

MINUTES

The Council of the Municipality of North Middlesex met on November 19, 2001 at 7:30 p.m. in the Council Chambers for their regular meeting.

Those present were: MAYOR CHUCK HALL
DEPUTY MAYOR IAN BREBNER
COUNCILLOR WARD 1 - MARYSIA COUTTS
COUNCILLOR WARD 2 - KEN JOHNSTON
COUNCILLOR WARD 3 – MICHAEL CONLIN
COUNCILLOR WARD 4– LAWRENCE MCLACHLAN
COUNCILLOR WARD 5- LUCY HENDRIKX
ADMINISTRATOR SHIRLEY SCOTT
PUBLIC WKS SUPT. – JOE ADAMS

Also present was a representative from the Middlesex Banner.

No pecuniary interest was declared.

MINUTES

The minutes were reviewed, minor adjustments made, and the following motion made.

McLACHLAN-BREBNER: BE IT RESOLVED THAT the regular meeting minutes dated November 5, 2001 and Committee meeting minutes dated November 12, 2001 printed and delivered to each member be approved.

CARRIED

BUSINESS FROM MINUTES

It was questioned if there were any developments regarding the sale of the Ailsa Craig Town Hall. Administrator Scott advised that no proposals had been received to date.

Deputy Mayor Brebner questioned the progress on the water collection policy. He was advised that a meeting with the legal authorities was scheduled for this week.

ACCOUNTS

The accounts were reviewed, and explained. The following motion was then made.

McLACHLAN-JOHNSTON: BE IT RESOLVED THAT the attached accounts be approved for payment:

General	\$152,832.88
Water	12,103.89
Cemetery	362.14

CARRIED

PUBLIC WORKS SUPERINTENDENT REPORT

Public Works Superintendent, Joe Adams, submitted the following verbal report.

1. Parkhill Landfill: Consideration for altering of hours for the upcoming year was discussed. Council is to consider and discuss further at the next meeting. Spring clean up is planned to be handled the same as last year. The estimated cost for this day is \$12,000. The use of the landfill is to be promoted in the next newsletter. It was determined, that due to extensive costs, there would be no free dump day this fall. Costs were discussed, and Council were advised that the fee to dump at the landfill is \$5 per cubic yard, which works out to be approximately \$10 for a small trailer.

2. Backhoe: There was then a discussion regarding the guidelines to proceed with the backhoe replacement. One unit has been sold, and another is to be disposed of. Various backhoe units have been looked at. Treasurer C. Daigle was consulted regarding possible methods of payment. He recommended three equal yearly payments would spread the cash flow. It was suggested that specs be drawn for a tender to be called for the replacement. A list with cost estimates of various pieces of equipment that requires replacement, has been submitted to the Treasurer, in order to devise an appropriate budget plan. John Deere, Komatsu and Ford will be considered. Warranty will also be a factor.

BREBNER-McLACHLAN: BE IT RESOLVED THAT Council direct Road Department to proceed with procurement of a new loader backhoe, using a tendering process.

CARRIED

3. Weekend patrols were recommended, to be arranged similar to the plan of the past year. A list of those on call is to be circulated. Deputy Mayor Brebner then questioned whether or not the same part time would be brought back, and Mr. Adams advised that it was his intentions to make these arrangements. Mr. Brebner suggested that they also be given other jobs in order to hold their interest – tree cutting and trimming was suggested.

RECOMMENDATIONS OF FIRE BOARD

Chairman Ken Johnston reported that the budget had been reviewed, and recalculated. The Transition Board had forced an increase to former expenses when a Chief was hired, and pay between the two departments was equalized. The levy paid to Lucan Biddulph and Lambton Shores was discussed. Mr. Johnston advised that the levy paid to Lucan Biddulph was \$6,000 and Lambton Shores is requesting \$16,000 based on assessed value. This is still being negotiated. Deputy Mayor Brebner suggested that inspection and education was not needed from the Lambton Shores Department, therefore the rate should be lower. Councillor Johnston suggested that this would not affect the budget, as it could be taken from the former West Williams pay out, coming to them from Lambton Shores. Additional cost not noted in the budget is the interest on the new tanker truck, purchased this summer.

