

**THE CORPORATION OF THE TOWNSHIP OF TAY  
REGULAR COUNCIL MEETING  
WEDNESDAY, JANUARY 24, 2018  
6:30 P.M.**

**PRESENT:** Mayor Scott Warnock  
Deputy Mayor David Ritchie  
Councillor Jim Crawford  
Councillor Gerard LaChapelle  
Councillor Heinrich Naumann  
Councillor Catherine Root

**STAFF PRESENT:** Robert Lamb, CAO/Deputy Clerk  
Alison Gray, Clerk  
Joanne Sanders, Director of Finance\*  
Steve Farquharson, Director of Planning & Development \*  
Paul Ferguson, Tay Hydro Inc.

**REGRETS:** Councillor Sandy Talbot

\* Did not attend Closed Session

1. **CALL TO ORDER:**  
Mayor Warnock called the meeting to order at 6:30 p.m.

2. **MOMENT OF SILENT REFLECTION:**  
Mayor Warnock called for a moment of silent reflection.

3. **APPROVAL OF THE AGENDA**  
**Moved By: Councillor Jim Crawford**  
**Seconded By: Deputy Mayor David Ritchie**  
**That the Council Meeting Agenda for January 24, 2018 be adopted as circulated.**  
**Carried.**

4. **DISCLOSURE OF INTEREST:**  
None were declared.

10. **CLOSED SESSION:**  
**Moved By: Councillor Heinrich Naumann**  
**Seconded By: Councillor Jim Crawford**  
**That Council adjourn to a Closed Session;**  
**And further that this portion of the meeting be closed to the public pursuant to Section 239, Subsection 2 of the Municipal Act, 2001:**  
**cont'd...**

- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Hydro - Broadband Initiative).

Carried.

Moved By: Councillor Heinrich Naumann

Seconded By: Councillor Jim Crawford

That Council adjourn from the Closed Session at 6:50 p.m. and return to the regular meeting.

Carried.

## 5. DELEGATIONS:

### 5.1 Mr. Paul Ferguson, Tay Hydro Inc. – Re: Establishment of a Subsidiary Company (Broadband Initiative)

Council received correspondence from Mr. Paul Ferguson, Tay Hydro Inc. regarding the establishment of a subsidiary company.

Moved By: Councillor Jim Crawford

Seconded By: Councillor Heinrich Naumann

THAT the Tay Hydro Inc. Report of the President dated November 1, 2017 regarding the establishment of a subsidiary company (the "Subsidiary") to Newmarket Hydro Holdings Inc. ("NHHI") and Tay Hydro Inc. ("THI") be received and the following resolutions be adopted:

#### WHEREAS:

- A. The Municipal Council of the Township of Tay (the "Municipal Council") has received a business case for establishing the Subsidiary (the "Business Case");
- B. The Business Case contemplates the establishment of the Subsidiary as a stand-alone subsidiary of NHHI and THI with shares held proportionate to their interest in Newmarket-Tay Power Distribution Ltd. The Business Case also provides estimates for initial funding requirements and proposed financing structure.
- C. Municipal Council proposes to enter into a Shareholders Agreement with the Subsidiary, NHHI, THI and the Corporation of the Town of Newmarket in respect of the Subsidiary (the "Shareholders Agreement") a draft of which has been circulated to Municipal Council.

Cont'd...

**RESOLVED that:**

1. The establishment of the Subsidiary as an Ontario corporation for the pursuit of the Business Case is authorized and approved.
2. The subscription of 7 common shares of the Subsidiary for the aggregate amount of \$7 by THI is authorized and approved.
3. The entering into of the Shareholders Agreement in the form of draft provided to Municipal Council is authorized and approved.
4. Paul Ferguson, the Mayor and the Clerk are authorized for and on behalf of Municipal Council to execute and deliver the Shareholders Agreement in the form approved herein with such changes therein, if any, as Paul Ferguson, the Mayor and the Clerk executing the Shareholders Agreement in their discretion may approve, their approval of any such changes to be conclusively evidenced by their execution and delivery of the Shareholders Agreement and the Shareholders Agreement so executed and delivered shall be deemed to be the Shareholders Agreement approved by these resolutions.
5. Paul Ferguson, acting alone, is authorized for and on behalf of Municipal Council and THI to establish the Subsidiary and approve the forms of all other documents contemplated or required to be executed by THI in connection with such formation or the Shareholders Agreement (collectively, the "Additional Documents") and to execute (whether under the corporate seal of THI or otherwise) and deliver the Additional Documents each in the form so approved, Paul Ferguson's approval to be conclusively evidenced by Paul Ferguson's execution and delivery of the Additional Documents and the Additional Documents so executed and delivered shall be deemed to be the Additional Documents approved by these resolutions.

