

— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes
April 5, 2011

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 5th day of April 2011, at 7:30 pm in the Township of Ashfield-Colborne-Wawanosh Council Chambers.

Council Present

Reeve
Deputy-Reeve
Councillors

Ben Van Diepenbeek
Neil Rintoul
Connie Black
Murray Curran
Doug Miller
Barry Millian
Roger Watt

Staff Present

Administrator/Clerk-Treasurer
Public Works Superintendent

Mark Becker
Brian Van Osch

OTHERS PRESENT: Denny Scott, Graham Denman, Jim Schneider, Jacqui Laporte, Chris MacLennan, Bob Hallam, Bruce Fisher, Gloria Fisher, Robert Mills, Luce McBurney, Dianne Wain, Mike Franken, and Dominique Milburn.

1.0 CALL TO ORDER

2.0 DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3.0 ADOPTION OF MINUTES

Moved by Black
Seconded by Curran

ADOPT COUNCIL MINUTES #1 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the March 21, 2011 Council Meeting Minutes as written. Carried.

Moved by Millian
Seconded by Rintoul

ADOPT COUNCIL MINUTES #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the March 22, 2011 Council Meeting Minutes as written. Carried.

4.0 DEPUTATIONS AND PETITIONS

4.1 7:45 pm – Graham Denman / Airport Road Concerns

We have provided Council with a copy of the letter received from Graham Denman. We have also provided Council with a copy of the report prepared by Public Works Superintendent, Brian VanOsch in this regard. Mr. Denman addressed Council in this regard.

STAFF COMMENTS: None.

ACTION: Council agreed to have the Public Works Superintendent arrange for a meeting with the M.TO. and a representative from the Town of Goderich to discuss the issue in detail.

4.2 8:00 pm – 2011 Proposed Budget

We have provided Council with summaries and correspondence of the proposed budget for 2011. We have finalized the figures as directed by Council to reflect a three percent increase in the Township Levy over 2010. We advertised in the local papers along with posting the information on the website in regards to the proposed Budget for 2011. We notified the public that we would be considering the budget at tonight's regular Council Meeting. Comments are welcome from the public prior to the adoption of such budget.

COMMENTS FROM THE FLOOR: No comments from the floor.

STAFF COMMENTS: That Council proceeds to adopt the budget as presented and pass the following resolution. That Council will adopt the tax rate by-law at a future meeting, reflecting the affecting tax rates for Township, Education, and County purpose, once the rates for the Education and County have been approved by both entities.

ACTION: Council agreed to adopt the 2011 Budget and pass the following resolution.

		Moved by	Watt
		Seconded by	Rintoul
APPROVE			
2011	#3	THAT Ashfield-Colborne-Wawanosh Township Council hereby approves	
BUDGET		the 2011 Township Budget as presented. The Township levy for 2011 will	
		be \$2,769,347 for Township purposes only.	
			Carried.

A recorded vote was requested by Councillor Doug Miller and was recorded by random as follows:

Yeas – Curran, Millian, Rintoul, Watt, Van Diepenbeek
Nays – Black, Miller

CARRIED.

4.3 8:00 pm - Consolidated Fee By-Law Amendments - 2011

We have finalized the figures as directed by Council. We advertised in the local papers along with posting the information on the website in regards to the proposed fees and charges for water, building permits, and recreation fees. We notified the public that we would be considering the amendments to our Consolidated Fee By-Law at tonight's Council Meeting. Comments are welcome from the public prior to the adoption of such amending Fees & Charges. We have provided Council with an amended fee by-law with these changes.

COMMENTS FROM THE FLOOR: No comments from the floor.

STAFF COMMENTS: That we proceed to adopt the by-law as drafted in Section 14.

ACTION: Council agreed to accept the fee changes and adopt the revised by-law in Section 14.

5.0 FINANCIAL REPORTS

No items scheduled.

