

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
 October 6, 2009
 7:00 p.m.

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

Staff: Glassford, Johnston, Bell, Atkinson, Ballantyne, Ellins, Boissonneault, Hayman and Carman.

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
 Seconded by – Councillor Hodge

That the Brant County Council agenda and addendum for the October 6, 2009 meeting be approved as circulated, with the following additions:

- LAS – Meeting Investigator Program update
- Councillor Chambers requested that his Notice of Motion regarding Cainsville/Brant East be withdrawn from this meeting and referred to the Planning Advisory Committee for consideration at a meeting when there is time for adequate discussion

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Presentation of Certificates to Cainsville Station 4 Firefighters**

Emergency Services Chair Wheat and Fire Chief Paul Boissonneault provided a brief overview of the County's extrication training program and the Jaws of Life Tournament competition. Fire Chief Boissonneault noted that the Cainsville Station 4 firefighters won this competition five minutes ahead of any other team in the competition, reflecting the County's excellent training program and high standards. Mayor Eddy presented congratulatory certificates to Chris Dawson, Melanie Linn, Dave Monkhouse, Dennis Papp and Tina Rockery, it being noted that Greg Hyde had been unable to attend this presentation.

St. George Memorial Hall and Old School

David Simpson advised that he was elected as Chair of a new Board that has been established to consider taking over management of the St. George Old School and the St. George Memorial Hall. He provided a brief history of the Memorial Hall, and noted that the South Dumfries Historical Society funded a consultant to review the two buildings from both a structural and historical perspective. This new Board arose as a result of brainstorming sessions with various stakeholders on the importance of preserving history in St. George. Mr. Simpson advised that the Board would like to formally enter into negotiations with the County to take over management and trusteeship of the St. George Memorial Hall and the St. George Old School, noting that they would be able to access funds that the County is not eligible for. He provided information on the Waterford Old Town Hall, which is also managed by a trustee board.

Moved by – Councillor Wheat
Seconded by – Councillor Hodge

That the presentation by David Simpson regarding the proposal for a trustee board to manage the St. George Memorial Hall and St. George Old School be referred to the Corporate Development Committee for consideration.

. Carried

Assumption of Infrastructure - Grandville, Phase 1

Paul Halyk, of Zitia Developments, summarized the key points from a letter from Zitia dated October 1, 2009, outlining information on the grading in Phase 1 from the initial design in 2001 to the current time. He noted that this information clarifies that Zitia did not cause the drainage issues and cannot fix them without compromising their subdivision agreement. He suggested that the drainage concerns result from Phase 2 grading. Mr. Halyk requested that the Letter of Credit for Phase 1 be released as Zitia Developments has met the requirements of their subdivision agreement and is not accountable for the current grading issues.

Cobblestone Drive Drainage Concerns

Randy Drumm, 31 Cobblestone Drive, offered a public apology to Zitia Group and Scott Llewellyn for problems that have arisen as a result of misinformation in regard to the Cobblestone Drive drainage concerns, and thanked them for their assistance in trying to reach a solution. Mr. Drumm noted that he is satisfied the Phase 1 lots were graded properly. He also acknowledged that the property owners are responsible for grading their lots where settlement has occurred. However, he noted that this work will not resolve the issues of drainage from Phase 2 onto the Phase 1 lots. Mr. Drumm made a PowerPoint presentation outlining various information which indicates that the Phase 2 lots have not been constructed according to the approved plans, which adversely affects lots in Phase 1. He requested that the County of Brant deal with the drainage concerns of the property owners of Cobblestone Drive by directing Activa Holdings and Stantec Engineering to ensure that the problems stemming from directing storm water across private property are addressed before they compound. He suggested that the Phase 2 engineering plans be changed to address these concerns and the currently installed lots in Phase 2 be modified to address their adverse affect on properties in Phase 1. Mr. Drumm requested that a homeowner from Cobblestone Drive be included in this process. He also presented questionnaires and petitions signed by eighteen residents of Cobblestone Drive noting their concerns about the drainage from Phase 2 onto the Phase 1 lots.

Invitation to “Healing Our Mother Earth with Strategies on Landfills” Environmental Summit

Wes Elliott, Summit Coordinator, presented an invitation to Council to attend the “Healing our Mother Earth with Strategies on Landfills” Environmental Summit scheduled for November 5 and 6, 2009 at the Six Nations Community Hall, and outlined the objectives of the Summit. He requested that the County send two staff representatives to actively participate in this event, noting that others may attend as observers. It was agreed that the Clerk would contact Six Nations to determine the County’s representation to this Summit.

