

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

Minutes of the meeting held on September 8, 2008 at 7 p.m. in the municipal building.

Present: Mayor Nelson
Councillors: Garbutt, Nygard, Vezina
Clerk-Treasurer Buob

Visitors: Kelly Johnson, Leadhand
Ryan Jones and Darren Henderson – Gravel Doctor
Brian Wiese

Mayor Nelson called the meeting to order at 7:05 p.m..

Disclosure of pecuniary interest and general nature thereof: none

1. Moved by Lee Ann Nygard
Seconded by J. Vezina

**THAT THE MINUTES OF THE COUNCIL MEETING HELD ON MONDAY,
AUGUST 18, 2008 BE ACCEPTED AS PRINTED.**

Carried

2. Moved by J. Vezina
Seconded by Lee Ann Nygard

THAT COUNCILLOR RACICOT BE MARKED ABSENT DUE TO WORK.

Carried

Mayor Nelson asked the visitors if they wished to address Council. Mr. Wiese replied yes. Council were in agreement to allow Mr. Wiese to address Council. Mr. Wiese asked if Council could do something with regard to the speeding of trucks hauling on Strom road. Council informed him that this will be addressed later in the meeting.

Mr. Jones and Mr. Henderson of the Gravel Doctor were welcomed to the table. Introductions were made. The first item on the agenda was the invoice that was submitted to the township for road repairs done to Strom road after the flood. Questions were asked regarding the invoice. A discussion was held and the Gravel Doctor will be reevaluating the invoice and getting back to Council.

The use of Strom road by the Gravel Doctor to haul material from their gravel pit located in Conmee Township was discussed. The only access from this pit is Strom road and Fleming road. The Township of Conmee currently has a load restriction on their portion of Fleming road. Mr. Jones and Mr. Henderson were informed that the Township of O'Connor has received a lot of complaints from our residents with regard to the extra hauling coming from this pit. Council asked several questions with regard to the usage of the pit. Mr. Jones replied that they would be using this pit for more than five years. The amount of haulage would depend on the jobs that they secure and the location of these jobs and this will change from year to year. They estimated that their hauling season would be from May 1 to the beginning of December. Their current hours of operation are 7 a.m. to 7 p.m. with Saturday's 7 a.m. to 4 p.m. There may also be three or four trucks on Sunday from 7 a.m. to 5 p.m. Council recognized that they cannot enforce start times within another township but previous noise concerns with logging companies have been resolved by verbal agreements with the contractor to have the work start later.

Spring half load season was discussed. Council informed the guests that a permanent haul during half loads will not be allowed. If the road is still in good shape a temporary agreement could possibly be signed for a temporary period of time.

A cash or insurance bond to cover possible road damage was discussed. It was decided that if this were agreed upon, an independent third party would be assigned to look at the road prior, to determine the condition. Both parties agreed the cost of a third party would be split 50/50. Pictures of the road would also be taken prior to the signing of any type of agreement.

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

Mr. Jones will look into the difference between a cash bond and an insurance bond. Mr. Jones agreed that they also want the road in good condition, as this not only benefits our residents but them and their equipment also.

Concerns noted with regard to changes over time with Councils and the use of the road by the Ministry of Transportation from the Strom pit were expressed by Mr. Jones.

Council agreed that the Gravel Doctor would not be held responsible for any damage caused by trucks coming out of the Ministry's pit on Strom road. If an increased amount of material was to be removed from this pit an agreement of some sort would also be put in place with regard to the use of the road.

The guests were informed that currently Strom road is only calcimed in front of the residents. They were also informed that Strom road does not have any winter maintenance beyond the last home. If there was a requirement to have the road opened there would be a fee. They were also informed that Council will be considering a speed reduction on Strom and Fleming road later in the meeting.

It was noted that the previous owners had very low usage out of this pit and the Ministry of Transportation recently have also had low usage and the residents have not had a concern with the trucks previously.

Another option to Strom or Fleming road was discussed. Mayo road is a non maintained boundary road. The Gravel Doctor's land in Conmee Township also comes to this boundary. They would have to take a look at their property to see what the terrain is like as well as the location of Cedar Creek and the requirements involved to cross this creek. The Township will also have to look into the expropriation of the road allowance for Mayo road. This optional route would take the truck traffic off of Strom road but would take sometime to get setup and built, if it is possible.

