

## **Minutes of An Amherstburg Municipal Council Meeting Held On Monday, April 26, 2010 At 7:00 p.m. In Council Chambers**

### **PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert (Bob) Pillon  
Councillor John Sutton  
Councillor William (Bill) Wark  
Councillor Rosa White

### **ALSO PRESENT:**

Pamela Malott, Chief Administrative Officer  
Brenda Percy, Manager of Council & Leg. Services/Clerk  
Carol Bendo, Human Resources Manager  
Paul Beneteau, Treasurer  
David Carpenter, IT Manager  
Ivano Fregonese, Supervisor of Budget Services  
Jackie Hubbs, Manager of Development Services  
Lou Zarlenga, Public Works Manager

### **CALL TO ORDER**

Mayor Hurst called the meeting to order at 7:30 p.m.

### **PRAAYER**

The Clerk, Brenda Percy, said prayer.

### **DISCLOSURE OF PECUNIARY INTEREST**

Councillor Fryer declared a pecuniary interest in Correspondence Item #1 and withdrew from discussion and voting on the matter.

### **MINUTES OF PREVIOUS MEETING**

Councillor Sutton moved, Councillor Pillon seconded:

**That the minutes of the following Amherstburg Municipal Council meetings be adopted as circulated:**

- 1. Special Public Meeting - Water Wastewater Budget Session held on April 6, 2010 at 12:00 PM;**
- 2. Regular In-Camera Meeting held on April 12, 2010 at 5:30 PM;**

3. Regular Public Meeting held on April 12, 2010 at 7:00 PM and
4. Special In-Camera Meeting held on April 12, 2010 at 12:00 PM

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

### **Delegation # 1**

Mr. Michael Kosyk addressed Council regarding water drainage at 3841 Concession #3.

The Mayor suggested that Administration set up a meeting with Lou Zarlenga and Mr. Kosyk and drainage staff to attend Mr. Kosyk's property and see if anything can be done to mitigate Mr. Kosyk's concerns.

Councillor White moved, Councillor Wark seconded:

**That Administration be directed to attend Mr. Kosyk's property to see what can be done to mitigate Mr. Kosyk's concerns.**

The Mayor put the Motion.

**Motion Carried**

Councillor White moved, Councillor Wark seconded:

**That the Delegation by Mr. Kosyk be received.**

The Mayor put the Motion.

**Motion Carried**

### **Delegation # 2**

Mr. Neil Stewart addressed Council regarding the Back Up Sewer Pump Station at 42 Alma St. Mr. Stewart sought an update on the backup sewer pump. He asked for a timeframe on when the relocation of the pump would be completed and also the landscaping work on Alma Street from Laird to the river would be done. A copy of Mr. Stewart's notes is attached and form an Addendum to these minutes.

Lou Zarlenga, Manager, Public Works provided an overview of the matter, action taken and timeline to events. Lou Zarlenga advised that the pump would be relocated to Town property as soon as possible. A formal report will be brought back to the next Council meeting explaining the issue and the steps taken to remedy the matter.

The Mayor noted that the remedial action had better start before the next meeting of Council and remedied as quickly as possible.

There was discussion with regard to the minutes of March 12<sup>th</sup>, 2010 and the recording of the timeline for action to be taken by Lou Zarlenga.

Lou Zarlenga provided information as to when the landscaping would be completed and steps to be taken. He noted that he would provide Council with an email setting out the timeline.

Councillor Sutton moved, Councillor Fryer seconded:

**That Administration be directed to bring back a report to Council at the meeting of May 10<sup>th</sup>, 2010 regarding the relocation of the sewer pump outlining clear timelines as to when it would take place.**

The Mayor put the Motion.

**Motion Carried**

Councillor Sutton moved, Councillor Wark seconded:

**The delegation by Mr. Stewart be received.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS OF MUNICIPAL OFFICERS**

### **Report #1**

A report by Pamela Malott, Dave Carpenter and Ed Pavao dated April 22, 2010, regarding the Amherstburg Recreation Project.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

**That Council receive the report from Pamela Malott, CAO, Dave Carpenter, Manager of Information Technology and Ed Pavao, Development Manager on Procurement for the Amherstburg Recreation Project;**

**And further that Council approve the following Furniture, Fixtures and Equipment purchases for the Amherstburg Recreation Complex: Supply and installation of Voice, Data, and Sound system equipment in the amount of \$106,604.42 plus taxes, with the successful vendor being Unique Communications.**

The Mayor put the Motion.

