

DUFFERIN COUNTY COUNCIL

Thursday, July 12, 2012 at 7:00 p.m.
Council Chambers
51 Zina Street, Orangeville



Council Members Present:

Warden Walter Kolodziechuk (Amaranth)
Councillor Rob Adams (Orangeville)
Councillor Ken Bennington (Shelburne) (arrived at 7:10 p.m.)
Councillor Rhonda Campbell Moon (Mulmur)
Councillor Ed Crewson (Shelburne)
Councillor Bill Hill (Melancthon)
Councillor Don MacIver (Amaranth)
Councillor Warren Maycock (Orangeville)
Councillor Ken McGhee (Mono)
Councillor Paul Mills (Mulmur)
Councillor John Oosterhof (East Luther Grand Valley)
Councillor Laura Ryan (Mono)
Councillor Allen Taylor (East Garafraxa)
Councillor Darren White (Melancthon)

Staff Present:

Sonya Pritchard, Chief Administrative Officer
Pam Hillock, Clerk/Director of Corporate Services
Mike Giles, Chief Building Official
Alan Selby, Treasurer
Trevor Lewis, Director of Public Works
Keith Palmer, Director of Community Services
Valerie Quarrie, Dufferin Oaks Administrator
Wayne Townsend, Museum Director/Curator
Michelle Dunne, Deputy Clerk

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

The Warden noted the upcoming meetings:

Community Development Committee – Thursday, August 23, 2012, 7:00 p.m.
General Government Services – Monday, August 27, 2012, 4:45 p.m.
Public Works Committee – Wednesday, August 29, 2012, 7:00 a.m., Primrose
Community Services/Dufferin Oaks Committee-Wednesday, August 29, 2012, 3:30 p.m.
Accessibility Advisory Committee – Monday, September 10, 2012, 1:00 p.m.

The County Administration offices will be closed on Monday, August 6, 2012 in recognition of Civic Holiday.

1. APPROVAL OF AGENDA

Moved by Councillor McGhee, seconded by Councillor Mills

THAT the Agenda and any Addendums distributed for the July 12, 2012, 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 the Closed Session minutes from June 14, 2012 Council meeting regarding any discussion on the rail corridor as he has allowed Dufferin Wind Power access to his property, which is in the vicinity of the rail lands, for soil samples. 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 Hill

THAT the minutes of the Regular Meeting of Council of June 14, 2012, be adopted.

-Carried-

4. PRESENTATIONS, DELEGATIONS AND PROCLAMATIONS

4.1. Delegation – Mike and Sue Fregeau regarding parking issues on County Road 18 and 5th Sideroad

Mr. Mike Fregeau addressed Council with respect to his concerns about lack of enforcement of Traffic By-law 2005-32 on Airport Road, specifically parking in front of or within 6 metres a driveway or laneway.

The Warden noted that the County has not opted into the parking regulations and enforcement would have to be done through a summons rather than a parking ticket. Direction was given to staff that this matter be placed on the next Public Works Committee Agenda.

4.2. Presentation - Certified Municipal Manager (CMM) accreditation.

The Warden presented a Certificate to Keith Palmer to recognize the completion of the Certified Municipal Manager (CMM) accreditation.

5. PUBLIC QUESTION PERIOD

Mr. Charles Hooker, East Garafraxa resident asked Council, if they agreed with Councillor Rob Adams recent quote in the local newspapers regarding tree cutting by-laws. He asked if Council will revoke the County of Dufferin Forest Conservation by-law. The Warden said Council will deal with that if a Member of Council brings it forward.

PRESENTATION AND CONSIDERATION OF REPORTS

6. GENERAL GOVERNMENT SERVICES COMMITTEE – June 25, 2012

Moved by Councillor Maycock, seconded by Councillor Oosterhof

THAT the minutes of the General Government Services Committee meeting of June 25, 2012, and the recommendations set out, be adopted.

-Carried-

**7. GENERAL GOVERNMENT SERVICES – June 25, 2012 – Item #1
2011 Health and Safety Review**

THAT the report of the Health and Safety Officer dated June 25, 2012 with respect to the 2011 Health and Safety activities be received.

