

MINUTES

A regular Council meeting was held on October 15, 2001.

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 CLERK – SHIRLEY SCOTT
WORKS FOREMAN – BRAD DAVIES

Also present was a representative from the Middlesex Banner.

COUTTS-HENDRIKX: BE IT RESOLVED THAT Deputy Mayor Ian Brebner
Chair the meeting until the arrival of Mayor Hall.
CARRIED

CONFLICT OF INTEREST

The following written conflict was presented.

“I, Lawrence McLachlan declare a conflict of interest regarding the Currie
McLachlan Drain”

MINUTES

Various minor changes were authorized. The following motion was made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT the regular meeting minutes
dated October 1, 2001, printed and delivered to each
member be adopted, as amended.
CARRIED.

BUSINESS FROM MINUTES

Foreman Davies advised that the paving was done. Council questioned
the repair required at the corner of Hwy #7. Patching required in Ailsa Craig will
soon be attended to.

The computer problems being experienced were discussed. Deputy Mayor
Brebner reported that the hospital system for Strathroy/Newbury have only been
down twenty hours over two years. It was suggested that a time limit be set to
solve the problem, and if this is not met, other sources be called in.
Administrator Scott suggested that plans were to consult with Lambton Shores
and South Huron to see if they were experiencing the same frustrations. They
requested a report for the next meeting.

ACCOUNTS

It was questioned why the Council pay was not listed. Administrator Scott
advised that this would be listed with the pay on the next voucher. The following
motion was then made.

COUTTS-McLACHLAN: BE IT RESOLVED THAT the accounts dated October
15, 2001 be accepted as attached:
General \$193,036.23
Water 25,449.68
Cemetery 40.00

CARRIED

CHIEF BUILDING OFFICIAL REPORT

The report from the Chief Building Official was reviewed, indicating permits for the month of September issued for an estimated construction value of \$94,250. The following motion was then made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT the building report for September 2001 from the Chief Building Official be accepted.

CARRIED

ADMINISTRATORS REPORT

A written report with several verbal additions were discussed, with the following items being discussed and motions made.

-Compu Power is hosting a conference this month, with training sessions being offered at a special rate. It is suggested that Mr. Daigle take advantage of this opportunity.

CONLIN-McLACHLAN: BE IT RESOLVED THAT Treasurer Chuck Daigle be authorized to attend a Compu Power training session October 22 and 23 at the cost of \$750.

CARRIED

-a tour of Fanshawe Pioneer Village is to be arranged early spring, in order to make use of the "guest" tickets that were issued.

-The County have passed a by-law appointing Vic Stellingwerff and Joe Adams as By-law Enforcement Officers in order to be able to ticket vehicles on County roads.

-the Southwestern Regional Conference is being held on November 16, 2001 in London. There are several useful presentations, and permission to attend was requested.

McLACHLAN-HENDRIKX: BE IT RESOLVED THAT Deputy Clerk Tiedeman, Treasurer Daigle and Administrator Clerk Scott attend the Southwestern Regional Conference on November 16, 2001 in London, on our behalf.

CARRIED

-Ausable Bayfield Conservation Authority advised that grant monies of \$1,000 were received to proceed with the Parkhill Floodplain Mapping project. Total cost of the project is estimated to be \$18,000. It was suggested that this project could be spread over this year and 2002. After careful consideration, the following motion was made.

BREBNER-COUTTS: BE IT RESOLVED THAT North Middlesex is not prepared to go ahead with the floodplain mapping by ABCA at this time.

CARRIED

-an estimate of cost for Interim Control By-law, which was passed last meeting, was reviewed, and the following motion made.

HENDRIKX-COUTTS: BE IT RESOLVED THAT Council authorize Barb Rosser to proceed on a review to a zoning by-law change pertaining to adult entertainment facilities.

CARRIED

-the Zone meeting for this area is set for November 1, 2001. Permission to attend was requested, and the following motion made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT two office staff members attend the Zone 1 meeting on November 1, 2001.

CARRIED

HENDRIKX-CONLIN: BE IT RESOLVED THAT the report from Administrator Shirley Scott dated October 10,2001 be accepted.

CARRIED

HENDRIKX-COUTTS: BE IT RESOLVED THAT the Councillor's Reports be moved to No.11 on the agenda, as that way they will not require paid staff to sit through this report time.

CARRIED

CURRIE MCLACHLAN DRAIN

BREBNER-JOHNSTON: BE IT RESOLVED THAT Court of Revisions resume at 8:00 p.m.

