

**Minutes of the Regular Council Meeting
Held on October 6, 2009
In the Municipal Council Chamber
At 7:30 p.m.**

PRESENT:	Rod Finnie	Mayor
	Barb Tocher	Councillor
	Josie Wintersinger	Councillor
	Ken Chapman	Councillor
	John Brennan	Councillor
	Kathryn Ironmonger	Clerk
	Lisa Hass	Town Manager
	Larry Van Wyck	Roads Superintendent
	Frank Smedley	Water Superintendent
	Sally Stull	Town Planner

1. CALL TO ORDER

Mayor Finnie called the meeting to order.

2. DECLARATION PECUNIARY INTEREST - none

3. COMMUNITY ANNOUNCEMENTS

Erin Film Festival: Time Traveler's Wife starts tomorrow night.

Council extended condolences to the Butcher family on the recent passing of Dave. He was a well know community member.

4. APPROVAL OF MINUTES

Resolution # 09 – 291

Moved by Councillor Brennan

Seconded by Councillor Chapman

BE IT RESOLVED THAT the minutes of the following meeting(s) be approved as circulated/amended:

- September 14, 2009 Regular Council Meeting

CARRIED.

5. BUSINESS ARISING FROM THE MINUTES - none

6. ACCOUNTS

Resolution # 09 – 292

Moved by Councillor Tocher

Seconded by Councillor Wintersinger

BE IT RESOLVED THAT the accounts in the amount of \$567,147.07 be paid.

CARRIED.

7. DELEGATIONS/PETITIONS

- 7.1 **Jeff Weddig and Diane Nelson re: Habitat for Humanity:** Ms. Nelson discussed the values, vision and mission of the Habitat for Humanity and what it could bring to our community. Thus far Habitat for Humanity Wellington County has built 14 houses in Wellington County – 4 in Rockwood, 2 in Elora, 1 in Fergus, Mount Forest and Arthur and 5 homes in Guelph. Mr. Weddig stated that the school is interested in building a home(s) in Erin. It would provide a wonderful opportunity to teach our kids how to be good citizens. He indicated that they would need Council support to be able to move forward. They are planning on hosting an information night on October 26th to get community feedback and buy in for the project. He further stated that they need to find a piece of property and Council's support in this effort would be greatly appreciated. An independent committee receives and screens the housing application. Applications must meet certain criteria to qualify.

- 7.2 **BIA re: revised expansion proposal:** Jo Fillery and Shelley Foord gave Council a brief update on what has happened since the public meeting on September 8th. They presented the revised expansion proposal for Council's consideration. Councillor Chapman expressed concern with including the Avila property and that the new members have not been contacted. Councillor Brennan expressed concern that the 16 new members and their associated taxes paid would not meet the 1/3 criteria to stop the by-law from proceeding and that Council would need to take this into consideration when considering the by-law. Council noted that the maximum charge \$2,800 has been changed to 7% of the BIA Tax Levy.

Resolution # 09 – 293

Moved by Councillor Wintersinger

Seconded by Councillor Brennan

BE IT RESOLVED THAT Town staff be directed to prepare and circulate a written notice of Council's intent to expand the BIA area to all property owners within the existing Erin Village BIA, the proposed expansion area and the BIA's Board of Management;

1. That owners are obligated to provide copies of the notice to their tenants, if any; and provide the Clerk with a current listing of their tenants (if any) and the share of the municipal taxes paid by each tenant of their premises by **November 9th, 2009**.
2. That owners and tenants have sixty (60) days to **December 8th, 2009** to submit a written objection to the Clerk regarding the proposed expansion;
3. That Council will hold a public information meeting on **November 23, 2009 at 7:30 p.m.** to provide information and to exchange views, and generate input; and
4. That the expansion area is as indicated in BIA motion B9.

CARRIED.

8. REPORTS

8.1 CBO's Report

8.1.1 Site Plan Control Agreement re: 19 Pioneer Drive (Stewart Chantler)

Resolution # 09 – 294

Moved by Councillor Brennan

Seconded by Councillor Chapman

BE IT RESOLVED THAT Council hereby authorizes the Mayor and Clerk and/or Town Manager to sign the Agreement between the Town of Erin and 2108900 Ontario Limited (Stewart Chantler) regarding the Site Plan Control Agreement for the property described as Concession 9 E Part Lot 18 RP61R4002 Part 4, 10 Pioneer Drive, Town of Erin, County of Wellington, Assessment Roll No. 23 16 000 008 07630 0000.

