



# The Corporation of The Town Of Midland

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## **Minutes of the Regular Meeting of Council with Closed Session held on Monday, January 22, 2018 at 6:30 p.m. in the Municipal Office Council Chambers.**

**Present:** Mayor G. McKay, Deputy Mayor M. Ross, Councillors G. MacDonald, J. Contin, J. Main, P. File, C. Oschefski and G. Canning

**Regrets:** Councillor S. Strathearn

**Also Present:** CAO J. Skorobohacz  
Director of Corporate Services/Solicitor, A. Sidhu  
Director of Finance/Treasurer S. Turnbull  
Director of Human Resources/Health and Safety, L. Yourkin  
Clerk, K. Desroches

### **1. CALL TO ORDER**

Mayor McKay called the meeting to order at 6:30 p.m.

The Clerk informed Council that public notice of the meeting was provided consistent with the Town's notice provisions.

The Clerk advised that an additional item regarding a special audit committee meeting was added to the closed meeting agenda as Item 3a)i)c) due to the urgency of the matter which relates to litigation or potential litigation.

Mayor McKay asked members of Council if they had any concerns to move into a closed session based on the stated purpose of the meeting.

In response to questions raised by members of Council, the CAO provided additional clarification regarding Item 3a)i)a)iii) with respect to the reason for addressing the matter in closed session.

### **2. DECLARATIONS OF PECUNIARY INTEREST**

There were none declared.

### **3. CLOSED SESSION**

a) Motion to move into Closed Session

**Moved by G. MacDonald**

**Seconded by J. Main**

**That Council move into closed session;**

And further that this portion of the meeting be closed to the public pursuant to section 239 of the *Municipal Act, 2001*, as indicated;

**Subsection 2b)**

**Personal matters about an identifiable individual**

**Subject Matters**

**Council Committee Appointments**

- Youth Committee
- Ad Hoc Property Standards By-law Review Committee

**Subsection 2b)**

**Personal matters about an identifiable individual**

**Subsection 2d)**

**Labour Relations or Employee Negotiations**

- Organizational Changes

**Subsection 2e)**

**Litigation or potential litigation**

- Special Audit Committee

**CARRIED.**

i) Closed Session Items

a) Council Committee Appointments

i) Youth Committee

Council reviewed confidential staff Report CL-2018-3 dated January 19, 2018, from K. Desroches, Clerk, together with applications for Council's consideration for appointment to the Youth Committee.

Following discussion, Council directed staff to prepare the appropriate motion for consideration upon conclusion of the closed meeting session.

ii) Ad Hoc Property Standards By-law Review Committee

The Clerk advised that the matter was included on the agenda in anticipation of an application being received. As no application was submitted, the item was withdrawn.

b) Organizational Changes

Council reviewed a confidential Memorandum dated January 19, 2018, from CAO Skorobohacz, detailing organizational changes to be undertaken that will impact various positions.

The CAO provided clarification and responded to questions raised by members of Council.

Following discussion, Council directed staff to prepare the appropriate motion for consideration upon conclusion of the closed meeting session.

c) Special Audit Committee

The CAO spoke to the Special Audit Committee discussions regarding the potential of litigation with respect to a contractual/construction project.

To permit the Regular Meeting of Council to commence as scheduled, it was then,

**Moved by G. MacDonald**

**Seconded by C. Oschefski**

**That this Closed Meeting of Council recess at 7:00 pm and reconvene at the end of the regularly scheduled open Council Meeting to conclude discussion.**

**CARRIED.**

**4. OPEN SESSION – 7:00 P.M.**

**Now Present:** Mayor G. McKay, Deputy Mayor M. Ross, Councillors J. Main, G. MacDonald, P. File, J. Contin, G. Canning and C. Oschefski

**Regrets:** Councillor S. Strathearn

**Also Present:** Chief Administrative Officer, J. Skorobohacz  
Director of Finance/Treasurer, S. Turnbull  
Director of Operations, S. Berriault  
Director of Corporate Services/Solicitor, A. Sidhu  
Director of Planning and Building Services, W. Crown  
Clerk, K. Desroches

**5. CONSENT AGENDA**

**Moved by G. MacDonald  
Seconded by P. File**

**That Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council held January 22, 2018, with the Minutes of the Regular Meeting of Council held December 11, 2017 adopted, as amended.**

**CARRIED.**

**6. PRESENTATIONS**

a) Awards of Merit

Mayor McKay presented Julie Barker, Kevin York, and the Wilson Family each with the 2017 Award of Merit in recognition of their extraordinary dedication and commitment to the community.

