

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

April 25, 2017

A meeting of Prince Edward County Council was held on April 25, 2017 at 7:00 p.m. in the Council Chambers, Shire Hall with the following members present:

Mayor	Robert L. Quaiff
Ward 1 (Picton) Councillor	Lenny Epstein
Ward 1 (Picton) Councillor	Treat Hull
Ward 2 (Bloomfield) Councillor	Barry Turpin
Ward 3 (Wellington) Councillor	Jim Dunlop
Ward 4 (Ameliasburgh) Councillor	Janice Maynard
Ward 4 (Ameliasburgh) Councillor	Dianne O'Brien
Ward 4 (Ameliasburgh) Councillor	Roy Pennell
Ward 5 (Athol) Councillor	Jamie Forrester
Ward 6 (Hallowell) Councillor	Gordon Fox
Ward 6 (Hallowell) Councillor	Brad Nieman
Ward 7 (Hillier) Councillor	Steven Graham
Ward 8 (North Marysburgh) Councillor	David Harrison
Ward 9 (South Marysburgh) Councillor	Steve Ferguson
Ward 10 (Sophiasburgh) Councillor	Kevin Gale
Ward 10 (Sophiasburgh) Councillor	Bill Roberts

Staff Present:

Chief Administrative Officer	James Hepburn
Commissioner of Engineering, Development and Works	Robert McAuley
Director of Community Development	Neil Carbone
Deputy Clerk	Laura McMahon

**1. Call to Order**

The meeting was called to order at 7:00 p.m. by the Mayor.

**2. Confirmation of Agenda**

2.1 Motion to Confirm the Agenda

**Motion 2017-135**

Moved by Councillor Dunlop  
Seconded by Councillor Forrester

**THAT the Agenda for the Council meeting of April 25, 2017 be confirmed.  
CARRIED**

**3. Disclosure of Pecuniary Interest and the General Nature Thereof**

- 3.1 Mayor Quaiff declared a pecuniary interest with agenda items 5.1 and 8.3 as they relate to the Minutes of the previous Council meeting regarding the Picton Splash Pad, and to a staff report regarding the Picton Splash Pad. Mayor Quaiff's spouse is leading the effort for the Splash Pad Committee. Mayor Quaiff did not take part in the discussion or vote on these matters.

**4. Announcements**

The Mayor asked for one minute of silence in respect of the passing of a family member related to a Councillor.

**5. Adoption of Minutes**

- 5.1 Council Minutes from the meeting held on April 11, 2017

Mayor Quaiff did not take part in the discussion or vote on this item.

**Motion 2017-136**

Moved by Councillor O'Brien  
Seconded by Councillor Fox

**THAT the Council Minutes from the meeting held on April 11, 2017 be adopted as presented.**

**CARRIED**

**6. Deputations - None**

**7. Comments from the Audience (on items on the agenda)**

- 7.1 Shawn Cowan addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.
- 7.2 Joe Surman addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.
- 7.3 Brenda Conley addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.
- 7.4 Marlene Surman addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.

- 7.5 Steve Conley addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.
- 7.6 Barry Hudgin addressed Committee regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach.

**Motion 2017-137**

Moved by Councillor Nieman  
Seconded by Councillor Roberts

**THAT the comments by Shawn Cowan, Joe Surman, Brenda Conley, Marlene Surman, Steve Conley and Barry Hudgin regarding agenda item 9.1 Motion CW-138-2017 as contained in the April 13, 2017 Committee of the Whole report as it relates to a Potential Historic Right of Way to Outlet Beach be received.**

**CARRIED**

**8. Items for Consideration**

- 8.1 Report of the Corporate Services and Finance Commission dated April 25, 2017 regarding the Long-Term Care Home Service Accountability Amending Agreement

**Motion 2017-138**

Moved by Councillor Turpin  
Seconded by Councillor Graham

**THAT the report of the Corporate Services and Finance Commission dated April 25, 2017 regarding the Long-Term Care Home Service Accountability Amending Agreement be received; and**

**THAT the By-law listed on this agenda to authorize the Mayor and the Chief Administrative Officer to sign the 2017-2018 L-SAA Amending Agreement to the Long-Term Home Service Accountability Agreement adopted by By-law 3725-2016 be enacted.**

**CARRIED**

- 8.2 Report of the Community Development Department dated April 25, 2017 regarding the Public Transit Infrastructure Fund (PTIF) Payment Transfer Agreement (Refer to By-law 10.1.5 with Agreement)

**Motion 2017-139**

Moved by Councillor Roberts  
Seconded by Councillor Epstein

**THAT the report of the Community Development Department dated April 25, 2017 regarding the Public Transit Infrastructure Fund (PTIF) Payment Transfer Agreement be received; and**

**THAT the By-law listed on this agenda to authorize the Mayor and the Clerk to sign the PTIF Payment Transfer Agreement between The Corporation of the County of Prince Edward and Her Majesty in right of Ontario as represented by the Minister of Transportation for Ontario be enacted.**

**CARRIED**

The Mayor left the chair at this time.

