



TOWNSHIP OF
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes August 10, 2021

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 10th day of August 2021, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting was held electronically as per By-Law 37-2021, Section 3.10 which allows for Electronic Participation of Council Meetings.

The following individuals were participants during the Council Meeting:

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen
Bill Vanstone

Staff Present

CAO/Deputy-Clerk
Community Support & Project Co-ordinator
Public Works Superintendent
Treasurer
Chief Building Official
Clerk

Mark Becker
Kaitlin Bos
Thomas McCarthy
Ellen McManus
Brett Pollock
Florence Witherspoon

County of Huron Planner

Celina Whaling-Rae

OTHERS PRESENT VIA ZOOM (Viewing and Observing Only): Lakeside Shelving & Racking, Ken Brindley, Christine Mitchell, Darryl Mitchell, Evan Hickey, Dan Kerr, Gina McDonnell, Joy Lindsay, Karen Hutchison, Barry Hutchinson, Kimberly Prior, Montgomery Prior, Patti, Susanne Cutting, and Charlene Schramm.

Deputy-Mayor Roger Watt left the meeting at 9:30 a.m. due to a prior commitment.

1.0 **CALL TO ORDER**

The municipality will be recording this meeting to “ensure meetings can be open to the public”.

2.0 **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None disclosed.

3.0 **ADOPTION OF PREVIOUS MEETING MINUTES**

3.1 Council Meeting Minutes – July 13, 2021

Moved by Miltenburg
Seconded by Forster

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the July 13, 2021 Council Meeting Minutes as written.

Carried.

3.2 Council Meeting Minutes – July 26, 2021

Moved by Snobelen
Seconded by Fisher

ADOPT #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the
COUNCIL July 26, 2021 Council Meeting Minutes as written. Carried.
MINUTES

3.3 Council Meeting Minutes – August 3, 2021

Moved by Watt
Seconded by Vanstone

ADOPT #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the
COUNCIL August 3, 2021 Council Meeting Minutes as written. Carried.
MINUTES

4.0 **OPEN FORUM (items pertaining to the agenda)**

None.

5.0 **DELEGATIONS**

5.1 9:00 a.m. - Celina Whaling-Rae / County of Huron Planner

Zoning By-Law Amendment Application – File Z09-21 / Kimberly & Montgomery Prior

Moved by Forster
Seconded by Watt

ADJOURN #4 THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns
COUNCIL their Council Meeting. Carried.
MEETING

Moved by Watt
Seconded by Miltenburg

OPEN #5 THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the
PUBLIC Planning Advisory Committee Public Meeting to consider the Zoning By-
MEETING Law Amendment application made by Kimberly & Montgomery Prior. Carried.

We have provided Council with the report prepared by the County Planner, Celina Whaling-Rae, regarding this Zoning By-Law Amendment. Ms. Whaling-Rae reviewed the application with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to Order

Declaration of Pecuniary Interests

None declared.

Purpose

The purpose of this Public Meeting is to consider changing the zoning on the property described as Plan 574 Part Block G, Colborne, (82733 Hunter’s Road).

Requirement

This Public Meeting is being held under the Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

Application Process

An application was submitted by Kimberly & Montgomery Prior to the Township of Ashfield-Colborne-Wawanosh and considered complete on July 12, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120 meters of the property on July 21, 2021, and notice was posted on the subject property.

Comments:

1) Huron County Planner

County Planner, Celina Whaling-Rae reviewed the application with the Planning Advisory Committee.

2) Applicant and/or Agent

Kimberly Prior addressed the Planning Advisory Committee with respect to the height for clarification.

Montgomery Prior addressed the Planning Advisory Committee with respect to clarification on the use and support of their application.

3) Others

Ken Brindley addressed the Planning Advisory Committee with respect to the size of the house, shed size, 100 year erosion line, square footage, erosion issues, drainage issues, and survey of the property.

4) Council's Questions and/or Comments.

Councillor Anita Snobelen asked for clarification on drawings as well as a survey.

NOTE: If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning but does not make written or oral submissions before the proposed rezoning is adopted, the Ontario Land Tribunal (OLT) may dismiss all or part of the appeal.

Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this morning.
- If the By-law is passed, the Clerk must send Notice of the Passing of the By-law to all persons notified of this meeting and to any person or public body that has requested it.
- There is a 20-day objection period from the time Notice of Passing has been sent, where submissions will be received by the Clerk.
- If an objection is received, an appeal is lodged with the Ontario Land Tribunal (OLT) and the Municipality no longer has jurisdiction of the file and/or the processing time. You may only file an appeal if you have submitted oral or written comments prior to the decision of Council.
- The fee for filing an appeal is \$1,100.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance, and must be accompanied by Appellant Form (A1).
- If Council does not pass the by-law, the applicant may appeal to the OLT.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

Recommendation of the Huron County Planner

It is recommended that ACW Council hold the Public Meeting for application Z09-21 under Section 34 of the Planning Act for the purpose of obtaining input from members of the public; and receive this report for information purposes. A future report containing policy review and a recommendation will follow once determined whether neighbour objections can be resolved.

Recommendation of the Planning Advisory Committee

The Planning Advisory agreed to defer the application as recommended by the County Planner.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:23 a.m.

		Moved by	Forster	
		Seconded by	Miltenburg	
CLOSE PUBLIC MEETING	#6	THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Planning Advisory Committee Public Meeting.		Carried.

		Moved by	Vanstone	
		Seconded by	Watt	
RECONVENE COUNCIL MEETING	#7	THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes their Council Meeting.		Carried.

6.0 ACCOUNTS

6.1 Payment of Current Accounts

		Moved by	Snobelen	
		Seconded by	Watt	
APPROVE ACCOUNTS	#8	THAT Ashfield-Colborne-Wawanosh Township Council hereby authorizes the payment of the August 2021 accounts as presented.		Carried. ~

6.2 Payment of Previous Month Actual Accounts

		Moved by	Miltenburg	
		Seconded by	Forster	
APPROVE ACTUAL PAYMENTS	#9	THAT Ashfield-Colborne-Wawanosh Township Council hereby approves the payment of the July 2021 accounts in the amount of \$ 557,434.52.		Carried. ~

6.3 Summary Revenue/Expenditure Reports

Reports for the Township, Lucknow & District Medical Centre, and Lucknow & District Recreation from January to July 2021.

		Moved by	Miltenburg	
		Seconded by	Forster	
REVENUE EXPEND- ITURE REPORT	#10	THAT Ashfield-Colborne-Wawanosh Township Council adopts the summary revenue/expenditure reports of the Treasurer as written.		Carried.

Deputy-Mayor Roger Watt left the meeting due to his prior commitment.

7.0 DEPARTMENT / COMMITTEE REPORTS

7.1 Water Department

7.1.1 Water Operations & Maintenance Report – June 2021

We have provided Council with a copy of the report prepared by Veolia Water Canada in regards to the operation and maintenance of our water systems for June 2021.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.1.2 South Lucknow Distribution System Inspection Report

We have provided Council with a copy of the South Lucknow Distribution System Inspection Report from the Ministry of the Environment.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.2 Building Department

7.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Pollock's report. Mr. Pollock was available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.2.2 Port Albert Servicing Master Plan Project – Update

As a follow-up from our meeting held with B.M. Ross & Associates Ltd. on August 3, 2021, we would like to arrange for a public meeting in September to present the Port Albert Servicing Master Plan to the affected property owners via Zoom. What date and time would Council like to have the Public Meeting?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to set a public meeting date of September 27, 2021, at 7:00 p.m.

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

No items scheduled.

7.5 Administration Department

7.5.1 Flag Lowering Policy

As a follow-up from the last meeting, we have provided Council with a copy of the by-law authorizing the attached Flag Lowering Policy.

STAFF COMMENTS: That Council adopt the policy by by-law in Section 14.

ACTION: Council agreed to adopt the policy by by-law in Section 14.

7.5.2 Green Stream / Investing in Canada Infrastructure Program (ICIP) Second Intake

We have provided Council with a copy of the notice as well as the report prepared by Treasurer Ellen McManus. Ms. McManus was available this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to have staff submit an application for a second well in Dungannon if the Ministry of the Environment make this as a requirement.

7.5.3 Planning Fees Review

We have provided Council with a copy of the report prepared by Sandra Weber, Director of Huron County Planning, with respect to the proposed Planning Fees for the next 5 years. If Council are supportive of the proposed fees, staff will advise the County of Huron.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to support the fees as proposed.

7.5.4 Investing in Canada Infrastructure Program (ICIP) – Agreement

We have provided Council with a copy of the agreement for the above noted grant, along with a copy of the authorizing by-law. This grant is for the “Upgrades and Renovations of the Public Works Sheds”.

STAFF COMMENTS: That Council authorize the signing of the agreement by by-law in Section 14.

