

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
Tuesday, December 16, 2008
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Powell, Atfield, Chambers, Hodge, Coleman and Gatward.

Staff: Urbanski, Glassford, Compeau, Johnston, Underwood, Bell, and Carman.

Mayor Eddy in the Chair. He introduced and welcomed Mark Urbanski as the new Chief Administrative Officer for the County of Brant. Mr. Urbanski noted that he looks forward to working with the members of Council over the coming months.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the Brant County Council agenda and addendum for the December 16, 2008 meeting be approved as distributed, with an addition under “Other Business” regarding Small Towns.

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Request for Approval of Draft Plan PS1/07/SS – Rest Acres Industrial Subdivision, King & Benton Development Corp.**

Paul F. Puopolo, General Manager of IBI Group, on behalf of King & Benton Development Corp., advised that his client owned 69 hectares of land west of Rest Acres Road to be developed for industrial purposes. He requested that Council approve Draft Plan Application PS1/07/SS, subject to the Conditions of Draft Plan Approval outlined in Staff Report PA-08-62 to facilitate the development of an industrial subdivision by King & Benton Development Corp. Mr. Puopolo noted that the application was tabled by the Planning Advisory Committee in July, 2007 in order that issues related to servicing availability and capacity, operational parameters related to the proposed temporary pumping station and subsequent decommissioning, and funding for the extension of services to the site could be addressed.

Mr. Puopolo noted that the County has demonstrated their commitment to provide services through their decision to proceed with development of the Bethel water supply. Although the County does not want to grant approval to Draft Plan PS1/07/SS until the Class EA process is completed, Conditions 2 and 4 of the Draft Plan approval do not allow the development to proceed until all servicing is in place. These conditions acknowledge that there is no commitment on the County to provide the servicing within a specified period of time. They feel that if draft plan approval is given at this time, they could be working while the EA process is underway and Phase 1 of the industrial development could be registered within the three-year time frame required by the County's Official Plan.

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In response to questions, Mr. Puopolo advised that King & Benton will be responsible for the costs to install a temporary sanitary pumping station and forcemain to service the subdivision, as well as the decommissioning costs, to service this industrial subdivision. King and Benton must also enter into a financing arrangement with the County prior to final approval for registration of the plan. In response to a question about the process, Mr. Puopolo advised that they have been meeting with County staff since this matter was presented to the Planning Advisory Committee in 2007 to resolve the conditions. They are presenting their request directly to Council as all conditions have now been met, and proceeding through Planning Advisory Committee will only prolong the approval process.

Scott Higgins, Vice-President of King & Benton Development Corp., noted that King & Benton purchased the subject property in 2003, and have done significant work since that time to address neighbourhood concerns with development of the site for industrial purposes. Although this site had previously been approved for development on partial services, they have been working on the current application that includes full services. King & Benton did not proceed with the application while the County completed the EA process for the Mile Hill sanitary sewer project, but they are not willing to wait for the completion of the EA process for the Bethel Water Supply. Conditions included in the Draft Plan approval make it very clear that the plan cannot be registered until such time as there is servicing availability and capacity. Allowing them to proceed at this time allows for work to be done so that they are ready to move forward once the Class EA is approved. They are working on the basis that the required infrastructure and capacity will be available within the next three years. He urged Council to make a decision at this time, noting that further delay would cause King & Benton to withdraw their proposal to proceed with this industrial subdivision and other development within the County.

In response to questions, Mr. Higgins advised that King & Benton has filed an appeal with the Ontario Municipal Board on this application, but this will be withdrawn if approval to proceed is approved by the County.

Members of Council noted the importance of this application being dealt with by the Planning Advisory Committee, and it was agreed that a staff report on this application would be prepared for the December 17 meeting so that any issues with this project can be addressed. In accordance with the procedural by-law, it was noted that a special Council meeting to consider the Planning Advisory Committee recommendation of this application could be arranged for Thursday, December 18.

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the presentations made by Paul Puopolo and Scott Higgins regarding PS1/07/SS, and a verbal report from the Director of Development Services on this matter be referred for consideration during “Staff Reports”.

