



# Minutes

The Blue Mountains, Council Meeting

**Meeting Date:** January 30, 2019  
**Meeting Time:** 7:00 p.m. Council Meeting  
**Location:** Town Hall, Council Chambers  
32 Mill Street, Thornbury, ON  
**Prepared by** Corrina Giles, Town Clerk

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## A. Call to Order

Mayor Alar Soever called the meeting to order with all members in attendance.

Also in attendance Interim Chief Administrative Officer Shawn Everitt, Director of Enforcement Services/Fire Chief Rob Collins, Director of Infrastructure and Public Works Reg Russwurm, Director of Planning and Development Services Nathan Westendorp, Director of Human Resources Jenn Moreau, Acting Director of Community Services Ryan Gibbons and Manager of Development Engineering Brian Worsley.

Council then paused for a Moment of Reflection

- **Approval of Agenda**

Moved by: Peter Bordignon

Seconded by: Odette Bartnicki

THAT the Agenda of January 30, 2019 be approved as circulated, including any items added to the Agenda, being item H.3.1 Chief Administrative Officer Recruitment and item H.3.2 Procedural By-law Review Carried.

- **Declaration of Pecuniary Interest and general nature thereof**

NOTE: In accordance with the *Municipal Conflict of Interest Act* and the Town Procedural By-law 2018-20, Council Members must file a written statement of the interest and its general nature with the Clerk for inclusion on the Registry.

None

- **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within previous Committee Reports or Minutes are then approved or received by Council, as noted. These Committee meetings are open to the public. The Consent Agenda content is available to the public when the Agenda is finalized but is not subject to discussion from the floor at this time, however, representations may be made at subsequent meetings on matters of interest.

Moved by: Rob Potter

Seconded by: Jim Uram

THAT the Consent Agenda of January 30, 2019 be adopted as circulated, less any items requested for separate review and discussion, being Item B.3.3 Increasing Council representation on the Community Communications Advisory Committee,

FAF.19.011 of F.2 Special Committee of the Whole Report, dated January 16, 2019, Carried.

▪ **Previous Minutes**

Moved by: Peter Bordignon

Seconded by: Rob Sampson

THAT the Council Inaugural minutes of December 3, 2018, Council minutes of December 17, 2018, Special Meeting of Council Minutes December 4, 2018, December 10, 2018, December 14, 2018, January 7, 2019, 1:00 p.m. and January 7, 2019, 7:00 p.m., January 14, 2019 and January 16, 2019 be adopted as circulated, including any revisions to be made, Carried.

**B. Deputations / Presentations / Public Meeting**

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Under the authority of the *Municipal Act, 2001* and in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and or/ made available to the public upon request.

None

**C. Public Comment Period**

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**C.1 Public Comment Period (each speaker is allotted three minutes)**

NOTE: In accordance with the Town Procedural By-law 2018-20 fifteen minutes is allotted at the Council Meeting to receive public comments regarding Town matters. The speaker shall provide their name and address, and shall address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting.

**C.1.1 Stu Frith, 113 Petun Drive**

Mr. Frith spoke regarding Councillor Bordignon's notice of motion at agenda item H.2.1 and noted that the Blue Mountains Short Term Accommodation Association ("BMSTA") supports the motion, further noting that BMSTA would like the illegal short term accommodation units quantified. Mr. Frith noted that there are many illegal short term accommodation units in The Blue Mountains, and requested that the Town require that licenced short term accommodation units post their licence number on on-line booking sites, as is required in Vancouver. Mr. Frith noted that he is proposing to speak to the short term accommodation membership to ask that members voluntarily post their licence numbers on online travel sites. Mr. Frith noted that commercial resort units ("CRU's) should also be required to provide their addresses to the Town.

**C.1.1 Sheldon Rosen, Lodges at Blue Mountain**

Mr. Rosen spoke on behalf of Lodges at Blue Mountain and as a member of the Blue Mountain Short Term Accommodation Association noting that he too supports Councillor Bordignon's notice of motion at Agenda item H.2.1 and encouraged Council to take action on it. Mr. Rosen noted that allowing illegal short term accommodation units is contrary to short term accommodation licensing, and noted that commercial resort units ("CRU") should also be licenced as short term

accommodation units. Mr. Rosen noted that the CRU definition must be a part of a short term management program.