**7. DEPUTATIONS**

a) Sustainable Severn Sound – Local Climate Change Action Plan

Ms. T. Roxborough, Sustainability Coordinator, provided a PowerPoint presentation highlighting Sustainable Severn Sound's (SSS) Local Climate Change Action Plan and requesting that Council support participation in the Federation of Canadian Municipalities (FCM) Partners for Climate Protection (PCP) Program, with SSS acting as the associate member, responsible for the conditions of program membership. It was then,

**Moved by J. Contin  
Seconded by G. Canning**

**THAT staff be directed to report back to Council on the Partners for Climate Protection (PCP) Program coordinated by Sustainable Severn Sound for the February General Committee Meeting (if possible).**

**CARRIED.**

**8. CORRESPONDENCE**

a) Municipal Class Environmental Assessment (MCEA)

Council reviewed an email dated January 17, 2018, from Mr. S. Butler, OGRA, Policy and Research, following which it was then,

**Moved by J. Main  
Seconded by C. Oschefski**

**That the Council of the Corporation of the Town of Midland requests that the Minister of the Environment and Climate Change take immediate steps to expedite the response**

process for Part II Orders or Bump-Up requests, as part of the s.61 review to improve Municipal Class Environmental Assessment (MCEA) process times and reduce study costs;

And further that the Minister of the Environment and Climate Change support changes to better integrate and harmonize the MCEA process with processes defined under the *Planning Act*;

And further that the Minister of the Environment and Climate Change amend the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

**CARRIED.**

## **9. REPORTS**

a) General Committee Report 2018-1 of its meeting held January 8, 2018

1) CL-2017-46 Governance Review Ad Hoc Committee – Council Committees/Boards Review – Findings and Recommendations  
(Reference Section A, Item 1, of the above Report)

**Moved by C. Oschefski**  
**Seconded by G. MacDonald**

**That Report CL-2017-46 dated January 8, 2018 regarding the Governance Review Ad Hoc Committee, Council Committees/Boards Review – Findings and Recommendations be received; and the following recommendations be adopted.**

- 1. That Council receive the amended “Terms of Reference template” and direct the Clerk to forward same to the appropriate committees for their review and comment, with a request that the comments be returned by February 28, 2018;**
- 2. That the work of the current Committee of Adjustment, Sign Variance Committee and Property Standards and Fence Viewing Committees be consolidated effective January 1, 2019.**
- 3. That the Members of Council be removed from the following committees**
  - Midland Public Library Board**
  - Boys and Girls Club Board of Directors**
  - Huronia Museum Board**

- **Midland Cultural Centre Inc. Board of Directors**
  - **Midland Seniors Council**
- effective immediately including the Property Standards and Fence Viewing Committee which will be effective January 1, 2019.**
- 4. That the Business Improvement Area Board be requested to develop Terms of Reference to better define its mandate and purposes.**
  - 5. That the Snowmobile Advisory Committee be requested to conclude its activities on or before March 31, 2018, at which time the committee shall be deemed dissolved.**
  - 6. That public representation on the Audit Committee be increased from two (2) public members to three (3) public members.**
  - 7. That the Canada Day Committee be removed from the Council appointments By-law.**
  - 8. That the Terms of Reference for the Midland Penetanguishene Transit Committee be revisited within 6 to 8 months following the current Transit Review.**
  - 9. That future attendance of Town staff at any external Committee meetings be based on the nature of the agenda topics (attending when topics relate specifically to Town matters).**
  - 10. That the Midland Seniors Council be requested to develop Terms of Reference that better define its mandate and purposes with a focus on the Town of Midland's Healthy and Sustainable Community strategic priority.**
  - 11. That staff be directed to work with the Midland Public Library Board on the development of a governance model while allowing the Board to take advantage of the administrative resources of the Town.**
  - 12. That the Terms of Reference for the Governance Review Ad Hoc Committee be adopted as amended.**

**13. That staff be authorized to re-align the appropriate resources concurrent with the changes recommended.**

A recorded vote was requested.

