



# THE CORPORATION OF THE TOWNSHIP OF RAMARA

*Proud History - Progressive Future*

## COUNCIL MINUTES

**OCTOBER 25, 2004**

The first meeting for the month of October of the Council of the Township of Ramara was held in the Council Chambers with the following members and staff in attendance:

	Deputy Mayor	Dan McMillan
	Councillor	Marilyn Brooks
	Councillor	John O'Donnell
	Councillor	Basil Clarke
	Councillor	Nadir Jamal
	Councillor	Neal Snutch
Absent	Mayor	Bill Duffy
	CAO/Clerk	Richard P. Bates
	Deputy Clerk	Janice McKinnon
	Corporate Services Mngr/Treasurer	Margaret Black
	Township Solicitor	William Koughan

### 1. OPENING OF THE MEETING

Council met in a closed session at 6:00 p.m. with its solicitor and discussed a matter of litigation (Goring) and an intergovernmental affairs matter (First Nation).

- 1.1 Deputy Mayor McMillan called to order the open meeting at 7:07 p.m. with the Lord's Prayer.

### 2. ADOPTION OF AGENDA AND/OR AGENDA ADDITIONS

The following items were added to the Agenda dated October 25, 2004:

- 6:00 p.m. Closed Meeting Richard Bates, memo dated October 25, 2004, regarding the Goring Crossing CONFIDENTIAL LITIGATION MATTER.
- 9.39 Borden Ladner Gervais, correspondence dated October 25, 2004, regarding Highway 12/Rama Road (Brooks) CONFIDENTIAL PROPERTY MATTER.
- 9.40 Richard Bates, memo dated October 25, 2004, regarding Burke OMB.
- 9.41 Richard Bates, memo dated October 25, 2004, regarding Opening of Concession Road 12 - McNamee/MacNeal.
- 9.42 Bill Newman, Works Superintendent, memo dated October 25, 2004, regarding MTO meeting with residents of Highway 12/Rama Road reconstruction.
- 11.4 Report WD-22-04 Replacement of Oil Furnace - Yard 3
- Bill 2004.77 Acquisition of an Easement for Turning T (McNamee/MacNeal)
- Bill 2004.73 Assume portion of Concession Road 12 (McNamee/MacNeal)

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RESOLUTION NUMBER CR.428.04

**MOVED BY: BROOKS**

**SECONDED BY: CLARKE**

THAT the Agenda dated October 25, 2004, and additions thereto, be adopted.

**CARRIED.**

**3. ADOPTION OF MINUTES**

RESOLUTION NUMBER CR.429.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT the Minutes of the regular Council Meeting dated September 27, 2004, be adopted.

**CARRIED.**

**4. DISCLOSURE OF INTEREST**

Councillor Brooks declared a pecuniary interest with respect to Item 8.1 Voucher 13B, the nature being her spouse is the payee. Councillor Brooks did not participate in any discussion or vote on the matter.

Councillor Jamal declared a pecuniary interest with respect to Item 8.1 Voucher 13A, the nature being he owns the business. Councillor Jamal did not participate in any discussion or vote on the matter.

**5. PUBLIC MEETINGS - 7:00 P.M.**

5.1 File Z-5/04, Chris Thompkinson - applicant; James Lewis - agent  
Proposed rezoning from Resort Commercial (C3) to Village Residential (VR) to permit single detached dwelling on 41 Creighton Street and an eight unit condominium building on 43 Creighton Street. (Minutes under separate cover)

RESOLUTION NUMBER CR.430.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT the memo from Mark Dorfman dated October 13, 2004, draft site plan, draft bylaws and the comments at the public meeting regarding File Z-5/03 for a proposed rezoning from Resort Commercial (C3) to Village Residential (VR) to permit a single detached dwelling at 41 Creighton Street and an eight unit condominium building at 43 Creighton Street, be received.

AND THAT the application be referred to our planner for a report once all the concerns have been addressed by the applicant.

**CARRIED.**

**6. DEPUTATIONS AND RECEIVING OF PETITIONS**

6.1 Rose Kretchman addressed Council with respect to a proposed rezoning to permit a bed and breakfast establishment at her property, 5492 Fawn Bay Road. Ms. Kretchman advised that she has an unfinished basement and would like to create two bedrooms, sitting room, bathroom, and wet bar for a bed and breakfast operation. She also indicated that four vehicles would be able to park on site and the current septic system could accommodate the addition.

