

**From:** Monica Hartman [REDACTED]  
**Sent:** April-05-21 1:43 PM  
**To:** Kelly Lush <[klush@huronkinloss.com](mailto:klush@huronkinloss.com)>  
**Subject:** Fw: Review of Hartman Email

Please forward this information to Jodi MacArthur or to whoever will be addressing the Committee on the Whole on April 7 when discussing item 5.1.

Dear Committee of the Whole members,

I am writing to address concerns related to item 5.1 ( the Lakeshore Area Water System Payment plan).

We are residents of 317 Ojibwa Trail and have been dealing with the inequity of the water upgrade payment issue since 2016.

I have included below, the correspondence from Hugh Nichol, who was Director of Public Works at the time, when the water upgrade was taking place on Ojibwa Trail and surrounding roads. My husband and I had many discussions with Mr. Nichol concerning the substantial cost to the individual residents for the water upgrades and that we felt it was wrong and unfair that individual residents were forced to foot the entire bill for water upgrades. Mr. Nichol sent the letter below to reject our attempt to have water upgrades dealt with as a community cost and not an individual cost. Mr. Nichol's argument was that: "Ever since, the Township's position has been that the supply of municipal water is user pay and the cost of upgrading distribution lines shall be charged to the properties that benefit directly, or more specifically those directly connected to the new line during construction. While the amount of the capital charge has fluctuated over the years, the policy of charging benefitting property owners has not changed." The Township was unmoving in their position, and we had to pay the total amount for the water upgrade or face additional fees. This was financially stressful for many and has left a very sour taste and is a sore subject for many Ojibwa residents, who felt wrong done by, especially that some aspects of the water upgrade job such as the drain ditches were and still are not completed. Now 5 years later, the Township does a complete reversal in their water upgrade policy (as per Mr. Nichol's letter), and now the Township implements the exact changes which we originally discussed with Mr. Nichol in 2016. Not only did the residents of Ojibwa Trail and others suffer unfair financial upgrade costs in 2016 but now are being inequitably penalized again since we are now expected not only to pay for our individual water upgrades from 2016 but now everyone else's future upgrades as well. Where was the Township when we wanted to have this water upgrade policy change implemented in 2016? Where is the Township now when there is a blatant inequity being presented to those of us who have already paid the piper? The Ojibwa Trail residents and others should not have to pay any additional water upgrade fees until the time that the equivalent amount of what we had to pay to the Ojibwa Trail water upgrade (approximately \$7000.00) has been reached by the other residents which should be in 25 plus years. We feel that we had been taken advantage of in 2016 and now this new payment schedule represents another injustice for those us who have already paid.

I know it is too late to ask to speak at the Committee of the Whole meeting but I would appreciate that my comments are passed on.

Sincerely,  
Monica & Tom Hartman

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**From:** Monica Hartman [REDACTED] >  
**Sent:** April 25, 2016 7:12 PM  
**To:** [REDACTED] <[REDACTED]>  
**Subject:** Fwd: Review of Hartman Email

Hello Heather,  
Here is the letter sent to us by the Director of Public Works.  
Monica

Sent from my Samsung Galaxy Tab®4

----- Original message -----  
**From:** THOMAS HARTMAN <[REDACTED]>  
**Date:** 04-25-2016 3:08 PM (GMT-05:00)  
**To:** Monica Hartman [REDACTED]  
**Subject:** Fw: Review of Hartman Email

On Friday, April 22, 2016 4:24 PM, Hugh Nichol <[hnichol@huronkinloss.com](mailto:hnichol@huronkinloss.com)> wrote:

Mr. and Mrs. Hartman:

In response to your email correspondence to Mayor Twolan, I would like to provide some information to help address your concerns with the upgrades to the water system and road network that are taking place in the near future.

In order to fully understand the water system policies, it may be beneficial to provide some background history. In the early 1990's the Township of Huron initiated a Water Supply Master Plan along the Lake Huron shoreline in order to consolidate the numerous private and Township operated well houses and supply lines into a single municipally owned water distribution system. As part of the process a Major Facilities Charge of \$690.00 was assessed to every property within the service area of the Lakeshore Area Water System to finance the major components of the system, in this case mainly upgrading the pump houses. Township records

show that the owner of 317 Ojibwa Trail paid the fee. In addition some residents paid an additional charge where water main distribution lines were installed to service their property.

Ever since, the Township's position has been that the supply of municipal water is user pay and the cost of upgrading distribution lines shall be charged to the properties that benefit directly, or more specifically those directly connected to the new line during construction. While the amount of the capital charge has fluctuated over the years, the policy of charging benefitting property owners has not changed.

Following the amalgamation of the Township of Huron, the Township of Kinloss and the Village of Lucknow, the Township of Huron-Kinloss consolidated the respective water policies into a single document and passed a Policies and Procedures Manual for Municipally Owned Water Systems, a copy of which I believe you have received. This document is used to ensure consistency in making decisions and outlines the financial responsibility of the homeowner. I bring your attention to Section 6.1.2 Mandatory Connection a) Existing Municipal Customers part iii) which states properties will be assessed the Standard Flat Rate per Lot Charge and a Standard Connection Charge. This document does not mention dollar figures. The actual fee to be charged is passed by Council as a Water and Wastewater By-Law. The Water and Wastewater fee by-law is based on past water construction projects, is reviewed periodically to ensure the charges are in line with current construction costs and when necessary amended by Council by-law.

The current By-Law 2016-29, which I also believe you received a copy of, was adopted by Council on March 21, 2016 and sets the fee for 2016 water construction upgrades charge at \$6,705.00 based on the Standard Flat Rate per Lot Charge of \$4,550.00 plus the Standard Connection Charge of \$2,155.00. Your statement "Had the infrastructure been addressed 2 years ago when it was scheduled to be repaired, this cost would be a budget issue, and not a resident charge" is incorrect. You would not have been subject to the charges adopted in the 2016-29 By-Law, but would have been subject to the charges in effect by the by-law at the time.

As it has been previously stated, the Township's water system is a user pay system operation on a full cost recovery basis through user fees. Road improvements are funded through the general tax base paid by all property owners within the Township. The 2016 Point Clark Water main and Road Improvements contract includes both property tax and user pay funded work. A breakdown of the cost estimates are outlined below.

Total Projected Project Cost	\$805,711.00
Amount for roadwork	\$320,405.00 (funded by taxes)
Amount for water upgrade	\$485,306.00 (funded by user fees)

There is a total of 58 properties that will be assessed the water upgrade fee of \$6,705.00. In this instance the accepted tender is approximately \$80,000 lower in price than the next bid. Therefore we believe the pricing is a true value to the Township.

I can appreciate that the capital charge of \$6,705.00 is significant, particularly for a seasonal resident. That is why the Township offers a variety of payment options, and tries to provide a reasonable amount of notice in advance of the construction, and before a payment option selection is required. Any payments will not be due until 2017. If there is something we can do to assist you in designing a payment option more suitable to your needs, we will be willing to discuss as long as it is fair to all other residents.

I understand that you have registered as a delegation at the May 2, 2016, Committee of the Whole meeting, however if you feel it would be beneficial to meet prior to the meeting please feel free to contact myself.

Hugh Nichol  
Director of Public Works  
Township of Huron-Kinloss  
519-395-3735 ext 130  
519-395-4107 fax