CARRIED.

8.1.2 Site Plan Control Agreement re: 8 Erin Park Drive (Solo Truck & Trailer)

Resolution # 09 – 295

Moved by Councillor Brennan

Seconded by Councillor Chapman

BE IT RESOLVED THAT Council hereby authorizes the Mayor and Clerk and/or Town Manager to sign the Agreement between the Town of Erin and 1209119 Ontario Limited (Solo Truck & Trailer (David Kroft) regarding the Site Plan Control Agreement for the property described as Plan 768 Pt Lot 20 RP61R5541 Part 3, 8 Erin Park Drive, Town of Erin, County of Wellington, Assessment Roll No. 23 16 000 011 21336 0000.

CARRIED.

- 8.1.3 **Anti-Fortification Memo dated October 2, 2009:** Council deferred addressing the item until the CBO's have had a chance to meet to discuss the proposed By-Law. Staff was directed to request Inspector Scott Smith to attend the next Council meeting.

8.1.4 Demolition Permits

8.1.4.1 5644 WCR 23 re: Shamrock Composting Limited – Barn

Resolution # 09 – 296

Moved by Councillor Tocher

Seconded by Councillor Chapman

BE IT RESOLVED THAT Council hereby receives Building Department Report BD-10-06-2009 dated October 6, 2009 regarding the application for demolition permit for Concession 9 E Pt Lot 19 RP61R8864 Part 2 Assessment Roll No. 23 16 000 008 07400 0000, to demolish a bank barn which is listed in the Heritage Committee's Inventory;

AND THAT the Heritage Committee has no concerns with the proposed demolition;

AND FINALLY THAT Council hereby approves the issuance of the demolition permit.

CARRIED.

8.1.4.2 160 Main Street re: Faria - demolition of an addition and detached garage

Resolution # 09 – 297

Moved by Councillor Tocher

Seconded by Councillor Wintersinger

BE IT RESOLVED THAT Council hereby receives Building Department Report BD-10-06-2009 dated October 6, 2009 regarding the application for demolition permit for Plan 167 Lot 2, Assessment Roll No. 23 16 000 010 05600 0000, to demolish a rear addition to the existing single detached residence and a detached garage which are listed on the Heritage Committee's Inventory;

AND THAT the Heritage Committee has no concerns with the proposed demolition;

AND FINALLY THAT Council hereby approves the issuance of the demolition permit.

CARRIED.

8.2 Treasurer's Report

- 8.2.1 **Capital Budget Amendment By-Law:** to be addressed under the by-law section

- 8.2.2 **2010 Budget Meetings:** pre budget meetings - October 28th at 7:30 p.m. and November 10th at 7:30 p.m. – purpose to review the fire and roads budgets

- 8.2.3 **Returned Mail:** no further action required.

- 8.2.4 **HST Financial Impact Report:** Councillor Chapman brought to Council's attention the projected additional cost relating to the water expenditures and his concern that in 2010 the HST will have a significant impact on the municipality.

8.3 Road Superintendent's Report

- 8.3.1 **Officer's Report:** Mr. Van Wyck provided Council with an status update regarding Sideroad 5 Reconstruction, Hillsburgh Streets Rehabilitation and the Deer Pit Storm Water Management Facility Project. His report also included his winter season staffing approach and the roads work activities.

8.3.2 Cab & Chassis

Resolution # 09 – 298

Moved by Councillor Tocher

Seconded by Councillor Wintersinger

BE IT RESOLVED THAT the approved 2009 budget included the replacement of a cab and chassis in the Roads Department budget;
AND THEREFORE Council hereby directs the Road Superintendent to proceed with tendering for the said purchase.

CARRIED.

8.4 Water Superintendent's Report

8.4.1 MOE 2009/10 Inspection Report for Erin Well Supply (full report is available in the office)

8.4.2 MOE 2009/10 Inspection Report for Hillsburgh Well Supply (full report is available in the office)

Resolution # 09 – 299

Moved by Councillor Chapman

Seconded by Councillor Brennan

BE IT RESOLVED THAT Council received the Ministry of the Environment's detailed drinking water system inspection reports for the Erin Well Supply dated August 18, 2009; DWS Number 220000013, Inspection Number 1-718S3; and the Hillsburgh Well Supply dated July 14, 2009: DWS Number 220007285, Inspection Number 1-718UH.

