

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
 Tuesday, April 21, 2009
 6:15 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers, Hodge, Coleman and Gatward (7:00 p.m.)

Staff: Glassford (7:00 p.m.), Compeau (7:00 p.m.), Johnston, Ballantyne, Atkinson, Ayres, Ellins, Hastings, Gravelle (7:00 p.m.) and Carman.

Mayor Eddy in the Chair.

PARKS AND RECREATION VOLUNTEER RECOGNITION AWARDS

Lesley Atkinson, Recreation Program Manager, and Darin Ayres, Parks and Facility Supervisor, outlined the many contributions of the volunteers to Parks and Recreation programs and the betterment of our communities. Parks and Recreation Volunteer Recognition Awards were presented to the following (*not present):

*Bev Brooker	1 year award	Skateboard Park
Stephanie Ellis	1 year award	Paris Community Pool
*Jen Kelly	1 year award	Photography
Bill Tough	1 year award	Snowplowing in Paris
Elizabethhe Vick	1 year award	PAD program
Mitch Iza	5 year award	Axton Park Outdoor Rink
*Dennis Tlustos	5 year award	Optimist Outdoor Rink
*Jack Davis	20 year award	Paris Outdoor Rink
Doug Hanna	20 year award	Advisory Committee

Council and the recipients and their guests retired for a reception.

The meeting resumed at 7:00 p.m.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
 Seconded by – Councillor Powell

That the Brant County Council agenda and addendum for the April 21, 2009 meeting be approved as distributed, with the following additions:

- Withdrawal of resolution regarding an amendment to the procedural by-law regarding delegations and deferral to the May 5 Council meeting
- date for additional Corporate Development Committee meeting

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Presentation - Ontario Heritage Trust Certificate of Achievement for Natural History**

Mayor Eddy presented Dr. Hank Hedges with an Ontario Heritage Certificate of Achievement for Natural History, noting his volunteer work with the Brant Historical Society and his tree planting efforts along roadsides in the former Township of South Dumfries.

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Review of Aquatic Services - Phase One Report on the Paris Community Pool

Clem Pelot, Clem Pelot Consulting, presented Phase 1 of the Aquatic Services Review, regarding operation of the Paris Community Pool in 2009. Mr. Pelot presented information on the condition of the Paris Pool, noting that the pool suffered from a large loss of water during the summer of 2008. He suggested that any solution to reopen the Paris Community Pool in 2009 must sufficiently reduce the volume of water loss to enable the automatic chlorination system to maintain suitable water quality and provide a safe swimming environment. He reviewed three options for operation of the pool in 2009 – minor repairs, major repairs and replacement with a new outdoor pool at Lions Park, noting that this option will be examined in Phase 2 of the study. A strategy to provide alternate locations for swim lessons and public swims for County residents will be considered at next week's Parks and Recreation Committee meeting. Although he is recommending that the Paris Community Pool not be opened in 2009, the splashpad will continue to operate. Mr. Pelot indicated that it is still unclear if the Recreation Infrastructure Canada (RInC) program funding is available for a new aquatic facility for the County. Phase 2 of the study, which will deal with the feasibility of replacing the Paris Community Pool with a new facility, will include review of background planning documents, statistics for use of the Paris pool in 2008 and other indoor pools serving the residents, analysis of sites and options, preparation of two concept plans, a public meeting and a final report to be presented in August, 2009.

County Public Library Board – 2008 Annual Report

Larry Stewart, Chair of the County of Brant Public Library Board, presented the 2008 Annual Report, highlighting statistics for 2008 and noting that there were 2,511 new library memberships in 2008. He noted that the Library Board would be marketing the various services offered by the Library to increase membership further during 2009. In response to a question, Mr. Stewart noted that there has been no progress with the City of Brantford for reciprocal borrowing privileges for County residents.

Mr. Stewart requested that the Library Board 2008 surplus of \$69,714 be applied towards the debenture costs for the Scotland-Oakland Library building. It was agreed that this request would be considered later in the meeting.

Drainage issues from Sunnyside Drive

Barb Reibling, 20 Main Street North, St. George, presented concerns on behalf of herself and Lee Kluka, 22 Main Street North, regarding drainage issues from 23 Sunnyside Drive to the rear of their property. She noted that these concerns had been brought to the attention of Council and staff in 2008, but the problem has not been addressed. She suggested that the grading requirements for the subdivision have not been adhered to, and a pool has been allowed in a backyard, contrary to the subdivision conditions, both of which are creating drainage issues with their properties. Ms. Reibling questioned who has the authority to maintain and enforce the agreements, and requested Council's assistance to resolve the problem. Pictures of the drainage issues were circulated for Council's information.

Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the presentation by Barb Reibling regarding drainage issues from Sunnyside Drive properties that affect properties at 20 and 22 Main Street North, St. George, be referred to County staff for preparation of a report.

. Carried

Brant Historical Society re: 2009 Grant

Joan Kanigan, Executive Director of the Brant Historical Society, outlined the impact the reduction in historical grants will have on the Brant Historical Society and other historical groups and societies throughout the County. Although the \$24,400 reduction in the grants will not greatly impact the County budget, this reduction will significantly impact the historical groups with cuts in the County funding from between 17 – 67%. She questioned the criteria for arbitrarily deciding on the amounts each group would receive, as well as the fact that this process has not been open and transparent compared to the process used in prior years. Ms. Kanigan explained that the funding received from the County is used to leverage funding from other levels of government, and any reduction in funding will affect the programs and services offered by the Society. She noted that 25% of the Brant Historical Society members reside in the County, and only 30% of their funding comes from government sources.

