

**MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL
CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
SPENCERVILLE MUNICIPAL OFFICE
MONDAY, APRIL 25, 2011
6:30 P.M.**

PRESENT:

Bill Sloan, Mayor
John Hunter, Deputy Mayor
Brenda Ball, Councillor
Charlie Burrell, Councillor
Gerry Morrell, Councillor
Pat Sayeau, Councillor
Joe Scott, Councillor

STAFF:

Michael Wildman, Chief Administrative Officer
Russell Trivett, Treasurer
Debra McKinstry, Clerk/Planning Administrator
Shawn Mason, Deputy Treasurer
Mike Spencer, Manager of Facilities, Parks & Recreation

1. Call to Order

Mayor Sloan called the meeting to order at 6:30 p.m.

2. Approval of Agenda

R2011-113

Decision: Moved by: C. Burrell seconded by: P. Sayeau that Municipal Council approves the agenda as amended by removal of Item 8a) Consolidation of Cardinal Wastewater and Water Reserves.

Carried

3. Disclosure of Pecuniary Interest – None

4. Delegations

a) Steve Clark, MPP Leeds-Grenville

Mr. Clark and Mr. Michael Jiggins were present to provide an update with regard to Provincial activities.

Mr. Clark noted that he has been meeting with all Leeds-Grenville councils as time permits and congratulated Council members on their election. He noted that constituency meetings are held regularly in Kemptville and Prescott and that one had been held in Cardinal with another planned for Spencerville.

Mr. Clark said that the Provincial legislature is very busy and noted that the budget debate had included discussion of the tax issue facing the Spencerville Mill. He requested that the Mill heritage designation by-law be forwarded to him when it was passed. He also said he was looking forward to the Port project grand opening.

Councillor Scott said that he hoped Mr. Clark and his colleagues would continue to apply pressure for improvement of MPAC services as outlined in the Ombudsman's report and Mr. Clark said he was hoping to do so.

b) Charles Deschamps – Reserve Funds

As the item that Mr. Deschamps wished to speak to had been removed from the agenda, he was advised that it would be discussed at the next regular Council meeting May 24.

c) Sharan Mathieu – Reserve Funds and Cardinal & District Community Centre Board Reserve Fund By-law

Ms. Mathieu was also advised that the first item would be brought forward for discussion at the regular meeting of May 24. With respect to the By-law, Ms. Mathieu suggested changing the title of the by-law to include the word “capital” to ensure it was clear that Council’s intent was not to use the reserve for operating funds.

5. Consent Agenda

R2011-114

Decision: Moved by: J. Scott seconded by: B. Ball that Municipal Council approves the following items on the consent agenda:

- Minutes of March 28, 2011 Regular Meeting
- Minutes of E/C Public Library Board November 16, 2010
- Minutes of Community Development Committee April 11, 2011
- Minutes of Committee of the Whole April 18, 2011
- Consent Applications B-173-10 & B-174-10 (Seguin)
- Consent Application B-17-11 (Craven)
- Consent Applications B-19-11 & B-20-11 (Nagasar)
- Consent Applications B-184-10 (Adams)
- Support for MMAH Changes to the Official Plan
- Prescott Golf Club Minutes of Settlement
- Proclamation of Emergency Preparedness Week
- 2011 Environmental Monitoring Program – Pittston Road Landfill
- Electrical Repairs – Port of Prescott
- Port Accounts

Carried

6. Minutes of Previous Meetings

a) March 28, 2011 Regular Meeting

R2011-115

Decision: Moved by: G. Morrell seconded by: B. Ball that Municipal Council approves the minutes of the regular meeting of Council dated March 28, 2011.

Carried on Consent

7. Committee Reports

a) E/C Public Library Board Meeting November 16, 2010

R2011-116

Decision: Moved by: B. Ball seconded by: G. Morrell that Municipal Council receives the minutes of the Edwardsburgh/Cardinal Public Library Board meeting dated November 16, 2010.

