

THE CORPORATION OF THE TOWNSHIP OF BROCK

MUNICIPAL ADMINISTRATION BUILDING

COMMITTEE OF THE WHOLE

SESSION FIVE

MONDAY, MARCH 26, 2007

The Fifth Meeting of the Committee of the Whole of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, March 26, 2007, in the Municipal Administration Building.

Members present:	Mayor:	Larry O'Connor
	Regional Councillor:	John Grant
	Councillors:	Mike Manchester
		Harold Lodwick
		Anthony Woodruff
		David Marquis
		W.E. Ted Smith

Staff Members present:	Clerk-Administrator George S. Graham (recording the minutes)
	Deputy Clerk-Administrator Thomas G. Gettinby
	Clerk-Stenographer Susan Creighton

I. CALL TO ORDER

Mayor Larry O'Connor called the meeting to order at 10:00 a.m.

II. DECLARATION OF PECUNIARY INTEREST – N I L

III. CONFIRMATION OF MINUTES

- (1) 3rd meeting – March 12/07
- (2) 4th meeting – March 12/07

Resolution No. 1-5

MOVED BY John Grant that the minutes of the 3rd and 4th meetings of the Committee of the Whole as held on March 12, 2007, be adopted a typed and circulated.

MOTION CARRIED

IV. HEARING OF DEPUTATIONS/PUBLIC HEARINGS AS AUTHORIZED BY STATUTE OR COUNCIL

- (1) **10:00 a.m.** – Municipal Property Assessment Corporation, Mike Porporo – general overview of assessment/basic local statistics

Mr. Mike Porporo, Municipal Relations Representative for the Municipal Property Assessment Corporation, attended to present to the Committee a general overview of assessment and basic local statistics. Mr. Porporo's presentation was as follows:

Presentation Topics

Local Activities

Looking Ahead

- Post Enumeration Review
- Ombudsman
- Municipal Consultation

Township of Brock Local Activities

- Number of Properties and Total Assessed Value
- Supplementary & Omitted Assessments
- Requests for Reconsideration
- Appeals

The presentation contained a graph depicting the number of properties and total assessed value for the years 2004-2007. In 2004 the number of properties was 5,628 with an

assessed value of \$1.04 billion. In 2007 the number of properties rose to 5,702 with an assessed value of \$1.22 billion.

A graph of supplementary and omitted assessments was also included.

Requests for Reconsideration (RfR)

	2004	2005*	2006
Number of Properties	5,628	5,640	5,696
Roll Return	1,049,688,300	1,057,987,600	1,220,722,260
RFR's Filed	228 (4.06%)	81 (1.44%)	260 (4.57%)
Adjustment as a percent of the roll return	0.65%	0.20%	0.51%

*Represents Non-Assessment Year

Township of Brock

2006 Assessment Review Board (ARB) Appeals

- Number of properties in municipality 5,696
- 2005 roll CVA 2006 tax year \$1,220,722.260
- Number of complaints filed 84 (1.48%)

Post-Enumeration Review

- MPAC is currently conducting a post-enumeration review in an effort to improve the manner in which enumerations are presently conducted.
- We will be meeting with numerous municipal and association stakeholders to ensure that we obtain a full range of feedback and input.
- We will have more information on these local meetings in the upcoming weeks.

Ombudsman's Report

- Ontario Ombudsman released report on March 28, 2006
- Report focused on MPAC's practices and processes
- 20 of the 22 recommendations are MPAC's responsibility
- Recommendation 8 (confidentiality of MPAC products) and 21 (onus in assessment matters) are the responsibility of the Provincial Government.
- MPAC is committed to improving products and services for property owners and municipalities
- In 2006, MPAC implemented 10 of the 20 recommendations with existing resources
- A six-month progress report is posted on our web site at www.mpac.ca

Progress to Date

MPAC has introduced many improvements for property owners:

- Values that have been adjusted (RfR or ARB appeal) are being carried forward
- Greater weight is being given to the actual selling price of homes
- MPAC increased the number of free detailed property reports from 6 to 12 for comparison
- Property taxpayers are given the list of properties MPAC will use to explain the assessment at least seven days before the ARB hearing.
- Offers for settlement will now be made at least seven days prior to an ARB hearing.
- We give property taxpayers additional information about the assessed value of their property and how we arrived at it.
- We are improving our communications (new and enhance brochures, and improved Notice for 2006).
- Improve training and process controls.
- Mandatory audits to ensure work is accurate.