**8. GENERAL GOVERNMENT SERVICES – June 25, 2012 – Item #2
Timetable for 2013 Budget**

THAT the Treasurer's Report dated June 25, 2012 with respect to the proposed 2013 Budget Timetable be received;

AND THAT the specific dates listed below be approved, the meeting dates be scheduled and advertised and the facilities bookings be made as required:

Capital Budget Call to Senior Management	June 27
Capital Budgets returned to Treasury	July 20
Operating Budget Call to Senior Management	July 13
Operating Budgets returned to Treasury	August 10
Budget Reviews with CAO and Department	Sept 4 to 7

Heads	
Budget Packages provided to Council	Oct. 11
PLUS Budget Workshop, review the opening position; start at 5 pm	
Budget Review at Standing Committees	Oct 22-25, 2012 Committee Cycle
COW Budget Discussion / Public Consultation	Nov. 8 at 5:00 p.m.
COW Budget Discussion #2, 3, etc. (if necessary)	Dec. 13, 2012 plus extra dates if required
Regular Council Meeting - Approval of 2013 Budget	Jan 10, 2013

9. GENERAL GOVERNMENT SERVICES – June 25, 2012 – Item #3
Municipal Delegations at AMO Conference

THAT the email correspondence from the Ministry of Municipal Affairs and Housing to remind Municipalities of the July 25, 2012 deadline for the submission of requests for delegations with Ministers at the Association of Municipalities (AMO) Conference in August 2012, be received

10. PUBLIC WORKS COMMITTEE – June 27, 2012

Moved by Councillor Ryan, seconded by Councillor Campbell Moon

THAT the minutes of the Punic Works Committee meeting of June 27, 2012, and the recommendations set out, be adopted.

-Carried-

11. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #1
Award of Tenders

THAT Report PW-2012-06-27 dated June 27, 2012 from the Director of Public Works with respect to the award of tenders;

- PW-12-03 Sale of Tri Axle Snow Plow (\$80,851.00)
- PW-12-05 Pavement Rehabilitation Roads 5, 8 and 18 and Paving at the W & M Edelbrock Centre (\$1,841,560.55)

be received.

12. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #2
Mobile Message Boards

THAT Report PW-2012-06-27 Mobile Message Board, from the Director of Public Works dated June 27, 2012 be received;

AND THAT staff be authorized to purchase two mobile message boards.

13. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #3
GENIVAR Inc.

THAT the correspondence dated June 18, 2012 from Genivar with respect to a Municipal Class Environmental Assessment Study at Highway 89 and Amaranth-East Luther Townline be received.

14. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #4
Melancthon Resident – ATV Club - Use of Former Rail Line

THAT a copy of the correspondence from a Melancthon Resident dated June 20, 2012 with respect to the ATV Club use of the former rail line be forwarded to the Dufferin Grey ATV Club, Ontario Provincial Police – Dufferin Detachment, Shelburne Police Service and Melancthon Council;

AND THAT staff review the Dufferin Grey ATV Club agreement with its solicitors and the matter be brought back to Committee.

15. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #6
OMB decision re Duntroon Quarry

THAT staff be directed to review the Transportation Haul Routes of the Consolidated Hearing Decision: Walker Aggregates Inc. report and prepare a letter to be submitted to the Aggregate Resources Act Review Committee;

AND THAT the letter be copied to all local and surrounding municipalities and to Ms. Sylvia Jones, MPP.

16. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #11
Pre-Budget Discussions

THAT the reconstruction of the intersection for County Road 18 (Airport Road) and the 5th Sideroad Mulmur, be a priority in the 2013 budget.

THAT the capital budget formula for road improvements be 18 kilometres per year.

17. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #12
Request to Province – Upload of County Road 109

THAT staff be directed to send follow up correspondence to the Province of Ontario regarding the County's request to consider the upload of County Road 109 (former Highway 9).

18. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #13
Process to Identify Problem Intersections

THAT copies of the Public Works agendas be circulated to the Staff Sergeant at the Ontario Provincial Police Dufferin Detachment.

19. PUBLIC WORKS COMMITTEE – June 27, 2012 – ITEM #16
CTC Source Water Committee

THAT staff request that a County Representative participate on the CTC Source Water Region Committee.

20. **COMMUNITY DEVELOPMENT COMMITTEE – June 28, 2012**

Moved by Councillor Taylor, seconded by Councillor Mills

THAT the minutes of the Community Development Committee meeting of June 28, 2012, and the recommendations set out, be adopted.

