

Township of Seguin
Draft Minutes of Council Meeting
April 6th, 2009

A regular meeting of the Township of Seguin Council was held April 6th, 2009 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Jacklin and Sainsbury present. Councillor Sturgeon sent his regrets.

After the meeting was called to order Mayor Conn asked for approval of the agenda. Council approved the agenda as presented with the following addendum. Addition to Closed Session of item d) Human Resources - personal matters about an identifiable individual, including municipal employees and item e) legal comments received on meeting procedures of Council and local boards. Addition to Business of item k) McDougall School Advisory Council – Request for support of the Annual Victoria Day Fireworks Display and item l) discussion on the request from the West Muskoka Trail Riders Snowmobile Club for funding. Addition to By-laws of item g) By-law No. 2009-051, Being a By-law to Authorize the Execution of a Building Canada Fund – Communities Component (BCF-CC) Contribution Agreement for the Upgrading of Tally-Ho Swords Road, between Her Majesty The Queen in Right of Ontario as Represented by the Deputy Premier and Minister of Energy and Infrastructure, the Minister of Agriculture, Food and Rural Affairs and The Corporation of the Township of Seguin.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. There were no disclosures of pecuniary interest declared.

The following resolutions were considered by Council:

2009-092 Sainsbury-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:10 p.m. in order to address matters pertaining to:

- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose.
 - Paul Bak, 59 Burgess Road – OMB Appeal Case No. PL081581.
 - Seguin ats Bromley.
 - Contract No. 2008-002, CN Rail Rankin Lake Road Bridge (COMRIF 3).
 - Legal opinion Council and local boards meeting procedures.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 - Paul Bak, 59 Burgess Road – OMB Appeal Case No. PL081581.
 - Seguin ats Bromley.
 - Contract No. 2008-002, CN Rail Rankin Lake Road Bridge (COMRIF 3).
- personal matters about an identifiable individual, including municipal employees.
 - Human Resource matters.”.

2009-095 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 5:19 p.m.”.

2009-096 Sainsbury-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the regular and closed session meetings of Council of March 2nd, 2009 as circulated.”.

2009-097 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

February 26, 2009	\$ 57,610.86
March 5, 2009	\$2,053,306.79
March 12, 2009	\$ 392,726.37

March 19, 2009	\$ 647,890.55
March 26, 2009	\$ 137,153.83
TOTAL	<u>\$3,288,688.40</u>

2009-098 Sainsbury-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the agenda and the addendum for the April 6th meeting of Council.

Public Works:

- Report No. PW-RD-2009-002, Tender No. 2009-005, Supply and Apply Liquid Calcium Chloride.
- Report No. PW-RD-2009-004, Update on Traffic Calming Study.
- Report No. PW-RD-2009-005, Blue Lake Road Completion – addition to 2009 Capital Budget.

Corporate Services:

- Report No. TR-2009-01, 2008 Year End Surplus Allocation and Adjustments to 2009 Capital Budget.
- Report No. TR-2009-02, Building Permit Reserve Fund.

Community Services:

- Verbal report re: 2009 Leisure Guide.
- Report No. CS-FD-2009-003, Firefighters’ Honourariums.
- Report No. CS-FD-2009-004, Renewal of the Lease Agreement for Fire Station 10-2.
- Report No. CS-FD-2009-005, Replacement of Tanker #39.
- Report No. CS-PL-2009-022, Consent Application B-2009-0001-F (Hock).
- Report No. CS-PL-2009-020, Rezoning Application R-2009-0002 (Township-General Provisions).”.

2009-099 Jacklin-Sainsbury

Carried

“**THAT** as per Report PW-RD-2009-002 Council of The Corporation of the Township of Seguin does hereby accept the unit price bid from Da-Lee Dust Control for the Supply and Delivery of Calcium Chloride in the revised amount of \$71,500 plus G.S.T. and award Tender No. 2009-005, to Da-Lee Dust Control.”.

2009-100 Sainsbury-Jacklin

Carried

“**THAT** as per Report PW-RD-2009-005 Council of The Corporation of the Township of Seguin does hereby approve the completion of the rehabilitation of Blue Lake Road in the 2009 Capital Budget.”.

2009-101 Jacklin-Sainsbury

Carried

“**THAT**, as per Report TR-2009-01, Council of The Corporation of the Township of Seguin does hereby authorize the following 2008 Year End Transfers from Surplus to Reserves:

To Capital Reserve Fund	-	\$341,934
To Working Capital Reserve	-	\$ 45,000
Total Transfers to Reserves	-	<u>\$386,934</u>

AND THAT Council does hereby authorize the transfer of \$406,854, the grant from the Investing in Ontario Act funding program be transferred to the Capital Reserve Fund as at December 31st, 2008, and allocated to applicable capital expenditures in 2009.”.

2009-102 Sainsbury-Jacklin

Carried

“**THAT**, as per Report TR-2009-02, Council of The Corporation of the Township of Seguin does hereby authorize the balance of the Building Permit Reserve Fund as at December 31st, 2008 be transferred to the Capital Reserve Fund.”.

