

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL
CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
SPENCERVILLE MUNICIPAL OFFICE
MONDAY, JULY 6, 2009
7:30 P.M.**

PRESENT:

Larry Dishaw, Mayor
Frank Noccey, Deputy Mayor
Hugh Cameron, Councillor
Kirk Jones, Councillor
Lawrence Levere, Councillor

REGRETS:

Donna Gladstone, Councillor
Patrick Sayeau, Councillor

STAFF PRESENT:

Russell Trivett, CAO/Treasurer
Debra McKinstry, Clerk/Planning Administrator

1. Call to Order

Mayor Dishaw called the meeting to order at 7:30 p.m.

2. Amendments to Agenda – None

3. Disclosure of Interest – None

4. Minutes of Previous Meetings

a) Regular Meeting of June 15, 2009

R2009-308

Decision: Moved by: K. Jones seconded by: L. Levere that Municipal Council approves the minutes of the regular meeting of Council dated June 15, 2009.

Carried

5. Deputations – None

6. Committee Reports

a) Cardinal & District Community Centre Board

R2009-309

Decision: Moved by: K. Jones seconded by: L. Levere that Municipal Council receives the minutes of the Cardinal & District Community Centre Board dated April 21, 2009.

Carried

b) Environmental Services/Public Works/Facilities Committee of the Whole

R2009-310

Decision: Moved by: H. Cameron seconded by: K. Jones that Municipal Council approves the minutes of the Environmental Services/Public Works/Facilities Committee of the Whole meeting dated June 22, 2009.

Carried

c) Port of Prescott Management Committee

R2009-311

Decision: Moved by: F. Noccey seconded by: K. Jones that Municipal Council approves the minutes of the Port of Prescott Management Committee meeting dated June 23, 2009.

Carried

d) Economic Development Committee

R2009-312

Decision: Moved by: H. Cameron seconded by: F. Noccey that Municipal Council approves the minutes of the Economic Development Committee meeting dated June 24, 2009.

Carried

7. Action Items

a) Town of Smiths Falls – Library Funding

R2009-313

Decision: Moved by: F. Noccey seconded by: K. Jones that Municipal Council supports the Town of Smiths Falls in petitioning the Province to increase its annual grants to libraries to 15% of library revenue.

Carried

b) Town of Hawkesbury – Investments in Canadian Industries

R2009-314

Decision: Moved by: F. Noccey seconded by: L. Levere that Municipal Council supports the Town of Hawkesbury in lobbying the federal and Ontario governments to ensure that investments made by Canadians in industries be protected on a long-term basis and be secured against being moved outside of the country or being permanently closed without consultation with Canadian investors.

Carried

c) OPERA – Species Habitat Regulations

R2009-315

Decision: Moved by: L. Levere seconded by: K. Jones that Municipal Council supports the Ontario Property and Environmental Rights Alliance in expressing concerns about the Species Habitat Regulations emerging from the Endangered Species Act (ESA) 2007.

Carried

d) Livestock Valuer's Report

R2009-316

Decision: Moved by: H. Cameron seconded by: K. Jones that Municipal Council approves the report of the Livestock Valuer dated June 5, 2009 (Moulton).

Carried

e) North Edwardsburg Public School

R2009-317

Decision: Moved by: L. Levere seconded by: K. Jones that Municipal Council declines any interest in acquiring the North Edwardsburg Public School building and property.

Carried

f) Port of Prescott Investment Recommendation

R2009-318

Decision: Moved by: H. Cameron seconded by: K. Jones that whereas the Township of Edwardsburgh/Cardinal has adopted Investment Policy BY-law 2009-33, which is in compliance with the Municipal Act 2001 and Ontario Regulation 438/97 which governs Municipal Investments;

And whereas cash balances accumulated and held in Port of Prescott operating accounts are currently generating less than 1% annual interest under the Township's banking agreement;

And whereas cash flow projections prepared and presented by Port management have identified significant cash balances for which there are no immediate foreseen needs to support planned capital expenditures or current operational expenditures;

And whereas it is the duty and responsibility of Township Council and the Port of Prescott Management Committee to safeguard and maximize return on all taxpayer assets;

And whereas the Port of Prescott Management Committee believes that it is possible to achieve significant additional returns on unencumbered cash balances by investing some of those balances with an institution familiar and experienced with the types and quality of investment instruments available to municipalities under Ontario Regulation 438/97 and in conformity with the Township's Investment Policy By-law;

Now therefore be it resolved that \$5,000,000 from the Port of Prescott operating account be transferred to BMO Nesbitt Burns to be invested in a customized segregated investment portfolio and that the following conditions pertain to the management of the investment portfolio in addition to those prescribed above:

1. Preservation of capital shall be a prime consideration when selecting investment instruments.
2. The investment portfolio will have a minimum one year time horizon, after which some or all of the capital will be required and returned in all or in part to finance planned capital expenditures.
3. Management fees on the investment portfolio will not exceed 0.40% calculated and drawn quarterly from the cash balance of the account and shown as a separate item on the monthly statement.
4. The Township will be provided with a monthly statement of the investment account.

Carried

g) Spencerville Legion Beer Garden

R2009-319

Decision: Moved by: F. Noccey seconded by: L. Levere that Municipal Council has no objection to the Spencerville Branch of the Royal Canadian Legion hosting a Beer Garden on their premises at 27 Bennett Street, Spencerville on September 11 and 12, 2009.

