

**THE CORPORATION OF THE TOWNSHIP OF TAY
REGULAR COUNCIL MEETING
WEDNESDAY, MARCH 14th, 2007
7:00 P.M.**

PRESENT: Mayor Scott Warnock
Deputy Mayor Michael Ladouceur
Councillor Rick Black
Councillor Nelson Baumgardner
Councillor Axel Frandsen
Councillor James Pearsall
Councillor Bill Rawson

STAFF PRESENT: Ted Walker, Administrator (C.A.O.)
Mara Burton, Director of Planning & Development
Simone Latham, Director of Finance
Herb Proudley, Director of Public Works
Andrea Fay, Clerk

1. CALL TO ORDER:

Mayor Scott Warnock called the meeting to order at 7:00 p.m.

2. MOMENT OF SILENT REFLECTION:

Mayor Scott Warnock called for a moment of silence.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

4. CORRESPONDENCE:

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR BILL RAWSON

**THAT THE CORRESPONDENCE BE DIRECTED TO FILE WITH THE
EXCEPTION OF THOSE ITEMS BEING REFERRED TO COMMITTEE
CHAIRPERSONS.**

CARRIED.

5. DELEGATIONS:

7:00 P.M. – Ms. Marie Fairbanks re: Civitan Dance-a-Thon

Marie Fairbanks noted that the recent 2007 Canadian Civitan Dance-a-Thon held at the Oakwood Community Center brought Junior Civitans from all over Canada and the southern United States. Ms. Fairbanks presented a plaque to the Township in appreciation for all of the support with their recent Dance-a-Thon.

9:00 P.M. – Skyline Development (In Camera)

Please refer to In Camera item 6.

6. MUNICIPAL REPORT NO. 2007-03-01:

**MOVED BY: COUNCILLOR JIM PEARSALL
SECONDED BY: COUNCILLOR BILL RAWSON**

**THAT MUNICIPAL REPORT NO. 2007-03-01 BE AND IS HEREBY
ADOPTED AS FOLLOWS:**

- | | | |
|--------------------|---------------------|----------------------|
| 1. CARRIED. | 8. CARRIED. | 15. CARRIED. |
| 2. CARRIED. | 9. CARRIED. | 16. CARRIED. |
| 3. CARRIED. | 10. CARRIED. | 17. CARRIED. |
| 4. CARRIED. | 11. CARRIED. | 18. DEFERRED. |
| 5. CARRIED. | 12. CARRIED. | 19. CARRIED. |
| 6. CARRIED. | 13. CARRIED. | 20. CARRIED. |
| 7. CARRIED. | 14. CARRIED. | 21. CARRIED. |

CARRIED.

7. OTHER BUSINESS:

7.1 Appointment of Municipal Weed Inspectors:

Council received a verbal report from the Clerk with respect to the appointment of Municipal Weed Inspectors.

The Clerk advised that the related by-law would be brought forward later in the meeting for consideration by Council.

7.2 Designate a Head for FOI Purposes:

Council received a verbal report from the Clerk with respect to the designation of a Head for Freedom of Information.

The Clerk advised that the related by-law would be brought forward later in the meeting for consideration by Council.

7.3 Huron Bay Estates Corporation – Subdivision & Lot Grading Agreement:

Council received a verbal report from the Director of Planning & Development with respect to the Subdivision & Lot Grading Agreement for Huron Bay Estates Corporation.

The Director noted that the related by-law would be brought forward later in the meeting for Councils consideration.

7.4 Staff/Council Conference/Convention Attendance:

We reviewed a report from the CAO with respect to Staff/Council Conference and Convention attendance.

**MOVED BY: COUNCILLOR JIM PEARSALL
SECONDED BY: COUNCILLOR BILL RAWSON**

**THAT THE ATTACHED PERSONNEL CONFERENCE POLICY BE
HEREBY ADOPTED BY COUNCIL AND PUT INTO EFFECT
IMMEDIATELY, WITH THE COUNCIL PER DIEM RATE BEING SET
AT \$25.00 TO BE ADJUSTED ANNUALLY BY THE COST OF LIVING;**

AND FURTHER THAT A PROVISION BE ADDED TO THE POLICY TO PERMIT SPOUSE REGISTRATION.

