



## Minutes

**Municipality of West Grey Committee of the Whole  
Held on Monday, November 27, 2017 at 9:00 a.m.  
At the Council Chambers – West Grey Municipal Office**

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<u>Council</u>	Mayor Kevin Eccles, Deputy Mayor John A. Bell (left meeting at 2:03 p.m.), Councillor Bev Cutting, Councillor Rebecca Hergert, Councillor Carol Lawrence (left meeting at 3:43 p.m.), Councillor Rob Thompson
<u>Absent</u>	Councillor Doug Hutchinson
<u>Staff</u>	Mark Turner, Clerk; Kerri Mighton, Director of Finance/Treasurer; Brent Glasier, Director of Infrastructure and Public Works Phil Schwartz, Fire Chief – during report

### **Declarations of Pecuniary Interest and General Nature Thereof – None**

### **Closed Session - None**

### **REGULAR AGENDA:**

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

### **Delegations**

Tony Commisso, Regional Manager, and Len Bennett, Frank Cowan Company  
Tony Commisso, Regional Manager, and Len Bennett, Frank Cowan Company, gave a powerpoint presentation to Council respecting "Municipal Trails and Liability Issues".

Pete & Shawn Kazarian, local claims adjusters; Pat Murphy, solicitor with Donnelly & Murphy; and Dave Eccles, CMR Insurance, also attended as part of the delegation.

The powerpoint presentation detailed a number of management best practices for municipal trails in order to limit potential liability, the duty of care pursuant to the Occupiers Liability Act and Bill 100, Ontario Trails Act, 2016, and relevant court cases.

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The Committee asked if signage should be used that notes different activities that are happening since you may have individuals walking trails in winter that are also being used for snowmobiles. Len Bennett responded that if the trails are part of the Ontario Snowmobile Club system, it would be their responsibility for signage, however, there should be an insurance agreement between the municipality and Ontario Snowmobile Club. Frank Cowan Insurance has a representative available to review insurance agreements.

The Committee questioned how often safety inspection reports should be done, and by whom. Mr. Bennett stated there is no standard for frequency of inspections, and that is why a trail classification system is being worked on. There should be an identified individual or department to conduct inspections, although Frank Cowan Insurance has some risk inspectors to make recommendations regarding signage and other matters.

The Clerk indicated there is no official trail system, and any trail system developed should be formally recognized through policy or by-law, and address applicable accessibility requirements. Mr. Bennett noted that any trails need to be identified with signage as "recreational trails", and there should be easement agreements with private landowners if the trail traverses private property.

The Committee of the Whole questioned how emergency services will access trails for emergency purposes when bollards and gates have been installed. Mr. Bennett responded that lock boxes should be installed for access by emergency services. Pat Murphy stated it is better not to have bollards or gates if they are not locked.

The Director of Infrastructure and Public Works noted concerns with motorized vehicles along walking trails, as some trails are best suited only for pedestrian traffic, as motorized vehicle uses are incompatible. Mr. Bennett stated signs can be erected noting motorized vehicles are prohibited. Mr. Bennett mentioned that motorized vehicle trails need a higher standard level of trails. The Committee of the Whole indicated it would appreciate it if Frank Cowan Company will assist the municipality in the review of trails to address potential liability.

Trish Black indicated she would like to have Frank Cowan Company walk through trails with the Parks Committee in order to understand steps to reduce potential liability. Steve Ayerhart stated there is no official recognition of trails, however, blocks have been put into place in some places and questioned if this may be an issue. Mr. Bennett indicated it will be

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a problem if there are no reflectors by blocks, and recommended the use of reflective tape or other like material.

The Director of Infrastructure and Public Works opined that the municipality may need to adopt a standard level of care policy for trails once established. Mr. Bennett indicated Frank Cowan Insurance can also assist with this.

