

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
REGULAR COUNCIL MEETING  
WEDNESDAY, MAY 2, 2012**

A Regular Council meeting was held on Wednesday, May 2, 2012 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Terry Dowdall  
Deputy Mayor Macdonald  
Councillor Keith White  
Councillor Michael Smith  
Councillor Ron Henderson

Staff in attendance: G. Murphy, CAO/Manager of Public Works  
J. Barrett, Deputy CAO/Treasurer  
C. Healey, Manager of Planning and Development  
P. Macdonald, Fire Chief  
B. Sander, Clerk

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

Mayor Dowdall opened the Regular Council meeting at 6:33 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

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

**Resolution No: CR101-2012 Moved by: Macdonald Seconded by: Smith**

*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 18<sup>th</sup> day of April, 2012 be adopted as circulated.*

----Carried----

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

**Resolution No: CR102-2012 Moved by: Henderson Seconded by: Macdonald**

*Be it resolved that payments dated April 12, 2012 to April 25, 2012 in the amount of \$442,497.00 be approved; and  
That visa payments dated February 16, 2012 to March 15, 2012 with a payment date of April 5, 2012 in the amount of \$21,975.40 be approved; and  
That payroll for the month of April, 2012 in the amount of \$153,240.56 be approved.*

----Carried----

**5. CONSENT AGENDA**

**Resolution No: CR103-2012 Moved by: Macdonald Seconded by: White**

*Be it resolved that the items listed in the Consent Agenda dated May 2, 2012 be approved as presented, and that the necessary action be taken.*

----Carried----

**6. COMMITTEE REPORTS****a. Accessibility Advisory Committee**

**Resolution No: CR104-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that Council consider proclaiming the week of May 27, 2012 to June 2, 2012 as National Access Awareness Week.*

----Carried----

**b. Nottawasaga Police Services Board**

**Resolution No: CR105-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the minutes of the Nottawasaga Police Services Board dated March 28, 2012 be received.*

----Carried----

**7. PETITIONS****8. MOTIONS AND NOTICES OF MOTIONS****a. Proclamation - National Access Awareness Week – May 27 to June 2, 2012**

**Resolution No: CR106-2012 Moved by: Macdonald Seconded by: White**

*WHEREAS the Government of Ontario wishes to see all citizens able to enjoy full participation in their communities; and*

*WHEREAS many persons living with disabilities face barriers in the areas of employment, information and technology, transportation, housing, education, recreation, and other disability related supports; and*

*WHEREAS one in seven Canadians currently has a disability that they were either born with or developed as a result of life, with that number being expected to increase substantially as the population ages over the next twenty years; and*

*WHEREAS for many among us, our future depends on the success of creating barrier-free and inclusive communities through accessibility planning and raising awareness of best-practices in the area of accessibility; and*

*WHEREAS we believe that all citizens with disabilities should have a chance to access appropriate disability related supports to improve their opportunities in Ontario; and*

*WHEREAS the Township of Essa Accessibility Advisory Committee is committed to increasing public awareness and break down barriers faced by persons with disabilities;*

*NOW THEREFORE BE IT RESOLVED That the Council of the Township of Essa does hereby proclaim the week of May 27, 2012 to June 2, 2012 as National Access Awareness Week, and encourages residents and businesses to recognize the importance of educating the community about the removal of barriers faced by citizens of all ages.*

----Carried----

**b. Proclamation – MS Awareness Month**

**Resolution No: CR107-2012 Moved by: Smith Seconded by: Macdonald**

*WHEREAS Multiple Sclerosis is a chronic, unpredictable and often disabling neurological disease that affects 55,000 to 75,000 Canadians and their families; and  
WHEREAS Multiple Sclerosis is the most common disease of the central nervous system affecting young adults in Canada between the ages of 15 and 40 with symptoms varying widely in range from that of numbness, coordination, vision and speech to extreme fatigue and even paralysis; and  
WHEREAS Canada has one of the highest rates of Multiple Sclerosis in the world; and  
WHEREAS there is no known cause of or cure for individuals living with multiple sclerosis; and  
WHEREAS the Multiple Sclerosis Society of Canada is the only national volunteer organization in Canada that supports both MS research and services for people with MS and their families; and  
WHEREAS in 2011 the Simcoe County Chapter provided funding totaling approximately \$94,000.00 to client services and equipment as well as \$13,000.00 to research; and  
WHEREAS the dedication and commitment of the supporters and volunteers could only make this possible;  
NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Essa does hereby proclaim the month of May to be MS Awareness Month.*

----Carried----

**c. Summary of Results – County Road 10 Sidewalk Construction Project Phase 1 (Contract No. 211138) Tender**

**Resolution No: CR108-2012 Moved by: Macdonald Seconded by: White**

*Be it resolved that the County Road 10 Sidewalk – Phase 1 Tender Results Report from the Ainley Group be received; and  
That the contract be awarded to Nuroad Construction at a total cost of \$163,784.46 including HST, as per Township specifications; and  
That the Ainley Group be authorized to arrange for this work to be completed including providing contract administration and inspection services for this project; and  
That the overage for this contract and engineering services be funded from the Reserves for Special Projects.*

----Carried----

**d. Summary of Results – 2012 Culverts & CSP Arch Pipe Tender**

**Resolution No: CR109-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the summary of results for the 2012 Culverts and CSP Arch Pipe Tender be received; and  
That the quotation submitted by Canada Culvert for the supply and delivery of culverts and CAP Arch Pipe in the amount of \$4,407.40 (plus HST) be accepted, as per Township specifications; and  
That the CAO/Manager of Public Works be authorized to arrange for the delivery of the culverts.*