CARRIED.

7.5 OPA No. 33 – Paradise Point & Grandview Beach:

We reviewed a report from the Director of Planning & Development under date of March 5, 2007, with respect to Official Plan Amendment No. 33 for Paradise Point and Grandview Beach.

The Director advised that the related by-law would be brought forward later in the meeting for Councils consideration.

7.6 2006 Reserve Fund Summary:

We received for information a Staff Report from the Director of Finance under date of March 5, 2007, with respect to the 2006 Reserve Fund Summary.

7.7 MPAC Software Use Agreement:

We received a verbal report from the CAO with respect to the MPAC Software Use Agreement.

The CAO noted that the related by-law would be brought forward later in the meeting for consideration by Council.

7.8 Tender – 2007 - 4 Wheel Drive Loader/Backhoe:

We reviewed a Staff Report from the Director of Public Works under date of March 5, 2007, with respect to the tender for the 2007 4 wheel drive loader/backhoe.

Councillor Black inquired about the status of the current loader/backhoe. Staff was directed to determine the status of the machine and report back to the March Committee meeting.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR BILL RAWSON

THAT THE TENDER SUBMITTED BY CHAMPION ROAD MACHINERY FOR THE SUPPLY OF ONE (1) 2007 4 WHEEL DRIVE, DIESEL LOADER/BACKHOE COMPLETE WITH EXTENDAHOE IN THE AMOUNT OF \$97,926.00 INCLUDING TAXES BE ACCEPTED.

CARRIED.

7.9 Tender - Winter Sand Street Sweeping:

We received a verbal report from the Director of Public Works with respect to the winter sand street sweeping tender.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT THE TENDER SUBMITTED BY CENTENNIAL CONSTRUCTION EQUIPMENT RENTALS FOR THE WINTER SAND STREET SWEEPING IN THE AMOUNT OF \$26,208.50 INCLUDING TAXES BE ACCEPTED.

CARRIED.

7.10 Interest Rate Hydro Loan:

We received a verbal report from the CAO with respect to the interest rate for the Hydro loan.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT ACCORDING TO THE TERMS OF THE PROMISSORY NOTE DATED NOVEMBER 1, 2000, BETWEEN TAY HYDRO ELECTRIC DISTRIBUTION COMPANY INC. AND THE TOWNSHIP OF TAY;

AND IN ACCORDANCE WITH THE ONTARIO ENERGY BOARD'S ALLOWABLE DEBT RATE OF 6.25% FOR SMALL SIZED UTILITIES, IN THE APPROVED 2006 ELECTRICITY DISTRIBUTION RATE APPLICATION MODEL;

BE IT RESOLVED, THE TAY HYDRO ELECTRIC DISTRIBUTION COMPANY INC., IN AGREEMENT WITH THE CORPORATION OF THE TOWNSHIP OF TAY, HEREBY CHANGE THE RATE OF INTEREST PAYABLE ON THE PROMISSORY NOTE OF NOVEMBER 1, 2000 FROM 7.25% PER ANNUM TO 6.25% PER ANNUM, EFFECTIVE JANUARY 1, 2007.

CARRIED.

8. BY-LAWS:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

THAT LEAVE BE GRANTED TO INTRODUCE BY-LAWS 2007-20, 2007-24, 2007-26, 2007-27, 2007-30, 2007-31, 2007-32, 2007-33, 2007-34 AND 2007-37.

CARRIED.

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR RICK BLACK

THAT BY-LAWS 2007-20, 2007-24, 2007-26, 2007-27, 2007-30, 2007-31, 2007-32, 2007-33, 2007-34 AND 2007-37 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.

CARRIED.

9. NOTICES OF MOTION:

There were no notices of motion at this time.

10. IN CAMERA SESSION:

MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;

AND FURTHER THAT THIS PORTION OF THE MEETING BE CLOSED TO THE PUBLIC PURSUANT TO THE FOLLOWING SECTION(S) - AS MARKED, OF SECTION 239, SUBSECTION (2) OF THE MUNICIPAL ACT, 2001;

- **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL.**

CARRIED.

