

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
Tuesday, February 17, 2009
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.

APPROVAL OF AGENDA

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the Brant County Council agenda and addendum for the February 17, 2009 meeting be approved as distributed, with the following additions:

- Question on Twin Pad Arena/swimming pool
- Information report on Heritage Day
- Congratulatory resolution for the Farm Family of the Year

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Ontario Heritage Trust Awards Presentations**

Mayor Eddy presented a certificate to Fred Bemrose in recognition of him receiving the Lieutenant Governor's Award for Lifetime Achievement for his contributions to preserving and promoting the history of Paris. He also presented a Certificate of Achievement for Natural History to Marion Sheridan for her contributions to preserving history for the former Township of Burford. Mayor Eddy advised that he would be presenting a Certificate of Achievement to Enid Horning, who is unable to attend, in recognition of her Cultural History contributions.

Official Plan Discussions related to Water and Water Protection

Nora Fueten noted the importance of water resources in Brant County, both from the Grand River and from underground aquifers. In order to address concerns related to both quality and quantity of this water, protective measures should be included in the Official Plan, including buffer zones for all existing wetlands and various sinkholes north of Paris and St. George. She suggested that the Official Plan mapping should designate far more water protection areas. Ms. Fueten noted her opposition to the drawing of water from aquifers by commercial bottling companies. She provided suggestions to address a more rational use of water and reduce water consumption.

Planning for a Sustainable Future for Brant County

Ella Haley noted the support of Sustainable Brant for the submission made by Lorna Nowicki-Prime at the January 22 meeting of Council. In order to preserve the rural nature of Brant County and protect prime farmland, watersheds and the local environment, Ms. Haley

requested that Council reject the plan by First Urban to develop farmland in Brant East, stop the spreading of sludge on farmland, remove the heavy industrial designation from the Official Plan and promote clean industry.

Bob Coyne, on behalf of residents in the Airport/Oakhill settlement area, noted his concern with the sustainable future of the County. He referred to the zoning application to allow a brick factory at the Airport, which threatens the quantity and quality of the water in the area and affects air quality, impacting the health of residents in the area. In order to protect the present and future generations, Mr. Coyne suggested that no more heavy industrial be permitted in the County and that the Hopewell application be rejected.

Ms. Haley requested that Council consider the following matters in order to ensure a sustainable future for the County:

- protection of the environment, including energy, water and the reduction of waste
- protection of cultural heritage and community infrastructure in the towns and small farming communities
- plan for a more sustainable and healthy local economy that builds on the agricultural economy and natural areas
- make travel more sustainable to move people and goods
- limit growth to preserve the nature of Brant County, by staying within the existing urban settlement area boundaries, requesting a reduction in the growth numbers, and keeping the greenbelt in effect – Council should not approve the Hopewell and Innes/Welton planning applications
- need for fiscal responsibility by spending within the County's means and not privatizing the County's infrastructure

Ms. Haley also suggested that County planning documents should be more accessible and readable to allow for more public input.

MINUTES

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the minutes of the February 3, 2009 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

CONSENT ITEMS

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the following Information Reports be received:

1. Applications to be heard at the February 26 Committee of Adjustment meeting.
2. Staff Appointments – December and January – report from Cindy Edwards, Human Resources Advisor.

And that the following Consent Communications items be received:

1. AMO Member Communications:
 - a. Report on January Board meeting

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- b. AMO recommendations on proposed AODA Information and Communications standard
- c. Municipal action on bottled water
- d. Municipal support of Earth Hour and Energy Conservation Week
- e. Information on 2009 Federal Gas Tax Award
- 2. Ministry of Community Safety and Correctional Services – Congratulations for completing all of the mandatory emergency management activities in 2008.
- 3. Ministry of the Environment – Information on new Waste Comprehensive Certificate of Approval for waste disposal sites that receive, store and sort municipal waste
- 4. M.P. Dave Levac, Brant Riding – copy of letter of support to the Standing Committee on General Government re: County’s support of Bill 87, Towing Industry Act.
- 5. Hon. David. C. Onley, Lieutenant Governor of Ontario – Call for nominations for the Order of Ontario.
- 6. Brant County Health Unit – copy of information sent to public facilities who do not have municipal water (small drinking water systems), since Health Units, through the Ministry of Health and Long-term Care, have oversight of these systems.
- 7. City of Brantford – Notice of Study commencement and public information centre for conversion of Colborne and Dalhousie Streets to two-way traffic operations.
- 8. Comments received on the Twin Pad Complex from:
 - a. Janet and Bob Farrell, 498 Burtch Road, Mount Pleasant
 - b. Mike Hayward, Paris
- 9. Notification from Laurier Brantford of recipients of County of Brant Scholarships:
 - a. First Year Award – Kayla Stengel
 - b. Second Year Award – Erin Bodyk
- 10. Information on development of Canada’s oil sands from the four Associations involved in this development.
- 11. Ontario Farm Animal Council – copy of report “The Real Dirt on Farming”.
- 12. Jacques Whitford – Semi-Annual Report for the RAP monitoring program at 3 and 5 Beverly Street West, St. George.
- 13. Information on “Operation Clean Sweep” - Pitch-In Canada Week scheduled for April 20 – 26, 2009.
- 14. *Workforce Focus* newsletter from the Grand Erie Training and Adjustment Board.
- 15. Minutes of Meetings:
 - a. Brant County Power Inc. – January 14, 2009.
 - b. Lake Erie Region Source Protection Committee – November 6, 2008.
 - c. Long Point Region Conservation Authority – January 14, 2009.
 - d. County of Brant Public Library Board – January 13, 2009
- 16. Invitation to Mayor and staff to Final Report Presentation Meeting on the Nanticoke Grand Valley Area Water Supply Project - to be held on Wednesday, March 4 at 11 a.m. at the Region of Waterloo Council Chambers.
- 17. Media Release on Twin Pad Arena project funding.
- 18. Notice of presentation by Hon. George Smitherman, Minister of Energy and Infrastructure on the Green Energy Act to be held on Friday, February 20 in Toronto.

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Wheat

That the Community Emergency Management Coordinator make a presentation to brief Council on the County’s Emergency Response Plan, said plan to be distributed to all members of Council prior to the meeting.

. Carried

CORPORATE DEVELOPMENT

Councillor Gatward presented the following report from the February 9, 2009 meeting of the Corporate Development Committee:

1. That Schedule "A" of By-law Number 230-00 to establish remuneration and expenses for the Municipality's elected and appointed officials be amended to allow for Council remuneration to be paid on a bi-weekly basis consistent with the employee payroll.
2. That the Renewal and Amending Agreement dated January 5, 2009, between the Corporation of the County of Brant, Landlord, and Norma Isotamm, Tenant, for the lease of approximately 60 acres of land located at 577 Paris Road, and being Part of Lots 16 and 17, Concession 1, in the geographic Township of Brantford, County of Brant, for a one-year term expiring on December 31, 2009, for the total rental fee of \$1,800.00 be approved.
3. That the Renewal and Amending Agreement dated January 5, 2009, between the Corporation of the County of Brant, Landlord, and Van Farms Ltd., Tenant, for the lease of approximately 42 acres of land located at 88 Maple Avenue, and being Part of Lot 3, Concession 5, in the geographic Township of Burford, County of Brant, for a one-year term expiring on December 31, 2009, for the total rental fee of \$5,400.00 be approved.
4. That the Farm Lease dated January 5, 2009, between the Corporation of the County of Brant, Landlord, and Bruce Cain, H.C. Farms, Tenant, for the lease of approximately 39 acres of land located at the intersection of County Highway 2 (King Edward Street) and Puttdown Road, and being Part of Lots 1 and 2, Concession 1, in the geographic Township of Brantford, County of Brant, for a one-year term expiring on December 31, 2009, for the annual rental fee of \$100.00/acre be approved.
5. That County staff be directed to meet with the potential owner of 13 Burwell Street, Paris to negotiate a written agreement based on Option 2 of Report CD-09-26 for the rebate of taxes in the form of a grant for this property;

And that a report on this matter be presented at the March 3 Council meeting for consideration.

6. That the request from J. H. Cohoon Engineering, on behalf of Rick Bowler, for the partial release of \$17,000 in securities for the commercial plaza located at 308 Grand River Street North, Paris, be approved;

And that the holdback of \$2,000 in securities remain in effect until such time as all deficiencies in the site plan have been satisfied.

7. Whereas the sole tenant of the Langford Community Hall has proposed the relocation of the Jerseyville-Langford Co-operative Preschool to the former Onondaga Council Chambers;

Be it hereby resolved that the request from the Jerseyville-Langford Co-operative Preschool to relocate to the former Onondaga Council Chambers, municipally known as 734 County Highway #54, RR #7, Brantford, be approved, subject to negotiation of a lease with the parties involved.

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8. Whereas the County of Brant purchased the property located at 16 Jefferson Street, Paris, in November 2007;

And whereas the recommendation to purchase the property was for the purpose of creating a storm water management system in the Jefferson and Spruce Street area;

Be it hereby resolved that the existing building on site be demolished at an estimated cost of \$22,000.00;

And that as this demolition is an unbudgeted item, that the demolition be funded via the Property Reserve account.

