

MINUTES: INFRASTRUCTURE & RECREATION COMMITTEE



MEETING DATE: TUESDAY, March 8th 2011

MEETING TIME: 7:00 pm

LOCATION: Beaver Valley Community Center – Small Hall

PREPARED BY: Jenny Ferraro, Administrative Assistant

A. Call to Order

Present: Duncan McKinlay, John McKean, Bob Gamble, Ellen Anderson, Michael Martin, Reg Russwurm, John Caswell, Jim McCannell, Jeff Fletcher, Shawn Everitt, Jenny Ferraro

Regrets: Joe Halos

A.1 Approval of Agenda

Reg Russwurm noted three additions to the Agenda.

E.1 Solar Projects

Re: Unsolicited inquiry from a 3rd party to partner with the Town

E.2 Dana Wells – UPI Energy

Re: Half Load Exception – Heating Fuel

E.3 Letter to Shawn Everitt

Re: Invoice \$111.87

Moved by: John McKean Seconded by: Bob Gamble

THAT the Agenda of the March 8th 2011, Infrastructure & Recreation Committee Meeting be adopted as amended.

“CARRIED”

A.2 Declaration of Pecuniary Interest

Councilor John McKean declared Pecuniary Interest to Agenda Item D5 Part 3 – Beaver River Bridge.

A.3 Previous Minutes – February 9th 2011

Moved by: Bob Gamble Seconded by: John McKean

THAT the open and closed session minutes of the February 9th 2011 Infrastructure & Recreation Committee be adopted as circulated.

“CARRIED”

B. Deputations/Presentations

B.1 Jeffery Graham – Genivar Inc.

Re: Additional engineering costs for design/administration of Thornbury Water Treatment Plant Upgrades (Town of The Blue Mountains – Contract TBM 2008-01)

Committee Chair Duncan McKinlay welcomed both Jeff Graham and John West from Genivar Inc. to the meeting.

Jeff Graham began by briefing Committee on his history of working for the Town of The Blue Mountains. He indicated that he has always worked professionally producing high quality work. Jeff indicated his belief in having a competitive advantage when the proposal came out to bid on because the firm had previously worked at the Thornbury Water Treatment Plant. Noting there were challenges with the project along the way, Jeff believes that his company provided high quality work creating a quality plant that will serve the municipality for many years.

Reflecting on the scope of the work in the RFP, Jeff noted that there were extra projects added to the core of the work that were not in the original RFP.

John West noted that he had discussed this extra work with John Caswell, and John Caswell suggested documenting any extra costs but there was no promises made. John West further indicated that in 2009 and April of 2010 he had developed two very comprehensive reports for the Town. He noted meeting with both John Caswell and Reg Russwurm recently regarding fees and was unsatisfied with the fees the Town would pay given the time and the money put into preparing the Reports and the Engineering completed.

John West noted to Committee the additional work taken on by Genivar which was not indicated in the scope of the RFP, further noting that although they were questioned by the Town with respects to their fee proposal prior to award they were confident with their quote as it fit the scope of the work in the RFP, not including the additional work they took on.

John West indicated that changes to the scope of the work occurred at the beginning of the project when the decision was made to go from 2 pall membranes as originally stated in the RFP to 3 Membranes.

John West noted that Genivar saved the town \$150,000 as they added a Canadian Dollar Lock-In Clause in the Pall Agreement. He further noted that there were other designs added to the project such as the Arrowhead Road Booster Station Bypass and the Peel Street water main.

John West indicated that although a lot of work was added to the original contract his Company never questioned the work, and did what they were requested to do.

In closing, Jeff Graham thanked Committee for their time, stating that his Company did the work that was required to get the job done and they would like to be paid for it.

Committee Chair Duncan McKinlay asked if Committee or Council had any questions or comments for John West or Jeff Graham.

Councilor John McKean indicated that when a Company is seeking additional fees of a significant amount they need to have a documented paper trail. John West indicated that there is a paper trail of the work done, but not for the price.

Committee Chair Duncan McKinlay asked Reg Russwurm if Committee has gone through the additional costs and has an understanding of them. Reg indicated that Committee went into closed session last month to review the additional costs.

Mayor Anderson clarified that \$126,835.00 was the original quote and that Genivar is now asking for \$340,000.00 in which we have paid \$113,000.00 therefore \$237,000.00 is remaining. Reg noted that there was an additional \$30,000.00 contingency and that he authorized \$29,000.00 to be spent. Currently there are Record Drawings and Operating and Maintenance Manuals that are outstanding.

Committee Chair Duncan McKinlay noted that he would like to review further the information provided so that Committee can concur to visit the matter in light of this deputation.

Duncan also suggested that Staff and Committee do not discuss this matter until it can be done freely in closed session. John McKean noted that he does not feel it will be possible to discuss extra work with no documentation.