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Nith Peninsula Area Study

Lorna Nowicki-Prime presented various environmental documents related to the Nith Peninsula, and requested that the Brant County Official Plan be updated to include these documents so that it is complete, up-to-date and accessible for all parties who use the Official Plan. Ms. Nowicki-Prime presented a brief overview of the following documents:

- Nith River ESA – Paul Eagles, 1980
- Nith River Forests ANSI – Hanna, 1984
- Area Study – Duane Brown, 1996

Ms. Nowicki-Prime suggested that the County needs to identify the EAS and ANSI areas of the Nith Peninsula and ensure that a 50 metre buffer zone is established for these areas. The Ministry of Natural Resources policy for buffer zones for significant woodlands and valley lands should also be applied in this area. She noted that Dave Marriott, the Ministry of Natural Resources District Planner, is willing to review this information with Council. The Paris Moraine and the hydrogeological features of this groundwater recharge area should also be included in the Official Plan, in accordance with the Provincial Policy Statement that refers to protecting, improving and restoring the quality and quantity of water. Ms. Nowicki-Prime pointed out that the Nith Peninsula is not the only ESA identified in the County, and suggested that the Official Plan should clearly identify and protect these areas, as set out in the Provincial Policy Statement. She noted that significant information about the natural heritage features of the Nith Peninsula has been available for twenty-five years, and that it is the responsibility of the County to uphold the Provincial Policy Statement that natural features and areas should be protected for the long-term.

Dermot Kelly outlined his family's personal experiences related to enjoyment of the Nith Peninsula, and suggested that there is a unique opportunity to preserve this as a natural area for the current and future generations. The citizens' group formed to protect the Nith Peninsula wants to work with Council, planning and other interested parties in preserving this unique tract of land. Mr. Kelly questioned various statements in the Nith Peninsula Area Study, including that this area is included in the settlement boundary, that it is a logical extension of development for Paris, that it is pivotal to the social and economic success of the Paris Area and that municipal water and sewer services are available for this development. He suggested that there is no discussion of setbacks from natural areas, steep slopes or wetlands, or any methodology for establishing these setbacks. Mr. Kelly questioned that the wetland areas included in the Area Study differ from those on the GRCA and EcoPlans maps, and why the two landfill sites identified on the peninsula have not been addressed in the Area Study. He suggested that the County does not need this development in order to meet the targets set out in Places to Grow, and that in fact the number of units proposed will put the County over the 2016 target with this development alone. The site is not currently serviced, and Places to Grow states that development should occur on serviced land. He questioned whether there was capacity in the local schools, noting that the students would have to be bussed because of traffic issues on Highway 2. Mr. Kelly advised that over 3,000 people have signed a petition opposing the proposed subdivision, as they want this natural area preserved for conservation and educational purposes, and to protect the vistas of Paris and the Grand River Valley.

Holly Illman, of behalf of Steve Kulmatycky, one of the private land owners of the Nith Peninsula, advised that only the table lands are proposed for development. Approximately 60% of the lands will be protected, which includes all the natural areas. She noted that arrangements are being made for a meeting with the "Save the Barker's Bush" citizens group to discuss their concerns. In response to a question, Ms. Illman advised that the Kulmatycky lands are for sale for a price of \$9.2 million.

It was agreed that this information would be received as information, as Council is bound by legislation to follow the process for this planning application.

Cainsville/Brant East Resolution

Archie McLarty, a Cainsville resident and representing Sustainable Brant, advised that a petition signed by approximately 2,300 people to include Brant County in the Greenbelt will be presented to the Minister of Municipal Affairs and Housing. Mr. McLarty referred to a "Places to Sprawl" report which indicates that Brant is facing serious threats as a result of leapfrog development. He pointed out his concerns that farmland and natural areas are being threatened with development, as occurred in the Niagara area. The proposal to extend the Greenbelt into Brant will protect the County's unique farmland and natural areas.

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the presentation by Archie McLarty regarding the proposal to extend the Greenbelt into Brant County be received as information.

. Carried

Public meeting – Fees Increase for Animal Control Services

There were no members of the public in attendance to speak to the proposed fees increase for animal control services.

