

**Municipality of South Bruce
Tuesday, October 27, 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

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

STAFF PRESENT: David Johnston, Administrator
Debra Roth, Clerk, Deputy Treasurer
Don Jackson, Municipal Inspector, (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 M09-482

Moved by Jason Rogers

Seconded by Ron Schnurr

Agenda That the Agenda for the Regular Council Meeting of October 27, 2009 be adopted as presented.

CARRIED.

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

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

MOTION M09-483

Moved by Les Nichols

Seconded by Carl Zettel

Minutes That the minutes of the Closed and Regular Meetings of October 13, 2009, be adopted as circulated.

CARRIED.

5. **BUSINESS FROM PREVIOUS MINUTES**

5.1 **Action Memo** – reviewed by the Mayor

5.2 **Medical Foundation By law** - circulated for comment

5.3 **Formosa County Road 12** - solutions to road crossing continue to be reviewed

5.4 **Giant Hogweed** –municipal by law an option to control

5.5 **Absalom St parking** – Municipal Inspector reported that a delegation will make arrangements to come to Council

5.6 **Gravel Tender** - opened October 13, 2009

MOTION M09-484

Moved by Mike McDonagh

Seconded by Les Nichols

Gravel Tender that we award the tender for the 2010 gravel crushing, supply and stockpiling requirements to Wes Riley Contracting in the amount of \$1.80/tonne for Part 1 of the contract, and \$3.30/tonne for Part 2 of the contract, and

That the Mayor and Clerk are authorized to sign the contract documents

CARRIED.

6. **REPORTS**

6.1 **6:25 P.M. REPORT OF THE MUNICIPAL (DRAINAGE) INSPECTOR**

The Drainage Inspector presented his report and the two additional quotes that had been received from the contractors in relation to the drainage repairs at the Sandy Meadows Subdivision. The option of an agreement drain was outlined to Council – a petition is required to set the process in motion. The complete report

is attached to the rough minutes. The process to establish an Agreement Drain as opposed to a Municipal Drain was discussed.

MOTION M09-485

**Moved by Ken Kueneman
Seconded by Jason Rogers
Sandy Meadows Drainage**

That we accept the tender of Goetz Contracting to repair the drainage problems at the Sandy Meadows Subdivision in the amount of \$3,097.50 which includes excavation, pipe installation and cleanup

And further that the Municipality supply the pipe, catch basins and sod restoration in the amount \$6,500.00

DEFEATED.

The motion was amended as follows:

MOTION M09-486

**Moved by Carl Zettel
Seconded by Ron Schnurr
Sandy Meadows Drainage**

That we accept the tender of Goetz Contracting to repair the drainage problems at the Sandy Meadows subdivision in the amount of \$3,097.50 which includes excavation, pipe installation and cleanup

And further that the Municipality supply the pipe, catch basins and sod restoration in the amount \$6,500.00

And further that any other associated costs for damages in regards to this drain will not be paid by the Municipality.

CARRIED.

6.1.1 Dunstan Wise Site Plan Agreement - Truck Wash Site Plan Agreement. Under the terms of this agreement Council has to give its approval before any development can happen on the property. Mr. Jackson confirmed that the conditions have been met.

MOTION M09-487

**Moved by Jason Rogers
Seconded by Les Nichols
Site Plan Agreement
#2009-37**

the Council of the Municipality of South Bruce is satisfied that the terms and conditions are being met. Council hereby instructs the Chief Building Official to proceed with the permit process.

CARRIED.

MOTION M09-488

**Moved by Ron Schnurr
Seconded by Ken Kueneman
Drainage Report**

that we receive the Drainage Report regarding Sandy Meadows Subdivision for information purposes

CARRIED.

6.2 7:00 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 were circulated prior to the Meeting. The Rec. Supervisor was not in attendance and there were no questions on the reports. The Clerk verbally expressed the concerns from the Committees that antibacterial hand wash be supplied at the recreational facilities in light of the H1N1 flu virus threat. Council agreed and will leave the purchase and placement of the hand wash receptacles up to the individual facility supervisor.

Report REC 10-09 SB1

South Bruce Programs

6.2.1 Programs – early dismissal day – events planned

Report REC 10-09 SB2 South Bruce Committees

6.2.2 Committees

Town Hall

New members – methods of recruitment were discussed at the committee meeting

Teeswater Culross Community Centre

Library relocation – fees discussed

Leisure Guide – info required

Mildmay Carrick Recreation Complex

Early Ice – A letter has been drafted to request the Sacred Heart Church Bazaar to change date for 2010 so that ice can be installed earlier – This is a board decision and council will hear a report when a reply is received.

