

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 18, 2023
(To follow Committee of the Whole)

AGENDA

Members of the public wishing to attend can do so by attending in person to the Council Chambers located in the Administration Centre at 5786 County Road 21, Utopia.

1. **OPENING OF MEETING BY THE MAYOR**

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

p. 1 Recommendation: **BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and **THAT** the minutes of the Committee of the Whole, Closed Session and Regular Council meetings held on the 4th day of October, 2023 be adopted as circulated.

4. **CONSENT AGENDA**

Recommendation: **BE IT RESOLVED THAT** the items listed in the Consent Agenda dated October 18, 2023 be received for information, and that the necessary actions be taken.

5. **COMMITTEE REPORTS**

6. **PETITIONS**

7. **MOTIONS AND NOTICES OF MOTIONS**

p. 9 a. **Provincial and Federal Supports for Drinking Water Plant Expansion**

Recommendation: **WHEREAS** the provincial government has a goal of building 1.5 million new homes by 2031, and the federal government has intention to address housing;

AND WHEREAS the Great Lakes are a resource for all of Ontario;

AND WHEREAS existing water infrastructure includes a large capacity intake pipe from Georgian Bay, and a 60km pipeline from the water treatment plant in Collingwood southerly to New Tecumseth, with outtakes in Clearview and Essa Townships in Simcoe County; and there is existing infrastructure to The Town of the Blue Mountains in Grey County;

AND WHEREAS the Environmental Assessment of the Collingwood-located Water Treatment Plant incorporated long-term needs with two phases, the current Phase 1 which provide substantial capacity increases in 2028 including over 9,000 units for Collingwood, which upon agreement could be shared with The Town of the Blue Mountains, and about 14,500 units for New Tecumseth, and enables further stepped

capacity increases to meet municipal water needs for almost 36,000 additional housing units and/or industrial uses and incorporates Clearview and potentially others that would otherwise have constrained access to water;

AND WHEREAS this area is growing at one of the quickest rates in Canada and has the approved and in flight development applications and industry to support the delivery of housing, industrial growth and the proposed new regional hospital in Collingwood;

AND WHEREAS the total project cost increased from \$50M to \$120M and is now in the range of \$270M with the bid prices, and it is not affordable for the current developers, ratepayers and taxpayers to fully fund this project;

AND WHEREAS the project is shovel-ready, with bids valid until November 10th, 2023 and likely to increase if they expire;

AND WHEREAS the remaining capacity in the plant is about 2,000 units plus any interim capacity, and a non-award will stymie growth and last into 2029 and potentially beyond;

THEREFORE BE IT RESOLVED THAT Council support the asks from Collingwood and New Tecumseth to the provincial Ministers of MMAH and Infrastructure and the federal government that they help enable the water treatment plant expansion to proceed, including that the province appoint the Provincial Land and Development Facilitator to co-develop a solution;

AND THAT Council support a Council or staff representative of the municipality sitting on a short-term task force with the Development Community seeking to enable this expansion to proceed;

AND THAT Council's Resolution be communicated to MPP Saunderson, MP Dowdall, the Town of Collingwood, the Town of New Tecumseth, The Town of the Blue Mountains, and the Township of Clearview.

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 11 a. By-law 2023-63 Alliston & District Humane Society Agreement

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-63, that being a By-law to enter into an agreement with the Alliston & District Humane Society for Poundkeeping Services; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

10. QUESTIONS

11. CLOSED SESSION

Recommendation: **BE IT RESOLVED THAT** Council proceed to a Closed Session in order to address matters pertaining to:

- a) Confidential Staff Report CAO025-23 – Identifiable Individual
 - Personal matters about an identifiable individual [s.239(2)(b)]
 - Litigation or Potential Litigation – s.239(2)(e)]

- b) Confidential Staff Report CAO026-23 – Staffing
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
- c) Confidential Staff Report CAO027-23 – Request for Exemption to the Zoning By-law for Chickens
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
- d) Confidential Staff Report C023-23 – MLEO Recruitment
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
 - *Labour Relations or Employee Negotiations – [s.239(2)(d)]*

**ITEM
ADDED**

Motion to Rise and Report from Closed Session Meeting of October 18, 2023.

Recommendation: **BE IT RESOLVED THAT** Council rise and report from the Closed Session Meeting at _____ p.m.

12. CONFIRMATION BY-LAW

p. 16 a. **By-law 2023-64**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2023-64, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 18th day of October, 2023; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 1st day of November, 2023 at 6:00 p.m.

