



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

Regular Meeting of Council

Monday, March 5, 2012 - 7:00 p.m.

Municipal Office Council Chambers, Kenilworth

AGENDA

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AGENDA ITEM	PAGE NO.
<u>CALLING THE MEETING TO ORDER</u>	
- Mayor Tout	
<u>O' CANADA</u>	
<u>PASSING AND ACCEPTANCE OF AGENDA</u>	
<u>DECLARATION OF PECUNIARY INTEREST</u>	
<u>MINUTES</u>	
1. Regular Meeting of Council, February 13, 2012	01
<u>BUSINESS ARISING FROM MINUTES</u>	

AGENDA ITEM	PAGE NO.
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1. 9-12 Being a By-law to Authorize a Lease Extension and Amending Agreement (Kenilworth/OPP)	29
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<u>OTHER/NEW BUSINESS</u>	

AGENDA ITEM	PAGE NO.
<p><u>ITEMS FOR COUNCIL'S INFORMATION</u> (copies available for review in Clerk's Office and at Council Meeting)</p> <p>Cheque Distribution Report dated March 1, 2012</p> <p>Grand River Conservation Authority Minutes, General Membership/Committee of the Whole Meeting , February 9, 2012</p> <p><u>NOTICE OF MOTION</u></p> <p><u>CULTURAL MOMENT</u></p> <p><u>ANNOUNCEMENTS</u></p>	40
<p><u>CONFIRMING BY-LAW NO. 11-12 BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL</u></p> <p><u>ADJOURNMENT</u></p> <p>Lorraine Heinbuch, Chief Administrative Officer/Clerk</p>	50

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

REGULAR MEETING OF COUNCIL

Monday, February 13, 2012

7:00 p.m.

Members Present:

**Mayor: Raymond Tout
Councillors: Mark Goetz
 Andy Lennox
 Dan Yake**

Absent:

Councillor: Sherry Burke

**Also Present: Chief Administrative Officer/Clerk: Lorraine Heinbuch
 Executive Assistant: Cathy Conrad
 Treasurer: John Jeffery**

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. CALLING THE MEETING TO ORDER

Mayor Tout called the meeting to order.

B. O' CANADA

C. PASSING AND ACCEPTANCE OF AGENDA

**Moved by: Councillor Goetz
Seconded by: Councillor Lennox**

THAT the Agenda for the February 13, 2012 Regular Meeting of Council be accepted and passed.

Resolution Number: 1

Carried

**D. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE
THEREOF**

None declared.

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

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E. MINUTES

1. Regular Meeting of Council, February 6, 2012

**Moved by: Councillor Goetz
Seconded by: Councillor Lennox**

THAT the minutes of the Regular Meeting of Council held on February 6, 2012 be adopted as circulated.

Resolution Number: 2

Carried

F. BUSINESS ARISING FROM MINUTES

1. Richard and Mabel Cole
Re: Severance Application 145/11 – Amended Survey Sketch
(deferred from December 5, 2011 Regular Council Meeting)

Council discussed the application with Mr. Cole in regards to the size of the retained portion, zoning of the retained portion and the entrance for the severed portion.

A meeting will be arranged for the applicant, planning staff and Council to discuss the application.

G. DELEGATIONS, DEPUTATIONS, PETITIONS

1. Jim Coffey, CAO, Saugeen Conservation Authority
Re: 2012 Draft Budget

Jim Coffey, CAO, Bill Scriven, Chair, Laura Molson, Manager of Accounting and Mark MacKenzie, Township Representative appeared before Council to discuss the Saugeen Valley Conservation Authority 2012 Draft Budget.

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

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G. DELEGATIONS, DEPUTATIONS, PETITIONS (continued)

1. Jim Coffey, CAO, Saugeen Conservation Authority
Re: 2012 Draft Budget (continued)

Mr. Coffey explained that this is a maintenance budget with very few capital projects being proposed. The increase in Wellington North's portion of the 2012 levy is \$4,200. The Township's share of the total levy is 3.6%. Salary and benefits make up a large portion of the 2012 levy. The budget reflects preparation for a staff member returning who had been seconded to Source Protection. The Board will give consideration to no longer borrowing from reserves to offset operating costs.

Mayor Tout questioned the percentage increase for the Conservation Authority levy. Mr. Coffey stated that the overall increase was 9% and explained that funding for Conservation Authorities is very different than for municipalities and there are limited sources for funds. Conservation Authorities do not work with assessments the way municipalities do.

Councillor Yake commented that the municipalities are the source of funds for the Conservation Authority. The Township struggles to keep their numbers down and it is hard to swallow the large increase from the Conservation Authority. The same discussion takes place every year.

Mayor Tout informed Mr. Coffey that Council will be meeting with the Ministry of Natural Resources to discuss funding.

Mr. Coffey stated that a report had been prepared four or five years ago regarding funding for Conservation Authorities asking the Province for funding. The Conservation Authorities had 85% support from municipalities in this request. Funding was cut by the Province in 1995.

Mayor Tout asked Mr. Coffey for any information that can be provided prior to the meeting in a couple of weeks. Mr. Coffey will provide copies of the report.

Councillor Lennox confirmed with Mr. Coffey that the amount of funding from the Province has not changed. There have not been inflationary increases. This is downloading from the Province and the Province should be asked for an inflationary increase.

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**THE CORPORATION OF THE
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G. DELEGATIONS, DEPUTATIONS, PETITIONS (continued)

1. Jim Coffey, CAO, Saugeen Conservation Authority
Re: 2012 Draft Budget (continued)

Mr. Scriven explained that the OMERS benefits have increased 10.71%. The general levy is for non-revenue producing properties. A 3% increase will not cover hydro or benefits. If they can't operate the camp grounds then they will have to close the camp grounds. The non-revenue properties appeal to families because they can be used free of charge. Without funding these areas may be closed. The Province has made changes to the way projects are funded with the municipalities now responsible for a larger portion.

Mr. MacKenzie asked for a letter of direction from Council prior to the Board meeting.

Council did not support the proposed levy. Mayor Tout thanked the delegation for coming to Council and will have a letter prepared for Mr. MacKenzie.

H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS

1. Fire Committee
- Minutes, January 17, 2012

**Moved by: Councillor Goetz
Seconded by: Councillor Lennox**

THAT the Council of The Corporation of the Township of Wellington North receive the minutes of the Fire Committee meeting held on January 17, 2012.

Resolution Number: 3

Carried

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H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS (continued)

1. Fire Committee
- Minutes, January 17, 2012 (continued)

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the Council of The Corporation of the Township of Wellington North approve the proposed amendment to the Fees and Charges By-law, Schedule "D" as recommended by the Fire Committee and forward the amendment to the Clerk for inclusion when the by-law is amended.

Resolution Number: 4

Carried

Moved by: Councillor Goetz

Seconded by: Councillor Yake

THAT the Council of The Corporation of the Township of Wellington North authorize the purchase of a portable pump from C-max at an approximate cost of \$5,300.00 plus taxes for the Mount Forest Fire Station using funds donated to the Fire Station from the Pike Lake Golf Tournament as recommended by the Fire Committee.

