

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**REGULAR MEETING OF COUNCIL**

**Monday, March 25, 2013**

**Following Court of Revision 7:50 p.m.**

**Members Present:**

**Mayor: Raymond Tout  
Councillors: Sherry Burke  
Mark Goetz  
Andy Lennox  
Dan Yake**

**Also Present: Chief Administrative Officer/Clerk: Lorraine Heinbuch  
Executive Assistant: Cathy Conrad**

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. **CALLING THE MEETING TO ORDER**

Mayor Tout called the meeting to order.

B. **O' CANADA**

C. **PASSING AND ACCEPTANCE OF AGENDA**

**Moved by: Councillor Goetz  
Seconded by: Councillor Burke**

*THAT the Agenda and the Supplementary Agenda for the March 25, 2013 Regular Meeting of Council be accepted and passed.*

**Resolution Number: 1**

**Carried**

D. **DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

None

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**E. MINUTES**

1. Public Meeting, March 4, 2013
2. Regular Meeting of Council, March 4, 2013

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

*THAT the minutes of the Public Meeting and the Regular Meeting of Council held on March 4, 2013 be adopted as circulated.*

**Resolution Number: 2**

**Carried**

**F. BUSINESS ARISING FROM MINUTES**

None.

**G. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS**

1. Jens Dam, R.R. #1 Moorefield, Ont., N0G 2K0  
Re: Development Charges Reserve Fund

Mr. Dam appeared before Council and stated that “He is requesting that the Township bring the Development Charges Reserve Fund into compliance with the Ontario Municipal Board’s Order as the Board issued its ruling that By-law 33-12 cannot be retroactive.” He further stated “The Development Charges Act requires this to be done within 30 days of issuance of the Order of March 5, 2013.”

Mayor Tout thanked Mr. Dam for bringing a lot to his attention. Council was acting on professional advice and believed what they were doing was right. We will be discussing with lawyers in regards to the deferral agreements. Mayor Tout apologized for the length of time it has taken. There was some good news for both sides as the Ontario Municipal Board retained the new by-law.

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS**

1. Wellington North Fire Service
  - Arthur Station
    - February 2013 Fire Report
    - February 2013 Fire Prevention Officer Report
  - Mount Forest Station
    - February 2013 Fire Report
    - February 2013 Fire Prevention Officer Report

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

*THAT the Council of the Corporation of the Township of Wellington North receive the Wellington North Fire Service February 2013 Reports and the February 2013 Fire Prevention Officer's Reports for the Arthur and Mount Forest Fire Stations.*

**Resolution Number: 3**

**Carried**

2. Water/Sewer Committee
  - Minutes, March 19, 2013

**Moved by: Councillor Burke**

**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Water/Sewer Committee meeting held on March 19, 2013.*

**Resolution Number: 4**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

2. Water/Sewer Committee
- Minutes, March 19, 2013
  - Triton Engineering Services Limited  
Re: Golden Valley Farms Inc. – Semi Annual Report (continued)

**Moved by: Councillor Burke**  
**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North approve the recommendation of the Water/Sewer Committee that the Golden Valley Farms Inc. sampling frequency remain at bi-annually and that the frequency of their reporting be reduced to annually with the exception of Average Daily Flows (ADF).*

**Resolution Number: 5**

**Carried**

- 2012 Summary Reports
- Arthur Drinking Water System, DWS #220000040

**Moved by: Councillor Burke**  
**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North receive and approve the Arthur Drinking Water System DWS #220000040 2012 Summary Report.*

**Resolution Number: 6**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

2. Water/Sewer Committee  
- Minutes, March 19, 2013  
- Mount Forest Drinking Water System, DWS #220000068

**Moved by:** Councillor Burke  
**Seconded by:** Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive and approve the Mount Forest Drinking Water System DWS #220000068 2012 Summary Report.*

**Resolution Number: 7**

**Carried**

3. Works Committee  
- Minutes, March 19, 2013

**Moved by:** Councillor Lennox  
**Seconded by:** Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Works Committee meeting held on March 19, 2013.*

**Resolution Number: 8**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

3. Works Committee
- Minutes, March 19, 2013
  - Report from Dale Clark, Road Superintendent  
Re: Dust Control Tender

**Moved by: Councillor Lennox**

**Seconded by: Councillor Yake**

*THAT the Council of the Corporation of the Township of Wellington North award the 2013 Dust Suppressant tender to the following suppliers, as recommended by the Works Committee:*

