

Minutes - The Blue Mountains Council Meeting



MEETING DATE: September 27, 2010
LOCATION: L.E. Shore Memorial Library
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 Paul Graham, Director of Engineering & Public Works Reg Russwurm, Director of Planning and Building David Finbow, Director of Recreation Shawn Everitt, Director of Special Projects Peter Tollefsen, Communications and Economic Development Coordinators Rob Potter and Lisa Kidd, Director of Finance Rob Cummings, Manager of Roads and Drainage Jim McCannell and Deputy Clerk Krista Royal

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

- Approval of Agenda:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT the Agenda of September 27, 2010 be approved as circulated, including an addition to the Agenda at E.4.1 Community Policing, E.4.2 Grey Sauble Conservation Authority Levy Instalment Plan and a Closed Session regarding personal matters about an identifiable individual, including Town or local board employees, and Agenda Item D.1 being pulled from the Agenda, Carried.

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

- Adoption of Consent Agenda

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

THAT the Consent Agenda of September 27, 2010 be adopted as circulated, less any items requested for separate review and discussion being Agenda Item G.3, Carried.

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

- Previous Minutes

Moved by: John McKean Seconded by: John McGee

THAT the Council minutes of September 13, 2010, 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 Dr. Ronald Williamson, Archeological Services Re: The Archeological Importance of The Blue Mountains

Dr. Ron Williamson spoke noting The Blue Mountains has a world class opportunity available to it in the Craigleith area.

Ron noted this area, at one time, was home to caribou, mastodon and arctic fox. Ron reviewed the life of the Algonquian speaking groups in the area 7000 B.C. – A.D. 500, then by AD1450-1500 the villages reached 9 – 10 acres in size with hundreds of acres of corn fields surrounding the settlements. Ron noted these are among the first urban towns in the area.

Ron then identified the location of various First Nations in the early 17th century and the location of the Petun sites noting two of the villages are in Craigleith.

Ron noted the Wyandot/Petun Sites are a rare opportunity because they are intact and would be of benefit to the area, Province, Country and the world, further noting the artefacts from the Plater Martin site are of importance.

Ron introduced Charles Garrad, present, and noted Mr. Garrad is a world class hero working with both Petun and Huron elders. Ronald noted these sites are important to aboriginal communities and noted Charles should be thanked for his work. Ron noted these sites should be turned into something important for the world.

Councillor McKean then questioned the location of Site 7, Charles identifying the location in Simcoe County, further noting the first 6 Sites are in The Blue Mountains. Museum Curator Suzanne Purdy then spoke noting all sites are documented.

Deputy Mayor McKinlay then spoke questioning where more information could be found, and questioned how crops were grown and their rotation, Ron replying Suzanne has information at the Depot and noted the crops were grown in hills and yielded approximately 12 – 15 bushels an acre.

Councillor Kennedy questioned the number of people that would have lived at one site, Ronald replying approximately 2000 people.

Mayor Anderson then thanked Ron for his presentation noting it is exciting to think of the possibilities in the future.

B.2 Angela Klein and Rodney Palmer, Simcoe County Safe School Committee, Re: WiFi Safety in Municipal Buildings

Angela Klein then spoke regarding WiFi noting many parents have reported children have become ill since instalment of WiFi in the schools.

Angela thanked Council for hardwiring the new Town Hall and referenced the problems with WiFi in other areas and how it affects people, then identifying some of the health issues associated with WiFi.

Angela noted her focus is on health and that children are the most at risk.

Mayor Anderson thanked Angela for her presentation. Director of Planning and Building David Finbow then spoke noting the requirement for connectivity and noted WiFi will be installed at the new Town Hall for that purpose, and further noting cell phones and Blackberry's are wireless.

Mayor Anderson then questioned if Council would support a letter to the Bluewater District School Board to look into the effects of WiFi as our concerns are raised with respect to WiFi. Ellen then thanked Angela for her presentation and asked Communications and Economic Development Coordinator Lisa Kidd to draft correspondence to the Bluewater District School Board and circulate to Council for consideration before sending.

