

**Township of Seguin**  
**Draft Minutes of Council Meeting**  
**April 6<sup>th</sup>, 2010**

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A regular meeting of the Township of Seguin Council was held April 6<sup>th</sup>, 2010 at 4:00 p.m. at the Township of Seguin Council Chambers. The public information session regarding the Ontario Mission/Camp of the Deaf was held at the Humphrey Community Centre. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Jacklin and Sainsbury present. Councillor Sturgeon sent his regrets.

After the meeting was called to order Mayor Conn asked for approval of the agenda. Council approved the agenda with the addition of various items of correspondence regarding the Ontario Mission/Camp of the Deaf.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. There were no disclosures of pecuniary interest declared.

The following resolutions were considered by Council:

**2010-092 Adams-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:01 p.m. in order to address matters pertaining to:

- personal matters about an identifiable individual, including municipal employees.  
Report No. TR-2010-003, Tax Payment Extension Agreement.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.  
Holiday Cove Marina.
- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose.  
Holiday Cove Marina.”.

**2010-093 Adams-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 4:24 p.m.”.

**2010-094 Adams-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve a donation in the amount of \$2,000.00 to Sail Parry Sound.”.

**2010-095 Gibbon-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the March 8<sup>th</sup>, 2010 regular and closed session meetings of Council as circulated.”.

**2010-096 Gibbon-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

	March 4, 2010	\$110,552.58
	March 11, 2010	746,594.53
	March 18, 2010	175,863.54
	March 25, 2010	1,843,290.36
On-line Payments	March 2-29, 2010	<u>72,348.93</u>
	<b>TOTAL</b>	<b><u>\$2,948,649.94</u></b> ”.

**2010-097 Adams-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the Agenda for the April 6<sup>th</sup>, 2010 meeting of Council.

Public Works:

- Report No. PW-WD-2010-003, Proposed agreement with Niagara Waste Systems

- Limited for the disposal of household and transtor waste.
- Report No. PW-WD-2010-004, Tender No. 2010-015, Purchase of a trim dozer for landfill operations.
- Report No. PW-RD-2010-010, Tender No. 2010-005, Liquid calcium chloride.

Corporate Services:

- Report No. AD-2010-005, Place-Based Cultural Tourism.
- Report No. TR-2010-003, Tax Payment Extension Agreement.”.

**2010-098 Sainsbury-Jacklin**

**Carried**

“**THAT** as per Report PW-WD-2010-004 Council of The Corporation of the Township of Seguin does hereby accept the bid from G.F. Preston Sales and Service Ltd., Sundridge, Ontario in the amount of \$63,827.94 including taxes and rebate (which also includes a trade-in allowance of \$15,000 for a Komatsu Trim Dozer known as VW03) for the purchase of a 2007 Case 650K Trim Dozer with approximately 139 hours, and award Tender No. 2010-015 to G.F. Preston Sales and Service Ltd., Sundridge, Ontario.

**AND THAT** Council does hereby declare the Township owned Komatsu Trim Dozer SN D37E-21523 known as VW03 as surplus and approve the sale of this unit to G.F. Preston Sales and Service Ltd., Sundridge, Ontario for a trade-in value of \$15,000.”.

**2010-099 Jacklin-Sainsbury**

**Carried**

“**THAT** as per Report PW-RD-2010-010 Council of The Corporation of the Township of Seguin does hereby accept the 2010 unit price bid from Da-Lee Dust Control for the Supply and Delivery of Calcium Chloride in the revised amount of \$71,500 plus G.S.T. and award Tender No. 2010-005, to Da-Lee Dust Control.”.

**2010-100 Adams-Gibbon**

**Carried**

“**THAT** as per Report AD-2010-005, Place-Based Cultural Tourism, Council of The Corporation of the Township of Seguin does hereby agree in principle to the concept of Place-Based Cultural Tourism.”.

