

THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL

REGULAR COUNCIL MEETING

HELD WEDNESDAY, FEBRUARY 2, 2005 at 7:00 P.M.

MINUTES

Present:	Mayor	D. Robinson
	Councillor	D. Adams
	Councillor	K. Dixon
	Councillor	J. Gilchrist
	Councillor	J. Johnson
		and
	CAO/Clerk-Treasurer	G. Eaton
Fire Chief/Director of Parks & Recreation		B. Leduc
Public Works Supervisor		T. Hunt
Deputy Clerk		C. Vankoughnett

Mayor Robinson called the meeting to order at 7:00 p.m.

1. DECLARATIONS OF INTEREST

Councillor Adams declared a conflict of interest with items 4.i) and 6.ii)a).

2. ADOPTION OF MINUTES

i) Minutes of the regular meeting of Council on January 12, 2005.
Resolution No. 2005/13 Dixon/Johnson

THAT the minutes of the regular meeting of Council held on January 12, 2005
be adopted as circulated. "Carried"

3. DELEGATIONS AND PETITIONS

i) Councillor Adams declared a conflict of interest regarding the following
and removed himself from the Council Chambers.
Larry Douglas was present and approached Council regarding a letter he
had forwarded to them regarding road allowance locations in the
Oakridge Road area which is further described in Paul Forth's letter.
Council questioned whether the CAO has a copy of the said letter and
verification noted he did.

4. UNFINISHED BUSINESS AND NEW BUSINESS

i) By-law 99-34 for Part Lots 7 & 8, Concession 5. (Adams)
Councillor Adams declared a conflict of interest and removed himself from
the Council Chambers.

The CAO noted that the response to his letter had been received and the proponent did not indicate compliance with dimensions set out in the rezoning.

Council expressed concerns regarding using the dimensions supplied through the aerial photo and noted that perhaps a ground check needs to be completed.

The Municipal planner, John Jackson was present and noted that the aerial photo is presently going through an ortho rectification process which will, when completed, show accurate dimensions.

Council requested that this matter be deferred until the Committee meeting of March 9, 2005 in order to receive and review the ortho rectification of this photograph.

ii) Don Lockhart.

Re: Proposed increase in cleaning fees.

Resolution No. 2005/14

Johnson/Dixon

THAT the Council for the Corporation of the Municipality of McDougall accept the \$6.00 per month increase in the municipal office and garage cleaning fees as submitted by Don Lockhart and attached hereto.

“Carried”

iii) Correspondence from R. Holloway & D. Chantler, Parry Sound Condominium Corporation.

Re: Requesting approval to release the funds from the Septic Reserve fund held by the Canadian Bank of Commerce.

Resolution No. 2005/15

Dixon/Johnson

WHEREAS the Parry Sound Condominium Corporation No. Five has replaced the sewage pumps and piping with regards to the Septic System which services the Bayhill Condominiums; and

WHEREAS the Septic Reserve Agreement states that the approval of Council and the Board of Directors is required to release the funds from the Septic Reserve account held by the Canadian Bank of Commerce;

NOW THEREFORE BE IT RESOLVED that the Council for the Corporation of the Municipality of McDougall approve the release of funds from the Septic Reserves in the amount of \$5,234.45 which represents the invoice submitted by M. C. Electric for the replacement of sewage pumps and piping.

“Carried”

5. **COMMUNICATIONS**

Nil.

6. **ADOPTION OF MINUTES OF COMMITTEE MEETINGS**

i) Minutes of the General Committee meeting held January 26, 2005.

Resolution No. 2005/16

Johnson/Dixon

THAT the minutes of the General Committee meeting held on January 26, 2005, be adopted as circulated. "Carried"

ii) **Decisions arising from General Committee meeting of January 26, 2005.**

a) Ken & Trudy Weeks.

Re: Request to purchase shore road allowance described as Parts 2, 3 & 4 on Plan 42R-13072 and Part 2 lying in front of Concession A, Part Lot 16.

Councillor Adams declared a conflict of interest and removed himself from the Council Chambers.

Resolution No. 2005/17

Dixon/Johnson

THAT the Council of the Municipality of McDougall approve in principle the application by Ken and Trudy Weeks to close and convey the original Shore Road Allowance in front of Concession A, Part Lot 16 and Parts 2, 3 & 4 on Plan 42R-13072 subject to all costs, the submission of a survey, and final approval of Council; and

THAT the subject Shore Road Allowance be declared surplus to the Municipality's needs, pursuant to Section 268(3)(a) of the Municipal Act S.O., 2001, ch.25. "Carried"

b) Application from Delbert Plantt for Use of Road Allowance.

Resolution No. 2005/18

Dixon/Johnson

THAT the Council for the Corporation of the Municipality of McDougall approves the application submitted by Delbert Plantt for the use of undeveloped Municipal owned road allowance, providing that the said applicant enter into the required agreement.

The CAO noted that he received a call from Eric Johnson who was concerned with his well and the proposed blasting and further requested that Mr. Plantt hire a qualified blaster with insurance.

The CAO also noted that this resolution would allow Mr. Plantt to proceed and to enter into the required agreement, the other issue is the approval of temporary use of the road allowance. Council expressed concerns with the temporary use indicating that the Municipality will have no guarantees that the required agreement will be adhered to.

Council requested clarification that the Municipality does not have a clear-cut by-law. The CAO responded that it does not.

Mayor Robinson left the chair position and cautioned Council about moving forward until the required agreement is in place.

Mayor Robinson then resumed the position of chair.

Councillor Gilchrist requested a recorded vote:

Yea: Cllr. Johnson and Cllr. Dixon.