Carried on Consent

b) Committee of the Whole – April 4, 2011

Councillor Sayeau requested a copy of the letter sent to the United Counties with respect to their request for expressions of interest. Councillor Sayeau also asked for an update with respect to the issue of no tipping fees having been promised to the Township of Edwardsburgh as the host municipality for ED-19.

Councillor Sayeau asked for an update with respect to the meeting with Prescott on the wastewater treatment plant issue.

Councillor Sayeau asked if there would be information on a proposed investment strategy forthcoming and noted that he was glad Item 8a) had been removed from the agenda as he would prefer to see the funds segregated.

Staff responded that the Mayor had found a report with respect to ED-19 that provided for no tipping fees for Edwardsburgh Township as well as royalties to be paid to the host municipality and a promise of road improvements and take over by the Counties. The Clerk will provide copies of the letter sent to the United Counties to members of Council. The CAO clarified that the original promise was for Edwardsburgh Township only, but the letter from staff only referred to the Township in a generic manner.

Staff advised that Council would be updated with respect to the meeting with Prescott at an upcoming Committee of the Whole meeting closed session.

Councillor Sayeau asked that the consolidation of reserve funds be clarified between now and next Council.

R2011-117

Decision: Moved by: J. Hunter seconded by: B. Ball that Municipal Council approves the minutes of the Committee of the Whole meeting dated April 4, 2011.

Carried

c) Community Development Committee – April 11, 2011

R2011-118

Decision: Moved by: P. Sayeau seconded by: C. Burrell that Municipal Council approves the minutes of the Community Development Committee meeting dated April 11, 2011.

Carried on Consent

d) Committee of the Whole – April 18, 2011

R2011-119

Decision: Moved by: C. Burrell seconded by: J. Hunter that Municipal Council approves the minutes of the Committee of the Whole meeting dated April 18, 2011.

Carried on Consent

e) Port Management Committee – April 20, 2011

Councillor Sayeau pointed out an error in the minutes wherein it had been inaccurately recorded that 100 tonnes of corn were in storage and it should have been 100,000 tonnes of corn.

R2011-120

Decision: Moved by: J. Scott seconded by: B. Ball that Municipal Council approves the minutes of the Port Management Committee meeting dated April 20, 2011 as amended.

Carried

8. Action and Information Items

a) Consolidation of Cardinal Wastewater and Water Reserves

Item removed from agenda under Item 2 above.

b) Consent Applications B-173-10 & B-174-10 (Seguin)

R2011-121

Decision: Moved by: B. Ball seconded by: G. Morrell that Municipal Council recommends approval of revised Severance Applications B-173-10 and B-174-10 (Seguin) with no conditions, as recommended by the Community Development Committee.

Carried on Consent

c) Consent Application B-17-11 (Craven)

R2011-122

Decision: Moved by: J. Scott seconded by: B. Ball that Municipal Council recommends approval of Severance Application B-17-11 (Craven) with no conditions, as recommended by the Community Development Committee.

Carried on Consent

d) Consent Applications B-19-11 & B-20-11 (Nagasar)

R2011-123

Decision: Moved by: G. Morrell seconded by: B. Ball that Municipal Council recommends approval of Severance Applications B-19-11 and B-20-11 (Nagasar) conditional upon either a satisfactory environmental impact assessment or ground verification of an error in designation of the significant woodlands, as recommended by the Community Development Committee.

Carried on Consent

e) Consent Application B-184-10 (Adams)

R2011-124

Decision: Moved by: B. Ball seconded by: G. Morrell that Municipal Council recommends that the condition of a hydrogeology study and terrain analysis be lifted for Severance Application B-184-10 (Adams) conditional upon provision of survey documentation confirming the severed portion is a minimum one hectare in size, as recommended by the Community Development Committee.

Carried on Consent

f) Support for MMAH Changes to Official Plan

R2011-125

Decision: Moved by: J. Hunter seconded by: B. Ball that Municipal Council supports the changes to the Township of Edwardsburgh/Cardinal Official Plan adopted by Council on October 18, 2010 which are proposed by the Ministry of Municipal Affairs & Housing in correspondence dated April 11, 2011 and requests that the Ministry issue its final decision.