CARRIED.

8.5 Town Manager's Report

8.5.1 County Property Purchase

Resolution # 09 – 300

Moved by Councillor Wintersinger

Seconded by Councillor Chapman

BE IT RESOLVED THAT Council gave direction November 2008 for an offer of purchase and sale to be prepared for Mayor Finnie to present to Wellington County Council for Part Lots 23 & 24, Concession 8, Erin being parts 1 and 2 on a reference plan to be deposited, and being Part of PINs 71143-1111 & 71143-0288;

AND WHEREAS on November 27, 2008 County Council accepted the offer in the amount of Three hundred and five thousand, three hundred and forty dollars (\$305,340.00), \$7,500 per acre for 40.712 acres;

AND WHEREAS the property closed on October 1, 2009, funds were released as per budget discussion to finalize the sale as per attached Statement of Adjustment.

CARRIED.

8.5.2 40 Acres Lease Agreement re: former County property: Staff was directed to work out an agreement/arrangement on a year-by-year basis.

8.6 Clerk's Report

8.6.1 BIA Expansion Proposal # 2: addressed under delegation portion of the agenda

8.7 Planner's Report

8.7.1 D14-Z09-05 Zoning Amendment submitted by the Trustees of Jehovah Witness relating to 9441 WCR 124 – requesting a zone change to Agricultural from Institutional for a conditional approved severance application.

Resolution # 09 – 301

Moved by Councillor Tocher

Seconded by Councillor Brennan

BE IT RESOLVED THAT deems the Zoning Amendment application complete which has been submitted by the Nobles on behalf of the Trustees of the Erin Congregation of the Jehovah Witness requesting a zone change to A-Agricultural from I-Institutional for the conditionally approved severance application B93/09 of 1.4ha fronting on Wellington Road 124;

AND direct staff to hold a Public Information Meeting on **Tuesday November 3rd, 2009 at 7:00 p.m.**

CARRIED.

8.8 Municipal Law Enforcement Officer's Report - none

8.9 Fire Chief's Report - none

8.10 Recreation Director's Report - none

8.11 Committee Reports

8.11.1 Committee's of Council

8.11.1.1 Ballinafad Community Centre Advisory Committee
June 24 Minutes - received

8.11.1.2 Committee of Adjustment: request to waive Minor
Variance Application Fee - Councillor Tocher and Councillor
Brennan will speak to the issue.

Verbal Resolution # 09 – 302

Moved by Councillor Tocher

Seconded by Councillor Brennan

BE IT RESOLVED that Council supports the Committee of Adjustment's
recommendation to refund Dana Mundell's minor variance application fee for 2
Spring Street in the amount of \$600.00

CARRIED.

8.11.1.3 BIA August 18, 2009 Minutes

8.11.2 Other - none

8.12 Mayor's Report

EWCS Toll Road Request: Council directed the Mayor to advise the East
Wellington Community Services Board that Council would like them to pick
another weekend to hold such an event and for them to submit a formal
request for consideration.

Southern Ontario Development Program: staff was directed to forward the
information to all of the businesses listed on the Town's business directory.

9. OTHER BUSINESS

9.1 County Tree By-Law – received for information

**9.2 County Treasurer's report re: 2009 Supplementary Tax and Property
Assessment Update** – received for information

9.3 Hillsburgh Transfer Station re: added another day of operation.

9.4 Draft Fortification By-Law: Council requested Inspector Scott Smith to
attend the next Council Meeting to discuss the Fortification By-Law.

9.5 AMO's Alert re: Proposed Built Environment Standard – item deferred
pending CBO' comments.

9.6 New Ambulance Public Information Meeting – October 29th at 7:30
p.m. at Centre 2000 (tentative date).

9.7 Stanley Park Gates: staff was directed to review and report back on the
process to designate the gates as a heritage structure.

10. CORRESPONDENCE
Discussion and Reply

- 10.1 Erin District Lions Club proposal re: \$40,000 for a further ten years to their lease agreement for the Shamrock Room in Centre 2000: item was deferred to allow further review of other options.
- 10.2 Erin Shamrock Hockey Club letter dated September 25, 2009 re: sponsorship in the amount of \$2,500 for the 2009-2010 Erin Shamrock Hockey Team.

