

THE CORPORATION OF THE MUNICIPALITY OF WHITESTONE

-MINUTES-

**Regular Council (Committee of the Whole) Meeting
Tuesday, October 20, 2009
6:30 p.m., at the Community Centre in Dunchurch**

Present: Chris Armstrong, Mayor
Bill Church, Councillor
Joe Lamb, Councillor
Morley Moore, Councillor

Staff: Liliane Nolan, CAO-Clerk
Tammy Wylie, Treasurer

Regrets: Alan Ladd, Councillor

Visitors: 11 (plus 2 for Tenders)

Mayor Chris Armstrong called this meeting to order at 6:30 p.m.

Disclosure of Pecuniary Interest and General Nature Thereof:

- None noted as presented.

Adoption of the Agenda

2009-451 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore
That the Council Agenda for this meeting be adopted as printed and
circulated. **Carried**

Delegations/Presentations:

- Donna McCreary, Local Area Manager, Huronia/Muskoka, Kim Kemp, Superintendent of Canada Post and Mary Ellen Wilson, Acting Post Master for Dunchurch Post Office made a presentation regarding the Dunchurch Post Office.

Tender for Crushed Granite, Granular >A=

2009-452 Moved by Councillor Joe Lamb
Seconded by Councillor Bill Church
That the Council of the Municipality of Whitestone hereby receives the tenders for 1000 tonnes, 100% Crushed Granite, Granular >A= as per OPSS 1001, and 1010 to be delivered and stockpiled as follows:

From	Tender Amount
Fowler Construction Co. Ltd.	\$13,937.20 (taxes included)
Magnetawan Crushing	\$12,937.00 (taxes included)

And Further to be deferred for acceptance until the November 2, 2009 meeting upon receiving Acting Road Superintendent's Report. **Carried**

Move into Committee of the Whole

2009-453 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore
That Council hereby moves into Committee of the Whole at 7:10 p.m.
Carried

Reconvene to Regular Council Meeting

2009-454 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore
That Committee be adjourned to Regular Council at 9:20 p.m. **Carried**

Staff Report from Tammy Wylie, Treasurer regarding 2009 Budget.

Report from John Jackson, Planner regarding agreements on unopened road allowances.

Closure of Original Road Allowance – George R. Comrie

2009-455 Moved by Councillor Morley Moore
Seconded by Councillor Bill Church
WHEREAS an application has been filed by George Comrie and Joan Evans for the closing and acquisition of the road allowance, consisting of all of Comrie Drive, Registered Plan M-518, in the geographic Township of McKenzie, now the Municipality of Whitestone designated as Parts 2 thru 7, Plan 42R-18792;

AND WHEREAS the proposed closings do not conflict with the road allowance closing requirements included in the Official Plan;

NOW THEREFORE the Council of the Corporation of the Municipality of Whitestone hereby approves the original road allowance closure in principle as applied for by George Comrie and Joan Evans consisting of all of Comrie Drive, Registered Plan M-518, in the geographic Township

of McKenzie, now the Municipality of Whitestone designated as Parts 2 thru 7, Plan 42R-18792, in the geographic Township of McKenzie, Municipality of Whitestone, Territorial District of Parry Sound subject to:

- complying with the procedures set out in the Municipal Road closing by-law;
- payment of the required fees;

And Further that notice for the sale shall be as follows:

Advertise in the Parry Sound North Star once, at least one month prior to the public meeting;

Post notice in the Municipal Office;

Post notice for at least one month in four (4) of the most public accessible places in the neighbourhood of the proposed closure;

Post notice on the Municipal Website.

