

MINUTES

The Council of the Municipality of North Middlesex met on March 5, 2001 for their regular meeting.

Those present were: MAYOR CHUCK HALL
DEPUTY MAYOR IAN BREBNER
COUNCILLOR MARYSIA COUTTS-WARD 1
COUNCILLOR KEN JOHNSTON-WARD 2
COUNCILLOR MICHAEL CONLIN-WARD 3
COUNCILLOR LAWRENCE McLACHLAN-WARD 4
COUNCILLOR LUCY HENDRIKX-WARD 5
ADMINISTRATOR CLERK-SHIRLEY SCOTT
PUBLIC WORKS SUPERINTENDENT-JOE ADAMS

Gord Whitehead from Parkhill Gazette was also present.

No pecuniary interest was declared.

FLYNN DRAIN 2001

Michael DeVos of Spriet Associates was present to review the report on the Flynn Drain 2001 to reconstruct the open portion of the drain.

Mr. DeVos reviewed the report, and advised that the report was prepared pursuant to Section 78 of the Drainage Act in accordance with instructions received from the Clerk with respect to a motion of the Township of East Williams Council. The drain serves parts of Lots 6 to 9, Concession 18 and 19 (former East Williams) in the Municipality of North Middlesex. The total watershed area contains approximately 119.7 hectares.

The closed portion consists of 981 metres of 175 mm to 300mm tile extending from the head of the pen portion at the line between Lots 7 and 8, Concession 19 southerly across County Road #7, thence easterly across the north parts of Lots 8 & 9, Concession 18. The open portion consists of 722 metres of open ditch running through the center of Lot 7, Concession 19 and outlets into the Van Hooydonk Extension Drainage works 1969, in Lot 6 approximately 52 metres west of Lot 7. The outlet for the Flynn Drain is an open ditch across the north part of Lot 6 Concession 19 known as the Van Hooydonk Extension Drainage Works.

Construction of a grassed waterway, or provisions for such in the future if surface erosion is significant, is included in the report. Mr. DeVos advised that the planned construction should handle most of the water, depending on the rain events. The seeding down is the landowner's responsibility, the future maintenance is the responsibility of the drain.

HENDRIKX-CONLIN: Be It Resolved That By-law #21 of 2001, being a by-law regarding the construction of the Flynn Drain be read a first, and second time, and that the Court of Revisions be set for April 2, 2001 at 7:00 p.m. with tenders to go out for acceptance that night.

Carried.

Council advised that the grant structure was tabled at Queens Park, at this time. There has been no changes to date. Council thanked Mr. DeVos for attending.

Affected landowner, Willis Mollard then entered the meeting. Drainage Superintendent, Joe Adams, reviewed the report and the motions passed to Mr. Mollard.

MINUTES

The minutes were reviewed and the following motion made.

COUTTS-HENDRIKX: Be It Resolved that the minutes of February 19, 2001 be accepted. Carried.

COUNCILLORS REPORTS

Deputy Mayor Brebner reported that he attended the Roma/Good Road Convention and learned that the Healthy Futures Program is to be revamped. Most of the Ministers are relatively new. Rusty Russell made a good presentation. He suggested that a podium be present for delegations. At the conference the value of a confirming by-law was reviewed. Also mentioned, was the question as to whether or not all by-laws required three readings. It was suggested that legally they only require one, unless specified differently.

Mr. Brebner also reported on the ambulance issue, as presented to County Council. Glencoe is quite concerned, as their hours are to be decreased from 18 to 12, whereas Parkhill and Lucan are to be increased from 10 to 12. Strathroy and London have 24 hour service. (See Correspondence)

Councillor McLachlan also reported that the conference was good, but the politicians made no commitments.

Councillor Johnston indicated that there seems to be a narrow criteria for grants. The work applied for in Parkhill seems to meet that criteria best.

There will be another Fire Board meeting soon, and Mr. Johnston requested support for the facial hair issue. Structure and date of the next meeting was discussed.

Mr. Johnston reported that the Policing Committees are planning a joint presentation by the OPP on "rural house proofing". They seem to be working together on public awareness issues.

Council were then advised by Mr. Johnston that a committee of three citizens from Ailsa Craig is being formed to handle the "millennium fund". The terms of reference set out for this committee will be presented to Council.

He finalized his report by advising that there was a good turnout at the Palliative Care dance.

Councillor Conlin reported that John McAlpine had been appointed by the Athletic Association to represent McGillivray on the Recreation Committee.

