



## **MUNICIPALITY OF NORTH MIDDLESEX REGULAR MEETING MINUTES**

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday February 17, 2016 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill with a quorum present.

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

The Mayor called the meeting to Order at 6:00 p.m.

### **2. ROLL CALL**

Present:

Mayor Don Shipway

Deputy Mayor Brian Ropp

Councillor Ward One Doreen McLinchey

Councillor Ward Two Joan Nichol

Councillor Ward Three Gord Moir

Councillor Ward Four Andrew Hemming

Councillor Ward Five Adrian Cornelissen

CAO, Marsha Paley

Clerk, Jackie Tiedeman

Acting Treasurer, Debbie Jonah

### **3. DISCLOSURE OF PECUNIARY INTEREST.**

None

### **4. CLOSED MEETING (Under Section 239 of the Municipal Act)**

#### **MOTION #049/2016**

**MCLINCHEY/MOIR:** That Council adjourn to Closed Meeting for the purpose of receiving information under the following at 6:00 p.m.:

- a. Elizabeth Hill, Consultant – Organizational and Operational Review presentation

**CARRIED**

## **5. RISE AND REPORT**

Council rose from Closed Meeting at 7:05 p.m. with no report

## **6. MINUTES OF PREVIOUS MEETINGS:**

- a. January 27, 2016 Special Budget Meeting Minutes

### **MOTION#050/2016**

**CORNELISSEN/NICHOL:** That the January 27, 2016 minutes be accepted as presented.

CARRIED

- b. February 3, 2016 Regular Meeting Minutes

### **MOTION #051/2016**

**HEMMING/CORNELISSEN:** That the February 3, 2016 minutes be accepted as presented.

CARRIED

## **7. PUBLIC MEETINGS**

7:45 p.m. Meeting to Consider Drainage Report for Eagleson-Steeper Drain

### **MOTION #056/16**

**MOIR/HEMMING:** That regular meeting adjourn to public meeting to consider the scope of work outlined in the drainage report.

CARRIED

Mr. Bill Dietrich explained that an on- site meeting has been held with the landowners as well as an informal meeting to review the engineer's proposal. The purpose of this meeting is to review the scope of work with Council and answer any questions there may be from the public. One landowner (Dwayne Ritchie) was in attendance with no questions. The total project cost is \$30,900. The cost is assessed with six landowners, ABCA and two municipal roads. There is no grant available for this project. The next step is to obtain tenders for the work once Council approves the report during regular meeting.

### **MOTION #057/2016**

**ROPP/MCLINCHEY:** That the public meeting adjourn and return to regular meeting at 7:50 p.m.

CARRIED

## 8. DELEGATIONS:

7:00 p.m. OCWA – Presentation of 2015 Fourth Quarter Operation Reports

Jackie Muller and Rod Dupuis from the Ontario Clean Water Agency presented the following reports.

Ailsa Craig Wastewater Treatment Plant, Parkhill Wastewater Lagoon and Collection System and the North Middlesex Distribution System. It was noted for Council that the MOE inspection reports have not been received to date and they will be forwarded to the Municipality as soon as they are. Some of the inspections cover more than a one year time period and this is why it is taking longer to finalize.

Deputy Mayor Ropp requested clarification on the advantages to the municipality if the gas line was extended to the plant as he recalled the cost to do this was quite high. CAO, Marsha Paley, stated that she will resend out the report to Council as it outlined all this information is contained within that document.

The delegation was then thanked for their presentation.

## 9. PASSING OF ACCOUNTS

a. Report on compilation of bills and accounts to February 10, 2016

### MOTION #052/2016

**CORNELISSEN/ROPP:** That the following bills and accounts be approved for payment:

General	\$ 297,899.03
Ont Hydro	\$ 1,451.72
OCWA	\$ 52,523.70

CARRIED

## 10. DEPARTMENTAL REPORTS

a. Report from Drainage Superintendent – Eagleson/Steeper Drain

### MOTION #058/2016

**MOIR/CORNELISSEN:** That Council adopt the Final Report on the Eagleson-Steeper Drain 2016 prepared by Dietrich Engineering and give two readings for the Provisional By-law as per Section 45 (1) of the *Drainage Act*.

