



MUNICIPALITY OF NORTH MIDDLESEX

REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday September 2, 2020 in the Council Chambers at 229 Parkhill Main Street, Parkhill.

1. CALL TO ORDER

Mayor Ropp called the meeting to order at 7:00 p.m. with a quorum present.

2. ROLL CALL

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol

Councillor Ward Three – Gord Moir

Councillor Ward Four – John Keogh

Councillor Ward Five – Andrew Hemming

CAO/Director of Operations – Jonathon Graham

Clerk Jackie Tiedeman

Director of Economic Development and Community Services – Mike Barnier (absent)

Infrastructure Supervisor, Jonathon Lampman

Treasurer, Tracy Johnson

Fire Chief, Greg Vandenheuvel (absent)

3. DISCLOSURE OF PECUNIARY INTEREST (in writing)

Councillor Nichol submitted a disclosure for pecuniary interest relating to Agenda Items 10 (a) under Employer/Direct Supervisor

4. MINUTES OF PREVIOUS MEETINGS

MOTION #191/2020

MOIR/CORNELISSEN: That the August 19, 2020 Regular Meeting & Court of Revision Minutes be approved as presented.

CARRIED

5. PUBLIC MEETINGS

7:00 and 7:10 p.m. - Meetings to Consider Campbell Drain and Watson Drains.

Infrastructure Supervisor, Jonathan Lampman reviewed his report outlining the process to date on these drains.

Mike Gerrits, R. Dobbin Engineering was present to advise that he has spoken to a couple of land owners affected by these drains and request for changes include:
(Nelson McLachlan - individual name should be under company ownership)
(Casey Bax – requested consideration of reallocation of assessment)

Mr. Gerrits indicated that both of these items could be accommodated and revised prior to the Court of Revision.

No other issues were identified at site meetings therefore the recommendations was then introduced:

MOTION #192/2020

KEOGH/NICHOL: Be it resolved that Council accepts the Final Report for the Campbell Drain dated July 15, 2020 prepared by R. Dobbin Engineering Inc; and

That Council gives two (2) readings for a Provisional by-law as Section 45(1) of the *Drainage Act, R.S.O 1990*.

CARRIED

MOTION #193/2020

HEMMING/MOIR: Be it resolved that Council accepts the Final Report for the Watson Drain – Open Channel Improvements; and

That Council gives two (2) readings for a Provisional By-law as Section 45(1) of the *Drainage Act, R.S.O. 1990*

CARRIED

6. DELEGATION

None

7. DEPARTMENTAL REPORTS

a. Petition for Drain Works by owners for Kusterman Drain – Infrastructure Supervisor

MOTION #194/2020

CORNELISSEN/HEMMING: That Council receive the request for Improvement to the Kustermans Drain under Section 78 of the *Drainage Act R.S.O. 1990*

CARRIED

b. Financial Policies (Tax Collection, Utility Collection and Tangible Capital Asset) – Treasurer

There was some questions by council and responded to by staff relating to timing for tax registration from three years to two years, due date timing and well as landowner responsibility for rental units and non payments.

MOTION #195/2020

NICHOL/KEOGH: That Council accept the new Tax Billing and Collection Policy, Utility Collection and Billing Policy and the Tangible Capital Asset (TCA) Policy.

CARRIED

c. 2020 Water/Wastewater Budget - Treasurer

There was some questions by council that were responded to by staff. This included changes that were made due to COVID pushing back some projects that were originally budgeted as well as the overall budget taking into account rate increases that are not currently in place.

MOTION #196/2020

MCLINCHEY/KEOGH: That Council accept the proposed 2020 Water/Wastewater Budget as presented.

CARRIED

8. PASSING OF ACCOUNTS

Compilation of accounts from August 13-27, 2020 in the amount of \$886,849.01

MOTION #197/2020

MOIR/HEMMING: Be it resolved that the following Bills and Accounts be approved for payment:

- General Cheques \$126,033.22
- Direct Deposit \$729,201.13
- On-line/PAP \$31,614.66
- Cemetery Cheques \$0.00

CARRIED

9. COMMITTEE REPORTS

- a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming) None
- b. ABCA (Deputy Mayor Cornelissen) None
- c. BWRA (Cr. McLinchey) August 2020 Notes (receive and file)
- d. EDAC (Cr. Moir) None
- e. LSAC – (Cr. Nichol) To be determined
- f. Recreation Committee (Cr. Hemming) None
- g. Water/Wastewater Committee (Cr. Moir) None
- h. Policies Review Committee (Cr. Nichol) January 23, 2020 Minutes (Receive and File)
- i. Fire Committee (Cr.Keogh) None
- j. OCWA Client Advisory Board (Jonathon Graham) None

10. CORRESPONDENCE

Councillor Nichol then left the room for discussion on Item a due to her previous disclosure of pecuniary interest.

