

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
December 15, 2009
7:00 p.m.

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

Regrets: Councillor Hodge

Staff: Glassford, Compeau, Bell, Atkinson, Keczan, M. Davidson and Carman.

Mayor Eddy in the Chair.

MAYOR'S REMARKS

Mayor Eddy reported on the following matters:

1. He had attended the Brant United Way Wrap-up event today where it was announced that this year's campaign goal of \$1.4 million was surpassed by \$3,000.
2. He announced that Tim Hortons is providing free holiday skating at all of the arenas in Brantford and Brant County over the Christmas holidays. It was agreed that Mayor Eddy would send a letter of appreciation to Tim Hortons for their sponsorship of these free events.

APPROVAL OF AGENDA

Moved by – Councillor Powell

Seconded by – Councillor Schmitt

That the Brant County Council agenda for the December 15, 2009 meeting be approved as circulated, with the following additions:

- information update on Brantford-Brant Chamber of Commerce Green Energy Hub Committee
- notice of motion re: Soldiers War Memorial
- information report on City of Waterloo 2010 budget

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Olympic Torch Update and Video**

Lesley Atkinson, Recreation Manager, and Suzie Keczan, Marketing Assistant, provided an update on the Olympic Torch Relay and events happening in Paris and Scotland on Tuesday, December 22. A video produced by the City of Brantford to promote their Olympic Torch event was presented for Council's information.

Proposed Work Plan for the County of Brant Economic Development Strategic Plan

George Schrijver, WCM Consulting, presented an overview of the process for developing an Economic Development Strategic Plan for the County of Brant. He provided information on the changing economy, the effect of community missions in achieving various community needs, and some of the advantages of locating in the County of Brant.

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Mr. Schrijver outlined the various elements that will be included in this Plan and the project schedule, noting that the Plan is scheduled to be completed by the end of March, 2010. He highlighted that action is required from Council in order to maintain an effective economic development strategic plan for the municipality. In response to questions, Mr. Schrijver noted that he will be contacting several stakeholders for their input, including both the Paris and the Brantford-Brant Chambers of Commerce and the Paris BIA.

Banning of Corporate and Union Donations to Municipal Election Candidates

Ella Haley advised that Toronto City Council voted last week to ban corporate and union donations to municipal election candidates, and requested that the County of Brant, through a recorded vote, adopt a similar resolution or lobby the Province to change municipal election legislation to ban these donations in Ontario. She noted that Robert MacDermid has documented developer influence through donations across the Greater Toronto Area, and noted her concern that there is undue influence from developers on Brant County Councillors. The Clerk clarified that there have been changes to the Election Act in regard to donations to candidates under the recent passage of the Good Government Act, 2009.

MINUTES

Moved by – Councillor Gatward
Seconded by – Councillor Simons

That the minutes of the December 1, 2009 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Moved by – Councillor Atfield
Seconded by – Councillor Powell

That the minutes of the December 2, 2009 In Camera Brant County Council meeting re: C.A.O. Recruitment be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Simons

That the minutes of the December 7, 2009 Brant County Council meeting re: First Urban Official Plan submissions be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

CONSENT ITEMS

Moved by – Councillor Powell
Seconded by – Councillor Schmitt

That the following Consent Information reports be received:

1. Decisions from the November 26 Committee of Adjustment meeting.
2. Applications to be heard at the December 17 Committee of Adjustment meeting.
3. Social Services Minutes – November 4, 2009 meeting;

And that the following Consent Communications be received:

