

THE CORPORATION OF THE TOWNSHIP OF BROCK

MUNICIPAL ADMINISTRATION BUILDING

COUNCIL

SESSION ONE

MONDAY, JANUARY 16, 2006

The First Meeting of the Municipal Council of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, January 16, 2006, in the Municipal Administration Building Council Chamber.

Members present:	Mayor:	Keith Shier
	Regional Councillor:	Larry O'Connor
	Councillors:	Karen Windatt
		John Grant
		Reg Starr
		Debbie Bath
		Allan Simpson

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 Keith Shier called the meeting to order at 10:11 a.m.

II. MOMENT OF MEDITATION/PERSONAL REFLECTION

Council paused for a moment of meditation/personal reflection.

III. DECLARATION OF PECUNIARY INTEREST

Regional Councillor Larry O'Connor declared a pecuniary interest with respect to communication number 44 under Action Communications as it mentions GM and he is employed by GM. He refrained from taking part in any discussions and/or voting in this regard.

Councillor John Grant declared a pecuniary interest with respect to communication number 52 under Action Communications as he owns property on John Street. He refrained from taking part in any discussions and/or voting in this regard.

IV. CONFIRMATION OF MINUTES

- (1) 20th council meeting – November 28/05
- (2) 21st council meeting – December 12/05
- (3) 22nd council meeting – December 19/05

Regional Councillor Larry O'Connor advised that it has been noted by Mr. Don Shearer that questions asked by Mayor Keith Shier and Councillor Karen Windatt at the December 12, 2005 council meeting are missing from the minutes. The missing information was noted by Regional Councillor O'Connor, as provided by Mr. Shearer. Mayor Keith Shier advised that the minutes would be amended accordingly if required.

Resolution No. 1-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that the minutes of the 20th, 21st and 22nd council meetings as held on November 28, December 12 and December 19, 2005, respectively, be taken as read, confirmed and signed by the Mayor and Clerk.

MOTION CARRIED

(Note: It was determined that the alleged missing information, was in fact contained within the meeting minutes.)

V. HEARING OF DEPUTATIONS – N I L

VI. PETITIONS – N I LVII. COMMUNICATIONS SUBMITTED TO COUNCILGroup I – Receive & File

- 2684 Federation of Canadian Municipalities – Members’ Advisory – *First FCM Technical Mission to Sri Lanka in Progress As Tsunami Anniversary Approaches*
- 2686 Laurie Scott, M.P.P., Haliburton-Victoria-Brock – response to letters re: OMERS – Bill 206
- 2695 Town of Ajax to Durham Clerk’s Department – Endorsement of Region of Durham Joint Finance and Administration, and Health and Social Services Committees – Resolution re: Services Available at the Ajax Pickering Hospital
- 2704 Canadian Nuclear Safety Commission – Notice of Public Hearing – application by Canadian Light Source Inc. (CLS)
- 2705 Canadian Nuclear Safety Commission – Notice of Public Hearing – New Brunswick Power Nuclear Corporation
- 2706 Durham Community Legal Clinic – *DCLC Newsletter* – December 1, 2005
- 2711 Barry Devolin, MP, Haliburton-Kawartha Lakes-Brock – Young Citizens Committee for Democratic Renewal
- 2715 Town of Ajax to Minister of Health and Long-Term Care – Review of Underserviced Designation for Physicians in the Town of Ajax
- 2716 Ministry of the Environment – introduction of *Clean Water Act, 2005*

Councillor Debbie Bath commented that there are a number of communications on the agenda pertaining to the Clean Water Act, all of which supply basically the same information. She enquired of staff whether the municipality will be impacted financially or otherwise by this legislation or whether implementation will be a regional responsibility.

The Clerk-Administrator advised that the municipality will be impacted in this regard as Source Water Protection is part of this Act and a matter forming part of the Official Plan Review. There will be financial implications, however there has been talk of provincial funding becoming available.

Councillor Bath enquired whether a staff report will be forthcoming in this regard and was advised by the Clerk-Administrator that council will be apprised of any application for funding submitted.

Regional Councillor Larry O’Connor advised that the greatest impact to the municipality will be through the Region of Durham and Conservation Authorities and that as the result of this Act there will be extensive accountability.

The Deputy Clerk-Administrator advised that the municipal planning consultant is preparing a report as part of the municipality’s presentation at the Regional Official Plan Review Public Meeting which will be held on January 31, 2006 and that this report will recommend restricting development in well head and aquifer areas.

Mayor Keith Shier commented that members of the LSRCA are quite concerned as this legislation may restrict farmers in the marsh from drawing water from head waters and small streams.

Councillor Debbie Bath expressed concern insofar as costs to the municipality and the taxpayers and whether funding will become available.

Mayor Shier commented that this is just another example of Provincial downloading.