6.0 REPORTS OF STAFF AND COMMITTEES6.1 Water Department

6.1.1 Veolia Water / Annual Compliance Summaries for Water Systems in ACW

We have provided Council with copies of Veolia Water's Compliance Summaries for the following water systems:

- ✓ Benmiller Well Supply
- ✓ Century Heights Well Supply
- ✓ Dungannon Well Supply
- ✓ Huron Sands Well Supply
- ✓ Lakeshore Well Supply (Amberley)
- ✓ Lucknow Well Supply

STAFF COMMENTS: That we accept the compliance summaries as presented and adopt the following resolution.

ACTION: Council agreed to accept the compliance summaries as presented and adopt the following resolution.

ACCEPT ANNUAL WATER COMPLIANCE #4 SUMMARIES	Moved by Miller Seconded by Curran	THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts the Compliance Summaries as submitted by Veolia Water for the Benmiller Well Supply, Century Heights Well Supply, Dungannon Well Supply, Huron Sands Well Supply, Lakeshore Well Supply (Amberley), and the Lucknow Well Supply.	Carried.
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6.1.2 Walkerton Clean Water Centre – Standard of Care / Safe Drinking Water Act

We have provided Council with a copy of the "Taking Care of your Drinking Water Guide for Members of Municipal Councils". The Walkerton Clean Water Centre is offering a course on May 19th in which Deputy-Clerk Linda Andrew has been registered. Does any Councillor Member wish to attend either of the two locations being offered in addition to Linda Andrew attending?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to send Councillor Watt and Councillor Black to Goderich on April 28th and Reeve Ben Van Diepenbeek as well to the Walkerton on May 19th.

6.2 Building Department

6.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Livingston's report. Mr. Livingston will not be present this evening.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

6.3 Cemetery Department

6.3.1 Cemetery & Grounds Caretaker – Position

As a follow-up from our In-Camera Session of March 22, 2011, staff has advertised this position to fill the recent vacancy. The deadline for applications is Friday, April 15, 2011 at 12:00 pm.

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

6.4 Drainage Department

6.4.1 Appointment of Engineer – Huron Sands Petition

We have provided Council with a copy of the report prepared by Deputy-Clerk Linda Andrew in this regard.

STAFF COMMENTS: That Council appoints R.J. Burnside & Associates as the engineer for the Huron Sands Petition as John Kuntze of K. Smart & Associates seems to still be behind on other Township drains.

ACTION: Council agreed to appoint R.J. Burnside & Associates as the engineer for this project and adopt the following resolution.

APPOINT ENGINEER #5 (HURON SANDS PETITION)	Moved by Millian Seconded by Curran	THAT Ashfield-Colborne-Wawanosh Township Council hereby appoints R.J. Burnside & Associates to make an examination of the area, subject of the petition by Roger Watt, affecting Part Lot 19 and Part of Plan 587, Front Concession NTP, Ashfield Ward, and prepare a report for Council's consideration.	Carried.
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6.4.2 Appointment of Engineer – MacKenzie Camp Road Petition

We have provided Council with a copy of the report prepared by Deputy-Clerk Linda Andrew in this regard.

STAFF COMMENTS: That Council appoints R.J. Burnside & Associates as the engineer for the MacKenzie Camp Road Petition as John Kuntze of K. Smart & Associates seems to still be behind on other Township drains.

ACTION: Council agreed to appoint R.J. Burnside & Associates as the engineer for this project and adopt the following resolution.

Moved by Watt
Seconded by Black

APPOINT
ENGINEER
(MACKENZI #6
E CAMP
ROAD
PETITION)

THAT Ashfield-Colborne-Wawanosh Township Council hereby appoints R.J. Burnside & Associates to make an examination of the area, subject of the petition by Eva Kehrer and others, affecting Part Lot 23, Front Concession NTP, Ashfield Ward, and prepare a report for Council's consideration.

Carried.

