

MINUTES
of the Municipality of West Perth Council Meeting
on Monday, April 4, 2005
at 7:00 p.m. in the
Council Chambers
Municipality of West Perth

Present: All members were present
Staff present: Pat Taylor, Clerk Administrator; Mike Kraemer, Operations Manager; Phil Graul (for tender opening); Barb Westlake-Power, Deputy Clerk

1. Call to Order.

The meeting was called to order, followed by the Lord's Prayer

Motion: 176-05

Moved by: Gordon Young

Seconded by: Darryl Seigner

THAT the Agenda for this meeting be amended as follows:

Items 12.iv, By-law 032-2005, being a by-law to provide for the maintenance of the Seebach Drain and Item 12.xii, By-law 40-2005, being a rating by-law (Tile Drain Loan) be removed from the agenda; And the petition under Section 74 of the Drainage Act for maintenance of the Statton Drain (Hibbert Ward) be added as Item 7.iii, petitions for maintenance and improvement for the Meyer Branch A and Grey Branch of the Northwest Drain be added as Item 7.iv; letter of the West Perth Business Affiliates be added as item 8.xi and the Treasurer's Report on OMPF as item 14.i

Carried

2. Declaration of Conflict of Interest

none declared

3. Delegations

4. Adoption of Minutes

Motion: 177-05

Moved by: Ruth Fiebig

Seconded by: Larry Wight

THAT the Minutes of the March 21st Public Meeting (Z66-2005), March 21st Regular Council and March 21st Special Council meeting be accepted as presented.

Carried

5. Business Arising from the Minutes

i) Senior of the Year nomination

Motion: 178-05

Moved by: Walter McKenzie

Seconded by: Barb McLean

THAT Jerry Murray be nominated to the Province of Ontario, as West Perth's Senior of the Year, 2005.

6. Planning

i) County of Perth, Re: Approval of Draft Plan of Subdivision (789274 Ontario Inc.), Part of 15, Con 2, Pt Lots 10 and 11, Plan 286, Logan Ward

ii) County of Perth, Notices of Decision - Consent: Stacey, Plan 286, Part Lot 5; Paulen, Plan 286, Part Lots 10 and 11; Van Pelt (1612699 Ontario Ltd.), Plan 339, Part Park Lot 33; Jarmuth, Plan 349, Block B

iii) Application for Variance Permit for sign. The Clerk advised that the application had been reviewed by the Building Official prior to tonight's meeting.

Motion: 179-05

Moved by: Ruth Fiebig
Seconded by: Brock Sinnamon
BE IT HEREBY RESOLVED THAT the Council of West Perth approves a sign permit variance for Logan Farm Equipment, affecting property at 5936 Perth Line 44, as follows:
Maximum height be varied from 7.62 m (25 feet) to 9.144 m (30 feet).
Carried

Motion: 180-05

Moved by: Don Jones
Seconded by: Gerry Kehl
THAT Planning Correspondence not specifically dealt with, be noted and filed.
Carried

7. Drains

- i) Ministry of Agriculture and Food, Re: Update on the Agricultural Drainage Infrastructure Program
- ii) Petition for maintenance under Section 74 of the Drainage Act, for Lot 18, Con 3 (Campbell)

Motion: 181-05

Moved by: Ruth Fiebig
Seconded by: Ross McIntosh
THAT the petition under Section 74 of the Drainage Act for the Northwest Municipal Drain (Lot 18, Con 3, Logan) be forwarded to the Drainage Superintendent.
Carried

- iii) Petition for maintenance under Section 74 of the Drainage Act, for Lot 11, Con 1 (Louwagie)

Motion: 182-05

Moved by: Walter McKenzie
Seconded by: Brock Sinnamon
THAT the petition under Section 74 of the Drainage Act for the Statton Municipal Drain (Lot 11, Con 1, Hibbert) be forwarded to the Drainage Superintendent.
Carried

- iv) Petition for maintenance under Section 74 of the Drainage Act, for Lot 33 and 34, Con 13 (Ward)

