MUNICIPALITY OF NORTHERN BRUCE PENINSULA

COUNCIL MEETING

No. 14-16

MINUTES

July 14, 2014 at 1:09 pm

Council Meeting immediately followed the Committee of Adjustment

MEMBERS PRESENT:  Mayor Milton Mclver
                      Deputy Mayor John Bainbridge
                      Councillor Betsy Stewart
                      Councillor Ray Burns
                      Councillor Tom Boyle

STAFF PRESENT:  Chief Administrative Officer, Bill Jones
                Clerk, Mary Lynn Standen
                Deputy Clerk, Cathy Addison
                Treasurer, Teresa Shearer
                Fire Chief, Wilf Barnes
                Public Works Manager, William Rydall
                Municipal Law Enforcement Officer, Carol Hopkins

OTHERS PRESENT:  Terry Bell, Trustee - Vice Chair BDSB
                  Marg Gaviller, Chair BDSB

DISCLOSURE OF PECUNIARY INTEREST

Mayor Mclver called the meeting to order at 1:09 p.m. and Council members were reminded to disclose any pecuniary interest that may arise during the course of the meeting. No disclosures of pecuniary interest were expressed at this time.

APPROVAL OF THE AGENDA

Moved by T. Boyle  Resolution # 16-01-2014
Seconded by B. Stewart

THAT the content of the agenda be approved as presented.

Carried

ADOPTION OF THE MINUTES

1.  Re:  Council Meeting No.14-14, June 23, 2014

Moved by B. Stewart  Resolution # 16-02-2014
Seconded by R. Burns

THAT the minutes of Council Meeting No. 14-14, June 23, 2014, be approved as printed and circulated.

Carried


Moved by T. Boyle  Resolution # 16-03-2014
Seconded by B. Stewart

THAT the minutes of Special Council Meeting No. 14-15, July 7, 2014, be approved as printed and circulated.

Carried
PUBLIC MEETING

1. No 'Public Meeting' for Council Meeting No. 14-16, July 14, 2014

DELEGATION

1. Terry Bell, BDSB Trustee-Vice Chair and Marg Gaviller, BDSB Chair
   Re: Presentation by Ministry of Education at Board P.L.C. Nov. 12, 2013

Mr. Terry Bell presented an overview of accommodation review process, to date.

Mr. Bell explained the "triggers" that signal accommodation review process for a school. This information is generated from the Watson Consultant Report explanations.

Mr. Bell introduced Mrs. Marg Gaviller, Chair of the Bluewater District School Board. Mrs. Gaviller advised that the board faces many issues with an accommodation review process; however, the most important aspects involve the number of students in a school and the ability to deliver adequate programming.

Mr. Bell indicated he has met with representatives throughout the Municipality; however, he stressed that a realistic approach to this issue, is to work together as a unified group and come up with defined recommendations and a solid strategic plan. To date, there has been no time schedule released for a possible review of the two schools within our community; however, a timeframe of 2015-2018 was suggested in the Watson Report.

A brief question and answer period ensued with members of the audience, Council and the delegation.

Mayor Mclver thanked Mr. Bell and Mrs. Gaviller for their presentation.

CONSIDERATION OF AGENDA ITEMS

1. Public Works Report No. PW 14-17
   Re: 2013 Waste Disposal Site Annual Monitoring Reports

Moved by T. Boyle  
Seconded by R. Burns

Resolution # 16-04-2014

THAT Council receives Public Works Report PW 14-17 as information as it relates to the 2013 Annual Monitoring Reports for the Eastnor, Lindsay and St. Edmunds Landfill Sites;

AND THAT Council supports the recommendations provided by GM BluePlan Engineering, as listed within each of the Annual Monitoring Reports.

Carried

2. Fire Chief Report No. FC 14-12
   Re: Information and Updates for June, 2014

Moved by B. Stewart  
Seconded by T. Boyle

Resolution # 16-05-2014

THAT Council receives the Fire Chief's Report FC 14-12, Fire Department activities for the month of June, 2014.

Carried
   Re: Memorandum of Agreement - Parks Canada

   Moved by T. Boyle               Resolution # 16-06-2014
   Seconded by R. Burns

   THAT Council receives the Fire Chief's Report FC 14-13 pertaining to a Memorandum of Agreement (MOA) between the Northern Bruce Peninsula Fire and Emergency Services (NBPF&ES) and Her Majesty The Queen In Right of Canada, as represented by the Minister of the Environment for the purpose of the Parks Canada Agency and Bruce Peninsula National Park/Fathom Five National Marine Park ("Parks Canada"); and

   THAT the Mayor, Clerk and Fire Chief are authorized to sign this agreement on behalf of the Municipality of Northern Bruce Peninsula.