Concern around tender process – Councillor Rogers brought forward a concern regarding pre-work undertaken without fees or compensation in relation to information needed for moisture problems on the south wall.

The question was raised of how do we get advice from one contractor when the tender may be awarded to another contractor?

Councillor McDonagh suggested a set fee to prepare the tender and then allow that contractor to bid. It was recommended that local contractors be asked to provide solutions and then Board can pick the best solution.

Administrator was questioned in regards to not accepting the lowest tender- valid reasons are required.

Moisture on South Wall – was sealed in 2009 – impacting the parquet floor.

MC Pool Chemicals - where are they stored? The Recreation Supervisor to investigate and report.

Formosa Community Hall

Floor – coating required

MOTION M09-489

Moved by Mike McDonagh

Seconded by Jason Rogers

Reports That we receive the Report of the Recreation Program and Facilities Supervisor entitled #REC-10-09 SB2, SB3 for information purposes.

CARRIED.

6.3 7:35 P.M. REPORT OF THE CLERK

The Clerk presented her reports which were circulated to Council and are attached to the rough minutes.

Report CLERK 2009-16 **Smoking Free By Law – Outdoor Public Places**

A draft by law had been circulated for Council review and discussion. Mayor Goetz suggested a blanket prohibition of smoking on all Municipal Property Council review to get back to the Clerk with any amendments to allow consideration at the next meeting. The Clerks recommendations are as follows;

1. That a By-law be considered to prohibit smoking out of doors within a 9 metre radius of public entranceways/exit ways, at Municipal owned and operated facilities and designated distances from outdoor recreational facilities such ball diamonds and soccer pitches.

2. That a public education campaign be undertaken to encourage individuals not to smoke in playground areas, outdoor sports fields/surfaces, outdoor spectator seating areas (i.e. bleachers).

3. That staff monitor the newly designated Smoke Free Areas and report back to Clerk for submission of a progress report to Council.

Report CLERK 2009-15

Monthly Activity Report

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

6.3.1 Human Resources

Accessibility Training – Admin Staff, Council and TCFD have been trained MCFD, and Operations staff have been scheduled.

HR Manual – is presently being updated by the Clerk to meet current legislation and the current needs of the Municipality.

6.3.2 Council Matters

Elections 2010 – The Clerk provided council with information regarding the placement of a question on the ballot for the 2010 Election.

Vote By Mail – Clerk recommended vote by mail once again for 2010 – good voter response and meets the Accessibility requirements.

6.3.3 Local Government Week – all 5 schools in South Bruce had been invited to participate by letter and a follow up phone call. To date only Ms. Liesemer's class from Sacred Heart School in Mildmay have expressed an interest.

MOTION M09-490

Moved by Ken Kueneman

Seconded by Ron Schnurr

Report That we receive Reports CLERK #2009-15 and Clerk #2009-16 for information purposes.

CARRIED.

6.4 7:50 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 2009-19

Monthly Activity Report

6.4.1 Accounts Receivable

Municipal Fees By law – final fee considerations have been received and incorporated into the by law – to be passed later in Meeting.

6.4.2 Purchasing and Procurement

Accounts Listing – approved

Training Reports – Reports available from the Tax Assistant and the Payroll Administrator.

6.4.3 Emergency Management

Table Top Exercise – complete

6.4.4 Taxation and Assessment

Post Roll Amended Notices – farm properties - have been mailed and calculated – \$28,600 estimated loss in tax revenue

6.4.5 Reserves

Formosa Recreation Reserve- Formosa Minor Ball has requested 50% of the Formosa Recreation Reserve. Treasurer is to advise that funds are reserved for Ball Park. A reason to use these funds have not been identified by Minor Ball and the Committee can submit a request for funding needs as is done in Mildmay and Teeswater.

6.4.6 Grants

Investing in Ontario Act – project must be picked – several suggestions were made - MCRC south wall and entrance; - Formosa County Road 12 Crossing; Co-op Bridge funding for completion; Water upgrades - Highway 4 Teeswater; Teeswater Fire Hall. Suggestions should be forwarded to Treasurer and a decision will be made next Meeting.

MOTION M09-491

Moved by Ron Schnurr

Seconded by Carl Zettel

Report That the Monthly Treasurer's report #FIN2009-19, and the attached schedules, be received for information purposes; and

That the accounts in the amount of \$338,297.66 be approved for payment

CARRIED.

