

THE CORPORATION OF THE TOWNSHIP OF HORTON
REGULAR COUNCIL MEETING
NOVEMBER 1ST, 2016

There was a Meeting of the Council of the Township of Horton held in the Municipal Council Chambers on Tuesday November 1st, 2016. Present were Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, Councillor Glen Campbell and Councillor Jamey Larone. Staff present was CAO/Clerk Suzanne Klatt, Treasurer Jennifer Barr, Public Works Manager Janet Collins and Admin/Planning Assistant Hope Dillabough.

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

Deputy Mayor Johnston declared pecuniary interest on item 6.1.2 – Johnston Development – Humphries Road.

4. MINUTES

Council reviewed the following meeting minutes:

- October 4th, 2016 Regular Council
- October 18th, 2016 Public Meeting – ZBLA Worm & Gagne

Some discussion took place regarding the status of the Zoning Amendment application as it is still an existing issue. Admin/Planning Assistant Dillabough is trying to coordinate a meeting with the Chair of Planning along with the CAO/Clerk, Mayor and the applicant Mr. Gagne to find out further information regarding the application. Mayor Kingsbury suggested also perhaps it's to the Township's benefit to hold another Public Meeting although it is not legislatively required.

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-347

Seconded by Councillor Bennett

THAT Council approves the Minutes of the following Council Meetings:

- October 4th, 2016 Regular Council Meeting; and
- October 18th, 2016 Public Meeting – Zoning Amendment – Worm & Gagne

Carried

5. BUSINESS ARISING FROM MINUTES

Councillor Larone questioned if Public Works Manager Janet Collins obtained a Wett Certification for the wood stove in the garage. Ms. Collins has a call in to Dunbar Inspections for an appointment. She also stated she was in contact with TSSA (Technical Safety and Standards Authority) and they confirmed they have no jurisdiction over wood stoves.

6. TRANSPORTATION / ENVIRONMENTAL SERVICES

Present were Public Members Rick Lester and John Wilson

6.1 Staff Reports

6.1.1 Landfill Site – 2016/2017 Holiday Season

Public Works Manager Collins reviewed her report regarding the changes to the Landfill schedule for the Holiday Season 2016/2017.

6.1.2 Johnston Development – Humphries Road

Ms. Collins reviewed her report. There was some discussion regarding the clarification of the one (1) year warranty which is the responsibility of the Developer. Ms. Collins reviewed what the developer would be held liable for within that warranty. Chair Bennett felt the clause concerning the warranty was too general and should be clearer. CAO/Clerk Klatt informed Council the resolution is

based on the original signed agreement and the clause is a fairly standard one which is general as it tends to be a case by case issue. Public Advisory Member Rick Lester felt that since the entire project was monitored, Council should move ahead. Councillor Larone agreed.

Deputy Mayor Johnston did not take part in this discussion.

6.1.3 Sand Dome Inspection

Ms. Collins reviewed her report as well as the repair recommendations. As the report stated, the repairs are minor for now, however it is recommended to start putting money away into reserves for the major repairs that will likely be required in four years. Councillor Larone questioned the type of shingles that was recommended to replace the existing ones in 2020. Ms. Collins replied, currently there were no specific details but when the time comes the Engineer will provide his best recommendations.

6.1.4 Request for Winter Plowing

Ms. Collins reviewed the information and recommended to the Committee that they refrain from providing winter maintenance on the private laneway accessing certain properties on Ferguson Road. It was also recommended that the Public Works Manager notify the parties involved as well as the gentleman who made the initial request. Councillor Larone stands behind the decision made by Council and they have done their due diligence. Mayor Kingsbury agreed and said the parties had signed an agreement not to extend the winter maintenance beyond the 2015/2016 season.

