

THE CORPORATION OF THE TOWNSHIP OF HORTON

COUNCIL MEETING

December 1, 2009

There was a meeting of the Council of the Township of Horton held in the Municipal Council Chamber on Tuesday December 2, 2009. Present were Mayor Robert A. Johnston, Deputy Mayor Bob Hall, Councillors Dave Bennett, Don Eady and Bob Kingsbury.

1. **CALL TO ORDER**
Mayor Johnston called the meeting to order at 4:00 p.m.
2. **DECLARATION OF PECUNIARY INTEREST**
Councillor Bennett declared pecuniary interest on Accounts Payable.
3. **MINUTES OF OCTOBER 20, 2009 SPECIAL COUNCIL MEETING
NOVEMBER 03, 2009 REGULAR COUNCIL MEETING**

Moved by Dave Bennett, seconded by Bob Hall **Resolution No. 09-297**

That Council approves the following Council Meeting Minutes:

- October 20, 2009 Special Council Meeting
- November 03, 2009 Regular Council Meeting

Carried.

4. **BUSINESS ARISING FROM MINUTES**
There was no business arising from the Minutes.
5. **ITEMS TO BE ADDED TO THE AGENDA AND APPROVE AGENDA**
The CAO/Clerk suggested adding the McGahern Road Closing Resolution, but Councillor Bennett felt it should return to Planning Committee due to the issue of property owners' interests. Councillor Eady felt now that the policy is to obtain a separate appraisal for each road being closed it should go to Planning Committee

Moved by Bob Hall, seconded by Dave Bennett

Resolution No. 09-298

That Council adds the following items to the Agenda and approves the December 01, 2009 Council Meeting Agenda:

- Change in date for January Council meeting.

Carried.

6. **COMMITTEE REPORTS**

4:05 **PUBLIC WORKS**

Municipal Manager Reports – November 2009

The Reports had been reviewed at the Committee of the Whole Meeting November 30, 2009.

Public Works

Councillor Bennett reported that the roads are in rough shape due to recent weather, however the grader has been out all day today grading.

Moved by Don Eady and Bob Hall

Resolution No. 09-299

That Council receive the November 2009 Infrastructure Manager's Report.

Carried.

4:08 **WASTE MANAGEMENT**

Minutes of Waste Management Committee Meeting – November 19, 2009

Councillor Eady, Chair of Waste Management referred to the Minutes which had been reviewed at the Committee of the Whole Meeting

November 30, 2009. Councillor Eady referred to a suggestion from a Ratepayer that a second attendant was needed at the Landfill Site and said the cost of approximately \$13,000 per year, was not warranted.

Moved by Bob Kingsbury, seconded by Bob Hall

Resolution No. 09-200

That Council approves the Minutes of the November 19, 2009 Waste Management Committee Meeting.

Carried.

Moved by Dave Bennett, seconded by Bob Kingsbury

Resolution No. 09-201

That Council authorizes the Waste Management Committee to purchase a remote camera to control access to the Landfill Site when it is closed.

Carried.

4:13 **FIRE**

Minutes of Fire Committee Meetings - November 18 & 26, 2009

Councillor Bennett, Chair of Fire Committee, reported that the Committee had reviewed the draft Agreement with the County of Renfrew, the Ministry of Health and Long Term Care, and requested additional information.

The Committee interviewed a candidate for the Deputy Chief position but decided not to make a recommendation until updated job descriptions were prepared for the Fire Department. Fire Chief Randy Corbin had submitted a package from the Fire Marshall's Office and McNab Township Fire Chief was to be contacted. When all the information is collected a Meeting will be held.

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-202

That Council accepts the Fire Committee Meeting Minutes of November 18 and November 26, 2009.

Carried.

Moved by Dave Bennett, seconded by Don Eady

Resolution No. 09-203

That Council accepts the recommendation of the Fire Committee that Council pass the following motion:

"That the Province of Ontario provide annual funding starting in 2010 in the amount of \$50,000 to assist municipalities in their efforts to meet a changed and growing demand for Fire Department services that are above and beyond traditional fire suppression",
And forward this support to the Township of Greater Madawaska.