Report Fin 2009-18

Bruce Grey Huron Disability

Transportation Corporation – Funding for Service

The Treasurer presented her report which was circulated to Council which included five possible options. Our share of the deficit has been requested in good faith for the services that have been continued. Consultants feel our participation in the Meetings had indicated that we may be interested in renewing the Agreement. A proportionate share owing for January and February of 2009 is \$3,060. Council still have questions regarding the percentage allotted to South Bruce since we do not have seniors or nursing homes. The Treasurer was directed to write to both the North Huron Transit and the BGHDTTC to determine costs associated with the provision of service as a "User Pay" or "fee for service" or if either corporation would even provide that service to South Bruce. The Agreement was terminated effective March 1, 2009 as per motion - two months would be considered but require a calculation of our share of the assets as well.

MOTION M09-492
Moved by Carl Zettel
Seconded by Les Nichols
Disability Transportation

that the Municipality of South Bruce ask the North Huron Transit Corporation and the Bruce Grey Huron Disability Transportation Corporation to offer transit services to the residents for the Municipality of South Bruce on a full cost recovery basis

CARRIED.

6.5 REPORT OF THE ADMINISTRATOR - (Closed Session)

7. DELEGATIONS - Nil

8. OTHER BUSINESS

8.1 Correspondence List – reviewed

8.2 MCFD – requires new Thermal Imaging Camera – funds available - council approved

MOTION M09-493

Moved by Ken Kueneman
Seconded by Jason Rogers

Thermal Imaging that Council authorize the Mildmay Carrick Fire Department to proceed with purchase a thermal Imaging Camera, which will be funded from reserves.

CARRIED.

8.3 Hanging of the Green – Council support requested. The Clerk will advise relevant parties.

MOTION M09-494

Moved by Jason Rogers
Seconded by Ron Schnurr
Hanging of the Green Parade

that the Council of the Municipality of South Bruce has no objections to the Hanging of the Green Parade to be held on November 27, 2009 at 7:30 p.m.

CARRIED.

8.4 Westario Policies – support of a unified presentation was requested from Brockton. Administrator explained the problems with the Westario polices as determined from the meetings that he has attended – Clerk to send letter confirming support of a unified presentation.

8.5 Jerry Kuntz – a letter was reviewed and the By laws for the D Kuntz Zoning Amendment will be considered later in the Meeting.

9. BY-LAWS

By Law # 2009-48 BEING A BY LAW TO AMEND BY LAW 20-1985 TO REZONE AN EXISTING RESIDENCE FOR SEVERANCE TO REZONE LANDS FOR FUTURE RESIDENTIAL LOT CREATION AND TO RECOGNIZE THE EXISTING UNDERSIZED AGRICULTURAL PARCEL

MOTION M09-495

Moved by Jason Rogers
Seconded by Carl Zettel

1st and 2nd Reading that by law #2009-48 being a by law to amend Culross Zoning by law 20-1985, to rezone an existing residence for severance to rezone lands for future residential lot creation and to recognize the existing undersized agricultural parcel (Kuntz) be read a first and second time.

CARRIED.

MOTION M09-496

Moved by Les Nichols

Seconded by Mike McDonagh

3rd Reading

that by law #2009-48 be read a third time and finally passed, signed and sealed.

CARRIED.

By Law # 2009-49

BEING A BY LAW TO AMEND ZONING BY LAW 2002-15 TO REZONE AN EXISTING RESIDENCE FOR SEVERANCE, TO REZONE LANDS FOR FUTURE RESIDENTIAL LOT CREATION AND TO RECOGNIZE THE EXISTING UNDERSIZED AGRICULTURAL PARCEL

MOTION M09-497

Moved by Ken Kueneman

Seconded by Ron Schnurr

1st and 2nd Reading

that by law #2009-49 being a by law to amend South Bruce Zoning by law 2002-15, to rezone an existing residence for severance to rezone lands for future residential lot creation and to recognize the existing undersized agricultural parcel (Kuntz) be read a first and second time.

CARRIED.

MOTION M09-498

Moved by Jason Rogers

Seconded by Les Nichols

3rd Reading

that by law #2009-49 be read a third time and finally passed, signed and sealed

CARRIED.

By Law # 2009-50

BEING A BY LAW TO ESTABLISH, RATIFY AND IMPOSE FEES AND CHARGES FOR GOODS AND SERVICES PROVIDED BY THE MUNICIPALITY OF SOUTH BRUCE

MOTION M09-499

Moved by Mike McDonagh

Seconded by Carl Zettel

1st and 2nd Reading

that by law # 2009-50 to establish, ratify and impose fees and charges for goods and services provided by the Municipality of South Bruce be read a first and second time.

CARRIED.

MOTION M09-500

Moved by Les Nichols

Seconded by Ron Schnurr

3rd Reading

that by law #2009-50 be read a third time and finally passed, signed and sealed

CARRIED.