CARRIED

b. Report from Drainage Superintendent – Drainage Issue in Parkhill

**MOTION #053/2016**

**MCLINCHEY/HEMMING:** That Council direct the Drainage Superintendent to proceed with an agreement drain for the properties draining surface water to the area on the east side of Parkhill Main Street from Hastings Street south to the Cameron Gillies Municipal Drain;

And further that the drain be registered against the roll numbers of the affected landowners;

And further that a letter be sent to every owner showing costs along with a request for a site meeting to allow the work to be undertaken as early as possible in the spring of 2016.

CARRIED

c. Report from Public Works Manager – Results of Tenders

**MOTION #054/2016**

**ROPP/NICHOL:** That Council awards the Gravel Tender RD1-2016 to E.W. Blane Trucking for the quantity of 75,000 tonnes +/- in the amount of \$922,500.00;

That Council awards the Calcium Chloride Tender RD-2 of 2016 to Pollard Highway Products Ltd for the quantity of 420 flake tonne +/- in the amount of \$103,937.40;

That Council awards the Salt Brine Tender RD-3 of 2016 to 552976 Ontario Limited c/o Cliff Holland for the quantity of 2400 cm<sup>3</sup> +/- in the amount of \$108,336.00;

That Council awards the Asphalt Tender RD-4 of 2016 to Lavis Contracting for the quantity of 6,550 tonnes in the amount of \$483,062.50.

CARRIED

d. Report from Fire Chief – Lambton Shores Fire Agreement

**MOTION #055/2016**

**NICHOL/MCLINCHEY:** That Council receives the Lambton Shores Draft Fire Service Agreement Report from the Fire Department as submitted;

And further that Council directs staff regarding Option 1 to withdraw from the negotiations with Lambton Shores to sign a new fire service agreement. The provision of fire protection, to the formerly contracted area, would be taken back by the North Middlesex Fire Department.

And further that staff be directed to pay the outstanding Lambton Shores invoices for 2015 totaling \$24,421.80 and as appropriate for 2016.

CARRIED

## **11. COMMITTEE REPORTS**

None at this time

## **12. CORRESPONDENCE**

- a. Township of Wainfleet – request for council support for Ontario to cancel RFP for added wind power generation.

MOTION #059/2016

CORNELISSEN/MOIR: That the Council of the Municipality of North Middlesex supports the resolution from the Township of Wainfleet as follows:

“WHEREAS the Independent Electrical System Operator, under Ministerial Directive, issued an RFP for additional renewable energy generation including 300 MW of wind generation and is considering issuing further RFP’s for 2016;

AND WHEREAS the December 2015 Auditor General’s report confirmed that Ontario is generating surplus electricity with capacity increasing by 19% in the last 8 years while demand fell by 7.5% in the same period. Additional capacity is not required at this time;

AND WHEREAS the Auditor General also reported that the existing Feed In Tariff (FIT) contracts mean that Ontario power consumers will pay a premium of \$9.2 billion for renewable power with wind power pricing that is double the prices paid in other jurisdictions;

AND WHEREAS the Ontario Chamber of Commerce reports that the escalating price of electricity is undermining their members’ capacity to grow, hire new workers, and attract investment, and that Ontario’s electricity costs are among the highest in North America, making the province uncompetitive for business growth;

AND WHEREAS adding wind to Ontario’s grid drive CO2 emissions higher. The Ontario Society of Professional Engineers estimated that wind with natural gas backup produces base load electricity at about 200 grams of CO2 emissions/kWh compared with the current system average level of 40 grams CO2 emissions/kWh;

AND WHEREAS Nature Canada reports that wind power facilities have a substantial negative impact on endangered species including migrating bats and birds as well as destroying habitat for species at risk;

AND WHEREAS wind power is an intermittent source of electricity generation meaning that it cannot be used to replace dependable generating capacity without natural gas as a back-up;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Wainfleet requests:

1. That the Province of Ontario exercise its rights in Section 4.13 (12) of the current LRP 1 RFP to 'cancel' the process at any stage and for any reason and not issue any new wind generation contracts;
2. That the Province of Ontario hold off any further renewable procurement process until the capacity is actually required and focus on sources that will actually reduce carbon emissions;
3. That the IESO review the outstanding FIT contracts that have not achieved 'Commercial Operation' and vigorously enforce the terms of the FIT contract with a view to eliminating further expensive wind generation capacity being added to the grid."

