

THE CORPORATION OF THE TOWNSHIP OF HORTON
REGULAR COUNCIL MEETING
JANUARY 05, 2016

There was a Meeting of the Council of the Township of Horton held in the Municipal Council Chambers on Tuesday January 5th 2016. Present were Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, Councillor Jamey Larone and Councillor Glen Campbell. Staff present was CAO/Clerk Mackie McLaren, Public Works Manager Janet Collins and Christina Mulcahey Administrative/Planning Assistant.

1. CALL TO ORDER

Mayor Kingsbury called the meeting to order at 4:00 p.m.

2. REQUEST TO TURN OFF ELECTRONIC DEVICES

Mayor Kingsbury asked Council, Staff and the Public to turn off all electronic devices.

3. DECLARATION OF PECUNIARY INTEREST

Councillor Bennett – Tender Opening on 5 ton truck

Deputy Mayor Johnston – Transportation item 6.1.1 Humphries Road Development

4. MINUTES

Council reviewed the following meeting minutes:

Moved by Councillor Campbell

RESOLUTION NO. 2016-01

Seconded by Councillor Bennett

THAT Council approves the following Council Meeting minutes:

- Regular Council meeting – December 15th 2015

Carried.

5. BUSINESS ARISING FROM MINUTES

There was no business arising at this time.

6. 4:05 TRANSPORTATION / ENVIRONMENTAL SERVICES

Present were Public Members Murray Humphries, Rick Lester and John Wilson.

6.1 Staff Reports

6.1.1 Humphries Road Development

(Deputy Mayor Johnston declared pecuniary interest)

Public Works Manager Janet Collins reviewed her report on the Humphries Road Development. She reviewed some background information and noted that staff has put forward a recommendation for Council to review. Councillor Larone asked if the recommendation would take place in the Spring and then grading would happen at that time. Janet replied she would anticipate that, however it would be up to the developer. Murray Humphries asked if we could accept the winter maintenance for now and the developer can add granular in the spring. Chair Bennett said he does not have an issue with that. He believes it is time to resolve this issue. John Wilson said he believes in ditching and drainage and he did not see water in the ditch after a three day rainfall. He said it looked good. He stopped and talked to three residents and they have not had any issues with the road. He agreed with the staff recommendation.

Councillor Larone asked if the test holes need to be compacted again. Chair Bennett said the test holes are 3 feet square and they are not a safety matter. Councillor Campbell said it is understood that the prime and double will not take place until the last lot is sold and developed. He asked if all conditions have been met and signed off. Mayor Kingsbury asked Ms. Collins that knowing that we cannot put the gravel on this winter as it would be ruined by the plow, would she support Murray Humphries suggestion? Ms. Collins said her only concern would be that the developer could challenge that the township has accepted as the road is and not continue with the gravel in the Spring. Ms. Collins suggested amending the agreement that both parties can sign off on. Mayor Kingsbury asked the CAO/Clerk as he had been speaking with the developer was he prepared to put down the gravel. CAO/Clerk said yes.

Councillor Larone said there was direction to the Public Works Manager to bring a report regarding the three test holes. He questioned at what point did those instructions change. On December 12th the Council and Committee members were invited to the Humphries Road extension to view test holes made by the developer. Councillor Larone wants to know why it was instigated and why this even took place as the Public Works Manager was to complete this, not the developer. Chair Bennett said the Public Works Manager did do test holes. After this was done, there was a meeting with the Mayor and the Public Works Manager and the outcome was looking unfavourable therefore the developer decided to take it upon himself to dig test holes and invite members to view, as he has rights to defend himself. There were no orders from Council or Committee to do this.

At this time Councillor Larone informed Council he was filing a complaint to the CAO/Clerk asking for an investigation by the Integrity Officer to look into what he believes was an illegal meeting that took place on December 12th 2015. Councillor Larone said there is a conflict of interest as Deputy Mayor Johnston is the developer of the road in discussion. He said this was wrong and there should not have been a meeting called. The meeting should have stopped before it started. Councillor Larone filed the complaint with the CAO/Clerk after the meeting adjourned.

Mayor Kingsbury strongly disagreed with Councillor Larone's complaint. As Mayor of this Township he has done everything that he feels he should. He has always referred to the report that was prepared regarding the Humphries Road. He accepted the invitation to the Humphries Road for a viewing and his own knowledge only. This was not a formal meeting. Mayor Kingsbury said he feels Councillor Larone has now divided this Council.

6.2 New Business

6.2.1 OGRA Conference Registration

Chair Bennett said there are three rooms booked for the conference. CAO/Clerk said he would like to know before the 15th of January to register. Mayor Kingsbury said he will be going on behalf of the County. Councillor Larone said he may be attending. Members will let the CAO/Clerk know if they wish to attend.