Resolution Number: 5

Carried

**THE CORPORATION OF THE
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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND
RECOMMENDATIONS** (continued)

2. Wellington North Fire Services
 - Arthur Fire Station
 - January 2012 Report
 - January 2012 Fire Prevention Officer's Report
 - Mount Forest Fire Station
 - January 2012 Report
 - January 2012 Fire Prevention Officer's Report

**Moved by: Councillor Yake
Seconded by: Councillor Goetz**

THAT the Council of The Corporation of the Township of Wellington North receive the Wellington North Fire Services January 2012 Reports and the January 2012 Fire Prevention Officer's Reports for the Arthur and Mount Forest Fire Stations.

Resolution Number: 6

Carried

3. Recreation & Culture Advisory Committee
 - Minutes, February 7, 2012

**Moved by: Councillor Yake
Seconded by: Councillor Goetz**

THAT the Council of The Corporation of the Township of Wellington North receive the minutes of the Recreation & Culture Advisory Committee meeting held on February 7, 2012.

Resolution Number: 7

Carried

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**I. CORRESPONDENCE FOR COUNCIL'S INFORMATION AND
DIRECTION**

1. Goderich & Area Disaster Relief Committee
Re: Thank You for Donation
- Received as information
2. Ministry of Citizenship and Immigration
Re: Lincoln M. Alexander Award 2012
- Received as information
3. Maitland Valley Conservation Authority
Re: 2012 Priorities, Budget and Levy

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT the Council of The Corporation of the Township of Wellington North forward the Maitland Valley Conservation Authority priorities, draft budget and levy for 2012 to the Finance Committee for review.

Resolution Number: 8

Carried

4. Ontario 9-1-1 Advisory Board
Re: 9-1-1 Advisory Board Seeks Your Assistance
- information from Linda Dickson, CEMC that the County will be covering \$100.00 from each municipality in Wellington County with respect to this request for financial assistance

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT the Council of The Corporation of the Township of Wellington North advise the Ontario 9-1-1 Advisory Board that the Township currently supports the Ontario 9-1-1 Advisory Board through the County of Wellington.

Resolution Number: 9

Carried

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J. **OTHER/NEW BUSINESS**

None.

K. **ITEMS FOR COUNCIL'S INFORMATION**

Cheque Distribution Report dated February 9, 2012

Grand River Conservation Authority
- New Terminology Effective Feb. 15, 2012

Noah Green
- Thank You for Scholarship

L. **NOTICE OF MOTION**

None

M. **ANNOUNCEMENTS**

None

N. **CLOSED MEETING SESSION**

1. "Legal" matters

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT Council go into a meeting at 8:00 p.m. that is closed to the public under subsections 239 (2) (f) of the Municipal Act, 2001

- to consider advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Resolution Number: 10

Carried

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N. **CLOSED MEETING SESSION** (continued)

1. "Legal" matters (continued)

Moved by: Councillor Lennox

Seconded by: Councillor Yake

THAT Council rise from a closed meeting session at 8:53 p.m.

Resolution Number: 11

Carried

O. **CONFIRMING BY-LAW**

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT By-law Number 8-12 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on February 13, 2012 be read a First, Second and Third time and finally passed.

Resolution Number: 12

Carried

P. **ADJOURNMENT**

Moved by: Councillor Yake

Seconded by: Councillor Lennox

THAT the Regular Council meeting of February 13, 2012 be adjourned at 8:54 p.m.

Resolution Number: 13

Carried

C.A.O./CLERK

MAYOR

Township of Wellington North
Building/Property Committee Minutes – February 15 at 11:30 a.m.

Present: Councillor Dan Yake (Chair)
Councillor Mark Goetz
Lori Heinbuch, CAO/Clerk
Darren Jones, Chief Building Official
Mayor Ray Tout

Absent: Patty Wright, Building Inspector

The meeting was held in the Council Chamber at the Municipal Office in Kenilworth, starting at 11:30 a.m.

Minutes – November 18, 2011

Moved by: Lori Heinbuch, CAO/Clerk
Seconded by: Councillor Mark Goetz

That the Minutes of November 18, 2011 be accepted as amended.

Carried.

Business Arising from the Minutes

1. Discussion took place regarding the future of the Arthur Seniors Hall and direction was given to Darren Jones, Chief Building Official.
2. Darren Jones, Chief Building Official provided the committee with a verbal report on the status and history of the Avcom Investments Inc. development.
3. Lori Heinbuch, CAO/Clerk explained that the concerns from the Mount Forest Lawn Bowling Club have been addressed regarding the letter of understanding from Victory Church.

Other Business

1. The committee received a request from Kate Rowley, president of the Mount Forest Heritage Society.
Committee discussed the requested and concurred that the Mount Forest Heritage Society would have sole use of the basement of the Mount Forest Archives, 102 Main Street Mount Forest provided that a lock is installed on the door to the basement and the Township is provided with a copy of the key.

Moved by: Councillor Mark Goetz
Seconded by: Lori Heinbuch, CAO/Clerk

That the request from the Mount Forest Heritage Society for the use of the basement of 102 Main Street South (Mount Forest Archives) be approved.

Carried.

2. The Report from Lori Heinbuch, CAO/Clerk regarding the Wellington North Municipal Office dated February 13, 2012 was deferred to the next Building and Property Committee. (All members of Council received copies of this report)
3. Darren Jones, Chief Building Official presented the committee with a report on the education and training taken by the Building Department Staff – received as information.
4. “Property and Legal” Matters

Moved by: Lori Heinbuch, CAO/Clerk
 Seconded by: Councillor Mark Goetz

THAT Committee go into a meeting at 12:00 p.m. that is closed to the public under subsections 239 (2) (c) (f) of the Municipal Act, 2001

- *To discuss a By-law Enforcement matter*

Carried.

Moved by: Lori Heinbuch, CAO/Clerk
 Seconded by: Councillor Mark Goetz

THAT Committee rise from a closed meeting session at 12:05 p.m.

Carried.

5. The committee agreed that the sentinel light at the former Mount Forest Daycare remain on for security purposes.
6. Darren Jones, Chief Building Official presented the Committee with a list of 24 housing starts for 2011.
7. Lori Heinbuch, CAO/Clerk reported that the Animal Control By-law and short form wording has been drafted and will be forwarded to the Townships Solicitor for legal review prior to presenting to the Committee.

Building Permit Monthly Review

1. Moved by: Lori Heinbuch, CAO/Clerk
 Seconded by: Councillor Mark Goetz

That the Building Permit Monthly Review for the Period Ending November 30, 2011 was reviewed and accepted.

Carried.

2. Moved by: Lori Heinbuch, CAO/Clerk
 Seconded by: Councillor Mark Goetz

That the Building Permit Monthly Review for the Period Ending December 31, 2011 was reviewed and accepted.

Carried.

3. Moved by: Lori Heinbuch, CAO/Clerk
Seconded by: Councillor Mark Goetz

That the Building Permit Yearly Review for the Period Ending December 31, 2011 was reviewed and accepted.

Carried.

4. Moved by: Lori Heinbuch, CAO/Clerk
Seconded by: Councillor Mark Goetz

That the Building Permit Monthly Review for the Period Ending January 31, 2012 was reviewed and accepted.

Carried.

Date of Next Meeting

. April 11, 2012 at 9:00 a.m.

Adjournment

Moved by: Councillor Mark Goetz
Seconded by: Lori Heinbuch, CAO/Clerk

That the meeting be adjourned at 12:35 p.m.

