

**THE CORPORATION OF THE MUNICIPALITY OF
CHATHAM-KENT**

CHATHAM-KENT COUNCIL MEETING

COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE

SEPTEMBER 8, 2008

6:00 P.M.

1. CALL TO ORDER

The Mayor called the meeting to Order.

Present were: Mayor Randy Hope, Councillors Brown, Crew, Clarke, Faas, Fluker, Gilbert, Herman, King, McGregor, Parsons, Pickard, Pinsonneault, Robbins, Stirling, Sulman, Vercooteren, and Weaver

2. APPROVAL OF SUPPLEMENTARY AGENDA

Councillor King moved, Councillor Parsons seconded:

“That the supplementary agenda be approved.”

The Mayor put the Motion

Motion Carried

**3. DISCLOSURES OF PECUNIARY INTEREST
(DIRECT OR INDIRECT) AND THE GENERAL NATURE THEREOF**

Councillor Vercooteren declared a pecuniary interest with respect to Item #10(b) – Agreement with Real Estate Firms and a Closed Session report regarding a surplus property.

Mayor Hope declared a conflict of interest regarding Item #1 of the Closed Session Report as he has family interested in purchasing this property.

4. RECOGNITION

- (a) Recognition of the Graphic Emporium Slo-Pitch Team for winning the Men’s 50 Intermediate 2008 SPN National Championships.

Mayor Hope congratulated the members of the Graphic Emporium Slo-Pitch Team for their accomplishment.

5. DEPUTATION

- (a) Andy Watson, Chair of the Kent Agricultural Hall of Fame Board of Directors re Kent Agricultural Hall of Fame Inductees

Mr. Watson explained that the Kent Agricultural Hall of Fame is a volunteer organization which recognizes people associated with agriculture and their achievements over the years. This year's inductees are:

Murray McKerrall – recognized posthumously for his tireless efforts with the Dresden Exhibition and 4-H.

Shirley McKerrall – noted for her efforts that continue at the Dresden show and with young people.

Walter Devereux – devoted much of his life to conservation and one of his lasting legacies is the flood control project around South Chatham.

Dr. Francis B. Glenn – selected for his innovations in hybrid seed corn breeding

Lynn Girty – recognized as a noted farm leader over the years

Kathryn Vanek – has had a career with Kent County Government and has been an invaluable secretary with the Kent Agricultural Hall of Fame

Mr. Watson noted that the inductee ceremony begins at 11:30 at the Country View Golf Course on November 18, 2008. He invited Mayor Hope and members of Council to attend this event.

Mayor Hope congratulated all the inductees on the honor of being inducted into the Agricultural Hall of Fame.

(b) Aaron Neaves, President, CAW Local 127 and Mike Byrne, Vice President, CAW Local 1941 re Buy Canadian – Build Communities Resolution

Mr. Neaves and Mr. Byrne reviewed the Buy Canadian – Build Communities Resolution. Mr. Byrne noted that the resolution contains the wording “wherever possible”. He understood that Council is dealing with tax payers dollars and it is not always economically feasible to spend a great deal more money in order to purchase Canadian content; however if the price difference is small, buying Canadian content is the correct decision.

Mr. Byrne explained that procurement is frequently focused on price because price is the essential ingredient of value; but because procurement is so closely related to sound governance, price is not the only ingredient. One important difference between private sector and public sector procurement is that in public sector, procurement must often be viewed in the context of good government overall objectives. For government, effective procurement should also be measured by social, environmental and other benefits to the community. Balancing price with these qualitative dimensions is at the heart of effective best value procurement for the public sector. Procurement practices are an important way of putting government policies and priorities into action.

Mr. Neaves explained that governments from all over the world have adopted buy domestic purchasing policies. He further explained that Canadian municipalities can adopt Buy Canadian policies. The Ontario Municipal Act requires the adoption of a purchasing policy that is fair, but does not prohibit municipalities from setting Canadian Content requirements. Some municipalities in Ontario including Woodstock, Oshawa, and Thorold have already passed resolutions to adopt Buy Canadian policies for municipal purchases and encourage maximum Canadian content levels wherever possible; from transit vehicles, office supplies, clothing and food.

Mr. Neaves thanked Mayor Hope and Council for considering the resolution and reiterated that the intent of the resolution is to take the tax dollars generated in this

community and put them back into the community wherever possible. He requested Council's support of the Buy Canadian – Build Communities Resolution.

Councillor Vercooteren moved, Councillor Robbins seconded:

“That the resolution be supported in principle.”

Councillor Pickard felt that the Buy Canadian – Build Communities Resolution is a great initiative coming out of Chatham-Kent that will hopefully inspire other municipalities across Canada to bring this resolution forward. He noted his support of the resolution.

Councillor Stirling noted his support in principle of this resolution. He questioned if this resolution could be included in the municipal procurement policy and still have the intended flexibility of buy Canadian content wherever possible. He noted the need to support the local manufacturing industry; however Council cannot blindly support additional provisions within the procurement policy without information from administration regarding cost impacts and the ability to implement.

The Chief Administrative Officer recommended that if Council is in support of the general thrust of the resolution, that the resolution be supported in principle and it be referred to administration to review and bring back recommendations on how to incorporate the resolution into the municipal procurement policy.

Councillor Stirling moved an amendment, Councillor Gilbert seconded:

“That the resolution be referred to administration to bring back a report to Council on how the resolution may be included in the municipal procurement policy.”

Councillor Herman felt that buying Canadian is a key message that must be supported. She looks forward to seeing how this resolution will be incorporated into the municipal procurement policy.

Councillor Sulman felt Council needs to express its desire for local preference to support the local economy. He noted that the Ontario Chamber of Commerce has taken the same position as the CAW on this initiative.

Councillor Parsons questioned if there is harmony amongst the provinces regarding provincial content regulations. Mr. Byrne explained that the resolution is not specific to Chatham-Kent or Ontario, it is about Canadian content.

Councillor Clarke noted that all levels of government, Municipal, Provincial, and Federal need to consider new initiative to support the Canadian economy. He noted his support of the resolution.

Mayor Hope thanked the CAW for bringing forward a resolution that is about saving jobs and reviewing the procurement policy to ensure support of the local community. He felt the resolution is well thought out, provides the flexibility and a statement of direction for Council.

The Mayor put the Amendment

Amendment Carried

The Mayor put the motion, as amended

Motion Carried

6. CONSENT AGENDA

- (a) Reports from Administration
 - (i) Amendments to Deputy Clerk & Deputy Division Registrar By-laws
- (b) Information Reports
 - (i) Activity Report on Senior Centres
 - (ii) Senior Advisory Committee
 - (iii) Timing of Municipal Construction Activities, Municipality of Chatham-Kent
 - (iv) Wallaceburg Community Task Force Update
 - (v) Southwestern Regional Centre Update
 - (vi) Ontario Media Development Corporation
- (c) Routine Approvals
 - (i) Taxes and Assessment Adjusted to July 31, 2008
- (d) Chatham-Kent Council Minutes
 - (i) Chatham-Kent Council Minutes from its meeting held on August 11, 2008
 - (ii) Chatham-Kent Council Minutes from its meeting held on August 18, 2008
- (e) Committee Reports
 - (i) Drainage Board Recommendations from its meeting held on August 19, 2008
 - (ii) Chatham-Kent Community Strategic Planning Committee minutes from its meeting held on August 21, 2008

Councillor Sulman requested that Item #6(b)(v) be removed from the Consent Agenda and placed aside for discussion.

Councillor Robbins moved, Councillor McGregor seconded:

“That the items listed on the Consent Agenda be approved as presented and that action be taken as required.”

The Mayor put the Motion

Motion Carried

MUNICIPALITY OF CHATHAM-KENT
CHIEF ADMINISTRATIVE OFFICE
ECONOMIC DEVELOPMENT SERVICES
INFORMATION REPORT

TO: Mayor and Members of Council

FROM: Aileen Murray Ec.D. (F)

Acting Director, Economic Development Services

DATE: August 11, 2008

SUBJECT: Southwestern Regional Centre Update

This report is for the information of Council.

BACKGROUND

Council has requested an update on the status of proposed alternate uses of the Southwestern Regional Centre (SWRC) when the facility closes in March 2009.

The SWRC site consists of approximately 330 acres and 612,000 square feet of existing buildings. In 2000 the Ministry of Community and Social Services announced that they would be closing the facility effective March 31, 2009.

The Ministry of Community and Social Services Centre prepared a Preliminary Economic Impact Assessment in October 2004. At that time, the SWRC was serving 265 clients. There were 553 employees with \$27.7 million in annual salaries. The economic impact to the local economy was estimated between \$41.55 million to \$69.25 million based on a conservative multiplier effect of 1.75 to 2.5. In addition, the SWRC purchased approximately \$840,800 in local goods and services in Chatham-Kent and paid \$42,600 in Provincial and Federal taxes. The report also indicated that as a result of the closure of the SWRC, approximately 150 job losses could occur in other businesses in Chatham-Kent.

The Municipality of Chatham-Kent has met with representatives of the Ministry of Public Infrastructure and Renewal and the Ministry of Community and Social Services on several occasions to encourage the province to consider alternate uses that would compensate for the significant loss to the local economy. The site was identified in the Municipality's 2005 Brownfield and Bluefield Strategy as one of four sites where development is desired/expected.

In 2007, the 30 acres south of the Talbot Trail were transferred to the Agricultural Research Institute of Ontario (ARIO). The Ministry of Natural Resources has also used approximately 40 acres of the present site for growing prairie grasses.

The Province issued a letter on November 21, 2007 indicating that the property would be declared surplus. Mayor Hope responded with a letter dated November 29, 2007 indicating that the Municipality of Chatham-Kent would be interested in acquiring the property.

In April 2008, the Municipality received \$240,000 from the Ministry of Economic Development and Trade, Communities in Transition Program to implement recommendations from the updated 2007 Chatham-Kent Economic Development & Tourism Strategy. The Communities in Transition program includes \$24,000 in funding to undertake an assessment of the feasibility of converting the SWRC into a tourist resort.

COMMENTS

The Ministry of Public Infrastructure Renewal (PIR) owns land on behalf of the Province. The Ontario Realty Corporation is an agent to PIR and is responsible for all real estate services including property management and disposition.

In preparation for disposition of the SWRC property, the Ontario Realty Corporation has established an Informal Stakeholder Working Group Land Use Study. The Municipality of Chatham-Kent is participating in the stakeholder group with representatives from

Planning Services and Economic Development Services.

The land use study will identify three land use scenarios for the property. The stakeholder group has met on two occasions; May 9, and June 27. The next meeting is scheduled for August 26, 2008.

At the first meeting, the Ontario Realty Corporation representatives indicated that although the SWRC will be closed effective March 31, 2009, the date for the disposal of the property has not been set. The SWRC is presently not in the Ontario Realty Corporation's 2009-2010 disposition plan. In fact, it has not yet been confirmed that the property is surplus to the province's needs. The Ministry of Natural Resources has indicated that it would be interested in the land (not the buildings) for the purpose of planting the entire property with native grasses.

Mayor Hope and the Acting Director of Economic Development Services met with MPP Pat Hoy in June, 2008 to get his support in expediting the disposition process and looking for alternative uses that will contribute to employment and the local economy in Chatham-Kent. Council Herman met with Minister of Natural Resources Donna Canfield with a similar message in July.

Administration has prepared a series of briefings for the Ministries of Natural Resources, Economic Development and Trade, Community and Social Services and Municipal Affairs and Housing for the annual AMO conference in August.

The briefings recommend:

- That the Province identify employment and economic contribution as a high priority criteria in assessing alternative uses for the SWRC site.
- That the Province expedite the disposition process and continue to maintain the SWRC buildings and lands in a state that will encourage investment and employment opportunities.
- That the Province recognize the unique residential history of the site and work with the Municipality of Chatham-Kent to permit new forms of urban development to be considered for the site.

The Land Use Study is expected to be completed in September/October 2008 and will be provided to Council for your information. Upon completion of this study, Economic Development Services will begin the resort feasibility study for the site.

CONSULTATION

Planning Services was consulted and has assisted in the development of this report.

FINANCIAL IMPLICATIONS

In 2004, the SWRC contributed \$41.55 million to \$69.25 million to the local economy annually. This contribution has been gradually diminishing and will be eliminated with the closure of the facility in March 2009.

Prepared by:

Reviewed by:

Aileen Murray, Ec.D. (F)
Acting Director
Economic Development Services

C.D. Weldon
Chief Administrative Officer

Councillor Sulman moved, Councillor Stirling seconded:

“That the Southwestern Regional Centre Update Report be received for information.”

Councillor Sulman requested that the Acting Director of Economic Development provide an update as to the possible uses being investigated for the Southwestern Regional Centre. The Acting Director of Economic Development explained that although the property is within the Municipality of Chatham-Kent, it is still owned by the Province of Ontario; therefore the majority of the efforts being undertaken by Economic Development is to ensure that the Province understands the Municipalities need for some form of economic opportunity to result from this property. She further explained that due to Provincial process, there is no set date as to when this property will become available for investment. Economic Development continues to pressure the Province to consider alternative uses for this property that assist the economy of Chatham-Kent.

Mayor Hope requested that the Chief Administrative Officer provide an update on a recent meeting with the Province. The Chief Administrative Officer explained that he and members of Council met with the Province during the AMO Conference. The Southwestern Regional Centre was discussed, along with the need for economic activity on this property to assist the economy of Chatham-Kent.

The Mayor put the Motion

Motion Carried

7. CHATHAM-KENT ENERGY INC.

(a) Chatham-Kent Energy Inc. 2007 Annual General Meeting

CHATHAM-KENT ENERGY INC.

TO: Mayor and Members of Council
FROM: Reg MacDonald, Chair, Chatham-Kent Energy Inc.
DATE: July 15, 2008
SUBJECT: Chatham-Kent Energy Inc., 2007 Annual General Meeting

RECOMMENDATION

It is recommended that:

Council appoint a representative or proxy of the Municipal Shareholder to attend the Chatham-Kent Energy Inc., 2007 Annual General Meeting and vote the shareholder's shares.

BACKGROUND

When CKE was wholly owned by the Corporation of the Municipality of Chatham-Kent AGMs were done through a resolution at a Council meeting. With Corix Utilities now a joint shareholder in CKE the AGM meeting must accommodate both Shareholders. As outlined in the comments below from David McFadden, Q.C., each shareholder must appoint a representative or proxy to attend the meeting and vote the shareholder's shares.

Opinion from David McFadden, Q.C.

The calling and the holding of annual meetings of shareholders for Chatham-Kent Energy is governed by the Ontario Business Corporations Act since the company is incorporated under that Act. Annual meetings of shareholders must be called no later than 15 months after the holding of the last meeting.

An annual meeting may be held either in person or through telephone conference call. Since both shareholders of the company are corporate entities, each shareholder must appoint a representative or proxy to attend the meeting and vote the shareholder's shares.

The Act does permit all of the resolutions which normally be passed at an annual meeting to be approved in writing by all of the shareholders which then removes the requirement of the Act to have an actual meeting of shareholders.

The standard agenda for an annual meeting includes a review of the financial statements, the appointment of auditors and the appointment of directors, together with any other matters such as amendments to by-laws which the board of Directors would normally incorporate into the meeting agenda.

Business Corporation Act.

Voting rights

102. (1) Unless the articles otherwise provide, each share of a corporation entitles the holder thereof to one vote at a meeting of shareholders. R.S.O. 1990, c. B.16, s. 102 (1).

Representative

(2) Where a body corporate or association is a shareholder of a corporation, the corporation shall recognize any individual authorized by a resolution of the directors or governing body of the body corporate or association to represent it at meetings of shareholders of the corporation. R.S.O. 1990, c. B.16, s. 102 (2).

