

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

REGULAR COUNCIL MEETING

AGENDA

MONDAY, NOVEMBER 12, 2001

This regular meeting was held in the Council Chamber in the Stanley Complex, Varna

MEMBERS PRESENT:

Mayor	Bill Dowson
Deputy Mayor	Paul Klopp
Councillor-At-Large	Diane Denomme
Councillors	Tony Denomme
	Brad Mousseau
	Bill Martin
	Mavis Govier
	Joe Laudenbach
	Marg Deichert
	Rod Parker

STAFF PRESENT:

Janisse Zimmerman, Clerk-Administrator
Ross Fisher, Public Works Manager
Tom Dickins, Facilities Manager
Milt Dietrich, Chief Building Official
Luanne Phair, Treasurer, Deputy-Clerk
Cindy Denomme, Recording Secretary

1. Call to order 7:00 p.m.
2.
 - 2.1 Disclosure of pecuniary interest and the general nature thereof for current meeting. Deputy-Mayor Klopp declared a conflict with 5.2 Item #7 – Tree Issue.
 - 2.2 Disclosure of pecuniary interest and the general nature thereof for previous meeting, if absent for that meeting. None.
3. Adoption of Minutes
- October 29th, 2001 regular meeting

MOTION MOVED BY: Diane Denomme
597-2001 SECONDED BY: Brad Mousseau

BE IT RESOLVED THAT the Minutes of the October 29th, 2001 regular meeting be approved and adopted as circulated.

MOTION CARRIED.

4. Authorization of Accounts

MOTION MOVED BY: Mavis Govier
598-2001 SECONDED BY: Bill Martin

BE IT RESOLVED THAT the Accounts in the amount of \$21,960.50 be approved and authorized for payment as circulated.

MOTION CARRIED.

5. MANAGEMENT TEAM REPORTS

5.1 Chief Building Official

The Chief Building Official's report was reviewed.

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There was some discussion regarding the time spent on Occupancy Permits when they are requested and whether there should be a fee for this service.

MOTION MOVED BY: Paul Klopp
599-2001 SECONDED BY: Joe Laudenbach

BE IT RESOLVED THAT an Occupancy Permit fee be set at \$100.00
MOTION CARRIED.

The Chief Building Official's report is attached to these Minutes as Schedule A.

5.2 Public Works Manager

The Public Works Managers' report was reviewed.

1. Hensall Well #4

Ross reported on the price from Ron Hopper for the work to be done in Hensall.

MOTION MOVED BY: Mavis Govier
600-2001 SECONDED BY: Paul Klopp

BE IT RESOLVED THAT the quote of \$46,092.18 from Ron Hopper for the connection of well #4 into the Hensall water system be accepted.
MOTION CARRIED.

There was discussion regarding the testing of the water in Hensall and the results of the testing. Ross said that the results are available at the Municipal Office and the results are available after two days.

2. Property Request

There has been a request to purchase property in Bayfield. Ross is to send a letter stating that when property in Bluewater is deemed surplus it will be put up for sale.

3. Water meters

Ross was unable to have the prices available for the meeting and the matter will be brought to the next meeting.

4. Contract for extensions

MOTION MOVED BY: Mavis Govier
601-2001 SECONDED BY: Diane Denomme

BE IT RESOLVED THAT Christy, Glass and Eugene Streets be included in the Bayfield municipal water project and that the quote of \$172,815.70 from Omega Contractors for these streets be accepted.
MOTION CARRIED.

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5. Snow Removal

MOTION MOVED BY: Joe Laudenbach
602-2001 SECONDED BY: Tony Denomme

BE IT RESOLVED THAT in order to facilitate the removal of snow off of the sidewalks, that it be prohibited to place signs, planters, pop machines or any item that would interfere with the removal of snow, on the sidewalks or boulevards during the period of November 1st to April 1st.
MOTION CARRIED.

6. Richmond Street, Hensall

Ross reported that the construction was started on Thursday, November 8th.