- *250 flake tonnes of 35% calcium chloride to Da-Lee Dust Control for the tendered price of \$0.192/litre plus applicable taxes; and*
- *160 flake tonnes of 20% brine to Cliff Holland Trucking for the tendered price of \$0.084/litre plus applicable taxes.*

*Total cost for the product is \$122,205 with the balance being funded from the maintenance gravel budget.*

**Resolution Number: 9**

**Carried**

- Report from Dale Clark, Road Superintendent  
Re: Gravel Crushing Quotes

**Moved by: Councillor Lennox**

**Seconded by: Councillor Yake**

*THAT the Council of the Corporation of the Township of Wellington North award the gravel crushing tender to B & B Custom Crushing at the quoted price of \$1.73/tonne plus HST as recommended by the Works Committee.*

**Resolution Number: 10**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS** (continued)

4. Memorandum from Lori Heinbuch, Chief Administrative Officer/Clerk
- Director of Public Works Position
  - Applications received
  - Appointment of Interview Committee

**Moved by: Councillor Lennox**

**Seconded by: Councillor Yake**

**THAT the Council of the Corporation of the Township of Wellington North establish the Director of Public Works Interview Committee composed of:**

- Councillor Burke as Chair of Water and Sewer Committee
- Councillor Lennox as Chair of Works Committee
- Councillor Yake previous experience and expertise with respect to Works and Water/Sewer
- Chief Administrative Officer Lori Heinbuch
- Mayor Raymond Tout

**Resolution Number: 11**

**Carried**

5. Report from Lori Heinbuch, Chief Administrative Officer/Clerk  
Risk Management Official – Source Protection Plan Implementation  
(CAO 2013-03)

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

**THAT the Council of the Corporation of the Township of Wellington North receive CAO Report 13-03; and**

*THAT Council authorize the CAO to enter into discussions with the Township of Centre Wellington, the five other lower tier municipalities and the County of Wellington to negotiate a shared arrangement related to the position of a Risk Management Official.*

**Resolution Number: 12**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS** (continued)

6. Report from Lori Heinbuch, Chief Administrative Officer/Clerk and Mike Givens, Treasurer
- Development Charges Study required for new 5 year By-law (current Development Charges By-law is in effect until June 16, 2013)

Deferred pending further information.

7. Recreation & Culture Advisory Committee
- Minutes, March 5, 2013

**Moved by:** Councillor Burke  
**Seconded by:** Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Recreation & Culture Advisory Committee meeting held on March 5, 2013.*

**Resolution Number: 13**

**Carried**

**Moved by:** Councillor Burke  
**Seconded by:** Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North approve the amendment to the current Alcohol Risk Management Policy under Category 3: Control. Sub section 3.1.16 to read "Entertainment and/or disc jockeys will stop at 1:10 a.m. as recommended by the Recreation & Culture Advisory Committee.*

**Resolution Number: 14**

**Carried**



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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

8. Finance Committee
- Minutes, March 5, 2013
  - Statement of Council Remuneration and Expenses - 2012

**Moved by:** Councillor Lennox  
**Seconded by:** Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Finance Committee meeting held on March 5, 2013.*

**Resolution Number: 15** **Carried**

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Lennox

*THAT the Council of the Corporation of the Township of Wellington North approve the Reserve/Reserve fund entries as outlined in Treasurer's Report TR2013-07, as recommended by the Finance Committee.*

**Resolution Number: 16** **Carried**

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Lennox

*THAT the Council of the Corporation of the Township of Wellington North approve the Policy-Accounting For and Reporting Tangible Capital Asset and direct the Treasurer to circulate the Policy to all Department Heads, as recommended by the Finance Committee.*

**Resolution Number: 17** **Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
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8. Finance Committee
- Minutes, March 5, 2013
  - Statement of Council Remuneration and Expenses - 2012

**Moved by:** Councillor Lennox  
**Seconded by:** Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the Treasurer's Report TR2013-09 itemizing the remuneration and expenses of Council for 2012 dated March 5, 2013;*

*AND FURTHER THAT the Report TR2013-09 be accepted as presented as recommended by the Finance Committee.*

**Resolution Number: 18** **Carried**

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Lennox

*THAT the Council of the Corporation of the Township of Wellington North receive the Treasurer's Report TR2013-10 itemizing the income and expenses of the Board of Management for the Mount Forest Business Improvement Area for 2013;*

