

Minutes of a Meeting of Council for the Township of North Frontenac, held Thursday, January 25, 2007 at the Snow Road Community Hall, Snow Road, Ontario

PRESENT: Mayor Ron Maguire; Councillor Wayne Good and Councillor Fred Perry – Ward 1; Councillor Lonnie Watkins and Councillor Wayne Cole – Ward 2; Deputy Mayor Jim Beam and Councillor Bob Olmstead – Ward 3.

ALSO PRESENT: Cheryl Robson, CAO; Brenda Defosse, Clerk; Kathleen Cox, Deputy Clerk; Dave Young, CBO; Steve Riddell, Fire Chief; Jeff Green, Frontenac News; Terry Shea and Jo-Anne Cuddy, Land O'Lakes Tourist Association; Delmar Sargeant; Keith Mabo; Pearl Killingbeck; Gertie Mac Donald; Olive Allen; Bud Clayton; Colonel St. Pierre; Annette St. Pierre

1. CALL TO ORDER

The Mayor called the meeting to order at 9:35 a.m., and welcomed everyone from the gallery. The Mayor commented this was the first meeting of Council held at the Snow Road Community Hall and complimented on what a lovely hall it is.

Maguire advised Council this would be the last Council Meeting to have “Approval of Agenda” on the Agenda. He clarified a few months ago he had asked that it be included on the Agenda. However, at the New Municipal Act training session he attended, it was the consensus that the Approval of Agenda is not good practice. Staff submits their information for the Agenda in the form of Administrative Reports to the CAO for approval/additions first, to assist Council on making an informed decision and to add items at the last minute may mean that Council has a lack of information and time to consider. On occasion, when there is a deadline that has to be met, it is acceptable, otherwise items should be submitted prior to the Agenda being completed.

2. APPROVAL OF AGENDA

Item: 5b), 5d), 5e) and 9a) be Deferred to February 8, 2007 Meeting of Council.

Addition of the following items:

- 6a) Ontario Government’s Rural Infrastructure Investment Initiative
- 12e) By-law supporting submitting an Application through the Ontario Government’s Rural Infrastructure Investment Initiative.

3. DISCLOSURE OF PECUNIARY INTEREST

None Declared

4. DELEGATIONS

a) Bud Clayton - Representative for Gail and Larry Tufford – Cottages owned on Municipal Shore Road Allowance, Head Road, Cloyne – Barrie Ward
Maguire introduced Mr. Clayton. Mr. Clayton gave a synopsis of the Tufford’s leasing the Township property. After a meeting of Council on July 20, 2006 Mr. and Mrs. Tufford received a letter informing them due to safety and environmental reasons, the Township could no longer continue to lease to them the property on Head Road (Lease has expired). At this time they were given until May 1, 2007 to vacate. In a meeting of

Council on July 28, 2006, Mr. and Mrs. Tufford were granted an extension of the vacating date to July 1, 2007.

Mr. Clayton addressed the environmental issue and safety issue as follows:

1. **Environmental** – Mr. and Mrs. Tufford had a holding tank installed and have had this tank pumped out on a regular basis by Mumby Septic, with certificates to verify this. They do use the lake water for personal hygiene purposes. Mr. Clayton said environment issue is not a problem.
2. **Safety** – Mr. Clayton said he was unable to find any documentation stating safety is an issue. He has talked to some residents who use this road and they were willing to sign an affidavit saying they didn't see a safety issue. Upon checking with the OPP, he was told there have been only two accidents. Mr. Clayton said if this property is vacated it would become a public domain and would create further hazards.

Mr. Clayton did give some suggestions on how to alleviate this problem such as using signage, painting a white line down the middle of the road and speed reduction. He asked Council to reconsider their decision and to grant Mr. and Mrs. Tufford a two year lease. Mr. Clayton felt the "License Fee" that is paid to the Township would go a long way to pay for any signage. Mr. Clayton felt there is no background to prove this is a safety issue and the actual ownership may even be in dispute.

