

MUNICIPALITY OF DUTTON/DUNWICH

Minutes of the Council of the Municipality of Dutton/Dunwich held on March 4, 2009, in the Council Chambers, 199 Currie Road, Dutton, Ontario

Present were: Mayor Bonnie Vowel
Deputy Mayor Cameron McWilliam
Councillor John Yokom
Councillor Donald Page
Councillor Ian Fleck
Clerk-Treasurer Administrator Ken Loveland
Deputy Clerk-Treasurer Heather Bouw

Opening of the Meeting

09.04.01 **MOVED by McWilliam and SECONDED by Page THAT the meeting of the Council of the Municipality of Dutton/Dunwich opens at 9:00 a.m.**

CARRIED

Approval of Agenda

09.04.02 **MOVED by Yokom and SECONDED by McWilliam THAT the Agenda be approved as prepared and presented to Council.**

CARRIED

Approval of Minutes

09.04.03 **MOVED by Fleck and SECONDED by Page THAT we approve the Minutes of the February 4th, 2009 meeting as printed and delivered to Council members and the Mayor and the Clerk Treasurer Administrator be authorized to sign same.**

CARRIED

Declaration of Pecuniary Interest

No one declared a conflict.

Correspondence “Copied List #1-17

ITEM	CORRESPONDENCE	PAGE(S)
1	Municipal Health & Safety Association -	1-2
2	2009 Dutton/Dunwich Chamber of Commerce Golf Tournie	3

3	Ministry of Community Safety and Correctional Services	4
4	The County of Prince Edward County, Ontario	5-6
5	Shenanigans	7-8
6	Ontario Association of Fire Chiefs	9-10
7	FCM Members Advisory – Lights out Across Canada for Earth Hour	11
8	Town of Ajax – Resolution	12-13
9	Town of Ajax – Resolution	DUP
10	City of Hamilton – Bill 138, Protection of Public Participation Act, 2008	16-17
11	West Elgin Arena Board Agenda	18-30
12	Monthly Meter Readings	31-33
13	Elgin County – For Immediate Release – Economic Development	34-38
14	Elgin County - Resolution	39
15	MPOWER Meeting Minutes	40-41
16	AMO FYI – Municipal Action on Bottled Water	42
17	AMO – Alert – Proposed AODA Info	43-44

ADDITIONAL COPIED CORRESPONDENCE

ITEM	DESCRIPTION	PAGE(S)
1	AMO – ALERT – Minister Smitherman on Infrastructure and Green Energy Act	1-2
2	Elgin Group Police Services Board - Minutes	3-9

#1 - 17 Received & filed

Council also reviewed a letter from IBI Group regarding The Green Energy Act 2009 Review–to be discussed further at the next Council meeting.

09.04.04 MOVED by McWilliam and SECONDED by Page THAT we approve the January 2009 General Account of \$207,753.58; Roads \$74,513.62; Water \$464,895.68; Recreation \$8,466.29; and Fire Department of \$4,152.26 plus G.S.T. Refund totaling \$784,797.60.

CARRIED

09.04.05 MOVED by Yokom and SECONED by Page THAT relevant correspondence was reviewed.

CARRIED

COMMITTEE REPORTS

Arena Board

Councillor Fleck reported on February 10th meeting. He reported that the majority of outstanding arrears have been collected. Grants for siding and insulation are being investigated. Dressing room improvements as well as constructing a girl's dressing room were discussed. Parking lot expansion was discussed. Money has been allocated in the budget this year if replacement of the fire suppression system is required. Ice rental rates for 2009/2010 will stay the same as last year.

By-Law Enforcement

No report

Chamber of Commerce

No report

Community Policing

No meeting to report on. Are trying to schedule a joint meeting with Port Stanley's committee.

Economic Development

The Ministry of Transportation has applied for building permits for portable washrooms at the 401 service centres.

Emergency Planning

Deputy Mayor McWilliam reported on the meeting he attended at the Keystone Complex regarding pandemic flu information on February 11th. The CFIA will require the Municipality's assistance for road closing, clean-up, etc in the event of an avian flu outbreak.