----Carried----

e. **Summary of Results – Supplying, Loading, Spreading and/or End Dumping of 5/8” Crushed Granular “A” Gravel, plus Granular “B” Gravel (Type I) Tender**

**Resolution No: CR110-2012 Moved by: Macdonald Seconded by: Henderson**

*Be it resolved that the summary of results for the Supplying, Loading, Spreading and/or End Dumping of 5/8” Crushed Granular “A” Gravel, plus Granular “B” Gravel (Type I) Tender be received; and*

*That the tender in the total amount of \$343,320.00 plus HST, as submitted by James Dick Construction Ltd. to supply and place granular materials on the 8<sup>th</sup> Line Road Reconstruction Project, be accepted as per Township specifications.*

----Carried----

f. **Summary of Results – 2012 Hot Mix Tender**

**Resolution No: CR111-2012 Moved by: Macdonald Seconded by: White**

*Be it resolved that the summary of results for the 2012 Hot Mix Tender be received; and That the tender in the amount of \$140,674.94 plus HST, as submitted by Coco Paving to supply and place hot mix asphalt and associated shouldering materials be accepted, as per Township specifications.*

----Carried----

g. **Summary of Results – Portable Toilet Tender 2012**

**Resolution No: CR112-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the summary of results for the Portable Toilet Tender 2012 be received; and*

*That the tender submitted by BFI Canada be accepted at a unit cost of \$79.50 per month, as per Township specifications.*

----Carried----

9. **UNFINISHED BUSINESS**

10. **BY-LAWS**

a. **By-law 2012 – 23**

**Resolution No: CR113-2012 Moved by: Macdonald Seconded by: White**

*Be it resolved that leave be granted to introduce By-law 2012 - 23, being a by-law to provide for the adoption of a Tax Rate for the Business Improvement Area in Angus for 2012; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

----Carried----

b. **By-law 2012-24**

**Resolution No: CR114-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that leave be granted to introduce By-law 2012-24, being a by-law to provide for the adoption of tax rates for 2012; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

----Carried----

## 11. QUESTIONS

## 12. CLOSED SESSION

**Resolution No: CR115-2012 Moved by: Macdonald Seconded by: Henderson**

*Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to personal matters about an identifiable individual, including Municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board; and, advice that is subject to solicitor/client privilege, including communications necessary for that purpose;*

----Carried----

Council arose from closed session and adopted the following resolutions:

**a. Identifiable Individual**

**Staff Report TR011-12 submitted by the Treasurer/Deputy CAO, re: Request for Tax Arrears Extension Agreement - Concession 7, East Part Lot 9, 6002 8<sup>th</sup> Line, Township of Essa, Roll # 4321 010 002 050 01 0000.**

**Resolution No: CR116-2012 Moved by: Macdonald Seconded by: White**

*Be it resolved that Staff Report TR011-12 be received; and  
That a by-law to authorize the execution of a tax arrears extension agreement for the property identified as Concession 7, East Part of Lot 9, 6002 8<sup>th</sup> Line, Township of Essa, Assessment Roll # 4321 010 002 050 01 0000, be prepared for the consideration of Council.*

----Carried----

**b. Solicitor-Client Privilege**

**Correspondence from Feehely, Gastaldi Barristers and Solicitors dated April 23, 2012, re: County of Simcoe Adopted Official Plan; and, Proposed Modifications to Adopted Simcoe County Official Plan.**

**Resolution No: CR117-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the correspondence from Feehely Gastaldi Barristers and Solicitors be received for information.*

----Carried----

**c. Potential Litigation**

**Correspondence from the County of Simcoe dated April 25, 2012, re: County of Simcoe Adopted Official Plan.**

**Resolution No: CR118-2012 Moved by: Henderson Seconded by: Macdonald**

*Be it resolved that the correspondence from the County of Simcoe be received for information.*

----Carried----

- d. **Potential Litigation**  
Staff Report CAO019-12 submitted by the Chief Administrative Officer,  
re: Vehicle Incident.

**Resolution No: CR119-2012 Moved by: Macdonald Seconded by: Henderson**

*Be it resolved that Staff Report CAO019-12 be received; and  
That the Chief Administrative Officer be authorized to proceed with this matter as  
directed by Council.*

----Carried----

- e. **Identifiable Individual**  
Staff Report CAO020-12 submitted by the Chief Administrative Officer,  
re: Water Meter Repair Service.

**Resolution No: CR120-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that Staff Report CAO020-12 be received; and  
That the CAO be authorized to proceed with this matter as directed by Council.*

----Carried----

- f. **Identifiable Individual**  
Email correspondence submitted by Angus Resident  
re: Signs

**Resolution No: CR121-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the correspondence be received; and  
That the CAO be authorized to proceed with this matter as directed by Council.*

----Carried----

- g. **Potential Litigation**  
re: Base Borden

**Resolution No: CR122-2012 Moved by: Macdonald Seconded by: Smith**

*Be it resolved that the verbal report from the Mayor be received for information.*

----Carried----

**13. CONFIRMATION BY-LAW**

**By-law 2012 – 25**

**Resolution No: CR123-2012 Moved by: Macdonald Seconded by: Henderson**

*Be it resolved that leave be granted to introduce By-law 2012 – 25, being a by-law to  
confirm the proceedings of the Council, and Committee of the Whole meetings held on  
this 2<sup>nd</sup> day of May, 2012; 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: CR124-2012 Moved by: Smith Seconded by: Macdonald

*Be it resolved that this meeting of the Council of the Township of Essa adjourn at 8:17 p.m. to meet again on the 16<sup>th</sup> day of May, 2012 following Committee of the Whole.*

----Carried----

Original signed by:

*Terry Dowdall*

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Terry Dowdall, Mayor

*Bonnie Sander*

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Bonnie Sander, Clerk