



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes
January 10, 2012

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 10th day of January 2012, at 7:30 pm in the Township of Ashfield-Colborne-Wawanosh Council Chambers.

Reeve	Ben Van Diepenbeek
Deputy-Reeve	Neil Rintoul
Councillors	Connie Black
	Doug Miller
	Barry Millian
	Roger Watt
Councillors Absent	Murray Curran
Staff Present	
Administrator/Clerk-Treasurer	Mark Becker
Public Works Superintendent	Brian Van Osch
Chief Building Official	Kirk Livingston
County of Huron Planner	Monica Walker-Bolton

OTHERS PRESENT: Denny Scott, Sara Palmer, Paul Wendelgass, Ariel Bautism, Glenn Hubbers, Roman Miller, Bill Hayden, Francis Hogan, Anita Frayne, Chris MacLennan, Richard Ireland, Paul Bollinger, Marianne Bollinger, Shawn Drennan, Trish Drennan, Dan Hayden, Peter Drew, Ann Marie Howard, and Steven Howard.

1.0 CALL TO ORDER

2.0 DISCLOSURE OF PECUNIARY INTEREST

- Reeve Ben Van Diepenbeek, and Deputy-Reeve Neil Rintoul
Sections 4.3, 10.11, and 10.12 – Wind Turbines / K2 Power Project
- Councillor Connie Black
Section 6.2.2 – Building Permits

3.0 ADOPTION OF MINUTES

Moved by Miller
Seconded by Watt

ADOPT COUNCIL MINUTES #1 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 20, 2011 Council Meeting Minutes as written. Carried.

4.0 DEPUTATIONS AND PETITIONS

4.1 7:30 pm – Monica Walker-Bolton / County of Huron Planning – Miller Zoning Amendment

Moved by Millian
Seconded by Rintoul

ADJOURN COUNCIL MEETING #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their regular Council Meeting.

Carried.

Moved by Watt
 Seconded by Black

OPEN
 PUBLIC #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby opens a
 MEETING Public Meeting to deal with the proposed Miller Zoning Amendment.
 Carried.

We have provided Council with the report prepared by the County Planner, Monica Walker-Bolton, in regards to the Zoning By-Law Amendment for Roman and Naomi Miller. Ms. Walker-Bolton was present this evening and reviewed the application with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Declaration of Pecuniary Interests

None declared.

Purpose

The purpose of this Public Meeting is to consider changing the zoning on *Part of the South Part of Lot 27, Concession 9, (84382 Donnybrook Line), Wawanosh Ward, in the Township of Ashfield-Colborne-Wawanosh.*

Requirement

This Public Meeting is being held under The Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

Application Process

An application was submitted by *Roman L. Miller* to the Township of Ashfield-Colborne-Wawanosh on *December 1, 2011.*

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on *December 21, 2011* and notice was posted on the subject property.

Comments:

1) Huron County Planner

Monica Walker-Bolton reviewed the application with the Planning Advisory Committee.

2) Applicant and/or Agent

Richard Ireland and Roman Miller wanted clarification on the site plan control.

3) Others

None.

4) Council's Questions and/or Comments.

Deputy-Reeve Neil Rintoul wanted clarification on the tax assessment.

NOTE: If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning, but does not make written or oral submissions before the proposed rezoning is adopted, the Ontario Municipal Board (OMB) may dismiss all or part of the appeal.

Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this evening.
- If the By-law is passed, the Clerk must send Notice of the Passing of the By-law to all persons notified of this meeting and to any person or public body that has requested it.
- There is a 20-day objection period from the time Notice of Passing has been mailed, where submissions will be received by the Clerk.
- If an objection is received, an appeal is lodged with the OMB and the Municipality no longer has jurisdiction of the file and/or the processing time.
- If Council does not pass the by-law, the applicant may appeal to the OMB.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

Recommendation of the Huron County Planner

It is recommended that the zoning by-law amendment be approved and that a site plan control by-law be passed for the subject property.

Recommendation of the Planning Advisory Committee

The Planning Advisory Committee agreed that the zoning by-law amendment be approved and that a site plan control by-law be passed for the subject property.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 7:43 p.m.

		Moved by	Millian
		Seconded by	Watt
CLOSE			
PUBLIC	#4	THAT	Ashfield-Colborne-Wawanosh Township Council hereby closes the
MEETING			Public Meeting.
			Carried.

4.2 7:45 pm – Monica Walker-Bolton / County of Huron Planning – Official Plan Review

As a follow-up from our Public Open House held on December 12th, Council will need to set a date for a meeting with Council and Staff, to discuss the Official Plan Review, as a result of the comments received from the open house.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to meet on Thursday, January 26th at 7:00 pm.