### **Business Arising From Previous Meeting – n/a**

### **Staff Reports**

#### Director of Infrastructure and Public Works – Report COW #11/27/17

Road Supervisor's Report Staff - Have been busy with the following activities: Staff have responded to a few winter maintenance call outs; staff grading roads as weather permits (received for information)

Utilities Supervisor's Report Staff - Have been busy with the following activities: Christmas lights were put up in Elmwood, Neustadt and Ayton on November 14th and Durham lights went up on November 23<sup>rd</sup>; cement mats were placed at the Neustadt lagoon; miscellaneous repairs completed to catch basin and manhole lids throughout Durham. (received for information)

Staff Winter Ops Training – Training session recently held with fulltime and seasonal staff re: health and safety topics as they relate to winter operations; review of 2017 construction activity, planned 2018 equipment purchases and planned 2018 housing improvements; review of the new Winter Operations Handbook and O.Reg. 239 Minimum Maintenance Standards as they relate to West Grey operations. (received for information)

Equipment - Received the recondition landfill compactor from Marcel Equipment. Durham Single Axle Truck (TR23WG) required a computer replacement - was able to source a used one. All trucks and graders in the patrols are equipped and ready for winter. Leased grader for winter maintenance in Glenelg has been delivered. (received for information)

Contracted Work - Hot mix repairs to George Street and resurfacing of Starret Lane. McDonald Crescent, Queen Street from Lambton to George Street and Barbara Street in Neustadt from Queen Street to William Street and paving at the Neustadt Arena has been completed. Durham Basketball court perimeter paving has been completed. New Shed: footings, concrete walls and bollards have been installed for the new Shed at the Elizabeth Street Facility with wood framing to commence soon. Landfill Scales: contractor has installed footings and pier bases at Durham and Bentinck landfill sites. Scales to be installed the week of December 11th. Construction of the Chlorine Contact Chamber at Well No.2 is underway and expected to be completed sometime the week of Nov. 27<sup>th</sup>. Durham Walkway Bridge –

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the contractor is placing the footings and forming the walls for the end abutments; installing safety scaffolding, and the new bridge components have arrived. Placing of the new bridge will commence sometime the week of November 27. (received for information)

Winter Maintenance Handbook – the Department has developed a Winter Maintenance Booklet that provides information with respect to West Grey Winter Maintenance Operations and provides Emergency Services and adjacent Municipalities important contact info that would be available in a convenient book should an emergency arise. (received for information)

Winter Maintenance Level of Service Policy – resolution #COW 50-17

Lauderbach Historical Sign Request (The Committee of the Whole indicated it is not supportive of the request to place a historical sign as requested due to the potential costs for placement of numerous other similar historical signs if subsequently requested. The request may be considered if the requestor is willing to pay the cost for the sign, and assume responsibility for any future maintenance of the sign. The sign would have to conform to County historical sign specifications.)

**Thompson-Bell, Resolved that, the Committee of the Whole hereby recommends Council pass a by-law to approve the Winter Maintenance Level of Service Policy, as amended, contained in the Director of Infrastructure and Public Works Committee of the Whole Report dated November 27, 2017. ... #COW 50-17 Carried.**

Director of Finance/Treasurer – Report COW #11/27/17

Ontario Municipal Partnership Fund (OMPF) 2018 Allocation Notice – The year over impact for West Grey is a reduction of \$10,000 in funding. (attachment)

Wage Grid Adjustment for 2018 – resolution #COW 51-17

Letter from the West Grey Employee Consultation Committee (The Committee of the Whole requested the Director of Finance/Treasurer to send a letter to the West Grey Employee Consultation Committee advising that a task force including the new CAO/Deputy Clerk, Director of Finance/Treasurer, ECC representatives, and a Council representative, will be formed to discuss health care benefits issues. The municipal group health benefit provider will also be invited to explain the implications of any proposed changes.)

**Bell-Thompson, Be it resolved that, the Committee of the Whole hereby recommends Council provides for a 2018 Wage Grid Adjustment of 1.4% based on the CPI (Canada) from October 2016 to October 2017;**

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**And further that, Council thereafter uses the September CPI (Canada) for wage grid adjustments.**

**... #COW 51-17**

**Carried.**

The Committee of the Whole temporarily adjourned for lunch and a Special Council meeting at 12:10 p.m., and reconvened the meeting at 1:29 p.m.

Fire Chief – Report COW #11/27/17

Unfinished Business from the October 30, 2017 COW Meeting (The Fire Chief will prepare a report to Council recommending retirement of Greg Grubb's firefighter badge number. The Fire Chief will work on a lock box policy for consideration by Council or Committee of the Whole.)