Municipal Consultations

- Doing as much as possible with existing resources
- Municipal feedback is key to how we move forward with further improvements
- Recommendations 11, (data collection) 15 and 20 (resolving challenged assessments) represent the largest financial investment
- Whether or not we establish a regular inspection cycle will be central to the municipal consultation process.

- The MPAC Board wants your input.

Provincial Review

- Two recommendations will be reviewed by the Provincial Government:
 - Recommendation 8 suggests that the Province review the confidentiality of MPAC's intellectual products, and
 - Recommendation 21 deals with the question of onus in assessment matters
- Both recommendations may have cost/resource implications that are outside our jurisdiction

Councillor Anthony Woodruff enquired as to the timeline for MPAC to implement the remaining Ombudsman recommendations and was advised there is no target date pending stakeholder consultations and due to resource implications.

Councillor Mike Manchester advised of concerns whereby RfR's were filed one year with the resident having to start the same process the following year, and is it the intent of MPAC to remedy this situation to which Mr. Porporo advised in the affirmative as MPAC has been criticized for this in the past.

Councillor Harold Lodwick advised that public perception of MPAC is that the sale of one house sets the assessment for the street and was advised that MPAC looks at area sales and the market to determine assessment and that they do not just assign a value. Staff are actually out and about and following up with matters brought to their attention.

Councillor David Marquis raised the issue of assessment distortions the example being shoreline residents and has there been any discussion to reflect a hybrid market value to reflect tax services? He was advised by Mr. Porporo that MPAC is provincially legislated and must follow set legislation which is currently market value assessment. Residents can always contact MPAC staff for assistance.

Councillor W.E. Ted Smith referenced the presentation slide entitled "Requests for Reconsideration" and enquired whether the percentage referenced indicates the percentage increase of a resident's taxes when an RfR is filed and was advised it does not reflect a tax increase to those having filed an RfR.

Councillor Smith enquired whether the recent Provincial budget will impact Brock from an assessment point of view and was advised that the next reassessment will be for the 2009 taxation year effective January 2008. The Province has mandated a 4 year assessment cycle with further detailed information being expected in the near future.

Regional Councillor John Grant enquired from where the resources will come for the balance of the conditions to be fulfilled by MPAC and was advised the answer to this question will be based on the stakeholder consultation meetings which are ongoing currently. Regional Councillor Grant commented that this sounds like another Provincial download, to which Mr. Porporo advised that nothing has been finalized yet in this regard.

Councillor Mike Manchester enquired as to the percentage rate of successful rfr's in Brock and was advised that this information will be provided.

Mayor Larry O'Connor enquired whether the success rates differ for RfR's as compared to ARB's and was advised that this information will also be provided. Mayor O'Connor commented that residents question whether it is worth the bother to file a RfR and was advised that the process is free with each application being reviewed on its own merits. Sales in the area are also a consideration, with MPAC being willing to contact and discuss the application with the resident, fixing errors if they are found.

Resolution No. 2-5

MOVED BY Harold Lodwick that we break for 5 minutes at 10:25 a.m.

MOTION CARRIED

Mayor Larry O'Connor reconvened the meeting at 10:33 a.m. with the same members of committee and staff in attendance.

- (2) **10:20 a.m.** – Julie Jamal – request for leniency re: tax arrears certificate – Lots 10 & 11, Plan 682

Mrs. Julie Jamal, attended before the Committee to request leniency with respect to the tax arrears certificate which has been filed against property located at Plan 682, Lots 10 & 11, and owned by her husband. Mrs. Jamal explained that Mr. Jamal is suffering from Alzheimer's Disease and as the result has been negligent in opening his mail. This situation has just recently been brought to her attention and due to the amount of taxes and penalty outstanding, she is requesting that the committee consider waiving the penalty.

Resolution No. 3-5

MOVED BY Harold Lodwick that the Committee of Whole have staff report on constituent's tax concerns as explained in deputation by Julie Jamal.

MOTION CARRIED

Mrs. Jamal was advised that the intent of the motion is for staff to review the situation and report back to the committee.

- (3) **10:30 a.m.** – Cria Pettingill Greenspoon – request for reduction of speed limit on Concession 4 (Brock) (refer to Communication #520/07 attached)

Cria Pettingill Greenspoon attended before the Committee to request that the speed limit along Concession 4 (B) between Simcoe Street and Sideroad 18 be reduced. Ms. Pettingill Greenspoon advised that her residence is located close to the road and she has dogs and children playing outside. As the result of the closure of Regional Road 13 between Simcoe Street and Sideroad 18, traffic has increased on concession 4 and will increase more as the result of cottage traffic. Ms. Pettingill Greenspoon advised that Councillor Harold Lodwick has suggested the erection of "Children Playing" signage which the municipality currently has in stock and could erect faster than the speed reduction process.

