

MINUTES

The Council of the Municipality of North Middlesex met in the Council Chambers at 7:30 p.m. on August 27, 2001 for their regular meeting.

Those present were: MAYOR CHUCK HALL
DEPUTY MAYOR IAN BREBNER
COUNCILLOR WARD 2 - KEN JOHNSTON
COUNCILLOR WARD 3 – MICHAEL CONLIN
COUNCILLOR WARD 4 – LAWRENCE McLACHLAN
COUNCILLOR WARD 5 – LUCY HENDRIKX
ADMINISTRATOR – SHIRLEY SCOTT
PUBLIC WORKS SUPERINT. – JOE ADAMS

Absent – COUNCILLOR WARD 1 – MARYSIA COUTTS

No pecuniary interest was declared.

MINUTES

The minutes were reviewed and the following items discussed. It was mentioned that the Ailsa Craig Lions Park lawn was not trimmed. It was determined that the Town owns the land, but the building and other articles were provided by the Lions. There apparently is an agreement, and it is stated within the agreement that the Lions are to maintain the grounds. The agreement is being rewritten to be between North Middlesex and the Ailsa Craig Lions. In regard to a portion of fence that was removed, it was clarified that the recreation department did not remove the fence. The following motion was then made.

HENDRIKX-McLACHLAN- BE IT RESOLVED THAT the Regular Meeting minutes dated August 7th, Committee Meeting minutes dated August 13th be approved and the draft Recreation Committee meeting minutes dated August 14, 2001, be received.

CARRIED.

ACCOUNTS

The accounts were reviewed, and the following motion made.

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT the following payment of accounts dated August 27, 2001, be approved:
General - \$121,656.32, Water - \$ 6,610.51,
Cemetery - \$5,947.06

CARRIED

PARKHILL LIBRARY

Correspondence from Middlesex County Library, regarding repairs or renovations that should be considered, was reviewed, indicating: repairs required for roof and chimney flashing; replacement of carpet runner and plastic runners/slush mats to protect the new carpet; light fixtures for exterior front light and heritage fixtures for the interior; exterior painting of trim; and estimate to refinish wooden floor.

All these improvements are not necessarily required immediately. Prices will be obtained, and scheduling of improvements put into perspective. The committee agree that the accessibility issue is suitably addressed through service alternatives.

DELEGATION: EASEMENT FOR ESTATE OF LEONA GOODING

Lawyers Derek and Philip Walden, representing the estate of Leona Gooding, and former Building Inspector, Archie Gibbs, then entered the meeting to re-discuss the possible easement on Front Street.

Mr. Walden suggested that Council did not understand what was involved with an easement situation. He reviewed the severance application and the minor variance application, which was considered earlier this year. Once the severance was granted, a survey was authorized, and it was at this point that it became evident that 40% of the building was on municipal road allowance.

Archie Gibbs advised that he was Building Inspector at the time the shed was built in 1976. He advised that at that time the Clerk and Council approved an application before a permit was issued.

Mr. Walden then reviewed the alternatives suggested in a letter dated, July 25, 2001; all of which Council turned down at their August 7th meeting. Mr. Walden asked that Council reconsider, based on a clearer understanding of "encroachment". After a thorough discussion, the following motion was made.

BREBNER-JOHNSTON: BE IT RESOLVED THAT an encroachment agreement be signed with the estate of Leona Gooding, for the shed on Part 2 of Severance S-3-2001, with conditions that it will be removed at six months notice, if the municipality requires the land and the building be removed if condition deteriorates, and the agreement be registered on title.

CARRIED.

Mr. Walden agreed to cover all costs. It was clarified that there is no right to rebuild on the foundation if the building is destroyed or condemned.

Council thanked the delegation for attending.

PUBLIC WORKS DEPARTMENT REPORT

Public Works Superintendent, Joe Adams gave the following report.

1. Tar and Chip quotes (invitational) have been obtained to spread a single coat on 3100 metres. The work is to be complete by September 14, 2001. The following was received:
- | | |
|---------------------|-------------|
| MSO | \$32,067.90 |
| Cornel Construction | \$40,253.40 |

Council made the following motion.

HENDRIKX-BREBNER: BE IT RESOLVED THAT Council accept the quote of \$32,067.90, taxes included by MSO. Work to be completed by September 14, 2001. The funding be drawn from the West Williams Reserve Fund.

CARRIED.