-Carried-

21. COMMUNITY DEVELOPMENT COMMITTEE – June 28, 2012 – Item #3
Committee Update

THAT the report from the Director of the Public Works dated June 28, 2012 with respect to updates on ongoing projects be received.

22. **COMMUNITY SERVICES DUFFERIN OAKS COMMITTEE – July 4, 2012**

Moved by Councillor Crewson, seconded by Councillor Campbell Moon

THAT the minutes of the Community Services Dufferin Oaks meeting of July 4, 2012 and the recommendations set out, be adopted.

-Carried-

- 23.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 - ITEM #1
Mutual Assistance Agreement with the County of Simcoe

THAT the report of the Director, Community Services dated July 4, 2012 with respect to a Mutual Assistance Agreement with the County of Simcoe be received;

AND THAT the necessary by-law be presented to Council.

- 24.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 – ITEM #2
Ministry of Health and Long Term Care Funding Announcement

THAT the report of the Administrator dated July 4, 2012 with respect to the Ministry of Health and Long Term Care 2012 funding announcement be received.

- 25.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 – ITEM #3
Dufferin Oaks Parking Lot Reconstruction Tender

THAT the report of the Administrator dated July 4, 2012 with respect to the award of the tender for the Dufferin Oaks parking lot reconstruction be received.

- 26.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 - ITEM #4
Residents Council Minutes – May 23, 2012

THAT the minutes of the Residents Council meeting dated May 23, 2012 be received.

- 27.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 - ITEM #5
Permanent Coordinating Minutes – June 18, 2012

THAT the minutes of the Permanent Coordinating meeting dated June 18, 2012 be received.

- 28.** COMMUNITY SERVICES/DUFFERIN OAKS – July 4, 2012 - ITEM #6
Municipal Delegations at AMO Conference 2012

THAT a request be made for a delegation with the Minister for Health and Long Term Care at the Association of Municipalities (AMO) conference to discuss funding of services under the Central West Local Health Integration Network and access to health care.

29. Hemson Consulting Ltd. – Development Charges on Solar Panels Electric Generating Facilities

A memorandum from Mr. Jason Bevan and Mr. Craig Binning, Hemson Consulting Ltd., dated July 4, 2012 in response to Council's request to research the ability to levy development charges on solar electric generating facilities.

Moved by Councillor MacIver, seconded by Councillor Taylor

THAT staff pursue getting changes made to the Building Code for solar collectors in rural areas.

-Carried-

30. Director of Public Works Report – Interim Waste Collection Agreements

A report from the Director of Public Works dated July 12, 2012 to seek approval from Council for the execution of an agreement with the two current Waste Collection Companies for the collection and disposal of waste, recycling and compost for January 1, 2013 and May 31, 2013.

Letters from the Townships of Amaranth and East Garafraxa, dated July 11, 2012 with regards to the agreements were circulated on desk.

Moved by Councillor Taylor, seconded by Councillor Maycock

THAT the Report of the Director of Public Works dated July 12, 2012 with respect to Interim Waste Collection Agreements be received;

AND THAT the Warden and Clerk be authorized to execute the agreements with Green for Life Environmental and Waste Management for the interim collection and disposal of waste from January 1, 2013 to May 31, 2013.

-Carried-

31. Director of Public Works Report –Waste Collections Services RFP

A report from the Director of Public Works dated July 12, 2012 with respect to the Waste Collection Services RFP.

Moved by Councillor Maycock, seconded by Councillor Crewson

THAT Report CDC-2012-07-12, Waste Collection Services RFP, from the Director of Public Works dated July 12, 2012 be received;

AND THAT the RFP for Waste Collection Services be awarded to Green for Life, for Option 1b (manual pick up, four days per week including weekly garbage

collection and weekly co-collected compost and recycling), and that the rural yard waste option be included;

AND THAT the Warden and Clerk be authorized to execute the contract.

