

**REGULAR MEETING
MINUTES**

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Monday May 6, 2013 in the Council Chambers with a quorum present.

1. CALL TO ORDER

2. ROLL CALL

Present: Mayor Don Shipway
Deputy Mayor Chuck Hall
Councillor Ward One – Doreen McLinchey
Councillor Ward Two – Brian Ropp
Councillor Ward Three – Gord Moir
Councillor Ward Four- Andrew Hemming
Councillor Ward Five – Adrian Cornelissen
CAO Linda Creaghe
Clerk – Jackie Tiedeman

IN CAMERA

HALL/MOIR: That the regular meeting adjourn to a Closed Session at 5:36 p.m. for the following purpose:

- a) Advice that is subject to solicitor-client privilege pertaining to the potential negotiation of an agreement for Industrial Wind Turbines.

CARRIED

RISE AND REPORT

The Council rose from the In Camera Session at 6:45 p.m. with no further report

3. DISCLOSURE OF PECUNIARY INTEREST

None

4. MINUTES

ROPP/MOIR: That the following minutes be accepted as presented:

April 8, 2013 Special Meeting
April 15, 2013 Regular Meeting

CARRIED

5. PUBLIC MEETINGS – 7:05 p.m. Committee of Adjustment

MOIR/MCLINCHEY: That regular meeting adjourn to Committee of Adjustment at 7:05 p.m.

CARRIED

See minutes under separate cover

6. DELEGATIONS – 7:30 p.m. Middlesex Wind Action Group

Muriel Allingham, spokesperson, attended Council along with several citizens to request from Council how the municipality is addressing the communities concerns pertaining to the IWT Project that was recently given approval. These concerns range from how fire response would be handled, health concerns,

property devaluation, stray voltage, ice, shadow flicker, lighting. Legal costs to address this should be viewed as an investment in the community. Several documents were also provided to Council and were included within the agenda. This also included written correspondence submitted over the last couple of weeks from individual citizens.

Municipal Solicitor, John Kennedy, responded and agreed that these were valid concerns, however, the powers to address some of these concerns pertain to different levels of government. The by-laws that other municipalities are trying to implement are being challenged because they are beyond the municipal jurisdiction. He advised that Health and Safety and Property Standards are by-laws the municipality can explore and work in conjunction with the wind companies to avoid litigation. He agreed that the recent REA has little regard for the municipality's concerns. He is suggesting to Council that although the appeal is very limited and pertains to environmental concerns only, it still warrants putting forth an appeal and it was also suggested that the municipality retain Solicitor Eric Gillespie for this specific task due to his expertise in this particular area.

Mr. Kennedy stated that the municipality is taking all the concerns raised by the public and by council into account and making provision for this within the draft agreement with Nextera of which he provided the table of contents.

Mr. Kennedy then commented on the request for a motion from council which would indicate the municipality is "not willing hosts for IWT's projects". Other municipalities were provided this same request and will hopefully follow this lead.

Mr. Kennedy was then requested to respond to some specific concerns raised in a letter from a citizen. Mr. Kennedy advised that the municipality is not responsible for regulating property values. This is a provincial matter. There is no requirement to protect residents from lawsuits due to IWT's, this is between neighbours, not the municipality. With respect to buying and selling property, he advised that a statement of disclosure is the responsibility of the real estate agent as well as with the vendor (ie: wind leases on their property) and in turn, a potential purchaser should ask for a disclosure statement. This pertains to the specific property being sold or purchased. There is no obligation to disclose what may or may not be happening on a neighbours property.

Mr. Kennedy also advised Council that in his opinion the time has come that Council should consider hiring a compliance consultant for the IWT project. He felt this could be accomplished by a part-time contract position for this specific project. This project is beyond what can be expected of current staff to manage in addition to their regular duties.

Following this discussion and based upon advice from the solicitor, the following motions were then considered by Council.

