

TOWNSHIP OF HOWICK
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 6th, 2009 AT 7:00 P.M.
AT THE HOWICK TOWNSHIP COUNCIL CHAMBERS

MINUTES

Attendance:

Council Members

Max Demaray, Reeve
Linda Henhoeffer, Councillor
Art Versteeg, Councillor

Andrea Yungblut, Deputy Reeve
Randy Scott, Councillor

Staff

Ronna Lee Johnson, Clerk

Mark Farinha, Treasurer/Tax Collector

CALL TO ORDER

Reeve Demaray called the meeting to order at 7:00 pm.

DECLARATION OF PECUNIARY INTEREST

The Reeve noted that if any member wished to declare a pecuniary interest regarding any matter on the agenda, it could be done at this time, when the matter arises, or both.
None declared at this time.

APPROVAL OF MINUTES

Copies of draft Minutes of the Regular Council Meeting held September 15th, 2009 were circulated in the Council package.

MOTION #288/09

Moved by Scott

Seconded by Yungblut

THAT Howick Township Council hereby approves the minutes of the Regular Council Meeting held on Tuesday, September 15th, 2009, as circulated. CARRIED

DELEGATIONS

MOTION #289/09

Moved by Yungblut

Seconded by Scott

THAT Howick Township Council at this time (7:01 pm) closes this portion of the October 6th, 2009 Regular Meeting of Howick Township Council in accordance with the *Municipal Act, 2001, Section 239 (2) (b), (d), and (e)* to deal with personal, personnel and potential legal matters. CARRIED

Issues Dealt with in Closed Session

1. Lorna VanderPloeg, By-Law Enforcement Officer – Continued non-compliance
2. Bill Doig, Howick Fire Department – Offer of Employment

MOTION #290/09

Moved by Versteeg

Seconded by Yungblut

THAT Howick Township Council now re-opens the October 6th, 2009 Regular Council meeting to the public at this time (8:16 pm pm). CARRIED

DELEGATIONS – Continued

2. Bill Doig, Howick Fire Chief – Re: Morris-Turnberry Request for Fire Services

Council requested Chief Doig's comments on the 'Request for Proposal' for Fire Emergency Protection Services received yesterday from the Municipality of Morris-Turnberry.

Regarding the area proposed to be covered by the Howick Fire Department, Chief Doig advised that it would not be feasible for Howick to respond to the area south of Highway 86, which is closer to the Brussels Fire Station.

The level of protection required includes "Basic Medical Assist – Tiered response", and "Advanced Medical Assist with defibrillation". Chief Doig noted that Howick Fire Department is not equipped to provide such services at this time. As well, Howick will be able to provide manual vehicle extrication only.

It was noted that adding coverage area will require changing the emergency dispatch contract, which will incur costs. Chief Doig will contact Hanover Dispatch to get information about what the costs would be.

Council briefly discussed fees, generally deciding that a retainer would be formulated based on the area covered, services and equipment provided, extra costs for dispatch changes, etc. At this time, Council would consider entering into a 1-year contract only, rather than the requested 5-year contract.

The matter will be further discussed at the next Council meeting, when the preferred coverage area will be decided, and information about extra costs is available.

Chief Doig reported that he has received an old laptop computer (surplus from Huron County Ambulance service) that could be transported and used on site for checking address and location information, and he asked about the status of obtaining use of the Fire Pro software program currently being used by Wingham. The matter will be raised at the next Fire Board meeting.

Reeve Demaray thanked Chief Doig for his attendance and input, and Mr. Doig left the meeting at this time (9:05 pm).

TREASURER'S REPORT

The following report and supporting information were circulated in the Council package:

Wingham Area Fire Board & Morris-Turnberry Resolutions

Attached is correspondence from Nancy Michie in this regard. The whole document seems to need some modifications. Specifically:

- a) They say they will not accept any of the assets and then
- b) They are asking the Board for their share of the assets. The fact is that if they are going to get a cash payout, they are going to get an asset.
- c) The amount they are requesting, \$420,790.20, does not recognize the withdrawal of the 1981 pumper and 7 ladders for sale.
- d) In Part 2 of the letter they are asking for their share of the Reserves and Working Funds which from an accounting point of view is impossible. First, they should be asking for their share of Reserves plus the Operations Surplus. Secondly, these numbers will not be finalized at December 31st, 2009. The WAFB books (after distribution of hard assets and cash) need to be closed and audited before final hard numbers are available i.e. their operations need to be finalized before a final distribution can occur. This final distribution of operational results will not be possible until April/May 2010. Hence, for these two reasons this Part 2 Resolution is unworkable.