A recorded vote was requested and taken as follows:

	Yea	Nay
Councillor Adams (6)	x	
Councillor Bennington (1)	x	
Councillor Campbell Moon (1)	x	
Councillor Crewson (2)	x	
Councillor Hill (1)	x	
Warden Kolodziechuk (1)	x	
Councillor MacIver (1)		x
Councillor Maycock (6)	x	
Councillor McGhee (2)		x
Councillor Mills (1)		x
Councillor Oosterhof (2)	x	
Councillor Ryan (2)		x
Councillor Taylor (2)	x	
Councillor White (1)	x	
Total	23	6
	-CARRIED-	

32. Director of Public Works Report –Fuel System and Tank Replacement RFP

A report from the Director of Public Works dated July 12, 2012 with respect to Fuel System and Tank Replacement RFP.

Moved by Councillor McGhee, seconded by Councillor Bennington

THAT the report of the Director of Public Works dated July 12, 2012 with respect to Fuel System and Tank Replacement RFP be received;

AND THAT the RFP be awarded to Comco Canada Inc.

-Carried-

33. CAO Report – Strategic Plan Update

The Chief Administrative Officer gave a verbal update to Council on the County's Strategic Planning exercise. The consultation phase is completed and the consultant is consolidating the information that will identify common themes. A report will be presented at the September Council meeting.

34. Verbal Reports from Outside Boards

Wellington Dufferin Guelph Health Unit

Councillor Taylor reported he was in attendance at a facility meeting yesterday and discusses the new building in Guelph. He noted that the delay in the construction of the Orangeville facility is costing \$35,000 a month in extra cost and they may be required to extend the lease at the existing facility due to the delay.

Hills of Headwaters Tourism Association

Councillor Ryan reported that the Association is moving forward with the working groups with a focus on the equine sector because of the pending Pam Am games. They are also pursuing grants for cultural mapping.

Chamber of Commerce

Councillor Oosterhof reminded Council to support the Chambers by signing up to participate in their golf tournament on July 19, 2012. He also noted the Home and Lifestyle Show will take place on September 28, 2012.

Greater Dufferin Area Physician Search Committee

Councillor Oosterhof reported they have not met.

Centre Dufferin Medical Recruitment Committee

Councillor Crewson reported that the committee has met with the President of President of Headwaters Health Care Centre.

Niagara Escarpment Committee

Councillor McGhee reported that the NEC met on June 21, 2012 and discussed major issues centred on the proposed transmission lines for Niagara Region Wind Corporation through the Escarpment. They also discussed a development permit in Caledon for an expansion and reconstruction of a building on the Niagara River.

Western Ontario Warden's Caucus

Warden Kolodziechuk reported that Dufferin hosted the meeting on June 22, 2012. They discussed the South Western Ontario Development Fund. He noted that Item 7.4 on the council agenda pertains to policing costs but he stated that this matter is not a County jurisdiction in most cases.

CORRESPONDENCE

35. Area Residents – Re Dufferin Wind Power

Correspondence from area residents regarding the proposed easement with Dufferin Wind Power Inc.

Moved by Councillor McGhee, seconded by Councillor MacIver

THAT the correspondence from area residents regarding the proposed easement with Dufferin Wind Power Inc., be received.

-Carried-

36. Municipality of Grey Highlands – Green Energy Act

Correspondence from the Municipality of Grey Highlands requesting support of their resolution with respect their request to the Province of Ontario to reimburse taxpayers for funds paid to the Courts for the legal challenges made to clarify what was unwritten in the Green Energy Act concerning the loss of Municipal rights over the control of road allowances.

Moved by Councillor Mills, seconded by Councillor McGhee

THAT the correspondence from the Municipality of Grey Highlands requesting support of their resolution with respect their request to the Province of Ontario to reimburse taxpayers for funds paid to the Courts for the legal challenges made to clarify what was unwritten in the Green Energy Act concerning the loss of Municipal rights over the control of road allowances, be supported.

-Lost-

Moved by Councillor Maycock, seconded by Councillor Hill

THAT the correspondence from the Municipality of Grey Highlands requesting support of their resolution with respect their request to the Province of Ontario to reimburse taxpayers for funds paid to the Courts for the legal challenges made to clarify what was unwritten in the Green Energy Act concerning the loss of Municipal rights over the control of road allowances, be received.

-Carried-

37. Norfolk County – Support for Bill 11

Correspondence dated June 27, 2012 from Norfolk County requesting support for their resolution with respect to Bill 11 – the establishment of the South Western Ontario Development Fund.