Resolution in lieu of meeting

104. (1) Except where a written statement is submitted by a director under subsection 123 (2) or where representations in writing are submitted by an auditor under subsection 149 (6),

- (a) a resolution in writing signed by all the shareholders or their attorney authorized in writing entitled to vote on that resolution at a meeting of shareholders is as valid as if it had been passed at a meeting of the shareholders; and
- (b) a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at that meeting, satisfies all the requirements of this Act relating to that meeting of shareholders. R.S.O. 1990, c. B.16, s. 104 (1); 2000, c. 26, Sched. B, s. 3 (5, 6).

Copy of resolution kept with minutes

(2) A copy of every resolution referred to in subsection (1) shall be kept with the minutes of the meetings of shareholders. R.S.O. 1990, c. B.16, s. 104 (2).

CONSULTATION

The following people were consulted:

1. David McFadden, Q.C., Gowling Lafleur Henderson LLP
2. Steve Matheson, B.A., LL.B., Director, Legal Services. Municipality of Chatham-Kent

Councillor Pickard moved, Councillor Parsons seconded:

“That Council appoint a representative or proxy of the Municipal Shareholder to attend the Chatham-Kent Energy Inc. 2007 Annual General Meeting and vote the shareholder’s shares and that the meeting be held during a public Council meeting.” (motion was withdrawn)

Councillor Pickard noted that Chatham-Kent Energy is a corporation owned by the tax payers of Chatham-Kent and that the Annual General Meeting is a yearly opportunity for Council to ask questions and review the finances of Chatham-Kent Energy. He further noted that the Annual General Meeting has been held during a public Council Meeting in the past and there is no reason why it should not continue in the same manner.

Councillor Pickard noted that at the last Annual General Meeting he requested the salary ranges for Chatham-Kent Energy executives and he has still not received this information. The Chief Executive Officer of Chatham-Kent Energy explained that Council can request an update from Chatham-Kent Energy at any time to review activities and finances.

In response to a question by Councillor Pickard, the Chief Executive Officer of Chatham-Kent Energy explained that there is information available through the Municipal Freedom of Information & Privacy Act; however there is some information that is confidential and not available to the public. Councillor Pickard questioned if a member of the public would be able to request the salary range of Chatham-Kent Energy executive staff. The Chief Executive Officer of Chatham-Kent Energy explained salary ranges do not fall under MFIPA and therefore do not have to be made available to the public. Councillor Pickard felt that the rate payers of Chatham-Kent have a right to access information on a company that they own.

In response to a question by Councillor Weaver, the Chief Executive Officer of Chatham-Kent Energy explained that in the past, since there was one shareholder, it was appropriate to bring the Annual General Meeting resolutions to Council for approval. Now that there are two shareholders, there needs to be a representative or proxy appointed to vote on behalf of each shareholder.

Councillor Stirling reminded Council that Chatham-Kent Energy is a private legal entity, incorporated under the Corporations Act; it is not a department of the Municipality of Chatham-Kent and the Board of Directors is not a Committee of Council. He noted that Council has two representatives that sit on the Board of Directors for Chatham-Kent Energy and encouraged Council to use these representatives to request information. Councillor Stirling expressed concern with Council bringing politics into the business decisions of Chatham-Kent Energy.

Councillor Stirling moved an Amendment, Councillor Faas seconded:

“That Mayor Randy Hope be appointed as the proxy of the Municipal Shareholder.” (motion withdrawn)

The Chief Administrative Officer suggested that the appointment of the proxy be voted on after the main motion passes.

Councillor Pinsonneault noted that the Municipality of Chatham-Kent owns 90% of the shares in Chatham-Kent Energy and Corix Utilities owns 10%. He questioned if the two shareholders have the same voting power. The Chief Executive Officer of Chatham-Kent Energy explained that Corix has the ability to select a Director, provide input into the choice of an auditor, and review the financial statements.

Councillor Gilbert requested that the resolutions, by-law amendments and financial statements should be circulated to Council prior to the Annual General Meeting so that Council may provide input to the proxy vote.

In response to a question by Councillor Robbins, the Director of Legal Services explained that it is an obligation of the Ontario Business Corporations Act to have a proxy now that there is multiple ownership of Chatham-Kent Energy. It is the advice of the external solicitor to appoint a proxy and not have the annual general meeting during a regular Council Meeting.

Councillor Fluker questioned how Council can provide input into the Chatham-Kent Energy Board of Directors. The Chief Executive Office of Chatham-Kent Energy explained that Council can provide input or request information via the two Council representatives that sit on the Board of Directors. Mayor Hope explained that he and Councillor Stirling bring issues that have been raised in Council meetings forward to the Board of Directors.

Councillor McGregor explained that the Annual General Meeting has been held during a Council meeting in past years and saw no reason why this could not continue.

In response to a question by Councillor Parsons, the Chief Executive Officer of Chatham-Kent Energy explained that Council has determined that a private corporation can own a maximum of 10% and the Municipality must own at least 51%.

Mayor Hope noted that the Annual General Meeting previously took place during a Council Meeting as the Municipality of Chatham-Kent was the only shareholder. Now that Corix Utilities is a joint shareholder the Annual General Meeting must accommodate both shareholders and each shareholder must appoint a representative or proxy to attend the meeting and vote the shareholder's shares. The Chief Administrative Officer explained that the Annual General Meeting is being held under the Ontario Business Corporations Act not the Municipal Act; therefore the Annual General Meeting cannot be held as part of a Council Meeting. Council must appoint a proxy to vote the Municipality's shares. He further explained that the votes are weighted based on the percentage of the holdings of each shareholder.

Councillor Parsons expressed the need for Council to receive the agenda and the information to be discussed at the Annual General Meeting ahead of time in order to review the information and direct the proxy vote.

Councillor Pickard was not disputing the need to appoint a representative of proxy, he was simply noting that the Annual General Meeting should take place in a public forum. He explained that he would be satisfied if the information to be discussed at the Annual General Meeting came before Council ahead of time for debate at a Council Meeting and the proxy directed accordingly.

The Chief Executive Officer of Chatham-Kent Energy noted that both shareholders could be provided with the resolutions prior the Annual General Meeting so that the shareholders may direct their proxy vote. In terms of the Municipal shareholder, the resolutions would come before Council for discussion and voting and the representative or proxy can bring that vote to the Annual General Meeting.

Councillor Gilbert noted the need for succession planning for the Board of Directors.

Councillor Sulman felt that the information to be discussed at the Annual General Meeting should be circulated to Council along with a report from administration with a recommendation for the proxy and recommendations on the resolutions.

Mayor Hope noted that Council can request information or provide direction to Chatham-Kent Energy at any time by a Notice of Motion.

Councillor Pickard withdrew his original motion.

Councillor Pickard moved, Councillor Parsons seconded:

“That Chatham-Kent Energy and administration bring forward a report to Council that outlines the information to be discussed at the Chatham-Kent Energy Inc. 2007 Annual General Meeting and Council will at that time direct the proxy to vote on those issues and propose any appropriate by-law amendments.”

The Mayor put the Motion

Motion Carried

Councillor Stirling withdrew his motion regarding appointing a proxy vote as this information will be included in the report from administration.

8. NOTICES OF MOTION

- (a) Presentation of New Notices of Motions

Councillor Weaver presented a Notice of Motion regarding the Active Communities Committee Funding Allocation Request. This matter will be added to the next regular agenda for discussion and voting.

9. TENDER AWARDS

Report from administration re

- (a) Tender Award: Contract No. T08-132 Minor Soccer Complex Development – Phase One, Keil Drive South, Community of Chatham

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY AND DEVELOPMENT SERVICES

COMMUNITY SERVICES – PARKS, CEMETERIES AND HORTICULTURE

TO: Mayor and Members of Council

FROM: Tom Beaton, Manager
Parks, Cemeteries and Horticulture

DATE: August 26, 2008

SUBJECT: Tender Award: Contract No. T08-132 Minor Soccer Complex
Development – Phase One, Keil Drive South, Community of Chatham

RECOMMENDATION

It is recommended that:

1. The tender in the amount of \$196,875 for the development of Phase One of the Minor Soccer Complex, Keil Drive South, Chatham be awarded to Delway Contractors Ltd.

BACKGROUND

At the June 4, 2007 Council meeting, the development of a new minor soccer complex on a site owned by the Lambton-Kent District School Board (LKDSB) located adjacent to the Chatham Christian School on Keil Drive South in the community of Chatham was approved.

A 10-year lease agreement between the Municipality of Chatham-Kent and the LKDSB for use of Board property was entered into on June 25, 2007.

COMMENTS

The Manager, Parks, Cemeteries and Horticulture, in conjunction with Dillon Consulting Limited prepared specifications for the tendering process. The tender was advertised on July 9, 2008 for the duration of two weeks and closed on July 24, 2008.

Eight tenders were received as follows:

NAME OF BIDDER	TENDER AMOUNT (incl. 5% GST)
Delway Contractors Ltd. RR #8 Chatham, ON N7M 5J8	\$196,875.00
A-Xcavating 200 Fourth Street Rodney, ON N0L 2C0	\$215,264.18
Henry Heyink Construction PO Box 1341 Chatham, ON N7M 5R9	\$219,450.00
Quinlan 32 County Rd #46 Maidstone, ON N0R 1K0	\$231,165.37
Dig R Wright 9410 McNaughton Line East Chatham, ON N7M 5J1	\$245,165.58
B.F. Environmental 277 West Holt Line Port Lambton, ON N0P 2B0	\$277,967.62
Ben Bruinsma & Sons 380 Park Ave West PO Box 1225 Chatham, ON N7M 5L8	\$296,125.39
Goodreau Excavating 145 Queen Street PO Box 460 Tilbury, ON N0P 2L0	\$368,774.32

All completed tenders were received and opened by the Purchasing Officer and reviewed by Dillon Consulting Limited.

Delway Contractors Ltd. was the lowest tender at \$196,875.00.

Phase One of the project will begin in mid-September and be completed by November 2008. Phase Two of the project is tentatively scheduled for 2009.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

A: Health - We are a healthy community

A1: Provide sufficient capacity to sustain community health and economic growth
A2: Exceed standards for health protection and promotion
A3: Promote healthy lifestyles

B: Economy - We are a prosperous community

B1: Promote and market Chatham-Kent

E: Civic Engagement - We are an engaged community

E3: Enhanced networking and communication opportunities throughout Chatham-Kent

Desired Outcomes/Proposed Activities

- Develop a multi-purpose facility to meet the needs of all ages with a reasonable operating cost
- Build relationships within and across sectors
- Develop plans that respond to the demographic changes in the community and the needs of an aging population
- Promote wellness, improve lifestyle choices and expand upon healthy behaviors to build a sustainable health system
- Increase number of preventative health initiatives
- Increase access to natural areas such as environmental parks for education and recreation

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

Dillon Consulting Limited provided the specifications for the tender process.

Purchasing Officer, Financial Services was consulted and assisted with the tendering process.

Director, Engineering and Transportation has verified the approval of this project to be funded by the Capital Projects Budget.

Budget Analyst, Corporate Services has reviewed the financial aspects of this report.

FINANCIAL IMPLICATIONS

The development of the new minor soccer complex was approved in June 2007. The estimate for Phase One was set at \$150,000 and was based on developing the land and basic infrastructure such as seeding, grading, paved parking lot and goal posts, plus consultant fees.

The consultant, Dillon Consulting Limited, reviewed the project and then revised the specifications included in each phase. This means that the bids received for Phase One were higher than the estimated budget. However, costs for Phases Two and Three will be lower.

The cost of Phase One is \$196,875 with consulting fees of \$22,200 for a total cost of \$219,075. Funding in the amount of \$100,000 was approved through the 2007 Capital Projects Budget and \$50,000 was committed from the Chatham Youth Soccer Association, leaving a shortfall of \$69,075. The shortfall will be funded from the Capital Projects Budget by deferring the replacement of some existing pathways to 2009.

Capital funds were approved in 2008 for existing pathway lifecycle issues. It was determined that due to the time sensitivity of the development of the minor soccer complex, the priority of these projects be adjusted. The shortfall to pathway replacements will be replenished through the anticipated reduction of cost from Phases Two and Three of the soccer development.

Project Costs – Minor Soccer Complex Development – Phase One	
Delway Contractors Ltd. Specifications for tender process (Dillon Consulting Limited)	\$196,875 <u>\$ 22,200</u>
Total Project Costs for Phase One of Three	\$219,075
2007 Approved Capital Projects Budget Allotment Chatham Youth Soccer Association (committed)	(\$100,000) <u>(\$ 50,000)</u>
2008 Capital Projects Budget (from pathway replacement project)	(\$150,000) (\$69,075)
Total Funding Available for Phase One	(\$219,075)

The estimated cost of \$90,925 for Phases Two and Three have been included in the 2009 and 2010 Capital Projects Budget forecast. The Chatham Youth Soccer Association has committed to a further \$25,000 towards Phase Two of the project.

Prepared by:

Tom Beaton, D.H.T., CMMI
Manager
Parks, Cemeteries and Horticulture

Reviewed by:

Reviewed by:

Evelyn Bish, B.A.
Acting General Manager
Community and Development Services

C. D. Weldon
Chief Administrative Officer

Councillor Fluker moved, Councillor Crew seconded:

“That the tender in the amount of \$196,875 for the development of Phase One of the Minor Soccer Complex, Keil Drive South, Chatham be awarded to Delway Contractors Ltd.”

Councillor Herman noted the contribution of Chatham Youth Soccer towards the Minor Soccer Complex.

The Mayor put the Motion

Motion Carried

(b) T08-217 Supply and Haul of Bulk Coarse Highway Salt

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

PUBLIC WORKS SOUTH

TO: Mayor and Members of Council

FROM: Pat Bruette, Director Public Works South

DATE: August 13, 2008

SUBJECT: T08-217 Supply and Haul of Bulk Coarse Highway Salt

RECOMMENDATIONS

It is recommended that:

1. The low tender of The Canadian Salt Company Limited for the per tonne unit price of \$65.98 based on an estimated tonnage of 22,600 tonnes for a total of \$1,491,148 be approved.

BACKGROUND

On August 7, 2008 tenders were received for T08-217 Supply and Haul of Bulk Coarse Highway Salt. There were (2) two complete tenders received and one letter from a company thanking Chatham-Kent for the opportunity to tender but at this time they were not capable of supplying product to our area.

Company	Per Tonne	Total
The Canadian Salt Company	\$65.98	\$1,491,148.00
Sifto Canada Corporation	\$84.35	\$2,001,625.50
Cargill	No Bid – Letter of regret received	

When reviewing the tender results it was determined the overall cost to supply materials is 25% higher and has increased from \$52.88/tonne for the 2007/2008 season to \$65.98/tonne for the 2008/2009 season. This increase can be directly related to the unstable cost of fuel.

COMMENTS

Based on the results of the tender, administration recommends Council approve the low bid of The Canadian Salt Company Limited for a per tonne unit price of \$65.98 for the 2008/2009 winter season and the difference in the tender be deferred to the 2009 supplementary budget.

Bidders were also advised in this tender that the quantities are approximate only and do not obligate the Municipality into a guarantee of total tonnes purchased. This clause allows flexibility in the amount purchased if weather conditions are favourable and Chatham-Kent receives a below normal amount of precipitation.

The process was changed for the purchase and delivery of salt in 2008 from a quote to a tender so that it falls within Council's Purchasing Policy for goods and services which exceed \$40,000.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objective and strategic direction:

B: Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic

and smart growth opportunities

Desired Outcomes

- Advocate for essential provincial and federal investment and equitable tax policies to support financing and effective operation of sustainable transportation systems, and water, sewer and waste management services

The recommendation will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

The General Manager of Infrastructure and Engineering Services and Director of Public Works North were consulted due to the tender results exceeding budget, and concur with the recommendations.

FINANCIAL IMPLICATIONS

2008 Salt Base Budget	\$ 937,207
Tender T08-217 Supply and Haul Bulk Coarse Highway Salt for 2008/2009 winter season	\$1,491,148
Total Deficit	(\$ 553,941)

It is being recommended that the deficit will be dealt with in the 2009 budget process.