**Motion Carried**

**Report #2**

A report by Pamela Malott, CAO dated April 21, 2010, regarding Donation of Nexen Lands to the Town of Amherstburg.

Councillor White moved, Councillor Wark seconded:

**The the report by Pamela Malott, dated April 21, 2010 regarding the Donation of Lands from Nexen Inc. to the Town of Amherstburg be received;**

**That By-law 2010-52 being a bylaw to confirm the execution of a GST Indemnity and Undertaking; Environmental Indemnity Agreement; Donation Agreement; and Donation Receipt; dated March 26th, 2010 between the Town of Amherstburg and Nexen Inc, be given three readings and finally passed and that the Mayor and Clerk be authorized to execute same;**

**That Council confirms the execution of the closing on the transfer of ownership of the lands;**

**And further that a Letter of Appreciation and sincere thanks for their generosity to the Community be forwarded to Nexen Inc Calgary Office, indicating the lands will benefit the ratepayers of Amherstburg for generations to come.**

The Mayor put the Motion.

**Motion Carried**

**Report # 3**

A report by Lou Zarlenga dated April 8, 2010 deferred at the April 12, 2010 meeting regarding the engineering and architectural work for the Nexen Building renovations.

Councillor Wark moved, Councillor White seconded:

**That Council receive the report from Lou Zarlenga regarding the price quotation results for the Engineering/Architectural work for the Nexen Building Renovations;**

**And further that Council award a contract to R C Spencer Associates Inc. who supplied the lowest quotation for the amount of \$45,500.00 for the engineering and architectural work to the Nexen Building renovation project.**

Councillor Pillon asked if there are monies budgeted for the actual work to be done at the Nexen building. Lou Zarlenga advised that there is approximately \$245,000 either budgeted or carried forward over the past few years for this work. He noted that part of

the engineering duties include an audit of the building. Administration would return with a report outlining the results and in a better position to determine at that time what the costs are associated.

Councillor Sutton noted that the report states that there is approximately \$270,000 available for this project. Councillor Sutton noted that if the project is going to exceed this amount, Administration is to return to Council before any additional funds are spent.

The Mayor put the Motion.

**Motion Carried**

#### **Report # 4**

A report by Mr. Lou Zarlenga dated April 19, 2010 regarding the enclosure of a portion of the North Branch of the Malden Drain.

Deputy Mayor Bailey moved, Councillor White seconded:

**That Council receive the report from Mr. Zarlenga regarding the enclosure of a portion of the North Branch of the Morgan Drain;**

**And further that Council appoint Stantec Consulting to prepare a drainage report pursuant to Section 78 of the Drainage Act to enclose a portion of the North Branch of the Morgan Drain.**

The Mayor put the Motion.

**Motion Carried**

#### **Report # 5**

A report by Mr. Lou Zarlenga dated April 19, 2010 regarding sponsorship of the 2010 Essex Region Children's Water Festival.

Councillor Pillon moved, Councillor Fryer seconded;

**That Council receive the report by Lou Zarlenga, Manager of Public Services dated April 19th, 2010 regarding sponsorship of the 2010 Essex Region Children's Water Festival;**

**And further that Council sponsor the 2010 Essex Region Children's Water Festival as part of the 2010 Amherstburg Water Conservation Program.**

The Mayor put the Motion.

**Motion Carried**

**Report #6**

A report by Lou Zarlenga dated April 21, 2010, regarding Simcoe Street Sanitary Sewer Assessments.

Councillor Sutton moved, Councillor White seconded:

**That Council receive the report from Lou Zarlenga regarding the assessments for connecting to the Simcoe Street sanitary sewer;**

**That Council authorize the circulation of the assessment schedule to affected residents;**

**That Council authorize the scheduling of a public information meeting and subject to this meeting, a date is to be established to commence the required nine month connection period;**

**And further that procedures similar to Amherst Point be utilized for Simcoe Street sanitary private sewer service connection.**

The Mayor put the Motion.