   Carried

4. Deputy Chief Building Officer Report No. 14-1
   Re: Trailer Agreement

   Eugen Beker and Debra Marie Beker
   Plan M80 Lot 25 Sec M80 Lot 25 M80 PCL 25-1, (St. Edmunds)
   20 Willow Creek Road
   Assessment Roll No. 680 002 29452

   Moved by B. Stewart               Resolution # 16-07-2014
   Seconded by R. Burns

   THAT Council recommends approval of the Trailer Agreement requested by the property owners, Eugen Beker and Debra Marie Beker, Plan M80 Lot 25 Sec M80 Lot 25 M80 PCL 25-1, (St. Edmunds), 20 Willow Creek Road (Assessment Roll No. 680 002 29452), Municipality of Northern Bruce Peninsula.

   AND THAT the owners acknowledge that the building being constructed will be substantially completed and ready for occupancy within one (1) year from date of signing of the Trailer Agreement.

   Carried

   Re: June 2014 Building Report

   Moved by T. Boyle                Resolution # 16-08-2014
   Seconded by B. Stewart

   THAT Council receives Deputy Chief Building Official Report No. BD 14-11, relating to the June 2014 Building Report, as information.

   Carried

6. Municipal Law Enforcement Officer Report 14-05
   Re: Monthly report for May & June 2014

   Mayor McIver expressed concern over the number of fireworks complaints he has received. The Municipal Law Enforcement Officer noted she is informing people of the revised Fireworks By-law, before laying any charges.
THAT Council note the content of MLEO report 14-05 as information.

Carried

Re: Appointment of Municipal Auditor

THAT Council receives Treasurer's Report 14-15 as information regarding the appointment of the Municipal Auditor; and

THAT BDO, Owen Sound, be appointed as our Municipal Auditor for the years 2014 to 2016; and


Carried

8. Treasurer Report No. 14-16
Re: Tax Exemption for Medical Facilities

THAT Council authorizes the Mayor and Clerk to execute an agreement with the Peninsula Family Health Team for the provision of municipal capital facilities used for health services for the purpose of exempting these facilities from taxation; and

THAT By-Law #2014-49 authorizing the agreement with the Peninsula Family Health Team be presented and considered for passage at the Regular Meeting of Council on August 11, 2014; and

THAT By-Law #2014-50, being a By-Law to exempt municipal capital facilities from taxation under the provisions of Section 110 of the Municipal Act, 2001, be presented and considered for passage at the Regular Meeting of Council on August 11, 2014.

Carried

Re: Compliance Audit Committee

THAT Council approves the appointment of a Compliance Audit Committee in accordance with Section 81.1(1) of the Municipal Elections Act, 1996, as amended; AND THAT Robert Beccarea, Terry Julian and Steven Lowe be appointed as members of the Compliance Audit Committee by way of By-law No. 2014-51 which will be presented to Council for consideration of passage on Monday, July 28, 2014.

Carried
10. **Municipal Clerk Report No. 14-41**  
Re: Multi-Municipal Wind Turbine Working Group (MMWTWG) Draft Terms of Reference request for clarification

Deputy Mayor Bainbridge reiterated points of further clarification and indicated some of the wording was too open ended.

A discussion ensued and Councillor Boyle indicated that revised Terms of Reference would be forthcoming since the Municipality of Kincardine had recently submitted changes to the Terms of Reference.

Moved by T. Boyle  
Seconded by B. Stewart  
Resolution # 16-13-2014

THAT, at its June 9, 2014 meeting, Council requested clarification of the draft Terms of Reference from the Multi-Municipal Wind Turbine Working Group; AND THAT Council receives the following responses:

1) Under STAFF RESOURCES, “The Committee may appoint a technical assistant at a rate to be determined and approved by consensus of the Committee.”

MMWTWG answer: The MMWTWG from time to time requests input from William K. G. Palmer, P. Eng, as a technical advisor to the Committee at a nominal annual fee of less than $5.00. As Mr. Palmer is a citizen who is concerned about wind turbine development, he has agreed to provide his professional expertise to our Committee for this nominal fee.

2) Under PURPOSE, “...to share and discuss and advocate “best practices” and other means...”


Carried

Re: No Demand for Services Site Plan Control Agreement  
Sang Milroy  
Lot 83, Plan 480, (St. Edmunds)  
Orchid Trail  
Assessment Roll No. 4109 680 003 37302  
PIN 33105-0112 (LT)

Moved by R. Burns  
Seconded by B. Stewart  
Resolution # 16-14-2014

THAT Council approves the negotiation and registration of a No Demand for Services Site Plan Control Agreement requested by Sang Milroy, for the property legally described as Lot 38, Plan 480, (St. Edmunds), and located on Orchid Trail, Municipality of Northern Bruce Peninsula.

