

**MINUTES**  
**of the Municipality of West Perth Council Meeting**  
**on Monday, December 19, 2005**  
**at 7:00 p.m. in the**  
**Council Chambers**  
**Municipality of West Perth**

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**Present:** All members were present  
Staff: Pat Taylor, Clerk-Administrator; Mike Kraemer, Operations Manager; Karen McLagan, Treasurer; Barb Westlake-Power, Deputy Clerk

**1. Call to Order.**

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

**2. Declaration of Conflict of Interest**

None declared

**3. Delegations**

i) Ian Wilcox, General Manager and Peter Huitema, West Perth Representative both of the Upper Thames River Conservation Authority were in attendance to discuss with Council the 2006 Preliminary Budget. It is requested that any comment from Council regarding the preliminary budget be received prior to February 2006. The levy increase for the Municipality of West Perth is projected to be 4.9%, less than the average 8.21% increase overall.

Mr. Wilcox advised that the Authority is realigning priorities for 2006, to reduce the impact of a levy increase. There are several projects the Authority is undertaking that are not funded through the municipal levy; projects relating to the Provincial legislation with respect to water quality are examples. The Authority will be working with municipalities to develop a plan regarding water quality and source protection.

Mr. Wilcox received questions and comments from Council.

**4. Adoption of Minutes**

It was requested that resolution 624-05 (Mausoleum Drain), be considered separately from the December 5<sup>th</sup> Minutes.

**Motion: 663-05**

Moved by: Gerry Kehl

Seconded by: Brock Sinnamon

THAT the Minutes of the December 5, 2005 Regular Council meeting and Public meeting, and the Minutes of the December 12 Special meeting be accepted as presented.

Carried

**5. Business Arising from the Minutes**

i) Court of revision for the Mausoleum drain – date of meeting

**Motion: 664-05**

Moved by: Ruth Fiebig

Seconded by: Barb MacLean

THAT Resolution 624-05 be amended to set the Mausoleum Drain Court of Revision for January 9, 2006.

Carried

**6. Planning**

- i) Application for Consent, Lot 8 RP 44M-19, Mitchell Ward

**Motion: 665-05**

Moved by: Ruth Fiebig

Seconded by: Don Jones

THAT the consent application B42-05 (Pol) for Plan 44M19, Lot 8 – Park Lane, be forwarded to Planning Advisory Committee.

Carried

- ii) Zoning By-law amendment application, Lot 12, Plan 368 (Mitchell Ward)

**Motion: 666-05**

Moved by: Don Jones

Seconded by: Barb MacLean

THAT the Zoning By-law amendment application for Lot 12, Plan 368 (Mitchell Ward) be forwarded to Planning Advisory.

Carried

**7. Drains**

- i) Tribunal decision, Re: Gardiner Drain

**8. Correspondence**

- i) **AMO**

a. Alert, Dec. 1/05, Re: \$51 million in funding to Municipalities for Source Water Protection

b. Alert, Dec. 1/05, Re: Environment Canada accepting applications for funding under the Invasive Alien Species program

**Motion: 667-05**

Moved by: Gerry Kehl

Seconded by: Don Jones

THAT AMO For Your Information, December 2, 2005, Re: Environment Canada accepting applications for funding under the Invasive Alien Species Program be forwarded to the Environment and Energy Committee.

Carried

c. Alert, Dec. 7/05, Re: Provincial auditor releases report on Land Ambulance

d. Alert, Dec. 14/05, Re: MMAH introduces proposed amendments to Planning Act and the Ontario Municipal Board

- ii) Province of **Ontario**

a. Memorandum to Municipal Residential Drinking Water Systems Owners, Re: Notice of introduction of the Clean Water Act, 2005 – an Act to protect drinking water sources

b. Ministry of Labour, Re: Countdown begins to end of mandatory retirement in Ontario

c. Ministry of Municipal Affairs and Housing, Re: “Stronger City of Toronto for a Stronger Ontario Act, 2005”

- iii) **Endorsement Requests**

a. Town of Halton Hills, Re: Support for Ombudsman of Ontario review of the Municipal Property Assessment Corporation

**Motion: 668-05**

Moved by: Ruth Fiebig

Seconded by: Gerry Kehl

THAT we support the Town of Halton Hills resolution regarding the review of MPAC by the Ontario Ombudsman.

Carried

- b. Town of Essex, Re: Support for review of the Negligence Act, with respect to liability insurance costs for municipalities

**Motion: 669-05**

Moved by: Don Jones

Seconded by: Gordon Young

Be it hereby resolved that the Council of the Municipality of West Perth endorses the December 6, 2005 resolution of the Town of Essex regarding the need for the Province of Ontario to amend The Negligence Act R.S.O. 1990, so that only where a Municipality is found to be at least 50% liable, would the full claim be paid.