6.5 Administration Department

6.5.1 Lucknow & District Joint Recreation Board Budget – 2011

We have provided Council with budget for the Lucknow & District Joint Recreation Board Budget for 2011.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to accept the budget as presented and adopt the following resolution.

Moved by Watt
Seconded by Miller

APPROVE
LUCKNOW #7
RECREATION
BUDGET 11

THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts the proposed Lucknow & District Joint Recreation Board Budget for 2011 as presented.

Carried.

6.5.2 North Huron Fire Coverage – Auburn Area

At our last meeting Council instructed staff to arrange for a meeting with North Huron Council to discuss fire coverage for the Auburn area. Staff contacted North Huron at which time they responded with possible dates. Two days later, after reading an article in the Lucknow Sentinel, North Huron now have indicated that a meeting now would be a waste of time. We have provided Council with a copy of the two responses from North Huron, along with a copy of the Lucknow Sentinel article.

STAFF COMMENTS: None.

Moved by Miller
Seconded by Millian

FIRE
AGREEMENT #8
WITH NORTH
HURON

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to the terms of the fire agreement as proposed by North Huron using the boundary of St. Augustine Line and Glen's Hill Road (both sides to be covered by North Huron).

DEFEATED.

ACTION: Council agreed to have staff arrange for a meeting with North Huron Council on Thursday, April 14th at 7:00 pm in North Huron Council Chambers.

6.5.3 Auburn Playground Equipment – Update

At our Budget Meeting, Council asked that staff contact the other two municipalities to see what, if any, they are donating to the proposed Auburn Playground Equipment.

- North Huron – undecided.
- Central Huron – In-kind dollars only for wages, materials, and dismantling the old equipment. They have applied for a Trillium Grant for this project as well.

STAFF COMMENTS: None.

ACTION: Council agreed to donate, but are undecided, as far as the amount at this time, until the final costs are determined.

6.5.4 Tile Drain Loan Application – Van Oenen Farms Inc.

We have received an application for a Tile Drain Loan for Van Oenen Farms Inc. at Concession 2, Eastern Division, Lot 6, Ashfield Ward, in the amount of \$ 26,800.

STAFF COMMENTS: That we accept the application as pass the following resolution.

ACTION: Council agreed to accept the Tile Drain Loan Application for Van Oenen Farms Inc. and adopt the following resolution.

ACCEPT TILE DRAIN LOAN #9 APPLICATIO N	Moved by Curran Seconded by Watt	THAT we accept the Tile Drain Loan application for Van Oenen Farms Inc. at Concession 2, Eastern Division, Lot 6, Ashfield Ward, in the total amount of \$ 26,800. This is subject to the availability of funds at the time from the Ministry of Agriculture and Food.	Carried.
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6.5.5 Property Standards for Agriculture - Update

As a follow-up from our last meeting, I spoke to our Solicitor and our By-Law Enforcement Officer in regards to the proposed revised by-law as re-drafted by our committee. Both indicated that the re-drafted by-law gives no power to do any property standards, as they have changed the preambles. The Property Standards By-Law gets its authority under the Building Code, and it clearly addresses the By-Law Enforcement Officer's duties as well as the Property Standards Committee. The mediation committee is not a process under the act, and this mediation committee has no qualifications, no legal basis, or authority to do anything as suggested in the re-drafted version. The three signatures is not justified as anyone has a right to submit a formal written complaint to the Township, without having three signatures, or charging people a fee to file a complaint.

STAFF COMMENTS: None.

Bob Hallam addressed Council in regard to this by-law. Mike Franken address Council as well.

ACTION: After a lengthy discussion, Council agreed that the proposed By-Law for Property Standards for Agricultural Properties be shelved.