Maguire asked for comments from Council. Maguire reminded Mr. Clayton that part of the reason for Council's decision was there was no other alternative after checking with PWM regarding safety. He also reminded Mr. Clayton that he agreed with the decision of Council to pass a Motion based on the Administrative Report of the Clerk at the July 20, 2006 meeting of Council and by a Motion passed by Council September 28, 2006, granting an extension to the Tufford's of the timeline to vacate. Perry explained that the dam is on the Mazinaw and there is no infringement on Little Marble. Maguire said he would take the issue back to staff to look at one more time but that he has heard nothing new from Mr. Clayton. He felt he would have an answer for Mr. Clayton at the next meeting of Council on February 8, 2007.

b) Land O'Lakes Tourist Association (LOLTA) Terry Shea, General Manager - Update
Mr. Shea gave an update to Council of what the LOLTA has planned for the upcoming year and what the Association's purpose is.

Mr. Shea explained how members of the Association can take advantage of the Rural Economic Development (RED) Program. By showing the Let's Go logo on any brochures, signs etc., they would be reimbursed 40% of the cost approved in advance by LOLTA and by simply submitting a copy of the cheque and a hard copy of their marketing strategy.

Maguire thanked Mr. Shea and congratulated him on a good job of marketing our area. The CAO questioned Mr. Shea regarding the work the Recreation Economic Development Program Coordinator (REDPC) is working on with him and that she thought the signs they are working on would be 100% reimbursed. Mr. Shea explained it is 40% for brochures and 100% for signs as promoting the LOLTA area as a whole. Beam questioned if the laminated maps with the ATV trails by a local business would qualify for this reimbursement? Mr. Shea confirmed, as long as they include the Let's

Go logo on the map, and if the business is a member of LOLTA. The business goes to LOLTA directly for approval, (separate from the Township).

5. ADOPTION OF MINUTES (COUNCIL AND COMMITTEE)

- a) Regular Meeting of Council held January 11, 2007
- d) ~~Closed Meeting of Council held January 11, 2007~~ – Deferred to February 8, Meeting
- c) Committee of Adjustment/Planning Advisory held December 12, 2006

Comments: Beam questioned the pathway on the Tooley's property. The Clerk gave an explanation of the footpath in discussion. At the time the Severance was applied for, Mississippi Valley Conservation (MVC) based their decision on the footpath being no wider than three feet. The path is to provide property owners access to the lake, no vehicular traffic. Mr. Tooley has asked Mississippi Valley Conservation Authority (MVCA) for special consideration to make a wider path to accommodate a four wheeler.

- d) ~~Special Meeting of Council held January 15, 2007~~ – Deferred to February 8, Meeting
- e) ~~Closed Meeting of Council held January 15, 2007~~ – Deferred to February 8, Meeting

Moved by Councillor Olmstead, seconded by Councillor Good #36-07
THAT the minutes of the Regular Meeting of Council held January 11, 2007, be adopted as circulated;

AND THAT THE Committee of Adjustment/Planning Advisory Committee Meeting held on December 12, 2006, be received for information.

Carried

6. BUSINESS ARISING OUT OF MINUTES

The Clerk advised of four possible projects for the grant application, Mississippi Bridge replacement, roof over the Plevna Ice Rink or the Barrie and Clar/Mill Halls, post-mould construction or a new roof for the Plevna Hall. It was the consensus of Council to submit a grant for the bridge. A By-law is to be considered later in this meeting.

7. OLD BUSINESS

- a) Frontenac Accessibility Advisory Committee (FAAC)

Comments: Maguire explained to Council that this Committee still requires a representative from North Frontenac with a disability. Unfortunately for the past two years we have been unable to recruit someone, possibly because of the distance to the meetings. Committee members are paid \$25.00 per day plus mileage. It would be in the best interest of our Township to have someone from the community on this Committee. Maguire asked Council if they knew of anyone they could approach. The CAO clarified because it is legislated we need to comply. Watkins suggested we place an advertisement in the local newspaper. It was the consensus of Council that the Clerk prepare and submit said advertisement.

8. COMMUNICATIONS – Administrative Report

Alert 07/02 - Ministry of Health and Long-Term Care's Bill 140, Long-Term Care Homes Act, 2006

Maguire expressed his concern with Bill 140 and how it will negatively impact Nursing Homes. By adding on more administration work without adding more staff would cause residents of Nursing Homes to suffer. It is hard to cut programs or reduce costs. He also noted the stiff penalties, one year in jail or a \$25,000 fine for breaching any of the Legislation. The CAO explained that there are several other budget increases that the Township cannot control due to Legislation changes.

A8) 2007 Police Annual Estimate

Beam inquired if there were any figures available for the 2006 year end. The CAO advised that we won't know until the year end adjustment has been received. The CAO stated once she receives the final number, she will ask the OPP to come back to Council with an explanation.