Carried on Consent

g) AMO/LAS Matters

Councillor Sayeau said that while he had given concurrence that staff could water down the motion, it was somewhat more diluted than he would like. There were no concerns expressed by other members of council.

R2011-126

Decision: Moved by: P. Sayeau seconded by: B. Ball that staff integrate the following into its work program in such a way as to not compromise other work plan initiatives:

1. That staff reviews the AMO/LAS Electricity Procurement Program details and if no concerns are identified, staff shall subscribe to the program as soon as reasonably possible.

2. That staff investigate costs and other particulars, if any, in subscribing to the AMO/LAS Fuel Procurement Program using the "Deliver to our Tanks" Model at Cardinal and Pittston Garages and that such costs and other particulars be reported to Committee of the Whole, so that Committee and Council can consider whether to enroll in the program.
3. That Council reviews the roads maintenance policies and procedures.
4. That staff provide Committee of the Whole with copies of any Township By-laws which pertain to minimum maintenance standards for roads and in the absence of such a by-law that staff bring forward a draft by-law to Committee of the Whole for consideration.
5. That staff review the AMO/LAS Energy Management Tools details and if no concerns are identified, staff shall subscribe to the tool as soon as reasonably possible, and that staff investigate the staffing impacts to assembling and entering two years of base data and report to Committee of the Whole with options.
6. That staff arrange for an Insurance Risk Management Seminar for all appropriate staff through the Township's Broker of Record in order to bring greater awareness to potential risk factors, and if appropriate develop policies designed to mitigate risks to the Township.

Carried

Councillor Sayeau requested that timelines for the actions be provided.

h) Prescott Golf Club Minutes of Settlement

R2011-127

Decision: Moved by: C. Burrell seconded by: J. Hunter that Municipal Council approves the attached Minutes of Settlement for the Prescott Golf Club Inc.

Carried on Consent

i) Proclamation of Emergency Preparedness Week

R2011-128

Decision: Moved by: J. Scott seconded by: B. Ball that Whereas Emergency Preparedness Week (EP Week) is an annual event that takes place each year during the first full week of May;
And Whereas during Emergency Preparedness Week, activities are organized across Canada to raise awareness of the importance of having an emergency kit and making an emergency plan;
Now therefore be it resolved that the week of May 1 – 7, 2011 is proclaimed as Emergency Preparedness Week in the Township of Edwardsburgh/Cardinal and Council urges all residents to visit the Emergency Management Ontario website at www.emergencymanagementontario.ca for information and resources on developing a personal emergency kit and plan.

Carried on Consent

j) Award of Purchase of Trucks

Councillor Sayeau noted that he would be voting against the motion and said he was disappointed in the way in which the prices were 'peddled', but he did not want to embarrass anyone. He said this is the third time that vehicles have been purchased in this way and that it is not an ethical way of doing business. He said there is a difference between providing criteria to three suppliers and having one spec sheet drawn up by one of the bidders because the others will know what the first bidder has quoted. He said that he would bring it forward during Committee of the Whole for further discussion. Councillor Ball said that an inference had been made by Councillor Sayeau that someone behaved unethically and she would like to hear a staff explanation of the process that had been followed.

Staff responded that as indicated in the staff report, staff had visited one of three dealers and asked for standard spec sheets on two vehicles. The spec sheet

was generic and had no indication of which dealer had produced the spec sheet anywhere on it. It was similar to a standard window spec sheet with the standard Manufacturer's Suggested Retail Price on it which can be found at any dealership. Staff then sought out three written quotations pursuant to the Procurement By-law. Each dealer was provided with the exact same spec sheets to produce written quotations. All three dealers were given the same time frame in which to respond. The low bidders were as noted in the supporting staff report.

