

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

**CHATHAM-KENT COUNCIL MEETING**

**COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE**

**September 22, 2008**

**6:00 P.M.**

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**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 Herman moved, Councillor Stirling 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**

No disclosures of pecuniary interest were declared by Council members.

Councillor Vercooteren moved, Councillor Pinsonneault seconded:

**“That Item #9(a) – Bothwell Sanitary Sewers Assessment By-law be moved forward and discussed after Item #4(a).”**

The Mayor put the Motion

**Motion Carried**

**4. DEPUTATION**

- (a) Cheryl deVrise and Brian Lawson representing the Bothwell Concerned Citizens regarding the Bothwell Sanitary Sewer Project

Ms. deVrise provided an overview of the consultation and research that the Bothwell Concerned Citizens have undertaken during the past four years. She referenced a reply from the Ministry of Environment dated January 2007 that states a Stage One Archaeological Assessment must be completed prior to construction. The reply also states that consultation with First Nations of Walpole and Moravian must take place and the archaeologist be of mutual acceptance for all parties. Reporting requirement 14

through 16 have not been met or even started. She further noted that an Environmental Protection Plan shall be completed before any construction is commenced.

Ms. deVrise expressed concern with the actively moving river bank on County Road #2 and the upgrades needed to the Thamesville Water Treatment Plant. She noted that the plant cannot contain the amount of waste it currently receives and questioned how it will contain the sewage from 500 additional homes.

Ms. deVrise referenced a statement from Dr. Colby stating that there is not and never has been a health issue in the town of Bothwell. She noted that the PUC Waterline and Sanitary Sewer Assessment Policy of Under Served Area, Section 6(i) indicates that the project will be initiated by vote. The citizens of Bothwell have never had the opportunity to vote on this project. She requested that Council turn down the Bothwell Sanitary Sewer Project.

Mr. Brian Lawson read the response from Joseph Anderson to the GAP EnviroMicrobial Services report dated June 2008. Mr. Lawson explained that the report showed contamination at the foot of the downtown core only and possible contamination at a property owned by the Municipality and the neighbouring property. It did not show contamination throughout the entire town and the citizens of Bothwell were happy with these results. Some time later, Mr. Palmeteer made an addendum report indicating that a sanitary sewer system was necessary in Bothwell. The Concerned Citizens of Bothwell felt that Mr. Palmeteer was given old historical information that is not relevant and should not have been used. Mr. Lawson explained that the Bothwell Concerned Citizens were under the impression that GAP EnviroMicrobial Services were being contracted to conduct the water sampling and testing only, not to play a consulting role. If the Bothwell Concerned Citizens had known that GAP EnviroMicrobial was providing consulting services as well, the group would have requested to be privy or informed of any communication between the GAP EnviroMicrobial and the Public Utilities Commission.

Mr. Lawson noted that the GAP EnviroMicrobial Services water sampling and testing done in late 2007 and early 2008 do not show widespread contamination as was shown in the previous study Environmental Assessment conducted by Earth Tech. He questioned if there could be further inconsistencies and inaccuracies in the Environmental Assessment.

Mr. Lawson questioned if the contamination found in the storm sewers could have come from airborne particulates from neighbouring fertilized fields or be due to the lack of cleaning and flushing of the storm sewers.

Mr. Lawson requested that Council consider the monetary expense this project will bring to the Municipality in the form of vacant lots that will be handed over due to the owners' inability to pay for the sewer system. He further noted the hardship that seniors on fixed incomes will face if this project is approved. Mr. Lawson asked Council to consider all the ramifications and consequences of this decision.

The Bothwell Concerned Citizens requested that Council not approve the funding for this project and thereby letting the project laps by the timelines set out by the Ministry of Environment. He explained that the citizens of Bothwell would like to work with the Public Utilities Commission to rectify the limited problems that exist in Bothwell.

## MUNICIPALITY OF CHATHAM-KENT

### PUBLIC UTILITIES COMMISSION

**TO:** Mayor and Members of Council

**FROM:** Rob Bernardi, P. Eng.  
Facilities & Systems Manager, Chatham-Kent PUC

**DATE:** September 22, 2008

**SUBJECT:** Bothwell Sanitary Sewers Assessment By-law  
Community of Bothwell

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### **RECOMMENDATIONS**

It is recommended that:

1. The necessary By-law under Part XII of the Municipal Act, 2001 for the assessment of the Sanitary Sewer Collection System for the Community of Bothwell be approved.
2. The borrowing of monies towards the project by the issuance and sale of debentures be authorized. Pending the sale of the debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.

### **BACKGROUND**

The recent project was initiated in April 2004 by retaining the consulting engineering services of Earth Tech Canada Inc. Earth Tech reviewed the background of the area and collected data. The Class Environmental Assessment (Class EA) identified the problem and indicated that contamination was occurring in the storm drains and ditches and the probable source is failing septic systems within the community of Bothwell.

The first public consultation took place on June 30, 2004 in Bothwell. During the periods of July to December 2004 development of alternative solutions was conducted, refinement of costing of preferred alternatives took place, and a preliminary design report was prepared. In December 2004 and January 2005, a funding application was prepared for the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF). The Bothwell project was one of the 10 projects in Chatham-Kent in which funding had been applied for (The COMRIF application was not successful for funding). The second public consultation took place on February 16, 2005 in Bothwell in which Earth Tech presented the preferred solution to the contamination problem.

At its regular meeting on March 24, 2005, the Chatham-Kent Public Utilities Commission approved the Environmental Study Report (ESR) document so that it could be placed on display for public review for the required 30-day review period. During the mandatory review period, appeals were sent to the Minister of the Environment for a Part II Order.

The Ministry started reviewing the request on July 22, 2005.

On January 24, 2007 the Minister of the Environment issued a decision letter to the Chatham-Kent PUC (Appendix 1) to advise that an individual environmental assessment was not required. Even though Chatham-Kent has demonstrated that it has planned and developed this project in accordance with the provisions of the Class EA, the Minister also imposed a number of conditions on the project that are to be fulfilled. See

conditions in attached letter from Minister of the Environment to the Chatham-Kent PUC dated January 24, 2007. The imposed conditions on the project could have additional costs associated with project completion valued up to \$250,000.

At its regular meeting on February 22, 2007, the Chatham-Kent Public Utilities Commission approved that the Mayor write a letter to the Provincial Government to ask for financial assistance for the property owners included in the Bothwell Sanitary Sewer Project and that administration investigate the next steps and financial impact on both the project delays to date as well as on the conditions imposed by the Minister of the Environment.

The Environmental Assessment & Approvals Branch of the Ministry of the Environment issued a reply to the Mayor's letter on April 19, 2007 (NOTE: date of March 19, 2004 was incorrectly stated on the letter received). The letter indicates that they understand the concerns about the financial viability of the project and states that funding programs such as COMRIF are offered from time to time and encourages pursuing those programs.

At the regular Chatham-Kent Public Utilities Commission (PUC) meeting on June 21, 2007, the Commission approved the Bothwell Sanitary Sewers Servicing Project. Commission also authorized administration to prepare a report to Chatham-Kent Council for approval of the Bothwell Sanitary Sewers Servicing Project and the necessary by-law under Part XII of the Municipal Act, 2001.

At the regular Municipality of Chatham-Kent Council meeting held on August 13, 2007, Council deferred the assessment by-law for the Bothwell Sanitary Sewers Project. The Motion was to defer the by-law approval pending the PUC provide results of further testing for human waste in catch basins and stormwater.

It was further requested that administration bring back a report on financing options over a longer period of time and the legal consequences of the Municipality of Chatham-Kent not acting on the Environmental Study Report. A report on repayment of local improvements/financing over a 40-year payment period will be brought forward to Council, by the Director, Financial Services/Treasurer.

Further information was brought to Council in Closed Session on October 15, 2007, on implications of not acting on the Environmental Study Report. Council received legal advice concerning environmental issues for the proposed wastewater collection and treatment facilities for the Community of Bothwell.

At the regular PUC meeting on September 20, 2007, the Commission authorized administration to prepare a report with recommendations on how to conduct further testing within the Community of Bothwell. The report was to include the laboratory and costs associated with additional testing.

At the regular PUC meeting on October 18, 2007, the Commission authorized the following recommendations:

- 1. The Chatham-Kent Public Utilities Commission authorizes administration to proceed with further testing of surface and catch basin waters within the Community of Bothwell.*
- 2. The firm of GAP EnviroMicrobial Services Ltd. perform the laboratory testing and arrange for the sampling, for costs not to exceed \$10,000.00.*
- 3. A representative from the Concerned Citizens of Bothwell Group be present during the sampling.*

4. *A report be brought back to the Commission with the results of the additional testing.*
5. *Administration investigate the costing of E.coli tracer from GAP EnviroMicrobial Services Ltd.*

All the recommendations from the PUC meeting of October 18, 2007 were satisfied and an information report was brought to the PUC on June 19, 2008.

## **COMMENTS**

To satisfy Council's request to provide further testing for human waste, further sampling and testing was completed in December 2007 and again in May 2008. The separation of time between sampling periods was to achieve sampling in two different seasons of the year. Sampling was conducted by GAP EnviroMicrobial Services Ltd. (GAP) with some members of the Concerned Citizens of Bothwell Group present as well as some Councillors. The comments from the Concerned Citizens of Bothwell Group were that they were quite happy with the sampling process, the equipment used to do the sampling, and the professionalism of the lab personnel.

Costing for E.coli tracer testing was provided from GAP and would range in cost between \$917.50 to \$2,207.50 per household. There are approximately 474 properties in Bothwell. This equates to total costs for the community of between \$430,000 to \$1,000,000. This additional testing is not recommended.

The attached report discusses the results of the additional sampling and testing conducted by GAP. The report has been circulated to the Concerned Citizens Group as well as members of Council. The report identifies the findings of human waste in the stormwater as was required by the Council recommendation. The conclusions from the report are summarized below:

*"In summary, the contamination of stormwater, which is highly likely to be from septage, is evident in the test results from various locations of the two sampling events. Once this stormwater discharges into surface waters in the vicinity of Bothwell, there is an increased risk of disease-causing bacteria, viruses, and parasites contributing to the contamination of source waters for water supplies (Pitt, 1998). This stormwater contamination includes groundwaters where aquifer recharge occurs. In addition, direct contact with this contaminated stormwater, which is likely to contain human viruses that are known to originate in septage and to survive in the stormwater, can be a serious health hazard."*

*"Contamination of stormwater with septage occurs in rural communities throughout the Province of Ontario (Dutka and Rybakowski, 1976). Once the levels are measurable to the extent that the human fecal contamination is detected in stormwater during dry- and wet-weather conditions in circumstances such as those found at Bothwell, there is a requirement to mitigate the contamination. Malfunctioning septic systems are a risk to public health by contaminating ground and surface water with pathogens (Pitt, 1998; Scandura and Sobsey, 1997; Qureshi and Dutka, 1979)."*

It should be noted that the PUC staff/administration and EarthTech Canada have not been involved in the sampling, testing or preparation of the report by GAP. Based on a review of the GAP report, legal advice for Council remains unchanged concerning environmental issues for the proposed wastewater collection and treatment facilities for the Community of Bothwell

## Capital Cost Estimate

The estimated capital cost Earth Tech presented in the Class EA in 2005 was \$10,970,000, including engineering and contingency. These costs were current to March 2005. Given the delay, an increased cost will be realized due to inflation. In addition, the additional engineering cost associated with the Part II order response, the expected costs of the additional studies or the additional costs to implement the output of the studies is estimated at \$250,000.

Therefore, the new revised estimate for the total project is \$14,050,000. The revised numbers were based on inflation and historical unit costs for construction. The revised estimate includes the cost of the full upgrades to the Thamesville Water Pollution Control Plant (WPCP) and is estimated at approximately \$1,725,000 and which is not included in property assessment costs.

The estimated cost per connection for a property in Bothwell was presented as \$12,600 at the public meeting on February 16, 2005. Construction inflation for these types of works, in general, has been rising during the last three years on an average of 6% to 8% per annum. The revised assessed connection cost estimate in 2008 dollars is \$15,500 (this includes the 2004 Development Charge of \$469.50). The current 2008 Development Charge is \$1,073.00.

The assessment rationale following existing policy assumes that all single residential, properties should be assessed an equal share of the total cost of the collection system since all properties would be serviced with a sanitary connection. In order to establish an equitable rate of assessment for other property types, the water usage records will be reviewed.

There are properties (multi-residential, commercial, etc.) that will be assessed greater than the estimated residential cost of \$15,500 based on their average water usage and will be adjusted accordingly in the final Schedule A of the By-law.

Assessment on vacant agricultural lands will be deferred until such time there is future rezoning and development at which time the assessment fees and current development charges set out by the By-law will be due.

Costs incurred to date include engineering fees to complete the Class Environmental Assessment (EA) and amount to \$195,443.50 of the \$733,555.00 overall originally quoted by Earth Tech. Additional costs have been incurred for the extra work involved with the Class EA process and amount to approximately \$30,000.

Costs associated with additional testing and investigation are approximately \$10,000.00. Summary of fees to date as well as fees for additional testing are shown in the table below.

Description of Costs	Costs	
Engineering/Consulting Fees for Class EA	\$165,000.00	<i>Fees Paid to Earth Tech to-date</i>
Additional Engineering/Consulting Fees Associated with public appeals	\$30,000.00	
Potential Costs Associated with Additional Testing	\$10,000.00	<i>Fees to be paid to GAP</i>
<b>Total Fees After Additional Testing</b>	<b>\$205,000.00</b>	

The latest revised total project cost is now estimated at \$14,050,000. The original cost estimate from 2005 is listed in the table below along with a breakdown of costs.

Project Component	Original Capital Cost Estimate	Current Capital Cost Estimate	Responsibility
A. Local Collection Sewers and Pumping Stations	\$5,740,000	\$7,350,000	Property owner Fixed one time charge
B. Main Transfer Pumping Station	\$970,000	\$1,250,000	Chatham-Kent PUC
C. Forcemain from Bothwell to Thamesville	\$2,910,000	\$3,725,000	Chatham-Kent PUC
D. Thamesville WPCP Upgrades	\$1,350,000 (\$485,000 required at some point regardless of accepting Bothwell flows)	\$1,725,000	Chatham-Kent PUC
<b>Total Capital Costs</b>	<b>\$10,970,000</b>	<b>\$14,050,000</b>	

Cost includes Engineering and Contingency

### Overall Project Schedule

The Class EA identified an overall project schedule that has been significantly impacted by the MOE review. The following table updates the proposed schedule. The schedule must take into consideration the following:

- Some detailed design must take place prior to the additional Environmental Investigations and Archeological Assessment.
- The Environmental Study and Archeological fieldwork should be completed prior to detailed design.
- The overall timeframe for detailed design can be expected to be extended by 3-6 months due to the studies.
- The outcome of the studies will serve as an input to detailed design.
- The project should be tendered in the late winter so that construction can start as early in the spring.
- The project will require two independent contracts – one for the collection system and one for the pump station and forcemain.
- The upgrades to Thamesville Sewage Treatment Plant could be either a third contract or part of the forcemain contract.

