

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
REGULAR COUNCIL MEETING  
WEDNESDAY, MAY 5, 2010**

A Regular Council meeting was held following Committee of the Whole on Wednesday, May 5, 2010 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: Greg Murphy, CAO/Public Works Manager  
Mike Galloway, Clerk/Deputy CAO  
Colleen Healey, Manager of Planning/Development  
Julie Barrett, Treasurer/Deputy Clerk

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

Mayor Guergis opened the Regular Council meeting at 6:27 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

The Mayor declared a conflict on the minutes from April 21<sup>st</sup>, in addition to items C & D on the consent agenda and the in-camera item regarding 305 Mill Street.

**3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

Mayor Guergis vacated the Chair and Deputy Mayor Dowdall assumed the Chair.

Resolution No: C110-2010 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and  
That the minutes of Committee of the Whole and Regular Council meetings held on the Twenty-First day of April, 2010 be adopted as circulated.*

Carried

Deputy Mayor Dowdall vacated the Chair and Mayor Guergis assumed the Chair.

**4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS**

Resolution No: C111-2010 Moved by: Newlove Seconded by: Macdonald

*Be it resolved that Payments dated April 16 to 29, 2010 in the amount of \$339,006.36 be*

*approved; and  
That Payroll for the month of April in the amount of \$155,154.97 be approved.*

Carried

**5. CONSENT AGENDA**

It was requested that items C and D be dealt with in a separate motion as the Mayor had declared a conflict on those items.

Resolution No: C112-2010 Moved by: Macdonald Seconded by: Dowdall

*Be it resolved that the items listed in the Consent Agenda minus items c & d dated May 5, 2010 be approved as presented, and that the necessary action be taken.*

Carried

The Mayor did not vote or participate on the passing of resolution No. C113-2010.

Resolution No: C113-2010 Moved by: Henderson Seconded by: Newlove

*Be it resolved that the items c & d listed in the Consent Agenda dated May 5, 2010 be approved as presented, and that the necessary action be taken.*

Carried

**6. COMMITTEE REPORTS**

**a. Nottawasaga Police Services Board**

Resolution No: C114-2010 Moved by: Newlove Seconded by: Macdonald

*Be it resolved that the minutes of the March 31, 2010 Nottawasaga Police Services Board meeting be received.*

Carried

**b. Economic Development Committee**

Resolution No: C115-2010 Moved by: Macdonald Seconded by: Dowdall

*Be it resolved that the minutes of the Economic Development Committee dated March 31, 2010 be received.*

Carried

**7. PETITIONS**

**8. MOTIONS AND NOTICES OF MOTIONS**

**a. Community Adjustment Fund – Amending Agreement #1**

Resolution No: C116-2010 Moved by: Newlove Seconded by: Dowdall

*WHEREAS the Township of Essa has received funding approval under the Community Adjustment Fund for total project costs of \$680,000 for the project titled “Renovation of an Arena and Banquet Hall”; and*

*WHEREAS the Township will receive \$453,334 from the Community Adjustment Fund; and*

*WHEREAS the Contribution Agreement has been amended to extend the Completion Date for the project;*

*NOW THEREFORE BE IT HEREBY RESOLVED THAT the Mayor and Clerk be hereby authorized to execute this agreement.*

Carried

**b. Private Member’s Bill 13**

Resolution No: C117-2010 Moved by: Henderson Seconded by: Macdonald

*WHEREAS Private Member’s Bill 13, being an Act to sustain and encourage improvement in Ontario’s water and wastewater services and to establish the Ontario Water Board passed 1<sup>st</sup> Reading on March 23, 2010 in the Provincial Legislature; and*

*WHEREAS Bill 13 shall require regulated entities that provide water services or wastewater services to fewer than 10,000 customers to amalgamate those services with the services of one or more other regulated entities if they determine that it is possible to do so, or if they are directed to do so by the Minister; and*

*WHEREAS it appears that many of the municipalities in this area have incurred significant debt and long term loans for the upgrading or expansion of water and wastewater projects in their respective municipalities; and*

*WHEREAS the Township of Essa’s water and wastewater customers should not have to pay towards any significant debts and long term loans that have been incurred by other municipalities for the upgrading and expansion of such infrastructure facilities in those municipalities if we are required to amalgamate our water and wastewater services with one or more of these municipalities; and*