County of Brant Aquatic Needs Assessment and Feasibility Study

Clem Pelot, Clem Pelot Consulting, advised that he has concluded the Aquatic Needs Assessment and Feasibility Study for the County of Brant, which indicates that the greatest need is for an indoor pool at the Twin Pad Complex. He highlighted the following main points of the public consultation that formed the basis of the study:

- Needs of County residents for Aquatic Services – indoor facilities with an indoor pool was identified as a priority as it accommodates residents of all ages and abilities, with the two biggest uses being identified as recreational swimming and swimming lessons – the Twin Pad site is accessible to all County residents – an outdoor pool met some of the demands, but this is limited to summer months
- Project Affordability – estimated cost for a modest 6-lane by 25 metre pool is \$10.3 million – an outdoor pool is estimated at \$3.3 million – funding may be available through the Federal and Provincial Governments, which would make this project feasible for the County – the net operating costs of a pool and fitness centre are estimated to be approximately \$179,000 per year – 40% of the survey results show that residents are in favour of a tax increase to support a new pool
- Interim Aquatic Services – many residents are concerned about waiting five or more years for a new indoor pool – repairing the outdoor pool as a interim step is not recommended, based on the limited use of the facility, the short operating season, the subsidy required from the County to operate it, and the limited benefits for residents who live outside of Paris.

Mr. Pelot recommended that the County pursue the development of a new indoor pool at the Twin Pad Complex site within the next five years. As well, the subsidy to County residents for use of Brantford pools should continue beyond 2009, and be expanded to include recreational swimming and swimming lessons.

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In response to questions, Mr. Pelot advised that although capital costs would be reduced if the fitness centre was removed from the proposal, the operating costs would be higher since the fitness centre will generate revenue to offset the operating costs. He noted that a 44% survey return validates the statistics generated by the public survey. Although grants may be available for an outdoor pool, there is a better chance for approval when different facilities are combined in a multi-purpose facility.

It was agreed that this presentation would be referred to the Parks and Recreation Committee for consideration.

MINUTES

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the minutes of the September 15, 2009 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

BUSINESS ARISING FROM THE MINUTES

1. Letter from E. Wakefield regarding unsigned correspondence from the Friends of Paris Culture Board of Directors. The Clerk advised that the Friends of Paris Culture Board of Directors position on the Old Town Hall was listed on the January 6, 2009 Council agenda as correspondence and received as information. James Binkley, on behalf of the Friends of Paris Culture, attended the special meeting of Council held on January 12 regarding the Old Town Hall, and made a presentation outlining the Friends' position. Councillor Gatward pointed out that all members of Council had received a package of information from Mr. Wakefield regarding the Brant Cultural Centre.

CONSENT ITEMS

Moved by – Councillor Schmitt
Seconded by – Councillor Coleman

- That the following Consent Information reports be received:
1. Decisions from the September 24, 2009 Committee of Adjustment meeting.

- And that the following Consent Communications be received:
1. AMO Member Communications:
 - a. AMO response to Accessibility Built Environmental Standard. **The Director of Development Services advised that the County would be providing input to the Province on this Standard.**
 - b. Green Energy Regulations strongly reflect AMO input
 - c. AMO Draft Paper seeking joint and several liability reform
 - d. ROMA Board Update from August 2009 meeting.
 - e. Information on LAS Energy Conference
 2. Extension of moratorium on the closure of rural post offices:
 - a. Hon. Rob Merrifield, Minister of State Transport
 - b. M.P. Phil McColeman