The table below shows the impact on timeframe of the proposed project from the original timeframe. If the revised timeframes are met, the assessments to property owners would not be sent out prior to the Spring or Summer of 2010.

Activity	Original Timeframe	Revised Timeframe
Detailed Design	Late 2005 to early 2006 (approx. 6 months)	September 2008 to May 2009 (approx. 8 months)
Additional Studies	n/a	Fall 2008
Construction	Spring – Fall 2006	Late Spring – Late Fall 2009
Commissioning	Winter 2006	Early Winter 2010

To be in accordance with attached By-law, after the construction and commissioning of the sanitary sewer works each owner will be required to connect to the sanitary service connection within 18 months from the date of receiving notice from the Commission to connect.

It is recommended that Chatham-Kent Council approve the Bothwell Sanitary Sewer By-law under Part XII of the Municipal Act, and any planned PUC debt. It is also recommended that Chatham-Kent Council authorize the borrowing of monies towards the project by the issuance and sale of debentures. Pending the sale of the debentures,

Council authorize the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to vendors.

It should be noted that the Chatham-Kent Public Utilities Commission is committed to investigating and exploring any funding program possibilities for this project at the Provincial and Federal levels.

## **COMMUNITY STRATEGIC PLAN**

The recommendations in this report support 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

C. Environment – We are a green community

C2: Establish standards for environmental excellence

### **Desired Outcomes / Proposed Activities**

- 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
- Support new infrastructure investments and modernize existing infrastructure
- Maintain and improve the quantity and quality of ground and surface waters
- Increase the number of homes, businesses and farms on municipal water and sewage
- Provide an efficient and adequate wastewater treatment system to meet the needs of the growing community by maintaining high quality sewer utilities.
- Support new infrastructure investments and modernize existing infrastructure.
- Provide increased economic and growth opportunities.

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

## **CONSULTATION**

The following have provided information in the preparation of this report:

- Senior Level Advisor, Chatham-Kent PUC
- GAP EnviroMicrobial Services Ltd.
- Mr. Garry Palmateer
- Earth Tech Canada Inc.

## **FINANCIAL IMPLICATIONS**

The estimated financial implications of \$14,050,000 will be offset by the connection assessment costs (sanitary sewer costs) to property owners in Bothwell of \$7,350,000. Therefore total estimated capital cost to the PUC is \$6,700,000 (transmission and treatment costs). This has been an anticipated capital cost already incorporated into the PUC long-range rate structure.

Costs incurred to date include engineering fees to complete the Class EA and amount to \$205,000.

The entire capital costs will be distributed through to January 2010. The majority of the costs will be incurred in 2009 during construction. The costs will be included in future Capital Budgets.

While the PUC are still not aware of any grants that would be applicable to the sanitary sewer collection system to reduce the property owners and PUC share, the PUC will continue to seek them out for this and other projects wherever possible.

Prepared by:

Reviewed by:

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Chatham-Kent PUC

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Jack Sonneveld  
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Reviewed by:

Reviewed by:

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Tom Kissner  
General Manager  
Chatham-Kent PUC

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C. D. Weldon  
Chief Administrative Officer

In response to a question by Councillor Vercouteren, the General Manager of the Public Utilities Commission explained that there is a report on the agenda tonight that addresses a forty year option for local improvement financing. Councillor Vercouteren noted that the by-law includes a twenty year amortization rate. He questioned if the by-law will be changed if Council approved the forty year amortization option. The General Manager of the PUC explained that should Council approve the forty year amortization option then the by-law would be amended accordingly.

Councillor Brown questioned whether the Ministry of Environment has ever ordered this project to be undertaken. The General Manager of the PUC explained that there is no Ministry order for this project. He further clarified that the Pain Court Sewer Project was not ordered by the Ministry of Environment.

Councillor Brown referenced a letter from Mr. Palmeteer where he stated that once municipal water becomes available, water uses increase and septic systems are challenged. Councillor Brown questioned the credibility of this statement. Mr. Palmeteer explained that he has seen proof of this through his experience working with the Ministry of Environment for twenty three years.

Councillor Brown explained that Bothwell sits on more than twenty feet of slow sand filter. He questioned if fixing the specific areas of contamination would be better than installing a town wide sewer system. Mr. Palmeteer explained that in order to demonstrate that there is significant contamination from a large area, there would have to be a sampling system in place where testing would be monthly at a minimum over a course of a year. Studies of this nature conducted in the United States concluded that 5% of septic systems are always failing to some degree. Mr. Palmeteer explained that he would make these research papers available to Council.

Councillor Brown noted that certain samples tested high for contamination on the first round of testing and low on the next and vice versa. He questioned the accuracy of these tests. Mr. Palmeteer explained that conducting monthly sampling over an extended period of time would be expensive and eventually arrive at the same conclusion.

Councillor Brown asked if the testing determined that Bothwell has a serious health issue. Mr. Palmeteer was unable to answer this question as he had not consulted with

local health officials. He explained that the information needed to show health issues related to this type of contamination is difficult to obtain as people normally don't go to the doctor as a result of the symptoms that occur and if they do go to the doctor, the necessary testing is not done.

In response to a question by Councillor Brown, Mr. Palmeteer explained that towns receiving municipal water but not municipal sewers at the same time have historically been a problem.

Councillor Pinsonneault questioned if the fecal contamination is coming from septic weeping beds leaking into the storm drains or from illegal hookups in the downtown core. Mr. Palmeteer explained that it is possible that accidental hookups are the cause of fecal contamination; however with this number of septic tanks in a particular area, municipalities have experienced contamination of ground water and surface water. Councillor Pinsonneault noted that the population of the town has not changed much over the last twenty-five years and therefore the number of septic tanks has not increased.

Councillor Pinsonneault noted the differing results between the testing conducted in 2008, 2004 and 1993. Mr. Palmeteer explained that the testing results vary over time. He further explained that sampling results could also vary from month to month. Councillor Pinsonneault questioned if the testing results are improving over time. Mr. Palmeteer confirmed that the testing results seem to be improving.

Councillor Pinsonneault questioned why the Ministry of Environment would still approve the installation of septic systems if it has been proven that they do not perform properly. Mr. Palmeteer explained that there isn't a good alternative at this time.

Councillor Pinsonneault sought clarification on the reason for the differing test results. Mr. John Armistead, Project Manager, Earth Tech Canada explained that the 1993 report tested well water and therefore those results cannot be compared to the surface water testing done in 2004 and 2008. He further explained that the Earth Tech report identified areas throughout the community where contamination existed; this did not mean that the entire community was contaminated. The map used during the Earth Tech presentation had circles drawn around the general area of impact for contamination, not that everything within the circle was contaminated.

Councillor Pinsonneault noted that the EA study had suggested levels of wastewater treatment upgrades. One of the upgrades was a slow sand filter that was recommended only if a cadillac of systems is desired. Councillor Pinsonneault noted that Bothwell sits on a slow sand filter. Mr. Armistead explained that due to the number of septic systems in a given area in Bothwell and the water table, the ground water moves sideways. In a designed sand filter, the water moves all the way down through the filter.

In response to a question by Councillor Pinsonneault, Mr. Palmeteer explained that the sampling was done according to Ministry of Environment and Health Canada Standards. The conclusions drawn are very reasonable and the level of contamination is not acceptable.

Councillor Pinsonneault questioned if the surrounding agricultural community could play a role in the surface water contamination in Bothwell. Mr. Palmeteer explained that the contamination found in the samples is not agricultural pollution, it is urban pollution.

Councillor Pinsonneault noted that the residents of Bothwell will have eighteen months to hook up to the sewer system should this project be approved. He questioned if every residence in every town that has a sewer system is hooked up to that system. The General Manager of the PUC confirmed that all residents are hooked up to the system within the eighteen month period.

Councillor Pinsonneault explained that the residents of Bothwell feel that they are being railroaded into something that they don't want. He noted that seven out of the thirty-eight samples were contaminated. He felt that a 14 million dollar project is not needed to mitigate this small level of contamination. Councillor Pinsonneault noted the number of people on fixed incomes in Bothwell that cannot afford this project. He felt that if the project was warranted, the Ministry of Environment will order that it be completed. Councillor Pinsonneault encouraged Council to turn down this project and requested a recorded vote.

Councillor Clarke questioned what year a sewer system in Bothwell was recommended. The General Manager of the PUC explained that the first testing was done in the 1960's by the Ontario Water Resources Commission. There has been a number of tests conducted since then. Councillor Clarke questioned the funding that was available at that time for this project. The General Manager of the PUC explained that COMRIF Funding and OSTAR Funding were available and many of projects were funded up to 95%. Councillor Clarke noted that if the project was completed when the problem was initially discovered it could have been 95% funded by the government.

Councillor Clarke questioned the consequences should someone become ill or even die due to the contamination on Bothwell. The General Manager explained that Council will be liable and the Ministry of Environment has the ability to charge Corporate Officers under the Environmental Act.

Councillor Faas sought clarification on the rationale behind providing potable water to Bothwell.

In response to a question by Councillor Fluker, Mr. Palmeteer explained the process for using an e-coli tracer. He confirmed that using this testing could assist in determining which individual septic tanks are contributing to the contamination. Mr. Palmeteer further explained that if this testing is done properly over time, it will show a larger number of septic tanks affecting surface water contamination, then what appears during random, one-time surface water testing.

Councillor Fluker questioned what circumstances would warrant the Ministry to order this project to be completed. Mr. Palmeteer explained that a potential health related incident or testing that show chronic pollution may result in the Ministry ordering the completion of the project. Councillor Fluker asked if the issue in Bothwell can be ignored by the Municipality. Mr. Palmeteer explained that he could not answer that question.

Councillor Herman expressed concern with the potential health risks. She felt that the Ministry should be providing financial assistance to resolve these issues. Councillor Herman questioned what the Municipality is doing to request assistance from the Provincial government. The General Manager of the PUC explained the Municipality lobbies the Province for funding on every possible occasion. Mayor Hope explained that the citizens have a responsibility during the upcoming election to question the candidates during debates on their stand on providing funding to municipalities. He further explained that most projects require Council's approval before the PUC can apply for funding from the Provincial and Federal Government.

Councillor Brown referenced testing done on private wells in Bothwell and noted that of twenty wells that were tested only one came back contaminated, and that well was contaminated due to lack of use. He wondered why ground water would show contamination but well water would not.

Councillor Brown noted that sewage is used as fertilizer on the agricultural land surrounding Bothwell. He questioned if there is a possibility of that fertilizer

contaminating the surface water in Bothwell. Mr. Palmeteer noted that fertilizer could have some effect on surface water.

Councillor Brown noted that everyone is in agreement that there is contamination in the downtown core of Bothwell. He questioned if there is an option to deal with the downtown area only rather than the entire town. Councillor Brown noted the system installed in Clearville Park and questioned if this would be a viable option for Bothwell. He noted that he would not support the project until other options are explored as an alternative to a full sewer system as well as government funding to help mitigate the cost for the citizens of Bothwell.

Councillor Vercooteren questioned if vacant lots could be deferred from hooking up to the sewer system until such time as they are developed. The General Manager of the PUC explained that the current policy does not allow for deferment of payment so for this option to be considered Council would have to amend the policy. Councillor Vercooteren questioned if the policy could be changed after this project is passed. The General Manager of the PUC explained that the Commission would make that decision. Councillor Vercooteren noted that he would have a difficult time supporting this project.

Councillor Stirling questioned if the PUC has considered implementing this project in phases. The General Manager of the PUC explained that during the Environmental Assessment process the engineers looked at installing a treatment system for the downtown area. The Ministry of the Environment indicated that they would not support an isolated solution, but would support a community wide solution.

In response to a question by Councillor Parsons, the General Manager of the PUC explained that the assessment by-law attached to the report would have to be amended should Council wish to change the PUC assessment policy.

Councillor Parsons questioned if approving this project tonight would preclude administration from pursuing additional funding options. The General Manager of the PUC explained that administration will continue to actively pursue funding options for this project. He further explained that the final assessed value per property is not determined until the completion of the project, so any additional funding could lower the overall cost of the project and therefore lower the assessment.

Councillor Fluker noted his interest in exploring a phased in approach to this project. He noted that there are certain parts of this project that could proceed with no cost to the citizens of Bothwell and the PUC could return to Council with options on how to deal with the areas that have shown constant contamination.

Councillor Fluker attempted to move the following motion:

“That

1. The necessary By-law under Part XII of the Municipal Act, 2001 for the assessment of the Sanitary Sewer Collection System for the Community of Bothwell be approved.
2. The borrowing of monies towards the project by the issuance and sale of debentures be authorized. Pending the sale of debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.
3. That the main transfer pumping station, forcemain from Bothwell to Thamesville and Thamesville WPCP upgrades move forward and the PUC return to Council with a report with options to address specific collection areas of chronic contamination.”

Councillor Gilbert expressed concern with the implications of the third recommendation. She felt that recommendation #3 should be a separate recommendation and brought forward should the original recommendations be defeated.

Mayor Hope explained that recommendation #3 is contrary to the first two recommendations and therefore the motion was not allowed.

Councillor Fluker felt that the infrastructure could be installed for the downtown core and then phased in to the rest of the community as needed. He expressed concern with shelving the entire project until health issues arise.

In response to a question by Councillor Brown, the General Manager of the PUC explained that the project set out in the Environmental Assessment and approved by the Ministry is the project that must be undertaken. Should the project be changed in any way, the PUC would have to apply for an amendment to the Environmental Assessment. The General Manager of the PUC did not feel that the Ministry would approve an amendment that recommends a totally different way of treatment than what was originally approved.

Councillor Weaver suggested that Council should be voting on the original recommendations to either go forward with the project or not and leave the implementation to the Public Utilities Commission.

In response to a question by Councillor Gilbert, the General Manager of the PUC explained that any phased in approach to this project would have to be approved by the Ministry. He further explained that a phased in approach would result in higher carrying charges for the PUC since the cost of the project would not be spread out amongst all properties owners.

Councillor Robbins questioned if sewer assessments are treated the same as property assessments. The General Manager of the PUC explained that the assessment of sanitary sewers is based on the total cost of the project and divided by the number of properties serviced by the system. Councillor Robbins questioned if there are relief options available for people that are unable to pay the sewer assessment charges. The Chief Administrative Officer explained that he was not aware of local improvement charges falling under the Act dealing with the inability to pay.

Councillor McGregor moved, Councillor King seconded:

**“That**

- 1. The necessary By-law under Part XII of the Municipal Act, 2001 for the assessment of the Sanitary Sewer Collection System for the Community of Bothwell be approved.**
- 2. The borrowing of monies towards the project by the issuance and sale of debentures be authorized. Pending the sale of debentures, the Mayor and Treasurer be authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.**
- 3. The PUC review its policy with respect to vacant lots and provide recommendations to Council.”**

Councillor McGregor noted that Council has a legal responsibility to move forward with this project. He expressed concern that not moving forward with this project could result in health problems for the citizens of Bothwell and Council would be liable for knowing about the situation in Bothwell and taking no action.