Motion: 183-05

Moved by: Larry Wight
Seconded by: Brock Sinnamon
THAT the petition under Section 74 of the Drainage Act for the Meyer Branch A and the Grey Branch of the Northwest Municipal Drain (Lot 33 and 34, Con 13, Logan) be forwarded to the Drainage Superintendent.
Carried

8. Correspondence

- i) AMO
 - a. Alert, March 23, 2005, Re: Ontario Health Premium
 - b. For Your Information, March 24, 2005, Re: Ontario Trails Strategy Consultations

Motion: 184-05

Moved by: Gerry Kehl
Seconded by: Gordon Young
BE IT HEREBY RESOLVED THAT the Council of the Municipality of West Perth supports trail development and is concerned with the continued burden that Section 20 of the *Line Fences Act* places on municipalities attempting to develop abandoned railways into usable trails.

Carried

- c. AMO's 2005 Annual Conference – Preliminary Information
- d. Effective Municipal Councillor Training Program 2005
- e. For Your Information, March 24, 2005, Re: MOE Releases Report on Regulation 170: Smaller Private Systems
- f. Province to Pay Past CRF Bills
- g. Province announces CRF Reconciliation
- ii) Province of Ontario
 - a. Ministry of Public Infrastructure Renewal, PIR Net News, March 2005
- iii) Endorsement Requests
 - a. Township of Huron-Kinloss, Re: Support for Grain farmers

Motion: 185-05

Moved by: Ruth Fiebig

Seconded by: Ross McIntosh

THAT the Council of the Municipality of West Perth hereby supports the resolution of the Township of Huron-Kinloss, regarding the need for support for Ontario's grain and oilseed producers.

Carried

- b. Municipality of Grey Highlands, Re: Support for Ontario Grain farmers

Motion: 186-05

Moved by: Larry Wight

Seconded by: Ross McIntosh

THAT the Council of the Municipality of West Perth hereby supports the resolution of the Municipality of Grey Highlands, regarding the need for support for Ontario's grain and oilseed producers.

Carried

- c. Town of North Perth – Building Code Act

Motion: 187-05

Moved by: Barb MacLean

Seconded by: Brock Sinnamon

THAT the Council of the Municipality of West Perth hereby endorses the resolution of the Town of North Perth regarding the need for the Ministry of Municipal Affairs and Housing to revise the implementation of Bill 124.

Carried

- d. Town of Tecumseh – Disaster Relief Training

- iv) Mitchell Kinsmen and Kinettes, Re: Beach Party event

Motion: 188-05

Moved by: Ruth Fiebig

Seconded by: Brock Sinnamon

THAT the Council of the Municipality of West Perth has no objection to the plans of the Mitchell Kinsmen and Kinette club's Annual Beach Party plans.

Carried

- v) Doris Hocking, Re: Funding for Youth Centre

- vi) Avon-Maitland District School Board, Re: Invitation to Municipal representatives

Motion: 189-05

Moved by: Ruth Fiebig

Seconded by: Gerry Kehl

THAT Barb MacLean attend the Avon Maitland District School Board meeting with Trustees on May 10, 2005.

Carried

- vii) Perth District Health Unit, Re: "We Can't Weight... Looking at childhood obesity in Perth County"

- viii) Community Futures News, Spring 2005

- ix) Invitation to reception and presentation for Dr. Ian E. Wilson, Librarian and Archivist of Canada

- x) 2005 Canada Post Literacy Awards

- xi) Huron Perth Healthcare Alliance, Board of Directors meeting Highlights, March 3, 2005
- xii) West Perth Business Affiliates, Re: May 28th event

Motion: 190-05

Moved by: Ruth Fiebig
Seconded by: Walter McKenzie
THAT the request of the West Perth Business Affiliates for the May 28th, 2005 event be approved as requested.
Carried

Motion: 191-05

Moved by: Ruth Fiebig
Seconded by: Don Jones
THAT correspondence not specifically dealt with be noted and filed.
Carried

9. Presentation of Accounts

Motion: 192-05

Moved by: Ruth Fiebig
Seconded by: Barb MacLean
THAT the accounts totaling \$570,675.58 be approved for payment.
Carried

