

**Municipality of South Bruce
Tuesday August 25, 2009**

The Regular Meeting of Municipal Council was held in the Council Chambers at 21 Gordon Street East, Teeswater and commenced at 6:00 p.m.

PRESENT AT MEETING:

Mayor: William Goetz

Deputy Mayor: Carl Zettel

Councilors: Ken Kueneman
Mike McDonagh
Les Nichols
Jason Rogers
Ron Schnurr

STAFF PRESENT: David Johnston, Administrator
Debra Roth, Clerk, Deputy Treasurer
Steve Schwippl – Recreation Program and Facility Supervisor
(Part of Meeting)
Kendra Reinhart, Treasurer
Sharon Chambers, Manager of Operations (Part of Meeting)

OTHERS PRESENT:

1. **CALL TO ORDER:** Mayor Goetz called the meeting to order at 6:00 p.m.

2. **ADDENDUMS TO AGENDA:**

MOTION M09-391

Moved by Les Nichols

Seconded by Jason Rogers

Agenda That the Agenda for the Regular Council Meeting of August 25, 2009 be adopted as presented.

CARRIED.

3. **DISCLOSURE OF PECUNIARY INTEREST AND NATURE THEREOF:** - Nil

4. **MINUTES OF THE PREVIOUS MEETING:**

MOTION M09-392

Moved by Ron Schnurr

Seconded by Mike McDonagh

Minutes That the minutes of both the Regular Meetings and In Camera Meetings of August 11, 2009, be adopted as circulated.

CARRIED.

5. **BUSINESS FROM PREVIOUS MINUTES**

5.1 Action Memo – reviewed by the Mayor

5.2 Organizational Review – Special Council meeting set for September 15, 2009 – 7:00 p.m. with Administrator in attendance

5.3 Meeting with Brockton and Arran-Elderslie - regarding Building Inspection to be set by Administrator

5.4 BGHDTC– 5 months of history with revised figures now available – more information required before payment is made.

5.5 Municipal Fee Schedule Review – September 1, 2009 at 7:00 p.m. in Council Chambers – all Councilors may attend.

6. **Delegations: Nil**

7. **REPORTS**

7.1 6:05 P.M. REPORT OF THE MANAGER OF OPERATIONS

Report PW 2009-08-04 Snow Plow Routes and Winter Maintenance Efficiency

The Manager of Operations presented the Report PW 2009-8-4 and the following is the recommendation. The full report is attached to the rough minutes. The report indicates that there will not be significant savings in removing a plow and increasing the existing routes. Cost comparisons were provided comparing South Bruce to 14 municipalities. Council did not make a decision the routes at this time, however, the Manager of Operations was given authorization to go ahead and advertise for a snow plow and operator for the 2009/2010 season.

MOTION M09-393

Moved by Les Nichols

Seconded by Carl Zettel

PW2009-08-04 That Report #PW-2009-8-4 Review of Snow Plow Routes and Winter Maintenance Efficiency be received for information purposes; and
That the Operations Manager is authorized to advertise for a contract snow plow and operator for the 2009/2010 season.

CARRIED.

7.1.2 Peter Street – Hot Mix Paving – Tenders were opened at 5:30 p.m. and awarded as follows:

MOTION M09-394

Moved by Ken Kueneman

Seconded by Ron Schnurr

Hot Mix Peter St. that the tender for Hot Mix Paving for Peter Street in Mildmay be awarded to the Murray Group Ltd. in the amount of \$23,352.00 plus G.S.T.

CARRIED.

7.1.3 Mildmay Shop - a request had been received to purchase the Mildmay Shop and the Manager of Operations was requested to make an inventory list which was presented to Council. It was determined that the shed was required for storage and would not be sold. Individual was to be informed.

7.2 6:45 P.M. REPORT OF THE RECREATION AND FACILITIES SUPERVISOR

The Program and Facilities Supervisor gave his report(s) which are attached to the minutes and was circulated prior to the Meeting.

Report REC 08-09 SB1 South Bruce Programs

7.2.1 Programs

Ball Hockey - Recreations Supervisor is making arrangements for this new program

Report REC 08-09 SB2 South Bruce Committees

7.2.2 Committees

Town Hall

Bell Tower – painted for Homecoming and Fall Fair

Grants – awaiting confirmation of grant funding

Teeswater Culross Community Centre

Food Booth – lease agreement for food booth reviewed

Library Storage – Les Nichols enquired if the upstairs room would be available while Library is being renovated.

Formosa Community Hall – no Meeting

Pitching Machine – Carl Zettel enquired about the disposal of the pitching machine – it belongs to Minor Ball and is theirs to dispose of.

Report REC 08-09 SB3 South Bruce Committees – MCRC

Leakage – Committee discussed ways and means to prevent leakage from the roof and through the walls

Staffing – another part time staff member will be hired

7.2.3 Soundsation - a request for storage space at the Municipal Office was presented to Council. Recreation Supervisor is to reply that rent of \$100. per month, proof of their own liability insurance and a signed waiver would be required.