Councillor Hendrikx reported that she attended various sessions at the convention. At the Insurance session, it was discussed how insurance can work for the rural township. The economic development session spoke to internship in rural municipalities. They suggested that there is a list of young doctors that want to work in the rural areas.

Mrs. Hendrikx reported that the Canada Day celebration plans are progressing. Jim VanHorne has accepted to act as Master of Ceremonies and Dave Hoy has been contacted for entertainment.

It was reported by Mrs. Hendrikx that she has reviewed the newsletter composed by Tanya Gregory and feels she has done a good job.

Mayor Hall reported that the presentation made by Joe Adams at the conference, regarding our need for OSTAR funding, was taken very well. He felt that Bert Johnson should be thanked for his support, as we are not used to getting MP backing and it was pleasing to see that they are there for us.

REPORT - RECREATION MANAGER

Councillor Hendriks then reviewed the written report presented by Scott Nickles, Recreation Manager. It was suggested that early registration into the suggested courses is financially favorable. After reviewing the courses suggested, the following motion was made.

HENDRIKX-McLACHLAN: Be It Resolved That John McLeod and Ryan Sheppard be sent to "Ice Making and Painting Technologies" course, and Scott Nickles be sent to "Labour and Employment Law" course.

Carried.

Regarding the care-taking of the Community Centre's in North Middlesex: West Williams Hall, East Williams Office, McGillivray Hall, Ailsa Craig Recreation Centre and Parkhill Community Centre, and also all the outside washrooms in the various sportsfields, the following recommendation was made: all cleaning of the halls and outside washrooms to be done through the recreation department. Contract a local person in Ailsa Craig to be responsible for the keys, opening and closing, and some light maintenance at the Ailsa Craig Recreation Centre. Recreation Department is also responsible for the upkeep of all the sports fields (ball diamonds, soccer fields, walking parks, playgrounds and picnic areas.) It is recommended that the Recreation Committee hire one more full time employee for the recreation department. An analysis of what is now being paid proves savings.

The grasscutting duties are to be shared with the road department, possibly by utilizing a student, if the application for student through the seed program is successful. Joe Adams advised that the maintenance of the grass cutting will help to control the mosquitoes. Councillor Hendriks advised that the equipment is in the system and suggests that it should be used. The following motion was made:

HENDRIKX-COUTTS: Be It Resolved that Council support the recommendations by the Recreation Committee regarding maintenance at the Community Centre as reported by Scott Nickles.

Carried.

Councillor Hendriks advised that in the future, unapproved minutes will be submitted to Council in "draft" form.

REPORT: FIRE CHIEF

A written report from the Fire Chief indicated that First Aid and CPR training will begin in March. The Ailsa Craig station hosted the Middlesex Fire Chief's Association Meeting in February. There is an opening for an auxiliary firefighter in Parkhill. Sample policies and guidelines are being gathered regarding the safety of firefighters wearing SCBA and the interference of facial hair. There has been a transfer of equipment between stations to better utilize the equipment currently held by the fire department. There is a problem with the Parkhill Station Pumper One, from a leaking pump to electrical problems. Inspections are being done in conjunction with Vic Stellingwerff, CBO.

Councillor Johnston reported that the budget will be required soon. The Chief will be advised that the County provides inspections also.

REPORT: CBO

A written report from the Chief Building Inspector indicated that three permits were issued in February, two farm related and one residential.

REPORT: CLERK

A written report from the Administrator Clerk was then reviewed. It addressed the previous request from Council for computer information, severance inquiry, and reminder of upcoming meeting.

She advised that a Health and Safety Committee will be formed by the end of March. Councillor Johnston suggested that the fire department be a part of the Health and Safety Committee. He and Public Works Superintendent discussed the structure further.

On the evening of February 27, Mayor Hall and Foreman Brad Davies attended a meeting at East Williams School to discuss the problem with sewers. Mayor Hall reported to them the status of funding through the OSTAR program as reported at the ROMA/OGRA meetings. At the same time, Administrator Scott and Planner Barb Rosser attended a meeting called by a Developer and Planner of a project being considered in former West Williams, to advise the neighbors of their intentions. Mayor Hall also attended. Neighbors voiced their concern, as well as encouragement. It was suggested by both Sifton's Planner, and our Planner, that concerns regarding buffers, fencing, roads, sewage, lighting, etc. can be dealt with through a development agreement. The neighbors were told the same as Staff, the Mayor and Deputy Mayor had been told in late December. It was suggested to Sifton that a future informal meeting be planned when the drawings have been developed, previous to submission of application. Deputy Mayor Brebner requested that he and the ward representative be invited to the next meeting.

