

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office, Coldstream at 4:00 p.m.

ATTENDANCE

PRESENT

Mayor Edmondson
Deputy Mayor Bannister
Councillor Filson (arrived at 4:05)
Councillor Brennan
Councillor Bloomfield
Councillor Ritchie
Councillor Berze

ALSO PRESENT

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Manager, Public Works & Engineering
Jim McConnell	Manager, Planning & Development Services
Greg Watterton	Treasurer/Acting Manager of Recreation and Facility Services
Marc Bancroft	Senior Planner
Stephanie Troyer-Boyd	Tax Collector/Deputy Clerk
Sarah Axford	Corporate Services Assistant

Mayor Edmondson presided.

The reporter from the Strathroy Age and Middlesex Banner were in attendance.

ADDITIONS TO THE AGENDA

Cathy Saunders noted the addition of Section 4.3.8 regarding a resolution for a project designation for the Canada Build Fund.

DECLARATION OF PECUNIARY INTEREST

Councillor Ritchie declared a pecuniary interest with respect to the legal fees in the accounts as some of the fees relate to the purchase of a lot from the Municipality by his wife and himself.

MINUTES

1. Resolution # 2009/029
Moved by Clare Bloomfield
Seconded by John Brennan

THAT the minutes of the regular meeting of Council held on February 4, 2009 be approved.

- Carried -

2. Deputy Mayor Bannister noted that the minutes should reflect that a portion of the meeting was moved to the Community Centre due to the number of people attending the Public Meeting.

Resolution # 2009/030
Moved by Albert Bannister
Seconded by Brian Ritchie

THAT the minutes of the regular meeting of Council held on February 18, 2009 be approved, as amended.

- Carried -

CONSENT AGENDA

The Public Works & Engineering Committee Minutes and Recommendations of February 23, 2009 were removed from the consent agenda for further discussion.

Deputy Mayor Bannister asked that the Planning & Development Services Minutes and Recommendations of February 18, 2009 be removed from the consent agenda.

Having declared a pecuniary interest, Councillor Ritchie abstained from the vote.

Resolution # 2009/031

Moved by Frank Berze

Seconded by Clare Bloomfield

1. THAT Council receive Report Number PS-B-03-09/CBO prepared by the Chief Building Official, entitled "Building Permit Report – February 2009".
2. THAT Council receive the Minutes of the February 10, 2009 Recreation and Facility Services Committee meeting and concurs with the following recommendations:
 1. THAT the request of the Optimist Club of Ilderton to rename the parkland in Ilderton, informally known as Deer Haven soccer park and legally known as Plan M359 Blocks 51 and 52 be received for consideration; and

FURTHER THAT "Deer Haven Optimist Park" shall be the name under consideration; and

FURTHER THAT staff be directed to circulate the proposed name change by flyer to the Ilderton Community for public comment, prior to providing a recommendation to Council for consideration.
3. THAT the accounts as presented by the Treasurer in the amount of \$1,631,131.04 be approved for payment.
4. THAT Council receive the Minutes of the February 23, 2009 Corporate Services Committee Meeting and concurs with the following recommendations:
 1. THAT By-law Number 2005-048, being an Establishing and Regulating By-law to Continue the Establishment of the Middlesex Centre Fire Department be repealed; and

FURTHER THAT By-law 2009-013, being an Establishing and Regulating By-law to Continue the Establishment of the Middlesex Centre Volunteer Fire Department, be approved.
 2. THAT the amendment to Policy GG-4.17 – Collection of Outstanding Utility Accounts be approved, as amended.
 3. THAT Corporate Services Committee receive Report T002-TC and recommend to Council that the penalty charges be confirmed on roll no. 39-39-000-010-05501-0000.
 4. THAT Report PRD09-02 be received, dated January 26, 2009, and that the request for a waiving of rental fees for the VON Middlesex rental of the Ilderton Community Centre on Sunday, May 24, 2009 be denied.
 5. THAT Report PRD09-03 be received, dated February 6, 2009, and that the request for a reduction in rental fees for the Delaware Knights of Columbus rental of the Delaware Community Centre on Friday, February 06, 2009 be denied.

