

The Corporation of the Township of Malahide

February 4, 2010 – 8:00 p.m.

The Malahide Township Council met in the Council Chambers at 8:00 p.m. with the following present:

Council: Mayor J. R. Wilson; Deputy Mayor D. Mennill; Councillor C. Glinski; Councillor M. Moore; Councillor M. Phillimore; and Councillor M. Widner.

Staff: C.A.O./Clerk M. Casavecchia; Director of Community and Corporate Services E. DiMeo; Director of Fire and Emergency Services P. Groeneveld; Director of Physical Services R. Johnson; Director of Finance S. Wilson; and Deputy Clerk D. Wilson.

Absent: Councillor G. Cleminshaw

CALL TO ORDER:

Mayor Wilson took the Chair and called the meeting to order at 8:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

No disclosures of pecuniary interests were declared.

MINUTES:

Moved by: Max Moore **No. 61**
Seconded by: Mike Phillimore

THAT the minutes of the regular meeting of the Council held on January 21, 2010 be adopted as printed and circulated.

Carried.

Moved by: Mark Widner **No. 62**
Seconded by: Chester Glinski

THAT the minutes of the special meeting of the Council held on January 25, 2010 be adopted as printed and circulated.

Carried.

PRESENTATIONS/DELEGATIONS:

OPP Presentation – 2010 Policing Costs and Police Services Board Budget

Inspector-Detachment Commander Ryan Cox and Police Services Board Member Kathleen Schaper and Board Chairman Tom Marks appeared before Council to present the 2010 Policing Cost Estimates and the proposed Police Services Board Budget.

Mrs. Shaper presented the 2010 Budget for the Police Services Board. The Council was advised that the proposed budget, in the amount of \$21,210.00, represents a slight decrease from the 2009 Budget.

Inspector Cox presented his 2009 Year-end Report and the 2010 Policing Cost Estimates. The Council was advised that a new traffic management strategy has

been introduced and that the number of OPP incidents has decreased substantially in 2009.

Moved by: Dave Mennill **No. 63**
Seconded by: Chester Glinski

THAT the proposed 2010 Operational Budget for the Elgin Group Police Services Board, in the total amount of \$21,210.00, be approved; it being noted that the Township of Malahide portion of the requisition is \$2,954.00.

Carried.

Moved by: Mark Widner **No. 64**
Seconded by: Mike Phillimore

THAT the estimated requisition for the Elgin County OPP Detachment, in the total amount of \$5,484,471.00, for 2010 police services costs be approved; it being noted that the Township of Malahide portion of the requisition is \$763,822.00.

Carried.

The Council thanked Inspector Cox, Chairman Tom Marks and Mrs. Shaper and they retired from the meeting.

Foster Planning Proposal to Sever and Rezone Farm

David Roe, of Civic Planning Solutions, appeared before the Council on behalf of the Foster Family, to present a planning proposal for the estate of Don Foster, owner of Part Lot 17, Concession 12, Geographic Township of South Dorchester, which would result in the 104 acre parcel being split into two parcels of approximately 52 acres each. The Planner advised the Council that the proposed rezoning and severance of two 52 acre parcels does comply with the Provincial Policy Statement. He also indicated that the County of Elgin Land Division Committee, as well as those in neighbouring Counties, has supported similar severances in the past.

Moved by: Mark Widner **No. 65**
Seconded by: Max Moore

THAT the Clerk be requested to forward the correspondence of Civic Planning Solutions Inc., dated February 1, 2010, relating to the Foster rezoning application to the Township Planner for consideration and comments.

Carried.

The Council thanked Mr. Roe and members of the Foster family and they retired from the meeting.

REPORTS OF DEPARTMENTS:

Director of Physical Services:

- Water/Wastewater/Streetlights

Moved by: Dave Mennill **No. 66**
Seconded by: Mike Phillimore

THAT Council acknowledge the receipt of Report W-10-04, Water/Wastewater/Streetlights.

Carried.

- Springfield Waste Water Collection System 2009 Performance Report

Moved by: Max Moore

No. 67

Seconded by: Chester Gllinski

THAT Report No. W-10-02 concerning the Springfield Wastewater Collection System, 2009 Performance Report be received.

Carried.

- Drainage Report

Moved by: Dave Mennill

No. 68

Seconded by: Mike Phillimore

THAT the Council acknowledges receipt of Drainage Report DR-10-02.

Carried.

- Stephens Municipal Drain - Withdrawal of Petition by David and Deborah Young.

Moved by: Mark Widner

No. 69

Seconded by: Max Moore

THAT the request of David Young and Deborah Young to withdraw the Petition for an extension of the Stephens Municipal Drain on Dexter Line be accepted.

Carried.

- General Report - Roads

Moved by: Mike Phillimore

No. 70

Seconded by: Mark Widner

THAT the Council acknowledges receipt of Report R-10-02 General Report – Roads.

Carried.