A review of overtime to overcome transition and computer program inputs was discussed. Council directed the Administrator Clerk to have the Administrative hours paid down according to the contracts.

An example of a web page layout from YFH Computer Consulting & Training was reviewed. As the County is possibly granting monies, and this firm has done previous work on the Parkhill website, she was asked to present a suggestion. She and a staff member will invest time to gather information and prepare a main page and approximately four sub pages. Having a staff member involved ensures update in the future. Council suggests that this be linkable to the County system.

JOHNSTON-McLACHLAN: Be It Resolved That Council accept the YFH Computer Consulting and Training bid to set up a Web Page for the Municipality of North Middlesex. Carried.

BREBNER-COUTTS: Be It Resolved That Council receive and file the reports from Steve Clemens- Fire Dept., Vic Stellingwerff-Building Permits, and Shirley Scott – Clerks Report. Carried.

OTHER MINUTES

The minutes of the West Williams Community Centre Board and the North Middlesex Recreation Committee were circulated for council information. The recreation committee members will be appointed when all representative positions are covered.

HENDRIKX-CONLIN: Be It Resolved That Council adjourn to a Land Division Committee meeting. Carried.

The regular meeting then continued and the motion from the meeting was accepted, as follows:

COUTTS-HENDRIKX: Be It Resolved that Severance Application S-2-2001, Lot 3,4,5 Pt Lot 2, Registration Plan 324, former Town of Parkhill, be granted, subject to the following conditions:

1. That the necessary deeds, transfers or charges be submitted in triplicate (2 originals and one photocopy): ALL of which are to be signed and fully executed (no photocopies) prior to certification. The deeds shall be accompanied by a copy of the plan of survey and not a legal metes and bounds description of the lands to be severed and that such plan of survey be registered in the Middlesex County Registry Office prior to certification of the deeds.
2. That the conditions imposed herein are to be completed within one (1) year from the date of notice of this decision. Under section 53(41) of the Planning Act, R.S.O. 1990 as amended, where such conditions are not fulfilled within the year this application will be deemed to be refused.
3. That a fee be paid to the municipality in the amount of 5% of the value of the severed portion of land for park or other public recreational purposes.

CARRIED

ABCA-PARKHILL MAPPING

Administrator Clerk Scott then presented information gathered from ABCA regarding the Parkhill flood plain mapping project and investigation of possible two zone flood plain management. Correspondence indicated that the project was planned over two years. Phase 1 would update the existing flood plain mapping information and determine the opportunities of implementing a two zone policy. Should this be feasible, two zone identification would be complete, and development policies investigated.

Councillor Coutts advised that nothing had been done to date. Council has to decide whether they want to proceed with the project – with or without the grant. Once the ABCA levy is finalized, they would have a better indication what grant, if any, is available. Council suggested that this be referred to budget.

PURCHASING POLICY

The draft tendering and purchasing policy was reviewed. Appropriate changes were recommended for purchase of low value items. These were accepted, and the following motion made.

HENDRIKX-BREBNER: Be It Resolved That the tendering and purchasing policy be accepted with the change in #19 after \$500 should read “for all other departments”.

Carried

DELEGATION: ROYAL CANADIAN LEGIONS

Robert Kindt – Parkhill Legion and Jack Whitmore – Ailsa Craig Legion, then entered the meeting to discuss exemption from property tax. They advised that if Council agreed to exempt municipal taxes, the education portion will also be refunded. In the past the Town of Parkhill donated monies to cover part of the town portion only. Mr. Kindt then proceed to recall all the donations made back to various local organizations. He suggested that other businesses do not donate to the same extent. Several other areas that applied the exemption were mentioned. The Municipal Act allowing for this exemption was reviewed.

Councillor Coutts reviewed what was done by Parkhill in the past and Councillor Johnston advised that they followed the decision of County Council. The Administrator and delegations were asked to gather more information.

AILSA CRAIG HANGING BASKETS

Correspondence from Marilyn Barbe, requesting direction regarding the hanging basket project for Ailsa Craig was reviewed. After a thorough discussion, the following motion was made.

JOHNSTON-BREBNER: Be It Resolved that the Ailsa Craig Fire Department be asked to hang the Ailsa Craig flowers in May, as in the past; and that the Road Department, or Recreation Department be asked to take the Ailsa Craig flowers down, as in the past

Carried.