6.1.5 Request for Quotation: Asset Management Plan Update

Treasurer Jennifer Barr reviewed her report. She clarified for the Committee that the Building Condition Assessment was not part of this update as it's very costly and should only be done once every ten (10) years as per Council's original decision. Public Advisory Member John Wilson confirmed with Ms. Collins that the Township would be collecting the annual daily traffic data with the Township's car counter vs. Jp2g doing it. Ms. Collins has ordered the car counter and expects it to be delivered in a few weeks.

6.1.6 G&K Services Contract (Clothing)

CAO/Clerk Klatt reviewed her report and the background of this issue. Mayor Kingsbury felt this should not have come to this point as the CAO and Managers should be making their own decisions as per the spending threshold within the municipality's Procurement By-Law which allows Managers to spend up to a maximum of \$5,000.00 without Council approval. Chair Bennett disagreed with this and expressed he would like a review of Council, Committee and staff roles and responsibilities. Mayor Kingsbury stated the CAO/Clerk is currently reviewing the Committee structures which include the respective roles in the attempts to remove the micromanaging portion. Deputy Mayor Johnston agreed with Chair Bennett and continued that the ratepayers elected them as officials therefore Council should be involved in all of the decision making and not leave it up to staff alone. CAO/Klatt agreed that there is clarity required among the roles and responsibilities of Council and Staff and there needs to be more clarity at the budget table as well. She disagreed with the fact that it should take so long to resolve an issue such as the laundry one. Public Advisory Members John Wilson and Rick Lester both agreed that the Township has a Procurement By-law and items such as this shouldn't take so long to be rectified and that there needs to be a middle ground sought.

6.1.7 Fuel and Propane Review

CAO/Clerk Klatt reviewed her report. The services of Schooley Mitchell are free for the review and if there are any cost savings, they will receive 50% of those savings. Thus, if there are no savings, there is no cost to the municipality.

6.1.8 Landfill Poles and Signage

Public Works Manager Collins reviewed her report. Some discussion took place regarding the location of the poles. Public Advisory Member John Wilson questioned whether the poles could be moved once the site plan is approved if it's only for temporary measures. Chair Bennett said it could never be permanent as the site fills up, they must be changed around to accommodate the volume. Councillor Campbell expressed concern regarding snow removal and ice buildup on the signage.

6.2 New Business - None

6.3 Outstanding Business - None

6.4 Correspondence - None

6.5 Recommendations

Moved by Councillor Bennett

RESOLUTION NO. 2016-348

Seconded by Councillor Larone

THAT Council approve the Landfill Site hours of operation changes for the 2016-2017 holiday season:

- i) Saturday, December 24th, 2016 8:00 a.m. to 12:00 p.m.
- ii) Tuesday, December 27th, 2016 8:00 a.m. to 4:00 p.m.
- iii) Saturday, December 31st, 2016 8:00 a.m. to 12:00 p.m.

Carried

Moved by Councillor Campbell

RESOLUTION NO. 2016-349

Seconded by Councillor Larone

THAT Council, per the agreement between the owner(s) Robert Andrew Johnston and Juliette Marie Johnston, and the Corporation of the Township of Horton:

- a) Authorize the Mayor and CAO/Clerk to sign a Certificate of Approval;
- b) Direct the Treasurer to return deposits paid, with interest earned while invested, if any;
- c) Pass a By-Law to assume Humphries Road into the municipal road system and complete any registration(s), as required;
- d) Commence maintenance on Humphries Road extension.

Carried

Deputy Mayor Johnston did not take part in this discussion and did not vote.

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-350

Seconded by Councillor Larone

THAT the Public Works Committee recommend Council authorize the following work to be completed in 2016 and 2017 at an estimated cost of \$1500.00 to be taken from the building maintenance budget:

- 2016 – remove upper gates (no cost)
- 2016 – remove and/or repair lower gates (no cost)
- 2017 – minor roof repairs (\$1500.00 +/-)

Carried

Moved by Councillor Bennett

RESOLUTION NO. 2016-351

Seconded by Councillor Larone

THAT Council direct staff to refrain from providing winter maintenance on a private laneway accessing 334, 413 and 414 Ferguson Road.

