

## Minutes - The Blue Mountains Council Meeting



**MEETING DATE:** September 26, 2011  
**LOCATION:** Town Hall, Council Chamber  
**PREPARED BY:** Corrina Giles, Town Clerk

### A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance.

Also in attendance was CAO Troy Speck, Director of Engineering & Public Works Reg Russwurm, Director of Planning and Building David Finbow, Director of Recreation Shawn Everitt, Communications and Economic Development Coordinator Lisa Kidd, Director of Finance and IT Services Rob Cummings, Manager of Water and Wastewater Services John Caswell Chief Librarian Carol Cooley, Harbour Manager Ryan Gibbons, Town Solicitor John Metras, Capital Accountant Darcy Chapman and Manager of Revenue Ruth Prince

- Council then paused for a moment of Personal Prayer or Reflection.

- Approval of Agenda:

Moved by: R.J. Gamble                      Seconded by: John McKean

THAT the Agenda of September 26, 2011 be adopted as circulated, including any revisions to be made, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda save Councillor McKean regarding Agenda Item F.1 and F.2 and his place of employment and Councillor Ardiel regarding Agenda Item F.2 and a family member's place of employment

- Adoption of Consent Agenda

Moved by: Michael Martin                      Seconded by: Joe Halos

THAT the Consent Agenda of September 26, 2011 be adopted as circulated, less any items requested for separate review and discussion being Agenda Item F.4 Infrastructure and Recreation Committee Report dated September 13, 2011 and the Agenda Item F.5 Finance and Administration Committee Report dated September 21, 2011, Carried.

NOTE: Councillor McKean earlier declared a pecuniary interest with respect to Agenda Item F.1 and F.2 and did not participate in related discussion or voting, Councillor Ardiel earlier declared a pecuniary interest with respect to Agenda Item F.2 and did not participate in related discussion or voting.

- Previous Minutes

Moved by: R.J. Gamble                      Seconded by: Joe Halos

THAT the Council minutes of September 12, 2011 and the Special Meeting of Council minutes of September 12, 2011, be adopted as circulated, including any revisions to be made, Carried.

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

## **B. Deputations/Presentations/Public Meetings**

### **B.1 Public Meeting – Highway #26 Servicing**

Mayor Anderson read the Notice of a Public Meeting to Impose the Capital Water Charge for use of the Town's Water System, noting that Council of the Town of The Blue Mountains will hold a Public Meeting at the Regular Meeting of Council, Monday September 26, 2011 at 7:00 pm at the Town Hall, 32 Mill Street, Thornbury to consider the proposed By-law to impose capital water charges for the use of the Town's water system (Highway 26 Service Extension Area).

The Clerk noted that Notice was given by first class prepaid mail to all affected owners and to the property manager, posted on the Town's website and published in the Courier Herald and Enterprise Bulletin newspapers.

The Clerk noted in response to the Notice, correspondence was received from Mr. and Mrs. Battistini owners of Unit 3 Level 1 Craigleith Shores, Stewart McLellan owner at Georgian Shores, Kim Kruger Posen, Neil Truman owner at Craigleith Shores Condominium, Pearson and Gabriella Holliday owner of Unit 50 Craigleith Shores, Mary Ann Wilson owner at Craigleith Shores, Annalisa Favretto owner at Craigleith Shores, Mike Calvert owner at Unit 8 Craigleith Shores, Anna Volpentesta owner at Grey County Condominium Plan 12 Level 2 Unit 29, Trish Egerter owner of Unit 49 Craigleith Shores, Sophie Stephenson owner at Craigleith Shores, Martin Kilby owner at Craigleith Shores, Tina Brown owner of three properties on Highway 26, Heather Noeckel owner of Unit 56 Craigleith Shores, Joan Pennings unit owner in Craigleith Shores, Paul McCool owner of two units in Craigleith Shores, Cindy Gretton of E & H Property Management on behalf of owners at Craigleith Shores and Jens Alsen owner of Unit 39, Craigleith Shores

Capital Accountant Darcy Chapman provided an overview of the project noting 17 affected owners attended the September 20, 2011 Public Information Centre. Darcy then reviewed the proposed per unit charges and referenced other Town projects where cost per unit charges were used. Darcy then reviewed the affordability guidelines and identified that \$1500 has been determined as the annual affordability repayment limit.

Darcy then reviewed the two payment plan options, and confirmed if the property changes ownership that the services must be paid for in full, the fees cannot be transferred from one owner to the next. Darcy noted currently the current interest rate is 3% for a ten year term.

Darcy then referenced large future development lands in the Craigleith area and noted this property has a development yield of 16 units, where 2 units had been assigned to this property. Darcy confirmed 14 units will be added to the calculation and the figures readjusted per unit.