3. Ministry of the Environment – New rules relating to the management of nutrients.
4. Ministry of Transportation – Notice of Approval of the Environmental Assessment Terms of Reference for the Brantford to Cambridge Transportation Corridor.
5. OGRA Alert re: hands-free device legislation.
6. Ministry of Tourism – Information on Celebrate Ontario 2010 program to provide funding to communities for festivals and events. **Councillor Gatward suggested that this information be forwarded to community groups who sponsor events and festivals.**
7. Federation of Canadian Municipalities:
 - a. Memo from Leonore Foster requesting County become a member of FCM, including reports from September FCM meeting
 - b. Information on Green Municipal Fund
8. Ministry of Municipal Affairs and Housing – September Update newsletter.
9. John Copping, 18 Tolhurst Street – Notification of appeal to the OMB re: ZBA10/09/SS for Glenwood Homes.
10. City of Hamilton – Notification of Phase 2 of the Airport Employment Growth District Secondary Plan and Infrastructure Servicing Studies.
11. Oxford County – Notification of approval of SCOR incorporation and receipt of strategic management plan.
12. Imperial Oil – Notification to TSSA that all petroleum handling/storage equipment has been removed from their property located at 249 Brant Road.
13. Jacques Whitford Stantec Limited – Semi-Annual Report for the monitoring program at 3 and 5 Beverly Street West, St. George.
14. Lupus Foundation of Ontario – request to declare October as “Lupus Awareness Month”.
15. Laurier Brantford – Lifelong Learning brochure for Fall 2009.
16. Union Gas – copy of application to the Ontario Energy Board for an increase in delivery rates.
17. Media release that Horizon Utilities has been named “Company of the Year” by the Ontario Energy Association.
18. Thank you card from Nancy Drong for fruit basket during recent illness.
19. Minutes of Meetings:
 - a. City of Brantford Multi-Use Bikeway/Trails Advisory Committee – June 18, 2009.
 - b. Brant County Power Inc. – August 12, 2009.
 - c. Committee of Adjustment – August 27, 2009.
 - d. Lake Erie Region Source Protection – August 6, 2009.
 - e. Grand River Conservation Authority – August 28 and September 14, 2009.
 - f. Brant County Board of Health – May 20, 2009.
 - g. County of Brant Public Library Board – June 9, 2009.

. Carried

PLANNING ADVISORY

Councillor Schmitt presented the following report from the September 16, 2009 meeting of the Planning Advisory Committee:

1. That application ZBA 27/09/MD from Snodgrass Consulting Services Inc., agent for Marina Bowman, applicant and owner of Part Lot 3, Concession 5, County of Brant in the geographic Township of Burford, located at 44 Sixth Concession Road to rezone the subject lands from Agricultural Restrictive (AR) to Village Residential (VR) to facilitate the creation of two village residential lots within the Burford settlement area be approved.

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2. That application ZBA 28/09/MD from James & Katherine Ritchie, applicants and owners of Part Lot 1, Concession 13, County of Brant in the geographic Township of Burford, located at 67 Simcoe Street to rezone the subject lands from Village Residential (VR) to Village Residential with an exemption to permit the expansion of a legal non-conforming accessory structure to area of 270m² and a height of 6.1m be approved.
3. That additional information pertaining to the County's financial contributions towards non-profit housing projects be requested of staff;

And that Rick Farrell, Director of Housing for the City of Brantford be invited to attend an upcoming Planning Advisory Committee meeting to discuss non-profit housing and the application from the South Dumfries Non-Profit Housing Corporation with respect to 50 High Street, St. George.

Moved by – Councillor Schmitt
Seconded by – Councillor Hodge

That the report of the Planning Advisory Committee from its September 16, 2009 meeting be adopted.

.Carried

EMERGENCY SERVICES

The Emergency Services Committee minutes of September 22, 2009 were received as information.

PARKS AND RECREATION

The Parks and Recreation Committee minutes of September 22, 2009 were received as information.

PUBLIC WORKS

Councillor Coleman presented the following report from the October 5, 2009 meeting of the Public Works Committee:

1. Whereas County of Brant staff has evaluated all tenders received in accordance with the approved tender evaluation criteria for RDT 26-09 "Front Street Roadway Improvements";

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

Be it hereby resolved that tender RDT 26-09 "Front Street Roadway Improvements" be awarded to Coco Paving Ltd. at a bid price of \$87,807.00, excluding G.S.T.;

And that a by-law be passed to close Front Street (40m west of Tuscarora Street to Brantford Street) from approximately October 14, 2009 to November 6, 2009 (local access will be maintained for residents).

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the report of the Public Works Committee from its October 5, 2009 meeting be adopted.

.Carried

POLICE SERVICES

Councillor Powell presented the following report from the September 16, 2009 meeting of the Police Services Board:

1. That a tender be called for towing services related to police-assisted tows, with administrative support from the County of Brant Corporate Services Department and Legal Services Division, as well as with input from Brant County O.P.P.;

And that the tender document be presented back to the Police Services Board for review.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the report of the Police Services Board from its September 16, 2009 meeting be adopted.

