



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes November 5, 2019

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 5th day of November 2019, at 9:00 am in the Township of Ashfield-Colborne-Wawanosh Council Chambers.

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen
Bill Vanstone

Staff Present

Administrator/Clerk-Treasurer
Chief Building Official
Public Works Superintendent
Deputy Clerk

Mark Becker
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT: Celina Whaling-Rae, Pat Hall, Donna Partridge, Roman Miller, Bob Riehl, and Gina McDonnell.

1.0 CALL TO ORDER

It was noted that the Township Staff will be audiotaping the mornings meeting.

2.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

Councillor Gloria Fisher – Section 5.2 – Cumulative Impact Study / Owner of Licensed Gravel Pit in the Township of Ashfield-Colborne-Wawanosh

Declaration of Interest – Received.

3.0 ADOPTION OF PREVIOUS MEETING MINUTES

Moved by Vanstone
Seconded by Snobelen

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the October 15, 2019 Council Meeting Minutes as written.

Carried.

4.0 OPEN FORUM (items pertaining to the agenda)

None.

5.0 DELEGATIONS

5.1 9:00 a.m. – Celina Whaling-Rae / County of Huron Planner

Roman Miller Zoning By-Law Amendment Application #Z05-19

Moved by Miltenburg
Seconded by Forster

ADJOURN
COUNCIL
MEETING

#2

THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their regular Council Meeting.

Carried.

Moved by Watt
Seconded by Miltenburg

OPEN
PUBLIC
MEETING

#3

THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the Planning Advisory Committee Public Meeting to deal with Zoning By-Law Amendment Application received from Roman Miller.

Carried.

We have provided Council with the report prepared by the County Planner, Celina Whaling-Rae, in regards to this Zoning By-Law Amendment. Ms. Whaling-Rae 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 the property at 85155 Donnybrook Line, South Part of Lot 27, Concession 9 (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 Miller to the Township of Ashfield-Colborne-Wawanosh and considered complete on October 10, 2019.

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on October 11, 2019 and notice was posted on the subject property.

Comments:

- 1) Huron County Planner

Ms. Whaling-Rae reviewed the application with the Planning Advisory Committee.

- 2) Applicant and/or Agent

None.

- 3) Others

None.

- 4) Council's Questions and/or Comments.

None.

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 Local Planning Appeal Tribunal (LPAT) 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 morning.
- 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 Local Planning Appeal Tribunal (LPAT) and the Municipality no longer has jurisdiction of the file and/or the processing time. You may only file an appeal if you have submitted oral or written comments prior to the decision of Council.
- The fee for filing an appeal is \$300.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance, and must be accompanied by Appellant Form (A1).
- If Council does not pass the by-law, the applicant may appeal to the LPAT.
- 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.

Recommendation of the Planning Advisory Committee

It is recommended that the zoning by-law amendment be approved.

Effect of Public and Agency Comments on Decision of Council to the Application

No public comments were received on this application so there was no effect on the decision.

Comments were received from agencies identifying the issues. Comments were thoroughly considered but the effect did not influence the decision of Council to approve the application.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:13 a.m.

Moved by Fisher
 Seconded by Forster

CLOSE PUBLIC MEETING #4 THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Planning Advisory Committee Public Meeting. Carried.

Moved by Watt
 Seconded by Vanstone

RECONVENCE COUNCIL MEETING #5 THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes their regular Council Meeting. Carried.

Since some minor changes have been made to the circulated proposed draft Zoning By-Law Amendment, the following resolution will need to be adopted regarding further notice pursuant to Section 34 (17) of the Planning Act, R.S.O. 1990.