**B.3 Roberta Brignell, Community Foundation Grey Bruce ("CFGB")
Re: Matched Funding Community Fund Program**

Roberta Brignell then spoke and introduced Donna Marinachi, Blue Mountains representative for the Community Foundation Grey Bruce.

Roberta spoke reviewing the background of the CFGB, noting it is a grant making organization for the community, community leaders bringing the community together and identifying the long term needs of the community.

Roberta noted she is presenting a community matched program to The Blue Mountains. Roberta then reviewed the community investment for Council of a fund under the guidance of CFGB noting it is an opportunity for philanthropists in the area and noted CFGB supports non-profit organizations as well.

Roberta reviewed the fund-matching initiative noting it states we have the intention of entering into an agreement with the CFGB.

Roberta then noted The Blue Mountains does not have an area where philanthropists can donate to and noted capital gains is waived with 100% of the funds going to the charity of choice.

Donna then spoke noting she is a resident of The Blue Mountains and is on the Board of Directors of the CFGB. Donna noted she believes this to be a good program giving to non-profit of the community.

Deputy Mayor McKinlay then questioned how donations to churches are dealt with, Roberta replying if the church has a charitable donation number it would be the same as CFGB. Roberta then noted their fee is 2.25%, being .75% for investment fee and 1.5% administration fee. Roberta noted the CFGB likes to disburse 3.5% to 4% per year and hopes to have a substantial amount to disburse soon.

Councillor McGee then spoke noting Staff have looked at a land trust for affordable housing and questioned if this program could be combined with the affordable housing land trust, Roberta replying she will provide information to the Town regarding land trusts.

Mayor Anderson then thanked Roberta Brignell and Donna Marinachi for their presentation.

B.4 Douglas Matthews

Re: Maintenance to ¼ mile of S/R between Lots 6 & 7, Conc. 1

Douglas Matthews spoke noting he purchased the Townline from Clearview and Collingwood Township some years ago. Douglas noted he is a registered farmer and purchases seed for his crops and pays other farmers to complete the farm work. Douglas crops 25 acres of land and noted his current farmer is quitting farming and he is currently speaking with McLeod Brothers to do his custom work for him, but he has been advised by McLeod Brothers that they are unable to access the road with their equipment.

Douglas noted the road is used by himself and Osler staff. Douglas noted McLeod Brothers needs 22' of road width to get their equipment in to the fields to do the work, and that rocks need to be moved, bush needs to be cut back and some stumps need to be removed. Douglas noted the work needs to be done soon so he can plant winter wheat.

Douglas questioned if Council would authorize the expenditure to do this work, noting Jim McCannell, Manager of Roads and Drainage has indicated there is no money to complete the work.

Councillor McKean then spoke noting he looked at the road and noted it is overgrown with trees, but that the bush-hog would deal with the overgrown trees and that the road should be graded as well, noting he does not believe this will cost a significant amount to bring the road up to a standard to allow farm equipment to use.

Director of Engineering and Public Works then spoke noting he has been advised that this work would be a capital improvement to the road and would be charged to the benefitting land owners, further noting we could obtain securities from the landowner to do the work on his behalf. Councillor McKean then noted all that has to be done is cut the brush back and grade the road, Douglas noting the work does not have to be brought up to municipal standards, it needs only to be wide enough to accommodate the farm equipment.

Mayor Anderson then questioned how late wheat can be planted, Douglas replying it should have been planted by this time. Ellen then questioned when the work could be completed, Reg replying in the next 2 to 3 weeks, noting parts are on order for the bush hog.

C. Correspondence as previously circulated

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

THAT this Council does hereby receive the Correspondence of September 27, 2010 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, Carried.

Author	Recommendation/Action
C.1 Ministry of Agriculture, Food and Rural Affairs, Re: Designation of Giant Hogweed	Refer to EPW
C.2 Ken Havens Re: Brophy's Lane Property	Refer to Finance

Councillor Gamble then spoke questioning if someone has responded to Mr. Havens, Director of Finance, Rob Cummings replying that he corresponded with Mr. Havens and provided him with the information on how to appeal his assessment.