St. George Memorial Hall

Dave Thomson provided history on the St. George Memorial Hall, which was donated in 1924 as a Memorial Hall to recognize soldiers from South Dumfries Township who fought in the Great War. This is the oldest war memorial in Brant County, with various honour rolls displayed in the Hall. He questioned the estimated costs for accessibility renovations to the building, and expressed his belief that it is an insult to the veterans and those who fought for our country to declare the building surplus and sell it. Mr. Thomson distributed pictures that showed cement that had not been cleaned off a plaque at the front of Memorial Hall following sidewalk construction in the village last Fall. In response to a complaint that there had not been any community input on the future of Memorial Hall, Mayor Eddy advised that declaring the building surplus will allow the County to ascertain if there are community groups who may be willing to operate the facility.

Debra Andre expressed her concern on how quickly the process to declare the St. George Memorial Hall and Old School as surplus buildings is taking place. Although she commended Council on being fiscally responsible, she noted her concern with the process to date in that neither the groups who use the Memorial Hall, nor the Brant Heritage Committee, have been involved. Ms. Andre advised that there are various community groups who as stakeholders are interested in the future of Memorial Hall and the Old School. They are presently discussing a proposal to establish a Board of Trustees to operate these facilities. As the South Dumfries Historical Society is concerned about the preservation of these buildings and their heritage features, they have arranged with the Architectural Conservancy of Ontario to examine the buildings on May 5 and prepare a report. Ms. Andre requested that Council defer any action on declaring the St. George Memorial Hall as surplus until such time as the report is available, which may take up to six months.

Request for Fee Reduction for Edgar Rezoning

Rob VanPoorten, J. H. Cohoon Engineering, requested that Council reduce the rezoning application fees of \$1,670 for the recent Edgar severance (B26/08/MD) of the homestead from the balance of the property. A condition of this severance was the requirement for a rezoning on the balance of the land that a building could not be built. Due to the fact that this is only a temporary measure until the plan of subdivision application is dealt with, Mr. VanPoorten requested that the application fees of \$1,670 be reduced to a minor fee of \$495, noting that the Edgars have paid \$24,000 in application fees for the subdivision application. He noted that Council has the right to levy fees under the Planning Act, including the authority to reduce or waive fees.

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Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the request of Rob VanPoorten for a reduction in the application fees from \$1,670 to \$495 for the recent Edgar rezoning (B26/08/MD) be referred to the May Corporate Development Committee meeting for consideration.

. Carried

Ron Thomson, First Urban re: Hopewell Conditions of Final Approval

It was noted that Ron Thomson was unable to attend the meeting due to health reasons. Council agreed with Mr. Thomson's request that his delegation and Staff Report 9(c) be deferred to the May 5 Council meeting for consideration.

Brantford to Cambridge Transportation Corridor Study

Ella Haley noted that as a member of the City of Brantford Environmental Committee, she recently heard a presentation by a Smart Coalition group from the Wellington/Puslinch area opposing the Brantford to Cambridge transportation corridor. She further noted that the presentation suggested that other transit options should be considered rather than building a new highway that has not been included in the Growth Plan for the Greater Golden Horseshoe and, in her opinion, is not needed. In response to a request for a copy of the County's submission on the Brantford to Cambridge Transportation Corridor Terms of Reference, Director Compeau advised that the County had only made corrections to County information contained in the draft Terms of Reference, as the process for public input on the corridor has not yet begun. Ms. Haley suggested that the County should utilize Building Canada funding towards transit and/or solid waste management projects, rather than using the funds for road projects.

Resolution to Limit Delegations

Ella Haley advised of her disagreement, and that of others she has heard from, of the proposed resolution to restrict delegations from speaking more than once on a topic. She expressed her opinions that this is undemocratic because residents have a right to bring forth concerns when they do not feel that issues are being resolved in a satisfactory fashion.

Councillor Chambers noted that the resolution was not being considered at this meeting and that his intent in proposing the resolution was to make delegations more meaningful and allow Council to be more responsive to delegations.

Taxi Licensing Amendments

Amit Airi, Paris Taxi, noted his concerns with the proposed amendments to the Taxi Licensing By-law and the negative effects this will have on his business. He advised that if Council proceeded to approve the amendments and his business is negatively affected, he may consider legal action against the County.

Drainage Issues – Falkland

Al Pike advised of a drainage blockage that is affecting many acres of farmland and bush in the area, including his own property. Currently he has 55 acres of bush under water and has lost thousands of trees as a result. He provided information on an undertaking at the

time of the Clarkson severances in Falkland, that required that the drain be maintained in perpetuity. He reported that no work has been undertaken on the drain in the past ten years, resulting in the flooded properties. Mr. Pike requested that Council take action to enforce the undertaking to maintain the drain.

Mr. Pike also noted that since Bishopsgate Road was rebuilt in front of his farm, the camber of the roadway has resulted in water from the road travelling down his driveway and ponding around his buildings. He requested that staff review this problem.

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the concerns brought forward by Al Pike, Bishopsgate Road, regarding a drainage blockage and flooding from the road be referred to staff for preparation of a report.

. Carried

MINUTES

Moved by – Councillor Simons
Seconded by – Councillor Powell

That the minutes of the April 7, 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 Simons

That the following Information Reports be received:

1. Applications to be heard at the April 23 Committee of Adjustment meeting;

And that the following Consent Communications items be received:

1. AMO Member Communications:
 - Position on Bill 150, Green Energy and Green Economy Act
 - Energy Minister extends deadline for Public Sector Regulated Price Plan Eligibility
 - Launch of Intake 2 of the Canada/Ontario Building Canada Fund Communities Component and application process for Infrastructure Stimulus Fund
 - Federal Gas Tax Funding reaches maturity for Municipalities
 - Information on the “Saturday Series” workshop
2. Grand River Conservation Authority – Copy of response to Ministers of Energy and Infrastructure and Natural Resources re: Bill 150, Green Energy and Green Economy Act.
3. AECOM – Notice of Completion for the proposed demolition and transfer of the former Burtch Correctional Facility Category B Class EA
4. Ministry of Transportation – Response to Comments on the Draft Terms of Reference for the Brantford to Cambridge Transportation Corridor EA.
5. Information on new intake for applications for the Communities Component of the Building Canada Fund.