. Carried

Tow Truck Licensing

Hal Rothenberg advised that he had made a previous presentation to Council in October 2008 regarding unscrupulous tow truck operators. He noted that the County has chosen not to take any action on enforcement of tow truck operators due to the fact that Provincial Bill 87 proposes to regulate the towing industry in Ontario. Mr. Rothenberg expressed his concern that

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Bill 87 will not be approved because it is a Private Member's Bill that will die on the order paper if the Legislature is prorogued. He noted that he has received calls from several other people who have experienced similar experiences as a result of their cars being towed. Mr. Rothenberg requested that Council approve a resolution at its earliest opportunity to support Bill 87 and its implementation, and that a copy of this resolution be forwarded to Premier McGuinty, Brant M.P.P. Dave Levac and M.P.P. David Zimmer, who proposed Bill 87. In addition, he requested that Council circulate the resolution to other municipalities in Ontario and the Association of Municipalities of Ontario for their support. He also suggested that the research gathered by Sgt. Dave Maxwell, Brant County O.P.P. on tow truck regulations be forwarded for consideration during the Committee hearings on this proposed bill. If the Bill is not approved, this research can be utilized in the development of enforcement regulations at the County level. Mr. Rothenberg outlined some of the changes that have occurred at the parking lot at 139 Grand River Street North, noting that he has not heard from the company who towed his vehicle.

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That the presentation from Hal Rothenberg requesting support for Bill 87 to regulate the motor vehicle towing industry be referred to County staff to prepare a resolution for consideration at the next Corporate Development Committee meeting.

. Carried

Paris Old Town Hall

Deano Wilson Rouse provided history and information on the Old Town Hall in Paris that is currently up for sale. This building was built in 1854 and has been restored over the past eighteen years by owner John Runquist. She noted that she is on a mission to save this building, which has 14,000 sq. ft., including a main level that can seat 300 people. The Paris Historical Society has indicated its willingness to partner with her company "Talk of the Town Productions" on this project, as they are interested in moving to this building. Ms. Wilson Rouse outlined her accomplishments as an actor and producer, and her involvement with Talk of the Town Productions which has generated over \$100,000 for local charities over the past four years.

Ms. Wilson Rouse requested Council's assistance with the purchase of the Old Town Hall to save this unique building with its great historical significance. She suggested that the Cultural Centre should be located in this building, rather than constructing a new building. This would create a great tourist attraction for the community and save the Old Town Hall from demolition by developers who are interested in the property.

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That the presentation by Deano Wilson Rouse regarding the Old Town Hall be received as information.

. Carried

Transportation Master Plan

Ella Haley expressed her concern that it is premature to approve the Transportation Master Plan at this time as she feels that the public is not aware of what is in the plan, nor has there been enough opportunity for public input. She suggested that the process be slowed down and the public be made aware of the plan through flyers in local newspapers. She listed the names of residents who had signed a petition requesting another public meeting to review the Transportation Master Plan.

Ms. Haley suggested that the plan needs to be written in simpler language, and should include scenarios that include expansion of the Green Belt in Brant, the proposed transportation corridor between 401 and 403, and more public transit options, as well as an scenario if no development occurs. It is her opinion that the Master Transportation Plan should be approved at the same time as the Official Plan to ensure that the two plans are linked together.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the presentation by Ella Haley on the Transportation Master Plan be received as information.

. Carried

MINUTES

Moved by – Councillor Schmitt
Seconded by – Councillor Simons

That the minutes of the December 2, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

That the minutes of the November 27, 2008 meeting of the Committee of the Whole – 2009 Budget be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That the minutes of the December 4, 2008 meeting of the Committee of the Whole – 2009 Budget be adopted, copies having been forwarded to the members prior to the meeting.