6.3 Outstanding Business

6.3.1 Janet Collins gave a verbal report on some outstanding items which included the following:

1. Pinnacle Speed Limit – to be revised and brought back for Council consideration and approval

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2. Off-road vehicle by-law – Renfrew has passed bylaw prohibiting travel on town streets between 12 am and 6 am; Township requested information on enforcement of this from Staff Sargent Colin Slight; has not been received
3. Private Road Grading – next meeting is set for Thursday, January 14, 2015 we will be reviewing a draft policy
4. Red Truck Tender – one tender received to be opened tonight
5. Michigan loader - Put out for disposal, was not included with other equipment as the intent was to use it during loading at pit, will bring back a report
6. Developers Agreement re: Consent Applications, received Legal information and will prepare for January 12th, 2016 meeting at 4:00 pm
7. Fees & Charges - 2.00/bag, 300.00/truck load not sorted, \$120.00/private grading
8. 30-33" Cub Cadet Double Auger Snow Blower for LFS
9. Plastics shipping – have not received details / invoice to provide report
10. LFS Environmental Compliance Certificate – impacted storm water (pond/ditching) plus other outstanding issues.

John Wilson asked how long have we been collecting the carpets at the landfill site. Ms. Collins said only for a few years.

Chair Bennett gave a verbal update on the Thomson Road. He said there are 3 smaller culverts to complete. Thomson Road will be closed for a few days. There may be one shallow cross road culvert to do in the Spring at the very least. The road is under construction and there are signs that will stay up for the Winter season for sure. Murray Humphries thanked Councillor Bennett for his proposal to get Thomson Road culverts complete. Councillor Bennett said it was a Council decision.

Chair Bennett said there are a few issues at the Landfill Site. The packer truck cannot be utilized as it should. Ms. Collins said she was speaking with the landfill site attendant as well today.

Chair Bennett said he was asked about the heaters inside the attendant structures. Chair Bennett said we need two construction heaters which are under \$100. This would be a savings on electricity and make it more comfortable. This will need to be addressed. Ms. Collins was asked to look after this.

Councillor Larone asked about the proper storage of the propane tanks. Asked if it would be looked at in the Spring. Chair Bennett said yes it will be looked at in the Spring. There are several issues that he would like the Committee look at.

TENDER OPENING – PW 2015-06 Sale of Surplus Equipment

(Councillor Bennett declared pecuniary interest and did not take part in discussion)

The CAO/Clerk opened the one tender that was received.

Ashley Bennett - \$9500 plus HST – Total of \$10,735

Janet Collins said this is the second time that this truck has been tendered. There has been very little interest shown.

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Councillor Campbell asked if there was an estimate of what the truck was worth. Ms. Collins said it needs work to be road worthy. She believes this tender offer is a fair price.

6.4 Correspondence – None

6.5 Recommendations

Moved by Councillor Bennett
Seconded by Councillor Larone

THAT Council agree to amend Clause 8 of the Development Agreement with Robert & Juliette Johnston by permitting the Township to carry out the 2015-2016 winter snow maintenance, providing the Johnston's agree to place an additional 86.3 m³ (112.86 yd³) of Granular M and grade the road to achieve a 3% crossfall by June 30, 2016.

FURTHER THAT if this Spring work is carried out, Council will accept that the terms of Clause 8 have been met and will continue to carry out summer and winter maintenance.

FURTHER THAT all deficiencies as outlined in the July 14th 2015 Public Works Committee minutes, inclusive of ditches (item D), exclusive of surface treatment (item I), be accepted by Council.

For: Councillor Bennett and Mayor Kingsbury
Opposed: Councillor Larone and Councillor Campbell

Deputy Mayor Johnston declared pecuniary interest and did not vote.

MOTION LOST

Moved by Councillor Campbell
Seconded by Councillor Larone

RESOLUTION NO. 2016-02

That Council award Tender PW 2015-06 Sale of Surplus Equipment (being the 2000 Sterling L9500 Tandem Dump Truck with plow, wing and sander) to Ashley Bennett in the amount of \$9500 plus HST. **Carried.**

(Councillor Bennett did not vote as he declared pecuniary interest.)

7. SUPPER BREAK at 5:35

8. 6:00 DELEGATIONS AND OR PUBLIC MEETINGS

There were none.

9. 5:45 – 5:55 PROTECTIVE SERVICES

Fire Chief Randy Corbin was present.

9.1 Staff Reports

9.1.1 Fire Chiefs Report

Fire Chief said there were 39 calls in 2015. Compared to 64 from 2014. This year so far there has been 2 calls. Three sets of new bunker gear have been purchased. Mayor Kingsbury asked if they are the same quality as what they have been in the past. Randy said they are using the same company. Mayor Kingsbury asked what happens with the old ones. Randy said they are outdated so they cannot be used. 97-17 Tanker had to take it out of service for a bit as the

brakes were froze. It is back up and running now. Still hasn't received pipe for boat launch yet but it is ordered for the dry hydrant pumping station. Open Air Burning bylaw meeting for 7pm Thursday.