6. THAT staff be directed to submit a letter to the City of London and the London Economic Development Corporation requesting that representatives from Middlesex Centre, including an elected official, be involved in any further discussions regarding the potential of a multi-modal facility in Middlesex Centre.

- Carried -

Deputy Mayor Bannister requested clarification with respect to recommendation #2 of the Planning and Development Services Minutes and Recommendations of February 18, 2009. He required an explanation with respect to the process that would be followed for the Terms of Reference for the official plan comprehensive review. Senior Planner, Marc Bancroft responded that a draft Terms of Reference for the Study will be prepared and forwarded to Planning Committee for consideration, with a Request for Proposal being submitted to seek a consulting firm to undertake the Study once the Terms of Reference has been finalized.

Councillor Brennan stated that he is concerned with the timeline being proposed for the implementation of the two division facility for the Public Works and Engineering garage facilities with completion being proposed to be 2011. He indicated that the timing should be moved up as other facility construction and improvements rely on this change being in place. The Manager of Public Works and Engineering, Maureen Looby, noted that she recognizes the concern but indicated that there would be an Environmental Assessment required for the site and the servicing of the site could result in some delays in the transition to the new building. She did state, however, that the time frame for the overall process could be shortened if staff was permitted to single source the work to be done rather than undertaking a tendering process.

Deputy Mayor Bannister expressed the same concerns as those that were stated by Councillor Brennan. He also noted that the reference to the Denfield operations centre should be renamed to Denfield Public Works Operation Centre. He also suggested that a building committee for the new garage similar to the building committee that has been set up for the Community Wellness Facility be established.

After further discussion it was agreed that a building committee would not be necessary for this Project as an architect would not be required to design the Building and that instead a design/build process would be followed.

Councillor Ritchie suggested that the timeline for the implementation of the two facility model be revisited by staff and that staff submit the timeline to the Public Works and Engineering Committee for consideration.

Further discussion took place regarding this matter with it being agreed that staff would be given direction to undertake a design/build process that would include the Environmental Assessment process, the design of the building, and the construction of the building being requested under a single process. It was agreed that the recommendation from the Public Works and Engineering Committee meeting be amended to reflect this change.

Councillor Ritchie asked that the wording of Section 5.2 of the Public Works & Engineering Committee Minutes of February 23, 2009 be changed to reflect the wording that the Aggregate Report be accepted as a guideline as qualified by staff's assessment of the report.

Resolution # 2009/032

Moved by Brian Ritchie

Seconded Frank Berze

1. THAT Council receive the Minutes of the February 18, 2009 Planning and Development Services Committee meeting and concur with the following recommendations:

1. THAT the severance agreement for the land described as Part Lot 1, Plan 305 and more specifically described as Part 1 on Reference Plan 33R-15272 (geographic Township of Delaware) Municipality of Middlesex Centre; in the ownership of Randall Stephen Taylor; be approved and that staff forward the severance agreement to Municipal Council for consideration.
2. THAT staff be directed to undertake the Terms of Reference for the official plan comprehensive review and related secondary plans and that these studies be undertaken by a consulting firm to be determined as opposed to a single individual and that the draft Terms of Reference once undertaken be forwarded to the Planning and Development Services Committee.
2. THAT Council receives the minutes of the Public Works and Engineering Committee meeting of February 23, 2009 and concur with the following recommendations, as amended:
 1. THAT staff be directed to use the Aggregate Resources, Inventory and Assessment Study as a guideline, as qualified by staff's assessment of the Report, for the purposes of long term aggregate management operations as in Report Number PWE-004-09/T entitled, 'Aggregate Resources and inventory Assessment Study – Acceptance of Report.'
 2. THAT as outlined in Report Number PWE-011-09/T entitled 'Transportation Operations Facility Strategy' Council approves the move to a Two Division Facility Strategy for the Public Works Facilities; and

FURTHER THAT staff be directed to prepare terms of reference for a proposal call for an engineering consultant/contractor team to undertake the Environmental Assessment, the design and the construction of the new garage facility to be constructed on Denfield Road and the design and construction of the expanded Delaware Public Works facility.