. Carried

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BUSINESS ARISING FROM THE MINUTES

1. Notification from the City of Brantford that the Finance Committee did not approve the creation of a reserve fund for the Bell Lane Terrace Apartments. The County approved the recommendation of the Committee of Management to create the reserve fund, but the by-law to approve the agreement with the City was not presented to County Council, pending the decision of the City Finance Committee. John Noble Home staff has advised that they will manage the Bell Lane Terrace funds in another manner.

CONSENT ITEMS

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the following Information Report be received:

1. Decisions from the November 27 Committee of Adjustment meeting.

And that the following Consent Communications items be received:

1. AMO Member Communications:
 - a. Government Plan for reducing child poverty by 2013
 - b. Public Review Period for Draft Information and Communications Standard extended to February 6, 2009 (accessibility standards)
 - c. AMO releases discussion paper on immigration issues
 - d. City of Windsor/County of Essex to host 2010 AMO Conference
 - e. City of London to host 2011 AMO Conference
 - f. Notice of 2009 funding from the Ontario Municipal Partnership Fund (OMPF)
 - g. Municipal participation in Federal Budget consultations
2. Hon. David Caplan, Minister of Health and Long-term Care – notification of 2009 grant increase of up to \$113,179 for ambulance.
3. Hon. Jim Watson, Minister of Municipal Affairs and Housing - Information on reporting requirements for 2008 Municipal Performance Measurement Program (MPMP).
4. ROMA Board Update from November 2008 meeting.
5. Notification from the City of Brantford of approval of by-law to incur debt and issue debentures on behalf of the County of Brant for the John Noble Home Affordable Housing Project.
6. Comments from Robin Caslick re: Twin Pad Complex and Community Room.
7. City of Hamilton – Project Update for the Ancaster Transportation Master Plan Study.
8. Hamilton Niagara Haldimand Brant LHIN 2007-2008 Annual Report.
9. Notice that Earth Tech, Gartner Lee, TSH and UMA are now known as AECOM.
10. "GRCA Minutes" for December 2008.
11. Child Witness Centre Fall newsletter.
12. College of Physicians & Surgeons of Ontario "Noteworthy" newsletter.
13. Alzheimer Society of Brant "Forget Me Not Chronicle" winter newsletter.
14. Thank you from Rick Fiebig to Council and staff for retirement gift.
15. Minutes of Meetings:
 - a. Brant County Board of Health – October 16, 2008.
 - b. City of Brantford Environmental Policy Advisory Committee – November 13, 2008.
 - c. Brant County Power Inc. – October 8 and November 12, 2008
 - d. Brant County Power Services Inc. – October 27, 2008.
16. M.P. Phil McColeman, Brant Riding – letter of support for the Twin Pad Arena.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Hodge

That the thank you letter from the Brantford General Hospital Foundation for the County's contribution to the MRI Fund and the copy of MRI Update newsletter be received.

. Carried

CORPORATE DEVELOPMENT

Councillor Chambers presented the following report from the December 8, 2008 meeting of the Corporate Development Committee:

1. That Councillor Robert Chambers be appointed as Chair of the Corporate Development Committee.
2. That Councillor Joan Gatward be appointed as Vice-Chair of the Corporate Development Committee.
3. Whereas the Agent for the Developer of the Rest Acres Ridge Subdivision in Paris has submitted a request for assumption of infrastructure;

And whereas the Developer has fulfilled all terms and conditions as required in the subdivision agreement;

Be it hereby resolved that Staff prepare a by-law to assume the infrastructure in the subdivision known as Rest Acres Ridge, more particularly described as Registered Plan 2M-1867.

4. Whereas the Agent for the Developer of the Parisian Heights Subdivision – Phase IV in Paris has submitted a request for assumption of infrastructure;

And whereas the Developer has fulfilled all terms and conditions as required in the subdivision agreement;

Be it hereby resolved that Staff prepare a by-law to assume the infrastructure in the subdivision known as Parisian Heights Subdivision – Phase IV, more particularly described as Registered Plan 2M-1876.