**2010-101 Gibbon-Adams**

**Carried**

“**WHEREAS**, studies by the World Health Organization indicate an active lifestyle and regular physical activity provides young people with important physical, mental and social health benefits;

**AND WHEREAS**, Council of The Corporation of the Township of Seguin supports the benefits to youth of an active lifestyle;

**AND WHEREAS**, Council believes lower user fees supports active lifestyle amongst area youth;

**THEREFORE BE IT RESOLVED THAT** Council of The Corporation of the Township of Seguin does hereby direct and authorize Staff to lower user fees for ice time at the Humphrey Community Centre for the Parry Sound Minor Hockey, Parry Sound Phantoms and Parry Sound Figure Skating Clubs to the same rate as charged to the corresponding Clubs in the Township of Seguin.”.

**2010-102 Sainsbury-Jacklin**

**Carried**

“**WHEREAS**, Council of The Corporation of the Township of Seguin accepted the bid from Adams Brothers Construction Ltd. in the amount of \$259.00 plus taxes (for each opening and closing) for Request For Proposals No. 2010-001, Grave Openings & Closings and awarded RFP No. 2010-001 to Adams Brothers Construction Ltd.;

**AND WHEREAS**, the figures were transposed with the actual bid amount being \$295.00 plus taxes for each opening and closing as per the attached bid summary sheet;

**NOW THEREFORE**, Resolution No. 2010-070 passed on March 8<sup>th</sup>, 2010 be amended to provide the correct bid price by Adams Brothers Construction Ltd. of \$295.00 per grave opening/closing.”.

**2010-103 Jacklin-Sainsbury**

**Withdrawn**

“THAT Council of The Corporation of the Township of Seguin directs Staff to take no action regarding Council of The Corporation of the Township of Carling’s Resolution #09-107, directing their Fire Chief to investigate a West Parry Sound Fire Service.”.

**2010-104 Adams-Gibbon**

**Carried**

“THAT Council of The Corporation of the Township of Seguin does hereby authorize the following Members of Council to attend the 2010 District of Parry Sound Municipal Association, Spring Meeting hosted by the Village of Sundridge on April 30<sup>th</sup>, 2010. Reimbursement of expenses will be as per Township Policy: Susan Adams, Alex Chidley.”.

**2010-105 Adams-Gibbon**

**Carried**

“THAT Council of The Corporation of the Township of Seguin does hereby authorize the following Members of Council to attend the 2010 Association of Municipalities of Ontario Annual Conference being held in Windsor from August 15<sup>th</sup> – 18<sup>th</sup>. Reimbursement of expenses will be as per Township Policy: David Conn, Susan Adams.”.

**2010-106 Sainsbury-Jacklin**

**Carried**

“THAT By-law No. 2010-024, Being a By-law to Designate a Reduced Load Period on certain Municipal Highways or Portions thereof within the Township of Seguin and to Repeal By-Law No. 2004-017, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2010-107 Jacklin-Sainsbury**

**Carried**

“THAT By-law No. 2010-028, Being a By-law to authorize the execution of a Tax Arrears Extension Agreement, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2010-108 Sainsbury-Jacklin**

**Carried**

“THAT Council of The Corporation of the Township of Seguin does hereby receive the Board and Committee Minutes and the Correspondence as presented on the Agenda for the April 6<sup>th</sup>, 2010 meeting of Council.”.

**2010-109 Chidley- Gibbon**

**Carried**

“THAT Council of The Corporation of the Township of Seguin does hereby adjourn the regular meeting to hold a public information session related to matters concerning the Ontario Mission/Camp of the Deaf.”.

Mayor David Conn welcomed the public to the session and introduced the members of Council and the interpreters. Mayor Conn explained the session format and outlined some good practices when utilizing interpreters in a conversation.

Township of Seguin Director of Planning, Chris Madej provided a summary of the zoning and noise issues associated with the Mission property. Mr. Madej summarized the conditions of the Draft Memorandum of Understanding between the Mission and the Township as well as the Draft Racing By-law and the Draft Amendments to the Noise By-law.

Mr. Ed Veldboom of the firm Russell, Christie, LLP, legal counsel representing the Township explained the concept of legal non-conforming in relation to property zoning and uses and also explained the intent of the Draft Memorandum of Understanding between the Mission and the Township as well as the Draft Racing By-law and the Draft Amendments to the Noise By-law.