In response to a question by Councillor Stirling, Mayor Hope explained that should Council turn down the recommendations the project will not move forward. Alternative ways to address the issues in Bothwell would require a new Environmental Assessment process. Councillor Stirling asked if the motion should pass, would a subsequent motion be allowed to recommend a phased in approach. Mayor Hope explained that the first two recommendations address the implementation of the project as a whole; a motion suggesting a phased in approach would be contrary to the main motion.

Councillor Pickard felt that a phased in approach is not contrary to the original motion but rather a question of timing. He felt that the Ministry should be consulted on this option. The Chief Administrative Officer explained that a phasing of the project would require an amendment to the Environmental Assessment and the development of a new assessment process by the PUC.

Councillor Parsons noted that there is a difference between a phased in approach and an as needed approach. He felt that the entire project needs to be done and it is up to the PUC to determine the timing.

Councillor Weaver felt that Councillor McGregor's motion allows for the PUC to discuss the possibility of a phased in approach with the Ministry.

Councillor Brown noted that deferring this project back to the PUC would allow for questions on the phased in approach to be answered.

The Mayor put the Motion

<b>Councillor</b>	<b>Yes</b>	<b>No</b>
Brown		X
Clarke	X	
Crew	X	
Faas	X	
Fluker	X	
Gilbert	X	
Herman		X
King	X	
McGregor	X	
Parsons	X	
Pickard	X	
Pinsonneault		X
Robbins	X	
Stirling	X	
Sulman	X	
Vercouteren		X
Weaver	X	
Mayor Hope		X
<b>Total</b>	<b>13</b>	<b>5</b>

**Motion Carried**

- (b) Dr. John Strasser, President, St. Clair College and Lynn McGeachy Schultz, Director College Advancement – Thames Campus re the Healthplex on the Thames Campus of St. Clair College

Mayor Hope introduced Lynn McGeachy Schultz, Director of Advancement, St. Clair College, Thames Campus.

Ms. Schultz apologized for Dr. John Strasser's exit from the meeting prior to speaking at Council this evening as he had another meeting to attend. Ms. Schultz stated that she has three agenda items to speak to this evening. What their vision for Thames Campus is, what it looks like and the progress they have made and how the Healthplex and their request to Council fits into it.

Their vision is striving for excellence in all that they do, to be responsive to the community and to address issues in pursuit of lifelong learning. Their mission statement is to assist individuals in successfully developing their knowledge skills and value so as to enhance their quality of life, improve their ability to acquire meaningful employment and promote their community involvement. Making sure students are in a dynamic and supportive learning environment and provide leadership and develop partnerships that support our communities continuing thrust toward global competitiveness. Their plans are all supportive of the objectives and strategic directions of the Municipality of Chatham-Kent's Strategic Plan. It will import and generate leaders. For every student that attends school, it generates, in extra spending outside of academic spending, approximately \$16.00 per day per student over 8 months which is approximately \$4,000.00 per student, which is a significant impact. Also, 92% of all spending is local and only 8% of student spending is outside of the city proper. This shows the economic impact Colleges have in your community.

Vision for Thames 2010 and beyond is that it becomes a destination college within Chatham-Kent, requirements being a place to learn, offering current/relevant programs for now and the future, having a place to live on campus and true enjoyment coming from activity of the mind and exercise of the body.

She stated that their enrollment for 2008 showed an increase of 14 percent with 10 new post secondary programs since 2004. Continuing education registrations are currently up 15% over the fall of 2007. Programs which are unique to the Thames Campus are Mechatronics, Developmental Service Worker, Office Admin. Executive Fast track, Child and youth worker accelerated, Welding techniques, First Nations programs, as well as a Professional Golf Management Program with Thames Campus being the only colleges with its own three hole golf course on site.

A technology and trade building is something they would like to add to their campus. The proposed site is the space between where the college ends and the front of the arena. Ground breaking for the new residences took place in 2008 with 46 out of 48 rooms filled with only 3 students from within the Municipality.

With regard to play, we have a competitive disadvantage of not having any fitness facilities to keep the students busy when they are not in school. Thames Campus is the only post secondary or public institution in the Lambton Kent/St. Clair Catholic District School system without gymnasium facilities. Students must travel to other sites to meet program requirements.

The Healthplex as been designed to include a triple gymnasium, running track, learning space, community room and fitness space.

Their request for Municipal Council funds in the amount of \$1.2 million dollars has been forwarded to the Budget Process for consideration and would request a favourable response. Secondly, that the Municipality of Chatham-Kent endorse the direction of the development of Thames Campus and agree to work with the College to realize

opportunities for additional government funding.

Councillor Sulman commented favourably on the new residences and asked what the current enrollment was. Ms. Schultz stated that they have 1057 full time students (including the Wallaceburg campus) with approximately 1,000 part-time students.

Councillor Pickard asked if more residences will be built. Ms. Schultz said that they have room for eight more residences to justify growth as it comes.

Councillor Sulman moved, Councillor Stirling seconded:

**“That the Municipality of Chatham-Kent endorse the direction of development at Thames Campus, St. Clair College, and agree to work with the college to realize opportunities for additional government funding.”**

Councillor Clarke asked if the \$1.2 million dollar funding request can be spread over a 5 year period or is it instant dollars that are required for construction. Ms. Schultz said they are open to any payment plan.

Councillor Parsons felt that Council needs to recognize some of the economic effects that a college such as this has, on our community. At the same time, as we are having trouble generating commercial revenue, it is much harder for our community to make those decisions during the budget process. However, because of all of the positive effects that your facilities have on our community and certainly the contributions this facility would make towards their efforts, he will look forward to it at the budget process.

Councillor Weaver thanked Ms. Schultz for her presentation and asked that administration provide financial information to Council during the budget process, to compare the total cost of the project to the request for the Ridgetown project.

The Mayor put the Motion

**Motion Carried**

## **5. ANNOUNCEMENT BY MAYOR**

- (a) Notice of Public Meeting – Family Day – Retail Business Holiday Act  
(see attached report from administration)

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CHIEF ADMINISTRATIVE OFFICE**

#### **ECONOMIC DEVELOPMENT SERVICES**

**TO:** Mayor and Members of Council  
**FROM:** Geoff Wright, Service/Commercial Coordinator  
**DATE:** August 7, 2008  
**SUBJECT:** Family Day – Retail Business Holiday Act

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#### **RECOMMENDATION**

It is recommended that:

1. By-law 323-2004, enacted December 2004 which provides businesses in Chatham-Kent exemptions from the Retail Business Holidays Act for Victoria Day, Canada Day, Labour Day and Thanksgiving Day be amended to include Family Day for the maintenance and development of tourism in the Municipality of Chatham-Kent.

## **BACKGROUND**

On November 28, 2004 administration brought forward a report (Appendix 1) for Council's consideration regarding exemptions under the *Retail Business Holidays Act* (known as "The Act").

Council directed administration to conduct further research into the practices of other municipalities and their history of granting Retail Business Holidays Act exemptions. Administration confirmed that a number of municipalities have established exemptions citing the tourism criteria as outlined in the Act.

Exemptions may be granted under the Retail Business Holidays Act under the following provisions:

### **Tourism Criteria**

1. "A retail business establishment may be exempted if it is located within two kilometres of a tourist attraction. For the purposes of this section, a tourist attraction is limited to, natural attractions or outdoor recreational attractions; historical attractions; and cultural, multi-cultural or educational attractions."

and/or

2. "Despite any other provision of this Regulation, retail business establishments in a municipality may be exempted for up to five holidays a year during which a fair, festival or other special event is being held in that municipality."

The Municipality of Chatham-Kent boasts ample tourist attractions and special events to satisfy the tourism criteria in virtually all retail areas within the Municipality.

## **COMMENTS**

The Municipality received inquiries from retailers throughout Chatham-Kent regarding whether they could remain open on Family Day, the third Monday of February.

The Municipality of Chatham-Kent does not have a by-law granting exemption to the Act which includes Family Day. Under the Retail Business Holiday Act, Municipalities are required to give 30 days public notice of intent to strike such an exemption. This notification appeared in C-K Matters on August 6, 2008. If approved the Act also requires a mandatory 31 day appeal period, prior to the exemption becoming law. Given the mandatory time lines, the Municipality of Chatham-Kent by-law would be in effect on Family Day in 2009.

The passing of a by-law to allow businesses to remain open does not mean that these businesses must be open on the holiday. This decision remains with the individual business owner. The Act also specifies that employees may refuse an assignment to work on a holiday and cannot be punished for involvement in challenging a potential by-law.

## **COMMUNITY STRATEGIC PLAN**

The recommendation in this report support the following objectives and strategic

directions:

B: Economy - We are a prosperous community.

B2: Make Chatham-Kent a business-friendly community and a desirable leisure destination.

B4: Encourage the continuing growth of a diversified and sustainable economic base.

### Expected Results

- Increased exposure to community decision making and outcomes

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

### CONSULTATION

The opinion of the Business Improvement Areas and Chambers of Commerce was requested, encouraging participation in gathering input from throughout the business community of Chatham-Kent.

This was done in order to assist with our recommendation and to provide feedback to Municipal Council. Wallaceburg BIA does not agree with the recommendation while the Chatham-Kent Chamber of Commerce, the Tilbury Chamber of Commerce /BIA and the Wallaceburg Chamber of Commerce all replied supporting the recommendation.

### FINANCIAL IMPLICATIONS

There is no budget impact associated with the acceptance of this report.

Prepared by:

Reviewed by

\_\_\_\_\_  
Geoff Wright  
Service /Commercial Coordinator

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

Reviewed by:

\_\_\_\_\_  
C.D. Weldon  
Chief Administrative Officer

The Municipal Clerk noted that Council has a revised by-law on their desks. The by-law in the report lists Good Friday as being exempt from the Retail Business Holiday Act which is incorrect.

Councillor Pickard moved, Councillor Robbins seconded:

**“That By-law 323-2004, enacted December 2004 which provides businesses in the Chatham-Kent exemptions from the Retail Business Holidays Act for Victoria Day, Canada Day, Labour Day and Thanksgiving Day be amended to include Family Day for the maintenance and development of tourism in the Municipality of Chatham-Kent.”**

The Mayor put the Motion

**Motion Carried**

## **6. CONSENT AGENDA**

- (a) Reports from Administration
  - (i) 2007 Municipal Performance Measurement Program
- (b) Information Reports
  - (i) Processing of Wind Applications – RFP III
  - (ii) 2007 Use of Consultants
- (c) Committee Reports
  - (i) Drainage Board Recommendations from its meeting held on August 19, 2008
  - (ii) Drainage Board Recommendations from its meeting held on September 16, 2008
  - (iii) Chatham-Kent Police Services Board Minutes from its meeting held on July 9, 2008

*Action – Council to advise the Clerk of any items to be removed from the Consent Agenda and placed aside for consideration and debate separately.*

*Motion – That the items listed on the Consent Agenda be approved as presented and that action be taken as required (excluding any items placed aside).*

*Action – Items placed aside will now be discussed*

Councillor Vercooterren requested that Item #6(b)(ii) be placed aside for consideration and debate separately.

Councillor Brown requested that Items #6(a)(i) be placed aside for consideration and debated separately.

Councillor Robbins moved, Councillor Crew seconded:

**“That the items listed on the Consent Agenda be approved as presented and that action be taken as required (excluding any items placed aside).”**

The Mayor put the Motion

**Motion Carried**

## **MUNICIPALITY OF CHATHAM-KENT**

### **CORPORATE SERVICES**

### **FINANCIAL SERVICES**

### **INFORMATION REPORT**

**TO:** Mayor and Members of Council  
**FROM:** Yufang Du, Financial Analyst  
**DATE:** September 4, 2008  
**SUBJECT:** 2007 Use of Consultants

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This report is for the information of Council.

**BACKGROUND**

Chatham-Kent requires the utilization of consultants when their expertise is necessary or when there is workload that municipal staff cannot accommodate. The use of consultants is a normal business practise.

**COMMENTS**

Figure 1 is a summary of consultants used by the Municipality during 2007. For comparison the 2007 Budget and 2006 Actual figures have also been included.

<b>Figure 1 - Use of Consultants Summary</b>				
<b>Municipality of Chatham-Kent</b>	<b><u>2006 YTD</u></b>	<b><u>2007 YTD</u></b>	<b><u>2007 Base Budget</u></b>	<b><u>2007 Sup Budget</u></b>
<b><u>Municipal and Drainage</u></b>				
Total Municipal Operations (excluding Lifecycle)	\$1,581,300	\$3,201,200	\$1,330,000	\$2,021,900
Total Municipal Lifecycle	716,700	901,800	901,800	-
Total Municipal Capital	1,025,100	1,525,000	1,525,000	-
Total Drainage (Local Improvements)	367,600	379,400	379,400	-
<b>Total</b>	<b>3,690,700</b>	<b>6,007,400</b>	<b>4,136,200</b>	<b>2,021,900</b>
<b><u>PUC -Water/WW</u></b>				
PUC Capital-Sanitary Sewers	368,500	101,600	101,600	-
PUC Capital-WPCP	87,300	202,300	202,300	-
PUC Capital-Water	938,800	596,600	596,600	-
PUC - Water/Wastewater operations	273,600	431,600	431,600	-
<b>Total</b>	<b>1,668,200</b>	<b>1,332,100</b>	<b>1,332,100</b>	<b>-</b>
<b>Grand Total</b>	<b>\$5,358,900</b>	<b>\$7,339,500</b>	<b>\$5,468,300</b>	<b>\$2,021,900</b>

This summary does not include C-K Energy or any of its subsidiaries. Figures used are those charged to consulting expense lines in the financial records. During 2007 consulting fees were \$7,339,500 (\$5,358,900, 2006). The \$2 million dollar increase comprises primarily of one time projects.

Figure 2 breaks down the expenditures by the type of consultant.

<b>Figure 2 - Consultants by Type</b>				
<b>Municipality of Chatham-Kent</b>	<b><u>2006 YTD</u></b>	<b><u>2007 YTD</u></b>	<b><u>2007 Base Budget</u></b>	<b><u>2007 Sup Budget</u></b>
Architect Fees	\$89,900	\$24,200	\$24,200	-
Appraisal Fees	8,800	2,700	6,800	-
Audit/Financial Fees	132,100	128,200	111,300	2,200
Corporate Search Fees	1,500	3,200	2,300	-
Compensation Specialists	-	11,100	5,000	20,000
Computer Consultants	36,900	12,500	95,400	6,000
Consulting Fees	426,500	1,296,400	315,200	587,200

Engineering Fees				
Drainage	367,600	379,400	379,400	-
IES Bridges, Roads	691,500	1,145,800	1,144,100	-
Other Engineering fee	496,700	886,300	886,300	-
Total Engineering Fees	1,555,800	2,411,500	2,409,800	-
Environmental Assess't fees	42,200	25,800	29,700	-
Outside Legal Counsel	367,100	575,600	371,200	312,300
Miscellaneous Studies	19,000	106,600	63,000	260,000
Other professional fees	310,900	964,200	208,400	791,200
Project Mgmt Fees	236,600	65,700	65,700	-
Planning (Contracted)	424,700	334,500	387,000	43,000
Survey/Search fees	38,700	45,200	41,200	-
<b>Grand Total</b>	<b>\$3,690,700</b>	<b>\$6,007,400</b>	<b>\$4,136,200</b>	<b>\$2,021,900</b>
<b><u>The actuals are the actual money spent in 2007.</u></b>				
<b><u>Encumbrances and previous years balance forward are not included in actuals</u></b>				

Figure 3 is a summary of consultants used by PUC. It breaks down the expenditures by the type of consultant.

