

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
REGULAR COUNCIL MEETING  
WEDNESDAY, SEPTEMBER 16, 2009**

A Regular Council meeting was held following Committee of the Whole on Wednesday, September 16, 2009 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor David Guergis  
Deputy Mayor Terry Dowdall  
Councillor Rick Newlove  
Councillor Sandie Macdonald  
Councillor Ron Henderson

Staff in attendance: M. Galloway, C. Healey, G. Murphy, P. Macdonald, J. Barrett

**1. OPENING OF MEETING BY THE MAYOR**

Mayor Guergis opened the Regular Council meeting at 6:39 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST – Councillor Newlove declared a conflict on item 8(a)**

**3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

Resolution No: C195-2009 Moved by: Macdonald, Seconded by: Henderson

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and*

*That the minutes of Committee of the Whole and Regular Council meetings held on the Second day of September, 2009 be adopted as circulated.*

Carried

**4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS**

Resolution No: C196-2009 Moved by: Newlove, Seconded by: Dowdall

*Be it resolved that Payments dated August 28 to September 10, 2009 in the amount of \$2,807,464.92 be approved.*

Carried

**5. CONSENT AGENDA**

Resolution No: C197-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that the items listed in the Consent Agenda dated September 16, 2009 be approved as presented, and that the necessary action be taken.*

Carried

6. COMMITTEE REPORTS
7. PETITIONS
8. MOTIONS AND NOTICES OF MOTIONS
  - a. Nottawasaga Valley Conservation Authority  
(Deferred from September 2, 2009 Council Meeting)

Resolution No: C198-2009 Moved by: Macdonald, Seconded by: Dowdall

*THAT the Council of the Township of Essa support the dissolution of the Nottawasaga Valley Conservation "Authority"; and*

*THAT they re-form into an Association to provide advice to local councils much the same as the Severn Sound Watershed Association; and*

*THAT the Essa Township representatives table and support this motion at the NVCA Board meeting.*

**Deferred**

There were numerous interested individuals and groups present. The Mayor asked for comments from anyone wishing to speak on this matter. He also noted that there were a number of dignitaries from Wasaga Beach, Shelburne, Oro-Medonte and Orillia in audience and thanked them for attending.

The Mayor and Deputy Mayor from Oro-Medonte spoke on the Township of Oro-Medonte's experience with the Nottawasaga Valley Conservation Authority (NVCA) and the Severn Sound Environmental Association (SSEA). Mayor Guergis asked if the SSEA will develop into a Conservation Authority as per reports from the NVCA. Oro-Medonte's Mayor indicated that in his opinion, the information was unfounded.

Deputy Mayor Dowdall noted that he has voted against the NVCA budget for many years and is concerned with the increases that have been presented in the past. Mayor Guergis indicated that he is very concerned with the dramatic increases taxpayers have seen over the past ten years with the NVCA budget. Councillor Macdonald also noted she is concerned with the dramatic increases year over year.

Deputy Mayor Dowdall would like to see that all board members are elected officials of member organizations, as he feels this accountability is what is needed on a taxpayer funded organization.

Councillor Macdonald noted that the NVCA was in attendance and was hoping they were taking notes of the concerns being addressed.

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The representatives from Oro-Medonte noted that they deal with other conservation organizations who they feel are more customer services oriented, and wished the NVCA would take this approach with residents and member municipalities.

Mr. John Logan asked to speak, and presented a letter to Council. In addition, the Mayor presented letters to the Clerk from Eelke (Buzz) Veenstra and The Friends of the Utopia Gristmill and Park.

Mayor Stevens of Orillia was in attendance with Keith Sherman of the SSEA. Mayor Stevens indicated he enjoys the service he gets from the SSEA. Keith Sherman outlined the operations of the SSEA.

Wayne Wilson from the NVCA was asked to speak. Mr. Wilson indicated that the operations of the NVCA are directed by the Board. He does feel permit fees are continuing to increase and wishes there wasn't a need for these increases. He indicated that NVCA staff will revisit this matter in the coming weeks. Mr. Wilson indicated the NVCA meets the service needs that the Board asks for and is accountable to the Board. He also indicated that a streamlining evaluation process is in the works which he hopes to be able to share with the Board in the coming weeks.

Mayor Guergis noted that no action has been taken from previous meetings the Township has arranged with the NVCA. He feels the comments are being ignored. Councillor Macdonald also noted she is concerned with the amount of people she talks with who have had problems with the NVCA.

Councillor Macdonald noted she would like to see an amendment to the motion. The Clerk noted that if added to the motion on the table, the amendment would contradict the motion currently being discussed. There was further discussion on the procedures and a deferral motion was called.

**Deferred**

**b. Brookvalley – 3 car garages**

Resolution No: C199-2009 Moved by: Newlove, Seconded by: Henderson

*WHEREAS Brookvalley Developments is constructing a residential subdivision in Angus in accordance with a Subdivision Agreement including in accordance with the Township's Engineering Design Standard Specifications and Drawings and the Developer is responsible for all above ground works until such time as the municipality assumes the streets by by-law in Phases 1 and 2 of this Subdivision; and*

*WHEREAS the Builder (Zancor Homes) has constructed new dwellings with three car garages on lots fronting on Collier Crescent in this Subdivision; and*

*WHEREAS the Township's Engineering Design Standard TESTD 700.01 only allows for a*

*double wide driveway width of 6.0 metres in urban designed residential subdivisions; and*

*WHEREAS residents on Collier Crescent who have purchased new homes with three car garages are requesting an exemption be approved to provide for a wider driveway on the road allowance between the curb and the streetline/sidewalk on Collier Crescent;*

*NOW THEREFORE BE IT RESOLVED THAT an exemption be approved for a wider driveway to a maximum curb cut width of 8 metres along Collier Crescent provided the Developer undertakes the required work with the land owner or Developer paying for all costs to widen the driveway which would include but not be limited to excavation of topsoil and sod, removal of some existing barrier curb and existing sidewalk, replacement of a dropped curb and sidewalk with the proper additional concrete thickness for driveways, the supply, placement and compaction of additional granular materials and asphalt including the relocation of any utilities that may be required to ensure proper separation for those lots containing three car garages on Collier Crescent.*

Carried

Staff was asked to bring back more information about possibly making permanent changes to our by-law.