2009-103 Jacklin-Sainsbury

Carried

“**THAT**, as per Report CS-FD-2009-003, Council of The Corporation of the Township of Seguin does hereby approve the “Seguin Standardized Point Generation” attached as Schedule “A” to this resolution, amendment to the Township of Seguin Volunteer Firefighters’ Honourariums system.

AND THAT Council does hereby authorize future minor changes to the Honourariums system be delegated to the Township of Seguin Fire Department Senior Officers.”.

2009-104 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2009-041, Being a By-law to Renew a Commercial Lease Agreement between The Corporation of the Township of Seguin and the Corporation of the Town of Parry Sound for a portion of Foley Fire Station 10-2 located at 18 McKaig Road, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-105 Jacklin-Sainsbury

Carried

“**THAT** as per Report CS-FD-2009-005 Council of The Corporation of the Township of Seguin does hereby accept the Proposal from ResQtech Systems Inc. for the supply of a Tanker Replacement Vehicle in the amount of \$254,153.00 plus G.S.T. and award the RFP to ResQtech Systems Inc.

AND THAT up to \$90,000.00 of the purchase costs are to be funded from the 2009 Capital with the remainder to be funded in 2010 from the Capital Reserve.”.

2009-081 Adams-Gibbon

Carried

“**WHEREAS**, Private Member’s Bill 128, An Act to protect our children from sexual predators and exposure to electronic forms of sexual material by amending Christopher's Law (Sex Offender Registry), 2000 and other Acts, received First Reading on November 19th, 2008;

AND WHEREAS, a portion of Bill 128 would require public libraries to block access on the internet to sexually explicit material, including written material, pictures and recordings specifically through the use of filtering software;

AND WHEREAS, the Federation of Ontario Public Libraries (FOPL) position is consistent with Internet access policies of the Ontario Library Association (OLA) and the Canadian Library Association (CLA) and therefore the FOPL does not support Bill 128;

AND WHEREAS, the FOPL has identified several false assumptions that were made in the drafting of the Private Members Bill 128;

AND WHEREAS, the Township of Seguin Public Library has procedures and policies in place regarding Internet access for children;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Township of Seguin supports the Federation of Ontario Public Libraries (FOPL) in its opposition to Private Member’s Bill 128, An Act to protect our children from sexual predators and exposure to electronic forms of sexual material by amending Christopher's Law (Sex Offender Registry), 2000 and other Acts.”.

2009-106 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby appoint David Aylsworth to the Rose Point Recreational Trail Committee for the remainder of the term of Council.”.

2009-107 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve a donation in the amount of \$500.00 to the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) Zone 7 for the 2009 Spring Meeting.”.

The Mayor advised Council would now consider the following road allowance applications:

- By-law No. 2009-035, Hockin SRA Round (Hooton) Lake.
- By-law No. 2009-036, Robbins SRA Otter Lake.
- By-law No. 2009-037, Core SRA Clear Lake.
- By-law No. 2009-038, Geddes SRA Portage Lake and CRA between Concessions 6 and 7, geographic Township of Humphrey.
- By-law No. 2009-040, 1657967 Ontario Inc. SRA Lake Joseph.

The Mayor asked if there was any member of the public who believed their land would be prejudicially affected by the closure of any of these road allowances or who wished to be heard on any of these road allowance closures and sale.

No verbal submissions were received.

The Mayor asked if any written objections had been received.

The Clerk advised no written objections had been received.

2009-108 Chidley-Gibbon **Carried**
“**THAT** By-law No.’s 2009-035, 2009-036, 2009-037, 2009-038 and 2009-040, Being By-laws regarding road allowance closures and sales, are hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-109 Chidley-Gibbon **Deferred**
“**THAT** By-law No. 2009-042, Being a By-Law to Adopt a Policy and Prescribe Fees and Charges for Regulating The Construction Or Alteration Of Any Entrance Way Or Access To A Township Road or Property in The Township Of Seguin and to Repeal By-law No. 2005-098, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-110 Gibbon-Chidley **Carried**
“**THAT** By-law No. 2009-043, Being a By-law to Authorize the Execution of a Continuous Improvement Fund Project Agreement between Waste Diversion Ontario and Stewardship Ontario and The Corporation of the Township of Seguin for Project #116, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-111 Gibbon-Chidley **Carried**
“**THAT** By-law No. 2009-044, Being a By-Law to write off taxes on property in the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-112 Jacklin-Sainsbury **Carried**
“**THAT** By-law No. 2009-045, Being a By-law to Authorize a Pipeline Easement Agreement between Union Gas Limited and The Corporation of the Township of Seguin on lands described as Part of PIN 52175-0078(LT) and 52175-0095(LT), being Part of Parcel 2178SS and 27050SS being Part of Lots 16 and 17, Concession 8, geographic Township of Christie, now in the Township of Seguin, District of Parry Sound, described as Parts 1 and 2, Plan 42R-15614, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-113 Sainsbury-Jacklin **Carried**
“**THAT** By-law No. 2009-049, Being a By-law to enter into a Lease Agreement between Reverend Karen Menagh and The Corporation of the Township of Seguin for facilities located at 17 Victoria Street, Village of Rosseau (Ruth Dare Health Clinic lower level) and to Repeal By-law No. 2008-076, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-114 Chidley-Gibbon **Carried**
“**THAT** By-law No. 2009-050, Being a By-law to Authorize the Execution of an Addendum to a Canada - Ontario Municipal Rural Infrastructure Fund (COMRIF) Initiative Funding Agreement (CN Rankin Lake Rd Bridge), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-115 Sainsbury-Jacklin **Carried**
“**THAT** By-law No. 2009-051, Being a By-law to Authorize the Execution of a Building Canada Fund – Communities Component (BCF-CC) Contribution Agreement for the Upgrading of Tally-Ho Swords Road, between Her Majesty The Queen in Right of Ontario as Represented by the Deputy Premier and Minister of Energy and Infrastructure, the Minister of Agriculture, Food and Rural Affairs and The Corporation of the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