- a. Nicole Fleischauer and Jason Neeb – request for reconsideration of right of way easement on private land.

CAO, Jonathon Graham, provided background information on this matter as well as explained that there was incorrect reference to a sewer line right of way which is actually a private drain connection that is registered on title for the affected properties.

Numerous phone calls have been responded to by staff from Mr. Neeb including an opinion letter from Vic Stellingwerff, CBO as recently as March that Council was provided a copy of. It has been relayed both written and verbally that this is a civil matter and the municipality does not have any jurisdiction over this right of way that is registered on title. Staff advised Mr. Neeb to seek legal advice of which it appears he has and the legal advice is that the right of way cannot be removed from the land deed in favour of 143 Ailsa Craig Main Street. It was agreed that this is an unfortunate matter however it is registered on title and buyers can request searches at the Land Title Office before purchasing to know whether there is any legalities affecting the land. Many land sale transactions are occurring using title insurance only therefore not undertaking searches. This is becoming a more common approach and these are the types of issues that could arise down the road for the landowner.

Council concurred with staff that this is not a municipal matter and that a letter be written in response to Mr. Neeb outlining the same.

b. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs – Security from Trespass and Protecting Food Safety Act, 2020 (receive and file)

Mayor Ropp requested this letter be provided to Council as they had supported a motion in favour of this Bill a while ago. The letter provided status of the new Bill “Security from Trespass and Protecting Food Safety Act, 2020” and encouraged public comments to the Discussion Paper on proposed implementation of regulations.

11. OTHER OR URGENT BUSINESS

a. Report on Removal of Holding Zone – Westwood Estates Phase 1 – CAO

MOTION #198/2020

MCLINCHEY/CORNELISSEN: That the request for the removal of a holding provision ZBA 11-2020 for Phase 1 of the Westwood Estates Plan of Subdivision be APPROVED as the application: satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Municipality of North Middlesex and the County of Middlesex; satisfies the requirements of the North Middlesex Zoning By-law; and, represents sound land use planning.

CARRIED

b.Amendment to Procedural By-law to allow Electronic Meetings and Proxy Voting

The Clerk advised that the County Legal Department has been assisting lower tier municipalities in ensuring their Procedural By-law is taking into account recent legislated changes as a result of COVID 19. These updated will ensure Council is covered in the future should the situation arise that electronic meetings are required in order to maintain operations of the Municipality. There will be a complete new Procedural By-law in the future rather than the amendments to ensure clarity and transparency.

12.COMMUNICATIONS (including County Council)

Deputy Mayor Cornelissen reported on the recent tour of new fire halls in the neighbouring municipalities. This included some members of council along with the Fire Chief and Treasurer. All agreed it was helpful being able to ask questions of the Fire Chief in these facilities. The ability to fill tanker trucks with water in approximately three minutes from some of these facilities was definitely a positive feature. There was then discussion on fire flows in North Middlesex. Mr. Lampman explained the testing exercise the North Middlesex Fire Department was undertaking in collaboration with OCWA to know where adequate fill up points are within the Municipality.

Mayor Ropp advised that there has been success in receiving funding for Fire Halls through "green initiatives" to help offset costs associated with these new projects.

The CAO updated Council on the timing for demolition of the former Hensall Co-op Buildings beside the Parkhill Fire Hall. It is anticipated that this will begin next week. The Fire Chief has undertaken all the required notifications. It was noted that some of these buildings being demolished are very close or on property lines and therefore construction, fencing will be installed to minimize potential risks.

13.CLOSED MEETING (UNDER SECTION 239 OF THE *MUNICIPAL ACT*)

None

14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

None

15.READING OF BY-LAWS

By-law 026 of 2020 Brown Rose Drain (3rd and final)

By-law 045 of 2020 Peters Drain (3rd and final)

By-law 046 of 2020 Turner Eagleson (3rd and final)

By-law 062 of 2020 Campbell Drain (1st and 2nd reading only)

By-law 063 of 2020 Watson Drain – Open Channel Improvements (1st and 2nd reading only)

By-law 064 of 2020 Amendment to Procedural By-law to allow Electronic Meetings and Proxy Voting

By-law 065 of 2020 Westwood Estates Phase 1 – Removal of Holding Zone (Residential Development Westpark Drive Parkhill)

By-law 066 of 2020 Confirming

MOTION #199/2020

MOIR/MCLINCHEY: That By-law #062-066 of 2020 be read a first and second time

CARRIED

MOTION #200/2020

NICHOL/KEOGH: That By-law #026, 045,046,064 - 066 of 2020 be read a third and final time

CARRIED

16.ADJOURNMENT


MOTION #201/2020

MCLINCHEY/KEOGH: That the meeting adjourn at 7:49 p.m.

CARRIED



MAYOR



CLERK