

**Minutes of the Meeting of the Council of the Municipality of Highlands East held on
April 13, 2010 9:00 a.m. in the Council Chambers, Wilberforce, Ontario.**

Members Present:

Reeve, Dave Burton
Deputy Reeve Jim Mackie Ward 1
Councillor Suzanne Partridge Ward 2
Councillor Donna Graham Ward 3
Councillor Gary Stoughton Ward 4

Staff Present:

Clerk, Irene Cook
Chief Building Official, Randy Dunsmore
Roads Superintendent, Earl Covert
Fire Chief, Bill Wingrove
Environmental/Property Supervisor, Glen Covert

Attendance:

Angelica Blenich Haliburton Echo
Liz Danielsen The County Voice
Cec Ryall
Joan Barton
Basil Cox
Bernard McGaughey

Delegations

Eric Christensen, Steve Skidmore
George Steward

Affiliation

Haliburton ATV Association

SPECIAL DELEGATIONS:

Staff Sergeant, Barry Freeburn
Andrew Creaser
Meredith Carter
Judy Coward

Affiliation

OPP Bancroft Detachment
Otonabee Conservation Authority
Economic Development Consultant, Rural Community
Development Branch, Ministry of Agriculture, Food and Rural
Affairs

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF.

- The Reeve called the meeting to order.
- The meeting commenced at 9:00 a.m.
- A quorum was present.
- He reminded Council of the Disclosure of Pecuniary Interest as noted on the agenda.

Disclosure of Pecuniary Interest and general nature thereof:

None declared.

Open Meeting

2010-96

Moved by: Suzanne Partridge
Seconded by: Gary Stoughton

BE IT RESOLVED THAT this Committee of Council meeting be declared open.

Carried.

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Approve Agenda

2010-97

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT the agenda for the Committee of Council meeting be adopted as circulated.

Carried.

DELEGATIONS:

Eric Christensen, Steve Skidmore and George Steward from the Haliburton ATV Association discussed with Council the use of rail trails and the unopened road allowances currently used by the Haliburton ATV Association as ATV trails. Mr. Christensen requested that Council consider entering into a memorandum of understanding with the HATV Association. The Haliburton ATV Association would also provide the municipality with insurance.

SPECIAL DELEGATIONS:

Staff Sergeant, Barry Freeburn discussed with Council ATV's. Provincial legislation prohibits the use of 2-ups and side by side on highways. The Ontario Provincial Police has allowed for an education period for owners of 2-ups and advising them the use of 2-ups are prohibited on highways and now they are enforcing to the letter of the law. There have been an increase in the number of accidents that involve ATV's, partly due to careless use of an ATV, excessive speed, underage riders, etc.

Meredith Carter from the Otonabee Conservation Authority provided Council with an overview of the Source Protection Planning Process. In attendance with Ms. Carter were Vicki Woolfrey from the Crowe Valley Conservation Authority and Jessica Mueller from Kawartha Conservation Authority. The Municipality falls within three Source Protection areas. The conservation authority's role is to coordinate the planning process, help develop the science and the best protection of source water. Source water is untreated water and the Clean Water Act requires that we protect source water. As part of the Source Protection Planning Process they have completed the work plan (Terms of Reference) and are currently working on the Assessment Report with the next step being the development and approval of the Source Protection Plan.

Judy Coward, Economic Development Consultant, Rural Community Development Branch, Ministry of Agriculture, Food and Rural Affairs discussed with Council the March 23rd meeting that Council organized to provide information and resources to those in attendance to promote and market the Municipality. Judy commented that the attendance for that evening was excellent and a good start. The Action Plan that Council developed was reviewed with Judy and timelines were discussed. Another meeting regarding the Strategic Planning Process will be held at a later date to review actions taken to date.

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Haliburton ATV Association

2010-98

Moved by: Donna Graham

Seconded by: Gary Stoughton

BE IT RESOLVED THAT the Municipality of Highlands East grants permission to The Haliburton ATV Association (HATVA) and other PowerPass members to legally enter and use the premises described as the I B and O Rail Line and all HATVA trails on municipal road allowances that lie within the boundaries of the Municipality of Highlands East. Permission is granted for the period of April 1, 2010 to December 1, 2010.

AND FURTHER THAT the Reeve and the Clerk are hereby authorized to sign agreement on behalf of the Municipality.

Carried.

Section 284 (1) of the Municipal Act states that the Treasurer shall in each year on or before March 31st provide to each council member an itemized statement on remuneration and expenses paid in the previous year. Statement of remuneration was distributed to each council member in their packages.

