

**TOWNSHIP OF ESSA  
COMMITTEE OF THE WHOLE  
WEDNESDAY, SEPTEMBER 2, 2009  
6:00 p.m.**

A Committee of the Whole meeting was held on Wednesday, September 2, 2009 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor David Guergis  
Deputy Mayor Terry Dowdall  
Councillor Sandie Macdonald  
Councillor Rick Newlove  
Councillor Ron Henderson

Staff in attendance: G. Murphy, M. Galloway, J. Barrett, C. Healey, P. Macdonald, D. Straus

**1. OPENING OF MEETING BY THE MAYOR**

Mayor Guergis called the Committee of the Whole meeting to order at 6:09 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST - None**

**3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**

**a. 6:00 Cheque Presentations**

Re: Royal Victoria Hospital – David Blenkarn, I Believe Campaign Chair

The Mayor and Council presented a cheque to RVH as a donation from proceeds received from the Essa Challenge Golf Tournament. Campaign chair, David Blenkarn, accepted the cheque and thanked Council for its continuous support of Royal Victoria Hospital.

The Mayor, on behalf of Council, thanked Recreation staff for the excellent job done in running the event once again this year.

Re: Hydro One

The Mayor and Council received a cheque in the amount of \$7,500 for use towards drainage improvements and infield screenings at Angus Community Park by Hydro One. The Mayor, on behalf of Council, thanked Hydro One for the generous donation.

**b. 6:10 Public Meeting – Official Plan Amendment**

Re: Elmgrove Community Hall

The Mayor opened the meeting and introduced the item. He then asked the Manager of Planning and Development to give an overview of the matter to those in attendance.

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Mr. Paul Whiteside requested to speak representing Ella Dunn, the owner of 6458 5<sup>th</sup> Sideroad of Essa and presented the Clerk with a letter of authorization from Ms. Dunn indicating his representation of her in this matter. He expressed concern with the registered deed of the property and the objectivity of the municipality in dealing with lands they own. Mr. Whiteside also expressed concern with the proposed use of the property as agricultural special designation. In addition to the concerns raised, Mr. Whiteside also indicated he wished to see more detail added to the upcoming official plan review in regards to residential units in agricultural areas.

Kim Murphy attended, representing his business located adjacent to the property. He indicated that his farm operation does produce typical agricultural smells and wishes for this information to be provided on title to the successful purchaser. He also indicated that he would like to see a portion of the profits of the sale be provided to the Dunn Family.

The Mayor asked if there were any further questions from those in attendance or from council. As no more comments or questions were noted, the Mayor closed the meeting and thanked everyone for attending.

**c. 6:30 Richard Steiginga and Wayne Carter, Collins Barrow**  
Re: 2008 Financial Statements

The auditors attended the meeting in order to review the 2008 financial statements with council and to answer Council's questions. A full review of the report was presented to Council by the representatives of Collins Barrow.

Councillor Newlove asked what percentage of tax receivables was outstanding and what the general acceptable ratio was given by MMAH to Ontario municipalities. The auditors indicated that in 2008 a 9.1% tax receivable was outstanding and in 2007 the percentage was 8.72%. The acceptable percentage set by MMAH is 10% in Ontario. The auditors noted that a working reserve of approximately \$900,000 is set aside for this purpose.

The auditors noted revenues were higher than budgeted, and expenditures were lower than budgeted and noted this was to the credit of township council and staff. They also noted that compared to other municipalities Essa is doing well financially.

**d. 6:45 Public Meeting – Hydro One**  
Re: To declare surplus and authorize the transfer of a permanent easement over Part of Lot 21 and Part of Lot 22, Plan 1372, Township of Essa, County of Simcoe as in RO124858, now described as Parts 1 and 2 on Plan 51R-36257

The Mayor opened the meeting with a brief overview of the item. He asked if anyone in attendance or council had any comments they wished to bring forward. Hearing no comments, the Mayor closed the meeting.

**STAFF REPORTS**

**4. PLANNING AND DEVELOPMENT**

**a. Pinewoods Chapel extension of permission for use of office trailer Sunday mornings**

Resolution No: CW139-2009 Moved by: Newlove, Seconded by: Henderson

*Be it resolved that Report P09-46 from the Manager of Planning and Development be received; and*

*That Pinewoods Chapel at 52 Brian Avenue, Angus, be permitted to maintain a temporary office trailer as currently on site, for use on Sunday mornings, for a further period of one year.*

Carried

**b. Angus Auto Pro, 209 Mill Street - Site Plan Approval**

Resolution No: CW140-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Report P09-47 from the Planning Technician be received; and  
That the Site Plan for Angus Auto Pro be accepted.*

Carried

**c. Attendance at Committee of Adjustment Fall Seminar-One Day Workshop**

Resolution No: CW141-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Report P09-48 from the Manager of Planning and Development be received; and further*

*That one Committee of Adjustment member and staff be authorized to attend the one day seminar for those associated with Committees of Adjustment in the Province on Friday September 25<sup>th</sup>, 2009 in Mississauga at a cumulative cost of \$425.00.*

Carried

**d. OMB Pre-Hearing – Assignment of Date and Request for Legal Representation**

The Mayor declared a conflict on this item and handed the chair over to the Deputy Mayor.