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, OCTOBER 4, 2023
6:00 p.m.

MINUTES

A Committee of the Whole meeting was held in person on Wednesday October 4, 2023 in the Council Chambers of the Administration Centre, Township of Essa.

- In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

- Staff in attendance: C. Healey-Dowdall, CAO
M. Mikael, Manager of Public Works
D. Dollmaier, Treasurer
S. Haniff, Manager of Planning
C. Rankin, Manager of Parks and Recreation
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:00 p.m.

The Township of Essa acknowledges that we are situated on the traditional land of the Anishinaabeg, Huron-Wendat and the Tiononati people. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Métis and Inuit people.

2. DISCLOSURE OF PECUNIARY INTEREST

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. **Presentation**
Stevenson Memorial Hospital Foundation
Mary Thomas, CEO
Re: Donation from Essa Golf Tournament

Council presented Mary Thomas, Stevenson Memorial Hospital Foundation with a donation of over \$5,000.00 from the funds raised at the Essa Golf Tournament held in May 2023.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. Staff Report PW017-23 submitted by the Manager of Public Works/Deputy CAO, re: Winter Sand Tender Results.

Resolution No: CW110-2023 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT Staff Report PW017-23 be received; and THAT the tender received from JOHN EEK & SON LTD. for the purchase, mixing and stacking of winter sand in the amount of \$ 224,250.00 plus H.S.T be accepted as per Township specifications.

----Carried-----

8. FINANCE

- a. Staff Report TR011-23 submitted by the Manager of Finance, re: Budget to Actuals Update as of September 29, 2023.

Resolution No: CW111-2023 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Staff Report TR011-23 be received.

----Carried-----

9. CLERKS / BY-LAW ENFORCEMENT / IT

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

- a. Staff Report CAO021-23 submitted by the Chief Administrative Officer, re: Strategic Plan 2022-2026.

Resolution No: CW112-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Staff Report CAO021-23 be received; and THAT Council endorse the enclosed Strategic Plan with the understanding that the strategic actions can be added to or altered.

----Carried -----

- b. Staff Report CAO022-23 submitted by the Chief Administrative Officer, re: OCWA Contract Extension - 2024-2026.

Resolution No: CW111-2023 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT Staff Report CAO022-23 be received; and THAT Council authorize a contract amendment for the renewal of the Operations and Maintenance Services Agreement for Water and Wastewater Infrastructure in Essa Township with the Ontario Clean Water Agency (OCWA) to extend the existing contract by 3 years through until December 31, 2026, at an increase as described in the Amending Agreement.

----Carried-----

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11. OTHER BUSINESS

Mayor Macdonald advised that Staff Service Awards will be held on November 22, 2023 at 6 p.m. at the Angus Banquet Hall.

Mayor Macdonald reminded Council and Staff that the Angus Santa Clause Parade is scheduled to take place on November 18, 2023 starting a10 a.m.

Mayor Macdonald discussed the purchase of vest for Council and the CAO.

Councillor Sander commented on the need for a bench at the Thornton Dog Park and suggested that one be placed in that location under the memorial bench program. The CAO responded tat this will be investigated and if need be, the monies will be requested in the 2024 Budget.

Councillor Maltby inquired about registering for the 2024 OGRA Conference.

12. ADJOURNMENT

Resolution No: CW112-2023 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of Essa adjourn at 6:21 p.m., to meet again on the 18th day of October 2023 at 6:00 p.m.

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 4, 2023

MINUTES

The Regular Meeting of Council was held in person on Wednesday October 4, 2023, following the Committee of the Whole in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

Staff in attendance: C. Healey-Dowdall, CAO
M. Mikael, Manager of Public Works
D. Dollmaier, Treasurer
S. Haniff, Manager of Planning
C. Rankin, Manager of Parks and Recreation
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. **OPENING OF MEETING BY THE MAYOR**

Mayor Macdonald opened the meeting at 6:21 p.m.

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

Resolution No: CR184-2023 Moved by: Maltby Seconded by: Sander

BE IT RESOLVED THAT the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and THAT the minutes of the Committee of the Whole, Closed Session and Regular Council meetings held on the 20th day of September, 2023 be adopted as circulated.

----Carried-----

4. **CONSENT AGENDA**

Resolution No: CR185-2023 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT the items listed in the Consent Agenda dated October 4, 2023 be received for information; and THAT item 3 be referred to section C of the Consent Agenda for Staff Report to be brought forward at a future Council Meeting; and THAT numbers 50, 51, 52 65 and 70 as provided in item B1 be submitted to the Ministry of Municipal Affairs as Essa Township's priorities.