Deferred

Request to Purchase Concession Road Allowance - Jansen

2009-456

Moved by Councillor Bill Church

Seconded by Councillor Morley Moore

WHEREAS Arnold Jansen owns property on Shawanaga Lake, Lot 1, Incl RP 42R-8662, Part 1 subject to ROW PCL 981 SS Reg.;

AND WHEREAS these owners wish to acquire the concession road allowance at this location to facilitate a reconfiguration of lots fronting on Shawanaga Lake;

AND WHEREAS the proposed closing is not contrary to the road closing policies contained in the municipality's Official Plan;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Whitestone has no objection to the closing of a portion (being the south half) of the concession road allowance between Concessions 4 and 5 in Lot 1, geographic township of Hagerman by Arnold Jansen provided that:

- a) complying with the procedures set out in the Municipal Road closing by-law;
- b) payment of the required fees; and
- c) confirmation that the concession road allowance merges with one or both of the adjoining lands.
- d) that Mr. Bob Brierley has no objection to the conveyance of the south half of the concession road allowance between Concession 4 and 5 in Lot 1.

Carried

Report from John Jackson, Planner regarding Work Permit on Shore Road Allowance.

Use of Shore Road Allowance – Part of Lot 4, Concession 4

2009-457

Moved by Councillor Morley Moore

Seconded by Councillor Bill Church

That Council of the Municipality of Whitestone hereby authorizes the use of unopened road allowances, more specifically the original shore road allowance on part of Lot 4, Concession 4, geographic township of East Burpee, Snakeskin Lake subject to the following conditions:

1. an Environmental Study Report be completed ensuring that any improvements to the road allowance will have no adverse environmental impacts;
2. enter into an agreement between the proponents and the Municipality of Whitestone to indemnify the Municipality of Whitestone from any liability;
3. same notification take place to all property owners as rezoning the land to authorize the use of land for a public landing including abutting owners supporting the proposal;
4. the proponents hereby be appointed by the Municipality of Whitestone as the agent for the purpose of applying to the Ministry of Natural Resources for a work permit and authorize him/her/them to sign any application(s) on our behalf;
5. the proponents will be responsible for all costs associated with this venue.

Carried

Access Road – Bolger Lake.

Draft Resolution – Assuming Roads for Municipal Maintenance Purposes

2009-458

Moved by Councillor Joe Lamb

Seconded by Councillor Morley Moore

WHEREAS the Municipality of Whitestone is aware of a number of unassumed roads within its jurisdiction that are public highways as defined by the Municipal Act;

AND WHEREAS these roads are presently used by a large number of ratepayers;

AND WHEREAS these roads do not meet current municipal road standards so that they are not assumed for municipal road maintenance purposes;

AND WHEREAS it is the policy of the Municipality to, over the long term, to provide a uniform and equitable standard of road services to all ratepayers;

AND WHEREAS the Council of the Corporation of the Municipality of Whitestone believes that it is appropriate and responsible to establish a process where unassumed roads may be incorporated into the Municipality's road maintenance system;

NOW THEREFORE BE IT RESOLVED that the Corporation of the Municipality of Whitestone adopt the following procedures for extending services to unassumed roads;

STEP 1 – ROAD STANDARDS

1. Roads that are to be assumed by the Municipality must be brought up to its required standards as set out in the Official Plan.
2. These standards may vary depending upon the length of the road, the nature and the amount of use, the quality of the road base and the associated maintenance program.
3. To consider a standard less than that prescribed in the Official Plan, a party interested in pursuing the assumption of an existing road must provide a report by a qualified engineer to identify the appropriate road standards.

STEP 2 – UPGRADING ROAD

4. Once a road standard has been established by a party seeking to upgrade a road to be assumed for maintenance purposes, the Municipality shall take on the role of facilitator to assist in achieving the maintenance objectives.
5. As facilitator, the Municipality will seek funding services and assist with partnerships between the various levels of government and the users of the road to enable a road to be upgraded to achieve assumption status.
6. The Municipality may seek a variety of funding approaches including Local Improvements or Municipal Act authorities to assist a party in achieving its funding goals to upgrade a road.

STEP 3 – ROAD MAINTENANCE

7. Once a road is upgraded to the identified standard, the Municipality will assume the road for maintenance purposes as per Section 9.05.2 of the Official Plan.
8. The road maintenance may be undertaken by Municipal staff or contracted to a qualified business that is determined to be capable of undertaking the maintenance program. **Deferred**

Email dated June 14, 2009 from Dunchurch Estates Road Cottage Association (DERCA).

Email dated May 25, 2009 from North Meadow Cove Property Association.

Letter dated April 9, 2009 from Scott Looby, et al.