A payment to the firemen, for duties other than training and fire suppression has been set at \$100 per fireman.

The following recommendations and subsequent motion were made.

1. That the budget be accepted.
2. That association funds to both departments be made as soon as possible.

JOHNSTON-BREBNER: BE IT RESOLVED THAT the budget recommendation from the Fire Committee meeting held on November 15, 2001, with changes, as discussed, be accepted.
CARRIED

HENDRIKX-CONLIN: BE IT RESOLVED THAT the regular meeting adjourn to Committee of Adjustment at 8:20 p.m.

CARRIED

Regular Council reconvened following the Committee of Adjustment meeting.

PEDERSON-FOLLENS DRAIN 2001

Armin Kruspel of Spriet Associates was present to review the report on the Pederson Follens Drain. Others present were G & A Kuebler, and N. Novia.

Mr. Kruspel reviewed the report and advised that the report was prepared pursuant to Section 78 of the Drainage Act, initiated by a request signed by an affected landowner. The report addresses construction of an access culvert and the reconstruction of the open portion and tile outlet of the Pederson-Follens Municipal Drain serving parts of Lots 25 to 27 Concession 1 to 3 and Parts of Lots 31 to 22, Concession 19 (formerly East Williams Township) in the Municipality of North Middlesex.

- The original report was dated 1967. It is now being recommended that:
- that the existing ditch bottom be cleaned out to its original design depth and in order to provide a proper sub-surface drainage outlet
 - that the existing tile outlet be relocated 6 metres further upstream to avoid the existing large tree and new culvert location
 - that the closed drain relocation consist of sealed pipe to prevent the incursion of tree roots from the existing trees and brush on the line between lots 31 and 32
 - that the existing eroded surface run be backfilled, graded and seeded to provide a grassed waterway for 25 metres upstream of the new tile outlet location
 - that a new crossing consisting of a 1400 mm diameter. Pipe culvert be constructed in the open portion in order to provide vehicular access to the north side of the ditch.

A special benefit is assessed to lands for which some additional work or feature has been included in the construction repair or improvement of a drainage works that has no effect on the functioning of the drainage works.

Mr. Kuebler advised that he objects to the acreage subject to this drain. Mr. Kruspel made arrangements to visit, on site, to try to explain the assessment.

The following motion was then made:

McLACHLAN-BREBNER: BE IT RESOLVED THAT the report from Spriet Associates on the Pederson-Follens Drain 2001 be accepted and that By-law #96 of 2001 being a by-law to provide for drainage works in the Municipality of North Middlesex in the County of Middlesex be hereby read a first and second time this 19th day of November 2001, and that Court of Revisions be set for December 10, 2001 at 8:00 p.m.

CARRIED

DELEGATION: 27340 NAIRN ROAD

A request to have a mobile home (double wide or single) move onto 27340 Nairn Road, for the purpose of a second home to accommodate family members, was addressed. Marg and Mark Stewart attended the meeting, as well as the Municipal Planner, to advise Council that they required a granny suite. The style of home being considered is a used, two piece style home (24'x56'). They were advised that there were no provisions for second homes in the original by-law. In 1981 there was a rezoning to propose mobile homes on site specific cases to housing. There are approximately six in existence in former East Williams. In 1987 there was an OP amendment to provide for short term housing for seniors. In 1995, a new Official Plan was written, and this provision was not carried forward. It was made clear that there is no policy, at this time for supplementary housing. Planner B. Rosser advised that other areas experience problems in keeping control and getting the secondary home removed, after the time lapse. When asked who would be living in the modular home, it was suggested that this had not been decided at this point in time. There is enough area for new septic system, according to ABCA. According to the delegation, this needs to be addressed before the new OP for North Middlesex is created. It was questioned what areas allowed granny flats, and only East Williams did in the past. Mark Stewart advised that they were willing to put up a bond to ensure that the structure got moved.