Prepared by:

Reviewed by:

Pat Bruette
Director, Public Works South

Leo Denys, P.Eng.
General Manager,
Infrastructure & Engineering Services

Reviewed by:

C.D. Weldon,
Chief Administrative Officer

Councillor Robbins moved, Councillor Fluker seconded:

“That the low tender of The Canadian Salt Company Limited for the per tonne unit price of \$64.98 based on an estimated tonnage of 22, 600 tonnes for a total of \$1,491,148 be approved.”

Councillor Crew questioned if alternative products have been investigated due to the rising cost of salt. The Director of Public Works South explained that salt brine is used to enhance salting activities which has reduced rock salt usage by approximately 20%. He further explained that other additives for de-icing currently on the market are tremendously more expensive than rock salt.

In response to a question by Councillor Parsons, the Director of Public Works South explained that sand is used in northern municipalities as they have temperatures that accommodate its use. Using sand with the fluctuating temperatures in Chatham-Kent would create a pothole effect on roads.

Councillor Brown questioned if the price is fixed for the balance of the winter should

additional salt be required. The Director of Public Works South explained that this price is fixed for the season. He further explained that the tonnage in the report is an estimate and Chatham-Kent is not obligated to purchase all 22,600 tonnes if that amount of salt is not needed.

In response to a question by Councillor Herman, the Director of Public Works South explained that the forecasted deficit until the end of 2008 is \$553,941. He further noted that this deficit could be reduced depending on the weather in the final months of the year.

Mayor Hope sought clarification on the source of the increased costs due to fuel prices. The Director of Public Works South explained that the increased fuel cost pertains to the actual mining of the salt and the hauling of the salt to Chatham-Kent. The fuel costs for spreading the salt in Chatham-Kent is absorbed by the Public Works budget.

The Mayor put the Motion

Motion Carried

- (c) Tender Award: Contract T08-137 Rehabilitation of Queens Line Bridge over Government Drain 1, Community of Tilbury East, Municipality of Chatham-Kent

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

ENGINEERING AND TRANSPORTATION DIVISION

TO: Mayor and Members of Council

FROM: Stephen E. Jahns, P.Eng., CMMIII
Manager, Infrastructure and Transportation
Engineering and Transportation Division

DATE: August 22, 2008

SUBJECT: Tender Award: Contract T08-137
Rehabilitation of Queens Line Bridge over Government Drain 1
Community of Tilbury East, Municipality of Chatham-Kent

RECOMMENDATIONS

It is recommended that:

1. The tender in the amount of \$ 200,504.35 (\$ 190,956.52 plus 5% GST) for the work associated with Contract T08-137 Rehabilitation of Queens Line Bridge over Government Drain 1 be awarded to Ben Bruinsma & Sons Limited of Chatham, Ontario.
2. The Treasurer issue and sell debentures to raise funds to cover the cost of this project.
3. Pending the sale of the debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.

BACKGROUND

The existing bridge structure (originally constructed circa 1976) is located on Queens Line the Community of Tilbury East at the following location:

Queens Line Bridge over Government Drain 1 Bridge TMS 4685105N17391537E

The subject structure was last inspected by Engineering Management Systems in March of 2008 and continues to demonstrate issues associated with the deterioration of the existing concrete parapet walls, abutment wall faces and deck soffit. Bi-annual inspections have been conducted by the Municipality of Chatham-Kent (as legislated under the *Public Transportation and Highway Improvement Act*) to continually monitor the condition of the structure and ensure public safety.

COMMENTS

Dillon Consulting was charged with the task of preparing drawings associated with the rehabilitation and coordinating all necessary reviews and approvals required to undertake works at the subject structure. Upon receipt of all necessary approvals, the project was let for public tender in August of 2008.

The Purchasing Officer received and opened tenders for the work on June 26 of 2008. The tender results were as presented in Table 7.

Tender Results		
Contract T08-137 Rehabilitation of Queens Line Bridge over Government Drain 1 Community of Tilbury East, Municipality of Chatham-Kent		
Bidder	Bidder and Location	Tender (including GST)
1	Ben Bruinsma and Sons – Chatham, Ontario	\$ 200,504.35
2	Facca Incorporated – Ruscom, Ontario	\$ 259,129.50
3	Intrepid General Limited – Chatham, Ontario	\$ 260,295.00
4	PCR Contractors – Windsor, Ontario	\$ 269,829.00 ^A
5	Amico Design Build – Oldcastle, Ontario	\$ 313,627.38 ^A
6	Elmara Construction – Windsor, Ontario	\$ 359,987.87 ^A
7	Front Construction – Windsor, Ontario	\$ 372,000.08 ^A

Note A: Contained mathematical errors which did not impact rank of bids received.

Dillon Consulting Limited has reviewed the tenders and notes that they are complete in all respects. The consultant's comments and recommendation letter is provided in Appendix A. All project fees (consultant fees, costs of construction, etc.) associated with this project will be funded through the Bridge Lifecycle Budget. A detailed financial breakdown associated with this project is provided in the Financial Implications section of this report.

The commencement of bridge projects is typically subject to the receipt of approvals from the Department of Fisheries and Oceans, Coast Guard, Conservation Authority and any other agency deemed necessary. All necessary advertisements have been completed and the appropriate approvals have been obtained in advance of tendering the project.

Signage will be posted at the structure advising motorists of the approaching construction activities and duration of same. Traffic will be maintained across the structure for the entire duration of the project.

Under the requirements of the contract, work may start anytime after award and execution of the necessary agreements. Completion of the project is required by December, 2008.

COMMUNITY STRATEGIC PLAN

The recommendations in this report support the following objectives and strategic directions:

A. Health – We are a healthy community

A1: Provide sufficient capacity to sustain community health and economic growth

B. Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic and smart growth opportunities

Desired Outcomes

- Provide safe, accessible, convenient and efficient public transportation
- Support new infrastructure investments and modernize existing infrastructure

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

The Tenders were opened by the Purchasing Officer and reviewed by the Tendering Committee comprised of the Purchasing Officer, Corporate Services, the Director, Financial Services/Treasurer, Corporate Services and the Director, Engineering and Transportation Division, Infrastructure and Engineering Services.

FINANCIAL IMPLICATIONS

The project is municipally funded from the Bridge Lifecycle Budget and through the sale of debentures. The current project is summarized in the following table:

financial Implications Contract T08-137 Rehabilitation of Queens Line Bridge over Government Drain 1 Community of Tilbury East, Municipality of Chatham-Kent		
A) Project Costs	Recommended Tender	\$ 200,504.35
	Engineering – Design and Tendering	\$ 65,000.00
	Engineering – Contract Admin. / Inspect.	\$ 12,000.00 ^A
	Engineering – Material Testing (incl. in contract)	\$ 7,500.00 ^A
	Less GST Rebate 5%	\$ (9,547.83) ^B
	Total Current Project Costs	\$ 275,456.52
B) Expenditures to Date	2008 Bridge Lifecycle Funding	\$ 10,000,000.00
	Less Previously Approved Projects: T08-135 Bridge Deck Replacement - Queen's Line over Raleigh Plains Drain	\$ (1,133,425.00)
	T08-181 Caledonia Road Bridge over Miller and Leek Drain	\$ (263,650.00)
	T08-187 Lagoon Road over Cameron Drain	\$ (264,471.75)
	Q08-222 Mint Line over King & Whittle Drain	\$ (99,900.00)
	Less Current Project: T08-137 Queens Line over Gov't Drain 1	\$ (275,456.52)
2008 Bridge Lifecycle Balance Remaining	\$ 7,963,096.73	
C) Funding Opportunities	Previous Estimated Subsidy T08-135 Bridge Deck Replacement - Queen's Line over Raleigh Plains Drain	\$ 1,000,000.00 ^C
	Subsidy Received from Federal Gas Tax: T08-137 Queens Line over Gov't Drain 1	\$ 275,456.52 ^C
	Total Funding Opportunities to Date	\$ 1,275,456.52
D) Summary	Net Potential Impact of Current Project on 2008 Bridge Lifecycle Funding	\$ 0.00

Note A: Costs identified by consultant are estimated budgets only and subject to change based on actual hours required to undertake and complete work.
Note B: GST rebate calculated on tender price only – consultant fees shown are already exclusive of GST
Note C: This project is being funded through a contribution from the *Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities Agreement* as administered by AMO.

Prepared by:

Reviewed by:

Stephen E. Jahns, P.Eng., CMM III
Manager, Infrastructure and Transportation
Engineering and Transportation Division
Infrastructure and Engineering Services

Gary Northcott, P. Eng.
Director
Engineering & Transportation Division
Infrastructure and Engineering Services

Reviewed by:

Reviewed by:

Leo Denys, P. Eng.
General Manager
Infrastructure and Engineering Services

C.D. Weldon
Chief Administrative Officer

Councillor King moved, Councillor Fluker seconded:

“That

- 1. The tender in the amount of \$200,504.35 (\$190,956.52 plus 5% GST) for the work associated with Contract T08-137 Rehabilitation of Queens Line Bridge over Government Drain 1 be awarded to Ben Bruinsma & Sons Limited of Chatham, Ontario.**
- 2. The Treasurer issue and sell debentures to raise funds to cover the cost of this project.**
- 3. Pending the sale of debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.”**

The Mayor put the Motion

Motion Carried

- (d) Tender Award: Contract T08-188 – Drake Road over Shadd Drain Bridge Replacement, Seventh Line over Finn & Cooper Drain Bridge Replacement, Community of Raleigh, Municipality of Chatham-Kent

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

ENGINEERING AND TRANSPORTATION DIVISION

TO: Mayor and Members of Council

FROM: Stephen E. Jahns, P.Eng., CMMIII
Manager, Infrastructure and Transportation
Engineering and Transportation Division

DATE: September 03, 2008

SUBJECT: Tender Award: Contract T08-188
Drake Road over Shadd Drain Bridge Replacement
Seventh Line over Finn & Cooper Drain Bridge Replacement
Community of Raleigh, Municipality of Chatham-Kent

RECOMMENDATIONS

It is recommended that:

1. The tender in the amount of \$ 563,224.19 (\$ 536,403.99 plus 5% GST) for the work associated with Contract T08-188 Drake Road Bridge and Seventh Line Bridge Replacements be awarded to Elmara Construction of Oldcastle, Ontario.
2. The Treasurer issue and sell debentures to raise funds to cover the cost of this project.
3. Pending the sale of the debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.

BACKGROUND

The existing bridge structures identified below are located at the intersection of Seventh Line and Drake Road in the Community of Raleigh:

Drake Road over Shadd Drain	TMS 4684456N17397017E	built 1945
Seventh Line over Finn & Cooper Drain	TMS 4684465N17397022E	built 1945

Due to the physical proximity of these two separate structures, their replacement has been bundled for constructability and practical purposes. The subject structures are the last of those structures approved to receive funding under the Canada Ontario Municipal Rural Infrastructure Fund (COMRIF) program.

COMMENTS

In 2005, the firm of Dillon Consulting Limited was charged with the task of preparing drawings associated with the replacement and rehabilitation of these structures.

In September 2005, the Engineering and Transportation Division submitted a sizeable application to the Canada Ontario Municipal Rural Infrastructure Fund (COMRIF) program. This application included separate funding applications for twenty-four separate bridge and culvert structures as illustrated in the following table. The total value of these projects was estimated at approximately \$11.2 million. In April 2006, and as Council may be aware, the Municipality of Chatham-Kent was advised that fourteen of the twenty-four bridge and culvert structures contained within the COMRIF Intake II application were approved for funding by the Province of Ontario and Government of Canada. A complete list of the structures contained in the COMRIF application is provided below. The subject structures on Drake Road and Seventh Line have been approved to receive funding under the COMRIF program.

Table 13 – COMRIF Intake II Applicant Structures Including Budget Estimate and Status of COMRIF Approval			
Bridge Structure Identifier	Bridge Structure Description	Budget Estimate ^B	COMRIF Approved ^A
4661498N17379457E	Talbot Trail over East Branch Two Creeks	\$ 1,660,000.00	No ^C

4682707N17383690E	Mint Line over Baptiste Creek	\$ 635,210.00	No
4668483N17388728E	Coatsworth Rd. over Coatsworth-Robinson	\$ 295,000.00	Yes
4684531N17381647E	Baptiste Creek Bridge on Tecumseh Line	\$ 482,800.00	No
4680436N17386580E	Pollard Line over Government Drain 2 & 3	\$ 405,000.00	No
4681382N17403057E	Middle Line over Roe Drain	\$ 183,000.00	Yes
4682164N17401841E	Eleventh Line over Moore Drain	\$ 202,900.00	Yes
4683708N17401545E	Tenth Line over Slade Drain	\$ 211,900.00	Yes
4684307N17400105E	Ninth Line over Carter Drain	\$ 225,900.00	Yes
4684316N17424138E	Raglan Road over Buchanan Drain	\$ 344,500.00	Yes
4684456N17397017E	Drake Road over Shadd Drain	\$ 232,200.00	Yes^D
4684465N17397022E	Seventh Line over Finn & Cooper Drain	\$ 161,540.00	Yes^E
4687031N17422162E	Talbot over Cumming Drain	\$ 285,000.00	Yes
4687231N17405452E	Tenth Line over Moody-Earley Drain	\$ 211,900.00	Yes
4689352N17410899E	Cundle Line over Cameron Drain	\$ 385,000.00	Yes
4689458N17410970E	Cundle Line over Walker Drain	\$ 390,000.00	Yes
4690284N17404731E	Eighth Line over Ferguson Drain	\$ 245,800.00	Yes
4676778N17399921E	Thirteenth Line over Foxton Drain	\$ 149,300.00	No
4679137N17407934E	Sixteenth Line over Four Rod Rd Drain	\$ 234,400.00	No
4698757N17409429E	Harwich Road over Ferguson Drain	\$ 107,060.00	No
4707155N17423730E	Selton Line over Skarel Drain	\$ 318,780.00	No
4696907N17386573E	Big Pointe Road over Rivard Drain	\$ 433,620.00	Yes
4716715N17386791E	Murray Street Bridge	\$ 2,652,000.00	No
4695656N17403381E	Princess Street Bridge	\$ 804,000.00	No
Total Value of Fees and Construction Costs		\$ 11,256,810.00	--
<p>Note A: COMRIF funding consisting of 2/3 funding (equal funding by provincial and federal government) and 1/3 by the Municipality</p> <p>Note B: Budgets were calculated in 2005 and may not necessarily reflect the market at the time of tender. The construction market has experienced significant increases in costs for steel, concrete and asphalt – all components of typical bridge and culvert construction and rehabilitation activities.</p> <p>Note C: Although this structure did not receive funding under the COMRIF Program, the Municipality of Chatham-Kent was successful in securing \$1,800,000 from the Ontario Rural Infrastructure Initiative Program.</p> <p>Note D: Estimate price based on replacement with concrete structure.</p> <p>Note E: Estimate price based on rehabilitation of the deck of the structure only.</p>			

In April of 2008, the structure on Seventh Line collapsed under the loading of a tractor-trailer vehicle carrying a load of soy beans and has been closed to vehicular traffic since.

The project was let for competitive public tender in August of 2008 and the Purchasing Officer received and opened tenders for the work on August 21, 2008. The tender results were as follows:

Table 14 - Tender Results Contract T08-188 Drake Road and Seventh Line Bridge Replacements Community of Raleigh, Municipality of Chatham-Kent		
Rank	Bidder and Location	Tender Amount (incl. GST)
1	Elmara Construction – Oldcastle, Ontario	\$ 563,224.19 ^A
2	Amico Design Build Inc. – Oldcastle, Ontario	\$ 623,892.50 ^A
3	Intrepid General Limited – Chatham, Ontario	\$ 744,370.10 ^A
4	PCR Contractors Incorporated – Windsor, Ontario	\$ 805,782.86 ^A

Note A: Bid contained arithmetic errors which when corrected did not impact the rank of the bids.