Carried

- c. Township of Severn, Re: Support for Canadian Heritage Museums – Tax Classes

**Motion: 670-05**

Moved by: Gerry Kehl

Seconded by: Ruth Fiebig

THAT the Council of the Municipality of West Perth endorses the December 1, 2005 resolution of the Township of Severn regarding the need to create an appropriate tax class for museums and other similar type non-profit operations.

Carried

- iv) Crime Stoppers of Perth County, Re: January is Crime Stoppers month

**Motion: 671-05**

Moved by: Ruth Fiebig

Seconded by: Darryl Seigner

Be it hereby resolved that the Month of January 2006, be declared Crime Stoppers month, within the Municipality of West Perth.

Carried

- v) West Perth Youth Centre, Re: Request for funding support

**Motion: 672-05**

Moved by: Ruth Fiebig

Seconded by: Gordon Young

THAT the request for financial support from the West Perth Youth Centre be considered during budget deliberations.

Carried

- vi) Ritz Lutheran Villa, Re: Letter of thanks

vii) Brussels/Walton Snowmobile Club, Re: Trail establishment for 2005-06 season. At this time, there was additional discussion regarding snowmobile use within the “urban” area. The Clerk was directed to contact the snowmobile club for guidance as to how best to address the questions and concerns.

**Motion: 673-05**

Moved by: Gerry Kehl

Seconded by: Larry Wight

THAT the request for use of municipal property by the Brussels/Walton Snowmobile Club be approved subject to all previous terms and conditions, and that the trail be clearly marked in Lions Park.

Carried

- viii) Municipality of North Perth, Re: Agreement with the Perth District Health Unit to enforce No Smoking by-laws

**Motion: 674-05**

Moved by: Ruth Fiebig

Seconded by: Gordon Young

THAT the Mayor and the Clerk be authorized to sign the necessary agreement to enforce No Smoking by-laws.

Carried

- ix) MDHS Fifty-years reunion, Re: Request for community festival declaration

**Motion: 675-05**

Moved by: Don Jones

Seconded by: Barb MacLean

THAT the Council of the Municipality of West Perth hereby declares the MDHS Fifty year reunion a Community Festival.

Carried

- x) ABCA, Re: Media release – 60<sup>th</sup> anniversary celebration & Conservation dinner
- xi) ABCA, Re: Media release – Low water level conditions lifted for Upper Ausable, Lower Ausable and Parkhill creek watersheds
- xii) Huron Perth Healthcare Alliance, Re: Meeting highlights

**Motion: 676-05**

Moved by: Ruth Fiebig

Seconded by: Don Jones

THAT correspondence not specifically dealt with be noted and filed.

Carried

**9. Presentation of Accounts**

**Motion: 677-05**

Moved by: Ruth Fiebig

Seconded by: Darryl Seigner

THAT the accounts totaling \$320,468.54 be approved for payment.

Carried

**10. Standing Committee Reports**

- i) Minutes of the Administration Meeting, dated December 12, 2005

**Motion: 678-05**

Moved by: Gerry Kehl

Seconded by: Don Jones

THAT the Minutes of the Administration Committee Meeting dated December 12, 2005 be accepted as presented.

Carried

- Resolution appointing Emergency Management Program Committee

**Motion: 679-05**

Moved by: Barb MacLean

Seconded by: Ruth Fiebig

Be it resolved that the Council for the Municipality of West Perth appoint the following as the Emergency Management Program Committee for the Municipality of West Perth.

John Van Bakel, Mayor

Christel Hollinger, Emergency Management Coordinator

Pat Taylor, Clerk-Administrator

Barb Westlake-Power, Deputy Clerk/Alternate CEMC

Sargeant Doug French, OPP

Bill Elliot, Fire Chief

Mike Kraemer, Operations Manager

Dave Southam, Utilities Manager

Dr. Rosana Pellizzari, Medical Officer of Health

Linda Rockwood, Director of Land Ambulance

Director of Social Services

Karen McLagan, Treasurer/Emergency Information Officer

In carrying out any of its assigned duties, the Emergency Management Program Committee, may, at its discretion request assistance from any official or employee of any other level of government who are

involved in emergency management, and from any representatives of any non-governmental organization involved in emergency management, and from industry representatives that may be involved in emergency management from the agencies and organizations specified herein. These representatives may be called upon to sit as members of the Committee or may be asked to participate in meetings, in training activities or in annual exercises.