2. A response from the Ministry of Environment regarding the extension of water series and the need for overall servicing planning, was reviewed. The Ministry stated their concerns as:
 - a) the potential for groundwater and surface water impacts arising from failed, older (under designed, private sewage systems due to increased water use and effluent generation;
 - b) the potential non domestic use of treated water supplies. They suggested metering of individual water users.

Mr. Adams advised that they have already been advised that the water users are metered. They did conclude that based on master service planning linked to future growth and development decisions, and that expansion of the service area of the Ailsa Craig sewage treatment facility will not be considered until existing problems are addressed, they are satisfied that their concerns will be addressed in a comprehensive and environmentally responsible way.

Mr. Adams suggested that the upcoming OMAFRA study may create some change in viewpoints. The Municipality has been given approval for drawings, which the County has advised that they have no problem with. The tender will be completed August 28th, for extension of the Denfield/ Elginfield line, and the Centre Road/Townsend waterline. The tender on this project will be considered on September 4, 2001.

3. The water feeder on Elginfield Road requires repair. It will then benefit more than this line. It is now a 4" feeding into a 2" and will be upgraded to a 4" feeding into a 10". The upgrade will be done in early September.
4. A pump in West Williams requires a new cone.
5. The McLean Road will be ready for paving at the end of this week. The tender for paving will be circulated this week, and close by the end of September. Various roads in Parkhill that require paving will be included in the tender.
6. Roadside cutting will be done again, after Labour Day.
7. The equipment auction is scheduled for October 13, 2001. Consideration is being made to enter two hoes in the auction, and then replace those units with one. A three year, no interest lease is being considered. Various attachments are being entered into the sale with the trackless unit. One of the mower tractors will also be entered.

Councillor Johnston advised that there are road repairs required in Ailsa Craig. Mr. Adams advised that they plan to repair in five locations. There are also some small water leaks, in both Ailsa Craig and Parkhill, which will be addressed soon. Mr. Adams advised that we are waiting for utility locates before we can proceed with these repairs.

Councillor Hendrikx requested that the County be advised that work is required on the roadsides. There is 8-10 inch drops from the road to the laneways in several locations. Councillor Johnston asked that the County also be reminded of the crossing signs that have been requested, and promised for Queen Street (several times), be put up as soon as possible.

ADMINISTRATOR REPORT

A written report was reviewed, including the following matters:

1. Consultation with former West Williams Clerk revealed that the West Williams History Book Committee, which is not applicable to Council, have designated \$1,000, for a History Award at North Middlesex Secondary School.
2. The local Legions are inquiring as to whether we will be participating towards the Remembrance Day Services this year. Consideration was made, and the following motion made.

CONLIN-McLACHLAN: BE IT RESOLVED THAT Council lay wreaths on behalf of North Middlesex at four cenotaphs- Parkhill, Lieury, Ailsa Craig and Nairn.

CARRIED

3. After reviewing the Parkhill Development Charges by-law, as directed, it was confirmed that the charges collected must be maintained to be used to meet growth related net capital costs for which the development charge is imposed, such as sanitary sewage collection and treatment, storm drainage, road construction, water distribution, electricity, road maintenance, administration and related studies, applicable to the specific area in which the charge was collected.
4. It was recommended that when processing a residential severance application, Council could consider a policy to collect 5% of the value of the development for parkland fee; and also, a drainage report should be considered if the land is applicable to a specific drain. This would update the schedule for allocation of future costs.

CONLIN-HENDRIKX: BE IT RESOLVED THAT Council collect 5% of the value of the development for parkland fee when processing a residential severance application.

CARRIED.

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT in the future, drainage schedules be updated for future allocation costs, when processing a severance application.

CARRIED.

The following items were reported on verbally.

5. Statistics were taken at the Ailsa Craig Satellite Office, from early April to mid May, to determine the office flow. Upon analyzing this information, the following results were determined – 1.4% from Ward 1-Parkhill, 41.7% from Ward 2Ailsa Craig, 22.2% from Ward 3 – McGillivray, 21.9% from Ward 4 - East Williams, .006% from Ward 5 – West Williams, and 12.14% out of municipality, or unknown. It was confirmed that when it was determined that a satellite office would be useful, this was the expected flow. Council thanked everyone for their co-operation in determining this status. Councillor Johnston also determined usage, which determined the same results.
6. There is a need to change the name of Centre Road in former McGillivray. There is also a Centre Road between the former East and West Williams. There is only three homes affected on the road in McGillivray, therefore it is recommended that this area be changed. The roads in McGillivray were originally named by a Historical Club, therefore contact was made, and an alternative name was suggested, and it is Grieves Road. Council considered this, and the following motion was made.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the Centre Road portion located entirely within the former McGillivray Township be changed to Grieves Road. CARRIED.