Carried

Re: Request to Purchase Municipally-owned Land Lot 108, Plan 488  
Penny Road  
Assessment Roll No. 4109 680 002 19401  
Submitted by Donna Ross and Peter Szmidt

Councillor Boyle suggested this property be left in Municipal ownership. Following a lengthy discussion, the recommendation was changed to reflect Council’s wish to retain ownership.
THAT Council received a request from Donna Ross and Peter Szmidt to purchase Municipally-owned lands legally described as Lot 108, Plan 488 and located on Penny Road, Municipality of Northern Bruce Peninsula on January 23, 2014;

THAT Council received two (2) Clerk Reports on March 3, 2014 and March 24, 2014, respectively, and By-law No. 2009-83, being a by-law to establish a procedure governing the sale and disposition of land for the Municipality of Northern Bruce Peninsula, with respect to this matter;

THAT Council directed on March 24, 2014 that the subject lands be visited on the Annual Road Tour;

THAT Council deems it unadvisable to declare the lands as surplus at this time.

THAT Council supports the nature and intent of By-law No. 2012-78 as it relates to the zoning in effect for Parts 1 to 7, Plan 3R-9488 (104 Tamarac Road), and specifically, Part 3, Plan 3R-9488.

THAT Council approves the Accounts Payable Voucher No. 6 June 2014, in the amount of $3,076,075.51.

THAT Council does hereby adopt the History Project Committee Minutes dated July 2, 2014, as circulated, and approves all actions contained therein.
16. **Town of Penetanguishene**  
Re: Call for a Formation of Small and Rural School Alliance  

Deputy Mayor Bainbridge suggested the Municipality become a member of this alliance.

Clerk Mary Lynn Standen noted the Peninsula Action Committee for Education (PACE) organization was sent a copy of this resolution.

Moved by T. Boyle  
Seconded by R. Burns  

**Resolution # 16-19-2014**  

THAT Council support the resolution received by the Town of Penetanguishene, requesting Premier Wynne and the Province of Ontario to take immediate action to prevent all small town and rural Ontario Municipalities that face or have faced the possibility of school closures within their municipalities jointly lobby for a moratorium on all school closures until such time that the administrative process on accommodation reviews is completed by the Provincial Government.

Carried

17. **Township of Baldwin**  
Re: Ontario Provincial Police billing model  

Moved by B. Stewart  
Seconded by R. Burns  

**Resolution # 16-20-2014**  

THAT Council support the resolution received by the Township of Baldwin, requesting, the Province of Ontario and Premier Wynne to take back the responsibility for policing small municipalities with a population of 5,000 or less.

Carried

**OTHER BUSINESS**

Deputy Mayor Bainbridge had received a complaint with regards to No Parking signage being placed on Alexander Street in Lion’s Head. Bill Rydall, Public Works Manager, indicated this street is only eighteen (18) feet in width which is not wide enough for appropriate parking.

Councillor Boyle suggested improved access from the Hayes Drive to the Alexander Street, for foot and scooter traffic. This request will be addressed in future improvements in this area.

**CORRESPONDENCE**

Correspondence was noted on the following:

1) Pike Bay Community Association – Trillium Grant request for Municipality to lead -Municipality will be the lead agency on the application

2) Establishment of Big Tub Harbour Working Group – Review of Operational Policies

Moved by B. Stewart  
Seconded by T. Boyle  

**Resolution # 16-21-2014**  

THAT Bill Jones be appointed as the Municipal Representative for the Big Tub Harbour Working Group.

Carried
3) Landfill Hours – Little Tub Bakery  
   - Public Works Department will respond to this concern as they are compiling all hour issues

4) Jill Raney - Accessibility Issues on County Road 9 and Webster Street  
   - A site meeting is scheduled for July 17 at 10:00 a.m. to discuss this matter

5) Adventure Bruce Inn Accommodation Issues  
   - If enforceable under applicable Municipal By-laws, a By-law Officer will respond

6) Parks Canada – Cove Island Lighthouse Restoration  
   - Bill Jones will prepare a report for support at the next Council meeting

7) Larry Miller, MP – Proposals for Enabling Accessibility Fund  
   - Staff has discussed this funding opportunity

8) Isthmus Bay POS – Tourism Signage  
   - A grant has been applied for additional signage and placement of the same will be closely inspected by the CAO

Moved by B. Stewart Resolution # 16-22-2014
Seconded by T. Boyle

THAT the correspondence be received for information as circulated.  
Carried

READING OF BY-LAWS

Moved by B. Stewart Resolution # 16-23-2014
Seconded by R. Burns

THAT the following listed by-law be given 1st, 2nd and 3rd reading and enacted:

Carried

CLOSED SESSION

There is no ‘Closed Session’ for Council Meeting No. 14-16, July 14, 2014.

RECONVENE FROM "CLOSED SESSION" TO RESUME COUNCIL MEETING

There is no ‘Closed Session’ for Council Meeting No. 14-16, July 14, 2014.

ADJOURNMENT

Moved by B. Stewart Resolution # 16-24-2014
Seconded by R. Burns

THAT the meeting adjourns at 3:34 p.m.  
Carried