A6) Minister of Finance – Ontario Municipal Partnership Fund (OMPF) allocations for 2007

Perry mentioned that grant amounts have increased and that is good for the Township. The Mayor explained that these numbers don't reflect the big picture, and that it isn't as good as it sounds (i.e. still a shortfall in funding/downloaded services).

A4) Stewardship Ontario Waste Diversion Third Quarterly Payment for 2006 to help pay for Blue Box recycling program.

Good asked the Clerk if there is a grant available to give out Blue Boxes the same as we have done for the Green composter. The Clerk said it would depend if there is a need. Maguire responded that the grant presently received is based on the Township's efficiency. The Clerk is to look at the possibilities of grants.

Moved by Councillor Olmstead, seconded by Councillor Good #37-07

THAT Section A Items of the Clerk's Administrative Report entitled Communications of Interest to Council dated January 17, 2007, as set out below, be received for information.

AMO/MFOA Bulletins, Etc.

Alert 07/02 – Ministry of Health and Long-Term Care's Bill 140, Long-Term Care Homes Act, 2006

1. Communities in Bloom – Community Work Shop Hosting
2. Minister of Municipal Affairs and Housing – Municipal Statute Law Amendment Act, 2006 the Planning and Conservation Land Statute Law Amendment Act, 2006 – the City of Toronto Act, 2006 - New Building Code
3. York Region – Finding Common Ground: Character Development in Ontario Schools – Work Shop
4. Stewardship Ontario Waste Diversion Third Quarterly Payment for 2006 to help pay for Blue Box recycling program.
5. Canadian Association for Humane Trapping – Brochures
6. Minister of Finance – Ontario Municipal Partnership Fund (OMPF) allocations for 2007
7. OGRA – Long Service Awards
8. 2007 Police Annual Estimates

Carried

Section B

1. The Corporation of the Town of New Tecumseth is asking for support in maintaining the 70 acres of the original lands bequeathed to the Ontario Historical Society by Edward K. Banting.

Moved by Councillor Good, seconded by Councillor Watkins #38-07

THAT Item(s) B 1 of the Communications of Interest to Council Administrative Report dated January 17, 2007, be received for information.

Carried

2. Federation of Canadian Municipalities (FCM) - New Funding Opportunity for Municipal Solid Waste Projects

Moved by Councillor Olmstead, seconded by Councillor Good #39-07

THAT Jacques Whitford as an extension of the Diversion Report be asked by the Clerk to review the qualifications/initiatives for submission under the FCM Municipal Solid Waste Projects.

Carried

9. DEPARTMENT HEAD / COUNCIL MEMBER ADMINISTRATIVE REPORTS

- ~~a) REDPC – Communities in Action Fund Program Grant - Deferred to February 8, 2007 Meeting~~

- b) REDPC – Festival and Event Enhancement Initiative Proposal re: Celebrate Ontario

The CAO explained the detailed information she obtained from the Auditor and the Ministry that was provided to Council prior to the meeting.

Moved by Councillor Good, seconded by Councillor Watkins #40-07

THAT Council authorizes the REDPC to submit the Double “S” Sports and Marine’s Proposal to the Ontario Ministry of Tourism under the “Celebrate Ontario Festival and Event Enhancement Initiative” prior to January 29, 2007 deadline and if the Grant is approved the Township of North Frontenac and Double “S” Sports and Marine, shall enter into a Contract that explains the details of this Public/Private Partnership.

Carried

- c) Clerk – New Pits & Quarry Legislation

Comments: Maguire questioned the need for the Township to advise pit and quarry owners of the seminar. The Clerk explained it is in the Townships best interest to encourage the owners to register their pits and quarries. If the Township was left to haul aggregate long distances the financial cost would be significant.

Moved by Councillor Good, seconded by Councillor Watkins #41-07

THAT the Clerk/Planning Coordinator Administrative Report dated January 18, 2007 entitled New Pits & Quarry Legislation be received for information;

AND that Council Authorizes that the Public Works Manager be instructed to advise pit and quarry owners in North Frontenac Township of the Public Information Seminar;

AND THAT the Clerk is authorized to advertise the said Public Information Seminar jointly with Central Frontenac Township;

AND THAT Council shall lobby the Province against the unregulated parts of Ontario being included in this legislation and against the immediate implementation of same; and that surrounding municipalities be contacted and our MPP to join in lobbying efforts.

