

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**7:00 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  
Treasurer: John Jeffery**

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 Lennox  
Seconded by: Councillor Yake**

*THAT the Agenda for the December 5, 2011 Regular Meeting of Council be accepted and passed.*

**Resolution Number: 1**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Two**

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

None declared.

E. **MINUTES**

1. Public Meeting, November 21, 2011
2. Regular Meeting of Council, November 21, 2011

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

*THAT the minutes of the Public Meeting and the Regular Meeting of Council held on November 21, 2011 be adopted as circulated.*

**Resolution Number: 2**

**Carried**

F. **DELEGATIONS, DEPUTATIONS, PETITIONS**

1. Al White, BDO Canada LLP  
Re: - Presentation of 2009 Audited Financial Statements

Mr. White and Christina Brock of BDO Canada appeared before Council to review the 2009 Audited Financial Statements. This is the first time that Tangible Assets are included in the statements. Mr. White reviewed the municipality's Balance Sheet, Statement of Operations and Accumulated Surplus, Statement of Changes in Net Debt, Capital Expenditures, Statement of Cash Flows, Long Term Liabilities and Accounting Policies.

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

*THAT the Council of the Corporation of the Township of Wellington North receive the 2009 Audited Financial Statements as presented by Al White, BDO Canada LLP, Township Auditor.*

**Resolution Number: 3**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Three**

F. **DELEGATIONS, DEPUTATIONS, PETITIONS** (continued)

1. Al White, BDO Canada LLP (continued)
  - Letter Re Audit of Consolidated Financial Statements of the Township of Wellington North for the Year Ended December 31, 2010

Mr. White explained that the 2010 Audit has been started and he is hoping to present it to Council at the end of January. There have been significant developments in the area of financial reporting, corporate governance and auditing. In addition to there being more flexibility in giving opinions on different bases of accounting, there has been a change in the length and structure of the standard audit report. Mr White reviewed the responsibilities of the Auditor, the audit approach, management representations and communication of results.

- Letter Re Terms of Engagement

Mr. White reviewed the terms of engagement as auditors of the Township of Wellington North for the year ending December 31, 2010. He outlined the role of the auditors, conduct of the audit, role of management and Council, fraud and error, reporting, financial statement preparation services, additional services, tax services and standard terms and conditions.

**Moved by: Councillor Lennox**

**Seconded by: Councillor Yake**

***THAT the Council of the Corporation of the Township of Wellington North authorize the Mayor and Clerk to sign the Terms of Engagement with the Township Auditors, BDO Canada LLP.***

**Resolution Number: 4**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Four**

F. **DELEGATIONS, DEPUTATIONS, PETITIONS** (continued)

Presentation of 2009 Tangible Capital Assets Report (John Jeffery, Treasurer) (to be distributed at meeting)

John Jeffery, Treasurer, reviewed the 2009 Tangible Capital Assets Report and the process involved to compile the report.

**Moved by: Councillor Lennox**

**Seconded by: Councillor Yake**

*THAT the Council of the Corporation of the Township of Wellington North receive the 2009 Tangible Capital Asset Report as presented by John Jeffery, Treasurer.*

**Resolution Number: 5**

**Carried**

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

1. Works Committee
  - Minutes, November 22, 2011

**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 November 22, 2011.*

**Resolution Number: 6**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Five**

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

1. Works Committee (continued)
  - Report from Dale Clark, Road Superintendent
  - Sweeper Quote Recommendation

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

*THAT the Council of the Corporation of the Township of Wellington North accept the quote for the purchase of a used sweeper from Joe Johnson Equipment at the quoted price of \$95,000.00 plus applicable taxes as recommended by the Works Committee.*

**Resolution Number: 7**

**Carried**

2. Water/Sewer Committee
  - Minutes, November 22, 2011

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

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Water/Sewer Committee meeting held on November 22, 2011.*

**Resolution Number: 8**

**Carried**

- DWQMS – Management Review Meeting Minutes

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

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the DWQMS – Management Review meeting held on November 22, 2011.*