Dalila Giusti of Jade Acoustics Inc. explained the process and methodology followed for testing the noise levels in various locations surrounding the activities at the Mission track and the report prepared from the data collected. Ms. Giusti outlined possible mitigation measures which may be utilized to decrease the noise levels.

Mr. Derek Rumball representing the Ontario Mission of the Deaf provided a summary of the Mission goals and objectives and the activities of the Mission on the property. Mr. Rumball provided a history of the Mission in relation to the property and the growth the Mission has realized on the property.

Mayor Conn explained the rules of procedure for the public input portion of the session and opened the floor to comments.

Ms. Jean Polak, legal counsel representing the Natural Place To Be Committee spoke to outline concerns the group had regarding the use of the property for for-profit events and whether or not the events are in conformity with the zoning of the property. Ms. Polak requested Council not enter into a Memorandum of Understanding but insist the Mission undertake an application for rezoning of the property. Ms. Polak had submitted her comments in writing previous to the meeting.

Mr. Kari Malmstrom spoke to support the Mission and the use of the property. Mr. Malmstrom also submitted his comments in writing.

Mr. Bob Burnham spoke to object to the current uses at the Mission and stated the events have grown into commercial events and are not currently permitted under the zoning of the property. Mr. Burnham asked that the Mission be required to submit an application for rezoning and follow that process.

Mr. Digby Sale spoke to express his objection to the racing events and the noise the events generate. Mr. Sale is opposed to the hours in the Draft Memorandum of Understanding and Draft By-laws as they are not constrictive enough.

Dr. Elliott Schwarz spoke to state his concerns with the noise generated by the users of the track at the Mission property and his concerns the uses put a strain on the provision of emergency services to the rest of the area. Dr. Schwartz believes injuries and deaths are rising in the youth category due to the improper use of ATV's.

Ms. Sydney Hammonds spoke to express her support for the Mission and the track and associated events as it provides her with a place and the opportunity to ride.

Ms. Jennine Loewen spoke to provide information on actual emergency medical response calls to the Mission property and to submit a petition of support for the Draft Memorandum of Understanding and Draft By-laws and the Mission events. Ms. Loewen stated there were approximately 120 signatures on the petition.

Mr. Bill Park spoke to support the Mission and the events. Mr. Park believes the Mission provides a safer place for riders.

Mrs. Beverley Burnham spoke to express her objection to the events and the noise created as well as the trespassing of the event participants on private lands.

Mr. Chris Canopic spoke to support the Mission and the events. Mr. Canopic feels the Mission offers a safe place for riders as the Mission instructors strictly enforce safety measures.

Mr. David Hankala of the Rankin Lake Property Owners' Association Inc. spoke to object to the noise generated by the racing events at the Mission property. Mr. Hankala supports the mitigation measures and requested standards be adopted and inspections of machines be conducted prior to all races.

Mr. Ulrich Kaltz spoke to state concerns with the noise generated by the races and support the implementation of mitigation measures. Mr. Ulrich objects to non-Mission users racing on the property.

Ms. Maureen Willis spoke to support the Mission and the racing activities as they provide a good family event and her family attend the practice nights for the fun, safe environment it provides.

Ms. Rose Bailey spoke to support the Mission activities and races as it provides family events and promotes social skills development for the youth.

Ms. Darlene Broderick spoke to object to the racing events and the potential environmental impacts the events are having on the land and the lake.

Ms. Barb Jacklin spoke to support the Mission activities and the racing. Ms. Jacklin stated the uses do not affect area property values negatively.

Ms. Carolyn Claridge spoke to support the Mission.

Mr. Leno Zecca, an instructor at the Mission spoke to advise the Mission will meet the conditions of the Draft Memorandum of Understanding and Draft By-laws and will continue with monitoring the noise levels.

Mr. Douglas Whitman, President of the Otter Lake Ratepayers' Association spoke to state he is not opposed to the Mission campers uses but is opposed to the commercial racing events at the property. Mr. Whitman asked the Township to evaluate the mitigation measures to ensure Ministry of the Environment noise guideline levels are met prior to entering into the Draft Memorandum of Understanding and Draft By-laws. Mr. Whitman also requested there be a review of the Mission's charitable status for the portions of the lands being used for commercial events. Mr. Whitman also submitted his comments in writing.

