

Mayor Anderson called the meeting to order with all members in attendance save Councillor Fairweather, absent due to vacation.

No member declared a pecuniary interest with any matter as listed on the agenda.

Regarding the minutes of July 12, 2004 and Special Meeting of July 19, 2004, the following verbal Resolution was then presented:

Moved by: R. J. Gamble
Seconded by: Harold Holden

THAT the minutes of July 12, 2004 and Special Meeting of July 19, 2004 be adopted as circulated and amended.

CARRIED...

There was no business arising from the minutes at that time.

Next, as Shiela Metras of the Georgian Triangle Tourist Association and Tanya Cernitk of the Ontario Tourism Education Corporation were in attendance, it was Council's pleasure to hear them regarding their proposal to have The Blue Mountains designated as a Service Excellence Community by the O.T.E.C. by 2006.

Shiela noted the G.T.T.A. had partnered with the O.T.E.C. in the past to offer Superhost training to improve customer service in the area.

Tanya then noted that organizations wherein a percentage of staff have received training they can be designated as a Service Excellence partner, the designation now being offered to communities with training completed for 60% of local businesses.

Shiela noted several local businesses have indicated support for the Service Excellence program, adding Tourism Ontario will promote the Service Excellence program in Ontario marketing advertising campaigns.

Shiela then introduced partners Vicky Jones of the Thornbury B.I.A, Linda Wykes of the Chamber of Commerce and consultant Jack Peckitt.

Mayor Anderson noted support for program participation and the benefits that would follow.

Councillor Gamble then noted support for the program and the benefit to the business community, adding funding to train Town Staff would be well spent.

Ellen added members of Council would also receive Superhost training, Bob noting if the proposed schedule is met, the Town may be one of the first communities in Ontario to receive the Service Excellence designation.

Council then dealt with the following Resolution:

Resolution No. 1

Moved by: Harold Holden
Seconded by: John McKean

THAT this Council does hereby declare support in principle, together with area business leaders, for Town designation under the Ontario Tourism Education Corporation as a "Service Excellence Community" by 2006;

AND THAT Mayor Anderson is hereby proclaimed as Patron of the Service Excellence Community initiative;

AND THAT funding for training and refresher-training for all Town Staff will be considered during budget consideration over the next two years.

CARRIED...

The delegation then thanked Council and retired from the meeting.

Next, as contractor Brian Dykeman was in attendance, it was Council's pleasure to hear him regarding possible water servicing to Lot 8, Plan 377, owner John Norris, through a connection along a private access road from Highway 26.

Brian noted the lot did not front on Highway 26 and therefore a curb stop was provided only for the private Block "A" which provides access to several lots by reciprocal rights-of-way.

Brian further noted a single landowner now owns Block "A" although easements and rights-of-way for each lot owner exist, adding existing residences are serviced with wells, the Norris residence being recently constructed and it is desired to install municipal water servicing.

Brian noted he was previously advised a municipal water line would not be constructed on private property, requesting Mr. Norris be allowed to install a single residential water connection on Block "A" utilizing existing easement rights at his own expense, and agreeing it would be replaced if a municipal water line was ever installed.

Environment Services Superintendent John Caswell noted the easement should be researched as to permitting servicing installation, adding a previous landowner had requested same and was not permitted to connect. John continued municipal services might be installed through Block "A" if the Town acquired a full easement, although not desirable, adding not all landowners would support a servicing project.

Brian noted the current owner of Block "A" would provide a servicing easement for his client.

Deputy-Mayor McKinlay questioned the extent of Block "A", Brian replying it was essentially a loop from Highway 26 and back, 7.62 metres in width. Duncan continued the Environment Services Committee had previously attempted to address servicing issues within this area.

John suggested information be obtained confirming that the easement would allow installation of a waterline.

Councillor Gamble then questioned if the service was installed how further connections could be controlled, John noted that may be of concern in the future, Brian noting a standard residential connection of 3/4" would be installed, to be removed when any further servicing was considered.

Deputy-Mayor McKinlay then proposed that easement information be compiled and submitted to the Environment Services Committee for consideration and recommendation, Council

concurring, Brian then thanking Council and retiring from the meeting.

Next, as Environment Services Superintendent John Caswell was in attendance it was Council's pleasure to hear him regarding the 2003 Year End Municipal Servicing Report.

John then reviewed the 2003 Year End Report, noting Development Charges are being collected for proposed and required works.

Council then dealt with the following Resolution:

Resolution No. 2

Moved by: Duncan R. McKinlay
Seconded by: John McKean

THAT this Council does hereby receive and adopt the Water and Sewage Capacity Assessment - 2003 Year End Report as prepared by Town Staff and reviewed by The Ainley Group and further does authorize the forwarding of same to the County of Grey for their review.

CARRIED...

During New & Unfinished Business, Council then reviewed area residents concerns with Block "E", Plan 529, the Clerk recommending that a member of Council be designated to review the matter and report back.