Carried.

TOWNSHIP OF WELLINGTON NORTH
ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES
Wednesday, February 15th, 2012 – 4:30 pm

Members Present: Mayor Ray Tout, Chair
Councilor Andy Lennox
Councilor Dan Yake
Business Economic Manager Dale Small
Tourism, Marketing & Promotion Manager: April Marshall
Tim Boggs
Al Rawlins
Jim Taylor
Councilor Sherry Burke
Councilor Mark Goetz
Stephen Dineen
Gerald (Shep) Shepetunko

Also Present: Michelle Stone, Administrative Support

Absent: Shawn McLeod

Meeting was called to Order at 4:30 pm

1. DECLARATIONS OF PECUNIARY INTEREST

- None reported.

2. Presentation: Arthur Betterment Committee, Dave Stack & Ian Turner

- David Stack and Ian Turner handed out an update on the past year and the plans the Committee has for 2012. Achievements included work on the murals, progress on the community trails and the future plans to work with the Recreation Department on this, the Lions Duck Race, Art-In-The-Street and the ongoing work on the Cenotaph
- Some items they hope can be addressed by the Community Improvement Program (CIP) are Façade/Signage/Welcome to Arthur/Signage to Public Washrooms
- Items where there has been little to no progress were also discussed and some suggestions taken away. Rail to Trail is still a work in progress.
- Dale Small thanked the Committee for their efforts and congratulated them on what they have accomplished. He also mentioned their support and participation in the ‘First Impressions’ program and that on March 19th, they will be delivering their report to the Town of Mitchell and that the Town Mitchell will be presenting their “First Impressions” of Arthur Wellington North council on April 2nd.

**Presentation: County of Wellington, Planning & Land Division,
Mark Paoli, Senior Policy Planner**

- Purpose of the discussion was to obtain the Committee’s opinion on the existing designation of the Hamlet of Riverstown. The existing industrial and commercial zoning and uses raise

the question as to whether it makes sense to change part or all of the Riverstown “Hamlet” designation to “Rural Industrial”, or perhaps a local “Special Policy Area

- Committee questions and comments related to taxation impacts, impact on land values, impact on land usages, what type of zoning opportunities exist, etc.
- Should the committee agree that it makes sense to review the designation a normal timeline for the review process would include Pre-Consultation, as well as Public Meetings, etc..-

Motion by: Tim Boggs

Seconded by: Andy Lennox

THAT the Economic Development Committee recommend that Council support the review of the County Official Plan with regard to the designation of the Riverstown Hamlet Area as presented by Mark Paoli, Senior Policy Planner for the County of Wellington.

Carried

3. APPROVAL OF MINUTES FROM THE DECEMBER 21ST, 2011 AND JANUARY 16TH, 2012 ECONOMIC DEVELOPMENT COMMITTEE MEETINGS

Motion by: Jim Taylor

Seconded by: Dan Yake

THAT the Minutes from the Wednesday, December 21st, 2011 and Monday, January 16th, 2012 Economic Development Committee meetings be accepted.

Carried

4. REPORT FROM CHAIR

The Chair updated the Committee on some of the ongoing projects and upcoming events in the Township.

5. TOURISM, MARKETING & PROMOTION MANAGER UPDATE: An update was handed out to everyone with the following discussion:

- Tourism and Butter Tart Trail Brochure - We have received great response to the brochure and Butter Tart Trail – many businesses took advantage to getting creative with the tie in to butter tarts.
 1. Revenue and Expense estimates were discussed and due to the great response the cost to produce the Brochure will be well less than in previous years.
 2. There will be 15 businesses on the official Butter Tart Trail
 3. An additional 13 businesses are participating in another capacity, either in the brochure listings and/or with a display ad.
 4. Discussion took place on whether or not all applications should be accepted and what the standards should be. It was determined that moving forward businesses need to meet a “peer review standard” that will be developed this year.

5. It was discussed that that we want to ensure that the appropriate brand is produced to ensure tourists get the best possible experience when visiting Wellington North. It was noted that in the future a full list of credentials should be established.

- Wellington County Festivals and Events Guide – the 2012 addition has gone to print and will be distributed soon – all events in Wellington North have been included, with the Fireworks Festival receiving a double page advertisement again.
- Trade Show Displays - mark your calendars for the Health, Craft, Health & Leisure Show, April 28 & 29th @ the Mount Forest and District Sports Complex where Wellington North will have a display booth.. We also plan on handing out tote bags filled with promotional materials and brochures at Holstein Maplefest, April 14th.
- Grand River Country – Preparation for Grand River Countries 2012 edition of Journey the Grand is underway and there are advertising opportunities. Wellington North does receive a page where signature events, experiences, etc will be highlighted, as part of the membership.
- Farmers' Market Survey – The survey is available online at <http://www.surveymonkey.com/s/B9TFXPZ>, a link is also available on www.wellington-north.com. During its first week out, we have received over 50 responses, with 96% being in favour. I will have a more detailed analysis at our next meeting, once there is an opportunity for more surveys' to have been completed.

6. BUSINESS ECONOMIC MANAGER REPORT: An update was handed out to everyone with the following discussion:

1. Wellington North Showcase Update

- 553 letters mailed out Feb 13th and responses are starting to come in. The communication plan is a mix of radio, print & outdoor signage, with an emphasis on increasing attendance during the day it is open to the public.
- It was agreed that we would not provide the Confederate with the participant information as requested. In the future we can ask the businesses about this.
- We have met with all sponsors: OMAFRA, Saugeen Economic Development Corporation, TD Canada Trust and both Chambers.
- The Arthur Skating Club will man the Butter Tart Café and thanks to Steve Dineen who stepped up to be the ‘Showcase Champion’ again this year

2. Community Improvement Plan

- The final Public Meeting will be held on Tuesday, March 27th during Wellington North Showcase. Formal notices will be published.

3. Community Radio Station

- Good progress is continuing to be made. Non-profit corporation will be registered as Saugeen Community Radio Station Inc.
- Letters of Support continue to come in and the CRTC application should be submitted by month-end.

7. ANNOUNCEMENTS

RES Canada will be coming to the next meeting to give an update.

Mapleton will be hosting our next joint Economic Development Committee meeting on Wednesday, May 9th at the Chop House in Drayton.

Dale Small attended the EDCO Conference and will have a report for the next meeting.

April Marshall and Dale Small will be attending the Municipal Planning Meeting Thursday.

The “Sold” sign on the property south of Mount Forest will be coming down.

The Mayor commented on the excellence of the EDCO Conference with many great ideas that could be implemented in our Township. A highlight was a conversation with Mayor Hazel McCallion of Mississauga.

8. NEXT MEETING DATE

Wednesday, March 21st, 2012

9. ADJOURNMENT

Motion by: Shep Shepetunko:

THAT the Meeting be adjourned at 6:35 pm

Carried

WATER/SEWER COMMITTEE MEETING

February 21st, 2012

Members: Sherry Burke, Councillor, Chair
Mark Goetz, Councillor
Barry Trood, Water & Sewer Superintendent
Corey Schmidt, Water & Sewer Foreman
Dale Clark, Roads Superintendent

Absent: Andy Lennox, Councillor
Melissa Irvine, Process/Compliance Analyst

Start: 8:30 am **End:** 9:30 am

Minutes from the January 17th committee meeting were previously circulated and approved by Council

Business from November 22nd meeting

- Barry informed the committee that Master Plan for the Arthur Water and Wastewater Systems is in its 30 day public review process. Public ads were placed in the local papers along with notices to various authorities for their comments.
- Barry reviewed the required work and related costing at the Arthur Wastewater Treatment Plant's sub-station. Barry received 2 quotes one from Belwood Electric and one from Ascent. The quote from Belwood Electric was the lower of the two quotes. Barry will contact Belwood Electric to have the oil tested in the transformer and this may determine the condition of the transformer prior to proceeding with any other maintenance work at the site which was outlined in the quote.