----Carried-----

5. COMMITTEE REPORTS

a. Minutes of the Essa Public Library Board

Resolution No: CR186-2023 Moved by: Smith Seconded by: Kiezebrink

BE IT RESOLVED THAT that the minutes of the Essa Public Library Board from their meeting of June 26, 2023, be received.

----Carried-----

b. Minutes of the Nottawasaga Police Services Board

Resolution No: CR187-2023 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT the minutes of the Nottawasaga Police Services Board from their meeting of July 31, 2023, be received.

----Carried-----

c. Minutes of the Essa Traffic Advisory Committee

Resolution No: CR188-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT the minutes of the Traffic Advisory Committee from their meeting of September 5, 2023, as amended be received.

----Carried ----

6. PETITIONS

a. Petition received regarding By-law Zoning Amendment Z8-23 and Z9-23 (132 and 134 Simcoe Street)

Resolution No: CR189-2023 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT that the petition received regarding By-law Zoning Amendment Z8-23 and Z9-23 (132 and 134 Simcoe Street), be received.

----Carried-----

7. MOTIONS AND NOTICES OF MOTIONS

a. 2024 Budget Deliberations - Special Meetings

Resolution No: CR190-2023 Moved by: Smith Seconded by: Sander

Recommendation: ***WHEREAS** each year Council of the Township of Essa sets priorities and establishes a budget during a series of Special Meetings of Council; and **WHEREAS** the establishment of these meetings is set by Council and is done so in accordance with the Township of Essa Procedural By-law 2017-77;*

NOW THEREFORE, BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby advises that Special Meetings for the purpose of deliberating the 2024 Capital and Operating Budgets will be held in the Council Chambers at the Administration Centre on the following dates:

- November 1, 2023 at 3 p.m. to 5 p.m.
- November 15, 2023 at 3 p.m. to 5 p.m.
- December 20, 2023 at 3 p.m. to 5 p.m.

----Carried ----

b. Proclamation – Local Government Week (October 15-21, 2023)

Resolution No: CR191-2023 Moved by: Kiezebrink Seconded by: Maltby

WHEREAS October 15 to 21, 2023 is Local Government Week in Ontario, an opportunity to reflect on the vital services delivered by municipal governments; and **WHEREAS** municipal governments play a vital role in helping to define the character, priorities, physical make up, and quality of life of communities across Ontario; **NOW THEREFORE BE IT RESOLVED THAT** Council of the Corporation of the Township of Essa hereby joins with partners such as the Ontario Ministry of Municipal Affairs and Housing and the Association of Municipalities of Ontario in acknowledging and celebrating the work of local municipalities by proclaiming October 15 to 21, 2023 as 'Local Government Week' in the Township of Essa.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2023-60 Public Highway Assumption – Greenwood Drive

Resolution No: CR192-2023 Moved by: Sander Seconded by: Smith

BE IT RESOLVED that leave be granted to introduce By-law 2023-60, that being a By-law to establish and assume Greenwood Drive for public highway purposes; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

b. By-law 2023-61 Ontario Clean Water Agency Amending Agreement

Resolution No: CR193-2023 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED that leave be granted to introduce By-law 2023-61, that being a By-law to enter into an amending agreement with Ontario Clean Water Agency (OCWA); and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

10. **QUESTIONS**

11. **CLOSED SESSION**

Resolution No: CR194-2023 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Council proceed to a Closed Session in order to address matters pertaining to:

- a) Confidential Staff Report CAO020-23 – Position of Manager of Parks & Recreation
 - Personal matters about an identifiable individual [s.239(2)(b)]
- b) Confidential Staff Report CAO023-23 – SMCDSB
 - Personal matters about an identifiable individual [s.239(2)(b)]

----Carried-----

Council proceeded into Closed Session Deliberations at 6:50 p.m.

Motion to Rise and Report from Closed Session Meeting of October 4, 2023.

Resolution No: CR195-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Council rise and report from the Closed Session Meeting at 7:09 p.m.

----Carried-----

- a. **IDENTIFIABLE INDIVIDUAL [s.239(2)(b)]**
Confidential Staff Report CAO020-23 submitted by the Chief Administrative Officer, re: Position of Manager of Parks & Recreation.