Councillor Sayeau said that the base price would allow the dealers to identify each other and that the dealers were expecting to receive tender documents. Mayor Sloan acknowledged that Council's Procurement Policy by-law had been followed by staff. There were no further comments or concerns raised.

R2011-129

Decision: Moved by: G. Morrell seconded by: B. Ball that Municipal Council awards the bid for purchase of a 2011 GMC Sierra 1500 for the Parks & Recreation Department to Bill Osborne Chevrolet at a cost of \$22,867.00 and for purchase of a 2011 GMC Sierra 1500 for the Public Works Department to Brockville Motor Sales at a cost of \$25,377.20 (plus applicable taxes).

Recorded vote requested by: P. Sayeau

Councillor B. Ball	Yea	
Councillor C. Burrell	Yea	
Councillor J. Hunter	Yea	
Councillor G. Morrell	Yea	
Councillor P. Sayeau		Nay
Councillor J. Scott	Yea	
Mayor B. Sloan	Yea	
Total	6	1
	Carried	

k) 2011 Environmental Monitoring Program – Pittston Road Landfill

R2011-130

Decision: Moved by: B. Ball seconded by: G. Morrell that Municipal Council awards assignment of the 2011 work program at the Pittston Road Waste Disposal Site to WESA Inc. at a cost of \$22,900 plus applicable taxes as per the proposal from WESA Inc. dated April 13, 2011

Carried on Consent

l) Electrical Repairs – Port of Prescott

R2011-131

Decision: Moved by: J. Hunter seconded by: C. Burrell that Municipal Council awards the project for electrical repairs at the Port of Prescott to Industrial Electrical Contractors, Brockville, at a cost of \$82,220 plus 10% contingency.

Carried on Consent

9. By-laws

a) Waste Disposal By-law

Councillor Sayeau reiterated his opposition to clause 4.1.1 as it is unfriendly to business.

R2011-132

Decision: Moved by: J. Hunter seconded by: B. Ball that a by-law to establish, maintain and regulate a system for the disposal of municipal waste and to provide for the establishment of policies, regulations and fees for the disposal of municipal waste, garbage and other refuse be now read a third time and finally passed, signed, sealed and numbered 2011-07.

Recorded vote requested by: P. Sayeau		
Councillor B. Ball	Yea	
Councillor C. Burrell	Yea	
Councillor J. Hunter	Yea	
Councillor G. Morrell	Yea	
Councillor P. Sayeau		Nay
Councillor J. Scott	Yea	
Mayor B. Sloan	Yea	
Total	6	1
	Carried	

b) Adopt Estimates and Set Tax Rates (Budget)

Mayor Sloan outlined the impact of the 2011 budget and provided a list of many of the projects planned by the municipality as a result of the approval of this year's budget.

R2011-133

Decision: Moved by: C. Burrell seconded by: J. Hunter that the mover be granted leave to introduce a by-law to adopt the general government estimates for sums required during the tax year and to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2011 and this shall constitute first and second reading thereof.

Carried

Councillor Ball noted that staff had worked hard on the budget. Deputy Mayor Hunter said he would have liked to see a zero increase, but the will of Council was to increase taxes by 2% so he will support the bylaw. Mayor Sloan thanked staff for their hard work and said he feels that a 2% increase is reasonable.

R2011-134

Decision: Moved by: C. Burrell seconded by: J. Hunter that a by-law to adopt the general government estimates for sums required during the tax year and to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2011 be now read a third time and finally passed, signed, sealed and numbered 2011-26.

Carried

c) Adopt Estimates – Cardinal Water & Sewer

R2011-135

Decision: Moved by: J. Scott seconded by: B. Ball that the mover be granted leave to introduce a by-law to adopt the estimates for sums required during the year for the Cardinal water system and the Cardinal sanitary sewage system and this shall constitute first and second reading thereof.

Carried

R2011-136

Decision: Moved by: J. Scott seconded by: B. Ball that a by-law to adopt the estimates for sums required during the year for the Cardinal water system and the Cardinal sanitary sewage system be now read a third time and finally passed, signed, sealed and numbered 2011-27.