Fire Department

Councillor Fleck reported that Malahide Township has established a DZ license program which our firefighters can access. Replacement bunker gear has been ordered. Jardine Insurance representative attended the meeting to discuss the municipality's insurance package. Possible training on defensive driving will be investigated.

Health & Safety

Kate Ambrose will be attending a workplace specific training course this week offered by the Municipal Health & Safety Association.

Landfill Site

Nothing to report.

Lower Thames

Council Yokom reported on the February 26th meeting he attended. The Species at Risk Stewardship Fund is an application-based program that provides grants to eligible groups and individuals for activities that support the protection and recovery of species at risk and habitat, use multi-partner approaches, and engage people in stewardship. The 2008 Audited Financial Statements were reviewed. Bonnie Carey presented the annual report. Dereka Snake, First Nations Liaison/Source Protection Technician reported on Drinking Water Source Protection and First Nations initiatives.

Recreation

Deputy Clerk-Treasurer Bouw reported on the February 24th meeting. The group “Big Catch” has been booked for the 2009 Street Dance. A March Break sports program has been organized which includes floor hockey, volleyball, basketball, dodge ball, for a fee of \$2.00 each afternoon.

Senior’s Centre

Councillor Page was unable to attend the meeting.

Trans Canada Trail

Councillor Yokom has spoke with Mel Gowan regarding updating agreements with the landowners. A hike on a portion of the trail has been scheduled for May 14th at 1:30 pm. Active Elgin will be doing some advertisement for the trail as they’ve been in contact with us asking for information.

Tri-County Water

Council discussed the possible transfer of the Iona meter pit. If arrangements cannot be negotiated with West Elgin, we will construct a new meter pit.

ADMINISTRATOR’S REPORT

Water System License

Dillon Consulting is working on our application for the new water license for our distribution system. We will receive copies prior to the next meeting for approval.

09.04.06 **MOVED by McWilliam and SECONDED by Page THAT The Council of the Municipality of Dutton/Dunwich approve the Quality Management System Operation Plan for the Dutton/Dunwich water distribution plant and that the Clerk Treasurer Administrator be authorized to forward the completed application to the Ministry of the Environment for approval.**

CARRIED

Building Canada Fund

Council received copies of the announcement of our approval for the Celtic Line culvert replacement under the Building Canada Fund. The province and Federal Governments will each contribute \$164,000.00 toward this project, and the municipality will have to raise our \$164,000.00 share. This could be generated from the normal road budget, or we could use a portion of the funds we received last fall from the federal government for our portion. Once we have additional information, we will need to decide on the hiring of an engineer to prepare the required plans. Spriet Associates have assisted with the application and price estimates as they had undertaken our Bridge and Culvert Study and already had some of the required information. Council decided that Spriet complete this project and request a price on the required engineering work.

Infrastructure Grants

The Federal Government has announced a major increase in infrastructure allocation to help stimulate the economy. At the last meeting, Council discussed several projects that could be considered for these additional funds. At the recent ROMA/OGRA convention, Deputy Premier Smitherson announced that the province will match the federal funds as part of their budget deliberations. He also indicated that there will also be a second phase of the Building Canada Fund. He also indicated that the ministry will develop policies to address investment for small water systems. Due to these statements, we should expect a very quick turn around time on these applications. Dillon Consulting has been asked to look at some preliminary engineering on our sewage treatment plant improvements, as well as the preliminary costs to install pumping station and sewer extension to serve the eastern portion of our industrial area. The Clerk-Treasurer Administrator has discussed with Spriet Associates to look at our pool building and recreation centre improvements. The Clerk-Treasurer Administrator recommends that both these companies prepare some preliminary cost estimates and work descriptions that would be used to complete the grant applications.

Dutton/Dunwich Horticultural Society

Rita Bouw and Connie Dieleman attended Council to present their plans for 2009. Hanging baskets have been ordered through Family Flowers. Due to unforeseen problems with the roses at Centennial Park, the Memorial Garden is being altered. The Horticultural Society has asked for help to add stone to the gardens around the pool building.. No changes are forthcoming to

the Currie/Miller road garden island. The 2008 financial report was presented to Council. Over 1,400 volunteer hours were documented for 2008.