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6. Stewardship Ontario – Fourth Quarter payment under Municipal Blue Box Recycling Program (\$14,344.08).
7. Information from Statistics Canada 2006 seminar of “Tracking Trends in Brantford”.
8. Brant United Way April 2009 Newsletter.
9. Minutes of Meetings:
 - Brant County Power Inc. – March 11, 2009.
 - Long Point Region Conservation Authority – February 27, 2009 Annual Meeting.
 - Lake Erie Region Source Protection Committee – February 5, 2009.
 - Brant County Board of Health – February 18, 2009
 - County of Brant Public Library Board – March 10, 2009.

. Carried

Former Burtch Correctional Centre Property

Moved by – Councillor Atfield
Seconded by – Councillor Coleman

That a letter be forwarded to the Ontario Realty Corporation requesting further information on the proposed transfer of title of the former Burtch Correctional Centre property as described in the Class Environmental Assessment Notice of Completion of Category B Class Environmental Study dated April 15, 2009, including clarification of the proposed recipient.

. Carried

CORPORATE DEVELOPMENT

Councillor Chambers presented the following report from the April 6, 2009 meeting of the Corporate Development Committee, it being agreed that Recommendations 3, 7 and 9 would be dealt with separately:

1. Whereas Ontario Regulation 188/07 requires the County of Brant to submit an Operational Plan based on the Drinking Water Quality Management Standard to the Canadian General Standards Board and an application for a Municipal Drinking Water Licence for its Municipal Residential Drinking Water Systems to the Ministry of the Environment by May 1, 2009;

And whereas the Ministry of the Environment Director's Direction provides municipalities options for submitting Operational Plans and which accreditation process will be followed;

And whereas the Operational Plan requires commitment and endorsement of Municipal Council for the water systems;

Be it hereby resolved that the draft Operational Plan be received and that Municipal Council be presented the final version of the Operational Plan at the April 21, 2009 Council meeting to receive commitment and endorsement;

And that the County of Brant follow Option 2 Limited Scope – Entire DWQMS Accreditation when submitting its Operational Plan to the Canadian General Standards Board, which provides the County an additional twelve (12) months from the date of accreditation to ensure that the County's Operational Plan is appropriately implemented.

2. That Report CD-09-44, Draft Comprehensive Review of Employment Lands be received in draft form for consideration and public input;

That a copy of the draft report be posted on the County Web site, circulated to all County Offices, and made available to interested parties;

That the Industrial related requests from the input received through the Official Plan Review be considered at a Special Planning Advisory Committee meeting to be scheduled for May 4 and the applicants be so advised;

And that the recommendations dealing with County Development Standards and relative background reports be referred to County staff for consideration as part of the Development Standards Review which will be considered separately by Council.

3. **(Deferred to May 5 Council meeting)** ~~That the following 2009 Historical grants be approved:~~

Paris Museum and Historical Society	\$27,000
South Dumfries Historical Society	1,500
Salt Springs Church Heritage Society	500
Brant Historical Society	14,000
Ontario Genealogical Society of Brant	1,000
	<u>\$44,000</u>

4. Whereas current contracts for the provision of Janitorial Services for the following County-owned buildings are expired, terminated or non existent:
- Customer Service Office, 26 Park Avenue, Burford
 - Customer Service Office, 66 Grand River Street North, Paris
 - Council Chambers, 7 Broadway Street, Paris
 - O.P.P. Building, 28 Mechanic Street, Paris
 - Fire Administration, 61 Dundas Street East, Paris;

Be it hereby resolved that the following evaluation criteria be used for assessing Janitorial Contractor submissions in response to a Request for Quotation:

Health and Safety Program and WSIB Rating	20
Experience and References	20
Cost proposal	<u>60</u>
Total Score	<u>100</u>

5. That in order to move forward with the updates of the County of Brant Development Charges By-laws, the following proposals of the County's consultant be approved:
- a. The timetable for the replacement of By-law Number 155-05 (Southwest Paris) be detailed in the Spring of 2009 and extend into 2010, if required, it being noted that the by-law updating process must be complete by mid-2010;
 - b. The entire Paris Area (Southwest Paris, plus the balance of the Paris Community) be removed from the coverage of the County-wide by-law with respect to water, sanitary sewer and roads services. In order to accomplish this, an area-specific by-law covering those three services for the balance of Paris only would be passed with a one-year by-law term to:
 - ensure that development occurring in that area in the next year would be subject to an appropriate development charge; and

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- necessitate completion of the servicing planning for Paris overall, by the time the Southwest Paris Development Charge by-law expires. This would result in the balance of Paris being:
 - treated on its own on an area-specific basis for sewer, water and roads purposes; or
 - addressed as part of an overall Paris development charge; or
 - reconnected with the County-wide by-law, while possibly amending its water, sanitary sewer and roads charge

6. That the by-law confirming all tax ratios and tax reductions for specific property types be approved;

And that the by-law confirming the 2009 tax rates for all property types be approved.

7. **(Amended)** That the following properties be declared surplus to the needs of the County: Northfield Hall, Bethel Hall, St. George Old School, ~~St. George Memorial Hall~~ and 5 Main Street, St. George;

And further that staff be authorized to work with interested parties to transfer ownership of these properties;

And further that any offers of purchase and sale or agreements to transfer ownership be brought to Council for approval;

And further that 5 Main Street, St. George be listed for sale at a price of \$441,600.

8. That the establishment of a five-member Appeal Tribunal to hear licensing appeals pursuant to the County of Brant Business Licensing By-law and the County of Brant Taxi Licensing By-law be approved;

And further that the appointment of the Committee of Adjustment members to the County of Brant Appeal Tribunal be approved, subject to agreement by the members of the Committee of Adjustment;

And further that staff prepare the required by-law and amendments to achieve this purpose.