Letter dated April 9, 2009 from Gerald Chaput, et al.

Letter from Whitestone Lakeshore Acres Association.

Letter received September 4, 2009 from Mike King.

Letter dated September 2, 2009 from Russell & Elizabeth Lawrence.

Unsigned letter dated July 2009.

Letter dated August 21, 2009 from Bren Selvage.

Email dated August 30, 2009 from Hal & Karen Gillett.

Letter dated August 31, 2009 from S.F. Borrell & L. Borrell.

Email dated August 27, 2009 from R.M. (Ron) Farrell.

Email dated August 27, 2009 from Barry Bell.

Email dated August 12, 2009 from Leslie Born & Walter Schaible.

Email dated August 11, 2009 from Dave Matson.

Letter dated September 18, 2009 from Barry Bell.

Letter dated September 28, 2009 from Matthew Parkhill.

Letter dated August 2009 from Brunetti, et al.

Letter dated September 11, 2009 from Quinnland Cottagers' Road Association.

Email dated September 14, 2009 from Gillett, et al.

Cramahe Township Report.

Beckwith Private Roads Study Group.

Road Grant Protocol

2009-459

Moved by Councillor Joe Lamb

Seconded by Councillor Morley Moore

That the Council of the Corporation of the Municipality of Whitestone approves and adopts the following protocol for the authorizing of annual grants for the purposes of assisting road maintenance costs to property owners on private and unassumed roads:

1. The property owners (including undeveloped lots) fronting and/or utilizing one or more private or unassumed road(s) must form a ratepayers or similar association, duly constituted with a bank account and officers which memberships shall include/represent at least two-thirds (2/3) of those households;
2. The grant to be provided shall be determined by Council based on a calculation of x factor and y factor during the yearly budget process;

x factor represents dollars (\$) per kilometer and y factor represents dollars (\$) per household. An association representing several different roads may apply for grant for any or all affected roads unless a separate associated association has already applied for a road grant on their own.
3. Approved grants shall be given in 2 draws, spring and fall, which is intended to reflect the seasonality of maintenance needs;
4. Applications shall be accompanied by a budget of estimated annual expenditures and a statement of current uncommitted funds on hand in the Association's bank account;
5. The Association's constitution, slate of officers and books shall be supplied to the Municipality with the application for a grant annually and all applications shall be considered only when protocols have been met;
6. All applications shall be forwarded to the Municipal Treasurer who shall have the responsibility/authority of determining grant eligibility and authorizing grants based on having met the protocols;

7. The Association will be solely responsible to oversee the administration and supervision of annual work programs and related budget and furthermore the Municipality will have no responsibility, obligation, or exercise any degree of operational control with respect to maintenance of the affected roads;
8. Grants are not guaranteed and due to budgeting constraints may be curtailed at any time by resolution of Council;
9. Council may from time to time establish further conditions on the approval of grants that may be generally applied or specific to a particular situation.
10. All grants must be used on specified road in the calendar year of issuance and written summary of money spent must be submitted to the Municipality.
11. Failure to follow reporting requirements will result in that particular road association not to be included for grants in the following calendar year.

Recorded Vote:

Councillor Bill Church	Yea	
Councillor Joe Lamb	Yea	
Councillor Morley Moore	Yea	
Mayor Chris Armstrong	Yea	Carried

Adoption of Minutes for the Regular Council

2009-460 Moved by Councillor Joe Lamb
 Seconded by Councillor Bill Church
 That the minutes of the Regular Council meeting of October 6, 2009 be adopted as presented and circulated. **Carried**

Adoption of Minutes for Community Development Committee

2009- 461 Moved by Councillor Morley Moore
 Seconded by Councillor Joe Lamb
 That the minutes of the Community Development Committee meeting of October 14, 2009 be adopted as presented and circulated.

And Further that Recommendation 2009-59, 2009-60 and 2009-61 be approved as follows:

- that quotes be received for 2 inch minus with fines. Quotes – 3T/L

- to be delivered to #1 Trail Head – Approximately \$1,000.00;
- that arrangements for Drop Site Preparation by a contractor – Approximately \$300.00; and
- tender for a survey of the Municipal Road Allowance.

