

**MINUTES**  
**of the Municipality of West Perth Council Meeting**  
**on Monday, November 15, 2004**  
**at 7:30 p.m. in the**  
**Council Chambers**  
**Municipality of West Perth**

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**Present:** All members of Council were present, except Mayor Van Bakel.  
Staff: Pat Taylor, Clerk-Administrator; Barb Westlake-Power,  
Deputy Clerk  
Additional persons in attendance are noted throughout the  
minutes.

**1. Call to Order.**

In the absence of the Mayor, Deputy Mayor Barb MacLean called the meeting to order followed by the Lord's Prayer.

**2. Declaration of Conflict of Interest**

None declared at this time.

**3. Delegations**

- i) Dr. Rosana Pellizzari, Medical Officer of Health Perth County, was in attendance to meet the Council. Dr. Pellizzari outlined the various duties of the Health Unit. Dr. Pellizzari received questions and comments from Council. There was discussion regarding West Nile virus (monitoring, stats, etc.) and pandemic issues. Dr. Pellizzari also indicated that there is a shift in funding for Public Health expected in the not-too-distant future. It is anticipated that Provincial funding will increase to 75% from 55%. Also, Dr. Pellezzari noted the recent announcements from the Ministry of the Environment regarding changes to Bill 170.
- ii) Warren Benneweis was in attendance to request Council's consideration of paying an invoice for soil testing. Mr. Benneweis indicated the test were done at the direction of the CBO, and were not necessary. Council consulted with the CBO regarding the circumstances, and Bob McLean advised that proceedings are continuing as per the previous direction of Council.

**4. Adoption of Minutes**

- i) Minutes of the Regular Meeting, dated November 2, 2004

**Motion: 637-04**

Moved by: Ross McIntosh

Seconded by: Darryl Seigner

THAT the Minutes of the Regular Council meeting dated November 2, 2004 be approved as presented.

Carried

**5. Business Arising from the Minutes**

- i) There was some brief discussion regarding the motion of Council (Motion 599-04), with regard to servicing agreements. Additional direction was requested to proceed with this through B.M. Ross and Assoc. Oxford County was noted as have such agreements, and the municipality will be contacted for information.

**6. Planning**

- i) Notice of Decision, Application for Consent – Lot 5, Pt Lot 6, Plan 437 Mitchell Ward (Menkveld)

- ii) Notice of Decision, Application for Consent – Pt Lot 24, Con 7 Fullarton Ward (Walkom)
- iii) Minutes of the Planning Advisory Committee meeting, dated November 9, 2004

**Motion: 638-04**

Moved by: Gerry Kehl

Seconded by: Darryl Seigner

THAT the Minutes of the Planning Advisory Committee meeting dated November 9, 2004 be approved as presented.

Carried

**Motion: 639-04**

Moved by: Larry Wight

Seconded by: Brock Sinnamon

THAT Planning correspondence not specifically dealt with be noted and filed.

Carried

**7. Drains**

- i) Notice of On-site meeting, Geary Creek Drain, November 9, 2004
- ii) Petition under Section 78 of the Drainage Act of Ken Feltz, for Lot 14 and W Pt Lot 12, Con 3 (Fullarton Ward) – Wicke Municipal Drain

**Motion: 640-04**

Moved by: Ruth Fiebig

Seconded by: Ross McIntosh

THAT the Petition under Section 78 of the Drainage Act for repair and improvement to the Wicke Municipal Drain (Lot 14 and W Pt Lot 12, Con 3 Fullarton Ward) be forwarded to Dietrich Engineering.