Councillor Pennell, Acting Mayor for April, assumed the Chair at this time as Mayor Quaiff declared a pecuniary interest with this item earlier in the meeting.

- 8.3 Report of the Corporate Services and Finance Commission dated April 25, 2017 regarding Request for Purchase of Splash Pad Equipment

**Motion 2017-140**

Moved by Councillor Epstein  
Seconded by Councillor Roberts

**THAT the report of the Corporate Services and Finance Commission dated April 25, 2017 regarding Request for Purchase and Installation of Splash Pad Equipment be received; and**

**THAT Council direct staff to issue a purchase order to ABC Recreation Ltd. for the purchase and installation of Splash Pad Equipment in the amount of \$153,427.50 plus HST.**

**CARRIED**

Mayor Quaiff returned to the meeting at this time and resumed the Chair.

**9. Committee Reports**

- 9.1 Report of the Committee of the Whole from the meeting held on April 13, 2017

**Motion 2017-141**

Moved by Councillor Hull  
Seconded by Councillor Harrison

**THAT the Report of the Committee of the Whole from the meeting held on April 11, 2017 be adopted as presented, with the exception of Motions CW-138-2017, CW-133-2017 and CW-136-2017.**

**CARRIED**

**Motion 2017-142**

Moved by Councillor Hull  
Seconded by Councillor Harrison

**THAT the following Motion CW-138-2017 from the Committee of the Whole meeting held on April 11, 2017 be approved:**

**THAT the report of the Engineering, Development and Works Commission dated March 30, 2017 regarding the Potential Historic Right of Way to Outlet Beach be received; and**

**THAT staff be directed to take all steps to extinguish any remaining claim and interest in the old public road or right of way between County Road 18 and Outlet Beach over the Conley lands (PIN 55052-0113).**

Prior to voting on **Motion 2017-142**, the following **Deferral Motion** was put forward:

**Deferral Motion 2017-143**

Moved by Councillor Gale  
Seconded by Councillor Forrester

**THAT the report of the Engineering, Development and Works Commission dated March 30, 2017, 2017 regarding the Potential Historic Right of Way to Outlet Beach be deferred to a future meeting for consideration.**

**CARRIED**

**Motion 2017-144**

Moved by Councillor Hull  
Seconded by Councillor Harrison

**THAT the following Motion CW-133-2017 from the Committee of the Whole meeting held on April 11, 2017 be approved:**

**THAT the report of the Community and Economic Development Commission dated March 30, 2017 regarding the Picton Harbour Development Vision be received; and**

**THAT Council approves the Picton Harbour Development Vision as a guide for the future development of Picton Harbour.**

Councillor Maynard requested a Recorded Vote on **Motion 2017-144.**

Name	In Favour	Opposed
MAYNARD, Janice		X
NIEMAN, Brad		X
O'BRIEN, Dianne	X	
PENNELL, Roy		X
ROBERTS, Bill	X	
TURPIN, Barry	X	
DUNLOP, Jim	X	
EPSTEIN, Lenny	X	
FERGUSON, Steve	X	
FORRESTER, Jamie	X	
FOX, Gordon	X	
GALE, Kevin	X	
GRAHAM, Steve	X	
HARRISON, David		X
HULL, Treat	X	
QUAIFF, Mayor Robert L.	X	
Total	12	4

**CARRIED**

**Motion 2017-145**

Moved by Councillor Hull  
 Seconded by Councillor Harrison

**THAT the following Motion CW-136-2017 from the Committee of the Whole meeting held on April 11, 2017 be approved:**

**THAT the report of the Corporate Services and Finance Commission dated March 30, 2017 regarding Procedural By-law Updates be received; and**