**Motion Carried**

**Report # 7**

A report by Carol Bendo dated April 16, 2010, regarding next steps for Amherstburg Municipal Cultural Planning (MCP) initiative.

Councillor White moved, Councillor Sutton seconded:

**That the report submitted by Carol Bendo dated April 16, 2010, regarding next steps for Amherstburg Municipal Cultural Planning (MCP) initiative be received;**

**And furthermore that Council approve the schedule for Administration to move forward with execution of plan as outlined by the Ministry of Culture agreement to send out RFP for a consultant or firm to begin process by June of 2010**

The Mayor put the Motion.

**Motion Carried**

**Report # 8**

A report by Carol Bendo dated April 13, 2010, regarding the Lung Association Bike Trek Campaign.

Councillor Pillon moved, Councillor White seconded:

**That the report submitted by Carol Bendo dated April 13, 2010, regarding the Lung Association Bike Trek Campaign to be held on May 29th and May 30th, 2010 be received.**

Councillor Fryer asked that Public Works place markers along the route for the riders.

The Mayor put the Motion.

**Motion Carried**

**Report # 9**

A report by Carol Bendo dated April 13, 2010, regarding the Corey Meloche Memorial Run.

Councillor Sutton moved, Councillor Wark seconded:

**That the report submitted by Carol Bendo dated April 13, 2010, regarding the Corey Meloche Memorial Run to be held on Saturday, May 8, 2010 be received.**

The Mayor put the Motion.

**Motion Carried**

**Report # 10**

A report by Carol Bendo dated April 16, 2010, regarding notice of tender for Expression of Interest for advertising and management of accounts for the E Kiosks.

Councillor Fryer moved, Councillor Sutton seconded:

**That the report submitted by Carol Bendo dated April 16, 2010, regarding notice of tender for Expression of Interest for the advertising and management of accounts for the E Kiosks be received;**

**And further that Council approve the following criteria in the tender process so that the Town of Amherstburg is ensured to recover all costs associated with the maintenance and interest service to the E Kiosks that will be provided on a yearly basis.**

The Mayor put the Motion.

**Motion Carried**

**Report # 11**

A report by Brenda Percy dated March 30, 2010, deferred at the April 12, 2010 regarding Request for Encroachment Agreement.

Councillor White moved, Deputy Mayor Bailey seconded:

**That Council receive the report prepared by Brenda Percy, Manager, Council & Legislative Services regarding a request for an encroachment agreement;**

**And further that Administration be directed to advise Mr. Bondy that such an arrangement cannot be permitted as the proposed structure is outside the permitted lot coverage, is not conducive to future use of the lands by the Town and may be precedent setting for neighbouring properties.**

Councillor Pillon asked that Administration confirm whether a building permit has already been issued.

The Mayor put the Motion.

**Motion Carried**

**Report # 12**

A report by Carol Bendo dated April 8, 2010, regarding request to waive fees for the Malden Centre Ball Diamond Concession.

Councillor Fryer moved, Deputy Mayor Bailey seconded:

**That the report by Carol Bendo, dated April 8, 2010 regarding the Amherstburg Malden Centre Ball Diamond Concession – Request to Waive Fees be received;**

**And that Council not approve a waiver of the \$150.00 monthly fee or a reduction in fee to operate the Malden Centre Concessions at Malden Centre Park for the 2010 baseball season.**

Councillor Pillon noted that this stand has sat empty for other seasons. He suggested a reduced rate instead.

Councillor Fryer withdrew the motion.



Councillor Pillon, Councillor Wark seconded:

**That the report by Carol Bendo, dated April 8, 2010 regarding the Amherstburg Malden Centre Ball Diamond Concession – Request to Waive Fees be received;**

**And that Council approve a monthly fee of \$50.00 monthly fee to operate the Malden Centre Concessions at Malden Centre Park for the 2010 baseball season.**

The Mayor put the Motion.

**Motion Carried**

### **Report # 13**

A report by Jackie Hubbs, dated April 14, 2010, regarding an application for deferral of development charges as submitted by Norbuilt Construction Ltd.