5. That County of Brant Enforcement Policy # CPS–2008-01 be amended, by inserting the following clauses preceding the section on “Scope or Applicability” on Page 4:

Vexatious Complaints

Notwithstanding any other provision of this Policy, where the Coordinator, Legal & Enforcement Services is satisfied that a person or group of persons (hereinafter a "Complainant") has persistently, and without reasonable grounds, instituted vexatious complaints, or has conducted himself/herself or themselves in relation to complaints instituted by him/her or them, in a vexatious manner, the Coordinator, Legal & Enforcement Services may direct that any further complaint from such Complainant not be processed or investigated and and/or that any investigation or processing of an existing complaint instituted by such Complainant be discontinued (the

"Determination") unless authorized to be continued by written direction of the Director or Associate Director of Corporate Services. The Coordinator, Legal & Enforcement Services shall give written notice of such Determination to the Complainant within a reasonable period following the making of the Determination.

The Complainant may make application in writing to the Director or Associate Director of Corporate Services for written direction to investigate or process or continue to investigate or process a complaint, however, such written direction shall not be given unless the Director or Associate Director of Corporate Services is satisfied that the complaint sought by the Complainant to be investigated or processed is not vexatious or an abuse of process.

Where the Director or Associate Director of Corporate Services does not give written direction to investigate or process or to continue to investigate or process a complaint, the Complainant may make written application to the Chief Administrative Officer to rescind a Determination made by the Coordinator, Legal & Enforcement Services. Failing a decision by the Chief Administrative Officer to rescind the Determination, the Complainant may make a written application to Council to rescind the Determination. The decision of Council on whether to rescind a Determination shall be final."

6. That an amendment to the Taxi Licensing By-law Number 47-08 be approved in principle as follows:
 - a. Removal of the limits on the number of taxicab plates available for issuance and all sections related to the administration and enforcement of these limits,
 - b. Removal of offence sections for violations that are frivolous in nature,
 - c. Amendment of the definition of a 'Taxicab Broker' and of sections relating to the application of the by-law, in order to comply with Municipal Act requirements;

That staff provide a copy of the recommendation to taxi stakeholders requesting comments;

And further that staff report back to Committee with respect to the comments received.

7. That Council approve the provision of a \$40 Christmas voucher for each full-time employee for use at selected County food outlets.
8. That Michael O'Byrne be appointed as the County representative to sit on the 'War of 1812 Bicentennial Commemoration Committee'.
9. That the Board of Directors of the Brant Cultural Centre be requested to file a current financial statement indicating the total grants and donations received to date, the total fund- raising expenses to date and the net balance of available funds for the capital construction of the project;

That the Board of Directors of the Brant Cultural Centre be requested to provide a summary of the Senior Government funding opportunities, the potential level of funding, and the likely financial shortfall, if any;

That the Board of Directors of the Brant Cultural Centre be advised that the following principles will form the basis of any operational agreement:

- The Cultural Centre would be deeded the land required to build the Centre at such time as the Centre demonstrates to the satisfaction of the County that funds for the capital construction have been raised.
- That once the land is donated for the Centre, the BCC would have ownership of both the land and the buildings constructed and would be responsible for all aspects of the Centre's operation including the rental of space, insurance and all property maintenance, both annual and long term maintenance.
- The land and constructed centre would remain in the hands of the BCC.
- If the BCC sold the Centre for any reason within 15 years of the construction of the centre the County would have the first right of refusal to be exercised for \$1.00 or be entitled to all excess revenues received from the sale to a third party.
- All yearly maintenance for the centre and the grounds associated with the Centre would be the responsibility of the Centre and not the County.
- The Centre would be free to approach the County for an annual grant to offset operating costs but there would be no guarantee of any funding from Brant County;

And that Brant County Council affirm its willingness to consider as part of the 2009 Budget considerations the request for capital funding of \$220,000.00 for construction of the Brant Cultural Centre on Elm Street.

10. That the County of Brant request the Brant Cultural Centre to relocate their sign located on the east riverbank of the Grand River in Paris to a more suitable location.
11. That staff be directed to review the comments received from the public and user groups with respect to the Property Management Strategy recommendations;

And further that staff bring an information report to the Corporate Development Committee meeting in February 2009 taking into consideration the input received.