1. AMO Member Communications:
 - a. Passage of Good Government Act, 2009 – new municipal election rules.
 - b. AMO recognizes need for affordable access to recreation for Ontarians
 - c. MOE changes to lead sampling requirements
 - d. FedDev Ontario applications due December 1.
 - e. Proposed Energy Consumer Protection Act
 - f. Auditor General's 2009 Report highlights human services spending and bridge infrastructure.
 - g. Information on 2010 Urban Symposium
2. Ontario Municipal Board – notice of Oral Decision on Hopewell proposed plan of Subdivision Pre-hearing 1.
3. Report of the OGRA Nominating Committee.
4. Grand River Community Health Centre November Community Report.
5. Wilfrid Laurier University – thank you for support in 2008.
6. Hamilton Niagara Haldimand Brant LHIN November Clinical Services Plan Bulletin.
7. Child Witness Centre Fall newsletter.
8. Minutes of Meetings:
 - a. Long Point Region Conservation Authority – November 4, 2009.
 - b. Grand River Conservation Authority – October 30 and November 16, 2009.
 - c. Lake Erie Region Source Protection Committee – November 5, 2009.

. Carried

Mayor Eddy noted that an AMO Alert was received today outlining the Ontario Municipal Partnership Funding allocations for 2010. Fran Bell, Director of Corporate Services, advised that the County's funding under this program will be reduced by approximately \$1 million in 2010. However, staff is preparing information for the Province that indicates that their formula and application for calculating the County's funding is incorrect.

CORPORATE DEVELOPMENT

Councillor Chambers presented the following report from the December 7, 2009 meeting of the Corporate Development Committee:

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

Municipal Share	\$50,174.23
School Share	<u>\$36,394.54</u>
Total Write Off	\$86,568.77

And that the final payment to the school boards be reduced by the amount of \$36,394.54 for their share of the taxes written off.

2. That the County of Brant approve the renewal of the County fringe benefit program with Sun Life for 2010, at a monthly premium amount of \$94,997, including taxes.
3. That the Mayor and the Clerk be authorized to sign a by-law for the incorporation of SCOR.

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4. That renewal of the following farm leases be approved upon the same terms and conditions as the existing leases, as summarized below:

#	Lessee	Property Description / Location	Acreage	Rental Rate / Acre	Term
1.	Van Farms Ltd.	Con 5, Pt Lot 3, Burford, 88 Maple Ave (gravel pit lands)	42	\$130	1 year
2.	Eadie Farms Ltd.	Part of Range 2, EMPR, Pt Lt 1 and 2, 108 Biggars Lane (landfill buffer lands)	69	\$125	3 years
3.	Brent Cain	Part Lots 1 and 2, Conc. 1, intersection of King Edward and Puttown Road (land acquired for future road purposes)	36	\$100	3 years
4.	Pleasantholm Farms Ltd.	Pt Lot 6 Range 2, WMPR, Part 1 and 2 RP 2R-3457, 282 Pleasant Ridge Rd (gravel pit lands)	10	\$70	3 years
5.	Norma Isotamm	Part of Lots 16 and 17, Conc 1, 557 Paris Road (land awaiting industrial development)	60	\$30	1 year

5. That the County of Brant support the resolution from the County of Lambton petitioning the Province of Ontario to impose a moratorium upon each Local Health Integration Network (LHIN) to prevent any further reductions and/or restructuring in health care services in rural and northern communities until such time as a Province-wide review process has been conducted.
6. That the County of Brant support the resolution from the Township of Frontenac Islands requesting the Federal Government to keep the six prison farms open that have been slated for closure.
7. That the County of Brant advise the Federal Government of their support for the Private Members Bill requesting that the Royal Canadian Legion be exempt from GST on purchases of red lapel poppies.
8. That the County of Brant support the resolution from the Town of Fort Erie petitioning the Province to amend the Ombudsman Act to include hospitals under the Ombudsman's jurisdiction.
9. That the request from the South Dumfries Non-Profit Housing Corporation for an interest-free loan in the amount of \$37,365 be approved;

That in the event that the application for funding by the South Dumfries Non-Profit Housing Corporation is approved under the Canada-Ontario Affordable Housing Program, an additional interest-free loan in the amount of \$103,000 be given to the South Dumfries Non-Profit Housing Corporation;

And that the loans be repaid from the first advance of the grant.