7. Tree Planting

Deputy-Mayor Klopp left the room.

Ross reported that he had received a request from the Bayfield Millennial Conservation Trust to plant trees on the unopened road allowance called Margaret Street in Bayfield.

MOTION MOVED BY: Mavis Govier
603-2001 SECONDED BY: Bill Martin

BE IT RESOLVED THAT permission be given to the Bayfield Millennial Conservation Trust to plant up to 12 trees across Margaret Street between Christy and Glass Streets to create a vehicle barrier.
MOTION CARRIED.

Deputy-Mayor Klopp returned to the meeting.

The Public Works Managers report is attached to these Minutes as Schedule B.

5.3 Treasurer

The Treasurers report was reviewed. Tax Arrears Collection and the progress to date, along with 2001 Final tax billing information was included in the report. A copy of the budget to date was also included in the report. Water and Sewage accounts to be written off were attached to the report.

MOTION MOVED BY: Tony Denomme
604-2001 SECONDED BY: Marg Deichert

BE IT RESOLVED THAT the water arrears in the total amount of \$990.00 and the sewer arrears in the total amount of \$1716.00 be written off as per the attached list.
MOTION CARRIED.

The Treasurers report is attached to these Minutes as Schedule C.

6. ITEMS REQUIRING ACTION

6.1 Committee of Adjustment
- minor variance applications

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MOTION MOVED BY: Diane Denomme
605-2001 SECONDED BY: Brad Mousseau

BE IT RESOLVED THAT we adjourn at 7:40 p.m. in order to hold a Committee of Adjustment hearing.

MOTION CARRIED.

6.2 In Camera Session
- legal matter

MOTION MOVED BY: Mavis Govier
606-2001 SECONDED BY: Paul Klopp

BE IT RESOLVED THAT we go into in camera session at 8:40 p.m. to discuss a legal matter.
MOTION CARRIED.

MOTION MOVED BY: Mavis Govier
607-2001 SECONDED BY: Bill Martin

BE IT RESOLVED THAT the in camera session rise and report at 9:04 p.m.
MOTION CARRIED.

MOTION MOVED BY: Joe Laudenbach
608-2001 SECONDED BY: Mavis Govier

BE IT RESOLVED THAT the outstanding invoice from Totten, Sims, Hubicki for the Babe Siebert Memorial Community Centre be settled for \$9,000.00
MOTION CARRIED.

6.3 Roads Policy/Assumption of Unassumed Roads
- discussion/action

Councillor Diane Denomme, Chair of the Roads Committee, recommended to council that they not assume all unassumed roads As Is west of highway 21 within the Municipality of Bluewater. Councillor Diane Denomme gave a list of reasons for her recommendation, some of the reasons are:

- This Municipality does not currently have a Roads Policy and therefore, no construction standards for roads;
- The assumption of a road by a municipality brings with it the obligation to maintain the road and the resultant liability for its non-repair and maintenance as stated in Section 284 (1) of the Municipal Act;
- A number of existing roads are not safe for grading and snow removal machinery, placing the operator at risk and creating a risk of damage to private property;
- The financial impact this would have on the ratepayers in the Towns and Villages who are currently struggling with the cost of complying with Provincial regulations to upgrade wells and lagoons and the installation of a new Municipal Water System. Also, the cost of upgrading all municipally owned facilities regarding life safety issues as identified in the Building condition assessment report completed for the SuperBuild application.

Councillor Denomme also recommended that the Works Manager and Clerk/Administrator be assigned the task of preparing a Road Policy for the Municipality of Bluewater. She felt that Ross and Janisse would prepare a policy that would be fair and equitable to all ratepayers.

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Councillor Martin said that he could not support what Councillor Denomme has proposed. He felt that there needs to be two separate Road Policies, one that would be just for the lakeshore. He said there should be a committee to take a better look at the roads in the Lakeshore area and that in the new year there should be money in the budget for a long term road plan.

