MUNICIPALITY OF NORTHERN BRUCE PENINSULA

MINUTES OF COUNCIL MEETING NO. 15-12

May 11, 2015 at 1:00 pm

MEMBERS PRESENT:  Mayor Milton McIver
                    Deputy Mayor Patricia Greig
                    Councillor Tom Boyle
                    Councillor Rob Rouse
                    Councillor Griffin Salen

STAFF PRESENT:  Chief Administrative Officer, Bill Jones
                Clerk, Mary Lynn Standen
                Public Works Manager, William Rydall
                Fire Chief, Wilf Barnes
                Chief Building Official, Wendy Elliott
                Deputy Clerk, Cathy Addison
                Assistant Public Works Manager, Troy Cameron
                Secretary, Charlotte Martindale

OTHERS PRESENT:  Judi MacLeod
                 George Prentice
                 Brandon Lundy
                 Traci Smith
                 Jan Mackie
                 Kim Pilon
                 Tiffany Wilson
                 Paul Ferretti

DISCLOSURE OF PECUNIARY INTEREST

Mayor McIver called the meeting to order at 1:02 p.m. and Council members were reminded to disclose any pecuniary interest that may arise during the course of the meeting. Councillors Salen and Rouse both declared conflict to the 'Closed Session' portion of the meeting pertaining to the Lion's Head and Little Tub Harbour Policy Handbook.

APPROVAL OF THE AGENDA

Moved by T. Boyle
Seconded by R. Rouse

Resolution # 12-01-2015

THAT the content of the agenda be approved as amended.

Carried

ADOPTION OF THE MINUTES

Re: Council Meeting No. 15-11, April 27, 2015

Moved by P. Greig
Seconded by T. Boyle

Resolution # 12-02-2015

THAT the minutes of Council Meeting No. 15-11, April 27, 2015, be approved as circulated.

Carried

PUBLIC MEETING

No “Public Meeting” for Council Meeting No. 15-12, May 11, 2015.

Carried
DELEGATION

1. Judi MacLeod/Jan Mackie
   Re: Single Use Plastic Water Bottle Issue

Ms. Judi MacLeod and Ms. Jan Mackie, on behalf of the Bruce Peninsula Environment Group, requested that the Municipality of Northern Bruce Peninsula allow water refilling stations for small reusable water bottles. They suggested the refilling stations be located in Tobermory (along the harbour, possibly at the Municipal washrooms) and at the Lion’s Head Picnic Shelter.

They showed Council two (2) filling systems that have been installed in other municipalities.

Councillor Salen asked what happens during the winter months with the refill station(s). He was informed that they would be taken down.

Staff will bring back a report with information on the refilling units and options.

Mayor Mclver thanked the ladies for attending today’s meeting.

2. George Prentice and Kim Pilon
   Re: Structure Inspections

Mr. George Prentice and Ms. Kim Pilon attended Council to review the 2014 Bridge and Culvert Inspections Report which they have prepared.

Ms. Pilon reviewed the following four (4) bridges: 4th Concession bridge, 10th Sideroad bridge, Ira Lake Road bridge and Heron Point bridge.

Ms. Pilon advised that the 4th Concession bridge, the 10th Sideroad bridge and the Heron Point bridge can be rehabilitated, and the Ira Lake Road bridge should be replaced.

The Chief Administrative Officer noted that $300,000.00 has been earmarked towards bridges.

The Public Works Department will investigate further options for Heron Pt Rd.

Mayor Mclver thanked Mr. Prentice and Ms. Pilon for their presentation.

3. Brandon Lundy, Bruce Peninsula Association for Community Living
   Re: Community Living Presentation

Mr. Brandon Lundy, Bruce Peninsula Association for Community Living (BPACL) spokesperson, updated Council about the activities the Association has been undertaking to increase awareness.

He noted that the month of May is Community Living Month in Ontario.

He reviewed recent activities such as bagging groceries at the local grocery stores, handing out homemade treats to people, doing good deeds in the community, making firestarters and selling at campgrounds, serving refreshments to local Councils, etc.

Mr. Lundy advised that BPACL participates in fundraisers, preparing and selling bag lunches in the community, volunteering and working at local businesses.

Mayor Mclver thanked Mr. Lundy for an excellent presentation.

Joining Mr. Lundy at today’s presentation were Tiffany Wilson and Paul Ferretti. Miss Wilson, assisted by Mr. Ferretti, advised of the following BPACL changes:

- BPACL moved to former Hilltop Nursing Home property in Wiarton;
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- Former office occupied by Luscious Bakery (five (5) Community Living clients employed);  
- New Executive Director is Rick Hill (covers Owen Sound, Wiarton, Walkerton);  
- Purchased two (2) units in former Wiarton District High School for independent living projects;  
- Bought land in Wiarton to build on to house BPACL main office and house independent living apartments.  

Mayor McIver thanked Mr. Lundy for his presentation.  

4. Traci Smith, BDO – Municipal Auditor  
Re: 2014 Financial Statements  

Ms. Smith reviewed the 2014 Financial Statement with Council.  

An amendment will be made to capital assets budget column.  