.Carried

TWIN PAD STEERING

Councillor Coleman presented the following report from the October 6, 2009 meeting of the Twin Pad Steering Committee:

1. That the County of Brant extend its contractual relationship with Ketchum Canada Inc. (KCI) until April 30, 2010, at a total cost of \$100,000, plus G.S.T., as outlined in correspondence from KCI dated September 28, 2009.

Moved by – Councillor Coleman
Seconded by – Councillor Powell

That the report of the Twin Pad Steering Committee from its October 6, 2009 meeting be adopted.

.Carried

In response to questions, Councillor Coleman advised that the costs for this contract extension would be covered by the fundraising campaign. Councillors Wheat and Haggart encouraged members of Council to get involved in the Fundraising Campaign for the Twin Pad Complex.

JOINT MEETING BRANT COUNTY AND SIX NATIONS

The minutes of the Joint Meeting between Brant County and Six Nations Councils held on September 10, 2009 were received as information.

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CORPORATE DEVELOPMENT

Councillor Chambers presented the following report of the Corporate Development Committee from its October 5, 2009 meeting;

1. That Council authorize the release of the development agreement registered on December 24, 1980 as instrument number A248433 against lands currently owned by Scott William Floyd Anderson in order to permit the construction of a farm related structure, with the applicant to bear all associated costs.

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the report of the Corporate Development Committee from its October 5, 2009 meeting be adopted.

. Carried

STAFF REPORTS

Hillside Kennels – Proposal for Animal Control Services – report from Arlene Jackson, Licensing Officer

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That Schedule “A” to the Agreement between the Corporation of the County of Brant and Hillside Animal Control Ltd. be amended to reflect an increase in fees for Animal Control Services as follows:

Per Animal call out fee per call (including first day of boarding fee)	\$110.00
Per diem boarding fee for impounded animals	25.00
Veterinary Administered Euthanasia per animal	25.00
Disposal by cremation and as per OMAFRA regulations – for canine	55.00
- for cats and small wildlife	35.00
Per hour to provide patrol or by-law enforcement services	40.00
Mileage charges for patrol or by-law enforcement services	.50/km
Energy Surcharge – 10% of the total billing when gas prices are \$1.00 or more per litre for the entire month	

That the fees as amended be effective from September 1, 2009 to September 1, 2011;

And that the County of Brant Fees and Charges By-law be amended to reflect the increase in the call-out fee to \$110.00 per call and the per diem boarding fee to \$25.00 per day.

.Carried

Finalization of the Official Plan – report from David Johnston, Director of Development Services

Moved by – Councillor Schmitt
Seconded by – Councillor Haggart

That Council set December 10, 2009 as the date for Council's consideration of the adoption of the revised Official Plan;

That staff be directed to place notices in local newspapers having general circulation in the area advising citizens of their intentions and that there will be an open house from 2:00 p.m. to 5:00 p.m. on the day of the meeting, as well as the 7:00 p.m. meeting;

That staff present a final report on the Official Plan update at the first regularly scheduled Council meeting in November;

That briefing sessions be held with Council members prior to the formal meeting to consider the adoption of the Official Plan; said sessions to be scheduled for 7:00 p.m. at the Council Chambers, Paris, on November 12 and 19.

.Carried

Proposed Bethel Road Municipal Water Supply Wells – report from Alex Davidson, Water Division Manager

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

Whereas a proposed municipal water supply production well being developed as part of the Bethel Road Water Supply Project has been vandalized and the cost related to the vandalism is estimated to be approximately \$100,000 (plus GST);

And whereas the County is desirous of maintaining the original project schedule;

Be it hereby resolved that staff be authorized to proceed with the project including steps required to address the damages from the vandalism and recover insured amounts;

And that the costs, estimated to be \$100,000 (plus GST), be funded 90% from Development Charges and 10% from Water Reserves in accordance with the funding for the overall project to construct the municipal water supply;

And that any recovery from insurance be allocated to the funding sources on the 90% - 10% pro rata basis.