Tyrconnell Heritage Society

Leta West (President), Susan Patterson (Secretary) and Joanna Skipper (Treasurer) attended Council to request funding. With increased financial help for employment, funds will become available to purchase artifacts, develop the site and carry out programs. Their request will make it possible to increase the Cultural/Manager's hours. Mrs. Patterson stated that the Backus Page House has ongoing events from May to October. Mrs. Skipper reported on the 2008 financial statements.

ADMINISTRATOR'S REPORT – cont'd

Summer Student Position

We have completed the applications for the same number of students as last year. Neither program has changed since last year.

Shenanigans

The Shenanigans Group has made a request to the Elgin Association for Community Living to extend their funding on a temporary basis. To date, no answer has been received. It is the position of the E.A.C.L. that due to budget shortfalls, they cannot continue to provide financial and support services to the same level as in previous years. Shenanigans will lose approximately \$750.00 in monthly funding from the E.A.C.L., and they will be forced to raise this money through other sources. Council considered a grant to assist Shenanigans with their operational expenses.

Sale of Dutton Hydro Limited

Council received copies of the Decision and Order of the Ontario Energy Board which approves the sale of Dutton Hydro Limited, as well as Newbury Power Inc to Middlesex Power Distribution Corporation. Now that we have received OEB approval, we can proceed to complete this transaction.

Temporary Facilities at Service Centre

Although we have not received a direct response from the Ministry of Transportation regarding our letter (which was forwarded to them by our M.P.P.), some action has been taken. The process of applying for a building permit has been undertaken. We have also been provided with a copy of correspondence to the Ministry of Environment requesting that the Certificate of Approval be transferred to the Ministry of Transportation. Hopefully these facilities will help resolve the problems.

WATER DEPARTMENT

Water Operator's Report

Bob Leitch attended the meeting. Truck #111 has had the box liner sprayed and it has been undercoated. Tool boxes and radio will be installed as soon as possible. A water training course is being attended by Archie and Brad this week. Both contractors are working, and the Thamesview/Celtic section is ready for tie-ins, allowing customers to be connected. Pressure testing and chlorinating of Duff Line west is underway today.

COMRIF Project

Contract #1 which is made up of the bores under Highway 401 and short sections of pipe is substantially complete.

Contract #2 which is made up of the larger diameter pipe on Coyne and Stride/Cowal is nearing completion. The entire pipe is laid, however, the bores still have to be completed. Robinson Drainage would like to install the lines on the Dunborough, Silver Clay and Thompson Loop while there is still frost in the ground. This causes less damage on the recycled asphalt.

Contract #3 which is the north smaller diameter lines is further along. They have started testing and flushing of some of the lines.

Contract #4 which is made up of the small diameter lines in the south portion of the municipality is the portion that is the furthest behind.

Fire Underwriter's Survey

The Clerk-Treasurer Administrator has been contacted by a representative from Fire Underwriter's Survey. This organization establishes fire insurance and grading classifications from single family dwellings, commercial, industrial and institutional properties. They are considering implementing a review of our municipality to upgrade our rating. The rating is based on our water supply and fire department. The necessary documents will be completed as soon as possible.

Endangered Species Act 2007

Ralph Beharrell, Kevin Englehart and Ken Loveland attended an information session on the new Endangered Species at Risk Act passed by the provincial government. This legislation will require that we check to ensure that any construction project we are planning to undertake does not have any effect on species identified under the Act. If work may have an effect on an endangered species, a permit will be required from the Ministry of Natural Resources. Council received copies of the species at risk in Elgin County. This new provincial legislation is intended to be harmonized with the federal legislation in the near future. This will, of course, make a new requirement which will have to be addressed before any major construction projects are undertaken.

Shackleton Street Parking Issue

Council again discussed various options regarding the parking/hydro pole/guide wire issues on Shackleton Street.