7. The County of Middlesex – Planning Department, requested that all Planners in Middlesex County, attend a discussion session. Council agreed that Barb Rosser should attend.

McLACHLAN-BREBNER: BE IT RESOLVED THAT the report from Administrator Clerk Shirley Scott be received.

CARRIED.

Council asked if a price had been received from Flags Unlimited for flags. They were advised that a price had been received. The Clerk was directed to order.

RECOMMENDATIONS FROM COMMITTEE MEETINGS

The recommendations forwarded from the August 13, 2001 Committee Meeting were reviewed, and the following motion made:

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT recommendations from the committee meeting and fire committee meeting, as follows, be adopted:

- That a legal agreement be drawn up with Valerie and Cheryl Norman according to stats discussed.

- That upon consultation with Ms. Cormier, that the by-law and advertising be done to complete process on Springbank Road – former East Williams

- That former West Williams office facility be leased at a rate of \$600 rent and \$150 for utilities

- That 500 metal lapel pins and 500 pens be ordered for the new municipality from Holiday and that 50 flags be ordered, subject to competitive pricing.

- That Council accept fire committee recommendations to move four men from department auxiliary to probationary firefighters; those firefighters being from Ailsa Craig District – Jason Jones and Barry Cavanaugh, and from Parkhill District – Ivan Tamminga and Allan Dixon.

CARRIED.

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT recommendations from the Recreation Committee meeting be accepted, as follows:

- That Recreation Committee recommends that rental rates for Nairn pavilion be \$30.00 per event with the additional charge of \$20.00 if kitchen facilities are utilized.

CARRIED.

FIRE SERVICE AGREEMENT WITH LAMBTON SHORES

Correspondence from Lambton Shores was received requesting that the existing fire service agreement be continued for the balance of 2001. They suggested that they are prepared to offer service by taking the budget of Arkona Volunteer Department and apportion that cost out to North Middlesex on the basis of percentage of the total assessment area, compared to the area covered in North Middlesex.

Council requested that the costs be determined before a decision be made. It was suggested that the operating cost and the capital cost be divided.

TREE REMOVAL

Correspondence was received from Ailsa Craig, requesting a sign be put up at the Lions Park, stating that no trees be removed. This request was forwarded to the Recreation Committee for their consideration.

The following by-laws were considered.

BY-LAW# 61 OF 2001 – ASSESSMENT REVIEW BOARD

McLACHLAN-CONLIN: BE IT RESOLVED THAT By-law #61 of 2001 being a by-law to provide that the Assessment Review Board exercise certain functions of Council pursuant to the Municipal Act and that the By-law be read a first, second and third time and finally passed this 27th day of August, 2001.

CARRIED.

BY-LAW #62 OF 2001– COMMITTEES

CONLIN-McLACHLAN: BE IT RESOLVED THAT By-law #62 of 2001, being a by-law to appoint members to serve on various committees for the Municipality of North Middlesex, be read a first time and after a minor addition be read a second and third time and finally passed this 27th day of August, 2001. CARRIED.

BY-LAW #63 OF 2001 – FENCEVIEWERS

HENDRIKX-CONLIN: BE IT RESOLVED THAT By-law #63 of 2001, being a by-law to appoint fence viewers for the Municipality of North Middlesex be read a first, second, third time and finally passed this 27th day of August, 2001. CARRIED.

BY-LAW #64 OF 2001 – OMERS

BREBNER-JOHNSTON: BE IT RESOLVED THAT By-law #64 of 2001, Being a By-law for the participation in OMERS be a Municipality in respect of employees be read a first, second, third time and finally passed this 27th day of August, 2001. CARRIED.

BY-LAW #65 OF 2001 – EAST WILLIAMS DEBENTURE

McLACHLAN-CONLIN: BE IT RESOLVED THAT by-law #65 of 2001, being a by-law to amend by-law #27 of 2000 of the former Township of East Williams, be read a first, second, third time and finally passed this 27th day of August, 2001. CARRIED.

BY-LAW #66 OF 2001 – EMERGENCY PLAN

McLACHLAN-JOHNSTON: BE IT RESOLVED THAT by-law #66 of 2001 being a by-law formulating a plan for protecting property and the health, safety and welfare of the inhabitants in a emergency area, be read a first, second, third time and finally passed this 27th day of August, 2001. CARRIED.