- 2717 AMCTO – *AMCTO Express* – December 12, 2005 – Legislative Update

- 2726 Town of Whitby to Premier Dalton McGuinty – Highway 407 East Completion Environmental Assessment
- 2727 Durham Trails Coordinating Committee – Agenda – December 1/05
- 2730 Office of the Leader of the Official Opposition – Bill 37 – *The Disrespect for Taxpayers Act*
- 2735 Town of Ajax – Review of Underserviced Designation for Physicians in the Town of Ajax
- 2736 Durham Clerk’s Department to Minister of Agriculture, Food and Rural Affairs – Reimbursement for Livestock Killed by Fishers
- 2737 Durham Clerk’s Department to Premier Dalton McGuinty – The Provincial Municipal Fiscal Gap
- 2738 Durham Clerk’s Department to Prime Minister Paul Martin – Wholesale Gas Sector
- 2740 Ministry of Municipal Affairs and Housing – announcing the *Stronger City of Toronto for a Stronger Ontario Act, 2005*
- 2742 Stiver Vale – Brock Landfill Site – 17th Sideroad of Brock

Regional Councillor Larry O’Connor requested that a copy of communication 2742 be forwarded to the Durham Region Works Department. The Clerk-Administrator acknowledged this request, commenting further that he is not sure that the writer of the correspondence understands that Brock does not support closure of the Brock Landfill site.

- 2746 Ministry of Transportation to Durham Clerk’s Department – response to letter re: 407 East Environmental Assessment
- 2747 The Regional Municipality of Halton – Niagara to GTA Corridor, Environmental Assessment Terms of Reference, Submission to the Ministry of the Environment
- 2754 Municipality of Clarington to Durham Clerk’s Department – Information Report – Hybrid Vehicles
- 2759 Town of Ajax to Prime Minister Paul Martin and Premier Dalton McGuinty – Endorsement of Region of Durham Joint Finance and Administration, and Health and Social Services Committees Resolution re: Services Available at the Ajax Pickering Hospital
- 2761 Municipality of Clarington to Minister of Transportation – Bill 169, an *Act to Amend the Highway Traffic Act*
- 2768 Town of Markham – enclosing Town of Markham’s 2004 Annual Report
- 2776 Durham Clerk’s Department to Prime Minister Paul Martin – Physician Recruitment

Regional Councillor O’Connor advised he will be submitting a motion under “Other” with respect to communication number 2776.

- 2781 Federation of Canadian Municipalities – Election Alert – *Make Local Issues Matter in This Election Campaign*
- 2787 Toronto Real Estate Board – *MarketWatch* – November 2005; and *Commercial Realty Watch* – November 2005
- 2788 Durham Clerk’s Department to Board of Rouge Valley Health System – Rouge Valley Health System – Proposal to Temporarily Transfer Obstetrical, Pediatric and Related Services from Ajax-Pickering Site

- 2793 The Premier of Ontario – response to letter re: Bill 206, the *Ontario Municipal Employees Retirement System Act, 2005*
- 2802 Canada Post – response to letter re: campaign initiated by the Canadian Union of Postal Workers
- 2803 AMO – Alert re: *Ministry Announces Funding for Land Ambulance and Long-Term Care Equipment*
- 2806 AMO – Alert re: *AMO Report to Members on December MOU Meeting*
- 2807 AMO – Alert re: *December Federal Gas Tax Implementation Update*
- 2808 AMO – Alert re: *MMAH Introduces Proposed Amendments to Planning Act and the Ontario Municipal Board*
- 2809 AMO – Alert re: *OMERS – Bill 206 Receives Second Reading and Heads Back to Standing Committee*
- 2810 AMO – *AMO Fact Sheet - \$3 Billion Gap – December 2005*
- 2813 Greater Toronto Marketing Alliance – Greater Toronto Area Hotnews – November/December 2005
- 2814 AMO – Alert re: *Bill 123 – The Transparency in Public Matters Act Recommended for Third Reading*
- 2817 AMO – Alert re: *Province to amend Taxpayer Protection Act to exempt municipal governments – opens door to new revenue tools*

Councillor Debbie Bath requested clarification insofar as communication number 2817, and was advised by the Clerk-Administrator that this is in conjunction with the new City of Toronto Act and the Province's attempt to provide municipalities with new revenue tools, although these revenue tools currently remain a mystery, but could be in the form of licensing/taxing.

Councillor Bath commented that it is her fear that this amendment will open the door to additional items on which the public will be taxed, to which the Clerk-Administrator agreed that this could be the case.

- 2818 AMO – For Your Information – *Consultations set for December 8th on Stewardship Ontario's Funding Formula*
- 2819 AMO – Alert re: *\$51 Million in Funding to Municipalities for Source Water Protection*
- 2823 AMO – Alert re: *Government Introduces Source Protection Bill*

Councillor Allan Simpson noted the various pieces of correspondence on the Safe Water Act, and requested staff to organize this information for easier reference.

