

Council Meeting Minutes – August 12th, 2008

**The Corporation of the Township of Lake of Bays
MINUTES**

There was a regularly scheduled meeting of Council held at 1:00 p.m., on August 12th, 2008, in the Council Chambers of the Township of Lake of Bays Municipal Offices, Dwight, Ontario.

Attendance

Mayor
Councillors

Janet Peake
Ben Boivin
Margaret Casey
Virginia (Ginny) Burgess
Nancy Tapley
Philip Cote
Ruth McEachern Ross
Don H. Chevalier
Tom Brown
Stefan Szczerbak
Steve Watson
Michelle Percival

CAO/Treasurer
Director of Public Works
Planner
Chief Building Official
Clerk

Regrets

Deputy Clerk Yvonne Aubichon
By-law Enforcement Officer Mike Wilmon

1. MEETING CALLED TO ORDER

The meeting was called to order at 1:05 p.m., on August 12th, 2008, by Mayor Janet Peake

2. APPROVAL OF AGENDA

Resolution #2(a)/08/12/08

Councillor Casey and Councillor Ross

Be it resolved that the Council Meeting Agenda dated August 12th, 2008, be adopted as circulated.

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST

Nil

4. TENDERS

- (a) 2008-09 Rental of Two (2) Tandem Combination Sander Trucks w/Operators (refer to report)

Resolution #4(a)/08/12/08**Councillor Casey and Councillor Ross**

WHEREAS requests for proposal #2008-09 for the Rental of Two Tandem Combination Plow/Sander Trucks with Operators were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Council Chambers;

When: July 23rd, 2008 at 1:05 pm.; and

Who: Lauri Romanko – Supervisor of Public Works – Roads, Yvonne Aubichon – Deputy Clerk and Linda Pinkerton – Administrative Assistant – Public Works, were in attendance, along with one (1) member of the public.

AND WHEREAS the following three (3) bids were received:

Bidders Name	Price Per Km (inc taxes) 2008/2009	Price Per Km (inc taxes) 2009/2010	Price Per Km (inc taxes) 2010/2011	Price Per Km (inc taxes) 2011/2012	Price Per Km (inc taxes) 2012/2013
D.B Enterprises	\$8.93	\$9.19	\$9.45	\$9.77	\$10.24
Peter Crossett	\$24.51	\$24.51	\$26.96	\$26.96	\$31.06
Barnhart Sand and Gravel	\$19.69	\$20.28	\$20.89	\$21.52	\$22.17

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays recommends that all tenders (2008-09) for the rental of two tandem combination plow/sander trucks with operators be rejected.

Carried

- (b) 2008-10 Purchase of Two (2) Tandem Plow/Sander Trucks

Resolution #4(b)/08/12/08**Councillor Casey and Councillor Tapley**

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WHEREAS requests for proposal #2008-10 for the Purchase of Two Tandem Plow/Sander Trucks were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Council Chambers;
When: August 1st, 2008 at 1:05 pm.; and
Who: Tom Brown – Director of Public Works, Yvonne Aubichon – Deputy Clerk and Linda Pinkerton – Administrative Assistant – Public Works, were in attendance, along with two (2) member of the public.

AND WHEREAS the following five (5) bids were received:

Bidders Name	Total for One Truck (incl. taxes) (2 required)	Option A (if applicable)	Option B (if applicable)	Option C (if applicable)
Near North Truck Centre	\$192,606.24	-----	-----	-----
Canadian Fleet Services	-----	\$195,377.00	\$203,400.00	\$185,535.83
Western Star/Stirling	-----	\$184,114.29	\$193,955.46	-----
North Land Truck Centre	\$180,963.85	-----	-----	-----
Paul North Truck Centre	-----	\$205,555.00	\$213,058.36	-----

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays accept the bid from Canadian Fleet Services for the Purchase of Two Tandem Plow/Sander Trucks each in the amount of \$195,377.00, including taxes.