9. That Report CD-09-45, Response to Paris Taxi Delegation Presentation, be received as information and Committee approval of the staff recommendation contained in Staff Report CD-09-35 to amend the proposed Taxi By-law, amended in accordance with the resolution of the Corporate Development Committee at its December 8, 2008 meeting, be reaffirmed.

10. That Claim 5-09, in the amount of \$530.00, for damages to tires and rims from hitting a pothole on Newport Road, be approved.

Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That Recommendations 1, 2, 4, 5, 6, 8 and 10 of the Corporate Development Committee report from its April 6, 2009 meeting be adopted.

. Carried

In response to questions regarding the criteria for the Historical Grants, Mr. Glassford advised that the amounts had been arrived at during the 2009 budget deliberations. All historical grants had been reduced by 50%, with the exception of the Paris Historical Society, whose grant is the same amount as their lease costs.

Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That Recommendation 3 of the Corporate Development Committee report be deferred until the May 5 meeting to allow staff and affected parties to discuss concerns regarding the 2009 Historical Grants.

. Carried

Councillor Schmitt advised that he had received calls from Derek Pite, Provincial Commander with the Royal Canadian Legion, and the Brant Military Museum requesting that the recommendation to declare the St. George Memorial Hall surplus be deferred at this time to allow for further community input and information to be received.

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the St. George Memorial Hall be removed from Recommendation 7 and deferred from consideration for a period of up to six months to allow for further input from interested community groups.

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That Recommendation 7 of the Corporate Development Committee from its April 6, 2009 meeting be adopted as amended.

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That Recommendation 9 of the Corporate Development Committee from its April 6, 2009 meeting be adopted.

. Carried

2009 Library Surplus

In response to a question, Mr. Glassford advised that it has been the practice in prior years to apply the Library Board surplus to the Scotland-Oakland library building debenture, once the total County surplus/deficit for the year had been determined. He noted that the 2008 surplus is not as positive as prior years.

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

That the request from the County of Brant Library Board to apply their 2008 surplus of \$69,714 against the debenture for the Scotland-Oakland Library Building project be approved.

. Carried

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PUBLIC WORKS

Councillor Coleman presented the following report from the April 14, 2009 meeting of the Public Works Committee, noting a correction to the percentages in Recommendation 14, and it being agreed that Recommendation 4 would be dealt with separately:

1. That the Roads Division be directed to identify the Thirteenth Concession Road as a priority maintenance activity, with a view to increasing grading activities, to minimize the reoccurrence of potholes.
2. Whereas the County has scheduled installation of a new Supervisory Control and Data Acquisition (SCADA) system for the County's five municipal residential water systems in phases;

And whereas Phase 1 is nearing completion and it is timely to proceed with Phase 2 for which sufficient funds are provided in the Water Capital Budget;

And whereas Eramosa Engineering Inc., Guelph, Ontario, has provided satisfactory engineering services for the conceptual design of the entire system and final design and installation of Phase 1 of the project;

And whereas efficiencies will be realized, particularly in providing compatibility with the existing works, by engaging Eramosa Engineering to provide engineering services for final design and implementation of Phase 2, and they are available to do this highly specialized work, it is desirable to engage Eramosa Engineering for this work;

And whereas the County's Purchasing Bylaw allows negotiation with a single supplier when compatibility with existing services is a primary consideration, provided prior approval of the appropriate Standing Committee is obtained, and where the negotiated purchase is greater than \$50,000 the purchase shall be subject to approval from Council following a report being made to the appropriate Standing Committee;

Be it hereby resolved that the Public Works Committee grant the Water Division Manager approval to negotiate with Eramosa Engineering Inc., Guelph, Ontario, to provide engineering services to implement Phase 2 of the SCADA system for the County's four municipal residential water systems in Airport, Cainsville, Mt. Pleasant, and St. George;

And that a subsequent report be made to Council for approval of the purchase of services.

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

Be it hereby resolved that RFP 3-09 Consultant Services for Airport Clarigester Sewage Treatment System Upgrades" be awarded to MTE Consultants Inc. Limited for the quoted price of \$89,820 (excluding GST), in accordance with the previously approved evaluation criteria.

4. **(Amended)** Whereas there are not sufficient funds in the approved Capital Budget for the proposal;

Be it hereby resolved that all bids for "RFP 1-09 Consultant Services for Class Environmental Assessment for the Paris By-Pass" be rejected ~~and the project deferred to 2010 budget deliberations.~~

5. Be it hereby resolved that the purchase of three (3) new 2010 Tandem Axle Cab & Chassis Trucks be awarded to Durham Truck and Equipment, Ajax, at the unit tendered price of \$117,099 (plus taxes), that being the bid fully compliant with the required specifications and the lowest price received.

6. Whereas there are sufficient funds in the 2009 budget for the Tender;

Be it hereby resolved that the Tender for RDT 7-09 "Gravel Crushing, Screening and Scalping" be awarded to Cox Construction Limited for the tender price of \$162,792.00 (including GST).

7. Whereas a request has been received from the City of Brantford for 94 Tutela Heights Road to enter into an Encroachment Agreement for the construction of a bus drop off / parking area within the road allowance as part of planned improvements at the Bell Homestead National Historic Site;

And whereas the proposal to construct the bus drop off / parking area is not believed to negatively impact the safety of the traveling public on Tutela Heights Road;

Be it therefore resolved that the request from the City of Brantford for 94 Tutela Heights Road to enter into an Encroachment Agreement with the County of Brant for the construction of a bus drop off / parking area within the road allowance be approved, subject to the following conditions:

- That all costs associated with the execution and registration of the Encroachment Agreement be borne by the City of Brantford;
 - That all costs associated with the construction, maintenance (including snow removal) and repair of the proposed bus drop off / parking area be borne by the City of Brantford;
 - That the City of Brantford shall keep in force comprehensive liability insurance with a minimum liability of \$2,000,000 per occurrence and that the County is to be provided with a copy of the insurance policy, including a minimum of thirty (30) days notice prior to the cancellation of said policy;
 - That the City of Brantford must obtain all required approvals prior to the construction of the proposed bus drop off / parking area.
8. Whereas proposed amendments to Minimum Maintenance Standards require that the Municipality implement a program to inspect and repair surface discontinuities (trip steps) in excess of 2 cm within 14 days;

And whereas the County of Brant Purchasing Policy By-law Number 271-04 provides for "Single Sourcing" if (a) there is only one source of supply for the goods and service, or, (b), the lack of the goods or service may jeopardize the health or safety of the Public;

Be it hereby resolved that the Proposal received from Pioneer North Concrete Raising to lift sunken concrete sidewalks at a unit cost of \$16.00 + GST per bay be approved.