CARRIED

b. MPAC – Valuation of Billboards (third party signs)  
(action: receive and file)

c. Friends of Ye Olde Towne Hall – request for grant to replace old sign

**MOTION #060/2016**

**CORNELISSEN/HEMMING:** That the request be referred to Recreation/Facility Manager to meet with organization and report to back to council on outcome.

CARRIED

d. Ontario Energy Board Notice of Hearing regarding options which may be used to recover costs of expanding natural gas service  
(action: receive and file)

e. AMO and LAS – request for council support to ask the Province to change the current Municipal Act investment regulation.

**MOTION #061/2016**

**ROPP/MOIR:** That the Council of the Municipality of North Middlesex hereby approves the following motion:

WHEREAS municipalities are required to invest their reserves in accordance with the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended) which specifically outlines allowable investments;

and WHEREAS to ensure the sustainability and sound stewardship of the municipality's investments, the municipality is of the opinion that changes should be made to the Municipal Act, 2001 and Ontario Regulation 438/97 (as amended), to allow for the prudent investment of reserves, if those investments are professionally managed and part of a broader investment strategy;

and WHEREAS the Prudent Investor Standard is an industry accepted best practice in effectively managing a portfolio of investments, and the Standard applies to investments, not in isolation, but in the context of the portfolio of investments and as part of an overall strategy , that should incorporate acceptable risk and return objectives suitable to the stakeholders;

and WHEREAS the Province is conferring "Prudent Investor" status on the City of Toronto to enable greater diversification in portfolio management,

and WHEREAS the Association of Municipalities of Ontario (AMO), Local Authority Services (LAS), and the Municipal Finance Officers Association of Ontario (MFOA), have long requested that the Prudent Investor Standard apply to all municipal investments that are invested with The One Investment Program;

and WHEREAS in 2005, municipalities were granted the ability to invest in longer-term corporate bonds and Canadian equity investments via only the One Investment program, and the One Investment Program has demonstrated strong investment returns for municipalities within these 'new' investment sectors;

and WHEREAS the institutional portfolio managers utilized by the One Investment Program recommend that the Prudent Investor Standard approach is a more appropriate approach to investing;

and WHEREAS operating municipal investments under the Prudent Investor Standard is precluded by the Municipal Act, Eligible Investments, in its current form;

THEREFORE BE IT RESOLVED THAT Council support the request of AMO, LAS and MFOA to amend Ontario Regulation 438/97 (as amended) of the Municipal Act, 2001 to

allow municipalities to invest consistent with the Prudent Investor Standard, if such investments are through the One Investment Program.

CARRIED

f. Town of Aurora – request for council support respecting Ontario Municipal Board

MOTION #062/2016

MOIR/NICHOL: That the Council of the Municipality of North Middlesex hereby supports the resolution from the Town of Aurora as follows:

“WHEREAS the Town of Aurora spends an incredible amount of resources and tax payer money developing an Official Plan; and

WHEREAS the Town’s Official Plan is ultimately approved by the Province; and

WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-Law changes that do not better the community or do not fit within the vision of the Town of Aurora Official Plan; and

WHEREAS planning decisions may be appealed to the Ontario Municipal Board (“OMB”), an unelected, appointed body that is not accountable to the residents of Aurora; and

WHEREAS appeals of the OMB decisions are limited to questions of law, not the findings of facts in a case; and

WHEREAS all decisions-save planning decisions-made by Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law;