Planner B. Rosser advised that an Official Plan amendment, and a temporary use by-law would be required. Mayor Hall advised that a decision would be made within a month, as to whether Council would consider the amendments. Mr. Stewart advised that they would be willing to apply for the amendments, if required. Mayor Hall thanked the delegation for attending.

OFFICIAL PLAN AND ZONING BY-LAW

Planner, B. Rosser presented draft Terms of Reference and a list of Consultants, for the Official Plan and Zoning By-law for North Middlesex. She advised that these had been reviewed by Will Pol, Ministry of Municipal Affairs, and Steve Evans, County of Middlesex. Deputy Mayor Brebner advised that the Assessment Board was in the process of producing mapping, and these may be available at a low cost. After careful consideration, the following motion was made.

McLACHLAN-BREBNER: BE IT RESOLVED THAT the Terms of Reference for the Official Plan and Zoning By-law Program for the Municipality of North Middlesex be accepted and forwarded to the list of consultants as attached.

CARRIED

BLUEWATER RECYCLING REPORT

Representative and Councillor Marysia Coutts reported that the estimated projected budget for 2001 was over spent, due to commodities not selling, and WSIB insurance increases. The 2002 budget is estimated to be increased by 4%+, for the same reasons. The WSIB insurance is being changed from municipal rate to construction rate, however, this matter is still under discussion. Also, they are expecting a glass rebate from LCBO which will be payable in 2002.

COMMITTEE MEETING RECOMMENDATIONS

Recommendations from the Committee meeting of November 12, 2001 were reviewed, and a motion made as follows:

HENDRIKX-CONLIN: BE IT RESOLVED THAT the recommendations from the Committee meeting held on November 12, 2001, be accepted, as follows:

- That the last quarter newsletter be skipped, and that the plan for 2002 distribution be February with taxes, May through the mail, August with taxes and November through the mail.
- That the ABCA project for floodplain mapping in Parkhill be completely dropped.
- That the fax machine be leased for six months, and that the matter of lease or purchase be reconsidered, at that time.
- That CompuPower be requested to extend the warranty on the computer system, at no cost, due to all the problems that were created throughout the year.
- That a sign and lighting be erected at the MTO/ Community Policing Office
- That the stain glass window from Ailsa Craig be framed, plaque attached indicating who donated, and then hung in the Satellite Office of North Middlesex. The historical plaque is to be mounted on the new building or set in the garden area.
- That the integrity of the Ailsa Craig Town Hall be promoted when discussing the sale with interested parties; joint agreement with the Church regarding the parking lot is to be honored; closing date be set for December 30, with extended negotiation date to January 15, 2002; and the use of the front sign is to be negotiated.
- That the public meeting regarding the "Tax Assessment on Large Farms" be cancelled, at this time. Local submissions are to be encouraged and forwarded to the County, MPP and any other agency that would possibly prove beneficial.
- Subject to legal advice, the road name change by-law not be registered.
- That arrangements be made for the former Parkhill auditor to attend an upcoming meeting.
- That PABA be given permission to hang a "Corn Fest" sign on the advertisement of service club signs, when this matter is addressed.
- That arrangements be made to fill the position of Donna VanHooydonk, as recommended by the Administrator.

CARRIED

McLACHLAN-JOHNSTON: BE IT RESOLVED THAT the Roll No. 39-54-052-010-044-000000 be declared surplus and listed with the realtor "for sale".

CARRIED

The following by-laws were then considered.

EXTENSION OF JOHN STREET

McLACHLAN-JOHNSTON: BE IT RESOLVED THAT By-law #87 of 2001 being a by-law to establish and lay out a road to extend John Street in the Municipality of North Middlesex, in the Village of Ailsa Craig be read a third time and finally passed this 19th day of November, 2001.