## **D. Correspondence as previously circulated**

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D.1 Great Lakes and St. Lawrence Cities Initiative  
Re: Request for Renewal of Membership and Associated Conference Costs

For Council consideration

Moved by: Rob Potter

Seconded by: Jim Uram

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.1 Great Lakes and St. Lawrence Cities initiative Re: Request for Renewal of Membership and Associated Conference Costs dated December 21, 2018 and does approve the payment of the 2019 Annual Dues, Carried.

D.2 The Royal Canadian Legion Ontario Command  
Re: Remembrance Project – 6<sup>th</sup> Annual Military Service Recognition Book

For Council consideration

Moved by: Jim Uram

Seconded by: Peter Bordignon

That Council of the Town of The Blue Mountains supports The Royal Canadian Legion Ontario Command Remembrance project, sponsoring a ¼ page full colour advertisement in the “Military Service Recognition Book” at the cost of \$504.42 plus HST.

D.3 Meaford Hospital Foundation  
Re: Request for Support for New MRI Machine

For Council consideration

D.4 St. John Ambulance  
Re: Request for Support

For Council consideration

Moved by: Alar Soever

Seconded by: Rob Sampson

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.3 Meaford Hospital Foundation Re: Request for Support for New MRI Machine and Correspondence Item D.4 St. John Ambulance Re: Request for Support, dated November 6, 2018;

AND THAT Council directs staff to develop a staff report regarding the funding of health care by The Blue Mountains, Carried.

D.5 Blue Mountain Watershed Trust  
Re: Request for Support regarding Schedule 10 of Bill 66 “*Restoring Ontario’s Competitiveness Act*”

For Council consideration

D.6 Township of Wilmont  
Re: Request for Support regarding Schedule 10 of Bill 66 “*Restoring Ontario’s Competitiveness Act*”

For Council consideration

D.7 Township of Georgina For Council consideration  
Re: Request for Support regarding Bill 66  
*"Restoring Ontario's Competitiveness Act"*

Moved by: Rob Sampson Seconded by: Andrea Matrosovs

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.5 Blue Mountain Watershed Trust dated January 14, 2019, Item D.6 Township of Wilmont dated January 16, 2019 and Item D.7 Township of Georgina dated January 16, 2019 Re: Request for Support regarding Bill 66 *"Restoring Ontario's Competitiveness Act"* for information purposes, Carried.

D.8 Barb and Don Young, Resident For Council consideration  
Re: Pattison Signage across from Town Hall

Moved by: Jim Uram Seconded by: Odette Bartnicki

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.8 Barb and Don Young, Resident Re: Pattison Signage across from Town Hall dated January 8, 2019 and directs staff to prepare a staff report regarding the matter for Council consideration, Carried.

D.9 Grey County Federation of Agriculture, Received for information and  
Government and Policy Committee Referred to Agricultural Advisory  
Re: Farm Community Mission Committee

Moved by: Andrea Matrosovs Seconded by: Peter Bordignon

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.9 Grey County Federation of Agriculture Government and Policy Committee Re: Farm Community Mission, and refers the item to the Agricultural Advisory Committee, Carried.

D.10 Lynda Long, Power of Attorney for Received for information and  
Ian Lind, Resident Referred to Planning  
Re: Request to Remove Heritage  
Designation

Moved by: Andrea Matrosovs Seconded by: Peter Bordignon

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.10 Lynda Long, Power of Attorney for Ian Lind, Resident Re: Request to Remove Heritage Designation, dated December 22, 2018 and refers the item to the Planning and Development Services Department to prepare a staff report on the matter, Carried.

D.11 Association of Municipalities of Received for information and  
Ontario Referred to Finance  
Re: LAS Natural Gas Program – 2016-17  
Period Reserve Fund Rebate

Moved by: Andrea Matrosovs Seconded by: Peter Bordignon

THAT Council of the Town of The Blue Mountains does hereby receive Correspondence Item D.11 Association of Municipalities of Ontario Re: LAS Natural Gas Program – 2016-17 Period Reserve Fund Rebate dated, December 17, 2018 and refers the item to the Finance and IT Services Department, Carried.