	<u>AYE</u>	<u>NAY</u>
Jack Contin		X
Glen Canning	X	
Deputy Mayor Mike Ross	X	
Cody Oschefski	X	
Patricia File		X
George J. MacDonald	X	
Jonathan Main		X
Mayor Gordon McKay	X	

**CARRIED.**

2. Big Bike Event  
(Reference Section A, Item 2, of the above Report)

**Moved by C. Oschefski**  
**Seconded by J. Main**

That, further to letter dated December 14, 2017, from Ms. V. Holland, Area Manager, Barrie Area Office, permission be granted to the Heart and Stroke Foundation to host their annual Big Bike event on June 5, 2018, from 10:00 am to approximately 8:00 pm, along a pre-determined 2km route along the main street, subject to approval of the related special events application.

**CARRIED.**

**Moved by M. Ross**  
**Seconded by J. Contin**

That General Committee Report 2018-1 of its meeting held January 8, 2018, be adopted as printed and circulated.

**CARRIED.**

- b) OP-2018-C01 Tender for Audio System – North Simcoe Sports and Recreation Centre – Community Hall

Council reviewed a report dated January 17, 2018, from S. Berriault, Director of Operations, following which it was then,

**Moved by G. MacDonald**  
**Seconded by P. File**

That Report OP2018-C01 dated January 17, 2018 respecting a sound system for the Community Hall at the North Simcoe Sports and Recreation Centre be received, and;

**That the tender bid received from Michael Enterprise Audio & Visual for the supply and installation of a DSP based sound system for the Community Hall at the North Simcoe Sports and Recreation Centre in the amount of \$23,445.42, exclusive of H.S.T., be accepted.**

**CARRIED.**

c) OP-2018-C02 Tender for New Transit Bus

Council reviewed a report dated January 17, 2018, from S. Berriault, Director of Operations, following which it was then,

**Moved by G. MacDonald**

**Seconded by P. File**

**That Staff Report OP2018-C02 dated January 17, 2018, being a report respecting the acquisition of a new Transit Bus be received, and;**

**That the tender bid from City View Bus Sales and Service Ltd. for the supply and delivery of a new 30 foot fully accessible low floor transit bus in the amount of \$399,000.00, exclusive of H.S.T., be accepted.**

**CARRIED.**

d) OP-2018-C03 Tender for Line Painting and Pavement Marking 2018-2019

Council reviewed a report dated January 17, 2018, from S. Berriault, Director of Operations, following which it was then,

**Moved by G. MacDonald**

**Seconded by P. File**

**That, Staff Report OP2018-C03 dated January 17, 2018 respecting the Town's Line Painting and Pavement marking Program requirements be received, and;**

**That the tender bid from Midwestern Line-Striping Inc. for the supply of all equipment, material and labour to place traffic paint on roads and in Municipal parking lots in the Town of Midland for the 2018 and 2019 operating years in the amount of \$131,114.00 (total for both years), exclusive of H.S.T., be accepted.**

**CARRIED.**



e) Planning and Development Committee Report 2018-1  
Meeting held January 10, 2018.

i) Zoning By-law Amendment Application ZBA-11-17  
Oz Investments Inc. – 1000 Wye Valley Road  
(Reference Item 4A of the above Report)

**Moved by J. Contin**  
**Seconded by G. Canning**

**That Zoning By-law Amendment Application ZBA-11-17 respecting 1000 Wye Valley Road be approved and the implementing Zoning By-law be passed to rezone 1000 Wye Valley Road to an Industrial Exception Zone – M2-5 in accordance with Staff Report PL-2017-94 dated December 11, 2017.**

**CARRIED.**

ii) Zoning By-law Amendment Application ZBA-07-17  
Request for Redline Revisions to Draft Plan of Subdivision 43T-95021  
Somerset Gables Inc. (c/o Hanson Development Group)  
16821 Highway 12  
(Reference Item 4C of the above Report)