- Carried -

STAFF REPORTS

1. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

1.1 Planning

Marc Bancroft noted that the OMB Hearing regarding the appeal of the rezoning application for the proposed new Our Lady of Lourdes School was held with the Board dismissing the appeal.

1.2 Building

There were no reports or inquiries.

1.3 Drainage

Councillor Filson requested an update on Fourteen Mile Road drainage issue. Maureen Looby indicated that a meeting had been held that day with the landowners. She indicated that the municipality would contact Spriets and Associates to review their design and provide recommendations. She explained that a portion of Fourteen Mile Road had been recently washed out and that landowners and staff met to find a resolution to the issue.

1.4 By-law Enforcement

Councillor Filson questioned whether or not municipal By-law Enforcement Officers enforce the County of Middlesex's Parking By-law. Jim McConnell noted that the County's Parking By-law is the only County by-law enforced by the municipality. Councillor Filson stated that there are new "No Parking" signs on Ilderton Road in the village of Ilderton and questioned why the County made that change. Jim McConnell stated that staff had not been advised of the change and that he would look at the location of the signs and investigate with the County.

2. **RECREATION AND FACILITY SERVICES DEPARTMENT**

2.1 Parks and Recreation

2.1.2 Deputy Mayor Bannister referred to Information Memo #18 regarding the Ice Rental Requests. He noted that the responses were largely from users outside the municipality and that without those users, the need for a two pad arena may not be necessary.

Councillor Ritchie suggested that the discussion be deferred to a time when as much information as possible is available for the project. It was agreed to have further discussion about the Community Wellness and Recreation Centre at that time.

2.2 Facilities

2.2.2 There were no reports or inquiries.

3. **PUBLIC WORKS AND ENGINEERING DEPARTMENT**

3.1 Maureen Looby updated Council with respect to the status of the Lake Huron Pipeline Project and the tendering for the first phase of construction. She indicated that the construction would be from the Arva Site to Melrose Road/Coldstream Road area which would be the Regional portion of the pipeline. The municipal portion of the contract would be from Melrose Road/Coldstream Road to the tower. She noted that the tenders have been evaluated and the low bid is in the range that was anticipated for construction.

3.2 Deputy Mayor Bannister requested clarification on the accounts.

3.3 There were no further reports or inquiries.

4. **CORPORATE SERVICES DEPARTMENT**

4.1 Treasury

4.1.1 There were no reports or inquiries.

4.2 Fire and Emergency Services

4.2.1 There were no reports or inquiries.

4.3 Clerk

4.3.1 Report No. CAOC007/09 – Records Management

Councillor Ritchie asked if the County would be willing to pass the responsibility for records management to the lower tiers. He also questioned how the other municipalities would compensate Middlesex Centre. Councillor Berze asked if Middlesex Centre

would ultimately be the administrator of the program for the lower tiers involved if this proposal were to be approved. Cathy Saunders noted that would be the case.

Deputy Mayor Bannister stated that at the outset, the intention of the program was for the County to initiate the program, provide the software and staff to train the lower tier staff to administer their own program. Ultimately, the intention was that the County would be the administrator of the software with the lower tiers maintaining their own information. Deputy Mayor Bannister stated that he can not support this proposal.

Councillor Filson stated that it is unfortunate that the County has made a decision that is going to burden the lower tier municipalities. He asked how other municipalities not included in this proposal administer their records management program. Cathy Saunders stated that Strathroy Caradoc and Thames Centre have their own systems separate from the remaining municipalities. Lucan Biddulph has never participated in the Records Management Program but is considering joining the Program.

Councillor Brennan asked about the financial implications and how Middlesex Centre would be compensated by the other municipalities. It was noted that the other municipalities have not discuss this matter in detail at a Council level as they were awaiting the outcome of Middlesex Centre's decision with respect to a resource person. It was noted that there is agreement at a staff level.