<b>Figure 3 - PUC Consultants by Type</b>		
<b>Municipality of Chatham-Kent</b>	<b>2006 YTD</b>	<b>2007 YTD</b>
Audit/Financial Fees	\$13,300	\$13,300
Consulting Fees	126,300	48,900
Engineering Fees	1,518,200	1,101,200
Outside Legal Counsel	5,600	144,600
Other professional fees	4,800	24,100
<b>Grand Total</b>	<b>\$1,668,200</b>	<b>\$1,332,100</b>

A breakdown of consultant costs by department, consisting of a four page summary, is available on request should additional information be requested.

**CONSULTATION**

Departments are responsible for coding their expenses to appropriate ledger accounts and routinely review account balances to promote accuracy.

**FINANCIAL IMPLICATIONS**

Consultants used by the PUC are funded through user fees. Drainage consultants are funded through related grant programs or recovered from drainage assessments. Some capital projects are to be financed through future years' savings and/or rate recoveries. As well, a number of other projects are funded at least in part through grants at either the provincial or federal level. The remainder is included in the Municipal Budget.

Prepared by:

Reviewed by:

\_\_\_\_\_  
Yufang Du  
Financial Analyst

\_\_\_\_\_  
Stuart Wood, CMA  
Director, Financial Services/Treasurer

Reviewed by:

Reviewed by:

\_\_\_\_\_  
Gerry Wolting, B.Math, C.A.  
General Manager, Corporate Services

\_\_\_\_\_  
C.D. Weldon  
Chief Administrative Officer

In response to a question by Councillor Vercooterren, the Director of Financial Services explained that the 2008 budget for consultants is not known at this time.

Councillor Crew moved, Councillor Clarke seconded:

**“That the report be received for information.”**

The Mayor put the Motion

**Motion Carried**

## **MUNICIPALITY OF CHATHAM-KENT**

### **CORPORATE SERVICES**

#### **FINANCIAL SERVICES**

**TO:** Mayor and Members of Council

**FROM:** Gord Quinton, BA, CGA  
Supervisor, Accounting Operations

**DATE:** September 5, 2008

**SUBJECT:** 2007 Municipal Performance Measurement Program

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#### **RECOMMENDATIONS**

It is recommended that:

1. The Municipal Performance Measurement Program results for the year ended December 31, 2007, be received.
2. The Municipality's performance measures be posted on Chatham-Kent's website by September 30<sup>th</sup> to meet the Ministry of Municipal Affairs and Housing reporting requirements.

#### **BACKGROUND**

The Municipal Performance Measurement Program (MPMP), now in its eighth year, is a key component of the Province's effort to improve accountability to the citizens of Ontario and to provide councils and municipal staff with a tool to set targets and assess performance.

Specifically, the MPMP requires municipalities to measure service delivery performance on core municipal services and report to the Province and to its constituents on the results.

This program was first introduced for the 2000 reporting year. Every year refinements and improvements are made to the program as a result of feedback from municipalities and other organizations.

Performance Measures are important for municipalities for the following reasons:

- Performance Measurement helps improve performance by identifying ways for municipalities to provide high-quality, efficient and effective services.
- Performance Measurement strengthens accountability by demonstrating to taxpayers how they are being served and the value they are receiving for their tax dollars.

- Performance Measurement stimulates productivity and creativity as staff directly involved in the service activity can see the improvements in the annual measurements.
- Performance Measurement improves the budget process by measuring whether the expected service levels are being met.

For the 2007 reporting year, the MPMP consists of approximately fifty performance measures in the following twelve core municipal services:

- |                    |   |
|--------------------|---|
| - Local Government | - Wastewater (Sanitary and Combined Sewage) |
| - Fire             | - Storm Water                               |
| - Police           | - Drinking Water                            |
| - Roadways         | - Solid Waste Management (Garbage)          |
| - Transit          | - Parks and Recreation                      |
| - Library Services | - Land-Use Planning                         |

## **COMMENTS**

### Changes to the Program

Every year the measurement program has improved, more measures have been added, and some calculations are altered to better demonstrate the desired result. While the improvements and additions are important to ensure the program is comparable across municipalities, these changes make it harder to compare results year over year. As the need for refinements diminishes, the year over year internal comparisons will provide municipalities with better information.

As a result of ministry consultation with working groups and municipal volunteers, there are only a few minor changes for the 2007 reporting year. Any changes are listed in Appendix A below the measurement.

### Analyzing Results

#### 1. Internal Comparisons

Year over year comparison of Chatham-Kent's results is provided in Appendix A. These results will be posted on the web site following Provincial guidelines. Some of the prior year measures have been excluded due to comparison difficulties caused by significant changes in prescribed calculation formulas.

#### 2. External Comparisons

Chatham-Kent's measures may be compared against those of other similar municipalities. Results from other municipalities will be available after September 30 and a follow-up report will follow summarizing the comparison.

#### 3. Municipal Information & Data Analysis System (MIDAS)

The Ministry of Municipal Affairs and Housing has partnered with the Association of Municipalities of Ontario to develop the MIDAS program. This web based query and analysis tool makes it possible for municipalities to extract and analyze both MPMP and Financial Information Return (FIR) results. As a result municipalities can see how they compare with others, and this can lead to constructive dialogue and the exchange of valuable information.

#### 4. Ontario Centre for Municipal Best Practices

The Ontario Centre for Municipal Best Practices (OCMBP) is a partnership, formed in

2002, between the Association of Municipalities of Ontario and the Ministry of Municipal Affairs and Housing. The purpose of the OCMBP is to analyze performance data including MPMP results, Ontario Municipality Benchmarking Initiative (OMBI) data, and other benchmarks, to identify 'best practices' and to prepare reports offering guidance for municipalities interested in applying these best practices. To date the OCMBP has identified, verified, and published numerous municipal best practices in areas of winter control, solid waste diversion, transit, water and wastewater, and energy management. The findings are available on the OCMBP website [www.ocmbp.ca](http://www.ocmbp.ca).

### Next Steps

#### 1. Reports to Council

Financial Services will provide a summary report comparing Chatham-Kent's results to other municipalities after September 30. Divisions will be asked to comment on the comparables and will be included in the report.

#### 2. Best Practices

Chatham-Kent can use the research of the Ontario Centre for Municipal Best Practices to improve the efficiency and effectiveness of our municipal services.

### **COMMUNITY STRATEGIC PLAN**

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

B: Economy – We are a prosperous community

B1: Promote and market Chatham-Kent

### **Desired Outcomes/Proposed Activities**

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

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

### **CONSULTATION**

All applicable departments were initially contacted to provide the required statistical information to calculate the 2007 performance measures. Final results were distributed to all departments for comments which will be included in the subsequent report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from the recommendations. The use of standardized performance measures is intended to improve decision making, resulting in improved operations and lower costs.

Prepared by:

Reviewed by:

\_\_\_\_\_  
Gord Quinton, BA, CGA  
Supervisor, Accounting Operations  
Reviewed by:

\_\_\_\_\_  
Stuart Wood, CMA  
Director, Financial Services/Treasurer  
Reviewed by:

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

C. D. Weldon  
Chief Administrative Officer

Councillor Brown noted that it can be difficult to compare Chatham-Kent to other municipalities due to the difference in reporting. He questioned if there was any standards for reporting this information. The Director of Financial Service explained that in future reports conversions will be made to better show comparisons between Chatham-Kent and other communities.

Councillor Fluker requested that administration provide information on marked differences from year to year.

Councillor Brown moved, Councillor Faas seconded:

**“That**

- 1. The Municipal Performance Measurement Program results for the year ended December 31, 2007 be received.**
- 2. The Municipality’s performance measures be posted on Chatham-Kent’s website by September 30<sup>th</sup> to meet the Ministry of Municipal Affairs and Housing reporting requirements.”**

The Mayor put the Motion

**Motion Carried**

## **7. NOTICES OF MOTION**

- (a) Presentation of New Notices of Motions

Councillor Herman presented a Notice of Motion regarding a Traffic Study at the intersection of Erieau Road and Talbot Trail. The matter will be added to the next regular Council Agenda for discussion and voting.

## **8. COMMUNITY AND DEVELOPMENT SERVICES**

- (a) Revised Policy for Development of Chatham-Kent Dog Off-Leash Recreation Area

### **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:** September 12, 2008

**SUBJECT:** Revised Policy for Development of Chatham-Kent Dog Off-Leash  
Recreation Areas

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## **RECOMMENDATIONS**

It is recommended that:

1. The policy for the development of Chatham-Kent Dog Off-Leash Recreation Areas be approved as amended.
2. An advertisement be prepared to determine interest in forming a Committee to pursue a municipal DOLRA.
3. The Committee return to Council with a recommendation on a preferred site.

## **BACKGROUND**

A Dog Off-Leash Recreation Area (DOLRA) is defined as an area that has been set aside for residents to exercise their dogs off-leash without being in contravention of municipal by-laws. Off-leash allows dog owners to exercise and socialize their animal in a safe environment.

At the February 5, 2007 Council meeting, a deputation regarding the formalization of Thames Grove Conservation Area into a DOLRA was presented by Carmen McCauley on behalf of a group of dog owners who use the park on a regular basis. At that time, Council accepted the deputation and asked that administration review the information presented and report back to Council in April 2007.

In response to the presentation on February 5, 2007, several letters and e-mails were received citing both very strong support and opposition to the Thames Grove site being designated as an off-leash park.

On March 26, 2007, Council approved a recommendation that "administration develop a Dog Off-Leash Recreation Area design criteria and draft an Off-Leash Area By-Law, and report back to Council." It was also requested to include information on various municipalities with a population over 50,000, which has been included as Attachment A for Council's information.

A DOLRA Committee was formed, which included members that were an authority on dog behaviour, parks planning and licensing issues. The Committee had three meetings to discuss site criteria, policies and by-law development.

At the May 7, 2007 Council meeting, Council reviewed the draft DOLRA Policy and By-Law and approved the following recommendations:

1. The Draft Policy and By-Law for Dog Off-Leash Recreation Areas be received for information purposes.
2. Public feedback on the Draft Policy and By-Law for Dog Off-Leash Recreation Areas be sought, with a final Policy and By-Law being brought forward to Council for approval on June 4, 2007.

At the June 4, 2007 Council meeting, Council reviewed the Draft Policy and approved the following recommendations:

1. Administration review three sites suitable for a Dog Off-Leash Recreation Area according to the Policy.
2. Administration be authorized to hold a public meeting to gather input, with the preferred location being brought forward to Council for approval on July 9, 2007.
3. That all costs associated with the Dog Off-Leash Recreation Areas be area-rated to the urban service boundaries as outlined in Option #4 of the report, which proposed

that a surcharge for annual maintenance and development be assessed per dog tag.

The intent of Option #4 is that the dollars required for the development of the park would come from 50% fundraising and 50% from a one-time surcharge on dog tags. The annual maintenance costs would come from a surcharge on dog tags.

# of Dog Tags (approx)	One-time Surcharge (approx) for Development (~ \$28,500)	Surcharge (approx) for Annual Maintenance (~\$3,700/yr/park *)
Chatham – 3,750	\$7.60/tag	\$1.00/tag
Blenheim – 1,000	\$28.50/tag	\$3.70/tag
Dresden – 450	\$63.33/tag	\$8.22/tag
Ridgetown – 550	\$51.81/tag	\$6.72/tag
Thamesville – 350	\$81.42/tag	\$10.57/tag
Tilbury – 550	\$51.81/tag	\$6.72/tag
Wallaceburg – 1,000	\$28.50/tag	\$ 3.70/tag
Wheatley – 350	\$81.42/tag	\$10.57/tag

\* Annual estimated maintenance costs for garbage collection, cleaning the area, turf repair, snow removal, etc.

4. That the following sections of the DOLRA Development Policy be removed and brought back to Council for further review:

*Section 2(a) – Mandatory Site Amenities: A DOLRA must be a minimum of 32 feet from any property line and 164 feet from any residential building or structure at the time of construction.*

*Section 7(n) – Rules and Regulations: Dog toys, chews, and food to practice any dog sporting activity, are not permitted in the DOLRA.*

## **COMMENTS**

### **Development Policy Changes**

As a result of Council's request to review two sections of the DOLRA Development Policy, the DOLRA Committee is suggesting the following amendments:

- 1) *Section 2(a) – Mandatory Site Amenities: A DOLRA must be a minimum of 32 feet from any property line and 164 feet from any residential building or structure at the time of construction.*

Council expressed a concern regarding the need for a 32 feet set-back for a fenced DOLRA.

### **Policy Review Considerations:**

The 32 foot setback from any property line was to create a buffer zone to adjacent neighbours which would immediately abut the property line and to minimize safety issues related to children putting their hands through the fenced DOLRA. Typically, facilities such as ball fields and soccer fields are set back a minimum of 32 feet from any property line.

However, it was determined that private properties would already have a natural buffer to the DOLRA (i.e. back yard). Property lines are set back from the home creating an

average buffer zone of 30 feet.

Policy Amendment:

It is recommended that *Section 2(a)* be amended to eliminate the 32 foot buffer zone; however, it is also recommended that the required setback of 164 feet from any residential building or structure at the time of construction remain in place to address noise and neighbourhood impact concerns.

- 2) *Section 7(n) –Rules and Regulations: Dog toys, chews, and food to practice any dog sporting activity, are not permitted in the DOLRA*

Council expressed concerns regarding the elimination of dog toys and food, as a DOLRA is for play and socialization. It was noted that dog owners use dog treats to ensure compliance when called and the allowance of toys in the DOLRA encourages exercise for the animals.

Policy Review Considerations:

The justification for this rule was to minimize animal fighting and thus injury to dogs and possibly handlers. The rationale is that dogs become more aggressive as it pertains to food, toys and competition. The rule was intended to deter injury to participants.

However, after discussion, it was determined that dog owners use treats as a means of training their dog. Therefore, treats should be allowed to be used by owners in the DOLRA to encourage and promote obedience. There was concern that a toy used by an owner for their dog in the DOLRA would attract multiple dogs to fight over the same toy. Dog owners to caution using toys in the DOLRA when a number of dogs are utilizing the DOLRA at once.