Carried

**8. Correspondence**

- i) Province of Ontario
  - Backgrounder, November 8, 2004 – Canada and Ontario to provide \$2 million to build affordable condominiums
  - Minister of Municipal Affairs and Housing, Re: Long Standing Service Recognition of Municipal Politicians
  - Media Advisory November 9, 2004 – Public Meeting on the Draft Greenbelt Plan for the Golden Horseshoe
- ii) AMO
  - AMO Alert November 2, 2004, Re: Regulation 170/03
  - AMO Alert November 9, 2004, Re: MOE Extends Regulation 170 Compliance Deadline
- iii) ROMA/OGRA Combined Conference – Preliminary Program, February 20 – 23, 2004. There was some interest noted from Councillors. The Clerk advised that rooms were reserved, but could be cancelled at a later date.
- iv) Heart and Stroke Foundation of Ontario, Re: Proclamation request

**Motion: 641-04**

Moved by: Gerry Kehl

Seconded by: Ruth Fiebig

BE IT HEREBY RESOLVED THAT the Council of the Municipality of West Perth declares February 2005 as Heart Month in the Municipality.

Carried

- v) County of Perth, Re: Bridges on Lower Tier Roads. The County by-law was circulated to Council. There was some brief discussion regarding the matter. Staff was directed to gather information regarding the costs of the bridges, information from OGRA, and whether there is any appeal mechanism for this by-law. Additional information will be brought forward.

**Motion: 642-04**

Moved by: Darryl Seigner  
Seconded by: Gordon Young  
THAT we obtain further information from Andrew Phillips regarding County Bridges.  
Carried.

At this time, Council also discussed the matter of a temporary representative at County Council.

**Motion: 643-04**

Moved by: Gerry Kehl  
Seconded by: Larry Wight  
THAT if the Mayor is absent from County Council for thirty consecutive days, that Councillor McKenzie be appointed to fill the temporary vacancy.  
Carried.

**Motion: 644-04**

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

**9. Presentation of Accounts**

**Motion: 645-04**

Moved by: Ruth Fiebig  
Seconded by: Brock Sinnamon  
THAT the accounts totaling \$291,327.78 be approved for payment as presented.  
Carried

**10. Standing Committee Reports**

- i) Minutes of the Administration Committee, dated November 8, 2004

**Motion: 646-06**

Moved by: Brock Sinnamon  
Seconded by: Gerry Kehl  
THAT the application by Andre Ransberry be approved, to have the north, east and west sides of his home at 98 Huron Road designated under the Ontario Heritage Act, and allow for the restoration of missing elements to the best of his knowledge.  
Carried.

**Motion: 647-04**

Moved by: Brock Sinnamon  
Seconded by: Walter McKenzie  
THAT we accept Birnam's proposal.  
Carried.

**Motion: 648-04**

Moved by: Gerry Kehl  
Seconded by: Don Jones  
THAT the Minutes of the Administration Committee Meeting dated November 8, 2004 be approved as presented.  
Carried

**11. Committee Reports**

**12. By-laws**

**Motion: 649-04**

Moved by: Brock Sinnamon  
Seconded by: Don Jones  
THAT we deal with By-law 78-2004 separately.  
Carried

**Motion: 650-04**

Moved by: Gerry Kehl  
Seconded by: Gordon Young  
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 75-2004, being a by-law to authorize an agreement between the Ritz Lutheran Villa and the Municipality of West Perth
- ii) By-law 76-2004, being a by-law to authorize the sale of municipal property to Bio Agri Mix 1998 Inc.
- iii) By-law 77-2004, being a by-law to declare lands as surplus
- iv) By-law 79-2004, being a by-law to enter in to an agreement with Durisol Ltd. (Site Plan)

Carried.

**Motion: 651-04**

Moved by: Gerry Kehl  
Seconded by: Don Jones  
THAT By-law 75-2004, being a by-law to authorize an agreement between the Ritz Lutheran Villa and the Municipality of West Perth be read a third and final time;  
And that the Mayor and the Clerk be and are hereby authorized to sign same, and attach the Corporate Seal.  
Carried.

**Motion: 652-04**

Moved by: Brock Sinnamon  
Seconded by: Ross McIntosh  
THAT By-law 76-2004, being a by-law to authorize the sale of municipal property to Bio Agri Mix 1998 Inc. be read a third and final time;  
And that the Mayor and the Clerk be and are hereby authorized to sign same, and attach the Corporate Seal.  
Carried

**Motion: 653-04**

Moved by: Ruth Fiebig  
Seconded by: Gerry Kehl  
THAT By-law 77-2004, being a by-law to declare lands as surplus be read a third and final time;  
And that the Mayor and the Clerk be and are hereby authorized to sign same, and attach the Corporate Seal.  
Carried.