9. Whereas the Race Director of the Paris to Ancaster Bicycle Race has submitted a request to use County roads along with parking at the Green Lane Sport Complex and South Dumfries Community Centre for their annual event to be held on Sunday, April 19, 2009;

Be it hereby resolved that County of Brant staff does not object to the use of the following County roads for the Paris to Ancaster Bicycle Race scheduled for April 19, 2009, subject to the event complying with all requirements of this report and the rules of the Brant County Ontario Provincial Police Department:

- | | |
|----------------------|-------------------------|
| ● Green Lane | ● East River Road |
| ● McLean School Road | ● McPherson School Road |
| ● Howell Road | ● County Highway 5 |
| ● German School Road | ● Queen Street |
| ● Burlington Street | ● Harrisburg Road |

Noting that the organizer's original request has been amended by substituting Harrisburg Road for Burt Road as the Burt Road Bridge is closed based on the December 17, 2007 Engineer's Report;

And that the Paris to Ancaster Bicycle Race is permitted to use the Green Lane Sports Complex and South Dumfries Community Centre parking area and grounds;

And that the request for a temporary road closure of Green Lane for the Paris to Ancaster Bicycle Race on April 19, 2009 between 9:00 a.m. and 11:30 a.m. be approved.

10. That when the draft background studies for the Development Charges Study are undertaken, two scenarios be completed for the Paris area, the first being the current Rest Acres Road / Highway 403 area and the second to include the whole of the Paris service area.

Moved by – Councillor Gatward
Seconded by – Councillor Haggart

That the report of the Corporate Development Committee from its February 9, 2009 meeting be adopted.

. Carried

PUBLIC WORKS COMMITTEE

Councillor Coleman presented the following report from the February 10, 2009 meeting of the Public Works Committee, it being agreed that Recommendation 4 would be dealt with separately:

1. That an exemption to Section 7.0 – Conflict of Interest in the County of Brant Purchasing Policy By-law Number 271-04 be approved, in order to permit Bre-Haul Trucking Ltd. to bid on quotations RDQ 12-09 Construction Truck Rental Rates and RDQ 13-09 Construction Equipment Rental Rates.
2. Be it hereby resolved that during the rehabilitation of the Grand River Bridge, the following traffic control measures be implemented during the construction period (approximately May 15, 2009 to November 31, 2009);

That the detour for the duration of the construction period shall be as follows:

- Eastbound traffic shall utilize the Grand River Bridge through all phases of construction;
- Westbound traffic shall utilize Willow Street, William Street, Grand River Street North, Grand River Street South and Dumfries Street through all phases of construction and that the appropriate detour signs be placed along the route.

That Staff be authorized to amend Traffic By-law Number 182-95 (Schedule “E”) in order to install “No Left Turn” signs from Dundas Street East onto Willow Street;

That Staff be authorized to amend Traffic By-law Number 182-05 (Schedule “B”) in order to install a “Stop” sign at the intersection of William Street (eastbound) onto Willow Street;

And whereas Philips Engineering Limited was previously awarded Section 4 of Bridge Rehabilitation Proposal RDP 2-04 (which included the Grand River Bridge in the scope of work) as per Staff report RD-04-23;

Be it hereby resolved that the County of Brant enter into an Engineering Services Agreement with Philips Engineering Limited to complete the final phase of the Grand River Bridge Rehabilitation Project, as outlined in correspondence dated January 23, 2009 received from Philips Engineering Limited, at an estimated cost of \$165,000 (not including GST).

3. Whereas Alternative #1 (closure of River Road) is identified as the Preferred Solution in the River Road Class Environmental Assessment Study, Project File Report;

And whereas the Ferras proposal has been withdrawn, Alternative #5 (partial relocation of River Road);

Be it hereby resolved that the County move forward with the implementation of Alternative #1 identified as the Preferred Solution in the River Road Class Environmental Assessment Study, Project File Report, which entails the permanent closure and retirement of River Road between #111 and #85 River Road, and the construction of end treatments and rehabilitation work to the Houlding Bridge.

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4. Whereas the Brant Condominium Corporation Association has requested that the County assume the maintenance of private services within condo developments;

And whereas in entering into a Development Agreement with the County, the condo developer agrees to certain limitations in servicing the development in favour of reduced design criteria and allowing condo owners to be directly responsible for the level of servicing within their development;

And whereas the County has entered into a multitude of Development Agreements with landowners / developers of residential, institutional, commercial and industrial developments that include the installation of services on private property;

Be it therefore resolved that no further action be taken on the presentation made by a representative for Brant Condominium Corporation Association requesting either a reduction in property taxes or the County's assumption of the maintenance of private services within the condo development.

