

**Council Meeting Minutes – September 8<sup>th</sup>, 2009**

**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 September 8<sup>th</sup>, 2009, 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 Chevalier  
Michelle Percival  
Carrie Sykes

CAO/Treasurer  
Clerk  
Deputy Clerk

**1. MEETING CALLED TO ORDER**

The meeting was called to order at 1:40 p.m., on September 8<sup>th</sup>, 2009, by Mayor Janet Peake

**2. APPROVAL OF AGENDA**

**Resolution # 2(a)/09/08/09**

**Councillor Boivin and Councillor Burgess**

**BE IT RESOLVED THAT the Council Meeting Agenda dated September 8<sup>th</sup>, 2009, be adopted as circulated.**

**Carried**

**3. DISCLOSURE OF PECUNIARY INTEREST**

**Nil**

4. TENDERS

(a) Request for Quotation

2009-15 Replacement of Hillside Dock

Resolution # 4(a)/09/08/09

Councillor Cote and Councillor Burgess

WHEREAS requests for quotation #2009-15 for the replacement of the Hillside Dock were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Committee Room;  
When: September, Friday 4<sup>th</sup>, 2009 at 3:00 p.m.; and  
Who: Carrie Sykes, Deputy Clerk; Morris Bryant, Public Works Supervisor of Facilities and Don Chevalier, CAO/Treasurer.

AND WHEREAS the following bids were received:

BIDDER	AMOUNT
Blackbird Holding Ltd.	\$48,642.30
Attainable Landscaping	\$44,625.00
The Ontario Construction Company	\$36,739.50
MacDonald Machining	\$30,575.80
Tom Stead Construction	\$30,975.00

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays accepts the bid from Tom Stead Construction for the replacement of the Hillside Dock in the amount of \$30,975.00

Carried

(b) Request for Quotation

2009-18 Boat Ramp Replacement, North Road, Baysville

Resolution #4(b)/09/08/09

Councillor Ross and Councillor Tapley

WHEREAS requests for quotation #2009-18 for the boat ramp replacement on North Road in Baysville were received and opened in the following manner:

Where: Township of Lake of Bays Municipal Office Committee Room;

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**When:** September, Friday 4<sup>th</sup>, 2009 at 3:15 pm.; and  
**Who:** Carrie Sykes, Deputy Clerk; Morris Bryant, Public Works Supervisor of Facilities and Don Chevalier, CAO/Treasurer.

**AND WHEREAS** the following bids were received:

BIDDER	AMOUNT
R&G Construction	\$20,809.95
The Ontario Construction Company	\$18,847.50
Blackbird Holding Ltd.	\$25,200.00
Rock Solid Excavating & Contracting	\$16,107.20

**BE IT RESOLVED THAT** the Council of the Township of Lake of Bays accepts the bid from Rock Solid Excavating & Contracting for the boat ramp replacement on North Road in Baysville in the amount of \$16,107.20.

Carried.

**5. DEPUTATION/DELEGATIONS**

Nil

**6. ADOPTION OF MINUTES**

**(a) To Be Adopted**

- (i) Council Meeting Minutes – August 11<sup>th</sup>, 2009

**Resolution # 6(a)(i)/09/08/09**

**Councillor Burgess and Councillor Boivin**

**BE IT RESOLVED THAT** the Council Meeting Minutes for the meeting dated August 11<sup>th</sup>, 2009 be adopted as circulated.

Carried

- (ii) Finance and Corporate Services Committee Meeting Minutes – July 7<sup>th</sup>, 2009

**Resolution # 6(a)(ii)/09/08/09**

**Councillor Boivin and Councillor Burgess**

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**BE IT RESOLVED THAT the Finance and Corporate Services Committee Meeting Minutes for the meeting dated July 7<sup>th</sup>, 2009 be adopted as circulated.**

**Carried**

**(b) To Be Received**

- (i) Heritage Advisory Committee Meeting Minutes – July 21<sup>st</sup>, 2009.**

**Resolution # 6(b)(i)/09/08/09**

**Councillor Burgess and Councillor Boivin**

**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 July 21<sup>st</sup>, 2009.**

**Carried**

**7. COMMITTEE RESOLUTIONS FOR CONSIDERATION**

**(a) Finance and Corporate Services Committee**

- (i) Resolution # 7(a)(i)/09/08/09**

**Councillor Ross and Councillor Tapley**

**BE IT RESOLVED THAT the Finance and Corporate Services Committee of the Township of Lake of Bays hereby recommends that the Council of the Corporation of the Township of Lake of Bays direct staff to respond to the request for the support of the amendment to existing legislation that extends coverage to volunteer firefighters for occupational disease and that the Province assume any of the additional WSIB costs.**

**Carried**

- (ii) Resolution # 7(a)(ii)/09/08/09**

**Councillor Tapley and Councillor Ross**

**BE IT RESOLVED THAT the Finance and Corporate Services Committee of the Township of Lake of Bays hereby recommends that the Council of the Corporation of the Township of Lake of Bays authorize the Mayor and Clerk to sign**

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an agreement with the Town of Huntsville for joint fire protection.