Councillor Sutton moved, Councillor White seconded:

**That the report submitted by Jackie Hubbs, dated April 14, 2010 regarding an application for deferral of development charges as submitted by Norbuilt Construction Ltd. for property located at 509,511,513, 515 Golfview Drive, be received;**

**And further, that By-law 2010-046 being a by-law to authorize the signing of an agreement to defer development charges be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.**

The Mayor put the Motion.

**Motion Carried**

### **Report # 14**

A report by Jackie Hubbs, dated April 14, 2010, regarding an application for deferral of development charges as submitted by Gintar Contractors Ltd.

Councillor White moved, Councillor Fryer seconded:

**That the report submitted by Jackie Hubbs, dated April 14, 2010 regarding an application for deferral of development charges as submitted by Gintar Contractors Ltd. for property located at 67, 68, 69 Fairway Crescent, be received;**

**And further, that By-law 2010-050 being a by-law to authorize the signing of an agreement to defer development charges be taken as having been read three times**

**and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.**

The Mayor put the Motion.

**Motion Carried**

**Report # 15**

A report by Jackie Hubbs, Manager of Development Services and Anne Rota, Tourism Officer dated April 13, 2010, regarding 'Ride Your Bike to Work Month.'

Councillor Fryer moved, Councillor Wark seconded:

**That the report by Jackie Hubbs and Anne Rota dated April 13, 2010, regarding 'Ride Your Bike to Work Month' be received;**

**And further that the Mayor proclaim June 2010 as the 'Ride Your Bike to Work Month.'**

Councillor Fryer suggested incentives for employees such as a bottle of water.

The Mayor put the Motion.

**Motion Carried**

**Mayor's proclamation**

*Whereas the Town of Amherstburg has developed a series of Trails through Town as well as upgraded and repaired sidewalks within the urban core area of Town through the Community Adjustment Fund project;*

*Further, Council recognizes and supports the use of the trails for pedestrians and bicycles to create a healthy, livable Community;*

*I, Wayne Hurst, Mayor of the Town of Amherstburg, do hereby proclaim the month of June 2010 be observed as "Ride Your Bike to Work Month" in the Town of Amherstburg.*

The Mayor put the Motion.

**Motion Carried**

### **Report # 16**

A report by Jackie Hubbs dated April 26, 2010 regarding the Ontario Municipal Board appeal of Zoning By-law Amendment ZBA/5/09.

Councillor Sutton moved, Councillor Wark seconded:

**That Council receives the report by Jackie Hubbs, Manager of Development Services dated April 26, 2010 regarding the Ontario Municipal Board appeal of Zoning By-law Amendment ZBA/5/09 be received;**

**Further that Council directs administration and legal counsel to proceed to participate at the Ontario Municipal Board hearing to defend the Town of Amherstburg Council decision wherein a zoning by-law amendment was granted under file ZBA/05/09 and appealed to the OMB by Paul Pajot, et al.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT CORRESPONDENCE**

Deputy Mayor Bailey moved, Councillor White seconded:

**That correspondence items 1, 2 and 4 to 7 be received:**

- 1. Proposed Management Plan for the Silver Chub - Fisheries and Oceans Canada - April 7, 2010;**
- 2. CWATS Notice of First Public Open House - County of Essex - April 20, 2010;**
- 3. Wind Projects - SouthPoint Wind - April 9, 2010;**
- 4. Signage along Highway 401 for the Town of Amherstburg - Ministry of Transportation - April 7, 2010;**
- 5. Proclamation for English as a Second Language Week - TESL - April 12, 2010;**
- 6. Ontario's Water and Wastewater Industry Newsletter - OCWA - Spring 2010;**
- 7. Letter to Minister Duguid - Tourism Industry Association of Ontario - April 21, 2010**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer referred to Consent Item #3.

Councillor Fryer moved, Councillor Wark seconded:

That Southpoint Wind be invited to appear before Council prior to any decision being made that would adversely affect the residents of Amherstburg and to explain how this project would benefit the area.

The Mayor noted that this matter is being addressed at the County level with a meeting being set up. All municipalities will be invited to attend the meeting once scheduled.

The Mayor put the Motion.