Carried

h) Prescott Golf Club Minutes of Settlement

R2009-320

Decision: Moved by: H. Cameron seconded by: F. Noccey that Municipal Council approves the Minutes of Settlement for the Prescott Golf Club Inc. and authorizes the CAO/Treasurer to sign the minutes on behalf of the Township.

Carried

i) Long Combination Vehicle Route

R2009-321

Decision: Moved by: L. Levere seconded by: F. Noccey that Municipal Council consents to the Ministry of Transportation allowing Long Combination Vehicle travel on the portion of the route under the Township of Edwardsburgh/Cardinal's control for Angelo's Truck Stop, Rooney Road.

Carried

j) Animal Control Officer Vehicle Lease

R2009-322

Decision: Moved by: H. Cameron seconded by: F. Noccey that Municipal Council agrees to the lease arrangement outlined in Action Item CAO 009-18 for an Animal Control vehicle.

Defeated

8. By-laws

a) Vehicle Preventive Maintenance Policy

R2009-323

Decision: Moved by: H. Cameron seconded by: F. Noccey that the mover be granted leave to introduce a by-law to establish a policy with respect to vehicle preventive maintenance, and this shall constitute first and second reading thereof.

Carried

R2009-324

Decision: Moved by: H. Cameron seconded by: F. Noccey that a by-law to establish a policy with respect to vehicle preventive maintenance be now read a third time and finally passed, signed, sealed and numbered 2009-44.

Carried

b) Port of Prescott Lease Agreements

R2009-325

Decision: Moved by: L. Levere seconded by: F. Noccey that the mover be granted leave to introduce a by-law to authorize a lease agreement for Port property (Cottage Land Leases P-38 and P-41), and this shall constitute first and second reading thereof.

Carried

R2009-326

Decision: Moved by: L. Levere seconded by: F. Noccey that a by-law to authorize a lease agreement for Port property (Cottage Land Leases P-38 and P-41) be now read a third time and finally passed, signed, sealed and numbered 2009-45.

Carried

c) Establish and/or Continue a Fire Department

R2009-327

Decision: Moved by: F. Noccey seconded by: H. Cameron that the mover be granted leave to introduce a by-law to establish and/or continue a Fire Department, and this shall constitute first and second reading thereof.

Carried

d) Appoint Fire Chief

R2009-328

Decision: Moved by: F. Noccey seconded by: H. Cameron that the mover be granted leave to introduce a by-law to appoint a Fire Chief of the Edwardsburgh/Cardinal Fire Department, and this shall constitute first and second reading thereof.

Carried

9. Correspondence

R2009-329

Decision: Moved by: K. Jones seconded by: L. Levere that the correspondence as circulated and read be actioned as directed.

Carried

10. Accounts

a) Municipal Accounts

R2009-330

Decision: Moved by: K. Jones seconded by: F. Noccey that Municipal Council approves payment of municipal invoices as follows:

Listing dated July 3, 2009	\$335,649.86
US Cheque Register dated July 2, 2009	\$719.15 (US\$)

Carried

b) Port of Prescott Accounts

R2009-331

Decision: Moved by: K. Jones seconded by: F. Noccey that Municipal Council approves payment of Port of Prescott invoices on the attached listing:

Batch No. 22	\$96,536.61
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Carried

c) Amendments to Budget – None

11. Mayor's Report

Mayor Dishaw noted that the Counties CAO and Warden have asked to appear at a regular Council meeting in August. The format of the meeting is yet to be confirmed. Mayor Dishaw reminded council of the E/CBA BBQ on July 14 and the Great Waterfront Trail Adventure BBQ on July 9.

12. Staff Reports

a) CAO's Report

The Court of Revision for the James Reilly/Dewit-Richter Drain will meet July 7 at 2 p.m. Members are John Hunter, David Sloan and Doug Cleary.

b) Clerk's Report – None

13. New Business – None

14. Question Period

Questions were raised with respect to the following:

- Councillor Gladstone's maternity leave.
- North Edwardsburg Public School property.
- Port of Prescott investment recommendation.

Council Minutes
July 6, 2009
6

- Animal Control Officer's vehicle.
- Vehicle Preventive Maintenance Policy.
- Fire Department by-laws.

15. Closed Session

R2009-332

Decision: Moved by: K. Jones seconded by: H. Cameron that Municipal Council proceeds into closed session at 8:40 p.m. in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees.

Carried

Council discussed the results of the completed hiring process for a new Public Works Manager.

R2009-333

Decision: Moved by: K. Jones seconded by: H. Cameron that Municipal Council does now convene in open session at 8:58 p.m.

Carried

16. Confirmation By-law

R2009-334

Decision: Moved by: F. Noccey seconded by: L. Levere that the mover be granted leave to introduce a by-law to adopt, confirm and ratify matters dealt with by resolution, and this shall constitute first and second reading thereof.

Carried

R2009-335

Decision: Moved by: F. Noccey seconded by: L. Levere that a by-law to adopt, confirm and ratify matters dealt with by resolution be now read a third time and finally passed, signed, sealed and numbered 2009-46.

Carried

17. Adjournment

R2009-336

Decision: Moved by: L. Levere that Municipal Council does now adjourn at 9:00 p.m.

Carried

These minutes were adopted by Council this 20th day of July, 2009.

Mayor

Clerk