Carried.

4:17 **FINANCE**

Finance Report – November 2009

Council reviewed the Finance Report for November 2009.

Tax Arrears Report – November 2009

Council reviewed the Tax Arrears Report for November 2009. The CAO/Clerk reported that at a recent Renfrew County Clerk/Treasurers' Meeting it was reported that average amount of tax arrears is 15% and over, Horton is 12%. There are four properties in tax sale process which will take about a year.

Budget Meeting – December 9, 2009

Deputy Mayor Hall reminded Council that the first Budget 2010 meeting will be held on December 9, 2009 at 4:00 p.m.

Moved by Bob Kingsbury, seconded by Don Eady

Resolution No. 09-204

That Council receive the November 30, 2009 Tax Arrears Report and the November 2009 Financial Report

Carried.

The CAO/Clerk reported that the Auditor had noted that their Financial Statements had not been approved.

Moved by Don Eady, seconded by Dave Bennett

Resolution No. 09-205

That Council approves the 2008 Financial Statements prepared by MacKillican and Associates.

Carried.

4:25 **RECREATION**

Recreation Committee Meeting – November 26, 2009

Councillor Kingsbury, chair of Recreation, reported that cement had been poured today at the rink for piers for the roof cover and will be backfilled tomorrow and the second side will be done tomorrow and the next day.

Moved by Dave Bennett, seconded by Don Eady

Resolution No. 09-206

That Council approve the November 26, 3009 Recreation Committee Meeting Minutes.

Carried.

Mayor Johnston reported that he and Councillor Kingsbury took the Zamboni to his workshop to clean it and do some repairs.

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-207

That Council accepts the recommendation of the Recreation Committee that the Township submit an offer of \$2,550.00 for Eganville's Zamboni. Half of these funds are to come from the current budget 2009 and the other half will come from the sale of our current zamboni.

Carried.

4:30 **PLANNING**

Regular Planning Committee Minutes – November 17, 2009

The Minutes had been reviewed at the Committee of the Whole Meeting. Councillor Bennett stated that Harold Deacon had been given until November 30 to satisfy the Site Plan requirements, but it was felt that the requirements had not been satisfied.

Councillor Kingsbury was not willing to grant an extension – he felt that Mr Deacon had ample time to complete the work.

Councillor Eady was undecided.

Deputy Mayor Hall recommended following what was recorded in the Planning Committee Meeting Minutes November 17, 2009.

Councillor Bennett felt that the Township can not keep giving extensions that Mr Deacon must have a definite plan and the security deposit must be placed.

After discussion it was agreed to wait until the CAO/Clerk had time to research what the options are before contacting Mr Deacon.

Moved by Bob Kingsbury, seconded by Bob Hall

Resolution No. 09-208

That Council approves the Minutes of the November 17, 2009 Planning Committee Meeting.

Carried.

Councillor Kingsbury asked what could be done to help Dale Potter and John Wilson who own property adjacent to land recently designated "Provincial Significant Wetland Zone"? The CAO/Clerk suggested arranging a meeting with the Ministry of Natural Resources personnel to discuss this designation.

Recommendations

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-209

That Council authorize the CAO/Clerk to arrange a meeting with the Minister of Natural Resources for Dale Potter and John Wilson and Township representatives to discuss uses on and adjacent to the Provincial Significant Wetland Zone at the mouth of the Bonnechere River.

Carried.

Moved by Bob Hall, seconded by Don Eady

Resolution No. 09-210

That Council accepts the recommendation of the Planning Committee that the Township of Horton enter into an agreement with Heather Colbert as recommended in the Environmental Impact Study carried out on her property.

Carried.

Moved by Dave Bennett, seconded by Don Eady

Resolution No. 09-211

That Council on recommendation of the Planning Committee receives the zoning amendment application by 301503 Ontario Limited O/A George Jackson Toyota and requests the County Planning Department to prepare the notices and draft by-law.