Carried

- (iii) By-law #09-103, being a by-law to authorize a Joint Fire Protection Agreement between the Town of Huntsville and the Township of Lake of Bays.

By-law #09-103 was read a first, second and finally a third time and passed.

(b) Heritage Committee

Nil

(c) Parks Recreation and Trails Committee

Nil

(d) Community Emergency Management Committee

Nil

8. **REPORTS AND BY- LAWS**

(a) Planning

(i) By-laws

Nil

(ii) Council Variations to Development Permit By-law 04-180

Nil

(iii) Other

Nil

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(b) Director of Public Works

Nil

(c) Chief Building Official

Nil

(d) Fire Chief

Nil

(e) Clerk

- (a) By-law #09-106, being a by-law to adopt Job Descriptions for Full-Time Non-Unionized Employees (Health & Safety Roles & Responsibilities)(Job Descriptions)

By-law #09-106 was read a first, second and third time and finally passed.

(f) Deputy Clerk

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

ITEM #	WARD	APPLICANT	CIVIC ADDRESS	LOT/CONC.	BYLAW
8(f)(i)(a)	McLean	Romberg	1037 Burlmarie Rd	L 17, C 9	Preliminary Only

- (a) Resolution #8(f)(i)(a)/09/08/09

Councillor Casey and Councillor Tapley

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays authorizes staff to proceed with the necessary steps to sell the Township of Lake of Bays located on Part 5 on Plan 35R-19739 on Part of Lot 17, Concession 9 to Mr. Romberg subject to the following:

- **Option #2 – Disposal for a set price and all legal, appraisal, advertising and other costs associated with the sale of the Township lands be paid by Mr. Romberg. (Romberg)(1037 Burlmarie Road) (McLean)**

Carried

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

Nil

(iii) **Other**

- (a) Report re: LOC Monthly Summary Report for August, 2009.

**Resolution #8(f)(iii)(a)/09/08/09**

**Councillor Burgess and Councillor Boivin**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receives the staff report “LOC Summary Report” for August, 2009.**

Carried

- (b) Report re: Water Testing Summary Report for July, 2009.

**Resolution #8(f)(iii)(b)/08/11/09**

**Councillor Tapley and Councillor Ross**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receives the staff report “Water Testing Summary Report” for July, 2009.**

Carried

- (c) Report re: Summary of Delegation of Powers for August, 2009

**Resolution #8(f)(iii)(c)/09/08/09**

**Councillor Tapley and Councillor Ross**

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**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays receives the staff report “Summary of Delegation of Powers for August, 2009”.**

**Carried**

- (d) By-law #09-104, being a by-law to adopt the Health & Safety Policy

**By-law #09-104 was read a first, second and third time and finally passed.**

**(g) By-law Enforcement**

Nil

**(h) C.A.O./Treasurer**

- (a) By-law #09-105, being a by-law to authorize the Mayor and Clerk to sign an Infrastructure Stimulus Fund Contribution Agreement between the Ministry of Energy and Infrastructure/Ministry of Agriculture, Food and Rural Affairs and the Corporation of the Township of Lake of Bays for Capital Construction Funding. (Public Works Sand Storage Building)

**By-law #09-105 was read a first, second and third time and finally passed.**

- (b) Report re: Hilltop Crescent

**Resolution #8(h)(b)/09/08/09**

**Councillor Boivin and Councillor Tapley**

**WHEREAS the Council of the Corporation of the Township of Lake of Bays receives the staff report “Hilltop Crescent” from the Finance and Corporate Services Committee dated September 8<sup>th</sup>, 2009**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays authorizes the expenditure of \$32,000 from the OLRA Reserve to cover projected re-construction costs of Hilltop Crescent.**

**Carried**

9. CORRESPONDENCE

Nil

10. MUNICIPAL COUNCILLORS' REPORTS

(a) Councillor Boivin

Councillor Boivin reported on the following:

Tasso Lake AGM

- To be held on Sunday, September 6<sup>th</sup> at 10:00 a.m. at Camp Olympia.

Source Water Study

- AECOM Canada Ltd. completed a study on source water in Muskoka and found no threats to our water sources.

Andrew Daniels Fish Stewardship Committee

- Beginning the re-habilitation of Rabbits Bay, spawning bed improvements at a creek close to Norway Point and will be placing Temperature Loggers on the Boyne and possibly the Oxtongue as it flows into Lake of Bays.
- All projects will be monitored by Steve Scholten, MNR Biologist.
- Will be receiving funds from MNR, the Andrew Daniels Fish Stewardship Committee and will be seeking approximately \$8,000 from the Bigwin Fish Fund.

(b) Councillor Burgess

Councillor Burgess reported on the following:

Limberlost Bears

- Continue to be a problem in Sinclair Township. It is generally accepted that controlling nuisance bears and the feeding dangerous wildlife is the responsibility of the Ministry of Natural Resources, not the Municipality. Our MPP, Norm Miller agrees, and in response to recent concerns, has written a letter to Hon. Donna Cansfield, Minister of Natural Resources asking for legislation for Ontario similar to that of British Columbia, to discourage the feeding of dangerous wildlife.