MOTION M09-395

Moved by Jason Rogers

Seconded by Mike McDonagh

Reports That we receive the Report of the Recreation Program and Facilities Supervisor entitled #REC-08-09 SB1, SB2 and SB3, for information purposes.

CARRIED.

7.2.4 7:20 PM CLOSED SESSION

Council moved into Closed Session at 7:20 p.m.

Attendance: Mayor Goetz, Councillors: Kueneman, McDonagh, Nichols, Schnurr, Rogers and Zettel. Staff: Johnston, Roth, Schwippl and K. Reinhart.

Report attached to minutes.

MOTION M09-396

Moved by Ken Kueneman

Seconded by Ron Schnurr

Closed Session

that the Council of the Municipality of South Bruce proceed into a Closed Meeting at 7:20 p.m. to discuss

- Litigation or potential litigation

CARRIED.

MOTION M09-397

Moved by Mike McDonagh

Seconded by Les Nichols

Open Session

that Council return to Open Session at 7:40 p.m.

CARRIED.

The Recreation Program and Facilities Supervisor was directed to proceed with the tender for the structure to house the solar panels.

7.3 7:45 P.M. REPORT OF THE CLERK

Report CLERK 2009-10

Monthly Activity Report

The Clerk presented her report which had been circulated prior to the Meeting and is attached to the rough minutes.

7.3.1 OMB Appeal – the Clerk provided Council with information regarding the future passage of a General Vote bylaw. The Municipal Act does not prescribe when or how many times this may be initiated, only that the by law must be in force by Dec 31st of the year preceding the Election, which in this case is December 31, 2009. Mayor Goetz and Councillor Nichols requested the consideration of another by law immediately. Councillor Zettel stated that Formosa residents did not want to be divided by a ward vote. Councillor Kueneman questioned any additional time spent by the Clerk on this matter and who authorized it. Legal fees were also discussed.

MAYOR GOETZ REQUESTED A RECORDED VOTE

MOTION M09-398

Moved by Les Nichols

Seconded by Carl Zettel

General Vote By law

that Council direct the Clerk to prepare a General Vote By law for Council's consideration at the September 15, 2009 Council Meeting.

CARRIED.

Yeas – Goetz, Nichols, Schnurr, Zettel

Nays – Kueneman, McDonagh, Rogers

Because of the requirements of the Municipal Notice By Law the General Vote by law will be considered at the September 15, 2009 Special Meeting, and a Public Meeting will be scheduled for September 9, 2009 at 7:30 p.m. at the Formosa Community Hall. The Mayor requested the general circulation of a flyer for the Public Meeting. The Clerk will provide the required notice.

7.3.2 Deeming Requests and By laws

The Clerk received a breakdown of costs associated with a general transaction deeming and informed Council that it would be necessary to increase the fee to reflect actual costs.

MOTION M09- 399

Moved by Ron Schnurr

Seconded by Les Nichols

Deeming Fee

That we increase the fee for the deeming of lots to \$1000.00 from \$200.00, to reflect actual costs, effective immediately and further that the Treasurer include said increase in the next amendment of the Municipal Fees By law.

CARRIED.

7.3.3 Deigel and Feick Property Ownership - several abutting property owners have approached the Mayor in regards to purchasing the above mentioned property for which the owners are deceased. The Clerk has been instructed to proceed with the transfer of ownership to the Municipality by the most economical means.

MOTION M09-400

Moved by Carl Zettel

Seconded by Les Nichols

Report That we accept the Report CLERK 2009-10 for information purposes.

CARRIED.

7.4 8:20 P.M. REPORT OF THE TREASURER

The Treasurer presented her reports which are attached to the minutes and were circulated prior to the Meeting. Current statements were provided for council review.

Report FIN 2009-14 Feasibility Study

The Treasurer reported that Ainsworth Feasibility Study did not achieve the 7.6 year payback in energy savings. The Treasurer recommended that the Municipality not proceed with the project but have each individual department give consideration to the recommended retrofits and that they be funded as they arise. Further discussion arose in regards to Westario's non participation in ERIP (Energy Retrofit Incentives Program). The Treasurer will forward a letter asking the reason for Westario's non involvement.

MOTION M09-401

Moved by Ron Schnurr

Seconded by Les Nichols

Feasibility Report That Report #FIN 2009-14 be received for information purposes and that the various municipal departments give consideration to the recommended retrofits in the Feasibility Study, when determining their long-term capital plans.

Report FIN 2009-16 Monthly Activity Report

7.4.1 A/P Listing – no questions

7.4.2 2009 Budget – Treasurer identified budget overruns in certain areas including Administration – Professional Fees, Recreation Programs – Supplies and Public Works – projects. Central purchasing for the Municipality is to be reported on. Central purchasing would alleviate duplication of orders.

