

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 19, 2016**

A Regular Council meeting was held on Wednesday, October 19, 2016 in Council Chambers of the Administration Centre, Township of Essa.

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

Absent: Deputy Mayor Sandie Macdonald

Staff in attendance: G. Murphy, Chief Administrative Officer
C. Mohr, Manager of Finance
C. Ross Tustin, Fire Chief
D. Perreault, Manager of Public Works
B. Sander, Clerk

1. OPENING OF MEETING BY THE MAYOR

Mayor Dowdall opened the meeting at 6:25 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: CR203-2016 Moved by: White Seconded by: Smith

*Be it resolved that payments dated October 3, 2016 to October 6, 2016 in the amount of \$856,190.32 be approved; and
That the EFT payment transferred October 3, 2016 for OMERS September 2016 remittances in the amount of \$57,004.34 be approved.*

----Carried----

5. CONSENT AGENDA

Resolution No: CR204-2016 Moved by: Smith Seconded by: White

Be it resolved that the items listed in the Consent Agenda dated October 19, 2016 be approved as presented, and that the necessary action be taken.

----Carried----

Item 5 – Council would like a letter to be forwarded to the owners of Sobeys, McDonald's, and Tim Hortons, with a copy being forwarded to the tenants asking them to clean up litter/try to reduce the amount of litter which is created by their businesses.

6. COMMITTEE REPORTS
7. PETITIONS
8. MOTIONS AND NOTICES OF MOTIONS

- a. **Correspondence from the Nottawasaga Valley Conservation Authority dated October 7, 2016, re: Board of Directors Member Reduction.**

Resolution No: CR205-2016 Moved by: Henderson Seconded by: White

Whereas the Nottawasaga Valley Conservation Authority (NVCA) has endorsed a membership reduction which would reduce the Board of Directors from 27 to 18; and Whereas the NVCA is seeking a resolution of support from all 18 watershed municipalities for a permanent membership reduction;

Now therefore be it resolved that the Township of Essa support the NVCA membership reduction; and

That the Township of Essa support the drafting of a municipal Agreement by the NVCA once resolutions of support have been received from all municipalities.

----Carried----

- b. **Correspondence from the Association of Municipalities of Ontario dated October 6, 2016, re: AMO Seeks Council Resolution "What's Next Ontario?"**

Resolution No: CR206-2016 Moved by: Henderson Seconded by: White

Whereas recent polling, conducted on behalf of the Association of Municipalities of Ontario, indicates 76% of Ontarians are concerned or somewhat concerned property taxes will not cover the cost of infrastructure while maintaining municipal services, and 90% agree maintaining safe infrastructure is an important priority for their communities; and

Whereas infrastructure and transit are identified by Ontarians as the biggest problems facing their municipal government; and

Whereas a ten-year projection (2016-2025) of municipal expenditures against inflationary property tax and user fee increases, shows there to be an unfunded average annual need of \$3.6 billion to fix local infrastructure and provide for municipal operating needs; and

Whereas the \$3.6 billion average annual need would equate to annual increases of 4.6% (including inflation) to province-wide property tax revenue for the next ten years; and

Whereas this gap calculation also presumes all existing and multi-year planned federal provincial transfers to municipal governments are fulfilled; and

Whereas if future federal provincial transfers are unfulfilled beyond 2015 levels, it would require annual province-wide property tax revenue increases of up to 8.35% for ten years; and

Whereas Ontarians already pay the highest property taxes in the country; and

Whereas each municipal government in Ontario faces unique issues, the fiscal health and needs are a challenge which unites all municipal governments, regardless of size;

Now therefore be it resolved that Council of the Township of Essa supports the Association of Municipalities of Ontario in its work to close the fiscal gap, so that all municipalities can benefit from predictable and sustainable revenue, to finance the pressing infrastructure and municipal service needs faced by all municipal governments.

