

**PERTH COUNTY COUNCIL  
MINUTES**

March 5, 2009

9:00 a.m.

**1. ROLL CALL**

Bill Arthur, County Clerk, summoned the members of County Council and conducted the roll call.

**2. OPENING PRAYER**

Julie Behrns, Warden, presided with all members of County Council present. The March 5, 2009 Session of Perth County Council commenced with an Opening Prayer at 9:03 a.m.

Staff in attendance:

Bill Arthur, CAO/Clerk; Carol Zimmer, Deputy Clerk; John McClelland, Maintenance Co-Ordinator of Public Works; Dave Hanly, Director of Planning & Development; Linda Rockwood, Director of Emergency Medical Services; Renato Pullia, Director of Corporate Services/Treasurer.

**3. DISCLOSURE OF PERCUNIARY INTEREST and the general nature thereof**

None declared

**4. ADDITIONS TO AGENDA/ADOPTION OF AGENDA**

**Resolution: 2009-98**

Moved by: Councillor McKay

Seconded by: Councillor Seiler

That the Council agenda of March 5, 2009 as amended be approved.

Carried

**5. CONSENT AGENDA**

**Resolution: 2009-99**

Moved by: Councillor Wilhelm

Seconded by: Councillor Hollinger

That item 5:11 AMO Alert – Employment Standard AODA be removed from the Consent Agenda to 11.1 and that the Consent Agenda as amended be received and the minutes of the February 19, 2009 Regular and Closed Session be adopted.

Carried

**6. DELEGATIONS**

### 6.1 Canadian Food Inspection Agency – Emerald Ash Borer

Mr. Murray Pink from the Canadian Food Inspection Agency was present to update the Council of the Emerald Ash Borer infection. The Emerald Ash Borer is a serious insect pest attacking ash trees. The Ash Borer was introduced into America from eastern Asia in the mid 1990's and has killed 25-30 million trees to date. Damage is done by the larva nesting under the tree bark. Signs of infection which could take 2-3 years to show are new branch shoots on the trunk and thinning of the tree tops. Conditions for survival in this area are very good and both urban and rural areas can be affected. Containment actions can be taken such as quarantine, compliance to regulations (i.e. not moving firewood or ash products) and education. Emerald Ash Borer has not been detected in Perth County but in some neighbouring municipalities. However, it is recommended an action plan be put into place should infestation occur. Staff should be trained, trees inventoried, review standard operating procedures and identify potential disposal sites for infected trees/products.

Once detected, the Ministry will do a site visit and work with logging company, municipalities and owners to contain. Once infection has been verified, information is released to the media as quickly as possible. At the present time, there is no financial compensation for lost trees unless the Ministry orders trees removed which is seldom done.

### 6.2 Hidden Acres – Property Tax Relief

Mr. Campbell Nesbit was present on behalf of Hidden Acres Mennonite Camp and Retreat Centre to ask for relief as a charitable organization under County By-law 2672. The camp is a private association governed by a Board of Director and at present has 150 members.

The camp was started in 1963 and incorporated in 1964. The camp has experienced steady growth and has recently completed a building expansion. Various summer camp activities are offered as well as winter retreats for both County groups and others from outside the County. The fees are kept as low as possible to allow low income families to attend and people who can't afford the fees are not refused.

The camp does not rely on government funding to operate and currently has an annual operating budget of \$500,000. to \$600,000. Funds are raised thru fundraising, donations and fees.

**Resolution: 2009-100**

Moved by: Councillor McTavish

Seconded by: Councillor Kehl

That staff review tax exemption policies and new legislation and that Corporate Service Director bring back a report to Council with options.

Carried

**Resolution: 2009-101**

Moved by: Councillor Forrest

Seconded by: Councillor Wilhelm

That this meeting of the Council of the Corporation of the County of Perth be temporarily adjourned to permit the holding of a public meeting, pursuant to the Planning Act, to deal with Official Plan Amendment No. 94.

Carried

**7. PUBLIC MEETING**

**7.1 OPA No. 94 – Secondary Farm Occupation**

Mr. Hanly, Director of Planning and Development, summarized the purpose and intent of the Amendment. Secondary Farm Occupation was first adopted in December 1997 at the County level. The changes proposed in the Amendment are:

- 1) increase size for use from 186 to 375 sq metres
- 2) increase off farm resident employees from 1 to 2
- 3) not more than one occupation can be carried on at one time
- 4) strengthen existing policies – primary purpose is secondary income to supplement farm income. Should not be stand alone business
- 5) when growth causes business to become too big for allowed space, it should be scale back or move to another location

The Amendment doesn't force the lower tier municipalities to change zoning, it remains an option for lower tiers to set limits up to the County policy.