Councillor Govier explained that she understood that what Councillor Denomme was proposing was 1 Road Policy that could include 2 or more roads standards.

Councillor Denomme said that was indeed what she was proposing and that the policy would be draft only and would be brought to council for approval.

Councillor Laudenbach agreed with Councillor Denomme that we need a policy.

Deputy-Mayor Klopp could not support the proposed motion and said that he felt councillors should sit on the committee involved in creating the Roads Policy.

Mayor Dowson agreed with Councillor Denomme and felt that having the Works Manager and Clerk-Administrator was a good idea. Council could then accept or change the policy and that the Municipality would then have a standard set for road assumption.

Deputy-Mayor Klopp wondered when this policy would be prepared and brought to council. It was felt that hopefully something could be ready for February.

MOTION MOVED BY: Diane Denomme
609-2001 SECONDED BY: Mavis Govier

BE IT RESOLVED THAT the Municipality not proceed with the project to assume all unassumed roads "as is" west of Highway #21 within the Municipality of Bluewater;

AND FURTHER that the Public Works Manager and the Clerk draft a Roads Policy applicable to all roads within the Municipality of Bluewater based on various standards and that the draft policy be presented to Council for discussion and/or approval.

MOTION CARRIED.

A recorded vote was requested.

Councillor Diane Denomme – For
Councillor Mousseau – For
Councillor Diechert – For
Councillor Tony Denomme – For
Councillor Parker – For

Councillor Laudenbach - For
Councillor Martin - For
Mayor Govier - For
Deputy-Mayor Klopp - Against
Mayor Dowson - For

6.4 County of Huron

6.4.1 Severance B52/01 – Harry Hartleib

MOTION MOVED BY: Marg Deichert
610-2001 SECONDED BY: Tony Denomme

BE IT RESOLVED THAT in regard to Severance File B52/01, that there are not any municipal requirements and therefore Condition 5, has been completed to the satisfaction of the municipality.

MOTION CARRIED.

6.4.2 Severance B69/01 to B71/01 - Fitoussi

MOTION MOVED BY: Paul Klopp
611-2001 SECONDED BY: Mavis Govier

BE IT RESOLVED THAT the Council of the Municipality of Bluewater supports the approval of Severance File B69/01 to B72/01 subject to the following:

-that the applications conform to the Bayfield Secondary Plan

-that the Applicant enter into a development Agreement with the Municipality in regard to such items as servicing, storm water management plans.

MOTION CARRIED.

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6.5 Albion Hotel – Ward of Bayfield

- request for encroachment agreement

MOTION MOVED BY: Diane Denomme
612-2001 SECONDED BY: Tony Denomme

BE IT RESOLVED THAT the decision on the encroachment agreement with Kim Muszynski for the extension of the patio at the Albion Hotel in the ward of Bayfield be deferred.

MOTION CARRIED.

6.6 Tile Drain Loan Application
- lot 4, concession 9, Ward of Stanley

MOTION MOVED BY: Marg Diechert
613-2001 SECONDED BY: Rod Parker

BE IT RESOLVED THAT the tile drain loan for Lot 4, Concession 9 in the ward of Stanley be approved for the amount of \$20,000 or 75% of the cost of the construction, whichever is less, subject to the availability of funding from the Ministry of Agriculture.

MOTION CARRIED.

6.7 Hensall Scouts
- request re former PUC building

MOTION MOVED BY: Mavis Govier
614-2001 SECONDED BY: Rod Parker

BE IT RESOLVED THAT the Hensall Scouts be permitted to store their equipment and trailer in the former PUC shed in Hensall subject to:

- the Scouts carry the insurance on their equipment
- the Scouts enter into a Save Harmless Agreement with the Municipality
- the Scouts are prepared to remove their equipment/belongings from the shed with two weeks notice.

MOTION CARRIED.

6.8 Huron Farm Environmental Coalition
- letter dated September 27th, 2001

6.9 SCTP Application
- Federal funding

7. CONVENTIONS, COURSES AND INVITATIONS

8. COMMITTEE AND BOARD REPORTS

Councillor Diane Denomme – Brought a Thank You to Mayor Dowson from Bayfield for his part in the Tree Lighting on November 9, 2001.