Carried

d) Adopt Estimates – Spencerville Sewage System

R2011-137

Decision: Moved by: G. Morrell seconded by: B. Ball that the mover be granted leave to introduce a by-law to adopt the estimates for sums required during the year for the Spencerville sewage system and this shall constitute first and second reading thereof.

Carried

Deputy Mayor Hunter said that he would like to re-distribute the rates between residential, commercial and institutional uses in future.

Councillor Sayeau said that the rate increase of 10% for the Spencerville sewage system to generate an additional \$9,000 in revenue is a step in the right direction but that the system still shows \$36,604 to be financed at the end of the year.

Councillor Scott said that the redistribution of rates should also be looked at for the Cardinal systems in future.

R2011-138

Decision: Moved by: G. Morrell seconded by: B. Ball that a by-law to adopt the estimates for sums required during the year for the Spencerville sewage system be now read a third time and finally passed, signed, sealed and numbered 2011-28.

Carried

e) Establish Reserve Fund – Cardinal & District Community Centre

R2011-139

Decision: Moved by: B. Ball seconded by: J. Scott that the mover be granted leave to introduce a by-law to establish a reserve fund for the capital maintenance of the Cardinal & District Community Centre and this shall constitute first and second reading thereof.

Carried

Council agreed that the intent of the reserve fund is to support capital spending and so agreed to Ms. Mathieu's suggestion to add the word "capital" to the title of the by-law.

R2011-140

Decision: Moved by: B. Ball seconded by: J. Scott that a by-law to establish a reserve fund for the capital maintenance of the Cardinal & District Community Centre be now read a third time and finally passed, signed, sealed and numbered 2011-29.

Carried

f) Adopt Delegation of Authority Policy

R2011-141

Decision: Moved by: J. Hunter seconded by: C. Burrell that the mover be granted leave to introduce a by-law to adopt a policy with respect to delegation of authority and this shall constitute first and second reading thereof.

Carried

R2011-142

Decision: Moved by: J. Hunter seconded by: C. Burrell that a by-law to adopt a policy with respect to delegation of authority be now read a third time and finally passed, signed, sealed and numbered 2011-30.

Carried

g) Adopt Closed Meeting Procedures Policy

R2011-143

Decision: Moved by: P. Sayeau seconded by: C. Burrell that the mover be granted leave to introduce a by-law to adopt a policy with respect to closed meeting procedures and this shall constitute first and second reading thereof.

Carried

R2011-144

Decision: Moved by: P. Sayeau seconded by: C. Burrell that a by-law to adopt a policy with respect to closed meeting procedures be now read a third time and finally passed, signed, sealed and numbered 2011-31.

Carried

g) Heritage Designation – Spencerville Mill

R2011-145

Decision: Moved by: C. Burrell seconded by: J. Hunter that the mover be granted leave to introduce a by-law to designate the property known as the Spencerville Mill at 11 Water Street (Spencerville) as being of cultural heritage value or interest and this shall constitute first and second reading thereof.

Carried

It was noted that a special meeting of Council would be held at 4:30 p.m. on Friday April 29 in order to consider third and final reading of the by-law. That will be the only agenda item.

10. Financial Report

a) Port Accounts

R2011-146

Decision: Moved by: J. Scott seconded by: B. Ball that Municipal Council approves payment of Port of Prescott invoices on the attached listings:

Batch No. 9	\$134,878.62
Batch No. 10	\$333,420.57

Carried on Consent

11. Mayor's Report

Mayor Sloan announced that free swimming lessons would be offered at the two public pools in 2011 thanks to corporate sponsorship from Casco and Greenfield Ethanol. A maximum of 30 children aged 2-12 per session per pool would be able to access the free lessons. Mayor Sloan said that he was pleased to have been able to arrange the corporate sponsorship and that the children would benefit from both a health and safety perspective.