10. That the County of Brant adopt the principle of developing Affordable Housing Projects for municipal ownership or sponsorship and that proposals be presented to County Council on an individual basis for approval when funding is available;

And further that the County of Brant be the guarantor of the proposed Affordable Housing submission of the South Dumfries Non-Profit Housing Corporation by cosigning the Municipal Housing Facilities Agreement with the City of Brantford.

11. That the listing price for the sale of 5 Main Street North, St. George be reduced to \$399,000;

And that staff be authorized to amend the Listing Agreement with CB Richard Ellis, to reflect the reduced listing price, for a period of six months.

12. That a grant of \$500.00 to Jersey Canada towards the cost of the National Jersey Canada Annual Meeting to be held from March 26 – 27, 2010, in Brantford, be approved.

13. That the presentation by David Simpson regarding the St. George Memorial Hall and Old School be received and referred to County staff for the preparation of a comprehensive report on the disposition of these buildings for consideration at the next meeting.

14. That staff prepare a comprehensive report on plastic water bottle use at County of Brant offices and facilities.

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the report of the Corporate Development Committee from its December 7, 2009 meeting be adopted.

.Carried

PUBLIC WORKS

Councillor Coleman presented the following report from the December 8, 2009 meeting of the Public Works Committee, it being agreed that Recommendations 6 and 7 would be tabled until after the In Camera session:

1. Whereas the owner of 6 Brian Drive in Burford has proposed the construction of a sixth entrance for employee access on Maple Avenue South as part of a proposed industrial expansion on the subject lands;

And whereas 'Schedule A – Property Entrance Guidelines' of County By-law 176-99 (Entrance By-law) specifies a maximum of two (2) entrances for industrial properties;

And whereas staff has no objections to the proposed entrance for the purpose of an employee access route only;

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Be it hereby resolved that the owner of 6 Brian Drive be permitted to construct a sixth entrance on Maple Avenue South as part of the proposed industrial expansion, provided that:

- The entrance is used for the purpose of employee access only;
- A clause is included in the development agreement noting that the proposed entrance shall be used for the purpose of employee access only; and
- The entrance is subject to the County of Brant Development and Engineering Standards and all other terms of County By-law 176-99.

2. Whereas a request was submitted on behalf of the owners of the former Oakhill School site to reduce the speed limit from 80 km/h to 50 km/h on Greens Road along the frontage of the former Oakhill School;

Be it hereby resolved that staff be authorized to amend Traffic By-law 182-05, Schedule 'J' to reduce the speed limit to 50 km/h on Greens Road from Oakhill Drive to 500m north of Oakhill Drive;

And that Brant County O.P.P. be advised of this change.

3. Whereas requests were submitted for speed limit reductions and traffic calming measures on various sections of road within the County of Brant;

Be it hereby resolved that:

- i. Speed Limit By-law 182-05, Schedule 'J', be amended to reduce the speed limit on the following sections of road within the County of Brant:
 - On Sixth Concession Road, from 150m west of Mary Street to 100m east of Lawrence Road from 80km/h to 50km/h;
 - On Pottruff Road, between Robinson Road and Bethel Road, from 80km/h to 60 km/h;
- ii. That the request to reduce the speed limit on East River Road from 0.1km south of Glen Morris Road West to 0.5km south of Dunbar Street be denied;
- iii. That the request for various signage to prohibit truck traffic on Middle Townline Road be denied;
- iv. That the request for various signage to reduce speed and noise on Oakland Road be denied; and
- v. That Brant County O.P.P. be advised of the changes and be requested to monitor these streets as resources permit.