ROAD DEPARTMENT

Road Superintendent's Report

Assistant Road Superintendent Kevin Englehart attended the meeting. He reported that heavy snowfall and windy conditions have kept staff busy with winter control, having a total of 14 winter events in February. Winter sand has been restocked, sign post replaced, hazardous tree removal, grading. Staff assisted Middlesex County with closing Iona Road due to flooding.

Road tour has been scheduled for Tuesday March 31st – 8:30 a.m.

Equipment Report

Council reviewed the equipment report prepared by the Asst Road Superintendent.

Drainage Superintendent's Report

Ralph Beharrell attended the meeting to give his final report before retirement. Construction on the Brown-Iona Road drain is close to completion. Badger Daylighting to investigate possible tree root restrictions on Lions Road drain.

Bid-Rigging

Councillor Page attended a bid-rigging workshop while at ROMA/OGRA. He gave information to Council for their consideration for future tenders, bids or quotes.

09.04.07 MOVED by Yokom and SECONDED by McWilliam THAT By-law 2009-14, being a by-law to authorize the Mayor and the Clerk Treasurer Administrator to sign an agreement with the Township of Southwold to enter into a contract to purchase Drainage Superintendent services be read a first, second and third time and passed.

CARRIED

Proposed By-Laws

09.04.08 MOVED by Page and SECONDED by Yokom THAT By-law 2009-11, being a by-law to authorize the Mayor and the Clerk Treasurer Administrator to enter into a Lease Agreement with Deborah Henning for 231 Miller Road, Dutton, be read a first, second and third time and passed.

CARRIED

09.04.09 **MOVED** by McWilliam and **SECONDED** by Fleck **THAT** By-law 2009-13, being a by-law to appoint a Drainage Superintendent be read a first, second and third time and passed.

CARRIED

Closed Session

09.04.10 **MOVED** by Yokom and **SECONDED** by Fleck **THAT** the meeting adjourn to sit as an in-camera session to discuss personnel and legal matters for identifiable individuals.

CARRIED

09.04.11 **MOVED** by Fleck and **SECONDED** by Yokom **THAT** the Council Meeting reconvene at 3:10 p.m.

CARRIED

Council discussed job performance reviews.

09.04.12 **MOVED** by Yokom and **SECONDED** by Fleck **THAT** the meeting adjourn to sit as a Public Meeting under the Planning Act.

CARRIED

PUBLIC MEETING

09.04.13 **MOVED** by McWilliam and **SECONDED** by Yokom **THAT** the Public Meeting to consider an application to amend the zoning on a portion of Lot 12, Concession 2 filed by Carl McLeod & Sons Limited opens at 3:10 p.m.

CARRIED

Carl McLeod & Sons Limited Rezoning

Carl McLeod attended the meeting. The purpose of this by-law is to change the zoning on a 2.6 hectare (6.4) parcel of land from the Large Lot Agricultural (A3) Zone to the Special Rural Residential (RS) Zone, and to change the zoning on 37.3 hectares (92 acres) of land from the Large Lot Agricultural (A3) Zone to the Special Agricultural (A2) Zone in the Zoning By-law of the Municipality of Dutton/Dunwich #2004-24. The subject lands are located on the north side of Duff Line, west of Currie Road, in Part Lot 12, Concession 2, in the Municipality of Dutton/Dunwich. The Clerk-Treasurer Administrator informed all present that notices of this public meeting had been mailed to all land owners and agencies having an interest, as per the requirement under The Planning Act. Correspondence was received from L.T.V.C.A. with no objections being noted.

09.04.14 **MOVED** by Yokom and **SECONDED** by Fleck **THAT** the Public Meeting to consider an application to amend the zoning on a portion of Lot 12, Concession 2 filed by Carl McLeod & Sons Limited closes at 3:15 p.m.

CARRIED

PUBLIC MEETING

09.04.15 **MOVED** by Page and **SECONDED** by McWilliam **THAT** the Public Meeting to consider an application to amend the zoning on a portion of Lots B & C, Concession 5 South of A filed by Ralph and Ruth Dodds open at 3:30 p.m.