.Carried

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Assumption of Grandville Phase 1 Infrastructure/Cobblestone Drainage Concerns - report
from Lee Robinson, Manager of Infrastructure Services

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the following two resolutions from the September 15 Council meeting be reconsidered as this time:

- “1. That the homeowners of 29, 31 and 33 Cobblestone Drive, Paris be advised that the issue with respect to the settlement on these subject lots is the responsibility of the homeowners;
That staff be directed to prepare a letter directing the Developer of Grandville Subdivision, Phase 2, Stage 1 to ensure that the rear yard swales, as illustrated on the Lot Grading Plan – 4 (Stantec Consulting Ltd., dwg. 16, revision 7, dated 08.08.05) have been constructed in accordance with the accepted plans and to the satisfaction of the County;
And that staff be directed to prepare a letter to assist the homeowners of 29, 31 and 33 Cobblestone Drive indicating the grading issues that exist on these lots;
And that the developer of Grandville Phase 1 be required to correct the drainage/grading situation in accordance with the subdivision agreement.
2. That the resolution to assume the infrastructure for Phase 1 of the Grandville Subdivision be deferred until such time as the drainage/grading concerns are addressed.”

. Carried – Two-Thirds Majority

Moved by – Councillor Powell
Seconded by – Councillor Gatward

Whereas the agent for the developer of the Grandville (Savannah Heights) Subdivision, Phase 1, in Paris has submitted a request for assumption of infrastructure;

And whereas the developer has fulfilled all terms and conditions as required of the subdivision agreement;

Be it hereby resolved that staff prepare a by-law to assume the infrastructure in the subdivision known as Grandville (Savannah Heights) Subdivision, Phase 1, more particularly as described as Registered Plan 2M-1863;

And that the Letter of Credit for this subdivision be released to the Zitia Group.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Chambers

That the recommendations included in the September 15 resolution regarding drainage concerns on Cobblestone Drive and the information received from delegations at this meeting be tabled for one meeting cycle;

And that the C.A.O. be requested to investigate this information and prepare a report for Council to address the Cobblestone Drive drainage concerns.

. Carried

CORRESPONDENCE

1. Request from Paris Museum and Historical Society for Council liaison on their Board of Directors. It was agreed that Councillor Simons would act as the Council liaison to the Paris Museum and Historical Society.
2. City of Brantford - Notification of amendment to City's Municipal Code re: speaking rights of non-voting members of City and County Councils at meetings.
The Clerk was requested to investigate whether this practice can be applied to the joint Committee of Management.
3. Jennifer Daniel, Hatchley Road – Request for implementation of a mosquito control program for the rural Harley area. It was agreed that this correspondence would be referred to the 2010 budget process, and that staff be requested to provide an approximate cost for this service.
4. Doris Post, President, Simply Grand Paris Senior Citizens Club #99 – copy of letter to M.P. Phil McColeman re: use of the former Sacred Heart School as a seniors centre – Received as information.
5. Hon. John Gerretsen, Minister of the Environment – notification of denial for Part II Order request from Ella Haley for the Brant East wastewater treatment facility – Received as information.

RESOLUTIONS

Appointment of Representative to SCOR Executive Committee

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That Councillor Kevin Hodge be appointed as a County of Brant representative to the SCOR Executive Committee, for the term ending November 30, 2010.

.Carried

OTHER BUSINESS

1. It was agreed that an In Camera Council Meeting regarding the C.A.O. Recruitment will be arranged for the week of October 26.
2. Notice of Special Dinner to honour the 100th Anniversary of the Canadian Navy on November 14, 2009 at the St. George Legion.
3. Information on the 2009 Ontario West Municipal Conference to be held November 25 and 26 in London.
4. Information on International Swine Flu Conference to be held on November 23-24, 2009 in Toronto.

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5. Councillor Haggart requested that the Clerk provide a report to Council in response to the April 2009 LAS Meeting Investigation update that suggests that proper notification of meetings and agenda topics, particularly in camera matters, is lacking in many municipalities.

In Camera at 10:20 p.m. to discuss litigation matters and personal information regarding identifiable individuals, on motion of Councillors Hodge and Powell.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated October 6, 2009.

Open Session at 10:40 p.m., on motion of Councillors Coleman and Hodge.

PLANNING ADVISORY

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the following recommendation of the Planning Advisory Committee from its September 16, 2009 In Camera meeting be adopted:

1. That the County Solicitor be authorized to participate at the Hopewell Ontario Municipal Board hearing on behalf of the County in support of the applications if specifically requested to do so by legal counsel retained for the hearing by the applicant, but only on the basis that the applicant and the applicant's legal and technical support team are responsible to lead evidence in support of the application;

That First Urban reimburse the County for all expenses associated with the County Solicitor's participation at the hearing, including any costs awarded against the County;

And that County staff attend the pre-hearing conference as observers, but only appear at the hearing if summoned as a witness.

