

THE CORPORATION OF THE TOWNSHIP OF TAY
REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 8TH, 2008
7:00 P.M.

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

STAFF PRESENT: Simone Latham, C.A.O.
Alison Thomas, Clerk
Mara Burton, Director of Planning & Development
Joanne Sanders, Director of Finance
Brian Thomas, Fire Chief

1. CALL TO ORDER:

Mayor Warnock called the meeting to order at 7:15 p.m.

2. MOMENT OF SILENT REFLECTION:

Mayor Warnock did not call for a moment of silent reflection as one was previously done during the Planning Public Meeting.

3. DECLARATIONS OF INTEREST:

There were no declarations of interest.

4. CORRESPONDENCE:

MOVED BY: COUNCILLOR AXEL FRANSEN

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:

None were presented.

6. MUNICIPAL REPORT NO. 2008-10-01:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANSEN

**THAT MUNICIPAL REPORT NO. 2008-10-01 BE AND IS HEREBY
ADOPTED AS FOLLOWS:**

Cont'd.....

- | | | |
|-------------|-------------|-------------|
| 1. CARRIED. | 4. CARRIED. | 7. CARRIED. |
| 2. CARRIED. | 5. CARRIED. | 8. CARRIED. |
| 3. CARRIED. | 6. CARRIED. | |

CARRIED.

7. **OTHER BUSINESS:**

7.1 Report – Dir. Of Planning & Development – Re: Proposed Land Sale of the Former Dump Site at Newton and Highway 12:

Council reviewed a report from the Director of Planning & Development under date of September 29, 2008 with respect the proposed land sale of the former dump site at Newton and Highway 12.

The Director spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: COUNCILLOR RICK BLACK

THAT THE TOWNSHIP UNDERTAKE A RECORD OF SITE CONDITIONS FOR 2505 NEWTON STREET AND THAT THE COST OF THE STUDY AND FILING OF THE RECORD BE SHARED 50/50 WITH THE DEVELOPER.

CARRIED.

7.2 Report – Clerk – Re: Encroachment Agreement – 150 Hoyt Ave.:

Council reviewed a report from the Clerk under date of October 8, 2008 with respect to an encroachment agreement for 150 Hoyt Avenue.

The Clerk spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR RICK BLACK

SECONDED BY: COUNCILLOR AXEL FRANDBSEN

THAT COUNCIL AGREES TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE OWNER OF 150 HOYT AVENUE; AND

FURTHER THAT BY-LAW NO. 2008-64 BE CONSIDERED FOR ADOPTION.

CARRIED.

7.3 Report – Clerk – Re: Sale of Trestle Rd. – Unopened Road:

Council reviewed a report from the Clerk under date of October 8th, 2008 with respect to the final sale of Trestle Road.

The Clerk spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR AXEL FRANDBSEN

SECONDED BY: COUNCILLOR RICK BLACK

THAT BY-LAW NO. 2008-62 BE CONSIDERED FOR ADOPTION.

CARRIED.

7.4 Report – Clerk – Re: Final Canine Control Contract:

Council reviewed a report from the Clerk under date of October 8th, 2008 with respect to the final amended Canine Control Contract.

The Clerk spoke to the report and responded to questions brought forth.

MOVED BY: COUNCILLOR JIM PEARSALL

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

THAT THE FINAL CONTRACT WITH CARE ANIMAL & PEST CONTROL BE APPROVED; AND

FURTHER THAT BY-LAW NO. 2008-65 BE CONSIDERED FOR ADOPTION.

CARRIED.

7.5 Report – Dir. of Planning & Development – Re: Application for Condominium Development Agreement – Skyline Phase 1A – File Number TA-T-0602:

DEFERRED TO THE NEXT REGULAR COUNCIL MEETING.

7.6 Report – Dir. Of Finance – Re: Infrastructure Grant:

Council received a report from the Director of Finance in regard to eligible projects for the Infrastructure Grant from the Province.