1. Arthur Spheroid Tower Inspection

The committee was given brief cost as it relates to repairs needed at the tower. These repairs were a part of the Landmark report received in December 2011.

The upgrades in the Landmark Report included the following:

- Accessories:
 - Rest Seat \$750.00, Replace Air Craft warning light fixture \$1,200
- Fall Arrest System:
 - S & I dismount mast on tower roof (3x3 tie off to ladder) \$1,800
- Rescue System:
 - Design, supply and install rescue port bases at Valve pit, Bell Landing, Top Landing \$5,000

- Misc.:
 - Upper portion of tower needs to be abraded and feathered on edges and recoated. \$2,000-\$3,000
 - Other work which included a roof handrail system at a cost of \$9,000 along with S & I Gin Wheel c/w rope at top landing \$1,100 was not deemed necessary at this point.
 - The committee approved to have the work done at a total cost of approx. \$12,000.

2. Arthur Wastewater Treatment Plant (RFP)

The committee was given the draft LOI from B.M. Ross. This draft letter is for Engineering Services to complete a Study to Increase Reserve Wastewater Treatment Capacity at the Arthur Wastewater Treatment Plant. The committee decided to select a date for the submissions to be received that will give approximately 3 weeks for companies to submit their LOI. Barry will pass this information on to Steve Burns of BM Ross.

3. Staff Reports (attached)

4. Water/Sewer Servicing Charges

Barry presented the committee By-law No 73-10 (schedule "H") which addresses costing for Water/Sewer related items. The By-Law and its charges have not changed since May of 2008.

The Committee recommended to Council for the approval of the amended schedule "H" Public Works Fees and Charges (as attached), to be forwarded to the Clerk for inclusion in the overall Fees & Charges amending by-law.

General information

- OCWA reports for the Arthur and Mount Forest Treatment Plants were received for the month of January with no environmental incidents or compliance issues.

- **Next Meeting: March 27th @ 8:30am**

Water and Sewer Committee Meeting

February 21, 2012

Foreman Report

- Replaced faulty 24 volt power supplies in Arthur Water Tower control panels
- Barry and Melissa attended Source Water Protection seminar
- Department Health and Safety training
- DWQMS Mock Drill training (Customer Service and Public Relations)
- Repaired fire hydrant 53 in Mount Forest that was hit by vehicle (replaced break away flange on barrel and stem)
- Diesel generator fuel tanks at well #3 Mount Forest and well #8 Arthur inspected as required by TSSA, had tanks filled
- Installed new 4" water meter on lend from Coulter Meter Service at well #3 due to problems with erratic flow, flow still erratic with new meter
- Directional water main flushing in Arthur
- Completed lead sampling in Arthur and started lead sampling in Mount Forest (required every 3 years)
- Barry, Corey, Melissa, and Ed attended the Supervising Workplace Safety course in Kenilworth
- Dug and repaired water main break on 6" cast iron water main in front of 100 Isabella Street West in Arthur
- Completed schedule 23 and 24 sampling for nitrates, nitrites, and trihalomethanes in Arthur and Mount Forest as required quarterly
- Darin and Melissa attended 2 day First Aid & CPR training in Mount Forest
- Ministry of the Environment Drinking Water Inspector Carola Serwatka completed annual inspections of the Arthur and Mount Forest drinking water systems

Process Compliance Monthly Report Analyst Report February 21st, 2012

- attended County of Wellington, Early Management Meeting for Source Water Protection Workshop on January 19th, 2012
- received Arthur and Mount Forest annual production and monitoring wells reports from RJ Burnside. There recommendations are:
 - paint well casing on monitoring well #TW04/02
 - Decommission well WN-MW 7/69 besides old well #5 in Arthur
 - Monitoring well at WNP to be decommissioned
- entered January flow data into Ministry of Environment Water Taking Reporting System.
- backup Mount Forest and Arthur SCADA for January
- Complete first draft of Schedule 22 Reports for Mount Forest and Arthur Water Systems
- Complete first draft of Annual Reports for Mount Forest and Arthur Water Systems. Waiting for Water/Sewer Superintendent to give me some Financial Information to complete these reports.
- Completed MOE Inspections with inspector, we are still waiting for her to issue draft report for viewing
- still reviewing DWQMS and make changes in regards to restructuring (i.e. DPW changed to Water/Sewer Superintendent)
- worked with MOE Inspector Carola Serwotka for Annual Inspections of Mount Forest and Arthur Drinking Water Systems
- completed one day training: Supervising Workplace Safety
- completed two days of Emergency Standard first aid training
- ordered six ¾" Watts 719 QT backflows for replacement by plumbers, if needed during annual inspection
- quarterly samples for Nitrates/Nitrites and THM's collected from Mount Forest and Arthur.
- lead sampling has been started and finished in Arthur. Results received and letters drawn up and hand delivered to each customer. There were no exceedances of lead in Arthur.

**WATER AND SEWER COMMITTEE
PROPOSED AMENDMENTS TO**

**SCHEDULE "H"
PUBLIC WORKS**

DESCRIPTION	FEE
Inspection Fee	\$100.00
Urban/Rural Damage Deposit Fee including inspection fee	\$2,000.00
Rural/Semi-Urban Entrance Installations	
a) Requires a 9m culvert (up to and including 600mm) including inspection fee	\$1,600.00
b) Entrance that does not require a culvert including inspection fee	\$1,100.00
c) Cost of hidden driveway sign installed	\$100.00
<p>The applicant would be responsible for all costs to supply a culvert over 600 mm in diameter and/or to supply over 12 meters of culvert and/or to upgrade an existing entrance. Costs would be charged at the current rates.</p> <p>Damage Deposit Fees shall be collected when a Building Permit is issued.</p>	
Water/Sewer Servicing Charges	
Water: Up to and including 1" service	
Paved road with curb and/or sidewalk	\$3,000.00
Paved road only	\$2,500.00
Gravel road only	\$2,200.00
Note: Services over 1" add the following to the above rates:	
1 ½" up to and including 4" service	\$1,200.00
6" service	\$1,700.00
Water Account Setup (WNP)	\$25.00
Sewer Account Setup (WNP)	\$25.00
Sanitary Sewer: Up to and including 6" service	
Paved road with curb and/or sidewalk	\$3,600.00
Paved road only	\$3,100.00
Gravel road only	\$2,700.00
Note: Services over 6" add the following to the above rates:	
8" or larger	\$400.00
Exceptions & Special Circumstances:	
1. The following rates apply when the service connection exists at property line or if the connection is made in the boulevard and does not involve disturbing asphalt/sidewalk or curb.	
Note: Extra charges for large services apply.	
Water	\$2,100.00
Sanitary Sewer	\$2,600.00
Subdivision Agreements:	
Mount Forest *Bye Subdivision	\$700.00
- Except Lots 35 - 39	\$900.00
*VandenBroek Subdivision, single family dwelling	\$700.00
- Semi Detached dwelling	\$1,400.00
ADDITIONAL COSTS	
<p>At the discretion of the Manager of Public Works, additional charges will apply to the installation of services that require extra equipment/materials to be used due to material availability or weather related road conditions. These extra charges will be in addition to the normal fees charged and will reflect the actual costs billed to the Township.</p>	

WORKS COMMITTEE MEETING
February 21st, 2012

Committee: Andy Lennox, Councillor, Chairman (Absent)
Sherry Burke, Councillor
Barry Trood, Water/Sewer Superintendent
Dale Clark, Road Superintendent
Mark Goetz, Councillor
Corey Schmidt, Water/Sewer Foreman

Start: 9:15 am End: 10:00 am

Minutes of the January 17th meeting were previously circulated and approved by Council.