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| D.12 David Finbow, Blue Mountain Short Term Accommodation Owners' Association<br>Re: Short Term Accommodation Licensing  | Received for information |
| D.13 Nottawasaga Valley Conservation Authority<br>Re: NVCA Board Member's Per Diem and Expenses                          | Received for information |
| D.14 Nottawasaga Valley Conservation Authority<br>Re: 2018 Progress Report regarding Black Ash Creek Restoration Project | Received for information |
| D.15 Municipal Property Assessment Corporation<br>Re: 2018 Year-End Assessment Report                                    | Received for information |
| D.16 Grey Sauble Conservation Risk Management Office<br>Re: Status Report  | Received for information |
| D.17 Ontario Energy Board Notice<br>Re: Enbridge Gas Inc. regarding Natural Gas Rates Increase                           | Received for information |
| D.18 Township of Clearview<br>Re: Zoning By-law Amendment Notice of Complete Application & Public Meeting                | Received for information |

Moved by: Jim Uram

Seconded by: Peter Bordignon

THAT this Council does hereby receive the Correspondence of January 30, 2019 and further does support the Staff Recommendation made with regard to the Correspondence items D.12 to D.18, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, Carried.

## **E. Motions and Staff Reports**

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None.



## **H. New and Unfinished Business**

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### **H.1 Grey County Council Update (AS, OB)**

Deputy Mayor Bartnicki noted that Grey County has reversed its decision to close Grey Gables. Mayor Soever noted that the County will review its draft 2019 Budget tomorrow.

### **H.2 Notice of Motion (Council)**

#### **H.2.1 Councillor Bordignon Notice of Motion**

Note: At the December 17, 2018 Council meeting, Councillor Peter Bordignon provided the following Notice of Motion. In accordance with the Town Procedural By-law 2018-20, the Notice of Motion requires a mover and seconder for the motion to be put before Council.

Moved by: Peter Bordignon

Seconded by: Odette Bartnicki

THAT Council request Staff to provide a report by the end of February 2019 on the extent of the presence of illegal Short Term Accommodations (“STA”) in the Town of The Blue Mountains and a new plan to charge and enforce the current STA bylaws to these operators including monetary and future licencing penalties, Carried.

#### **H.2.2 Deputy Mayor Bartnicki Notice of Motion**

Note: At the January 14, 2019 Committee of the Whole meeting, Deputy Mayor Odette Bartnicki provided the following Notice of Motion. In accordance with the Town Procedural By-law 2018-20, the Notice of Motion requires a mover and seconder for the motion to be put before Council.

Moved by: Odette Bartnicki

Seconded by: Rob Potter

THAT WHEREAS the time and resources that have been expended on issues related to workplace harassment during the previous Term of Council has resulted in significant financial costs to taxpayers and stress for staff, former Council Members and community members;

AND WHEREAS the current Code of Conduct governs Council and all Boards and Committees of Council with the exception of The Blue Mountains Public Library Board, Police Services Board, Conservation Authorities, and School Boards;

AND WHEREAS the current Code of Conduct does not include the commonly accepted definition of workplace harassment as per the *Employment Standards Act*, the *Ontario Health and Safety Act* and other legislation;

AND WHEREAS the lack of clarity regarding what is and what is not workplace harassment has the potential for public confusion and particularly for misunderstanding by Members of Council and Members of Boards and/or Committees of Council, as well as by employees of the Town of The Blue Mountains in relation to these members;

NOW THEREFORE, Council of the Town of The Blue Mountains provides direction to the newly formed “Code of Conduct Review Committee of Council” to bring forward a draft amendment and definition to Council for the Town of The Blue Mountains Code of Conduct to include the definition of workplace harassment found in the *Employment Standards Act*, the *Ontario Health and Safety Act* and other legislation, that being, “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”;

AND FURTHER THAT, Council request that the Council Code of Conduct include examples of behaviors that would meet the definition of “workplace harassment” as provided in the guidelines to the applicable legislation which can be found on the Ministry of Labour website, and to include a flowchart or further clarity around processes for resolution;

### **H.2.3 Councillor Sampson Notice of Motion**

Councillor Sampson introduced the following Notice of Motion. In accordance with the Procedural By-law 2018-20, this Notice of Motion will be included on the next Council Agenda, being February 20, 2019 for Council consideration.

That Council request Staff work with the Communications Committee and together with that Committee, provide a report to Council by the end of May, 2019 on options and associated costs that the Council may consider regarding the holding of a formal Council meeting in the Blue Mountain Resort Village area before the end of the calendar year 2019.