*WHEREAS the Township of Essa has already planned, upgraded and/or expanded our water and wastewater facilities to meet Provincial Regulations including to accommodate growth in our municipality over the next 25 year period by using development charges, reserves, a portion of user rates and other sources of revenue without the need to incur significant and long term debt for such purposes; and*

*WHEREAS the Township of Essa has proven that it can operate and maintain its water and wastewater facilities in compliance with Provincial Regulations and is committed to doing so in the future and many other lower tier municipalities in the Province may be in a similar position;*

*NOW THEREFORE BE IT RESOLVED that the Province and Mr. David Caplan, M.P.P., be advised that the Township of Essa does not support the enactment of Private Member's Bill 13 and a copy of this resolution be forwarded to Mr. Jim Wilson, M.P.P. and to all municipalities in the Province of Ontario.*

Carried

**9. UNFINISHED BUSINESS**

**10. BY-LAWS**

**a. By-law 2010 – 30**

Resolution No: C118-2010 Moved by: Macdonald Seconded by: Newlove

*Be it resolved that leave be granted to introduce By-law 2010 - 30, being a by-law to provide for the adoption of Tax Rates for 2010; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

Carried

The Clerk/Deputy CAO made note of a date that will need to be inserted once the County of Simcoe provides the information, however explained why this by-law needed to move forward.

**b. By-law 2010 – 31**

Resolution No: C119-2010 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that leave be granted to introduce By-law 2010 - 31, being a by-law to provide for a Development Agreement for West Part Lot 29, Concession. 3, Township of Essa, County of Simcoe. (8505 County Road #10 – Simcoe County District School Board); and that said By-law be read a first, and taken as read a second and third time and finally passed.*

Carried

**11. QUESTIONS**

The media asked various questions of council.

**12. IN CAMERA**

Council requested that the item 7(c) from the Committee of the Whole agenda be included.

Resolution No: C120-2010 Moved by: Macdonald Seconded by: Newlove

*Be it resolved that Council proceed In Camera in order to address matters pertaining to advice that is subject to solicitor/client privilege, including communications necessary for that purpose; litigation or potential litigation, including matters before administrative tribunals affecting the Municipality or local board.*

Carried

Council came out of the in-camera session at 7:17 p.m. and adopted the following resolution:

**a. 305 Mill Street, Angus**

Resolution No: C121-2010 Moved by: Newlove Seconded by: Henderson

*Be it resolved that the verbal report from the Chief Administrative Officer be received for information.*

Carried

**b. Recommendation of the Township's Joint Health and Safety Committee**

Resolution No: C122-2010 Moved by: Macdonald Seconded by: Newlove

*Be it resolved that report PW-10-22 from the Chief Administrative Officer be received; and further  
That the Joint Health and Safety Committee be advised that it is the drivers responsibility to conduct daily pre-trip inspections on the vehicle(s) they drive and to report to their Supervisors any defects that they observe so that the vehicle can be scheduled for repair*

Carried

**13. CONFIRMATION BY-LAW**

**By-law 2010 - 32**

Resolution No: C123-2010 Moved by: Henderson Seconded by: Macdonald

*Be it resolved that leave be granted to introduce By-law 2010 - 32, being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this Fifth Day of May 2010; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

Carried

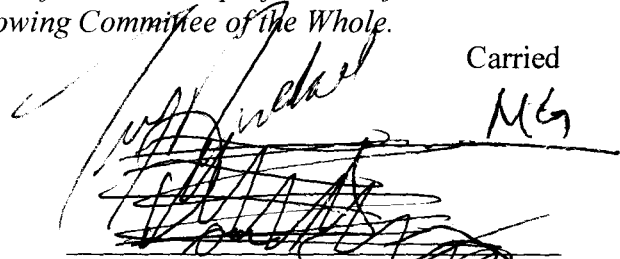
**14. ADJOURNMENT**

Resolution No: C124-2010 Moved by: Macdonald Seconded by: Newlove

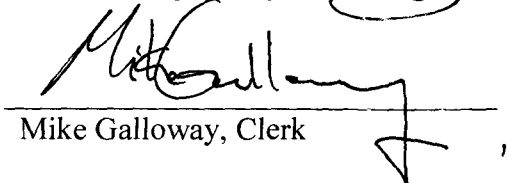
*Be it resolved that this meeting of the Council of the Township of Essa adjourn to meet again on the Nineteenth day of May 2010 following Committee of the Whole.*

Carried

MG



David Guergis, Mayor



Mike Galloway, Clerk