FURTHER THAT a letter be provided to the residents of 334, 413 and 414 Ferguson Road and to Mr. Elbon Eady informing them of Council's decision.

Carried

Moved by Councillor Larone

RESOLUTION NO. 2016-352

Seconded by Deputy Mayor Johnston

THAT Council award the Asset Management Plan update to Jp2g Consultants Inc. in the amount of \$19,725.00 plus applicable taxes;

AND FURTHER THAT the cost of updating the Asset Management Plan be funded from the Asset Management Reserve and be included in the 2017 budget.

Carried

Moved by Councillor Campbell

RESOLUTION NO. 2016-353

Seconded by Councillor Larone

WHEREAS the G&K Services Contract for pick up, laundering and delivery of overalls and rags was terminated effective June 21st, 2016;

BE IT RESOLVED THAT Council approve the purchase of a washer and dryer;

AND THAT the kitchen area be retrofitted in the upper office of the garage for the installation of the washer and dryer;

AND THAT this be funded through the building maintenance account.

**Opposed by Councillor Bennett
Carried on Division**

Moved by Councillor Bennett

RESOLUTION NO. 2016-354

Seconded by Councillor Campbell

WHEREAS Council supports a fuel and propane review to determine if cost savings can be attained;

AND WHEREAS Council has a Service Agreement with Schooley Mitchell for our telephone system which has generated cost savings;

BE IT RESOLVED THAT Council approve the Mayor and CAO/Clerk to sign an amended Service Agreement with Schooley Mitchell to initiate this review.

Carried

Moved by Councillor Bennett

RESOLUTION NO. 2016-355

Seconded by Deputy Mayor Johnston

THAT Council directs staff to purchase and install five (5) hydro poles at the landfill site, and place chains to hold existing signage on the poles to an upset limit of \$3000.00 to be absorbed in the 2016 Environmental Operating Budget.

Carried

Council recessed for supper at 5:23p.m. and returned at 6:00 p.m. with all members present.

7. PROTECTIVE SERVICES

Fire Chief Randy Corbin was present.

7.1 Staff Reports

7.1.1 Fire Chief's Report

Chief Corbin reviewed his report. There were four (4) callouts in October: Burning brush, truck fire, Multi-vehicle collision and a broken gas line. He also informed council there were over 200 kids that came out for the Haunted Halloween walk at the Horton Firehall. Chief Corbin said it was a great time and the kids all enjoyed themselves. Deputy Fire Chief Cole had dressed up as Sparky. There was also an OPP Officer there and he wanted to make a point of thanking them for their involvement as it made the traffic along Johnston Road much safer and he will also send them a formal thank you as well as an invitation back next year.

Mayor Kingsbury thanked Chief Corbin and the Fire Department for all of their hard work for the Halloween bash and how great it is for the kids to come out to something like this.

7.2 New Business

7.2.1 Appointment of Chief Fire Official – Allan Cole

Chief Corbin reviewed his memo, which was handed out to Council on their desks. It informed them that the Fire Chief has appointed Deputy Fire Chief Allan Cole as a Chief Fire Official, essentially to allow him the authority to write tickets/fines for any contraventions to the Burning By-Law. Fire Chief Corbin retains the authority to permanently or temporarily revoke this appointment, at any time, for any reason he considers appropriate and without written notice.

7.3 Outstanding Business - None

7.4 Correspondence - None

7.5 Recommendations

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-356

Seconded by Councillor Campbell

THAT Council accept the Fire Chief's Report as presented for November 1st, 2016.

Carried

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-357

Seconded by Councillor Bennett

THAT Council accept Fire Chief Corbin's appointment of Chief Fire Official to Allan Cole, Deputy Fire Chief, as defined under the Fire Code O. Reg 213/07, Division A, Subsection 1.4.1, as amended.

THAT the Fire Chief retains the authority to permanently or temporarily revoke this appointment, at any time, for any reason he considers appropriate.