7.4.3 Residential to Farmland Tax Rate: - Thirty nine properties have been identified as being assessed incorrectly on the returned roll and will receive reductions when we receive the values from MPAC. Staff have identified several additional properties, since this list was received. Interest considerations will be given in the interim.

MOTION M09-402

Moved by Jason Rogers

Seconded by Carl Zettel

Interest That interest be waived on outstanding taxes for those properties that were improperly assessed with Residential assessments rather than Farmland assessments until such time as the adjustments from MPAC are received and processed

CARRIED.

7.4.4 Foundation – Mayor to respond on the request received from the Foundation at the next meeting.

MOTION M09-403

Moved by Ron Schnurr

Seconded by Les Nichols

Report That the Monthly Treasurer's report #FIN2009-16, and the attached schedules, be
1. received for information purposes; and
2. That the accounts in the amount of \$781,180.34 be approved for payment.

CARRIED.

7.5 REPORT OF THE ADMINISTRATOR - Verbal

The Administrator reported on his meeting with Robert Colwell and read the subsequent letter to Council. Administrator and Kueneman and Rogers will sit on liaison committee. Mr. Colwell was directed to keep the music low and advised that no parking places would be identified for his patrons.

8. OTHER BUSINESS

8.1 Correspondence List – reviewed

8.2 Township of Madawaska Valley – motion

MOTION M09-404

Moved by Carl Zettel

Seconded by Mike McDonagh

Home Care

Whereas Home Care Service is an essential service in rural Ontario in assisting in the well-being of seniors and individuals with physical and mental disabilities;

Further That Personal Support Workers providing Home Care Service be required to provide a minimum of 4 hours of service per client visit which, not only benefits the client, but also allows the primary caregivers the opportunity to maintain a level of normalcy in their daily lives;

And further that the Council of the Municipality of South Bruce support the Township of Madawaska Valley and that this Resolution be forwarded to the MP, Premier Dalton McGuinty, and the Ministry of Health and Long-Term Care.

CARRIED.

8.3 TCFD Firefighter Resignation – motion

MOTION M09-405

Moved by Ken Kueneman

Seconded by Mike McDonagh

TCFD Resignation

That Council accepts the resignation of TCFD Fire Captain Ron McKee with regret, to become effective September 1st, 2009.

CARRIED.

8.4 Court of Revision Bryce Municipal Drain – Les Nichols is appointed to sit on the Court of Revision for the Bryce Drain to be held at the Morris Turnberry Offices on September 1, 2009 at 8:15 p.m.

9. BYLAWS

By Law #2009-41

BEING A BY LAW TO ADOPT THE BOULEVARD MAINTENANCE POLICY

MOTION M09-406

Moved by Les Nichols

Seconded by Carl Zettel

1ST & 2ND Reading

That By-Law #2009-41 being a by law to adopt a policy for Boulevard Maintenance be read a first and second time.

CARRIED.

MOTION M09-407

Moved by Jason Rogers

Seconded by Ron Schnurr

3rd Reading

that By law #2009-41 be read a third time and finally passed, signed and sealed.

CARRIED.

10. COUNCILLOR REPORTS

Mayor Goetz

- **Minister of Natural Resources** – Reported on the AMO conference and the meeting with Minister Donna Cansfield and informed Council that Municipal reps must “put the brakes” on spending.
- **Access to staff** – staff should be contacted during regular office hours – not late evenings and weekends. Staff members who have blackberries provide instant access but issues do not necessarily need to be addressed immediately. Certain individuals send emails and do their personal paperwork at unusual hours because of shifts.

Councillor Nichols

- **Minister of Culture** - reported on meeting with the minister in charge of Libraries. Positive meeting, however no commitments.
- **Waste seminars** – a community culture was encouraged

Councillor Schnurr

- **Vehicle on Elora St.** – reported that vehicle was not plated. By Law officer will be informed that all vehicle should be ticketed – if first time a warning could be issued first.

- **Crosswalks** – enquired about the markings as in Listowel – have Manager of Operations investigate these markings
- **Tenders** – to alleviate errors on Tenders they should be checked by Treasurer before being circulated.

Councillor Zettel -

- **Minister of Agriculture, Food and Rural Affairs** - reported on meeting with Leona Dombrowsky at AMO, and the need for changes to farm tax rate
- **Green projects** – reported on various green initiatives
- **Accessibility** – Built Environment now under public review
- **Coldwater sewer project** – warrants investigation before we proceed with our project

Councillor Rogers

- **Landfill** – behavior by patrons needs to be addressed – Manger of Operations will be advised
- **Truck parking on Adam St.** - Letter to be forwarded by Municipal Inspector

**11. ADJOURNMENT:
MOTION M09-408**

Moved by Carl Zettel

Seconded by Les Nichols

Adjournment

That we do now adjourn at 9:50 p.m. to meet again at 6:00 p.m. on September 8, 2009 or at the call of the Mayor

CARRIED.

William Goetz, Mayor

Debra B. Roth, Clerk