Council concurred that Councillor Gamble and Chief Building Official David Finbow review the matter for recommendation to Council as to resolution of concerns among area stakeholders with regard to Block "E", Deputy-Mayor McKinlay noting he would assist in the matter as well.

Bob and Duncan requested all information be collected for review and a meeting with stakeholders arranged, David adding a review of the matter by the municipal solicitor should be arranged as well.

Council then reviewed correspondence as previously circulated.

With regard to correspondence from the Beaver Valley Agricultural Society requesting temporary placement of signs indicating the 2004 Fall Fair, Chief Building Official David Finbow reporting there had been no complaints or concerns lodged with regard to previous placement of the signs, adding he had no objection provided they were again similarly placed and did not impact on sight triangles, Council concurring the Society be so advised.

With regard to correspondence from Grey County Transportation requesting the intersection of the new Grey Road 19 section and the west Townline have stop signs revised for a through County road, Deputy Mayor McKinlay suggested a similar intersection at the 10th Line be investigated as well, Councillor Ardiel to report.

With regard to correspondence from Al Buck requesting confirmation of the status of the 9/10 Sideroad in Concession 2 given previous access agreements signed with landowners fronting on the unassumed road, Deputy Mayor McKinlay proposed the matter be referred to the Public Works Committee for review, Council concurring, Duncan adding perhaps it was a matter of considering the range of permitted uses on the road section given it's topography and environment.

With regard to correspondence from the Niagara Escarpment Commission stating the Niagara Escarpment Plan Area is part of the *Greenbelt Protection Act*, Councillor Gamble noted his belief the N.E. Plan Area was in fact specifically deleted from the provisions of the Act.

Council then dealt with the following Resolutions:

Resolution No. 3

Moved by: R. J. Gamble
Seconded by: G. Ardiel

THAT the accounts in the amount of \$195,228.74 be submitted to the Treasurer for payment. (Less any accounts authorized by separate Resolution.)

CARRIED...

Resolution No. 4

Moved by: Duncan R. McKinlay
Seconded by: John McKean

THAT this Council hereby authorizes the Mayor and Clerk to execute an Agreement between the Town and The Lora Bay Corporation respecting the placement of fill or alteration of grade on the Lora Bay "golf course lands" in accordance with the plans and documents prepared by Henderson Paddon and Associates Ltd. It being noted that the Town Engineer has stamped the drawings "Accepted for Construction"; the Ministry of Transportation has stated it has "no concerns with the stormwater management plan" for the development; the Grey Sauble Conservation Authority have advised that they have reviewed the application and their outstanding concerns have been responded to in the form of an application and are related to the construction of the Golf Course Clubhouse (which would not be subject to the Agreement); and, the Town's Planning Department have reviewed the proposal and have advised that any other matters will be addressed under the Site Plan Agreement for the golf course lands. Such Agreement to be recommended for execution by the Mayor and Clerk by the Town's Manager, Building and By-law Services and to address matters such as security, damage to existing plant and indemnification of the Town.

AND THAT this Council hereby authorizes the Mayor and Clerk to execute a Pre-servicing Agreement between the Town and The Lora Bay Corporation for works on Lora Bay Drive and the relocation of the Georgian Trail subject to the final review and acceptance of the round-about by the Town Engineer, deposit of all fees and securities and final review by the Town Solicitor.

CARRIED...

Resolution No. 5

Moved by: R. J. Gamble
Seconded by: G. Ardiel

THAT this Council does hereby authorize the Mayor and Clerk to execute an Assumption Agreement with Intrawest Corporation which would permit registration of the commercial component of the Seasons at Blue Plan of Condominium under Grey County Draft Plan Approval 42 CDM 2000-03 in accordance with the terms of Season at Blue Condominium

Agreement or alternatively the execution of a new Condominium Agreement that will contain similar provisions to the existing Seasons at Blue Condominium Agreement. It is understood and agreed that such authorization is conditional upon receipt of executed copies of the Agreement from the developers and the final review and by Town Staff and consultants.

CARRIED...

Resolution No. 6

Moved by: Duncan R. McKinlay
Seconded by: John McKean

THAT this Council does hereby sponsor and endorse the 2004 Beaver Valley Fall Fair as prepared, organized and presented by the Board and members of the Beaver Valley Agricultural Society as a Community Festival, with set-up beginning September 8, 2004 for Fair dates of September 10 and September 11, 2004.

CARRIED...

Resolution No. 7

Moved by: R. J. Gamble
Seconded by: G. Ardiel

THAT By-law No. 2004-61, being a By-law to temporarily close a portion of Victoria Street on Saturday, September 11, 2004 during the Beaver Valley Fall Fair, be hereby enacted as passed this twenty-sixth day of July, 2004.

CARRIED...

During Committee Reports, the following verbal Resolution was then presented:

Moved by: Harold Holden
Seconded by: John McKean

THAT The Blue Mountains Trail Committee Report of June 3, 2004, the Blue Mountains Fire Services Committee Report of June 30, 2004, the Environment Services Committee Report of July 7, 2004 and the Public Works Committee Reports of July 8 and July 20, 2004 be adopted as circulated.