- 2824 AMO – Alert re: *Provincial Auditor Releases Report on Land Ambulance*
- 1 AMO – letter from Roger Anderson, President – membership
- 6 City of Brampton to Minister of Transportation – Mississauga Traffic Safety Council Recommendation TSC-0132-2005 respecting Bill 169 – *Transportation Statute Law Amendment Act, 2005*
- 7 AMO – Alert re: *AMO's Proposal for Integrated Provincial Waste Management Strategy Now Online*
- 8 AMO – End of Session Status on Legislation Relating to Municipal Governments
- 15 LSRCA – 2004 Toxic Screening Program Results

- 17 Toronto – Policy and Finance Committee Report 10, Clause 1 – Toronto Drug Strategy Report
- 18 Ministry of Transportation – response to letter re: school crossing guards and the legislative changes in Bill 169

Councillor Debbie Bath commented that the information contained within communication number 18 is good news as all traffic will have to stop and remain stopped until the children and crossing guard are off the road.

- 19 Scugog Chamber of Commerce to Premier Dalton McGuinty – GTA/905 Deserves Fair Share of Health Funding
- 21 Ministry of the Environment – Funding available for Technical Studies on Municipal Residential Drinking-Water Systems
- 22 Ministry of Municipal Affairs and Housing – Bill 206: *Ontario Municipal Employees Retirement System Act*

Mayor Keith Shier enquired whether further information is available with respect to the proposed changes to OMERS and was advised by the Clerk-Administrator that the dollar impact is still unknown at this time.

- 23 National Round Table on the Environment and the Economy – *review* – Fall 2005
- 24 Lakeridge Health to Regional Councillor Larry O'Connor – congratulations on successful application for a community health centre in Brock Township
- 29 Durham Tourism – *Tourism Update* – January 2006
- 30 AMCTO – *AMCTO Express* – January 3, 2006
- 32 Township of Brock Committee of Adjustment – Notice of No Appeal Against Decision of Committee of Adjustment – File A-15/05 - Tocher
- 33 Township of Brock Committee of Adjustment – Notice of No Appeal Against Decision of Committee of Adjustment – File A-16/05 – Koeslag and Bullock
- 45 City of Oshawa to Town of Ajax – Direct Election of Regional Chair
- 57 Federation of Canadian Municipalities – Election Alert – *Ask Your Candidates to Take the National Election Check-Up on Municipal Issues*
- 61 The Order of Ontario – advising of extension to deadline for submitting a nomination

Regional Councillor Larry O'Connor enquired whether Brock has ever nominated anyone for The Order of Ontario and requested that this communication be referred to the next meeting of the Administration & Personnel Committee for further discussion.

- 71 Transport Canada – *Transport Dangerous Goods Newsletter* – Winter 2005-2006 (NR)
- 72 Ministry of Agriculture, Food and Rural Affairs – Information about Nutrient Management – Notice to Municipalities
- 74 Centre for Land and Water Stewardship/University of Guelph – *Caring for Your Land – A Stewardship Handbook for Oak Ridges Moraine Landowners* (NR)

Resolution No. 2-1

MOVED BY Larry O'Connor and SECONDED BY John Grant that communications numbered 2684, 2686, 2695, 2704, 2705, 2706, 2711, 2715, 2716, 2717, 2726, 2727, 2730, 2735, 2736, 2737, 2738, 2740, 2742, 2746, 2747, 2754, 2759, 2761, 2768, 2776, 2781, 2787, 2788, 2793, 2802, 2803, 2806, 2807, 2808, 2809, 2810, 2813, 2814, 2817, 2818, 2819, 2823, 2824, 1, 6, 7, 8, 15, 17, 18, 19, 21, 22, 23, 24, 29, 30, 32, 33, 45, 57, 61, 71, 72 and 74 be received for the information of council and filed.

MOTION CARRIEDGroup II – Communications Referred to CommitteePlanning Committee

- 2753 Herb Goldie – Cannington Draft Official Urban Area Plan 2005 – the “Goldie Plan”
- 2769 Durham Clerk’s Department – Building Permit Activity – January to September, 2005
- 2770 Durham Clerk’s Department to Dr. Robert Elgie, Chair, Greenbelt Council – Durham Agricultural Advisory Committee Resolution – Greenbelt Map
- 2771 Durham Clerk’s Department – Proposed Changes to Planning Application Processing Fees
- 2773 Durham Planning Department – Regional Official Plan Review – Proposed Amendment – Transportation System

Resolution No. 3-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that communications numbered 2753, 2769, 2770, 2771 and 2773 be referred to the next regular meeting of the Planning Committee to be held on January 23, 2006.