12. That the Offer to Purchase Part Block J, Plan 83, (PIN #0116), geographic Township of South Dumfries, Roll Number 016-020-29600, in the amount of \$1,750.000/.25 acre or \$7,000.00/acre be denied;

That the selling price of the properties in question (approximately 0.21 acre, plus the "lane") be set at \$5,000.00 or \$20,000.00/acre, plus all costs associated with the sale;

And that the final sale price will be based on actual area determined by a Reference Plan.

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the report of the Corporate Development Committee from its December 8, 2008 meeting be adopted.

. Carried

PUBLIC WORKS

Councillor Coleman presented the following report from the December 9, 2008 meeting of the Public Works Committee:

1. Whereas there are sufficient funds in the approved Capital Budget for the proposal;

Be it hereby resolved that RFP 11-08 Consultant Services for Grandville Sewage Pumping Station Upgrades, 44 Cobblestone Drive, Paris", be awarded to Gamsby and Mannerow Limited for the quoted price of \$33,759, excluding GST.

2. Whereas the property owner of 131 King Street, Burford, has recently constructed a patio that encroaches onto the municipal road allowance;

And whereas a request has been received from the property owner of 131 King Street, Burford, to enter into an Encroachment Agreement for the patio that encroaches into the King Street Road allowance;

And whereas the location of the patio does not appear to negatively impact the safety of pedestrians;

Be it therefore resolved that the request from the property owner of 131 King Street to enter into an Encroachment Agreement with the County of Brant for the patio located along the front face of the existing building be approved and include, but not be limited to, the following conditions:

- That all costs associated with the creation and execution of the Encroachment Agreement be borne by the property owner of 131 King Street;
- That the County be named as an additional insured on the insurance policy of the property owner of 131 King Street and provided with a copy of the insurance policy and that the County be provided a minimum of thirty (30) days notice prior to the cancellation of said policy;
- That language be included in the Encroachment Agreement that all additional costs associated with the replacement / repair of the municipal sidewalk or other municipal road allowance works along the frontage of the patio be borne by the property owner of 131 King Street;
- That the area of municipal sidewalk that cannot be cleared by County snow removal equipment be the responsibility of the property owner of 131 King Street;
- That if the property owner of 131 King Street does not remove the snow from the area of the municipal sidewalk that cannot be cleared by the County, the County will have the right to revoke the Encroachment Agreement and have that portion of the patio that is encroaching on the municipal road allowance removed at the expense of the property owner of 131 King Street;
- That all maintenance of the patio shall be the responsibility of the property owner of 131 King Street;
- That further encroachment into the municipal road allowance by extending and / or enlarging the size of the existing patio shall not be permitted;
- That the drafting and registration of the Encroachment Agreement are to be to the satisfaction of the County.

3. Whereas the County of Brant has undertaken a Class Environmental Assessment to consider solution options and a preferred solution to River Road instability in the vicinity of Newport Road;

And whereas the preferred solution identified involves:

- The permanent closure and retirement of River Road between 111 River Road and 85 River Road;
- Completion of end treatments for road closing;
- Undertaking improvements to Houlding Bridge to address slope instability issues at the bridge

And whereas the Ministry of the Environment has advised that the Part II Order request received in relation to the project will not be considered because the issues that were raised are outside the scope of the Ministry of the Environment's review;

Be it hereby resolved that in 2009, the County proceed with the detailed design and property acquisition phases for the implementation of the preferred solution identified in the River Road Class EA Project File Report dated April 2008, recognizing that the County is free to continue to review and consider alternative proposals, subject to adherence to Class Environmental Assessment process requirements; and

And be it further resolved that the construction phase for the preferred solution of the project, as outlined in the River Road Class EA Project File, be referred to 2010 budget deliberations, subject to any other permits or approvals required, and, that the Project be implemented in the manner it was developed and designed, as set out in the Project Environmental Study Report, inclusive of all mitigation measures and environmental and other provisions therein.