**c. Appointment of Sheila Perri – Nottawasaga Valley Source Protection Authority**

Resolution No: C200-2009 Moved by: Macdonald, Seconded by: Henderson

*WHEREAS the Nottawasaga Valley Source Protection Authority was formed in accordance with the Clean Water Act, 2006, and is comprised of municipal and conservation authority representatives; and*

*WHEREAS municipalities have been asked to provide a resolution appointing their one municipal representative for the purpose of selecting the two persons to sit on the Source Protection Committee;*

*NOW THEREFORE BE IT RESOLVED THAT Sheila Perri, Engineering/Development Review Technician, be appointed as the Essa representative on the Nottawasaga Valley Source Protection Authority*

Carried

**d. Community Adjustment Fund – Funding Approval**

Resolution No: C201-2009 Moved by: Macdonald, Seconded by: Henderson

*WHEREAS the Township of Essa has received funding approval under the Community Adjustment Fund for total project costs of \$680,000 for the project titled “Renovation of an Arena and Banquet Hall”; and*

*WHEREAS the Township will receive \$453,334 from the Community Adjustment Fund; and*

*WHEREAS a municipal resolution is required as additional documentation to be added to the Federal Government's Letter of Offer;*

*THEREFORE BE IT HEREBY RESOLVED THAT the project titled "Renovation of an Arena and Banquet Hall" will proceed and that municipal funds in the amount of \$226,666 are available from the Reserve for Parks and Recreation.*

Carried

**9. UNFINISHED BUSINESS**

**10. BY-LAWS**

**a. By-law 2009 – 48**

Resolution No: C202-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that leave be granted to introduce By-law 2009 – 48, being a by-law authorizing the Mayor and the Chief Administrative Officer to enter into an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs for a Funding Agreement for the Building Canada Fund – Communities Component (BCF-CC) initiative; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

Carried

**11. QUESTIONS**

The media asked questions regarding the arena funding.

**12. IN CAMERA**

Resolution No: C203-2009 Moved by: Dowdall, Seconded by: Macdonald

*Be it resolved that Council proceed In Camera in order to address matters pertaining to personal matters about an identifiable individual, including Municipal or local board employees; a proposed or pending acquisition or disposition of land for Municipal or local board purposes; labour relations or employee negotiations; advice that is subject to solicitor/client privilege, including communications necessary for that purpose, including matters before administrative tribunals affecting the Municipality or local board.*

Carried

Council came out of the in-camera session at 9:58 p.m. and adopted the following resolutions:

**a. 250 and 252 Centre Street, Angus**

Resolution No: C204-2009 Moved by: Dowdall, Seconded by: Henderson

*Be it resolved that the solicitor's draft response to the Graymars be approved and forwarded to them accordingly.*

Carried

**b. 2007 Draft Pay Equity Plan**

Resolution No: C205-2009 Moved by: Macdonald, Seconded by: Henderson

*Be it resolved that Confidential Report PW-09-53 from the CAO/Manager of Public Works be received; and further,  
That the 2007 Pay Equity Plan be approved as presented and posted accordingly.*

Carried

**c. Proposed Hiring of a Full Time Facilities/Parks Maintenance Employee**

Resolution No: C206-2009 Moved by: Dowdall, Seconded by: Henderson

*Be it resolved that Confidential Report PW-09-54 from the CAO/Manager of Public Works be received; and further,  
That the candidate recommended by the CAO/Manager of Public Works be offered the position of full time Facilities/Parks Maintenance Operator.*

Carried

**d. Essa Secondary School/Library/OPP**

Resolution No: C207-2009 Moved by: Newlove, Seconded by: Macdonald

*Be it resolved that In-Camera Report 04-2009 from the Clerk be received; and further  
That the Mayor and Clerk be authorized to sign the purchase and sale agreement with SCDSB.*

Carried

**13. CONFIRMATION BY-LAW**

**By-law 2009 - 49**

Resolution No: C208-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that leave be granted to introduce By-law 2009 - 49, being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this Sixteenth Day of September 2009; and that said By-law be read a first, and taken as read a second and third time*

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*and finally passed.*

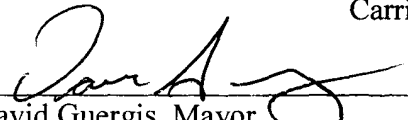
Carried

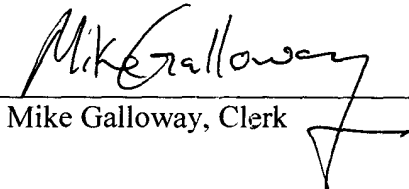
**14. ADJOURNMENT**

Resolution No: C209-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that this meeting of the Council of the Township of Essa adjourn to meet again on the Seventh day of October 2009 following Committee of the Whole.*

Carried

  
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David Guergis, Mayor

  
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Mike Galloway, Clerk