A possible agreement between the Gravel Doctor and the Township of O'Connor was discussed. Options with regard to an agreement verses terms and conditions were discussed. Reasonable conditions will be looked at. Council would like protection for their road based on their usage.

It was agreed that a draft terms and conditions document would be drafted for the use of Strom road. If the Ministry of Transportation begins to haul out of Strom pit the Gravel Doctor would like to know that a similar document will be drafted for that pit as well.

It was suggested that the Township of O'Connor inquire into the royalties from the Ministry of Transportation for the material removed from this pit as they access is through our township not the Township of Conmee.

The letter that Council submitted to the Ministry of Transportation and Rock Solid Holdings regarding their objection to a Class "A" aggregate licence application was discussed. Mr. Jones and Mr. Henderson were informed that due to the fact that Council were not aware of their future plans and with all the concerns of the township residents a decision was reached that an objection letter be submitted.

Council were asked if, now that they know their plans, would they be willing to rescind their objection. Each member of Council expressed their concerns with regard to the trucking, the speed and number of the trucks currently hauling and the concern if more trucks were to be on the road and it was agreed that the letter would not be rescinded.

Mr. Jones and Mr. Henderson informed Council that they have policies in place for their employees and if there is a problem they would like to know about it when it is happening. A number on the door of all of their trucks identifies them, as well as a licence plate, and they would like to know of any concerns as soon as they happen.

It was noted that both their pit and Strom pit have been here for several years and even though they was minimal use, they are pits and could be accessed at any time.

The discussion with Mr. Jones and Mr. Henderson completed at 9:06 p.m.

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

Kelly Johnson, Leadhand, was welcomed to the table. Time sheets from June 29 to September 4, 2008 were reviewed. Mr. Johnson gave Council an update on the flood repair. JML Engineering is currently working on drawings for a temporary fix for the Harstone Road bridge. They were out on September 5th to look at the bridge and have the drawings 50% complete. Contractors will be notified soon requesting quotes to do the required work. There are still two culverts to be put on Cronk road, Fleming road needs gravel, Pool road needs ditching and a culvert installed, Whittaker road needs a culvert, Blaikie road on Diana's hill needs gravel. All rock and creek work is complete.

Mr. Johnson also reported on the repairs to be done by TWD on Highway 590 and 595 as per Council's request at the last meeting. Bruno's Contracting has been the hold up on the Highway 590 repairs. They are currently working on patching Highway 590 and should be done this week. Highway 595 patching has been completed and the whole highway should be receiving a new chipped surface.

A road department summer student performance report was read.

A fall township inspection was discussed. It was

3. Moved by G. Garbutt
Seconded by Lee Ann Nygard

**THAT THE FOLLOWING DATE BE SET FOR A TOWNSHIP INSPECTION,
OCTOBER 10, 2008 AT 1 P.M.**

Carried

Roadwork in general was discussed. The road department has been finishing up the storm repairs. They had to put another master cylinder in the grader and it is working properly now. The first one will be sent back to the dealer and they will look it over and try to resell it. The underground fuel tanks will be changed this fall. The township trucks are being safetied. They will be going back to Job #1, gravelling of Cronk road and they may not do Job #2.

A copy of the Highway Traffic Act, Section 128 with regard to speed limits was read. It was agreed that a By-law will be passed reducing the speed on both Strom road and Fleming road effective October 1, 2008. Notice will be given to all ratepayers affected by the change.

A draft sample agreement for Strom road was discussed. An agreement versus a terms and conditions documents were discussed. It was agreed to go with terms and conditions at this time. The conditions were discussed and will be drafted for Council to review. When the document meets Council satisfaction it will be forwarded to the Gravel Doctor for their approval.

The date in which winter maintenance takes effect was discussed. The policy will be reviewed and it will be amended to included the dates of November 1 to April 30 as winter.

It was agreed that Strom road will not be plowed after the date of November 1st for anyone.

The length of the terms of agreement were discussed. Council would like a four year term with the renew date being in the middle of the new Council term, rather than in the beginning or end.

Council thanked Mr. Johnson for attending.