What Morris Turnberry is asking for, and what the Board will give them and when, is a matter these two parties will have to work out and resolve on their own.

It was pointed out that the resolutions were passed by Morris-Turnberry Council before they had received correspondence from Howick regarding adjustments to the Wingham Area Fire Board Asset Appraisals.

Council directed that Treasurer Farinha and Reeve Demaray meet with Morris-Turnberry's Administrator and Mayor prior to the next Fire Board meeting in order to explain the proposed adjustments, to give them an opportunity to amend the figures in the resolution.

PRISM Invoice sent to Huron County

An invoice was sent to Huron County for costs (\$376.91) incurred by Howick Township (distribution of PRISM data forms). David Lew, Manager of County EMS, wrote us advising he will not authorize payment. I cannot say I agree with Mr. Lew's assertions in his letter. This is a cost incurred by Howick for a County program, and from a business perspective the cost should be paid by the County. If Mr. Lew refuses to pay the bill, the amount due can be deducted from their tax installment.

What does Council wish to do - cancel the invoice or press for payment?

Treasurer Farinha added that the issue of costs was raised at a County Clerks & Treasurers meeting, but Mr. Lew chose to ignore the concerns voiced.

Council directed the Treasurer to continue to petition the County for payment of the account.

Municipal Employer Pension Centre of Ontario (MEPCO)

Correspondence is attached from the Municipal Employer Pension Center. MEPCO is a Corporation set up by AMO to provide advice on OMERS.

MEPCO will soon be requesting funds to support their work. MEPCO has a Board of 14 Directors. It looks like their compensation is \$162K per year or 39% of total expenses. The Board then hired Consultants, paying them \$112K or 27% of the total expenses.

We are members of AMO and pay them an annual membership fee. If AMO wishes to set up another line of oversight committees then AMO should provide the funds for their operation.

Accounts Payable

The attached Accounts are presented for Council’s review and approval.

MOTION #291/09 **Moved by Scott** **Seconded by Versteeg**
THAT Howick Township Council hereby authorizes payment of accounts in the amount of **\$228,233.97** under date October 6, 2009 as cheques #8482 to #8525 inclusive, as presented and discussed at the Regular Council meeting held October 6th, 2009. **CARRIED**

PUBLIC WORKS CO-ORDINATOR’S REPORT

The following report as at October 2nd and supporting documentation were provided at the Council Meeting:

ROADS

PUBLIC WORKS STAFF OPERATIONS

- Second round of grass cutting complete
- Construction on Gough Road
- Grading
- Winter Sand is in storage

FORDWICH STREET CONSTRUCTION

The Murray Group are to be back in sometime next week to finish paving. The sidewalks and curbs should be complete this week. Driveways, boulevards, lawn restoration, etc. is progressing slowly.

GOUGH ROAD CONSTRUCTION

Construction started on September 30th. A list of the bidders and their prices is enclosed. D’Arcey Sand & Gravel Limited was awarded the aggregate bid. Hohnstein Excavating is supplying the trim dozer, Gerald D’Arcey Construction is supplying the main excavator and Ace Strong would be the second excavator if/when required. McKercher, Nicholson and JRT will be supplying trucks as required.

BUILDING

ANNUAL CONFERENCE

I will be attending the Ontario Building Officials Association Conference and Training Sessions in Huntsville from October 4th – October 7th, and will not be at the October 6th meeting.

DRAINAGE

BOLTON MUNICIPAL DRAIN

Work on the County Road culvert is complete. The open portion and Branch “D” are substantially complete. Work on Branch “E” is progressing and is near completion. Councillor Versteeg verified that Branch ‘E’ was completed today.