Carried.

Moved by Dave Bennett, seconded by Bob Kingsbury

Resolution No. 09-212

That Council on recommendation of the Planning Department denies the request from Shawnalee and Jamie Enright to refund unused zoning application fees from their 1995 zoning application that was withdrawn before the zoning process was completed.

Carried.

4:45 **HUMAN RESOURCES**

The Human Resources Committee has not met recently.

4:45 **RENFREW & AREA SENIORS HOME SUPPORT**

October 27, 2009 Report

Councillor Kingsbury reviewed the Report and drew attention to the number of volunteer hours contributed between April and September 2009.

Letter from Champlain LHIN

Council reviewed a letter received from the Champlain LHIN in reply to a request for financial help.

Moved by Don Eady, seconded by Dave Bennett

Resolution No. 09-213

That Council accepts the November 2009 Minutes and Report from Renfrew & Area Seniors Home Support.

Carried.

4:50 **CPAC**

Minutes of Committee Meeting November 23, 2009

Council had reviewed the Minutes at the Committee of the Whole Meeting. Councillor Bennett reported that Staff Sergeant Dave MacDonald had written to the CAO/Clerk apologizing for the Sergeant Hewitt not attending the November Council Meeting due to a scheduling error.

At the CPAC meeting Staff Sergeant MacDonald was very clear that the issue with Hans Vander Hurk was between the OPP and Hans Vanden Hurk and would not be discussed with politicians.

Speedboard Report

Council reviewed the Speedboard Report. On average vehicles travel 20 – 30 % over the posted speed limit. Councillor Eady suggested that we

request the Speedboard be placed on Whitton Road, which was recently paved at the Renfrew end, he suggested in front of Ron Mask's house.

Councillor Eady suggested that Horton Township and the Town of Renfrew get together to request the CN to repair the Railway Crossing, which is in very poor repair.

Moved by Bob Kingsbury, seconded by Bob Hall

Resolution No. 09-214

That Council accepts the Community Police Advisory Committee (CPAC) report for November 2009.

Carried.

Request for \$100.00 for Committee Expenses

Moved by Don Eady, seconded by Bob Hall

Resolution No. 09-215

That Council agrees to contribute \$100.00 from the 2009 Municipal Budget for expenses incurred by the Community Policing Advisory Committee (CPAC).

Carried.

4:56 **BUILDING**

The Report had been reviewed at the Committee of the Whole Meeting.

Moved by Dave Bennett, seconded by Bob Hall

Resolution No. 09-216

That Council receive the November 2009 Building Permit Report.

5:00 **LIME STABILIZATION OF SEPTAGE**

Minutes of Committee Meeting November 5, 2009

The Minutes had been reviewed at the Committee of the Whole Meeting.

Moved by Bob Kingsbury, seconded by Dave Bennett

Resolution No. 09-217

That Council accept the Minutes of the November 06, 2009 Lime Stabilization of Septage Committee.

Carried.

Moved by Bob Hall, seconded by Dave Bennett

Resolution No. 09-218

That Council accepts the recommendation of the Lime Stabilization of Septage Committee that the Township requests the Ministry of the Environment to extend the septage pilot project to December 2011 due to the time required to correct the leak issues with the tanks.

Carried.

Correspondence from George Thompson

Council reviewed a letter from George Thompson requesting a Waiver of Liability Agreement for septage.

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-219

That the CAO/Clerk be authorized to prepare a Waiver of Liability Agreement with Thompson's Septic Tank Pumping Inc to place septage in the Township's Septage Treatment System.

Carried.

Jp2g Quotation for Engineering Report

Jp2g Consultants Inc had submitted a Proposal for Consulting Services for the Lime stabilization Treatment Facility, which Council reviewed and agreed to accept. The Ministry of the Environment requires that the tanks be approved as leak proof and certified by an Engineer.