Nay: Cllr. Adams, Mayor Robinson and Cllr. Gilchrist.

The resolution was defeated.

c) Accounts Payable

Resolution No. 2005/19 Johnson/Dixon

THAT the attached lists of Accounts Payable consisting of computer cheque registers AP08854/55 and AP08856 totalling \$285,768.69 and payroll registers in the amount of \$36,664.66 be approved for payment.
"Carried"

Councillor Adams questioned a payable to Bob Hughes and requested clarification. The CAO noted this payment was for a report on bridges within the Municipality which could be part of a future application to COMRIF.

Councillor Adams wanted to know why we did not make an application to COMRIF for bridges. The CAO reported that Council set the priorities in a previous meeting based on a CAO report.

The CAO noted that bridges were not included in the first round of funding. In order to clarify the funding requirement of COMRIF, Council requested this inquiry be forwarded to the next committee meeting.

d) MultiSport Canada.

Re: Requesting use of North Road and Burnside Bridge Road for portions of the cycling course of the Parry Sound Triathlon to be held August 27th & 28th, 2005.

Resolution No. 2005/20 Dixon/Johnson

THAT the Council for the Corporation of the Municipality of McDougall approve the request submitted by MultiSport Canada for the use of North Road and Burnside Bridge road for portions of the cycling course of the Parry Sound Triathlon to be held August 27th & 28th, 2005; and
THAT MultiSport Canada provide proper traffic control, signage and that the Municipality of McDougall not be held liable.
"Carried"

e) Piddington & Newman.

Re: Application to purchase road allowance known as Part Lot 29, Concession 7, Part 1 on Proof of Plan submitted.

Resolution No. 2005/21 Johnson/Dixon

THAT the Council of the Municipality of McDougall approve in principle the application by Leemore Johnston to purchase the original Road Allowance in front of Concession 7, Part Lot 29 subject to all costs, the submission of a survey, and final approval of Council; and
THAT the subject Road Allowance be declared surplus to the Municipality's needs, pursuant to Section 268(3)(a) of the Municipal Act S.O., 2001, ch.25.
"Carried"

- f) West Parry Sound Health Centre.
Re: Requesting support of the commemorative program on the opening of the new Health Centre.

Resolution No.2005/22 Johnson/Dixon

THAT the Corporation of the Municipality of McDougall approve the request of the new West Parry Sound Health Centre to purchase a salutation ¼ page ad in support of the Commemorative program on the opening of the new Health Centre.

“Carried”

- g) Jerry Ouellette, MPP Oshawa.
Re: Requesting support of the Elected Officials Immunity Act 2004.

Resolution No. 2005/23

THAT the Corporation of the Municipality of McDougall support the Elected Officials Immunity Act 2004 as requested by the Honourable Jerry J. Ouellette, M.P.P. Oshawa. “Defeated”

- h) Use of Trail in Lots 11, 12 and Part of Lot 13, Concession 1, Municipality of McDougall (McDougall and Foley Junction Road).
Rsl.No.2005/24.

Resolution No. 2005/24 Dixon/Johnson

WHEREAS the Council for the Corporation of the Municipality of McDougall after a thorough search of Municipal records has found no record that the subject disputed area known as Lots 11, 12 and Part of Lot 13, Concession 1, was ever a Municipal road;

NOW THEREFORE BE IT RESOLVED that the Municipality of McDougall has no authority or interest in establishing this area as a Municipal road.

“Carried”

- i) Assessment on Office Computer Systems.

Resolution No. 2005/25 Dixon/Johnson

THAT the Corporation of the Municipality of McDougall accept the quote submitted by D. Hildebrandt for the assessment of the office computer system in the amount of \$1,132.50 as per the attached.

“Carried”

7. REPORT OF CAO

- i) Report No. 2005-04
Re: Tim Horton Camp appeal.
The CAO reviewed the above report with Council and noted the loss of tax base. He requested direction as to whether to proceed with a legal opinion in regards to appealing MPAC’s decision.
The Committee directed the CAO to request a legal opinion.

- ii) The CAO reported on a four hour water seminar he and the Public Works Supervisor attended. He noted that one of the guest speakers was a member of the Walkerton panel inquiry who reviewed with them some of the concerns that have surfaced because of the Walkerton crisis. They also discussed the relationship between water operators and the Ministry of Environment.
- iii) Council questioned whether the survey of the proposed water filtration site, had been received. Mayor Robinson noted that the survey should be in the office by the end of this week and that this has not formally been presented to Council.
- iv) The following resolution was presented to Council:
Resolution No. 2005/26 Dixon/Johnson
THAT the Corporation of the Municipality of McDougall accept the draft Environment Assessment (EA) for the McDougall Landfill Site submitted by Conestoga Rovers and Associates and that a Public meeting be scheduled for February 19th, 2005 from 10:00 a.m. to 2 p.m. at which time the draft EA report and update of the compliance plan will be presented to the Public. “Carried”

8. NOTICE OF MOTIONS

Nil.

9. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN

Nil.

10. BYLAWS

- i) By-Law No. 2005-05
Re: Being a by-law to provide for an interim tax levy.
Read a First, Second and Third time, Passed, Signed and Sealed this 2nd day of February, 2005.
- ii) By-Law No. 2005-06
Re: Being a By-law to appoint Municipal By-law Enforcement Officers/Animal Control Officers.
Council inquired as to whether all criteria regarding the position has been met. The CAO responded that it has.
Read a First, Second and Third time, Passed, Signed and Sealed this 2nd day of February, 2005.