Cindy Gretton, of E & H Property Management spoke regarding Grey Condominium Corporation #12, Craigleith Shores, and noted the owners of the units are unhappy at Council's decision to assess Craigleith Shores for this additional water charge. Cindy noted owners have had difficulty selling their units in Craigleith Shores because of the pending water charges. Cindy expressed concern with the lack of communication from the Town.

Cindy then noted the agreement Craigleith Shores entered into with the Town indicated that servicing would be done in a timely fashion, further noting that 11 years is not timely. Cindy then reviewed the assessment of the units in Craigleith Shores and noted 95% of the units are assessed at \$97,750 and are 500 square feet in size.

Cindy noted that Craigleith Shores offers affordable housing in The Blue Mountains and confirmed that many owners are on a fixed income and this charge would cause a hardship to them.

Joe Grieco, agent for Colleen and Carolyn Madonia, owners of property at Concession 3, Part Lot 24, spoke questioning what current members of Council members were on Council in 2001, Councillor Ardiel, Councillor Gamble and Deputy Mayor McKinlay confirming they were on Council in 2001. Joe noted the Madonia's purchased their property in 2007 and at that time the solicitor acting for the Madonia's found nothing registered on title to warn perspective purchasers that this charge was looming, nor did the seller of the property advise the purchasers. Joe questioned if the Town did all it could to notify the public and future owners of this project and the costs associated and were local realtors and lawyers advised. Joe questioned why the Town feels it appropriate to bill taxpayers 11 years after the project commenced and noted he believes the Town's administration failed. Joe noted the Town should be responsible for the proposed charges through the budget process.

Jens Alsen, unit owner in Craigleith Shores since 1998, spoke noting he finds the by-law offensive and believes the methodology is incorrect, and believes the by-law should be appealable to the Ontario Municipal Board. Jens noted he has reviewed the assessed values of the affected properties and believes by assessed value is the correct way to bill the costs and that billing by unit is a terrible inequity. Jens noted Council should reconsider.

Stewart McLellan, owner at Georgian Shores, then spoke noting he attended the September 20 Public Information Centre, and confirmed that safe water is important to him. Stewart noted that waiting 11 years to bill out is too long, and that many of the current owners were not owners in 2000. Stewart noted that the capital water charges portion of assessment is the same as the development charges by-law in that units under 600 square feet should be zoned the residential D rate and charged accordingly.

Stewart then referenced the proposed development land and 14 future units to be included, and questioned what steps the Town has taken to let new owners know of pending charges. Stewart noted Georgian Shores would like confirmation that no further charges are pending and referenced inconsistencies in proposed fees. Stewart then questioned if the Town applied for all funding that was available to assist in the cost of this project.

Stewart requested that Council not pass a by-law too quickly as residents need answers to questions first and requested another Public Information Centre be held to explain how the Town arrived at the \$1.6M figure. Stewart noted many residents in Georgian Shores are on a fixed income, and live in units that are valued at less than \$100,000 and noted the cost associated to each of these units is 10% of the value of their unit.

Neil Truman, owner at Craigleith Shores, spoke referencing Lora Bay and the servicing costs attributed to Lora Bay. Neil questioned the size of the units at Lora Bay as compared to Craigleith Shores, Darcy replying there are varying sizes of lots. Darcy then noted the Town is using the same calculation, that a unit is a unit, as was adopted in 1982 and noted this calculation was reaffirmed by Council in 2009. Darcy indicated that a large number of units were billed out in 2007 and 2008 and that the unit approach was one option of many available to Council. Darcy noted there were pros and cons available to Council and that Council made a decision to proceed on a unit basis.

Alex Faltenac, owner of Unit 58, Craigleith Shores, spoke noting he was involved in a similar situation in London where each property was assessed according to property frontage, and noted charging by frontage is a fair approach.

Ms. Kim Kruger Posen spoke noting she is concerned about the length of time taken to complete the project and that no prepayment options were available to those affected.

Kim noted owners should be charged as at the date of the capital charge, not the date the by-law is passed. Deputy Mayor McKinlay spoke confirming that Ms. Kruger is suggesting owners be charged at the then rate when the services were completed, Kim concurring.

Mayor Anderson then thanked the residents for attending the meeting and for their professionalism and noted the Town will be in contact with residents.

Director of Finance and IT Robert Cummings spoke noting the charges as referenced by Darcy Chapman will be incorporated and the unit cost readdressed to take into consideration the additional 14 units in the proposed development. Robert further noted a subsequent Report will be included in the October 12 Council Meeting.

Deputy Mayor McKinlay spoke referencing the suggestion of another Public Information and questioned what notice would be required if Council requested another Public Information Centre, Robert replying 14 days notice would be required.

Mayor Anderson spoke noting the Public Information Centres are important to attend.