6.6 Public Works Department

6.6.1 Public Works Activity Report

We have provided Council with a copy of the report prepared by Public Works Superintendent Brian Van Osch. Mr. Van Osch will be present this evening.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

6.6.2 London Road Corridor Storm Water Drainage Improvement Project – Update

We have provided Council with copies of the letters received from the Minister of the Environment in regards to the appeals filed with respect to the above noted project. The Minister is satisfied that the Township has planned the Project in accordance with the procedures set out in the Class EA, and therefore the Township can now proceed with the project subject to any permits or approvals required. We have also provided Council with a copy of the Project Update from B.M. Ross & Associates in this regard.

STAFF COMMENTS: None.

ACTION: Noted.

6.7 Environmental Services

No items scheduled.

6.8 Committee Reports

Councillor Watt reported on the Low Frequency Noise Committee.

Councillor Black reported on the Huron County Farm Safety Association.

Reeve Van Diepenbeek reported on the group, which the Township of Ashfield-Colborne-Wawanosh is part of, that is challenging the County of Huron By-Law, with respect to the composition of County Council. Reeve Van Diepenbeek asked if Council wants to continue to proceed with the challenge.

ACTION: Council agreed to proceed as planned.

7.0 OPEN FORUM

None.

8.0 NEW BUSINESS

No items scheduled.

9.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

No items scheduled.

10.0 CORRESPONDENCE RECEIVED AND COPIED FOR WHICH THE DIRECTION OF COUNCIL IS NOT REQUIRED

- 10.1 Maitland Trail Association – Newsletter
- 10.2 Ministry of Infrastructure – Letter
- 10.3 Maitland Valley Conservation Authority – Minutes
- 10.4 Lucknow & District Joint Recreation Board – Minutes
- 10.5 Coalition for Huron Injury Prevention (CHIP) – Minutes
- 10.6 Mid-Huron Landfill Board – Minutes
- 10.7 CAA Auto Insurance – H.S.T. Gas Tax Revenue

ACTION: Staff will bring back the resolution for the next meeting.

- 10.8 Township of Huron-Kinloss – Class EA for Water Storage Facility in Lucknow
- 10.9 AMO News – Federal Budget
- 10.10 AMO News – Provincial Budget
- 10.11 AMO News – Report to Members

11.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

- 11.1 Maitland Valley Conservation Authority – Financial Statements

12.0 UNFINISHED BUSINESS**12.1 Huron County Municipal Officers' Association Annual Meeting**

Just as a reminder the meeting will be on Friday, April 15, 2011 at the Stanley Township Complex in Varna beginning at 9:30 am. Reeve Van Diepenbeek, Deputy-Reeve Rintoul, Councilor Watt, Black, Millian, Deputy-Clerk Andrew, and Clerk Becker have been registered. The incoming Chair for 2012 will be Mark Becker and he will be asked to address the association at this meeting. Mark will be extending an invite from the Township of Ashfield-Colborne-Wawanosh to host the 2012 Huron County Municipal Officer's Association Annual Meeting.

STAFF COMMENTS: For your information and reminder purposes.

ACTION: Noted.

13.0 IN-CAMERA SESSION

No items scheduled.

14.0 BY-LAWS AND AGREEMENTS**14.1 Consolidated Fee By-Law**

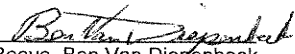
		Moved by	Millian
		Seconded by	Watt
CONSOLIDATED FEE BY-LAW	#10		
		THAT leave be given to introduce By-Law #20-2011 being a by-law to set various fees for the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5 th day of April 2011.	
			Carried.


14.2 Confirmation By-Law

		Moved by	Rintoul
		Seconded by	Watt
CONFIRMATION BY-LAW	#11		
		THAT leave be given to introduce By-Law #21-2011 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on April 5, 2011, and that it now be read severally a first, second, and third time, and finally passed this 5 th day of April 2011.	
			Carried.

15.0 ADJOURN

		Moved by	Black
		Seconded by	Curran
ADJOURN	#12		
		THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on April 11, 2011 at 7:00 p.m. or at the Call of the Reeve.	
			Carried.


Reeve, Ben Van Diepenbeek


Administrator/Clerk-Treasurer, Mark Becker