By Law # 2009-51

BEING A BY LAW TO PROVIDE FOR A CLEANOUT OF A DRAINAGE WORKS (BELL SITLER DRAIN)

MOTION M09-501

Moved by Jason Rogers

Seconded by Ken Kueneman

1st and 2nd Reading

that by law # 2009-51 to provide for a cleanout of a drainage works (Bell-Sitler Drain), be read a first and second time.

CARRIED.

MOTION M09-502

Moved by Les Nichols

Seconded by Mike McDonagh

3rd Reading

that by law #2009-51 be read a third time and finally passed, signed and sealed

CARRIED.

By Law # 2009-53 BEING A BY LAW TO AUTHORIZE AN AGREEMENT WITH GENIVAR CONSULTANTS LP FOR CONSULTING SERVICES IN CONNECTION WITH THE TEESWATER FORMOSA SANITARY SEWER PROJECT

MOTION M09-503

Moved by Ken Kueneman

Seconded by Mike McDonagh

1st and 2nd Reading THAT By law #2009-53 being a by law to authorize an agreement with Genivar Consultants LP for consulting services in connection with the Teeswater Formosa Sanitary Sewer Project , be read a first and second time

CARRIED.

MOTION M09-504

Moved by Les Nichols

Seconded by Ron Schnurr

3rd Reading that by law #2009-53 be read a third time and finally passed, signed and sealed

CARRIED.

By Law # 2009-54 BEING A BY LAW TO AUTHORIZE AN AGREEMENT WITH MINISTER OF PUBLIC WORKS AND GOVERNMENT SERVICES FOR THE ACCREDITATION OF THE OPERATING AUTHORITY OF MUNICIPAL DRINKING WATER SYSTEMS

MOTION M09-505

Moved by Jason Rogers

Seconded by Ken Kueneman

1st and 2nd Reading THAT By law #2009-54 being a by law to authorize an agreement with Minister of Public Works and Government Services for the accreditation of the Operating Authority of Municipal Drinking Water Systems , be read a first and second time.

CARRIED.

MOTION M09-506

Moved by Les Nichols

Seconded by Carl Zettel

3rd Reading that by law #2009-54 be read a third time and finally passed, signed and sealed

CARRIED.

10. COUNCILLOR REPORTS

Mayor Goetz

- **Meeting with Carol Mitchell** – DWQMS – Sharon to send info
- **OMPF** – Carol Mitchell contacted OMAFRA and Dwight Duncan and they are using us as an example for their considerations.
- **Wardens Banquet** – Thank you for the Warden's gift

Councillor Rogers

- **Urban clutter** – signs being placed on hydro poles in Mildmay - not permitted by Westario and Hydro One the Administrator suggested that we consider a sign by law once again

Councillor Nichols –

- **Wingham Dr Recruitment** – new recruitment officer is Jan Weishar
- **Teeswater Library** – tender documents out next week November 18, 2009 deadline

Councillor Schnurr

- **Parade Entry** - Council will enter both the Hanging of the Green parade and the Santa Bop using one of the new Municipal Trucks. Manager of Operations will advise her department.

11. 9:25 P.M. CLOSED SESSION

Council moved into Closed Session at 9:25 p.m.

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

MOTION M09-507

Moved by Les Nichols

Seconded by Ron Schnurr

Closed Session

that the Council of the Municipality of South Bruce proceed into a Closed Meeting at 9:25 p.m. to discuss

- Litigation or potential litigation
- Personal matters about an identifiable individual, including employees

CARRIED.

A motion to extend was required in order to complete the Closed Session.

MOTION M09-508

Moved by Ron Schnurr

Seconded by Les Nichols

Extension

that pursuant to Section A5.2 of the Municipality of South Bruce Procedure By Law as amended, council will extend the Meeting beyond 10:00 p.m.

CARRIED.

MOTION M09-509

Moved by Mike McDonagh

Seconded by Ron Schnurr

Open Session

that Council return to Open Session at 10:35 p.m.

CARRIED.

MOTION M09-510

Moved by Les Nichols

Seconded by Carl Zettel

Roads Operator

that the Manager of Operations be authorized to advertise for a full time operator for the Roads department.

CARRIED.

12. ADJOURNMENT:

MOTION M09-511

Moved by Ron Schnurr

Seconded by Les Nichols

Adjournment

That we do now adjourn at 10:37 p.m. to meet again at 6:00 p.m. on November 10, 2009 or at the call of the Mayor

CARRIED.

William Goetz, Mayor

Debra B. Roth, Clerk