The Director spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR NELSON BAUMGARDNER

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT WHEREAS THE PROVINCE OF ONTARIO ANNOUNCED ADDITIONAL ONE TIME FUNDING TO MUNICIPAL INFRASTRUCTURE UNDER THE INVESTING IN ONTARIO ACT;

AND WHEREAS THE CORPORATION OF THE TOWNSHIP OF TAY WILL RECEIVE \$722,249.00;

AND WHEREAS MUNICIPALITIES ARE ABLE TO DETERMINE THEIR OWN CAPITAL PRIORITIES FOR THIS FUNDING;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY CONSIDERS THE FOLLOWING PROJECTS A PRIORITY FOR THE USE OF THIS FUNDING:

EMERGENCY OPERATIONS CENTER	\$100,000.00
MUNICIPAL OFFICE EXPANSION	\$622,249.00

AND THAT THE TREASURER AMEND THE 5 YEAR CAPITAL PLAN TO INCLUDE THIS FUNDING.

CARRIED.

7.7 Memo – Dir. Of Finance – Re: Amended 5 Year Capital Plan 2009-2013

Council received a memorandum from the Director of Finance respect to the amended 5 Year Capital Plan 2009-2013.

The Director of Finance spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT THE CREW CAB TRUCK BE ADDED TO THE FIRE DEPARTMENT VEHICLE FLEET TO BE USED BY THE FIRE CHIEF AND THE FIRE PREVENTION OFFICER.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT THE FINANCING OF THE INITIAL PURCHASE OF THE TELE-SQUIRT LADDER TRUCK BE FUNDED THROUGH DEBT FOR A 10 YEAR PERIOD WITH THE TRUCK BEING ADDED TO THE RESERVE TRANSFERS ON EXPIRATION OF THE DEBT.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

THAT THE TRANSFER TO RESERVES FOR EQUIPMENT REPLACEMENT, FOR THE YEAR 2009, BE CONFIRMED AT THE 2008 LEVEL, WITH THE EXCEPTION OF THE FOLLOWING:

- **GENERAL GOVERNMENT** \$ 50,000.
- **PROTECTION TO PERSONS & PROPERTY** \$130,000.
- **RESERVE FOR LIBRARY EQUIPMENT** \$ 14,000.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT THE 2009 TO 2013, 5-YEAR CAPITAL PLAN, AS AMENDED, BE ACCEPTED.

CARRIED.

7.8 Memo – C.A.O. – Re: Office Expansion vs. Decentralization

Council reviewed a memorandum from the C.A.O. under date of September 30, 2008 with respect to office expansion vs. decentralization.

The C.A.O. spoke to the matter and responded to questions brought forth.

7.9 Report – C.A.O. – Re: Municipal Office Expansion Tender

Council received a report from the C.A.O. under date of October 8, 2008 in regard to results of the municipal office expansion tender.

The C.A.O. spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR NELSON BAUMGARDNER

THAT THE TENDER SUBMITTED BY BWK CONSTRUCTION COMPANY LTD. IN THE AMOUNT OF \$1,448,000.00 FOR THE EXPANSION OF THE TOWNSHIP OF TAY MUNICIPAL OFFICES LOCATED AT 450 PARK STREET BE ACCEPTED.

CARRIED.

7.10 Verbal Report – C.A.O. – Re: Use of Portable Classrooms During Office Construction

Council received a verbal report from the C.A.O. in regard to the use of portable classrooms during office construction.

The C.A.O. spoke to the matter and responded to questions brought forth.

The C.A.O. was requested to bring additional information forward to the next regular Committee meeting for discussion.

7.11 Report – Clerk – Re: Community Center Rental – Tay Idol – Request for Grant

Council received a report from the Clerk under date of October 8, 2008 in regard to a request for a grant to cover the community center rental for Tay Idol.

The Clerk spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT AS THE TAY IDOL EVENT IS A LIBRARY BOARD SANCTIONED EVENT; AND

THAT AS THE TAY IDOL EVENT PROVIDES A DIRECT BENEFIT TO TOWNSHIP OF TAY RESIDENTS; AND

THEREFORE BE IT RESOLVED THAT PURSUANT TO THE TOWNSHIP'S "GRANTS AND DONATIONS" POLICY THAT COUNCIL PROVIDE A GRANT IN THE AMOUNT OF \$157.50 TO COVER RENTAL COSTS FOR THE OAKWOOD COMMUNITY CENTRE FOR THE TAY IDOL EVENT.