----Carried----

c. Closed Meeting Investigator – Local Authority Services (LAS)

Resolution No: CR207-2016 Moved by: Smith Seconded by: White

Whereas Section 239.1 of the Municipal Act, 2001 enables any person to request an investigation of whether a municipality or local board has complied with either the statutory requirements for closed meetings, or a procedure by-law; and

Whereas the County of Simcoe supports the appointment of one individual as a Closed Meeting Investigator, whose service contract with the County would include any local municipalities who concur with the recommendation and wish to participate in such service contract;

Now therefore be it resolved that the Township of Essa does support the appointment of Local Authority Services (LAS) as the Closed Meeting Investigator for the County of Simcoe for a two-year service contract commencing January 1, 2017; and

That the Mayor and Clerk be authorized to enter into a joint arrangement for provision of this service contract with the County of Simcoe.

---Carried---

d. OMB Appeal, re: Angus A2A GP Inc. (“A2A”)

Resolution No: CR208-2016 Moved by: Smith Seconded by: White

Whereas the Township of Essa (“the Township”) adopted a comprehensive official plan (the “OP”) on April 19, 2000; and

Whereas Angus A2A GP Inc. (“A2A”) filed an appeal with respect to the County non-decision related to the “settlement area boundaries” of Angus on March 26, 2014; and Whereas the Township, County of Simcoe and Province of Ontario have jointly filed a motion to request the OMB to dismiss the A2A appeal without a hearing;

Now therefore be it resolved that Council agrees to settle the motion on the following terms:

- 1. A2A will withdraw its appeal;*
- 2. A2A will remain a party to the other two appeals, namely OMB case numbers PL090519 and PL091167;*
- 3. A2A reserves the right to downgrade to participant status at any later stage in the hearing; and*

No party will seek its costs on the motion.

---Carried---

9. UNFINISHED BUSINESS**10. BY-LAWS****a. By-law 2016-66**

Resolution No: CR209-2016 Moved by: Smith Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2016-66, being a By-law authorizing the Mayor and the Clerk to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for funding under the Ontario Community Infrastructure Fund – Formula-Based Component; 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 2016-67**Resolution No: CR210-2016 Moved by: Smith Seconded by: White**

Be it resolved that leave be granted to introduce By-law 2016-67, being a By-law to provide for a Subdivision Agreement with Stonemount Developments Inc. for Block 124, Plan 51M-844, and Part of Block 125, Plan 51M-844 Township of Essa, County of Simcoe; 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: CR211-2016 Moved by: White Seconded by: Smith**

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 rose from Closed Session and passed the following:

a. IDENTIFIABLE INDIVIDUAL

Confidential Staff Report PW023-16 submitted by the Manager of Public Works, re: Resident's Request for a Reduction in Water/Sewer Charges due to Extenuating Circumstances.

Resolution No: CR212-2016 Moved by: White Seconded by: Henderson

Be it resolved that Confidential Staff Report PW023-16 be received; and That Council approve Option No. 2 as outlined in this Confidential Report.

----Carried----**b. IDENTIFIABLE INDIVIDUAL**

Confidential Staff Report PW024-16 submitted by the Manager of Public Works, re: Resident's Request for a Reduction in Water/Sewer Charges.

Resolution No: CR213-2016 Moved by: Smith Seconded by: Henderson

Be it resolved that Confidential Staff Report PW024-16 be received; and That Council approve amended Option No. 3 with a repayment plan of twelve equal monthly payments plus 5% penalty as outlined in this Confidential Report.

----Carried----

- c. **POTENTIAL LITIGATION / SOLICITOR-CLIENT PRIVILEGE**
Letter of Opinion and Report from Township Solicitors, HGR Graham Partners LLP, re: Nottawasaga River Erosion Control Works.

Resolution No: CR214-2016 Moved by: White Seconded by: Henderson

Be it resolved that the letter of opinion from the Township's solicitors regarding the Nottawasaga River Erosion Control Works be received; and That the Township's solicitors proceed as directed by Council.

----Carried----

13. CONFIRMATION BY-LAW

By-law 2016 – 68

Resolution No: CR215-2016 Moved by: Smith Seconded by: White

Be it resolved that leave be granted to introduce By-law 2016 - 68, being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 19th day of October, 2016; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

14. ADJOURNMENT

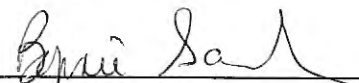
Resolution No: CR216-2016 Moved by: Smith Seconded by: Henderson

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 8:26 p.m. to meet again on the 2nd day of November, 2016 following Committee of the Whole.

----Carried----



Terry Dowdall, Mayor



Bonnie Sander, Clerk