**Moved by J. Contin**  
**Seconded by G. Canning**

1. **That Zoning By-law Amendment Application ZBA-07-17 respecting the lands within Draft Plan of Subdivision 43T-95021 (Applicant - Hanson Development Group) be approved and the implementing Zoning By-law be passed. Pursuant to Section 34(17) of the *Planning Act*, Council determines that no further notice of the proposed By-law is required as the changes to the proposed By-law are minor in nature.**
2. **That the requested Redline Revisions to Draft Plan of Subdivision 43T-95021 (Applicant - Hanson Development Group) be hereby approved as set out in Staff Report PL-2018-2 and dated January 5, 2018. Pursuant to Section 51(47) of the *Planning Act*, Council determines that the redline changes and the changes to conditions are minor and therefore no notice is required pursuant to Section 51 (45) of the *Act*.**
3. **That Council hereby approves of the extension of the Draft Plan of Subdivision 43T-95021 (Applicant - Hanson Development Group) development for an additional period of five (5) years as requested.**

The extended lapsing date will therefore be October 20, 2023.

4. That Staff be directed to update the Conditions of Draft approval for Draft Plan of Subdivision 43T-95021 (Applicant - Hanson Development Group) in accordance with Council decisions on the approved Redline Revisions and Conditions.
5. That the request for a Resolution under Section 34(10.0.0.1) of the *Planning Act* is premature and inappropriate at this time.
6. That the request for a Resolution under Section 45(1.4) of the *Planning Act* is reasonable and appropriate for the Seasons (Hanson) Development and that the Resolution be passed on a site specific basis for the Seasons (Hanson) Development. Staff is hereby directed to prepare an appropriate Resolution for Council consideration and adoption.
7. That Administration be directed to prepare a report addressing the requirements of Section 45(1.3) of the *Planning Act* as it applies to the Town of Midland.
8. That the request for the delegation of Site Plan Approval to Staff for the Seasons (Hanson) Development is premature at this time.

**CARRIED.**

- iii) Zoning By-law Amendment Application ZBA-09-17  
Campbell – 344 Fuller Avenue  
(Reference Item 4D of the above Report)

**Moved by J. Contin**

**Seconded by G. Canning**

That Zoning By-law Amendment Application ZBA-09-17 respecting 344 Fuller Avenue (D. Campbell) be approved and the implementing Zoning By-law be passed to rezone 344 Fuller Avenue from the Rural Zone – RU to Residential Zone – R5 in accordance with Staff Report PL-2017-95 dated December 15, 2017.

**CARRIED.**

- iv) Zoning By-law Amendment ZBA-10-17  
DeSantis – 281 Midland Avenue  
(Reference Item 1E of the above Report)

**Moved by J. Contin**  
**Seconded by G. Canning**

**That Zoning By-law Amendment Application ZBA-05-17 respecting the lands at 281 Midland Avenue be approved and the implementing Zoning By-law be passed to rezone the property from Downtown Core Commercial – DC-F2 to Downtown Core Commercial Exception – DC-F2-5, in accordance with Staff Report PL-2017-96.**

**Pursuant to Section 34(17) of the *Planning Act*, Council determines that no further notice of the proposed By-law is required as the changes to the proposed By-law are minor in nature.**

**CARRIED.**

- v) Site Plan Application SPA-08-17  
Bourgeois Leasing Ltd. – 290 Cranston Crescent  
(Reference Item 4F of the above Report)

**Moved by J. Contin**  
**Seconded by G. Canning**

**That Site Plan Application SPA-08-17 be hereby approved as set out in Staff Report PL-2017-79 dated November 22, 2017.**

**That all required drawings and/or reports shall be submitted and approved by the appropriate Staff in accordance with approved Site Plan Application SPA-08-17 and in accordance with the revisions requested by Staff as set out in Staff Report PL-2017-79 dated November 22, 2017.**

**That Site Plan Agreement for Site Plan Application SPA-08-17, be brought forward to Council for approval and that a By-law to authorize the Mayor and Clerk to execute the said Site Plan Agreement be presented at a future meeting.**

**CARRIED.**

**Moved by J. Contin**  
**Seconded by G. Canning**

**That Report 2018-1 of the Planning and Development Committee of Council Meeting held January 10, 2018, be adopted as printed and circulated.**

**CARRIED.**

- f) PL-2018-4 Repeal of By-law 2017-24 - Model Home Agreement with 2428568 Ontario Ltd. Kaitlin Corporation) (By-law 2018-5)