The Chair of the Municipality of West Perth Emergency Management Program Committee shall be John Van Bakel, Mayor  
Carried

- Resolution (AMO), regarding Bill 123

**Motion: 680-05**

Moved by: Ruth Fiebig

Seconded by: Gerry Kehl

WHEREAS the provincial Standing Committee on Regulations and Private Mills is currently debating Private Members Bill 123 the *Transparency in Public Matters Act*; and

WHEREAS the proposed legislation includes municipal council and committees; and

WHEREAS the proposed legislation adds requirements to notice provisions, open meetings, minutes, forms of meetings, among other matters all of which are addressed in the *Municipal Act*, which would create confusion for council, administration and the public; and

WHEREAS the *Municipal Act* is currently under review and is being informed by input from the municipal and private sectors among others; and

WHEREAS AMO and others have urged the Standing Committee to remove any reference to municipal councils or council committees from this legislation and allow transparency and accountability issues to continue to be regulated under the *Municipal Act*;

THEREFORE BE IT RESOLVED that the Municipality of West Perth urges the Minister of Municipal Affairs and Housing to vote against the Bill if the reference to ‘municipal councils’ is not deleted in the Bill as reported by the Standing Committee; and that John Wilkinson and all provincial members of the legislature be advised of the lack of this council’s support for the inclusion of ‘municipal councils’ in Bill 123.

Carried

- ii) Minutes of the Operations meeting, dated December 12, 2005

**Motion: 681-05**

Moved by: Walter McKenzie

Seconded by: Don Jones

THAT the Operations Committee Meeting minutes dated December 12, 2005 be accepted as presented.

Carried

- iii) Minutes of the Water Committee meeting, dated December 19, 2005

**Motion: 682-05**

Moved by: Ruth Fiebig

Seconded by: Ross McIntosh

THAT we accept the Minutes of the Water Committee meeting dated December 19, 2005, as presented.

Carried

**Motion: 683-05**

Moved by: Ruth Fiebig

Seconded by: Barb MacLean

THAT Council endorses the submission of design by BM Ross for Well #4 construction, to MOE for approval.

Carried

**11. Committee Reports**

**12. By-laws**

**Motion: 684-05**

Moved by: Don Jones

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 Z79-2005, being a by-law to amend By-law 100-1998
- ii) By-law 85-2005, being a By-law to appoint members of Council to Committees and Boards
- iii) By-law 86-2005, being a By-law with respect to fees to be charged by the Municipality for water, wastewater and waste management, and rescind By-law 78-2005
- iv) By-law 87-2005, being a by-law to withdraw funds from the Development charges reserves, based on the 1991 study
- v) By-law 88-2005, being a by-law to withdraw funds from the Development charges reserves, based on the 1999 study
- vi) By-law 89-2005, being a by-law to authorize the execution of an Agreement, between the Municipality and G. Stuart and the United Church of Canada

Carried

**Motion: 685-05**

Moved by: Ruth Fiebig

Seconded by: Larry Wight

THAT By-law Z79-2005, being a by-law to amend By-law 100-1998 be read a third and final time and be taken as read;

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

Carried

**Motion: 686-05**

Moved by: Larry Wight

Seconded by: Gordon Young

THAT By-law 85-2005, being a By-law to appoint members of Council to Committees and Boards be read a third and finally passed;

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

Carried

**Motion: 687-05**

Moved by: Ruth Fiebig

Seconded by: Brock Sinnamon

THAT By-law 86-2005, being a By-law with respect to fees to be charged by the Municipality for water, wastewater and waste management, and rescind By-law 78-2005 be read a third and finally passed;

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

Carried

**Motion: 688-05**

Moved by: Barb MacLean

Seconded by: Don Jones

THAT By-law 87-2005, being a by-law to withdraw funds from the Development charges reserves, based on the 1991 study be read a third and finally passed;

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

Carried

**Motion: 689-05**

Moved by: Gerry Kehl  
Seconded by: Ross McIntosh  
THAT By-law 88-2005, being a by-law to withdraw funds from the Development charges reserves, based on the 1999 study be read a third and finally passed;  
And that the Mayor and the Clerk be and are hereby authorized to sign and attach the Corporate Seal.  
Carried

**Motion: 690-05**

Moved by: Ruth Fiebig  
Seconded by: Darryl Seigner  
THAT By-law 89-2005, being a by-law to authorize the execution of an Agreement, between the Municipality and G. Stuart and the United Church of Canada be read a third 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**

- i) At this time, each Council member offered comment regarding the past year, and the year ahead. These thoughts included, but were not exclusive to:
- Holiday wishes
  - Pleasure with the accomplishments throughout 2005
  - Thanks to the staff for their work and efforts
  - Anticipation for a new Council/meeting format for 2006
  - More focus on conservation within the community
  - New challenges
  - Focus on encouraging ‘downtown’ and industrial development (developing a proactive approach)

The Mayor also brought up the issue of farm severances, for discussion. The matter will be considered with the County Official Plan in the new year, and there was request for some direction from Council in this regard.

**15. Questions from the Press**

**16. Closed Session**

**17. Adjournment**

**Motion: 691-05**

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