4. Whereas there have been reports of odours in downtown Paris and through an investigation potential sources and minor deficiencies have been discovered;

And whereas additional work is required to address the potential source of odours some of which involves road construction that can be completed in the spring construction season while other components can be completed through the winter of 2009;

And whereas there are sufficient funds to perform this work in the budget;

Be it therefore resolved that the plan outlined in this report as Option #1 be implemented at an estimated cost of \$45,000.

5. That tipping fees be waived from January 5 through January 17, 2009, for Christmas trees taken to and de-bagged at a County waste management facility.
6. Whereas the County received a petition from property owners in the area of Campbell Farm Road, Cockshutt Road, Burtch Road and War Road to provide municipal water service to their properties;

And whereas the County engaged The Thompson Rosemount Group Inc. to carry out a study and provide information to the property owners so that they could make an informed decision as to whether or not to sign a petition in favour of the project which would be a local improvement for which the benefiting property owners would pay;

And whereas the County hosted a Public Information Centre on August 14, 2008 and a Public Meeting on November 24, 2008 to communicate the information and provide opportunity for discussion with the property owners and members of the public;

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And whereas, since representatives of 17 of the 34 properties fronting the roads of the proposed watermain have signed a petition in opposition of the project, it is improbable that the required owners of 23 of the properties representing the two-thirds required for the project to proceed will sign a petition in favour of the project;

Be it hereby resolved that staff be directed to:

- a. Cease treating this project as a priority;
- b. Leave the project such that it might be reinitiated should a sufficient petition for the project be received in the future;
- c. Be mindful of this potential project when reviewing grant funding that may be available for a project such as this; and
- d. Issue a letter to the property owners in the study area advising of the status of the project.

And that the costs incurred for this project, estimated to be \$20,000 be funded from the general revenues of the municipality with the understanding that should the project proceed in the future, any amount related to a benefit to the properties would be considered for recovery from the benefiting properties.

7. That the Public Works draft 2009 Operating Budget, as may be amended, be received and forwarded to the Committee of the Whole.
8. That Councillor Coleman be appointed as Chair of the Public Works Committee.
9. That Councillor Simons be appointed as Vice-Chair of the Public Works Committee.

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That the report of the Public Works Committee from its December 9, 2008 meeting be adopted.

. Carried

COMMITTEE OF THE WHOLE – 2009 BUDGET

Councillor Chambers presented the following report from the December 4, 2008 meeting of the Committee of the Whole – 2009 Budget:

1. That the 2009 Capital Program be approved in principle, subject to final budget approval;

That staff be authorized to begin the process of preparing the appropriate tenders and Requests for Proposals (RFP) for those projects included in the 2009 Capital Program;

And that where it is deemed necessary for the completion of the project in 2009, or where it is considered financially prudent to issue a Tender or RFP prior to final budget approval, that such request contain language so that it is clearly understood that approval of the project is subject to final budget approval.

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Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That the report of the Committee of the Whole – 2009 Budget from its December 4, 2008 meeting be adopted.

. Carried

TWIN PAD BUILDING

The Twin Pad Building Committee minutes of December 2, 2008 were received as information.

Councillor Powell questioned the items included in the estimate for the Twin Pad Complex received from Giffels, noting that it is important that their quote includes the same project details as the estimate provided by Shore Tilbe and Associates so a fair comparison can be made. The information in the Giffels letter gives a false and negative impression to the community on the proposed costs of the project. With the infrastructure funds that will be available from other levels of government for projects that are shovel ready, it is essential that the project keep moving forward. Councillor Coleman advised that the Twin Pad Building Committee would be considering a staff report on the Giffels letter at their December 18 meeting.

Councillor Chambers stressed the importance of turning the momentum back in favour of the twin pad complex, so that the ratepayers can see the positive aspects of the project and be encouraged to contribute to the fundraising efforts for this facility.

POLICE ACCOMMODATIONS

The Police Accommodations Committee minutes of December 3, 2008 were received as information.