MOTION CARRIEDProtection to Persons & Property

- 2758 Ministry of Agriculture, Food and Rural Affairs – announcing revised Minimum Distance Separation (MDS) formulae
- 2822 T.G. Gettinby – Report 2006-PP-01 – Bill 56
- 43 Township of Brock Building Division – Building Permit Summary Report – Quarterly Report – October – December 2005
- 65 Sharon and Jim McCann – concerns re: condition of vacant Cannington Chrysler building
- 78 J.E. Holder – Report 2006-PP-01 – Animal Shelter 4th Quarterly Report – October – December 2005
- 79 J.E. Holder – Report 2006-PP-02 – Dog Licence Sales Quarterly Report – October – December 2005
- 80 J.E. Holder – Report 2006-PP-03 – By-law Infractions Quarterly Report – October – December 2005
- 81 J.E. Holder – Report 2006-PP-04 – Parking Infraction Quarterly Report – October – December 2005
- 86 Ministry of Community Safety and Correctional Services – *Emergency Management Act* – emergency management program

Resolution No. 4-1

MOVED BY Karen Windatt and SECONDED BY Larry O'Connor that communications numbered 2758, 2822, 43, 65, 78, 79, 80, 81 and 86 be referred to the next regular meeting of the Protection to Persons & Property Committee to be held on January 23, 2006.

MOTION CARRIED

Public Works Committee

83 Friends of the Animals – request for permission to use green space behind the library in Beaverton

Resolution No. 5-1

MOVED BY Allan Simpson and SECONDED BY Debbie Bath that communication number 83 be referred to the next regular meeting of the Public Works Committee to be held on February 6, 2006.

MOTION CARRIED

Parks & Recreation Committee

70 Jodi Colby – Sunderland Arena User Agreements

84 Cannington Lions Club – requesting assistance with and permission for Canada Day Celebration on July 1, 2006

Resolution No. 6-1

MOVED BY Debbie Bath and SECONDED BY Allan Simpson that communications numbered 70 and 84 be referred to the next regular meeting of the Parks & Recreation Committee to be held on February 6, 2006.

MOTION CARRIED

Group III – Communications Submitted for Action

2755 City of Pickering to Durham Clerk's Department – Direct Election of the Region of Durham Chair – 2006 Ballot Question

Councillor John Grant enquired of Mayor Shier as to the number of Durham municipalities currently having a ballot question pertaining to the direct election of the Regional Chair and was advised there are currently three municipalities. Councillor Grant enquired further whether this action will impact the appointment of the Regional Chair and was advised by Mayor Shier that it could be the start of a movement that could pick up further support before the next election, especially in south Durham Region who would have far more to gain than the three northern municipalities.

Councillor John Grant commented that should direct election take place that the northern municipalities would not be fairly represented. Mayor Shier agreed with this comment.

Regional Councillor Larry O'Connor advised that this issue was discussed at the recent regional retreat and that it is his opinion that this is an issue to be publically discussed, however that he does feel the role of the Regional Chair should be reviewed and the role defined including a code of ethics similar to our MPPs where any holdings must be placed in blind trust. He advised he does not agree that a candidate from north Durham could not be elected regional chair.

Councillor Reg Starr enquired of Mayor Shier how other regional municipalities elect their regional chair and was advised it differs depending on the region.

2763 Ernie Hardeman, M.P.P. – expressing concern re: Bill 206 – *Ontario Municipal Employees Retirement System Act, 2005*

2779 The Nation Municipality – Gas Tax Allocation

2785 Town of Ajax – Elections Ontario Hearing re: Appeal of Question on the 2006 Municipal Election Ballot in the Town of Ajax

2811 City of Port Colborne – Property Tax and Assessment Issues

Councillor Karen Windatt commented that the issues addressed within communication 2811 are issues that are being experienced by municipalities province wide, including Brock Township.

2812 Township of Severn – Endorsement of Resolution – Canadian Heritage Museums – Tax Classes

Councillor Karen Windatt enquired whether there would be any heritage museums in Brock and was advised there are none.

Councillor John Grant commented that the museums in Brock Township are located on municipal property and tax exempt. The Clerk-Administrator confirmed this comment.

2825 Town of Halton Hills – request for support of resolution re: investigation into the fairness and transparency of the valuation of properties by MPAC

5 City of Kawartha Lakes to Premier Dalton McGuinty – Municipal Water and Wastewater Rates

12 Ministry of Citizenship and Immigration – invitation to participate in Ontario's volunteer recognition programs for 2006

55 Dan Hammond – Durham Region Transit – Is it of Any Value to Brock Township

Resolution No. 7-1

MOVED BY John Grant and SECONDED BY Karen Windatt that communications 2755, 2763, 2779, 2785, 2811, 2812, 2825, 5, 12, & 55 be received for information and filed.

MOTION CARRIED

Resolution No. 11-1

MOVED BY Reg Starr and SECONDED BY Allan Simpson that Brock Township Council express its concern with the proposed OMERS devolution legislation, reference communication # 2763.

MOTION CARRIED

Resolution No. 15-1

MOVED BY Debbie Bath and SECONDED BY Reg Starr that Brock Township Council support the City of Port Colborne # 2811/05.

That the Province of Ontario be requested to provide relief and remedy for working families and seniors who are hardest hit by property taxes.

That the Province of Ontario be requested to end its downloading of provincial programs and the use of municipal tax dollars for the subsidization of provincial health and social service programs.

That this be forwarded to the Region and our local MPPs.