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-220

That Council authorizes Jp2g Consultants Inc to carry out a final inspection of the septage treatment facility and certify it for use at a cost of \$1,500.00.

Carried

5:05 **EMERGENCY PLAN PREPAREDNESS COMMITTEE**

The CAO/Clerk reminded Council that an Emergency Exercise is planned for Saturday December 5, 2009 at 8:30 a.m.

7. **CORRESPONDENCE SUMMARY**

INFORMATION CORRESPONDENCE

Council reviewed the following Information Correspondence:

- A. The Ottawa River Institute – Ottawa River Institute’s Energy Upgrades Resource List.
- B. Municipal DataWorks News – November 2009
- C. AMO: - Good Government Bill Contains Minor Changes for Municipalities
 - Presumptive Legislation for Volunteer & Part-time Firefighters
 - Proposed Organics Guidelines
 - Advocacy for OMPF and OMPF Mitigation Funding for 2010
- D. Bill McMillan, Sunset Lane - complaint about Box Grain Elevators on Gillan Road

Mayor Johnston and Councillor Eady both reported that they had driven around the area of Box Grain Elevators. There was one house on Gillan Road where the noise level was high, but in general they felt it was acceptable. It was felt that Mr Box was doing all he could to mitigate the noise.

E Renfrew County & District Health Unit – H1N1 Vaccine Now Available to All

F Renfrew County Regional Science & Technology Fair – request for support
Council felt this request should be sent to the Finance Committee.

- G. Ontario Parks – Supplemental Notice: Stage 4 – Second Information Centre: Review of Draft 2010-2020 Algonquin Park Forest Management Plan
- H. Ontario Waste Management Association – MOE Announces New Compost Guidelines
- I. Ministry of Citizenship & Immigration – Volunteer Recognition Programs for 2010
- J. Women’s Sexual Assault Centre of Renfrew County – Winter 2009 Newsletter
- K. Ottawa Valley Business – November 2009
- L. MacKillican & Associates – December Newsletter
- M. McNab/Braeside Disaster Relief Committee – thank you letter for recent donation

Moved by Bob Hall, seconded by Dave Bennett

Resolution No. 09-221

That Council receive the December 01, 2009 Information Correspondence Summary.

Carried.

ACTION CORRESPONDENCE

Council received the following Action Correspondence.

- A. City of Ottawa request support for their resolution to approach the Ministry of Transportation of Ontario asking for legislation to allow Ontario Municipalities to set their own unsigned default speed limit on local roads in residential communities.

Council tabled this request.

- B. Township of Madawaska Valley request support for their resolution which requests that the Province of Ontario change the legislation of assessment back to values of 2008, a more realistic value for property owners based on the current market and a more realistic value for a tax rate to be based on and also, back to a one year annual assessment better to react to a current real estate market.

Moved by Bob Kingsbury, seconded by Bob Johnston

Resolution No. 09-222

That the Council of the Township of Horton support the Township of Madawaska Valley which requests that the Province of Ontario change the legislation of assessment back to values of 2008, a more realistic value for property owners based on the current market and a more realistic value for a tax rate to be based on and also, back to a one year annual assessment better to react to a current real estate market.

Councillor Bennett opposed

Councillor Eady opposed

Deputy Mayor Hall abstained.

Motion defeated.

8. ACCOUNTS PAYABLE

Council reviewed the Accounts Payable for November 2009.

Moved by Bob Hall, seconded by Don Eady

Resolution No.09-223

That Council approves the following Accounts Payable Listings for November 2009 in the amount of \$160,010.71.

Carried.

Councillor Bennett declared pecuniary.