Emily Black, real estate agent, then spoke questioning if another Public Information Centre could be held on a Saturday morning so that non-residents have an opportunity to attend.

Councillor Gamble then spoke regarding concerns about the time it took to complete the project and noted Staff sought contract prices to complete the work, but found the prices so high in 2004 that it was decided that the Town would wait until Provincial and/or Federal funding was offered to assist with the costs. Bob noted the Town had the best interests of its residents in mind.

As no one further wished to speak Mayor Anderson declared the Public Meeting to be closed.

**B.2 Colin Travis, Travis & Associates Inc.**  
Re: Georgian Applications (Georgian Gate)

Colin Travis, Consultant for Georgian Gate spoke regarding Agenda Item D.1 Official Plan and Zoning By-Law Amendments and Draft Plan of Subdivision Application noting the Report is consistent with the developer's plans. Colin indicated that the project is just beginning.

Colin thanked the Planning Committee and Planning Staff for their involvement in this project to date.

**C. Correspondence as previously circulated**

<b>Author</b>	<b>Recommendation/Action</b>
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C.1 Blue Mountain Ratepayers Association Re: short term rental accommodation	Refer to By-law
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Councillor Martin referenced Agenda Item C.1 correspondence from Blue Mountain Ratepayers Association and noted Council should be aware that Blue Mountain Ratepayers Association are willing to work with the Town to develop a rapid and comprehensive action plan to address short term accommodation issues.





**D.3 Town Representation on Sustainable Path Steering Committee,**  
CAO.11.03

CAO Troy Speck reviewed the Report, Councillor Gamble spoke noting this is a worthwhile appointment with respect to the coordination of projects of the Sustainability Steering Committee with other Town projects.

Moved by: R.J. Gamble                      Seconded by: Duncan R. McKinlay

THAT Council receive Report CAO.11.03 entitled "Town Representation on Sustainability Steering Committee" for their information purposes and;

THAT Council appoint the Town's Chief Administrative Officer, Troy Speck, to be one of the Town's representatives on the Sustainable Path Steering Committee.

In speaking to the Motion, Councillor Martin expressed concern that the Sustainability Steering Committee will have two members of Council, and the Chief Administrative Officer and noted the Plan involves a broad group of citizens, that is not to be a Town led process. Michael noted members of the Committee have expressed this and questioned if the Committee should include 4 – 5 additional members of the public. Michael then noted the Committee should not be led by Council.

CAO Troy Speck then spoke noting he will bring Council's comments to the Sustainability Steering Committee.

Council then voted on the Motion, Carried.

**D.4 2011 Centurion Cycling Event Preliminary Follow up,**  
DOR.11.75

Director of Recreation Shawn Everitt reviewed the report noting a follow-up meeting is planned with neighbouring municipalities for a full debrief and confirmed he will provide a follow up report to Council. Shawn noted the numbers of participants has increased and indicated there are some challenges identified because of the number of participants.

Councillor Ardiel then spoke noting most cyclists respected the share the road initiative, but noted education must continue with cyclists.

Moved by: John McKean                      Seconded by: R.J. Gamble

THAT Council receive Staff Report DOR.11.75 entitled "2011 Centurion Cycling Event Preliminary Follow up Report" for information purposes, unanimously Carried.

**D.5 Request to Execute Harbour Management Agreement**  
**#201007 00 002 with Department of Fisheries and Oceans Canada, DOR.11.76**

Harbour Manager Ryan Gibbons reviewed the Report, noting the Harbour Management Agreement is a standard agreement all municipalities enter into and is consistent with past Agreements.

Councillor Gamble questioned reference to 20% of profits to be paid to Oceans and Fisheries and questioned if this includes fuel sales, Ryan replying yes, 20% of the profit from fuel sales.

Moved by: Duncan R. McKinlay                      Seconded by: R.J. Gamble

THAT Council accepts Staff Report DOR.11.76 "Request to Execute Harbour Management Agreement 201007 00 002 with Department of Fisheries and Oceans Canada", allowing staff to provide Council with a By-law permitting the Mayor and Clerk to execute the management agreement with the Department of Fisheries and Oceans Canada for a five (5) year term retroactive to July 12, 2010 ending July 11, 2015, unanimously Carried.

#### **D.6 Tenders Awarded by the Tender Proposal Award Committee, FIT.11.46**

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

THAT Council receive Staff Report FIT.11.46 entitled "Tenders Awarded by the Tender Proposal Award Committee" detailing the following awards for information purposes:

1. Tender 2011-3-T-EPW, for the Supply, Haulage and Application of Liquid Calcium Chloride awarded to Da-lee Dust Control at a cost of \$324.93 per meter flake tonne for use in 2011 at an estimate cost of \$64,986 plus HST.
2. Request for Proposal 2011-37-P-EPW for the Slabtown Bridge Replacement Engineering Services Contract awarded to Gamsby & Mannerow Ltd for the amount of \$89,000 (excluding HST), consisting of a \$79,000 upset fee and a \$10,000 contingency fee, Carried.