CARRIED

Affirmation attached.

Affected ratepayer, Duncan McLachlan, Engineer Armin Kruspel from Spriet Associates and representative from Middlesex Centre, Leslie Ritchie were present.

Recommendation of the Court of Revisions were accepted.

CONLIN-JOHNSTON: BE IT RESOLVED THAT By-law #78 of 2001 being the Currie McLachlan Drain be read a third time and finally passed this 15th day of October 2001, subject to the appeal process

It was reported that the tenders had been opened on the designated date, with Mayor Hall, Works Representative Glen Bullock and Administrator Scott present. The following tenders were received:

R&S Graham Contracting	\$25,291.00
A.G. Hayter	35,730.51
Van Bree Drainage	33,394.70

The tenders were reviewed by the Engineer and the lowest tender is recommended. The following motion was then made.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the tender from R & S Graham Contracting Ltd. in the amount of \$25,291.00 be accepted, provisional to the appeal process of By-law #78 of 2001, having occurred.

CARRIED

Councillor McLachlan re-entered the meeting.

DELEGATION: BEN BAER

Benjamin Baer, resident of the Village of Ailsa Craig, then entered the meeting to discuss consideration of a fee for minor variance. He reviewed a sequence of events that had taken place since his home was built. It was stated that due to an error of the previous municipal Building Official, it resulted in a

minor variance on only 10 metres when 10.6 metres should have been granted. A deck with roof now creates more of an error.

Council suggested that the County be asked for input, because it is abutting a County road. They also requested that the expenses to date, be calculated. Then a decision can be made at the next meeting.

RECREATION REPORT

A written report from the Recreation/Arena Manager was reviewed, advising:

- it is estimated that a water leak in the main line that feeds the back of the building at the south east corner of the arena , will create an overuse of water
- a phone call regarding the status of the Super Build application, revealed that not all the applications have been considered at this time. They suggest it will be another four to five weeks before they will have a chance to review.
- interviews were conducted for facility operator position, and it is recommended that Laurie Blenkhorn start full time Tuesday, October 16, 2001

The following motions were then made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT Laurie Blenkhorn be hired as a facilities operator for the recreation department.

CARRIED

JOHNSTON-McLACHLAN: BE IT RESOLVED THAT the progress report from Scott Nickles, Recreation/Arena Manager dated October 15, 2001 be accepted.

CARRIED

MTO OPERATIONAL REPORT FOR SEPTEMBER

A report from MTO Operator Kathleen O'Connell, advised that income for the month of September was \$1,098.60. The following motion was made.

CONLIN-COUTTS: BE IT RESOLVED THAT the MTO Operational report for September 2001 be accepted.

CARRIED

WORKS FOREMAN REPORT

Works Foreman, Brad Davies then reported:

- that he had attended the County Sale, and it resulted in nine items selling for \$46,710.
- The paving jobs have been finalized. The estimate of tonnage required was under the actual used, therefore the job will be under budget.
- A bridge on Mooresville Road, between Creamery and Lieury Road required immediate repair to stabilize the 10 tonne limit. Spriet Associates closed the bridge while doing a check. A repair of approximately \$2,000 to reinforce the corners by bracing the four corners with angle iron, prolonged replacement at this time. The repair has been done, and the bridge is open again.
- A meeting between the contractor (Robinson) the County and ourselves to discuss the waterline on Denfield Road, is being arranged prior to construction starting.

Councillor Conlin then requested that a cost comparison be conducted, comparing the cost of hiring the roadside grass cutting versus having it done by our own staff.

Councillor Johnston advised that there has been signs removed by the Variety Store in Ailsa Craig. He suggests that the County be requested to replace.

MAIN LINE WATER REPORT

Councillor McLachlan reported that a decision to hire US Filter to maintain the main water line has been under review. Other contenders were contesting the decision. A legal opinion has revealed that the process was handled correctly, and an agreement will be signed.

TREASURERS REPORT

A written report from Treasurer, Chuck Daigle, advised that the Commercial and Industrial taxes have not been levied to date, as well as any residential assessment based taxes that could be attached to properties with Commercial assessment. In order for the municipality to produce these remaining tax notices, a 10-5-5 report must be received from the County. As well, three municipal drains are being billed.