DRAINAGE ENGINEERS CONFERENCE

Information on this conference is enclosed. Request permission to attend.

MOTION #292/09 **Moved by Scott** **Seconded by Yungblut**
THAT Howick Township Council hereby authorizes the Public Works Co-ordinator to attend the annual Drainage Engineers Seminar and Conference being held in Guelph October 29th – 30th, 2009, and agrees to pay the registration fee of \$194.25 and any other costs associated with his attendance at this event. **CARRIED**

PLANNING AND DEVELOPMENT

COUNTY OF HURON – Notice of Public Meeting

Enclosed is the notice of the meeting. The Draft Plan is available if you wish to have a look at it.

TOWNSHIP OFFICIAL PLAN & ZONING BY-LAW – Notice of Meetings

A copy of the notice is enclosed.

LANDFILL

WEST NILE

Over the last number of years, we have received a \$3,000.00 grant for tire removal at the landfill site. This year we will only get \$1,500.00.

CORRESPONDENCE (Information only)

- MNR – Information on the Endangered Species related to agreements with municipalities
- OMAFRA – Information on Agreements with MNR for the Endangered Species Act
- Ontario Aggregate Resources Corporation – Township share of pit fees
- County of Huron – Information from the Area Weed Inspector
- Union Gas – Information on an application by Union Gas for a rate increase. We only have a small area along Highway # 9 where gas service is available.
- MOE & OMAFRA – Information regarding new rules for non-agricultural source materials

CLERKS REPORT

The following report as at Oct. 2nd and copies of supporting information were circulated in the Council package:

ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA)

1. AMO Responds to Initial Proposed 'Built Environment' Standard

Attached is a copy of AMO 'Alert' No.09/067 providing background information and an outline of the Association's response to the proposed Accessible Built Environment Standard under the AODA. AMO believes that *"the financial burden and expectations the proposed Standard places on municipalities will not only undermine the objectives of the Act (AODA)",* and will *"conflict with the provincial objective of "Open for Business".*

AMO is strongly encouraging municipalities to respond to the Public Review on the proposed Built Environment Standard. The Deadline is Oct. 16th, 2009.

2. AODA 'Customer Service' Standard Training Sessions

The following dates, times and places have been arranged for the Customer Service training sessions:

- Thursday, October 22, 2009 – 7:00 p.m. at the Blyth Fire Hall
- Monday, November 9, 2009 – 7:00 p.m. at the Wingham Fire Hall
- Tuesday, November 17, 2009 in the North Huron Township Council Chambers
 - 2 sessions: 3 p.m. and 5 p.m.
- Wednesday, November 18, 2009 in the Hot Stove Lounge at the North Huron Wescast Community Complex, Wingham - 2 sessions: 11 a.m. and 1:00 p.m.
- Thursday, November 19, 2009 - 7:30 p.m. in the Gorrie Fire Hall

Information about the Customer Service Standard, the training requirements and the schedule will be circulated to all departments and local boards, with a request to indicate which training session is preferred.

The total costs of the training will be calculated, and shared on a "per person" basis.

EMERGENCY MANAGEMENT

1. Huron County Emergency Management Committee

Attached for your information is a copy of Minutes of the HCEMC meeting held Sept. 22nd.

2. Annual ECG Training and Exercise

In order to fulfill our requirements for annual compliance, we must complete the Emergency Control Group annual training and exercise by the end of the year. I have contacted Gary Wood, County CEMC, asking if he would facilitate a training day for us, but I haven't as yet received a response.

3. Appointment of Alternate CEMC

Bill Doig and Dale Edgar completed the Basic Emergency Management Course in September, and Bill has agreed to be appointed as Alternate Community Emergency Management Co-ordinator. A resolution of Council is required to authorize the appointment.

Clerk Johnson advised that this matter will be dealt with at the next Council meeting, after Chief Doig begins his duties with the Township.