Moved by Councillor Taylor, seconded by Councillor Oosterhof

THAT the correspondence dated June 27, 2012 from Norfolk County requesting support for their resolution with respect to Bill 11 – the establishment of the South Western Ontario Development Fund, be supported;

AND THAT Dufferin County Council requests our elected representative, Ms. Sylvia Jones, MPP, Dufferin Caledon to support the Bill that would establish the South Western Ontario Development Fund which is a vitally needed investment program for rural and small town Ontario, and we ask that she encourage her peers in the Ontario Progressive Conservative Party to do likewise.

-Carried-

Councillor Adams vacated the room and was not present for the following vote (7:55p.m.)

38. Norfolk County – Policing Costs and Service Levels and Delivery Methods

Correspondence dated June 27, 2012 from Norfolk County requesting support of their resolution with respect to policing costs and service levels and delivery methods.

Moved by Councillor McGhee, seconded by Councillor Taylor

THAT the correspondence dated June 27, 2012 from Norfolk County requesting support of their resolution with respect to policing costs and service levels and delivery methods, be received.

-Carried-

Councillor Adams returned (7:56 p.m.)

39. Municipality of Lambton Shores – Cellular Towers

Correspondence from the Municipality of Lambton Shores requesting support for their resolution regarding health concerns from *Electromagnetic Radiation (EMR) from close proximity to cellular towers*.

Moved by Councillor Taylor, seconded by Councillor Bennington

THAT the correspondence from the Municipality of Lambton Shores requesting support for their resolution regarding health concerns from Electromagnetic Radiation (EMR) from close proximity to cellular towers, be received.

-Carried-

40. MOTIONS

There were no motions.

41. NOTICE OF MOTIONS

There were no notices of motions.

42. BY-LAWS

2012-30 A by-law to approve an agreement between the Corporation of the County of Dufferin (Dufferin Oaks Home) and the Ontario Nurses Association (ONA) Collective Agreement.
(Authorization: Council – March 8, 2012)

2012-31 A by-law to establish development charges for the Corporation of the County of Dufferin.
(Authorization: Council – June 14, 2012)

2012-32 A by-law to approve an agreement between the Corporation of the County of Dufferin and the Corporation of the County of Simcoe (Emergency Management Mutual Assistance Agreement).
Authorization: Community Services Dufferin Oaks – July 4, 2012

Moved by Councillor Oosterhof, seconded by Councillor Crewson

THAT by-laws 2012-30 and 2012-32 inclusive, be read a first, second and third time and enacted.

-Carried-

43. OTHER BUSINESS

None.

44. CLOSED SESSION

Moved by Councillor Maycock, seconded by Councillor Adams

THAT Council move into Closed Session (7:57 pm) in accordance with Section 239 (2) (f) advice that is subject to solicitor-client privilege and Section 239 (2) (b), personnel matters about an identifiable individual.

-Carried-

While in Closed Session, Council reviewed the Closed Session Council Minutes from the June 14, 2012 Council meeting and received a verbal report from the C.A.O. with respect to the retirement of the Director of Public Works.

During the review of the Closed Session Council Minutes from the June 14, 2012 meeting, Councillor Crewson declared a pecuniary interest and left the room.

Moved by Councillor Maycock, seconded by Councillor Adams

THAT Council move into Open Session (8:08 p.m.)

-Carried-

45. BUSINESS ARISING FROM CLOSED SESSION

Moved by Councillor McGhee, seconded by Councillor Mills,

THAT the closed session minutes from the June 14, 2012 Council meeting be adopted.

-Carried-

46. CONFIRMATORY BY-LAW

2012-33 A by-law to confirm the proceedings of the Council of the Corporation of the County of Dufferin at its meeting held on July 12, 2012.

Moved by Councillor McGhee, seconded by Councillor Campbell Moon

THAT By-law 2012-33 be read a first, second and third time and enacted.

-Carried-

47. ADJOURNMENT

Moved by Councillor Hill, seconded by Councillor White

THAT the meeting adjourn.

-Carried-

The meeting adjourned at 8:10 p.m.

Next meeting: Thursday, September 13, 2012 at 7.00pm
Council Chambers, 51 Zina Street, Orangeville

Walter Kolodziechuk
Warden

Pam Hillock
Clerk