PROVINCIAL TAX REVIEW PROCESS

A report from the County of Middlesex, regarding the Provincial Tax Review Process was distributed. Mayor Hall expressed concern regarding the article that appeared in the Gazette, previous to Council receiving this report, which is only a “discussion paper” on the development of a new tax class for intensive livestock operations. The discussion paper examines a number of aspects of the intensive livestock industry and proposes the implementation of a new agriculture sub-class for “heavy agriculture”. While there are many details of the implementation of this system that must still be addressed, Middlesex County Council believes that a new tax class for Heavy agriculture is required and it is their intention to present this opinion to the Provincial Property Tax Classification Review Committee. Comments and suggestions for the discussion paper are invited.

Councillor Hendrikx suggested that the number of employees for the farm operation be considered. Mayor Hall advised that there is no clear definition of “factory farm” (a term used in the news release). It was stated that all tax classes are under review. Councillor Conlin stated that Council should be united in stating that they are opposed to the new tax class for intensive livestock operations.

PROVINCIAL CYCLING ROUTE NETWORK

A draft report with details on the cycling route network and a proposed route was received. Council commented that the route proposed is not the best. They felt that alternatives should be proposed.

ENERCONNECT/MEARIE ISSUES AND OPTIONS

Councillor Johnston advised that the former Village of Ailsa Craig were a part of the Enerconnect (partnership agreement re: sale to Hydro One Networks) and Mearie (an agreement signed by Ailsa Craig Hydro Electric System, which allows member municipality to withdraw from the Reciprocal Insurance Exchange). Robert Benner was consulted to review and advise on past process.

Regarding “Mearie” he recommends that Council accept liability for the underwriting losses for the years in which it was a member. Either pay the lump sum to buy out the liability or find out what the underwriting experience of the plan has been. It is very possible that no underwriting losses have been incurred and so no liability exists and refuse to pay more than 1 year membership levy until MEARIE produces some documentary evidence that the Village agreed to

the mandatory 3 year fee rule. Councillor Johnston advised that no notice of rate increase was ever received. He assured Council that in year 2000 the Village of Ailsa Craig put money aside for this expenditure.

Council considered, and the following motion was made.

JOHNSTON-McLACHLAN: BE IT RESOLVED THAT in regards to the MEARIE issue that documentation be received and filed pending further information being received from MEARIE.

CARRIED

Mearie, started the Enerconnect, leaving former Ailsa Craig with the impression that they would buy and sell hydro. It is now realized that Enerconnect is not needed, because the village does not own its own utility. Mr. Benner has submitted the following recommendation: that North Middlesex consider withdrawing from the Enerconnect partnership as there is little or no expectation of gain. Council made the following motion:

JOHNSTON-CONLIN: BE IT RESOLVED THAT North Middlesex withdraw from the Enerconnect Partnership as advised by J. Robert Benner, Solicitor.

CARRIED

FRONT STREET ROAD ALLOWANCE

A request from Wilfred Conway, regarding the possible sale of Front Street road allowance, was reviewed. Subject to a previous decision of Council, it was restated that the Front Street road allowance, is not for sale at this time.

SIMPLIFIED RISK ASSESSMENT

Administrator Shirley Scott reported that L. J. (Les) Trowsdale attended the office to advise that "simplified risk assessment" was required from all Councils, in accordance with the Public Fire Safety Guidelines. To date there is no deadline regarding the finalization of the assessment. The purpose of the assessment is for municipalities to be aware/obligated of their responsibility under the Fire Protection and Prevention Act to provide public education with respect to fire safety and certain components of fire prevention. Conducting a simplified risk assessment is the first step towards compliance with these requirements and is intended to identify information required by a municipality to make informed decisions about the programs and activities necessary to effectively manage the community fire risk based upon local needs and circumstance. After consideration, the following motion was made.

CONLIN-JOHNSTON: BE IT RESOLVED THAT Council ask that the Fire Department be responsible for the documentation for Simplified Risk Assessment according to Public Fire Safety Guidelines.

CARRIED

AUSABLE RIVER MUNICIPAL DRAIN

Council suggested that Drain Superintendent, Joe Adams, as well as Councillor McLachlan attend the meeting regarding maintenance to the Ausable River Municipal Drain. Should Mr. McLachlan not be able to attend, Deputy Mayor Brebner was suggested as an alternate.

NORTH MIDDLESEX WEB SITE

Correspondence from YFH Computer, and an enquiry from Tanya Gregory, regarding the web site, resulted in the following motion:

HENDRIKX-CONLIN: BE IT RESOLVED THAT Yvonne Houle be kept on to create new Web pages as they are requested, and that Tanya Gregory will be in charge of maintenance.