Approval of Accounts

2010-99

Moved by: Donna Graham

Seconded by: Jim Mackie

BE IT RESOLVED THAT General Accounts in the amount of \$1,414,336.74 be approved.

Carried.

Shooting Range located in Faraday Township

2010-100

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council for the Municipality of Highlands East has no objection to the proposed shooting range in Lots 28, 31, 32 and 33, Conc. 1, Township of Faraday, subject to approval from the Council of the Township of Faraday, private property owners affected and the necessary ministry approvals.

AND FURTHER THAT the range use will not contravene any municipal by-laws relating to the use of the range and discharging of firearms.

Carried.

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Surface Treatment on the Irondale Road

2010-101

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council approves single surface treatment on the Irondale Road.

Carried.

Hadlington Road – level hill

2010-102

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council directs the Road Superintendent to proceed with work on the Hadlington Road to level the hill off Highway 118.

Carried.

RockstAR Adventure Race – July 24th

2010-103

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council approves of the 2010 RockstAR adventure race event to be held at the Bark Lake Leadership Centre with a first wave of participants biking on municipal roads on July 24, 2010.

Carried.

Q1 2010 MHSW Nil Report

2010-104

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council for the Municipality of Highlands East receives the Q1 2010 Municipal MHSW Nil Report and further that Council authorizes the CAO/Treasurer to sign the Certification Form on behalf of the municipality.

Carried.

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Waste Diversion Datacall for 2009

2010-105

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council for the Highlands East receives the Waste Diversion Datacall for the year 2009 and further that Council authorizes the CAO/Treasurer to sign Summary Datacall Report on behalf of the municipality.

Carried.

Cambium Environmental – 2010 Waste Monitoring Program

2010-106

Moved by: Gary Stoughton

Seconded by: Donna Graham

BE IT RESOLVED THAT Council for the Municipality of Highlands East accepts the 2010 Waste Monitoring Program from Cambium Environmental in the amount of \$65,535.00 plus applicable taxes.

Carried.

Swim Program Wages

2010-107

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council for the Municipality of Highlands East recommends the following wages for the summer swim program:

Instructor	\$14.25/hr
Lifeguard	\$10.75/hr

Carried.

Summer Jobs Service

2010-108

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council for the Municipality of Highlands East authorizes the Clerk to make an application to the Ministry of Training, Colleges and Universities for ten students under the Summer Jobs Service Employer Application/Contract.

Carried.

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Replacement of glasses

2010-109

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council authorizes the payment to Christine Last for replacing glasses, pending legal opinion to support.

Carried.

Entrance to Cardiff Post Office

2010-110

Moved by: Donna Graham

Seconded by: Gary Stoughton

BE IT RESOLVED THAT monies from Accessibility be used for fixing the entrance to the Cardiff Post Office.

Carried.

Eels Lake Public Landing – dock

2010-111

Moved by: Suzanne Partridge

Seconded by: Gary Stoughton

BE IT RESOLVED THAT Council directs the Environmental Supervisor to start paperwork for Oceans and Fisheries for dock and ramp at Eels Lake Public Landing.

Carried.

Request for assistance – rural septic systems

2010-112

Moved by: Gary Stoughton

Seconded by: Donna Graham

BE IT RESOLVED THAT Council for the Municipality of Highlands East supports the resolution from the Corporation of the County of Huron and their application to the Provincial Government for assistance for residential repair or replacement of rural septic systems.

Carried.

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Host for Haliburton County Earth Day Family Festival in 2011

2010-113

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT Council agrees to host the Haliburton County Earth Day Family Festival in 2011.

Carried.

2010 Gooderham Horseshoe Days Budget

2010-114

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT Council approves the 2010 Horseshoe Days Budget – revised April 12, 2010.

Carried.

KJ Beamish – supply of aggregate material

2010-115

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT KJ Beamish provide the municipality with aggregate material in lieu of cash – for the track at the Wilberforce Agricultural Fair as per agreement.

Carried.

Crowe Valley – low water response team

2010-116

Moved by: Suzanne Partridge

Seconded by: Donna Graham

BE IT RESOLVED THAT Glen Covert be the representative for the municipality for the Crowe Valley Low Water Response Team – Suzanne Partridge alternate.

Carried.

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ATV's – 2-ups

2010-117

Moved by: Gary Stoughton

Seconded by: Jim Mackie

WHEREAS Ontario Regulation 316/03 Operation of Off-Road Vehicles defines as follows:

“all-terrain vehicle” means an off-road vehicle that,

- (a) has four wheels, the tires of all of which are in contact with the ground,
- (b) has steering handlebars,
- (c) has a seat that is designed to be straddled by the driver, and
- (d) is designed to carry a driver only and no passengers;

“off-road vehicle” has the same meaning as in the *Off-Road Vehicles Act*, O. Reg. 316/03, s 1”.