10. 6:30 RECREATION

Present were Public Members Barb and Arnold Dickson, Valerie Miller and Lane Cleroux and Ralph Miller. Staff present was Kathleen Rogers, Recreation Program Manager.

10.1 STAFF/MEMBER REPORTS

10.1.1 Rec Program Manager Report

Kathleen Rogers gave a verbal report on some activities going on at the Community Center. She noted that the Children's Hockey Program is delayed because of the weather. She noted that they need to set a meeting date to discuss the Winter Carnival which is scheduled for January 29th and 30th 2016.

Ms. Rogers asked for nominations for the Volunteer Service Awards. Deadline is January 25th 2016.

Mayor Kingsbury asked what the revenue was for the quilt and the ATV.

Councillor Campbell asked if there was still an agreement for winter carnival advertisements with the Town of Renfrew. Kathleen will look into this.

Barb Dickson asked if the programs that Renfrew is putting on at our Community Center will be an ongoing thing.

Spoke about the Fishing Derby.

10.1.2 Fees and Charges

Ms. Rogers said she is satisfied with the current fees and charges. Chair Johnston asked if there were any suggestions on changes. There were no suggestions.

10.2 NEW BUSINESS

10.2.1 Requested Easement for Township Property – Michael Welsh Letter

Chair Johnston reviewed a letter. CAO/Clerk said Council has not moved forward with this request because it may affect the sale of the beach property. Mayor Kingsbury said we are prepared tonight to sell the property for a certain fee. This request could interfere with the sale. Mayor Kingsbury said Mr. Welsh could buy the property or have an agreement with the new property owner. It is not in the Township's best interest to entertain this request at this time.

Chair Johnston said he initially did not want to sell the beach property. However, if we sold this property, we could pay off the debt off the Community Center and still have some monies left over.

The CAO/Clerk was directed to send a letter to Mr. Welsh to notify him that the Township has decided to sell the property.

10.3 OUTSTANDING BUSINESS

10.3.1 Tender for In-Floor Heating at Community Center

Councillor Bennett did not have time to prepare the tender document for this meeting but he does have the specs etc. to do so.

10.3.2 Cleaning/Janitorial Tender

Councillor Bennett said there is a meeting set for Tuesday at 6 p.m. to discuss this contract.

10.3.3 Roll up Door

Councillor Bennett said the Quotes are ready but he will not have the paperwork till tomorrow.

10.3.4 Zamboni Repair

Councillor Bennett noted that there were cracks on the water tanks which have been welded. Kathleen Rogers asked if we should start looking at funding for a new one.

10.3.5 Parking Lot Drainage

Councillor Bennett said the water to take away from the front entrance is a nightmare to even implement. Might have to put a catch basin in there and run an underground pipe to the County ditch but the cost is going to add up. There is limited room to try and excavate something. Also issue where the volleyball courts are. There is pooling in the spring. There will be a plan put together.

Ralph Miller had an idea for a use for the Community Center as a "Drone" learning area. He's not sure if there would be interest in that or not. Mrs. Rogers will look into it.

Ralph also asked about opening the hall for walking space. Mrs. Rogers will come up with a recommendation and bring back to the next meeting.

10.4 Recommendations – Mayor Kingsbury

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-03

Seconded by Councillor Bennett

THAT Council declares the Township Beach Property as surplus and agrees to list the property for sale at an asking price of \$261,500.

FURTHER THAT Council agrees to list the property with a real estate firm. Three firms will be asked for quotes.

Carried.

Moved by Councillor Larone

RESOLUTION NO. 2016-04

Seconded by Councillor Campbell

That Council establish an Ad-Hoc Committee to research the options for the cleaning contract at the Horton Community Centre, and that the Committee report to the February 2, 2016 Council Meeting. Members of the Ad-Hoc Committee are Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Chair of the Recreation Committee, David Bennett, Chair of the Maintenance Sub-Committee and the CAO/Clerk.

Carried.

11. 5:05 pm CORRESPONDENCE SUMMARY

Council reviewed the following correspondence.

11.1 Information Correspondence

11.1.1 TransCanada – Energy East Pipeline Project Update

Mayor Kingsbury said Mr. Pitcher is prepared to meet with Council on the 8th or 10th of February to continue the discussion on funding a project in lieu of losing the pumping station revenue. Mayor Kingsbury asked if Council wished to change their support of the Canada East project and advise the National Energy Board.

Mayor Kingsbury would like to see this meeting go forward with all of Council present. Council agreed to meet on the 8th of February at 4:00 p.m.