Further that receipt by THI by electronic transmission of a signed counterpart to these resolutions from any director will be as effective as receipt of an original signed copy of these resolutions by THI.

Carried.

**6. CONSENT LIST:**

**a) Adoption of Minutes**

- i. Regular Council – December 20, 2017

**Resolution**

That the regular Council meeting minutes dated December 20, 2017 be approved.

- ii. Regular Committee of all Council – January 10, 2018

**Resolution**

That the regular Committee of all Council meeting minutes dated January 10, 2018 be approved.

- iii. Special Council – January 10, 2018

**Resolution**

That the special Council meeting minutes dated January 10, 2018 be approved.

**b) Reports of Various Committees**

- i. Heritage Committee Minutes – November 2, 2017

**Resolution**

That the Heritage Committee meeting minutes dated November 2, 2017 be approved.

- ii. Tay Township Public Library Board – October 17, 2017

**Resolution**

That the Tay Township Public Library Board meeting minutes dated October 17, 2017 be approved.

- iii. Joint Special Council Meeting – November 23, 2017

**Resolution**

That the Joint Special Council Committee meeting minutes dated November 23, 2017 be approved.

- iv. Horticulture Committee Minutes – November 9, 2017

**Resolution**

That the Horticulture Committee meeting minutes dated November 9, 2017 be approved.

**c) Municipal Report**

- i. Municipal Report 2018-01-01

**Resolution**

That Municipal Report 2018-01-01 be received and the recommendations contained therein be approved.

**Moved By: Councillor Gerard LaChapelle  
Seconded By: Councillor Heinrich Naumann  
That the Consent List for January 24, 2018 and the  
Recommendations contained therein be adopted as Resolutions  
of Council.**

**Carried.**

**7. STAFF REPORTS / OTHER BUSINES:**

**7.1 Report from the Chief Administrative Officer regarding  
Christmas Season Office Hours 2018.**

Council received Report No. GGF-2018-06 regarding Christmas Season Office Hours 2018.

**Moved By: Deputy Mayor David Ritchie**

**Seconded By: Councillor Gerard LaChapelle**

**That Report Number GGF-2018-06 be received;**

**And further that the cost savings practice of closing the  
municipal office during Christmas week be continued in 2018,  
with the municipal office being closed from Monday, December  
24th at 12:00 noon and re-opening on Wednesday, January  
2nd, 2019 at 8:30 am.**

**Carried.**

**7.2 Report from the Director of Public Works regarding  
Gervais Road Repair Options.**

Council received Report No. PW-2018-03 regarding Gervais Road Repair Options.

**Moved By: Councillor Jim Crawford**

**Seconded By: Deputy Mayor David Ritchie**

**That Staff Report No. PW-2018-03 regarding Gervais Road  
Repair Options be received;**

**And that Council approves Option 3 with first priority being  
pulverizing with paving/asphalt at 60mm and second priority  
being pulverizing with surface treatment;**

**Further that the works be tendered by component and that the  
results of the RFP's be brought forward to Council for final  
direction;**

**And that funding be taken from the Future Capital Reserve  
and/or the Contingency Reserve;**

**And that any funding borrowed from the Contingency Reserve  
be repaid by reducing the 2019 capital roads program.**

**Carried.**

Staff was directed to schedule a special meeting to review the Road Needs Study in March.

**8. BY-LAWS:**

None were presented.