Moved by Miltenburg
 Seconded by Snobelen

NO FURTHER NOTICE REQUIRED #6 WHEREAS the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh has held a Public Meeting pursuant to Section 34(12) of the Planning Act, RSO 1990 with respect to a proposed zoning by-law 85155 Donnybrook Line, South Part of Lot 27, Concession 9 (Wawanosh Ward) in the Township of Ashfield-Colborne-Wawanosh;

AND WHEREAS certain changes have been made to the proposed by-law after the holding of the public meeting;

NOW, THEREFORE, the Council of the Corporation of the Township of Ashfield-Colborne-Wawanosh hereby resolves that, pursuant to Section 34(17) of the Planning Act, RSO 1990, no further notice is to be given in respect of the proposed by-law.

Carried.

Councillor Gloria Fisher declared a conflict of interest and vacated her chair at the Council Table.

5.2 9:30 a.m. - Gina McDonnell / Cumulative Impact Study

We have provided Council with a copy of the request and attached correspondence received from Gina McDonnell in regards to a Cumulative Impact Study. We have also provided Council with a copy of the report prepared by Deputy Clerk Florence Witherspoon in this regard. Ms. McDonnell addressed Council in this regard.

STAFF COMMENTS: None.

ACTION: Council agreed to defer this matter.

Councillor Gloria Fisher returned to her chair at the Council Table.

6.0 ACCOUNTS

No items scheduled.

7.0 DEPARTMENT / COMMITTEE REPORTS

7.1 Water Department

7.1.1 Water Operations & Maintenance Report – September 2019

We have provided Council with a copy of the report prepared by Veolia Water Canada in regards to the operation and maintenance of our water systems for September 2019.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.1.2 Dungannon Water – Well Repair

We have provided Council with a copy of the report prepared by Deputy Clerk Florence Witherspoon in regards to the recent repairs completed at the Dungannon Well. Ms. Witherspoon was present this morning.

STAFF COMMENTS: For your information.

ACTION: Noted and filed.

7.1.3 Dungannon Water Pilot Project – Update

We have provided Council with a copy of the report prepared by Deputy Clerk Florence Witherspoon in regards to the update on the Dungannon Water Pilot Project that was being completed by the Water Clean Water Centre. Ms. Witherspoon was present this morning.

STAFF COMMENTS: For your information.

ACTION: Noted and filed.

7.2 Building Department

7.2.1 Building Administrative Assistant Appointment By-Law – Sarah Louise McGregor

Staff reviewed the applications received, contacted those chosen for interviews, performed the interviews, and offered the position to the successful applicant being Sarah Louise McGregor who has accepted the position. We have provided Council with a copy of the by-law appointing her to the position.

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

ACTION: Council agreed to adopt the by-law in Section 14, appointing Ms. McGregor.

7.2.2 Building Inspector - Advertisement

Staff have posted and are calling for applications for the newly created position of Building Inspector. This is a result of the decision to proceed with the process to accept the Plumbing and Septic Program from the Huron County Health Unit and further assistance for the Chief Building Official for building construction inspections. This individual will also be available to neighbouring municipalities for inspections as well once a formal agreement is drafted with those interested.

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

No items scheduled.

7.5 Administration Department

7.5.1 Benmiller Community Hall – Quotations

We have provided Council with a copy of the request for approval received from the Benmiller Community Hall Chair Gina McDonnell with respect to the quotes received for the refinishing of the upper rental space wood floor and the ventilation in the boiler/utility room.

STAFF COMMENTS: If Council agree with accepting the lowest quotations received, then Council should adopt the following resolution.

ACTION: Council agreed to adopt the following resolution and accept the following quotations.

Moved by Vanstone
Seconded by Watt

ACCEPT #7
QUOTES
BENMILLER
HALL

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to accept the following quotations received for the Benmiller Community Hall:

- Lakeshore Hardwood Flooring - \$1,070.11 taxes included for the refinishing of the upper rental space wood floor
- Sommer Brothers Construction - \$926.60 taxes included for the ventilation in the boiler/utility room

Carried.