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9. Whereas the County has received a Recommendation for Award from Philips Engineering, with regard to tender RDT 24-09 "Grand River Bridge (Str. No. 01-0024-00 Rehabilitation)"

And whereas there are sufficient funds in the approved 2009 budget to complete the project;

Be it hereby resolved that in reliance upon the recommendation of Philips Engineering, dated April 6, 2009, that tender RDT 24-09 "Grand River Bridge (Str. No. 01-0024-00) Rehabilitation" be awarded to McLean Taylor Construction Inc. for the tendered price of \$2,757,228.42, including all taxes, subject to receipt of approval by Transport Canada, under the *Navigable Waters Protection Act*.

10. Whereas approval was requested for the installation of four (4) Grand Valley Christian Centre directional signs (18" by 24"), two (2) at each of the intersections of Paris Road at Powerline Road and Paris Road at Golf Road within the County of Brant;

Be it hereby resolved that staff has no objection to the request for directional signs being installed, provided that the following be adhered to:

- That the four (4) Grand Valley Christian Centre directional signs be reduced in size to 12" by 24" by removing the Church symbol;
- That the directional signs are manufactured by a reputable signing company at the expense of the Grand Valley Christian Centre;
- That the signs will be installed by Public Works staff once the necessary locates have been approved;
- That any material costs (posts, bolts, etc.) associated with the installation of these directional signs will be billed back to the organization;
- All future maintenance costs of these directional signs shall be at the expense of the Grand Valley Christian Centre

11. Whereas concerns were raised with respect to transport trucks parking on Dunbar Street and on Glen Morris Road, in Glen Morris;

Be it hereby resolved that Staff Report PW-09-32 "Request for Parking Restrictions on Dunbar Street and Glen Morris Road, Glen Morris" be tabled for one Committee meeting cycle, to provide staff an opportunity to investigate the *Highway Traffic Act*, as it pertains to penalties for parking infractions, to further review the parking issues with County Legal staff and By-law Enforcement and to review the City of Brantford's policies, procedures and by-laws, as they relate to issues of this nature.

12. Whereas concerns were raised regarding motorists speeding while traveling northbound on Grand River Street over the Nith River Bridge towards Mechanic Street requesting the installation of all-way stop signs to be implemented at this intersection;

Be it hereby resolved that the request for the implementation of all-way stop signs at Grand River Street North and Mechanic Street intersection be denied as all-way stop controls are not currently warranted at this intersection.

13. Whereas residents utilizing Broadway Lane and Sinclair Lane have requested certain traffic control measures to improve safety;

Be it hereby resolved that Traffic By-law Number 182-05, Schedule B, be amended in order to install three (3) "Stop" signs on Broadway Lane and two (2) "Stop" signs on Sinclair Lane, as these roads intersect with West River Street and Broadway Street West (estimated cost \$400.00);

And that "No Parking" signs be installed 9 metres north and south of Sinclair Lane on the west side of Broadway Street West, as well as north and south of Sinclair Lane on the east side of West River Street, (estimated cost \$300.00), as per the County's "General Stopping And Parking Regulations", in order to improve visibility and safety.

And that the Brant County Ontario Provincial Police Department and our Legal & By-Law Enforcement Services be advised of these changes and be requested to monitor this area, with emphasis on the parking restrictions near Broadway Lane and Sinclair Lane, as their resources permit.

14. **(Corrected)** Whereas the County of Brant Committee of Adjustment approved a severance application from Gerry Van den Heuval, conditional on a reapportionment of the drainage assessment for the Almas Municipal Drain between the retained property and the severed parcel, as set out in Section 65 of The Drainage Act;

And whereas Gerry Van den Heuval, the owner of property located in Part of Lots 14 and 15, Concession 14, geographic Township of Burford, and Brian Hamilton and Kate Hamilton, the proposed owners of the parcel to be severed from the Van den Heuval property, have agreed to reapportion the drainage assessment for Branch A of the Almas Municipal Drain based on the acreage of the two properties;

Be it hereby resolved that the County of Brant approve the Memorandum of Agreement between the County of Brant, Gerry Van den Heuval, and Brian Hamilton and Kate Hamilton for the reapportionment of Branch A of the Almas Municipal Drain assessment as follows:

Van den Heuvel property	61.4% of the existing drainage assessment
Hamilton severed parcel	38.6% of the existing drainage assessment

15. Whereas the County of Brant Committee of Adjustment approved a severance application from Prolific Estates Ltd., conditional on a reapportionment of the drainage assessment for the Kent Municipal Drain between the retained property and the four severed parcels, as set out in Section 65 of The Drainage Act;

And whereas Prolific Estates Ltd., the owner of property located in Part of Lot 4, Concession 11, geographic Township of Burford, and Fairfield Plains Church, the proposed owner of one of the parcels to be severed from the Prolific Estates Ltd. property, have agreed to reapportion the drainage assessment based on the acreage of the four severed parcels and the Prolific Estates Ltd. property;

Be it hereby resolved that the County of Brant approve the Memorandum of Agreement between the County of Brant, Prolific Estates Ltd., and Fairfield Plains Church for the reapportionment of the Kent Municipal Drain assessment as follows:

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Prolific Estates Ltd. property	97.1% of the existing drainage assessment
Fairfield Plains Church (severed parcel)	0.2% of the existing drainage assessment
Severed Parcel 1	0.9% of the existing drainage assessment
Severed Parcel 2	0.9% of the existing drainage assessment
Severed Parcel 3	0.9% of the existing drainage assessment

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That Recommendations 1 – 3 and 5 – 15 of the Public Works Committee report from its April 14, 2009 meeting be adopted.