Association of Municipal Managers, Clerks & Treasurers (AMCTO)

The Fall Meeting of AMCTO Zone 2 will be held in Mount Forest on October 15th. The agenda (copy attached) includes a presentation on 'Funding Programs' and a workshop/panel discussion on 'Accessibility – Are We on the Right Track?' Treasurer Farinha and Clerk Johnson request authorization to attend.

MOTION #293/09

Moved by Henhoeffler

Seconded by Versteeg

THAT Howick Township Council hereby authorizes the attendance of Clerk Johnson and Treasurer Farinha at the AMCTO Zone 2 Fall Meeting to be held in Mount Forest on Oct. 15th, and agrees to pay the registration fee of \$40.00 each, and any other costs associated with their attendance at this event.

CARRIED

Senior Staff - Annual Performance Evaluations

It is time again for Council to conduct performance evaluations for the Senior Staff. A Council committee should be appointed to arrange the necessary interviews.

MOTION #294/09 **Moved by Scott** **Seconded by Versteeg**
THAT Howick Township Council hereby appoints the following Council members to arrange and conduct the 2009 performance evaluations for the senior staff: Reeve Demaray; Deputy Reeve Yungblut. CARRIED

CORRESPONDENCE REQUIRING COUNCIL ACTION

1. **Association of Municipalities of Ontario (AMO)** – AMO has released a Draft Paper re. ‘The Case for Joint and Several Liability Reform in Ontario’. AMO is asking municipalities to provide feedback, by October 16th, in support of this issue, such as:

- Examples where services offered to the public have been cut or reduced as a result of liability or risk management concerns;
- Examples of judgments awarded against municipalities where joint and several liability was an issue or where out-of-court settlements were reached because of it;
- Any other thoughts or comments.

A copy of the AMO ‘Alert’ No. 09/064 and the draft paper have been included separately in your package for easy reference. If Council could review the information, and would like to respond, please provide your comments to me prior to the next meeting, and we will prepare a draft submission for the next Council meeting.

During discussion, some examples of Howick being affected by ‘joint and several liability’ were noted, including a liability claim against a Local Board, and the increased costs and workload associated with implementing and enforcing risk management policies such as the Municipal Alcohol Policy.

2. **Lisa MacLeod, MPP** – circulating a petition to “Stop the Harmonized Sales Tax”. Noted and discussed. Action: File

3. **Wroxeter Hall Board** – has provided an updated listing of Hall Board members, and advised that Maureen Scott has resigned, and the new Treasurer is Richard Orr who works at Howick Mutual Insurance. A resolution is required to appoint the new members.

MOTION #295/09 **Moved by Yungblut** **Seconded by Scott**
THAT Howick Township Council hereby amends By-Law No. 13-2009, to appoint the following as members of the Wroxeter Hall Board effectively immediately:
- Richard Orr, Treasurer
- Louise Edgar
- Dianne McArthur
- Carol Edgar CARRIED

MUNICIPAL RESOLUTIONS - None

BY-LAWS - None

CLOSED SESSION ITEMS

- Minutes of the closed sessions held September 15th and September 16th, 2009
- By-Law Enforcement Officer’s Reports
- Legal Matter – Statement of Claim

COMMITTEE REPORTS

Belmore Community Centre Board - No Report

Coalition for Huron Injury Prevention (CHIP) - next meeting Oct. 21st

County of Huron

Reeve Demaray reported:

- Two days have been devoted to the Organizational Review, when Department Heads presented information about their respective departments. Another such meeting will be held for this purpose. No recommendations have been formulated at this point in the process.
- Today County Council went on the annual Road Tour, to view the various projects that have been undertaken throughout the County.

Huron Bruce Transit

Councillor Scott reported from the Annual Meeting held last evening:

- The new Board was appointed, with 2 new members joining.
- The Board is struggling to find and retain new members.
- Although funds are available to purchase a new vehicle, discussion focused on whether the purchase can be justified when ridership is low and the enterprise continues to operate at a deficit.
- The Morris-Turnberry Administrator will contact the Ministry to have a representative attend the next Board meeting to discuss what changes can be made to improve operations. It is apparent that while such a program may work well in cities where there is greater demand for the service, it is not practicable in this area, where there are few riders, and costs of operation exceed the income.