ACCOUNTS

JOHNSTON-COUTTS: Be It Resolved That the accounts of March 5, 2001, be accepted and paid in the amount of \$206,209.18.

Carried.

PROCEDURAL BY-LAW

Procedural By-law was reviewed. The section referring to evening meeting start times was reviewed. Council agreed that from May 1 to October 31st, the start times should be 7:30 p.m. rather than 7:00 p.m. Also it was suggested that the Deputy Mayor Chair the closed session, rather than the Mayor. The following motion was then made.

COUTTS-HENDRIKX: Be It Resolved That the Procedural By-law #17 of 2001 be read a second and third time and finally passed, as amended.

Carried.

CONVENTION POLICY

The Convention Policy was reviewed, and the following motion made.

McLACHLAN-BREBNER: Be It Resolved That the Convention Policy, being By-law #22 of 2001 be read a first, second and third time and finally passed.

Carried.

LICENCING, CONTROL AND REGULATION OF DOGS

The By-law to licence, control and regulate dogs was reviewed, and the following motion was made.

HENDRIKX-CONLIN: Be It Resolved That By-law #18 of 2001, being a By-law to license, control and regulate dogs, be read a second and third time and finally passed, as amended.

Carried.

Administrator Scott presented information received from Gertie Dieleman, indicating that she would accept other animals. Council discussed and agreed that the service charge would be paid by the owner only, not the municipality. It was suggested that Mrs. Dieleman would pick up animals for mileage and an hourly fee. Fees for board, euthanasia, and disposal was discussed. Council agreed that when at all possible, the owner would pay the bill. The terms were agreed upon. Mrs. Dieleman is to be advised and a contract signed.

PROCEDURES REGARDING SALE OF REAL PROPERTY

The By-law was reviewed and appraisal of land discussed. The clause was rewritten, and the following motion made.

McLACHLAN-BREBNER: Be It Resolved That By-law #16 of 2001, being a by-law to establish procedure for the sale of lands be read a second and third time and finally passed, as amended.

Carried.

TDL BORROWING BY-LAW

Administrator Clerk Scott explained that the tile drain loan borrowing by-laws for four of the five municipalities had a balance. Conversation with the Ministry of Agriculture and Food recommended that they be drawn into one borrowing by-law for North Middlesex, thus the following motion was made.

HENDRIKX-BREBNER: Be It Resolved That By-law #23 of 2001, being a By-law to combine the balances for Tile Drain Loan Borrowing, be read a first, second and third time and finally passed.

Carried

APPOINTMENT OF WEED INSPECTOR

A review of past policy for the five municipalities indicated that County Weed Inspector had been passed, therefore, the following motion was made.

HENDRIKX-McLACHLAN: Be It Resolved That By-law #24 of 2001, being a by-law to appoint a weed inspector be read a first, second and third time and finally passed, as amended.

Carried.

CORRESPONDENCE

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

1. Ontario Public Service Employees Union: re: privatization of Ontario's Correctional Services. The following is the motion requiring support:

WHEREAS the Council of the Town of Penetanguishene was advised in late November that, contrary to previous assurances from the Provincial Government, the new Central North Correctional Facility would be publicly operated, the Provincial Government is going to seek proposals to have the facility operated by a private company;

AND WHEREAS Council took the assurances of the previous Minister of Correctional Services on two occasions at face value that the Correctional Facility in Penetanguishene would be publicly operated;

AND WHEREAS Council is on record with the Ministry of Correctional Services stating that the Town of Penetanguishene prefers a publicly operated facility due to the benefits that would accrue to the Town of Penetanguishene;

AND WHEREAS Council is on record with the Ministry of Correctional Services stating that the Town of Penetanguishene prefers a publicly operated facility due to the benefits that would accrue to the Town of Penetanguishene;

AND WHEREAS the Mayor confirmed this position with the new Minister of Correctional Services, Mr. Rob Sampson, at a meeting held in August with Mr. Garfield Dunlop, M.P.P. Simcoe North;

AND WHEREAS the Province of Ontario represented by the Minister of Correctional Services, Mr. Rob Sampson has completely reversed a decision of the previous Minister without explanation to the Council of the Town of Penetanguishene;

AND WHEREAS Council is completely and utterly flabbergasted at the arrogance of the Province of Ontario to ignore the wishes of the taxpayers it serves and reverses a decision made in the best interest of the taxpayers of Ontario;