7.5.2 Ontario Municipal Partnership Fund (OMPF) – 2020 Allocation

We have provided Council with a copy of the correspondence received in regards to the proposed funding for 2020. As you can see our funding allocation has been decreased from \$ 764,300 to \$ 752,200 resulting in a decrease of \$ 12,100.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and deferred to Budget Deliberations 2020.

7.5.3 McCann Redi- Mix (Brydown Farms Inc.) (LPAT Case)

Please refer to the “In-Camera Session” (matters of litigation, including matters before a tribunal)

7.5.4 McCann Redi- Mix (Brydown Farms Inc.) LPAT / Carey Appeal

On October 25th the Minutes of Settlement was reached with regards to the above appeal. The details of the Minutes of Settlement are not public due to the ongoing litigation.

STAFF COMMENTS: That Council approves the “Minutes of Settlement” and adopt the following resolution.

ACTION: Council agreed to adopt the following resolution.

Moved by Miltenburg
Seconded by Watt

LPAT APPEAL #8
MCCANN /
CAREY
APPROVE
MINUTES OF
SETTLEMENT

THAT Ashfield-Colborne-Wawanosh Township Council agrees to approve the Minutes of Settlement dated October 28th between the Township of Ashfield-Colborne-Wawanosh, Glen Carey, and McCann Redi-Mix Inc. Carried.

7.5.5 County of Huron - Mutual Assistance Agreement

We have provided Council with a copy of the report prepared by David Clarke the Community Emergency Manager Coordinator (CEMC), the County of Huron Mutual Assistance Agreement, and the authorizing by-law.

STAFF COMMENTS: That Council adopts the agreement by by-law in Section 14.

ACTION: Council agreed to authorize the agreement by by-law in Section 14.

7.5.6 Annual Adjustment – 2020 Pay Grids

We have provided Council with a copy of the report in this regard. We will further apply the amount to Council's remuneration and meeting rate and to the Animal Control Officer's contract hourly rate.

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.5.7 Councillors Remuneration By-Law

We have provided Council with a copy of the Council Remuneration By-Law for 2020 which includes the annual Consumer Price Index increase of 1.7%.

STAFF COMMENTS: That Council adopts the by-law as presented in Section 14.

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

7.5.8 Administrator/Clerk-Treasurer Title change to CAO/Clerk-Treasurer By-Law

As a follow-up from our last meeting we have provided Council with a copy of the by-law which changes the title of the Administrator/Clerk-Treasurer to CAO/Clerk-Treasurer. (Note: The C.A.O. abbreviation means Chief Administrative Officer)

STAFF COMMENTS: That Council adopts the by-law as presented in Section 14.

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

7.5.9 Municipal Office Hours

We have provided Council with a copy of the report prepared by Mark Becker, Administrator/Clerk-Treasurer which respect to amending the municipal office hours.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to change the municipal office hours as recommended.

Moved by Miltenburg
Seconded by Vanstone

OFFICE #9
HOURS

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to set the Municipal Office hours to be 8:30 a.m. to 4:00 p.m. effective December 1, 2019. Carried.

7.5.10 ONE CARE Home and Community Support Services Agreement – St. Helens Hall

We have provided Council with a copy of the above noted agreement. The St. Helens Hall Committee reviewed the agreement and continue to support moving forward.

STAFF COMMENTS: That Council authorizes the signing of the agreement by by-law in Section 14.

ACTION: Council agreed to authorize the agreement and adopt the by-law in Section 14.

7.6 Public Works Department

7.6.1 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 was present this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.6.2 Part Time Equipment Operators - Advertisement

Staff have posted and are calling for applications for Part Time Equipment Operators as a result of two part time employees not returning this season.

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.6.3 Fall Road Tour

Staff is interested in knowing if Council is interested in a Fall Road Tour?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to set the date of Monday, November 18th. To meet at the municipal office at 9:00 a.m. with 519 Tours providing the transportation.

7.6.4 Temporary Closing of Certain Township Roads

We have provided Council with a copy of the by-law to consent to the temporary closing of certain Township Roads for No Winter Maintenance. Mr. Van Osch will be present this morning.