Mr. Ken Gracie spoke to state emergency medical response services in the area are above standard and the organized events are safer for riders and youth. Mr. Gracie supports the continued uses as they provide a fun learning environment for the youth and help to build youth's self-confidence.

Mr. Thomas Grainger, Chairman of the Mission spoke to support the events and stated the events are used to help fund the Mission's activities and offset expenses. Mr. Grainger would like everyone to work together to reach a compromise on the matter.

Mr. Robert Azuma spoke to state his objection to the process to develop the Draft Memorandum of Understanding and Draft By-laws as he feels the area residents were not part of the process. Mr. Azuma does support the Mission and their activities for the campers but not the commercial events and the noise those events generate and the potential negative environmental impacts of those events.

Mr. Ulrich Kaltz spoke to state his objections to the hours proposed in the Draft Memorandum of Understanding and Draft By-laws.

Mr. Morgan Bidden spoke to support the Mission and the barrier free environment the Mission offers to users and does not want to see more barriers put in place on activities.

Mr. Scott Schneider, legal counsel for the Mission spoke to advise of the process the Mission and the Township have undertaken to reach a compromise on the matters. Mr. Schneider stated the racing events are a source of revenue to offset the expenses to operate the Mission. Mr. Schneider urged Council to make a decision and move forward on this matter.

Ms. Margaret Walton spoke representing the Natural Place To Be Committee and to state the impact and size of the events are the issue, not the regular use by the Mission campers. Ms. Walton stated expansion of the events should be halted and the Mission should be required to submit an application for rezoning to permit the events.

Mr. John McCormack spoke to support the Mission and the activities as he believes the organized events are much safer for participants.

Mr. Bob Burnham spoke to state the noise from the events is continuous while the events are underway.

Ms. Beverley Burnham spoke to state the races should be held elsewhere.

Mr. Derek Rumball spoke to advise the Mission will sound check every bike every race day to ensure the conditions of the Draft Memorandum of Understanding and Draft By-laws are met.

Mr. Hal Graves spoke to state he supports the Mission and the racing events.

Mr. Mike Burnside spoke to state he supports the Mission and the racing events and that the events are good for the youth.

Mr. Mark Stivrins spoke to state he believes regulation is required so everyone is aware of what is permitted and what rules are to be met.

Mr. Peter Cummings spoke to state he supports the Mission and the racing events.

Mr. John McCash spoke to state his concerns with the process followed and requested there be an opportunity for area residents to provide input. Mr. McCash would like to know if the current uses are legal non-conforming uses.

Mayor David Conn thanked everyone for their participation in the session.

**2010-110 Chidley-Gibbon** **Carried**  
“**THAT** the public information session related to matters concerning the Ontario Mission/Camp of the Deaf is hereby closed and the regular meeting is reconvened.”.

**2010-111 Jacklin-Sainsbury** **Carried**  
“**THAT** By-law No. 2010-021, Being a By-law to confirm the proceedings of meetings of Council, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2010-112 Sainsbury-Jacklin** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 9:36 p.m. to meet again on April 19<sup>th</sup>, 2010 or at the call of the Mayor.”.

Mr. Larry Barnes, Chief Financial Officer and Ms. Paula Liness, Co-Chair of the Big Sound Regatta, representing Sail Parry Sound , addressed Council to provide an update on activities of the organization and request funding support for the Big Sound Challenge 2010 event. Council thanked Mr. Barnes and Ms. Liness for their delegation and passed Resolution No. 2010-094 authorizing a donation in the amount of \$2,000.00 to support the event.

Mrs. Elizabeth Ruzic addressed Council to express concerns with the construction of a building on her neighbours property at 40 Neechee Lane and the proximity of the structure to the right-of-way the Ruzic’s use for accessing their property at 84 Neechee Lane. Mrs. Ruzic is dissatisfied with Staff’s explanation of the process. Council explained to Mrs. Ruzic the Township’s position and authority respecting the matter.

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*David Conn,*  
*Mayor*

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*Craig Jeffery,*  
*Clerk*