

**MINUTES**  
**of the Municipality of West Perth Council Meeting**  
**on Monday, October 17, 2005**  
**at 7:00 p.m. in the**  
**Council Chambers**  
**Municipality of West Perth**

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**Present:** Councillors: Fiebig, Sinnamon, Kehl, McIntosh, McKenzie, Young and Seigner  
Staff: Pat Taylor, Clerk-Administrator; Barb Westlake-Power, Deputy Clerk

**1. Call to Order**

The Clerk called the meeting to order, and requested a nomination for a Chair for tonight's meeting.

Moved by: Brock Sinnamon

Seconded by: Gordon Young

THAT Councillor Fiebig be Acting Chair for the meeting.

Carried

**Motion: 532-05**

Moved by: Ross McIntosh

Seconded by: Gordon Young

THAT the following items be added to the Agenda:

1. Fullarton Hall – Caretaker position
2. Crossing Guard – applications
3. St. Vincent De Paul Roman Catholic Church, Re: Church closure, request for support
4. Revised notice of Hearing & Notice of Adjournment, Re: Gardiner Drain
5. Upper Thames River Conservation Authority, Re: Public Information Sessions

Carried

**2. Declaration of Conflict of Interest**

none declared

**3. Delegations**

**4. Adoption of Minutes**

**Motion: 533-05**

Moved by: Gerry Kehl

Seconded by: Ross McIntosh

THAT the Minutes of the October 3, 2005 Regular Council Meeting be accepted as presented.

Carried

**5. Business Arising from the Minutes**

- i) Councillor Kehl advised that verbal permission had been received from the Ministry of Natural Resources regarding the proposed pampas grass removal; it was also noted that Officer Dean Waite of MNR will be speaking to the E&E committee at their next meeting.
- ii) There was no further information available regarding the proposed advertising on the transport truck. Grant dollars for Rural Economic Development is being investigated.

**6. Planning**

- i) Notice of No Appeal against decision of Committee of Adjustment, Re: Application A3/05 (Knollcrest Farms Ltd.)
- ii) Notice of Decision, Re: OPA Amendment #18 for Part of Park Lot 87 RP 341 Mitchell Ward (Chessell)

- iii) Minutes of the Planning Advisory Meeting dated October 12, 2005 (and Planner's Report). Councillor Kehl reported on this meeting. It was noted that the Committee had had extensive discussion regarding the Van Pelt application.

**Motion: 534-05**

Moved by: Gerry Kehl

Seconded by: Darryl Seigner

THAT West Perth Council approves the Draft Plan of Subdivision of 1612699 Ontario Inc. (Van Pelt) for Part of Park Lot 33, RP No. 339, Mitchell Ward, as per the plan prepared by Archibald, Gray & McKay (as amended, dated September 8, 2005), subject to the following conditions:

1. that an amendment to the Zoning By-law be obtained to remove the holding provisions,
2. that the developer enter into a subdivision agreement with the Municipality, and that the terms of the agreement be satisfactory to the Municipality. The required Subdivision Agreement shall be registered against the land to which it applies once the Plan of Subdivision has been registered,
3. that the developer satisfy the financial requirements of the Municipality,
4. that the development meet the Municipality's development standards,
5. that all aspects of the water supply, sewage disposal, electrical services, storm water management be acceptable to the Municipality and the appropriate government agencies,
6. that the Street be constructed as a public street in accordance with the Planning Act, to the satisfaction of the Municipality,
7. that a parkland dedication arrangement be made in accordance with the Planning Act, to the satisfaction of the Municipality,
8. confirmation through the County's circulation of the Draft Plan that both the Avon-Maitland District School Board and the Huron-Perth Separate School Board are satisfied with the Draft Plan, and
9. confirmation through the County's conditions of Draft Plan Approval that any noise, vibration, and buffering issues associated with the Goderich Exeter Railway are addressed.

Carried

**Motion: 535-05**

Moved by: Gerry Kehl

Seconded by: Gordon Young

THAT West Perth notify the County of the existing closed landfill.