**Resolution Number: 9**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Six**

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

3. Fire Committee  
- Minutes, November 15, 2011

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

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Fire Committee meeting held on November 15, 2011.*

**Resolution Number: 10**

**Carried**

4. Economic Development Committee  
- Minutes, November 16, 2011

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

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Economic Development Committee meeting held on November 16, 2011.*

**Resolution Number: 11**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Seven**

**H. CORRESPONDENCE FOR COUNCIL'S INFORMATION AND  
DIRECTION**

1. Victoria Zeinstra, Manager of Hockey Buyout  
Re: Request for Donation of Ice Time for Fundraising Event

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

*THAT the Council of the Corporation of the Township of Wellington North donate the two hour rental fee for ice time, at the school rate of \$31.00 per hour plus HST, for a total of \$70.06 on December 13, 2011 for the "Hockey Buyout" event hosted by the Warm Winter Wishes program organized by the Business Leadership class at Wellington Heights Secondary School.*

**Resolution Number: 12**

**Carried**

**I. BY-LAWS**

1. 101-08 Being a Provisional Drain Repair By-law Amended to an Actual Cost By-law as per Schedule A to Provide for the Repair of the Brandy Creek Drainage Works

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

*THAT By-law Number 101-08 being a Provisional Drain Repair By-law amended to an Actual Cost By-law as per Schedule A to provide for the repair of the Brandy Creek Drainage Works be read a Third time and finally passed.*

**Resolution Number: 13**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Eight**

I. **BY-LAWS** (continued)

2. 87-11 Being a By-law to Authorize the Execution of an Amending Agreement Between Her Majesty the Queen in Right of Ontario as Represented by the Minister of Public Works and Government Services Acting Through the Canadian General Standards Board and The Corporation of the Township of Wellington North (Agreement for the Accreditation of the Operating Authority of Municipal Drinking Water Systems)

**Moved by:** Councillor Goetz

**Seconded by:** Councillor Burke

*THAT By-law Number 87-11 being a By-law to Authorize the Execution of an Amending Agreement Between Her Majesty the Queen in Right of Ontario as Represented by the Minister of Public Works and Government Services acting through the Canadian General Standards Board and The Corporation of the Township of Wellington North be read a First, Second and Third time and Finally Passed. (Agreement for the Accreditation of the Operating Authority of Municipal Drinking Water Systems)*

**Resolution Number: 14**

**Carried**

3. 88-11 Being a By-law to Authorize a Deferral Agreement Pursuant to Section 27 of the *Development Charges Act*. (Part of Park Lot 5, South of Clyde Street, Part 1 on Plan 16R11461 – Hummel)

**Moved by:** Councillor Goetz

**Seconded by:** Councillor Burke

*THAT By-law Number 88-11 being a by-law to Authorize a Deferral Agreement pursuant to Section 27 of the Development Charges Act be read a First, Second and Third time and finally passed. (Part of Park Lot 5, South of Clyde Street, Part 1 on Plan 16R11461 – Hummel)*

**Resolution Number: 15**

**Carried**



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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Nine**

**J. OTHER/NEW BUSINESS**

1. Mark Van Patter, Senior Planner, County of Wellington  
Re: Leverne Ferguson – Proposed Clare Creek Gravel Pit

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

*THAT the Council of the Corporation of the Township of Wellington North receive the County of Wellington Planning Opinion from Mark Van Patter regarding zoning of the lands for the proposed Clare Creek Gravel Pit in the North Part of Lot 15, Concession 5 and 6 (Geographic Arthur Township) Ministry of Natural Resources Class 3 Gravel Pit License;*

*AND FURTHER THAT a letter supporting the County response to the Notice of Application for a Category 3, Class A Extraction designation be forwarded to the Ministry of Natural Resources.*

**Resolution Number: 16**

**Carried**

2. Wellington County Planning and Land Division Committee  
Re: Comments for Consent Application B145/11

The County of Wellington Planning and Land Development Department recommended deferral of this application with respect to the configuration of the lot and concerns regarding the location of the entrance.

