 2010 be received.

-Carried-

9. COMMUNITY SERVICES/DUFFERIN OAKS – August 25, 2010 – ITEM #9
2011 Rent Increase Guideline

A report from the Director of Community Services dated August 25, 2010 to seek direction from the Committee with respect to changes to the market rents for county owned social housing locations.

Moved by Warden Taylor, seconded by Councillor Hill

THAT the report of the Director of Community Services dated August 25, 2010 with respect to 2011 rent increases be received;

AND THAT the 2011 market rents of Dufferin owned social housing locations are increased by the maximum level of 0.7% over the previous year.

-Carried-

ADJOURNMENT

There being no further business the meeting adjourned at 3.45 pm.

Respectfully submitted

.....
Councillor Sue Snider, Chair
Community Services and Dufferin Oaks Committee of Management

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TO COUNTY COUNCIL



To: Warden Montgomery and Members of Council
From: Alan Selby, Treasurer
Meeting Date: September 9, 2010
Subject: **Mid-Year Financial Update – June 2010**

Purpose

The purpose of this report is to provide Council with a summary of the County of Dufferin's financial position as at June 30, 2010.

Background & Discussion

It should be noted that these statements, although prepared consistently with past statements, do not follow the new PSAB rules for accrual-basis accounting, which came into effect in January 2009. Financial reporting to Council will continue to be done on a cash-basis, and County budgets will be set on a cash-basis. Reporting on an accrual-basis will only happen at year-end, in the annual audited statements.

Summary of Y-T-D Operating Fund Performance as at June 30, Pages 4 & 5

Starting with General Government, we know there will be a small problem in General Revenues. The \$270,000 revenue target will not be met. Interest rates have not been increasing as fast as we had expected them to. The final shortfall may be about \$125,000.

The Ambulance area will be under-budget because of a credit the County has received from Headwaters, coming from their final balancing of 2009 figures which came out with some savings, to the County's benefit.

Building shows only a \$2,148 net loss mid-year, and this will be cleared to zero by a reserve withdrawal at year-end, if necessary. This is well below the loss for all of 2010 expectation of \$229,325, and the recent increase in permit fees, which will impact the second half of 2010, might be enough to reach a break-even year in 2010.

The other Gen. Gov't areas are minor in amount, and there are no concerns.

Public Works is performing under-budget with 42.69% spent at mid-year. In particular, Winter Control spent only 45% of its budget during the first six months and is in excellent shape for whatever comes in late-2010. There is room to spend more now on salt and salt inventory stock-piling, to lessen the burden on 2011 expenses

Dufferin Oaks shows a sizable positive variance, as 48.78% of its \$10.21 million of revenues are in, but only 47.54% of its \$12.96 million budgeted expenses have been incurred. This puts the net bottom-line at 42.94% compared with the 50% expected. However, union negotiations continue, and no wage increases for 2010 have been settled yet, which is a significant factor worth noting in the lower-than-budget expenses.

On page 5, under Community Services, the area of County operations with the highest vulnerability to economic recession is the Ontario Works area. The 2010 target for basic assistance is \$3.8 million (of which the County is responsible for a 20% share) and at the end of June, 54.6% of this target, or \$2.075 million, has been used. This area will be monitored closely as we continue through yet another year of weak economic conditions.

The Child Care line reflects an unusual surplus (temporarily) because of timing issues with ELCD subsidies, which have been received before related expenses take place. This will be corrected by year-end.

Amending the Child Care bottom-line from the \$377,477 surplus to a more reasonable mid-year figure of \$200,000 net cost would change the County bottom-line overall by \$577,477. See comment below.

Housing, Emergency Services, Museum, Forest and Waste Management operations are all on-budget, or better, and no problems are anticipated.

Finally, the Operations Summary shows total expenses at 45.41% of Budget compared to 50% expected after six months. Revenues are at 48.81% of budget. This results in a modest net surplus of \$3.799 million, before Capital Transfers.

Adjusting by \$577,477 for Child Care subsidy timing differences, we get a reduced net surplus of \$3,221,626 which is still significant. If positive results continue through the second half, Council should be able to make motions to allocate some funds into its Reserves in December, coming from a net operating surplus in 2010, and still have some funds left over to go (by default, as per policy) into Rate Stabilization for the next Council.

Capital Budget 2010

Most 2010 capital projects were not sufficiently advanced by June 30th to justify a full reporting here. Instead, a few comments are provided on larger projects.

2010 is one of the busiest capital-activity years the County has had for some time.

The Lawrence Avenue housing project is nearing completion. The County has still not received its AHP grant money, and County staff are working with Ministry staff to get these funds flowing. The County has taken out a temporary bank loan, per Bylaw, to keep cash-flow going until grant funds come in, and until the project is completed, all bills are paid, and we can determine the correct amount to be borrowed long-term, expected to be between \$2.5 - \$3.5 million.

As usual, Public Works takes-up about 80% of the Capital Budget. Tenders have been awarded for the major roadway jobs in 2010 on Roads 2 and 9 in Melancthon, Roads 10 and 12 in Amaranth and Road 21 (east-end) in Mulmur.

There were two incomplete 2009 jobs carried-over to 2010, namely the Laurel storm-sewers and curbs project (Roads 10 & 12) and the Road 7 retaining wall. Both jobs are near completion, however both have gone over-budget. A report will come to Council later in 2010 explaining the over-runs, the reasons why they happened, and suggested sources for funding to cover them. This will be discussed within a report on Project Closures, as per normal practice. Typically most funding should come from under-spending, or "savings", on other completed projects that are also ready to be closed-off.

On the buildings side, work continues on the exterior of the Dufferin Oaks building, and also on the new garage building under construction in Primrose, at the works depot. Lastly, substantial work is scheduled to be performed on the Zina Street courthouse during the second half of 2010 as well.

The majority of 2010 Gas Tax funds, about \$1.3 million of \$1.65 million, were dedicated in the Budget to the construction of an access road to the DEEP facility in north-east ELGV. This work seems unlikely to proceed in 2010, however County plans include additional Gas Tax dollars from 2011 to also be dedicated to this project, and for work to proceed in 2011. Further delays could create timing issues with Gas Tax money, as unlike locally-raised funds, Gas Tax comes with rules which limit the time that Council has available to it for using these funds. There are potential claw-back provisions associated with Gas tax funds, if they remain unused for longer than the rules allow.

Local Municipal Impact

No direct impacts.