- Winter Control: Anti-Icing and Pre-Wetting Agents

Moved by: Mark Widner

No. 71

Seconded by: Chester Gllinski

THAT Report No. PS-10-07 concerning Winter-Control: Anti-Icing and Pre-Wetting Agents be received;

AND THAT the Director of Physical Services be authorized to purchase anti-icing and pre-wetting agents at his discretion without undertaking a formal tender process.

Carried.

- Street Lighting: Ferguson Line/Lyons Line and Belmont Road

Moved by: Max Moore
Seconded by: Dave Mennill

No. 72

THAT Report No. PS-10-06 regarding Street lighting at the intersection of Ferguson Line/Lyons Line and Belmont Road be received;

AND THAT no action be taken at this time to have supplementary street lighting installed at the intersection of Lyons Line and Belmont Road;

AND THAT municipal staff be requested to develop a policy to deal with future street lighting requests.

Carried.

- Whittaker Road Extension

Moved by: Max Moore
Seconded by: Mike Phillimore

No. 73

THAT Report No. PS-10-05 concerning the Whittaker Road Extension be received;

AND THAT the Whittaker Road Extension project be deferred for further consideration during the 2010 budget deliberations.

Carried.

Director of Community & Corporate Services

- IT (Computer) Support Specialist

The Council received Report No. T-10-08 regarding the IT (Computer) Support partnership with a number of municipalities in Elgin County, the East Elgin Community Complex and the Elgin-St. Thomas Public Health (ESPH). The report recommended that the current partnership with the ESPH be concluded at the end of May, 2010 in order that additional IT Support hours could be reallocated to the Township of Malahide. The Mayor advised that the ESPH has asked that the partnership not be ended until later this year in order that the IT support can be available to the ESPH when it relocates in November. The Council referred the report back the Municipal Staff for further discussions with the ESPH regarding an appropriate timeframe during which to cease the partnership.

- Building/By-law Enforcement – Council Report

Moved by: Mark Widner
Seconded by: Dave Mennill

No. 74

THAT the Council acknowledges the receipt of Report BE-10-02.

Carried.

Director of Financial Services

- Accounts Payable

Moved by: Max Moore
Seconded by: Mike Phillimore

No. 75

THAT Cash Disbursements Journal No. 819 to No. 821, in the amount of \$913,543.95, be approved.

Carried.

- Councillor's 2009 Remuneration and Expenses

**Moved by: Mike Phillimore
Seconded by: Dave Mennill**

No. 76

THAT Report T-10-05 concerning the Council's 2009 Remuneration and Expenses be received.

Carried.

- 2009 Year End Report – Municipal Drain Maintenance

**Moved by: Chester Glinski
Seconded by: Mark Widner**

No. 77

THAT Report T10-09, being the 2009 Year End Financial Report regarding Municipal Drain maintenance be received.

Carried.

- 2009 Year End Report – New Municipal Drains

**Moved by: Chester Glinski
Seconded by: Max Moore**

No. 78

THAT Report T10-07, being the 2009 Year End Financial Report regarding the construction of new Municipal Drains be received.

Carried.

- Annual Debt Repayment Limit

**Moved by: Dave Mennill
Seconded by: Mike Phillimore**

No. 79

THAT Report T-10-11 regarding the Annual Debt Repayment Limited be received.

Carried.

- 2008 Financial Indicator Review

**Moved by: Dave Mennill
Seconded by: Mark Widner**

No. 80

THAT Report T-10-10, being the 2008 Financial Indicator Review, be received.

Carried.

CORRESPONDENCE:

**Moved by: Max Moore
Seconded by: Chester Glinski**

No. 81

THAT the Resolution of Tay Valley Township, dated January 18, 2010, regarding Municipal Property Assessment and Assistance to Retired Persons Living on Fixed-incomes be supported.

AND THAT a copy of the Resolution be forwarded to Tay Valley Township.

Carried.

**Moved by: Mike Phillimore
Seconded by: Max Moore**

No. 82

THAT the following correspondence be noted and filed:

1. **Steve Peters, MPP – Letter of Support Springfield Agri-Industrial Park;**
2. **Twp. of Southwold - Letter of Support for Springfield Agri-Industrial Park;**
3. **The Preston Post – Newsletter of MP Joe Preston – January 22, 2010;**
4. **Central Elgin – Zoning – Notice of Passing –**
 - a) **168 William Street, Port Stanley**
 - b) **420 Edith Cavell Blvd., Port Stanley;**
5. **Municipality of Bayham Letter– Supporting Malahide’s resolution to defer next Doors Open East Elgin event until 2011;**
6. **Township of South Stormont Resolution requesting Province to conduct a review of Conservation Authority mandate, responsibilities and allowable cost recovery methods;**
7. **Municipality of West Grey Resolution requesting Province to place an indefinite moratorium on industrial wind turbines;**
8. **Aylmer Cemetery Board – Request for grant (Deferred for 2010 Budget consideration); and**
9. **CleanFARMS™ Inc. – Launch of agricultural waste programming.**

Carried.