ACTION: Council agreed to authorize the signing of the agreement by by-law in Section 14.

7.5.5 North Perth-Huron Family Health Team Representative

We have provided Council with a copy of the report prepared by CAO Mark Becker in this regard. Mr. Becker was available this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed with the staff recommendations of creating a rotation every 2 years starting with Huron-Kinloss. Staff will reach out to the Family Health Team.

7.5.6 Cumulative Impact Study

At the July 26th Special Council Meeting, Councillor Vanstone requested that the topic of a Cumulative Impact Study for aggregate resources be discussed at a future Council meeting. We have provided to Council the presentation made by Gina McDonnell as reference as well as past staff reports provided to Council on the same topic in November 2019, and two reports in October 2018.

STAFF COMMENTS: None.

ACTION: Council agreed to defer this topic with the understanding that the matter will be considered in the Official Plan Review process which is presently underway.

7.5.7 Benmiller Community Hall – Cleaning of Outside of Building

We have provided an email from the Chair Gina McDonnell, Benmiller Community Hall, with respect to the cleaning of the outside of the building.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to proceed with the quote of Extreme Pure Clean for commercial cleaning of the outside of the building in the amount of \$949.20 taxes included.

7.5.8 Benmiller Community Hall – Dishwasher

We have provided an email from the Chair Gina McDonnell, Benmiller Community Hall, with respect to purchasing an industrial dishwasher. As Council may recall The Charles H. Ivey Foundation have kindly granted and committed \$ 20,000 to the Benmiller Community Hall in the name of Peter Ivey, which was used to purchase the central air conditioner unit as well as an industrial dishwasher.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to adopt the following resolution.

Moved by Fisher
 Seconded by Vanstone

INDUSTRIAL #11
 DISHWASHER
 R
 BENMILLER
 HALL

THAT Ashfield-Colborne-Wawanosh Township Council agrees to accept the quotation received from Russell-Hendrix Foodservice Equipment for a Nexus Undercounter Dishwasher in the amount of \$6,915.78 including taxes, with the funds coming from the Charles H. Ivey Foundation in the name of Peter Ivey.

Carried.

7.5.9 Gas Tax Funding

The federal Gas Tax Fund has been renamed and is now formally known as the Canada Community-Building Fund. A 2021 top-up to the fund was announced in Bill C-25/Bill C-30. The Township of Ashfield-Colborne-Wawanosh will receive \$165,309.61 in top-up funding. This is in addition to the \$171,959.56 that was received earlier this year for 2021's scheduled allocation. The additional funding will be incorporated into the 2022 Budget for consideration.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.5.10 LPAT Appeal – Dissolution of Ward System

Please refer to the "In-Camera Session" (matters of litigation, including matters before a tribunal)

7.5.11 Animal Control Officer / Robert Trick – Compensation

Please refer to the "In-Camera Session" (labour relations or employee negotiations)

7.6 Public Works Department

7.6.1 Public Works Activity Report

We have provided Council with a copy of the report prepared by Public Works Superintendent Thomas McCarthy. Mr. McCarthy was available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.6.2 Lead Hand Position Appointment By-Law – Larry Brindley

As a follow-up from the In-Camera Session on June 15th, the CAO and the Public Works Superintendent reviewed the applications received internally, contacted those chosen for interviews, performed the interviews, and proceeded to offer the position to the successful applicant. We are pleased to report that Larry Brindley was offered and accepted the promotion to the position as Lead Hand. We have provided Council with a copy of the by-law appointing him to the Lead Hand position. Staff has called for applications externally to fill the vacancy that Larry had as Equipment Operator / Labourer.

STAFF COMMENTS: Congratulations Larry! That Council adopts the appointment by-law in Section 14.

ACTION: Council agreed to adopt the appointment by-law in Section 14.

7.7 Environmental Services

No items scheduled.

7.8 Committee Reports

Councillor Jennifer Miltenburg reported on the Dungannon Community Alliance.

Mayor Glen McNeil reported on the Colborne Cemetery Service.

Councillor Anita Snobelen reported on the Community Safety and Wellbeing Committee.

8.0 NEW BUSINESS

(items to be brought forward to a future meeting)

No items scheduled.

9.0 CORRESPONDENCE / DIRECTION REQUIRED

No items scheduled.

10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES

No items scheduled.

