



Draft

MINUTES

Draft

**For the Regular Meeting of the
Council of the Municipality of West Grey
Held on Monday, May 15, 2017 at 6:00 p.m.
At the Council Chambers – West Grey Municipal Office**

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| <u>Council</u> | Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Rebecca Hergert, Councillor Doug Hutchinson, Councillor Carol Lawrence, Councillor Rob Thompson |
| <u>Staff</u> | Larry C. Adams, CAO/Deputy Clerk; Mark Turner, Clerk; Kerri Mighton, Director of Finance/Treasurer; Brent Glasier, Director of Infrastructure and Public Works – during reports. |

Moment of Reflection

Declarations of Pecuniary Interest and General Nature Thereof

Councillor Lawrence declared a pecuniary interest relating to all discussions regarding the proposed subdivision agreement for DJ Land Developments Ltd., as her husband, in his capacity as a real estate agent, sold the property to DJ Land Developments Ltd. Councillor Lawrence left the Council Chambers when this matter was discussed, and did not participate in any discussion or vote regarding same.

Closed Session

Thompson-Bell, Whereas, the Municipal Act, S.O. 2001, Section 239 (2), authorizes Councils of municipalities to close to the public a meeting or part of a meeting for dealing with certain subject matters,

Now therefore be it resolved that, the Council of the Municipality of West Grey, does now go into a closed session of Council at 6:03 p.m., with the CAO/Deputy Clerk, Clerk, and Director of Finance/Treasurer to discuss items which relate to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land for municipal or local board purposes (545 George Street E., Durham, et al); and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

... #165-17

Carried.

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Cutting-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby returns to Open Session of Council at 7:00 p.m. ... 166-17 Carried.

(Mayor Eccles confirmed that only closed session items identified were discussed in closed session)

**Matters Arising from the Closed Session – n/a
Public Meeting - None**

Part I - Consent Agenda

**Thompson-Hergert, Be it resolved that, Items A1 to C1 inclusive, contained in Part 1 – Consent Agenda, be adopted, as printed;
And further that, authorization be given for the action to be taken as may be necessary to give effect to the recommendations contained therein. ... #167-17 Carried.**

Adoption of Minutes

Council:

A1 Minutes of Regular Council Meeting – May 1, 2017 (draft)
Minutes of the Committee of the Whole (Planning) – May 8, 2017 (draft)

Committees:

A2 Normanby Recreation Advisory Committee – March 28, 2017
West Grey Committee of Adjustment – April 10, 2017
Neustadt Recreation Advisory Committee – April 12, 2017 (previously submitted)
West Grey Committee of Adjustment – May 10, 2017 (draft)

Other

A3 Canada 150 Committee – April 12, 2017 (draft)
PLAY Committee – April 21, 2017 – resolution #168-17

**Hutchinson-Thompson, Be it resolved that, the Minutes of the Regular Council Meeting held on May 1, 2017; and the Minutes of the Committee of the Whole (Planning) Meeting held on May 8, 2017; be adopted, as printed;
Further that, the Minutes of the West Grey Committees – A2, be received, as circulated;
And further that, the Minutes of the Other Committees – A3, be received, as circulated. ... #168-17 Carried.**

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Award of Tenders

B1 None

Routine Department Reports

Clerk – Report #CC 05/15/17 – resolution #169-17

Thompson-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves a refund in the amount of \$1,120.00 to Erwin Arthur respecting severance application B02/2015, due to an oversight by municipal staff during the preliminary pre-consultation process, as recommended by the West Grey Committee of Adjustment. ... #169-17 **Carried.**

Miscellaneous Correspondence (For Information Only - Not Circulated but Available for Viewing at Meeting)

D1 Stantec Consulting Ltd. – Ministry of Transportation Ontario, Highway 89 South Saugeen River Bridge Replacement – Notice of Study Commencement – Detail Design

Future Committee Meetings

E1 West Grey Special Committee of the Whole Meeting (Road Tour) – May 24, 2017, 8:00 a.m.
West Grey Committee of the Whole Meeting – May 29, 2017, 9:00 a.m., West Grey Municipal Office

Part II - Regular Agenda

Communications from the Mayor and Council

Mayor Eccles, Deputy Mayor Bell, and Councillors Lawrence, Hutchinson, and Hergert, reported on past activities and events since the last regular meeting of Council, and on upcoming events and activities.

