

**PERTH COUNTY COUNCIL
MINUTES**

March 19, 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 except Ed Hollinger and Ron McKay. The March 19, 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; Julie Jeffrey, Supervisor 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: 2009-136

Moved by: Councillor Forrest

Seconded by: Councillor Seiler

That the Council agenda of March 19, 2009 as amended be approved.

Carried

5. CONSENT AGENDA

Resolution: 2009-137

Moved by: Councillor McMillan

Seconded by: Councillor Forrest

That the Items 5.1 to 5.8 on the Consent Agenda excluding item 5.3 (Spruce Lodge minutes) be received and the minutes of the March 5, 2009 Regular Session as amended and Closed Session be adopted.

Carried

Resolution: 2009-138

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That Item 5.3, Spruce Lodge Minutes of November 19, 2008, December 17, 2008 and January 21, 2009, be received.

Carried

6. DELEGATIONS

6.1 MTO – Hwy 7/8 Corridor Study Update

Charles Organ, Ministry of Transportation, presented an update on the Hwy 7/8 Corridor Study. The current corridor options were reviewed. The Ministry of Transportation has revisited the traffic count information looking at new information with Region of Waterloo and Wilmot Township. The new information didn't significantly alter the findings. The Ministry is seeking additional information from Perth municipalities and Stratford.

6.2 Clean Water Program

Brad Glasman from the Upper Thames River Conservation Authority was present to present the ongoing Clean Water Program and request funding toward well decommissioning and well head protection.

The Clean Water Program has awarded \$10 million for projects with 60% of funds covered by landowners. 1,937 projects have been completed in various area.

Perth previously supported the program based on federal/provincial funding being received but did not contribute to the program in 2008. The Clean Water Program is asking the County for a contribution of \$10,000.00 for well decommissioning and well head protection projects within Perth County. 225 wells have been decommissioned to date. With the County funding, the Clean Water Program will be in a position to ask for provincial funding.

To qualify for funding, farm landowners are required to submit an Environmental Farm Plan and non-farm landowners are required to submit a Well and Septic Worksheet. For non-farm applications, the maximum funding is \$500.00 with landowners responsible for 50% of the costs. All work must be done by a qualified licensed contractor under Regulation 903. Properties receiving these grants are not eligible for grant money from other sources.

Mr. Hanly confirmed that the ground water study done in early 2000 indicated the need to address abandoned wells to avoid contamination.

Concern was expressed by Council as to the difference in paperwork required by farm properties versus non farm properties in order to receive grant money. Applications under the Environmental Farm Plan for farm properties are eligible for more funding than non farm properties.

Resolution: 2009-139

Moved by: Councillor Van Bakel

Seconded by: Councillor Seiler

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. 90.

Carried

7. PUBLIC MEETING

7.1 OPA No. 90 - Mahon

Mr. Hanly, Director of Planning and Development, summarized the purpose and intent of the Official Plan Amendment effecting the Mahon property at Lot 14 Concession 8, Hibbert, West Perth.

Notice of the Public meeting was given under requirements of Planning Act on February 26, 2009 by prepaid mail to prescribed agencies and owners, posted on County web site and on-site notice.

Correspondence was received from Ministry of Municipal Affairs and Housing, Jennison Construction Ltd, Ausable Bayfield Conservation Authority and Municipality of West Perth indicating support.

No members of public were present either in support of or against the application.

Mr. Bryan Boyce, agent for the applicant, stated that the applicant had no problem with the requirements set out in replies and would work closely with agencies to satisfy.

Resolution: 2009-140

Moved by: Councillor Kehl

Seconded by: Councillor Wilhelm

That the public meeting is adjourned to reconvene as Council.

Carried

8. ADJOURN TO COMMITTEE OF THE WHOLE

Resolution: 2009-141

Moved by: Councillor McTavish

Seconded by: Councillor Seiler

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 10:25 a.m.

Carried

Councillor Kehl chaired the Committee of the Whole.

PRESENTATION AND CONSIDERATION OF REPORTS

8.1 Planning and Development

8.1.1 OMB Decision – Ameribuild Inc

Resolution: 2009-142

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That the Planning Director's March 19, 2009 report concerning Plan of Subdivision File No. NP06-01 be received for information.