**Motion: 654-04**

Moved by: Darryl Seigner  
Seconded by: Brock Sinnamon  
THAT By-law 79-2004, being a by-law to enter into an agreement with Durisol Ltd. (Site Plan) be read a third and final time;  
And that the Mayor and the Clerk be and are hereby authorized to sign same, and attach the Corporate Seal.  
Carried.

The Treasurer provided Council with information regarding the calculation of the proposed development charges. This included the changes as were directed by Council at the public meeting. Bruce Potter of B.M. Ross & Assoc. Ltd. was also in attendance to address any questions. There was extensive discussion on this topic. Also in attendance were: Jack West, Bob Scott, Jim Heckman, Richart Brink, Dalton Fischer, Dave Fischer, Mike Tam, John Vanass, John Meinen, Art Meinen, and Brian VanMoorsel. The Chair allowed for comment from those in attendance.

**Motion: 655-04**

Moved by: Gerry Kehl  
Seconded by: Ruth Fiebig  
THAT By-law 78-2004, being a by-law respecting development charges, with Table 6.2 representing charges for the Mitchell Settlement Area being  
\$6000.00 for 2004-2005  
\$6000.00 for 2005-2006  
\$6600.00 for 2006-2007  
\$7260.00 for 2007-2008 and  
\$7986.00 for 2008-2009 (single and semi-detached residential),  
And the remainder of the Municipality being similarly pro-rated, be read a first and second time.  
Carried

**Motion: 656-04**

Moved by: Ruth Fiebig  
Seconded by: Brock Sinnamon  
THAT By-law 78-2004, being a by-law respecting development charges be read a third and final time;  
And that the Mayor and the Clerk be and are hereby authorized to sign same and attach the Corporate Seal.  
Carried.

**13. Unfinished Business**

- i) Council discussed the request to hold a wedding and reception in the Lions park. There were various concerns and comments regarding the request.

**Motion: 657-04**

Moved by: Darryl Seigner  
Seconded by: Ruth Fiebig  
THAT Richart and Anne Brink be authorized to hold a wedding in the park as requested, but that a reception not be permitted.  
Carried.

**14. New Business**

- i) Appointment to Planning Advisory Committee - Acting Mayor, Barb MacLean declared a conflict of interest in this matter as a family member has applied.

The Clerk-Administrator brought forward the names of the individuals who had expressed an interest in the position. Members voted for one appointment.

**Motion: 658-04**

Moved by: Larry Wight

Seconded by: Brock Sinnamon

THAT Blythe Lannin be appointed to the Planning Advisory Committee for the remainder of the current term – appointment through to December 1, 2006.

Carried.

- ii) There was brief discussion regarding leaf collection.
- iii) It was noted to Council that the Draft Emergency Plan would be circulated for the next Operations Meeting.
- iv) There was notation regarding the opening of Frank Street.

**15. Questions from the Press**

**16. Closed Session**

**Motion: 659-04**

Moved by: Ruth Fiebig

Seconded by: Don Jones

THAT Council move to closed session to discuss a property matter.

Carried

**Motion: 660-04**

Moved by: Darryl Seigner

Seconded by: Don Jones

THAT Council rise from closed session.

Carried.

**Motion: 661-04**

Moved by: Ruth Fiebig

Seconded by: Ross McIntosh

THAT the Acting Mayor and the Clerk be and are hereby authorized to sign (and initial where required), the counter offer for Agreement of Purchase and Sale, if necessary.

Carried.

**17. Adjournment**

**Motion: 662-04**

Moved by: Don Jones

Seconded by: Ross McIntosh

THAT we do now adjourn – time 10:35 pm.

Carried.

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Acting Mayor, Barb MacLean

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Clerk-Administrator, Pat Taylor