Council reviewed a report dated January 10, 2018, from W. Crown, Director of Planning and Building Services, following which it was then,

**Moved by J. Contin  
Seconded by G. Canning**

**That, further to Report PL-2018-4 dated January 10, 2018, a By-law be passed to repeal By-law 2017-24 being a Model Home Agreement with 2428568 Ontario Ltd. (Kaitlin Corporation).**

**CARRIED.**

- g) PL-2018-5 Snowmobiling Ad Hoc Committee – Final Report

Council reviewed a report dated January 17, 2018, from W. Crown, Director of Planning and Building Services, following which it was then,

**Moved by J. Contin  
Seconded by G. Canning**

**That, further to Report PL-2018-5 dated January 17, 2018, the Snowmobiling Ad Hoc Committee's Final Report entitled "Snowmobiling in Midland - Issues & Options Report" dated December 20, 2017 be received by Council for information and implementation.**

**CARRIED.**

- h) CL-2018-1 Joint Compliance Audit Committee – County of Simcoe

Council reviewed a report dated January 8, 2018, from K. Desroches, Clerk, following which it was then,

**Moved by G. Canning  
Seconded by J. Contin**

**That Report CL-2018-1 respecting the requirements under the Municipal Elections Act for Compliance Audits be received, and**

**That Council approves the request that the Town of Midland become part of the County of Simcoe Joint Compliance Audit Committee.**

**CARRIED.**

- i) CL-2018-2 Dominion Voting – Provision of Election Tabulators

Council reviewed a report dated January 15, 2018, from K. Desroches, Clerk, following which it was then,  
(By-law 2018-8)

**Moved by G. Canning**

**Seconded by J. Contin**

**That Report CL-2018-2 dated January 15, 2018, being a report to consider the use of voting tabulators for the 2018 municipal election be received, and**

**That Council consider By-law 2018-8 to authorize the entering into of an agreement with Dominion Voting to provide tabulators for the 2018 Municipal Elections.**

**CARRIED.**

j) Committee Resignations

The Clerk provided an update on the status of members on the Youth Committee and Midland Active Transportation Advisory Committee, following which it was then,

**Moved by G. Canning**

**Seconded by J. Contin**

**That Ms. Saima Khan's resignation from the Midland Active Transportation Advisory Committee be accepted with thanks and appreciation for her contributions.**

**CARRIED.**

It was then,

**Moved by G. Canning**

**Seconded by J. Contin**

**That the resignations from Ms. Tatiana Fisher and Ms. Mackena Murray from the Youth Committee be accepted with thanks and appreciation for their contributions.**

**CARRIED.**

k) TR-2018-1 Banking Services Contract Extension

Council reviewed a report dated January 22, 2018, from S. Turnbull, Director of Finance/Treasurer, following which it was then, (By-law 2018-6)

**Moved by G. Canning**

**Seconded by J. Contin**

**That Council receives Report TR-2018-01 dated January 22, 2018, respecting an extension to the Town's Banking Services Contract; and**

**That the Mayor and Director of Finance/Treasurer be authorized to execute a two year extension to the existing Banking Services Agreement with National Bank of Canada; and**

**That Council gives consideration to By-law 2018-6.  
CARRIED.**

l) TR-2018-2 Provincial Gas Tax Agreement

Council reviewed a report dated January 22, 2018, from S. Turnbull, Director of Finance/Treasurer, following which it was then, (By-law 2018-7)

**Moved by G. Canning  
Seconded by J. Contin**

**That Council give consideration to By-Law 2018-7, being a by-law to authorize the entering into a Letter of Agreement related to funding provided by the Province of Ontario under the Dedicated Gas Tax Funds for the Public Transportation Program for 2018 and all subsequent years of the Dedicated Gas Tax Program, as outlined in Report TR-2018-02, dated January 22, 2018.**

**CARRIED.**

**10. CONSENT BY-LAW**

**Moved by J. Main  
Seconded by G. MacDonald**

**That leave be granted to introduce the following by-laws:**

By-law 2018-1 Amend Zoning By-law 2004-90, as amended, with respect to the lands known as Part of Lots 101 and 102, Concession 1 (former Tay), and more particularly described as Parts 1 to 17 inclusive, Reference Plan 51R-33691 in the Town of Midland (Hanson Subdivision Lands).