**9. NOTICES OF MOTION:**

None were presented.

**11. CONFIRMING BY-LAW:**

Moved By: Councillor Gerard LaChapelle

Seconded By: Councillor Heinrich Naumann

That leave be granted to introduce By-law 2018-04 being a by-law to adopt the proceedings of the meeting.

Carried.

Moved By: Councillor Heinrich Naumann

Seconded By: Councillor Gerard LaChapelle

That By-law 2018-04 being a by-law to adopt the proceedings of the meeting be read a first, second and third time and finally passed.

Carried.

**12. ADJOURNMENT:**

Moved By: Councillor Gerard LaChapelle

Seconded By: Councillor Heinrich Naumann

That this Regular Meeting of Council adjourn at 7:39 p.m. and to reconvene on February 28, 2018 at 7:00 p.m.

Carried.

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MAYOR

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CLERK

**PROTECTION TO PERSONS AND PROPERTY  
CHAIRPERSON: COUNCILLOR TALBOT**

**RECOMMENDATIONS**

That the following recommendations be and are hereby adopted by Council:

1. That Report No. PPP-2018-01 regarding Fire Chief Monthly Report – December 2017 be received for information.  
**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**
  
2. That Report No. PPP-2018-03 regarding Deputy Fire Chief/FPO Monthly Activity Report – December 2017 be received for information.  
**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**
  
3. That Report No. PPP-2018-04 regarding MLEO/Canine Monthly Activity Report – December 2017 be received for information.  
**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**
  
4. That Report No. PPP-2018-05 regarding By-law Monthly Activity Report – December 2017 be received for information.  
**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**
  
5. That Report No. PPP-2018-06 regarding Year End By-law Activity Report for 2017 be received for information.  
**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**

**GENERAL GOVERNMENT AND FINANCE  
CHAIRPERSON: DEPUTY MAYOR RITCHIE**

**RECOMMENDATIONS**

That the following recommendations be and are hereby adopted by Council:

6. That Staff Report GGF-2018-01 regarding the 2018 Council Schedule be received;  
And that the 2018 Council and Committee of all Council meeting schedule be approved.

**COUNCIL ACTION:** \_\_\_\_\_ **Carried.**

7. That Staff Report No. GGF-2018-02 regarding a Policy Update: Freedom of Information & Protection of Privacy Policy be received;  
And that the amendments to the Freedom of Information & Protection of Privacy Policy be approved.

**COUNCIL ACTION:** \_\_\_\_\_ **Carried.**

8. That Staff Report No. GGF-2018-03 regarding an Inquiry to Purchase Vacant Land – Laneway, Hayes (Lindsay & Cascagnette) be received;  
Whereas pursuant to the Township's Sale of Land Policy the Township is interested in selling the laneways within Port McNicoll;  
And whereas the owner abutting the laneway is interested in acquiring the portion of the laneway abutting their properties;  
Now therefore be it resolved that the Council of the Township of Tay stop up, close, sell and declare surplus the laneway and lands described as Part 1 on Plan 51R-41311;  
And that the lands be sold and merged with 413 Hayes Street (Roll Number 435300500133901) and that the required by-law be brought forward.

**COUNCIL ACTION:** \_\_\_\_\_ **Carried.**



**PUBLIC WORKS  
CHAIRPERSON: COUNCILLOR JIM CRAWFORD**

**RECOMMENDATIONS**

That the following recommendations be and are hereby adopted by Council:

**None were presented.**

**PLANNING AND DEVELOPMENT  
CHAIRPERSON: COUNCILLOR NAUMANN**

**RECOMMENDATIONS**

That the following recommendations be and are hereby adopted by Council:

- 9.** That Report Number PD-2018-01 regarding Building Services Division Monthly Update Report – December 2017 be received.

**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**

- 10.** That Report No. PD-2018-02 regarding Building Services Division Year End Report for 2017 be received.

**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**

- 11.** That Mr. Allan Mantel's resignation from the Tay Heritage Committee be accepted.

**COUNCIL ACTION:**\_\_\_\_\_ **Carried.**