Village of South River

Council Meeting – September 14, 2015

The meeting of the Council of the Village of South River was held on Monday, September 14, 2015 in the South River Council Chambers. A quorum was present. In attendance were Mayor Coleman, Councillors, Sewell, Brant and Mahon.

Councillor Smith was absent with notice.

**Staff in Attendance**: Susan L. Arnold, Clerk Administrator

Sherri Hawthorne, Treasurer

**Public in Attendance**: Myrna and Colleen Hickingbottom, Residents;

Agricultural Society Members: June Mannella, Shawana Mehaffey, Brian Mehaffey, Dale D’allaird. Suzanne Learn arrived at 5:34 p.m.

Dennis Trinaistich, Barrister and Solicitor

Kathryn Boyle, Almaguin News

1. **Call to Order** – South River Council Chambers at 5:30 p.m.

**2.** **Declaration of Pecuniary Interest and General Nature Thereof-** None Declared

1. **Guests and Deputations-**

South River Machar Agricultural President, Suzanne Learn, addressed Council regarding the weekend South River Machar Agricultural Fall Fair. The President said she had two speeches prepared; one if the fall fair had been rained out and one if the fall fair had sunny weather. She would use the speech prepared for sunny weather.

Ms. Learn indicated that the Agricultural Society has had an exceptional year of growth which has been very rewarding. The Fall Fair had improved turnout with more spectators and the arena grounds were full to capacity. However, she also advised that vendors were down, there had been no shelter provided and the Fall fair would require more room. As such, the South River Machar Agricultural Society wants the arena back for next year’s fair and encouraged Council to see the need for this request.

Mr. Dennis Trinaistich, Barrister and Solicitor, introduced himself to Council saying how proud he was to be representing the South River Machar Agricultural Society and how honoured he was to be a sponsor. He would be representing the Agricultural Society in the ongoing dispute with the Village of South River for the use of the ice rink.

Mr. Trinaistich continued his presentation by stating the South River Machar Agricultural Society’s efforts promote and support this community and local and regional farmers. In 1947 an agreement was entered into between the Village of South River and the Machar Agricultural Society which has since become the South River Machar Agricultural Society and enjoys all the same benefits of the agreement. The agreement gave the Agricultural Society use of the buildings and grounds for 99 years in exchange for land which was conveyed to the Village. Section Four (4) of the agreement allows for the free and exclusive use and Section Five (5) provides that all revenues belong to the Agricultural Society. The ice surface provides a bad weather, indoor option. Mr. Trinaistich commented that the fair is a two day event and shouldn’t be difficult to know when the fair will take place; it is the same date every year. Mr. Trinaistich stated that the Village of South River’s offer to provide a 60’ X 40’ tent was laughable. Mr. Trinaistich stated the fair attendance was down, revenues were down and the Agricultural Society’s dignity was diminished. The Councils actions have insulted the Society.

Mr. Trinaistich ended his presentation by stating the South River Machar Agricultural Society is prepared to go to court seeking damages and breach of contract in order to restore its right of use. The Agricultural Society will not go to court if the three following items are fulfilled:

1. Pay damages for the 2014, 2015 fall fairs
2. Write and publish a letter of apology to the Agricultural Society
3. Restore the Agreement

At this point Mr. Trinaistich was prepared to answer questions from Council. Council had no questions and the Mayor thanked him for his attendance.

5:55 p.m. The South River Agricultural Society members and Mr. Trinaistich left the meeting.

**4.** **Adoption of Minutes**

227-2015 Sewell/Mahon

**BE IT RESOLVED THAT this Council of the Village of South River does hereby accept the minutes of Monday, August 10, as printed.**

Carried

**5.** **Accounts**

228-2015 Brandt/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby receive the following reports from the Treasurer:**

1. **Income Statement to August 31, 2015;**
2. **Cheques to August 31, 2015**

Carried

229-2015 Mahon/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby direct the Treasurer to use the $50,000 loan repayment from the South River Power Generation Corporation to pay off the existing Toronto Avenue construction loan.**

Carried

230-2015 Mahon/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby authorize the Treasurer to enforce Section 15 of By-law #5-2014, whereby the Village will not exercise its option to transfer water arrears to taxes at the end of each calendar year but, instead, will recognize the water department as separate from the tax department and require water accounts to be paid, in full, by the water billing due date. Accounts in default in payment for a period of six months may have the water supply shut off until full payment is made.**

Carried

231-2015 Mahon/Brandt

**BE IT RESOLVED THAT the Council of the Village of South River does hereby write-off the taxes and interest on three Village-owned properties for the 2015 taxation year. Amount to be written off: $3,431.63.**

Carried

**6.** **Reports from Municipal Staff and/or Committees**

232-2015 Brandt/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby approve the Lions Club to operate a Cable Bingo in the Village of South River on Friday evenings, 6:00 p.m. to 6:30 p.m. starting on September 11, 2015 and ending on November 27, 2015 with all profits going to charity.**

Carried

6:25 p.m. Doug & Rhonda Harvey arrived.