### **E. By-laws**

#### **E.1 By-law to Authorize Execution of an Agreement with Local Authority Services (LAS) to Provide Professional Services Regarding Price Hedging Options for Electricity and to Act as the Town's Agent**

Moved by: Duncan R. McKinlay                      Seconded by: R.J. Gamble

THAT By-law No. 2011 - 55, being a By-law to authorize the execution of an Agreement with Local Authority Services (LAS) to provide professional services regarding price hedging options for electricity and to act as the Town's agent be hereby passed this twenty-sixth day of September, 2011, Carried.

#### **E.2 By-Law to Adopt Amendment No, 27 to the Official Plan of the Town of The Blue Mountains**

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

THAT By-law No. 2011 - 56, being a By-law to adopt Amendment No. 27 to the Official Plan of the Town of The Blue Mountains be hereby passed this twenty-sixth day of September, 2011, Carried.







Deputy Mayor McKinlay then questioned if the CAO and the Director of Finance could bring a report to Council noting how the Hughes and Adams request presentation will be finalized and how the Town can move forward. Bob then noted Hughes and Adams would require confirmation from the CAO and Director of Finance as to the accuracy of their figures. Troy noted he will meet with the Directors to discuss, and noted the timeframe will be early next year.

Mayor Anderson then spoke noting she is concerned about the staff time expended on this request to date, and noted residents should attend Town budget meetings where there is clear and concise information. Joe spoke noting he did not expect it would take nine months in time to fulfill the request of Mr. Adams and Mr. Hughes and concurred with Mayor Anderson that this group should attend all upcoming budget meetings to receive the information requested.

Duncan spoke noting the recommendations also requested a more in-depth service review than what was recently completed and noted that the CAO should speak with the senior management team and report back to Council.

Moved by: R. J. Gamble                      Seconded by: Michael Martin

THAT the Finance and Administration Committee Report dated September 21, 2011 be adopted together with the recommendations contained therein, save items C.2 Request for Use of Town Hall Space, CEDC.11.21 and C.4 Public Art Policy CEDC.11.23.

In speaking to the Motion, Councillor Martin spoke regarding the Hughes and Adams request and noted the request has grown significantly since the original request. Michael noted if Council wishes to engage in a Town Hall meeting that an agenda must be prepared of what is to be discussed and questions to be asked.

Council then voted on the Motion, Carried.

### **Minutes List (Receive)**

None

## **G. New and Unfinished Business**

### **G.1 Grey County Council Update**

EA, DMcK

Deputy Mayor McKinlay spoke regarding an upcoming Grey Sauble Conservation Authority tour scheduled for October 12, noting it is a beneficial tour for Council to attend.

Duncan noted the County has awarded the contract for the Economic Development Study and that he has been appointed to a County Governance Taskforce.

### **G.2 Notice of Motion**

Council

None

### **G.3 Additions to Agenda**

Staff

None

#### G.4 Staff Discussion

None

#### H. Notice of Meeting Dates

Council Meeting Wednesday, October 12, 2011  
Town Hall, Council Chamber

Finance and Administration Committee, October 18, 2011 2:00 p.m.  
Town Hall, Committee Room

Infrastructure and Recreation Committee, September 27, 2011 7:00 p.m.  
Ravenna Hall

Planning and Building Committee, October 3, 2011  
Town Hall, Council Chamber

#### Upcoming Public Meetings and Public Information Centres:

**Public Information Centre**, Lake Drive and Georgian View Estates Servicing  
September 29, 2011, 5:00 p.m. to 7:00 p.m.  
Town Hall, Council Chamber

**Public Meeting** to Impose the Capital Wastewater Charge for use of the Town's  
Wastewater System – Georgian View Estates  
October 12, 2011 7:00 p.m.  
Town Hall, Council Chamber

**Public Meeting** to Impose the Capital Water and Wastewater Charge for use of  
the Town's Water and Wastewater Systems – Lake Drive  
October 12, 2011 7:00 p.m.  
Town Hall, Council Chamber

#### I. Confirmation By-law and Adjournment

Moved by: Michael Martin      Seconded by: R.J. Gamble

THAT By-law No. 2011 - 58, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on September 26, 2011, be hereby enacted as passed this twenty-sixth day of September, 2011, Carried.

Moved by: John McKean      Seconded by: R.J. Gamble

THAT this Council does now adjourn at 10:21p.m. to meet again Wednesday, October 12, 2011, 7:00 pm, Town Hall, Council Chamber, or at the call of the Chair, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Town Clerk