MOTION CARRIED

2692 Town of Essex to Ministry of Municipal Affairs and Housing – Municipal Liability Insurance

Resolution No. 8-1

MOVED BY John Grant and SECONDED BY Karen Windatt that Brock Township support the resolution of the Town of Essex with respect to communication 2692. Further that our position of support be copied to AMO, Province of Ontario, MPP Laurie Scott and the MP of Haliburton, Kawartha Lakes, Brock.

MOTION CARRIED

Regional Councillor Larry O'Connor requested that this letter also be copied to the Durham Insurance Pool.

2762 City of Sarnia – 2006 MPAC Assessment Values

Resolution No. 9-1

MOVED BY John Grant and SECONDED BY Karen Windatt that Brock Township Council support the resolution of the City of Sarnia with respect to communication # 2762. Further that Honourable Mr. Gerretsen, MPP Laurie Scott be advised of our position.

MOTION CARRIED

Councillor John Grant commented that in view of the fact that MPAC is currently under investigation by the Ontario Ombudsman, that the assessed values should remain frozen until the investigation is completed.

Mayor Keith Shier enquired whether staff are aware of the status of the investigation and was advised they did not. The Clerk-Administrator further advised that 2006 tax bills are currently being sent out based on 2006 assessed values and that it will be difficult to instigate any roll backs if required as the result of the investigation. He is not confident that the investigation will result in any roll backs.

Councillor Karen Windatt indicated if a roll back was put in motion that there would be time for adjustments prior to the final tax bill being issued.

Regional Councillor Larry O'Connor commented that this is part of the broader picture whereby the province has downloaded services and shifted the burden to the taxpayer to the extent that our seniors are being evicted from their homes because they cannot afford to pay their taxes.

Mayor Keith Shier commented that assessed values are currently having a large, negative impact on agriculture as well.

2774 Durham Clerk's Department – Transfer of Residential Waste Collection Responsibility from the Town of Ajax to the Regional Municipality of Durham

Resolution No. 10-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Brock Council receive correspondence 2774/06 and file with no objections.

MOTION CARRIED

Councillor John Grant enquired whether support of this issue will result in Ajax's garbage in the Brock dump and was advised that Ajax is now turning over administration of their garbage collection to Durham Region, as did Brock Township previously, which will afford the residents in Ajax the same program participation as Brock, i.e. green bin, something they currently do not participate in.

2805 Town of Niagara-On-The-Lake – Report PW-05-0062 – Report of the Water Strategy Expert Panel

Resolution No. 12-1

MOVED BY John Grant and SECONDED BY Karen Windatt that communication 2805 be received for information and filed.

MOTION CARRIED

- 44 City of Oshawa to General Motors of Canada Limited – Support for the future status of General Motors of Canada Limited in Oshawa – Comprehensive Auto Strategy for Canada

Regional Councillor Larry O'Connor declared a pecuniary interest in this regard as he is employed by GM. He refrained from taking part in any discussions and/or voting in this regard.

Resolution No. 13-1

MOVED BY John Grant and SECONDED BY Karen Windatt that communication 44 be received for information and filed.

MOTION CARRIED

- 49 Durham Region Home Builders' Association – request for declaration of April 2006 as New Homes Month

Resolution No. 14-1

MOVED BY Allan Simpson and SECONDED BY Debbie Bath that the Township of Brock support the Durham Region Home Builders' Association request as per communication 49/06.

MOTION CARRIED

- 52 Beaverton Lions Club – request for permission to close John Street for Beaverton

Councillor John Grant declared a pecuniary interest as he owns property on John Street and therefore refrained from taking part in any discussions and/or voting in this regard.

Resolution No. 16-1

MOVED BY Karen Windatt and SECONDED BY Larry O'Connor that Brock Township Council has no objection to the closing of John Street as outlined in communication # 52 for activities of the Beaverton Winter Carnival as presented by the Beaverton Lions Club.

MOTION CARRIED

- 58 Stephen Dawson Haulage Limited – Lease of the North Side of the Beaverton Harbour

Resolution No. 17-1

MOVED BY Karen Windatt and SECONDED BY John Grant that Brock Township Council has no objection to the request as outlined in communication # 58.

MOTION CARRIED

- 87 CIBC – comments re: lease agreement dated December 1, 1979, for walkway

Resolution No. 18-1

MOVED BY John Grant and SECONDED BY Karen Windatt that Brock Township Council request staff to negotiate with the CIBC with respect to the matter contained in communication # 87.

MOTION CARRIED

Councillor Debbie Bath enquired whether council can expect a staff report following negotiations with the CIBC and was advised in the affirmative.

Resolution No. 19-1

MOVED BY Debbie Bath and SECONDED BY Reg Starr that we break for a 5 minute recess at 11:23 a.m.

MOTION CARRIED

Mayor Keith Shier reconvened the meeting at 11:42 a.m. with the same members of council and staff in attendance.