. Carried

APPOINTMENT TO BRANT COUNTY POWER INC. BOARD OF DIRECTORS

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That Julie Zarboni be appointed to the Board of Directors of Brant County Power Inc. for the term ending November 30, 2010.

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Gatward	1	
Mayor Eddy	1	
Councillor Wheat		1
Councillor Schmitt		1
Councillor Simons	1	
Councillor Haggart	1	
Councillor Powell		1

	<u>Yes</u>	<u>No</u>
Councillor Atfield		1
Councillor Chambers	1	
Councillor Hodge	1	
Councillor Coleman		<u>1</u>
. Carried	<u>6</u>	<u>5</u>

BY-LAWS

Moved by – Councillor Hodge
 Seconded by – Councillor Chambers

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

- By-law Number 156-09 to authorize the temporary closing of a portion of Front Street, Onondaga, for roadway improvements during the period October 14 to November 5, 2009.
- By-law Number 157-09 to permanently close part of Front Street, Onondaga.
- By-law Number 158-09 to authorize an agreement with Urban & Environmental Management Inc. for the provision of Professional Consulting Services for the construction of two cul-de-sacs on River Road and for the review of improvement options for Fawcett Road and the intersections of Fawcett Road/Old Greenfield Road and Old Greenfield Road/Newport Road.
- By-law Number 159-09 to assume 0.30 metre reserve lands, being part of Reserve Block 28, Plan 2M-1846 for public road purposes (Bradbury Crescent).
- By-law Number 160-09 to authorize an Encroachment Agreement with 523342 Ontario Limited for 279 Grand River Street North, Paris.
- By-law Number 161-09 to authorize an Encroachment Agreement with 1239159 Ontario Inc. for 131 King Street, Burford.
- By-law Number 162-09 to authorize a Development Agreement with Antoli and Zofia Szekszello for property located in Part of Lot A, Concession 3, geographic Township of Brantford (Jerseyville Road).
- By-law Number 163-09 to authorize a Development Agreement with Prolific Estates Ltd. for property located in Part of Lot 4, Concession 11, geographic Township of Burford (Maple Avenue South).
- By-law Number 164-09 to amend By-law Number 110-01 for property located in Part of Lot 3, Concession 5, geographic Township of Burford to permit village residential uses (Bowman, 44 Sixth Concession Road).
- By-law Number 165-09 to amend By-law Number 110-01 for property located in Part of Lot 1, Concession 13, geographic Township of Burford to allow an oversized accessory building (Ritchie, 67 Simcoe Street).
- By-law Number 166-09 to authorize the sale of property being Lot 83, Plan 727, geographic Township of Burford to Paul Edward Harris, Jerome Roy Davis and Keith Phillip Ovington (120 King Street).
- By-law Number 167-09 to authorize a Mutual Release Agreement for the payment of funds to Haldimand County for ambulance calls for the period of January 1, 2001 to December 31, 2007.
- By-law Number 168-09 to authorize a Mutual Release Agreement for the payment of funds to the County of Oxford for ambulance calls for the period of January 1, 2001 to December 31, 2007.
- By-law Number 169-09 to authorize an Amending Agreement with Hillside Kennels Animal Control Ltd. for the provision of animal control and pound services.

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- By-law Number 170-09 to amend County of Brant Fees and Charges By-law Number 19-09 (Development Charges and animal control services).
- By-law Number 171-09 to authorize a Gift Agreement with The Frank Cowan Foundation for the Twin Pad Complex Capital Campaign.
- By-law Number 172-09 to authorize a Green Energy Economic Accord between the County of Brant and Six Nations.
- By-law Number 173-09 to authorize an Amendment to the Funding Agreement under Round 1 of the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative.
- By-law Number 174-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Hodge
Seconded by – Councillor Chambers