10. Standing Committee Reports

- i) Minutes of the Operations meeting, dated March 29, 2005

Motion: 193-05

Moved by: Walter McKenzie
Seconded by: Gerry Kehl
THAT the Minutes of the Operations Meeting dated March 29, 2005 be accepted as presented.
Carried

- Tender Report – Granular A (3+2 tenders received), Calcium Chloride (3 tenders received) and Tandem box (3 tenders received)

Motion: 194-05

Moved by: Darryl Seigner
Seconded by: Gordon Young
THAT the tender of Donegen's for Granular 'A' in the amount of \$5.78 per metric tonne be accepted.
Carried

Motion: 195-05

Moved by: Ruth Fiebig
Seconded by: Larry Wight
THAT the tender of Da Lee Dust Control for Calcium Chloride in the amount of \$310.57 per unit be accepted.
Carried

Motion: 196-05

Moved by: Darryl Seigner
Seconded by: Brock Sinnamon
THAT the tender of Alliston for Tandem box and snow equipment in the amount of \$75,387.88 be accepted.
Carried

- Municipality of West Perth, Mitchell Water System Summary report for the Year 2004

Motion: 197-05

Moved by: Ruth Fiebig
Seconded by: Don Jones
THAT the 2004 Summary Report for the Mitchell Water System be accepted as circulated.
Carried

At this time (8:00 pm), Dennis Elliott of B.M. Ross and Assoc. Ltd. was in attendance for the Fisher Subdivision and Clayton/Wellington tenders.

Motion: 198-05

Moved by: Ruth Fiebig

Seconded by: Larry Wight

THAT the tenders for the Fischer Subdivision be opened.

Carried

Eight tenders were received and opened:

Wightman Contracting	\$417,102.00
Robert Nicholson	\$403,569.76
Hanna Hamilton	\$298,669.52
Robinson Farm Drainage	\$248,347.00
Lavis Contracting Co. Ltd.	\$274,354.42
Omega Contracting	\$281,323.33
Pachecos	\$294,383.75
Birnam Excavating	\$282,539.94

Motion: 199-05

Moved by: Walter McKenzie

Seconded by: Gordon Young

THAT we open tenders for Clayton, Wellington Street and storm water pond projects.

Carried

Six tenders were received and opened:

Lavis Contracting Co. Ltd.	\$746,616.58
Birnam Excavating	\$757,161.33
Robert Nicholson	\$920,339.10
Hanna Hamilton	\$734,442.71
Elgin Construction	\$892,841.06
Omega	\$745,814.61

Motion: 200-05

Moved by: Ruth Fiebig

Seconded by: Brock Sinnamon

THAT the tenders for water servicing in the Fischer Subdivision of Robinson in the amount of \$ 248,347.00,

Lavis in the amount of \$ \$ 274,354.42, and

Omega in the amount of \$ 281,323.33

be further reviewed by the project engineer.

Carried

Motion: 201-05

Moved by: Gordon Young

Seconded by: Barb MacLean

THAT the tenders for Clayton Street, etc. of

Omega in the amount of \$ 745,814.61,

Hannah Hamilton in the amount of \$ \$ 734,442.71, and

Lavis in the amount of \$ 746,616.58

be further reviewed by the project engineer.

Carried

Motion: 202-05

Moved by: Ruth Fiebig

Seconded by: Darryl Seigner

THAT the tender of Robinson Farm Drainage for the Fischer subdivision project, in the amount \$248,347.

Carried

11. Committee Reports

12. By-laws

Motion:

Moved by: Ross McIntosh

Seconded by: Gerry Kehl

THAT 3 way stops be placed at streets in West Perth's proposed by-law 31-2005.

Motion defeated

The Clerk was directed to bring forward information regarding a plebiscite at the next election.