CARRIED...

With regard to the Public Works Committee Report of July 21, 2004, Councillor Gamble clarified there is no longer a requirement for a municipality to sell highway allowance lands adjoining landowners under Municipal Act, 2001.

Deputy-Mayor McKinlay then noted in the July 20, 2004 Public Works Committee Report, the Town has responded to Monterra Estate Ratepayers drainage concerns regarding standing water in ditches with a remedial works program, now set aside at this time following a request by the ratepayers.

Duncan further noted it was requested that the Town enter onto lots and re-establish drainage swales on private property but it was determined the Town would not have such a role.

Council then dealt with the following verbal Resolution:

Moved by: Harold Holden
Seconded by: G. Ardiel

THAT the Development Services Committee minutes of May 13 and June 17, 2004, the Thornbury B.I.A. minutes of June 2, 23 and July 7, 2004, the CAUSE Committee minutes of June 24, 2004 and The Blue Mountains Public Library Board minutes of July 6, 2004 be received as circulated.

CARRIED...

Council then dealt with the following Resolutions:

Resolution No. 8

Moved by: John McKean
Seconded by: Harold Holden

THAT Councillor Gamble and Deputy-Mayor McKinlay be appointed as a Task Force to review issues related to Private Open Spaces in Town Title, Plan 529 and related management issues and that David Finbow provide staff support and that Town Solicitor John Metras be authorized to provide necessary research and legal advice regarding the matter.

CARRIED...

Resolution No. 9

Moved by: Duncan R. McKinlay
Seconded by: Harold Holden

THAT the Mayor and Clerk are hereby authorized to execute the Amendment to Schedule "G" - "Statement from Municipality" with regard to the Registration of Phase 2 of the Rivergrass Phased Condominium Corporation No. 57.

CARRIED...

Resolution No. 10

Moved by: John McKean
Seconded by: Duncan R. McKinlay

THAT this Council does hereby authorize a reduction in the Letter of Credit provided by Headon Forest Homes Inc. (Property Roll #18-104-00) pursuant to a registered subdivision agreement and held to ensure payment of Development Charges. The Letter of Credit is currently in the amount of \$174,488.00 and may be cancelled, it being noted that Development Charges have been paid in full for this phase.

CARRIED...

Resolution No. 11

Moved by: John McKean
Seconded by: D. R. McKinlay

THAT this Council does hereby authorize payment in the amount of \$1,200.00 in compensation to Mr. William Forsythe for 6 lambs killed by coyotes on or about the 17th day of July, 2004.

Four (4) additional lambs were injured and are in the care of Blue Mountain Veterinary Services. The issue of compensation for these lambs will be dealt with at a later date.

CARRIED...

Resolution No. 12

Moved by: G. Ardiel
Seconded by: R. J. Gamble

THAT with regard to subsection 239(2) of the *Municipal Act, 2001*, this Council does now move into closed session in order to address matters pertaining to discussion of site plan control review with regard to a proposed Tim Horton's location;

AND litigation or potential litigation, including matters before administrative tribunals, affecting the Town;

AND that Planner Rob Armstrong, Chief Building Official David Finbow, Town Manager Chris Fawcett and Town Clerk Stephen Keast be requested to attend.

CARRIED...

Council moved In-camera at 9:00 p.m.
Council rose from In-camera to public session at 9:20 p.m.

Deputy-Mayor McKinlay then reviewed installation of guardrails in the area of the lookout at the top of Scenic Caves Road and a trail and wagon ride use promoted by Blue Mountain Resorts.

Chief Building Official David Finbow then reported it did not appear Blue Mountain Resorts intended to install any guardrails in the area.

The following verbal Resolution was then presented:

Moved by: Duncan R. McKinlay
Seconded by: G. Ardiel

THAT the Public Works Superintendent order material as specified by engineer Rob Davies and arrange for installation of guardrails to physically separate the trail and travelled road at the Scenic Caves Lookout area; and,

FURTHER THAT Blue Mountain Resorts be contacted as to cost-sharing of the material and installation.

CARRIED...

Deputy-Mayor McKinlay then reported on a recent Public Open House for a proposed By-law that would permit ATV use on certain, designated Town Roads, noting a Staff Report would be presented at a future Council meeting.

Council then dealt with the following Resolutions:

Resolution No. 13

Moved by: Harold Holden
Seconded by: Duncan R. McKinlay

THAT By-law No. 2004-62, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains, be hereby enacted as passed this twenty-sixth day of July, 2004.

CARRIED...

Resolution No. 14

Moved by: Harold Holden
Seconded by: Duncan R. McKinlay

THAT this Council does now adjourn at 9:35 p.m. to meet again August 9, 2004, at 7:00 p.m., or at the call of the Chair.

CARRIED...

.....
Ellen Anderson, Mayor

.....
Stephen Keast, Clerk