RESOLUTION NUMBER CR.431.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT the deputation by Rose Kretchman regarding a proposed Bed & Breakfast on Fawn Bay Road, be received.

AND THAT we authorize the Clerk to schedule a public meeting upon receipt of a completed zoning amendment application.

**CARRIED.**

6.2 Orvan Castor addressed Council requesting a waiver of development charges with respect to his property. He advised that fire destroyed the home on the property years ago and subsequently used a trailer to house his personal belongings. He also asked whether or not Council would consider withdrawing the summons to appear in Court because he is planning to build and will be getting a building permit and then the trailer would be permitted.

Mr. Castor also indicated that there appears to be some issue with the zoning of the property. The Clerk sent him a letter a few years ago regarding the zoning and the rail line. He further indicated that he has a right-of-way over the railway lands. He advised he has been using lands, recently designated as EP, for the last 15 years.

Council members advised that they have received complaints about the shaving of the land and removal of soil from the property. Mr. Castor confirmed that Mr. Lockhart, County Bylaw Enforcement Officer, has advised him of the types and sizes of trees that may and may not be removed. He also confirmed that he has been in contact with Parks Canada with respect to the spreading of dredged material from the canal.

Mr. Castor indicated that he would like to make the property beautiful and eventually have a tent camping area for families.

RESOLUTION NUMBER CR.432.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT the deputation by Orvan Castor regarding development charges be received.

AND THAT staff prepare a report.

**CARRIED.**

**7. TENDER OPENING REPORT**

RESOLUTION NUMBER CR.433.04

**MOVED BY: O'DONNELL**

**SECONDED BY: SNUTCH**

THAT Tender Opening Committee Report #04-05 regarding 6-ton snow plow truck and dump body spreader tender #04-16 and the snow removal tender #04-17, be received.

**CARRIED.**

**8. PASSING OF ACCOUNTS**

RESOLUTION NUMBER CR.434.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Accounts Voucher #13, dated October 25, 2004, be amended by deleting invoice #040905 on cheque #02427 in the amount of \$1,250.00;

AND THAT Accounts Voucher #13 dated October 25, 2004, in the amount of \$545,999.81 be approved, as amended.

**CARRIED.**

RESOLUTION NUMBER CR.435.04

**MOVED BY: CLARKE**

**SECONDED BY: BROOKS**

THAT Accounts Voucher #13A, dated October 25, 2004 in the amount of \$48.98 be approved.

**CARRIED.**

RESOLUTION NUMBER CR.436.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Accounts Voucher #13B, dated October 25, 2004 in the amount of \$608.89 be approved.

**CARRIED.**

**9. ITEMS OF INFORMATION**

- 9.1 Minister of Municipal Affairs and Housing, open letter dated October 7, 2004, regarding progress and accomplishments.
- 9.2 Ministry of Tourism, correspondence dated October 4, 2004, regarding Community Use of Schools Program.
- 9.3 Ministry of Consumer and Business Services, news release and correspondence dated September 24, 2004, regarding access to civil marriage.
- 9.4 Municipality of Trent Hills, correspondence dated September 14, 2004, regarding an alternative to the MPAC System that doesn't work.

- 9.5 City of Woodstock, memo dated September 22, 2004, regarding Property Tax Deferment Program.
- 9.6 ROMA Executive Committee, update from October 7, 2004, meeting.
- 9.7 Simcoe County Museum, release dated October 12, 2004, regarding Honda of Canada donates \$50,000 to Simcoe County Museum's Capital Campaign.
- 9.8 Ministry of Agriculture and Food, memo dated October 8, 2004, regarding 2004/2005 Tile Loan Program.
- 9.9 Ministry of Labour, news release dated October 8, 2004, regarding McGuinty Government helps employees and employers know their rights.
- 9.10 Sharon Burkhart, email dated October 7, 2004, regarding Soldiers' Memorial Hospital names new President and CEO.
- 9.11 Bayshore Village Association, October 2004 to September 2005 Board of Directors.
- 9.12 Richard Bates, memo dated October 18, 2004, regarding Plum Point Road - Special Council meeting.
- 9.13 Ministry of the Environment, Notice of Decision dated October 14, 2004, regarding Stepan Canada.
- 9.14 Simcoe County District Health Unit, correspondence dated September 23, 2004, regarding West Nile Virus Surveillance Summary Report.
- 9.15 Simcoe County District Health Unit, situation report dated October 13, 2004, regarding West Nile Virus.
- 9.16 Lagoon City Parks & Waterways Commission, minutes of meeting held September 9, 2004.
- 9.17 City of Orillia, correspondence dated September 23, 2004, regarding cormorant population.
- 9.18 Lake Simcoe Region Conservation Authority, correspondence dated September 27, 2004, regarding Greenbelt Task Force - Advice and Recommendations.
- 9.19 Report BD-16-04 dated October 25, 2004 regarding building permits issued September 2003 -2004.
- 9.20 Ministry of Natural Resources, correspondence dated October 18, 2004, regarding Identification of a Provincially Significant Wetland (Castor).
- 9.21 David White, correspondence dated October 4, 2004, regarding Boundary Road Agreement for proposed McCarthy Quarry.

