



Council Minutes August 11, 2020

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 11th day of August 2020, at 9:00 a.m. through Zoom, a Video Conferencing Platform.

This meeting was held electronically as the crisis of COVID-19 allows Councils to conduct their meetings remotely to empower municipalities to respond quickly and continue to function when in-person meetings cannot be held, and Council decisions need to be made.

The following individuals were participants during the Council Meeting:

Mayor
Deputy Mayor
Councillors

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

Staff Present

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

Mark Becker
Ellen McManus
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT VIA ZOOM (Viewing and Observing Only): Anita Frayne, Maggie Durnin, Kevin Foster, Dan Schmidt, Ian Montgomery, Jean Montgomery, Marilyn Kronas, Nancy Bridge, and Celina Whaling-Rae.

1.0 **CALL TO ORDER**

The municipality will be recording this meeting to “ensure meetings can be open to the public”.

1.1 Procedural By-Law Amendment

The Province has made changes to the Municipal Act to allow members of councils, committees and certain local boards who participate in open and closed meetings electronically to be counted for purposes of quorum.

Please refer to the new Paragraph of 3.10.

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

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

Moved by Miltenburg
Seconded by Vanstone

PROCEDUR
AL #1
BY-LAW

THAT leave be given to introduce By-Law #52-2020 being a Procedural By-Law to govern the proceedings and the conduct of the meetings of the Council and Committees of the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 11th day of August, 2020.

Carried.

2.0 **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None disclosed.

3.0 ADOPTION OF PREVIOUS MEETING MINUTES

3.1 Council Meeting Minutes – July 14, 2020

Moved by Miltenburg
Seconded by Watt

ADOPT #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the
COUNCIL July 14, 2020 Council Meeting Minutes as written.
MINUTES Carried.

3.2 Council Meeting Minutes – July 28, 2020

Moved by Snobelen
Seconded by Forster

ADOPT #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the
COUNCIL July 28, 2020 Council Meeting Minutes as written.
MINUTES Carried.

4.0 OPEN FORUM (items pertaining to the agenda)

Anita Frayne addressed Council with respect to Section 12.3.

5.0 DELEGATIONS

5.1 9:10 a.m. – Celina Whaling-Rae / County of Huron Planner - Consent Application

Foster – Consent File C49-2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regards to the application for consent received from Kevin Foster. Ms. Whaling-Rae reviewed the application with Council.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to recommend to the County of Huron that this application for consent be approved subject to the conditions as outlined in the Planners Report.

5.2 9:20 a.m. - Nancy Bridge / Seebach & Company Chartered Accountants

We have provided Council with a copy of the Financial Statements for the year ending 2019, from our auditor Seebach & Company Chartered Accountants. We have also provided a two-page summary. The Revenue/Expenditure Reports that Council receive each month, show the actuals, and are in greater detail. These statements represent the "Consolidated Financial Statements" of the Township of Ashfield-Colborne-Wawanosh. Ms. Bridge was available this morning.

STAFF COMMENTS: That Council accepts the financial statements as presented and adopts the following resolution.

ACTION: Council agreed to adopt the following resolution.

Moved by Forster
Seconded by Fisher

ACCEPT #4 THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts
FINANCIAL the Financial Statements as prepared by Seebach & Company Chartered
STATEMENT Accountants for the year ending December 31, 2019.
S 2019 Carried.

6.0 ACCOUNTS

6.1 Payment of Current Accounts as Presented

Moved by Vanstone
Seconded by Watt

APPROVE #5 THAT Ashfield-Colborne-Wawanosh Township Council hereby authorizes
ACCOUNTS the payment of the August 2020 accounts as presented.
Carried.

6.2 Payment of Previous Month Actual Accounts

Moved by Fisher
Seconded by Miltenburg

APPROVE #6 THAT Ashfield-Colborne-Wawanosh Township Council hereby approves
ACTUAL the payment of the July 2020 accounts in the amount of \$ 1,405,127.79.
PAYMENTS Carried.