**THAT Procedure By-law 3748-2016 be amended as follows:**

1. **THAT Part 1 - DEFINITIONS be amended to include the following three new definitions:**
  - a. **“Commission” means the Community Economic and Development Commission as established under Section 196 of the Municipal Act as a Local Board;**
  - b. **“Contrary” means opposite in nature, direction or meaning;**
  - c. **“Matter” means a subject or situation under consideration; and**

**THAT the balance of the definitions be renumbered accordingly.**

2. **THAT Section 4.3 Regular Council Meetings, Subsection 4.3(1) be amended by deleting the words “ “except that only one regular Council meeting shall be held in February on the second Tuesday of the month”; and**

**THAT Section 4.6 Regular Committee of the Whole Meetings, Subsection 4.6(1) be amended by deleting the word “February”.**

3. **THAT Section 5.2 - Quorum, Subsection 5.2(2) be amended by deleting the words “one half hour” and replaced with the words “fifteen (15) minutes”.**
4. **THAT Section 5.10 - Communications and Petitions, Subsection (3)(i) be amended to reference that communications received be “included on the Information Item listing which is” circulated “bi-weekly”, and include “Non-Union Management staff.**

5. **THAT Section 5.15 - Deputations, Subsection (6)(a) be amended as follows:**

**5.15(6)(a) to include the words “or Councillor requested matter included” on the agenda “under Items for Consideration”, and delete the words “without comment”.**

6. **THAT Section 8.3 - Items for Consideration be amended to include the following new section:**

- (1) **Under Items for Consideration, Committee shall consider:**
- i. Staff reports and matters from previous Committee of the Whole meetings; and**
  - ii. Matter(s) requested to be placed on the agenda by a Member of Council in accordance with Section 5.11(1).**

7. **THAT Section 10.5 - Rules of Procedure Respecting Reconsideration of a Matter be repealed in its entirety and replaced with the following new clauses:**

- “(1) Reconsideration at the same meeting:**
- must be made by a member who voted with the majority of the original motion, or if in the opinion of the Chair, there was a clear misunderstanding of the question,**
  - requires a majority vote, and**
  - can only be made only once per meeting.**

- (2) Reconsideration occurring within the next four regular meetings of Council at which the matter was decided either in the affirmative or the negative:**
- may be made by any member of Council; and**
  - requires a 2/3 majority vote.**

- (3) **Reconsideration after four regular meetings of Council have occurred at which the matter was decided either in the affirmative or the negative:**
- **may be made by any member of Council; and**
  - **requires a majority vote.**
- (4) **If a matter is put forward for reconsideration under sections (1), (2) or (3) above, prior to any motion related to the matter or debate, a motion to reconsider the matter shall be placed on the agenda and decided.**
- (5) **No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion to reconsider may make a brief and concise statement outlining the reasons for proposing such reconsideration.**
- (6) **No motion shall be reconsidered by Committee or Council more than once during a period of twelve months following the date on which the question was decided either in the affirmative or the negative.**
- (7) **Section 10.5 does not apply when a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.**
8. **THAT Section 11.2 – Committees of Council, Section 11.2(7) as it relates to Council members appointed to a Committee, be amended by deleting the words “but do not affect quorum” and inserting the words “and form part of the members quorum”.**

Prior to voting on **Motion 2017-145** the following **Amending Motion** was put forward:

**Amending Motion 2017-146**

Moved by Councillor Maynard  
Seconded by Councillor O'Brien

**THAT the foregoing motion be amended by deleting the definition of “Commission” as provided under recommendation 1.a.**

**LOST**

A vote was then taken on **Motion 2017-145 without Amendment** as follows:

**THAT the report of the Corporate Services and Finance Commission dated March 30, 2017 regarding Procedural By-law Updates be received; and**

**THAT Procedure By-law 3748-2016 be amended as follows:**

1. **THAT Part 1 - DEFINITIONS be amended to include the following three new definitions:**



- a. **“Commission” means the Community Economic and Development Commission as established under Section 196 of the Municipal Act as a Local Board;**
- b. **“Contrary” means opposite in nature, direction or meaning;**
- c. **“Matter” means a subject or situation under consideration; and**

**THAT the balance of the definitions be renumbered accordingly.**

2. **THAT Section 4.3 Regular Council Meetings, Subsection 4.3(1) be amended by deleting the words “ “except that only one regular Council meeting shall be held in February on the second Tuesday of the month”; and**

**THAT Section 4.6 Regular Committee of the Whole Meetings, Subsection 4.6(1) be amended by deleting the word “February”.**