Policy Amendment:

It is recommended that *Section 7(n)* be amended to allow dog treats and toys but not food intended for human consumption. This would be monitored over a one-year period to ensure this is a safe practice.

As a result of further research of DOLRAs located in other communities, *Section 3(b)* regarding volunteers was also reviewed.

In this section, the volunteers would need to agree to the following:

- 1) Organize, co-ordinate and implement a schedule for site clean-up and maintenance. Clean-ups are required at least twice per calendar week and maintenance/repairs must be performed on an as required basis.
- 2) Organize, co-ordinate and implement a schedule for fence inspections to occur at least twice per calendar week and must be signed by a volunteer performing the inspection.
- 3) Provide “Dog Watch” eyes and ears on the park to identify and help educate irresponsible pet owners and to advise the Municipality in writing with identifying information of any problems or issues that arise.
- 4) Monitor user activities and guidelines for code of conduct of owners and dogs.
- 5) Become involved in fundraising ventures to finance the purchase of desired amenities for a DOLRA.
- 6) Liaise with the Municipality on any pertinent issues that require attention.

- 7) Notify the Municipality if the original number of volunteer committee members drops below 15 members.
- 8) Sign an agreement to participate in overseeing operations at the DOLRA.

However, upon further discussion, it was determined that maintenance, inspections and repair of fencing should be performed by municipal parks staff due to safety concerns.

It is recommended that *Section 3 (b)* be amended to the following:

The volunteers agree to:

- 1) Regular site monitoring to ensure off-leash area is operating according to DOLRA Rules and Regulations and advise municipal staff of any problems or issues that arise.
- 2) Organize fundraising events to finance the purchase of desired optional amenities for a DOLRA such as picnic tables, shade covering (e.g. pavilion), plastic bag dispensers, drinking water source (e.g. fountain).
- 3) Maintain a Volunteer Committee Membership list and notify the Municipality if the original number of volunteer committee members drops below 15 members.

An amended DOLRA Development policy is found in Attachment B.

### **Site Selection Process**

The process was that the Committee would apply the finalized criteria from the policy to three potential sites in the Chatham area including Thames Grove Park.

The DOLRA Committee and two representatives of the dog owner's group met on Monday, June 11, 2007 to discuss which three potential DOLRA sites to evaluate and consider for the development of a DOLRA in the Chatham area.

The following municipal and non-municipal sites were considered then were eliminated due to issues with either; site lines, size restrictions, safety concerns, possible cost, neighborhood impacts and/or multi-usages:

- Christian Park – off Tissiman Street
- Industrial Property – behind Park Avenue Business, Centre, Creek Rd.
- John Waddell Park – Water Street next to the Thames River
- Kingston Park – off Paxton Drive
- Kiwanis Stadium – Tweedsmuir Avenue
- Private property adjacent to Communication Bridge, Highway 40
- PUC Property – abutting railroad tracks and Grand Ave East

The DOLRA Committee also reviewed the list of sites previously considered for the construction of a skateboard park, but eliminated most of the sites due to space and site limitations. During discussions, the Committee noted that the availability of large open municipal parkland area is limited in the community of Chatham.

The Committee met again on Wednesday, June 20, 2007 to finalize the sites, which are as follows:

- 1) Thames Grove Park - municipal parkland property located on Kingsway Drive, off Grand Avenue East

- 2) Indian/McGregor Creek Flood Diversion Channel - Lower Thames Valley Conservation Authority property behind Park Avenue Business Centre (PABC), Creek Road
- 3) Union Gas Park - municipal parkland property immediately behind Union Gas off of Grand Avenue West

The aerial pictures of each site are found in Attachments C, D and E.

The Committee was provided with an evaluation form to complete following the site visits, which included the approved criteria for DOLRA site evaluation.

The DOLRA Committee's site evaluation results are as follows:

Site Location	Site Suitable based on criteria (in present condition)	Score (based on opinion of the site)
Union Gas Park (municipal property)	71%	86.5
Area behind Park Avenue Business Centre (LTVCA Property)	68%	80
Thames Grove Park (municipal property)	65%	81

A summary of the site evaluation scoring is found in Attachment F. It should be noted that the LTCVA site was evaluated for both a fenced DOLRA and a Free-Run area, but at this point, consideration is being given to a fenced DOLRA only, for safety reasons. At the October 1, 2007 Strategic Directions session, this report was "red-dotted" through an exercise by Council and has therefore not been a priority since that time.

#### **Recent Update: Privately - Owned DOLRA**

Recently, the owner of TJ Stables created a two acre fenced off-leash area for dogs in their woodlot, in addition to offering the trails used for horseback riding as free run areas. An annual membership fee of \$250 will be charged which includes use of both areas during daylight hours, the indoor arena during certain times, discounts for dog boarding, grooming and dog training services. The membership fee will assist in offsetting costs for insurance, fencing, water access, cleanup and maintenance of the property. A daily rate would also be available for visitors. Administration could assist by advertising the DOLRA on CK's website and in the invoice notices to dog owners regarding their dog tags.

#### **Next Steps**

To determine if there is further interest in a municipal DOLRA, administration is suggesting that an advertisement go out to all communities requesting those who would like to work on a municipal DOLRA Committee submit a letter of interest to administration. If there is enough interest, administration would:

1. Discuss Council's directions with the Committee.
2. If the Committee is interested, proceed with creating a recommendation on a preferred site to bring forward to Council.
3. Upon Council approval, the Committee would then hold a public meeting on the preferred site.
4. The Committee would return to Council with recommendations on the final DOLRA By-Law, location, development and ongoing maintenance costs and possible partnerships.
5. The Committee would then fundraise for 50% of the development costs.

6. The Committee would report to Council to approve the construction of the site once fundraising is complete.

## **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

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

C: Environment - We are a green community

C1: Develop pride in the community for its environmental assets

E: Civic Engagement - We are an engaged community

E3: Enhanced networking and communication opportunities throughout Chatham-Kent

### **Desired Outcomes/Proposed Activities**

- 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 behaviours 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**

DOLRA Committee members attended site visits and completed evaluation forms on each potential site.

Two members of the dog owner's group participated in the site evaluation of the three park areas with the DOLRA Committee.

Legal Services was consulted and reviewed the Revised Policy for Development of DOLRAs.

TJ Stables provided information on the private DOLRA at their property.

## **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from the recommendations contained in this report. Should there be interest in a municipal DOLRA, a future Report to Council will identify the costs associated with its development (e.g. fencing, gate, signage, trees, benches, garbage receptacles, etc.), which will determine the surcharge/fundraising dollars required.

However, it should be noted that utilizing a surcharge on dog tag fees for the development and maintenance of a DOLRA may deter dog owners from paying their dog tag fees due to the additional cost, which may then increase the cost of enforcement. Because of this, administration will identify in the Report to Council, any potential budget issues this may cause.

Prepared by:

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

Reviewed by:

Reviewed by:

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

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C. D. Weldon  
Chief Administrative Officer

Councillor Pickard moved, Councillor Crew seconded:

**“That**

- 1. The policy for the development of Chatham-Kent Dog Off-Leash Recreation Areas be approved as amended.**
- 2. An advertisement be prepared to determine interest in forming a Committee to pursue a municipal DOLRA.**
- 3. The Committee return to Council with a recommendation on a preferred site.”**

Councillor Pickard was happy to see alternate sites for the DOLRA. He noted the importance of providing a DOLRA for dog owners in Chatham-Kent.

Councillor Stirling explained that the Board of Directors for the LTVCA voted against allowing the further pursuit of the site listed in the report as a possible site for the DOLRA due to concerns with parking and liability.

Councillor Stirling questioned if there is still enough interest in the community in order to pursue this issue. The Manager of Parks, Cemeteries and Horticulture explained that recommendation #2 will identify if there is enough interest to move forward with the DOLRA.

Councillor Vercooterren noted that T.J. Stables is considering offering a DOLRA. He questioned if this site will be considered and included in the next report. The Manager of Parks, Cemeteries and Horticulture explained that T.J. Stables is a private business and he was unsure of how the Municipality would be able to partner with them.

Councillor Sulman felt that the private/public sector partnership should be explored further. He questioned why the PUC property on Grand Avenue has been rejected. The Manager of Parks, Cemeteries and Horticulture explained that there was some previous expressed interest in that property that negated it as an option. He further explained that this location could be brought back up for consideration by the Committee.

Councillor Robbins questioned if the original group that first brought this issue before Council are still involved in the process. The Manager of Parks, Cemeteries and Horticulture explained that there were only two individuals on the committee and the committee has not met for some time. Councillor Robbins noted that he has spoken to dog owners that are displeased with the design for the DOLRA and would like to see an area with no fencing. The Manager of Parks, Cemeteries and Horticulture explained the majority of DOLRAs are fenced and most municipalities consider free run areas in new park development.

Councillor Weaver also felt that the private option of T.J. Stables should be considered.

Councillor Brown questioned the amount of interest needed to move forward with the creation of a DOLRA. The Manager of Parks, Cemeteries and Horticulture explained that public consultation is part of the process and will clearly indicate if the DOLRA is supported in a specific area.

Councillor Crew questioned what would happen if the request for interest did not yield fifteen people willing to sit on the committee. The Manager of Parks, Cemeteries and Horticulture explained that the DOLRA Policy would remain, but the development of the DOLRA would not proceed without the committee.

Councillor Sulman moved an amendment, Councillor Vercouteren seconded:

**“That the private option be considered as an option and that the PUC site be reconsidered”**

The Mayor put the Amendment

**Amendment Carried**

The Mayor put the Motion, as amended

**Motion Carried**

- (b) Tender Award: Contract No. T07-247 Addition and Renovations to the Gable Reese Rotary Pool

**MUNICIPALITY OF CHATHAM-KENT**

**COMMUNITY AND DEVELOPMENT SERVICES**

**COMMUNITY SERVICES - MUNICIPAL PROPERTIES**

**TO:** Mayor and Members of Council

**FROM:** Scott Mailing, Acting Manager, Recreation Facilities

**DATE:** September 18, 2008

**SUBJECT:** Tender Award: Contract No. T07-247 Addition and Renovations to the Gable Rees Rotary Pool

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**RECOMMENDATIONS**

It is recommended that:

1. The tender in the amount of \$1,310,749.12 (excluding GST) for an addition and renovations to the Blenheim Gable Rees Rotary Pool, be awarded to Intrepid General.
2. \$588,377 of the project be funded from the Province's Municipal Infrastructure Fund from the "Investing in Ontario Act."
3. The South-Kent Implementation Committee be required to raise an additional \$15,000 towards the project.
4. The condition that the South-Kent Implementation Committee secures 75% of the fundraising required before administration proceeds with the construction be waived.

## **BACKGROUND**

At the May 5, 2008 Council meeting, the following recommendations were approved:

1. Administration be authorized to proceed with the tendering process to determine actual construction costs for Phase 2 of the Gable Rees Rotary Pool project.
2. Administration be authorized to proceed with the final construction of Phase 2 once the South - Kent Implementation Committee has secured 75% of the fundraising required.
3. Administration further pursue funding opportunities through the Provincial and Federal Governments for Gable Rees Rotary Pool Project.

## **COMMENTS**

### **Tender**

The Acting Manager, Recreation Facilities, in conjunction with Jordan and Cook Architect prepared specifications for the tendering process. The tender was advertised on June 5, 2008 for the duration of three weeks and closed on June 26, 2008.

Six tenders were received as follows:

<b>NAME OF BIDDER</b>	<b>Addition and Renovations</b>	<b>Parking Lot</b>	<b>TOTAL TENDER AMOUNT (excl 5% GST)</b>
Intrepid General 51 Sass Rd, RR #4 Chatham, ON N7M 5J4	\$1,129,881.12	\$180,868.00	\$1,310,749.12
DeAngelis Construction 5138 County Rd 46, RR #3 Maidstone, ON N0R 1K0	\$1,145,714.29	\$170,000.00	\$1,315,714.29
Westhoek Construction 10 Adelaide St. N. Chatham, ON N7M 4K3	\$1,167,619.05	\$191,209.52	\$1,358,828.57
Agri-Urban 1123 North Street Dresden, ON N0P 1M0	\$1,279,203.81	\$188,000.00	\$1,467,203.81
Elric Contractors Ltd. 1436 Dufferin Ave. Wallaceburg, ON N8A 2W5	\$1,373,002.87	\$211,451.48	\$1,584,454.34
Vince Ferro Construction 3244 Walker Rd, Suite 200 Windsor, ON N8W 3R8	\$1,763,595.24	\$70,000.00	\$1,833,595.24

All completed tenders were received and opened by the Purchasing Officer and

reviewed by Jorden and Cook Architect.

Intrepid General was the lowest tender for the project at \$1,310,749.12. Prices are in effect until September 25, 2008.

There was discussion on not awarding the parking lot until 2009; however, with the rising cost of oil affecting asphalt prices, it was determined that it was more cost effective to award the parking lot at this time.

### **Municipal Funds**

Through various funding sources, the Municipality has contributed \$610,000 to date. Due to the Province's announcement that \$10.3 million is Chatham-Kent's share of the Municipal Infrastructure Fund, it is recommended that \$588,377 (the difference between the cost of the project and the fundraising contributions), be taken from this fund.

A comprehensive report with recommendations on the remaining infrastructure funds will come to Council on October 27, 2008.

### **Fundraising**

The South-Kent Implementation Committee has raised \$235,000 to date on this second phase of the project. It is recommended that the Committee raise an additional \$15,000 for a total of \$250,000.

The Blenheim and area community has contributed both financially and in volunteer hours to the pool over the years. Private donations have equaled close to one million dollars (donations such as purchase of properties for the land as well as fundraising) since its inception in 1997.

Council had made the condition in the May 5, 2008 report that the Committee secure 75% of the fundraising required before construction begins. It is recommended that this condition be waived in order for construction to begin as soon as possible.

### **COMMUNITY STRATEGIC PLAN**

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

A: Health – We are a healthy community  
A3: Promote Healthy Lifestyles

Desired Outcomes

- Promote wellness and improve lifestyle choices and expand upon healthy behaviours to build a sustainable health system

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

### **CONSULTATION**

The South-Kent Implementation Committee was advised of this report and supports the recommendations.