Mayor Anderson then questioned if someone in Planning has corresponded with Mr. Havens, David Finbow, Director of Planning and Building replying that this planning application goes back to the mid 1990's, further noting Planning is dealing with the application and is aware of Mr. Havens concerns. David further noted Staff are currently in discussions with Mr. Havens agent.

C.3 Boost Child Abuse Prevention & Intervention
Re: Proclamation of October as Child Abuse &
Neglect Prevention Month and October 1 as
"Go Purple for Prevention Day" Direction from Council

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council proclaims October as Child Abuse & Neglect Prevention Month and October 1, 2010 as Go Purple for Prevention Day in The Blue Mountains, Carried.

C.4 Grey Highlands, Re: Support for Resolution
regarding livestock kills by predatory animals Receive for Information

D. Motions and Staff Reports

D.1 Purchasing Policy Proposed Amendments, FIS.10.43

Report FIS.10.43 was pulled from the Agenda.

D.2 Removal of Holding "-h" Symbol – Thornbury Medical Clinic, PL.10.88

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT Council receive Staff Report PL.10.88 entitled "Removal of Holding "-h" Symbol – Thornbury Medical Clinic" and enact a by-law to amend Zoning By-law 10-77, as amended, so as to remove the Holding "-h" Symbol for lands comprised of Parts 11, 12, 13 and 14, Plan 16R-9726, Carried.

D.3 Replacement Telephone System for Town Hall, CEDC.10.23

Councillor Kennedy spoke noting he read the Report and noted the L.E. Shore Memorial Library requires a new telephone system as well and questioned if the purchase could be combined, Councillor Martin it could be a joint purchase.

Deputy Mayor McKinlay spoke questioning if the new telephone system would be transferrable to the new Town Hall, Communications and Economic Development Coordinator Lisa Kidd replying yes, if approved. Duncan then questioned what was planned for the new Town Hall, Lisa replying that she was advised at the end of August that the current telephone system would be deemed "end of sale" and that the company will no longer manufacture replacement parts after October 2010.

Councillor McGee then spoke noting this Report is being received for information purposes and questioned if the new telephone system would be a budget item, Lisa replying this will be dealt with through the budget process.

Councillor McKean then questioned the cost of the current telephone system, Lisa replying \$2300 annually.

Councillor Gamble then spoke noting parts for the current system are available to 2013 and questioned what parts have been replaced over the last few years and questioned if those parts could be put in stock now for the current system, Lisa replying that she does not have the costs of the current system over the last 26 years, and noted the Town requires an additional part at the present time at the cost of \$1500. Lisa further noted she will look into the history of the costs associated with the current system and will prepare a summary.

Councillor Kennedy then spoke questioning if the current telephone system at the town hall could be moved to the library and further questioned the maintenance program over the last 10 years and what was received for that maintenance program.

David then spoke noting up until August, the current telephone system was to be moved to the new Town Hall.

Mayor Anderson then spoke noting the Report is for information purposes only.

Lisa then spoke noting she will speak with Carol Cooley if that is Council's wish to see if she is interested in the current telephone system for the library.

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Staff Report CEDC.10.23 entitled 'Replacement Telephone System for Town Hall' for information purposes, Carried.

**D.4 Blue Mountain Resorts Ltd., Noise By-Law Relief Request
– "Tennis Bubble", SRB.10.20**

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

THAT COUNCIL receive Staff Report SRB.10.20 respecting "Blue Mountain Resorts Ltd. Tennis Bubble", – Noise By-law Relief Request and grant the request on October 1st, 2010 from 7:00 pm to 12:00 pm.

In speaking to the Motion, Councillor Martin questioned if there have been any complaints, Director of Planning and Building David Finbow replying there have never been any complaints from events inside the Dome. Michael then questioned if there have ever been any complaints regarding events inside or outside the Dome, David replying no.