11.1.2 AMO Communications – 2016 Strategic Objectives

11.1.3 Ministry of Transportation - Public Electric Vehicle charging stations

Moved by Councillor Larone

RESOLUTION NO. 2016-05

Seconded by Councillor Campbell

That Council receive the Information Correspondence for January 5th 2016. **Carried.**

11.2 Action Correspondence

11.2.1 Town of Hawkesbury –Increase in number of tip-ups

11.2.2 Township of Killaloe, Hagarty & Richards – Rural Health Care

11.2.3 City of Kingston – Basic Income Guarantee

11.2.4 Township of Oro Medonte – MFIPPA

Moved by Councillor Larone

RESOLUTION NO. 2016-06

Seconded by Councillor Campbell

THAT the Council of the Township of Horton support a resolution passed by the Town of Hawkesbury that they meet with the Minister of Natural Resources and Forestry in February at the OGRA-ROMA Conference to ask that the number of tip-ups used in ice fishing between the months of December and March be increased from two to four.

Carried.

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-07

Seconded by Councillor Larone

THAT the Council of the Township of Horton support a resolution passed by the Township of Killaloe Hagarty Richards in an effort to retain and attract family physicians to Rural Ontario, requesting that the Minister of Health and Long Term Care reinstate incentives for physicians to practice in rural areas of Ontario and that the Minister return to the table with Ontario's doctors and work together through mediation-arbitration to reach a fair deal that protects the quality, patient focused care Ontario's families deserve.

Carried.

Moved by Councillor Campbell

RESOLUTION NO. 2016-08

Seconded by Councillor Bennett

THAT the Council of the Township of Horton support a resolution passed by the City of Kingston encouraging the provincial and federal governments through their respective responsible Ministers, to work together to consider, investigate, and develop a Basic Income Guarantee for all Canadians.

Carried.

Moved by Councillor Larone

RESOLUTION NO. 2016-09

Seconded by Deputy Mayor Johnston

THAT the Council of the Township of Horton support a resolution passed by the Township of Oro Medonte, forwarding correspondence signed by their Mayor, requesting that the Minister of Municipal Affairs and Housing review and update the fees provisions in MFIPPA and in Ontario Regulation 823 to ensure that they are more reflective of current and actual costs incurred in responding to requests for access to requested records and to ensure they include provisions for the collection of all or part of the costs involved in preparing fee estimates for requesters.

Carried.

12. OUTSTANDING COMMITTEE ISSUES

There were none at this time.

13. BYLAWS

Councillor Bennett asked why the appointments to the Committee of Adjustment no longer has the Public Members on it. The Committee is appointed under the Planning Act. CAO/Clerk was directed to look into if there can be advisory members. By Law 2016-04 will come back to the next meeting upon determination of appointing members in an advisory capacity.

Moved by Councillor Bennett

RESOLUTION NO. 2016-10

Seconded by Councillor Campbell

THAT Council enact the following bylaws:

- 2016-01 Borrowing Bylaw
- 2016-02 Interim Taxes 2016
- 2016-03 Appoint Auditor
- 2016-05 Appoint Livestock Valuer
- 2016-06 Appoint Fence Viewers

Carried.

14. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING

There was no request to file a motion.

15. COUNCIL MEMBERS CONCERNS

There was none at this time.

16. MOTION FOR RECONSIDERATION – None

17. IN CAMERA (CLOSED) SESSION – Councillor Larone had a request to go into Closed Meeting to discuss an identifiable individual.

Moved by Councillor Larone

RESOLUTION NO. 2016-11

Seconded by Councillor Campbell

THAT Council proceed into a Closed Meeting pursuant to section 4 (2) (b) of Procedural Bylaw 2015-53 being personal matters about an identifiable individual, including municipal employees.

Carried.

The Meeting was closed at 7:15 pm.

Mayor Kingsbury called the Public Meeting back to Order at 7:28 pm and reported that during the closed meeting a Council Member informed Council that he had seen an employee driving a township vehicle while they were on health leave. There was a question asked if this employee had a medical certificate to return to work. The answer was no.

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The CAO/Clerk was directed to send a memo to all employees to remind them that once an employee is on health leave that they cannot return to work for any reason without a Doctor's note as per our HR Policies.

18. NEXT MEETING

18.1 Council Meeting Date: January 19th 2016

19. CONFIRMING BYLAW

Moved by Councillor Campbell

RESOLUTION NO. 2016-12

Seconded by Deputy Mayor Johnston

THAT Council enacts By-law 2016-07, a by-law to confirm proceedings of the Council of the Township of Horton at the Regular Council meeting held on January 5, 2016.

Carried.

20. ADJOURNMENT

Mayor Kingsbury declared the meeting adjourned at 7:30 p.m.

MAYOR

CAO/CLERK