### **FINANCIAL IMPLICATIONS**

The chart below outlines the details of the funding:

Project Cost (excluding GST)		
Tender	\$1,310,749	
Consultant's Fees	<u>137,628</u>	\$1,448,377
Chatham-Kent Contribution:		
Provincial Infrastructure Funds	\$100,000	
Capital	50,000	
Lifecycle	50,000	
Ont. Municipal Partnership Fund	<u>410,000</u>	610,000
Municipal Infrastructure Fund ~ Tender difference (\$1,448,377 - \$1,200,000)	\$248,377	
Additional Contribution	<u>340,000</u>	<u>\$ 588,377</u>
Total Chatham-Kent Contribution		\$1,198,377
Committee Fundraising Contribution:		
Commitment as of May 5/08	\$180,000	
Balance to be fundraised as of May 5/08	<u>410,000</u>	
	\$590,000	
Actual amount raised to date		<u>\$ 235,000</u>
Balance Remaining to be Fundraised		<u>\$ 15,000</u>

Prepared by:

\_\_\_\_\_  
 Scott Mailing  
 Acting Manager, Recreation Facilities

Reviewed by:

Reviewed by:

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

\_\_\_\_\_  
 C. D. Weldon  
 Chief Administrative Officer

Councillor Herman moved, Councillor Stirling seconded:

**“That**

- 1. The tender in the amount of \$1,310,749.12 (excluding GST) for an addition and renovations to the Blenheim Gable Rees Rotary Pool, be awarded to Intrepid General.**
- 2. \$588,377 of the project be funded from the Province's Municipal Infrastructure Fund from the "Investing in Ontario Act."**
- 3. The South-Kent Implementation Committee be required to raise an additional \$15,000 towards the project.**
- 4. The condition that the South-Kent Implementation Committee secures 75% of the fundraising required before administration proceeds with the construction be waived."**

The Mayor put the Motion

**Motion Carried**

## **9. PUBLIC UTILITIES COMMISSION**

(a) Bothwell Sanitary Sewers Assessment By-law, Community of Bothwell

As discussed under Item #4(a)

(b) Green Municipal Fund (GMF) – Wastewater Project Application

### **MUNICIPALITY OF CHATHAM-KENT**

#### **PUBLIC UTILITIES COMMISSION**

**TO:** Mayor and Members of Council

**FROM:** Rob Bernardi, P.Eng.  
Manager, Facilities & Systems Engineering  
Chatham-Kent PUC

**DATE:** September 22, 2008

**SUBJECT:** Green Municipal Fund (GMF) – Wastewater Project Application

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#### **RECOMMENDATIONS**

It is recommended that:

1. The Municipality of Chatham-Kent Council support the Green Municipal Fund (GMF) – Wastewater Projects application for the Ridgetown Wastewater Treatment Plant Project and fully support and is financially committed to the project.
2. The Mayor, Clerk and administration, be authorized to prepare and sign the necessary forms, declarations or resolutions necessary to accompany the GMF application.

#### **BACKGROUND**

The Federation of Canadian Municipalities has launched a Green Municipal Fund (GMF) funding opportunity for capital projects that improve effluent quality from municipal wastewater treatment systems.

Eligible applicants can request up to \$2 million in loans and \$400,000 in grants for each project.

The application deadline for the GMF is no later than midnight (EDT) on October 15, 2008.

#### **COMMENTS**

In reviewing the applicable PUC projects for this GMF – (Wastewater Projects) opportunity, the Ridgetown Wastewater Treatment Plant Project was the only project

that meets the criteria. This project is a municipal wastewater treatment plant that will have improved wastewater effluent quality once the new facility is complete. The Ridgeway Wastewater Treatment Plant Project also has the required pre-requisites completed.

The Ridgeway Wastewater Treatment Plant Project has begun construction in August of 2008. The project is still eligible for funding even though construction has started. The value of the project is currently estimated at \$16,436,155. Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) Intake Three program funding of \$5,333,332 was awarded to the project and therefore \$11,102,823 is being paid for by the Public Utilities Commission.

As part of the application requirements, there is a requirement for municipal council resolution describing the level of commitment and financial support for the project and GMF application.

The PUC Commission has already approved full support and financial commitment for this application and to this project at its regular Commission meeting held on September 18<sup>th</sup>, 2008.

Therefore, it is recommended that:

- The Municipality of Chatham-Kent Council support the Green Municipal Fund (GMF) – Wastewater Projects application for the Ridgeway Wastewater Treatment Plant Project and fully support and is financially committed to the project.
- The Mayor, Clerk and administration, be authorized to prepare and sign the necessary forms, declarations or resolutions necessary to accompany the GMF application.

## **COMMUNITY STRATEGIC PLAN**

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

A: Providing a Safe, Caring and Healthy Environment.

A2: Providing adequate infrastructure to support, enhance and sustain existing and future growth

C: Sustaining and Enhancing our Environmental Assets

C3: Establish standards for environmental excellence

## **Desired Outcomes/Proposed Activities**

- Improve the environment
- Improvements to sewage infrastructure system
- Provide increased economic and growth opportunities

## **CONSULTATION**

PUC staff have been involved in the preparation of this report through general discussions regarding GMF.

## **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from the recommendations of this report. Funding provided by GMF (Green Municipal Fund) for this wastewater project, will reduce impact on future wastewater rates for all Chatham-Kent wastewater customers.

Prepared by:

Reviewed by:

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Rob Bernardi, P. Eng.  
Facilities & Systems Manager  
Chatham-Kent PUC

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Jack Sonneveld  
Senior Level Advisor  
Chatham-Kent PUC

Reviewed by:

Reviewed by:

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Tom Kissner,  
General Manager  
Chatham-Kent PUC

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C. D. Weldon,  
Chief Administrative Officer

Councillor Robbins moved, Councillor Fluker seconded:

**“That**

- 1. The Municipality of Chatham-Kent Council support the Green Municipal Fund (GMF) – Wastewater Project application for the Ridgetown Wastewater Treatment Plant Project and fully support and is financially committed to the project.**
- 2. The Mayor, Clerk and administration, be authorized to prepare and sign the necessary forms, declarations or resolutions necessary to accompany the GMF application.”**

The Mayor put the Motion

**Motion Carried**

(c) Source Water Protection

**MUNICIPALITY OF CHATHAM-KENT**

**PUBLIC UTILITIES COMMISSION**

**TO:** Mayor and Members of Council

**FROM:** Tom Kissner  
General Manager  
Chatham-Kent Public Utilities Commission

**DATE:** September 22, 2008

**SUBJECT:** Source Water Protection

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**RECOMMENDATION:**

It is recommended:

1. That the Municipality of Chatham-Kent consents to perform the drinking water source protection work required under the Clean Water Act related to the following systems:

Groundwater Supply for the community of Highgate (Drinking Water System #260015587)

Groundwater Supply for the community of Ridgetown (Drinking Water System #220003369)

2. That the work including any data compiled while undertaking the drinking water source protection work, required by the Clean Water Act be shared with the Source Protection Committee so that it may be included in the Assessment Report for the Source Protection Area.
3. That the Municipality of Chatham-Kent will, for the systems identified in recommendation Number 1 and upon full funding approval from the Province, undertake all work related for the completion of tasks as outlined in the Thames-Sydenham and Region Terms of Reference.

## **BACKGROUND**

Protecting source waters from contaminants is a major priority in the protection of public health through ensuring a clean, safe drinking water supply. All drinking water sources are vulnerable to a variety of contaminants from a variety of activities. Our municipal water comes from lakes, rivers and underground sources. All of these sources can be linked in a watershed through the water cycle. Drinking water sources can be easily contaminated and long-term problems can develop that are costly or even impossible to correct.

Clean and plentiful water supplies are among the most important natural resources. As population grows and development increases, the challenge to maintain a high quality water supply becomes more complex. The protection of source areas for water is critical. It is for this reason that the Ontario Clean Water Act was passed in October, 2006.

The Clean Water Act applies primarily to municipal drinking water supplies and not to private well water systems. It will help prevent contamination before it poses a risk to human health. The Clean Water Act sets out a new process for source protection planning that requires collaboration among local municipalities, conservation authorities, provincial ministries, communities and stakeholders to identify and work to prevent source water contamination. Every community will be involved in developing an individualized plan to protect its drinking water.

### Actions to protect drinking water sources include:

- identifying threats to water quality and quantity;
- taking action on existing and potential threats; and
- involving the whole community in finding effective solutions.

### The Source Protection Process:

The source protection process will help inform governments, local authorities and residents about the risks to drinking water sources. This information will be used to make informed decisions about what activities to allow, as well as how to manage activities in vulnerable areas around a drinking water source.

The source protection planning process involves the following steps:

- establishing source protection authorities and source protection committees;
- preparing the terms of reference;
- mapping municipal wellhead protection areas and intake protection zones;
- assessing threats to determine whether they pose a negligible, low, moderate or significant risk; and,
- developing source protection plans that ensure significant risks to drinking water are managed so that they are no longer significant, and that moderate risks do not become significant.

**Source Water Protection Committees:**

Local source water protection committees will be responsible for preparing the terms of reference, the assessment report and the source protection plan. There have been opportunities for the public to participate in working groups that were established to tackle a particular issue or area of concern.

The terms of reference outline the steps to be taken to develop and implement a source protection plan. They set out roles and responsibilities of municipalities, source protection authorities, source protection committees and others. The terms of reference are prepared by the source protection committee and submitted for approval to the Ministry of the Environment by the source protection authority

The assessment report is a science based report developed locally for each source protection area. It identifies the risks to be addressed in source protection plans. It documents vulnerable areas, including present and future municipal groundwater and surface water sources, areas where large regional aquifers are being recharged, and aquifers that are vulnerable to contamination. It also involves measuring how much water exists, both at the surface and below ground, how it moves, and how much water is withdrawn, so that it identifies areas where there may be water shortages.

The source protection plan establishes policies on how significant drinking water threats will be reduced or eliminated, identifies who is responsible for taking action, sets timelines and describes how progress will be measured. Plans will build on work currently underway and will recognize or reinforce existing management practices that help protect source water quality and quantity.

**COMMENTS**

The Thames-Sydenham and Region ‘Draft Proposed Terms of Reference’ has been completed. The Terms of Reference documents describe work to be undertaken by the Source Protection Committee, Municipalities and Conservation Authorities to complete the Assessment Report and Source Protection Plans. It identifies tasks to be completed, leads for the tasks, estimated costs and estimated start and end dates for tasks. As well, the terms of reference contain work which has already been undertaken or in progress through Ministry of the Environment technical studies funding. Therefore council resolutions are required for any work shown in the terms of reference as having been lead by the Municipality, including that which has been completed or is in progress. The following table includes all work that the Municipality of Chatham-Kent will lead and has either been completed or is in progress.

Defined Geographic Area	Task	Estimated Start & End Date	Est. Cost
Ridgetown and Highgate well supply systems in the Lower Thames Valley SPA	Delineating and applying vulnerability scores to Well Head Protection Areas	April 1, 2006 to March 31, 2009	\$45,873
Defined Geographic Area	Task	Estimated Start & End Date	Est. Cost
Ridgetown and Highgate well supply	Identifying issues, inventorying threats and	April 1, 2006 to March 31, 2009	\$74,067

systems in the Lower Thames Valley SPA	assessing hazards in Well Head Protection Areas		
Ridgetown and Highgate well supply systems in the Lower Thames Valley SPA	Assess risk in Well Head Protection Areas	April 1, 2006 to June 30, 2009	\$89,967

Previous to the Clean Water Act being passed, Dillon Consulting Ltd. had been retained by the PUC to complete a hydrogeological study for the Ridgetown well system in order to finalize an Environmental Study Report for construction purposes. Because of Dillon's knowledge of the Ridgetown well system, they have been asked to complete the work that is listed in the terms of reference for both the Ridgetown and Highgate well systems, on behalf of the Municipality.

### **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.

### **Desired Outcomes/Proposed Activities**

- Increase user satisfaction.

### **CONSULTATIONS**

Chris Tasker, Source Protection Project Manager, Thames-Sydenham and Region Drinking Water Source Protection

### **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from the recommendation. The Province of Ontario has already provided \$110,000 in funding and will provide additional funding, most likely through the lead Conservation Authority, for the completion of tasks as outlined in the Clean Water Act, Source Water Protection Terms of Reference.

Prepared by:

Reviewed by:

\_\_\_\_\_  
Tom Kissner  
General Manager  
Chatham-Kent PUC

\_\_\_\_\_  
Jack Sonneveld  
Senior Level Advisor  
Chatham-Kent PUC

Reviewed by:

\_\_\_\_\_  
C. D. Weldon  
Chief Administration Officer

Councillor Parsons moved, Councillor Faas seconded:

**“That**

1. That the Municipality of Chatham-Kent consents to perform the drinking water source protection work required under the Clean Water Act related to the following systems:

**Groundwater Supply for the community of Highgate  
(Drinking Water System #260015587)**

**Groundwater Supply for the community of Ridgetown  
(Drinking Water System #220003369)**

2. That the work including any data compiled while undertaking the drinking water source protection work, required by the Clean Water Act be shared with the Source Protection Committee so that it may be included in the Assessment Report for the Source Protection Area.
3. That the Municipality of Chatham-Kent will, for the systems identified in recommendation Number 1 and upon full funding approval from the Province, undertake all work related for the completion of tasks as outlined in the Thames-Sydenham and Region Terms of Reference.”

Councillor Parsons stated that this concludes Phase 1 of the preparation of the Terms of Reference in the response of the Municipality and the Source Protection Committee whom has had various municipal and public forums, however he felt Council needs to learn about the process as we go through the next three to five years. Councillor Parsons requested that an invitation be extended to the Source Protection Committee staff to appear as a deputation to Council at a later date. He stated that this process was an outgrowth of the Clean Water Act and that was an outgrowth of the Walkerton tragedy and what this whole process is leading to is the protection of ground water and surface water sources for our municipal water system.

The Mayor put the Motion

**Motion Carried**

## **10. CORPORATE SERVICES**

Report from administration re:

- (a) Local Improvement Financing Program, Include a Forty Year Option

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CORPORATE SERVICES**

#### **FINANCIAL SERVICES**

**TO:** Mayor and Members of Council

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

**DATE:** June 10, 2008

**SUBJECT:** Local Improvement Financing Program  
Include a Forty Year Option

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### **RECOMMENDATION**

It is recommended that:

1. The forty year amortization period, with a ten year term option, be approved where the asset value being financed has a life expectancy of at least forty years and the amount financed is at least \$10,000.

## **BACKGROUND**

Chatham-Kent extends credit in the form of local improvement charges added to the annual tax levy, to individuals who receive benefit from a public work and do not obtain financing from conventional lenders.

The Municipality itself is limited, under section 408.(3) of the Municipal Act, to a maximum debt term of 40 years or the lifespan of the financed asset, whichever is less. Similar terms are extended on local improvements in the form of a program that offers 5, 10, 15 or 20 year financing. The 20 year maximum term is used because municipalities rarely borrow fixed rate, fixed term securities for a period beyond 20 years. Bank loans are limited to ten years and the debenture market usually 20 years. Certain provincial government sponsored loans may be longer. Council recently requested administration to consider local improvement financing terms of up to 40 years. This report will address this issue and the associated risk factors.

## **COMMENTS**

The current lending program began in 2001. Rates over 5, 10, 15 and 20 years increased from 8% to 10% dependent on loan length. These higher rates were established to encourage property owners to obtain conventional financing, to pay for municipal administration, to cover bad debts, and to compensate for rate risk.