Notice of the Public meeting was given in four local papers on February 11, 2009, and in Shopportunities, prepaid mail to prescribed agencies under act, posted on County web site and direct mail to persons who expressed interest.

Correspondence or inquiries were received from Tobias Bauman, John Chapman, Amsey Weber, Karen Mahon, Maitland Valley Conservation Authority, North Perth Council, Ministry of Transportation and Bert Vorstenbosch.

Mr. Bert Vorstenbosch, Chairman of the Perth Federation of Agriculture spoke in support of the application and asked for clarification for operations such as seed corn dealers which may want to sell other products such as corn. Farm produce sales are permitted under the agriculture use. Non agricultural products as classed as secondary.

Mr. Elias Martin, property owner, spoke in support of the Amendment and asked for clarification of 'secondary farm occupation'. If property used for farm purposes, the owner or occupier can operate a secondary farm business to supplement the farm income.

Mr. Edward Martin, owner of sawmill, also spoke in favour of the Amendment, stressing that property taxes should be fair for the income generated.

Mr. Robert Martin, property owner, spoke against the Amendment, stating that secondary farm operations do not support the farm business and can create an unfair advantage over businesses located in urban centres. Secondary farm businesses will draw businesses from urban centres to agricultural areas.

Councillor Hollinger confirmed North Perth position on the matter. North Perth supports agricultural development but needs to watch that 'secondary' does not become 'primary'. The Provincial Policy Statement directs business to serviced areas and North Perth is developing industrial park for such. Secondary Farm Occupation polices need to stay status quo.

Council will consider further action in Committee of the Whole. Those who signed asking for notification will receive notification of decision. Appeals can be forwarded to the Ontario Municipal Board. Those present are welcomed to stay for the Committee of the Whole but will not be allowed to speak.

**Resolution: 2009-102**

Moved by: Councillor McTavish

Seconded by: Councillor Van Bakel

That the public meeting is adjourned to reconvene as Council.

Carried

16. **CLOSED SESSION:**

**Resolution: 2009-103**

Moved by: Councillor McKay

Seconded by: Councillor Hollinger

That Perth County Council move to Closed Session at 10:24 a.m. in accordance with Sec. 239 of the *Municipal Act S.O. 2001 c. 25* (as amended), regarding subject matter as follows:

The security of the property of the municipality or local board and

A proposed or pending acquisition or disposition of land by the municipality or local board

Carried

**Resolution: 2009-104**

Moved by: Councillor McTavish

Seconded by: Councillor McMillan

That the Council of the Corporation of the County of Perth rises from Closed Session and reconvenes the regular meeting at 10:50 a.m.

Carried

**Resolution: 2009-105**

Moved by: Councillor Forrest

Seconded by: Councillor McKay

That the CAO's work together with the Museum board to develop a workable proposal with options regarding the Stratford Perth Museum and meet with Garry Schellenberger and John Wilkinson.

Carried

**Resolution: 2009-106**

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That the CAO is directed to negotiate with the Region of Waterloo for the transfer PART 1 on R661, Wellesley, Region of Waterloo, to the Region of Waterloo.

Carried

**8. ADJOURN TO COMMITTEE OF THE WHOLE**

**Resolution: 2009-107**

Moved by: Councillor McMillan

Seconded by: Councillor Seiler

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 10:53 a.m.

Carried

Councillor Kehl chaired the Committee of the Whole.

**PRESENTATION AND CONSIDERATION OF REPORTS**

**8.1 Planning and Development**

**8.1.1 Secondary Farm Occupation – OPA 94**

**Resolution: 2009-108**

Moved by: Councillor McTavish

Seconded by: Councillor McMillan

That County Council proceeds with the adoption of the proposed OPA text (See By-law 3216-2009) dealing with changes to the secondary farm occupation use policies of Section 5.5.7 of the County Official Plan.

Carried

**8.1.2 Tree By-law Issues – 2008 Summary Report**

**Resolution: 2009-109**

Moved by: Councillor Seiler

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Seconded by: Councillor Hollinger

That the 2008 Tree By-law issues Summary Report dated March 5, 2009 be accepted as presented.

Carried

### 8.1.3 Tree Inspections Report

**Resolution: 2009-110**

Moved by: Councillor McTavish

Seconded by: Councillor Van Bakel

That the Tree Inspection Report dated March 5, 2009 be accepted as presented.