Financial, Staffing, Legal, or IT Considerations:

Self-explanatory.

Recommendation:

THAT, the report of the Treasurer, regarding Mid-Year Financial Update – June 2010 be received.

COUNTY OF DUFFERIN				
Y-T-D OPERATING PERFORMANCE as at JUNE 30, 2010				
	2010	2010	BUDGET	% BUDGET
	YTD ACTUAL	BUDGET (*)	REMAINING	SPENT
SUMMARY OF YTD OPERATING POSITION BY COMMITTEE				
GENERAL GOVERNMENT SERVICES COMMITTEE				
<i>General Government Services</i>				
County Council	154,975	323,200	168,225	47.95%
Accessibility Advisory Committee	5,000	6,500	1,500	76.92%
Administration Department	389,049	911,000	521,951	42.71%
Health and Safety	49,391	0	(49,391)	
Treasury Department	261,833	501,500	239,667	52.21%
Assessment Services	401,997	798,450	396,453	50.35%
Education Development Charges (in & out)	(34,017)	0	34,017	
Rescue Calls	0	0	0	
Information Technology	233,291	478,100	244,809	48.80%
Grant Program	154,976	184,430	29,454	84.03%
General Surplus brought forward	0	(260,000)	(260,000)	
Transfer to Reserves	0	260,000		
Interest/Investment Revenues	(49,557)	(270,000)	(220,443)	18.35%
Subtotal General Government Services	1,566,938	2,933,180	(206,180)	53.42%
<i>Health Services</i>				
Land Ambulance	934,133	2,678,000	1,743,867	34.88%
Health Unit	493,304	961,800	468,496	51.29%
Subtotal Health Services	1,427,437	3,639,800	2,212,363	39.22%
<i>Building and Bylaw Services</i>				
Administration & Inspection Services, net	2,148	229,325	227,177	0.94%
Withdrawal from Building Reserve		(229,325)	(229,325)	
By-law Enforcement	1,559	0	(1,559)	
Weed Inspection Services	889	4,725	3,836	18.81%
Nuisance Beaver Program	0	7,250	7,250	0.00%
Subtotal Building and By-law Services	4,596	11,975	7,379	
<i>Facilities</i>				
Facilities Management	167,506	320,550	153,044	52.26%
Court House Facility	(47,448)	(169,730)	(122,282)	27.95%
Rental Properties	(2,040)	(16,800)	(14,760)	12.15%
Subtotal Facilities	118,018	134,020	16,002	88.06%
TOTAL GENERAL GOV'T. SERVICES COMMITTEE	3,116,989	6,718,975	3,601,986	46.39%
				A1
PUBLIC WORKS COMMITTEE				
Roads Administration	281,654	577,900	296,246	48.74%
Engineering	113,672	240,900	127,228	47.19%
Operations	359,649	569,000	209,351	63.21%
Railway	0	5,300		
Bridges and Culverts	6,205	91,400	85,195	6.79%
Roadside Maintenance	75,546	153,500	77,954	49.22%
Hardtop Maintenance	112,169	536,500	424,331	20.91%
Equipment/ Machine-Time	(43,224)	0	43,224	
Winter Control	935,353	2,078,600	1,143,247	45.00%
Safety Systems	131,473	366,600	235,127	35.86%
Capital Project Transfers	(179)	0	179	
TOTAL PUBLIC WORKS COMMITTEE	1,972,317	4,619,700	2,647,383	42.69%
				A2
DUFFERIN OAKS COMMITTEE OF MANAGEMENT				
Administration/Accommodation Expenditures	2,019,158	4,284,250	2,265,092	47.13%
Program and Support Expenditures	259,905	548,700	288,795	47.37%
Food Services Expenditures	726,710	1,484,700	757,990	48.95%
Nursing Expenditures	3,156,017	6,643,200	3,487,183	47.51%
Revenues (Fees plus subsidies)	(4,981,880)	(10,213,340)	(5,231,460)	48.78%
Sub-Total Dufferin Oaks Long-Term Care	1,179,910	2,747,510	1,567,600	42.94%
Mel Lloyd Centre	7,370	44,600	37,230	16.52%
Community Support Services Expenditures	372,120	657,400	285,280	56.60%
Community Support Services Revenues	(430,794)	(564,350)	(133,556)	76.33%
McKelvie Supportive Housing	(29,522)	0	29,522	
TOTAL DUFFERIN OAKS COMMITTEE OF MANAGEMENT	1,099,085	2,885,160	1,786,075	38.09%
				A3