4. Moved by G. Garbutt
Seconded by Lee Ann Nygard

**TIME BEING: 10:30 P.M. THAT THE BUSINESS OF THIS MEETING
CONTINUE.**

Carried

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

The administration and roads voucher and the Ontario Disaster Relief Assistance Program voucher were reviewed. It was

5. Moved by Lee Ann Nygard
Seconded by J. Vezina

THAT THE ADMINISTRATION AND ROADS VOUCHER FOR AUGUST 31, 2008 TOTTALLING \$81,248.02 BE APPROVED AND PAID.

Carried

6. Moved by J. Vezina
Seconded by G. Garbutt

THAT THE STATE OF EMERGENCY ADMINISTRATION AND ROADS VOUCHER FOR THE PURPOSE OF FUNDING THROUGH THE ONTARIO DISASTER RELIEF ASSISTANCE PROGRAM FOR AUGUST 31, 2008 TOTTALLING \$30, 043.77 BE APPROVED AND PAID.

Carried

The statement and revenue expenditures for July 31, 2008 were reviewed.

A draft By-law to reduce the speed on Strom road and Fleming road was discussed. It was agreed that the speed limit on Fleming will be reduced to 60 km per hour, the same as the Township of Conmee have posted for the first 1.9 km from Sovereign road and Strom road will be posted for 40 km per hour. This change will come in place October 1, 2008. A by-law will be presented at the next meeting. Mr. Johnson will order the speed limit signs.

The quotes for the disposal site study, which were opened at the last meeting were discussed. The Clerk-Treasurer's comparison report was read. It was

7. Moved by G. Garbutt
Seconded by J. Vezina

THAT THE QUOTE OF TBT ENGINEERING TO CONDUCT A DISPOSAL SITE STUDY AT A COST OF \$6,900.00 PLUS GST BE ACCEPTED.

Carried

Resolutions for endorsement were read as follows:

- a) Town of Milton requesting the Minister of the Environment consider placing a deposit/return on aluminum and plastic drink containers was filed.
- b) City of Owen Sound requesting the Government of Ontario provide full exemption of provincial sales tax on goods and services for Ontario police services was filed.
- c) City of Owen Sound requesting that the Government of Ontario provide full exemption of provincial sales tax on goods and services to all Ontario municipalities similar to the GST exemption. It was

8. Moved by G. Garbutt
Seconded by J. Vezina

THAT THE RESOLUTION FROM THE CITY OF OWEN SOUND REQUESTING THAT THE GOVERNMENT OF ONTARIO PROVIDE FULL EXEMPTION OF PROVINCIAL SALES TAX ON GOODS AND SERVICES FOR ALL ONTARIO MUNICIPALITIES SIMILAR TO THE GST EXEMPTION BE ENDORSED.

Carried

- d) Town of Halton Hills requesting a public inquiry into the challenges facing municipalities from implementation of provincial growth legislation be conducted was filed.
- e) CUPE Ontario requesting endorsement for the 8th Annual Child Care Worker & Early Childhood Educator Appreciation Day, October 22, 2008 was filed.
- f) Town of Innisfil regarding the Ontario Energy Board Order was filed.
- g) City of Orillia requesting Continued Use of Coal Generation in Ontario was filed.

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

h) Township of Elizabethtown-Kitley requesting Payment-in-lieu Agreement was filed.

Correspondence were read as follows:

- a) A copy of the letter from Jacquie Cottingham to Rock Solid Holdings and MNR District Manager objecting to any licence that would allow an increase in the removal of sand or gravel material from the Gravel Doctor's pit in Conmee Township.
- b) OGRA – McGuinty Government Invests an Additional \$1.1 Billion to Municipal Infrastructure
- c) Mauro Announces over \$11 Million in Infrastructure Funding in the Thunder Bay – Atikokan riding
- d) MFOA – Investing in Ontario Act delivers \$1.1 Billion in funding for Municipal Infrastructure
- e) Media Release from MPP Andrea Horwath, NDP Municipal Affairs critic - Horwath slams McGuinty's Municipal Failure
- f) Ron Hackett – FFSCO Steering Committee Member – copy of letter to the Premier regarding Investing in Ontario Act Announcement
- g) AMO – i) Ontario Small Waterworks Assistance Program – Part 2
ii) Important Infrastructure Funding Announcements at 2008 AMO Conference
- h) AMCTO Express Legislative Update
- i) Township of North Stormont endorsing Township of Muskoka Lakes resolution requesting MPAC improve their operations
- j) Anita Agrawal - The Council of Canadians report
- k) Township of Athens letter supporting Council's resolution regarding the Canada Summer Jobs Program.