Drake Road over Shadd Drain – New Structure

The structure to be constructed to replace the existing concrete slab on steel girder structure located at Drake Road over the Shadd Drain will be a 2400mm diameter *corrugated steel pipe* product. The short span of the existing culvert (2500mm) was conducive to the use of corrugated steel as an hydraulically acceptable alternative.

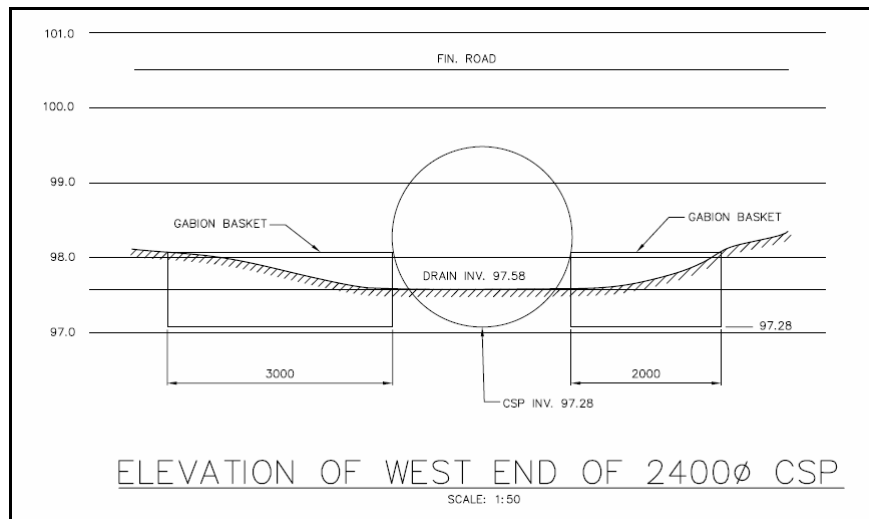


Figure 15 - Proposed CSP Structure - Drake Road over Shadd Drain

The total value of construction of this portion of the contract is approximately \$178,200.00 + GST.

Seventh Line over Finn & Cooper Drain – New Structure

Due to the span of the structure located at the Seventh Line over the Finn and Cooper Drain (approximately 8 metres), bidders were allowed the option of bidding the *corrugated steel pipe structure on concrete footings* or *providing alternate bids for the construction of an all-concrete culvert structure*. Concrete footings have been specified for this *corrugated steel structure* as they cannot economically be provided (versus concrete) in steel per the manufacturer. It should be noted that all bidders priced the *corrugated steel pipe structure on concrete footings*. None of the bidders submitted prices for the *all-concrete culvert structure*.

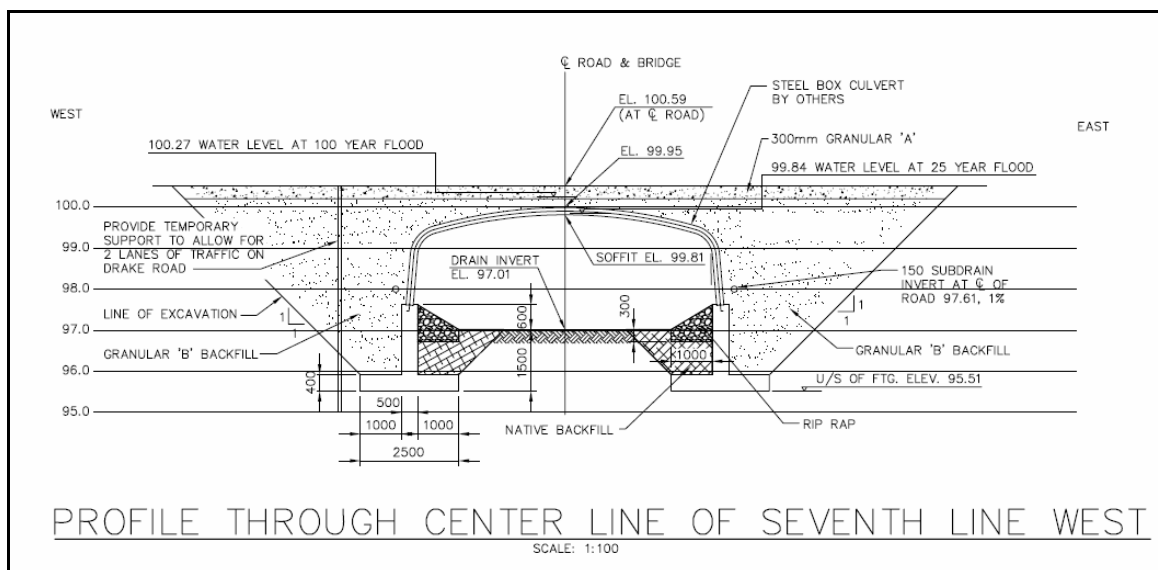


Figure 16 - Proposed CSP Structure - Seventh Line over Finn & Cooper Drain

The total value of construction of this portion of the contract is approximately \$359,000.00 + GST. It should be noted that a comparable size *concrete structure* was tendered for Big Point Road over Rivard Drain in the Community of Dover and presented to Chatham-Kent Council at a cost of \$337,000.00 + GST.

Dillon Consulting Limited has reviewed the tenders and notes that they are complete in all respects. A copy of the consultant's comments and recommendation letter is provided in Appendix A. All project fees (consultant fees, costs of construction, etc.) associated with this project will be funded through the Bridge Lifecycle Budget and funds to be received under the Canada-Ontario Municipal Rural Infrastructure Fund. A detailed financial breakdown associated with this project is provided in the Financial Implications.

Signage will be posted at the structures advising motorists of the duration of the construction period. In addition, special signage will be provided as required under the COMRIF program to advise area residents of the involvement of both the provincial and federal governments in the replacement of these bridge structures. Due to the nature of the work, Drake Road will be completely closed to vehicular traffic during the installation of the Drake Road over Shadd Drain structure and associated appurtenances. Seventh Line will continue to be closed to vehicular traffic for the duration of the project. Drake Road may be partially opened to traffic during the construction on Seventh Line.

The commencement of bridge projects is typically subject to the receipt of approvals from the Department of Fisheries and Oceans, Coast Guard, Conservation Authority and any other agency deemed necessary. All necessary advertisements have been completed and the appropriate approvals have been obtained in advance of tendering the project.

Under the requirements of the contract, work may start anytime after award and execution of the necessary agreements. Completion is required by December of 2008.

COMMUNITY STRATEGIC PLAN

The recommendations in this report support the following objectives and strategic directions:

A. Health – We are a healthy community

A1: Provide sufficient capacity to sustain community health and economic growth

B. Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic and smart growth opportunities

Desired Outcomes

- Provide safe, accessible, convenient and efficient public transportation
- Support new infrastructure investments and modernize existing infrastructure

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

The Tenders were opened by the Purchasing Officer and reviewed by the Tendering Committee comprised of the Purchasing Officer, Corporate Services, the Director, Financial Services/Treasurer, Corporate Services and the Director, Engineering and Transportation Division, Infrastructure and Engineering Services.

FINANCIAL IMPLICATIONS

The project is municipally funded from the Bridge Lifecycle Budget and through the sale of debentures. The current project is summarized in the following table:

Financial Implications Contract T08-188 Drake Road and Seventh Line Bridge Replacements Community of Raleigh, Municipality of Chatham-Kent		
A) Project Costs	Recommended Tender	\$ 563,224.19
	Engineering – Investigation, Design and Tendering	\$ 100,137.13
	Engineering – Contract Admin. / Inspect.	\$ 15,000.00 ^A
	Engineering – Material Testing (incl. in	\$ 8,500.00 ^A

	contract)	
	Less GST Rebate 5%	\$ (26,820.20) ^B
	Total Current Project Costs	\$ 660,041.12
B) Expenditures to Date	2008 Bridge Lifecycle Funding	\$ 10,000,000.00
	Less Previously Approved Projects:	
	T08-135 Bridge Deck Replacement - Queen's Line over Raleigh Plains Drain	\$ (1,133,425.00)
	T08-181 Caledonia Road Bridge over Miller and Leek Drain	\$ (263,650.00)
	T08-187 Lagoon Road over Cameron Drain	\$ (264,471.75)
	Q08-222 Mint Line over King & Whittle Drain	\$ (99,900.00)
	T08-137 Queens Line over Gov't Drain 1	\$ (275,456.52)
	Less Current Project:	
	T08-188 Drake Road and Seventh Line	\$ (660,041.12)
	2008 Bridge Lifecycle Balance Remaining	\$ 7,303,055.61
C) Funding Opportunities	Previous Estimated Subsidy	
	None	
	Subsidy Received from Federal Gas Tax:	
	T08-135 Bridge Deck Replacement - Queen's Line over Raleigh Plains Drain	\$ 1,000,000.00 ^C
	Subsidy Received from Federal Gas Tax:	
	T08-137 Queen's Line over Gov't Drain 1	\$ 275,456.52 ^C
	COMRIF Funding:	
	T08-188 Drake Road and Seventh Line	\$ 262,493.33
	Total Funding Opportunities to Date	\$ 1,5376,949.85
D) Summary	Net Potential Impact of Current Project on 2008 Bridge Lifecycle Funding	\$ 397,547.79
<p>Note A: Costs identified by consultant are estimated budgets only and subject to change based on actual hours required to undertake and complete work.</p> <p>Note B: GST rebate calculated on tender price only – consultant fees shown are already exclusive of GST</p> <p>Note C: This project is being funded through a contribution from the <i>Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities Agreement</i> as administered by AMO.</p>		

Prepared by:

Reviewed by:

Stephen E. Jahns, P.Eng., CMM III
Manager, Infrastructure and Transportation
Engineering and Transportation Division
Infrastructure and Engineering Services

Gary Northcott, P. Eng.
Director
Engineering & Transportation Division
Infrastructure and Engineering Services

Reviewed by:

Reviewed by:

Leo Denys, P. Eng.
General Manager
Infrastructure and Engineering Services

C.D. Weldon
Chief Administrative Officer

Councillor King moved, Councillor Faas seconded:

“That

1. The tender in the amount of \$563,224.19 (\$536,403.99 plus 5% GST) for the work associated with Contract T08-188 Drake Road Bridge and Seventh Line Bridge Replacements be awarded to Elmara Construction of Oldcastle, Ontario.
2. The Treasurer issue and sell debentures to raise funds to cover the cost of this project.

3. Pending the sale of debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.”

The Mayor put the Motion

Motion Carried

10. CORPORATE SERVICES

Report from administration re:

- (a) Surplus Properties

MUNICIPALITY OF CHATHAM-KENT

CORPORATE SERVICES

LEGAL SERVICES

TO: Mayor and Members of Council

FROM: Nancy Rumble
Manager, Risk Management and Property Disposition

DATE: July 25th, 2008

SUBJECT: Surplus Properties

RECOMMENDATION:

It is recommended that:

1. Part of Lots 7 and 8, Block 5, Plan 291, with a right-of way over Part Lot 7, Block 5, Plan 291, municipally known as 25 Richmond Street in the Community of Chatham, be declared surplus.
2. Part of Lots 1, 2 and 10, Block K, Plan 115, municipally known as 323-327 Queen Street in the Community of Wallaceburg, be declared surplus.
3. Part of Lot 24, Concession 2, municipally known as 21398 Coatsworth Road in the Community of Romney, be declared surplus.

BACKGROUND:

The above described properties were all vested with the Municipality of Chatham-Kent as the result of a recent tax sale where no interested parties bid on these particular properties.

COMMENTS:

The property at 25 Richmond Street in the Community of Chatham is a small parcel of land located just west of the intersection of Jeffrey Street. There is a small house situated on the land which requires updating. The yard is overgrown with grass and weeds. The parcel has a frontage of 23.10 feet and a depth of approximately 115 feet. The zoning is HC1, Highway Commercial which permits a variety of commercial uses including a bake shop, bank, clinic, convenience store, day nursery, or office. It is assessed at \$55,000.

The next parcel at 323-327 Queen Street in the Community of Wallaceburg is vacant land consisting of two separate parcels. It has an irregular shape with a total frontage on Queen Street of 102 feet by a depth of 66 feet on one side and 132 feet on the other. It is located on Queen Street between Murray Street and Victoria Street. The parcel is zoned R4, Residential, which permits single and duplex, attached and semi-detached dwellings and home occupations. The parcels are assessed at \$23,500 and \$39,500 respectively.

The last parcel is located at 21398 Coatsworth Road in the former Township of Romney. There is a house situated on the land which requires updating. The lot has a frontage of 150 feet by an irregular depth of 204/220 feet. The parcel is zoned R1, Residential which permits single detached dwellings and home occupations. The property is assessed at \$72,000.

COMMUNITY STRATEGIC PLAN:

The recommendations in this report do not support negatively or positively a specific objective of the Community Strategic Plan. It is a neutral issue.

CONSULTATION:

The Technical Advisory Committee reviewed the surplus of these properties and had no concerns.

FINANCIAL IMPLICATIONS:

There are no financial implications concerning this matter.

Prepared by:

Reviewed by:

Nancy Rumble
Manager,
Risk Management & Property Disposition

Steve Matheson, B.A., LL.B.
Director, Legal Services

Reviewed by:

Reviewed by:

Gerry Wolting, B. Math
General Manager
Corporate Services

C. D. Weldon
Chief Administrative Officer

Councillor Vercouteren moved, Councillor Crew seconded:

“That

- 1. Part of Lots 7 and 8, Block 5, Plan 291, with a right-of-way over Part Lot 7, Block 5, Plan 291, municipally known as 25 Richmond Street in the Community of Chatham, be declared surplus.**
- 2. Part of Lots 1, 2 and 10, Block K, Plan 115, municipally known as 323-327 Queen Street in the Community of Wallaceburg, be declared surplus.**
- 3. Part of Lot 24, Concession 2, municipally known as 21398 Coatsworth Road in the Community of Romney, be declared surplus.”**

Councillor Parsons questioned if the property listed in recommendation #2 has been reviewed for the formation of a park or other community use. The Director of Legal Services explained that all properties are reviewed by the Technical Advisory Committee. The Technical Advisory Committee is a multi-departmental committee and any department has the opportunity to flag a property as being of interest.

Councillor Crew questioned if these properties are listed with a real estate agent. The Director of Legal Services explained that the properties are listed with a real estate agent unless previous interest in the property has been expressed.

The Mayor put the Motion

Motion Carried

(b) Agreement with Real Estate Firms

MUNICIPALITY OF CHATHAM-KENT

CORPORATE SERVICES

LEGAL SERVICES

TO: Mayor and Members of Council
FROM: Nancy Rumble
Manager, Risk Management and Property Disposition
DATE: August 6th, 2008
SUBJECT: Agreement with Real Estate firms

RECOMMENDATION:

It is recommended that:

1. The agreements to provide sales service to the Municipality of Chatham-Kent be extended for one additional year.

BACKGROUND:

In 2006, proposals were called for Real Estate Services for the sale of surplus municipal property. The agreements with Royal LePage Peifer Realty and Coldwell Banker Gagner & Associates Excel Realty were for a two year term with provision for an additional one year extension.

COMMENTS:

The Real Estate Sales service agreement expires August 9th, and according to the terms of the agreement with the two current firms, the agreement may be extended for a period of one year with Council approval. This would extend the term until the 9th day of August, 2009.

COMMUNITY STRATEGIC PLAN:

The recommendations in this report do not support negatively or positively a specific objective of the Community Strategic Plan. It is a neutral issue.

CONSULTATION:

The two current firms were consulted in order to ensure that they were satisfied with the extension.

FINANCIAL IMPLICATIONS:

The financial implications associated with this report will be to add revenue to the municipality, reduced by the amount of the commission being paid.