Councillor Berze asked what the alternative is if we do not create this position. It was noted that staff would be required to continue with the program without the support person. He noted that he does not have a problem with the concept, but would like to know what municipalities would be supportive of this project, how what financial contributions would be made to the program and what the County is proposing going forward. Councillor Berze suggested that the resolution be amended to delay the hiring of the support staff until assurances that have been received by the other municipalities.

Councillor Filson suggested that the County reconsider this decision as what is proposed is the same system that is presently in place with Middlesex Centre administrating rather than the County.

Resolution #2009/033

Moved by John Brennan

Seconded by Clare Bloomfield

THAT the Report No. CAOC007/09 of the Chief Administrative Officer/Clerk, dated February 24, 2009 and entitled "**Records Management**", be received; and

FURTHER THAT Council support in principle the creation and initiation of the hiring of the Records Management Coordinators position; and

FURTHER THAT staff investigate the financial commitment of the other member municipalities for this Program.

4.3.2 Report No. CAO008/09 – Middlesex Police Services Group Board Appointments

There was some discussion regarding terms ending at the same time rather than staggered. Cathy Saunders noted that with the two provincial appointments yet to be determined being five year terms that with the community representative term ending in December that quorum for the Police Services Board could be maintained pending the appointments of the new elected representatives after the 2010 Municipal Election.

Resolution #2009/034

Moved by Albert Bannister

Seconded by Frank Berze

THAT Report #CAOC008/09, dated February 25, 2009 and entitled "**Middlesex Police Services Group Board Appointments**", be received.

THAT Mayor Wes Hodgson of the Municipality of North Middlesex and Councillor Ken Filson of the Municipality of Middlesex Centre be appointed as the elected representatives to the Middlesex Police Services Group Board to serve until November 30, 2010; and

FURTHER THAT Brian Lewis be appointed as the community representative to the Middlesex Police Services Group Board to serve until December 31, 2010.

- Carried -

4.3.3 Report No. CAOC009/09 – Assumption of Plan of Subdivision

Cathy Saunders explained the delay in the assumption of the Phase I.

Resolution #2009/035

Moved by Frank Berze

Seconded by Clare Bloomfield

1. THAT on the recommendation of the Municipal Engineer that the Works contained within Registered Plan 33M-359 (geographic Township of London), Municipality of Middlesex Centre in the County of Middlesex be assumed.
2. THAT By-law 2009-014 being a By-law to assume Servicing Works on Registered Plan 33M-359 (Meredith Drive – Ilderton Estates – Phase 1) be approved.

- Carried -

4.3.4 Report No. CAOC0010/009 – Cost of Living Increase Consideration for Members of Council

Deputy Mayor Bannister requested that Council consider freezing their wages for 2009. In light of the economic times, he would be supportive of a wage freeze. Councillor Filson stated that he prefers that Council Cost of Living Increases be tied to the same increase as staff wages for consistency. Councillor Berze expressed the same sentiment. Councillor Ritchie stated that he felt that the consistency with staff is appropriate and would like to stay with the model that has been used in the past.

Resolution #2009/036

Moved by Ken Filson

Seconded by Clare Bloomfield

THAT the report of the Chief Administrative Officer/Clerk, dated February 26, 2009 entitled "**Cost of Living Increase Consideration for Members of Council**" be received; and

FURTHER THAT staff be directed to implement a 3% increase to the 2008 Salaries of Members of Council effective January 1, 2009.

- Carried -

4.3.5 Reconsideration of Council Resolution No. 2008/052 – 2008 Tax Levy

Resolution #2009/037

Moved by Ken Filson

Seconded by Brian Ritchie

THAT Council reopen resolution 2008/052 of February 20, 2008.

- Carried -

A 2/3 vote was required in order to reopen the resolution.

Treasurer, Greg Watterton, explained that the auditor has requested that the resolution be reopened and amended in order to clarify the financial statements for 2008.

Resolution #2009/038

Moved by Frank Berze

Seconded by John Brennan

THAT Resolution Number 2008/052 of the February 20, 2008 meeting of Council be amended by replacing the Expenditure amount of \$35,684,420 with \$35,790,788 and by replacing the Taxes amount of \$8,188,065 with \$8,294,433.