Resolution No: CR196-2023 Moved by: Sander Seconded by: Maltby

BE IT RESOLVED THAT Staff Report CAO020-23 be received; and **THAT** Council direct Staff to proceed with Option No. 2 as outlined in this Report.

----Carried-----

- b. **IDENTIFIABLE INDIVIDUAL [s.239(2)(b)]**
Confidential Staff Report CAO023-23 submitted by the the Chief Administrative Officer, re: SMCDSB.

Resolution No: CR197-2023 Moved by: Maltby Seconded by: Smith

BE IT RESOLVED THAT Staff Report CAO023-23 be received; and **THAT** Council direct Staff to proceed with Option No. 2 as outlined in this Report.

----Carried-----

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12. CONFIRMATION BY-LAW

a. By-law 2023-62

Resolution No: CR198-2023 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT leave be granted to introduce By-law 2023-62 that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 4th day of October, 2023; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

13. ADJOURNMENT

Resolution No: CR199-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT this meeting of Council of the Township of Essa adjourn at 7:49 p.m. to meet again on the 18th day of October, 2023 at 7:10 p.m.

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

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Subject: FW: Action for Clerks: Request for Upcoming Agenda - Provincial and Federal supports for Drinking Water Plant Expansion

Importance: High

From: Sonya Skinner <sskinner@collingwood.ca>

Sent: Wednesday, October 4, 2023 4:58 PM

To: cgiles@thebluemountains.ca; shelmkay@clearview.ca; Lisa Lehr <llehr@essatownship.on.ca>

Cc: Sara Almas <salmas@collingwood.ca>; Yvonne Hamlin <yhamlin@collingwood.ca>; Blaine Parkin <bparkin@newtecumseth.ca>; Norcross, Richard <rnorcross@newtecumseth.ca>; severitt@thebluemountains.ca; mayor@thebluemountains.ca; John Ferguson <jferguson@clearview.ca>; dmeasures@clearview.ca; Sandie Macdonald <smacdonald@essatownship.on.ca>; Colleen Healey <chealey@essatownship.on.ca>

Subject: Action for Clerks: Request for Upcoming Agenda - Provincial and Federal supports for Drinking Water Plant Expansion

Importance: High

Hello Clerks Giles, Helmkay and Lehr from The Town of the Blue Mountains, Clearview and Essa, (with cc to Mayors and CAOs)

The Councils of Collingwood and New Tecumseth are asking for your Council's support in our asks to the Provincial and Federal Government that they support our drinking water treatment plant expansion. We have been able to speak with all the CAOs and most of the Mayors, and if needed they, CAO Parkin or I can provide you with additional information. We believe that the servicing of growth in your municipality may benefit from the availability of sufficient, reasonably priced and high quality drinking water from this plant, either immediately or over time.

We are asking that you add a proposed Motion to the next available agenda, as the deadline for award is prior to mid-November and the outreach to other orders of government is happening as soon as possible. The following has been prepared as a template, pending any changes that are appropriate for your municipality:

WHEREAS the provincial government has a goal of building 1.5 million new homes by 2031, and the federal government has intention to address housing;

AND WHEREAS the Great Lakes are a resource for all of Ontario;

AND WHEREAS existing water infrastructure includes a large capacity intake pipe from Georgian Bay, and a 60km pipeline from the water treatment plant in Collingwood southerly to New Tecumseth, with outtakes in Clearview and Essa Townships in Simcoe County; and there is existing infrastructure to The Town of the Blue Mountains in Grey County;

AND WHEREAS the Environmental Assessment of the Collingwood-located Water Treatment Plant incorporated long-term needs with two phases, the current Phase 1 which provide substantial capacity increases in 2028 including over 9,000 units for Collingwood, which upon agreement could be shared with The Town of the Blue Mountains, and about 14,500 units for New Tecumseth, and enables further stepped capacity increases to meet municipal water needs for almost 36,000 additional housing units and/or industrial uses and incorporates Clearview and potentially others that would otherwise have constrained access to water;

7a **AND WHEREAS** this area is growing at one of the quickest rates in Canada and has the approved and in flight development applications and industry to support the delivery of housing, industrial growth and the proposed new regional hospital in Collingwood;

AND WHEREAS the total project cost increased from \$50M to \$120M and is now in the range of \$270M with the bid prices, and it is not affordable for the current developers, ratepayers and taxpayers to fully fund this project;

AND WHEREAS the project is shovel-ready, with bids valid until November 10th, 2023 and likely to increase if they expire;