Prepared by:

Reviewed by:

Nancy Rumble
Manager,
Risk Management & Property Disposition

Steve Matheson, B.A., LL.B.
Director, Legal Services

Reviewed by:

Reviewed by:

Gerry Wolting, B.Math, CA
General Manager, Corporate Services

C. D. Weldon
Chief Administrative Officer

Councillor Vercooteren declared a conflict of interest and removed himself from discussion and voting on the matter.

Councillor Robbins moved, Councillor Faas seconded:

“That the agreements to provide sales service to the Municipality of Chatham-Kent be extended for one additional year.”

The Mayor put the Motion

Motion Carried

(c) June 30, 2008 Budget Variance Forecast

MUNICIPALITY OF CHATHAM-KENT

CORPORATE SERVICES

BUDGET AND PERFORMANCE SERVICES

TO: Mayor and Members of Council

FROM: Bonnie Petrusenko
Budget Analyst

DATE: August 15, 2008

SUBJECT: June 30, 2008 Budget Variance Forecast

RECOMMENDATIONS

It is recommended that:

1. Administration continue to monitor operations through future variance reports for the periods ending August 31st, and October 31st.
2. The net forecasted surplus of \$92,000 be monitored and managed by administration.
3. One-time reserve transfers be identified to fund the following, pending final year-end results:
 - a) \$518,000 from the Reserve for Future Years to assist in offsetting fuel price increases as per the recommendation of the 2007 Final Variance report.
 - b) \$496,000 from the Reserve for Winter Control to assist in projected deficits in winter control costs.
 - c) \$189,000 from the Reserve for Closed Session to fund legal issues in the Human Resource area, and the increased mileage rate.
 - d) \$345,000 from the Reserve for Future Economic Downturns to offset the increased caseload in Ontario Works and benefits for the Ontario Disability Support Program (ODSP).

BACKGROUND

The ongoing financial reporting process to Council involves the following:

- Monthly financial summaries:
Corporate Services produces a summary of each department's month end financial position. This report is included in Council's information package approximately mid-month. The purpose of these reports is not to project year-end surpluses/deficits but to update Council and administration as to the financial position at each month end.
- Budget variance reports:
The purpose of budget variance reports is to project the year-end financial position of Chatham-Kent on a department by department basis. Each department reviews and forecasts its budget on a line by line basis. For 2008, administration is to provide Council with budget variance reports for the period ended April, June, August, and October.

In a report to Council dated June 28, 2000, Council approved the policy to transfer annual operating surpluses in Health & Family Services to the reserves for future economic downturns, and building capital for the redevelopment of the Long Term Care Facility. This policy was subsequently extended to include ambulance, social housing and public health issues. This report recommends the continuation of this policy.

This report has also been modified to include comments on budget overruns based on a motion approved by Council in April 2007,

“That the following budget overrun limits (net of associated revenues) are not to be exceeded without prior approval by Council:

- i) departmental budgets limited to 0% overrun;
- ii) divisional budgets limited to 2% overrun;
- iii) each budget code within any division limited to the greater of 10% overrun or \$10,000 overrun;

Notwithstanding the above limits, in exceptional circumstances the CAO may authorize these overruns and report to Council at the earliest opportunity.”

COMMENTS

Administration monitors the operating budget on an ongoing basis and, as with any forecast, the variance projections will become more accurate as the year unfolds. Significant use of estimates, historical knowledge and judgment is used in projecting budget vs. actual variances to year-end. Material fluctuations in the projections can occur if unforeseen activity is experienced in the local economy, e.g. social assistance caseloads, increase in fuel prices, etc.

The following three sections provide explanations of the variance:

- A) Departmental
- B) Divisional variances > 2% overrun
- C) Divisional budget codes >10% overrun

A) Departmental:

The June 2008 budget variance is forecasting a net surplus of \$92,000 and is detailed in Appendix A. The issues have been identified in Table One as follows:

Table One ...Department Summary of Projected Budget Variances		
Department	Budget Variance surplus or (deficit)	Comments
Non Departmental	\$225,900	ODSP benefits, requisition LTVCA, interest income
CAO, Office of the Mayor & Council	\$0	
Econ Development/Fire Services	\$154,600	Wage related (vacancies), misc studies
Corporate Services	(\$142,700)	Wage related (acting), HR legal costs
Health & Family Services	(\$50,500)	Increased caseload, long term care revenue, wage related
Infrastructure & Engineering	(\$1,547,900)	Fuel and fleet repairs, winter control, garbage disposal costs
Community & Development Services	(\$146,900)	Wage related vacancies, theatre programming costs, snow removal costs, decreased recreation program, gallery, and cemetery revenue
Police Services	\$51,500	Various
Total projected deficit	(\$1,456,000)	
LESS: Recommended reserve transfers (pending year-end results)		
• Reserve for Future Years	\$518,000	- Forecasted impact Fuel \$518,000
• Reserve Winter Control	\$496,000	- Forecasted impact \$894,500; reserve balance \$496,000
• Closed Session Reserve re HR legal issues, and mileage rate increase	\$189,000	- Legal issues \$167,000, mileage rate increase \$22,000
• Reserve for Future Economic Downturns	\$345,000	- Increased OW caseload \$190,000, ODSP benefit costs \$155,000
Net projected surplus	\$92,000	

Major components of the projected deficit of \$1,456,000 are increased costs for fuel and repairs for Fleet Services, winter control, Human Resource legal and Ontario Works and ODSP caseload and benefits.

There are specific reserves available to fund operations on a one-time basis.

Recommendations for these reserve transfers will be finalized as part of the year-end results :

\$518,000 Reserve for future years – part of the 2007 final variance recommended \$438,000 be set aside for the increased fuel costs for 2008. This amount has been increased to reflect the projected 2008 fuel impact. The uncommitted balance of this reserve is \$2,147,000.

\$496,000 Reserve for Winter Control. This transfer would eliminate this reserve.

\$189,000 Reserve for Closed Session. The uncommitted balance of this reserve will be determined upon completion of various negotiations.

\$345,000 Reserve for Social Service Economic Downturns. The uncommitted balance of this reserve will be \$1,506,000.

B) Divisional:

Appendix B details by division the 2008 Gross, Revenue and Net Budget; June Variance; Calculated %, RTC exceptions overruns >2%, reporting required for budget code overruns and explanation of variances. The following explanations have been provided by the divisions regarding budget overruns >2% along with mitigating steps that have/or will be put in place to mitigate the projected variance.

Non Departmental, overall surplus of \$225,900. The following divisional activities exceed a budget overrun of 2%:

Grants and Requisitions		Marylou McLeod/Stuart Wood
Net Final Budget	\$1,772,170	
Projected Deficit	(\$50,900)	
Calculated %	-2.9%	

The Lower Thames Valley Conservation Authority has included additional costs that have not been previously budgeted for. This includes provincial ground water monitoring, and a generic regulations levy. This issue will need to be addressed in the 2009 budget process.

Corporate Services, overall deficit of \$142,700. The following divisional activities exceed a budget overrun of 2%:

Human Resources		Cathy Hoffman
Net Final Budget	\$2,528,243	
Projected Deficit	(\$190,800)	
Calculated %	-7.6%	

There has been a net increase in the legal activity costs for corporate related human resource issues. It is being recommended that a reserve transfer from the Closed Session Reserve address this corporate issue.

Health & Family Services, overall deficit of \$50,500. The following divisional activities exceed a budget overrun of 2%:

Ontario Works		Valerie Colasanti
Net Final Budget	\$7,058,093	
Projected Deficit	(\$190,000)	
Calculated %	-2.7%	

An increase in caseloads, due to the current economic conditions in this area, has created a deficit in Ontario Works. It is being recommended that a reserve transfer from the Reserve for Future Economic Downturns be used to fund this deficit.

Infrastructure & Engineering Services, overall deficit of \$1,547,900. The following divisional activities exceed a budget overrun of 2%:

Engineering		Gary Northcott
Net Final Budget	\$924,262	
Projected Deficit	(\$20,000)	
Calculated %	-2.2%	

Engineering provides service to the PUC under an authorized service level

agreement. The agreed amount is \$265,000 per annum, but the budgeted amount is \$285,000.

Fleet Management		Tim Dick
Net Final Budget	\$1,729	
Projected Deficit	(\$797,700)	
Calculated %	N/A	

This projected deficit is the result of increased fuel prices based on the Energy Information Administration forecasts. A 20% increase in gasoline and a 28% increase for diesel are expected over 2007's average price. Recommendations from the 2007 final variance report were approved to transfer \$438,000 to the Reserve for Future Years to assist with the 2008 fuel increases. Repairs are also being forecasted as a deficit due to increased costs for parts, tires, oil, labour, etc. As well, due to the harsh winter, there has been increased maintenance to winter control equipment due to increased usage.

Environmental Services		Tim Dick
Net Final Budget	\$4,857,324	
Projected Deficit	(\$100,700)	
Calculated %	-2.1%	

This projected deficit is mainly due to garbage disposal costs for 5 transfer stations that have not been budgeted for in prior years. In the past, this was offset by additional revenue within Environmental Services. This will need to be addressed during the 2009 budget process.

Public Works - Winter Control		Pat Bruette/Wayne Pollock
Net Final Budget	\$3,127,319	
Projected Deficit	(\$894,500)	
Calculated %	-28.6%	

This projected deficit is due to winter control activities. The forecast is based on 2008's year to date activity, as well as 2007's November and December's activity. The balance of the winter control reserve \$496,000 is required to fund this deficit.

Community & Development Services, overall deficit of \$146,900. The following divisional activities exceed 2% overrun:

Building, Enforcement & Licensing Services		Paul Lacina
Net Final Budget	(\$98,447)	
Projected Deficit	(\$19,900)	
Calculated %	-20.2%	

The projected deficit is due to a new business license renewal process that was approved during the 2008 budget process. Currently, a business license renewal fee is at a lower rate than an initial application. With the new proposal, all renewal and initial fees will be the same price. This new process is to be phased in over 3 years, increasing the business license revenue by \$75,000 once fully implemented. To date, the implementation plan is not yet complete and adjusted renewal fees have not yet been established. The plan should be complete so that the phase in process will begin in January 2009.

Culture & Special Events		Janet Raddatz
Net Final Budget	\$ 1,034,720	

Projected Deficit (\$58,200)
 Calculated % -5.6%

The projected deficit is mainly due to the theatre programming area. This area has not met budget expectations for several years. A report was presented to Council identifying the issues. The Cultural Master Plan will be completed this fall with recommendations.

Recreation Programs Ann Robinson
 Net Final Budget \$1,072,112
 Projected Deficit (\$37,000)
 Calculated % -3.5%

This projected deficit is mainly due to decreased participation in playground and daycamp programs. There is also a decrease in sponsorship and fundraising revenues for these same areas. All revenues are actively monitored and managed.

Parks, Cemeteries, and Horticulture Tom Beaton
 Net Final Budget \$2,008,606
 Projected Deficit (\$203,700)
 Calculated % -10.1%

This projected deficit is mainly due to decreased cemetery lot sales. A report to Council will be presented early fall to address this and other operational issues in the Cemeteries division.

Increased grass cutting costs for parks and cemeteries is also a contributing factor to the deficit in this area. This is actively being monitored and managed.

C) Budget Code Overruns > \$10,000 or 10%

As per the motion approved by Council in April 2007, budget codes within a division that have an overrun limited to the greater of 10% or \$10,000 (net of associated revenues) have been identified. Reports have been developed and included as Appendix C that outlines the division's budget codes, amount and percentage of overrun, overall status of the department and division, description and offset, and action required.

Included in Appendix C are the following eighteen divisions with budget code overruns:

<u>Department</u>	<u>Division</u>	<u>Ref #</u>
Non Departmental	Grants & Requisitions	C-1
	Provincial Downloading Services	C-2
Economic Development	Economic Development	C-3
Fire Services	Fire Services	C-4
Corporate Services	Human Resources	C-5
Health & Family Services	Children's Services	C-6
	Senior Services	C-7
	Health Services	C-8
	Ontario Works	C-9
Infrastructure & Engineering	Drainage, Environ, Fleet	C-10
	Public Works	C-11
Community & Development	Building, Enforcement & Licensing	C-12

Services	Culture & Special Events	C-13
	Recreation Programs	C-14
	Parks, Cemeteries, & Hort.	C-15
	Municipal Properties	C-16
	Customer Services	C-17
	Planning Services	C-18

COMMUNITY STRATEGIC PLAN

The recommendation in this report support the following objectives and strategic directions:

- B: Economy – A Prosperous Community
 B1: Promote and market Chatham-Kent

Desired Outcomes:

- Chatham-Kent to be recognized as a municipal leader in responsible fiscal management through manageable tax rate changes and sustainable fiscal planning.

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

Each department compiled and provided comments on the June 2008 variance report and developed options, if necessary, to manage to the bottom line. The Executive Management Team was consulted on the development of the recommendations.

FINANCIAL IMPLICATIONS

The following is a summary of the June 2008 budget variance:

Operational (deficits):

Corporate Services	(\$142,700)	
Health & Family Services	(\$50,500)	
Infrastructure & Engineering Services	(\$1,547,900)	
Community & Development Services	<u>(\$146,900)</u>	
Total projected operational (deficits)		(\$1,888,000)

Operational surpluses to offset deficits:

Non Departmental	\$225,900	
Econ Development/Fire Services	\$154,600	
Police Services	<u>\$51,500</u>	
Total projected operational surpluses		<u>\$432,000</u>

Total forecasted (deficit) (\$1,456,000)

Less: Recommended reserve transfers (pending year-end results)

• Reserve for Future Years re fuel	\$518,000	
• Reserve for Winter Control	\$496,000	
• Closed Session Reserve re HR legal costs	\$189,000	
• Reserve for Future Economic Downturns	<u>\$345,000</u>	<u>\$1,548,000</u>

2008 forecasted surplus \$ 92,000

The Executive Management Team is recommending that departments will continue to monitor and manage the forecasted surplus and report with the next variance. It is not being recommended that service level adjustments be made at this time.

Prepared by:

Reviewed by:

Bonnie Petrusenko
Budget Analyst

Mary Lou McLeod, CGA
Director, Budget & Performance Services

Reviewed by:

Reviewed by:

Gerry Wolting, B.Math, CA
General Manager Corporate Services

C.D. Weldon
Chief Administrative Officer

Councillor Robbins moved, Councillor Crew seconded:

“That

- 1. Administration continue to monitor operations through future variance reports for the periods ending August 31st and October 31st.**
- 2. The net forecasted surplus of \$92,000 be monitored and managed by administration.**
- 3. One-time reserve transfers be identified to fund the following, pending final year-end results:**
 - a) \$518,000 from the Reserve for Future Years to assist in offsetting fuel price increases as per the recommendation on the 2007 Final Variance report.**
 - b) \$496,000 from the Reserve for Winter Control to assist in projected deficits in winter control costs**
 - c) \$189,000 from the Reserve for Closed Session to fund legal issues in the Human Resource area, and the increased mileage rate.**
 - d) \$345,000 from the Reserve for Future Economic Downturns to offset the increased caseload in Ontario Works and benefits for the Ontario Disability Support Program (ODSP).”**

The Mayor put the Motion

Motion Carried

- (d) Mileage Reimbursement Rate Policy

MUNICIPALITY OF CHATHAM-KENT

CORPORATE SERVICES

FINANCIAL SERVICES

TO: Mayor and Members of Council

FROM: Stuart Wood, CMA
Director, Financial Services/Treasurer

Mary Lou McLeod, CGA
Director, Budget and Performance Services

DATE: September 2, 2008

SUBJECT: Mileage Reimbursement Rate Policy

RECOMMENDATION

It is recommended that:

1. A mileage reimbursement rate of \$0.46 per kilometer be established for mileage incurred after the acceptance of this report.
2. The annualized impact of this change in policy of \$66,000 be referred to the 2009 budget.
3. Council adopt an ongoing policy for kilometer reimbursement as set annually by the Minister of Finance (per Section 7306 of the Income Tax Regulations). The rate shall reflect the amount set out in the Income Tax Regulations for travel in excess of 5,000 kilometers. The current rate for 2008 is \$0.46 per kilometer.