3. **THAT Section 5.2 - Quorum, Subsection 5.2(2) be amended by deleting the words “one half hour” and replaced with the words “fifteen (15) minutes”.**
4. **THAT Section 5.10 - Communications and Petitions, Subsection (3)(i) be amended to reference that communications received be “included on the Information Item listing which is” circulated “bi-weekly”, and include “Non-Union Management staff.**
5. **THAT Section 5.15 - Deputations, Subsection (6)(a) be amended as follows:**  
  
**5.15(6)(a) to include the words “or Councillor requested matter included” on the agenda “under Items for Consideration”, and delete the words “without comment”.**
6. **THAT Section 8.3 - Items for Consideration be amended to include the following new section:**  
  
**(1) Under Items for Consideration, Committee shall consider:**
  - i. **Staff reports and matters from previous Committee of the Whole meetings; and**
  - ii. **Matter(s) requested to be placed on the agenda by a Member of Council in accordance with Section 5.11(1).**

7. **THAT Section 10.5 - Rules of Procedure Respecting Reconsideration of a Matter be repealed in its entirety and replaced with the following new clauses:**

- “(1) Reconsideration at the same meeting:**
- **must be made by a member who voted with the majority of the original motion, or, if in the opinion of the Chair, there was a clear misunderstanding of the question,**
  - **requires a majority vote, and**

- can only be made only once per meeting.
- (2) Reconsideration occurring within the next four regular meetings of Council at which the matter was decided either in the affirmative or the negative:
- may be made by any member of Council; and
  - requires a 2/3 majority vote.
- (3) Reconsideration after four regular meetings of Council have occurred at which the matter was decided either in the affirmative or the negative:
- may be made by any member of Council; and
  - requires a majority vote.
- (4) If a matter is put forward for reconsideration under sections (1), (2) or (3) above, prior to any motion related to the matter or debate, a motion to reconsider the matter shall be placed on the agenda and decided.
- (5) No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion to reconsider may make a brief and concise statement outlining the reasons for proposing such reconsideration.
- (6) No motion shall be reconsidered by Committee or Council more than once during a period of twelve months following the date on which the question was decided either in the affirmative or the negative.
- (7) Section 10.5 does not apply when a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

8. THAT Section 11.2 – Committees of Council, Section 11.2(7) as it relates to Council members appointed to a Committee, be amended by deleting the words “but do not affect quorum” and inserting the words “and form part of the members quorum”.

**CARRIED**

**10. By-laws for Consideration**

10.1 The following By-laws are recommended for adoption

**Motion 2017-147**

Moved by Councillor Ferguson  
Seconded by Councillor Nieman

**THAT the following By-laws be read a first, second and third time and finally passed:**

**10.1.1 A By-law to Establish a Public Library in the County of Prince Edward and to Appoint a Public Library Board, and to rescind By-law 77-1998, as Amended. (Signed as By-law No. 3975-2017)**

**10.1.2 A By-law to Provide Rules Governing the Calling, Place and Proceedings of Meetings of the County of Prince Edward Council. (Signed as By-law No. 3976-2017)**

**10.1.3 A By-law to Authorize an Exemption under the Noise By-law 900-2002, as Amended to AECOM. (Rehabilitation of the Highway 62-Norris Whitney Bridge. (Signed as By-law No. 3977-2017)**

**10.1.4 A By-law to Amend By-law 3725-2016 being a By-law to Authorize the Mayor and Chief Administrative Officer to Execute a Service Accountability Agreement between The Corporation of the County of Prince Edward (H.J. McFarland Memorial Home) and the South East Local Health Integration Network. (Signed as By-law No. 3978-2017)**

**10.1.5 A By-law to authorize the Mayor and the Clerk to execute a Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement, between the Corporation of the County of Prince Edward and Her Majesty in right of Ontario as represented by the Minister of Transportation for Ontario. (Signed as By-law No. 3979-2017)**

**10.1.6 A By-law to Requisition the Sums Required for School Board Purposes and to Establish the Rates to be Levied for Same by The Corporation of the County of Prince Edward for the year 2017. (Signed as By-law No. 3980-2017)**

**10.1.7 A By-law to Authorize The Corporation of the County of Prince Edward to Enter into a Site Plan Control Agreement with Fida Holdings Ltd. (owners) and Quinte First Credit Union (mortgagee) for 1 Walton Street. (Signed as By-law No. 3981-2017)**