Carried

(d) 2008-12 Culvert Replacements

Resolution #4(d)/08/12/08

Councillor Ross and Councillor Tapley

WHEREAS requests for proposal #2008-12 for a Culvert Replacement were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Council Chambers;
When: August 1st, 2008 at 1:05 pm.; and

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Who: Tom Brown – Director of Public Works, Yvonne Aubichon – Deputy Clerk and Linda Pinkerton – Administrative Assistant – Public Works, were in attendance.

AND WHEREAS the following two (2) bids were received:

Bidders Name	Site 1 Billie Bear Rd	Site 2 Paint LK Rd	Site 3 Old Hwy 117	Site 4 Norway Pt. Rd	Site 5 Bellwood Acres Rd	Total
McPherson – Andrews Contracting Ltd.	\$9,794.00	\$6,777.00	\$63,850.0 0	\$15,710.00	\$6,924.00	\$103,055.00
Fowler Construction Co. Ltd.	\$19,070.81	\$32,647.02	\$91,528.9 2	\$94,995.59	\$31,063.10	241,345.44

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays accept the bid from McPherson Andrews Construction Ltd. for Culvert Replacement in the amount of \$103,055.00, plus taxes.

Carried

8. REPORTS AND BY- LAWS

(b) Director of Public Works

- (i) Report re: Tender 2008-09, Rental of Two (2) Tandem Combination Sander Trucks w/Operators

All tenders were rejected by Council (refer to resolution 4(a)/08/12/08, page 2)

- (ii) Report re: Proposed Roadside Brushing 2008; **for Council's information**
- (iii) Report re: Summary of Water Test Results for July 2008; **for Council's information**

5. DEPUTATION/DELEGATIONS

- (a) 1:30 p.m. Michael Lawley, Executive Director, Muskoka Tourism
Re: Proposed Destination Marketing Fund

Mr. Lawley addressed Council on how the tourism industry fits into the broader economic development scheme;

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highlighting findings through the Premier Ranked Tourism Destination Study and the value added component.

- (b) 1:45 p.m. **Mayor Peake thanked Mr. Lawley for his presentation.**
 Kelly Haywood, General Manager, Chamber of Commerce
 Re: Tourism Services (to be distributed)

Ms. Haywood introduced her colleague Trish Kruusmagi, Program and Sales Coordinator and provided Council with an update on Tourism Services.

Mayor Peake thanked both Ms. Haywood and Ms. Kruusmagi for their attendance and expressed appreciation for their update.

Tape 1(b)

- (c) 2:00 p.m. Fred and Catherine Swaine
 Re: Dock on Township Road Allowance

Mr. and Mrs. Swaine addressed Council on behalf of their mother/mother-in-law, Mrs. Audrey MacDonald requesting removal of the portion of the dock constructed on the original shore road allowance abutting Mrs. MacDonald's property at Bayview Acres Road, property roll #040-014-02300.

The Chief Building Official then spoke to the Swaine's request advising Council that although Mrs. MacDonald won a court case to have the dock removed, it is not up to the Township to enforce a court order, it is up to the courts and the Ontario Provincial Police to enforce a court order; therefore, Mrs. MacDonald would have to go back to court to receive an injunction to have the dock removed.

Mayor Peake thanked Mr. and Mrs. Swaine for their attendance and for making Council aware of the circumstances surrounding this matter, but advised that unfortunately it is outside of the Township's jurisdiction.

Council directed staff to bring forth a report to provide Council with a better understanding of the issues surrounding this matter.

- (d) 2:15 p.m. Madeleine Cleroux, Union Representative, Canadian Union of Postal Workers
 Re: Public Postal Service

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Ms. Cleroux introduced her colleague Mr. Peter Denley and then advised Council on potential issues regarding the federal government's inquiry of the public post office under the Canada Post Corporation Strategic Review.

Mayor Peake thanked Ms. Cleroux and Mr. Denley for taking the time to speak with Council and directed staff to send a letter of support regarding this matter.