- Carried -

4.3.6 Report No. CSA004/09 – Board Appointment – Kettle Creek Conservation Authority Board of Directors

Staff indicated that the individual originally appointed to the Board stepped down due to work and personal commitments and as a result a new appointment is being recommended.

Resolution #2009/039

Moved by Clare Bloomfield

Seconded by Ken Filson

THAT Report Number CSA004/09, dated February 24, 2009 and entitled "Board Appointment – Kettle Creek Conservation Authority Board of Directors" be received; and

FURTHER THAT By-law No. 2008-099, being a By-law to Appoint Such Members of Council and of the Public to the Committees of Council and Local Boards of the Municipality as deemed necessary, be repealed.

FURTHER THAT By-law No. 2009-015, being a By-law to Appoint Such Members of Council and of the Public to the Committees of Council and Local Boards of the Municipality as deemed necessary, be approved.

- Carried -

4.3.7 Report No. PS-F-2009-003 – Municipality of Middlesex Centre 2009 Appreciation Banquet

Resolution #2009/040

Moved by Frank Berze

Seconded by Ken Filson

THAT the Council receive Report Number PS-F-2009-003 of the Corporate Services Assistant, Fire and Emergency Services dated February 26, 2009 and entitled "Municipality of Middlesex Centre 2009 Appreciation Banquet"; and

FURTHER THAT Council direct staff to arrange the 2009 Appreciation Banquet to be held at Fire Rock Golf and Country Club on May 1st, 2009.

- Carried -

4.3.8 Resolution – Community Wellness and Recreation Centre Project

The Chief Administrative Officer/Clerk indicated that in order to submit an application under the Building Canada Fund – Ontario program, a resolution, naming the Project for application purposes is required.

Resolution #2009/041

Moved by Brian Ritchie

Seconded by Frank Berze

THAT Council designate the Community Wellness and Recreation Centre Project as its application for funding under the Building Canada Fund – Ontario.

- Carried -

4.4 By-laws

Resolution #2009/042

Moved by Brian Ritchie

Seconded by Albert Bannister

THAT By-law Number 2008-013, being an Establishing and Regulating By-law to Continue the Establishment of the Middlesex Centre Volunteer Fire Department, be approved and this constitutes the third reading and By-law 2008-013 is hereby enacted.

THAT By-Law Number 2009-014, being a By-law to Accept and Assume Ownership of the Works on Registered Plan 33M-359 (geographic Township of London) Ilderton Estates – Phase 1 Subdivision – Ilderton, be approved and this constitutes the first, second and third reading and By-law 2009-014 is hereby enacted.

THAT By-law Number 2009-015, being a By-law to Appoint Such Members of Council and of the Public to the Committees of Council and Local Boards of the Municipality as Deemed Necessary (COUNCIL

APPOINTMENTS BY-LAW), be approved and this constitutes the first, second and third reading and By-law 2009-015 is hereby enacted.

THAT By-law Number 2009-016, being a By-law Approving and Ratifying a Severance Agreement between Randall Stephen Taylor as the "Owner" and the Municipality of Middlesex Centre as the "Municipality" for the land described as Part of Lot 1, South of Harris Road, Plan 305; Part 1, Reference Plan 33R-15272 (geographic Township of Delaware), Municipality of Middlesex Centre, be approved and this constitutes the first, second and third reading and By-law 2009-016 is hereby enacted.

- Carried -

INFORMATION MEMOS

Mayor Edmondson spoke briefly about Information Memo #13 regarding the Green Energy Act. He noted that municipalities should be concerned about the proposed Act because it will fundamentally transform the legislative and regulatory environment governing energy conservation, generation and planning in Ontario.

Deputy Mayor Bannister requested clarification with respect to the information memo #17 and who was responsible for the survey and repair costs of the wall. CAO/Clerk Cathy Saunders stated that the municipality has paid those costs.

Resolution # 2009/043

Moved by Brian Ritchie

Seconded by Albert Bannister

THAT Council support the resolution from the Corporation of the City of Cambridge with respect to Internet Filtering Software on Computers.