Councillor Mousseau – attended two Road Watch Meetings.

Councillor Diechert – attended a Dashwood Fire Board meeting.

Councillor Tony Denomme – nothing to report.

Councillor Parker – nothing to report.

Councillor Laudenbach – nothing to report.

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Councillor Mousseau – attended a Farm Safety Association meeting and a Rec Committee meeting.

Councillor Govier – attended Rec Committee meeting.

Deputy-Mayor Klopp – attended Dashwood Fire Board meeting.

9. NEW BUSINESS

9.1 County of Huron

-Warden's Election details

9.2 Bluewater Recycling Association

-October/November newsletter

9.3 Bluewater Equipment

Councillor Martin asked if the ratepayers of Bluewater will be able to rent equipment in Bluewater for a fee (example: snow ploughing). This will be put on the agenda for the next meeting for discussion.

9.4 Septic Haulers

Councillor Tony Denomme asked if the issue for the septic haulers has been sorted out. Mayor Dowson said that the County is handling the situation and he was told there should not be a problem.

9.5 Rusty Brandon

Councillor Govier reported that Rusty Brandon's father had passed away and wondered if the council wished to make a donation in his memory.

10. QUESTIONS OR COMMENTS FROM THE GALLERY

Mr. Jim Ferguson reported that his has been attending the Nutrient Management meetings and that they are currently working on a Draft By-law.

11. INFORMATION ITEMS

- **AMO**
- FYI – Walkerton Public Inquiry Wraps Up
- Alert – Bill 111 – The New Municipal Act
- Alert – AMO sees Progress with Provincial Return to 1/3 Infrastructure Funding
- Alert – Province Introduces Ontarians with Disabilities Act
- Alert – Bill 111 – The New Municipal Act – Receives Second Reading and Heads to Committee
- **Ausable Bayfield Conservation Authority**
- Monthly Report
- Minutes – October 18, 2001
- **Bayfield Ratepayers Association**
- Minutes – Executive Meeting October 13, 2001
- Letter
- **Ministry of Agriculture, Food and Rural Affairs**
- Letter – Re: Municipal Infrastructure
- News Release – Building Reform Legislation
- **OPP**
- Media Releases November 5, 2001 – On File
- **Paul Steckle MP**
- Letter Re: Anti-landmine treaty

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12. BUSINESS ARISING FROM THE INFORMATION ITEMS

13. IN CAMERA SESSION

MOTION MOVED BY: Paul Klopp
615-2001 SEC0NDED BY: Mavis Govier

BE IT RESOLVED THAT we go into in camera session at 10:45 p.m. to discuss a personnel matter.

MOTION CARRIED.

MOTION MOVED BY: Rod Parker
616-2001 SECONDED BY: Mavis Govier

BE IT RESOLVED THAT the in camera session rise and report at 10:50 p.m.

MOTION CARRIED.

MOTION MOVED BY: Mavis Govier
617-2001 SECONDED BY: Marg Deichert

BE IT RESOLVED THAT due to the increased workload in this transition years, 2001, that the unused part of vacation for these employees set out in the Clerk's report of November 12th be paid out.

MOTION CARRIED.

14. Adjournment

MOTION MOVED BY: Paul Klopp
618-2001 SECONDED BY: Mavis Govier

BE IT RESOLVED THAT all items not specifically dealt with be noted and filed.

MOTION CARRIED.

MOTION MOVED BY: Diane Denomme
619-2001 SECONDED BY: Brad Mousseau

BE IT RESOLVED THAT we do now adjourn at 10:58 p.m. until the next regular meeting on November 26th, 2001 at 7:00 p.m. at the Council Chambers in the Stanley Complex.

MOTION CARRIED.

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Bill Dowson, Mayor

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Janisse Zimmerman, Clerk-Administrator