*AND FURTHER THAT the Council of the Corporation of the Township of Wellington North accept the Mount Forest Business Improvement Area 2013 budget as submitted, as recommended by the Finance Committee.*

**Resolution Number: 19** **Carried**

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**I. CORRESPONDENCE FOR COUNCIL'S INFORMATION**

1. Wellington County Road Supervisors & Clerks and Treasurer's Associations  
Re: Request for Fees to be Waived for the use of the Mount Forest Sports Complex for spring meeting, hosted by Wellington North on Thursday, May 2, 2013

**Moved by: Councillor Burke**

**Seconded by: Councillor Goetz**

*THAT WHEREAS the Township of Wellington North is the host municipality for the Wellington County Road Supervisors Association and the Wellington County Clerks & Treasurers Association spring meeting being held on May 2, 2013 at the Mount Forest & District Sports Complex;*

*AND WHEREAS the associations have requested a waiver of the rental fees;*

*NOW THEREFORE the Council of the Corporation of the Township of Wellington North approve the rental fees of \$348.04 (HST included) be waived and charged to the Waiver of Fees Budget.*

**Resolution Number: 20**

**Carried**

2. Mount Forest Curling Club  
Re: Request for Approval of Temporary Extension Application Liquor Sales License

**Moved by: Councillor Burke**

**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North has no objection to the Mount Forest Curling Club application to the AGCO for a temporary extension to their current liquor license for the purpose of a dinner and dance on May 11, 2013 to celebrate the 50<sup>th</sup> Anniversary of the Club House.*

**Resolution Number: 21**

**Carried**

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**I. CORRESPONDENCE FOR COUNCIL'S INFORMATION**

3. Minister Responsible for Seniors  
Re: 2013 Senior Achievement Award Program  
- Received as information

**J. BY-LAWS**

1. 19-13 Being a By-law to Authorize the Execution of an Addendum to an Agreement Between Her Majesty the Queen in Right of Ontario as represented by the Deputy Premier and Minister of Infrastructure, the Minister of Agriculture, Food and Rural Affairs and the Corporation of the Township of Wellington North. (Building Canada Fund – Communities Component: Durham Street Pumping Station and Normanby Street Reconstruction)

**Moved by: Councillor Lennox**  
**Seconded by: Councillor Yake**

*THAT By-law Number 19-13 being a by-law to authorize the execution of an Addendum to an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Deputy Premier and Minister of Infrastructure, the Minister of Agriculture, Food and Rural Affairs and the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed. (Building Canada Fund – Communities Component: Durham Street Pumping Station and Normanby Street Reconstruction)*

**Resolution Number: 22**

**Carried**

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**J. BY-LAWS**

2. 20-13 Being a By-law to set Remuneration for Members of Council

**Moved by: Councillor Yake  
Seconded by: Councillor Lennox**

**THAT By-law Number 20-13 being a by-law to set remuneration for members of Council be read a First, Second and Third time and finally passed.**

**Resolution Number: 23**

**Carried**

3. 21-13 Being a By-law to Adopt the Estimates of All Sums Required During 2013 for Purposes of the Municipality

**Moved by: Councillor Lennox  
Seconded by: Councillor Yake**

**THAT By-law Number 21-13 being a by-law to adopt the estimates of all sums required during 2013 for purposes of the municipality be read a First, Second and Third time and finally passed.**

**Resolution Number: 24**

**Carried**

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**J. BY-LAWS**

4. 22-13 Being a By-law to Authorize the Execution of an Agreement between Her Majesty the Queen In Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs and the Corporation of the Township of Wellington North (Municipal Infrastructure Investment Initiative (MIII) Asset Management Plan)

**Moved by: Councillor Yake**  
**Seconded by: Councillor Lennox**

**THAT By-law Number 22-13 being a by-law to authorize the execution of an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs and the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed. (Municipal Infrastructure Investment Initiative (MIII) Asset Management Plan)**

**Resolution Number: 25**

**Carried**

5. 23-13 Being a By-law to Appoint a Full Time Fire chief for Wellington North Fire Service

**Moved by: Councillor Goetz**  
**Seconded by: Councillor Burke**

***THAT By-law Number 23-13 being a by-law to appoint a Full Time Fire Chief for Wellington North Fire Service be read a First, Second and Third time and finally passed.***