4. Whereas requests have been submitted by residents to implement parking restrictions within the Grandville Phase 1 subdivision in Paris;

Be it hereby resolved that staff be authorized to amend Parking By-law 164-01, Schedule 2 – Stopping Prohibited Anytime at the intersections of: Irongate Drive at King Edward Street, Irongate Drive at Savannah Ridge Drive and Cobblestone Drive at Rest Acres Road within the Grandville Phase 1 subdivision;

And that staff be authorized to amend Parking By-law 164-01, Schedule 4 – Parking Prohibited Certain Days or Times, to prohibit overnight parking on Cardinal Lane, Cobblestone Drive, Irongate Drive and Savannah Ridge Drive on both sides of the road between 4:00 a.m. and 7:00 a.m. from November 15 to April 15 in order to improve winter maintenance operations.

5. Whereas the County of Brant has been operating its sanitary sewer systems in accordance with the by-laws of the former municipalities as they existed prior to amalgamation;

And whereas the County is desirous of operating the sanitary sewer systems under a consolidated by-law;

Be it therefore resolved that the County enact a by-law to provide for the regulation of municipal sanitary sewer use in the County of Brant and to repeal County of Brant By-laws 280-03, 281-03, 278-03, 279-03, and 283-03.

Recommendations 6 and 7 tabled until after the In Camera Session

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That Recommendations 1 – 5 of the Public Works Committee report from its December 8, 2009 meeting be adopted.

.Carried

TREES CONSERVATION

Councillor Schmitt presented the following report from the December 1, 2009 meeting of the Trees Conservation Committee:

1. That Minor Exception Application 4-09 from Helio and Lesa Vieira to remove approximately 1 acre of trees on property located on Pinehurst Road in Part 1, Plan 2R-3039, Part of Lot 28, Concession 5, geographic Township of South Dumfries, in order to build a house, driveway and septic system be approved.

Moved by – Councillor Schmitt
Seconded by – Councillor Coleman

That the report of the Trees Conservation Committee from its December 1, 2009 meeting be adopted.

.Carried

COMMITTEE OF MANAGEMENT – JOHN NOBLE HOME

Councillor Coleman presented the following report from the December 2, 2009 meeting of the Committee of Management – John Noble Home:

1. Procedural By-law Amendment – Chair and Vice-Chair of Social Services Committee and John Noble Home Committee of Management

That Section 15.2.21 of Chapter 15 of the City of Brantford Municipal Code, respecting the Chair of the Social Services Committee be amended to include the following:

- a. That the Chair of the Social Services Committee shall be a member of Brantford City Council and shall automatically serve as Vice-Chair of the John Noble Home Committee of Management; and
- b. That the Chair of the John Noble Home Committee of Management shall be a member of the County of Brant Council and shall automatically serve as Vice-Chair of the Social Services Committee.

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2. John Noble Home October 31, 2009 Monthly Budget Summary (PHSS2009-78)
That Report PHSS2009-78, the Monthly Budget Summary report for October 31, 2009 for the John Noble Home be accepted as presented.
3. John Noble Home Quality Improvement Report for October 2009 (PHSS2009-79)
That Report PHSS2009-79, the John Noble Home monthly Quality Improvement Report for October 2009, be received for information.
4. Opening of Recently Redeveloped Units (Mohawk Terrace and Davis Court) (PHSS2009-80)
That Report PHSS2009-80 on the opening of recently redeveloped units (Mohawk Terrace and Davis Court) be received for information.
5. John Noble Home Maintenance Schedule (PHSS2009-81)
That Report PHSS2009-81 on the John Noble Home Maintenance Schedule be received for information.
6. Long Term Care Accountability Agreement (PHSS2009-82)
That Report PHSS2009-82 on the Long Term Care Accountability Agreement be received for information.
7. Review of the current John Noble Home Governance Model (PHSS2009-84)
 - a. That monthly meetings of the John Noble Home Committee of Management/Social Services Committee be held at the John Noble Home and that the 2009 City of Brantford Committee and Council Meeting Schedule be amended accordingly; and
 - b. That staff provide verbal updates for all reports on the John Noble Home Committee of Management agenda; and
 - c. That minutes of the John Noble Home Committee of Management include greater detail to provide a greater understanding of the issues and discussions that occur during the meeting; and
 - d. That the following issues identified in the Analysis Section of Report PHSS2009-84 be referred to the General Manager, Public Health, Safety and Social Services for a report back at the February 3, 2010 meeting (two meeting cycles):
 - i. Integration – continue to look for opportunities to better integrate the John Noble Home Committee of Management with the Social Services Committee
 - ii. Committee make-up – that the John Noble Home Committee of Management be made up of four City representatives, three County representatives and a community representative
 - e. That the John Noble Home City/County agreement be reviewed and amended to provide that the John Noble Home Administrator can approve routine contracts, service agreements, etc., which fall within the approved John Noble Home budget; and
 - f. That the General Manager, Public Health, Safety and Social Services conduct an annual performance review with the John Noble Home Administrator in consultation with the Chair and Vice-Chair of the John Noble Home Committee of Management.