CARRIED

SIGNS

Future erection of stop signs at the intersection of Neil Road and Clandeboye Drive was discussed, resulting in the following motion:

CONLIN-BREBNER: BE IT RESOLVED THAT By-law #84 of 2001 being a by-law respecting the erection of stop signs at intersections be read a first time this 15th day of October, 2001

CARRIED

As a result of proper advertising having been done, the following signs were directed to be erected at Pete Sebe Road and Elliott Drive, according to the appropriate by-laws.

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT By-law #69 of 2001 being a by-law respecting the erection of stop signs at intersections be read a second and third time this 15th day of October, 2001.

CARRIED

ROAD NAME CHANGE

As a result of proper advertising having been done, the following motion was made:

COUTTS-BREBNER: BE IT RESOLVED THAT By-law #72 of 2001 being a by-law to provide for changing the name on a public road be read a second and third time this 15th day of October, 2001.

CARRIED.

BORROWING BY-LAWS

CONLIN-McLACHLAN: BE IT RESOLVED THAT By-law #88 of 2001, authorizing the expense and debenturing process for the fire truck be read a first, second and third time and finally passed.

CARRIED

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT By-law #86 of 2001, being a by-law to authorize borrowing for the municipality, be read a first, second and third time and finally passed this 16th day of October, 2001.

CARRIED

TILE DRAIN LOAN APPLICATION

BREBNER-HENDRIKX: BE IT RESOLVED THAT the tile drain loan application for property roll number 39-54-020-006-0000 for \$12,600 be accepted.

CARRIED

CORRESPONDENCE

- A) M.M.A. and AMO presents a seminar on Nov.16/01–Lamplighter Inn London
- B) Municipality of Arran-Elderslie requesting resolution endorsement of petitioning the Ontario Government to immediately provide reliable confirmation of OSTAR Funding level to Municipalities related to meeting the new Ontario Drinking Water Regulations
- C) Village of Newbury – official opening of the Wastewater Treatment Plant
- D) Backgrounder – Smart Growth Management Council
- E) ROMA/OGRA Conference – Feb.24-27, 2002
- F) Government of Canada – London small business Conference & Info Fair

HENDRIKX-JOHNSTON: BE IT RESOLVED THAT the correspondence package dated October 15, 2001 be accepted.
CARRIED

COUNCILLOR ITEMS

Deputy Mayor Brebner reminded all of the Strategic Plan session October 19 and 20. Administrator Scott assured him that arrangements for food and locations were in order.

Deputy Mayor Brebner reported that the government has approved the ABCA to set the size of the Board rather than being regulated as in the past. This area will now have two representatives.

Deputy Mayor Brebner announced that the County would be considering the hospital funding at a meeting on October 23, 2001.

Councillor Johnston advised that he had spoke with Treasurer Daigle regarding the information he wanted in order to continue the discussions regarding sewer and water rates, construction, etc. A presentation is being prepared for the November committee meeting.

Councillor Hendrikx suggested that Highway 81 was in need of maintenance. She noticed that this construction was scheduled for 2003 and has now been set back to a later date. She requested that the County Council members try to have this moved back to the original date.

Councillor Coutts reminded Council that the Bluewater Recycling meeting was scheduled for October 18,2001.

IN CAMERA

HENDRIKX-COUTTS: BE IT RESOLVED THAT regular meeting adjourn to an in camera session at 11:07 p.m.
CARRIED

HENDRIKX-McLACHLAN: BE IT RESOLVED THAT the in camera session adjourn at 11:25 p.m.
CARRIED

As a result of the in camera session, the following motions were made by regular Council.

HENDRIKX-COUTTS: BE IT RESOLVED THAT Council advertise old Ailsa Craig Town Hall and that other surplus properties go through Realtor, Bob Scrimgeour.

CARRIED

CONFIRMING BY-LAW

CONLIN-HENDRIKX: BE IT RESOLVED THAT By-law #85 of 2001 being a by-law to confirm the proceedings of the Council of the Municipality of North Middlesex held on October 15, 2001 be read a first, second, third time and finally passed this 15th day of October, 2001.

CARRIED

CONLIN-JOHNSTON: BE IT RESOLVED THAT the regular meeting adjourn at 11:30 p.m.

CARRIED

MAYOR

ADMINISTRATOR