MOIR/HALL: That Council direct our Solicitor to retain the services of Eric Gillespie for the purpose of forwarding a Notice of Appeal to the Environmental Tribunal due to the lack of regard for health of humans and animals in the REA decision and that a preliminary disclosure be prepared.

CARRIED

CORNELISSEN/MCLINCHEY: WHEREAS the Premier of Ontario has recently conveyed the Governments desire to limit Industrial Wind Turbine (IWT) Projects to communities that are willing hosts;

AND WHEREAS Council for the Municipality of North Middlesex has received a clear message from its residents that they are not willing to host IWTs in North Middlesex;

AND WHEREAS Council for the Municipality of North Middlesex applauds the position taken by the Premier and the Government;

AND WHEREAS Council represents all citizens within the Municipality, both those in favour of wind projects and those opposed. As a result, Council needs to maintain a fair and balanced viewpoint;

AND WHEREAS council is very concerned that the Green Energy Act has substantially changed the rules for municipalities with respect to wind farm developments by removing municipal control over development applications through the traditional zoning requirements under the planning act approvals for wind project developments are now controlled by the Ministry of Environment through the Renewable Energy Approval process, a legislative development that the council strongly opposes;

AND WHEREAS Section 41 of the Electricity Act requires that a municipality provide to wind project developers without charge access to and use of its road for both construction and maintenance of its turbines and electrical infrastructure, including transmission lines;

AND WHEREAS future jobs of Ontario are going to hinge on efficient energy costs, by subsidizing the cost of energy by these wind projects, we are limiting the future growth of Ontario;

THEREFORE based on the consistent position of Council for the Municipality of North Middlesex and the input received from the community regarding IWT's, the Province of Ontario and specifically the Ministry of Environment be now advised that the Municipality of North Middlesex is "NOT A WILLING HOST" for IWT's;

AND THAT this resolution be circulated to Premier Kathleen Wynne, as well as to the Minister of Environment, Minister of Energy, Minister of Rural Affairs and to all Ontario municipalities for their support and endorsement.

CARRIED

HEMMING/MCLINCHEY: That Council direct staff to hire a compliance consultant to assist with the IWT project in North Middlesex.

CARRIED

MOIR/HEMMING: The Council direct the preparation of by-laws pertaining to Property Standards and Health and Safety due to the IWT project.

CARRIED

7. PASSING OF ACCOUNTS

- a. Report containing the compilation of bills and accounts to May 1, 2013

MOIR/MCLINCHEY: That the accounts as presented be accepted:

General	\$415,212.41
Hydro One	\$ 16,597.08
Hydro One	\$ 1,268.60
Ont Clean Water	\$ 17,488.43

CARRIED

8. DEPARTMENTAL REPORTS

a) Report from Glen Bullock regarding Water Department Coverage
Recommendation: That Council supports the recommendation and allows the department to implement the above changes and set up a weekly pager schedule for the department to be implemented as soon as possible.

ROPP/HALL: accept the report and recommendation as presented.
CARRIED

b) Report from Water Manager Glen Bullock regarding summer student
Recommendation: That Council supports the recommendation and allows the department to proceed with hiring of summer student for the 2013 summer.

CORNELISSEN/MCLINCHEY: Accept report and recommendation as presented.
CARRIED

c) Report from Water Manager Glen Bullock on Pickup Tender
Recommendation: That the water department purchase a new pickup truck to replace the 2008 Ford F250.

ROPP/MOIR: accept report and recommendation as presented.
CARRIED

d) Report from Drainage Superintendent Glen Bullock regarding Dixon
Municipal Drain
Recommendation: That Council accepts the request for improvement to the Dixon Municipal Drain.

MOIR/HEMMING: accept report and recommendation as presented.
CARRIED

e) Report from Clerk Jackie Tiedeman regarding Site Plan Approval
Recommendation: That the Mayor and Clerk be authorized to sign the site plan agreement with 1263119 Ontario Inc. which pertains to Phase 1 development only.