Reeve Ben Van Diepenbeek declared a conflict of interest and turned the chair over to Councillor Barry Millian. Deputy-Reeve Neil Rintoul declared a conflict as well in this regard.

4.3 8:00 pm – Monica Walker-Bolton / County of Huron Planning

K2 Wind Power Project – Renewable Energy Approval / Municipal Consultation Form

As a follow-up from our December 6th Council meeting, it was agreed that staff would review the "Draft Reports" and would have a report for Council at their meeting of January 10th. We have provided Council with a copy of the report prepared by Monica Walker-Bolton, in consultation with Township Staff along with the draft Municipal Consultation Form.

STAFF COMMENTS: We seek your direction.

ACTION: Council made some comments on the draft report that was prepared. Staff noted the comments, and will amend the form as a result of the comments received and will bring back the revised consultation form to our next meeting for another review.

Councillor Barry Millian turned the chair back to Reeve Ben Van Diepenbeek.

5.0 FINANCIAL REPORTS

No items scheduled.

6.0 REPORTS OF STAFF AND COMMITTEES

6.1 Water Department

No items scheduled.

6.2 Building Department

6.2.1 Roman A. Miller Letter - Stop Work Order

We have provided Council with a copy of the letter received from Mr. Miller, as well as a copy of the correspondence received from the Maitland Valley Conservation Authority in this regard. As Council may recall, a pole shed was partially built on the said lands, with an Order to Comply being issued by the Building Department, as no permit was obtained, and the building contravenes our zoning by-law. Nothing has changed however, and Mr. Miller knows that he needs to have an Environmental Impact Study completed, along with making an application for a zoning amendment.

STAFF COMMENTS: None.

ACTION: Council agreed with staff comments. Staff will respond to Mr. Miller's letter as noted above.

6.2.2 Chief Building Official's Report

We have provided Council with a copy of Mr. Livingston's report. Mr. Livingston will be present this evening.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

6.2.3 New Building Code Requirements – January 1, 2012

We have provided Council with a copy of the new building code requirements which come into effect on January 1, 2012. As you can see, these relate to energy efficiency and occupancy permits.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

6.3 Cemetery Department

No items scheduled.

6.4 Drainage Department

No items scheduled.

6.5 Administration Department

6.5.1 Dungannon Senior Citizens Centre – Request to Waive Building Permit Fee

We have provided Council with a copy of the letter received from the Dungannon Seniors, requesting the Township waive their building permit fee in the amount of \$202.50.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to waive the building permit fee in the amount of \$202.50.

6.5.2 Borrowing By-Law 2012

A new year is amongst us and we need to adopt a borrowing by-law for 2012 to cover current expenditures if needed, until such time revenues are received.

STAFF COMMENTS: That we adopt the by-law as prepared in Section 14.

ACTION: Council agreed to adopt the by-law as drafted in Section 14.

6.5.3 Year End Summary – Council Members Remuneration Report

We have provided you with a report as of the year-end Council Members Remuneration report for 2011.

STAFF COMMENTS: For information purposes.

ACTION: Noted and filed.

6.5.4 O.P.P. Estimated Costs – 2012

We have provided Council with a copy of the estimates for 2012. This year's estimate is \$451,836 compared to last year's estimate of \$428,751. We will not know the final actual costs of 2011 until late April.

STAFF COMMENTS: That we include this amount in the proposed 2012 Budget.

ACTION: Council agreed to include the amount in the proposed 2012 Budget.

6.5.5 Goderich Fire Draft Budget – 2012

We have provided Council with a copy of the Goderich Fire Draft Budget for 2012 for your review.

STAFF COMMENTS: None.

ACTION: Council agreed to include the amount in the proposed 2012 Budget.

6.5.6 Jennison Construction Ltd. - Ontario Municipal Board Ruling

We have provided Council with a copy of the Ontario Municipal Board (OMB) ruling in regards to the appeal received from Jennison Construction Ltd. The Board orders that the appeal is allowed in part with conditions. Council is not required to pass a by-law, as the OMB sits in place of Council, so its decision has the force of law upon the decision being issued. Planning staff however, will need to update the text and maps to reflect the Board's decision.

STAFF COMMENTS: For your information purposes.

ACTION: Council will receive a copy of the updated text and maps once completed by the Planning Department.

6.6 **Public Works Department**

6.6.1 Public Works Part Time Operators Hiring

The deadline for applications was on December 19th. Interviews took place on December 22nd by the interview committee. It was agreed to hire Jesse Scott, and Michael Scott. We have provided Council with a copy of the by-law appointing these individuals to the position.

STAFF COMMENTS: That Council appoints the positions by by-law in Section 14.

ACTION: Council agreed to adopt the by-law as presented in Section 14.