NOW THEREFORE BE IT RESOLVED THAT Aurora Town Council requests the Government of Ontario to limit the jurisdiction of the OMB to questions of law or process; and

BE IT FURTHER RESOLVED THAT the Government of Ontario be requested to require the OMB to uphold any planning decisions of Municipal Councils unless they are contrary to the processes and rules set out in legislation; and

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to The Honourable Kathleen Wynne, Premier of Ontario, The Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, Mr. Patrick Brown, Leader of the Progressive Conservative party, Ms. Andrea Horwath, leader of the New Democratic party, and all Members of Provincial Parliament (MPPs) in the Province of Ontario; and



BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

CARRIED

- g. Town of Carleton Place – request for council support to ask the Province to rank municipalities for infrastructure grants utilizing a fair and equitable formula.

**MOTION #063/2016**

**CORNELISSEN/MCLINCHEY:** That the Council of the Municipality of North Middlesex hereby supports the motion by the Town of Carleton Place as follows:

“WHEREAS the Province of Ontario recently scored applications for two major infrastructure programs, the Small Communities Fund (SCF) and the Ontario Community Infrastructure Fund (OCIF) and ranked municipalities based on their economic conditions and fiscal situations;

AND WHEREAS some of the indicators used to score municipalities actually penalize a municipality that has planned for future infrastructure needs by establishing financial reserves;

AND WHEREAS municipalities have little ability to alter their circumstances and improve their score or ranking;

NOW THEREFORE BE IT RESOLVED THAT the Town of Carleton Place hereby calls upon Minister Jeff Leal to discontinue the use of the current evaluation criteria that penalizes municipalities that plan to maintain their infrastructure and instead distribute all future infrastructure grants to all municipalities utilizing a fair and equitable formula.

CARRIED

**MOTION #064/2016**

**MCLINCHEY/NICHOL:** That the correspondence package (a-g) be accepted with actions as noted.

CARRIED

**13. OTHER BUSINESS**

A question arose regarding the protocol for using the municipal electronic sign on Parkhill Main Street. CAO, Marsha Paley replied that there is a draft sign policy being developed which will be coming to Council in the near future. In the meantime, the protocol has been that emergency messages are given first priority, then municipal and library messages. There may be consideration of non- profit organization events

however there is a limitation with the number of slides that are acceptable without causing driver distraction.

#### **14. CLOSED MEETING (Under Section 239 of the Municipal Act)**

##### **MOTION #065/2016**

**MCLINCHEY/MOIR:** That regular meeting adjourn to Closed Meeting at 8:00 p.m. for the purpose of receiving information for the following:

b. The security of property of the Municipality or Local Board – Municipal Compost Facility

c. Labour Relations or Employee Negotiations – Employee Benefit Renewal 2016  
CARRIED

#### **15. RISE AND REPORT**

Council rose from the Closed Meeting at 8:40 p.m. with the following recommendation

##### **MOTION #066/2016**

**HEMMING/NICHOL:** That Council accept the renewal premium from Select Path for the period of March 1/16 to March 1/17;

And that staff be directed to advise Select Path that the Municipality would like the renewal period to be extended to a timeframe after budget;

And further that staff be directed to explore other benefit costs and benefit carriers to continue to offer an competitive benefit package, during the renewal time, to ensure competitive rates are maintained.

CARRIED

#### **16. READING OF BY-LAWS**

a. By-law #10 of 2016 – Eagleson/Steeper Drain

b. By-law #11 of 2016 – Confirming By-law

##### **MOTION #067/2016**

**MOIR/HEMMING:** That By-law #10 and #11 of 2016 be read a first and second time.  
CARRIED

##### **MOTION #068/2016**

**MCLINCHEY/NICHOL:** That By-law #11 of 2016 be read a third and final time.  
CARRIED

## **17. ADJOURNMENT**

### **MOTION #069/2016**

**ROPP/CORNELISSEN:** That the meeting adjourn at 8:47 p.m.

**CARRIED**

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MAYOR

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CLERK