VIII. REPORTS OF COMMITTEES

- (1) 14th Finance Committee – December 12/05

Resolution No. 20-1

MOVED BY Reg Starr and SECONDED BY Debbie Bath that the minutes of the 14th meeting of the Finance Committee as held on December 12, 2005, be adopted as a report of that committee.

MOTION CARRIED

- (2) 23rd Planning Committee – December 19/05

Resolution No. 21-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that the minutes of the 23rd meeting of the Planning Committee as held on December 19, 2005, be adopted as a report of that committee.

MOTION CARRIED

- (3) 11th Protection to Persons & Property Committee – December 19/05

Resolution No. 22-1

MOVED BY Karen Windatt and SECONDED BY John Grant that the minutes of the 11th meeting of the Protection to Persons & Property Committee as held on December 19, 2005, be adopted as a report of that committee.

MOTION CARRIED

- (4) 13th Administration & Personnel Committee – December 19/05

Resolution No. 23-1

MOVED BY John Grant and SECONDED BY Allan Simpson that the minutes of the 13th meeting of the Administration & Personnel Committee as held on December 19, 2005, be adopted as a report of that committee.

MOTION CARRIED

- (5) 1st Public Works Committee – January 9/06

Resolution No. 24-1

MOVED BY Allan Simpson and SECONDED BY Debbie Bath that the minutes of the 1st meeting of the Public Works Committee as held on January 9, 2006, be adopted as a report of that committee.

MOTION CARRIED

- (6) 1st Parks & Recreation Committee – January 9/06

Resolution No. 25-1

MOVED BY Debbie Bath and SECONDED BY Reg Starr that the minutes of the 1st meeting of the Parks & Recreation Committee as held on January 9, 2006, be adopted as a report of that committee.

MOTION CARRIED

IX. MOTIONS

- (1) To authorize agreements as prepared between the Corporation of the Township of Brock and Ontario Realty Corporation with respect to the use of the Beaverton Town Hall for dates in 2005 and 2006

Resolution No. 26-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that the Mayor and Clerk-Administrator be and they are hereby authorized to execute an agreement as prepared between the Corporation of the Township of Brock and Ontario Realty Corporation with respect to the use of the Beaverton Town Hall for certain dates in 2005 and 2006.

MOTION CARRIED

Councillor Karen Windatt requested that these booking dates as well as bookings in general for the Beaverton Town Hall be forwarded to the Chair of the Beaverton Town Hall Board of Management.

- (2) To authorize an agreement between Marilyn Agnes Henderson and the Corporation of the Township of Brock with respect to warning clauses in Agreements of Purchase and Sale to address noise study recommendations as a result of the location of CN Railway – LD File 06/2005

Resolution No. 27-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that the Mayor and Clerk-Administrator be and they are hereby authorized to execute an agreement between Marilyn Agnes Henderson and the Corporation of the Township of Brock which obligates Henderson to insert warning clauses into subsequent Agreements of Purchase and Sale to address certain noise study recommendations as a result of the presence of the CN Railway as it affects Part Lot 51, Plan 340, designated as Part 2, Plan 40R-23548 to fulfill one of the requirements of Consent to Land Severance File No. LD06/2005.

MOTION CARRIED

There was some discussion respecting the purpose of the above-referenced agreement and the need for such an agreement, one councillor enquiring why one noise study would not suffice for the entire area adjacent a rail line. The Deputy Clerk-Administrator explained that this agreement is necessary to clear the conditions of LD06/2005 and that the Planning Act requires councils to be consistent insofar as provincial noise policy.

X. CONSIDERATION OF BY-LAWSResolution No. 28,29,30-1

By-law Number 1977-2006-PP – to regulate and control the use of parks and park buildings under the jurisdiction of the Township of Brock, was read three times and passed in open council. The Mayor and Clerk-Administrator were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book of the municipality.

Councillor Allan Simpson enquired of the Clerk-Administrator whether staff had investigated the use of peace officer vs. police officer in the by-law and was advised that the by-law adequately addresses this concern.

Councillor Reg Starr advised he is supporting the passing of this by-law “under protest” as he does not support restrictions in public parks.

Councillor Allan Simpson voiced the same concern, advising that the by-law is not necessary for the police to go into public parks.

Regional Councillor Larry O'Connor stated his agreement with the comments made by Councillors Starr and Simpson, further advising that the regulating portion of the by-law is good, however that the by-law will not solve the youth problems being experienced.

Councillor Karen Windatt advised she is opposed to the time the parks will be closed and that she looks forward to the time in the future when the by-law can be reviewed and amended.

Resolution No. 31,32,33-1

By-law Number 1978-2006-FI – to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest of 1.25 percent, was read three times and passed in open council. The Mayor and Clerk-Administrator were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book of the municipality.

Resolution No. 34,35,36-1

By-law Number 1979-2006-FI – to authorize the borrowing of \$2,000,000.00, was read three times and passed in open council. The Mayor and Clerk-Administrator were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book of the municipality.