STAFF REPORTS

2008 Tax Write Off Report

Moved by – Councillor Hodge
Seconded by – Councillor Chambers

That taxes be written off under the authority of Section 357 and 358 of the Municipal Act as follows:

Municipal share	\$26,938.55
School share	<u>\$13,809.37</u>
Total write-off	<u>\$40,747.92</u>

And that the final payment to the School Boards be reduced by the amount of \$13,809.37 for their share of the taxes written off.

. Carried

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County of Brant Transportation Master Plan

Moved by – Councillor Coleman
Seconded by – Councillor Simons

Whereas the County initiated the preparation of a Transportation Master Plan (TMP), a document prepared in conjunction with the Official Plan Review, to guide the development of the County's transportation system over the coming 25 years;

And whereas the public has been consulted during the study process, through a series of public meetings, Council meetings, notices, mail-outs and the County website;

And whereas all public and stakeholder input to date has been considered by the Project Team and revisions have been made to the document;

And whereas no fundamental changes have been made to the Final Draft Transportation Master Plan, as received by Council on November 4, 2008;

Be it hereby resolved that the County of Brant Transportation Master Plan be approved, subject to review upon the County's next Official Plan Update process.

. No Vote – Amendment Follows

Some members of Council expressed concern that the Transportation Master Plan was being approved prior to approval of the Official Plan Five-Year Review, and suggested approving the plan in principle until such time as the Official Plan is completed. The Director of Public Works pointed out that there is no regulatory time frame requirement for approval of the Transportation Master Plan. Although the Transportation Master Plan includes components that are related to the Official Plan, there are other components and policies that are not. If the Transportation Master Plan is approved by Council, changes can be made at any time to update the Plan.

Moved by – Councillor Chambers
Seconded by – Councillor Schmitt

That the final clause of the resolution on the Transportation Master Plan be amended by adding the words "in principle" following the words "be approved".

. Defeated

Mayor Eddy then called for a vote on the original motion and it was **carried**.

Draft Approval for Plan of Subdivision PS1/07/SS – King & Benton

David Johnston, Director of Development Services, briefly reviewed Report PA-08-62 that had been prepared for the consideration of the Planning Advisory Committee at their December 17 meeting regarding an appeal to the Ontario Municipal Board for Plan of Subdivision Application PS1/77/SS from King & Benton for lands on Rest Acres Road. He noted that although the proposed conditions provide acknowledgement by the developer that there is no servicing capacity at this time, County staff is recommending that Draft plan approval not occur until such time as the Class EA process for the Bethel water supply is approved. This is based on Ministry of the Environment policies and guidelines that capacity is allocated when draft plan approval is granted.

In response to questions, it was noted that a draft water allocation policy is being circulated to other departments for comment prior to consideration by the Corporate Development Committee. Members of Council requested that staff review the outstanding issues in order to come to an agreement with the developer on the draft plan approval conditions. It was agreed that Planning staff would meet with the developer and prepare a report, in consultation with Public Works staff, for consideration at the December 17 Planning Advisory Committee.

Moved by – Councillor Chambers
Seconded by – Councillor Haggart

That the presentation from King and Benton regarding Draft Plan Approval for Plan of Subdivision PS1/07/SS and Staff Report PA-08-62 be referred to the December 17 meeting of the Planning Advisory Committee for consideration;

And further that the Clerk be requested to establish a special meeting of Council to consider the Planning Advisory Committee recommendation in this regard.

. Carried

CORRESPONDENCE

1. Cliff Evanitski, General Manager, Long Point Region Conservation Authority – Notice of approval of 2009 budget.
2. Preliminary information on the OSUM Conference to be held in Cornwall from May 6 – 8, 2009. Councillors Atfield and Powell indicated that they wished to be registered for the Conference. C.A.O. Urbanski noted that he could provide further information on the Conference, he is a Director on the OSUM Board.
3. Copy of presentation to November 4 Council meeting on the Master Transportation Plan, as requested by Archie McLarty, 50 Jerseyville Road.