STAFF COMMENTS: That Council adopts the by-law as presented in Section 14.

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

7.7 Environmental Services

No items scheduled.

7.8 Committee Reports

Councillor Miltenburg reported on the St. Helens Hall Committee.

8.0 NEW BUSINESS

No items scheduled.

9.0 CORRESPONDENCE / DIRECTION REQUIRED

9.1 Nuclear Waste Management Organization (NWMO) – Invitation Upcoming Tour

Thursday, November 28th – Bus Pick Up

We have provided Council with a copy of the OPG Visitor Information Sheet to be reviewed by everyone participating on the tour.

Due to the strict security measures, security checks are done on everyone entering the Bruce Power site. We will need to provide home addresses and full names as it appears on government issued photo ID for everyone joining this tour. You will also be required to carry the photo ID on you at all times while on site.

Who would like to attend?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to book the date of November 28th. Staff will advise that the following are attending:

Glen & Vanda McNeil
Gloria & Bruce Fisher
Anita & Mike Snobelen
Wayne Forster
Bill Vanstone
Roger Watt

Mark Becker
Florence Witherspoon
Brett Pollock
Brian Van Osch

9.2 Ontario Helping Make Municipalities Stronger Announcement – Funding

We have provided Council with a copy of the announcement with respect to the above funding to assist municipalities *“to help them lower costs and improve services”*. This Municipal Modernization Program is the extension of the first round however is application based. Once further details are released staff will provide further information and possible recommendations.

STAFF COMMENTS: A report will follow once further details are known.

ACTION: Noted.

9.3 Investing in Canada Infrastructure Program (ICIP) – Funding

We have provided Council with a copy of the announcement with respect to the above funding that *“will focus on projects that rehabilitate or replace water, wastewater or stormwater infrastructure assets to improve critical health and safety issues in small communities.”* Once staff have had the chance to review the details of the funding, we will provide further information and possible recommendations focusing on the *“rehabilitation or replacement of our water infrastructure assets to improve critical health and safety issues”*.

STAFF COMMENTS: A report will follow once further details are known.

ACTION: Noted.

10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES

- 10.1 Benmiller Community Hall – Minutes
- 10.2 Mid Huron Landfill Site – Minutes
- 10.3 Lucknow Community Health Centre Board - Minutes
- 10.4 St. Helens Hall – Fundraising Report
- 10.5 Township of Huron-Kinloss – Class EA for Extensions of Bob Street (Lucknow)
- 10.6 SLED Program – Supporting Local Economic Development

ACTION: Council asked that staff arrange for Cody Joudry from the County of Huron Economic Development attend an upcoming meeting to present the SLED Program.

11.0 CORRESPONDENCE / ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS

12.1 Royal Canadian Legion Remembrance Day Service & Banquet / Lucknow & Goderich

November 9th Lucknow Banquet / Mayor Glen McNeil and Spouse Vanda
November 11th Lucknow Remembrance Day / Councillor Wayne Forster
November 11th Goderich Remembrance Day / Mayor Glen McNeil

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.2 Huron Manufacturing Association / Awards Excellence Gala – November 21st

Mayor McNeil, Councillors Miltenburg, Fisher, Snobelen, and spouses attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.3 Rural Ontario Municipal Association (ROMA) Conference – January 18-21, 2020

Mayor McNeil, Councillors Miltenburg, Fisher, and Snobelen attending.

The Municipal Delegation Request for the Rural Ontario Municipal Association 2019 Annual Conference is available. Deadline to submit requests is December 2, 2019.

STAFF COMMENTS: Reminder only and direction if required.

ACTION: Noted. Staff will defer the delegation request to our next meeting.