Delegations

Wyland Tone

Wyland Tone, winner of a Gold Medal at the Bluewater Regional Science Fair held in Owen Sound, and Trek for Tourette Syndrome volunteer/participant, was presented a certificate from Mayor Eccles in recognition of his accomplishments. A good number of Wyland's family members were also present at the Council meeting to support him.

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Wyland gave a powerpoint presentation on his science fair project entitled "You're itching to know what causes us to scratch", giving a number of reasons why we scratch ourselves.

Business Arising from the Previous Meeting - None

Staff Reports

Director of Finance/Treasurer – Report #FTR 05/15/17

Approval of Accounts, Voucher #9-2017 – resolution #170-17

Normanby Arena Interior & Exterior Siding Tender – resolution #171-17 (Council requested staff obtain quotes or change orders for the proposed replacement of the exterior arena doors, and purchase and installation of a replacement sign on the arena building.)

Emergency Fire Alarm Tender – Normanby & Neustadt Facilities – resolution #172-17

Hergert-Cutting, Be it resolved that, the Director of Finance/Treasurer be authorized to pay the accounts presented as Voucher #9-2017 of the Municipality of West Grey, in the amount of \$474,371.33. ... #170-17 Carried.

Bell-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves Parts 1, 2 & 3 of the tender from Domm Construction for the Normanby Arena Complex Interior & Exterior Siding project in the amount \$120,000 plus HST. ... #171-17 Carried.

Cutting-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby approves the Emergency Fire Alarm tenders from Bluewater Fire & Security for the Normanby Arena Complex in the amount of \$12,155 plus HST and for the Neustadt Arena & Community Centre in the amount of \$14,760.50 plus HST. ... #172-17 Carried.

Director of Infrastructure and Public Works - Report #FTR 05/15/17

Tenders – resolution #173-17 to #176-17

2017 Equipment Quotations – resolution #177-17

West Grey Household Hazardous Waste (HHW) Day (The Director of Infrastructure and Public Works reported that 205 vehicles accessed the Durham Arena during the 2016 HHW Day, with 123 drums of

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HHW materials being collected, whereas the 2017 HHW Day had 232 vehicles accessing the Durham Landfill Site, with 142 drums of HHW materials being collected, as well as 2 - 1,000 litre totes. (received for information)

**Hergert-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby awards Tender WG#17-09 for Urban and Rural Grass Cutting price per cut, Part A - \$479.50, Part B - \$75.00, Part C - \$225.50 and Part D - \$299.50 to S&E Lawn Care, and Part E - \$460.00 to The Ground Guys, plus HST;
And further that, pending satisfactory performance of 2017 work, the Director be authorized to extend the awarded tenders for one additional year. ... #173-17 Carried.**

**Lawrence-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby awards Tender WG#17-13 for Application of Single Surface Treatment to MSO Construction Ltd., for \$331,797.00 plus HST.
... #174-17 Carried.**

**Bell-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby awards Tender WG#17-14 for Screening and Crushing Aggregates to Harold Sutherland Construction Ltd., for a total cost of \$49,900.00;
And further that, Council approves expanding the tender quantities up to approximately 1/3 more to take advantage of the economies of the pricing. ... #175-17 Carried.**

Hutchinson-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby awards Tender WG#17-15 for Bridge Repairs Part A and Part B to Allen Hastings Ltd., for a total tender of \$294,837.00 plus HST. ... #176-17 Carried.

Thompson-Bell, Be it resolved that, the Council of the Municipality of West Grey hereby authorizes the Director of Infrastructure and Public Works, and or Roads and Utility Supervisors to select quotations for equipment required subject to price, availability and workmanship. ... #177-17 Carried.

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Clerk – Report #CR 05/15/17

Joint Building Services Department – Proposed Radon Gas Mitigation Program (Council received the correspondence for information noting the potential additional costs payable by landowners that will result from the implementation of the proposed Radon Gas Mitigation Program. Council suggested the Chief Building Official for the Joint Building Department attend a future Committee of the Whole or Council meeting to discuss this matter. Council also requested that statistics regarding radon occurrences for the four joint municipalities be provided, if available.)