**MOVED BY: COUNCILLOR AXEL FRANDBSEN
SECONDED BY: DEPUTY MAYOR MICHAEL LADOUCEUR
THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT 9:26 P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

**MOVED BY: COUNCILLOR AXEL FRANDBSEN
SECONDED BY: DEPUTY MAYOR MICHAEL LADOUCEUR
THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE ADOPTED AS READ.**

CARRIED.

11. ACTIONS RESULTING FROM THE IN CAMERA SESSION:

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR NELSON BAUMGARDNER
THAT UPON AMALGAMATION OF TAY HYDRO AND NEWMARKET HYDRO COUNCIL HEREBY CONFIRMS THE FOLLOWING APPOINTMENTS TO THE RESPECTIVE HYDRO COMPANIES:**

| | |
|--------------------------------|-------------------|
| TAY CONTRACTING COMPANY | TED WALKER |
| TAY HOLDING COMPANY | TED WALKER |
| THE AMALGAMATED UTILITY | ANDY OTT |

AND FURTHER THAT THE NECESSARY BY-LAWS BE PREPARED.

CARRIED.

Upon the introduction of the above motion Councillor Bill Rawson requested a recorded vote.

***Recorded Vote: Appointments to Hydro Companies**

| | |
|---------------------------------------|------------|
| Councillor Nelson Baumgardner | Aye |
| Councillor Bill Rawson | Nay |
| Councillor Rick Black | Aye |
| Deputy Mayor Michael Ladouceur | Aye |
| Councillor Axel Frandsen | Aye |
| Councillor James Pearsall | Nay |
| Mayor Scott Warnock | Aye |
| Carried 5 to 2 | |

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR JIM PEARSALL
THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;
AND FURTHER THAT THIS PORTION OF THE MEETING BE CLOSED
TO THE PUBLIC PURSUANT TO THE FOLLOWING SECTION(S) - AS
MARKED, OF SECTION 239, SUBSECTION (2) OF THE MUNICIPAL
ACT, 2001;**

- **PERSONAL MATTERS ABOUT AN IDENTIFIABLE
INDIVIDUAL.**

CARRIED.

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR JIM PEARSALL
THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT 10:38
P.M. AND RETURN TO THE REGULAR MEETING.**

CARRIED.

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR JIM PEARSALL
THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE
ADOPTED AS READ.**

CARRIED.

11. ACTIONS RESULTING FROM THE IN CAMERA SESSION:

**MOVED BY: COUNCILLOR BILL RAWSON
SECONDED BY: COUNCILLOR NELSON BAUMGARDNER
THAT RECOMMENDATION #18 OF MUNICIPAL REPORT #2007-03-01
BE AMENDED TO READ AS FOLLOWS;
THAT THE TOWNSHIP IMPLEMENT A CONTINUATION OF
BENEFITS PROGRAM FOR EARLY RETIREMENT WITH THE
FOLLOWING QUALIFYING CRITERIA;**

- **EMPLOYEES MUST BE ACTIVELY EMPLOYED BY THE
TOWNSHIP TO ACCESS THE PROGRAM,**
- **EMPLOYEES MUST HAVE 15 YEARS OF CONTINUOUS FULL
TIME EMPLOYMENT WITH THE TOWNSHIP,**
- **EMPLOYEES MUST BE 55 YEARS OLD AND ELIGIBLE TO
RETIRE AND RECEIVE THE OMERS PENSION,**
- **THIS PROGRAM IS ONLY EXTENDED UNTIL THE
PARTICIPATING EMPLOYEE ATTAINS THE AGE OF 65;**

**AND FURTHER THAT THE ATTACHED PERSONNEL POLICY –
EARLY RETIREMENT CONTINUATION OF BENEFITS, BE HEREBY
ADOPTED BY COUNCIL AND PUT INTO EFFECT IMMEDIATELY;**

AND FURTHER THAT THE C.A.O. ARRANGE THE ACTUARIAL ASSESSMENT FOR THE PROGRAM TO COMPLY WITH THE PUBLIC SECTOR ACCOUNTING BOARD REQUIREMENTS.

CARRIED.

12. ADJOURNMENT:

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANSEN

THAT THIS REGULAR MEETING OF COUNCIL ADJOURN AT 10:41 P.M. AND TO RECONVENE ON APRIL 11, 2007 AT 7:00 P.M.

CARRIED.

MAYOR

CLERK