CARRIED.

7.12 Verbal Report – C.A.O. – Re: Confirmation of Nomination of Mr. Herb Proudley to the Sustainability Committee

Council received a verbal report from the C.A.O. in regard to nomination of Mr. Herb Proudley to the Sustainability Committee.

The C.A.O. spoke to the matter and responded to questions brought forth.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

WHEREAS THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY PASSED A RESOLUTION ON OCTOBER 10, 2007 TO SUPPORT MR. HERB PROUDLEY'S APPLICATION AS A MUNICIPAL REPRESENTATIVE FOR THE SOUTH GEORGIAN BAY LAKE SIMCOE SOURCE PROTECTION COMMITTEE;

AND WHEREAS ONE OF THE MUNICIPAL MEMBERS OF THE COMMITTEE HAS TENDERED HIS RESIGNATION FOR THE COMMITTEE,

AND WHEREAS MR. PROUDLEY HAS SINCE RETIRED AS A MUNICIPAL EMPLOYEE FROM THE TOWNSHIP OF TAY,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ADVISES THE SOUTH GEORGIAN BAY LAKE SIMCOE SOURCE PROTECTION REGION SOURCE WATER PROTECTION COMMITTEE OF THEIR CONTINUED SUPPORT OF MR. PROUDLEY AS A MUNICIPAL REPRESENTATIVE TO THE COMMITTEE.

CARRIED.

8. BY-LAWS:

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT LEAVE BE GRANTED TO INTRODUCE BY-LAWS 2008-62, 2008-64, 2008-65, AND 2008-66.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT BY-LAWS 2008-62, 2008-64, 2008-65, AND 2008-66 BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED.

CARRIED.

9. NOTICES OF MOTION:

Mayor Warnock gave notice that he will be bringing a motion to the next regular meeting requesting that the Convention & Seminar Policy be reviewed regarding Council attendance at these events.

10. IN CAMERA SESSION:

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR AXEL FRANSEN

THAT COUNCIL ADJOURN TO AN IN CAMERA SESSION;

Cont'd...

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;

- LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – (SETTLEMENT OF TAX SALE LITIGATION)**
- PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD - (LAND EXCHANGE)**
- PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES – (DIRECTOR OF PUBLIC WORKS POSITION) & (ORDER TO COMPLY)**

CARRIED.

MOVED BY: COUNCILLOR AXEL FRANDBEN

SECONDED BY: COUNCILLOR BILL RAWSON

THAT COUNCIL ADJOURN FROM THE IN CAMERA SESSION AT 9:22 P.M. AND RETURN TO THE REGULAR MEETING.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR AXEL FRANDBEN

THAT THE REPORT OF THE COMMITTEE OF THE WHOLE BE ADOPTED AS READ.

CARRIED.

MOVED BY: COUNCILLOR BILL RAWSON

SECONDED BY: COUNCILLOR JIM PEARSALL

THAT COUNCIL APPROVE THE COMMUNITY IMPROVEMENT PLAN GRANT FOR THE PHASE NO. 1, STAGE 2 WORKS FOR 154 WILLIAM STREET;

AND THAT COUNCIL CONDITIONALLY APPROVE PHASE 1, STAGE 3 AND 4 TO A MAXIMUM OF \$7,000. CONDITIONAL UPON RECEIPT OF A HERITAGE GRANT PERMIT APPLICATION WITH TWO QUOTES AND DETAILS FOR COUNCIL'S REVIEW AND CONSIDERATION.

CARRIED.

11. ADJOURNMENT:

MOVED BY: DEPUTY MAYOR MICHAEL LADOUCEUR

SECONDED BY: COUNCILLOR AXEL FRANSEN

**THAT THIS REGULAR MEETING OF COUNCIL ADJOURN AT
9:26 P.M. AND TO RECONVENE ON NOVEMBER 12, 2008 AT 7:00
P.M.**

CARRIED.

MAYOR

CLERK