BACKGROUND

Each year, as part of the budget review, Finance is asked to report on the cost of operating personal vehicles for business purposes and to establish an appropriate mileage reimbursement rate. Due to the recent increased cost of fuel, Finance has undertaken a review of vehicle costs and reimbursement rates.

Currently, the Municipality reimburses approximately 1.1 million kilometers for business related travel at a rate of \$0.40 per kilometer with an annual budget impact of \$440,000. This rate was established in February, 2006. Among other factors, the cost of fuel was estimated at \$1.00 per litre. The average cost of fuel per litre for the municipal fleet vehicles are as follows and does not necessarily reflect the average costs for individual consumers:

- 2006 \$0.85
- 2007 \$0.93
- 2008 \$1.11 (Jan to Aug)

COMMENTS

The Municipality's traditional method of recommending a mileage reimbursement rate reviewed the cost of operating a vehicle with input from various sources including the Canadian Automobile Association (CAA), manufacturers' vehicle specifications and municipal survey results. This method requires annual review and is not necessarily responsive to changes in the consumer market.

The recommendation in this report is to establish a corporate policy for mileage reimbursement rather than rely on the timing of the budget process. In developing this recommendation the following options were considered:

- 1) Costs of operating a vehicle
- 2) Canada Revenue Agency Automobile allowance rates
- 3) Canada Revenue Agency Vehicle rates
- 4) Municipal survey results

The following sections provide detail regarding the options considered.

Option 1 - Costs of operating a vehicle:

Finance has traditionally researched operating costs of vehicles from sources such as the Canadian Automobile Association (CAA) and manufacturers' vehicle specifications in determining the costs of operating vehicles.

There are many variables that impact the cost of ownership for a vehicle - mileage expectation, cost and residual value, maintenance, insurance, financing, driving habits, personal preferences, etc. A mileage rate is difficult to calculate due to its many variables.

The finance department calculated its own set of operating costs covering 15 vehicles with a range of purchase prices based on information from the manufacturers' web-sites. Assumed was a five year ownership, 75,000 or 125,000 km of travel over that period and gas at \$1.33 per litre. An appropriate charge back rate ranged from \$0.23 at the low end and \$0.93 at the upper end. The model included financing charges at 7.75%. A summary of the findings are included in Appendix A.

If this method were used for 2008, based on a mid-sized car and km usage of 125,000, the range of the rate would be \$0.43 to \$0.49 per km. This method of calculation is not being recommended because it is very time consuming and can be viewed as being subjective based on the vehicles used in the review.

Option 2 - Canada Revenue Agency Reasonable per-kilometer allowance:

Annually, the Canada Revenue Agency establishes vehicle rates for business purposes in two respects, from a taxability of income perspective and a simplified method for income tax deductibility. The first method discussed is the rate used for reasonableness regarding taxability on receipt. The information has been obtained from the web-site for the Canada Revenue Agency.

“The per kilometer allowance that we usually consider reasonable are the amounts prescribed in Section 7306 of the Income Tax Regulations. Although these rates represent the maximum amount you can deduct as business expenses, you can use them as a guideline to determine if the allowance paid to your employee is reasonable.”

These rates are established at the first of a calendar year for payroll purposes. For 2008, the rates were modified January 8, 2008 and are as follows for Ontario:

- \$0.52 per kilometer for the first 5,000 kilometers and
- \$0.46 per kilometer thereafter

For Chatham-Kent, approximately 20% of the mileage reimbursements exceed 5,000 kilometers. For ease, it is recommended that one rate be established for reimbursement to avoid a further tracking of mileage accumulation and possible taxability of usage issues. As indicated on the information from Revenue Canada, the type of vehicle and driving conditions can determine whether an allowance is reasonable. To avoid confusion and personal situations, the recommendation includes that the over 5,000 kilometers per year usage be adopted as a policy. For 2008 the rate would be \$0.46 per kilometer.

Option 3 - Canada Revenue Agency Vehicle rates:

The other rate established by Canada Revenue Agency is the simplified rate for income tax purposes relating to moving or medical expenses and does not require receipts to be kept for ease of filing income tax returns. This rate is established for the income taxation year. The rate established January 3, 2008 was for the 2007 taxation year, currently at \$0.495 per kilometer for Ontario.

The rate of \$0.495 has been established by the Canada Revenue Agency for tax deductible purposes and is between the established taxable allowance rates of \$0.46 and \$0.52 per kilometer.

Option 4 – Municipal Survey results:

Due to the rising costs of fuel, a recent survey of 204 Ontario municipalities was completed in April 2008 by the Municipal Finance Officers’ Association. Attached as Appendix B is the result of 56 municipalities with populations greater than 50,000. Rates for reimbursement range from \$0.40 to \$0.52 per kilometer, with an average rate of \$0.478 per kilometer.

Of particular interest, a significant number of respondents tied their mileage reimbursement rate to that permitted as a maximum by the Canada Revenue Agency (CRA). This type of approach would eliminate the need for annual surveys and reports. Adjustments to the CRA rate would trigger an automatic adjustment to the municipal rate, be it an increase or a decrease.

CONSULTATION

External references were made to the rates established by Canada Revenue Agency, the CAA Car Driving Report (2008) Costs, and the MFOA survey.

The Director of Fleet Services and Human Resources were also consulted.

There is currently no specific language included in our labour contracts that address the calculation of mileage reimbursement rates. The effective date and reimbursement rate is currently the rate established by Council as part of the Chatham-Kent Corporate Policy manual.

The Executive Management Team was consulted in the review. Impact of the options as well as timing of implementation were considered in the development of the recommendations.

FINANCIAL IMPLICATIONS

Municipal staff over the past two years have been reimbursed for about 1.1 million kilometers annually. At a per km rate of \$0.40, this policy requires \$440,000. For each \$.01 the rate changes, the impact will be about \$11,000.

A summary of the options presented in this report and the final recommendation is as follows:

<u>Option #</u>	<u>Description</u>	<u>Range p/km</u>	<u>Avg p/km for costing</u>	<u>Annualized budget change</u>
1	Cost of operating (125,000 km)	\$0.23-\$0.65	\$0.48	\$88,000
2	CRA – per km	\$0.46-\$0.52	\$0.508	\$118,800
3	CRA – vehicle rate 07	\$0.495	\$0.495	\$104,500
4	MFOA	\$0.40-\$0.52	\$0.478	\$85,800
<u>Recommended</u>				
2	CRA – less than 5,000	\$0.46	\$0.46	\$66,000

The annualized impact of the development of this policy will be \$66,000 and will be included in the 2009 budget. For 2008, with an effective date of September, the 2008 budget impact will be \$22,000 and has been included in the forecasted budget variance of June.

Prepared by:

Prepared by:

Stuart Wood, CMA
Director, Financial Services/Treasurer

Mary Lou McLeod, CGA
Director Budget & Performance Services

Reviewed by:

Reviewed by:

Gerry Wolting, BMath, CA
General Manager, Corporate Services

C.D. Weldon
Chief Administrative Officer

Councillor Crew moved, Councillor McGregor seconded:

“That

- 1. A mileage reimbursement rate of \$0.46 per kilometer be established for mileage incurred after the acceptance of this report.**
- 2. The annualized impact of this change in policy of \$66,000 be referred to the 2009 budget.**
- 3. Council adopt an ongoing policy for kilometer reimbursement as set annually by the Minister of Finance (per Section 7306 of the Income Tax Regulations). The Rate shall reflect the amount set out in the Income Tax Regulations for travel in excess of 5,000 kilometers. The current rate for 2008 is \$0.46 per kilometer.”**

In response to a question by Councillor Crew, the Director of Budget and Performance Services explained that the average price of fuel as determined by the Fleet Department was \$0.93 cents per litre for 2007. The average price per litre for August 2008 was \$1.26. The Director of Budget and Performance Services explained that the prices obtained through the Fleet Department would be slightly less than what would be paid at a gas station.

Councillor Crew made a motion to make the mileage rate increase retroactive to June 1, 2008; however no seconder was received.

Councillor Sulman questioned what the average mileage rate was, of the municipalities that took part in the survey, conducted by the Municipal Finance Officers of Ontario. The Director of Financial Services explained that the average mileage rate was 47.8 cents per kilometer. Councillor Sulman sought clarification on the mileage rate used by the Provincial and Federal Governments. The Director of Financial Services explained that he did not have this information. Councillor Stirling noted that he recently attended an event for the Provincial Government and he was reimbursed \$0.40 per kilometer.

Councillor Brown referenced recommendation #2 and questioned why the annualized

impact would be referred to budget. He felt that should Council approve these recommendations then the annualized impact should be included in the 2009 budget. The Director of Financial Services explained that this report is different than previous mileage increases as the recommendation would tie the mileage rate to an outside factor. By approving these recommendations, Council is setting a policy and the annualized impact of that policy can only be changed by revising the policy.

The Mayor put the Motion

Motion Carried

11. HEALTH AND FAMILY SERVICES

Report from administration re:

- (a) Subsidy Increase for Registered Practical Nurses (RPN's) and Personal Care Givers (PCG's)

MUNICIPALITY OF CHATHAM-KENT

HEALTH & FAMILY SERVICES

SENIORS SERVICES

TO: Mayor and Members of Council

FROM: Colleen Wilson
Director, Seniors Services

DATE: August 25, 2008

SUBJECT: Subsidy Increase for Registered Practical Nurses (RPN's) and Personal Care Givers (PCG's)

RECOMMENDATIONS

It is recommended that:

1. Approval be given to the Director of Seniors Services to accept the increased funding from the Erie St. Clair Local Health Integration Network (ESC LHIN) in the amount of \$235,426 annually to allow for an increase in the Registered Practical Nurse (RPN) classification of 3.03 full time equivalencies (FTE's).
2. An increase be approved in the Personal Care Givers (PCG's) classification of 1.49 FTE's to be purchased with the increased funding announced by the Province and the Erie St. Clair Local Health Integration Network (ESC LHIN) in the amount of \$147,168 annually.

BACKGROUND

A letter and an amending agreement dated July 18, 2008 was received from the ESC LHIN allocating \$235,426 annually to increase the number of RPN hours and FTE's including the creation of at least one full-time RPN position. The funding was allocated to Riverview Gardens in the July 2008 payment notice and included a retroactive

adjustment for April, May and June. These funds are to be treated as an increase in funding within the Nursing and Personal envelope. These funds are dedicated funds and can only be spent on increasing RPN FTE's through an increase in RPN hours of care.

A total of \$14.0M in 2007/08 annualizing to \$57M in 2008/09 was announced by the LHIN to create 1,200 new RPN (full time) positions in Ontario. The Province has introduced this initiative to mitigate the predicted losses in the nursing workforce due to retirements. The Province believes it is critical that Ontario nurses keep working within the Province. A significant factor in nurse retention is the ability to secure stable full time employment. The RPN funding is base funding and has been allocated based on the home's size (number of beds) and the Case Mix Index (CMI).

On August 19, 2008 the Province and the ESC LHIN announced an increase in funding to support the creation of additional Personal Care Givers (PCG's). Riverview Gardens was provided with a per diem increase of \$1.26 in the Nursing and Personal Care envelope which will allow for an increase of 1.49 FTE's. Total annualized funding for Riverview Gardens is expected to be \$147,168.

The Province announced a \$23.3M investment to support 873 personal care workers in Ontario with the Chatham/Kent/Essex area receiving \$353,519.

COMMENTS

In order to receive the RPN funding, the administrator must sign and return an agreement with the ESC LHIN by September 9, 2008. To remain eligible for this base funding, the agreement must be signed and returned or all applicable funding will be recovered by the Province. The conditions include: the return of the signed agreements; the funding must be used to increase the number of full time RPN positions and an increase in RPN FTEs; operators must provide staffing information to the Ministry through the semi-annual staffing surveys; and, funding is subject to recovery if the amounts are not applied as required by the Province. Riverview Gardens administration will be required to report expenses as they pertain to this RPN funding initiative.

Riverview Gardens is expected to create one (1) full time RPN position and will add incremental hours to part time positions, increasing the RPN complement by 2.03 FTE's. In addition to creating the one full time position, operators are expected to use all remaining funding on securing new RPN hours. The definition of full time is in accordance with the home's collective agreement which is deemed to be 37.5 hours per week. The operators are not expected to top-up this RPN funding and should increase to the level afforded by the Province/LHIN's funding allowance only.

On August 19, 2008, the Province and the ESC LHIN announced a further funding increase of \$1.26 per diem in the Nursing and Personal Care envelope to commence August 1, 2008. For Riverview Gardens, this is an increase of \$147,168 annually to support the creation of Personal Care Givers (PCG's). Administration is requesting approval to increase the PCG classification FTE by 1.49. (See Appendix A for a detailed chart of the proposed staffing levels based on these two new funding announcements.) Personal Care Givers will provide more bedside care to residents, assist with feeding and bathing, transferring residents from chairs to beds, dressing and undressing, etc.

These staffing increases will result in the hours of care per resident per day at Riverview Gardens increasing from 2.51 to 2.58.

COMMUNITY STRATEGIC PLAN

The recommendations in this report support the following objectives and strategic directions:

A: Health – We are a healthy community

A2: Exceed standards for health protection and promotion

A4: Foster a safe and caring community

Desired Outcomes/Proposed Activities

- Increase number of preventative health initiatives
- Support and promote profession-specific in-service health and safety programs

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

A meeting was held on July 10, 2008 with Gary Switzer, Chief Executive Officer, ESC LHIN; Mayor Randy Hope; Dave Weldon, CAO; Lucy Brown, General Manager, Health and Family Services, and Colleen Wilson, Director, Seniors Services, to discuss several issues including the funding announcement by the ESC LHIN and the Province and the difficulties that arise when there are stipulations regarding the use of the funding allocations. Mr. Switzer agreed to raise this issue with other CEO's within the LHINs.

A teleconference was held on August 12, 2008 with Mr. Tim Burns, Director of Performance Improvement and Compliance, Ministry of Health and Long-Term Care (MOHLTC); Ms. Cathy Crane, London Regional Director, MOHLTC; Mr. Paul Brown, Integration Consultant, ESC LHIN; Mayor Randy Hope; Councillor Anne Gilbert; Dave Weldon, CAO and Colleen Wilson, Director, Seniors Services, to discuss the current municipal contribution and the inability to allocate the new funding to initiatives within the home that would be in the best interests of the residents. Mr. Burns agreed to review and another teleconference would be scheduled.

The Director of Seniors Services met with Mr. Paul Brown, Integration Consultant, LHIN, on August 13, 2008, to determine if there would be any flexibility in the use of the new funding announcements surrounding the Registered Practical Nurse funding initiative. A response was received which indicated that the ESC LHIN would need to review the request further. No response has been received to date.

Consultation was held with the Ontario Association of Non Profit Homes and Services for Seniors (OANHSS) regarding hours of care and their understanding of the new funding initiatives.

FINANCIAL IMPLICATIONS

Riverview Gardens' administration will increase the RPN classification complement by 3.03 FTE and the PCG classification by 1.49. There will be no financial implications as these increases are being funded by the Provincial Ministry of Health and Long Term Care Branch and the Erie St. Clair Local Integration Network.