Carried

**Motion: 536-05**

Moved by: Brock Sinnamon

Seconded by: Ross McIntosh

THAT West Perth Council does not consider the development of Holmes Street to be in the public interest at this time,

And further that should property owners wish to proceed to develop, all costs would be borne by the proponents, as well as submission of a comprehensive plan for the entire area for Council's consideration.

Carried

**Motion: 537-05**

Moved by: Gerry Kehl

Seconded by: Darryl Seigner

THAT the Planning Advisory Committee Meeting minutes dated October 12, 2005 be accepted as presented.

Carried

**Motion: 538-05**

Moved by: Ross McIntosh  
Seconded by: Walter McKenzie  
THAT Planning Correspondence be noted and filed.  
Carried

**7. Drains**

i) Mausoleum Drain

**Motion: 539-05**

Moved by: Brock Sinnamon  
Seconded by: Gerry Kehl  
THAT West Perth Council directs that the Mausoleum Drain Report dated December 21, 2004, prepared by Spriet Associates, be referred back to the Engineer for revisions.  
Carried

ii) Revised Notice of Hearing and Notice of Adjournment of Hearing, Gardiner Municipal Drain (Perth South)

**8. Correspondence**

i) **AMO**

a. Alert, October 3, 2005, Re: Building Code Statute Law Amendment Act, 2002

**Motion: 540-05**

Moved by: Gerry Kehl  
Seconded by: Gordon Young  
THAT the Council of the Municipality of West Perth supports the position of AMO as follows:

- strongly objecting to the request of architects and engineers for exemption from Bill 124
  - requesting that the Building Advisory Council (BAC) to be set up in January 2006 address the following issues regarding liability recommended by BRRAG but omitted in Bill 124: improved code knowledge for builders/contractors; provisions for builder liability insurance for non-residential builders and; longer liability insurance periods for designers
  - that BAC review the other recommendations of BRRAG that were omitted in Bill 124, which will create a more equitable building regulatory system in Ontario
- Carried

b. Alert, October 4, 2005, Re: Private Member's Bill could impose new prescriptive rules on Municipal Government outside of the Municipal Act (Also, AMCTO Express information)

c. For Your Information, October 6, 2005, Re: Free Ontario Recycler Workshop to be held on November 3, 2005

d. AMO/LAS, Re: Towards Greater Efficiency! An Energy reduction workshop for municipalities

ii) Province of **Ontario**

a. Ministry of Municipal Affairs and Housing, Re: Long-standing service recognition program

b. Ministry of the Environment, Re: Preventing Water Borne Illnesses

- iii) **Endorsement Requests**
  - a. Township of Oro-Medonte, Re: Recognition of cougar/puma threats (Ministry of Natural Resources) and Compensation for predation of same (Ministry of Agriculture, Food and Rural Affairs)
  - b. Town of Tecumseh, Re: CERV Funding
  - c. Regional Municipality of Niagara, Re: Border documentation requirements

**Motion: 541-05**

Moved by: Gerry Kehl  
Seconded by: Brock Sinnamon  
THAT the Council of West Perth supports the Regional Municipality of Niagara's resolution regarding the need to re-examine border crossing document requirements.  
Carried

- iv) Perth County Visitors Association, Re: Invitation to Annual General Meeting

**Motion: 542-05**

Moved by: Gordon Young  
Seconded by: Darryl Seigner  
THAT Christine Baker and/or other staff be authorized to attend the Perth County Visitors Association's Annual General Meeting, on Tuesday, October 25, 2005.  
Carried

- v) Perth County Municipal Association, Re: Municipal Day, November 2, 2005

**Motion: 543-05**

Moved by: Gordon Young  
Seconded by: Ross McIntosh  
THAT the following be registered to attend Perth County Municipal Day, on November 2, 2005, in Stratford: Gordon Young, Gerry Kehl, Ruth Fiebig and staff.  
Carried

- vi) PG Elections, Re: Invitation to visit Quebec Municipal Elections 2005
- vii) Best Start Implementation Committee, Re: Minutes of Sept. 28<sup>th</sup> meeting
- viii) Perth District Health Unit, Re: Substance Abuse Workshop
- ix) Mitchell Legion, Re: Remembrance Week Declaration

**Motion: 544-05**

Moved by: Darryl Seigner  
Seconded by: Brock Sinnamon  
Be it hereby resolved that the Council of the Municipality of West Perth declares November 4<sup>th</sup> to 11<sup>th</sup> as Remembrance Week within the Municipality.  
Carried

- x) St. Vincent de Paul Roman Catholic Church (Jim Gaffney), Re: Council support against church closure. There was extensive discussion regarding this matter.