Carried

9. DELEGATIONS AND OR PUBLIC MEETINGS

There was no Public Meeting or a Delegation.

10. RECREATION

Present were Public Members Sharon Bennett, Arnold Dickson, Barb Dickson, Val Miller, Ralph Miller. Absent: Lane Cleroux, Kirby Morrison
Kathleen Rogers, Recreation Program Manager was present.

10.1 Staff Reports

10.1.1 Rec Program Manager Report

Recreation Program Manager Kathleen Rogers reviewed her report. She mentioned the June Callwood Outstanding Achievement Award for Voluntarism in Ontario is now looking for nominations and an ad is to be placed in the paper, as done in years past. She had mentioned if there were any nominations that do come in, the previous CAO/Clerk Mackie McLaren would have applied.

Mayor Kingsbury questioned Councillor Bennett on the status of the Soccer Field. Councillor Bennet stated that excavation would begin on Monday, November 7th, 2016 and subsequently would have the piping placed in and covered back up within a two week period. Chair Johnston mentioned they would put grass seed down in the spring, however Mayor Kingsbury figured there wouldn't be enough time and that sod would have to be put down. Councillor Bennett said it will be addressed.

Treasurer Jennifer Barr thanked all of the Volunteers for Mackie McLaren's retirement party for all of their help. They in turn thanked Mrs. Barr for all of her help and hard work organizing the party.

10.1.2 Roll Up Door – Community Centre

CAO/Clerk Klatt reviewed her report. Mayor Kingsbury clarified the original location for the proposed door and he said it appeared the Contractor took improper measurements and there seems to be a misunderstanding. Chair Johnston stated he was there the second time the Contractor was at the Community Centre and showed him where the door was supposed to go, however the Contractor is stating the municipality changed locations. CAO/Clerk Klatt told Council that the electrical component of this door isn't part of the tender, therefore there is no cost accounted for it. There was consensus to have the installation of the roll up door complete by December 1st, 2016.

10.1.3 ROAR – Conference Report

Ms. Rogers reviewed her Conference Report. Mayor Kingsbury asked Ms. Rogers what she brought back from the Conference to be applied to Horton. She said there were a lot of connections and contacts to be made. These connections offered information sharing such as different ways of programming activities, unique ways to recruit volunteers, as well as different ways to keep all age groups inclusive in all events and activities so as not to discriminate. Mayor Kingsbury mentioned that it would be in Ms. Rogers best interest to look at preparing some shelf ready projects for different activities in case there are funding opportunities.

10.1.4 Health and Safety – Inspection Report for Community Centre

Report was reviewed by the Committee.

10.1.5 Remembrance Day – Agenda and Information

Chair Johnston reviewed the information regarding the Remembrance Day Ceremony. CAO/Clerk Klatt mentioned she could write a thank you letter to the participants of the ceremony for their contribution.

10.1.6 CN Trail

Public Works Manager reviewed her report. It was determined that there are four (4) trees along the CN Rail trail that are of immediate concern. There was some discussion on how and who to get to cut the trees down. Councillor Campbell mentioned contacting the Snogoers Club as they do general maintenance along the trail already and have their own insurance. Councillor Bennett had some concerns regarding the 'Hold Harmless' agreement and that it should be ensured it's a tight enough agreement. Ms. Collins is to contact the Snogoers and a few other names that were given to find a cost associated with removing the four trees.

10.2 New Business

10.2.1 Request from the Recreation Committee

Chair Johnston reviewed the recommendation.

10.3 Outstanding Business

10.3.1 Old Stage Curtains

Ralph Miller, Public Advisory Member, questioned what is being done with the old stage curtains and whether or not they could be sold. He recommended, on behalf of the Recreation Committee, to make a motion to Council to sell the curtains as surplus.

