

PUBLIC WORKS COMMITTEE AGENDA

Wednesday, April 26, 2016, 9:00 a.m.
EOC, Mel Lloyd Centre, Shelburne

Declarations of Pecuniary Interest by Members

PUBLIC QUESTION PERIOD

Members of the public will be provided an opportunity to ask questions of the Committee during this time. (Limited to 10 minutes)

DELEGATION

1. PUBLIC WORKS COMMITTEE – April 26, 2017 – ITEM #1
Mono Community Policing Services Department

Ann Butler will be in attendance to request a sign on Airport Road in Mono on behalf of the Mono Community Policing Services Department.

REPORTS

2. PUBLIC WORKS COMMITTEE – April 26, 2017 – ITEM #3
Dufferin-Grey ATV Club – 2017 MOU

A report from the Director of Public Works dated April 26, 2017, to recommend that Council authorize the agreement to continue permitted use of the former rail corridor for the Dufferin-Grey ATV Club. The Club has also requested use of one short section of Dufferin Road 21 for access to the corridor from an adjacent mobile home park which requires passing of a by-law.

Recommendation:

THAT report, Dufferin-Grey ATV Club – 2017 MOU, from the Director of Public Works, dated Wednesday, April 26, 2017 be received;

AND THAT the Warden and Clerk be authorized to enter into a Memorandum of Understanding with the Dufferin-Grey ATV Club to use the former rail corridor between May 1st and November 30 for a three year term;

AND THAT the necessary by-law be presented to Council to allow for ATV use on County Road 21 from the mobile home park to the former rail corridor.

3. PUBLIC WORKS COMMITTEE – April 26, 2017 – ITEM #4
GFL Collection Contract – Unit Rate Adjustment Correction

A report from the Director of Public Works dated April 26, 2017, to inform Committee and Council that staff and GFL have worked together to resolve an error in the County's waste collection contract and address the resulting financial impact.

Recommendation:

THAT the report, GFL Collection Contract – Unit Rate Adjustment Correction, from the Director of Public Works, dated Wednesday, April 26, 2017 be received;

AND THAT staff be directed to implement the solution as outlined in the report in consultation with the County's Solicitor;

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

**Next Meeting: May 24, 2017 9:00 a.m.
 55 Zina St. Orangeville, Sutton Room**



DUFFERIN GREY ATV CLUB INC.

Come Ride with Us

Box 778
Markdale, ON N0G 1H0
Phone: 1-519-226-3559
Website: www.dgaty.ca
Email: info@dgaty.ca

April 18, 2017

County of Dufferin
55 Zina St. Orangeville ON
L9W 1E5

Scott Burns, Director of Public Works

As a follow up to the meeting of March 22, Dufferin Grey ATV Club would like to list our two main goals.

1. We would like to renew our yearly agreement regarding the use of the Rail trail through Dufferin County .
2. We would like to use County Road 21 to get from the Blue Sky Resort to the rail trail.

Our trails open on May 1st and we will wait for the signed agreement to use the rail line through Dufferin County.

Yours truly

Shirley Farnell, DGATV Club 519 923 3592



REPORT TO COMMITTEE

To: Chair Mills and Members of Public Works Committee
From: Scott C. Burns, Director of Public Works/County Engineer
Meeting Date: Wednesday, March 22, 2017
Subject: **Dufferin-Grey ATV Club – 2017 MOU**

In Support of Strategic Plan Priorities and Objectives:

Good Governance 3.1 Promote rural/urban cohesiveness

Purpose

The purpose of this report is to recommend that Council authorize the agreement to continue permitted use of the former rail corridor for the Dufferin-Grey ATV Club. The Club has also requested use of one short section of Dufferin Road 21 for access to the corridor from an adjacent mobile home park which requires passing of a by-law.

Background & Discussion

Through a delegation to the March 2017 Public Works Committee meeting, the Dufferin-Grey ATV Club presented some thoughts on expanding their use of County infrastructure beyond the former rail corridor to include several County Roads. There was also a discussion regarding the types of permitted vehicles under their previous Memorandum of Understanding (MOU) with the County. The previous Memorandum permitted use of the former rail corridor by conventional ATVs only.

From the attached letter, the Club's request has been refined and reduced to more closely compare to the previous MOU. The revised request speaks to conventional ATVs only and seeks continued access to the former rail corridor and new permission for use of a small section of Dufferin Road 21. This section of Dufferin Road 21 is a low volume County Road with a total length of approximately 0.7 km. This connection to the trail will offer Club members from the adjacent mobile home park direct access to the corridor.