Carried

8.1.2 Secondary Farm Occupation – OPA 94

Resolution: 2009-143

Moved by: Councillor Seiler

Seconded by: Councillor Forrest

That County Council proceeds with the adoption of the revised proposed OPA text dealing with changes to the secondary farm occupation use policies of Section 5.5.7 of the County Official Plan.

Carried

8.1.2 OPA90 - Mahon

Resolution: 2009-144

Moved by: Councillor Forrest

Seconded by: Councillor Van Bakel

That the Application for Official Plan Amendment by Mark Mahon affecting property described as Lot 14, Concession 8 in the Hibbert Ward of the Municipality of West Perth be approved.

Carried

8.2 CAO

8.2.1 Corporate Membership – Stratford Shakespeare Festival

Resolution: 2009-145

Moved by: Councillor Behrns

Seconded by: Councillor McMillan

That Council receive and file this report.

Carried

8.2.2 Clean Water Program

Resolution: 2009-146

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That County Council approves the request from the Clean Water Program to provide financial assistance to non-farm residents for the purpose of 'Well Decommissioning and Upgrades' and to establish a budget of \$10,000.00 in the 2009 budget for this purpose.

Carried

8.3 Corporate Services

8.3.1 POA Streamlining Review

Resolution: 2009-147

Moved by: Councillor Van Bakel

Seconded by: Councillor Behrns

That the County of Perth support the Municipal Court Manager's Association of Ontario POA streamlining consultation paper response dated March 10, 2009 to the Ministry of the Attorney General with the exception of adding default fines to municipal tax bills and making POA fine payment a condition for issuing municipal licences or granting municipal contracts.

Carried

8.4 Emergency Medical Services - None

8.5 Public Works

8.5.1 Stratford Public Works Yard Tender

Resolution: 2009-148

Moved by: Councillor Van Bakel

Seconded by: Councillor Behrns

That this Council accepts the Building Committee recommendation and hereby awards the contract for the construction of the Stratford Patrol Yard to Domm Construction Limited for the tendered amount of \$680,000.00 and that the Warden and Clerk be authorized to sign the necessary agreements.

Carried

9.0 **MINUTES OF OUTSIDE BOARDS/COMMITTEES**

10. **CORRESPONDENCE**

11. **AMO ALERTS** - none

Resolution: 2009-149

Moved by: Councillor Seiler

Seconded by: Councillor Wilhelm

That the Committee of the Whole adjourns and reconvenes as Council at 11:54 a.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 - None

12.2 Deferral of Recommendations from Committee of the Whole - None

12.3 Endorsement of Recommendations from Committee of the Whole

Resolution: 2009-150

Moved by: Councillor Kehl

Seconded by: Councillor Forrest

That the Council of the Corporation of the County of Perth endorses all recommendations from Committee of the Whole from March 19, 2009.

Carried

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** - None

15. **BY-LAWS**

15.1 By-law 3126-2009 – OPA 94, Secondary Farm Occupation

Resolution: 2009-151

Moved by: Councillor McTavish

Seconded by: Councillor Wilhelm

That By-law 3126-2009 being a by-law to adopt Official Plan Amendment 94 be read a first and second time.

Carried

Resolution: 2009-152

Moved by: Councillor McMillan

Seconded by: Councillor Forrest

That By-law 3126-2009 being a by-law to adopt Official Plan Amendment 94 be read a third and final time and

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

Carried

15.2 By-law 3128-2009 – OPA 90 – Mahon

Resolution: 2009-153

Moved by: Councillor Kehl

Seconded by: Councillor Seiler

That By-law 3128-2009 being a by-law to adopt Official Plan Amendment 90 be read a first and second time.

Carried

Resolution : 2009-154

Moved by: Councillor Wilhelm

Seconded by: Councillor Van Bakel

That By-law 3128-2009 being a by-law to adopt Official Plan Amendment 90 be read a third and final time and

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

Carried

16. **CLOSED SESSION - None**

18. **CONFIRMATORY BY-LAW**

Resolution: 2009-155

Moved by: Councillor Van Bakel

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Seconded by: Councillor Wilhelm

That By-law 3129 - 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 19, 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: 2009-156

Moved by: Councillor Kehl

Seconded by: Councillor McTavish

That this meeting adjourns at 11:59 a.m.

"Julie Behrns"

Warden, Julie Behrns

" R. William Arthur"

Clerk, R. William Arthur