Huron County Farm and Home Safety - no report

Maitland Valley Conservation Authority (MVCA)

Copies of the following were circulated in the Council package:

- Minutes, Board of Directors Meeting #7/09 (amended) August 5, 2009
- Minutes, Board Hearing #2/09, #3A/09, #3B/09 (amended) August 5, 2009

Councillor Versteeg reported from the Special 5-year Strategic Plan Meeting:

- The consensus is the Board would like to focus more resources on 'conservation' activities, and less on other mandated regulatory functions.
- In recent years the Province has downloaded many additional duties that should not be the responsibility of Conservation Authorities, but did not increase funding accordingly.
- The past 5 years have seen an annual levy increase of 8%, which is unfair to local municipalities. The Province should be providing more funding.
- The Authority would like to carry out more programs such as tree planting, and controls to reduce flooding. It is estimated that the MVCA watershed has a 16.8% tree cover, whereas 25% is desirable.

MVCA General Manager has expressed concern about the residence located at the corner of Victoria and Mill Streets in Gorrie, which is situated in flood zone. It was noted that the Health Inspector was in recently to assess the condition of the house.

Saugeen Valley Conservation Authority (SVCA)

Councillor Scott reported from the SCVA Strategic Plan consultation meeting held in Walkerton on Sept. 24th:

- The subject of amalgamation of Conservation Authorities was discussed.
- Funding is a major issue. It was agreed that Conservation Authorities cannot continue to increase local tax levies.
- The Authority is attempting to clarify the process for development approvals.

MVCA Source Water Protection (SWP) - no report

SVCA Source Water Protection - Minutes of Meeting #18 July 24th, 2009 were circulated in the Council package.

Wingham Area Fire Board (WAFB)

Copies were circulated in the Council package of Howick's correspondence, supporting financial statements and notes to the Wingham Area Fire Board in response to North Huron's "Asset Adjustment List": Copies of this information were also sent to the CAO/Clerk and all Council members of North Huron, and to the Administrator and all Council members of Morris-Turnberry.

NB

1. See 'Delegations' – Bill Doig, for discussion of request from the Municipality of Morris-Turnberry for provision of Fire Services.
2. See 'Treasurer's Report' for discussion of resolutions from the Municipality of Morris-Turnberry concerning disposition of assets of the Wingham Area Fire Board.

COUNCILLORS ISSUES

50th Anniversary Celebration (Dinsmore)

Reeve Demaray advised that, due to a memorial service for a family member, he will be unable to attend the Anniversary Celebration for the Dinsmore's on Oct. 10th. Councillor Henhoeffler offered to deliver the Certificate of Recognition on behalf of the Township.

Request for Endorsement

Reeve Demaray advised that he had received a request from a member of the Mennonite Community asking the Township to provide a letter of endorsement to facilitate the entry of US immigrants to assist him with his market garden operation. Although it was not clear what he was expecting from the Township, it was generally agreed that the Township has no authority regarding immigration matters, and that he might be better served by contacting the MP.

Shrubbery at Howick Community Centre

Reeve Demaray noted that he has received further comments about the over-grown shrubbery at the Community Centre. Councillor Henhoeffler reported that trimming was done recently.

CLOSED SESSION

MOTION #296/09

Moved by Scott

Seconded by Yungblut

THAT Howick Township Council at this time (10:35 pm) closes this portion of the October 6th, 2009 Regular Meeting of Howick Township Council in accordance with the *Municipal Act, 2001, Section 239(2)(b),(d),(e),(f)*, to deal with personal and legal matters. CARRIED

Matters Discussed in Closed Session

- Minutes of Closed Session of September 15th (approved by Resolution #297/09) and Minutes of Closed Session of September 16th 2009 (approved by Resolution #298/09)
- Property Standards and By-Law Enforcement
- Legal Matter – Statement of Claim

MOTION #299/09

Moved by Versteeg

Seconded by Yungblut

THAT Howick Township Council now re-opens the October 6th, 2009 Regular Council meeting to the public at this time (10:47 pm). CARRIED

CORRESPONDENCE (FOR INFORMATION ONLY) (copies attached)