AND WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8 (3) provides for a municipality to pass by-laws permitting the operation of all Terrain Vehicles as defined in Ontario Regulation 316/03 on all municipal roads within the municipality that is under the jurisdiction of the municipality or on any part or parts of such highways;

AND WHEREAS Council passed By-law No. 03-2004 allowing all-terrain vehicles as defined under Ontario Regulation 316/03 to operate on municipal roads;

AND WHEREAS all-terrain vehicles commonly known as 2-ups that are designed to carry passengers are not allowed on highways;

AND WHEREAS Council deems it desirable to pass a by-law allowing 2-ups on municipal roads but does not have the legislative authority to do so;

NOW THEREFORE BE IT RESOLVED that Council requests the Province of Ontario to enact legislation to give municipalities the authority to pass by-laws to allow all-terrain vehicles that are designed to carry passengers on municipal roads;

AND FURTHER THAT this resolution be circulated to all municipalities in the Province of Ontario for support and said support to be forwarded to their MPP and MP;

AND THAT Barry Devolin, MP and Rick Johnson, MPP be requested to support Council's resolution.

Carried.

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- **Department Reports were submitted, reviewed and filed for future reference.**

Ward Councillor Report

Highlights:

- Ward 1: Jim Mackie mentioned that he has received three complaints about the pathways behind Sprucedale and debris needs to be cleaned up. The pathways are looking good. There were a couple of issues with the remaining aggregate from the project and who owns it which has been resolved.
- Ward 2: Suzanne Partridge reported that she has received several comments about the amount of recycling material going into the landfill rather than being recycled. Suzanne commented that the recycling should be overseen and enforced if need be. Suzanne mentioned that she was pleased with Council's decision to look at providing a dock at the Eels Lake Public Landing. Suzanne also requested that Glen Covert be appointed municipal representative for the Crowe Valley Low Water Level Team with Suzanne being the alternate.
- Ward 3: Donna Graham thanked Reeve Dave Burton for attending the 100th birthday celebration for Mabel Winder.
- Ward 4: Gary Stoughton reported that he had received an inquiry about the status of the feral cat shelter. Gary also reported that he has received two complaints about the outdoor washroom in Wilberforce and requested that this be put on the next meeting agenda to discuss further. Gary also discussed the track for the Agricultural Fair needs to be fixed that the suggestion that Council use aggregate from Beamish in lieu of cash.
- REEVE: Reeve Burton mentioned that he received a thank you card from Mabel Winder. The Reeve also mentioned that he has heard concerns about the Earth Day Event in Cardiff and Wilberforce being used as a political issue rather than what was originally intended. Dave discussed the increase in medical responses for Highlands East and that Council should discuss the possibility of providing an ambulance base in Highlands East at the next meeting.

**Adjourn Committee of Council
2010-118**

Moved by: Donna Graham

Seconded by: Jim Mackie

BE IT RESOLVED THAT this Committee of Council meeting be adjourned.

Carried.

**Meeting Declared Open
2010-119**

Moved by: Jim Mackie

Seconded by: Gary Stoughton

BE IT RESOLVED THAT this meeting of Council be declared open.

Carried.

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Adopt Agenda for Council meeting

2010-120

Moved by: Suzanne Partridge

Seconded by: Jim Mackie

BE IT RESOLVED THAT the agenda for the Council be adopted as circulated.

Carried.

Approval of Minutes

2010-121

Moved by: Gary Stoughton

Seconded by: Jim Mackie

BE IT RESOLVED THAT the Council for the Municipality of Highlands East approves the minutes of March 9, 2010 and March 23, 2010 council meetings.

Carried.

Approve Resolutions

2010-122

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT the resolutions from the Committee of Council of a Whole meeting of Tuesday, April 13, 2010 be adopted.

Carried.

Confirm Proceeding of Meeting

2010-123

Moved by: Jim Mackie

Seconded by: Donna Graham

BE IT RESOLVED THAT By-law No. 2010-14 being a by-law to confirm the proceedings of council at its regular meeting of April 13, 2010, be read a first, second and third time, passed, signed and sealed with the Corporate Seal.

Carried.

Adjournment

2010-124

Moved by: Donna Graham

Seconded by: Suzanne Partridge

BE IT RESOLVED THAT this Council meeting be adjourned.

Carried.

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The meeting adjourned at 2:08 p.m.

Reeve, Dave Burton

Clerk, Irene S. Cook

Unapproved minutes of Council meeting