Council then voted on the Motion, Carried.

D.5 2010 Centurion Cycling Event Follow Up, DOR.10.60 **SE**

Director of Recreation Shawn Everitt reviewed the Report noting this is a follow-up report to let Council know how the Centurion Cycling Event went, referencing a recent meeting with all partners. Shawn noted all partners felt it was a successful event.

Councillor Kennedy then questioned what the one negative comment was, Shawn replying that a motorcycling group of 70 bikes were touring the area and noted they were unhappy with the traffic control wait in Ravenna.

Cameron then questioned if the date is being moved to July, Shawn replying that early discussions with the organizers indicated they would like to expand the Centurion event for another three events in the south, further noting dates are still being looked at. Cameron then noted he thought the intent was to promote this event in the off-peak season to assist local businesses.

Mayor Anderson then spoke noting she received positive comments from all riders she spoke to, but noted the fall weather can be unpredictable and the agricultural community is being considered as well. Shawn then spoke noting he is continuing to meet with the Agricultural Advisory Committee (“AGAC”) and noted comments received from the AGAC were positive. Shawn confirmed he will continue communication with the AGAC and noted working close with our neighbours is very important.

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council receive Staff Report DOR.10.60, “2010 Centurion Cycling Event Follow up” for information purposes, unanimously Carried.

D.6 Amendment to the Camperdown Road Development Agreement, PL.10.89

Councillor Gamble spoke questioning what precipitated this agreement, Director of Planning and Building David Finbow noting the Jones’ are concerned with the use of the road by the public in the winter when they are responsible for maintenance as they may be at risk for insurance purposes. David noted trail connectivity is a concern.

David then referenced activities on the road that are contrary to vehicular access, i.e. tobogganing, further noting Town Solicitor, John Metras, has been involved with this matter and he believes this matter should be dealt with. Mr. Metras has confirmed the Town’s risk is not increased by signing this agreement. David further noted the Jones’ have received legal advice as well.

Councillor Gamble then spoke questioning paragraphs 4, 5, and 6 noting he is concerned with an amending agreement that has been in place. Deputy Mayor McKinlay then questioned if the work to be completed has been completed, David replying yes, to the satisfaction of the Town and the road has been assumed.

Councillor Kennedy then questioned if this is the road for trail connectivity, David replying yes by way of Camperdown Road, further noting this will still be a public road and can still be used as trail connectivity. David noted he will bring a further report to the Infrastructure and Recreation Committee on this regarding prohibiting uses, i.e. tobogganing. Cameron then questioned if the Town can prohibit tobogganing on a road, David replying yes.

Councillor McGee then spoke questioning if a letter could be written acknowledging the work was completed and attach it to the agreement. David replying he has not found such a letter, further noting Staff are trying to be fair and address the Jones’ risk and liability, further confirming no further risk or liability is being put on the Town if this agreement is signed.

Duncan then spoke noting he agrees with Councillor McGee.

Councillor Martin then spoke noting if the document is amended as suggested, the important terms of the agreement will be removed, further noting this is a registered agreement. David replying Staff continue to meet with the Jones’ to try to come to a mutual agreement, further noting we should be able to resolve this.

Moved by: D.R. McKinlay

Seconded by: John McKean

THAT Council receive Staff Report PL.10.89 respecting “Amendment to the Camperdown Road Development Agreement – Barbara Bertha Jones”; and,

THAT Council authorize the Mayor and Clerk to execute an amending agreement to the Camperdown Road Development Agreement in a form satisfactory to the Town’s solicitor, Carried.

E. New and Unfinished Business

Councillor Martin then spoke referencing the noise by-law relief request at Agenda item D.4 and noted this request came to Council three days before the event, noting the public is not going to be aware of this event. Michael further noted this is very disrespectful to the community. Mayor Anderson noted this should be conveyed to the Village.

Michael then noted timing is an issue with a number of the noise relief requests received by Council.