Resolution No: CW142-2009 Moved by: Macdonald, Seconded by: Henderson

*Be it resolved that Report P09-49 from the Manager of Planning and Development be received; and further*

*That Graham, Wilson & Green continue to represent the Township on the matter of the Township's existing Official Plan.*

Carried

**e. Application for Zoning By-law Amendment – Pinewoods Chapel, Part Lot 32, Concession 4, 9058 5<sup>th</sup> Line**

Resolution No: CW143-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report P09-50 from the Manager of Planning and Development be received; and*

*That a public meeting be scheduled to gather comments on a proposed Zoning By-law Amendment to permit a new church complex at the southwest corner of County Road 90 and the 5<sup>th</sup> Line of Essa.*

Carried

**5. PARKS AND RECREATION / COMMUNITY SERVICES**

**a. Essa Challenge 2010**

Resolution No: CW144-2009 Moved by: Dowdall, Seconded by: Henderson

*Be it resolved that Report RP-2009-13 from the Recreation Coordinator/Programmer be received; and*

*That the Essa Challenge date be set for June 10, 2010 at Tangle Creek with the proceeds going to RVH Cancer Care Unit if a suitable rate per golfer is negotiated.*

Carried

Staff was directed to negotiate a lower rate with Tangle Creek comparable to what was paid in 2008 to maximize the donation the RVH.

**b. Italian Cultural Club of Barrie**

Resolution No: CW145-2009 Moved by: Henderson, Seconded by: Dowdall

*Be it resolved that Report RP-2009-14 from the Recreation Coordinator/Programmer be received; and*

*That the request to waive the rental fees and apply for a liquor license for the Italian Cultural Club of Barrie family picnic that is proposed to be held at the Thornton Outdoor Pad be denied.*

Carried

**c. Brownley Meadows Park**

Resolution No: CW146-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that Report RP-2009-15 from the Recreation Coordinator/Programmer be received; and*

*The cost estimate from Sarjeant Company be accepted with the Parks Department supplying their recommended portion at a much lower price.*

Carried

**d. Request to waive rental fee for free Flu Clinic**

Resolution No: CW147-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report RP-2009-16 from the Recreation Coordinator/Programmer be received; and further*

*That the Thornton arena meeting room fee for a flu clinic on October 24, 2009 from 12 noon – 6 pm be waived.*

Carried

**e. Request to waive rental fee for Angus Horticultural Society**

Resolution No: CW148-2009 Moved by: Henderson, Seconded by: Macdonald

*Be it resolved that Report PR -2009-17 from the Recreation Coordinator/Programmer be received; and further*

*That the Angus Gymnasium rental fee for 2009 District 16 Fall Seminar for the Angus Horticultural Society on Saturday October 23 & 24, 2009 be waived.*

Carried

**6. FIRE AND EMERGENCY SERVICES**

**a. Highway Traffic Act, Vehicle #7, Municipal vehicle with red lights**

Resolution No: CW149-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report F05-2009 from the Fire Chief be received; and  
That Essa Roads vehicle #7 be deemed a dual purpose vehicle, to be identified under the Fire Department fleet and have a Fire Department logo affixed to the vehicle to meet the Ministry of Transportation Ontario and the Highway Traffic Act requirements for municipal vehicles with red lights.*

Carried

**7. PUBLIC WORKS**

**a. King Street Concrete Arch Culvert**

Resolution No: CW150-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Report PW-09-43 from the CAO/Manager of Public Works be received; and further*

*That AECOM investigate various options including associated cost estimates for the replacement of the King Street Concrete Arch Culvert for consideration during 2010 Budget deliberations.*

Carried

**b. Petition for Speed Reduction on the 5<sup>th</sup> Line, between Denney Drive and the Nottawasaga River (Miller's Bridge)**

Resolution No: CW151-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Report PW-09-44 from the CAO/Manager of Public Works be received; and further*

*That it is recommended that the petitioners' request for a reduced speed limit to be implemented on the 5<sup>th</sup> Line, between Denney Drive and the Nottawasaga Bridge be denied and a copy of Report PW-09-44 be sent to each petitioner.*

Carried

Deputy Mayor Dowdall asked staff to request the OPP to target the area if possible.