To date, the Club has been an excellent steward of the corridor and staff therefore recommend that Council authorize the request. Upon approval, an updated MOU will be signed. Use of the short section of Dufferin Road 21 will require passing of a by-law which is permitted through the Highway Traffic Act.

Financial, Staffing, Legal and IT Considerations

This request bears no cost to the County and appropriate insurance will be a requirement of the MOU.

Strategic Direction and County of Dufferin Principles

Updating agreements with active community groups is good governance that promotes rural/urban cohesiveness. The Dufferin County principles are adhered to as follows:

1. We Manage Change – proactively addressing changes in community needs;
2. We Deliver Quality Service – accurately and promptly administering necessary changes that reflect the needs of the community and partners;
3. We Communicate – sharing timely and accurate updates through Council to ensure that partnerships are clearly explained;
4. We Make Good Decisions – collaborating with partners to achieve well informed and thoughtful decisions that reflect the needs of those affected.

Recommendation

THAT report, Dufferin-Grey ATV Club – 2017 MOU, from the Director of Public Works, dated Wednesday, April 26, 2017 be received;

AND THAT the Warden and Clerk be authorized to enter into a Memorandum of Understanding with the Dufferin-Grey ATV Club to use the former rail corridor between May 1st and November 30 for a three year term;

AND THAT the necessary by-law be presented to Council to allow for ATV use on County Road 21 from the mobile home park to the former rail corridor.

Respectfully Submitted By:

Original signed by,

Scott C. Burns, P.Eng., C.E.T.
Director of Public Works/
County Engineer



REPORT TO COMMITTEE

To: Chair Mills and Members of Public Works Committee
From: Scott C. Burns, Director of Public Works/County Engineer
Meeting Date: Wednesday, April 26, 2017
Subject: **GFL Collection Contract – Unit Rate Adjustment Correction**

In Support of Strategic Plan Priorities and Objectives:

Good Governance: 3.3 Improve policies, practices and procedures

Purpose

The purpose of this report is to inform Committee and Council that staff and GFL have worked together to resolve an error in the County's waste collection contract and address the resulting financial impact.

Background & Discussion

Dufferin County's Waste Collection Contract with GFL was developed in 2012 and adopted by Council in 2013. This contract includes the unit rates that Dufferin pays GFL for countywide waste collection. The contract details unit rate adjustment equations to account for the effects of a Fuel Surcharge and Consumer Price Index increases. These types of adjustments are found in all similar contracts.

Staff observed that the contract unit rates had been increasing beyond what appeared to be reasonable. This led to a full review of the contract as well as all related historical documents dating back into 2012. Through this review and by contacting several parties involved at the time, it was confirmed that the unit rate adjustment equations were not presented as originally intended in the final contract document. This error in the equations resulted in the County of Dufferin overpaying GFL each time the adjustments were applied to the unit rates.

Discussions took place with GFL to work towards a solution in consultation with the County Solicitor. GFL was very supportive in determining a path forward and a mutually agreeable conclusion was reached as follows:

1. Amendment of the contract:
 - a. The unit rate adjustment equations will be corrected in line with what was originally intended through an amendment to the contract.
2. Reimburse the County for the over payment:
 - a. GFL confirmed that the full amount of approximately \$1,000,000 will be repaid to the County through a series of credits, the bulk of which will be applied to future invoices. This will result in the County recouping the full amount by the end of October 2018.

Financial, Staffing, Legal and IT Considerations

An amount of approximately \$1,000,000 will be repaid to the County by the end of October 2018 through a series of credits.

The County solicitor provided input throughout the discussion in support of developing a fair and reasonable conclusion between both parties and are satisfied that this has been achieved. Any supporting documentation required for this resolution will be vetted through the County's legal representative as necessary.

Strategic Direction and County of Dufferin Principles

Reviewing, revising and updating contract details amicably with our contractors improves practices and procedures 3.3 such that relationships continue successfully and efficiently. The Dufferin County principles are adhered to as follows:

1. We Manage Change – monitoring contract details to ensure that areas requiring revision, improvement or adjustment are recognized;
2. We Deliver Quality Service – working to ensure that financial relationships have the support to be appropriately administered;
3. We Communicate – clearly presenting information to Council such that agreements can be appropriately revised;
4. We Make Good Decisions – developing amicable solutions that uphold the interests of Dufferin County.

Recommendation

THAT the report, GFL Collection Contract – Unit Rate Adjustment Correction, from the Director of Public Works, dated Wednesday, April 26, 2017 be received;

AND THAT staff be directed to implement the solution as outlined in the report in consultation with the County's Solicitor;

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

Respectfully Submitted By:

Original signed by,

Scott C. Burns, P.Eng., C.E.T.
Director of Public Works/
County Engineer