- 9.22 Doug Wilkinson, email dated September 19, 2004, regarding Lagoon City Development.
- 9.23 David Vallance, correspondence dated October 4, 2004 and Richard Bates, memo dated October 25, 2004, regarding 1 Old Indian Trail.
- 9.24 Board of Negotiation, revised notice of meeting dated September 29, 2004, regarding Highway 12/Rama Road reconstruction (Greene). CONFIDENTIAL LITIGATION MATTER.
- 9.25 Environmental Review Tribunal, notice of preliminary hearing dated October 1, 2004, regarding the McNabb Drain.
- 9.26 Diether Dabis, email dated October 14, 2004, regarding the McNabb Drain. CONFIDENTIAL LITIGATION MATTER.
- 9.27 Barbara Halliday, correspondence dated October 6, 2004, regarding street lights in Heritage Farm.
- 9.28 Plum Point Cottage Association, correspondence dated September 28, 2004, regarding garbage disposal - sanitary fill site.
- 9.29 Stanley Cohen, correspondence dated September 29, 2004, regarding Orkney Beach Road.
- 9.30 Marney and Bill Lindsay, correspondence dated October 15, 2004, regarding Bluebird Drainage.
- 9.31 Dianne Gillies, copy of correspondence to Ted Conway dated October 6, 2004, regarding Fire Department response.
- 9.32 Joint Health & Safety Committee, minutes of meeting held September 17, 2004.
- 9.33 Bylaw Enforcement Report dated October 25, 2004. CONFIDENTIAL UNDER F.O.I.
- 9.34 Ramara Canine Control Report dated September 1-30, 2004. Summary Report is CONFIDENTIAL UNDER F.O.I.
- 9.35 OPP Incident Report dated September, 2004.
- 9.36 Ontario Heritage Foundation, correspondence dated September 20, 2004, regarding Young Heritage Leaders Program 2004.
- 9.37 Lake Country Board, minutes of meeting held October 7, 2004.
- 9.38 Ramara Township Public Library Board agenda dated October 6, 2004.

RESOLUTION NUMBER CR.437.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Items of Information 9.1 to 9.42 inclusive, as listed on the Agenda and any Additions to the Agenda, dated October 25, 2004, be received.

**CARRIED.**

9.20 RESOLUTION NUMBER CR.438.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT the correspondence from the Ministry of Natural Resources dated October 18, 2004, regarding Identification of a Provincially Significant Wetland, be received;  
AND THAT we refer this matter to our planning consultant for a report.

**CARRIED.**

9.21 RESOLUTION NUMBER CR.439.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT the correspondence from David White dated October 4, 2004, regarding Boundary Road Agreement for the proposed McCarthy Quarry, be received;  
AND THAT we advise we are willing to enter into such an agreement with Mr. White's clients paying all costs.

**CARRIED.**

9.22 RESOLUTION NUMBER CR.440.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT the email from Doug Wilkinson dated September 19, 2004, regarding Lagoon City Development, be received.  
AND THAT we thank him for his email.

**CARRIED.**

9.27 RESOLUTION NUMBER CR.441.04

**MOVED BY: O'DONNELL**

**SECONDED BY: SNUTCH**

THAT the correspondence from Barbara Halliday dated October 6, 2004, regarding street lights in Heritage Farm, be received.  
AND THAT staff prepare a report.

**CARRIED.**

9.28 RESOLUTION NUMBER CR.442.04

**MOVED BY: SNUTCH**

**SECONDED BY: O'DONNELL**

THAT the correspondence from the Plum Point Association dated September 28, 2004, regarding garbage disposal/sanitary fill site, be received;  
AND THAT we thank the Association for their letter and be advised it is a County matter.