**Motion:**

Moved by: Darryl Seigner  
Seconded by: Gordon Young  
THAT a letter of support be forwarded to St. Vincent de Paul Church, as requested.  
Motion defeated

**Motion: 545-05**

Moved by: Brock Sinnamon  
Seconded by: Gordon Young  
THAT we respond to Mr. Gaffney, that we deeply regret closing of St. Vincent de Paul Church, and all other churches that have the potential of being closed within West Perth.  
Carried

xi) UTRCA, Re: Public Information Sessions

**Motion: 546-05**

Moved by: Gerry Kehl  
Seconded by: Brock Sinnamon  
THAT Gordon Young attend the UTRCA meeting on October 26<sup>th</sup>.  
Carried

**Motion: 547-05**

Moved by: Ross McIntosh  
Seconded by: Darryl Seigner  
THAT correspondence not specifically dealt with be noted and filed.  
Carried

**9. Presentation of Accounts**

**Motion: 548-05**

Moved by: Gerry Kehl  
Seconded by: Darryl Seigner  
THAT the accounts totaling \$293,746.45 be approved for payment.  
Carried

**10. Standing Committee Reports**

i) Minutes of the Administration meeting, dated October 11, 2005. The Clerk requested that recommendation AD126-05 be dealt with separate from the Minutes. There was discussion regarding AD123-05, prior to the consideration of the Minutes.

**Motion: 549-05**

Moved by: Gerry Kehl  
Seconded by: Gordon Young  
THAT the Administration Committee Minutes dated October 11, 2005 be accepted as presented, with the exception of Recommendation AD126-05 and that in AD123-05 “driveways” be amended to read “services.”  
Carried  
Further discussion regarding AD126-05 was deferred for discussion with full council.

**11. Committee Reports**

**12. By-laws**

i) By-law Z78-2005, being a by-law to amend By-law 100-98

**Motion: 550-05**

Moved by: Brock Sinnamon  
Seconded by: Gerry Kehl  
THAT By-law Z78-2005, being a by-law to amend By-law 100-1998 (Willow Grove Acres Inc.), be read a first and second time.  
Carried

**Motion: 551-05**

Moved by: Walter McKenzie  
Seconded by: Gordon Young  
THAT By-law Z78-2005, being a by-law to amend By-law 100-1998, 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**

- i) BM Ross and Associates Ltd., Re: Bridge EA – deferred
- ii) Recycling Council of Ontario, Awards Night October 20, 2005

**Motion: 552-05**

Moved by: Ross McIntosh

Seconded by: Brock Sinnamon

THAT Walter McKenzie attend the Recycling Awards night in place of Barb Westlake-Power.

Carried

**14. New Business**

- i) Fullarton Hall, Caretaker Position. The Clerk advised that one application was received.

**Motion: 553-05**

Moved by: Ross McIntosh

Seconded by: Gerry Kehl

THAT Janice Rose (CJ Cleaning Services) be hired as caretaker.

Carried

- ii) “Fill-in” Crossing Guard position

**Motion: 554-05**

Moved by: Gordon Young

Seconded by: Darryl Seigner

THAT the Clerk-Administrator and Police Sergeant interview crossing guard applicants and choose a successful candidate.

Carried

- iii) There was brief discussion regarding the business activities at the Fullarton hall property. The Operations Manager will be asked to report further on this matter.

**15. Questions from the Press**

**16. Closed Session**

**17. Adjournment**

**Motion: 555-05**

Moved by: Ross McIntosh

Seconded by: Gordon Young

THAT we do now adjourn – time 8:35 pm.

Carried

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Acting Chair, Ruth Fiebig

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Clerk-Administrator, Pat Taylor