5. Whereas a request was submitted from staff and students of Paris Central Public School at the November 18, 2008 County of Brant Council meeting for the implementation of several traffic control measures during school arrival and dismissal times, predominantly when crossing Broadway Street East and Broadway Street West;

Be it hereby resolved that staff be authorized to amend Traffic By-law Number 182-05 (Schedule C), in order to install a "Yield" sign for the northeastbound direction at the intersection of Broadway Street East and Broadway Street West;

And that the funding be reflected in the 2009 sign operating budget (estimated cost \$100.00);

That consideration be given to a number of other initiatives involving traffic control measures on Broadway Street East and Broadway Street West as identified on the aerial photo attached to Report PW-09-10;

And that Public Works staff be authorized to further explore future funding options with the Board of Education, the Paris Central School Committee and interested local service clubs with respect to the potential implementation of Crime Prevention through Environmental Design suggestions.

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That Recommendations 1 – 3 and 5 of the Public Works Committee report from its February 10, 2009 meeting be adopted.

. Carried

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That Recommendation 4 of the Public Works Committee report from its February 10, 2009 meeting be adopted.

. Carried

It was agreed that clarification would be obtained from the Fire Chief in response to a question about fire protection if the hydrants are not properly maintained and flushed. Staff was requested to provide further information on the standards for condominium developments, as well as a financial analysis of reduced taxation and/or development charges for condominium units.

COMMITTEE OF MANAGEMENT – JOHN NOBLE HOME

Councillor Coleman presented the following report from the February 4, 2009 meeting of the Committee of Management – John Noble Home:

1. Approval of John Noble Home Day & Stay Centre 2009 Community Annual Planning Submission (PHSS2009-07)

That the John Noble Home Day & Stay Centre Community Annual Planning Submission (CAPS) be approved to facilitate a Service Agreement with HNHB LHIN to continue with existing programs and associated funding.

2. Financial Update – John Noble Home

That the following Financial Update be received:

- a. Status of 2008 Year End Report

3. Statistical Update – John Noble Home

That the following Statistical Update be received:

- a. Quality Improvement Report – December 2008

Moved by – Councillor Coleman

Seconded by – Councillor Wheat

That the report of the Committee of Management from its February 4, 2009 meeting be adopted.

. Carried

PLANNING ADVISORY

The Planning Advisory Committee minutes of January 28, 2009 were received as information.

SOUTH DUMFRIES COMMUNITY CENTRE BUILDING COMMITTEE

The South Dumfries Community Centre Building Committee minutes of February 3, 2009 were received as information.

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PARKS AND RECREATION

Councillor Wheat presented the following report of the Parks and Recreation Committee from its February 17, 2009 meeting:

1. That the County of Brant support the Brant Waterways Foundation application for Federal / Provincial infrastructure funding to develop the TH&B rail line as a multi-purpose recreational trail.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the report of the Parks and Recreation Committee from its February 17, 2009 meeting be adopted.

. Carried

STAFF REPORTS

Cross Border Billing Settlement with Hamilton – report from Charles Longeway, Ambulance Manager

Moved by – Councillor Wheat
Seconded by – Councillor Hodge

That the Mayor and the Clerk be authorized to sign the Mutual Release Agreement with the City of Hamilton for the remittance to the County of Brant of a one-time payment in the amount of \$89,200.00, to compensate Brant for the net Ambulance Calls for the period January 1, 2001 through to December 31, 2007;

And that these funds be placed in a reserve until such time as the outstanding cross-border billing amounts with adjoining municipalities have been determined.

. Carried

Mutual Planning Advisory Committee - report from David Johnston, Director of Development Services

Moved by – Councillor Schmitt
Seconded by – Councillor Simons

That the County of Brant advise the City of Brantford that it is our understanding that the Mutual Planning Advisory Group has no status under law given the expiration of the Annexation Agreement. However, Council also recognizes the value of having a liaison group of Councillors from both the City and the County to discuss development matters related to land use and municipal infrastructure requirements and as such is prepared to nominate three members of Council to sit as required to discuss and make recommendations on land use and servicing issues as a Brant/Brantford Development Liaison Committee.

. No Vote – Motion to Table Follows

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That County staff be requested to meet with City of Brantford staff to clarify that the Mutual Planning Advisory Group is no longer required by legislation, prior to other alternatives for this Committee being considered.