Business from the January 17th meeting:

- Tenders for Concession #4 River Bank Erosion have been revised to cut costs to allow for Site #2 to proceed. Revised drawings have been reviewed by the Grand River Conservation Authority and a site meeting was held on February 1st, 2012. Water flows were very high and with such an unpredictable winter it was felt by all parties that work should be held off until July 1st/ 2012. Cost for Site #1 would be \$125,611.47 plus HST and engineering fees minus 1/6th County contribution. Site #2 would be \$50,791.66 plus HST and engineering fees. These costs will allow the work to proceed within budget. Committee agreed to proceed with both sites. A report will be presented for council approval.
- The Street Sweeper has been inspected by Township Staff at Joe Johnson Equipment in Barrie. Staff liked the Sweeper and it was felt it was in good repair and will do a good job for the Township in future years. Joe Johnson Equipment is to inspect the unit and make any necessary repairs and adjustments before delivery in March.

1) Minimum Maintenance Standards

A recent decision by the Court of Appeal for Ontario has severely undermined the defence municipalities have in cases pertaining to winter road maintenance. Sections 4 and 5 of the Minimum Maintenance Standards have been destroyed by the limited interpretation given by the Court of Appeal, and are now largely meaningless as a defence. We should continue to provide service that is reasonable in the circumstances and document everything realizing that there could be liability issues if reasonable steps to prevent that from happening are not taken. Good record keeping with or without the Minimum Maintenance is our best defence.

2) Dust Control Tender

In past practice we have sent out tenders to three companies for pricing on Dust Control products for the Township Roads. We require 250 flake tonnes of 35% Calcium Chloride for the roads with a greater volume of traffic. The remaining part of the tender is 160 flake tonnes of 35% Calcium Chloride or 18% Calcium and Magnesium Solution applied on less travelled roads at a double rate. This is done in a two part tender to help realize some cost savings. Committee agreed to proceed with the tender.

3) Crushing Quotes

Crushing quotes have been requested from four contractors. The following quotes were received:

Donegan's Haulage	No quote received
Hanna & Hamilton	\$1.89/tonne
Joe Kerr	\$1.78/tonne
Murray Group	\$2.00/tonne

The committee recommended that the Council award the gravel crushing tender to Joe Kerr Construction Limited for the quoted price of \$1.78/tonne plus HST.

4) Connecting Link Information

The Ministry of Transportation has contracted out the maintenance work on the Provincial Highways in the Western Region. This could affect the cost of the Winter Maintenance Work being performed on the Connecting Links in both Mount Forest and Arthur. Dale has been in touch with the new company which is looking after the Area Maintenance Contract. Information has been provided on previous rates that the Township has been charged for Winter Maintenance on the Connecting Links. Information will be forwarded as it is received.

5) Revised By-laws in Arthur and Mount Forest

By-law Number 10-08 is being amended to allow for a stop sign to be installed on Page Street at Dublin Street in Mount Forest. Also, By-law Number 5000-05 is also being revised to allow for No Stopping Signs to be installed on Walton Street in Arthur. Committee recommends to Council that the Clerk be directed to prepare the necessary By-laws for adoption at the next Council meeting.

6) General Information/Other Business

- Dale and Dan McNabb will attend Road School in Guelph on May 7-9, 2012. Dale is taking Municipal Legislation and Dan will be finishing the construction portion of the Mahoney Course.
- Dale informed committee that Doug McGilloway has been off work since Jan 15, 2012 with health issues. He is waiting emergency surgery and will be off for an unknown time for recovery. Dale will report back to Committee when more information is received.
- Discussion took place on the winter maintenance policy letter received from Larry Lynch from Mapleton.
- Staff Training took place regarding Elevated Work Platforms. This certification is needed for cutting and trimming of rural trees.
- Winter Road Maintenance and Sidewalk Maintenance discussion took place regarding Minimum Maintenance Standards and Policies.
- Staff is performing Winter Maintenance duties including patrolling and equipment maintenance along with tree cutting and maintenance when weather conditions allow.
- Signs for Birmingham Retirement Community have been installed on Main and Queen Streets and an invoice has been issued.
- A grader has been supplied by Nortrax of London for Demonstration purposes.
- Andy, David, Gary and Dale attended the Supervising Workplace Safety Training course in Kenilworth.

Next Meeting: March 27th, 2012



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

REPORT

TO: Lori Heinbuch CAO/Clerk

FROM: Dale Clark, Road Superintendent

DATE: February 22, 2012

RE: Gravel Crushing Tender

The committee reviewed tenders for Gravel Crushing of 25,000 tonnes +/- in our own pit at their February 21st Works Committee meeting. This item is included in the 2012 road operations budget.

Crushing Tenders

Hanna & Hamilton Construction Company Limited -	\$1.89/Tonne
Joe Kerr Construction Limited -	\$1.78/Tonne
The Murray Group Limited -	\$2.00/Tonne
Donegan's Haulage Limited	No tender received

Note: All prices quoted are plus HST.

The committee recommends accepting the tender quote from Joe Kerr Limited at \$1.78/Tonne plus HST.

RESPECTFULLY YOURS,
Dale Clark



Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

REPORT

TO: Lori Heinbuch CAO/Clerk

FROM: Dale Clark, Road Superintendent

DATE: February 22, 2012

RE: Concession # 4 Erosion Project

The Committee reviewed a revised quote for the work to be completed on Concession # 4 Erosion Project on February 21st at their Committee meeting. This item was included in the 2011 Road Capital Budget and has been delayed because of approvals, weather and cost cutting considerations.

Revised Quote

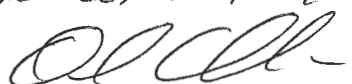
VanDriel Excavating Inc – Site 1 - \$125,611.47

Site 2 - \$50,791.66

Budget amount \$215,000.00

Note: Engineering and HST extra. Wellington County is to contribute 1/6th (\$20,926.87 plus engineering) towards the amount of Site #1 plus engineering when work has been completed.

The committee recommends accepting the quote for Site # 1 and Site # 2 from VanDriel Excavating Inc at a cost of \$176, 403.13 plus engineering and HST. Construction is to begin July/2012.