AND WHEREAS the remaining capacity in the plant is about 2,000 units plus any interim capacity, and a non-award will stymie growth and last into 2029 and potentially beyond;

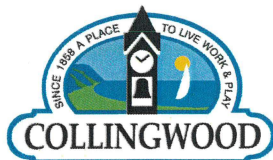
THEREFORE BE IT RESOLVED THAT Council support the asks from Collingwood and New Tecumseth to the provincial Ministers of MMAH and Infrastructure and the federal government that they help enable the water treatment plant expansion to proceed, including that the province appoint the Provincial Land and Development Facilitator to co-develop a solution;

AND THAT Council support a Council or staff representative of the municipality sitting on a short-term task force with the Development Community seeking to enable this expansion to proceed;

AND THAT Council's Resolution be communicated to MPP Saunderson, MP Dowdall, the Town of Collingwood and the Town of New Tecumseth. [add The Town of the Blue Mountains, Clearview and Essa as appropriate]

Sincerely and with thanks,

Sonya



id: Some Town services are available 24/7, please visit service.collingwood.ca to learn more.

ollow us on social media, sign up for our e-newsletters and agendas to stay informed about www.collingwood.ca/stay-connected

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[EXTERNAL]

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2023 – 63

A By-law authorizing the Mayor and the Clerk to enter into an Agreement with the Alliston & District Humane Society for Poundkeeping Services.

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that municipalities may enter into agreements for the provision of services; and

WHEREAS the Council of the Corporation of the Township of Essa deems it advisable to enter into an Agreement with the Alliston & District Humane Society for the provision of poundkeeping services;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1. That the Agreement marked as Schedule "A" attached hereto and forming part of this By-law be and is approved by Council.
2. That the Mayor and Clerk are hereby authorized to execute said Agreement.
3. This By-law shall come into force and take effect on the date of final passage hereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 18th day of October, 2023.

Sandie Macdonald,
Mayor

Lisa Lehr,
Manager of Legislative Services

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**ESSA TOWNSHIP BY-LAW 2023-63
SCHEDULE "A"**

This Agreement made in duplicate this _____ day of _____, 20_____.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF ESSA
(hereinafter referred to as the "Corporation")
of the first part,

-AND-

ALLISTON & DISTRICT HUMANE SOCIETY
(hereinafter referred to as the "Poundkeeper")
of the second part

THIS AGREEMENT WITNESSETH and is hereby agreed upon between the parties as follows:

THAT THE CORPORATION:

1. Hereby appoints Alliston & District Humane Society as Poundkeeper for the Corporation effective January 1, 2024 to December 31, 2027.
2. Shall pay to the Poundkeeper a flat fee of \$500.00 per month for the first year of the contract (2024), \$ \$550.00 per month for the second and third year of the contract (2025 and 2026), and \$600.00 per month for the fourth year of the contract (2027).
3. Shall pay to the Poundkeeper, remuneration for his/her services in accordance with Schedule "A" attached hereto, as may be amended from time to time by resolution of the Council of the Corporation.

THAT THE POUNDKEEPER:

4. Having been appointed as Poundkeeper for the Corporation, shall provide the Corporation with Pound Services.

Such services shall include:

- a) To provide an animal shelter or adequate arrangements for a shelter capable of providing suitable humane accommodation for dogs impounded;
- b) To receive, impound and hold for claim by the owners, any dog delivered to the Pound by the Animal Control Officer(s) or other duly authorized persons, and to dispose of same pursuant to the Township's By-law 2006-18 or as said By-law may be amended from time to time, or replaced;
- c) To dispose of all dogs impounded which become the property of the Corporation in accordance with the By-laws of the Corporation and the laws of the Province of Ontario;
- d) To dispose of all dog carcasses lawfully impounded and lawfully destroyed in accordance with the By-laws of the Corporation and the laws of the Province of Ontario;