By mid 2002, the municipal cost of borrowing had dropped modestly and Council wanted lower financing rates for property owners. Rates dropped to the range of 6% to 7.25%. However, since these rates approximate the cost of municipal conventional borrowing, an administration cost of \$3.35 per \$1,000 per year was added as a first year financing fee. For example, a \$5,000 loan over five years currently has an administration charge of \$83.75 (\$5 x 5 years x \$3.35). Also, not factored in was the risk of loan default. Each time a property vests to the Municipality through tax sale, the taxes (which include all locals) are written off. Since the PUC is required to recover its full costs, PUC related locals are charged back to its operations on a pro rata basis. Under the earlier, higher interest rate regimen, the Municipality had allocated a portion of the return to a doubtful account provision to cover these situations.

The last risk involves interest rate fluctuations. Finance attempts, whenever possible, to match the maturity of its third party loans against offsetting loans from financial institutions. While Municipal borrowing costs have changed over this time, they have done so modestly which allows us to maintain existing financing rates for local improvements. This approach has made the program predictable for the property owner as well as equitable between different projects over an extended period of time. However, interest rates can change quickly and dramatically. This is particularly true where financing extends beyond ten years.

It is not always possible to match maturities so the Municipality is exposed to the risk that its cost of borrowing will exceed its lending rates. A 40 year loan provides a good example. If the Municipality is borrowing for 5.75% over ten years and lending at a 40 year rate of 7.5%, there is an initial period profit. However, on renewal, the Municipal rate (10 years from now) could be 10%. Under this scenario, the 40 year loan is still 7.5%. The initial profit is intended to insulate the Municipality from the possibility of eventual loss. Existing rates are set at an appropriate rate level to account for interest rate risk. The PUC is not expected to cover rate risk costs and is not exposed.

A 40 year local improvement has only a limited additional risk from a Municipal perspective. The risk of non payment increases as does the interest rate risk. However, a quarter point (25 basis points) increase in interest rate over the twenty year rate reflects market realities and compensates for these risks adequately.

From a property owner’s perspective, there is only a modest reduction in overall payments despite a doubling of the loan term. At twenty years, half the payments are interest. At 40 years, two thirds of the annual payment represents interest. In the first year of a 40 year, \$1,000 loan, \$75 is interest; only \$4.40 is principal.

The existing program enables property owners to pay over 5, 10, 15 or 20 years or make a partial down payment and finance the balance.

Given the marginal reduction in annual payments associated with a 40 year local improvement financing term, it may be unlikely that property owners would choose this option over 20 years. However, it is administratively easy to provide for this option should Council consider it appropriate.

<b>The Cost of Financing a \$1,000 Local Improvement Over Selected Periods</b>						
<b>Interest Rate</b>	<b>Term in Years</b>	<b>Amount</b>	<b>Annual Payment</b>	<b>Total Paid</b>	<b>Admin Fee</b>	<b>Total Loan Cost</b>
6.00%	5	\$1,000	\$237.40	\$1,186.98	\$16.75	\$170.23
6.50%	10	\$1,000	\$139.10	\$1,391.05	\$33.50	\$357.55
7.00%	15	\$1,000	\$109.79	\$1,646.92	\$50.25	\$596.67
7.25%	20	\$1,000	\$96.23	\$1,924.70	\$67.00	\$857.70
7.50%	40	\$1,000	\$79.40	\$3,176.01	\$67.001	\$2,042.01

**Preferred Option**

6.50%	10 40 yr amortization	\$1,000	\$70.69	-	\$33.50	-
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A preferred option combines the cost structure of a 10 year loan term with the loan payment advantage of a 40 year amortization. The 10 year term, 40 year amortization option, transfers the interest rate risk to the borrower (property) and provides the opportunity to pay off all or any portion of the loan at 10 year intervals.

A topical local improvement in Bothwell costs an estimated \$15,500. With a 10 year term and a 40 year amortization, the costs of financing over the first 10 years would be as follows:

<b>Cost of Financing a \$15,500 Local Improvement Over 10 Years With A 40 Year Amortization</b>							
<b>Interest Rate</b>	<b>Term in years</b>	<b>Amount of loan</b>	<b>Annual Payment</b>	<b>Total Paid over 10 years</b>	<b>Admin Fee</b>	<b>Loan o/s at 10 years</b>	<b>Interest and Admin Fee Paid</b>
6.5%	10	\$15,500	\$1,096	\$10,957	\$519	\$14,310	\$10,286

<b>Standard 10 Year Term, 10 Year Amortization</b>							
6.5%	10	\$15,500	\$2,156	\$21,561	\$519	0	\$6,580

Annual payments under the 10 year term, 40 year amortization option, are \$1,060 per annum lower. More affordable perhaps, but there is still \$14,310 owing on the loan at the end of the 10 years that would be subject to refinancing at that time.

Administration of Loans

Chatham-Kent provides loans to assist individuals finance municipally sponsored infrastructure developments, water and sewer lines, and drainage works, where there is an identified benefit to private property. Administration may not offer longer terms where the loan period exceeds the expected life of the capital improvement. Further,

loans for smaller amounts are not encouraged due to the administrative costs associated with loan maintenance.

The loan program is self financing and, as such, operates in a manner similar to a bank. Administration fees are intended to cover internal costs and debenture charges. Additional fees are applicable where individuals change their financing options or wish to make extra payments.

Local improvement loans are treated like property taxes. When a property is sold, liability for the outstanding balance of the local improvement transfers automatically with the property title to the new owner.

Where property vests with the Municipality following the tax sale process, the balance of the local improvement charge is written off, along with all taxes owing.

## **COMMUNITY STRATEGIC PLAN**

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

B: Economy – We are a prosperous community

B1: Promote and market Chatham-Kent

### **Desired Outcomes/Proposed Activities**

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

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

## **CONSULTATION**

The PUC was consulted in the preparation of this report.

## **FINANCIAL IMPLICATIONS**

The Local Improvement Financing Program is intended to operate on a full cost recovery basis at no cost to the taxpayer. The practice by the PUC to cover waterline and sewer line bad debts from general rates may be modestly impacted by property owners opting for a 40 year repayment term.

Debentures and bank loans obtained by the Municipality on behalf of property owners to assist with financing local improvements are considered debt of the Municipality and affect the Municipal debt limit calculations.

Prepared by:

\_\_\_\_\_  
Stuart Wood, CMA  
Director, Financial Services/Treasure

Reviewed by:

\_\_\_\_\_  
Gerry Wolting, B. Math, C.A.  
General Manager,  
Corporate Services

Reviewed by:

\_\_\_\_\_  
C.D. Weldon  
Chief Administrative Officer

Councillor Vercouteren moved, Councillor Weaver seconded:

**“That the forty year amortization period, with a term option, be approved where the asset value being financed has a life expectancy of at least forty years and the amount financed is at least \$10,000.”**

The Mayor put the Motion

**Motion Carried**

## **11. INFRASTRUCTURE AND ENGINEERING SERVICES**

- (a) Notice of Motion – Councillor Weaver re Active Communities Committee Funding Allocation Request

Councillor Weaver moved, Councillor Herman seconded:

**“That the request of the Active Communities Committee for \$2 million of the recently announced infrastructure funding be allocated to develop projects within Chatham-Kent. This request is to be considered when developing recommendations to Council for the allocation of the infrastructure funds.”**

Councillor Weaver emphasized that Council is not allocating \$2 million dollars to these efforts. The balance of the monies is to be prioritized and Council will make the decision as to what the money will be spent on. Councillor Weaver requested that administration include this as one of the items to be considered. He stated that Council formed this committee to establish needs of the community and feels it has grabbed the interest of the community.

Councillor Pinsonneault felt that it is a nice to do thing rather than a must do thing, however, with looking at the list of bridges that need to be repaired, he felt the money could be spent somewhere else and putting the money there, it will be taking money out of the fund that will fix our bridges and therefore he will not be supporting this motion.

Councillor Gilbert asked for clarification on the process. She asked if a criteria will be established, when will the report come and will it be prior to the budget or part of the budget process.

Mr. Weldon stated that they are presently developing criteria to rank projects they are aware of, that have been brought to their attention and stated administration will be bringing back recommendations pre-budget, within two months.

Councillor Crew was concerned with the process also. She felt that Council needs to make Chatham-Kent safe and healthy with bike trails within the community. She hoped that Council will use the \$10 million dollars wisely, investing in active transportation, which is a good community investment for all members of the community.

Councillor Stirling stated that he hoped that the Bothwell Sewer Project is kept high on the list of priority projects for infrastructure and be considered for a significant portion of the money rather than pet projects.

Councillor Robbins stated that back in November 2005 a recommendation was passed by Council to search out the feasibility of indoor tennis courts. He stated that there is a large number of citizens in Chatham-Kent that would assist in helping with such a project. He was hoping that this be considered a possibility of receiving some of these monies

The Mayor put the Motion

**Motion Carried**

## **12. CHIEF ADMINISTRATIVE OFFICE**

(a) Membership in the South West Economic Alliance (SWEA)

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CHIEF ADMINISTRATIVE OFFICER**

#### **ECONOMIC DEVELOPMENT SERVICES**

**TO:** Mayor and Members of Council

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

**DATE:** September 15, 2008

**SUBJECT:** Membership in the South West Economic Alliance (SWEA)

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#### **RECOMMENDATIONS:**

It is recommended that:

1. Chatham-Kent become a member of SWEA for an initial annual fee of \$10,000.
2. That the initial fee be funded by the Reserve for Strategic Development.
3. Five voting members be appointed by Council to represent Chatham-Kent in SWEA affairs:
  - a) three members of Council
  - b) the Chief Administrative Officer
  - c) the Director of Economic Development.

#### **BACKGROUND:**

At its meeting of March 5, 2007, Council considered a report from Economic Development Services to support the concept of a South West Economic Alliance. The report and minutes of that meeting are attached as Appendix A.

The following excerpts from SWEA's website outline what the organization represents and what it is set to accomplish:

##### **The Region:**

The Southwest is a complex region bounded by the Great Lakes, the Greater Toronto Area to the East and the United States to the South. We are rich in resources and are the NAFTA corridor linking Canada's heartland and NAFTA markets in the United States and Mexico. Our region's current economic strengths include manufacturing, information technology, food production and processing, health, education, tourism and culture.

##### **Mission:**

The mission of the Southwest Economic Assembly (SWEA) is to build Ontario's economy in the Southwest through strong regional leadership and cooperation.

Our supporters believe the region's businesses, communities, municipalities, and public sector institutions can achieve more by working together than they could ever achieve individually. By developing a highly motivated, highly organized economic area, our region will be in a better position to seize opportunities, attract private and public investment, improve public policy and strengthen the conditions that generate economic growth and prosperity.

**Objectives:**

SWEA's objectives reflect the work of the private and public sector leaders who attended the Assembly's founding meeting in May 2006. The Assembly will:

- a) Promote regional economic cooperation
- b) Celebrate regional economic successes
- c) Identify where economic cooperation will pay dividends
- d) Signal the benefits for improved cooperation among key sectors of the economy
- e) Outline the challenges to enhanced productivity
- f) Recognize the political challenges
- g) Produce a regional economic information base

**The Economy of the Southwest:**

While it is common to present economic statistics on a national, provincial or municipal basis, business activity usually occurs within regions that do not necessarily conform to these political boundaries. The following provides a brief summary of the Southwest's economy.

**Location:**

We are close to markets totalling more than 150 million people in Ontario and the northeastern United States, including major centres such as the Greater Toronto Area, the Buffalo region and the Greater Detroit area. Ottawa, Albany, Pittsburgh and Chicago are less than a day's drive away. Road, air, rail and waterways facilitate the easy movement of goods and people. Highways 401, 402 and 403 anchor a comprehensive network of provincial highways and county roads, linking communities to the NAFTA community. Regional airports in Waterloo, Windsor, and London and Sarnia provide scheduled service to cities in Canada, while Waterloo, Windsor and London also have services to the United States and the Caribbean, with connecting flights to major centres around the globe. An extensive rail network and busy marine ports on Lake Erie, Lake Huron and Georgian Bay provide further access to the Southwest. Population The region's 2.3 million residents represent more than 20% of Ontario's population and almost 8% of Canada's population. Its population is larger than all of the Atlantic Provinces, Saskatchewan and Manitoba, and household incomes exceed the national average.

**Prominent Economic Sectors:**

Our diverse economy is led by manufacturing, trade and agriculture, while tourism and culture play a significant role. It is Canada's automotive region, producing more than 35% of all vehicles manufactured in the country. It is home to some of the best agricultural land in North America, more than 60% of which is dedicated to oilseed, grain or cattle farming. Research and development intensive organizations and businesses employ nearly 20% of all people working in large firms. Tourism and culture employ an additional 10%, with internationally renowned attractions such as the Stratford and Shaw festivals and popular casinos in Windsor and Niagara Falls.

**Healthcare and Education:**

The Southwest is particularly well served by healthcare and education infrastructure. World class hospitals, clinics and research institutions provide treatment and services to hundreds of thousands of patients per year. In addition, it is home to some of Canada's most respected post secondary institutions. Universities are Wilfrid Laurier, Windsor, Waterloo, Guelph and Western. Publicly funded colleges are Conestoga, Fanshawe, Lambton, Georgian, St. Clair, and Ridgetown.

**Energy Supply and Utility Services:**

From the wind farms along Lake Huron, Lake Erie, and Georgian Bay to the Bruce Nuclear Plant, and to our natural gas, coal and hydro plants, the region's capacity to generate and transmit power is immense. Furthermore, our communities share some of the most modern and extensive water systems in Canada.

**COMMENTS:**

Administration continues to support the necessity of a regional approach to global economic development issues. That does not diminish the need for a Chatham-Kent Economic Development Team since the goal of SWEA is to attract investment interest to the region and then have the region's municipalities compete for the location of that investment within the region.

As outlined in the letter from the Minister of Economic Development & Trade attached as Appendix C, Western Ontario needs an organized umbrella organization in order to tap into the type of resources made available to Eastern Ontario. SWEA is being developed to be that umbrella organization.

SWEA recently received Provincial funding in the amount of \$300,000 to accomplish the following:

- a) development of an operating plan
- b) marketing and regional branding
- c) research to help plan for the future.

This funding gives SWEA the resources required to move forward.

Attached as Appendix B is correspondence received from SWEA's interim Board of Directors. It outlines in detail the interim governance model and corresponding fees.

SWEA is holding its third annual conference on September 24 and 25, 2008. In order to participate as a voting member at this conference, Chatham-Kent must have applied for membership and appointed five voting members. The membership application has been forwarded conditional on Council approval.

**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 Chief Administrative Officer and Acting Director of Economic Development were consulted on the development of this report and agree with the recommendations.

**FINANCIAL IMPLICATIONS:**

The initial annual fee determined by the interim Board of Directors is \$10,000. Ongoing funding and membership requirements will be reviewed by the new Board of Directors which will be put in place in the near future. Ongoing membership requirements, once determined, will be considered during the annual budget process.