RESPECTFULLY YOURS,


TOWNSHIP OF WELLINGTON NORTH

FIRE COMMITTEE MEETING MINUTES

February 21st, 2012 – 7:00 pm – Council Chamber

Members Present: Mark Goetz, Chair (Councillor)
John Jeffery, Treasurer
Jim Morrison, Arthur Fire Chief
Ron MacEachern, Mount Forest Fire Chief
Bill Hieber, Mount Forest Deputy Fire Chief

Regrets: Dan Yake, Councillor
Troy Lawlor, Arthur Deputy Fire Chief

Also Present: Tammy Pringle, Acting Secretary

Meeting was called to order at 7:00 pm.

1. Declarations of Pecuniary Interest

- None declared.

2. Approval of Minutes from January 17th, 2012

Moved By: Ron MacEachern
Seconded by: Bill Hieber

THAT the Minutes from the January 17th, 2012 meeting be accepted.

Carried

3. Business Arising from Minutes

- Portable Pump Purchase
 - Approval has been received by Council. Pump still to be purchased.
- Amalgamation and Branding
 - A meeting has been scheduled in Arthur for Thursday, February 23rd with the Sub Committee to discuss further action.
- New Tankers for Arthur & Mount Forest Fire Station
 - The two Chiefs and two Deputy Chiefs met in Arthur on February 6th to discuss options. The final agreement was for one 2500 Gallon Tanker each, for Arthur & Mount Forest. Further discussion is to take place with Finance Committee on Friday, February 24th, 2012.

4. New Business

- Request to have Fireworks on Township Property
 - After discussion regarding concerns and potential requirements to allow fireworks on public property the Fire Committee made the following recommendation.

Moved by: Jim Morrison
Seconded by: John Jeffery

***“THAT”** the Fire Committee recommend to Council that the Clerk be directed to draft a By-law, in accordance with the Municipal Act, prohibiting private fireworks displays on municipal property.*

Carried

- Fire Agreements with other Municipalities
 - Committee reviewed proposal from Southgate, received in May 2011, as well as recommendations sent by Lori Heinbuch, Clerk/C.A.O. on December 9th, 2011 to Brenda Schenk, Southgate Treasurer. John Jeffery will send Lori Heinbuch a request to send a copy of this Memorandum to be forwarded to the C.A.O. of Southgate, Southgate Fire Chief, John Thomson, as well as Ron MacEachern.

5. Announcements

- Jim Morrison advised the Committee that the generator is being installed at the Arthur Fire Hall. All is on schedule and the unit should be up and running by the end of March.

6. Next Meeting

The next meeting will be on Tuesday, March 20th, 2012.

7. Adjournment

Moved: Bill Heiber
Seconded: Jim Morrison

***THAT** the meeting be adjourned at 8:15pm.*

Carried

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

BY-LAW NUMBER 9-12

**BEING A BY-LAW TO AUTHORIZE A LEASE EXTENSION AND
AMENDING AGREEMENT (KENILWORTH/OPP).**

WHEREAS The Corporation of the Township of Wellington North purchased the property being Part of Lot 20, Concession EOSR, Division 4 in the former Township of Arthur as described in registered Instrument No. WC288609 as of the 20th day of August, 2010.

AND WHEREAS the property was subject to a Lease with Her Majesty the Queen in Right of Ontario to expire on the 28th day of February, 2011 subject to the right of the Tenant to extend the Lease for a further five year term;

AND WHEREAS Her Majesty the Queen in Right of Ontario has elected to extend the said Lease with certain amendments for a further term of five years to February 29, 2016 as provided for in the Lease Extension and Amending Agreement referred to herein.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH** enacts as follows:

The Mayor and Clerk are hereby authorized and directed to sign a Lease Extension and Amending Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure in substantially the same form as the draft Lease Extension and Amending Agreement as of March 1, 2011 attached hereto as Schedule 1.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
5TH DAY OF MARCH, 2012.**

**RAYMOND TOUT,
MAYOR**

**LORRAINE HEINBUCH,
CHIEF ADMINISTRATIVE OFFICER/CLERK**

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

BY-LAW NUMBER 9-12

SCHEDULE 1

THIS AGREEMENT made in quadruplicate as of March 1, 2011.

B E T W E E N:

**THE CORPORATION OF THE TOWNSHIP OF
WELLINGTON NORTH**

(the "Landlord")

OF THE FIRST PART

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS
REPRESENTED BY THE MINISTER OF
INFRASTRUCTURE**

(the "Tenant")

OF THE SECOND PART

WHEREAS:

- A. By a lease dated February 27, 2007 (the "Original Lease"), the Wellington Catholic District School Board (the "Original Landlord") leased to Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal (the "MPIR") the premises more particularly described as the entire building, comprising a rentable area of approximately nine thousand and nine hundred (9,900) square feet (the "Rentable Area of the Premises"), in the building municipally known as 9135 Highway #6, in the Hamlet of Kenilworth in the former Township of Arthur, in the Township of Wellington North, in the County of Wellington, in the Province of Ontario, as outlined on the plan attached to the Original Lease as Schedule "B" thereto (the "Premises") for a term of five (5) years, commencing on March 1, 2006 and expiring on February 28, 2011 (the "Original Term"), in addition to other terms and conditions as set out therein.
- B. Pursuant to the terms of the Original Lease, the MPIR was entitled to extend the Original Term for one (1) additional term of five (5) years.
- C. By Order-in-Council No. 1617/2008, approved and ordered September 17, 2008, all the powers and duties of the MPIR relating to real estate matters of the Government of Ontario pursuant to the *Ministry of Government Services Act*, R.S.O. 1990, c.M.25, as amended, were transferred and assigned to the Minister of Energy and Infrastructure (the "MEI").
- D. On August 20, 2010, ownership of the subject property and all the rights and obligations under the Original Lease were transferred from the Original Landlord to the Landlord who is the current registered owner on title.
- E. By Order-in-Council No. 1320/2010, approved and ordered September 15, 2010, all the powers and duties of MEI relating to real property matters of the Government of Ontario pursuant to the *Ministry of Government Services Act*, R.S.O. 1990, c.M.25, as amended, were transferred and assigned to the Minister of Infrastructure (the "Minister").
- F. Ontario Infrastructure and Lands Corporation ("OILC") has been delegated the Minister's authorities and responsibilities with respect to real property in the name of the Minister subject to certain conditions by Delegation of Authority of Ontario Infrastructure and Lands Corporation under the *Ministry of Infrastructure Act*, 2011 dated June 6, 2011.

- G. The Tenant has now exercised its right to extend the Original Term in accordance with the terms of the Original Lease with an extension term commencing on March 1, 2011 and expiring on February 29, 2016 (the "Extension Term").
- H. The Original Lease, as amended and extended, provides that any extensions shall be upon the same terms and conditions of the Original Lease, as amended and extended, except for the amount of the Net Rent, which shall be determined by mutual agreement and except that there shall be no further right of extension.
- I. The Landlord and the Tenant have agreed on the amount of the Net Rent for the Second Extension Term.
- J. The Original Lease, and this Lease Extension and Amending Agreement are hereinafter collectively referred to as the "Lease", except as specifically set out herein.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual promises hereinafter set forth and other good valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties hereto agree as follows:

1. CONFIRMATION OF RECITALS

The parties hereto confirm that the foregoing recitals are true in substance and in fact.

2. EXTENSION OF LEASE

The parties hereto agree that:

- (a) The Original Lease is hereby extended for the Extension Term.
- (b) The Extension Term shall commence on March 1, 2011 and expire on February 29, 2016.