Carried

Adoption of Minutes for Public Meeting – Tax Sale

2009-462 Moved by Councillor Bill Church
 Seconded by Councillor Morley Moore
 That the minutes of the Public Meeting – Tax Sale of October 14, 2009 be adopted as presented and circulated. **Carried**

Acceptance of Minutes for Whitestone Public Library Board Meeting

2009-463 Moved by Councillor Bill Church
 Seconded by Councillor Morley Moore
 That the minutes of the Whitestone Public Library Board meeting of June 23, 2009 be accepted as presented and circulated. **Carried**

Staff Report dated October 20, 2009 from Floyd Thomson, Facilities Manager regarding Generators.

Approval of Accounts Payable

2009-464 Moved by Councillor Morley Moore
 Seconded by Councillor Bill Church
 That the Accounts Payable in the amount of \$140,421.18 and payroll in the amount of \$18,597.05 be approved. (Full report for viewing can be seen at the municipal office) **Carried**

Acceptance of Monthly Reports

2009-455 Moved by Councillor Joe Lamb
 Seconded by Councillor Bill Church
 That Council hereby accepts the following monthly reports prepared/submitted by department heads:

Building Department: Building Permit Report – September 2009. **Carried**

Proclamation – Waste Reduction Week in Canada – October 19-25, 2009

2009-466 Moved by Councillor Joe Lamb
 Seconded by Councillor Morley Moore
Whereas as a municipality, the Municipality of Whitestone is committed to conserving resources, protecting the environment and educating the community;

And Whereas the Municipality of Whitestone recognizes the generation of solid waste and the needless waste of water and energy resources as global environmental problems and endeavor to take the lead in our community toward environmental sustainability;

Now Therefore, I Mayor Chris Armstrong and all Members of Council of the Municipality of Whitestone do hereby recognize and proclaim the week of October 19-25, 2009 as Waste Reduction Week in the Municipality of Whitestone and do commend its thoughtful observance to all citizens of our municipality. **Carried**

Proclamation – Local Government Week – October 16-24, 2009

2009-467 Moved by Councillor Morley Moore
Seconded by Councillor Bill Church

Whereas October 16-24, 2009 will be celebrated in Ontario as Local Government Week;

And Whereas the municipal order of government performs functions that significantly impact the day-to-day life of citizens throughout the world;

And Whereas the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), the Ontario Ministry of Municipal Affairs and Housing, and the Association of Municipalities of Ontario (AMO), acknowledge and celebrate the significant role that municipal governments play in helping to define the character, priorities, physical make up, and quality of life of communities across Ontario;

Now Therefore, I Mayor Chris Armstrong and all Members of Council of the Municipality of Whitestone do hereby proclaim the week of October 16-24, 2009 as Local Government Week in the Municipality of Whitestone and do commend its thoughtful observance to all citizens of our municipality. **Carried**

Staff Report from Dennis Rowntree, Chief Building Official regarding Drainage Act.

Staff Report from Liliane Nolan, CAO-Clerk regarding Working Roads Superintendent Job Description.

Selection Committee for Equipment Operator (Snow Plough Operator)

2009-468 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore

The following persons will be part of the Selection Committee to conduct interviews for the Equipment Operator (Snow Plough Operator):

Mayor Chris Armstrong

CAO-Clerk Liliane Nolan
Acting Road Superintendent Bruce Brear

And Further that Council hereby authorizes CAO-Clerk to use outside resources deemed necessary as a resource tool to enhance the selection process. **Carried**

Correspondence – Noted and Filed:

- Letter dated September 23, 2009 from the Ministry of Transportation regarding Planned Improvements to Highway 520 from Dunchurch to Ardbeg.
- Letter dated October 9, 2009 from the Ministry of Transportation regarding Highway 520 North – Winter Maintenance Class Review.