Prepared by:

Reviewed by:

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

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C.D. Weldon  
Chief Administrative Officer

Councillor Crew moved, Councillor Vercouteren seconded:

**“That**

- 1. Chatham-Kent become a member of SWEA for an initial annual fee of \$10,000.**
- 2. That the initial fee be funded by the Reserve for Strategic Development.**
- 3. Five voting members be appointed by Council to represent Chatham-Kent in SWEA affairs:**
  - a) Councillors Gilbert, Parsons, Fluker**
  - b) the Chief Administrative Officer**
  - c) the Director of Economic Development”**

Councillor Gilbert felt that five voting delegates were required at the Conference in Sarnia.

Councillor Herman asked administration if the commitment would be a long term commitment not just a conference.

Aileen Murray from Economic Development stated that this is the first full Annual General Meeting with the structure being in place for a period of time and the voting members will be voting on what the structure ends up looking like. The membership fee of \$10,000.00 will cover the Municipality for the first year. She stated that SWEA do a number of things including the lobbying on behalf of the whole region at the Provincial level for issues with an economic impact

The Mayor put the Motion.

**Motion Carried**

### **13. CLOSED SESSION**

#### **COUNCIL CLOSED SESSION REPORT September 15<sup>th</sup> 2008**

In attendance: Councillor Robbins, Chair, Mayor Randy Hope, Councillors Crew, Faas, Fluker, Herman, King, McGregor, Parsons, Pinsonneault, Stirling, Sulman, Vercouteren, Weaver.

Not in attendance: Councillors Brown, Clarke, Gilbert and Pickard

A disclosure of pecuniary interest was declared by Councillor McGregor on potential land exchange with Hydro One Network Incorporated, due to a client.

During Closed Session of September 15, 2008, Council would report the following for approval:

1. Council receive the Chatham-Kent Energy Inc. 2008 Business Plan as presented.
2. Council direct administration to start discussions with Hydro One with respect to property within the Municipality of Chatham-Kent.
3. That Council appoint Mark Spencer to the Committee of Adjustment for the remainder of the current term to fill a vacancy.

Councillor Robbins moved, Councillor Vercooteren seconded:

**“That the September 15, 2008 Closed Session Report be received as given.”**

The Mayor put the Motion

**Motion Carried**

### **COUNCIL CLOSED SESSION REPORT September 22, 2008**

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

Not in attendance: Councillor Brown

A disclosure of pecuniary interest was declared by Councillor Sulman on the CSX Transportation Rail Line, being clients of his law firm.

A disclosure of pecuniary interest was declared by Councillor McGregor on the CSX Transportation Chatham/Wallaceburg Rail Line, as he owns abutting property.

During Closed Session of September 22, 2008, Council would report the following for approval:

1. Council received legal advise on the photocopier Request for Proposal
2. Council received information with respect to CSX Rail Line, instructed staff in accordance with a Closed Session recommendation
3. Council received legal advise prior to the report on Bothwell Sanitary Sewers
4. Assessment By-law be addressed in open Council
5. The Mayor and Clerk be authorized to execute the employment agreement with Robert J. Browning for the position of Chief Administrative Officer.

Councillor Robbins moved, Councillor Crew seconded:

**“That the September 22, 2008 Closed Session Report be received as given.”**

The Mayor put the Motion

**Motion Carried**

## **14. READING OF BY-LAWS**

The Municipal Clerk requested permission to add the By-law with regard to holiday openings in Chatham-Kent as amended and that a By-law to appoint Robert J. Browning to the position of Chief Administrative Officer for the Corporation of the Municipality of Chatham-Kent be added.

Councillor Sulman asked for permission to discuss paragraph #3 of the By-law to appoint Robert J. Browning to the position of Chief Administrative Officer for the Corporation of the Municipality of Chatham-Kent.

Mr. Weldon stated that if the discussion is with regard to discussion of the individual, it should be discussed in Closed Session.

### **(a) FIRST READING**

Councillor Herman moved, Councillor Crew seconded:

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

Councillor Sulman expressed concern with section three of the appointment by-law. He questioned the process for discussing this. The Chief Administrative Officer explained that if the discussion pertains to the by-law in general then it can be held in chambers; however if the discussion is in regards to the appointee, then the discussion should take place in closed session.

Councillor Weaver felt that paragraph three of the by-law is general enough to be discussed in open session.

Councillor Sulman felt that there is a conflict between sections three and four of the by-laws and also in conflict with a current municipal policy that restricts the control of the CAO over employees grade thirteen and above. The Director of Legal Services did not feel any changes to the by-law were necessary.

The Municipal Clerk read Section 229 of the Municipal Act that describes the responsibilities of the Chief Administrative Officer.

Councillor Sulman moved, Councillor Vercoouteren seconded:

**“That Section #3 of By-law Number 236-2008 be amended to remove the words “full control” and replace them with “general control”.**

Councillor Weaver sought clarification on employees with statutory duties.

The Mayor put the Amendment

**Amendment Defeated**

The Mayor put the Motion

**Motion Carried**

### **(b) SECOND READING**

- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Foxton Drain –Nicholson Culvert (Community of Raleigh) FIRST AND SECOND READING ONLY
- iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Boyle Drain – Harris Culvert (Community of Dover) FIRST AND SECOND READING ONLY
- iv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Townline Drain – Tecumseh Line Bridge (Community of Raleigh) FIRST AND SECOND READING ONLY
- v. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Collop Drain – Marsh Line Wind Farm (Community of Dover) FIRST AND SECOND READING ONLY
- vi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Collop Drain Branch No. 1 – Marsh Line Wind Farm (Community of Dover) FIRST AND SECOND READING ONLY
- vii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Beaver Creek Drain – Bisnett Line Wind Farm (Community of Harwich) FIRST AND SECOND READING ONLY
- viii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Beaver Creek Drain Branch No. 2 – Bisnett Line Wind Farm (Community of Harwich) FIRST AND SECOND READING ONLY
- ix. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Coll Drain – Front Line Wind Farm (Community of Howard) FIRST AND SECOND READING ONLY
- x. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Holdaway Drain Branch A – Bisnett Line Wind Farm (Community of Harwich) FIRST AND SECOND READING ONLY

Councillor Herman moved, Councillor Crew seconded:

**“That the By-laws be taken as read for the second 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**

- xi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Highway No. 2 Drain (Community of Camden) THIRD AND FINAL READING
- xii. By-law to appoint Robert J. Browning to the position of Chief Administrative Officer for the Corporation of the Municipality of Chatham-Kent

- xiii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Terry Mechanical Drain – Blair/Maramarsh Ltd. & Pinsonneault Culverts (Community of Dover) THIRD AND FINAL READING
- xiv. By-law to provide for holiday openings within the Municipality of Chatham-Kent
- xv. By-law to authorize the construction of a sanitary sewer works and the imposition of a sanitary charge for the payment of the capital cost of the construction of such sewer works (Bothwell Sanitary Sewer Project)
- xvi. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 22<sup>nd</sup> day of September, 2008

Councillor King moved, Councillor Clarke seconded:

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

The Mayor put the Motion.

**Motion Carried**

## **15. APPROVAL OF COMMUNICATION ITEMS**

- (a) Approval of the September 22, 2008 Council Information Package

Councillor Pickard moved, Councillor Faas seconded:

**“That the September 22, 2008 Council Information Package be approved.”**

Councillor Brown referred to Item #2(j) – Letter from John Tomecek, a resident of Chatham-Kent to Mayor and Council dated September 11, 2008 re request to pass a resolution stating all public Meetings be open-mic sessions. He asked that the letter be referred to the Budget Committee.

The Mayor put the Motion

**Motion Carried**

Councillor Brown moved, Councillor Pickard seconded:

**“That the letter from John Tomecek be referred to the Budget Committee”.**

The Mayor put the Motion

**Motion Carried**

Councillor Gilbert referred to Item #1(c) – Letter from D. D. Weldon, Chief Administrative Officer to the Park Street Centre for the Advancement of Arts and Culture, c/o Brian Chute dated September 12, 2008 re request to appear as a deputation.

Councillor Gilbert asked that the letter be referred to the Heritage Committee.

Councillor Gilbert moved, Councillor Crew seconded:

**“That the letter from the Park Street Centre for the Advancement of Art, be**

**referred to the Heritage Committee”.**

The Mayor put the Motion

**Motion Carried**

Councillor Herman referred to Item 2(e) – Letter from Donna Cansfield, Minister of Natural Resources to Mayor Randy Hope dated September 5, 2008 re Interpretive Centre at Rondeau Provincial Park and Possible Rezoning of lands at Southwest Regional Centre. She asked if Mayor Hope has received any other new information regarding this issue. The Mayor said that the Ministers were just re-appointed on Thursday and we do not need a letter to re-affirm.

Councillor Parsons referred to Item # 3(d) - Resolution from the City of Orillia dated August 15, 2008 re continued use of coal generation in Ontario. Councillor Parsons stated that one of the four coal generated plants is located outside the Municipality of Chatham-Kent but within the impact zone that affects residents of North Chatham-Kent. He asked that the matter be referred to administration for impact analysis associated with it.

Councillor Parsons moved, Councillor McGregor seconded:

**“That the letter be referred to administration for an impact analysis associated with the closure of this plant.”**

The Mayor put the Motion

**Motion Carried**

Councillor Weaver referred to Item #1(a) – Letter to Michigan Sugar Canada Limited from Wayne Pollock, Director, Public Works North dated September 11, 2008 re Letter of Understanding – Direct Load, Sugar Beats. He thanked Mr. Wayne Pollock and administration for pointing out the willingness of administration to work with the sugar beat producers, making their harvest much safer and more profitable, recognizing the needs of the agricultural community.

## **16. NON-AGENDA BUSINESS**

- (a) Response to Council Inquiries
  - (i) RFP Regarding Photocopiers

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CORPORATE SERVICES**

#### **INFORMATION REPORT**

**TO:** Mayor and Members of Council

**FROM:** Gerry Wolting, B.Math., CA  
General Manager, Corporate Services

**DATE:** September 15, 2008

**SUBJECT:** RFP Regarding Photocopiers

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This report is for the information of Council.

**BACKGROUND:**

At its meeting of August 18, 2008, Council considered a report from Information Technology Services regarding the award of an RFP for photocopier services. The report is attached as Appendix A. The decision of Council was to award the RFP to Maple City Office Equipment Ltd.

Subsequent to Council's decision, correspondence has been received from Xerox Global Services regarding legal concerns on this decision.

**COMMENTS:**

Council discussed the legal issues of awarding this RFP during the closed session meetings of August 18 and September 8. The most recent correspondence received will be placed on the closed session agenda of September 22.

At the September 8 closed session meeting, Council directed administration to place this item on the open session agenda of September 22, 2008. This report is meant to satisfy that request.

As Council has already made a decision on this matter, it will require a two-thirds vote to bring this matter back up for discussion. Vendors have been notified to take no action on the RFP until signed contracts are in place.

**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 Executive Management Team was consulted on the development of this report.

**FINANCIAL IMPLICATIONS:**

The financial impact is as outlined in Appendix A and discussed in closed session.

Prepared by:

Reviewed by:

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

\_\_\_\_\_  
C.D. Weldon  
Chief Administrative Officer

Councillor King moved, Councillor Crew seconded:

**“That Council conduct a two-thirds vote in order for this matter to be discussed.”**

Councillor Fluker asked for a recorded vote.

The Mayor put the Motion

<b>Councillor</b>	<b>Yes</b>	<b>No</b>
Brown		<b>X</b>
Clarke	<b>X</b>	
Crew	<b>X</b>	
Faas	<b>X</b>	
Fluker	<b>X</b>	
Gilbert	<b>X</b>	
Herman		<b>X</b>
King	<b>X</b>	
McGregor	<b>X</b>	
Parsons		<b>X</b>
Pickard	<b>X</b>	
Pinsonneault		<b>X</b>
Robbins		<b>X</b>
Stirling	<b>X</b>	
Sulman	<b>X</b>	
Vercouteren		<b>X</b>
Weaver	<b>X</b>	
Mayor Hope	<b>X</b>	
<b>Total</b>	<b>12</b>	<b>6</b>

**Motion Carried**

Councillor Weaver moved, Councillor Stirling seconded:

“That

- 1. Xerox Global Services be contracted to provide digital photocopies for a term of five years.**
- 2. That the Mayor and Clerk be authorized to sign the necessary agreements.**
- 3. The estimated annual savings of \$35,000 be allocated to the ITS lifecycle categories, be approved.”**

Councillor Weaver felt that Council has learned to adhere to our RFP protocol and that some of the rational regarding local component of the Xerox supplier was lost in the communication. In political life, when we make an error, we recognize the error, rectify the error and move on.

Councillor Parsons felt it was fair to say that there was a lot of information, not on public record, that Council is being guided by, which would explain the decision of Council.

Councillor Robbins stated that his decision was based on knowledge and his knowledge of the Request for Proposal was that they were not binding. He felt that even though administration comes up with a system and give points for certain items, it is still somewhat subjective. He feels that the Request for Proposals are still a bit cloudy and would prefer to have tenders which are more straight forward rather than Request for Proposals.

Councillor Sulman stated that he felt that it was the legal advise given to Council which changed their decision.

The Mayor put the Motion

**Motion Carried**

Councillor Pickard moved, Councillor Crew seconded:

**“That the meeting be extended for 10 minutes.”**

The Mayor put the Motion

**Motion Carried**

(b) Other Non-Agenda Business

Councillor Brown received numerous complaints and calls from residents stating that they were turned away on Hazardous Waste Day in Blenheim Saturday, September 20<sup>th</sup>, saying they were full. Councillor Brown requested information from administration regarding this matter and whether or not residents will have to wait another year to get rid of their hazardous wastes.

Mayor Hope requested administration to bring back a report regarding Environmental Days in our communities.

Councillor Pickard, Co-Chair of the United Way Campaign invited everyone to attend the United Way Kick-Off Campaign BBQ being held on Friday, September 26<sup>th</sup> on the Civic Centre Patio.

Councillor Sulman received an email from Gloria Keith the mother of Brian Keith who is serving his first tour in Afghanistan with our Canadian forces. She received an email from her son requesting a Municipal Flag. His commanding officer has given them permission to fly their hometown flag for the duration of their tour. She requested how she would attain a flag. Her son will be celebrating his 25<sup>th</sup> birthday in Afghanistan and attended St. Joseph's School, The Pines and St. Clair College in Chatham. He felt that it would be a nice thing to do.

Mayor Hope asked that Councillor Sulman forward the email to his Executive Assistant for action.

Councillor Crew extended congratulation to the Zonta Club who are celebrating 60 years of service to Chatham-Kent. They advocate for women in Chatham-Kent and worldwide.

Councillor Herman stated that Chatham-Kent received a prestigious Award of 5 Blooms from Communities in Bloom and on behalf of Chatham-Kent Council she congratulated everyone in Chatham-Kent for their hard work.

## **17. RESOLUTION COUNCIL IN CLOSED SESSION & ADJOURNMENT**

Councillor Robbins moved, Councillor Stirling seconded:

That Chatham-Kent Council adjourn to its next Meeting to be held at 6:00 p.m. on **Monday October 6, 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 10:10 pm

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Mayor Randy R. Hope

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Clerk Elinor Mifflin