CARRIED

Ralph Dodds Rezoning

No one attended the meeting. The purpose of the proposed amendment is to change the zoning on a parcel of land situated on the west side of Iona Road, part Lots B & C, Concession 5 South of A, in the former Township of Dunwich. The subject land was part of severance application #E79/08. The house lot will be rezoned to Special Rural Residential (RS). The surrounding agricultural portion of property, which is currently zoned Large Lot Agricultural (A3) will be rezoned to Special Agricultural (A2). This zoning would prohibit the construction of any new residences on the property. The Clerk-Treasurer Administrator informed all present that notices of this public meeting had been mailed to all land owners and agencies having an interest, as per the requirement under The Planning Act. Correspondence was received from L.T.V.C.A. with no objections being noted.

09.04.16 **MOVED** by Page and **SECONDED** by McWilliam **THAT** the Public Meeting to consider an application to amend the zoning on a portion of Lots B & C, Concession 5 South of A filed by Ralph & Ruth Dodds closes at 3:40 p.m.

CARRIED

09.04.17 **MOVED** by Fleck and **SECONDED** by Yokom **THAT** the regular session reconvene.

CARRIED

Building Permits/Septic permits

Council reviewed the summary of building permits and septic permits for 2008, prepared by Lorne McLeod. Permit construction value is up with the number of houses remaining at 12, with an additional 30 senior apartments. Twelve septic permits were issued this year. 187 hours were spent on emergency management. All necessary documentation to maintain the essential level of compliance were completed and submitted. The Ministry has given no further direction, or

passed regulations to make it mandatory to proceed beyond the essential level at this time. Only minor change (energy related) to the Ontario Building Code are to be implemented for 2009. Caledonia II is nearing full completion and apartments are ready for occupancy.

Grass Cutting

Council reviewed the quote from SAW Landscaping for our 2009 grass cutting requirements. There are no price increases for the 2009 season. Council accepted this quote.

09.04.18 **MOVED by Yokom and SECONDED by Fleck THAT By-law 2009-15, a by-law to amend by-law 2004-24 as it effects a portion of Lot 12, Concession 2, be read a first, second and third time and passed.**

CARRIED

09.04.19 **MOVED by Fleck and SECONDED by Yokom THAT By-law 2009-16, a by-law to amend by-law 2004-24 as is effects a portion of Lots B & C, Concession 5 South of A, be read a first, second and third time and passed.**

CARRIED

09.04.20 **MOVED by McWilliam and SECONDED by Page THAT the Council of the Municipality of Dutton/Dunwich recommends that the County of Elgin Land Division Committee approve Application E4/09 filed by Ralph Oliver Dodds and Ruth Eunice Grace Dodds since this is a resubmission of a previous application and all our conditions remain the same being:**

- 1. That both the severed and retained portions be rezoned in accordance with the Official Plan.**
- 2. That the applicant be responsible for any engineering costs incurred by the Municipality to split existing drainage assessments.**
- 3. That the owner have the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage system.**
- 4. That the severed portion must be registered in the name of Ralph Oliver Dodds and Ruth Eunice Grace Dodds.**

CARRIED

Community Access Program

Mary Lou McMillan and Jessica Mead (CAP worker) attended Council to make a presentation about the Community Access Program . There are 2 new resources at the John Kenneth Galbraith Library – Career cruising and Auto repair reference centre. Jessica offers 1-on-1 one hour computer lessons.

The library also offers the following services:

- Printing/scanning
- Free computer lessons
- Free wireless internet
- Microsoft office
- Children's computers
- Online card catalogue
- Ancestry & heritage quest
- New library
- Play aways
- Career cruising
- Service Ontario
- CAP webpage

Next Meeting

Wednesday Mar 18th – 5:00 p.m.

09.04.21 **MOVED** by McWilliam and **SECONDED** by Yokom **THAT** By-law 2009-12, being a by-law to confirm the proceedings of the Municipal Council of the Corporation of the Municipality of Dutton/Dunwich be read a first, second and third time and passed.

CARRIED

Adjournment

09.04.22 **MOVED** Yokom and **SECONDED** by Fleck **THAT** the meeting of the Council of the Municipality of Dutton/Dunwich adjourn at 4:55 p.m.

CARRIED

Mayor

Clerk Treasurer Administrator