COUNTY OF DUFFERIN				
Y-T-D OPERATING PERFORMANCE as at JUNE 30, 2010				
	2010	2010	BUDGET	% BUDGET
	YTD ACTUAL	BUDGET (*)	REMAINING	SPENT
COMMUNITY SERVICES COMMITTEE				
<i>Community Services</i>				
Ontario Works Programs, Net, & ODSP	1,129,080	2,155,400	1,026,320	52.38%
Child Care Programs Net	(377,477)	435,180	812,657	-86.74%
Jean Hamlyn Day Care Expenditures	273,428	599,710	326,282	45.59%
Jean Hamlyn Day Care Revenues	(183,560)	(418,100)	(234,540)	43.90%
Ontario Early Years Programs Expenditures	527,106	1,070,800	543,694	49.23%
Ontario Early Years Programs Revenues	(350,201)	(1,001,703)	(651,502)	34.96%
Subtotal Community Services	1,018,376	2,841,287	1,822,911	35.84%
<i>Housing Services</i>				
Housing Administration	341,325	868,350	527,025	39.31%
Public Housing	115,447	304,350	188,903	37.93%
Rent Supplement Program	83,028	169,235	86,207	49.06%
Affordable Housing Program	0	0		
Home Ownership Program	16,700	0		
One-Time Funding	(157,622)	0		
Non-Profits and Co-operatives	577,401	1,231,258	653,857	46.90%
Subtotal Housing Services	976,279	2,573,193	1,596,914	37.94%
<i>Emergency Services</i>				
Emergency Services	125,535	345,250	219,715	36.36%
Subtotal Emergency Services	125,535	345,250	219,715	36.36%
TOTAL COMMUNITY SERVICES COMMITTEE	2,120,190	5,759,730	3,639,540	36.81%
				A4
MUSEUM BOARD				
Museum	429,445	782,750	353,305	54.86%
County Forest Expenditures	55,304	151,750	96,446	36.44%
County Forest Revenues	(38,960)	(89,000)	(50,040)	43.78%
TOTAL MUSEUM BOARD	445,788	845,500	399,712	52.72%
				A5
COMMUNITY DEVELOPMENT COMMITTEE				
Waste Management	646,545	1,359,750	713,205	47.55%
Economic Development	9,000	55,000	46,000	16.36%
TOTAL COMMUNITY DEVELOPMENT COMMITTEE	655,545	1,414,750	759,205	46.34%
				A6
NET OPERATING RESULTS	9,409,914	22,243,815	12,833,901	42.30%
				A1 to A6
PROPERTY TAX LEVY/Supplem's./Write-Offs	(13,209,017)	(26,783,815)	(13,574,798)	49.32%
Deficit (Surplus)	(3,799,103)	(4,540,000)	(740,897)	
CAPITAL BUDGET, Project Costs	see next qtr. Report	8,760,845		
CAPITAL BUDGET, Revenues other than taxation	see next qtr. Report	(4,220,845)		
		0	Net 2010 Budget, cash-basis	
Analysis of Year-to-Date Position by EXPENSE TYPE				
Salaries and Benefits	9,061,918	19,330,450	10,268,532	46.88%
Debt Repayment	902,900	1,885,850	982,950	47.88%
Administrative and Office	1,111,482	2,587,786	1,476,304	42.95%
Service Delivery (transfers, contracts)	9,207,671	21,154,694	11,947,023	43.53%
IT & Communications	300,195	483,700	183,505	62.06%
Facilities Costs	1,592,003	3,470,550	1,878,548	45.87%
Vehicles & Equipment	699,974	1,460,650	760,676	47.92%
Total 2010 Operating Expenditures	22,876,142	50,373,680	27,497,539	45.41%
2010 Operating Revenues, including Tax Levy	(26,675,245)	(54,653,680)	(27,978,435)	48.81%
Subtotal, Operations Net Deficit (Surplus)	(3,799,103)	(4,280,000)		
Surplus Carry-forward from 2009		(260,000)		
Taxes raised to support Capital	0	4,540,000		
FUND BALANCE: Operating Fund	(3,799,103)	0	(*) Done on cash-basis, so must = 0	

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TR-10-13 TO COUNTY COUNCIL



To: Warden Taylor and Members of County Council
From: Alan Selby, Treasurer
Meeting Date: September 9, 2010
Subject: RFP for Insurance

Purpose

To report on the RFP for insurance providers for 2011.

Background & Discussion

The Insurance RFP was due on August 12th. In attendance at the opening were A. Selby, Councillor L. Haddock and T. Lewis.

Bid results were as follows:

BIDDER	Using Existing deductibles	Using Higher deductibles
	<i>NOT including sales tax</i>	<i>NOT including sales tax</i>
OMEX : Ontario Municipal Insurance Exchange	\$409,531	\$376,298
JLT : Jardine Lloyd Thompson Canada Inc.	\$664,882	\$504,882

This RFP process was done earlier in the year than has been done in the past. We did not receive a bid from one major provider, Frank Cowan Company. We are unsure why, but it may have had to do with the earlier-in-year timing.

For comparison, recent year premiums with OMEX, excluding sales tax, have been:

- For 2010 \$431,079
- For 2009 \$334,400
- For 2008 \$290,000

The large increase in 2010 (28.9%) prompted the RFP, but that increase was in-line with increases from other municipal insurers. This was confirmed in an informal survey of other Counties, conducted in January 2010 and reported to Council at that time.

Premiums have increased 48% over the past two years. The last RFP was done in the Fall of 2007.

Bidders were asked to bid based on the existing deductible of \$10,000 (auto \$5,000) and higher deductible of \$25,000 (auto \$10,000). OMEX has done this, and the difference to premium is only \$33,000 which would be wiped-out by just three liability claims in a year ($25-10 \times 3 = 45$).

JLT quoted on a deductible of \$50,000 for Liability coverage. Going to \$50,000 deductible on the Liability coverage accounted for the \$160,000 difference in the chart above. Again, it would take only four claims [$(50-10) \times 4 = \$160,000$] to wipe-out the \$160,000 premium savings. County history has shown claims breaching deductibles happening three or four times a year is common. JLT also showed savings in Property coverage at a \$25,000 deductible of \$3,973 and Auto at a \$10,000 deductible of \$3,391 in their notes, but these were NOT included in their \$504,882 quote. JLT has a MINIMUM deductible for Liability of \$25,000 and the \$664,882 quote was based on that (whereas OMEX is based on \$10,000). JLT does not offer a \$10,000 deductible, which has been the County Liability deductible for many years.

OMEX is a reciprocal, and is non-profit, but subject to retro-active assessments when claims of past years exceed premium and investment revenues. There have been three such retro-active charges in the past five years. OMEX has lost some of its largest members recently, such as the Region of York, and is now at 27 members. JLT has over 200 municipal clients in Ontario and 375 nationally. [Frank Cowan Company is the other major player, with about 200 Ontario municipal clients.]

For full disclosure, it is noted herein that OMEX members are the "owners" of the business, and OMEX operates under a Board of 12 Directors who are employees of OMEX members. Your Treasurer is on the OMEX Board of Directors.

The RFP states that a Selection Committee would review the bids based on a scoring system, independently from each other. The Committee was to include the Treasurer, Deputy Treasurer and CAO.

With the Deputy Treasurer on maternity leave, and CAO on sick-leave, this evaluation by committee has not taken place. However, the fact that there were just two bids, and that these were far apart, and the low bid is the current provider with whom County staff are very familiar, realistically makes the committee review redundant. The Treasurer has reviewed both submissions, and the highlights are disclosed in this report.

The RFP asked bidders for premium quotes for 2011 only, and stated that the award would be for a two-year term covering 2011 and 2012, with an extension possible.

Local Municipal Impact

none

Financial, Staffing, Legal, or IT Considerations

The bid from OMEX is less than the premium charged for 2010 to the County.

With only two bids received, one option would be to re-issue this RFP later in 2010 and hope for more bids, and also hope the repeat of the RFP would result in more savings than what is here now.

Considering these factors:

- there is a substantial difference in the two bids,
- JLT does not offer a \$10,000 deductible for Liability coverage,
- the incumbent insurers bid is the lower one, their service to the County in past years has been excellent, and
- the 2011 premium quoted by the incumbent insurers is less than the actual premium was for 2010,

staff recommends re-appointing OMEX as the County insurers for 2011 and 2012.