E.1 Grey County Council Update

EA, DMcK

Deputy Mayor McKinlay spoke regarding meetings in the last several weeks at the County with the review of the 5 year budgets, noting there is some appetite for increases, but not large increases. Duncan further noted there is a significant investment being made in The Blue Mountains in the next few years including an ambulance base in Craigleith.

Duncan further noted intersection improvements are proposed at the Skis Please intersection with a possible roundabout. Duncan further referenced major studies for Highway 26 intersections, in the queue.

Mayor Anderson then spoke noting Finance and Personnel have no appetite for large increases either.

E.2 Notice of Motion

Council

E.2.1 Blue Mountain Villas (Matesa)

Councillor Martin then spoke noting this is his motion, referencing an appeal to the OMB regarding this development and noted Council has not provided a decision on this matter. Michael identified the area and noted the proposal is to change 6 – 8 housing lots to 17 townhomes, further noting density, safety for entrance to the development, buffering, location next to an old landfill, soil arsenic from old orchards and a large stream through the area are all concerns.

Michael then noted area residents are concerned with this. Michael then referenced the Official Plan and noted development has to be consistent with the area. Michael then noted 17 townhomes is not compatible with this area and questioned the necessity of townhomes in this area as there are a number of vacant townhomes in the area at the present time.

Michael then reviewed the general intent of the Official Plan in this area and noted residents have expressed a concern as this is a low density area and noted Council should be concerned for the residents of this area.

Michael then reviewed the proposed density for the area.

Mayor Anderson then spoke questioning how this compares to Bay Side Villas, Michael replying Bay Side Villas was in place before this Official Plan was in place, further noting that is completely different issue.

Michael then referenced the Department of Fisheries and Oceans request that if the development proceeds, Tomahawk would have to change its drainage and expressed concern with moving a stream.

Michael then referenced buffering in the Official Plan and the close proximity to the old landfill in relation to the development, noting leachate could be an issue.

Michael noted he is asking for Council support that this application not be supported.

Councillor McGee then questioned if a Planning Report was recently received on this matter, David replying a public meeting was held in 2006, the application then went into holding because of servicing limitations, but was revived in 2009 and allowed development. Once the developer was advised of this, the developer asked that the application be brought forward. Planning and Building Committee considered a report and tabled it asking that a non-statutory meeting be held in July 2010. David noted concerns with height were also brought forward and as noted by Councillor Martin, the proponent then appealed to the OMB. David further noted this is a zoning by-law amendment not an official plan amendment. David then noted Staff are receiving pressure from the OMB for the proponent and the Town to meet to attempt to resolve the matter.

Moved by: Michael Martin

WHEREAS there has been filed a Notice of Appeal before the Ontario Municipal Board concerning the application: "Blue Mountain Villas (Matesa) under Planning Report PL.10.38 and PL.10.62;

AND WHEREAS there have been two Public Meetings concerning the application;

AND WHEREAS the Application fails to comply with the Official Plan in various respects, is incompatible with the form of surrounding housing and would create a traffic danger due to egress from the site;

NOW THEREFORE this Council does not support the Application.

In speaking to the Motion, Councillor McKean confirmed that Council has neither accepted nor denied the application, Councillor Martin confirming this is correct.

Councillor McGee spoke noting he would prefer the matter proceed through the normal course through the Planning and Building Committee with a report, further noting this does not have to be dealt with this evening.

Councillor Martin spoke noting this Council should deal with this and noted Council should get behind its own Official Plan, further noting it is an official document.

Deputy Mayor McKinlay then spoke noting it would be well to move this matter forward with this Council, but noted it will not be this Council that deals with an OMB appeal or Minutes of Settlement. Duncan further noted he would like a better understanding and noted he has an interest in the community affected, but noted he has an obligation to the other residents of the community that would pay for an OMB appeal.

Mayor Anderson then noted she would like this to go back to the next Planning and Building Committee meeting. Michael replying the next Council will sort this out, and will delay it if that is Council's wish.