BY-LAW #67 OF 2001 – TDL BORROWING

CONLIN-HENDRIKX: BE IT RESOLVED THAT By-law #67 of 2001, being a by-law to amend by-law #23 being a TDL borrowing application, be read first second and third time and finally passed this 27th day of August. CARRIED.

POLICY-FINANCIAL REQUESTS

McLACHLAN-HENDRIKX: BE IT RESOLVED THAT Council of the Municipality of North Middlesex approves the financial request policy, as follows:

1. all financial donations and grant requests should be considered having regard for current budget.
2. no contributions will be considered unless specifically authorized by policy.

- a) organizations and or charities that are in a position to issue tax receipts shall not be considered for a donation or grant. Examples of these types of organizations are Muscular Dystrophy, CNIB, Salvation Army.
- b) Organizations that may be outside North Middlesex, but are more County of Middlesex organizations and that represent or service a special interest group shall not be considered for a donation or grant. Examples of this type of organization is the Middlesex Plowmen's Association.
- c) One time special requests for assistance will be dealt with on an individual basis. Examples of these types of requests would be flood and ice storm disaster relief requests either locally or on a broader scope.
- d) Local requests are divided into the following areas:
 - i) school awards – Council will provide elementary and secondary school awards
 - ii) there will be no financial consideration for requests from local recreation groups.

CARRIED.

TILE DRAIN LOAN APPLICATION

BREBNER-McLACHLAN: BE IT RESOLVED THAT the Tile Drain Loan application for Concession 24, Lot 6. former McGillivray, for \$16,500 be accepted.

CARRIED.

CORRESPONDENCE

The following correspondence was considered, and the following motion made:

- a. Thank you card from Caroline Bruce and Jessica Michielsen for the plant – new business
- b. Ministry of Agriculture and Food and Rural Affairs – “Regional Opportunities” meeting Tuesday September 18, 2001 in Sarnia
- c. Ministry of Municipal Affairs and Housing – Provincial Policy Statement Review
- d. Municipal Property Assessment Corporation – announcement of Board of Directors
- e. Thank you certificate to the Village of Ailsa Craig for the donation in 2000
- f. Hydro One Inc. regarding a revised application to the Ontario Energy Board for a change to the distribution rate for customers in the former Ailsa Craig Hydro Electric System
- g. Thank note from Glen and Julie Bullock and family for the floral tribute
- h. Minister of Correctional Services – response to Council's opposition to private sector involvement in the delivery of correctional services in Ontario.
- i) Ministry of Municipal Affairs and Housing summary of consultations regarding Smart Growth(copy available in office)
Upcoming seminar September 20, 2001 in Toronto- Smart Growth

JOHNSTON-CONLIN: BE IT RESOLVED THAT the correspondence package (a-i) dated August 27,2001, be received.

CARRIED.

IN CAMERA

HENDRIKX-CONLIN: BE IT RESOLVED THAT the regular meeting adjourn to an in camera session at 10:30 p.m. on legal matters.

CARRIED.

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT Council move out of camera and back into regular session at 10:45 p.m.

CARRIED.

There was no results of the in camera, to report.

COUNCILLOR REPORTS

Deputy Mayor Brebner requested that directional signs to Ailsa Craig be erected at Nairn & Petty, Elginfield, and Centre Road.

Deputy Mayor Brebner suggested that all auditors be asked to submit the performance measures that were forwarded, as soon as possible.

Councillor McLachlan asked the status of the Ailsa Craig Town Hall. Councillor Hendrikx advised that only the Library area meets the fire code, therefore the balance of the structure will not be rented out at this time. It was suggested that the appraisals be requested so that various properties can be dealt with.

Councillor Johnston reported that there is a mess by the basketball nets. The police are apparently checking this out, and it is advised that the area be cleaned up. Also, the back door is still broke, as well as the grill on the air conditioner by the play school area.

CONFIRMING BY-LAW

BREBNER-HENDRIKX: BE IT RESOLVED THAT a by-law to confirm the proceedings of the Council of the Municipality of North Middlesex at meetings held on August 27th 2001 be read a first, second, third time and finally passed this 27th day of August, 2001.

CARRIED.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the regular meeting adjourn at 11:00 p.m.

CARRIED.

MAYOR

ADMINISTRATOR CLERK