Resolution No. 4-5

MOVED BY W.E. Ted Smith whereas vehicle speed and traffic on Concession 4 between Sideroad 18 and Regional Road 2 has increased due to the closing of Regional Road #13 for bridge replacement and hill reduction, be it resolved that staff investigate the immediate placement of "Children Playing" signs and the feasibility of speed limit of 50 km/hr.

MOTION CARRIED

Councillor W.E. Ted Smith suggested that consideration be given to reducing the speed on concession 2 as the residents on this road are also likely experiencing increased traffic.

Councillor David Marquis advised his preference would be for the erection of the Children Playing signage and for staff to check to see that the detour signage is adequate. He expressed concern with respect to reducing the speed limit as requested, insofar as enforcing the speed limit.

Ms. Pettingill Greenspoon enquired as to the effectiveness of the Children Playing signage proposed and was advised that it will at least make drivers aware of children in the area. Ms. Pettingill Greenspoon advised that in her opinion the detour signage is adequate and she monitors it on a regular basis. She would still like to see the speed limited reduced as requested.

V. PETITIONS – N I L

VI. COMMUNICATIONS SUBMITTED TO COUNCIL

Group I – Receive & File

- 507 Durham Clerk's Department to Prime Minister Stephen Harper – Memorandum from Dr. Robert Kyle, Commissioner & Medical Officer of Health, Dated February 22, 2007 – re: City of Pickering Resolution

- 509 Durham Clerk's Department – Durham Trail Co-ordinating Committee (DTCC) Membership Appointments
- 510 Business Advisory Centre Durham – Summer Company & Business Plan Competition
- 511 Durham Clerk's Department – Durham Environmental Advisory Committee (DEAC) Membership Appointments
- 512 Durham Clerk's Department to Durham Region Federation of Agriculture – Durham Agricultural Advisory Committee (DAAC) Membership Appointments
- 513 Durham Clerk's Department to Ministry of the Environment – Environmental Site Assessment Procedure for Processing Requests to Use Non-Potable Standards, and the Reliance Letter
- 514 Central Lake Ontario Conservation - Conservation Ontario Comments regarding Ministry of Natural Resources Southern Ontario Land Resource Information System (SOLRIS) and Proposed Modelling and Scenario-based Approach for Identifying Natural Heritage Systems in Southern Ontario
- 516 Ministry of Agriculture, Food and Rural Affairs – enclosing copy of 2007 edition of Ontario's Rural Plan Update – *Strong Rural Communities: Working Together for Success...and Getting Results*
- 517 Ontario Power Generation – enclosing copy of semi-annual performance report “*It's All About Performance*”
- 518 Toronto Real Estate Board – *MarketWatch* – February 2007; and *Commercial Realty Watch* – February 2007
- 519 Ministry of Municipal Affairs and Housing – enclosing brochure *Building Better Communities: Highlights of what's new in the Planning Act*
- 522 GTA/90 Healthcare Alliance – New poll confirms hospital funding will be key issue in vote-rich and booming GTA/905 regions
- 527 AMO/LAS – Electricity and Natural e-newsFLASHes (January issues)
- 528 Durham Economic Prosperity Initiative – enclosing final report on the Durham Economic Prosperity Conference – October 11/06
- 535 Canadian Nuclear Safety Commission – Notice of Public Hearing – application by SRB Technologies (Canada) Inc. for amendment to its Nuclear Substance Processing Facility Possession Licence – Pembroke, Ontario
- 536 Canadian Nuclear Safety Commission – Notice of Public Hearing – application by Rio Algom Limited re: Stanleigh Mine, City of Elliot Lake, Ontario
- 537 Infrastructure Ontario – infrastructure development solutions
- 538 Barry Devolin, MP, Haliburton-Kawartha Lakes-Brock – 2007-2008 Federal Budget
- 539 Ontario Tourism Marketing Partnership Corporation – Coming to a screen near you – OTMPC's new domestic campaign goes live today
- 551 Laurie Scott, M.P.P., Haliburton-Victoria-Brock – response to letter re: Joint Emergency Preparedness Program
- 553 Attorney General Michael Bryant – response to letter regarding court security funding
- 555 Federation of Canadian Municipalities – Members' Advisory – *Budget Delivers Infrastructure Investments But Not Long-Term Solutions*

- 556 The Durham District School Board – News Release – *CUPE Chooses Strike Over Negotiations and Arbitration*
- 558 Ministry of Tourism – Celebrate Ontario Festival and Event Enhancement Initiative
- 560 Durham Region – *Council Highlights* – March 7, 2007
- 561 South Georgian Bay Lake Simcoe Watershed Region – *Source Water Protection* – Winter 2007

Resolution No. 5-5

MOVED BY Mike Manchester that communications no. 507, 509, 510, 511, 512, 513, 514, 516, 517, 518, 519, 522, 527, 528, 535, 536, 537, 538, 539, 551, 553, 555, 556, 558, 560 and 561 be received for the information of the Committee of the Whole and filed.