8. Ministry of Health & Long-Term Care Funding Announcement (PHSS2009-83)
- a. That Report PHSS2009-83 on the Ministry of Health & Long Term Care Funding Announcement be received for information; and
 - b. That staff be requested to provide a follow up report at the next meeting of the John Noble Home Committee of Management.

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That the report of the Committee of Management – John Noble Home from its December 2, 2009 meeting be adopted.

. Carried

INFORMATION REPORTS

1. **Site Plan Control Application SP19/09 – Zitia Developments – 74-78 Dundas Street East, Paris** – report from Marcus Davidson, Senior Planner.

Councillor Simons advised that she has requested that County staff include the following two items in the site plan control agreement for 74-78 Dundas Street East:

- 6' privacy fence to be erected along the east to west side of 19 Curtis Avenue South (Gill property)
- fencing to be installed no later than the completion of the first phase of construction

Marcus Davidson advised that all minor issues have been resolved, including the items brought forward by Councillor Simons, and staff is ready to move forward with the signing of the development agreement.

Moved by – Councillor Haggart
Seconded by – Councillor Simons

That the update report on the site plan control application for 74-78 Dundas Street East, Paris, dated December 10, 2009, be received as information, on the understanding that the a condition will be added to the site plan agreement requiring the installation of a 6' privacy fence along the east to west side of 19 Curtis Avenue South (Gill property) by the completion of the first phase of construction.

. Carried

2. **Proposed 2010 Council/Committee Meeting Schedule** – report from Jayne Carman, Clerk

Moved by – Councillor Haggart
Seconded by – Councillor Atfield

That the proposed 2010 Council/Committee meeting schedule be received as information.

. Carried

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3. Councillor Gatward advised that the Chamber Green Energy Hub Committee has hired Susan Brown as a consultant to prepare a business plan for the Green Energy Hub initiative, which will focus on new jobs and new technology for the benefit of the City, County and Six Nations. Material on the initiatives discussed at the December 14 meeting will be circulated for Council's information. She noted that the Chamber Committee would like to meet with the County/Six Nations Green Energy Commission to discuss the Green Energy Accord. Councillor Haggart suggested that a meeting of the County members of the Green Energy Commission should be scheduled in the near future to discuss a number of matters.
4. Councillor Powell provided information on the 2010 budget recently approved by the City of Waterloo, noting that taxes in 2010 will increase by 1.6% and water and wastewater rates will increase by 7.3%.

RESOLUTIONS

War Memorial

Councillor Gatward gave notice that she would be presenting a resolution, once more information becomes available, to approve a grant towards the cost of a memorial wall in Trenton marking the deaths of Canadian soldiers in Afghanistan. Mayor Eddy suggested that Council may wish instead to consider doing something within our municipality to recognize these soldiers.

Banning of Corporate and Union Donations to Municipal Election Candidates

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That Brant County Council acknowledge and receive the presentation made by Ella Haley requesting Council to ban corporate and union donations to municipal election candidates;

And that municipal election candidates use their own judgement, and be judged accordingly, in accepting donations from corporate and union donors.