Carried

### 8.1.4 Surplus Farm Dwelling Severance Issues

**Resolution: 2009-111**

Moved by: Councillor McKay

Seconded by: Councillor Van Bakel

That the Planning Director's March 5, 2009 report on the surplus farm dwelling severance issue be received and that County Council have further discussions on this issue to determine whether it wishes to pursue the surplus farm dwelling severance issue any further accepting Option 4.

Motion Defeated

**Resolution: 2009-112**

Moved by: Councillor Behrns

Seconded by: Councillor McTavish

That the Planning Director's March 5, 2009 report on the surplus farm dwelling severance issue be received and that Option 1 be adopted.

Motion withdrawn

**Resolution: 2009-113**

Moved by: Councillor Forrest

Seconded by: Councillor Van Bakel

That the Planning Director's March 5, 2009 report on the surplus farm dwelling severance issue be received and that staff be directed to research local decision options and bring report back to Council

Carried

## 8.2 CAO

### 8.2.1 Funding to Agricultural Societies

**Resolution: 2009-114**

Moved by: Councillor Hollinger

Seconded by: None

That the Perth County one time funding in the amount of \$10,000.00 for 2009 be available to local Agricultural Societies upon written request to a maximum of \$2,500.00 each.

Motion Lost

**Resolution: 2009-115**  
Moved by: Councillor Van Bakel  
Seconded by: None

That Perth County provide no funding to Agricultural Societies.

Motion Lost

**Resolution: 2009-116**  
Moved by: Councillor Seiler  
Seconded by: Councillor McKay

That the Perth County one time funding in the amount of \$10,000.00 for 2009 be transferred to the lower tier municipalities based on percentage of levy, to be distributed to local Agricultural Societies.

Carried

#### 8.2.2 Approval to hire new staff

**Resolution: 2009-117**  
Moved by: Councillor Wilhelm  
Seconded by: Councillor Forrest

That Council approve of and authorize the hiring for the following positions: Labourer/Operator, EMS Scheduler(PT), Network Support Technician, Court Administration Clerk.

Carried

### 8.3 Corporate Services

#### 8.3.1 2008 Statement of Remuneration and Expenses

**Resolution: 2009-118**  
Moved by: Councillor Van Bakel  
Seconded by: Councillor McKay

That pursuant to the Municipal Act, S.O. 2001, c.25, s. 284((1)(2)(4), the 2008 Statement of Remuneration and Expenses be hereby received.

Carried

### 8.4 Emergency Medical Services

#### 8.4.1 Provincial EMS Rank and Insignia Designation

**Resolution: 2009-119**  
Moved by: Councillor Wilhelm  
Seconded by: Councillor Hollinger

That Perth County Council support the Association of Municipal Emergency Medical Services of Ontario proposal for the new provincial EMS rank and insignia as outlined in the January 27, 2009 letter.

Carried

#### 8.4.2 Perth County EMS Ambulance Purchase

**Resolution: 2009-120**

Moved by: Councillor McTavish

Seconded by: Councillor Behrns

That Council approve the purchase of two 2009 Ford E350, 158" wheelbase Type III ambulance, dual stretcher vehicles from Demers Ambulances at a cost of \$117,133.00 (freight and taxes excluded).

Carried

Linda Rockwood, Director of EMS, updated the Council of the need for additional leased facilities in east end of Stratford for EMS for the purpose of storage and possibly ambulance use which would help to reduce response times. A report will be brought back to Council.

#### 8.5 Public Works

##### 8.5.1 Equipment Tender

**Resolution: 2009-121**

Moved by: Councillor Forrest

Seconded by: Councillor Wilhelm

THAT the tenders from Huron Motor Products for the ½ ton pickup, Expressway Truck Waterloo for the tandem chassis and Alliston Equipment Ltd for the snow plow equipment and sander unit be accepted.

Carried

**Resolution: 2009-122**

Moved by: Councillor Van Bakel

Seconded by: Councillor Seiler

That the CAO review the possibilities of a 'Buy local' policy for pick up trucks for 2010 and bring report back to Council.

Carried

#### 9.0 MINUTES OF OUTSIDE BOARDS/COMMITTEES

##### 9.1 Budget Advisory Committee – February 19, 2009

**Resolution: 2009-123**

Moved by: Councillor Behrns

Seconded by: Councillor Forrest



That the minutes of the Budget Advisory Committee of February 19, 2009 be approved.  
Carried

10. **CORRESPONDENCE**

10.1 Egg Farmers of Ontario – Local egg producers

**Resolution:** 2009-124  
Moved by: Councillor McKay  
Seconded by: Councillor Hollinger

WHEREAS the County of Perth supports practices that contribute to the creation of a sustainable environment;

AND WHEREAS Ontario egg farmers currently provide our community with fresh, locally produced Grade A eggs which travel from farm to table in 4 to 7 days;

AND WHEREAS Ontario egg farmers take pride in caring for their hens while offering consumers a variety of egg choice;

THEREFORE BE IT RESOLVED THAT the current procurement practice of eggs by the County of Perth, produced by Ontario egg farmers, be identified as the preferred local sustainable procurement practice.