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6.3 Summary Revenue/Expenditure Reports

Reports for the Township, Lucknow & District Fire Department, Lucknow & District Medical Centre, and Lucknow & District Recreation from January to July 2020.

Moved by Forster
Seconded by Snobelen

REVENUE #7 THAT Ashfield-Colborne-Wawanosh Township Council adopts the
EXPEND- summary revenue/expenditure reports of the Treasurer as written.
ITURE
REPORT Carried.

7.0 DEPARTMENT / COMMITTEE REPORTS**7.1 Water Department**

7.1.1 Century Heights UV Replacement / B.M. Ross & Associates

We have provided a copy of the report prepared by Ryan DeVries of B.M. Ross & Associates.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to proceed with the increase the Budget amount to \$ 200,000 for the UV Replacement at Century Heights Water System.

7.2 Building Department

7.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Pollock's report. Mr. Pollock was available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.2.2 Groener / Township Agreement

We have provided Council with a copy of the agreement between the Township and Mr. Groener and a copy of the by-law to authorize the agreement. This agreement is required due to the municipal office addition as the Ontario Building Code, Section 9.10.14.2 states that the required limiting distance for an exposing building face is permitted to be measured to a point beyond the property line that is not the center line of a street, land or public thoroughfare if,

- (a) The owners of the properties on which the limiting distance is measured and the municipality may enter into an agreement;
- (b) The agreement agreed to in Clause (a) is registered against the title of the properties to which it applies.

Brett Pollock, Chief Building Official was available this morning.

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

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

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

No items scheduled.

7.5 Administration Department

7.5.1 Fire Recovery of Costs By-law

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon in this regard. Ms. Witherspoon was available this morning.

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

ACTION: Council agreed to adopt the by-law as drafted 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 available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.6.2 Equipment Operator / Labourer Appointment By-Law – Scott Rintoul

As a follow-up from our In-Camera Session on July 14th, the CAO/Deputy-Clerk and the Public Works Superintendent reviewed the applications received, contacted those chosen for interviews, performed the interviews, and proceeded to offer the position to the successful applicant. We are pleased to report that Scott Rintoul was offered and accepted the position as Equipment Operator / Labourer. We have provided Council with a copy of the by-law appointing him to the Equipment Operator / Labourer position.

STAFF COMMENTS: That Council adopts the by-law 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 Jennifer Miltenburg reported on the St. Helens Community Hall Committee.

Councillor Gloria Fisher reported on the Benmiller Community Hall.

Councillor Wayne Forster reported on the Lucknow Community Health Centre.

Mayor Glen McNeil reported that he had terminated the ACW State of Emergency on July 31st.

8.0 NEW BUSINESS

No items scheduled.

9.0 CORRESPONDENCE / DIRECTION REQUIRED

9.1 Huron County Food Distribution Centre – 2020 Gala / Donation Request

Council had budgeted \$600 for the Gala with members attending.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to donate the \$600 to the Huron County Food Distribution Centre for 2020.

9.2 Lucknow Community Centre Board – Request Financial Support

We have provided Council with a copy of their request.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to have staff reach out to the group to see if they can access funds available through the Province of Ontario with respect to COVID Funding or other possible grants available such as Ontario Trillium Foundation.

Staff will further request that they provide a copy of their finances and what are their plans moving forward financially and projected finances before Council would make any decision with respect to funding.

Staff will further reach out to the Township of Huron-Kinloss to ensure that we proceed in unison.

9.3 Airbnb's - Concerns from Huron Sands Residents

- a) We have provided copies of letters received regarding the problem of short-term rental properties.
- b) We have provided copies of letters received regarding the support of short-term rental properties.

STAFF COMMENTS: We seek your direction.

ACTION: Staff was instructed to bring back a report with respect to our existing Noise By-Law and review the existing fines along with any recommended changes to the fines.

Council agreed to have Mayor Glen McNeil, with this assistance of staff, to prepare a press release with respect to the issues of short-term rental properties and that the residents have the Noise By-Law as a resource by contacting the O.P.P. Staff will also provide the press release to the Ashfield Colborne Lakefront Association.

Staff was instructed to bring back a report detailing options for Council for the control of short-term rental properties for Council's consideration.