12. Council Inquiries/Notices of Motion

Councillor Sayeau said he did not understand why the Port accounts appear on Council agendas but not the municipal accounts and noted that one listing was from March 31. Mayor Sloan noted that municipal account listings are provided separately and more frequently to Council members and they are to seek clarification from the Treasurer if there is a concern. Staff advised that the Treasurer has limited opportunity to review Port accounts because of the remoteness of Port operations. Council was further advised delays in payment of Port accounts should not be an issue now that the Council meeting schedule has been regularized. Council meetings follow the Monday after the Port Management Committee meeting.

Councillor Sayeau said he is not happy that the municipal accounts do not appear on the Council agenda and has not seen an opinion from the auditor. Staff responded that the process as laid out in the procedural by-law is being followed and has been reviewed by the auditors.

13. Question Period

Nick Gardiner of the Recorder & Times asked for clarification on the increases in water and sewer charges. He also asked if the closed meeting policy was new.

Tim Ruhnke of the Prescott Journal asked for clarification with regard to the tax rate, the percentage increase in spending over 2010, the assessment increases for 2011 taxes, what trimming of services had occurred, what direction had been given to staff as to budget goals and what the County levy increase had been. The Treasurer will provide the requested information.

Mr. Deschamps advised that he felt the process followed at Committee of the Whole on April 18 with respect to tabling of documents by Councillor Sayeau was not in accordance with the procedural by-law.

Mr. Stitt said the minutes should be corrected and asked for clarification of the use of reserve funds.

Mrs. McDonald requested information on the consent agenda process and said she would like to see the approved accounts on the agenda. She also said she felt there was a lack of respect from some members of Council.

Mr. Mallett asked about the man-made pond north of the railway in Cardinal and was advised that the question was out of order as the item was not on the agenda.

Mr. Murray asked about security at the landfill site and was also advised that the question was out of order as the item was not on the agenda.

14. In Camera

MINUTES
IN CAMERA MEETING
MUNICIPAL COUNCIL
CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL
SPENCERVILLE MUNICIPAL OFFICE
MONDAY, APRIL 25, 2011

PRESENT: Bill Sloan, Mayor
John Hunter, Deputy Mayor
Brenda Ball, Councillor
Charlie Burrell, Councillor
Gerry Morrell, Councillor
Pat Sayeau, Councillor
Joe Scott, Councillor

STAFF: Michael Wildman, Chief Administrative Officer
Russell Trivett, Treasurer
Debra McKinstry, Clerk/Planning Administrator

R2011-147

Decision: Moved by: G. Morrell seconded by: J. Scott that Municipal Council proceeds into closed session at 8:00 p.m. in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees;
Specifically: Applicants for the position of Treasurer
- A proposed or pending acquisition or disposition of land for municipal or local board purposes;
Specifically: Industrial Park lands
- Labour relations or employee negotiations;
Specifically: Arbitration

Carried

Municipal Council recessed for a few minutes to clear the chamber.

The CAO updated Council with respect to applicants for the position of Treasurer, an arbitration matter, and potential interest in purchase of lands in the Industrial Park. Deputy Mayor Hunter provided Council with information on a second potential purchaser of Industrial Park land.

R2011-148

Decision: Moved by: G. Morrell seconded by: J. Scott that the closed meeting does now adjourn and the open meeting of Municipal Council does now resume at 9:17 p.m.

Carried

R2011-149

Decision: Moved by: G. Morrell seconded by: J. Scott that Municipal Council of the Township of Edwardsburgh/Cardinal hereby directs the CAO to begin negotiations for the position of Treasurer and directs the CAO to respond to the Union letter.

Carried

15. Confirmation By-law

R2011-150

Decision: Moved by: B. Ball seconded by: J. Scott 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

R2011-151

Decision: Moved by: B. Ball seconded by: J. Scott 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 2011-32.

Carried

16. Adjournment

R2011-152

Decision: Moved by J. Hunter that Municipal Council does now adjourn at 9:20 p.m.

Carried

These minutes were adopted by Council this 24th day of May, 2011.

Mayor

Clerk