12.4 Ontario Good Roads Association (OGRA) Conference – February 23-26, 2020

Mayor McNeil and Councillor Vanstone attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

13.0 IN-CAMERA / CLOSED SESSION

Moved by Fisher
Seconded by Miltenburg

MOVE TO #10
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council move into an “In-Camera” session, with the Administrator/Clerk-Treasurer, and the Deputy Clerk remaining in attendance at 10:57 a.m. for the purpose of discussing:

- 1) Matters of litigation, including matters before a tribunal.

Carried.
~

13.1 RETURN TO OPEN SESSION

Moved by Miltenburg
Seconded by Snobelen

RISE FROM #11
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council rise from an “In-Camera” session at 11:01 a.m.

Carried.
~

13.2 BUSINESS ARISING FROM IN-CAMERA / CLOSED SESSION

Nothing to report.

14.0 BY-LAWS

14.1 Miller Zoning By-Law Amendment

Moved by Fisher
Seconded by Forster

ZONING #12
AMENDMEN
T BY-LAW

THAT leave be given to introduce By-Law #73-2019 being a by-law to amend zoning by-law #32-2008 for the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.2 Building Administrative Assistant (Sarah Louise McGregor) Appointment By-Law

Moved by Miltenburg
Seconded by Snobelen

BLDG #13
ADMIN
ASSIST
APPT
BY-LAW

THAT leave be given to introduce By-Law #78-2019 being a by-law to establish the position of Building Administrative Assistant and to appoint the position, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.3 County of Huron Mutual Assistance Agreement By-Law

Moved by Vanstone
Seconded by Snobelen

MUTUAL ASSISTANCE AGREEMENT BY-LAW #14 THAT leave be given to introduce By-Law #74-2019 being a by-law to authorize the execution of the County of Huron Mutual Assistance Agreement between the Township of Ashfield-Colborne-Wawanosh, County of Huron, Municipality of Morris-Turnberry, Township of Howick, Township of North Huron, Municipality of Central Huron, Town of Goderich, Municipality of Bluewater, Municipality of South Huron, and the Municipality of Huron East, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.4 CAO/Clerk-Treasurer By-Law

Moved by Miltenburg
Seconded by Forster

CAO/CLERK-TREASURER BY-LAW #15 THAT leave be given to introduce By-Law #79-2019 being a by-law to change the title of the Administrator/Clerk-Treasurer position to CAO/Clerk-Treasurer, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.5 Council Members – Remuneration By-Law

Moved by Fisher
Seconded by Forster

COUNCIL REMUNERATION BY-LAW #16 THAT leave be given to introduce By-Law #77-2019 being a by-law to establish remuneration rates for Council Members, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.6 Temporary Closing of Certain Township Roads (No Winter Maintenance) By-Law

Moved by Miltenburg
Seconded by Snobelen

NO WINTER MAINTENANCE ROADS BY-LAW #17 THAT leave be given to introduce By-Law #68-2019 being a by-law to consent to the temporary closing of certain Township Roads in the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.7 ONE CARE Home and Community Support Services Agreement / St. Helens Hall By-Law

Moved by Vanstone
Seconded by Snobelen

ONE CARE ST HELENS HALL BY-LAW #18 THAT leave be given to introduce By-Law #76-2019 being a by-law to authorize the agreement between the Township of Ashfield-Colborne-Wawanosh and ONE CARE Home and Community Support Service for the use of the St. Helens Hall, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

14.8 Confirmation By-Law

Moved by Miltenburg
Seconded by Forster

CONFIRMATION BY-LAW #19 THAT leave be given to introduce By-Law #75-2019 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on November 5, 2019, and that it now be read severally a first, second, and third time, and finally passed this 5th day of November 2019.

Carried.

15.0 ADJOURNMENT

Moved by Fisher
Seconded by Forster

ADJOURN #20

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on November 19, 2019 at 9:00 a.m. or at the Call of the Mayor.

Carried.
~

Original signed by
Mayor, Glen McNeil

Original signed by
Administrator/Clerk-Treasurer, Mark Becker