**10.1.8 A By-law to Authorize The Corporation of the County of Prince Edward to Enter into an Agreement with Fida Holdings Ltd. (owners), and Quinte First Credit Union (mortgagee) to exempt them from a portion of the Parking Requirements of Comprehensive Zoning By-law 1816-2006. (Signed as By-law No. 3982-2017)**

**10.1.9 A By-law to Amend County Comprehensive Zoning By-law (Removal of "H" Part Lot 604, Plan 24, 1 Walton Street, Ward 1 (Picton) (Alexandre Fida Z16-17). (Signed as By-law No. 3983-2017)**

**CARRIED**

**11. Closed Session**

11.1 Move into Closed Session

**Motion 2017-148**

Moved by Councillor Harrison  
Seconded by Councillor Turpin

**THAT Council now moves into closed session:**

**a) to consider a report of the Community Development Department regarding a proposed or pending acquisition or disposition of land by the municipality (pursuant to Section 239(2)(c) of the Municipal Act).**

**CARRIED**

Council reconvened at 8:10 p.m. with all Members present. **Motion 2017-149** to provide direction to staff regarding the acquisition/disposition of land (lost) and **Motion 2017-150** was the motion to resume sitting in open session, both of which were enacted in closed session.

**12. Adoption of Closed Session Minutes - None**

**13. Motions Arising from Closed Session**

13.1 Report of the Community Development Department dated April 25, 2017 regarding the acquisition/disposition of land

**Motion 2017-151**

Moved by Councillor Graham  
Seconded by Councillor Ferguson

**THAT subject to Council's review in closed session regarding the sale of surplus lands identified by Roll No. 1135032802000920, Conc. 4, Pt Lot 66, RP47R587, Part 2, Ameliasburgh be approved as per the terms and conditions of the Offer of Purchase and Sale between The Corporation of the County of Prince Edward and Basil Easterbrook; and**

**THAT staff be directed to bring forward a By-law to authorize the sale of this parcel in open session at the April 25, 2017 Council meeting.**

**CARRIED**

**Motion 2017-152**

Moved by Councillor Turpin  
Seconded by Councillor Dunlop

**THAT the following by-law be read a first, second and third time and finally passed:**

**10.1.9 A By-law to authorize the execution of an Agreement of Purchase and Sale between The Corporation of the County of Prince Edward and Basil Easterbrook (Identified by Roll No. 1135032802000920, Con 4 Pt Lot 66 RP47R587 Part 2, Ameliasburgh) be approved. (Signed as By-law No. 3984-2017)**

**CARRIED**

**14. Confirmatory By-law**

14.1 By-law to Confirm the Proceedings of this meeting

**Motion 2017-153**

Moved by Councillor Fox  
Seconded by Councillor Hull

**THAT the following by-law be read a first, second and third time and finally passed:**

**A By-law to Confirm the Proceedings of the Council of the Corporation of the County of Prince Edward at the meeting held on April 25, 2017. (Signed as By-law No. 3985-2017)**

**CARRIED**

**15. Adjournment**

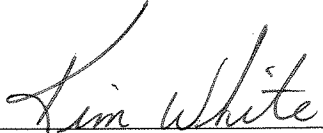
15.1 Motion to Adjourn


**Motion 2017-154**

Moved by Councillor Gale  
Seconded by Councillor Ferguson

**THAT this meeting now adjourn at 8:14 p.m.**

**CARRIED**

  
\_\_\_\_\_  
Kim White, CLERK

  
\_\_\_\_\_  
Robert Quaiff, MAYOR



**The County**  
PRINCE EDWARD COUNTY • ONTARIO

**Disclosure of Interest Form**

Council Meeting April 25, 2017 (date)  
Committee of the Whole Meeting \_\_\_\_\_ (date)  
Planning Public Council Meeting \_\_\_\_\_ (date)

I am disclosing a pecuniary interest in:

Agenda Item 5.1 and 8.3 with regard to the Pictou Splash Pad  
Committee of the Whole Motion \_\_\_\_\_ or \_\_\_\_\_

By-law listed on the Agenda as \_\_\_\_\_

Entitled PICTON SPLASH PAD (subject matter)

The nature of my interest is:

Wife is Chair of Pictou Splash Pad  
Committee

Member of Council Mayor Robert Quiff (print)

Robert A. Quiff  
Signature

April 25/2017  
Date

\*\* Please submit to the Clerk prior to the start of the meeting.