MOTION CARRIED

Group II – Communications Submitted for Action

- 508 Patrick J. Fahey – Godfrey/Perry sale to Ellis – B150 Durham Road 23, R.R. 1, Beaverton, Deletion of Agreement on Title

Resolution No. 6-5

MOVED BY W.E. Ted Smith that the Mayor and Clerk-Administrator be and they are hereby authorized to execute release to Thomas Roy Godfrey, Stephanie Leona Jane Godfrey and to Peter John Ellis and Carolyn Elizabeth Ellis with respect to an agreement dated the 8th day of July, 1996, between the Corporation of the Township of Brock and Thomas Roy Godfrey and Stephanie Leona Jane Godfrey regarding a two family dwelling.

MOTION CARRIED

- 533 Minister Responsible for Seniors – invitation to participate in 2007 Senior of the Year Awards
- 544 Joyce Marshall, Committee member (YWCA) – Women of Distinction – Nominations are Open

Resolution No. 7-5

MOVED BY Harold Lodwick that the Committee of the Whole receive communications 533 and 544 for information and file.

MOTION CARRIED

VII. GENERAL ITEMS AND ENQUIRIES

- (1) Councillor Harold Lodwick – Beaverton Lions Club Dam Project

Councillor Harold Lodwick advised that he has recently spoken with members of the Beaverton Lions Club with respect to a project involving the dam in Beaverton, and has the approval of council been given in this regard, subject of course to the appropriate approvals from the SLSCA, and Oceans and Fisheries etc. Mayor O'Connor advised that council has not been approached in this regard and that a formal presentation in this regard should be made to council/committee.

Regional Councillor John Grant advised that the Beaverton Lions Club has spoken to him in this regard as well, in that this and a project in the park are possible projects under consideration by the Club.

- (2) Councillor Harold Lodwick – Brock Landfill

Councillor Harold Lodwick referenced a comment made previously by Mayor O'Connor indicating a good deal for Durham Region insofar as remedial works at the Brock Landfill. Councillor Lodwick enquired as to the Mayor's agenda when he was present at the protest at the landfill this weekend past. Mayor O'Connor responded by advising that

the 850,000 tonne figure never went to regional council for consideration in that it was amended to 126,000 tonnes at the committee level and that a technical study is still required. His attendance at Saturday's protest was not in support of BAG or in disagreement with Durham Region, but a way to deal with the situation by ensuring the public is obtaining accurate information. He reiterated Brock Council's support for clean up of the landfill site followed by closure thereof.

Councillor Lodwick requested comment on the five potential energy from waste sites and was advised by Mayor O'Connor that this information was leaked to the press as it is not to be dealt with by Durham Region until this week, however it is a relief to see that none of the potential sites are located in Brock Township and that regardless of whether the site hosts a landfill or incinerator, there will be challenges and it is important for the EA process to continue in a timely fashion in order that the energy from waste project is up and running by 2010.

(3) Councillor Mike Manchester – Road Conditions

Councillor Mike Manchester advised he is starting to receive calls pertaining to the condition of the local road system and was advised that weather permitting, staff will be out with the graders.

(4) Regional Councillor John Grant – Brock Landfill Protest

Regional Councillor John Grant stressed the need for the remedial works required at the Brock landfill and subsequent closure, noting further that he was glad the police were present during Saturday's protest to ensure residents having access to the landfill.

(5) Regional Councillor John Grant – Sunderland Maple Syrup Festival

Regional Councillor John Grant reminded those present that the Sunderland Maple Syrup Festival will take place this weekend and that he hopes to see everyone there. He provided the committee and staff present with a sample of maple syrup that he has produced.

(6) Public Questions and Clarification

Mr. Chris Wilson enquired of Mayor O'Connor what misinformation the BAG Committee was spreading and was advised that the 850,000 tonne figure continues to be used in error by BAG. Mr. Wilson advised he will pass this information on to members of BAG.

VIII. ADJOURNMENT

Resolution No. 8-5

MOVED BY Harold Lodwick that we do now adjourn at 11:10 a.m.

MOTION CARRIED

CHAIR

SECRETARY