Resolution No. 37,38,39-1

By-law Number 1980-2006-PP – to appoint school crossing guards for the Corporation of the Township of Brock, was read three times and passed in open council. The Mayor and Clerk-Administrator were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book of the municipality.

Resolution No. 40,41,42-1

By-law Number 1981-2006-AP – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meetings held on November 14, November 28, December 12 and December 19, 2005, was read three times and passed in open council. The Mayor and Clerk-Administrator were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book of the municipality.

XI. GENERAL ITEMS AND ENQUIRIES

(1) Mayor Keith Shier - Report to Council

Mayor Keith Shier advised that Regional Works Committee has received a letter from MPP John O'Toole indicating that the Province has changed its stand insofar as being against the incineration of residual waste in that they are now supporting incineration or gasification especially if electricity is generated as the result of the process.

Mayor Keith Shier advised he has spoken to the general manager of Durham Transit recently, and asked how council could promote the service in Brock. He was pleasantly surprised to hear that Durham Transit is currently satisfied with ridership response in Brock and are interested in hearing from students requiring transportation to UOIT in order that consideration may be given to expanding the service.

Councillor John Grant enquired of Mayor Keith Shier whether Durham Region was giving any consideration to a proposal being considered in York Region whereby 100,000 tonnes of waste would be diverted from landfill in Michigan to be converted into pellets and used in cement production.

Councillor Allan Simpson advised that at last report he understood that the pellets would not be satisfactory because they could not pass a strength test.

Mayor Keith Shier advised that there has been a suggestion that St. Mary's Cement be permitted to burn used tires, however the viability and outcome of this proposal is still pending.

(2) Regional Councillor Larry O'Connor - Report to Council

Regional Councillor Larry O'Connor advised that the CHC Committee will continue to meet regularly to determine a final location for the newly approved CHC. The committee is currently reviewing job descriptions in light of the fact that the initial proposal was submitted in 2003 and to ensure that funding reflects current wages and equipment costs/needs.

Councillor Debbie Bath enquired of Regional Councillor Larry O'Connor how the CHC plans to overcome recruitment obstacles to which he advised that a CHC has the advantage of dealing with people who have staff that do recruitment. There is also the option of networking with existing CHC's and learning from their successes/mistakes and the merging of CHC's within the area LHINs. He noted that the Brock CHC proposal and the Oshawa CHC are very similar in numbers and that the process involves more than doctor recruitment. Another recent development is that a level playing field has been created with respect to family health teams and CHC doctor salaries.

(3) Confirm the following:

- letter of appreciation to Cannington Horticultural Society – January 16/06
- 95th Birthday – Peg Baillie – January 12/06

Resolution No. 43-1

MOVED BY Reg Starr and SECONDED BY Larry O'Connor that Brock Township acknowledge the following:

- letter of appreciation to Cannington Horticultural Society – January 16/06
- 95th Birthday – Peg Baillie – January 12/06

MOTION CARRIED

(4) Councillor Karen Windatt – Federal Election Polling Stations

Councillor Karen Windatt advised she has been approached by some residents who are having to travel some distance to vote in the upcoming federal election, for example residents living on Regional Road 50 having to travel to Cannington to vote and residents on the Brock/City of Kawartha Lakes townline having to go to Kirkfield. In speaking to the area Returning Officer, he has requested that residents advise Elections Canada of any irregularities, however in speaking to local candidates, they are not aware of this issue.

Councillor Windatt enquired of the Clerk-Administrator how the municipality chooses polling stations and was advised that this is no longer necessary due to vote by mail. The Clerk-Administrator further advised that the municipality never sees a list of the polling stations used during a Federal or Provincial election and are only contacted if a municipal facility is required.

Councillor Windatt also pointed out that the Gamebridge Women's Institute was described as being on County Road 51 when it is located on Regional Road 50.

(5) Regional Councillor Larry O'Connor – Communication # 2776 – Physician Recruitment

Resolution No. 44-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Brock Council support correspondence # 2776 with regard to the physician recruitment and address our support to elected representative.

MOTION CARRIED

Regional Councillor O'Connor suggested staff not respond to communication # 2776 until after the Federal Election.

(6) Regional Councillor Larry O'Connor – Election of Regional Chair

Resolution No. 45-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Brock Council supports the efforts to consider the direct election of the Regional Chair and acknowledge the efforts by Durham area municipalities to further the debate by including the issue on November general election and the Durham Region consider the role of Regional Chair.

Regional Councillor Larry O'Connor addressed the motion reiterating that several municipalities will be putting this question on their ballots for the upcoming municipal election and it is his opinion that as Durham Region matures the role of the Regional Chair needs to be reviewed.

Councillor Debbie Bath advised she cannot support this motion as written, however that she does support the role of the chair being reviewed. It is her fear that if the Regional Chair is directly elected, the northern municipalities will not be fairly represented.

Mayor Keith Shier advised that he has not been asked to sit on a committee to review the role of the Regional Chair, however if given the opportunity, he would like to offer his input. He is not supportive of the chair being elected at large because this would result in the three northern townships losing the balance of power they currently have under the direct election method.