. Carried

Councillor Haggart noted his concern that the Paris By-pass Class EA would be deferred to 2010, and suggested that staff review alternatives for completing some of the work in 2009 because of the urgency of the truck by-pass to the citizens that are affected. The Director of Public Works advised that staff will be reviewing alternatives with the Master Transportation Plan consultant who provided the initial estimate for the work.

Moved by – Councillor Haggart
Seconded by – Councillor Hodge

That Recommendation 4 be amended by removing the words “and that the project be deferred to 2010 budget deliberations”.

. Carried

Moved by- Councillor Coleman
Seconded by – Councillor Simons

That Recommendation 4 of the Public Works Committee report from its April 14, 2009 meeting be adopted as amended.

. Carried

In response to a question from Councillor Gatward, it was noted that no action for Elm Street, Paris, has been approved by Council at this time.

PLANNING ADVISORY

Councillor Schmitt presented the following report from the April 15, 2009 meeting of the Planning Advisory Committee:

1. That Application No. ZBA7/09/MD received from J.H. Cohoon Engineering Limited, agent for Raymond Borsuk, owner of Part Lot 8, EMPR, Range 1, 31 Burton Avenue, former Township of Brantford, to change the present zoning on the subject lands from Agricultural (A) to Village Residential with a special exception (VR-30) to create a minimum front yard setback of 20.0 metres for a single detached dwelling unit be approved.

2. That Application No. ZBA8/09/MD received from J.H. Cohoon Engineering Limited, agent for Harold John Edgar, owner of Concession 1, Part Lots 11 and 12, 239 Mile Hill Road, geographic Town of Paris, to change the present zoning on the subject lands from Agricultural Restrictive to Agricultural Restrictive with a special exception (AR-6) to prohibit a dwelling unit be approved.
3. That the proposed County of Brant Policy Statement and Procedure Practice Standards for the Accessibility Standards for Customer Service be received.

Moved by – Councillor Schmitt
Seconded by – Councillor Simons

That the report of the Planning Advisory Committee from its April 15, 2009 meeting be adopted.

. Carried

It was noted that although staff will be updating the “County of Brant Policy Statement and Procedure Practice Standards for the Accessibility Standards for Customer Service” for future review and approval by Council, Customer Service training for staff can proceed in the meantime.

TREES CONSERVATION

Councillor Schmitt presented the following report from the April 15, 2009 meeting of the Trees Conservation Committee:

1. That Minor Exception Application 2-09 from Ben vanHarten to remove approximately .55 of an acre of trees on property located at the north-east corner of Norwich Road and West Quarter Town Line Road in Part of Lot 18, Concession 13, in the geographic Township of Burford, in order to build a house, driveway, septic system and future outbuilding be approved.

Moved by – Councillor Schmitt
Seconded by – Councillor Coleman

That the report of the Trees Conservation Committee from its April 15, 2009 meeting be adopted.

. Carried

PARKS AND RECREATION

Councillor Wheat presented the following report from the April 21, 2009 meeting of the Parks and Recreation Committee:

1. That the following Grass Cutting and Trimming contracts be awarded for a three-year term to the low bidder for each of the bid areas (all prices including GST), subject to the terms and conditions of the tender:

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Bid Area	Bidder	Total Price including GST
A – 1	Cooper Janitorial and Lawn Maintenance	\$5,717.25
A – 2	Cooper Janitorial and Lawn Maintenance	\$23,949.45
A- 4	Cooper Janitorial and Lawn Maintenance	\$831.60
B – 1	Cooper Janitorial and Lawn Maintenance	\$4,400.55
B – 2	Cooper Janitorial and Lawn Maintenance	\$6,306.30
B – 3	Cooper Janitorial and Lawn Maintenance	\$3,465.00
B – 4	Cooper Janitorial and Lawn Maintenance	\$4,158.00
B – 5	Silent Impressions Landscaping	\$1,782.61
C – 1	Cooper Janitorial and Lawn Maintenance	\$3,187.80
C – 2	Cooper Janitorial and Lawn Maintenance	\$2,702.70
D – 1	Doug McMillan	\$1,092.35
D – 2	Cooper Janitorial and Lawn Maintenance	\$10,728.90
E – 1	Cooper Janitorial and Lawn Maintenance	\$4,400.55
E – 2	DMJ Landscaping	\$22,915.98
E – 3	Cooper Janitorial and Lawn Maintenance	\$10,741.50
E – 4	DMJ Landscaping	\$7,553.70
E - 5	DMJ Landscaping	\$1,602.10
F – 1	Cooper Janitorial and Lawn Maintenance	\$3,748.50
F – 2	DMJ Landscaping	\$59,027.94
F – 3	Topper's	\$43,349.04
F – 4	DMJ Landscaping	\$10,840.66
F – 5	DMJ Landscaping	\$8,993.60
	Total Contracts Awarded	\$241,496.08

Moved by – Councillor Wheat
Seconded by – Councillor Powell

That the report of the Parks and Recreation Committee from its April 21, 2009 meeting be adopted.

. Carried

TWIN PAD

The Twin Pad Building Committee minutes of April 8, 2009 were received as information. Councillor Powell provided an update on the Micro Planning meeting held this morning, noting that the northwest parking area has been re-designed and a kitchen consultant has provided a functional kitchen design. The interior colour schemes and materials will be discussed at the Twin Pad meeting to be held on April 27. In response to a question about the price for the Phase 3 parking lot, Councillor Coleman advised that the tender documents will include a separate price for this parking lot, as it had not been included in the original plans for the project.