Motion: 203-05

Moved by: Don Jones

Seconded by: Larry Wight

THAT the Mover and Seconder be authorized to introduce the following by-laws to be considered read a first and second time:

- i) By-law 31-2005, being a by-law to amend By-law 30-2001 (Fullarton Stop Signs)
- ii) By-law Z67-2005, being a by-law to amend By-law 100-1998, Stacey
- iii) By-law Z68-2005, being a by-law to amend By-law 100-1998, 789274 Ontario Inc.
- iv) By-law 33-2005, being a by-law to provide for the maintenance of the Schellenberger Municipal Drain (Fullarton)
- v) By-law 34-2005, being a by-law to provide for the maintenance of the Smith Municipal Drain (Hibbert)
- vi) By-law 35-2005, being a by-law to provide for the maintenance of the Russeldale Municipal Drain (Fullarton)
- vii) By-law 36-2005, being a by-law to provide for the maintenance of the Campbell Municipal Drain (Hibbert)
- viii) By-law 37-2005, being a by-law to provide for the maintenance of the Kennedy Municipal Drain (Hibbert)
- ix) By-law 38-2005, being a by-law to provide for the maintenance of the Walker Municipal Drain (Hibbert)
- x) By-law 39-2005, being a by-law to provide for the maintenance of the Reidy Municipal Drain (Logan)

Carried

Motion: 204-05

Moved by: Darryl Seigner

Seconded by: Ruth Fiebig

THAT By-law 31-2005 being a by-law to amend By-law 30-2001 (Fullarton Stop Signs), be read a third time and finally passed;

And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.

Carried

Motion: 205-05

Moved by: Gordon Young

Seconded by: Don Jones

THAT By-law Z67-2005 being a by-law to amend by-law 100-1998 (Stacey) be read a third time and finally passed;

And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.

Carried

Motion: 206-05

Moved by: Don Jones

Seconded by: Gerry Kehl

THAT By-law Z68-2005 being a by-law to amend by-law 100-1998 (789274 Ontario Inc.) be read a third time and finally passed;

And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.

Carried

Motion: 207-05

Moved by: Ruth Fiebig
Seconded by: Ross McIntosh
THAT By-law 33-2005 being a by-law to provide for the maintenance of the Schellenberger Municipal Drain (Fullarton) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 208-05

Moved by: Brock Sinnamon
Seconded by: Larry Wight
THAT By-law 34-2005 being a by-law to provide for the maintenance of the Smith Municipal Drain (Hibbert) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 209-05

Moved by: Ross McIntosh
Seconded by: Gordon Young
THAT By-law 35-2005 being a by-law to provide for the maintenance of the Russeldale Municipal Drain (Fullarton) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 210-05

Moved by: Walter McKenzie
Seconded by: Ruth Fiebig
THAT By-law 36-2005 being a by-law to provide for the maintenance of the Campbell Municipal Drain (Hibbert) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 211-05

Moved by: Brock Sinnamon
Seconded by: Walter McKenzie
THAT By-law 37-2005 being a by-law to provide for the maintenance of the Kennedy Municipal Drain (Hibbert) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 212-05

Moved by: Ross McIntosh
Seconded by: Don Jones
THAT By-law 38-2005 being a by-law to provide for the maintenance of the Walker Municipal Drain (Hibbert) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

Motion: 213-05

Moved by: Gordon Young
Seconded by: Larry Wight
THAT By-law 39-2005 being a by-law to provide for the maintenance of the Reidy Municipal Drain (Logan) be read a third time and finally passed;
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.
Carried

13. Unfinished Business

14. New Business

The Treasurer provided a report on the Ontario Municipal Partnership Fund, and the Municipality's allocation. There will be additional discussion at the Administration meeting – members were asked to keep these reports for the next meeting.

15. Questions from the Press

16. Closed Session

Motion: 214-05

Moved by: Ruth Fiebig
Seconded by: Darryl Seigner
THAT we go to Closed session to discuss a personnel matter.
Carried

Motion: 215-05

Moved by: Ruth Fiebig
Seconded by: Darryl Seigner
THAT we rise from Closed session.
Carried

Motion: 216-05

Moved by: Gerry Kehl
Seconded by: Darryl Seigner
THAT we accept the Minutes of the Executive meeting dated March 29, 2005.
Carried

17. Adjournment

Motion: 217-05

Moved by: Gerry Kehl
Seconded by: Gordon Young
THAT we do now adjourn – time 9:15 pm.
Carried