The Mayor advised Council would now hear the following Consent Application:

- B-2009-0001-F (Hock).

The Mayor advised Council would consider all matters placed before it prior to making a Decision. As required by Section 53 Subsection 31 of the Planning Act, R.S.O. 1990, c. P.13. the Mayor advised if a person or public body that files an appeal of a decision of the Township of Seguin in respect of the proposed consent does not make written submissions to the Township before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal. The Mayor advised anyone who wished to receive Notice of the Consent Decision who had not submitted such a request in writing should provide their name and address to the Clerk before leaving the meeting.

The Mayor advised Consent Application B-2009-0001-F (Hock) is for the lands located on Lower Lane and on Otter Lake. The proposed Consent is to grant a 10 metre right-of-way from Lower Lane, across the subject lands, to a shoreline residential property. The right-of-way will provide access from the traveled portion of Lower Lane to the dwelling located at the shoreline.

The Mayor asked if there was anyone present who wished to speak to this Application for Consent.

No verbal submissions were received.

The Mayor asked if any written submissions had been received in opposition to or support of the proposed Consent.

The Clerk advised no written submissions had been received.

2009-116 Jacklin-Sainsbury

Carried

“**THAT**, as per Report CS-PL-2009-022, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2009-0001-F (Hock) subject to the conditions setout in the Decision.”

2009-117 Sainsbury-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn the regular meeting to hold a public meeting for Rezoning Application R-2009-0002 (Township of Seguin – General Provisions).”

The Mayor advised Council would now hold a public meeting regarding the following application to amend the Zoning By-law:

- Application No. R-2009-0002 (Seguin Housekeeping Amendment). An amendment to the Township of Seguin Comprehensive Zoning By-law No. 2006-125 to provide clarification in Sections 2.5 Transitional Provisions, and Section 4 General Provisions of the By-Law.

The Mayor asked the Clerk to state the method by which Notice of the meeting was given and the dates on which that Notice was given.

The Clerk advised Notice was published in the local newspaper, the Parry Sound Beacon Star, on March 13th, 2009.

The Mayor advised anyone who wished to receive notice of the passing of this zoning by-law not owning land within 120m of the area to which it applies and who had not submitted such a request in writing should provide their full name and address to the Clerk before leaving the meeting.

The Mayor advised Council would consider all matters placed before it before passing a zoning by-law. As required by Section 34 Subsection 25 of the Planning Act, R.S.O. 1990, c. P.13, the Mayor informed the public that the Ontario Municipal Board has the power to dismiss an Appeal if the appellant has not provided Council with oral submissions at a public meeting or written submissions prior to it passing a zoning by-law. In addition, no person or body shall be added as

a party to a hearing unless, before the decision on the application was made, oral submissions at a public meeting or written submissions to Council are made, or if the OMB believes there are reasonable grounds to be added as a party.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application.

No verbal submission were received.

The Mayor asked if any correspondence had been received with respect to the Rezoning Application.

The Clerk advised no correspondence had been received.

2009-118 Jacklin-Sainsbury **Carried**

“**THAT** the public meeting held for Rezoning Application R-2009-0002 (Township of Seguin – General Provisions) is hereby closed and the regular meeting is reconvened.”

2009-119 Sainsbury-Jacklin **Carried**

“**THAT** By-law No. 2009-039, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125, is hereby deemed to have been read a first, second and third time and passed by Council.”

2009-120 Jacklin-Sainsbury **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Board and Committee Minutes and the Correspondence as presented on the Agenda and the Addendum for the April 6th meeting of Council.”

2009-121 Sainsbury-Jacklin **Carried**

“**THAT** By-law No. 2009-046, Being a By-law to confirm the proceedings of meetings of Council, is hereby deemed to have been read a first, second and third time and passed by Council.”

2009-122 Jacklin-Sainsbury **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 8:02 p.m. to meet again on April 20th, 2009 or at the call of the Mayor.”

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*