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- e) To provide, or to ensure, all equipment necessary for the proper operation of the dog shelter, and the equipment necessary to humanely destroy unwanted or unclaimed dogs;
- f) To ensure that the Pound will be kept open and in operation on such days and at such hours to allow the owners of impounded dogs reasonable opportunity to reclaim such dogs. A list containing the days open, and hours of operation shall be provided to the Corporation so as to be displayed on the municipal website and may be amended as necessary by the Pound from time to time;
- g) To pay all costs of operating and maintaining said Pound;
- h) To charge such fees as may be approved by the Corporation. The Corporation shall be provided with a list of all such rates that are applicable for boarding or other services provided for Pound and Animal Control Services, that have been mutually agreed upon by the Poundkeeper and the Corporation, and as may be amended from time to time.
- i) If at any time during the five calendar days of the impounding of a dog, the dog needs the care of a veterinarian, the Poundkeeper is authorized to engage the services of a veterinarian up to a cost of \$300.00. For costs exceeding \$300.00, authorization is required from the Clerk and/or the Deputy Clerk for the Township of Essa;
- j) To require owners of claimed dogs to purchase a dog tag (license) before release of the canine, where said owner has not shown proof the tag has previously been purchased. The Poundkeeper shall retain, as commission, \$5.00 from the cost of the tag, which cost is set out in the Township's Fee Schedule as may be amended from time to time, and the difference shall be remitted to the Corporation of the Township of Essa, where the canine has been claimed by the owner.
- k) To charge in **addition** to the fees pursuant to Sections 4(h), (i) and (j), a Pickup/Transport Fee as set out the Township's Fee Schedule, as may be amended from time to time;
- l) To remit pickup fees to the Township of Essa on a bi-monthly basis, where the canine has been claimed by the owner;
- m) The Corporation of the Township of Essa shall provide the dog tags and application forms for use by the Poundkeeper;
- n) The Poundkeeper shall keep the Corporation advised of dog tags sold by the Poundkeeper.
- o) In addition to dogs, the Pounkeeper is authorized to accept cats under quarantine. The Corporation will pay the Pound to board quarantined cats only where they have not been claimed by an owner within ten (10) days. If the owner claims the cat, said owner shall be responsible for any fees owing.

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AND IT IS FURTHER AGREED AND UNDERSTOOD THAT:

- 5. The Poundkeeper shall deliver to the Corporation, bi-monthly on or before the 15th of the month, an invoice that shall contain the monthly flat rate, a written statement of the operations of the Pound, showing the number of impounded animals received, the length of time detained, and the disposal of animals, as well as the costs that are owed to the Township of Essa for Pickup and Licensing Fees.
- 6. The Poundkeeper shall indemnify and save harmless the Corporation of the Township of Essa with respect to all claims whatsoever in connection with the operation of the Pound.
- 7. The Poundkeeper shall keep any and all buildings, equipment and vehicles insured for fire and shall keep themselves and the Corporation properly insured with respect to public liability and property damage, including claims in respect to injury or loss and/or death incurred by negligence of any animals while in their care, to the amount of \$5,000,000.00. Proof of such insurance coverage shall be supplied to the Corporation, and shall be approved by the Corporation.
- 8. This Agreement may be terminated by either party hereto upon ninety (90) days written notice of intention to terminate, to the Corporation at 5786 Simcoe County Road 21, Utopia, Ontario L0M 1T0.

IN WITNESS WHEREOF this Agreement was executed by the Corporation under its seal and the hands of its officers and executed by the Supplier by its officers properly authorized to do so.

On behalf of:

THE CORPORATION OF THE TOWNSHIP OF ESSA

 Sandie Macdonald, Mayor

 Lisa Lehr, Clerk

On behalf of:

THE POUNDKEEPER

 Witness

 Jane Clarke, President
 Alliston & District Humane Society

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SCHEDULE 'A'

TOWNSHIP OF ESSA POUND SERVICES

POUNDKEEPER FEE SCHEDULE

DATE of Effect: JANUARY 1, 2024

POUND: ALLISTON & DISTRICT HUMANE SOCIETY

ADDRESS: 5545 CONCESSION 4, BOX 1455 EVERETT, ON L0M 1J0

TELEPHONE NUMBER: 705-458-9038

CLAIMED DOGS

	2024	2025	2026	2027
DAILY BOARDING FEE per animal admitted to Pound	\$50.00	\$50.00	\$50.00	\$50.00
CANINE CONTROL OFFICER PICKUP/TRANSPORT FEE (Per canine admitted to Pound), per Township of Essa Schedule of Fees	\$50.00	\$50.00	\$50.00	\$50.00
EUTHANASIA FEE (as required)	\$300.00	\$300.00	\$300.00	\$300.00

Fees are subject to change from time to time.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 - 64

Being a By-law to confirm the proceedings of the Council meeting held on the 18th day of October, 2023.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA
HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 18th day of October, 2023 and, in respect of each recommendation contained in the Regular Council meeting held on the 4th day of October, 2023, and the Committee of the Whole meeting held on the 4th day of October, 2023, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 18th day of October, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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