Resolution # 09 – 303

Moved by Councillor Brennan

Seconded by Councillor Chapman

BE IT RESOLVED Council received the Erin Shamrock Hockey Club request for a \$2,500 sponsorship donation:

AND THAT their request is hereby referred to budget.

CARRIED.

- 10.3 Hillsburgh Medical Centre letter dated September 17, 2009 requesting a grant to cover their property taxes – item was deferred for further clarification if they are asking the Town to just address the Town's share of the taxes levied and to confirm that they have submitted an application to the County under the charitable rebate program.
- 10.4 East Wellington Family Health Team letter dated September 17, 2009 requesting the Town to enter into an agreement to deal with the first and last month's rent regarding the new medical facility.

Resolution # 09 – 304

Moved by Councillor Chapman

Seconded by Councillor Tocher

BE IT RESOLVED Council received the East Wellington Family Health Team's letter dated September 17th, 2009 regarding the first and last month's rent of the new medical facility for Erin in the amount of \$36,225.00;

AND THAT Council hereby directs the Town Manager to develop an agreement to set out the repayment schedule;

AND FURTHER the Mayor and Town Manager are hereby authorized to execute the said agreement.

CARRIED.

- 10.5 AMO's Alert re: seeking joint and several liability reforms – requesting comments by October 16, 2009: no example to forward.
- 10.6 Allan and Jean McGeary letter dated October 1st, 2009 request to appoint a sub committee to reconsider all the ramifications of the BIA proposed expansion.

Resolution # 09 – 305

Moved by Councillor Tocher

Seconded by Councillor Brennan

BE IT RESOLVED Council received the McGeary letter received October 2, 2009;

AND THAT Council filed their request to appoint a sub-committee to reconsider all the ramifications of the BIA proposed expansion.

CARRIED.

Resolution # 09 – 306

Moved by Councillor Wintersinger

Seconded by Councillor Tocher

BE IT RESOLVED THAT Council waive the rules of procedure relating to the curfew provision for this meeting.

CARRIED.

11. CORRESPONDENCE

Information: items 11.1 to 11.10 were circulated for information

12. RESOLUTION TO MOVE TO A CLOSED SESSION

Resolution # 09 – 307

Moved by Councillor Wintersinger

Seconded by Councillor Tocher

BE IT RESOLVED THAT Council adjourns the meeting to proceed into a closed session at the hour of 11:08 p.m. to address the matter pertaining to a proposed or pending acquisition of land by the municipality.

CARRIED.

13. RETURN FROM CLOSED SESSION

Resolution # 09 – 308

Moved by Councillor Chapman

Seconded by Councillor Tocher

BE IT RESOLVED THAT the meeting is reconvened at the hour of 11:30 p.m.

CARRIED.

14. BY-LAWS

Resolution # 09 – 309

Moved by Councillor Wintersinger

Seconded by Councillor Tocher

BE IT RESOLVED THAT By-Laws # 09 – 41 to By-Law # 09 – 52, inclusive having their first and second reading be numbered.

CARRIED.

- Heavy Truck Amending **By-Law # 09 – 41**
- Sideroad 5 Speed Limit **By-Law # 09 – 42**
- Traffic Amending (designated Stop signs at Intersections) **By-Law # 09 – 43**
- Traffic Amendment By-Law (amending Schedules E and I) **By-Laws # 09 – 44**
- Boundary Road Agreement between Erin and Guelph/Eramosa **By-Law # 09 – 45**
- Mutual Assistance Agreement **By-Law # 09 – 46**
- 2009 Capital Budget Estimates Amendment **By-Law # 09 – 47**
- ISF Funding Agreement **By-Law # 09 – 48**
- Designate Town Planner to the Directors duties relating to the Site Alteration **By-Law # 09 – 49**
- Purchase and Sale County of Wellington (former Greaves Property) **By-Law # 09 – 50**
- Amend Schedule “A” of By-Law #00-38 – Asset Transfer Agreement **By-Law # 09 – 51**
- Confirming **By-Law # 09 - 52**

Resolution # 09 – 310

Moved by Councillor Chapman

Seconded by Councillor Brennan

BE IT RESOLVED THAT By-Law numbers # 09 – 41 to By-Law # 09 – 52 inclusive having their first and second reading and receiving their third and final reading, be passed as read, and signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

CARRIED.

15. NOTICE OF MOTION - none

16. ADJOURNMENT

With no further business the meeting was adjourned at 11:43 p.m.

Mayor

Clerk