8. REPORTS AND BY- LAWS

(f) Deputy Clerk

(ii) By-laws & Reports re: Licence of Occupation

Tape 2(a) & (b)

- (a) Report re: Withers, Thomas
Lot 8, Concession 4 (Franklin)
Property Roll No. 010-020-00404
1060 Seabreeze Road

Delegations were heard from former Mayor, Thomas Pinckard, the Applicant's Solicitor, David Tang, Planning Consultant, Marie Poirier, Bob Francis and John Francis, Seabreeze Road residents and staff regarding this matter.

Mayor Peake then opened the floor for Council's comments and further discussion on the matter. Mayor Peake then closed the discussions and directed staff and Mr. Tang the applicant's solicitor to meet and prepare a proposal for Council's approval. (refer to resolution #8(f)(ii)(a)/08/12/08, page 14)

6. ADOPTION OF MINUTES

(a) To Be Adopted

- (i) Council Meeting Minutes – July 8th, 2008.

Resolution # 6(a)(i)/08/12/08

Councillor Casey and Councillor Ross

Be it resolved that the Council Meeting Minutes for the meeting dated July 8th, 2008 be adopted as circulated.

Carried

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- (ii) Finance and Corporate Services Committee Meeting Minutes – June 3rd, 2008.

Resolution # 6(a)(ii)/08/12/08

Councillor Ross and Councillor Casey

Be it resolved that the Finance and Corporate Services Committee Meeting Minutes for the meeting dated June 3rd, 2008 be adopted as circulated.

Carried

- (iii) Special Council Meeting Minutes – July 19th, 2008

Resolution # 6(a)(iii)/08/12/08

Councillor Tapley and Councillor Ross

Be it resolved that the Special Council Meeting Minutes for the meeting dated July 19th, 2008 be adopted as circulated.

Carried

(b) **To Be Received**

- (i) Miii Construction Advisory Committee Meeting Minutes – April 3rd, 2008

Resolution # 6(b)(i)/08/12/08

Councillor Tapley and Councillor Ross

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Miii Construction Advisory Committee Meeting Minutes for the meeting dated April 3rd, 2008.

Carried

- (ii) Miii Construction Advisory Committee Meeting Minutes – April 21st, 2008

Resolution # 6(b)(ii)/08/12/08

Councillor Tapley and Councillor Ross

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Miii Construction Advisory Committee Meeting Minutes for the meeting dated April 21st, 2008.

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Carried

- (iii) Miii Construction Advisory Committee Meeting Minutes – May 28th, 2008

Resolution # 6(b)(iii)/08/12/08

Councillor Burgess and Councillor Cote

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Miii Construction Advisory Committee Meeting Minutes for the meeting dated May 28th, 2008.

Carried

- (iv) Miii Construction Advisory Committee Meeting Minutes – July 7th, 2008

Resolution # 6(b)(iv)/08/12/08

Councillor Boivin and Councillor Burgess

- (v) **BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Miii Construction Advisory Committee Meeting Minutes for the meeting dated July 7th, 2008.**

Carried

- (v) Parks, Recreation and Trails Committee Meeting Minutes – June 23rd, 2008

Resolution # 6(b)(v)/08/12/08

Councillor Burgess and Councillor Boivin

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Parks, Recreation and Trails Advisory Committee Meeting Minutes for the meeting dated June 23rd, 2008.

Carried

- (vi) Heritage Advisory Committee Meeting Minutes – June 24th, 2008

Resolution # 6(b)(vi)/08/12/08

Councillor Boivin and Councillor Cote

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BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receive the Heritage Advisory Committee Meeting Minutes for the meeting dated June 24th, 2008.

Carried

7. COMMITTEE RESOLUTIONS FOR CONSIDERATION

(a) Finance and Corporate Services Committee

Nil

(b) Heritage Committee

Nil

(c) Parks Recreation and Trails Committee

Nil

(di) Community Emergency Management Committee

Nil

8. REPORTS AND BY- LAWS

(a) Planning

Nil

(b) Director of Public Works

- (i) Report re: Tender 2008-09, Rental of Two (2) Tandem Combination Sander Trucks w/Operators

All tenders were rejected by Council (refer to page 2 - resolution 4(a)/08/12/08)