6.6.2 Port Albert Petition – Mailboxes Re-Installed

We have provided Council with a copy of the petition received in regards to the reinstallation of the mailboxes for the Port Albert Residents along London Road. There have been some discussions with respect to a permanent community mail box. Public Works Superintendent Brian Van Osch will give a verbal update in that regard.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed not to re-install the mailboxes at this time, in order to allow the construction to finish this spring. Council further agreed to have staff send letters to the residents affected and offer them options with respect to a community mailbox or mailboxes.

6.7 **Environmental Services**

No items scheduled.

6.8 Committee Reports

Councillor Connie Black reported on the Mid-Huron Landfill Site Board.

7.0 OPEN FORUM

Anita Frayne questioned the costs associated with the Jennison OMB Appeal.

Shawn Drennan expressed his concerns with some items with respect to the K2 Project.

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 St. Helens Hall Committee – Minutes
- 10.2 St. Helens Reunion Committee – Minutes
- 10.3 Mid-Huron Landfill Site Board - Minutes
- 10.4 Office of the Fire Marshall – Response Farm Buildings
- 10.5 Mid-Huron Landfill Site – 2012 Budget
- 10.6 Municipality of Clarington Resolution – Commercial Fill Operations
- 10.7 Municipality of Clarington Resolution – Special Funding to Cover Municipal Deficits

ACTION: Support.

- 10.8 MPAC Letter – Products & Services Update
- 10.8 County of Huron Organization Review – Invite

ACTION: Councillor Black, Millian, and Watt will attend.

- 10.10 Coalition for Huron Injury Prevention (CHIP) – Minutes
- 10.11 Municipality of North Perth Resolution - Moratorium on Wind Turbines
- 10.12 Township of Stirling-Rawdon Resolution – Green Energy Projects Safety

11.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS

- 12.1 Source Water Pre-Consultation Meeting – January 16th in Clinton at 10:30 am

All of Council has been registered to attend, except Councillor Curran, who is unable to attend. Please ensure to take your packages with you, that you were provided with in December.

STAFF COMMENTS: As a reminder only.

ACTION: Noted.

- 12.2 County of Huron Composition – Update

Reeve Ben Van Diepenbeek gave a verbal report in regards to the composition of County Council, and furthermore that a resolution is required for action.

STAFF COMMENTS: None.

ACTION: Council agreed to adopt the following resolution in this regard.

Moved by Rintoul
 Seconded by Watt

HURON COUNTY COMPOSITION #5 ON

THAT Ashfield-Colborne-Wawanosh Township Council hereby acknowledges that they agree, in conjunction with the Town of Goderich, Municipality of Bluewater, Municipality of Morris-Turnberry, and the Township of Howick, to retain Aird & Berlis Barristers & Solicitors to assist with the Huron County By-Law Appeal in regards to Council Composition.

Carried.

13.0 IN-CAMERA SESSION

No items scheduled.

14.0 BY-LAWS AND AGREEMENTS

14.1 Borrowing By-Law

Moved by Rintoul
 Seconded by Millian

BORROWING BY-LAW #6

THAT leave be given to introduce By-Law #01-2012 being a by-law to authorize the borrowing of money to meet current expenditures, and that it now be read severally a first, second, and third time, and finally passed this 10th day of January 2012.

Carried.

14.2 Public Works Part Time Operator Appointment By-Law

Moved by Miller
 Seconded by Black

APPOINTMENT PUBLIC WORKS BY-LAW #7

THAT leave be given to introduce By-Law #02-2012 being a by-law to establish and appoint the positions of Part Time Equipment Operator, and that it now be read severally a first, second, and third time, and finally passed this 10th day of January 2012.

Carried.

14.3 Miller Zoning Amendment By-Law

Moved by Watt
 Seconded by Millian

MILLER ZONING AMENDMENT BY-LAW #8

THAT leave be given to introduce By-Law #04-2012 being a by-law to amend By-Law 32-2008, as amended, of the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 10th day of January 2012.

Carried.

14.4 Miller Site Plan Control By-Law

Moved by Rintoul
 Seconded by Watt

MILLER SITE PLAN CONTROL BY-LAW #9

THAT leave be given to introduce By-Law #05-2012 being a by-law to establish site plan control, on a specific property, and that it now be read severally a first, second, and third time, and finally passed this 10th day of January 2012.

Carried.

14.5 Confirmation By-Law

Moved by Millian
 Seconded by Miller

CONFIRMATION BY-LAW #10

THAT leave be given to introduce By-Law #03-2012 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on January 10, 2012, and that it now be read severally a first, second, and third time, and finally passed this 10th day of January 2012.

Carried.

15.0 ADJOURN

Moved by Watt
Seconded by Millian

ADJOURN #11

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on January 24, 2012 at 7:30 p.m. or at the Call of the Reeve.

Carried.


Reeve, Ben Van Diepenbeek


Administrator/Clerk-Treasurer, Mark Becker