10.0 **CORRESPONDENCE / FOR INFORMATION PURPOSES**

- 10.1 Lucknow Community Health Centre Board – Minutes
- 10.2 Western Ontario Wardens' Caucus Media Release – Rural Broadband
- 10.3 Township of North Huron – Fire Activity Report

11.0 **CORRESPONDENCE / ON COUNCIL TABLE**

No items scheduled.

12.0 **UNFINISHED BUSINESS**

- 12.1 Association of Municipalities of Ontario (AMO) Annual Conference – August 16-19th 2020

Councillors Fisher and Miltenburg participating virtually.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

- 12.2 Lake Huron Conference – Is the Coast Clear? – September 2-3rd 2020

Mayor McNeil and Deputy Mayor Watt attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

- 12.3 Carbon Tax Propane/Natural Gas Farm Use

We have provided Council with a copy of the letter reviewed at our last meeting which was submitted by Anita Frayne and Maggie Durnin. As directed by Council, we have provided a copy of the revised draft resolution with respect to the federal carbon tax exemption on propane and natural gas for farm use.

For clarification, if Council proceeds to adopt the resolution, Council will have determined to take the lead on the issue. This means that the Township will be requesting support from others of Council's resolution.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to adopt the following resolution.

Moved by Forster
 Seconded by Watt

CARBON TAX #8
 EXEMPTION
 FOR
 FARMERS
 USE
 PROPANE
 AND
 NATURAL
 GAS

WHEREAS "Agriculture is one of the largest and most important sectors within Huron County. New employment and economic opportunities can be found within and related to the development of agriculture and Agri-related industries. Huron County takes pride in being called the breadbasket of Ontario. With over 290,000 hectares (about 650,000 acres) of prime farmland, Huron County produces more annual gross farm receipts than many Canadian provinces." (Huron County website)

AND WHEREAS "Grain Farmers of Ontario is the province's largest commodity organization, representing Ontario's 28,000 barley, corn, oat, soybean and wheat farmers. The crops grown cover 6 million acres of farm land across the province, generate over \$4.1 billion in farm gate receipts, result in over \$18 billion in economic output and are responsible for over 75,000 jobs in the province." (Grain Farmers of Ontario)

AND WHEREAS "Canada is one of the largest agricultural producers and exporters in the world." (Wikipedia)

AND WHEREAS the "carbon tax" originates from the federal Greenhouse Gas Pollution Pricing Act which was passed in 2018. The fuel charge stemming from this act kicked in on April 1, 2019 in Ontario due to the provincial government's scrapping of their "cap and trade" program in the autumn of 2017. There has been a broad-based push-back from the farming community and beyond with respect to why this tax was implemented in the farm community in the first place. There has been a persistent call for the elimination of the carbon tax on all farm use fuels. To date there has been no relief with respect to the carbon tax on farm use propane and natural gas for grain drying, heating barns and crop irrigation.

AND WHEREAS Senate Public Bill S-215 was brought forward early this spring by Senator Diane Griffin with calls for all Senators to support the Bill which would exempt propane and natural gas from the carbon tax. Bill C-206 was tabled by MPP Philip Lawrence and is similar in nature to Bill S-215. Jeff Nielsen, Chair, Grain Growers of Canada, stated that, "Given the clear desire for this legislative change in both Chambers and across Party lines, our hope is that the federal government would include broader exemptions for all fuels used in farming operations in the Budget Implementation Act – once tabled. This is not about politics. This is about the sustainability of the family farm in Canada." (Grain Growers of Canada)

AND WHEREAS what is at the heart of this exemption request is the recognition and understanding that farmers are primary producers and, for the most part, price takers and end users. They have no way to recoup this cost. Everyone in the chain above can recover the cost of the carbon tax paid by them by passing it on (i.e. billing the farmer for it) but farmers have no way to recoup this cost because they cannot set prices in a global market (but must try to remain competitive in that market). It is the reason why gasoline and diesel fuel for farm use have been exempted from carbon tax pricing. The same logic should apply to farm use propane and natural gas. Grain must be dried. Barns must be heated. Crops must be irrigated. These are not optional activities and, at the present time, there are no viable replacements for fossil fuels to dry the crops, heat the barns and irrigate the crops.