Township of Essa (receive for information)

Municipality of Meaford – resolution #178-17

Municipality of Dutton Dunwich – resolution #179-17

County of Grey – resolution #180-17

Lanark County – resolution #181-17

Township of Adjala-Tosorontio (received for information)

Lawrence-Cutting, Be it resolved that, the Council of the Municipality of West Grey hereby supports the resolution of the Municipality of Meaford Council requesting the Grey Bruce Health Services to delay any decision respecting the consolidation of all elective day surgeries in Owen Sound to allow further discussion with key community partners; And further that, a supporting letter be forwarded to the Minister of Health and Long-Term Care, CEO South West LHIN, Bruce & Grey County Wardens, local MP and MPP, and the Municipality of Meaford; And further that, all present day elective day surgeries be preserved at each Grey Bruce Health Services facility.

... #178-17

Carried.

Cutting-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby supports the resolution of the Municipality of Dutton Dunwich requesting support for a Private Member's Bill by Sam Oosterhoff, MPP for Niagara-Glanbrook, proposing the government to halt all wind power approvals in unwilling host communities; And further that, a supporting letter be forwarded to the Premier of Ontario, Minister of Energy, local MPPs, MPP Oosterhoff, and the Municipality of Dutton Dunwich.

... #179-17

Carried.

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Bell-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby supports the resolution of the County of Grey regarding the proposed changes to the Aggregate Resources Act as outlined in the "Notice: Proposed changes to fees and royalties re: pits and quarries", dated March 17, 2017;

And further that, a supporting letter be forwarded to the Premier of Ontario, Minister of Natural Resources and Forestry, local MPPs, and the County of Grey. ... #180-17 Carried.

Hutchinson-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby supports the resolution of Lanark County Council requesting the provincial government to implement steps to enhance local response to the opioid problem in our communities;

And further that, a supporting letter be forwarded to the Premier of Ontario, Minister of Health and Long-Term Care, local MPPs, and the County of Lanark. ... #181-17 Carried.

By-Laws – First, Second & Third Readings

48-2017 A By-law to enter into an Agreement of Purchase and Sale respecting the sale of property owned by the Corporation of the Municipality of West Grey to Arthur Gilbert Rivest & Travis Arthur Rivest, described as PT ROAD ALLOWANCE BETWEEN LT 49-50, CON 2 WGR, BEING PT 1-3 ON 16R-10808 AND SUBJECT TO EASEMENT OVER PART 2 ON 16R-10808 TO UNION GAS, Geographic Township of Bentinck, Municipality of West Grey, County of Grey – resolution #182-17

49-2017 A By-law to repeal By-law Number 60-2016 (Brad Thake – Municipal Weed Inspector Contract) – resolution #183-17

50-2017 A By-law to provide for the adoption of the estimates of all sums required during the year, to strike the tax rates, and to provide for penalty and interest in default of payment thereof for the year 2017 – resolution #184-17

51-2017 A By-law to confirm the proceedings of the May 15, 2017 Council meeting – resolution #185-17

Bell-Thompson, Be it resolved that, By-law Number 48-2017, being a By-law to enter into an Agreement of Purchase and Sale respecting the sale of property owned by the Corporation of the Municipality of West Grey to Arthur Gilbert Rivest &

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Travis Arthur Rivest, described as PT ROAD ALLOWANCE BETWEEN LT 49-50, CON 2 WGR, BEING PT 1-3 ON 16R-10808 AND SUBJECT TO EASEMENT OVER PART 2 ON 16R-10808 TO UNION GAS, Geographic Township of Bentinck, Municipality of West Grey, County of Grey, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #182-17 Carried.

Hergert-Cutting, Be it resolved that, By-law Number 49-2017, being a By-law to repeal By-law Number 60-2016, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #183-17 Carried.

Hutchinson-Thompson, Be it resolved that, By-law Number 50-2017, being a bylaw to provide for the adoption of the estimates of all sums required during the year, to strike the tax rates, and to provide for penalty and interest in default of payment thereof for the year 2017, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #184-17 Carried.