BE IT FURTHER RESOLVED THAT the purchase of all Ontario eggs contributes to the creation of a sustainable environment in which consumers and farmers benefit.

Carried

10.2 City of Stratford – Social Housing Capital

**Resolution:** 2009-125  
Moved by: Councillor Forrest  
Seconded by: Councillor McTavish

That staff be directed to review and bring a report back to Council with regards to designating 10% of Investing in Ontario Act funding to Social Services for capital needs for public and social housing.

Carried

10.3 Perth East Position on Georgetown to Kitchener Go Train

**Resolution: 2009-126**

Moved by: Councillor Forrest

Seconded by: Councillor Seiler

That the County of Perth concurs with the comments in the Perth East letter dated February 18, 2009 and forward a letter regarding the Georgetown to Kitchener Rail Expansion to the Manager, Infrastructure Expansion Planning for Go Transit and Project Manager, R. J. Burnside.

Carried

11. **AMO ALERTS**

11.1 – Employment Standards – AODA

The CAO brought the issue of upcoming requirements within the workplace under the Accessibility for Ontarians with Disabilities Act. A joint undertaking by the County and all lower tier municipalities is being explored and a report will be brought to Council. Actions will be required in 2009 to meet requirements.

**Resolution: 2009-127**

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That the AMO Alert – Employment Standards for AODA be received and actions to be taken be deferred until report from CAO received.

Carried

**Resolution: 2009-128**

Moved by: Councillor Van Bakel

Seconded by: Councillor Forrest

That the Committee of the Whole adjourns and reconvenes as Council at 2:02 p.m.

Carried

Warden Behrns resumed Chair.

12. **BUSINESS ARISING FROM COMMITTEE OF THE WHOLE**

12.1 Removal of any Recommendations from Committee of the Whole

- Item 8.1.1 secondary Farm Occupation removed

12.2 Deferral of Recommendations from Committee of the Whole - None

12.3 Endorsement of Recommendations from Committee of the Whole

**Resolution: 2009-129**

Moved by: Councillor McKay

Seconded by: Councillor Kehl

That the Council of the Corporation of the County of Perth endorses all recommendations except 8.1.1 from Committee of the Whole from March 5, 2009.

Carried

**Resolution: 2009-130**

Moved by: Councillor Hollinger

Seconded by: Councillor Seiler

That action regarding 8.1.1 and Resolutuion 2009-108 be deferred until the March 19<sup>th</sup> Council Session to clarify and clearly define the definition of 'secondary farm occupation' to include 'actively farming'.

Carried

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** - None

15. **BY-LAWS** - None

16. **CLOSED SESSION**

**Resolution: 2009-131**

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That Perth County Council move to Closed Session at 2:18 p.m. in accordance with Sec. 239 of the *Municipal Act S.O. 2001 c. 25* (as amended), regarding subject matter as follows:

A proposed or pending acquisition or disposition of land by the municipality or local board

Carried

**Resolution: 2009-132**

Moved by: Councillor Van Bakel

Seconded by: Councillor Kehl

That the Council of the Corporation of the County of Perth rises from Closed Session and reconvenes the regular meeting at 2:46 p.m.

Carried

**Resolution: 2009-133**

Moved by: Councillor Wilhelm

Seconded by: Councillor McTavish

That the County of Perth continue to remain steadfast with the 10 year phase period for Shared Services Agreement.

Carried

18. **CONFIRMATORY BY-LAW**

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**Resolution: 2009-134**

Moved by: Councillor Seiler

Seconded by: Councillor Van Bakel

That By-law 3127 - 2009 being a By-law to confirm the proceedings of the Council of the Corporation of the County of Perth, at its regular meeting on March 5, 2009 be read a first, second and third time and

That the Warden and Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto.

Carried

## 19. ADJOURNAMENT

**Resolution: 2009-135**

Moved by: Councillor Seiler

Seconded by: Councillor Kehl

That this meeting adjourns at 2:56 p.m.

"Julie Behrns"

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Warden, Julie Behrns

"R. William Arthur"

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Clerk, R. William Arthur