10.4 Correspondence

10.4.1 2016 County of Renfrew Warden's Community Service Award – Application

CAO/Clerk Klatt reviewed the material that was placed on Council's desk at the beginning of the evening. She mentioned she will accept any e-mails/calls with a nomination until Friday and then will confirm with the Mayor.

10.5 Recommendations – Mayor Kingsbury

Moved by Councillor Campbell

RESOLUTION NO. 2016-358

Seconded by Councillor Bennett

THAT Council directs the Public Works Manager to:

- a) Contract the removal of four (4) trees along the CN Trail as soon as possible;
- b) Prepare a schedule and corresponding budget for future removal of trees with consideration for the Horton Tree Survey on Millenium Trail, prepared by James Visinski;
- c) Look into potential grant opportunities in order to assist with the cost of tree removal along the CN Trail.

AND THAT the CAO/Clerk investigates the legality of the hold harmless agreement;

Regular Council Minutes
November 1st, 2016

AND THAT the Public Works Manager bring back the cost for removal of four trees.

Carried

Moved by Councillor Larone

RESOLUTION NO. 2016-359

Seconded by Deputy Mayor Johnston

THAT Council accept the Recreation Manager's Report as presented for November 1st, 2016.

Carried

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-360

Seconded by Councillor Larone

THAT a completion date be established for the roll up door of December 1st, 2016.

AND THAT it not interfere with the Remembrance Day Celebrations on November 6th, 2016.

Carried

Moved by Councillor Campbell

RESOLUTION NO. 2016-361

Seconded by Councillor Bennett

THAT Council accept the Health and Safety Checklist performed by the Recreation Program Manager dated October 27th, 2016

Carried

Moved by Councillor Larone

RESOLUTION NO. 2016-362

Seconded by Councillor Campbell

THAT Council, upon the recommendation of the Recreation Committee, set up a budget of \$5000.00 in order to engage an accounting firm to provide advice concerning the formation of the Horton Recreation Association (HRA).

AND THAT the need exists to retain the services of a Lawyer to hand the legal necessities for the creation of the Horton Recreation Association.

AND FURTHER THAT the funds are to come from the Recreation Building reserves and must be returned to the Township within the fiscal year of 2017.

AND FURTHER THAT payment of such services required to provide advice concerning the formation of the Horton Recreation Association shall follow the Township of Horton's Procurement By-Law.

Carried

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2016-363

Seconded by Councillor Bennett

THAT Council approve the Recreation Committee's recommendation.

THAT the Recreation Committee declares the curtains as surplus.

AND THAT they be sold and proceeds offset recreational costs.

Carried

11. COUNCIL CORRESPONDENCE SUMMARY

Council reviewed and discussed the following correspondence:

11.1 Information Correspondence

11.1.1 CAO/Clerk Information Memo

Moved by Councillor Larone

RESOLUTION NO. 2016-364

Seconded by Councillor Campbell

THAT Council accept the Information Correspondence list as per the CAO/Clerk's Information Memo for November 1st, 2016.

Carried

11.2 Action Correspondence – None

11.2.1 Call for Nominations – June Callwood Outstanding Achievement Award for Voluntarism in Ontario

Already discussed at the Recreation Committee. An ad will be placed in the paper and on the website.

11.2.2 Township of North Frontenac – Request for Support for Ontario’s Electrical Bills

Moved by Councillor Larone

RESOLUTION NO. 2016-365

Seconded by Councillor Campbell

WHEREAS 570,000 Ontario Consumers are unable to maintain a paid up balance of their electrical bills;

AND WHEREAS 50,000 to 60,000 consumers have had their service disconnected due to unpaid balance;

AND WHEREAS we are in the fall heating season and approaching the winter season;

AND WHEREAS we are the only Province in Canada to be subject to these changes;

THEREFORE BE IT RESOLVED THAT we request that these changes be removed from consumer’s electrical bills to make it more affordable and more comparative to other Provinces;

AND THAT this Resolution be circulated to the Minister of Energy, Premier of Ontario as well as the Township of North Frontenac in support.