NEW BUSINESS:

- Noroxel Energy Ltd. - Request for Letter of Support

**Moved by: Max Moore
Seconded by: Mark Widner**

No. 83

THAT the Municipal Staff be requested to prepare and forward a letter of support regarding the Noroxel Energy Ltd. biodiesel production facility proposed to be located at 51830 Ron McNeil Line in Springfield; noting that the development of such a biodiesel production facility will enhance the Township’s ability to attract and retain other value-added agricultural and green energy enterprises.

| Recorded Vote | Yes | No |
|---------------------------|------------|-----------|
| Mayor John R. Wilson | X | |
| Deputy Mayor Dave Mennill | X | |
| Councillor Mark Widner | X | |

| | | |
|----------------------------|---|--|
| Councillor Chester Glinski | X | |
| Councillor Mike Phillimore | X | |
| Councillor Max Moore | X | |

Carried.

- Southwold Township Resolution – Exotic Animal Legislation

Moved by: Mark Widner
Seconded by: Max Moore

No. 84

THAT the Township of Southwold Resolution dated January 25, 2010, requesting the Province to develop comprehensive legislation regulating the exotic animal industry be supported.

THAT a copy of this Resolution be forwarded to the Premier of Ontario, the Ministry of Natural Resources, the Ministry of Community Safety and Correction Services, Steve Peters MPP and the Township of Southwold.

Carried.

- Port Bruce Flood Advisory/Warning

The Council expressed some concerns regarding the need for the issuance of the Flood Advisory that was issued recently for Port Bruce residents by the Catfish Creek Conservation Authority (CCCA). The Council suggested that the advisory was issued at a time when there was very little snow cover on the ground, the channel was open, and a significant amount of rain was not in the forecast. The Council was concerned that residents will not heed Flood Warnings when it is critical if they receive multiple Flood Advisories when there really is no serious threat of flooding. The Council asked that the CCCA be contacted to respond to these concerns.

- Recognition of Local Achievements

The Council directed that letters of recognition and congratulations to be sent to Malahide residents Craig VanYmeren for winning the Canadian Junior Men's Curling championships; and to John M. Walker for being inducted into the Agricultural Hall of Fame.

- Future Reporting by Staff

The Council discussed a proposal from the Chief Administrative Officer/Clerk (CAO/Clerk) to modify the reporting process by various Municipal Staff members in an effort to streamline the Council Meeting process. The Council noted that the proposal suggests that rather than the Directors submitting monthly activity reports, they instead be required to submit only issue-based reports to Council that generally requires a decision to be made or where the report provides information that is of value to the future decision making by the Council.

After some discussion on the matter, the Council agreed not to make any changes to the staff reporting process at this time, but rather asked the CAO/Clerk to bring the matter forward for consideration again in April, 2010.

BY-LAWS:

- (1) By-law No. 10-11 – Interim Tax Levy for 2010

Moved by: Dave Mennill
Seconded by: Chester Glinski

No. 85

THAT By-law No. 10-11, being a By-law to provide for an interim tax levy for the year 2010 for all property classes, be given first, second and third readings, and be properly signed and sealed.

Carried.

(2) By-law No. 10-13 - Agreement with Elgin Community Futures Development Corporation (CAF)

**Moved by: Max Moore
Seconded by: Mark Widner**

No. 86

THAT By-law No. 10-13, being a By-law to authorize the execution of a Letter of Agreement with the Elgin Community Futures Development Corporation related to an allocation under the South West Community Adjustment Fund, be given first, second and third readings, and be properly signed and sealed.

Carried.

Staff members Rob Johnson, Susan Wilson and Diana Wilson retired from the meeting at 10:23 p.m.

CLOSED SESSION:

**Moved by: Dave Mennill
Seconded by: Mark Widner**

No. 87

THAT the Council move into Closed Session at 10:24 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss a personal matter relating to a future staff retirement strategy and a proposed or pending acquisition or disposition of land relating to the proposed Springfield Agri-Industrial Park.

Carried.

**Moved by: Max Moore
Seconded by: Mark Widner**

No. 88

THAT the Council move out of Closed Session and reconvene at 11:25 p.m. in order to continue with its deliberations.

Carried.

Mayor Wilson advised that during its Closed Session, the Council provided direction to the Chief Administrative Officer/Clerk regarding a personal matter related to a staff retirement strategy.

Mayor Wilson advised that during its Closed Session, the Council discussed the status of a proposed or pending acquisition or disposition of land matter related to the proposed Springfield Agri-Industrial Park.

CONFIRMATORY BY-LAW:

**Moved by: Dave Mennill
Seconded by: Mike Phillimore**

No. 89

THAT By-law No. 10-12, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

ADJOURNMENT:

**Moved by: Mark Widner
Seconded by: Chester Glinski**

No. 90

**THAT the Council adjourn at 11:26 p.m. to meet again on February 18, 2010,
at 8:00 p.m.**

Carried.

Mayor - John R. Wilson

Clerk - M. Casavecchia