Mayor McIver thanked the Ms. Smith for an excellent review of the 2014 Financial Statement.  

CONSIDERATION OF AGENDA ITEMS  

1. Fire Department Report No. FC 15-12  
Re: Information and Updates for April 2015  

Moved by G. Salen  
Seconded by T. Boyle  
Resolution # 12-03-2015  

THAT Council receives the Fire Chief's Report FC 15-12, Fire Department activities for the month of April, 2015.  
Carried  

2. Building Department Report No. BD 15-05  
Re: April 2015 Building Report  

Moved by P. Greig  
Seconded by R. Rouse  
Resolution # 12-04-2015  

THAT Council receives Deputy Chief Building Official Report No. BD 15-05, relating to the April 2015 Building Report, as information.  
Carried  

3. Treasury Department Report No. TR 15-08  
Re: Approval of 2014 Audit  

An amendment will be made to capital assets budget column.  

Moved by G. Salen  
Seconded by T. Boyle  
Resolution # 12-05-2015  

Carried
   Re: Niagara Escarpment Commission
   Request for Comments
   Applicant: Bruce Trail Conservancy (BTC) - Beth Gilesy
   Applicant: Bruce Trail Conservancy (BTC) - John Grandy
   Owner: Ontario Heritage Trust (OHT)
   NEC File No. B/L/2014-2015/9112
   Related NEC File No. B/L/2111-2012/9063
   Part Lot 16 Concession 8 EBR

Deputy Mayor Greig asked if the steel staircase would be accessible (free of snow and frost) in the winter and Mr. Don McIlraith replied that it would be.

Moved by G. Salen
Seconded by P. Greig

THAT Council supports the request of the Bruce Trail Conservancy and Ontario Heritage Trust to construct an engineered steel spiral staircase on Part Lot 16, Concession 8.

Carried

   Re: Deeming By-law
   1322167 Ontario Inc
   Lot 34, Plan 509 - McIvor Drive - Roll No. 66-1-25200
   Lot 35, Plan 509 - McIvor Drive (Vacant Land) - Roll No. 66-1-25201

The Clerk explained the deeming process to Council.

Moved by T. Boyle
Seconded by P. Greig

THAT Council authorizes the Clerk to proceed to register a by-law to deem Lots 34 and 35, Plan 509 known locally as 106 McIvor Drive and McIvor Drive (vacant land), respectively, Municipality of Northern Bruce Peninsula, not to be parts of a registered Plan of Subdivision pursuant to a request submitted by the agent, John Campbell, for the property owner, 1322167 Ontario Inc.

AND FURTHER THAT this deeming by-law be presented to Council for passage at its regular meeting on Monday May 25, 2015.

Carried

   Re: No Demand for Services Site Plan Control Agreement
   Patricia Zajacz
   Lot 29, Plan 633 S/T beneficiaries interest R358179
   105 Parker Island Road
   Assessment Roll No. 4109 620 003 10300
   PIN 33344-0085 (LT)

Moved by R. Rouse
Seconded by G. Salen

THAT Council approves the negotiation and registration of a No Demand for Services Site Plan Control Agreement requested by Patricia Anne Zajacz for the property legally described as Lot 29, Plan 633 S/T beneficiaries interest R358179 and located at 105 Parker Island Road, Municipality of Northern Bruce Peninsula.

Carried
7. Chief Administrative Officer Report No. CAO 15-14
Re: Rogers Communications Tower - Dyers Bay Area

Moved by T. Boyle
Seconded by G. Salen

Resolution # 12-09-2015

THAT Council receives Chief Administrative Officer Report No. CAO 15-14, Rogers Communications Tower - Dyers Bay Area, as information;

AND FURTHERMORE THAT Council provides any comments to the Chief Administrative Officer to be forwarded to Rogers Communications Inc. for consideration.

Carried

8. Chief Administrative Officer Report No. CAO 15-16
Re: Downtown Tobermory (Little Tub) Parking Lot ("head of the harbour")

Councillor Rouse requested that no trees be planted to obstruct the view or interfere with the boat launch.

The accessible parking spaces will be relocated to the south of those being removed.

Moved by R. Rouse
Seconded by P. Greig

Resolution # 12-10-2015

THAT Council approves the removal of four (4) parking spaces at the Tobermory Harbour immediately south of the boat launch due to turning radius constraints which will result in improved boat launching.

Carried

9. Accounts Payable Voucher No. 4
Re: April 2015

Moved by T. Boyle
Seconded by P. Greig

Resolution # 12-11-2015

THAT Council approves Accounts Payable Voucher No. 4, April 2015, in the amount of $520,123.24.

Carried

10. Physician Recruitment and Retention Committee
Re: Minutes - Meeting No. 15-01 - May 6, 2015

Moved by P. Greig
Seconded by R. Rouse

Resolution # 12-12-2015

THAT Council does hereby adopt the Physician Recruitment and Retention Committee report dated May 6, 2015, as circulated, and approves all actions contained therein.

Carried
11. Cemetery Committee  
Re: Minutes - Meeting No. 15-01 - May 5, 2015

Cemetery Committee Meeting No. 15-01, May 5, 2015 Minutes were deferred to the May 25, 2015 Council Meeting. The minutes could not be opened on a few of the Councillors’ iPads.