. Carried

INFORMATION REPORTS

1. Councillor Powell reported on the Heritage Day Workshop that he and Councillor Atfield had attended in Woolwich Township on February 16, 2009.

CORRESPONDENCE

1. City of Brantford – Notification of establishment of a Committee to enter into discussions with a Committee of Brant County Council regarding a potential merger of Brantford Power and Brant County Power

Moved by – Councillor Gatward
Seconded by – Councillor Simons

That a County of Brant Negotiating Committee comprised of Mayor Eddy, Councillors Gatward, Powell and Haggart be appointed to enter into discussions with the City of Brantford Negotiating Committee regarding the potential merger of Brant County Power and Brantford Power.

. No Vote – Amendment Follows

Moved by – Councillor Chambers
Seconded by – Councillor Schmitt

Whereas Councillor Powell has declined the nomination to the County Negotiating Committee regarding the potential merger of Brant County Power and Brantford Power;

Be it hereby resolved that Councillor Atfield be nominated to replace Councillor Powell on the County Negotiating Committee.

. Carried

Mayor Eddy then called for a vote on the resolution, as amended as follows:

“That a County of Brant Negotiating Committee comprised of Mayor Eddy, Councillors Gatward, Atfield and Haggart be appointed to enter into discussions with the City of Brantford Negotiating Committee regarding the potential merger of Brant County Power and Brantford Power.”

. Carried

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- b. City of Brantford Councillor Richard Carpenter re: “marriage” of City and County.

Moved by – Councillor Wheat
Seconded by – Councillor Hodge

That the letter dated February 11, 2009 from City of Brantford Councillor Richard Carpenter regarding a “marriage” of the City and County be received as information.

. Carried

- c. Paula Dill, Provincial Development Facilitator re: services available to the County
It was agreed that this letter would be received as information.

QUESTIONS

1. Councillor Wheat suggested that due to the fact that Federal/Provincial funding is available for recreational facility improvements, an application should be submitted for a swimming pool to be built in conjunction with the Twin Pad Arena Complex. The Director of Community Services advised that the estimated cost to replace the outdoor pool is \$2-3 million, and the cost for an indoor facility is estimated to be \$6-8 million. She also noted that the replacement of the pool is one of a number of County projects to be considered for applications for funding. Several Councillors expressed their views that the pool should remain in the current location in Paris so that it is easily accessible and walkable by residents and children. It was agreed that further information was required before a definitive decision is made on replacement of the pool.

RESOLUTIONS

Support for the AMO Position on the Waste Diversion Act and the Blue Box Program Plan Review.

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the County of Brant support the AMO Position on the Waste Diversion Act and Blue Box Program Plan Review as set out in the AMO letters dated December 19, 2008.

. Carried

Congratulations to the Farm Family of the Year

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That congratulations be extended to the Clement Family on being named as the Brant County Federation of Agriculture’s Farm Family of the Year.

. Carried

OTHER BUSINESS

1. Information on Municipal Politicians Seminar on Firefighting 101 to be held on May 3 and 4 in Toronto.
2. AMO Training Programs:
 - a. Media and Communications training program
 - b. Intensive Media Relations
3. Notice of presentation from Julia Tynedale, Fergus, on the Fergus/Paris exchange, First Impressions program to be held at 6:30 p.m. on Tuesday, March 3 prior to Council.
4. Congratulations were extended to Michael Bullock, son of David Johnston, on his achievements at the Western Canadian Swimming Championships in Edmonton this past weekend.

In Camera at 8:50 p.m. to discuss property disposition, litigation and personal information about an identifiable individual, on motion of Councillors Coleman and Hodge.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated February 17, 2009.

Open session at 9:50 p.m., on motion of Councillors Wheat and Coleman.

CORPORATE DEVELOPMENT

Moved by – Councillor Gatward
Seconded by – Councillor Haggart

That the In Camera report of the Corporate Development Committee from its February 9, 2009 meeting be adopted.

. Carried

BY-LAWS

Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 17-09 to authorize a Mutual Release of Funds Agreement with the City of Hamilton for ambulance calls.
- By-law Number 18-09 to confirm the proceedings of Council.

. Carried

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Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 17-09 to authorize a Mutual Release of Funds Agreement with the City of Hamilton for ambulance calls.
- By-law Number 18-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Haggart

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

- By-law Number 17-09 to authorize a Mutual Release of Funds Agreement with the City of Hamilton for ambulance calls.
- By-law Number 18-09 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 9:55 p.m. to meet again on **Tuesday, March 3, 2009 at 7:00 p.m.** in the Council Chambers.

Mayor

Date Minutes Approved

Clerk