Council concurred with the County of Wellington Planning and Land Development Department deferral provided that the application comes back to Council for their comments prior to consideration by the Land Division Committee.

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

County of Wellington

- Notice of Adoption, Official Plan Amendment  
Township of Centre Wellington

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Ten**

**L. CULTURAL MOMENT**

Mayor Tout presented a book and collage by Marcel Labelle of Arthur and presented the following bio provided by Mr. Labelle:

Marcel was born and raised in Mattawa, Ontario, where he spent his childhood learning how to survive and feed his family in the ways of his ancestors. His teachers were his Algonquin grandmothers and Metis father and mother. When Marcel could no longer provide for his family by trapping he received a gift which led to his creating beautiful birch bark canoes from materials harvested in his back yard (his childhood forest).

Today Marcel is sharing what his Elders and Teachers shared with him and does this in part by presenting at schools and Aboriginal festivals. He has been at the Smithsonian Institute of the American Indian in New York as well as the keynote speaker at many Aboriginal symposiums and forums. Marcel has been featured at the Canadian Aboriginal Festival, Planet IndigenUs at Harbourfront in Toronto and the Universities of Toronto and Guelph. As time permits Marcel teaches “Living on the Land” at Trent University.

He is recognized by his people as a knowledge keeper and by the Ontario Arts Council as a craftsman. He is also supported by The Department of Canadian Heritage in his efforts to share his knowledge with Aboriginal youth and mainstream society.

His greatest achievement is sharing his life with his lovely wife Joanne who together have a daughter, Janique, and son Marc and four grandchildren.

**M. ANNOUNCEMENTS**

Councillor Lennox, as a follow up to his announcement regarding a notice of motion, requested that Council allow a resolution regarding performance appraisals be added to the agenda.

**Moved by: Councillor Lennox**

**Seconded by: Councillor Burke**

***That Section 31 – Motions of Procedure By-law 1-99 be waived.***

**Resolution Number: 17**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Eleven**

M. **ANNOUNCEMENTS** (continued)

**Moved by:** Councillor Lennox

**Seconded by:** Councillor Burke

**That the Council of the Township of Wellington North adopt a policy whereby, Council will conduct performance appraisals of the incumbent holding the position of Chief Administrative Officer (CAO) and that the CAO shall conduct performance appraisals of all department heads in consultation with council.**

**And Further that these performance appraisals be conducted once annually and more frequently as required.**

**Resolution Number: 18**

**Carried**

Council were advised that this policy is already in place for the CAO conducting department heads performance.

N. **CLOSED MEETING SESSION**

1. “Legal, Personnel, Property” matters

**Moved by:** Councillor Goetz

**Seconded by:** Councillor Burke

***THAT Council go into a meeting at 8:27 p.m. that is closed to the public under subsections 239 (2) (f) (d) (c) of the Municipal Act, 2001***

- *to receive advice that is subject to solicitor-client privilege*
- *to consider labour relations or employee negotiations*
- *to consider a proposed or pending disposition of land by the municipality*

**Resolution Number: 19**

**Carried**

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

**REGULAR MEETING OF COUNCIL**

**Monday, December 5, 2011**

**Page Twelve**

N. **CLOSED MEETING SESSION** (continued)

1. “Legal, Personnel, Property” matters (continued)

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT Council rise from a closed meeting session at 9:58 p.m.*

**Resolution Number: 20**

**Carried**

O. **CONFIRMING BY-LAW**

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT By-law Number 89-11 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 December 5, 2011 be read a First, Second and Third time and finally passed.*

**Resolution Number: 21**

**Carried**

P. **ADJOURNMENT**

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT the Regular Council meeting of December 5, 2011 be adjourned at 10:00 p.m.*

**Resolution Number: 22**

**Carried**

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C.A.O./CLERK

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MAYOR