ROPP/MCLINCHEY: accept report and recommendation as presented.
CARRIED

f) Report from Clerk Jackie Tiedeman regarding release of transfer
easement
Recommendation: That the Mayor and Clerk be authorized to sign the Release of Transfer Easement as provided.

MCLINCHEY/ROPP: accept report and recommendation as presented.
CARRIED

9. COMMITTEE REPORTS

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10. CORRESPONDENCE

a) City of Brampton-Veterans Affairs Canada – Hire A Veteran Program
Action: receive and forward job notifications to the specific email account maintained by Veterans Affairs

b) Middlesex County –notification regarding Township of Lucan Biddulph
Action: receive and advise of no objections or impact to North Middlesex based upon input from municipal planner Barbara Rosser

c) Invitation from Ailsa Craig Quilt Festival Opening Gala May 19th
Action: if not done already, please advise of attendance

d) Invitation from Parkhill Scouts to a special evening of thanks being held at Sacred Heart School May 14, 2013
Action: please advise if attending – Mayor Shipway advised he would attend

e) Invitation to Emergency Preparedness Week BBQ May 7th
Action: open invitation

f) Thank you from Ailsa Craig and District Fire Fighters Association for supporting the Santa Claus parade expenses
Action: File

g) Request for Support of Ailsa Craig Affordable Housing Project at 132 Ailsa Craig Main Street
Action: support project “in principle” – Treasurer will provide further report on tax impact on May 21st

h) Notice from Health Unit on upcoming speaker pertaining to Emergency Preparedness May 21st at the County Building
Action: receive and file

i) North Middlesex Community Medical Centre – request for ongoing alliance between the municipality and medical centre to enhance recruiting efforts.
Action: receive and advise of council direction

Deputy Mayor Hall commented that he had attended the meeting and concurred that this will not require a person to sit on the medical committee but will provide for a relationship between the medical and the economic development committees and assist in working towards the same goals.

MCLINCHEY/MOIR: That the correspondence package a-l be received with recommendations as presented.

CARRIED

11. OTHER BUSINESS

a) April 15th - Notice of Motion by Councillor Hemming/Councillor Moir: That the EDC minutes deferred to the visioning session by motion dated April 2, 2013 be brought back to the next meeting (Motion Carried)

Consideration of disposition of EDC Minutes dated March 21, 2013 that were deferred to Visioning Session (visioning session cancelled)

MOIR/MCLINCHEY: That the EDC minutes dated March 21, 2013 be accepted with recommendations.

CARRIED

b) Revised Multi-Service Building Plans – Option 6 design plans were presented to Council of the proposed administration and library building

HALL/CORNELISSEN: That Option 6 be accepted as the final design plans
CARRIED

MOIR/HEMMING: That an Open House be held to inform the community of the building design, to be held at the North Middlesex Community Centre in Parkhill in the evening and that a display be placed in both libraries.

CARRIED

12. IN CAMERA

HALL/CORNELISSEN: That regular meeting adjourn to in camera at 9:05 p.m. for the following purpose:

- a) Personal matters about an identifiable individual including municipal or local board employees

CARRIED

13. RISE AND REPORT

Council rose with nothing further to report.

14. READING OF BY-LAWS

- a) By-law #16 of 2013 – A by-law for the adoption of the 2013 levy and to further provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2013.
- b) By-law #17 of 2013 (Deferral requested by Applicant (Tapecc Farms))
- c) By-law #18 of 2013 – A by-law to confirm the proceedings of Council May 6th.

MCLINCHEY/HALL: That By-law 16 of 2013 and By-law 18 of 2013 be read a first and second time.

CARRIED

MOIR/HEMMING: That By-law 16 of 2013 and By-law 18 of 2013 be read a third and final time.

CARRIED

15. ADJOURNMENT

ROPP/MCLINCHEY: That the meeting adjourn at 9:20 p.m.

CARRIED

MAYOR

CLERK