12. Emergency Management Program Committee Meeting  
Re: Minutes No. 15-01 - April 24, 2015

Moved by T. Boyle  
Seconded by R. Rouse  

Resolution # 12-13-2015

THAT Council does hereby adopt the Emergency Management Program Committee report dated April 24, 2015, as circulated, and approves all actions contained therein.

Carried

13. Resolution:  
Township of Hornepayne  
Re: Hydro One Rates

Moved by T. Boyle  
Seconded by G. Salen  

Resolution # 12-14-2015

THAT Council receives the attached resolution, as information.

Carried

OTHER BUSINESS

a) The Chief Administrative Officer noted that the Bluewater District School Board is hosting a Community Planning and Partnerships meeting June 15, 2015 at 6:00 p.m. at the Bluewater District School Board Education Centre.  
- Deputy Mayor Greig will attend as the Chief Administrative Officer’s alternate

b) The Road Tour will be scheduled for June after Steve Cobean, WSP Group completes the Road Needs Study. Mayor McIver noted if any member of Council has an area that he/she would like to visit on the Road Tour to contact Kiersten Moore, Public Works Administrative Assistant. It was noted that the bridges should be included on the Road Tour itinerary visit.

c) Councillor Rouse noted that there has been no National Parks Community Committee (NPCC) meetings scheduled yet. He thought that there should be more information distributed to the public about the Committee and its mandate. Councillor Boyle suggested that Frank Burrows, Parks Superintendent, be invited to a Council meeting to discuss the Terms of Reference. It was noted that Mr. Burrows generally appears as a Council delegation once a year. Councillor Rouse is recommending that the following matters by reviewed and discussed by:

- ongoing hiring matter
- off season opening of Park in collaboration with local businesses and Chamber of Commerce
- Dorcas Bay and Big Tub road parking issues
- Fire and policing costs in both parks
- Memorandum of Understanding between the Municipality of Northern Bruce Peninsula and Parks Committee
- Investment in Municipal infrastructure

d) Deputy Mayor Greig suggested that Council meet to discuss the Strategic Plan.

e) Councillor Rouse asked if the two (2) refuse bins on Dorcas Bay Road could be moved to the residential area.
CORRESPONDENCE

Correspondence was noted on the following:

   - Reaffirm support at the next Council Meeting on May 25, 2015

b) 13. Bill Walker, MPP - Intersection of Highway 6 and Bruce Road 9 (Ferndale Corner)
   - Noted and filed

c) Bruce Peninsula Tourist Association - Bruce Peninsula Tourists and Waste Management
   - Public Works Department to respond

Moved by R. Rouse
Seconded by G. Salen

THAT the correspondence be received for information as circulated.
Carried

READING OF BY-LAWS

Moved by T. Boyle
Seconded by R. Rouse

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


Carried

CLOSED SESSION

Moved by T. Boyle
Seconded by P. Greig

THAT Council move into closed meeting at 3:18 pm pursuant to Section 239 (2) (e) of The Municipal Act, 2001, as amended, for the following reasons: a) litigation or potential litigation including matters before administrative tribunals affecting the Municipality or local board (Lion’s Head and Little Tub Harbour Policy Handbook)

Carried

Councillors Rouse and Salen left the Council Chambers at 3:18 pm.

RECONVENE FROM "CLOSED SESSION" TO RESUME COUNCIL MEETING

Moved by T. Boyle
Seconded by P. Greig

THAT Council reconvene from "Closed Session" at 3:55 pm and Resume the Council meeting.

Carried

Councillors Rouse and Salen resumed their place in the meeting.
The following resolution was presented in open session:

Moved by T. Boyle
Seconded by P. Greig

THAT Council, having received and considered correspondence from Middlebro' & Stevens as it relates to the Lion's Head and Little Tub Harbour Policy Handbook, recommends that the following actions be undertaken:

1) THAT use of the 2015 Lease Agreement and Policy Handbook documents be suspended;
2) THAT the Municipality utilizes the 2014 versions of the Lease Agreement and Policy Handbook for the 2015 season only;
3) THAT notices be forwarded to all lessees and all parties on the current waiting list outlining Items #1 and #2 above as well as reaffirming that a boat slip can only be transferred with the prior consent of the Municipality;
4) THAT the Facilities Supervisor shall be the designated individual to receive and review all requests to transfer boat slips; however, boat slip transfers may not reach approval stage until the completion of a policy review;
5) THAT Staff finalizes the 2016 Lease Agreement and Policy Handbook ad said documents shall be presented to Council for consideration;
6) THAT the 2016 Lease Agreement and Policy Handbook, as approved by Council, is distributed to all current lessees and all parties presently on the waiting list as soon as is practicable in order to ensure that all parties have received sufficient notice of any changes.

Carried

ADJOURNMENT

Moved by G. Salen
Seconded by R. Rouse

THAT the meeting adjourns at 3:59 p.m.

Carried

Mayor — Milt McIver
Clerk — Mary Lynn Standen