Finally, it is recommended that an RFP for insurance be done again in 2012, but at a later stage of the (calendar) year, to encourage more participation.

With the retro-assessments done in 2008 and 2009 by OMEX, and presuming claims activity in future being comparable to recent years, another OMEX retro-assessment is unlikely in the coming two years. OMEX has done much work internally to clear as many claims as possible, and has had a third-party review of its unsettled claims to obtain the most accurate estimates of their likely outcomes and costs. This resulted in the two recent retro-assessments, but OMEX is now in "a better place" financially and should not need to have another retro in the near-term.

The following table breaks down the OMEX bid by type of coverage:

	Actual 2010 Premium Paid	Bid for 2011	variance
General Liability	\$180,628	\$180,628	0
Errors and Omissions	\$ 37,532	\$ 37,532	0
Environmental Impairment	\$ 34,702	\$ 26,693	(\$ 8,009)
Owned Autos including HC Heavy Commercial vehicles	\$ 92,994	\$ 80,033	(\$12,961)
Councillor Accident	\$ 1,008	\$ 932	(\$ 76)
PROPERTY	\$ 71,760	\$ 72,650	\$ 890
Boiler & Machinery	\$ 7,267	\$ 7,374	\$ 107
Crime and Theft	\$ 5,188	\$ 3,689	(\$ 1,499)
	\$431,079	\$409,531	(\$21,548)

Changing the deductible to \$25,000 for Liability coverages only would reduce the 2011 OMEX quote by \$20,110 but this is not being recommended, based on historical levels of claims activity. NOTE: Changing the Auto deductible from \$5,000 to \$10,000 would reduce the quoted 2011 premium by \$9,705, also not recommended.

Recommendation

THAT the report from the Treasurer on RFP for Insurance be received;

AND THAT the Ontario Municipal Insurance Exchange (OMEX) be appointed as insurance providers for Dufferin County for 2011 and 2012.

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TR-10-11 TO COUNTY COUNCIL



To: Warden Taylor and Members of County Council
From: Alan Selby, Treasurer
Date: September 9, 2010
Subject: Re-stating 2010 County Budget

Purpose

The purpose of this report is to comply with Ont. Reg. 284/09.

Background & Discussion

County Council prepares, and adopts, its annual budget on a cash-basis, and this practice will continue in spite of changes to municipal accounting rules. The rule changes require municipal accounting to be done on an accrual-basis, and so there are now TWO ways of doing things.

This situation has created the need to reconcile these two methods of accounting. To ensure such reconciling gets done, the Province has passed Regulation 284/09 to mandate that staff present a Budget Reconciliation (B-R) to Council, starting in 2010.

The B-R presentation must be made to Council, explaining how Council's annual budget would look if it was done on an accrual basis. For the transitional year of 2010, where the cash-basis budget has already been adopted, a timing difference is permitted. The B-R must be presented within 60 days of presenting audited 2009 County statements (which were presented to Council in July). In the years 2011 and beyond, the B-R must be presented to Council at the time that Council is finalizing the annual cash-basis budget (for 2011, we expect this will be during February 2011, under the first year of the next Council). In other words, the B-R now becomes a part of the budget process.

Local Municipal Impact

All local municipalities will have to present a 2010 B-R, similar to this one, to their Councils, within the same 60-day time limit.

Financial Impact

The 2010 Dufferin County cash-basis Budget contained total revenues and total expenses of \$60,207,225, including both the Operating and Capital sections.

The attached schedules show a breakdown of these amounts by County department, in the left-hand column.

Under the accrual basis, some revenues and some expenses *“don’t count”*, and they must be removed from the Budget. There are no new revenues to be added. There is an expense to be added, namely AMORTIZATION, which is the measurement of the depreciation or the “using-up” of capital assets, based on their historical cost and the useful lives attached to them under the County’s Capital Asset Policy.

Schedule A shows Revenues. After removal of certain revenues from specific sources, we are left with accrual-basis revenues of \$58,045,705.

Schedule B shows Expenses. After removing certain expenses (namely debt principal payments, transfers into Reserves, and capital expenses that will be treated as new Capital Assets), we then must add-in the Amortization expense budget estimate.

The result is an accrual-based Budget which will not be in balance (meaning Revenues will not equal Expenses). In the case of Dufferin, the result is a 2010 Budget Surplus of about \$3.75 million, and the Schedules show why a surplus happens. Effectively, a 2010 Budget Surplus is caused by the amount to be spent in 2010 on new capital assets plus paying-off debt, taken together, being much greater than the amortization expense on pre-2010 capital assets.

When the County finances new capital assets from sources other than taking-on new debt, such as Grants, Development Charges and Taxation, those revenue sources stay in the accrual-based budget but the related expense (being the asset cost) comes out, resulting in a “surplus” for accounting purposes, but not for cash-flow purposes.

Any net change in County Reserves can also be a significant factor in the accrual-basis budget bottom line, but as the schedules show, in Dufferin County’s case, for 2010 the amounts to be taken out of reserves come close to the amounts being put into reserves, and so the net impact is minor.

The Accrual-basis Budget numbers shown in the right-side columns of Schedules A and B, with a Budget Surplus of \$3.75 million, will be the budget figures that will appear in the 2010 audited financial statements.

Recommendation:

THAT, the report from the Treasurer on Re-statement of 2010 County Budget, be received.