**CARRIED.**

9.29 RESOLUTION NUMBER CR.443.04

**MOVED BY: O'DONNELL**

**SECONDED BY: SNUTCH**

THAT the correspondence from Stanley Cohen dated September 29, 2004, regarding unpaved portion of Orkney Heights, be received.  
AND THAT the matter be referred to budget 2005 and the writer notified.

**CARRIED.**

9.30 RESOLUTION NUMBER CR.444.04

**MOVED BY: O'DONNELL**

**SECONDED BY: BROOKS**

THAT we delete the second sentence and replace it with:

AND THAT we pay for the K. Smart study on Bluebird at or around 6378 Bluebird.

Councillor O'Donnell requested a recorded vote on the attached resolution CR.444.04

Councillor Brooks	no
Councillor Clarke	no
Councillor Jamal	no
Deputy Mayor McMillan	no
Councillor O'Donnell	yes
Councillor Snutch	no

**DEFEATED.**

RESOLUTION NUMBER CR.445.04

**MOVED BY: SNUTCH**

**SECONDED BY: CLARKE**

THAT the correspondence from Bill and Marney Lindsay dated October 15, 2004, regarding drainage on Bluebird Street, be received.

AND THAT we advise we require a signed petition as outlined in the letter dated October 5, 2004, from the Clerk.

**CARRIED.**



9.36 RESOLUTION NUMBER CR.446.04

**MOVED BY: BROOKS**

**SECONDED BY: CLARKE**

THAT the correspondence from the Ontario Heritage Foundation dated September 20, 2004, regarding Young Heritage Leaders Program 2004, be received.

AND THAT we forward this to the Historical Group for a nomination.

**CARRIED.**

9.41 RESOLUTION NUMBER CR.447.04

**MOVED BY: O'DONNELL**

**SECONDED BY: SNUTCH**

THAT the Concession Road 12, west of Fairvalley Road a distance of 318 m (1045 ft), has been constructed to Township standards;

AND THAT we enter into an easement agreement for a turning T with Mr. McNamee;

AND THAT the appropriate bylaws be presented.

**CARRIED.**

**10. REPORTS OF COMMITTEES**

RESOLUTION NUMBER CR.448.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT Committee of the Whole Report 21/04 dated October 4, 2004, be adopted.

**CARRIED.**

RESOLUTION NUMBER CR.449.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Committee of the Whole Report 22/04 dated October 18, 2004, be adopted.

**CARRIED.**

**11. ITEMS REQUIRING THE IMMEDIATE ATTENTION OF COUNCIL**

11.1 Report WD-20-04 Purchase 6-Ton Snow Plow Truck Tender

RESOLUTION NUMBER CR.450.04

**MOVED BY: O'DONNELL**

**SECONDED BY: SNUTCH**

THAT Report WD-20-04 be received.

AND THAT we accept the quotation submitted by Winslow Gerolamy Motors Limited at a total cost of \$171,253.40 to be delivered December 2004.

AND THAT the 1993 International 6-ton tandem truck with snow plow equipment and 2-way dump body, including harness and levelling wing, be used as trade-in.

**CARRIED.**

11.2 Report WD-21-04 Snow Removal Tender

RESOLUTION NUMBER CR.451.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Report WD-21-04 be received.

AND THAT we accept the quotations submitted as listed below for the Administration / Medical Centre, Ramara Centre, Fire, Water/Wastewater and Works Department's snow removal requirements for a one (1) year contract being November 2004 to June 1, 2005.

<u>LOCATION</u>	<u>CONTRACTOR</u>
Administration/Medical Centre	Ted Conway
Ramara Centre	Telford Property Management
Fire Department - Fire Hall #1	Telford Property Management
- Fire Hall #2	Telford Property Management
- Fire Hall #3	Boyd Cronk
Water/Wastewater Department	Ted Conway
Works Department	Boyd Cronk

All prices are in accordance with the Tender Opening Committee Report dated October 13, 2004.

**CARRIED.**

11.3 Richard Bates, memo dated October 25, 2004, regarding joint council meeting.

RESOLUTION NUMBER CR.452.04

**MOVED BY: CLARKE**

**SECONDED BY: BROOKS**

THAT we accept the cheque in the amount of \$71,500 from Mnjikaning First Nation toward the cost of constructing the Trenouth Bridge.