**c. Baxter Ball Diamond Concession Stand**

Resolution No: CW152-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report PW-09-49 from the CAO/Manager of Public Works be received and referred to 2010 budget deliberations.*

Carried

**d. Approved Tenders/Quotations**

Resolution No: CW153-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that Report PW-09-51 from the CAO/Manager of Public Works be received; and further*

*That all of the tenders and quotations as outlined in this report as approved by the CAO, are hereby confirmed.*

Carried

**8. FINANCE**

**a. Commitment Letter – Bank of Nova Scotia**

Resolution No: CW154-2009 Moved by: Macdonald, Seconded by: Henderson

*Be it resolved that the letter from The Bank of Nova Scotia be received; and*

*That the CAO/Public Works Manager and the Treasurer be authorized to sign the "Commitment Letter" accepting the credit facilities as offered by The Bank of Nova Scotia.*

Carried

- b. Request authorization for Julie Barrett to attend Municipal Finance Officers Association Annual Conference – Sept. 23, 24, 25, 2009 and Request authorization for Kyle Freeborn to attend the 2009 Municipal Diamond Client Conference – Sept 14,15,16, 2009 and the "Fixed Assets Proficiency and Optimization" training session – Sept. 17,18, 2009**

Resolution No: CW155-2009 Moved by: Henderson, Seconded by: Macdonald

*Be it resolved that Report No. TR-2009-15 from the Treasurer be received; and That Julie Barrett is authorized to attend the Municipal Finance Association 2009 conference; and That Kyle Freeborn is authorized to attend the 2009 Municipal Diamond Client Conference and the Diamond "Fixed Assets Proficiency and Optimization" training session.*

Carried

- c. Development Charge By-Law 2004-51 - Indexing of rates**

Resolution No: CW156-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report No. TR-2009-16 from the Treasurer be received; and That development charge rates be indexed effective September 1, 2009, in accordance with By-Law No. 2008-82 with calculated rates decreased by 2.45%.*

Carried

- d. Request for Tax Arrears Extension Agreement - BLK 42 PL 51M466 Roll # 4321 010 008 19500 0000**

Resolution No: CW157-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that Report No. TR-2009-17 from the Treasurer be received; and That a by-law to authorize the execution of a tax arrears extension agreement for the property identified as Block 42, Plan 51M466, Essa Township, Assessment Roll # 4321 010 008 19500 0000 be prepared for the consideration of Council.*

Carried

- e. Request for Tax Arrears Extension Agreement - BLK 39 PL 51M466 Roll # 4321 010 008 19502 0000**

Resolution No: CW158-2009 Moved by: Henderson, Seconded by: Macdonald

*Be it resolved that Report No. TR-2009-18 from the Treasurer be received; and*

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*That a by-law to authorize the execution of a tax arrears extension agreement for the property identified as Block 39, Plan 51M466, Essa Township, Assessment Roll # 4321 010 008 19502 0000 be prepared for the consideration of Council.*

Carried

**f. Hemson Opinion – Transferring Development Charge Fees**

Resolution No: CW159-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that Report No. TR-2009-19 from the Treasurer be received; and WHEREAS Devonleigh Homes Inc. has submitted a verbal appeal to the municipality regarding \$18,441.60 in outstanding development charges owing to the municipality; and WHEREAS due to tough economic times Devonleigh Homes Inc. is requesting consideration of transferring fees for permits issued in 2008, that they have cancelled, to fees for permits issued in 2009; and*

*WHEREAS the Development Charges Act, Township Development Charge By-law 2008-82, the applicable Subdivision Agreement and the County and School Board development charge by-laws state that development charges owing are calculated and paid at the time of issuance of the building permit;*

*NOW BE IT RESOLVED THAT Devonleigh Homes Inc. is required to pay the outstanding invoice for development charges owed in the amount of \$18,441.60.*

Carried

**9. CLERKS / BY-LAW ENFORCEMENT/ IT**

**a. Canine Control Monthly Reports**

Resolution No: CW160-2009 Moved by: Henderson, Seconded by: Macdonald

*Be it resolved that the Reports from the Canine Control Officer for the months of January, March, April, May, June and July 2009 be received.*

Carried

**b. Continuing Education – MBA Course Fees**

Resolution No: CW161-2009 Moved by: Newlove, Seconded by: Macdonald

*It is recommended that Report C09-2009 from the Clerk be received; and That council agrees to pay \$500 for each MBA course listed in this report upon successful completion by the Clerk.*

Carried

**c. Downstairs Photocopier Lease**

Resolution No: CW162-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Report C10-2009 from the Clerk be received; and  
That the Clerk be authorized to sign a 60 month renewal agreement for a photocopier located on  
the lower level of the Administration Building.*

**10. OTHER BUSINESS**

**a. National Trails Coalition Application**

Resolution No: CW164-2009 Moved by: Dowdall, Seconded by: Macdonald

*Be it resolved that the e-mail regarding the National Trails Coalition Application for the  
Thornton-Cookstown Trans Canada Trail be received.*

Carried


Councillor Macdonald noted September 12<sup>th</sup> as the Salmon Festival Fun for All event.


**11. ADJOURNMENT**

Resolution No: CW165-2009 Moved by: Dowdall, Seconded by: Henderson

*Be it resolved that this meeting of Committee of the Whole of The Township of Essa adjourn to  
meet again on September 16, 2009 at 6:00 p.m.*

Carried

  
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David Guergis, Mayer

  
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Mike Galloway, Clerk