While that is undoubtedly the best ultimate solution, it could be a lengthy process. In the meantime we have a very serious public safety situation existing in our township, and no tools by which we can penalize those who endanger the public by feed dangerous

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wildlife. The MNR has guidelines for Municipal by-laws available in that regard and I believe we should consider creating and using our own by-law until such time as provincial legislation is available.

**Discussion was held with respect to the situation and the position of Council, staff, residents and visitors.**

**Resolution #10(b)(i)/09/08/09**

**Councillor Burgess and Councillor Tapley**

**WHEREAS the Council of the Corporation of the Township of Lake of Bays deems it a great danger to the health and safety of ratepayers and visitors to the area to have individuals intentionally feeding black bears within the municipality (with the exception of hunt cams during bear hunting season)**

**WHEREAS wildlife control/management is the purview of the MNR and currently there is no regulation from MNR to prevent feeding bears and municipal control would be expensive and unenforceable.**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays request that MNR develop regulations to address the problem of intentionally feeding wild black bears.**

**AND FURTHER THAT this resolution be forwarded onto MNR and neighbouring municipalities.**

**Carried**

**Meetings**

- Bella-Rebecca Cottagers Association Corn Roast – September 5<sup>th</sup>, 2009; and
- Tasso, Camp and Blue Lake Cottager's Association AGM – September 6<sup>th</sup>, 2009.

**(c) Councillor Cote**

Councillor Cote reported on the following:

**Meetings**

- Tack-a-berry Association AGM;

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Absent

- October 13<sup>th</sup> Council meeting;

(d) **Councillor Tapley**

Councillor Tapley reported on the following:

Upcoming Events

- Ironman Triathlon on September 13<sup>th</sup>;

Seabreeze Trail

- Trespassing concerns have been forwarded to the Parks, Recreation & Trails Advisory Committee;

(e) **Councillor Ross**

Councillor Ross reported on the following:

Bellwood Acres Road Petition

- (i) Request to bring forward Taxpayer Petition re: Bellwood Acres Road

**Resolution #10(e)(i)/09/08/09**

**Councillor Ross and Councillor Tapley**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby accepts the petition from Bellwood Acres Road residents with respect to the condition of the road.**

**Carried**

Road Tour

- Joined Mayor Peake and Herb Hickling, President of Paint Lake Ratepayer's Association on a road tour of the roads around Paint Lake. Very informative tour that showed the poor conditions of the roads in this area. Also the wooden bridge on Paint Lake Road is in need of structural work on the cribs.

Absent

- October 21<sup>st</sup> – 24<sup>th</sup>

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(f) **Councillor Casey**

Attended

- Lake Association meetings,
- Community events,
- Muskoka Trails Council – 1<sup>st</sup> Amazing Race,
- Tour of Seniors Housing in the District of Muskoka,
- Wellness Focus Group re: New Wellness Centre, and
- Grand re-opening of Baysville Library/Arena – very well received.

**11. MAYOR'S REPORT**

Mayor Peake thanked Mr. Hickling for providing the road tour of Paint Lake and Bellwood Acres and reported that she attended lake association meetings and the re-opening of the Baysville Library/Arena.

**12. UNFINISHED BUSINESS**

Nil

**13. CLOSED SESSION**

(a) **Resolution #13(a)/09/08/09**

**Councillor Tapley and Councillor Ross**

**BE IT RESOLVED THAT in accordance with Section 239, (1), (2), and (3.1) of the Municipal Act, c.25, S.O. 2001, as amended, the Council of the Corporation of the Township of Lake of Bays will convene in Closed Session at 2:30 p.m. for discussion regarding:**

- Personal matters about an identifiable individual, including municipal or local board employees; and**
- A meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.**

**Carried**

**Council Meeting Minutes – September 8<sup>th</sup>, 2009****(i) Resolution #13(a)(i)/09/08/09****Councillor Burgess and Councillor Cote****BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby adopts the following Closed Session Minutes:**

- Council – June 9<sup>th</sup>, 2009
- Council – July 7<sup>th</sup>, 2009
- Council (Planning Matters) – July 21<sup>st</sup>, 2009
- Council – July 27<sup>th</sup>, 2009
- Council – August 11<sup>th</sup>, 2009

**Carried****(b) Resolution #13(b)/09/08/09****Councillor Boivin and Councillor Burgess****BE IT RESOLVED THAT the Council reconvene in Open Session at 2:35 p.m. and report on matters discussed in Closed Session.****Carried.****14. BUSINESS ARISING FROM CLOSED SESSION****Nil****15. CONFIRMING BY-LAW**

- (a) By-law #09-107 being a by-law to confirm the proceedings of the meetings of Council held on September 8<sup>th</sup>, 2009.

**By-law #09-107 was read a first, second and third time and finally passed.**

16. **ADJOURNMENT**

**Resolution #16(a)/09/08/09**

**Councillor Casey and Councillor Tapley**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays adjourn at 2:36 p.m. to meet again on September 22<sup>nd</sup>, 2009, at 9:00 a.m. in the Council Chambers of the Municipal Office, Dwight, Ontario.  
Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

DRAFT