By-law 2018-2 Amend Zoning By-law 2004-90, as amended respecting 344 Fuller Avenue.

By-law 2018-3 Amend the Zoning By-law 2004-90, as amended respecting 281 Midland Avenue.

By-law 2018-4 Amend Zoning By-law 2004-90, as amended respecting 1000 Wye Valley Road.

By-law 2018-5 Repeal By-law 2017-24 – Model Home Agreement with Kaitlin Corp.

By-law 2018-6 Amend By-law 2012-69 to extend the Agreement with National Bank of Canada for full banking services for the Town of Midland.

By-law 2018-7 Letter of Agreement for funding provided by the Province of Ontario (the "Province") to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program.

By-law 2018-8 Agreement with Dominion Voting Systems for the rental of optical scanning vote tabulators for the 2018 Municipal Election.

**CARRIED.**

It was then,

**Moved by J. Main**

**Seconded by G. MacDonald**

**That By-laws 2018-1, 2018-2, 2018-3, 2018-4, 2018-5, 2018-6, 2018-7 and 2018-8 be read a first, second and third time and finally passed.**

**CARRIED.**

## **11. GENERAL BUSINESS**

### **2) Other Business Introduced by Members of Council or Staff**

Individual members advised of events and activities in the municipality for information purposes.

## **12. CONFIRMATORY BY-LAW**

### **1) By-law 2018-9**

**Moved by J. Main**

**Seconded by G. MacDonald**

**That leave be granted to introduce By-law 2018-9, being a by-law to adopt the proceedings of the Council Meeting held on January 22, 2018, and to authorize its execution.**

**CARRIED.**

It was then,

**Moved by J. Main**

**Seconded by G. MacDonald**

**That By-law 2018-9 be read a first, second and third time and finally passed.**

**CARRIED.**

### 13. ADJOURNMENT

**Moved by J. Main**

**Seconded by G. MacDonald**

**That this Regular Meeting of Council adjourn at 9:10 p.m.**

**CARRIED.**

It was then,

**Moved by C. Oschefski**

**Seconded by J. Main**

**That the Closed Meeting of Council reconvene at 9:18 p.m.**

**CARRIED.**

**Now Present:** Mayor G. McKay, Deputy Mayor M. Ross, Councillors  
G. MacDonald, J. Contin, J. Main, P. File, C. Oschefski and G.  
Canning

**Also Present:** CAO J. Skorobohacz  
Director of Corporate Services/Solicitor, A. Sidhu  
Director of Finance/Treasurer S. Turnbull  
Director of Human Resources/Health and Safety, L. Yourkin  
Clerk, K. Desroches

ii) Closed Session Items

c) Special Audit Committee

Council resumed discussion regarding the subject matter of a proposed Special Audit Committee Meeting with the CAO responding to questions raised by members of Council.

Following discussion, Council directed staff to prepare the appropriate motion for consideration upon conclusion of the closed meeting session.

**Moved by G. MacDonald**

**Seconded by J. Main**

**That this Closed Meeting of Council be adjourned at 10:19 p.m. and that Council now rise and report to open session.**

**CARRIED.**

ii) Motions arising from closed session discussions



a) Council Committee Appointments

**Moved by M. Ross**

**Seconded by P. File**

**That, further to confidential Report CL-2018-3, Council appoint Jacqueline Bray to the Youth Committee as the public member for a term to expire November 30, 2018.**

**CARRIED.**

b) Organizational Changes

**Moved by M. Ross**

**Seconded by P. File**

**That, Council herein confirms its discussions held in closed session on January 22, 2018, regarding organizational changes as presented under Confidential Memorandum dated January 22, 2018, from CAO Skorobohacz.**

**CARRIED.**

c) Special Audit Committee

**Moved by M. Ross**

**Seconded by P. File**

**That, further to the verbal report provided by CAO Skorobohacz, Council herein confirms its discussions held in closed session on January 22, 2018, and its direction to staff on how to proceed respecting the convening of a Special Audit Committee meeting.**

**CARRIED.**

**Moved by M. Ross**

**Seconded by G. MacDonald**

**That this open session to report closed meeting motions be adjourned at 10:26 p.m.**

**CARRIED.**

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Karen Desroches, Clerk

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