Hergert-Cutting, Be it resolved that, By-law Number 51-2017, being a bylaw to confirm the proceedings of the May 15, 2017 Council meeting, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #185-17 Carried.

New Business

Proposed Subdivision Agreement – DJ Land Developments Ltd. (The Clerk noted the outstanding issues that need to be discussed by Council concerning the proposed Subdivision Agreement, including the issues of a mortgagee initially discovered by the municipal solicitor during a title search; the 5% cash-in-lieu parkland dedication fee, and

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amount and type of securities to be provided. The Clerk indicated the mortgage will be paid off so any reference to a mortgagee in the proposed subdivision agreement will be deleted. Council agreed to the \$500/lot cash-in-lieu parkland dedication fee, being a total of \$6,500 for the 13 residential subdivision lots to be created.

Council held a lengthy discussion regarding the type and level of security proposed for the DJ Land Developments Subdivision Agreement, and for future Subdivision Agreements. (see resolution #186-17)

Council asked Mayor Eccles if a decision regarding Rockwood Terrace/Grey Gables is expected to be made at the March 25, 2017 County meeting. Mayor Eccles replied that Grey County Warden Barfoot anticipates there will be a recommendation to Council voted on during the May 25, 2017 County Committee of the Whole meeting.

Addendum - None

Notice of Motion/Direct Motions

DJ Land Developments Ltd. – resolution #186-17

Thompson-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves security in the form of an irrevocable letter of credit in the amount of 50% of the estimated amount of works for the DJ Land Development Ltd., plan of subdivision on lands described as Part of Park Lots 2 & 3, North of George Street, Registered Plan 500, Geographic Town of Durham, now the Municipality of West Grey, being PIN 37318-0515;

And further that, the Clerk prepare a policy/by-law that establishes a requirement for providing an amount of 50% in securities in the form of an irrevocable letter of credit when the estimated costs of subdivision works are less than \$500,000.00, and 110% in securities in the form of an irrevocable letter of credit when the estimated costs of subdivision works are greater than \$500,000.00.

... #186-17

Carried.

Closed Session – Incomplete Items Only – n/a

Matters Arising from Closed Session – Incomplete Items Only – n/a

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Question Period

Don Tremble, one of the owners of DJ Land Developments, stated that he needs an answer regarding securities to facilitate the subdivision agreement being considered for passing at the June 5, 2017 Council meeting. (see resolution #186-17 that was subsequently passed after this request.)

Bob Miller noted the amount of empty water bottles on the road sides, and noted the financial or staffing impact that may result if the proposed radon gas mitigation program is approved needs to be considered.

Mayor Eccles asked Council if it wishes to financially support scheduling a bus from Saugeen Mobility and Regional Transit that will take West Grey ratepayers to the May 25, 2017 County Committee of the Whole meeting regarding Rockwood Terrace/Grey Gables. Council indicated they will individually choose to donate funds for the bus. Councillor Thompson indicated he will ask at the Annual General Meeting of the West Grey Chamber of Commerce if the Chamber is willing to provide funds for a bus during the Annual General Meeting.

Council was informed that member municipalities on the Multi-Municipal Wind Turbine Working Group were asked if any had established a moratorium on intensive livestock operations/wind turbines through passing of an interim control by-law. None of the member municipalities had enacted such a moratorium.

Don Tremble questioned what risk there is to the municipality if 110% of the estimated cost of works is not provided by the developer when the cost is on the land. The Clerk noted the potential cost to the municipality if there is a default by a developer. Mr. Tremble noted by law, developers cannot take more than a \$25,000 deposit on the lot through the Tarion warranty.

The CAO/Deputy Clerk reported receiving an email from Union Gas, indicating Union Gas representative will be conducting door to door surveys in Neustadt and Ayton regarding the possible expansion of natural gas to these communities. The CAO/Deputy Clerk will ensure this information is posted on the West Grey website with Union Gas contact information. Union Gas will also be advertising to inform ratepayers of this initiative.

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Municipal Act – Notices - None

Adjournment

Hergert, Resolved that, we do now adjourn at 9:54 p.m., to meet again on June 5, 2017, 10:00 a.m., or at the call of the Mayor. Carried.

Kevin Eccles, Mayor

Larry C. Adams, CAO/Deputy Clerk