233-2015 Brandt/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby approve the purchase and installation of a replacement actuator and valve at a cost not to exceed $9,869.27 with the funds being transferred from the Water Treatment Plant reserve.**

Carried

Mr. Harvey was asked by Council to provide some background on the Old Colonization Road which runs through his property on Broadway Avenue. Mr. Harvey advised Council that he had begun the process in 2014 to have the reserve placed on the Old Colonization Road removed. The fee was paid in 2014 and it is currently in the Ministry of Natural Resources offices awaiting final completion.

The Clerk Administrator confirmed she had spoken to a Mr. Dean Timson, Parry Sound MNR & F who confirmed the application had been submitted by Mr. Harvey and also explained that there doesn’t appear to be a PIN or any legal description or survey stakes identifying this section of the Old Colonization Road. Mr. & Mrs. Harvey, and previous owners, appear to be paying taxes on this section of land. Council has no intention of opening or developing this ancient road system and has already provide a letter confirming this fact.

6:53 Doug and Rhonda Harvey thanked Council for its time and left the meeting.

234-2015 Brandt/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby agree, in principle, to the concept of a shared by-law enforcement officer and also that South River will administer this service.**

Carried

Carried

235-2015 Mahon/Brandt

**BE IT RESOLVED THAT the Council of the Village of South River does hereby receive the Municipal Staff Reports: Agenda Items #1 to #6.**

Carried

**7. Correspondence**

236-2015 Mahon/Brandt

**BE IT RESOLVED THAT the Council of the Village of South River does hereby receive Correspondence Items #1 to #3.**

Carried

**8. Council Roundtable (Items of Interest)**

* **The Public Works Committee will meet on Thursday, September 17, 2015 at 1:00 p.m.**
* **Doug Sewell advised that he had visited the Community Gardens in Parry Sound. The Villages gardens are looking very good. He will speak to Public Works to have a snow fence installed before snowmobile season.**
* **Teri Brandt commented on how well the Farmers Market was doing. Also, she wanted to acknowledge how interesting and informative the Ontario Clean Water Agency presentation she had attended September 9th. Doug Sewell, Jim Coleman and she also attended.**

**9.** **In Camera-** One Item: Discussing the Agricultural Society’s potential litigation.

237.-2015 Sewell/Mahon

**BE IT RESOLVED that this meeting of the Village of South River Council be closed under Subsection 239.2 (e), and that this Council proceed in Camera at 8:04 p.m. for the purpose of discussing the Agricultural Society’s potential litigation.**

Carried

238-2015 Mahon/Brandt

**BE IT RESOLVED THAT this Council adjourn the Closed meeting and reconvene in Open Session at 8:52 p.m. with Mayor Jim Coleman as Chair.**

Carried

The Clerk Administrator had been given direction.

**10**. **By-laws: #33-2015, Being a by-law to authorize borrowing from the Ontario Infrastructure Loan Corporation.**

239-2015 Mahon/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby read a first,**

**second and third time and finally pass By-law #33-2015 being a by-law to authorize the**

**temporary borrowing from OILC to meet expenditures in connection with the purchase of a**

**fire department tanker truck, with the signatures of the Mayor and the Clerk Administrator**

**and the corporate seal affixed.**

Carried

**11**. **Confirming By-law**

240-2015 Brandt/Sewell

**BE IT RESOLVED THAT the Council of the Village of South River does hereby read a**

**first, second and third time and finally pass By-law#34-2015 being a by-law to confirm**

**the proceedings of Council at its meeting held on the 14th day of September, 2015 with the**

**signatures of the Mayor and the Clerk Administrator and the corporate seal affixed.**

Carried

**12**. **Adjournment**

241-2015 Sewell/Brandt

**BE IT RESOLVED THAT this Council of the Village of South River does hereby**

**Adjourn to meet again as the South River Council on Monday, September 28, 2015**

**at 5:30 p.m. in the South River Council Chambers located at 63 Marie Street or at the**

**call of the Mayor. Time of Adjournment: 9:00 p.m.**

Carried

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor, Jim Coleman

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk Administrator, Susan L. Arnold