3. RENT FOR THE EXTENSION TERM

- (a) The Net Rent payable for the Extension Term shall be Nine Thousand and Nine Hundred Dollars (\$9,900.00) per annum, payable in equal monthly instalments of Eight Hundred and Twenty-Five Dollars (\$825.00), each on the first day of each month during the Extension Term.
- (b) Pursuant to Paragraph 3 of Schedule D of the Original Lease, Additional Rent payable for the Extension Term shall be Ten Thousand Dollars (\$10,000.00) per annum for Operating Costs, payable in equal monthly instalments of Eight Hundred and Thirty-Three Dollars and Thirty-Four Cents (\$833.34), each on the first day of each month during the Extension Term.

4. AMENDMENT OF LEASE

The extension contemplated in Section 2 of this Lease Extension and Amending Agreement is subject to all the covenants and conditions contained in the Original Lease, as amended, renewed and extended from time to time, save and except that:

- (a) The Tenant shall pay to the Landlord all applicable Sales Taxes assessed on the Rent payable by the Tenant to the Landlord under this Lease. The Sales Taxes shall not be deemed to be Additional Rent under this Lease, but may be recovered by the Landlord as though they were Additional Rent.

In the Definitions section of the Original Lease, the definitions of "Landlord's Taxes" and "Sales Taxes" shall be deleted in its entirety and replaced with the following:

"Landlord's Taxes" means all taxes, rates, duties, levies and assessments whatsoever whether municipal, provincial, federal or harmonized, charged upon the Building and the Lands, or upon the Landlord on account thereof, including all taxes, rates, duties, levies, impost charges and assessments for local improvements, education and schools and all taxes, grants or assessments which may in future be levied in lieu of "Landlord's Taxes" as hereinbefore defined, and including any local improvement charges or levies directly or indirectly related to the development of the Building. Landlord's Taxes include,

without limitation, Realty Taxes, business taxes of the Landlord, corporation taxes, capital taxes, excise taxes, Sales Taxes, income taxes, Commercial Concentration Tax, or any other taxes or assessments levied against the Landlord, the Building, the Lands, or the Rent.

"Sales Taxes" means all business transfer, multi-usage sales, sales, goods and services, harmonized sales, use, consumption, value-added or other similar taxes imposed by the Government of Canada and/or Ontario upon the Landlord, or the Tenant, or in respect of this Lease, or the payments made by the Tenant hereunder or the goods and services provided by the Landlord hereunder including, without limitation, the rental of the Premises and the provision of administrative services to the Tenant hereunder."

(b) Both the Landlord and Tenant shall continue to have the right to terminate the Lease upon giving the other one hundred and eighty (180) days' prior written notice, as set out in Section 6.31 of the Original Lease.

(c) The Original Lease is amended as follows:

(i) Subsection (f) of the Summary is deleted in its entirety and replaced with the following address for the Landlord for the purposes of delivering notices in accordance with Section 6.17 of the Original Lease, as amended, and for delivering payment of Rent:

The Corporation of the Township of Wellington North
7490 Sideroad 7 West
P.O. Box 125
Kenilworth, ON
N0G 2E0

(ii) Subsection (g) of the Summary is deleted in its entirety and replaced with the following address for the Tenant for the purposes of delivering notices in accordance with Section 6.17 of the Original Lease, as amended:

Ontario Infrastructure and Lands Corporation
One Stone Road West, 4th Floor
Guelph, Ontario N1G 4Y2
Attention: Vice President, Asset Management
Fax: (519) 826-3330

With a copy to:

Ontario Infrastructure and Lands Corporation
1 Dundas Street West, Suite 2000
Toronto, Ontario M5G 2L5
Attention: Senior Legal Counsel, Leasing
Fax: (416) 327-2760

And an additional copy to:

CBRE Limited
Global Corporate Services
18 King Street East, Suite 1100
Toronto, Ontario M5C 1C4
Attention: Director, Lease Administration – Ontario Infrastructure and Lands Corporation
Fax: (416) 775-3989

(iii) Section 6.17, Notices, shall be deleted in its entirety and replaced with the following:

**"Section 6.17
Notices**

Any notice required or contemplated by any provision of this Lease shall be given in writing addressed in the case of notice to the Landlord to the address set out in Paragraph (f) of the Summary and in the case of notice to the Tenant to the address set out in Paragraph (g) of the Summary, and delivered personally or by facsimile or mailed by either registered or signature mail and postage prepaid enclosed in a sealed envelope. The time of giving of notice by either registered or signature mail shall be conclusively deemed to be the fifth Business Day after the day of such mailing. Such notice, if personally delivered or if delivered by facsimile, shall be conclusively deemed to have been given and received at the time of such delivery. The parties hereto acknowledge and agree that notwithstanding anything to the contrary in the *Electronic Commerce Act, 2000*, S.O. 2000, c.17, as amended from time to time, any notice, statement, demand, request or other instrument which may be or is required to be given under this Lease or at law may not be validly delivered by way of electronic communication, save as specifically provided in this Section 6.17.

Either party may at any time during the Term by giving notice to the other party (in the manner provided above) change the address of the party giving such notice, and thereafter the address as set out in Paragraph (f) or (g) of the Summary, as the case may be, shall be deemed to be the address so changed.”

5. GENERAL

- (a) The Landlord and the Tenant hereby mutually covenant and agree that during the Extension Term they shall perform and observe all of the covenants, provisos and obligations on their respective parts to be performed pursuant to the terms of the Lease, as amended and extended hereby.
- (b) The Lease shall be binding upon and enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns, subject to the express restrictions contained therein.
- (c) Capitalized expressions used herein, unless separately defined herein, have the same meaning as defined in the Original Lease, as amended and extended.
- (d) The provisions of this Lease Extension and Amending Agreement shall be interpreted and governed by the laws of the Province of Ontario.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

- (e) The Landlord acknowledges and agrees that the commercial and financial information in this Lease Extension and Amending Agreement is subject to the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.F.31, as amended.

EXECUTED by each of the parties hereto under seal on the date written below.

**SIGNED, SEALED AND
DELIVERED**

Dated this ___ day of _____, 20__.

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON
NORTH**

Per: _____

Name:

Title:

Authorized Signing Officer

Per: _____

Name:

Title:

Authorized Signing Officer

Dated this ___ day of _____, 20__.

**HER MAJESTY THE QUEEN IN
RIGHT OF ONTARIO AS
REPRESENTED BY THE MINISTER
OF INFRASTRUCTURE, AS
REPRESENTED BY ONTARIO
INFRASTRUCTURE AND LANDS
CORPORATION**

Per: _____

Name:

Title:

Authorized Signing Officer

**EXPLANATORY NOTE
BY-LAW NUMBER 10-12**

This agreement is a requirement of the Township of Wellington North policy Requests for Tile Drain Outlets onto or Crossing Township Road Allowances

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

BY-LAW NUMBER 10-12

**BEING A BY-LAW TO AUTHORIZE A DRAIN ROAD CROSSING
AGREEMENT (Darcy Martin, Part Lot 17, Concession 4, RP
60R3270, Part 1)**

WHEREAS:

- A. Section 4 of the *Municipal Act, 2001* as amended (hereinafter called "the Act") provides that the inhabitants of every municipality are incorporated as a body corporate and Section 5 of the Act provides that the powers of a municipality shall be exercised by its Council, and further, Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act or any other Act.
- B. The Township of Wellington North is a lower-tier municipality and Section 11 of the Act authorizes that a lower tier municipality may pass By-laws respecting matters within the Highways sphere of jurisdiction.