11.0 CORRESPONDENCE / ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS**12.1 Official Plan - Open House / Public Meeting**

Wednesday, August 11, 2021 at 6:00 p.m. via Zoom.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

Since the Council Meeting is being held electronically through Zoom, Staff would ask that Council now proceed to Section 14 and adopt the by-laws prior to moving into an "In-Camera Session". This will allow the public participants an opportunity to be present during the adoption of the by-laws. Once the by-laws have been adopted, Council would then proceed to Section 13 and move into the "In-Camera Session". The public participants will not need to re-join as the meeting will be adjourned after the closed session.

13.0 IN-CAMERA / CLOSED SESSION

Moved by Forster
Seconded by Snobelen

MOVE TO #12
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council move into an "In-Camera" session, with the CAO/Deputy-Clerk and Clerk remaining in attendance at 10:49 a.m. for the purpose of discussing:

- 1) Matters of litigation, including matters before a tribunal.
- 2) Labour relations or employee negotiations.

Carried.

~

13.1 RETURN TO OPEN SESSION

Moved by Forster
Seconded by Vanstone

RISE FROM #13
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council rise from an "In-Camera" session at 11:20 a.m.

Carried.

~

13.2 BUSINESS ARISING FROM IN-CAMERA / CLOSED SESSION

Nothing to report.

14.0 BY-LAWS**14.1 Flag Lowering Policy By-Law**

Moved by Forster
Seconded by Vanstone

FLAG #14
LOWERING
POLICY BY-
LAW

THAT leave be given to introduce By-Law 53-2021 being a by-law to adopt a Flag Lowering Policy for the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 10th day of August 2021.

Carried.

~

14.2 Lead Hand (Larry Brindley) Appointment By-Law

Moved by Miltenburg
 Seconded by Forster

LEAD HAND #15
 APPT BY-
 LAW

THAT leave be given to introduce By-Law 54-2021 being a by-law to appoint the position of Lead Hand to Larry Brindley, and that it now be read severally a first, second, and third time, and finally passed this 10th day of August 2021.

Carried.
 ~

14.3 ICIP Grant Agreement Authorizing By-Law

Moved by Fisher
 Seconded by Forster

ICIP GRANT #16
 AGREEMEN
 T BY-LAW

THAT leave be given to introduce By-Law 55-2021 being a by-law to authorize the agreement between Her Majesty the Queen in right of Ontario, as represented by the Minister of Infrastructure and the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 10th day of August 2021.

Carried.

14.4 Prior Zoning By-Law Amendment

Deferred.

14.5 Confirmation By-Law

Moved by Miltenburg
 Seconded by Snobelen

CONFIRMAT #17
 ION BY-LAW

THAT leave be given to introduce By-Law 56-2021 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on August 10, 2021, and that it now be read severally a first, second, and third time, and finally passed this 10th day of August 2021.

Carried.
 ~

15.0 **ADJOURNMENT**

Moved by Forster
 Seconded by Snobelen

ADJOURN #18

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on August 11, 2021 at 6:00 p.m. or at the Call of the Mayor.

Carried.
 ~

 Mayor, Glen McNeil

 CAO/Deputy-Clerk, Mark Becker



Confidential Minutes August 10, 2021

Township of Ashfield-Colborne-Wawanosh Council met in an “In-Camera Session” on the 10th day of August 2021, through Zoom, an online video conferencing platform.

This meeting was held electronically as per By-Law #37-2021, Section 3.10 which allows for Electronic Participation of Council Meetings.

All of Council present, except Deputy-Mayor Roger Watt, the CAO/Deputy-Clerk, and the Clerk also being present.

1.0 Approval of “In-Camera” Meeting Minutes

We have provided Council with a copy of the July 13, 2021 “In-Camera” Confidential Minutes. Approval by show of hands would be appreciated.

STAFF COMMENTS: We seek your direction.

ACTION: Approved.

2.0 LPAT Appeal – Dissolution of Ward System

(Matters of Litigation, including matters before a tribunal)

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon in this regard. Ms. Witherspoon was available this morning.

The Clerk advised Council that the date has now been scheduled for the newly renamed OLT (Ontario Land Tribunal) for 3 days being September 29th, 30th, and October 1st,

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to proceed to hire Nigel Bellchamber. Staff will bring back the notice of the hearing to open session to the next meeting.

3.0 Animal Control Officer / Robert Trick – Compensation

(Labour relations or employee negotiations)

We have provided Council with a copy of the report prepared by CAO Mark Becker in this regard. Mr. Becker was available this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to and bring back an amended agreement to a future meeting.