9. DELEGATIONS

7:00 Public Meeting for the Babin Zoning Amendment and Toyota Zoning Amendment

8:22 Melissa and Kirby Morrison

By-law to keep Farm Animals on Farm

The Morrisons who live on Eady Road presented a draft "Livestock Containment bylaw". Their neighbours have two horses who wander onto the Morrison property at all hours of the day and night causing physical damage and preventing the Morrisons from allowing their two dogs to go outside. The horses attack the dogs and one dog has been kicked. The neighbours who own the horses do not have an adequate fence around their property. The Morrisons have installed an underground electric fence around their property to keep their dogs in. They have contacted our Animal Control Officer, who has spoken to the owner of the horses, but the Township does not have a bylaw to cover this problem, which is why the Morrisons have made this proposal.

The CAO/Clerk reported that there is a standard Fence rule which requires property owners to be responsible for fences on their property 50/50 with neighbours and generally this works.

Mrs Vern Barr, a neighbour, spoke in support of the Morrisons.

Council agreed that the situation is intolerable and requested that the CAO/Clerk research Fence bylaws. Council also suggested referring the issue to the Planning and Public Works Committees.

Mayor Johnston thanked the Morrisons for attending and promised that the Township would look into the matter.

10. RESOLUTIONS

Moved by Bob Kingsbury, seconded by Dave Bennett

Resolution No. 09-224

That Council authorizes the January 05, 2010 Regular Council Meeting date be changed to January 12, 2010 at 4:00 p.m. Further, an announcement publicizing this change will be placed in the local newspaper.

Carried.

11. BY-LAWS

The CAO/Clerk referred to by-laws 2009-35 & 2009-36, which are to close a quarter session road which was discovered on old survey records by the Pipeline Surveyors, but is not recorded anywhere else. It is holding up the completion of the sale of the property from Mrs McCarroll to Peter Prince. Mr David Stewart and Mr Tom Prince have come up with a by-law to resolve this sale.

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-225

That Council agrees to enact the following by-laws:

- 2009-33 Babin Zoning Amendmen
- 2009-34 George Jackson Toyota Zoning Amendment
- 2009-35 Amend By-law 95-17
- 2009-36 Quarter Sessions Road Closure (McCarroll/Prince)
- 2009-37 Nesbitt Tile Drainage By-law
- 2009-38 Tippins Tile Drainage By-law

Carried.

12. REPORT FROM THE COUNTY

Mayor Johnston reported that the County of Renfrew is hiring the Templeton Group to search and recruit a replacement for Norm Lemke, Chief Administrative Officer/Clerk for the County who is retiring in April 2010. There is no election for Warden as the present Warden will serve another year.

13. ADDITIONS TO THE AGENDA

There were no additions to the Agenda.

14. COUNCIL MEMBERS CONCERNS

Councillor Kingsbury referred to the new law about hands free use of cell phones and asked what had been done to accommodate Rod Eady and Jeff Schruder when they are driving? The CAO/Clerk confirmed that voice speakers for the vehicle visors had been purchase.

Mayor Johnston suggested that he should have something for his vehicle and asked that the necessary equipment be ordered.

The "hands free" rule will also encompass two way radios in three years, when we will need new radios.

15. REQUEST FOR RECONSIDERATION

There was no request for reconsideration.

16. CLOSED MEEITNG

Moved by Bob Hall, seconded by Don Eady

Resolution No.09-226

That Council proceed into closed Meeting pursuant to section 8(b) (iii) and (v) of By-law 98-08 Procedural by-law as amended.

Carried.

The meeting was closed at 5:35 p.m. and Council returned to the Public Meeting at 5:40 p.m. Mayor Johnston reported that Council had discussed a letter received from the OPP and a letter from Perley-Robertson, Hill & McDougall about the reciprocal insurance.

17. CONFIRMING RESOLUTION

Moved by Don Eady, seconded by Bob Kingsbury

Resolution No. 09-227

That Council pass this confirming resolution to cover any actions or directions given during the open portion of this Council meeting which are minor in nature and which were not set out in By-law or Resolution.

Carried.

18. ADJOURNMENT
Moved by Dave Bennett, seconded by Bob Hall
That this Council Meeting be adjourned at 9:01 p.m.

Resolution No. 09-228
Carried.

Mayor

CAO/Clerk