NOW THEREFORE the Council of The Corporation of the Township of Wellington North enacts as follows:

- 1. The Corporation is authorized to enter into an Agreement with Darcy Ryan Martin with respect to a drainage pipe crossing Wellington North Sideroad 7 in substantially the same form as the three page draft Agreement attached hereto as Schedule 1.
- 2. The Mayor and the Clerk of the Corporation are hereby authorized and directed to sign the Agreement on behalf of the Corporation and the Clerk is directed to cause notice of the Agreement to be registered on the title to the lands described therein having Property Identifier Number 71090-0065.

***READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5TH
DAY OF MARCH, 2012.***

**RAYMOND TOUT,
MAYOR**

**LORRAINE HEINBUCH,
CHIEF ADMINISTRATIVE OFFICER/CLERK**

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER 10-12**

SCHEDULE 1

AGREEMENT FOR A MUTUAL DRAIN

Section 2(1) of the *Drainage Act*

THIS AGREEMENT made this day of March, 2012.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

hereinafter called "the Township"
of the first part

and

DARCY RYAN MARTIN

of the Township of Wellington North, in the County of Wellington

hereinafter called "the Owner"
of the second part

WHEREAS the Owner owns the lands having Property Identifier Number 71090-0065 and the following legal description:

Part Lot 17, in the 4th Concession, in the Township of Wellington North (former Township of Arthur), shown as Part 1, on Deposited Plan 60R3270 in the County of Wellington ("the lands").

AND WHEREAS the Owner intends to install a tile drain system ("the system") on the lands and has asked the Township to allow him to install a road allowance crossing pipe to reach an outlet on Part of Lot 15, Concession 4 (former Township of Arthur), in the Township of Wellington North (having Land Registry Office No. 61 Property Identifier Number 71089-0094) for all or part of the system.

AND WHEREAS the Township has obtained a Report from its Drainage Superintendent dated December 1, 2011, (the "Report") prepared on the basis of the plans for the system as provided to the Township by the Owner.

AND WHEREAS the Township is prepared to provide such permission on the terms and obligations contained in this Agreement which shall run with the title to the lands.

NOW THEREFORE IN CONSIDERATION OF the terms and conditions contained herein the parties hereto agree as follows:

1. Based on the plans for the system provided and the Report, and subject to compliance with this Agreement by the Owner, the Township shall permit and allow the Owner to install a road crossing corrugated steel drainage pipe and appurtenant catch basins on the Sideroad 7 road allowance to carry water from the system to an outlet on the said Lot 15, Concession 4 on the terms and conditions provided herein.
2. The road crossing pipe and appurtenances shall be installed entirely at the expense of the Owner and in a manner approved by and to the satisfaction of the Township. Plans prepared by a Drainage Engineer or other person approved by the Township showing the size, nature and extent of the proposed road crossing drainage pipe and appurtenances shall be submitted to and approved by the Township prior to the commencement of any work relating to the installation of the pipe on the road allowance and all work on the road allowance in connection with the installation shall be done in the presence and under the supervision of the Township's Road Superintendent or his designate and shall be done by a contractor approved by the Township.
3. The Owner shall reimburse the Township for its expenses in connection with this agreement, the registration of it and the supervision and approvals pursuant to paragraph 2 above.
4. The drainage pipe crossing the road allowance and appurtenances shall be maintained in good working order and at the expense of the Owner during the lifetime of the system, and all maintenance shall be done in consultation with the Township and in a manner approved by the Township.
5. It is a condition of the permission provided for in this Agreement that the Owner obtain an Agreement, license or restriction satisfactory to the Township allowing the Owner's drainage water from the system, and passing through the drainage pipe crossing the road allowance, to outlet onto and through the said private property at Part of Lot 15, Concession 4, and that the Agreement license or restriction (or notice thereof as applicable) be registered on the title to the said receiving property in Lot 15, Concession 4.
6. Without limiting any of the foregoing the road crossing provided for herein must be done in all respects to the satisfaction of the Township in compliance with the stipulations and requirements

contained in the Township's policy and regulations with respect to requests from private land owners for tile drain outlets onto or crossing Township road allowances.

7. Notice of this Agreement may be registered on the title to the lands by the Township at the Owner's expense and it shall be binding upon the parties hereto and their heirs, executors, estate trustees, successors and assigns.

SIGNED by the Township:

THE CORPORATION OF THE TOWNSHIP
OF WELLINGTON NORTH

Per:

Raymond Tout, Mayor

Lorraine Heinbuch, Clerk
We have authority to bind the Corporation

SIGNED by the Owner:

Witness

Darcy Ryan Martin

**THE CORPORATION OF THE
TOWNSHIP OF WELLINGTON NORTH**

BY-LAW NUMBER 11-12

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
WELLINGTON NORTH AT ITS REGULAR MEETING HELD ON MARCH
5, 2012.**

AUTHORITY: Municipal Act, 2001, S.O. 2001, c.25, as amended, Sections 5(3) and 130.

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents and its powers shall be exercised by by-law.

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 130 provides that every council may pass such by-laws and make such regulations for the health, safety and well-being of the inhabitants of the municipality in matters not specifically provided for by this Act and for governing the conduct of its members as may be deemed expedient and are not contrary to law.

NOW THEREFORE the Council of The Corporation of the Township of Wellington North hereby **ENACTS AS FOLLOWS:**

1. That the action of the Council at its Regular Meeting held on March 5, 2012 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. That the Mayor and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Township to all such documents.
3. That this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter or thing referred to in subsection 65 (1) of the Ontario Municipal Board Act, R.S.O. 1990, Chapter 0.28, shall not take effect until the approval of the Ontario Municipal Board with respect thereto, required under such subsection, has been obtained.
4. That any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with Environmental Assessment Act, R.S.O. 1990, Chapter E.18.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 5TH DAY OF MARCH, 2012.**

**RAYMOND TOUT
MAYOR**

**LORRAINE HEINBUCH
CHIEF ADMINISTRATIVE OFFICER/CLERK**

MEETINGS, NOTICES, ANNOUNCEMENTS

Tuesday, March 6, 2012	Recreation & Culture Committee	8:30 a.m.
Monday, March 19, 2012	Public Meeting	7:00 a.m.
Monday, March 19, 2012	Public Meeting	7:15 p.m.
Monday, March 19, 2012	Regular Council	Following Public Meeting
Tuesday, March 20, 2012	Fire Committee	7:00 p.m.
Wednesday, March 21, 2012	Economic Development Committee	4:30 p.m.
Monday, March 26, 2012	Finance Committee	7:00 p.m.
Tuesday, March 27, 2012	Water & Sewer Committee	8:30 p.m.
Tuesday, March 27, 2012	Works Committee	Following Water & Sewer Committee

The following accessibility services can be made available to residents upon request with two weeks notice:

Sign Language Services – Canadian Hearing Society – 1-800-668-5815

Documents in alternate forms – CNIB – 1-866-797-1312