AND THAT the Clerk shall notify MNR of this immediately.
AND THAT Council Members if available, attend the seminar for information purposes;
AND THAT the PWM be instructed to provide Council with a follow-up Administrative Report.

Carried

d) CAO/Treasurer – Mileage Rate – 2007 Report

Moved by Councillor Watkins, seconded by Councillor Good #42-07

THAT the Council of the Township of North Frontenac accept the CAO/Treasurer's Administrative Report, "Mileage Rate – 2007 Report";

And further, approve an increase in the mileage rate to \$0.45/km effective January 1, 2007, to be reviewed in six months by Council.

Carried

10. BILLS AND ACCOUNTS

Moved by Councillor Watkins, seconded by Councillor Good #43-07

THAT, the following Vouchers in the amount of \$146, 290.45 be approved for payment:

- January 9, 2007 @ \$ 14,604.64 2007 EXPENSE
- January 11, 2007 @ \$ 42,757.81 2006 EXPENSE
- January 19, 2007 @ \$ 560.00 2007 EXPENSE
- January 19, 2007 @ \$ 58,604.72 2006 EXPENSE
- January 19, 2007 @ \$ 29,763.28 2007 EXPENSE

Carried

11. NEW BUSINESS/OTHER BUSINESS

a) 2006 North Frontenac Township On-Site Wastewater Disposal System Inspection Program Report

Comment: Perry stated he would like to have more involvement from students. The Clerk would like to put on next agenda. Maguire questioned the Clerk if there is a data base for follow-up. The Clerk said currently we have the information on an Excel spreadsheet, to carry from this point she would need some help. The Clerk said there is some partnering with the Health Unit as much as possible. Clerk is to send the report to MVC to finalize now that Council has approved the draft. Then it is a public document. The Clerk was instructed to discuss possible FCM Grant options with Jacques Whitford

Moved by Councillor Watkins, seconded by Councillor Good #44-07

THAT the Draft 2006 North Frontenac Township On-Site Wastewater Disposal System Inspection Program Report, prepared by Jamie Saunders of Mississippi Valley Conservation be received for information.

Carried

12. BY-LAWS

a) 04-07 – To Close Up, Stop and Sell Shore Road Allowances

Moved by Councillor Perry, seconded by Councillor Beam #45-07

THAT as required by By-law 19-98,

- the shoreline road allowance lying in front of Lot 41, Plan 1114 described as Part 1 on plan 13R-18595, geographic Township of Barrie, in the Township of North Frontenac, be declared as surplus and sold to the adjoining owners (Newman);
- the shoreline road allowance lying in front of Part Lot 7, Conc. 9 being Part 5 on Plan 13R-12102, geographic Township of Barrie, in the Township of North Frontenac, be declared as surplus and sold to the adjoining owners (Powidajko);
- the shoreline road allowance lying in front of Lot 1, Plan 1115, being Part 1 on Plan 13R-18595, geographic Township of Barrie, in the Township of North Frontenac, be declared as surplus and sold to the adjoining owners (Seitz).

An appraisal of these properties is not necessary as these are road allowances.

Carried

Moved by Councillor Perry, seconded by Councillor Beam #46-07

THAT By-law #04-07 being a by-law to stop up, close and sell the 66' shoreline road allowances, described as lying in front of Part of Lot 41, Plan 1114, described as Part 1 on Plan 13R-18595, geographic Township of Barrie, Township of North Frontenac, AND lying in front of Part Lot 7, Conc. 9, being Part 5 on Plan 13R-12102, in the geographic Township of Barrie, Township of North Frontenac,

AND lying in front of Lot 1, Plan 1115, being Part 1 on Plan 13R-18595, geographic Township of Barrie, in the Township of North Frontenac, be read a first and second time.

Carried

Moved by Councillor Perry, seconded by Councillor Beam #47-07

THAT By-law #04-07 be read a third time and finally passed.

