

PORT OF JOHNSTOWN MANAGEMENT COMMITTEE
MUNICIPAL OFFICE – SPENCERVILLE
January 21, 2015
6:30 p.m.

Present: Chair P. Sayeau
M. Barrett
G. Morrell
K. Smail
P. Taylor

Staff Present: R. Dalley, General Manager
K. Saunders, Operations Manager
Debra McKinstry, CAO/Clerk
R. Bennett, Treasurer
S. Earl, Deputy Clerk

1. Call to Order:

Chair Sayeau called the meeting to order at 6:30 p.m. He indicated that the Committee would be moving into closed session to receive legal advice at the beginning and again at the end of the meeting to discuss that advice.

2. Approval of Agenda

Moved by: K. Smail seconded by: M. Barrett that the agenda be approved as amended with the addition of item 7f) 2014 Year End Review and 11b) Minutes of Closed Session of December 10, 2014.

Carried

3. Disclosure of Pecuniary Interest – None

4. Delegations (In Camera): Nelligan/O'Brien/Payne

Moved by: G. Morrell seconded by: P. Taylor that Port Management Committee proceeds into closed session at 6:34 p.m. in order to address a matter pertaining to the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose specifically cottage leases.

Carried

Members and staff proceeded to the boardroom to receive solicitor's advice with regards to the cottage leases. They returned to Council Chambers following this discussion.

5. Report into Open Session

Moved by: G. Morrell seconded by M. Barrett that the closed meeting does now adjourn and the open meeting of Port Management Committee Meeting does now resume at 7:48p.m.

Carried

Mayor Sayeau thanked members of the gallery for remaining patient during the closed session meeting.

6. Discussion Items – None

7. Action/Information Items

a) General Manager's Report

The General Manager provided an overview of his report specifically discussing December storage revenues, roof repairs and the Fish Compensation Project. He invited members to visit the project site with him and Mayor Sayeau the week of January 26th.

Moved by: K. Smail seconded by: P. Taylor that Committee recommend that Council approve the General Manager's Report for December as presented.

Carried

b) Operation Manager's Report

The Operation Manager provided a review of his report, explained the purpose of investigating the installation of a new drag conveyor and the importance of remaining competitive on the Seaway.

Moved by: M. Barrett seconded by: G. Morrell that Committee recommend that Council approve the General Manager's Report for December as presented.

Carried

c) Year to Date Stats

The General Manager provided a review of the 2014 statistics and expectations for 2015. Members discussed labour hours and equipment used to move rail cars. The managers were commended on the high grade ratings received from the Canadian Grain Commission.

d) Financial Statement – December

Members discussed inventory tracking processes. Staff commented that they are investigating high electricity costs and planning to develop effective operating procedures to reduce these costs.

e) Projects Update

Staff provided a summary of the remaining phases of the New Marine Terminal project including Fish Habitat project, dock services and rehabilitation of the harbour front dock which is scheduled for completion in September. Members discussed the remainder of allocated Port costs and noted that the Port is in good financial position to cover these costs.

Moved by: M. Barrett seconded by: P. Taylor that Committee recommend that Council receive the Project Update as discussed.

Carried

Staff was asked if South Nation Conservation was still monitoring turbidity and impacts of the project on the river to which they replied yes.

f) 2014 Year in Review

Staff provided a brief synopsis of their 2014 Year in Review Report. Volume at the Port is up by 3.3%, revenues surpassed budget expectations and expenses were under budget.

Members and staff discussed the importance of the Port and its financial contribution to the Township. Concerns were raised with respect to misunderstandings regarding the Port's impact on the budget and the dependence of the Township on the annual administration fee.

Members discussed whether the latest union contract is expected to assist with a reduction in solicitor fees. Staff responded that they have implemented monthly meetings and are making efforts to include union employees in the process of developing policies and are anticipating that this will lead to fewer grievances.

Staff provided a review of 2014 capital projects which included bin wall repair and a new inventory management system.

Members discussed the annual review from the health and safety provider, Prevention & Regulatory Solutions Inc. A clarification of the metrics in this report was provided.

Moved by: M. Barrett seconded by: P. Taylor that Committee recommend that Council receive the annual health & safety report as reviewed by staff and management board.

Carried

Moved by: G. Morrell seconded by: K. Smail that Committee recommend that Council receive the 2014 Year End Report as presented and reviewed.

Carried

Members thanked staff for preparing such a comprehensive report and congratulated them on a successful year.

8. Councillor Inquiries/Notices of Motion - None

9. Mayor's Report

Mayor Sayeau provided a report on the mentioning the following matters:

- Marine Club Meeting January 15-16
- Governance structure
- Advance planning responsibilities of the Official grand opening of the new infrastructure
- Port of Johnstown in news media reports

10. Question Period

There were no questions with respect to items on the agenda.

11. Closed Session

Moved by: P. Taylor seconded by: G. Morrell that the Port Management Committee proceeds into closed session at 9:40pm to discuss a matter pertaining to: a proposed or pending acquisition or disposition of land for municipal or local board purposes specifically: cottage leases and Minutes of the Closed Session of Dec. 10, 2014.

Carried

Members discussed cottage leases on port property.

Moved by: P. Taylor seconded by: M. Barrett that the Closed meeting does now adjourn and the open meeting of Port Management Committee does now resume at 9:58pm for the purpose of extending the curfew as set by the Procedural By-law.

Carried

Moved by: P. Taylor seconded by: M. Barrett the meeting curfew of 10:00pm be extended.

Carried

Moved by: G. Morrell seconded by: K. Smail that the Port Management Committee proceeds into closed session at 9:59pm in order to continue discussions relating to a proposed or pending acquisition of land for municipal or local board purposes specifically cottage leases and minutes of closed session of Dec. 10, 2014.

Carried

Members continued discussions with regards to the Port cottage properties. Direction was provided to the Chair in this regard.

Minutes of the Closed Session of December 10, 2014 were reviewed.

Moved that the closed meeting does now adjourn and the open meeting of Port Management does now resume at 10:30pm.

Moved by: M. Barrett seconded by: K. Smail whereas Council, acting on the recommendation of the Port Management Committee has determined that it is in the best interest of all parties to terminate the six leases and achieve vacant possession of the lots in question and whereas the Port Management Committee has received legal advice as to how this might best be achieved and has previously explored one or more recommendations; and whereas at the Port Management Committee meeting of December 10, 2014 members were still not comfortable with the proposals presented and requested more time and additional information before being asked to come to a final determination as to how to proceed; and whereas the Port Management Committee has tonight met in-camera to receive legal advice from Mr. Jason Shelly from the firm of Nelligan, O'Brien, Payne; therefore be it resolved that the Port Management Committee recommends to Council that Mr. Jason Shelly of the firm Nelligan, O'Brien, Payne be engaged to work with Council, Municipal Staff and the Port Management Committee on the single issue of terminating the six cottage lot leases.

Carried

Moved by: G. Morrell seconded by: P. Taylor that Committee approves the minutes of the closed session meeting of December 10, 2014.

Carried

12. Adjournment

Moved by: K. Smail that the meeting adjourn at 10:34 p.m.

Carried

These minutes were approved by Council this 26th day of January, 2015.

Chair

Secretary