- Lost -

Resolution # 2009/044

Moved by Albert Bannister

Seconded by Frank Berze

THAT Council support the resolution from the City of Hamilton regarding Bill 138, Protection of Public Participation Act, 2008.

- Carried -

Resolution # 2009/045

Moved by Albert Bannister

Seconded by Frank Berze

THAT Council support the resolution from the Corporation of the Township of Madawaska Valley with respect to Bill 187, Budget Measures and Interim Appropriation Act, 2007.

- Lost -

Resolution # 2009/046

Moved by Albert Bannister

Seconded by Ken Filson

THAT Council support the resolution from the Corporation of the Township of Madawaska Valley regarding an Increase in Homecare Access Programs for rural municipalities including increased funding, support and assistance.

- Carried -

Resolution # 2009/047
Moved by Brian Ritchie
Seconded by Frank Berze

THAT Council support the resolution from the Corporation of the County of Prince Edward calling for the Federal and Provincial governments to research the impact of industrial wind turbines and create regulations and guidelines for the locations of wind turbines.

- Carried -

CONFIRMING BY-LAW

1. Resolution # 2009/048
Moved by Clare Bloomfield
Seconded by John Brennan

THAT By-law Number 2009-017 being a By-law to confirm the proceedings of the Council meeting held on March 4, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-007 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 6:20 p.m. to meet again on Wednesday, March 18, 2009 at 7:00 p.m.

MAYOR

CLERK

INFORMATION

1. AMO – The Saturday Series
2. AMO – Media Relations Training Program
3. AMO – Diverse City
4. AMO FYI – Municipal Action on Bottled Water
5. AMO FYI – WDO Consultation on Blue Box Program Plan Review
6. AMO Alert – Municipal Support of Earth Hour and Energy Conservation Week Needed
7. AMO Alert – AMO Expresses Concern – Provides Recommendations to Minister on Proposed AODA Information
8. AMO Alert – AMO's 2009 Federal Gas Tax Award Application Now Available
9. AMO Alert – AMO Report to Members on January 2009 Board Meeting
10. AMO Alert – Communities Component Funding for \$1Billion in Municipal Infrastructure Projects Announced

11. AMO Alert – AMO and OMSSA release Joint Paper on Poverty Reduction
12. AMO Alert – Government Releases Draft Employment Standard under AODA for Public Review
13. AMO Alert – Minister Smitherman on Infrastructure and Green Energy Act
14. FCM – Lights Out Across Canada for Earth Hour March 28, 2009
15. FCM – Roll of Honour – Criteria and Procedures
16. FCM – Federal Budget Delivers New Infrastructure Funding and Strengthens Federal Municipal Partnership
17. Notice of Community Meeting – Meadowcreek Estates Brickwall
18. Report No. CAOC011/09 - Ice Rental Requests Proposed Wellness and Recreation Centre
19. Report No. PS-B-04-09/CBO – Building Inspection/Planning Services – Lucan Biddulph – 2008
20. Letter Regarding Animal Control
21. Ministry of Municipal Affairs and Housing – Government Expenditure Restraints
22. Huron Tractor – Customer Appreciation Luncheon
23. Middlesex Hospital Alliances – Diabetes Education Day
24. Ministry of Community Safety and Correctional Services – Staffing Announcement – Commissioner of Community Safety
25. Enbridge – Trailbreaker Project Update
26. Lake Huron Primary Water Supply System – Komoka – Mt. Brydges Pipeline Project
27. OPP – Correspondence
28. Operation Clean Sweep
29. Resolution – Corporation of the City of Cambridge – Internal Filtering Software on Computers
30. Resolution – City of Hamilton – Bill 138, Protection of Public Participation Act, 2008
31. Resolution – Township of Madawaska Valley – Property Assessment
32. Resolution – Township of Madawaska Valley – Homecare Access
33. Resolution – Prince Edward County – Wind Turbine
34. Resolution – Town of Ajax – Authority of Prohibit Corporate and Trade Union Contributions to Municipal Election Campaigns
35. Lieutenant Governor of Ontario – Order of Ontario Call for Nominations
36. Council and Committee Meeting Memo