	2010 DUFFERIN COUNTY BUDGET			REVENUES	Schedule
	Cash-Basis Budget	Remove any new borrowing planned	Remove Reserve transfers-out (withdrawals)	Remove surplus c/f	Accrual-basis Budget
OPERATING					
Council, Admin, Health & Safety	122,000		(54,350)		67,650
Treasury, Taxes, etc	692,100				692,100
IT & misc interest	295,000		(25,000)		270,000
Building & Bylaw	690,900		(229,325)		461,575
Facilities	925,630				925,630
Public Works	122,400				122,400
Waste Mgmt	163,550				163,550
Land Ambulance	2,495,000				2,495,000
Dufferin Oaks	10,213,340		(75,000)		10,138,340
MLC	225,100				225,100
Commun. Supports	564,350				564,350
Mck - B housing	196,440				196,440
Emergency Serv	-				-
Ontario Works	4,370,750				4,370,750
Child Care	3,729,348				3,729,348
Housing Admin	99,500				99,500
Public Housing bldgs	1,317,300				1,317,300
Rent Suppl & NonP/Co-ops	1,810,607				1,810,607
DCMA	170,250				170,250
County Forest	89,000		(34,000)		55,000
Economic Develop	-				-
	28,292,565				27,874,890
CAPITAL					
Admin & IT	285,000	(250,000)	(10,000)	(15,000)	10,000
Building	33,345		(33,345)		-
Public Works	3,195,000		(505,000)	(488,000)	2,202,000
9-1-1 equipment	-				-
Waste Mgmt / DEEP	1,300,000				1,300,000
Land Ambulance	550,000	(337,500)		(100,000)	112,500
Dufferin Oaks	-				-
Social Housing	157,500		(5,000)		152,500
DCMA	-				-
	5,520,845				3,777,000
	33,813,410	(587,500)	(971,020)	(603,000)	31,651,890
	26,393,815	Add 2010 Tax Levy		Add 2010 Tax Levy	26,393,815
TOTAL BUDGET	60,207,225				58,045,705
CAPITAL non-tax revenues of \$3,777,000 = \$1,660,608 from Gas Tax, \$1,505,992 from 2008 roads grants, \$450,900 from DC, \$7,000 from trade-ins and \$152,500 in Fed. housing grants					

	2010 DUFFERIN COUNTY BUDGET	EXPENSES	Schedule				
	Cash-Basis Budget	Remove debt principal paid	Remove Reserve transfers-in	Remove TCA purch	Remove post-emp benefits	ADD Amortiz expense (estimated)	Accrual-basis Budget
OPERATING							
Council, Admin., H&S	1,362,700		(5,000)		(5,300)	50,000	1,402,400
Treasury, Taxes, etc	803,600						803,600
MPAC assessment levy	798,450						798,450
IT & misc interest	687,530					135,000	822,530
Building & Bylaw	702,875		(34,400)			14,500	682,975
Facilities	1,059,650					50,000	1,109,650
Public Works	4,742,100	(233,000)	(481,000)			3,050,000	7,078,100
Waste Mgmt	1,523,300					1,540	1,524,840
Land Ambulance	5,173,000					245,000	5,418,000
W-D-G Health Unit levy	961,800						961,800
Dufferin Oaks	12,960,850	(830,000)			(5,100)	1,180,000	13,305,750
MLC	269,700					15,000	284,700
Commun.Supports	657,400						657,400
Mck - B housing	196,440		(37,790)			35,000	193,650
Emergency Serv	345,250		(10,000)				335,250
Ontario Works	6,526,150		(30,000)				6,496,150
Child Care	4,415,235					5,000	4,420,235
Housing Admin	967,850						967,850
Public Housing bldgs	1,621,650					113,000	1,734,650
Rent Suppl & NonP/Co-ops	3,211,100						3,211,100
DCMA	953,000					134,000	1,087,000
County Forest	151,750					3,875	155,625
Economic Develop	55,000						55,000
	50,146,380						53,506,705
CAPITAL							
Admin & IT	587,000			(550,000)			37,000
Building	184,345		(151,000)	(33,345)			-
Public Works	6,645,000			(6,100,000)			545,000
9-1-1 equipment	20,000		(20,000)	-			-
Waste Mgmt / DEEP	1,300,000			(1,300,000)			-
Land Ambulance	821,000			(810,000)			11,000
Dufferin Oaks	316,000		(10,000)	(250,000)			56,000
Social Housing	162,500		(22,500)	-			140,000
DCMA	25,000		(25,000)	-			-
	10,060,845						789,000
TOTAL BUDGET	60,207,225	(1,063,000)	(826,690)	(9,043,345)	(10,400)	5,031,915	54,295,705
REVENUE TOTALS	60,207,225						58,045,705
NET BUDGET "Surplus"	-					NET BUDGET "Surplus"	3,750,000
	cash-basis						accrual-basis

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TR-10-12 TO GENERAL GOVERNMENT SERVICES COMMITTEE



To: Chair Maycock and Members of Government Services Committee
From: Alan Selby, Treasurer
Meeting Date: August 23, 2010
Subject: RFP for Auditors

Purpose

To address the appointment of County auditors for 2010.

Background & Discussion

The County auditors, BDO Dunwoody LLP (BDO), were appointed for the years 2007-2009 under Bylaw 2007-39 in September 2007.

Auditors for 2010 have not yet been appointed. Normal procedure would require an RFP would be done in 2010 to select the auditors for 2010 and beyond. Municipal Act, 2001 allows the appointment of auditors for a term not exceeding five years.

A substantial amount of extra time and work was needed to conduct the 2009 audit because of the changes in accounting methods to accrual accounting. Generally speaking, it went well and staff were pleased with the process. The year 2010 will be the second year under the new rules, and should be easier to get through after having had the 2009 experience.

Changing auditors might save some money for 2010, since new auditors will normally not charge for their time spent on initial set-up work when taking on a new client. The savings are not a certainty however. Staff suggest there would be advantages to postponement of an audit RFP until 2011. Remaining with BDO for 2010 would be advisable because:

- With the set-up work for accrual accounting now in place, the 2010 fee should decrease; staying with BDO would allow the County to realize the decrease and see how large it would be
- the 2010 reduced fee from BDO would be a more “normal fee”, more typical of future annual audit fees, and better serve as a proper basis for comparison of fee bids received (for 2011 and beyond) from the next RFP than the 2009 fee

- avoiding a repeat of set-up work done by BDO in 2010 (for 2009) by a new auditor should enable the 2010 audit to get completed earlier in 2011
- the Deputy-Treasurer will still be on her maternity leave during the time of the 2010 audit; it is better that any new firm of auditors (which could happen after an RFP process) conduct their initial audit when the Deputy-Treasurer is here to assist them, due to her in-depth history of accounting procedures at the County

Re-appointment of BDO for 2010 would be considered a “fourth-year” appointment, still within the five-year rule of the Act.

Note that in 2000, Dufferin County Council passed a bylaw appointing auditors for a four-year period covering 2000 to 2003.

Local Municipal Impact

none

Financial, Staffing, Legal, or IT Considerations

There should be a reduction in audit fees in 2010 compared to 2009, since 2009 had so much extra work involved in the set-up of BDO audit schedules for the new-style financial statements under accrual accounting. With this set-up now in place, that effort won't have to be repeated for fiscal year 2010.

Audit fees for 2010 were only \$1,000 higher than the estimate received from BDO in Sept. 2007, in the last RFP, for the 2009 year.

The intention is to proceed with an Audit RFP next year, for 2011 and later years.