QUESTIONS

1. In response to a question, it was agreed that a discussion on the County's position for the City/County Boundary Negotiations meeting scheduled for January 16 would be held at the January 6 Council meeting. It was noted that it is important to keep the residents informed on the progress of negotiations.

MILEAGE RATE

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That the County of Brant mileage rate be reduced to 45¢ per kilometre effective January 1, 2009.

. Carried

A suggestion was made that staff may wish to review the mileage rate on a semi-annual basis to ensure that the rate remains relevant.

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COUNTY NEGOTIATIONS COMMITTEE

Mayor Eddy advised that the City has appointed four members to the City Negotiations Committee, whereas the County has only appointed three members.

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That Councillor Wheat be appointed as a member of the County Negotiations Committee.

. Carried

OTHER BUSINESS

1. Councillor Powell referred to an advertisement in the Hamilton Spectator for East Forest Homes that promotes the Paris area. He also noted information from an article in the Toronto Star on the life and death of small towns in this post-industrial era.
2. It was agreed that a special meeting of Council would be arranged for 7:00 p.m. on Thursday, December 18 to discuss a recommendation from the December 17 Planning Advisory Committee meeting on the Request for Approval of Draft Plan PS1/07/SS.

BY-LAWS

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the following by-laws be now read a first time:

- By-law Number 212-08 to appoint Mark Urbanski as Chief Administrative Officer.
- By-law Number 213-08 to authorize execution of a Collective Agreement with the Power Workers' Union, CUPE Local 1000.
- By-law Number 214-08 to authorize execution of an agreement with Stewardship Ontario regarding a waste diversion program for municipal hazardous or special waste.
- By-law Number 215-08 to assume the infrastructure of the subdivision known as Parisian Heights, Phase 4 in Paris, more particularly described as Registered Plan 2R-5754.
- By-law Number 216-08 to assume the infrastructure of the subdivision known as Rest Acres Ridge in Paris, more particularly described as Registered Plan 2M-1867.
- By-law Number 217-08 to appoint the Recreation Manager as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 218-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the following by-laws be now read a second time and all clauses and preamble be adopted:

- By-law Number 212-08 to appoint Mark Urbanski as Chief Administrative Officer.
- By-law Number 213-08 to authorize execution of a Collective Agreement with the Power Workers' Union, CUPE Local 1000.

- By-law Number 214-08 to authorize execution of an agreement with Stewardship Ontario regarding a waste diversion program for municipal hazardous or special waste.
- By-law Number 215-08 to assume the infrastructure of the subdivision known as Parisian Heights, Phase 4 in Paris, more particularly described as Registered Plan 2R-5754.
- By-law Number 216-08 to assume the infrastructure of the subdivision known as Rest Acres Ridge in Paris, more particularly described as Registered Plan 2M-1867.
- By-law Number 217-08 to appoint the Recreation Manager as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 218-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the following by-laws be now read a third time, passed, signed and sealed:

- By-law Number 212-08 to appoint Mark Urbanski as Chief Administrative Officer.
- By-law Number 213-08 to authorize execution of a Collective Agreement with the Power Workers' Union, CUPE Local 1000.
- By-law Number 214-08 to authorize execution of an agreement with Stewardship Ontario regarding a waste diversion program for municipal hazardous or special waste.
- By-law Number 215-08 to assume the infrastructure of the subdivision known as Parisian Heights, Phase 4 in Paris, more particularly described as Registered Plan 2R-5754.
- By-law Number 216-08 to assume the infrastructure of the subdivision known as Rest Acres Ridge in Paris, more particularly described as Registered Plan 2M-1867.
- By-law Number 217-08 to appoint the Recreation Manager as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 218-08 to confirm the proceedings of Council.

. Carried

NEXT MEETING

Mayor Eddy extended Season's Greetings to the members of Council. The meeting adjourned at 9:55 p.m. to meet again in the Council Chambers on **Thursday, December 18 at 7:00 p.m.** for a special meeting and on **Tuesday, January 6, 2009 at 7:00 p.m.** for the next regular meeting.

Mayor

Date Minutes Approved

Clerk