

**PERTH COUNTY COUNCIL  
MINUTES**

May 14, 2009  
9:00 a.m.

**1. ROLL CALL**

Dave Hanly, Acting CAO, 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 May 14, 2009 session of Perth County Council commenced with an Opening Prayer at 9:02 a.m.

Staff in attendance:

Carol Zimmer, Deputy Clerk; Matt Ash, Director 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: 2009-243**

Moved by Councillor McTavish

Seconded by Councillor Seiler

That the May 21<sup>st</sup> Closed Training Session Agenda be added as Item 14.1 and Hwy 7/8 Corridor Study be added as Item 14.2 and the Council agenda as amended for May 14, 2009 be approved.

Carried

**5. CONSENT AGENDA**

**Resolution: 2009-244**

Moved by Councillor Forrest

Seconded by Councillor McMillan

That the Items 5.1 to 5.9 be received and the minutes of the April 30, 2009 Regular session as amended and Closed Session be approved.

Carried

Amendment: Reference to Swine Flu in 8.4.2 changed to Influenza A N1H1

**6. DELEGATIONS - None**

## 7. PUBLIC MEETING

### **Resolution: 2009-245**

Moved by Councillor McKay

Seconded by Councillor Hollinger

That Perth County Council adjourns to a Public Meeting to hear Official Plan Amendment No. 95 – North Perth.

Carried

#### 7.1 Official Plan Amendment – North Perth #95

Mr. Hanly, Director of Planning and Development, explained the application dealing with Plan 509 Lots 5 and 7 in Elma Ward, North Perth. Nine lots in total are affected by the application as other lots are included rather than waiting for a 5 year review. The application will allow for the re-division of property for single dwelling lots and splitting of semi detached as lots are now serviced.

Public Notice was given on April 24, 2009 as required under the Planning Act

Correspondence was received from MKB Holdings asking that screening provisions from industrial use be required, Maitland Valley Conservation Authority have no objections and North Perth Council indicating approval.

No one was present to comment either for or opposed to the application. The applicant explained that the application was filed as the lots are now serviced and new dwelling lots could be created.

Screening from existing industrial uses could be imposed on any new lots created either through the Consent process or Zoning By-law. Acknowledgement clause regarding the existence of industrial uses could be registered on title. Screening conditions on existing uses would be difficult.

### **Resolution: 2009-246**

Moved by Councillor Seiler

Seconded by Councillor Wilhelm

That the Public Meeting for OPA 95 North Perth be closed and Perth County Council reconvene.

Carried

### **Resolution: 2009-247**

Moved by Councilor Forrest

Seconded by Councillor Van Bakel

That Perth County Council adjourns to a Public Meeting to hear Plan of Condominium Application CD09-01.

Carried

7.2 Plan of Condominium CD#09-01

Mr. Hanly, Director of Planning and Development, explained the Plan of Condominium Application affecting Part of Lots 199, 200, 201 and 202, Part of a 1.006 metre wide reserve, Part of Perth Street and part of Wellington St, Plan 261 (Millbank) in Mornington Ward, Perth East. The application would create 5 units with common areas for septic and parking.

Notice of Application was given on April 24, 2009 as required under the Planning Act.

Correspondence was received from the Huron Perth District School Board stating no concerns and Perth East Council stating approval.

No one was present in support of or opposed to the application. Trevor McNeil, agent for the applicant, was present. He stated that the property was originally developed under a Site Plan Agreement as rental properties with the intent to transfer to condominium units.

**Resolution: 2009- 248**

Moved by Councillor Seiler

Seconded by Councillor Kehl

That the Public Meeting for Plan of Condominium CD09-01 Perth East be closed and Perth County Council reconvene.

Carried

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

**Resolution: 2009-249**

Moved by Councillor Wilhelm

Seconded by Councillor Forrest

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 9:34 a.m.

Carried

Councillor McKay chaired the Committee of the Whole.

**PRESENTATION AND CONSIDERATION OF REPORTS**

**8.1 Planning and Development**

8.1.1 Official Plan Amendment #95 – North Perth

**Resolution: 2009-250**

Moved by Councillor Hollinger

Seconded by Councillor Van Bakel

That the Application for Official Plan Amendment by Gordon and Darlene Galbraith and Mario and Catherine Mazzorato affecting land described as Lots 5 and 7, Registered Plan

No. 509 in the Elma Ward of the Municipality of North Perth be approved and further that the Official Plan Amendment include the additional lands suggested by the County Planning Department and described as Lots 1 thru 4 and Lot 6, Registered Plan No. 509 and one neighbouring residential lot to the north and the one neighbouring residential lot to the south of Registered Plan No. 509 (i.e. part of Lot 41, Concession 1), in the Elma Ward of the Municipality of North Perth.