Recommendation

THAT the report from the Treasurer on RFP for Auditors be received;

AND THAT a bylaw be presented to re-appoint BDO Dunwoody LLP as County Auditors for the year 2010.

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TO COUNCIL



To: Chair Maycock and Members of the General Government Services Committee

From: Pam Hillock, County Clerk

Meeting Date: September 9, 2010

Subject: **Broadband RFP Results**

Purpose

The purpose of this report is to provide an update on the results of the RFP issued regarding the Broadband funding.

Background & Discussion

At the July 8th Council meeting, Council directed that an RFP be issued to secure a vendor in connection with Intake 2 of the Rural Broadband Funding.

An RFP was issued on July 23rd and closed on August 19th. A mandatory vendors meeting was held on Thursday, August 12th, 2010 and only one prospective bidder was present. That bidder did not submit an RFP so the result that there was no response to the RFP process. No responses were received by the deadline.

Local Municipal Impact

There are areas within the County that did not receive coverage during the first round of funding. A Bell representative that was present at the vendor meeting suggested that most areas of the County are covered by Bell and their new stick technology could be an option for those residents looking for high speed internet service.

In a telephone conversation with OMAFRA, they reported that the funding that was approved for Dufferin in Intake 2 could be used in another community that has applied under Intake 3.

Financial, Staffing, Legal, or IT Considerations

The County of Dufferin has spent staff time and money on consulting fees.

Recommendation

THAT the Report of the County Clerk dated September 9, 2010 regarding the RFP for the Broadband, be received;

AND THAT the RFP for the Broadband Initiative be closed and that staff be directed to advise OMAFRA that the project will not be proceeding.

Respectfully Submitted,

Pam Hillock
County Clerk

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT TO COUNTY COUNCIL



To: Warden Taylor and Members of County Council

From: Brenda Urbanski, Administrator

Date: September 9, 2010

Subject: Lease Agreement with the Central West Community Care Access Centre

Purpose

The purpose of this report is to enter into a lease agreement with the Community Care Access Centre for office space in the upper level of the Mel Lloyd Centre.

Background & Discussion

The Central West Community Care Access Centre is establishing satellite office in Shelburne and Bolton in close proximity to community support services and primary care services. The offices will offer increased CCAC visibility to members of the community and facilitate joint planning and coordinated care for clients with community partners. The offices will also provide clients with the option of meeting a CCAC case manager outside the home environment.

The CCAC has requested to rent a currently unoccupied office in the Mel Lloyd Centre adjacent to Dufferin County Community Support Services.

The proposed lease is based on \$14.00 per square foot effective September 1, 2010 and an annual increase thereafter of three per cent. The office is 104 square feet. In addition, there will be a monthly cleaning fee of \$216.67 per month.

The current lease is for the period September 1, 2010 – June 30, 2011

Financial Impact

The lease agreement with CCAC Healthcare will generate \$1,352 in revenue in 2010.

Local Municipal Impact

None

Recommendations

THAT the County of Dufferin enter into a lease agreement with the Community Care Access Centre for the rental of office space in the Mel Lloyd Centre

AND THAT the necessary By-Law be enacted.

Respectfully submitted,

Brenda Urbanski
Administrator

THE CORPORATION OF THE COUNTY OF DUFFERIN



REPORT PW-10-19 TO COUNTY COUNCIL COMMITTEE



To: Warden Taylor and Members of County Council

From: Trevor D. Lewis, P.Eng. Director of Public Works

Date: September 9, 2010

Subject: **Dufferin County Active Transportation and Trails (DCATT)
Master Plan Update**

Purpose

The purpose of this report is to update Council on the recent consultation process regarding the Dufferin County Active Transportation and Trails (DCATT) Master Plan.

Background & Discussion

Following the May 13th Council meeting, copies of the report were circulated to the local municipalities as well, the local municipalities were contacted by Headwaters Communities in Action, to offer their assistance if required.

Since that circulation, staff have been in contact with a number of municipalities who had concerns with some aspects of the report. References to the Town of Mono's Trails Network Study (2000) were added. For example:

“The Town of Mono adopted a comprehensive Trails Network Study in 2000. The objective of the study, as stated in the plan, ‘...was to identify a multi use trail system within the Town of Mono that will make a positive contribution to the economic, social, and recreational wellbeing of the community’. The plan was adopted by Town of Mono Council in May of 2000.”

Some wording, regarding local roads that have been identified, has been revised as follows:

“Gravel roads are proposed where segments complete part of a major connection or complete a loop. It is recommended that these segments be reviewed in the future to see if there is merit in upgrading them to a hard surface when they are scheduled for repair or when/if the opportunity arises”.

The recommendations contained in the report have been numbered based on the section they are in. There were concerns raised regarding the associated cost of the proposal. The study is a planning document, not an implementation document. The funding will come over time when capital works are proposed and funding, from various sources, is available.

The report is not a static document, but a dynamic one that will be constantly reviewed/revised with major updates on a five-year cycle.

Local Municipal Impact

There are some recommendations that include local roads. These roads have been included for the sake of larger loops or to improve connections. Municipalities that previously did not have an Active Transportation Study can expand on the County's version if they so desire.

Financial Impact

There will be future costs based on the study and they will be identified in those future capital budgets and approved accordingly.

Recommendation

THAT Report PW-10-19, *Dufferin County Active Transportation and Trails (DCATT) Master Plan Update*, from the Director of Public Works dated September 9, 2010 be received;

AND THAT the draft Dufferin County Active Transportation and Trails (DCATT) Master Plan be adopted in principle;

AND THAT that the draft Master Plan be made available for public review and comment on the County website and at the County's offices until the October County Council meeting;

AND THAT a digital copy of the revised draft Master Plan be issued to the local municipalities, adjacent municipalities, the Ontario Ministry of Transportation (Policy Branch and Design Branch), and local school boards.

Respectfully submitted by

Original signed by,

Trevor D. Lewis, P. Eng.
Director of Public Works
and County Engineer



dcafs

Dufferin Child & Family Services

children's mental health • child protection • developmental support

September 1, 2010

Dear Warden Taylor and Council Members,

The month of October is Child Abuse and Neglect Prevention Month which is marked by wearing a purple ribbon. We are asking for council to support a proclamation claiming the month of October as "Child Abuse and Neglect Prevention month in the County of Dufferin."