- Association of Municipalities of Ontario (AMO)**
 - Alert No. 09-066 – Green Energy Regulations will impact municipalities; five of *Ten Steps to Green Energy* impacting municipalities summarized.
 - AMO / LAS – ‘Connections’ Energy Conference in Markham Nov. 16-17, 2009.
- Minister of State Transport** – response to resolution concerning rural postal service.
- Ministry of Environment** – *Waste Reduction Week* in Canada Oct. 19-25, 2009
- Ontario Backflow Prevention Association** – 7th Annual Conference Nov. 18th in Concord.
- MUSH Capital Corp** – launching ‘Fire & Emergency Services Program’ providing financing options for emergency capital equipment.
- Ontario Provincial Police** – Check your 911 signs; Remove valuables and lock your vehicle.
- Biomass Innovation Centre, Nipissing University** – Hosting international conference Oct. 22-23

CORRESPONDENCE forwarded via E-Mail (Sept. 14 – Oct. 2, 2009) (No copies attached)

- Association of Municipalities of Ontario**
 - Alert No. 09/065 – Ontario Government hosting sessions on Broadband Funding Sept. 28-30.
 - AMO ‘Counties, Regions & Single Tiers’ Conference – Oct. 18-20 in Ajax
 - AMO/LAS Town Hall Sessions – to learn about existing and new AMO/LAS programs
- Tim Hudak, Opposition Leader** – outlines PC priorities in speech to Economic Club of Toronto.
- Ministry of Environment/Agriculture & Food** – New rules for Non-Agriculture Source Materials.
- Ministry of Municipal Affairs & Housing** – e-news Update, September, 2009
- Ontario Ombudsman** – *The Watchdog* e-newsletter, Issue 7, Sept. 2009
- Ontario Good Roads Association** – New law effective Oct. 26th makes it illegal for drivers to use hand-held devices while driving.
- Federation of Canadian Municipalities** – ‘Green Municipal Funds’ (GMF) available to use as municipal share of stimulus projects.
- Municipal Waste Association** – offering free training for municipal recycling staff Oct.26-30.
- Mosey & Mosey** – Group Benefits News, October, 2009
- County of Huron** - Warden’s Economic Development Task Force – October 8th Agenda, including presentation re. Renewable Energy Initiative.
- Centre for Applied Renewable Energy** – Report about Transition Town Training held in Clinton.
- Municipal World** – electronic October issue of *Municipal World* magazine.
- Huron Federation of Agriculture** – Annual Meeting & Dinner, Oct. 22nd at Seaforth Agriplex.
- Ward & Uptigrove** – 2009 Fall Newsletter
- Huron Business Development Corp**
 - “Better Business” Seminar Series Fall listing
 - Next “Better Business” Seminar “*Mixed Mediums and Muddled Messages*” Sept. 30th in Clinton.
 - Next “Better Business” Seminar “*Feng Shui: Ancient Merchandising Made Easy*” Oct. 7th Clinton.
 - ‘*Business & Work in Huron County*’ Sept. newsletter

- "Bridges to Better Business" event in Goderich on October 28th.

p) **Huron Tourism**

- South Huron Chamber of Commerce Golf Tournament Sept. 25th at Ironwood Gold Course.

- Huron County Hiking Guide to be revised and ready for April, 2010.

- Town of Goderich launches new website www.goderich.ca

- Savour Stratford Perth County Culinary Festival Sept. 26-27th

- Huron Ridge Acres Autumn Gardening newsletter Sept. 2009

- Giller Winning Author Bonnie Burnard and first-time novelist Cathy Marie Buchanan will read at at the Bayfield Town Hall on Oct. 6th at 7:00 pm.

ADJOURNMENT

MOTION #300/09

Moved by Versteeg

Seconded by Henhoeffter

THAT Howick Township Council now adjourns the October 6th, 2009 Regular Meeting of Howick Township Council at 10:48 pm, with Council to meet again at the Regular Council Meeting scheduled for Tuesday, October 20th 2009 at 7:00 p.m., or at the call of the Chair.

CARRIED

REEVE

CLERK