**Motion Carried**

Deputy Mayor Bailey moved, Councillor Sutton seconded:

**That Consent Item #3 be received.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT BUSINESS LICENSES**

Councillor Pillon moved, Councillor Fryer seconded:

**That the following business license applications be received and approved subject to compliance with By-Law 2009-44, all agencies and regulations;**

- 1. Renewal for Refreshment Vehicle - Z&R Hotdogs;**
- 2. Restaurant - Moe's Smokehouse BBQ; and**
- 3. Pool Supplies - Pools "R" Us.**

**And further that the license be issued by our licensing officer once the applicant has met all of the special conditions as listed in By-Law 2009-44.**

The Mayor put the Motion

**Motion Carried**

**CONSENT OTHER MINUTES**

Deputy Mayor Bailey moved, Councillor Sutton seconded:

**That the following minutes be received:**

- 1. Minutes from the Amherstburg Heritage Committee meeting held February 18, 2010 at 5:30 p.m.**

The Mayor put the Motion

**Motion Carried**

**CORRESPONDENCE**

**Correspondence #1 - Joint and Several Liability Paper - AMO**

Councillor Fryer declared a pecuniary interest in Correspondence Item #1 and withdrew from discussion and voting on the matter.

Councillor White moved, Councillor Sutton seconded:

**That the correspondence from AMO be received;**

**And further that the Town of Amherstburg Council supports the Association of Municipalities of Ontario in its efforts to seek Joint and Several Liability reform in Ontario by calling on the Provincial Government to make much needed changes to the Negligence Act.**

The Mayor put the Motion

**Motion Carried**

**Correspondence #2 - Green Ribbon of Hope - Child Find Ontario**

Deputy Mayor Bailey moved, Councillor Wark seconded:

**That the correspondence from Child Find Ontario be received;**

**And further that the Mayor proclaim May 2010 as Green Ribbon of Hope Month and May 25th, 2010 as National Missing Children's Day.**

The Mayor put the Motion

**Motion Carried**

Mayor's proclamation

*Whereas over 56,000 children are reported missing annually in Canada and thousands more are victims of exploitation;*

*And whereas the green ribbon is the symbol of hope for missing children;*

*I, Wayne Hurst, Mayor of the Town of Amherstburg, do hereby proclaim May 2010 as Green Ribbon of Hope Month and May 25th, 2010 as National Missing Children's Day in the Town of Amherstburg.*

**Correspondence #3 - 25th Annual Amherstburg Garden Tour Weekend - Fort Malden Horticultural Society**

Councillor Sutton moved, Councillor Fryer seconded:

**That the correspondence from the Fort Malden Horticultural Society be received;**

**That Administration notify Fire, Police and Ambulance Services regarding the Event;**

**And further that all Residents be encouraged to attend.**

The Mayor put the Motion

**Motion Carried**

**Correspondence #4 - ERIP Program - Hydro One**

Councillor Fryer moved, Councillor Sutton seconded:

**That the correspondence from Hydro One be received;**

**And further that Administration be directed to investigate the benefits of the ERIP Program and report back to Council.**

The Mayor put the Motion

**Motion Carried**

**Correspondence #5 - Retirement and Awards Banquet - Amherstburg Fire Department**

Councillor Pillon moved, Councillor White seconded:

**That the correspondence from Amherstburg Fire Chief, Richard Murray be received;**

**And further that Administration and Council be encouraged to attend.**

The Mayor put the Motion

**Motion Carried**

**Correspondence #6 - 39th Annual Negev Dinner - Jewish National Fund of Canada**

Councillor Sutton moved, Councillor Wark seconded:

**That the correspondence from the Jewish National Fund of Canada be received;**

The Mayor put the Motion

**Motion Carried**

**UNFINISHED BUSINESS**

Council reviewed the Unfinished Business Items List as of April 26, 2010.

Councillor White moved, Councillor Fryer seconded:

**That Administration bring back administrative report regarding establishing a dog park in the Town of Amherstburg.**

Councillor White asked that Lou Zarlenga bring back the administrative report due to a recent interest in the matter.

The Mayor put the Motion

**Motion Carried**

Councillor Pillon noted that Item #6 and Item #8 are the same matter. He sought an update on the matter.

Councillor Fryer asked that Item #7 be removed.