Carried

- b) #08-07 – To Authorize the Mayor and Clerk to sign Restricted Covenant Agreements (required for Shore Road Closings when conveyances abut full lots on a plan of subdivision and as well severed property that is to be added to full lots on a plan of subdivision (as per Planning Act Section 53 [42]) (Newman/Beatty/Flack/Fung)

Moved by Deputy Mayor Beam, seconded by Councillor Perry #48-07

THAT By-law #08-07 being a by-law to authorize the Mayor and Clerk to execute a Restricted Covenant Agreement between the Township of North Frontenac and

1. K. Scott Newman
2. Linda Beatty
3. Victor Flack and Patricia Fung

Be read a first and second time

Carried

Moved by Councillor Perry, seconded by Councillor Beam #49-07

THAT By-law #08-07 be read a third time and finally passed.

Carried

c) #09-07 – To Authorize the Mayor and Clerk to sign Cloyne Dump Site Closing Plan
(Report & Plan accepted & approved by former Council – copy attached with resolution)

Moved by Deputy Mayor Beam, seconded by Councillor Perry # 50-07

THAT By-law #09-07 being a by-law to authorize the Mayor and Clerk to sign the Closure Plan Report and proposed Municipal Solid Waste Transfer Station and Recycling Depot design for the Cloyne Dump Site, prepared by Jacques Whitford, to be submitted to the Ministry of Environment be read a first and second time.

Carried

Moved by Deputy Mayor Beam, seconded by Councillor Perry #51-07

THAT By-law #09-07 be read a third time and finally passed.

Carried

Moved by Deputy Mayor Beam, seconded by Councillor Olmstead #52-07

THAT the Clerk prepare a letter to Jacques Whitford expressing our dismay in the timing in receiving this application and that a written response be requested.

Carried

d) #10-07 – To Authorize the Mayor and Clerk to sign a Licensing Agreement –Tucker

Moved by Deputy Mayor Beam, seconded by Councillor Perry #53-07

THAT By-law #10-07 being a by-law to authorize the Mayor and Clerk to sign a License Agreement with Gordon James Tucker and Nancy Ethel Tucker be read a first and second time.

Carried

Moved by Councillor Cole, seconded by Councillor Perry #54-07

THAT By-law #10-07 be read a third time and finally passed.

Carried

e) By-law supporting submitting an Application through the Ontario Government's Rural Infrastructure Investment Initiative.

It was noted that the Clerk and PWM will be preparing wording for the grant application and they may require assistance from Totten Sims Hubicki (TSH).

Moved by Councillor Olmstead, seconded by Councillor Good #55-07

THAT Council supports, approves and authorizes the REDPC making Application through the Ontario Government's Rural Infrastructure Investment Initiative for The Mississippi Bridge as its top priority project;

AND THAT a By-law affirming Council's support be enacted to be submitted with the Application.

Carried

Moved by Councillor Olmstead, seconded by Councillor Good #56-07
THAT By-law #12 -07 being a by-law affirming the Council of the Township of North Frontenac's support in submitting an Application through the Ontario Government's Rural Infrastructure Investment Initiative for the Mississippi Bridge being its top priority project, be read a first and second time.
Carried

Moved by Councillor Olmstead, seconded by Councillor Good #57-07
THAT By-law #12-07 be read a third time and finally passed.
Carried

Note: The Deputy Clerk left the meeting at this time.

13. CLOSED SESSION

Moved by Councillor Perry, seconded by Councillor Cole #58-07
THAT Council retires to closed session at 11:45 a.m. to discuss:
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees
Carried

RETURN TO OPEN SESSION

Moved by Councillor Cole, seconded by Councillor Perry #59-07
THAT Council returns to open session at 1:32 p.m.
Carried

OTHER BUSINESS

Contract Employee

Moved by Deputy Mayor Beam, seconded by Councillor Perry #60-07
THAT the CAO/Treasurer be instructed to look into hiring a contract employee as a "Special Financial Advisor to the CAO".
Carried

Joint County Council

The CAO advised that the next Joint County Council meeting is tentatively set for March 21, 2007.

Concession Concerns

Olmstead asked about a resident's concern with respect to a Township Concession. Olmstead shall give the resident the Clerk/Planning Coordinator's contact information.

New Municipal Act – Councillor Training

Discussion took place on new requirements under the new Municipal Act. (i.e. Transparency, Need to update our fee structure By-law, Liability issues, Appointments with respect to Closed Sessions, etc.). The Clerk and CAO are to have training in February and will bring these issues back to Council for discussion.

14. ADJOURNMENT

Moved by Councillor Perry, seconded by Councillor Cole

#61-07

THAT the meeting adjourn at 1:42 p.m. until February 8, 2007 or at the call of the Chair.

Carried

Mayor

Clerk