Prepared by:

Reviewed by:

Colleen Wilson
Director, Seniors Services

Lucy Brown, R.N., B.A
General Manager
Health and Family Services

Reviewed by:

C. D. Weldon
Chief Administrative Officer

Councillor Herman moved, Councillor King seconded:

“That

- 1. Approval be given to the Director of Seniors Services to accept the increased funding from the Erie St. Clair Local Health Integration Network (ESC LHIN) in the amount of \$235,426 annually to allow for an increase in the Registered Practical Nurse (RPN) classification of 3.03 full time equivalencies (FTE's).**
- 2. An increase be approved in the Personal Care Givers (PCG's) classification of 1.49 FTE's to be purchased with the increased funding announced by the Province and the Erie St. Clair Local Health Integration Network (ESC LHIN) in the amount of \$147,168 annually.”**

In response to a question by Councillor Herman, the Director of Seniors Services explained that these recommendations will allow for the testing of a few different staffing patterns to determine what works best for residents and staff.

The Director of Seniors Services explained the difficulties encountered in trying to recruit Registered Practical Nurses. The total funding allotment for Personal Care Givers will be spent, however should the recruitment of Registered Practical Nurses be unsuccessful, that funding will be recouped by the Province. The Director of Seniors Services further explained that she continues to work with the ESC LHIN to attempt to have this funding reallocated for other uses.

Councillor King noted that a meeting took place with The Honorable David Caplan, Minister of Health and Long-Term Care during the 2008 AMO Conference in Ottawa. He noted that Minister Caplan seem surprised by the shortage of Registered Practical Nurses. Councillor King requested that a letter be sent to Minister Caplan on behalf of the Mayor and Council regarding the shortage of Registered Practical Nurses due to the change in educational requirements and program length.

The Mayor put the Motion

Motion Carried

Councillor King moved, Councillor Fluker seconded:

“That a letter be sent to David Caplan, Minister of Health and Long-Term Care re shortage of Registered Practical Nurses.”

The Mayor put the Motion

Motion Carried

12. COMMUNITY AND DEVELOPMENT SERVICES

Report from administration re:

(a) Cat Control Strategy

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY & DEVELOPMENT SERVICES

BUILDING, ENFORCEMENT & LICENSING SERVICES

TO: Mayor and Members of Council

FROM: Brenda M. Percy
Manager, Licensing Services

DATE: July 30, 2008

SUBJECT: Cat Control Strategy

RECOMMENDATIONS

It is recommended that:

1. A Voluntary Cat Registration Program be implemented.
2. A Responsible Cat Ownership Educational Program be developed and implemented.
3. Administration return to Council within one year to report on the success of the Voluntary Cat Registration Program and Educational Program and provide any suggestions or changes for improvement.
4. An Advisory Committee on Cat Control be formed with a mandate to review community cat control issues, recommend initiatives and strategies, and develop active partnerships.

BACKGROUND

At the October 15, 2007 Council meeting, Council passed a motion that *“Administration develop a proactive cat control strategy including associated budget implications, implementation timelines and appropriate matrix that includes (a) education programs to Chatham-Kent citizens on the importance of responsible cat ownership; (b) voluntary registration program that can facilitate the return of lost cats; (c) feral caretaker registration program with spaying/neutering program”*.

As indicated in administrative report dated July 4, 2007 (Appendix A), the objectives of a community cat control program should improve the ability of reuniting cats with owners, to educate owners in responsible pet ownership, to reduce the cat population through spay/neuter programs, to reduce the nuisances caused by stray cats, and to reduce the number of cats being impounded and euthanized each year.

COMMENTS

There are many methods a community can use to address cat issues; however, most programs have realized only a limited success and low compliance rates. Those municipalities which have experienced some degree of success are those that work within the community to integrate animals and educate pet owners on the importance of being responsible owners, rather than those that impose more regulations or increased fines, impound more animals or penalize more owners.

In that regard, it is recommended that Chatham-Kent's Cat Control Strategy start at the foundation and focus on the following components:

- Changing owners' behaviour and developing responsible cat owners through education
- Providing the tools so that cat owners can be responsible owners
- Developing partnerships within the community to implement programs or methods to address issues and challenges

In essence, a Cat Control Strategy should create a community of responsible cat owners in which every owner has access to information and where every owner takes responsibility for their cat.

Voluntary Cat Registration Program

Cat registration provides a method by which a cat can be returned to its owner should it become lost. Even those cats that "never go outside" can accidentally escape; in fact, shelters are filled with cats that "never go outside". Most North American shelters and pounds report that identified and licensed animals are far more likely to be reclaimed by their owners than unregistered or unlicensed ones. While most dogs wear identification, most cats do not, which makes tracing the owners near impossible. The local unit of the OSPCA has advised that of the approximate 2500 cats seen at the shelter last year; less than 2% were redeemed (average redemption rate in Canada is 3.4%).

The impact of a lost or stray cat is:

- Increased time spent at shelters that results in overcrowding and less room for other animals
- Complaints about wandering or stray cats
- Complaints regarding cat nuisance and noise
- Health and welfare for cats
- Increase in number of free roaming cats and feral cats in the community as a result of unaltered strays
- Increase in euthanasia rates

It is recommended that a Voluntary Cat Registration Program be established as part of the overall Cat Control Strategy using the same municipal database as used to licence and register dogs (Hansen program). Although the program would be completely voluntary; owners would be encouraged to register their cats so that they can be returned if found wearing tags. It also provides a method by which someone can distinguish between a stray cat and a pet. Owner-initiated voluntary registration linked with identification provides responsible cat owners a better chance that their pets will be returned. The lifetime fee to register a cat would be \$35.00; however, a reduced rate of \$25.00 would be offered to those cat owners who have altered their cats.

Cat owners who are concerned about the safety of collars, a special breakaway collar would be made available for purchase, which provides the opportunity for owners to purchase a tag and collar at one location. Both cat tags and collars would be made available for purchase from the OSPCA, municipal centres and participating local veterinarians' offices. Micro chip information or tattoo information may be added as supplemental information to the tag information within the database; however, it is still recommended that a municipal tag be attached to a collar as it is a visible means of identification. It would be the responsibility of the owner to update information, such as change of address or telephone number, with the Municipality.

Voluntary Cat Registration Program Fee Schedule
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Tag Fee (non transferable)	
▪ Altered	\$25.00
▪ Not altered	\$35.00
Replacement Tag	\$ 5.00
Breakaway Collar	\$10.00

The Voluntary Cat Registration Program would not include any enforcement provisions and those lost cats found would require that the founder contact the Municipality to obtain owner information. Administration is currently reviewing automated recovery systems such as Pet Lynx, which assist the public in facilitating the recovery of lost pets by searching a database of lost and found pets made available on the internet.

Changing owners' behaviour & developing responsible cat owners through education

Most cat owners want to be responsible owners, but may not know the options, have misinformation or simply don't understand the impact of being an irresponsible cat owner. It is recommended that Chatham-Kent's Cat Control Strategy, which is striving to develop responsible cat owners, include an educational campaign, which would highlight keeping one's cat indoors; obtaining identification for one's cat should it become lost and recognizing the importance of spaying/neutering.

A brochure/pamphlet is an ideal and cost effective way to organize information and educate cat owners. An example of a brochure is attached (Appendix B) for Council's reference. A similar brochure could be developed internally and made available at all municipal service centres, OSPCA, and on the municipal website. In addition, information currently located on the municipal website would be enhanced and reorganized. Further, the OSPCA has developed a number of its own educational pamphlets and has authorized administration to add these to the municipal website.

Providing the tools so that cat owners can be responsible owners

Spaying and Neutering

Cat overpopulation is a major problem in most communities. The primary reason for cat over population is the number of cats not spayed or neutered. Statistics show that a fertile cat can produce three litters in one year with an average of four to six kittens per litter. In seven years, one female cat and her offspring can theoretically produce 420,000 cats. Thousands of cats are born each year because of uncontrolled breeding. Many of those cats end up abandoned. Many people cite the cost, as a reason for not altering their cats. Currently, there are no low cost spay/neuter clinics available in Chatham-Kent and pet owners travel to London to utilize services of a low cost spay/neuter clinic. Efforts by the OSPCA to organize such clinics have been unsuccessful due to lack of funding and veterinarian partnerships.

The importance of spaying and neutering will be included in the educational information on the website and a reduced licence fee for those pets that have been altered would provide further encouragement for owners to spay or neuter their cats.

Developing partnerships within the community to implement programs or methods to address issues and challenges

Advisory Committee on Cat Control

There is no easy solution to cat control and nuisance issues nor is it the sole responsibility of the Municipality to find a resolution. Neither one person nor one group has the expertise to solve all the challenges associated with cat over population and associated issues. Administration is recommending that an Advisory Committee be

formed with key stakeholders.

The purpose of an Advisory Committee on cat control would be to build a strong network among a diverse group of stakeholders in Chatham-Kent. The group may include representation from the OSPCA, charitable organizations devoted to helping cats (generally referred to as “rescue groups”), veterinarians and other individuals such as vet technicians and owners of catteries. Residents who own a cat and even those residents who do not own a cat may also be interested. It would be the responsibility of the Advisory Committee to establish its own mandate, purpose and duties.

Suggested role of the Committee

The suggested purpose function of the Committee would be:

- To review the current situation
- To identify welfare issues or concerns
- To share expertise, information and knowledge
- To identify challenges and possible opportunities
- To develop partnerships and leadership opportunities
- To advise Council, through administration, of any concerns and recommend any directives that would assist

Conclusion

It is important to remember that these are initial changes and initiatives that work towards addressing cat problems in the community, rather than provide immediate resolution to the overpopulation of cats or enables the return of every cat to its owner. Instead, the objectives of the Cat Control Strategy are to work towards gradually improving the ability of reuniting cats with owners, educate owners in responsible pet ownership, reduce the cat population through spay/neuter programs, reduce complaints with respect to nuisance cats, and reduce the number of cats being impounded and euthanized. Administration has provided a Program Matrix (Attached as Appendix C) to be used to measure the success of the Voluntary Registration Program and also the Responsible Cat Ownership Education Program.

COMMUNITY STRATEGIC PLAN

The recommendations in this report support the following objectives and strategic directions:

E: Civic Engagement – We are a healthy community

E3: Enhance Networking and communication opportunities throughout Chatham-Kent

Desired Outcomes/Proposed Activities

- Develop a collaboration among the public, private and social sectors to bring a mediated information and referral services
- Develop stronger coalitions throughout Chatham-Kent

The recommendations will not adversely impact the remainder of the Community Strategic Plan.

CONSULTATION

The OSPCA has been consulted and are supportive of the information provided within the report. A meeting was also held with local veterinarians and Councillor Stirling to review the issues facing the community and to discuss possible solutions. It was

determined that the best direction would be to establish as a working group an Advisory Committee to share expertise, knowledge, and ideas.

FINANCIAL IMPLICATIONS

There is no direct financial cost associated with developing a Responsible Cat Ownership Educational Program.

Any costs associated with a Voluntary Cat Registration Program would be funded by the revenue generated from this program.

There are currently no additional staff resources available for a Cat Control Strategy. If approved, the activities would be based on what can be reasonably coordinated by administration in conjunction with community resources.

Prepared by:

Reviewed by:

Brenda M. Percy, CMMII
Manager, Licensing Services
Building, Enforcement & Licensing Serv.

Paul Lacina, C.B.O.
Director
Building, Enforcement & Licensing Serv.

Reviewed by:

Reviewed by:

Evelyn Bish, B.A.
Acting General Manager
Community & Development Services

C.D. Weldon
Chief Administrative Officer

Councillor Stirling moved, Councillor Pickard seconded:

“That

- 1. A Voluntary Cat Registration Program be implemented.**
- 2. A Responsible Cat Ownership Educational Program be developed and implemented.**
- 3. Administration return to Council within one year to report on the success of the Voluntary Cat Registration Program and Educational Program and provide any suggestions or changes for improvement.**
- 4. An Advisory Committee on Cat Control be formed with a mandate to review community cat control issues, recommend initiatives and strategies, and develop active partnerships.”**

Councillor Stirling acknowledged and congratulated Brenda Percy, Manager of Licensing Services for the time and effort that was put into this report. He noted the importance of this issue in Chatham-Kent and that no significant resources are being requested to implement this strategy. Councillor Stirling felt that this strategy will help raise the importance of responsible cat ownership in Chatham-Kent.

In response to a question by Councillor Stirling, the Manager of Licensing Services explained that consultation has taken place with concerned citizens in the community, the local OSPCA, and veterinarians through out Chatham-Kent. She explained that all stakeholders agree that cat control is an issue as there is an over population of cats in

the community and there is a need to address this situation. She further explained that there is no easy solution to this problem, however an integrated strategy such as that being recommended is seen as being the most viable approach.

Councillor Fluker questioned which community has the best cat control program. The Manager of Licensing Services explained that the City of Calgary has the best animal control program which includes cat control. She further explained that it is difficult to emulate this program as it is a highly funded program with a very large staff component.

In response to a question by Councillor Fluker, the Manager of Licensing Services explained that the total expenses associated with dog control are approximately \$533,000. She further explained that revenue is generated from dog licenses. Councillor Fluker sought clarification on the animal control programs in London and Windsor.

Councillor Crew questioned what the registration fee would pay for. The Manager of Licensing Services explained that the voluntary licensing fee is a one time registration fee that would be used to offset the cost of the tags and collars.

Councillor Pinsonneault expressed concern that this voluntary program will evolve into a full blown cat control program.

Councillor Sulman moved an amendment, Councillor Pinsonneault seconded

“5. That the above recommendations be implemented at no incremental costs to the tax payers.”

Councillor Sulman sought clarification on the definition of a cattery.

Councillor Clarke questioned if other municipalities fund a spay/neuter coupon program to encourage residents to spay or neuter their pets. The Manager of Licensing Services explained that the City of Sudbury licenses cats and a portion of that revenue is used to fund a program that provides a reduction in the cost of spaying or neutering. There is a limit to the amount the city will subsidize depending on the previous years revenue. The Manager of Licensing Services explained that there have been preliminary discussions with local veterinarians regarding a low cost spay/neuter program and this is something that could be further investigated by the advisory group.

Councillor Weaver felt that local veterinarians would be a more reasonable location for a cat registration program. The Manager of Licensing Services explained that the discussion that took place with the local veterinarians centered on the Municipality spearheading and maintaining the voluntary cat registration program while the local veterinarians would assist and perhaps offer other types of incentives.

Councillor Weaver attempted to defer the report until such time as discussions have taken place with local veterinarians to investigate their potential interest in developing a voluntary cat registration program and a comprehensive and affordable spay/neuter program. No seconder was received.

Councillor Stirling felt that there is a tremendous opportunity to create partnerships through this program and the Advisory Committee will be a good avenue for this.

The Mayor put the Amendment

Amendment Carried

The Mayor put the Motion, as amended

Motion Carried

13. INFRASTRUCTURE AND ENGINEERING SERVICES

Report from administration re

- (a) 2008 Ontario Bus Replacement Program, Ministry of Transportation Ontario

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

ENGINEERING AND TRANSPORTATION DIVISION

TO: Mayor and Members of Council

FROM: Stephen E. Jahns, P.Eng., CMMII
Manager, Infrastructure and Transportation
Engineering and Transportation Division

DATE: August 8, 2008

SUBJECT: 2008 Ontario Bus Replacement Program
Ministry of Transportation Ontario

RECOMMENDATION

It is recommended that:

1. In accordance with the 2008 Ontario Bus Replacement Program Guidelines and Requirements as prepared by the Ministry of Transportation (MTO):
 - a) The Mayor, Clerk and Administration be authorized to sign the necessary Letter of Agreement which shall be submitted to the Ministry of Transportation.

BACKGROUND

Public Transportation is one of the government's key priorities. Millions of people rely on public transportation to get where they need to go safely and conveniently. Public transportation plays a critical role in improving the quality of life across Ontario and the Province of Ontario has recognized concerns expressed by Ontario Municipalities related to transit bus replacement. Ageing transit buses contribute to higher operating costs, increased emissions, reductions in service and reliability, and delays in achieving system accessibility.