Duncan motioned to refer to next meeting where Committee will go into closed session to review this matter and receive any additional information and perspectives. This motion was moved by Bob Gamble and seconded by John McKean.

Duncan thanked John West and Jeff Graham for their information and time.

Mayor Anderson left the meeting at 7:46pm.

C. Staff Reports as circulated

C.1 DOR.11.13 Curling Club Progress

Shawn Everitt

Councilor Bob Gamble addressed Part A of the Recommendation indicating that it was premature to establish a location for the facility at this time. Shawn Everitt explained that the Curling Club Working Group has a preference for the location, nothing further that a Report had gone to Council, written by David Finbow indicating five potential locations for this facility and the Beaver Valley Community Center Lands adjacent to Elma Street and Alfred Street was the preferred location. Shawn indicated that nothing has been approved.

John McKean addressed Part F of the Recommendation regarding the waiving of Development Charges. Shawn indicated that Financial Services has indicated that the wave of Development Charges has never been done before.

Councilor Michael Martin noted that he would like to see firm commitment from the Community before moving along with zoning. He believes that Staff must designate a firm location and then zoning can begin. Councilor John McKean agreed with Councilor Martin noting that zoning can wait.

Committee concurred to discuss the matter of Development Charges further and to visit the matter of all or some Development Charges for this or other similar projects.

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receives Staff Report DOR.11.13 entitled "Curling Club Progress" and;

THAT Council acknowledges that all recommendations approved in past reports remain prudent unless amended in DOR 11 13, and;

THAT Council:

a) Authorize Town Staff to begin a Public consultation process in preparation for zoning approval process regarding the proposed future development of a Curling Club Facility on Beaver Valley Community Center Lands adjacent to Elma Street and Alfred Street as the recommended and preferred location.

b) Authorize the Town to provide taxable receipts on behalf of the Curling Club Fundraising; and,

c) Authorize the Curling Club Group to entertain Curling Club Facility Naming Rights as a potential form of donation incentives; and,

d) *Approve in Principle that the Town enter into an agreement with the Curling Club Working Group for the development and operation of a Curling Club Facility to be declared a municipal capital facility under Section 110 of the Municipal Act, to grant tax exemption under Section 110 (6), and the municipal capital facility is for the purposes of the municipality and is for public use; and,*

e) *Authorize the draft agreement to include the waiving of future property taxes to the Curling Club Working Group; and,*

f) *That Council and the Curling Club Working Group agree that the project will only proceed when all the funds have been raised and if the project does not go forward that all fundraising dollars will be retained by the Town for Recreation Purposes after 5 years from signing of agreement.*

“CARRIED”

C.2 DOR.11.14 Thornbury Business Improvement Area Event Road Closures for 2011

Peter McGee

Councilor Bob Gamble asked if a road enclosure would be sufficient for the Canada Day parade. Shawn indicated that it was a request from Grey County to have the road closed noting that there will be emergency vehicles at the beginning and the end of the parade opening the road when it is completed. Shawn described it as a “rolling closure”.

Councilor Bob Gamble expressed his concern with regards to the traffic that will back up from John Street to Clark Street with a suggestion to close it at Grey Road 40. Shawn indicated that there will be plenty of communication out regarding the parade time and street closures. Shawn will ensure the proper detour signs are posted.

Councilor Gamble asked Staff about the time of the Peak to Shore Festival and the reason Bruce Street must be closed from 9:00am until 7:00pm. Shawn noted that 9:00am to 11:00am is dedicated to setting up the stage and that the stage is on a flat bed which is manned with a driver at all times.

Councilor Martin asked Staff for clarification on Part 3 of the Recommendation. Staff noted that the north end of “E” is from the bird house over to public boat launch at the north parking lot of the harbour. Shawn indicated it will be an exhibit area for the festival. Councilor Martin advised Staff to ensure there is alternative arrangements for residents to access their boats. Shawn noted that he has taken the needs of the harbor into consideration.

Councilor Gamble asked about fireworks with respects to damaging any vessels. Shawn noted that they are working with a Pyro-technical Company to evaluate the firework spray noting that the Village Association will be displaying fireworks the same day so there is a possibility to work with them.

Moved by: Bob Gamble

Seconded by: John McKean

THAT Council receive Staff Report DOR 11 14 entitled "Thornbury Business Improvement Area Event Road Closures for 2011" for their information, and

THAT Council authorize the Closure of specific areas of the Thornbury Harbour facility as outlined in this report as proposed by the Thornbury BIA for 2011, and

THAT Council authorize Town Staff to proceed with the application process to the County of Grey for the associated County Road Closures proposed by the Thornbury BIA for 2011, being:

1. July 1st - **Canada Day Parade** – Marsh Street from John St in Clarksburg and north on Bruce Street (Grey Road 13 to Highway 26) to the Thornbury Harbour from 10:00am to 12:00p.m., AND, the closure of the Harbour Area from the north end of "E" dock to the east edge of the boat launch from 11:00 am to 10p.m. for day time programming.