. Carried

Response to Arie Vandenberg re: Statements made at Official Plan Public Meeting

Moved by – Councillor Haggart
Seconded by – Councillor Schmitt

That the Mayor write a letter to Arie Vandenberg in response to a statement made at the Official Plan public meeting that information requested from Planning staff had not been provided, setting out the facts that information was provided to him on two separate occasions.

. Carried

OTHER BUSINESS

1. Invitation to 14th Annual City of Brantford Mayor's Levy and Open House to be held on Friday, January 1, 2010 at the Armouries, Brant Avenue.

2. Notice of Upcoming Meetings:

- a. Grand River Bridge Opening – Wednesday, January 6 at 11:00 a.m. A light lunch will follow at the Fire Administration Building.
- b. In Camera Council Meeting re: C.A.O. Recruitment – Monday, January 18 at 7:00 p.m. at the Burford Library.

IN CAMERA

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That Council go in camera to discuss property negotiations and personal information about identifiable individuals.

. Carried

In Camera at 9:00 p.m.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated December 15, 2009.

Open Session at 9:25 p.m., on motion of Councillors Gatward and Coleman.

CORPORATE DEVELOPMENT

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the In Camera report of the Corporate Development Committee from its December 7, 2009 meeting be adopted.

. Carried

PUBLIC WORKS

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That Recommendations 6 and 7 of the Public Works Committee from its December 8, 2009 meeting be adopted, as follows:

6. Whereas the County of Brant and the property owner have been unable to agree to terms of compensation regarding the construction of three groundwater monitoring wells (OW95/11, MW1/2001 & MW2/2001);

And whereas the property owner has expressed an interest in having the wells removed from the property if a satisfactory agreement is not reached and there is an alternative to maintaining the wells on the property;

Be it hereby resolved that the Water Division Manager be directed to contact the property owner to arrange access to decommission the three monitoring wells and to construct three new wells on County property;

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And that the cost of the project, estimated to be \$25,000, be funded from Water Reserves.

7. That the outstanding amounts for water and wastewater services outlined in the In Camera report, PW-09-132 be paid and should the property owner not comply within 30 days of written notice, collection procedures be implemented according to County of Brant policies and practices, which could include termination of service.

. Carried

BY-LAWS

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

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

- By-law Number 202-09 to authorize an agreement with AECOM Canada Ltd. for Professional Consulting Services for improvements to Big Creek Road and Pauline Johnson Road.
- By-law Number 203-09 to permanently close and sell Part of Sunset Drive, Plan 577, former Town of Paris.
- By-law Number 204-09 to appoint the Fire Chief as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 205-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

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

- By-law Number 202-09 to authorize an agreement with AECOM Canada Ltd. for Professional Consulting Services for improvements to Big Creek Road and Pauline Johnson Road.
- By-law Number 203-09 to permanently close and sell Part of Sunset Drive, Plan 577, former Town of Paris.
- By-law Number 204-09 to appoint the Fire Chief as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 205-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

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

- By-law Number 202-09 to authorize an agreement with AECOM Canada Ltd. for Professional Consulting Services for improvements to Big Creek Road and Pauline Johnson Road.
- By-law Number 203-09 to permanently close and sell Part of Sunset Drive, Plan 577, former Town of Paris.

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- By-law Number 204-09 to appoint the Fire Chief as the Public Access Defibrillation (PAD) Program Coordinator.
- By-law Number 205-09 to confirm the proceedings of Council.

. Carried

NEXT MEETING

Mayor Eddy extended best wishes to the members of Council and staff for Christmas, New Year's and the start of a new decade. The meeting adjourned at 9:30 p.m. to meet again on **Tuesday, January 5, 2010 at 7:00 p.m.** in the Council Chambers.

Mayor

Date Minutes Approved

Clerk