Fees for Service Updated List (The Fire Chief will contact the Brockton Fire Chief to obtain information on how he established Brockton's rate per hour for fire department responses, and report back to Council or Committee of the Whole. The consensus of the Committee of the Whole indicated the charge per hour for fire responses relating to industrial wind turbines should be identical as the hourly rate for other fire responses.)

Clerk – Report COW #11/27/17

Moose Power (MPI GM Solar 1 LP) – Moose Power has applied for three small microFit solar panel projects (approximately 4 acres each) in the former Township of Glenelg. The municipality is one of a number of prescribed organizations or individuals required to be notified. (received for information)

West Grey Soccer Club – resolution #COW 49-17

Bill 68, Modernizing Ontario's Municipal Legislation Act (MOMLA), 2017, S.O. 2017, c. 10 - Schedule 1, section 31 of the MOMLA, effective January 1, 2018, amends the Municipal Act by adding subsections 68 (1), (2) & (3), that provides for the ability of a council of a local municipality to appoint one of its members as an alternate member of the upper tier council, to act in place of a person who is a member of the council of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason. Grey County Council will be discussing this issue on December 14, 2017. (The municipality will wait for any outcome from the Grey County Council meeting, prior to making any decision.)

West Grey Municipal Office (The Clerk indicated the West Grey Police Service is still utilizing a portion of the municipal office basement.)

Integrity Commissioner (The County of Grey is considering a by-law to hire an integrity commissioner that will be effective at least by 2018. Bill 68 will require all municipalities to have an Integrity Commissioner by March 1,

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2019. The majority of lower-tier Grey County Clerks will likely be recommending their respective municipalities to share the Integrity Commissioner proposed to be hired by the County. If so, the appointment of the Integrity Commissioner will be recommended to be effective in 2018.) (received for information)

**Lawrence-Hergert, Resolved that, the Committee of the Whole hereby recommends Council provides a letter of support for the West Grey Soccer Club to plant trees at the West Grey (Durham) Soccer Complex property, in consultation with the West Grey Public Works Department. ... #COW 49-17** **Carried.**

**Reports/Minutes from Committees/Committee Chairs/Council Representatives**

1) West Grey Economic Development Committee

Councillor Thompson reported two quotes were obtained for a new sign for the Durham Business Park. These quotes will be presented at the November 29, 2017 Economic Development Committee meeting. The estimated cost of the sign is just under \$1,000.00.

2) West Grey Parks Committee

Councillor Cutting reported the Parks Committee will be decorating planters in downtown Durham with Christmas lights.

The Parks Committee will provide additional questions relating to trails to the Director of Finance/Treasurer, who will forward the questions to Len Bennett, from Frank Cowan Insurance, for a response. The Director of Infrastructure and Public Works will request a meeting with a risk inspector from Frank Cowan Insurance to assess West Grey trails, with Parks Committee representatives in attendance, including Councillor Hutchinson and Steve Ayerhart, Public Works Utilities Supervisor.

3) West Grey Recreation Advisory Committees

- October 11, 2017 Neustadt Recreation Advisory Committee minutes

Councillor Thompson, reporting on behalf of the Durham Recreation Advisory Committee, indicated the Shopping Expo was held last Saturday, with the event being successful as the vendors were happy with sales. There was a contest held to re-name the Shopping Expo event, and the new name will be

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determined shortly. A Christmas event will be held on December 11, with 70 children already registered. The siding on the Durham Arena was completed by Domm Construction. Three dog dirt dispensers were purchased.

Councillor Thompson further reported that there is an issue with the amplifier at the arena. A recommendation from the Durham Recreation Advisory Committee respecting the purchase of a new amplifier will come to a future Council meeting. Tim Horton's is sponsoring 7 hours of public skating over the Christmas break. East Link also sponsoring some free skating.

Soft Drinks at Recreation Facilities (The Director of Finance/Treasurer reported since the Coca-Cola agreement was not extended, the coolers and vending machines will be removed by January 1, 2018. The Durham Recreation Facilities Manager obtained an estimate of \$2,500 for a new cooler, however, the Committee of the Whole opined that a cooler, either new or used, could be purchased at a lower cost. Mayor Eccles reported the operator of the Durham Arena canteen is okay with selling soft drinks, and opined it will be more economical to purchase. The municipality will need to purchase two new coolers for the Durham and Neustadt Arenas, and seek to secure delivery of soft drinks, and the Director of Finance/Treasurer was requested to contact the Recreation Facilities Manager about this matter.