## **NEW BUSINESS**

Councillor Wark asked that Lou Zarlenga provide a report at the next Council meeting on the status of the CAF lighting projects and disposition of those removed and plan as to where they would be located and also the timing associated.

Councillor Fryer sought information on the Rivard Canard bridge and lighting on the bridge. A report will be brought back at the next Council meeting.

Councillor Fryer moved, Councillor Wark seconded:

**That McLellan Street be revisited by the Traffic Committee for both stop signs and alternate monthly parking.**

Councillor Fryer noted that concerns have been raised with regard to lack of sidewalks and children crossing the road. Councillor Fryer also noted that there needs to be alternate parking to allow access by emergency vehicles.

The Mayor put the Motion

**Motion Carried**

## **NOTICE OF MOTION**

### ***Comprehensive Review of Sign By-Law 2006-26***

Council will discuss the Notice of Motion as introduced by Councillor Rosa White on April 12, 2010 regarding the request for a Comprehensive Review of Sign By-Law 2006-26.

Councillor White moved, Councillor Pillon seconded:

**That Council agree to form a Committee to complete a comprehensive review of the Town of Amherstburg Sign By-Law 2006-26 being a By-law prohibiting and regulating erection of signs, other advertising devices, and the posting of notices within the Town of Amherstburg;**

**And further that the Committee include the following members:**

**Councillor Rosa White  
Stephen Brown, Chief Building Official  
Ben Wilder, Community Standards Officer  
Two Representatives from the Chamber of Commerce  
Angela Kelly, Amherstburg Accessibility Committee  
One Member at Large**



Councillor Pillon asked that Terms of Reference be brought before Council before the Committee begins its work.

The Mayor put the Motion

**Motion Carried**

**BY-LAWS**

**Confirmatory By-Law**

Councillor Fryer moved, Councillor White seconded:

**That By-Law 2010- 51 being a By-Law to confirm all resolutions of the Municipal Council Meeting held on April 26, 2010 be taken as having been read a first, second and third time, be finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.**

The Mayor put the Motion.

**Motion Carried**

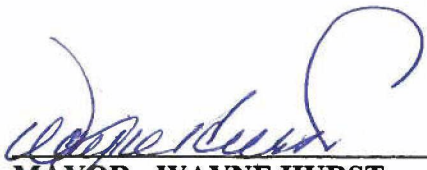
**ADJOURNMENT**

Deputy Mayor Bailey moved, Councillor White seconded:

**That Council adjourn at 8:50 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
\_\_\_\_\_  
MAYOR - WAYNE HURST

  
\_\_\_\_\_  
CLERK - BRENDA M. PERCY

April 26, 2010.

Mr. Mayor and Members of Council

My name is Neil Stewart, I live at 42 Alma Street. I am here tonight for an update on the Backup Sewer Pump for 42 Alma Street. At the April 12<sup>th</sup> 2010 Council meeting I informed Council that the Back up Sewer Pump was located on my property, but because the Pump location was in question, the Town wanted a surveyor's report conducted, and this issue would be dealt with at the Council meeting 26<sup>th</sup> April, 2010 when the Surveyor's Report would be available.

As per letter and conversation with Mr. Zarlenga April 22<sup>nd</sup>, 2010 the Surveyor's report shows a mistake has been made. The Pump was not installed according to Spencer and Associates plan on Town property but on our property.

Mr. Zarlenga advised that the Pump will be relocated to Town Property. I would like a time frame on when the relocation of the Pump is to be completed. Also when the landscaping work on Alma Street from Laird to the river is to be completed. This project was started August 2009.

On reviewing the Minutes of April 12<sup>th</sup> Council Meeting there is no mention of the Back up Sewer Pump being located on my property instead of Town of Amherstburg property, as per Spencer & Associates Plan, (Delegation 8, page 6 of 28, Minutes of the Council) and that Council would deal with the issue at it's meeting of April 26<sup>th</sup>, 2010. I believe this should have been entered into the Minutes, especially when you have received a letter from my lawyer, February 17<sup>th</sup>, 2010 and my Delegation April 12, 2010 making you aware of the situation.

This situation has forced us to seek the guidance of a lawyer and we will be requesting compensation for these expenses.