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

- By-law Number 156-09 to authorize the temporary closing of a portion of Front Street, Onondaga, for roadway improvements during the period October 14 to November 5, 2009.
- By-law Number 157-09 to permanently close part of Front Street, Onondaga.
- By-law Number 158-09 to authorize an agreement with Urban & Environmental Management Inc. for the provision of Professional Consulting Services for the construction of two cul-de-sacs on River Road and for the review of improvement options for Fawcett Road and the intersections of Fawcett Road/Old Greenfield Road and Old Greenfield Road/Newport Road.
- By-law Number 159-09 to assume 0.30 metre reserve lands, being part of Reserve Block 28, Plan 2M-1846 for public road purposes (Bradbury Crescent).
- By-law Number 160-09 to authorize an Encroachment Agreement with 523342 Ontario Limited for 279 Grand River Street North, Paris.
- By-law Number 161-09 to authorize an Encroachment Agreement with 1239159 Ontario Inc. for 131 King Street, Burford.
- By-law Number 162-09 to authorize a Development Agreement with Antoli and Zofia Szekszello for property located in Part of Lot A, Concession 3, geographic Township of Brantford (Jerseyville Road).
- By-law Number 163-09 to authorize a Development Agreement with Prolific Estates Ltd. for property located in Part of Lot 4, Concession 11, geographic Township of Burford (Maple Avenue South).
- By-law Number 164-09 to amend By-law Number 110-01 for property located in Part of Lot 3, Concession 5, geographic Township of Burford to permit village residential uses (Bowman, 44 Sixth Concession Road).
- By-law Number 165-09 to amend By-law Number 110-01 for property located in Part of Lot 1, Concession 13, geographic Township of Burford to allow an oversized accessory building (Ritchie, 67 Simcoe Street).
- By-law Number 166-09 to authorize the sale of property being Lot 83, Plan 727, geographic Township of Burford to Paul Edward Harris, Jerome Roy Davis and Keith Phillip Ovington (120 King Street).
- By-law Number 167-09 to authorize a Mutual Release Agreement for the payment of funds to Haldimand County for ambulance calls for the period of January 1, 2001 to December 31, 2007.
- By-law Number 168-09 to authorize a Mutual Release Agreement for the payment of funds to the County of Oxford for ambulance calls for the period of January 1, 2001 to December 31, 2007.

- By-law Number 169-09 to authorize an Amending Agreement with Hillside Kennels Animal Control Ltd. for the provision of animal control and pound services.
- By-law Number 170-09 to amend County of Brant Fees and Charges By-law Number 19-09 (Development Charges and animal control services).
- By-law Number 171-09 to authorize a Gift Agreement with The Frank Cowan Foundation for the Twin Pad Complex Capital Campaign.
- By-law Number 172-09 to authorize a Green Energy Economic Accord between the County of Brant and Six Nations.
- By-law Number 173-09 to authorize an Amendment to the Funding Agreement under Round 1 of the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative.
- By-law Number 174-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Hodge

Seconded by – Councillor Chambers

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

- By-law Number 156-09 to authorize the temporary closing of a portion of Front Street, Onondaga, for roadway improvements during the period October 14 to November 5, 2009.
- By-law Number 157-09 to permanently close part of Front Street, Onondaga.
- By-law Number 158-09 to authorize an agreement with Urban & Environmental Management Inc. for the provision of Professional Consulting Services for the construction of two cul-de-sacs on River Road and for the review of improvement options for Fawcett Road and the intersections of Fawcett Road/Old Greenfield Road and Old Greenfield Road/Newport Road.
- By-law Number 159-09 to assume 0.30 metre reserve lands, being part of Reserve Block 28, Plan 2M-1846 for public road purposes (Bradbury Crescent).
- By-law Number 160-09 to authorize an Encroachment Agreement with 523342 Ontario Limited for 279 Grand River Street North, Paris.
- By-law Number 161-09 to authorize an Encroachment Agreement with 1239159 Ontario Inc. for 131 King Street, Burford.
- By-law Number 162-09 to authorize a Development Agreement with Antoli and Zofia Szeksztello for property located in Part of Lot A, Concession 3, geographic Township of Brantford (Jerseyville Road).
- By-law Number 163-09 to authorize a Development Agreement with Prolific Estates Ltd. for property located in Part of Lot 4, Concession 11, geographic Township of Burford (Maple Avenue South).
- By-law Number 164-09 to amend By-law Number 110-01 for property located in Part of Lot 3, Concession 5, geographic Township of Burford to permit village residential uses (Bowman, 44 Sixth Concession Road).
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- By-law Number 173-09 to authorize an Amendment to the Funding Agreement under Round 1 of the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative.
- By-law Number 174-09 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 10:45 p.m. to meet again on **Tuesday, October 20, 2009 at 7:00 p.m.** in the Council Chambers.

Mayor

Date Minutes Approved

Clerk