- (ii) Report re: Proposed Roadside Brushing 2008; **for Council's information**
- (iii) Report re: Summary of Water Test Results for July 2008; **for Council's information**

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- (i) Report re: Building Reports for the month of June 2008; **for Council's information**

(d) Fire Chief

Nil

(e) Clerk

Nil

(f) Deputy Clerk

- (i) **Reports and By-laws re: Original Shore Road Allowance and Original Road Allowance**

Nil

- (ii) **By-laws & Reports re: Licence of Occupation**

- (b) Report re: Summary Report for July 2008; **for Council's information**

- (iii) **Other**

- (a) By-law #08-96, being a by-law to authorize the Mayor and Clerk to sign an agreement between the Ministry of Community and Social Services/Ministry of Children and Youth Services for small water works funding. (Dwight Community Centre)

By-law #08-96 was read and first, second and third time and finally passed

- (b) By-law #08-97, being a by-law to delegate routine powers and duties to staff.

By-law #08-97 was read and first, second and third time and finally passed

- (c) By-law #08-98, being a by-law to establish committees and appoint Council representation to various committees within the Township of Lake of Bays. (Glenmount Road)

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By-law #08-98 was read and first, second and third time and finally passed

(g) By-law Enforcement

- (i) Report re: 2008 Bear Wise Program

By-law #08-99, being a by-law to authorize the Mayor and Clerk to sign an agreement between HER MAJESTY THE QUEEN in right of Ontario as represented by the Minister of Natural Resources and the Corporation of the Township of Lake of Bays.

By-law #08-99 was read and first, second and third time and finally passed

- (ii) By-law Activity Report for June and July 2008; **for Council's information**

(h) C.A.O./Treasurer

Nil

9. CORRESPONDENCE

- (a) Tim and Susan Bannon re: Support Naming of "Britannia Bay"

Council supported this request and directed staff to respond accordingly.

- (b) Gail E. Hope re: Speed Limits - Main Street Dorset

Mayor Peake Council requested Councillor Boivin, the Township representative, to have discussions with the Ontario Provincial Police with respect to spot radar and also contact the District Municipality of Muskoka to see if the District would review the speed limit in that area. Mayor Peake also directed staff to respond accordingly to this correspondence.

Tape 3(a)

10. MUNICIPAL COUNCILLORS' REPORTS

- (a) **Councillor Boivin**

Councillor Boivin reported on the following:

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District Municipality of Muskoka

- Reminder August 15th, 2008 is the date for the Debt Reduction Initiative and Selection of District Chair Meetings

Lake Association Annual General Meetings

- Biggest issue discussed was Debt Reduction Initiative

Rain Storm

- Caused washout at Grassmere Road
- Cautionary reminder that water levels are extremely high

(b) **Councillor Burgess**

Councillor Burgess reported on the following:

Artist of the Limberlost Tour

- Scheduled for August 16th and 17th, 2008

District Municipality of Muskoka

- Hearing from constituents that the Debt Reduction Initiative Meeting will be well attended on August 15th, 2008

Peninsula Lake Association

- Attended annual general meeting

(c) **Councillor Cote**

Councillor Cote reported on the following:

Baysville Boat Show

- Reminder this event is scheduled for Sunday, August 17th, 2008 from 8:00 a.m. to 4:00 p.m.

(d) **Councillor Tapley**

Councillor Tapley reported on the following:

Events

- Chamber of Commerce “End of Summer Dock Party”
- Firefest well attended
- Fireboat Committee Golf Tournament scheduled for Friday, August 22nd, 2008

(e) **Councillor Ross**

Councillor Ross reported on the following:

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Roads

- Received road complaints

(f) **Councillor Casey**

Councillor Casey reported on the following:

Muskoka Trails Council

- Hired a regional trails coordinator

Creative Muskoka Meetings

- Have been attending these meetings and will report back to Council on a regular basis

After School Program Meeting

- Hosted by Community Recreation Coordinator, Jennifer Schnier on July 17th, 2008 regarding last years program and created a parents Council to provide input to staff for the upcoming program

Bethune United Church

- Celebrated its 125th Anniversary on the July 19th & 20th weekend and have opened a labyrinth for the community.