2. August 13th-14th - **Peak to Shore Festival** – Bruce Street south of Highway 26 (Grey Road 13) to Louisa Street from 9:00 am to 7:00 pm for each day of the festival.

3. October 8th – 10th - **The Blue Mountains Apple Harvest Festival** – Thornbury Harbour Area from the north end of "E" dock to the east edge of public boat launch from 10:00am to 7:00pm.

4. December 10th - **Old Fashioned Christmas** – Bruce Street south of Highway 26 (Grey Road 13) to Louisa Street from 9:00am to 11:00pm.

"CARRIED"

C.3 DOR.11.016 Beaver Valley Kinsmen – Opening of Fishing Season – Request to Sell Food

Ryan Gibbons

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receive staff report DOR 11 16 entitled "Beaver Valley Kinsmen – Opening of Fishing Season – Request to sell food. and;

THAT Council give permission to the Beaver Valley Kinsmen Club to sell food at the Thornbury Municipal Harbour on the weekend of April 29th 2011 until April 30th 2011.

"CARRIED"

C.4 DOR.11.17 Thornbury Yacht Club Structure Proposal

Ryan Gibbons

Moved by: Bob Gamble Seconded by: John McKean

That Council accept Staff Report DOR 11 17 entitled "Thornbury Yacht Club Structure Proposal, and;

THAT Council approve in principle the Thornbury Yacht Club's proposal to install a roof structure on the original East Pier at the Harbour at the Thornbury Yacht Club's expense.

"CARRIED"

C.5 DOR.11.18 Request for Commercial Operations on Town Waterfront

Shawn Everitt

Shawn briefed Committee on the history of Waterfront Operations indicating that there was an informal agreement made but there was nothing in place for exclusive use. Councilor John McKean indicated to Staff that once given exclusive rights, Staff must be sure that residents and visitors do not feel unwelcome. Committee Chair Duncan McKinlay agreed with John stating that the goal is to enhance public use and not detract them. Shawn agreed.

Councilor Gamble asked about Bayview Park. Shawn noted that it is not an easy waterfront to use because of the rocks.

Bob Gamble motioned to move with Recommendation Option B.

Moved by: Bob Gamble

Seconded by: John McKean

THAT Council receives Staff Report DOR 11 18 entitled "Request for Commercial Operations on Town Waterfront" and;

THAT Council authorize Town Staff to continue discussions with parties who have already provided proposals to the Town and provide a further report to Council with specific details to proposals;

"CARRIED"

C.6 DOR.11.19 Beaver River Group Endorsement

Shawn Everitt

Moved by: Bob Gamble

Seconded by: John McKean

THAT Council accept Staff Report DOR 11 19 entitled “ Beaver River Group Endorsement” ; and,

THAT Council approve the Terms of Reference for a Beaver River Watershed Advisory Committee as well as authorize staff to advertise for volunteers.

“CARRIED”

C.7 EPW.11.022 Assumption Bylaw for Hoffmann Street Part Lot 31, Concession 9 Mike Campbell

Moved by: Bob Gamble

Seconded by: John McKean

THAT Council enact a By-law to approve full acceptance and establishment of the public works constructed and installed on lands in part Lot 31, Concession 9, as outlined in Report EPW.11.022 “Assumption Bylaw for Hoffmann Street, Part Lot 31, Concession 9”.

“CARRIED”

C.8 EPW.11.023 Continuous Improvement Fund - Waste Collection Indicator Program

Adam McMullin

Councilor John McKean indicated that if all residents own garbage boxes then the program would be a great idea.

Councilor Gamble noted his concern regarding the cost of implementation. Jeffery Fletcher acknowledged that it does appear to be a lot of money up front, but it is a long term improvement that will pay off. Jeffery also noted that when a new house is built owners will get a permit for the box plus the indicators. Jeffery estimated getting approximately 20 calls a month regarding missed garbage collection and explained that in the long run the Indicator Program will eliminate or at least reduce the phone calls concerning missed garbage collection thus improving the efficiency of collection.

Moved by: John McKean Seconded by: Duncan McKinlay

THAT Council support the implementation of the Waste Collection Indicator Program as outlined in report EPW.11.023 entitled “Continuous Improvement Fund – Waste Collection Indicator Program”, and

THAT Council authorize the Mayor and Clerk to execute an Agreement with Waste Diversion Ontario.

“CARRIED”

D. Information Reports/Correspondence

D.1 DOR.11.15 Christmas Tree Pick Up

Terry Green

Shawn Everitt noted that in areas such as Craigleith, where the pick-ups are close together, there has been consideration to take the grinder and grind trees as they pick them up. Shawn also noted that there are trees as large as 14 feet in some areas.