Moved by: D.R. McKinlay Seconded by: Michael Martin

THAT the matter under discussion be tabled and referred back to Planning Staff for an updated Report based on the Public Meeting comments received;

AND that Staff shall provide information to Council to address the issues raised by a Councillor;

AND that the Report shall be brought to Council to be dealt with at the October 13, 2010 Council Meeting, Carried.

David then noted Planning has provided a report to Council and Committee and any information brought forward will be used in an OMB hearing, further noting this is before the OMB.

E.3 Additions to Agenda

Councillor Kennedy then referenced an email from the Blue Mountain Village Foundation Association for support for the dinner following the golf tournament and noted he believes Council should support this event.

Councillor Gamble spoke noting he will be attending the event as he is on the Board of Management .

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council support the Blue Mountain Village Foundation Association fundraiser by purchasing four tickets for the dinner at the cost of \$340, Carried.

E.4 Staff Discussion

E.4.1 Community Policing

CAO Paul Graham spoke noting on February 8, 2010 Council supported the Community Watch Program and its four components, further noting since that time the OPP, through the Police Services Board asked that signs be posted along Highway 26.

Paul noted we have learned that the municipality must advise the Ministry of Transportation that Council supports this initiative. Paul noted the original resolution should be sufficient, but wanted to clarify.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

WHEREAS the Town of The Blue Mountains wishes to petition the Ministry of Transportation to allow the installation of Road Watch signs on Highway 26 as part of The Blue Mountains Community Watch Program;

NOW THEREFORE Council recognizes The Blue Mountains Community Watch Program as an active Community Program and endorses its four components, Neighbourhood Watch, Rural Watch, Business Watch and Traffic Watch, Carried.

G. Consent Agenda

Accounts

G.1 Accounts

G.2 Invoices separated for pecuniary interest (EC King, Sadler's, Miller)

Reports List (Adopt)

G.3 Infrastructure & Recreation Committee, September 14, 2010

Deputy Mayor McKinlay spoke regarding the Infrastructure and Recreation Committee Report dated September 14, 2010 referencing a recommendation to direct Staff to meet with Collingwood and Meaford regarding Georgian Trail Standards and to negotiate an agreement to deal with long term operation and maintenance of the Georgian Trail.

Councillor Kennedy then spoke noting he feels it may take a significant amount of time to come to an agreement before the end of the year and noted he would like the current agreement tweaked and sent to Collingwood CAO. Cameron further noted the main reason for reviewing the agreement is because of the three municipalities, The Blue Mountains has the best equipment to work on the trail.

Duncan then spoke noting he has no problem with the agreement, but noted he needs a greater sense of clarity for the work required and further noted scheduling of the work needs to be taken into consideration. Duncan further noted standards need to be assessed as well.

Councillor Gamble then spoke noting the Georgian Trail Board of Management would like to have input on the maintenance standards. Bob then noted funding should be reviewed as well to ensure there is funding available for possible replacement of the trestle bridges when required.

CAO Paul Graham then spoke noting since the Board last met, the CAO's from the Collingwood, Meaford and The Blue Mountains have scheduled a meeting with Staff to discuss this matter and to discuss budget implications.

Bob then referenced 2011 preapproval for replacement of Dock C at the Harbour, noting this is an important issue.

Moved by: D.R. McKinlay

Seconded by: R.J. Gamble

THAT the Infrastructure and Recreation Committee Report of September 14, 2010 is hereby adopted, together with all recommendations contained therein, Carried.

Minutes List (Receive)

G.4 Blue Mountains Public Library Board Minutes, June 16, 2010

G.5 Agricultural Advisory Committee Meeting Notes, August 25, 2010

G.6 NVCA Highlights from Board Meeting, September 17, 2010

H. Notice of Meeting Dates

Council October 13 (Wed), 2010

All Council meetings to be at the Library unless otherwise noted

Planning and Building Committee, October 4, 2010

Infrastructure and Recreation Committee, October 12, 2010

Finance and Administration Committee, October 19, 2010