Councillor John Grant advised he cannot support the motion and that it may be premature. It is his opinion that by supporting the motion it could push the agenda of the municipalities wanting direct election.

Regional Councillor Larry O'Connor suggested that the motion be separated, in view of the fact that there seems to be support for a review of the role of the Regional Chair. The intent of the portion referencing the municipalities that will be placing this question on their ballot is to thank them for putting it on the ballot for public consideration.

Resolution No. 46-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Resolution Number 45-1 be separated.

MOTION CARRIED

Resolution No. 47-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Brock Council supports the efforts to consider the direct election of the Regional Chair and acknowledge the efforts by Durham area municipalities to further the debate by including the issue on November general election.

MOTION LOST

Resolution No. 48-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Durham Region consider the role of Regional Chair.

Councillor Debbie Bath reiterated that a regional committee to review the role of the Regional Chair has yet to be struck and that would like assurance that regional council members will comprise this committee.

Councillors Allan Simpson and John Grant agreed that Resolution Number 48-1 is premature.

Resolution No. 48-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Durham Region consider the role of Regional Chair.

MOTION LOST

- (7) Regional Councillor Larry O'Connor – Farewell for Michelle Musgrave – Durham Non Profit Housing Corporation

Regional Councillor Larry O'Connor advised that Michelle Musgrave, General Manager of Durham Non Profit Housing Corporation has resigned her position and will be leaving to take a similar position in England.

Councillor Karen Windatt advised that Michelle was always very professional and will be missed.

Resolution No. 49-1

MOVED BY Larry O'Connor and SECONDED BY Karen Windatt that Brock Council forward a letter of thanks to Michelle Musgrave for her years of service as the executive director of Durham Region Non Profit Housing and best wishes on behalf of all Brock residents especially the residents of Gillespie Gardens and Maple Glen Apartments.

MOTION CARRIED

- (8) Regional Councillor Larry O'Connor – Committee to Review the Role of the Regional Chair

Regional Councillor Larry O'Connor enquired of Mayor Keith Shier whether, after having not supported Resolution Number 48-1, above to review the role of the Regional Chair, would he, if afforded the opportunity, sit on a regional committee to undertake this review.

Mayor Keith Shier responded by advising that although he and the Regional Chair have had their differences, he does have views in this regard and depending on the timing of the implementation of such a committee, would likely accept an offer to sit on said committee, however at this time he would like to reserve his decision in this regard.

- (9) Councillor Allan Simpson – Life Membership Presentation from the Sunderland and District Historical Society

Councillor Allan Simpson advised that at a recent meeting of the Sunderland and District Historical Society, he was presented with and accepted on behalf of the Township of Brock, a plaque in recognition of the Township of Brock's Life Membership in the Sunderland and District Historical Society. Councillor Simpson presented this plaque to Mayor Keith Shier who gratefully accepted same.

- (10) Councillor Allan Simpson – 100 year plaque for Sunderland Town Hall

Councillor Allan Simpson advised that Sunderland Town Hall Board Member, Keith Rynard, accepted a plaque in recognition of the 100th anniversary of the Sunderland Town Hall from Jolene Munro.

- (11) Councillor Debbie Bath – Parks By-law

Councillor Debbie Bath thanked members of council for their support insofar as the passing of By-law Number 1977-2006-PR being a by-law to regulate the use of parks and park buildings under the control of the Township of Brock.

- (12) Councillor Debbie Bath – Animal Traps on Municipal Road Allowances

Resolution No. 50-1

MOVED BY Debbie Bath and SECONDED BY Reg Starr that Brock Township Council request staff to prepare a report regarding the legal requirements and responsibilities of the municipality regarding the finding of animal traps on municipal road allowances. Also to be identified within this report, the procedures and responsibilities of Durham Regional Police regarding same.

MOTION CARRIED

Councillor Debbie Bath advised that she has received a report of animal traps being found on municipal road allowances, in this instance on Concession 11 of the former Brock area, and in contacting municipal staff was advised that this is a police matter. She is waiting for a return telephone call from DRPS Inspector Mike Ennis in this regard. Councillor Bath expressed concern that public works staff or members of the public could inadvertently step in these traps while working or walking in the area. She advised that there has also been an incident involving a trap in the Concession 2 area of the municipality.

Regional Councillor Larry O'Connor advised he has spoken with the residents involved in the incident on Concession 2 and suggested that they make a presentation to the Protection to Persons & Property Committee, and further suggested that this report be referred to a Protection to Persons & Property Committee meeting.

Councillor Bath concurred with this request, noting she would like the report requested as soon as possible.

(13) Public Questions and Clarification

There were no public questions for clarification.

XII. ADJOURNMENT

Resolution No. 51-1

MOVED BY Reg Starr and SECONDED BY Karen Windatt that we do now adjourn at 1:10 p.m.

MOTION CARRIED

MAYOR

CLERK-ADMINISTRATOR