The Ontario Bus Replacement Program (OBRP) is a multi-year capital funding program which will support the replacement of ageing municipal transit buses. The OBRP replaces the former Ontario Transit Vehicle Program (OTVP) disbanded by the Province in the 2006 Provincial Budget.

The OBRP is an important element in the ongoing relationship between the Province of Ontario and the Municipality of Chatham-Kent in the delivery of public transportation. As such, Chatham-Kent will be expected to work with the Ministry to develop an asset management approach to managing the replacement of ageing municipal transit buses and ensure that the requested five-year capital forecasts for transit bus replacement are consistent with that asset management approach for bus replacement.

COMMENTS

Subject to the Legislative Assembly of Ontario, the OBRP will provide multi-year funding for transit bus replacement to an annual capped maximum of fifty million dollars (\$50M). Furthermore, each Municipality's allocation will be capped to a specific amount.

Municipalities applying for OBRP funding must meet the following requirements:

- a) Transit buses only are eligible;
- b) To be eligible for OBRP funding for a program year a municipality must order or contribute to an order for vehicles intended for delivery within that same program year;
- c) Where a municipality contributes capital funds towards transit buses operated on behalf of the municipality, but not owned by the municipality, the municipality must submit a binding written operating agreement between the municipality and the transit operator before the payment of any OBRP funding;
- d) Transit buses acquired through capital leases are not eligible for OBRP funding;
- e) OBRP funding is only available towards the base purchase price of one transit bus for each transit bus replaced;
- f) Transit bus replacement must be carried out in compliance with all laws including federal, provincial, municipal laws, and all relevant rules, policies agreements, notices and approvals. Specifically, all replacement transit buses must be fully accessible in accordance with the requirements as set out under the *Ontarians with Disabilities Act, 2001* and *Vehicles for the Transportation of Physically Disabled Passengers* passed under the *Highway Traffic Act*.
- g) Replacement transit buses ordered after March 20, 2008 must comply with the new Canadian content policy requirements;
- h) Unless otherwise approved, conventional transit buses are only eligible for replacement twelve years from the date of manufacture; and
- i) Municipal administration costs, external audit and financial reporting costs are not eligible expenditures to which OBRP funding can be applied or reimbursed

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objective and strategic direction:

A. Health – We are a healthy community

A1: Provide sufficient capacity to sustain community health and economic growth

Desired Outcomes

- Provide safe, accessible, convenient and efficient public transportation

The recommendation in this report will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

No consultations were made during the preparation of this report.

FINANCIAL IMPLICATIONS

The Municipality of Chatham-Kent stands to receive a maximum allocation of \$23,116 in 2008 under the Ontario Bus Replacement Program as administered by the Ministry of Transportation Ontario.

Prepared by:

Reviewed by:

Stephen E. Jahns, P.Eng., CMMIII
Manager, Infrastructure and Transportation
Engineering & Transportation Division
Infrastructure and Engineering Services

Gary Northcott, P. Eng.
Director,
Engineering & Transportation Division
Infrastructure and Engineering Services

Reviewed by:

Reviewed by:

Leo Denys, P. Eng.
General Manager
Infrastructure and Engineering Services

C.D. Weldon
Chief Administrative Officer

Councillor Clarke moved, Councillor Sulman seconded:

“That

- 1. In accordance with the 2008 Ontario Bus Replacement Program Guidelines and Requirements as prepared by the Ministry of Transportation (MTO):**
 - a) The Mayor, Clerk and Administration be authorized to sign the necessary Letter of Agreement which shall be submitted to the Ministry of Transportation.”**

Councillor Sulman noted that the report states that replacement transit buses ordered after March 20, 2008 must comply with the new Canadian Content requirements. The Manager of Infrastructure and Transportation noted that he would forward to Council the Canadian Content requirements set out by the Ministry of Transportation.

The Mayor put the Motion

Motion Carried

- (b) Bridge Evaluations**

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

TO: Mayor and Members of Council

FROM: Leo Denys, P. Eng.
General Manager, Infrastructure and Engineering Services

DATE: July 24, 2008

SUBJECT: Bridge Evaluations

RECOMMENDATION

It is recommended that:

1. Administration implements the recommendations as presented in the July 25, 2008 Stantec report Re: Bridge Failure Investigation and Proposed Guidelines for Bridge Condition Survey and Evaluation.

BACKGROUND

As a result of the bridge deck collapse on Seventh Line over the Cooper Finn Drain, the municipality retained Todgham & Case (T&C) to review similar structures as designated by Engineered Management Systems Inc. (EMSI), and report on the process Chatham-Kent uses to design and replace structures.

Shortly there after it was announced the Dillon Consultants had purchased T&C. The scope of the work was then modified to have Dillon continue with the review of the designated structures but to have Stantec perform the review of the structure replacement process as Dillon was the detail design consultant on the Seventh Line structure.

The reports are now complete and this report is the intended update for Council on the findings.

COMMENTS

Dillon report on Bridge evaluations

On June 23, 2008, Dillon consultants submitted their report on the bridge evaluations (copy available in Council Lounge).

EMSI had identified 70 structures to be reviewed for structural or load posting purposes.

Two of the structures identified were closed to traffic prior to the start of the study. The study recommended that an additional six structures be closed to traffic, which has been implemented. The study recommended that 19 structures have a load posting implemented. Council has already passed the appropriate bylaws for the postings and signs have been erected.

The Dillon Report (available in Council Lounge) lists the structures reviewed with associated recommendations.

Stantec Report on bridge replacement process

On July 25, 2008, Stantec consultants submitted their report on "Bridge Failure Investigation and Proposed Guidelines for bridge Condition Survey and Evaluation" (copy available in Council Lounge).

The cause of the bridge failure was badly corroded steel girders of the southern half of the bridge failed due to inadequate structural capacity followed by a shear failure of the concrete deck.

A number of factors contributed to the failure:

- Prior to the bridge inventory program of 2001 there was no regularly scheduled condition survey performed on the structure.
- Over time the physical condition of the steel girder was so badly deteriorated due to corrosion that the structural capacity of the structure was compromised.
- The decision to tender Seventh Line with Drake Road bridge as one project significantly delayed repairs to Seventh Line. Additionally the decision to apply for Comrif funding and the time required to receive all required approvals delayed the work.
- The lack of communications among all parties (EMSI, Dillon and C-K) was also a contributing factor.
- Another possible factor contributing to the bridge collapse is the possibility an over weight loads. However there is not sufficient information to determine whether or not this is the case.

Stantec's Comments and Recommendations include:

In order to ensure structural safety of bridges and culverts, it is important to implement a bridge monitoring and maintenance program, provide sufficient budget for capital work and establish a framework for adequate communications between the Municipality, inspection agency and design engineers.

Stantec recommended that the following policies and protocol be adopted by the municipality:

Structural Inventory system (EMSI)

1. Prior to conducting the visual inspection, a list of structures and work schedule shall be submitted to the municipality for review
2. in addition to updating the web site information after each inspection, the municipality shall be provided a "Check List" that identifies key action items
3. the Municipality shall notify EMSI on any work done to the bridges so that the information can be recorded
4. All unverified statements such as "air void ratio" and "concrete compressive strength" be removed from the database.

Structure Capacity Assessment (Consultants)

1. Once a bridge is identified to be structurally deficient by EMSI or Municipal staff, an Engineering Consultant shall be retained within a reasonable time frame. The engaged Consultant shall perform the structural assessment work within 4 weeks after receiving authorization. The Consultant to communicate with EMSI regarding regular monitoring if the rehabilitation can not be started within one year.
2. Depending on the complexity of the structure, the Consultant shall perform the required analytic and testing works within a reasonable time (suggested max 3 months) and discuss results with Municipality.
3. Consultant to meet with Municipality to review:
 - a. State of structural deterioration
 - b. Closing of bridge for traffic if necessary
 - c. Suggest posting loads if possible
 - d. Temporary shoring and/or strengthening system if required
 - e. Proposed rehabilitation work or structure replacement
 - f. Design, regulatory approvals and construction schedules
4. The municipality to determine the funding mechanism, and provide tentative tendering date.

Municipality's responsibility

1. Engineering Department shall provide approval and direction to the Consultant in a timely manner.

2. Improve communication between Public Works and Engineering departments. If Public Works provides temporary support and improvements to a bridge site, they are partially responsible to monitor and maintain the temporary installations.
3. In order to ensure public safety, the Engineering Department should have no reservations in recommending to Council that certain bridges need to be posted or closed as per the consultants recommendations.
4. It is of prime importance that Council of the Municipality of Chatham-Kent recognizes the need for on going maintenance, rehabilitation, and re-construction for the bridges and culverts. Therefore adequate amounts of funds should be set aside every year for this purpose.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

B: Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic and smart growth opportunities

CONSULTATION

EMSI, Dillon, Public Works, and Engineering were consulted in the preparation of the Stantec report.

FINANCIAL IMPLICATIONS

The cost of the Dillon study was \$50,000 and the Stantec report was \$11,000 both of which were funded from the Bridge Lifecycle.

Prepared by:

Reviewed by:

Leo Denys, P.Eng.
General Manager I&ES

C. D. Weldon
Chief Administrative Officer

Councillor Fluker moved, Councillor Faas seconded:

“That administration implements the recommendations as presented in the July 25, 2008 Stantec report Re: Bridge Failure Investigation and Proposed Guidelines for Bridge Condition Survey and Evaluation.

The Mayor put the Motion

Motion Carried

14. CLOSED SESSION REPORTS

COUNCIL CLOSED SESSION REPORT

September 8, 2008

In attendance: Chair Robbins, Mayor Hope, Councillors Brown, Clarke, Crew, Faas, Fluker, Gilbert, Herman, King, McGregor, Parsons, Pickard, Pinsonneault, Stirling, Sulman, Vercooteren and Weaver.

A disclosure of pecuniary interest was declared by Councillor Vercooteren on Item #1, due to business.

A disclosure of pecuniary interest was declared by Mayor Hope on Item #1, due to potential family involved.

During Closed Session of September 8, 2008, Council would report the following for approval:

1. Council received an offer to purchase, re Part Lot 18, Concession 3, Lake Erie Survey Part 4, Reference Plan 24R1995, 19214 Mull Road, Community of Harwich, Guilds and gave instruction to administration.
2. Council received legal advice on the Photocopier RFP.
3. Council discussed the Chief Administrative Officer Recruitment Process.

Councillor Robbins moved, Councillor Stirling seconded:

“That the September 8, 2008 Closed Session Report be approved as given.”

The Mayor put the Motion

Motion Carried

15. READING OF BY-LAWS

The Municipal Clerk noted that due to an oversight in the drafting of a zoning by-law amendment from the June 16, 2008 Planning Meeting an amending by-law needs to be added to the agenda to Third and Final readings.

Councillor Faas moved, Councillor Brown seconded:

“That the following by-law be added to the agenda for three readings:

By-law to amend Zoning By-law No. Z-5200-88, as amended, of the former Township of Raleigh (Duane E. Bryden) (Hansen #4630)”

The Mayor put the Motion

Motion Carried

(a) FIRST READING

Councillor Vercooteren moved, Councillor Herman seconded:

“That the by-laws be taken as read for the first time.”

The Mayor put the Motion

Motion Carried

(b) SECOND READING

- ii. By-law to provide drainage work in the Municipality of Chatham-Kent for the Lancaster Drain (Community of Raleigh) FIRST AND SECOND READING ONLY
- iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Cromwell Creek Drain (Community of Zone) FIRST AND SECOND READING ONLY

Councillor Vercoouteren moved, Councillor Herman seconded:

“That the by-laws be taken as read for the seconded time.”

The Mayor put the Motion

Motion Carried

(c) COUNCIL TO GO INTO COMMITTEE, IF REQUIRED, TO DISCUSS BY-LAWS

(d) RESUMPTION OF COUNCIL

(e) THIRD AND FINAL READING

- iv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Mole Drain (Community of Harwich) FIRST, SECOND AND THIRD READING
- v. By-law to provide for staff appointments of Deputy Division Registrars and Deputy Issuers of Marriage Licences for the Corporation of the Municipality of Chatham-Kent
- vi. By-law to provide for staff appointments of Deputy Clerks for the Corporation of the Municipality of Chatham-Kent
- vii. By-law to amend Zoning By-law No. Z-5200-88, as amended, of the former Township of Raleigh (Duane E. Bryden) (Hansen #4630)
- viii. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 8th day of September, 2008

Councillor Faas moved, Councillor Brown seconded:

“That the by-laws be taken as read for a third time and finally passed.”

The Mayor put the Motion

Motion Carried

16. APPROVAL OF COMMUNICATION ITEMS

(a) Approval of the September 8, 2008 Council Information Package

Councillor Brown moved, Councillor Pinsonneault seconded:

“That the Council Information Package be approved.”

The Mayor put the Motion

Motion Carried

Councillor Vercoouteren referenced Item #2(e) – Memorandum from Greg Martino, Acting Director, Municipal Relations, Municipal Property Assessment Corporation regarding 2008 Property Assessment Notice and Business Education Tax. He noted that MPAC is proposing to raise assessment values by 10% over the next four years. He questioned if MPAC could automatically increase assessment values without conducting an assessment. He questioned if Council's approval is required before MPAC can automatically raise assessment values. He further questioned the cost to the Municipality for MPAC to conduct assessments.

17. NON-AGENDA BUSINESS

Councillor Stirling referenced an advocacy effort being undertaken by the Large Urban Mayor's Caucus of Ontario and AMO with regards to lobbying the Provincial Government for the legislative authority for municipalities to be able to impose a destination marketing fee on hotel stays. He requested that a letter of support be written on behalf of Mayor and Council.

Councillor Stirling moved, Councillor Herman seconded:

“That a letter be written on behalf of Mayor and Council in support of the resolution:

Councillor Weaver asked if discussions have taken place with local hotel owners regarding the imposition of a destination marketing fee. The Tourism Development Coordinator explained that local hoteliers were consulted during the Economic Development and Tourism Strategy and the topic of a destination marketing fee was discussed. The biggest concern raised was that the program needed to be universal, which is being proposed in the resolution. She further explained that Economic Development will be holding an information seminar in November for every business in Chatham-Kent that has a bed for rent. This will allow businesses to provide input and derive a program that will work best for Chatham-Kent.

Councillor Weaver felt that an information seminar should be held and additional information gathered from local businesses prior to Council supporting this resolution.

Councillor Clarke noted the limited avenues available to the Municipality to generate revenue to pay for services downloaded by the Provincial Government. The destination marketing fee is a new source of revenue available to municipalities to help support the tourism sector.

Councillor Parsons questioned if the Oaks Inn in Wallaceburg has been contacted regarding the destination marketing fee. The Tourism Development Coordinator explained that the Oaks Inn has not specifically been contacted, however they are on the invitation list for the information seminar. Councillor Parsons questioned if this is a pressing matter or if the resolution can be deferred until after the information session. Mayor Hope clarified that this resolution is requesting the Provincial Government to enable the legislation. Broader discussions will take place with stakeholders to define the legislation.

Councillor Pickard felt that Council should have additional information prior to supporting this resolution.

Councillor Fluker clarified that supporting the resolution does not automatically put a destination marketing fee on hotels in Chatham-Kent; it is simply requesting that the legislation be enabled so that Council can consider imposing a destination marketing fee.

The Mayor put the Motion

Motion Carried

Mayor Hope noted the Terry Fox Runs are being held in various communities in Chatham-Kent.

18. RESOLUTION COUNCIL IN CLOSED SESSION & ADJOURNMENT

Councillor Robbins moved, Councillor Sulman seconded:

That Chatham-Kent Council adjourn to its next Meeting to be held at 6:00 p.m. on **Monday September 15, 2008** and that Chatham-Kent Council authorize itself to meet in closed session prior to such Meeting to discuss any matters permitted by The Municipal Act.

The Mayor put the Motion

Motion Carried

The Meeting adjourned at 9:20 p.m.
/mc

Mayor – Randy R. Hope

Clerk – Elinor Mifflin