STAFF REPORTS

Drinking Water Quality Management System Plan

Moved by – Councillor Coleman
Seconded by – Councillor Simons

Whereas Ontario Regulation 188/07 requires the County of Brant to submit an Operational Plan based on the Drinking Water Quality Management Standard to the Canadian General Standards Board and the Ministry of the Environment by May 1, 2009;

And whereas the Operational Plan requires commitment and endorsement of Municipal Council;

And whereas there have been no significant changes to the Operational Plan as presented at the April 6, 2009 educational session and subsequent Corporate Development Committee meeting;

Be it hereby resolved that the County of Brant endorse and commit to the Operational Plan presented at the April 21, 2009 Council meeting.

. Carried

Code of Conduct

Moved by – Councillor Chambers
Seconded by – Councillor Simons

That Council amend the Code of Conduct with the addition of Section K, Appeal of Panel Decision, as attached to the staff dated April 16, 2009 as Schedule "A", and with the modifications to Section J.4 as follows (in italics):

- v. Council will act upon the recommendations of the Code of Conduct panel. The violator shall have the right to request Council to reconsider its decision. The decision of Council *if no appeal, or following any appeal*, shall be final.
- vi. *The complainant and the violator shall be excused from the portion of the in camera meeting which hears the report from the Code of Conduct panel.*

. Carried

Applications for Building Canada Funding

Don Glassford, Director of Corporate Services, reviewed his report regarding the application process for Intake 2 of the Communities Component and Infrastructure Stimulus Programs of the Building Canada Fund. Information was received on these programs last week, and detailed applications must be submitted by May 1, 2009. One project is allowed for submission under Intake 2 of the Communities Component. Mr. Glassford pointed out that Council has already indicated that a water supply project for Paris is their highest priority, and staff is recommending that this project be submitted under Intake 2.

The County is able to submit three applications under the Infrastructure Stimulus program. The criteria requires that the projects be incremental to work approved in the 2009 budget, be shovel ready and be completed by 2011. Mr. Glassford pointed out the difficulty of

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choosing projects that meet the guidelines, can be done in the time frame allotted, provide the highest value to the County and have a realistic chance for approval. Staff is recommending that the Police Accommodations and two road resurfacing projects be submitted, noting that replacement of the Paris Pool is not recommended because it could not be completed within the time frame required. Given the timing constraints, staff will begin the planning for these projects immediately, without approval of funding.

Members of Council discussed the two proposed resurfacing projects – County Road 4 from Tutela Heights to the Norfolk boundary, and County Road 16 in its entirety from County Road 2 to County Road 4, in comparison to other road projects (e.g. Maple Avenue, County Road 18, paving of gravel roads, etc.) that may be of a higher priority. It was noted that the applications must be for projects which were not budgeted in 2009, and must be able to be completed within the timelines. Although the County's share of these projects if approved will be one third of \$30 million, the importance of leveraging funds from the other levels of government to complete needed work was stressed. Mr. Glassford advised that the County's share of funding was not budgeted in 2009, and will need to be funded through debentures. Concern was expressed that other projects scheduled for 2009 may need to be deferred, and how these projects will be prioritized.

Moved by – Councillor Hodge
Seconded by – Councillor Chambers

Whereas the Council for the County of Brant has identified the Water Supply project for the Paris Urban Settlement Area as its highest priority;

Now therefore be it resolved that the County of Brant submit an application to Intake 2 of the Communities Component of the Building Canada Fund for this water supply project, being a well, upgrades and expansion to a reservoir, and a transmission main.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Chambers

Whereas the following projects are not included in the County of Brant 2009 approved budget, nor have they been approved for completion by March, 2011;

And whereas with funding assistance from the Infrastructure Stimulus fund, these projects will be completed by March 2011;

Now therefore be it resolved that the County of Brant submit an application to the Infrastructure Stimulus Fund for each of these projects:

- 1) Police accommodations
- 2) Resurfacing of County Road 4 in its entirety from Tutela Heights to the boundary with Norfolk County.
- 3) Resurfacing of County Road 16 in its entirety from County Road 2 to County Road 4.

. No Vote – Amendment Follows

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the resurfacing of County Road 16 be removed from the Infrastructure Stimulus Fund submission and be replaced by the resurfacing of County Road 18 from Highway 54 to Mount Pleasant.

. Defeated

Mayor Eddy then called for a vote on the original motion as follows:

“Whereas the following projects are not included in the County of Brant 2009 approved budget, nor have they been approved for completion by March, 2011;

And whereas with funding assistance from the Infrastructure Stimulus fund, these projects will be completed by March 2011;

Now therefore be it resolved that the County of Brant submit an application to the Infrastructure Stimulus Fund for each of these projects:

- 1) Police accommodations
- 2) Resurfacing of County Road 4 in its entirety from Tutela Heights to the boundary with Norfolk County.
- 3) Resurfacing of County Road 16 in its entirety from County Road 2 to County Road 4.”

. Carried

INFORMATION REPORTS

1. Mayor Eddy advised that the Brant County Federation of Agriculture Buy Local – Buy Fresh map had been launched at a reception in the Council Chambers on April 17.
2. Mayor Eddy distributed a copy of an article from the Wellington Advertiser dated April 17, 2009 entitled “Wellington County seeking relief from some demands of Places to Grow”.
3. Mayor Eddy announced that the Brant Waterways Foundation fundraiser is scheduled for May 27 at Paris Lions Parks. Funds from this event will be utilized for the development of the TH&B trail from the City of Brantford to the Norfolk boundary. Mayor Eddy urged all members of Council to attend the event, noting that he had tickets available at a cost of \$100.00 per person.

CORRESPONDENCE

1. Letter from James A. Hitchon, on behalf of Kelly Brant Homes, regarding adjustment of the City/County boundary to transfer former Kennedy lands to the City – **referred to the County Boundary Negotiations Committee.**
2. E-mails from Bob Cummings and Axel Buettgen regarding the St. George Memorial Hall – **received as information.**
3. Number of letters and e-mails from Muir residents enquiring and protesting the issuance of a building permit for a corn dryer on agricultural property in Muir.