**Resolution Number: 26**

**Carried**

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**K. OTHER/NEW BUSINESS**

1. North Wellington Health Care  
Re: Building Projects Newsletter  
- Received as information
  
2. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications

B12/13, Joeman Farms Ltd, c/o Seul Enterprises

Council supported the application with the following conditions:

- That the Owner satisfy all the requirements of the local municipality, financially and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.
- That the Owner receive approval from the applicable road authority for an entrance to the retained parcel in accordance with the Township's entrance policy.
- That the Owner satisfy the requirements in reference to parkland dedication.
- That the location of the on-site sewage system must be shown on the survey sketch to confirm O.B.C. compliance.
- That the retained lands are rezoned to prohibit residential use to the satisfaction of the local municipality and the County of Wellington Planning department.
- That the house is brought into a habitable condition to the satisfaction of the Township CBO and the County.

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L. **OTHER/NEW BUSINESS** (continued)

2. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications (continued)

B23/13, Johannes & Lidwina Teselink

Council supported the application with the following conditions:

- That the Owner receive approval from the applicable road authority.
- That the Owner satisfy the requirements in reference to parkland dedication.
- That the Owner satisfy all the requirements of the local municipality, financially and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.
- That the 684m<sup>2</sup> bank barn must be removed.
- That the 49m<sup>2</sup> shed to be removed.
- That zoning relief is required for 223m<sup>2</sup> drive shed.
- That the retained lands are rezoned to prohibit residential use to the satisfaction of the local municipality and County of Wellington Planning and Development Department.
- That zoning relief is obtained for the accessory structures to the satisfaction of the local municipality and County of Wellington Planning department.
- That the small shed bisected by the rear lot line be demolished to the satisfaction of the Municipality.



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L. **OTHER/NEW BUSINESS** (continued)

3. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications (continued)

B17/13, R & R Mitchell Farms Ltd.

Council supported the application with the following conditions:

- That the Owner satisfy all the requirements of the local municipality, financially and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.
- That the Owner receive approval from the applicable road authority.
- That the Owner satisfy the requirements in reference to parkland dedication.
- That both drivesheds on the severed portion require zoning relief for area.
- That the retained lands are rezoned to prohibit residential use to the satisfaction of the local municipality and County of Wellington Planning and Development Department.
- That zoning compliance is achieved by removal of the barn/accessory building(s) or by rezoning the severed parcel of the local municipality.

M. **ITEMS FOR COUNCIL'S INFORMATION**

Cheque Distribution Report dated March 20, 2013

Thank you for Winter Festival Scholarships

- Vanessa Wildeman
- Ben Wildeman

Grand River Conservation Authority

- Minutes, General Membership Meeting, January 25, 2013

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N. **NOTICE OF MOTION**

None.

O. **ANNOUNCEMENTS**

Councillor Lennox commented that he attended an AMO sponsored session titled “What are your Personal Responsibilities as a Councillor?” Clean Drinking Water Act was an example. We have taken on more personal liability as councillors. Councillor Lennox stated that he will be seeking independent legal advice and suggested that Council should think about setting aside funds for that purpose and asking about what insurance covers.

Councillor Goetz recognized those who assisted the Township in the hiring process for a Full Time Fire Chief. The late Fire Chief John Black, North Huron Fire Department; Fire Chief Bill Doig, Howick Fire Department; Fire Chief Chris Harrow, Minto Fire Department; Fire Chief Rick Richardson, Mapleton Fire Department; Fire Chief John Thompson, Southgate Fire Department; Fire Chief Brad Patton, Centre Wellington, sat on the interview committee; Jon Rehill, Deputy Fire Chief, Cambridge Fire Department, sat on the interview committee; and Thom Evered from the Ontario Fire Marshal’s Office.

Mayor Tout commented that Showcase was well attended by 78 vendors. An Open House will be held on April 3 at the OPP Training Facility in Kenilworth. The municipal hockey tournament will be held on April 6.

P. **CONFIRMING BY-LAW**

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT By-law Number 24 -13 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on March 25, 2013 be read a First, Second and Third time and finally passed.*

**Resolution Number: 27**

**Carried**

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Q. **ADJOURNMENT**

**Moved by: Councillor Burke**

**Seconded by: Councillor Goetz**

*THAT the Regular Council meeting of March 25, 2013 be adjourned at 8:54 p.m.*

**Resolution Number: 28**

**Carried**

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C.A.O./CLERK

\_\_\_\_\_  
MAYOR