The Committee of the Whole also requested the Director of Finance/Treasurer to report back on the request from Carol Leibold to reduce or waive recreational fees when recreation committees are holding fundraising events at municipal facilities.

Councillor Lawrence, reporting on behalf of the Neustadt Recreation Advisory Committee, mentioned there are now 93 members of pickle ball; the, adult roller skating event was not successful and will not continue; the Neustadt Craft Show was very successful; there are concerns with dents from baseballs in the new siding and options to remedy this from re-occurring is being considered; and the Christmas tree lighting is slated for December 7.

Councillor Lawrence, reporting on behalf of the Normanby Recreation Advisory Committee, noted the Christmas lights are up in Ayton; quotes are being obtained for new bleachers; the Elvis Tribute is set for December 8; the New Years' Gala will conclude Canada 150 events; the tree lighting event on November 19 was very successful; and the exterior steel and siding was completed,

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**Reports/Minutes from Other Committees/Committee Chairs/Council Representatives**

1) West Grey Public Library Board

Councillor Hergert reported the Board is attempting to reduce the proposed 2018 budget to a 2% increase, and will be further discussed at the December 19 Board meeting. New carpet may be identified as a 2018 capital budget item.

2) West Grey Police Services Board

Mayor Eccles reported the Board hired a new constable who has commenced work with the force. The Board is working through other human resource issues.

The Committee of the Whole requested the Director of Finance/Treasurer to place the issue of a proposed new police building on the December 11, 2017 Special Committee of the Whole (2018 Preliminary Budget) Agenda for discussion purposes.

3) Saugeen Municipal Airport Commission

Councillor Lawrence reported the Commission approve the 2018 budget with a 2% increase. Steel cladding at the T-hangar was completed by volunteers. The waterline was replaced to accommodate more hangars. The application for solar panels wasn't successful, however, the Commission is considering a microFit solar panel project. Explorer Solutions, a company that provides airport marketing expertise, created a lot of ideas for the airport to generate revenues. The Commission will review and make a decision respecting the Explorer Solutions proposals, and if approved, may approach participating municipalities to contribute towards an economic development plan for the airport. The airport will be approaching member municipalities to contribute towards a capital improvement plan for the airport at an estimated cost of \$30,000 for 2018. The COPA Christmas Party will be held on December 16, 5:00 p.m., at the airport.

4) Saugeen Valley Conservation Authority Board of Directors

Mayor Eccles reported on a successful Christmas in the Country event held on the past weekend.

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5) Elmwood Community Centre Board

Councillor Lawrence reported a meeting with West Grey and Brockton representatives is being held later today to discuss a proposed new Elmwood Community Centre Board agreement. The proposed new entrance to the kitchen project is being postponed at this time. The Board is considering 2018 capital projects including a new hydro box, fixing lights at the ball diamonds, or a new dishwasher. The Christmas tree lighting event was very successful with large crowds participating in the event.

6) Saugeen Mobility and Regional Transit Corporation (S.M.A.R.T.)

Mayor Eccles reported the 2018 SMART budget was passed, with West Grey's levy reduced by approximately \$6,000.00. SMART has made an inquiry to Grey County respecting the possibility of establishing a County funded service.

7) West Grey Chamber of Commerce/Durham BIA/Neustadt Business Group

- October 10, 2017 West Grey Chamber of Commerce minutes

Councillor Thompson, reporting on behalf of the West Grey Chamber of Commerce, noted there is an "Ugly Christmas Sweater" promotion starting on Friday "Ugly Christmas Sweater" event. An ad is being placed in The Spotlight newspaper to promote businesses that are members of the Chamber.

8) Elmwood Fire Department Joint Board of Management – no report

9) Others – no reports

- September 13, 2017 Canada 150 Committee minutes

**New Business**

The Durham Old-Timers hockey team has requested a subsidized rate for their Durham Arena bookings. (The Committee of the Whole indicated they are not supportive of the request, however, the fees and charges by-law will be reviewed sometime in the New Year.)

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**Adjournment**

**Cutting, Resolved that, we do now adjourn at 4:21 p.m., to meet again on January 15, 2018, 9:00 a.m., or at the call of the Mayor. Carried.**

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(Signed)  
Kevin Eccles, Mayor

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(Signed)  
Mark Turner, Clerk