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QUESTIONS

1. In response to a question, the Director of Development Services advised that the next meeting regarding the Official Plan is scheduled for May 4.

OTHER BUSINESS

1. Update on the 2009 AMO Conference.
2. Nomination information and forms for the AMO Board of Directors

Moved by – Councillor Chambers
Seconded by – Councillor Haggart

That Mayor Ron Eddy be nominated to the Rural Caucus of the Association of Municipalities.

. Carried

3. Due to the number of delegations scheduled for this meeting, the presentation by Fire Department staff on the Emergency Response Plan has been deferred to the May 5 Council meeting.
4. Advance notice of a Trails Workshop for the public scheduled for Thursday, May 14 at 7:00 p.m. at a location to be determined.
5. It was agreed that a special In Camera meeting of the Corporate Development Committee would be scheduled for Wednesday, April 29 at 7 p.m. at the Council Chambers to discuss a property negotiations matter.

IN CAMERA SESSION

The Clerk advised that there would be no report from the Code of Conduct Panel to consider during the In Camera Session, as the two complaints heard at the April 17, 2009 meeting had been withdrawn.

In Camera at 10:50 p.m. on a personal matter about an identifiable individual, on motion of Councillors Coleman and Wheat.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated April 21, 2009.

Open Session at 11:45 p.m., on motion of Councillors Coleman and Hodge.

BY-LAWS

Moved by – Councillor Powell
Seconded by – Councillor Atfield

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

- By-law Number 48-09 to authorize an Automatic Aid Agreement between the City of Brantford and the County of Brant for the provision of certain fire protection services in a specified area previously served by the Tranquility Fire Hall.
- By-law Number 49-09 to provide for tax policies for 2009 and to repeal By-law Number 61-08.
- By-law Number 50-09 to provide for the adoption of tax rates and for default penalties and interest for 2009.
- By-law Number 51-09 to amend Parking By-law Number 164-01 (Whitlaw Way, Main Street South and College Street).
- By-law Number 52-09 to amend Traffic By-law Number 182-05 (stop sign at Whitlaw Way and Emerson Court).
- By-law Number 53-09 to license, regulate and govern Owners and Drivers of Taxicabs, and Taxicab Brokers, and to prohibit the carrying on of or engaging in these occupations and businesses without a license.
- By-law Number 54-09 to authorize a Contribution Agreement between her Majesty the Queen in Right of Ontario, as represented by the Deputy Premier and Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs and the County of Brant for funding for the Twin Pad Arena Complex under the Building Canada Fund – Communities Component Program.
- By-law Number 55-09 to authorize the sale of residential property described as Block 5, Plan 1750, being vacant land adjoining 44 Centre Street South, Onondaga, to Annette Marie Vreeken and Philip Ralph Vreeken.
- By-law Number 56-09 to appoint Don Glassford as Acting Chief Administrative Officer.
- By-law Number 57-09 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 48-09 to authorize an Automatic Aid Agreement between the City of Brantford and the County of Brant for the provision of certain fire protection services in a specified area previously served by the Tranquility Fire Hall.
- By-law Number 49-09 to provide for tax policies for 2009 and to repeal By-law Number 61-08.
- By-law Number 50-09 to provide for the adoption of tax rates and for default penalties and interest for 2009.
- By-law Number 51-09 to amend Parking By-law Number 164-01 (Whitlaw Way, Main Street South and College Street).
- By-law Number 52-09 to amend Traffic By-law Number 182-05 (stop sign at Whitlaw Way and Emerson Court).
- By-law Number 53-09 to license, regulate and govern Owners and Drivers of Taxicabs, and Taxicab Brokers, and to prohibit the carrying on of or engaging in these occupations and businesses without a license.

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- By-law Number 54-09 to authorize a Contribution Agreement between her Majesty the Queen in Right of Ontario, as represented by the Deputy Premier and Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs and the County of Brant for funding for the Twin Pad Arena Complex under the Building Canada Fund – Communities Component Program.
- By-law Number 55-09 to authorize the sale of residential property de scribed as Block 5, Plan 1750, being vacant land adjoining 44 Centre Street South, Onondaga, to Annette Marie Vreeken and Philip Ralph Vreeken.
- By-law Number 56-09 to appoint Don Glassford as Acting Chief Administrative Officer.
- By-law Number 57-09 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 48-09 to authorize an Automatic Aid Agreement between the City of Brantford and the County of Brant for the provision of certain fire protection services in a specified area previously served by the Tranquility Fire Hall.
- By-law Number 49-09 to provide for tax policies for 2009 and to repeal By-law Number 61-08.
- By-law Number 50-09 to provide for the adoption of tax rates and for default penalties and interest for 2009.
- By-law Number 51-09 to amend Parking By-law Number 164-01 (Whitlaw Way, Main Street South and College Street).
- By-law Number 52-09 to amend Traffic By-law Number 182-05 (stop sign at Whitlaw Way and Emerson Court).
- By-law Number 53-09 to license, regulate and govern Owners and Drivers of Taxicabs, and Taxicab Brokers, and to prohibit the carrying on of or engaging in these occupations and businesses without a license.
- By-law Number 54-09 to authorize a Contribution Agreement between her Majesty the Queen in Right of Ontario, as represented by the Deputy Premier and Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs and the County of Brant for funding for the Twin Pad Arena Complex under the Building Canada Fund – Communities Component Program.
- By-law Number 55-09 to authorize the sale of residential property described as Block 5, Plan 1750, being vacant land adjoining 44 Centre Street South, Onondaga, to Annette Marie Vreeken and Philip Ralph Vreeken.
- By-law Number 56-09 to appoint Don Glassford as Acting Chief Administrative Officer.
- By-law Number 57-09 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 11:50 p.m. to meet again on **Tuesday, May 5, 2009 at 7:00 p.m.** in the Council Chambers.

Mayor

Date Minutes Approved

Clerk