Support Township of Machar – School Closure

2009-469 Moved by Councillor Joe Lamb
Seconded by Councillor Morley Moore
That Council of the Municipality of Whitestone hereby supports Resolution No. 2009-335 put forth by the Township of Machar at its meeting of September 28 that the Municipality of Whitestone strongly oppose any consideration of closing South River Public School by the Near North Board of Education as this school is seeing an increase in enrolment evidenced by the current necessity of 3 kindergarten classes and the classrooms in this school are full,

And Further that South River Public School is vital to the communities of Machar, South River, Lount and Laurier and the Ministry of Education should be petitioned to update building infrastructure and to properly fund and recognize the value of rural public schools.

And Further that a copy of this resolution be forwarded to Premier of Ontario Dalton McGuinty, Minister of Education Kathleen Wynne, Near North District School Board, Community Schools Alliance Doug Reycraft, M.P.P. Norm Miller, the Association of Municipalities of Ontario (AMO) and the Township of Machar. **Carried**

Proposed By-Law - Notification of Marijuana Grow Operation Protocol Agreement with Police Services

2009-470 Moved by Councillor Morley Moore
Seconded by Councillor Bill Church
That Council hereby proposes to pass a by-law to enter into an agreement between the Ontario Provincial Police Services and the Municipality of Whitestone regarding Notification of Marijuana Grow Operation Protocol as per Schedule “A”. **Carried**

By-Law No. 58-2009 - Recreational Infrastructure Canada Program in Ontario

2009-471 Moved by Councillor Joe Lamb
Seconded by Councillor Bill Church
That By-Law 58-2009, being a By-Law to enter into a Contribution Agreement (Ontario file Number: N1071, Project Number(s): R2306, R2308, R2309) with Minister of Energy and Infrastructure and Minister of Health Promotion for Recreational Infrastructure Canada Program in Ontario be Read a First and Second time this 20th day of October, 2009;

And Further Read a Third time, Passed, properly Signed and Sealed this 20th day of October 2009 and numbered No. 58-2009. **Carried**

Unfinished Business

- Bridge at Hwy. 124 – Site Inspection completed, two rocks to be removed under guidance of Fisheries & Oceans between July 16 to September 30, 2010.
- Review of Road Standards By-Law – speed limits, cautionary signs, etc.
- Draft resolution for unassumed roads - review November 16, 2009 meeting
- Zebra Mussels – boat wash stations
- Drainage Act – Canning Road
- Replacement to two speed limit signs on Whitestone Lake
- Fish Monitoring Equipment

Curfew Past 3 ½ Hours for Regular Council Meeting

2009-472 Moved by Councillor Joe Lamb
Seconded by Councillor Bill Church
That Council hereby continues its Regular Council Meeting past the allotted time of three and a half (3 ½ hours) and continue for additional one-half (1/2) hour. **Carried**

Trailer

2009-473 Moved by Councillor Bill Church
Seconded by Councillor Joe Lamb
That Council hereby authorizes staff to acquire a trailer to house and support a temporary post office/change room. **Carried**

In Camera

2009-474 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore
That Council proceeds with the meeting in Closed Session at 10:22 p.m. to discuss the following:

- 1) Personal matters about an identifiable individual, including municipal or local board employees – Administration (Closed Session Minutes). **Carried**

Open Session

2009-475 Moved by Councillor Bill Church
Seconded by Councillor Joe Lamb
That Council moves out of Closed Session at 10:23 p.m. and continue the
Open Council meeting. **Carried**

By-Law No. 59-2009, Confirming By-Law

2009-476 Moved by Councillor Bill Church
Seconded by Councillor Morley Moore
That By-Law No. 59-2009, being a by-law to confirm the proceedings of
the Regular Council (Committee of the Whole) meeting held on October
20, 2009, be Read a First and Second time this 8th day of September,
2009;

And Further Read a Third time, Passed, properly Signed and Sealed this
20th day of October 2009 and numbered No. 59-2009. **Carried**

Adjournment

2009-477 Moved by Councillor Joe Lamb
Seconded by Councillor Bill Church
That this Council meeting be adjourned at 10:24 p.m. to meet again on
Monday, November 2, 2009 at 6:30 p.m. at the Community Centre in
Dunchurch or at the call of the Mayor. **Carried**

Chris Armstrong **Mayor**

Liliane Nolan **CAO-Clerk**