AND THAT we do so reluctantly in that we were expecting a 25% payment.

**CARRIED.**

11.4 Report WD-22-04 Replacement of Oil Furnace - Yard 3

RESOLUTION NUMBER CR.453.04

**MOVED BY: SNTUCH**

**SECONDED: O'DONNELL**

THAT we accept the quotation submitted by Black's Heating & Sheet Metal to supply and install a new Olsen oil furnace for Works Yard #3 at a total cost of \$4,140.00.

**CARRIED.**

**12. UNFINISHED OR NEW BUSINESS**

Councillor O'Donnell enquired if there is an update regarding the consultant hired by the County to complete the Casino Impact Study.

Councillor Clarke enquired if the company has been advised of the numbers for the street light that are not working. He also questioned if one was the responsibility of the Ministry of Transportation.

Councillor O'Donnell asked why the web page is not being updated.

**13. ANNOUNCEMENTS AND ENQUIRIES**

Councillor Clarke advised that he will be away from November 11<sup>th</sup> to 24<sup>th</sup> and would like his Council packages held at the office.

Councillor O'Donnell advised that he noticed that a clinic for flu shots will be held on November 2<sup>nd</sup> from 3:00 to 8:00 p.m. at the Brechin United Church.

**14. COUNTY COUNCIL UPDATE**

County Council will be meeting on October 26<sup>th</sup>, 2004, and there will be various meetings held this week with respect to strategic issues.

**15. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN**

**16. NOTICES OF MOTION**

**17. QUESTION PERIOD FOR MEDIA AND PUBLIC DEALING WITH AGENDA ITEMS**

William Clark enquired with respect to the following:

- Are there any strings attached to the \$71,000.00 received from Mnjikaning First Nation?
- A letter will be forwarded to the OMB, and copied to Council and Burke, with respect to the integrity of the process.

Cliff Armstrong commented on the following:

- The lack of public input at traveling Committee meetings is because there is no indication on agenda that they are intended for the public and also it is too late at night for the public to stay and comment.
- The Fire Chief is an employee and appears to have a conflict of interest when he quotes on snow removal.

Norm Stelling asked if the report had been prepared with respect to the backup of the Bayshore Village sewage system.

Bruce Galway asked the following:

- Why did Council not support the motion in Item 9.4?
- Where did the water get charged to that Councillor O'Donnell spoke of?

## 18. **BILLS AND BYLAWS**

2004.72 Willison Consent Agreement

2004.74 Contract with Underground Services Ltd. (Doner Bridge Rehabilitation)

2004.75 Procurement Bylaw

2004.76 Agreement with OSTAR

### RESOLUTION NUMBER CR.454.04

**MOVED BY: JAMAL**

**SECONDED BY: BROOKS**

THAT Bills 2004.72, 2004.74, 2004.75 and 2004.76 as listed on the Agenda of October 25, 2004, be considered read a first, second and third time and finally passed as bylaws.

**CARRIED.**

2004.77 Acquisition of an Easement for Turning T (McNamee/MacNeal)

2004.73 Assume portion of Concession Road 12 (McNamee/MacNeal)

### RESOLUTION NUMBER CR.455.04

**MOVED BY: BROOKS**

**SECONDED BY: JAMAL**

THAT Bills 2004.77 and 2004.73 as listed on the Additions to the Agenda of October 25, 2004, be considered read a first, second and third time and finally passed as bylaws.

**CARRIED.**

### RESOLUTION NUMBER CR.456.04

**MOVED BY: CLARKE**

**SECONDED BY: JAMAL**

THAT Bylaw 2004.86, a bylaw to Confirm the Proceedings of Council at the meeting held on the 25<sup>th</sup> day of October 2004, be considered read a first, second and third time and finally passed.

**CARRIED.**

19. **ADJOURNMENT**

RESOLUTION NUMBER CR.457.04

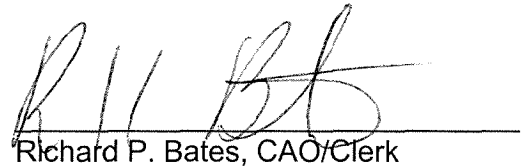
**MOVED BY: SNUTCH**

**SECONDED BY: O'DONNELL**

THAT we do now adjourn at 9:25 p.m. until November 22, 2004 at 7:00 p.m.

**CARRIED.**

  
William Duffy, Mayor

  
Richard P. Bates, CAO/Clerk