CARRIED

FORMER EAST WILLIAMS ROAD ALLOWANCE

HENDRIKX-CONLIN: BE IT RESOLVED THAT By-law #89 of 2001 being a by-law to open up Block "C" Plan 33M-101, (former East Williams) in the Municipality of North Middlesex, as a public street be read a third time and finally passed this 19th day of November, 2001.

CARRIED

PARKHILL-FRONT STREET ENCROACHMENT

HENDRIKX-COUTTS: BE IT RESOLVED THAT By-law #98 of 2001 being a by-law to authorize the execution of an encroachment agreement between the Municipality of North Middlesex and Judith Irene Wilson, Estate Trustee of the Estate of Leona Gooding, be read a first, second, third time and finally passed this 19th day of November 2001.

CARRIED

Council questioned the amount of liability insurance that would be provided. Administrator Clerk Scott advised that this would be discussed with our Solicitor.

STOP SIGNS FOR CATHERINE/ARDROSS/ROSKEEN STREETS IN FORMER PARKHILL

Creation of two four way stops, as authorized for Catherine and Ardross, and Roskeen and Catherine, was authorized by by-law, as follows:

HENDRIKX-COUTTS: BE IT RESOLVED THAT By-law #97 of 2001 being a by-law respecting the erection of stop signs at intersections in the Municipality of North Middlesex in the County of Middlesex be hereby read a first time this 19th day of November, 2001.

CARRIED

SATELLITE OFFICE

JOHNSTON-McLACHLAN: BE IT RESOLVED THAT blinds be purchased for the five north viewing windows in the Ailsa Craig Community Policing and common Board Rooms the estimated cost is \$44 each plus taxes.

CARRIED

NORTH MIDDLESEX COMMUNITY CENTRE BOARD 2000 AUDIT

A copy of the 2000 North Middlesex Community Centre Board audit, as received from auditor, Ramona Nordemann, was discussed. There were several inquiries, and Council was asked to prepare a list of questions that they wish to ask directly when she was present at the December 3, 2001 meeting.

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT the North Middlesex Community Centre financial statements for December 31, 2000 be tabled until December 3, 2001.

CARRIED

REQUEST FOR WAIVE OF PENALTY

Correspondence was received from owner of 044-001-00203-00 requesting that penalty charges be waived. After careful consideration, the following motion was made.

JOHNSTON-McLACHLAN: BE IT RESOLVED THAT the request from 044-001-00203-00 to waive the penalty charges be denied.

CARRIED

CORRESPONDENCE

The following correspondence was received, considered and appropriately filed.

- a) OSTAR/Infrastructure information
- b) Smart Growth information
- c) ABCA notice of hearing cancelled
- d) Public Private Partnership session in Toronto on February 18,19,20
- e) ROMA/OGRA Conference in Toronto February 24-27, 2002.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the correspondence package (a-e) dated November 19, 2001, be accepted.

CARRIED

OTHER BUSINESS

A memo from Satellite Office Clerk, Tanya Gregory prompted a conversation regarding the decorating of the offices for the Christmas Season. Council directed that both the Main and Satellite Office be decorated moderately. It was suggested that this be done before each community parade.

A letter received from the Warden of the County, complementing our Public Works Superintendent on his work in helping develop a model lease agreement for shared municipal garage locations, was read.

CONFIRMING BY-LAW

HENDRIKX-BREBNER: BE IT RESOLVED THAT By-law #99 of 2001, being a by-law to confirm the proceedings of the Council of the Municipality of North Middlesex at meetings held on November 12 and 19, 2001 be read a first, second, third time and finally passed this 19th day of November, 2001.

CARRIED

CONLIN-HENDRIKX: BE IT RESOLVED THAT the regular meeting adjourn at 11:07 p.m.

Carried

MAYOR

ADMINISTRATOR