The balance of the correspondence were passed around the table.

Under Old Business, Council discussed

- a) The Deputy Clerk-Treasurer's report on property ownership with regard to the Gravel Doctor's pit in Conmee Township, as requested at the last meeting.
- b) Information from 2006 regarding the request for reduction in speed limit on Highway 590 was discussed. All the correspondence from the Ministry of Transportation, Ms. Cottingham and the Township of O'Connor were reviewed. Council would like the Clerk-Treasurer to contact the Ministry of Transportation to see how they can reopen the possibility of having the speed limit reduced on Highway 590 from Highway 11/17 to Fire # 194 to 70 km per hour. The information will be brought back to the next meeting.
- c) Ministry of Natural Resources – Bearwise Project, pricing for electric fencing was discussed. Councillor Nygard will request a price from Hydro One for the installation of a power line into the site. The deadline for submitting claims is December 31, 2008.
- d) O'Connor Day review revenue and expense spreadsheet was reviewed. The Township's current estimated net loss for the day is \$172.22. Due to the time the Pros and Cons of the day will be discussed at another meeting.

Under New Business, Council discussed

- a) LRCA – Drinking Water Source Protection – i) Letter regarding notice provided for Municipal review and comment for the proposed terms of reference for the Lakehead Source Protection Area
ii) Copy of the Proposed Terms of Reference for the Lakehead Source Protection Area and
iii) Copy of Public Guidance Document for the Proposed Terms of Reference.
Council did not have any comments to submit.
- b) Northwestern Ontario Forest Council – Fall General Meeting to be held in Thunder Bay on September 17th. No one will attend.

Under further new business, Council discussed an invitation to the Ontario Provincial Police Grand Opening of their Communication and Technology Services Bureau to be held on Friday, September 12, 2008 at 1 p.m. Council agreed that Mayor Nelson attend.

The yellow line on Highway 595 was discussed. It is fading and will need to be redone prior to winter. The Ministry of Transportation will be contacted to ensure that the line is repainted after the chipped surface is applied prior to winter.

TOWNSHIP OF O'CONNOR - MINUTES – SEPTEMBER 8, 2008

Issues brought forward or letters received after agenda was mailed

- a) The Premier of Ontario's reply to Council's letter endorsing the Township of Muskoka Lakes regarding MPAC.
 - b) TBaytel information regarding a Centrex phone system and the Township of O'Connor's current phone rate comparison was discussed. There is an initial set up fee but after that the rates are close to the same as our current phone bills. TBaytel will be contacted to see how long there will be technical support for this system and request a reduction in the installation costing estimate. This system would be an asset to the Township and could be used during an emergency to help with the communication problem.
 - c) Ministry of Natural Resources Minister Donna Cansfield – Tourism Competitiveness Study requesting submissions promoting tourism. Council will not participate in the study.
 - d) The October 14, 2008 Council meeting was discussed. Due to the Federal Election recently announced the date of the meeting will have to be changed. It was
9. Moved by Lee Ann Nygard
Seconded by J. Vezina

THAT THE COUNCIL MEETING SCHEDULED FOR TUESDAY, OCTOBER 14, 2008 AT 7 P.M. BE RESCHEDULED TO MONDAY, OCTOBER 6, 2008 AND THE MONDAY, OCTOBER 27, 2008 MEETING BE RESCHEDULED TO MONDAY, OCTOBER 20, 2008 AT 7 P.M.

Carried

Building permits were approved for two garages and one addition, demolition and renovations to a church.

It was

10. Moved by Lee Ann Nygard
Seconded by J. Vezina

THAT THE MEETING ADJOURN TO THE NEXT MEETING OF COUNCIL TO BE HELD ON MONDAY, SEPTEMBER 22, 2008 AT 7:00 P.M.

TIME BEING: 11:05 P.M.

Carried

Mayor

Clerk-Treasurer