Baysville Community Group

- Hosted a very successful Walkabout on July 26th, 2008
- Are operating the Farmers Market Friday afternoons in Baysville until the end of August.

Muskoka Heritage Council

- Attended their lecture series on July 31st, 2008
- According to presentation, phosphorus levels are down in all lakes

Lake of Bays Regatta

- Was well attended on Saturday, August 2nd, 2008

Robertson/Dickson Property

- Parkette dedication was held on Thursday, August 7th, 2008
- Members of the Lake of Bays Heritage Foundation are collecting verbal histories including stories of this house
- Special Council Meeting for the purpose of obtaining public input on the Robertson/Dickson House scheduled for Thursday, August 28th, 2008 at 7:30 p.m. Baysville Seniors Centre

Baysville Riverfront Group

- Held successful Arts and Crafts show this past weekend

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AMO Conference

- Will be attending this year's conference on August 24th – 27th, 2008

11. MAYOR'S REPORT

Mayor Peake reported on the following:

Robertson/Dickson House

- Special Council Meeting for the purpose of obtaining public Input on the Robertson/Dickson House being held on Thursday, August 28th, 2008 at 7:30 p.m. at the Baysville Seniors Centre.

Fire Boat Committee Golf Tournament

- Announced that Councillor Casey, Councillor Boivin and Mayor Peake are going to sponsor four golfers for this tournament

Huntsville Lakes Council

- Bill Summers has stepped down as Chair
- Distributed a new list of executive to Council.

8. REPORTS AND BY- LAWS (cont'd)

(f) Deputy Clerk

(ii) By-laws & Reports re: Licence of Occupation

Following discussions by Mr. Tang and staff, Council passed the following resolution:

Resolution # 8(f)(ii)/08/12/08

Councillor Boivin and Councillor Cote

BE IT RESOLVED THAT the request for the proposed dock and construction of a shed on the original road allowance located in Part Lot 8, Concession 4, Franklin Ward, be APPROVED as follows:

- Permit structures not exceeding 400 square feet in total.
- Enter into a new Licence of Occupation with similar terms to original licence of occupation.
- No shoreline alterations permitted.
- Building Permit required and Development Permit required within 1 year.
- Construction of structures to be completed within 1 year of the issuance of the Development Permit.
- Council hereby authorizes staff to accept and process the required Development Permit application.

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(Withers) (1060 Seabreeze Road) (Franklin)

Carried

4. Tenders (cont'd)

(c) 2008-11 Lake of Bays Strategic Plan

Resolution #4(c)/08/12/08

Councillor Ross and Councillor Tapley

WHEREAS requests for proposal #2008-11 for the provision of consulting services for the development of a community based strategic plan were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Council Chambers;

When: August 8th, 2008 at 2:05 pm.; and

Who: Don Chevalier, CAO/Treasurer, Michelle Percival, Municipal Clerk, were in attendance.

AND WHEREAS the following two (2) bids were received:

Bidders Name	Cost
Morley Morley Bell-Towns Gravenhurst, ON	\$38,000 + taxes
Lawlor & Association Consultants Inc. North Bay, ON	\$27,500 +taxes

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby rejects all bids with respect to providing consulting services for the development of a community based strategic plan.

Carried

12. UNFINISHED BUSINESS

Nil

13. CLOSED SESSION

Nil

14. BUSINESS ARISING FROM CLOSED SESSION

Nil

15. CONFIRMING BY-LAW

- (a) By-law #08-100, being a by-law to confirm the proceedings of the meetings of Council held on August 12th, 2008.

By-law #08-100 was read a first, second and third time and finally passed.

16. ADJOURNMENT

Resolution #16(a)/08/12/08

Councillor Cote and Councillor Burgess

**Be it resolved that the Council of the Corporation of the Township of Lake of Bays adjourn at 5:30 p.m. to meet again on August 19th, 2008, at 9:00 a.m. in the Council Chambers of the Municipal Office, Dwight, Ontario.
Carried**

Mayor

Clerk