If you have any questions regarding our request, please do not hesitate to contact me at 519-941-1530 ext 246 or via email at jacqueline.moore@dcafs.on.ca

Sincerely,

Jacqueline Moore
Coordinator Community Awareness
and Volunteers

655 Riddell Road, Orangeville, ON L9W 4Z5

tel: 519-941-1530 fax: 519-941-1525 email: mail@dcafs.on.ca **web: www.dcafs.on.ca**

please remember, we all share the air... this is a scent free environment

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 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.

WHEREAS authority for waste management in the Corporation of the County of Dufferin (the “County”) rests exclusively with the lower-tier municipalities, as set out in Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 (the “Act”), with the exception of composting, household hazardous waste and e-waste;

AND WHEREAS Section 189(1) and (2) of the Act sets out the authority and conditions for the transfer of power to an upper-tier municipality;

WHEREAS the County owns 200 acres of an Environmental Assessment approved landfill site (the “Dufferin Eco Energy Park”);

AND WHEREAS the County is looking for alternative methods of solid waste treatment;

AND WHEREAS the County has identified composting of Source Separated Organics (“SSO”) and gasification as two alternative methods of waste treatment;

AND WHEREAS the County currently has authority to collect and treat SSO and Household Hazardous Waste pursuant to By-law 2000-32 and By-law 2007-17;

AND WHEREAS the County is developing the Dufferin Eco Energy Park site to utilize these methods of treatment;

AND WHEREAS the County has identified the need to control the waste stream to secure tipping fees that will be competitive with current commercial rates;

AND WHEREAS a coordinated waste system in the County will allow for a greater opportunity for effective promotion/education, diversion and cost savings;

NOW THEREFORE, subject to the conditions set out in Section 189(2) of the Act, the municipal council of the County enacts as follows:

Assumption of Power

1. The County hereby assumes from all the lower-tier municipalities forming part of the County, the power to establish, operate and deliver household waste collection and treatment programs and services.

2. Without limiting the generality of Section 1 above, “the power to establish, operate and deliver waste collection and treatment programs and services” shall include, but not be limited to, the following elements:
 - (a) the power to carry out, or to commission, research, studies, and analyses of waste collection and treatment programs and services;
 - (b) the power to enter into agreements and contracts with lower-tier municipalities and other parties for the provision of waste collection and treatment programs and services, including the continuation of existing programs and services;
 - (c) the power to construct, own, and operate a waste facility or facilities;
 - (d) the power to implement a waste collection system or systems that may be required to support such a waste facility or facilities;
 - (e) the power to enter into agreements and contracts for the sale or other disposition of the products of any waste collection and treatment programs;
 - (f) the power to conduct public education programs and otherwise promote waste programs and services;
 - (g) the power to require the separation of waste at the point of collection consistent with continuation of existing programs and services; and
 - (h) the power to:
 - (i) establish incentives to encourage the use of waste programs and services;
 - (ii) establish different classes of waste;
 - (iii) establish fees and incentives that vary based on the volume, weight or class of waste, or on any other basis the Council of the County of Dufferin considers appropriate.
3. Notwithstanding Section 1, the assumption of waste does not include the assumption of any landfill site open or closed and owned by a lower-tier municipality.
4. The tipping fees paid by the County must be competitive with commercial rates at the time of commission.

Transitional Provisions

5. The County shall assume all authority granted herein by December 31, 2012 or the latest expiry date of the existing lower-tier collection contracts.
6. Until the assumption identified in Section 5 of this by-law, the County will work with the lower-tier municipalities, at the request of the individual lower-tier municipalities, to administer the waste collection process. The cost of any existing contracts will be borne by the lower-tier municipality until assumption by the County pursuant to this by-law.
7. The County will maintain the current curb-side collection programs offered by the lower-tier municipalities. Melancthon Township Council will have the option of requesting that the County provide curb-side pick up of household waste.
8. In accordance with the provisions of the Act, this by-law shall not come into effect unless,
 - (a) a majority of all votes on the County Council are cast in its favour;
 - (b) a majority of the Councils of all the lower-tier municipalities within the County have passed resolutions consenting to the by-law; and
 - (c) the total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the County;
5. This by-law will come into effect upon third reading.

READ a first and second time this 10th day of June, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk

PURSUANT TO SECTION 189(2) OF THE MUNICIPAL ACT, 2001, S.O. 2001, c. 25
TRIPLE MAJORITY ACHIEVED ON THIS ___ day of _____, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk

READ a third time and finally passed this _____ day of _____, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2010 – 37

A BY-LAW TO APPROVE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CORPORATION OF THE COUNTY OF DUFFERIN AND ALTER NRG CORP. (DUFFERIN ECO-ENERGY PARK – DEEP)

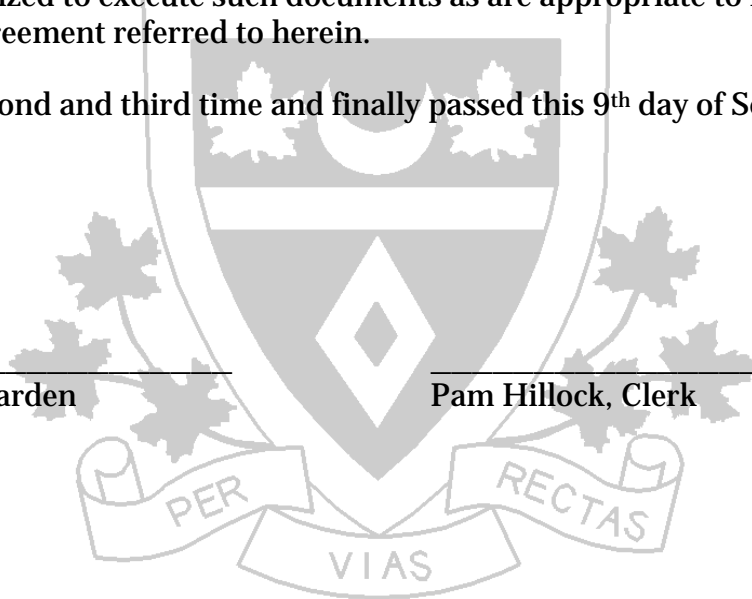
BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS;

1. That the amendment to the memorandum of understanding between the County of Dufferin and Alter NRG dated August 12, 2010 in a form substantially the same as attached hereto as Schedule “A” be approved.
2. That the Warden and Clerk be hereby authorized to execute the agreement and affix the corporate seal thereto.
3. That the staff of the County of Dufferin is hereby authorized to take such actions as are appropriate and the Warden and Clerk are hereby authorized to execute such documents as are appropriate to implement the agreement referred to herein.