Carried

11.2.3 Head, Clara & Maria – Support for Perth County Council and Climate Change

Moved by Councillor Bennett

RESOLUTION NO. 2016-365

Seconded by Deputy Mayor Johnston

WHEREAS Perth County Council has circulated a resolution for support and endorsement concerning its request to the province to commit to consultations with rural Ontario in the design and implementation of the government’s Climate Change Action Plan;

AND WHEREAS the Township of Horton Council agrees that rural consultation in any long range planning for Ontario is a necessity;

THEREFORE BE IT RESOLVED THAT the Council of the Township of Horton does hereby support and endorse the enclosed resolution of the Perth County Council from its regular meeting of July 7th, 2016;

AND FURTHER THAT a copy of this resolution of support be circulated to the appropriate ministries for their consideration.

Carried

11.2.4 ROMA – Request for Nominations – Zone 6 Vacancy

There were no nominations brought forward.

11.2.5 FCM – Canada 150 Community Leaders Network

Information was reviewed.

12. OUTSTANDING COMMITTEE ISSUES

12.1 Report – Site Visit – Beach Property

Planning Chair Campbell reviewed the report which was provided to Council members on their desk. CAO/Clerk Klatt is to follow up with Mr. Welsh to confirm he still wishes to be a delegation at the November 15th, 2016 meeting. Mayor Kingsbury indicated to Council there was an email sent to the CAO/Clerk and himself from Mr. Ballantyne. Mayor Kingsbury recommended the email be sent to the Township Lawyer for her review. Chair Campbell agrees that the letter should be forwarded. CAO/Clerk Klatt is to follow up with Mr. Welsh to see if he is aware of the email sent from Mr. Ballantyne, which he was carbon copied on.

Regular Council Minutes
November 1st, 2016

Moved by Deputy Mayor Johnston
Seconded by Councillor Bennett

RESOLUTION NO. 2016-367

WHEREAS Frederick Crouch – Broker of Record for Gentry Real Estate has viewed the beach property at River Road;

AND WHEREAS he proposes the value to be marketed at \$259,900.00;

AND WHEREAS the listing term be for a one year period and the Real Estate Commissions be at 6.0% of the selling price;

THEREFORE BE IT RESOLVED that Council approves the CAO/Clerk to sign the Request for listing services;

AND BE IT FURTHER RESOLVED that all inquiries for sale, viewing or inquiries be redirected by council and staff to Mr. Crouch as the Broker for the sale of the beach property.

Carried

Moved by Councillor Larone
Seconded by Councillor Campbell

RESOLUTION NO. 2016-368

THAT Mike Welsh be a delegation at the November 15th, 2016 Regular Council Meeting to present his proposal regarding roadway access to the beach property accessed from his property.

Carried

13. BYLAWS - NONE

14. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING - None

15. COUNCIL MEMBERS CONCERNS - None

16. MOTION FOR RECONSIDERATION – None

17. IN CAMERA (CLOSED) SESSION – There was a Closed Session held earlier.

Moved by Councillor Larone
Seconded by Deputy Mayor Johnston

RESOLUTION NO. 2016-369

THAT Council proceed into a Closed Session Meeting at 8:06 p.m. pursuant to Section 239(2) (c)&(e) of the *Municipal Act*;

- Litigation or potential litigation.

Carried

Council came out of the Closed Session at 8:28 p.m.

18. NEXT MEETING

18.1 Council Meeting Date – Tuesday November 15th, 2016 at 4:00 p.m.

19. CONFIRMING BYLAW

Moved by Councillor Campbell
Seconded by Councillor Larone

RESOLUTION NO. 2016-370

THAT Council enacts By-law 2016-66, a by-law to confirm proceedings of the Council of the Township of Horton at the Regular Council meeting held on November 1st, 2016.

Carried

20. ADJOURNMENT

Mayor Kingsbury declared the meeting adjourned at 8:30 p.m.

MAYOR

CAO/CLERK