### **H.2.4 Councillor Sampson Notice of Motion**

Note: At the January 30, 2019 Council meeting, Councillor Rob Sampson provided the following Notice of Motion. In accordance with the Town Procedural By-law 2018-20, the Notice of Motion requires a mover and seconder for the motion to be put before Council.

WHEREAS Council engaged Strategy Corp. in 2017 to advise the Town of the Blue Mountains as to its range of options as it considers its role in Grey County and,

WHEREAS Strategy Corp submitted its report to Council dated June 29, 2017 entitled “Improving Fairness in Allocating the Cost of Municipal Services”, and

WHEREAS a reengagement of Strategy Corporation to update their report would fit within Section 12 “Sole and Single Sourcing” of POL.COPR.07.05, and

WHEREAS the Province of Ontario is now reviewing the governance, decision-making, and service delivery functions of 8 regional municipalities including Simcoe County, and

WHEREAS the Town of The Blue Mountains Sustainable Path document refers to “Regional Thinking” and has a specific goal to “*explore the option of a future amalgamated single tier community*” (page 92), and

WHEREAS The Town of The Blue Mountains and its citizens have a number of linkages such as health care, transportation with Simcoe County and in particular the Town of Collingwood, and

WHEREAS there are a number of new issues with the County of Grey that indicate the Town of The Blue Mountains’ relationship with the County is not benefiting the Town as they should, such as in long term care facility decisions and a possible discussion on a regional police service.

NOW THEREFORE Council directs Staff to:

1. engage Strategy Corp to:
  - a. update its report to Council dated June 29, 2017 entitled “Improving Fairness in Allocating the Cost of Municipal Services” and
  - b. incorporate any additional information since the date of their report and in the context of the Province’s review of the governance model for Simcoe County, and
  - c. provide some recommendations on how Council may proactively respond to the municipal restructuring review being completed for Simcoe County



2. report back to Committee of the Whole of Council with the completed Strategy Corp report by April 08, 2019.

### **H.3 Additions to Agenda**

#### **H.3.1 Chief Administrative Officer Recruitment**

Moved by: Alar Soever

Seconded by: Odette Bartnicki

THAT Council direct staff to provide a report identifying processes and timelines required for the recruitment of a Chief Administrative Officer, including options available to Council, Carried.

#### **H.3.2 Procedural By-law Review**

The Clerk noted that she will provide a report to Council at the March 18, 2019 Committee of the Whole Meeting regarding the Procedural By-law review.

#### **H.3.3 Closed Session**

Moved by: Odette Bartnicki

Seconded by: Peter Bordignon

THAT with regard to subsection 239 of the *Municipal Act, 2001*, this Council adds a Closed Session to the January 30, 2019 Council meeting in order to address matters pertaining to Personal matters about an identifiable individual, including Town or local board employees, and with regard to the review and consideration of committee and board applications received, Carried.

Council moved into closed session at: 8:23 pm

Council moved into public session at 8:25 pm

Mayor Soever reported out of closed session noting that Council has considered the appointment of a fifth member to the Communications Advisory Committee and directed staff to complete the reference check process.

## **I. Notice of Meeting Dates**

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Committee of the Whole Meeting, February 4, 2019

Town Hall, Council Chambers

Special Meeting of Council, February 5, 2019, 1:00 p.m.

Town Hall, Council Chambers

Special Committee of the Whole Meeting, February 7, 2019, 8:45 a.m.

Town Hall, Council Chambers

Special Committee of the Whole Meeting, February 8, 2019, 8:45 a.m.

Town Hall, Council Chambers

Special Committee of the Whole Meeting, February 11, 2019, 8:45 a.m.

Town Hall, Council Chambers

Special Committee of the Whole Meeting, February 12, 2019, 8:45 a.m.

Town Hall, Council Chambers

Council Meeting, February 20, 2019

Town Hall, Council Chambers

## **J. Confirmation By-law and Adjournment**

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Moved by: Odette Bartnicki

Seconded by: Rob Potter

THAT By-law No. 2019 - 4, being a By-law to confirm proceedings of the Council of The Corporation of the Town of The Blue Mountains on January 30, 2019 be hereby enacted as passed this thirtieth day of January, 2019, Carried.

Moved by: Odette Bartnicki

Seconded by: Rob Sampson

THAT this Council does now adjourn at 8:30 p.m. to meet again February 20, 2019 Town Hall, Council Chambers, or at the call of the Chair, Carried.

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Alar Soever, Mayor

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Corrina Giles, Town Clerk