READ a first, second and third time and finally passed this 9th day of September 2010.

Allen Taylor, Warden

Pam Hillock, Clerk



SECOND AMENDMENT

THIS SECOND AMENDMENT, effective as of August 12, 2010, is made between **Alter NRG Corp.** (“**Company**”) and **County of Dufferin** (“**Dufferin**”).

WHEREAS the parties have entered into a Memorandum of Understanding dated October 8, 2009 (the "**Agreement**") and a subsequent Amendment dated December 4, 2009 (the "**Agreements**") together which set forth the terms pursuant to which Alter NRG and Dufferin will work together to develop a Thermal Treatment Waste Processing Facility in the County of Dufferin;

AND WHEREAS the parties have agreed to amend certain provisions of the Agreements;

NOW THEREFORE in consideration of the premises and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. Paragraph 4.2 of the Agreement as amended by the December 4 Amendment is hereby further amended by changing “by December 31, 2009” to “for the project”.
2. Paragraph 4.3 of the Agreement as amended by the December 4 Amendment is hereby deleted and replaced with “Alter NRG will solicit third party capital investment in the Project on a schedule that is mutually agreeable to the Parties to be aligned with other project development timelines and activities”.
3. Paragraph 9.2 of the Agreement as amended by the December 4 Amendment is hereby amended by changing “filed by December 31, 2009” to “complete on a schedule that does not materially delay the overall project schedule”.
4. Paragraph 12.2 of the Agreement as amended by the December 4 Amendment is hereby further amended by changing “by March 1, 2009” to “December 31, 2010”.
5. Paragraph 15.1 of the Agreement as amended by the December 4 Amendment is hereby amended by changing “April 20, 2010” to “December 31, 2010”.

Except as expressly amended hereby, the terms of the Agreements are hereby ratified and confirmed and continue in full force and effect.

This Second Amendment shall be governed by and construed in accordance with the laws of the Province of Ontario and laws of Canada applicable therein.

IN WITNESS WHEREOF the parties have executed and delivered this Second Amendment effective as of the date first written above.

Alter NRG Corp.

Per: _____
Name: Ken Willis
Title: VP Project Development

Dufferin County

Per: _____
Name:
Title:

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2010-38

A BY-LAW TO APPROVE AN AGREEMENT BETWEEN THE CORPORATION OF THE COUNTY OF DUFFERIN AND CENTRAL WEST COMMUNITY CARE ACCESS CENTRE (Lease Agreement)

BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS:

1. That the Agreement between the County of Dufferin and Central West Community Care Access Centre, in a form substantially the same as attached hereto as Schedule "A" be approved.
2. That the Warden and Clerk be hereby authorized to execute the agreement and affix the corporate seal thereto.
3. That the staff of the County of Dufferin is hereby authorized to take such actions as are appropriate, and the Warden and Clerk are hereby authorized to execute such documents as are appropriate to implement the agreement referred to herein.

READ a first, second and third time and finally passed this 9th day of September, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk



Single-Tenant Office Lease

THIS LEASE made the 20th day of August, 2010

BETWEEN:

**Available for
Review in
Clerk's Dept.**

The Corporation of the County of Dufferin

(the "Landlord")

AND

Central West Community Care Access Centre

(the "Tenant")

WITNESSETH AS FOLLOWS:

Article 1 — Basic Terms, Definitions

1.1 Basic terms

- (a) Landlord: The Corporation of the County of Dufferin
Address: 51 Zina Street Orangeville, Ontario
- (b) Tenant: Central West Community Care Access Centre
Address: 199 County Court Blvd., Brampton, ON
- (c) Premises: the lands and premises municipally known as 167 Centre Street
Shelburne, Ontario, L0N 1S4
- (a) Indemnification not applicable
- (e) Rentable Area of Premises: 104 square feet, subject to Section 2.2
- (f) Term: 12 months subject to Sections 2.3 and 2.4 with an option to renew on an
annual basis.

Commencement Date: September 1, 2010, subject to Section 2.4

End of Term: August 31, 2011, subject to Sections 2.3 and 2.4

Renewal Option: Tenant shall have the option to extend the Lease on an annual basis and must give the Landlord no less than two (2) months prior notice of its intention to exercise the Option.

Termination Option: Tenant or the Landlord shall have the option to terminate the Lease or Lease Renewal by providing three (3) months prior written notice of its intention to exercise the Option.

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW 2010-39

A BY-LAW TO APPOINT THE AUDITORS FOR THE CORPORATION OF THE COUNTY OF DUFFERIN AND TO REPEAL BY-LAW #2007-39 (BDO Canada LLP)

WHEREAS Section 296(1) of the Municipal Act, 2001 ("Municipal Act") states that the Council of every municipality shall appoint an auditor, licensed under the Public Accounting Act, 2004;

AND WHEREAS Section 296(3) of the Municipal Act provides that a municipal auditor shall not be appointed for a term exceeding five years;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

1. THAT the firm of BDO Canada LLP be appointed as Municipal Auditors for the Corporation of the County of Dufferin.
2. THAT the firm of BDO Canada LLP shall act as Auditors for the Corporation of the County of Dufferin for the year 2010 in accordance with Section 296(1) of the Municipal Act.
3. THAT any additional accounting and/or audit work, as required, beyond the core audit service, will not be undertaken without the prior written approval of the Council of the Corporation of the County of Dufferin.
4. THAT By-Law #2007-39 is hereby repealed.
5. THAT this bylaw comes into force on the day it is passed.



READ a first, second and third time and finally passed this 9th day of September, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2010-xx

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AT ITS MEETING HELD ON SEPTEMBER 9, 2010.

WHEREAS Section 5 (1) of the *Municipal Act, 2001*, as amended, provides that the powers of a municipality shall be exercised by its Council;

AND WHEREAS Section 5 (3) of the *Municipal Act, 2001*, as amended, provides that municipal powers shall be exercised by by-law;

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

1. All actions of the Council of the Corporation of the County of Dufferin at its meeting held on September 9, 2010 in respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if each report, motion, resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Warden of the Council and the proper officers of the Corporation of the County of Dufferin are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required and except where otherwise provided, to execute all documents necessary in that behalf.

READ a first, second and third time and finally passed this 9th day of September, 2010.

Allen Taylor, Warden

Pam Hillock, Clerk