AND WHEREAS to further complicate matters, greenhouses have been extended an exemption on the carbon tax on propane and natural gas for the exclusive purposes of heating greenhouses and/or generating carbon dioxide (CO₂). These greenhouse purposes are 80% exempt. Partial relief of the fuel charge (i.e. 80%) applies to propane that is exclusively for use in the operation of a commercial greenhouse for growing any plants, including vegetables, fruits, bedding plants, cut flowers, ornamental plants, tree seedlings and medicinal plants. In order for relief to be available, all or substantially all of the greenhouse building must be used for the growing of plants.

AND WHEREAS our federal government continues to agree that the carbon tax plan for farmers will not change. Federal Minister of Agriculture, the Honourable Marie-Claude Bibeau, has stated that she does not have a business case to justify an exemption and that the carbon tax is not a significant factor

(<https://www.realagriculture.com/2020/06/carbon-tax-on-grain-drying-fuel-not-significant-enough-to-qualify-for-an-exemption-bibeau-says/>).

AND WHEREAS it is important to note that all farm use natural gas and propane is subject to the carbon tax – the carbon tax on grain drying at commercial dryer/elevator systems can and is being passed on to farmers and sits on their bottom line.

THEREFORE LET IT BE RESOLVED that the Township of Ashfield-Colborne-Wawanosh asks that the federal government of Canada (the Minister of Agriculture and Agri-Food Canada, the Honourable Marie-Claude Bibeau, the Federal House of Commons Agriculture Committee, our Prime Minister, the Right Honourable Justin Trudeau) support the broad based call to exempt farmers from paying the carbon tax on farm use propane and natural gas.

AND BE IT FURTHER RESOLVED THAT a copy of this motion be sent to Lisa Thompson, MPP for Huron-Bruce, and Ben Lobb MP for Huron-Bruce,

AND BE IT FURTHER RESOLVED that a copy of this motion be sent to all lower tier municipalities in the County of Huron and the Western Ontario Wardens' Caucus for their consideration.

Carried.

13.0 IN-CAMERA / CLOSED SESSION

No items scheduled.

14.0 BY-LAWS

14.1 Equipment Operator / Labourer Appointment By-Law (Scott Rintoul)

Moved by Vanstone
Seconded by Snobelen

EQUIPMENT #9
OPERATEO
R
LABOURER
APPOINTME
NT BY-LAW

THAT leave be given to introduce By-Law #53-2020 being a by-law to appoint Scott Rintoul as an Equipment Operator / Labourer, and that it now be read severally a first, second, and third time, and finally passed this 11th day of August 2020.

Carried.

14.2 Groener / Township Agreement By-Law

Moved by Watt
Seconded by Miltenburg

GROENER / #10
TOWNSHIP
AGREEMEN
T BY-LAW

THAT leave be given to introduce By-Law #49-2020 being a by-law to authorize a certain between Hans Groener and the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 11th day of August 2020.

Carried.

14.3 Fire Recovery of Costs By-Law

Moved by Forster
Seconded by Fisher

FIRE #11
RECOVERY
OF COSTS
BY-LAW

THAT leave be given to introduce By-Law #51-2020 being a by-law to provide for the recovery of costs related to any action of a Fire Service within the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 11th day of August 2020.

Carried.

14.4 Confirmation By-Law

Moved by Miltenburg
Seconded by Watt

CONFIRMATION BY-LAW #12

THAT leave be given to introduce By-Law #50-2020 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on August 11, 2020, and that it now be read severally a first, second, and third time, and finally passed this 11th day of August 2020.

Carried.

15.0 ADJOURNMENT

Moved by Snobelen
Seconded by Vanstone

ADJOURN #13

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on September 1, 2020 at 9:00 a.m. or at the Call of the Mayor.

Carried.

Original signed by
Mayor, Glen McNeil

Original signed by
CAO/Deputy-Clerk, Mark Becker