AND WHEREAS Council sought the new Correctional Facility, obtained it, and then negotiated a Site Plan Agreement in good faith on the basis of the commitment that the facility would be publicly operated facility;

AND WHEREAS this reversal of a previous decision has called into serious question the Governments commitment to fulfill its obligations under the Site Plan Agreement;

BE IT RESOLVED THAT the Council of the Town of Penetanguishene strenuously opposes the Provinces decision to seek private section proposals to operate the new Central North Correctional Facility;

AND BE IT FURTHER RESOLVED THAT the Council of the Town of Penetanguishene hereby requests the Minister of Correctional Services, Mr. Rob Sampson to a meeting of Council to explain his Government's decision to Council and the residents of the Town of Penetanguishene and to confirm his Ministry's commitment to the Terms and Conditions of the Site Plan Agreement;

AND BE IT FURTHER RESOLVED that the Provincial Government be urged in the strongest terms possible to re-confirm its original position to manage and operate the facility as a public institution;

AND BE IT FURTHER RESOLVED the copies of this motion be circulated to all municipalities in Simcoe County and the Honourable Michael Harris, Premier of Ontario; the Honourable Rob Sampson, Minister of Correctional Services , Mr. Garfield Dunlop, M.P.P. Simcoe North, Mr. David Levac, M.P.P. Opposition Critic for the Ministry of Correctional Services, and to the Association of Municipalities of Ontario requesting their support.

Carried

JOHNSTON-HENDRIKX: Be It Resolved That the motion by the Town of Penetanguishene, regarding the privatization of correctional services in Ontario, be supported.

Carried.

2. Municipality of Southwest Middlesex, requesting motion regarding Glencoe Ambulance Service. The following is the motion requesting support:

"That the Council of the Municipality of Southwest Middlesex supports the on-site hours of service currently in place at the Glencoe Ambulance Station remaining as status quo and that they hereby object to the proposed decrease in the on-site man hours as proposed. And further that Southwest Middlesex requests that Middlesex County Council give consideration to upgrading the level of service , with regard to on-site staffing levels, to those in Middlesex of similar size (Parkhill and Lucan) and that they deal with this

issue as a budgetary matter rather than the movement of hours within several ambulance stations to create equal services within station.”

COUTTS-BREBNER: Be It Resolved that the motion regarding ambulance service be supported.

Carried.

2. Lambton Shores, request to maintain status quo regarding fire service.

BREBNER-HENDRIKX: Be It Resolved That Fire Service Agreement with Lambton Shores, be deferred. Carried.

3. Jesse’s Journey, donation request.

Refer to budget.

4. Bob Scrimgeour, Chair, PABA, support mosquito control program.
Council agreed that this had been dealt with.

It was suggested that anyone interested in the AMO Convention register early.

McLACHLAN-JOHNSTON: Be It Resolved that the correspondence report dated March 5, 2001, be accepted.

Carried.

IN CAMERA

HENDRIKX-COUTTS: That Council proceed in Camera in order to address a matter pertaining to security of property, personal matters, and a proposed acquisition of land.

Carried.

CONLIN-COUTTS: Be It Resolved That Council adjourn from In Camera session at 11:30 p.m. Carried.

Council reviewed matters dealt with In Camera, and the following motions were made.

McLACHLAN-HENDRIKX: Be It Resolved that vehicle repairs due to road conditions not be paid.
Carried.

CONLIN-COUTTS: Be It Resolved that Council want to be represented at an OMB hearing regarding severance, by Planner B. Rosser, and Solicitor R. Dack, and Administrator S. Scott. Carried.

McLACHLAN-HENDRIKX: Be It Resolved that in regard to pension for employees, the following be determined:

- those employed previous to January 1, 2001, and on OMERS, be honored;
- Those who signed a contract for employment in North Middlesex, be covered by such contract, being OMERS;
- Those previously having contract, indicating RRSP premium provisions, have those provisions honored until such time as the labor negotiations are settled.

▪ Carried.

REPORT: TREASURER

Administrator Clerk Scott pointed out that the report of Treasurer, Linda Groke required a decision tendering for audit for 2001. The following motion was made.

BREBNER-HENDRIKX: Be It Resolved that Council tender for an auditor for 2001.

Carried.

HENDRIKX-COUTTS: Be It Resolved That By-law #25 of 2001, being a by-law to confirm proceedings, be read a first, second and third time and finally passed.

Carried.

CONLIN-COUTTS: Be It Resolved That Council be adjourned at 11:40 p.m.

Carried.

MAYOR

ADMINISTRATOR CLERK