Duncan McKinlay asked if was pick up was done in the rural areas. Shawn said yes.

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receive Staff Report DOR 11 15 entitled “Christmas Tree Pick Up” for information purposes.

“CARRIED”

D.2 EPW.11.014 2010 Water Summary Report

John Caswell & Meg Boyd

John Caswell noted to Committee that the Town has received their drinking water license and is on its way to achieving compliance with the DWQMS.

John referenced the chart on page 100 of the 2010 Water Summary Report , nothing the monthly average maximum day treated water demands. John further noted that the Town has received 100% on the inspection rating.

Chair McKinlay thanked John Caswell and his Staff for providing the Town with clean water and all of the hard work that goes into it.

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receives Report EPW.11.014 entitled “2010 Water Summary Report” for their information.

“CARRIED”

D.3 EPW.11.021 Roads and Drainage Division Works Yard Needs Study

Jim McCannell

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receive Report EPW.11.021 entitled "Roads and Drainage Division Works Yard Needs Study" for their information, and

THAT Council Authorizes staff to proceed with a Public Information Centre concerning the revised phase 1A works.

"CARRIED"

D.4 EPW.11.024 Solar Feasibility Study – Findings

Jeffery Fletcher

Moved by: John McKean Seconded by: Bob Gamble

THAT Council receive Report EPW.11.024, entitled "Thornbury Wastewater Treatment Plant Solar Feasibility Study – Findings" for information purposes.

"CARRIED"

D.5 EPW.11.025 Construction/Development Status Report

Tom Gray

Councilor John McKean declared pecuniary interest to Part 3 of the Report. Chair Duncan McKinlay asked Committee if there were any questions or concerns regarding this report save and accept any matters related to Part 3. There were no concerns.

John McKean left the room as Chair Duncan McKinlay asked if there were any concerns or questions regarding Part 3 of the Report. No comments were made. Chair McKinlay invited John McKean back to the meeting room.

Moved by: Bob Gamble Seconded by: John McKean

THAT Council receive Staff Report EPW.11.025 entitled "Construction / Development Status Report" for their information.

"CARRIED"

E. New and Unfinished Business

E.1 Solar Projects

Re: Unsolicited inquiry from a 3rd party to partner with the Town.

Reg briefed committee on a letter received from an unidentified individual who requested a confidential meeting with Council to propose a solar panel project. Reg indicated he is seeking Committee's advice on how to respond to this request.

Councilor Gamble noted that if the solar panels are on Town property then this individual would have to be granted access 24 hours a day to the site. Committee feels that this is not safe practice.

Committee concluded that they will not entertain the private audience's proposal.

E.2 Dana Wells – UPI Energy
Re: Half Load Exception – Heating Fuel

Jim McCannell, Manager of Roads and Drainage, indicated that the Town has never given this Company an exception in the past to the half load requirements.

Councilor John McKean and Councilor Bob Gamble were not supportive of this request. Committee Chair Duncan McKinlay indicated that in regards to this correspondence the request for variance has been refused.

E.3 Letter to Shawn Everitt
Re: Invoice \$111.87

Shawn indicated to Committee that this letter was in respects to the towing charges from a vessel found on Northwinds Beach. The letter was received on March 3rd 2011 from David Stevenson a member of the Chippewas of Nawash Unceded First Nation.

Shawn explained that there was an unmarked boat left on the shore of Northwinds Beach since November 2010. Shawn indicated that his Staff worked with the OPP, the Coast Guard and the MNR to try to find and contact the owner of the abandoned boat. There were no serial numbers on the boat.

Shawn noted there were fish nets cast along the shore and the boat had been vandalized. The boat was removed the second week of February 2011 after the OPP deemed it abandoned.

Shawn indicated he had not heard anything from the boat owners until Thursday March 3rd 2011 in which the owner claimed the boat was not abandoned.

Shawn indicated that the Town has the boat and before they will release it they require the invoice to be paid and identification that the boat belongs to the owner.

Shawn showed Committee a photo of the boat on the shore depicting the vandalism done to it. Committee Chair Duncan McKinlay advised Staff to release the boat at no charge to the owner and write a letter coping the Chippewas of Nawash Unceded First Nation, advising them that the Town will assume no liability for any damages to the boat and in the future the owner must advise the Town if they will be using the lands maintained by the Town of The Blue Mountains.

This recommendation was moved by Bob Gamble and Seconded by John McKean.

F. Next Meeting Date

Tuesday, April 12th 2011 at 7:00 p.m

G. Adjournment

Moved by: Bob Gamble Seconded by: John McKean

THAT the Infrastructure & Recreation Committee Meeting of March 8th 2011 is adjourned at 9:17p.m.

“CARRIED”