Carried

#### 8.1.2 Plan of Condominium #CD-09-01

**Resolution: 2009-251**

Moved by Councillor McTavish

Seconded by Councillor Forrest

THAT County Council move toward giving Draft Plan Approval for a Plan of Condominium subdivision by Mel Herfort Investments Inc. (PE CD 09-01) affecting property described as Part of Lots 199, 200, 201, and 202 and Part of a 1.006 metre wide Reserve, and Part of Perth Street and Part of Wellington Street, Registered Plan No. 261 (Milbank) in the Mornington Ward of the Township of Perth East and that the proposed conditions of draft plan approval be prepared and presented to County Council for consideration at its June 4, 2009 meeting.

Carried

#### 8.1.3 Sonnenburg Plan of Subdivision – North Perth 07-02

**Resolution: 2009-252**

Moved by Councillor Hollinger

Seconded by Warden Behrns

To defer decision on the Sonnenburg Plan of Subdivision North Perth 07-02 be deferred until the appropriate information can be brought back to Council.

Carried

#### 8.1.4 North Perth Plan of Subdivision #04-01

**Resolution: 2009-253**

Moved by Councillor Seiler

Seconded by Councillor Wilhelm

That Perth County Council approves a 5-year time period extension (until October 20, 2014) for fulfilling the conditions of draft plan approval for Subdivision File No. NP 04-01 (Lunor Group Inc.) affecting property described as part of Part of Lots 41 and 42, Concession 1 in the Elma Ward of the Municipality of North Perth.

Carried

#### 8.1.5 Tree By-law Report

**Resolution: 2009-254**

Moved by Councillor Forrest

Seconded by Councillor Seiler

That the Planning and Development's May 14, 2009 report on the tree by-law content issues raised in recent letters received by the County be received and that no changes to the County's Tree By-law be made in respect to the issues raised.

Carried

## 8.2 CAO

### 8.2.1 Warden's Activity Report

**Resolution: 2009-255**

Moved by Councillor Seiler                      Seconded by Councillor McTavish

That the Warden's April Activity Report dated May 14, 2009 be received for information.

Carried

### 8.2.2 Human Resources Committee minutes/recommendations

**Resolution: 2009-256**

Moved by Councillor Van Bakel                      Seconded by Warden Behrns

That this Council approve the minutes of the Human Resources Committee meeting of May 5, 2009 and approve the adoption of the following recommendations:

1. Human Resources Committee Terms of Reference with an amendment to include 'where possible, membership on the committee should have representation from all lower tier municipalities.
2. Acting pay policy
3. On-call policy

Carried

### 8.2.3 Surplus Equipment Policy

**Resolution: 2009-257**

Moved by Councillor McTavish                      Seconded by Councillor Wilhelm

That the Council approves the Disposal of surplus Equipment policy.

Carried

## 8.3 Corporate Services

### 8.3.1 MLC update report for May 28<sup>th</sup> meeting – POA

**Resolution: 2009-258**

Moved by Councillor McTavish                      Seconded by Councillor Seiler

That the POA report of May 28, 2009 be received for information.

Carried

### 8.3.2 MLC update report for May 28<sup>th</sup> meeting – Archives

**Resolution: 2009-259**

Moved by Councillor Wilhelm                      Seconded by Warden Behrns  
That the Stratford-Perth Archives report of May 28, 2009 be received for information.

Carried

**8.4 Emergency Medical Services –**

8.4.1 MLC update report for May 28<sup>th</sup> meeting

**Resolution: 2009-260**

Moved by Councillor McMillan                      Seconded by Councillor Hollinger  
That the MLC update report for the May 28<sup>th</sup> MLC meeting be received for information.

Carried

**8.5 Public Works**

8.5.1 Tender Report for Structure #119-077

**Resolution: 2009-261**

Moved by Councillor McTavish                      Seconded by Councillor Seiler  
That the tender for structure #119-077 from Jarlian Construction Inc in the amount of \$104,100. Plus GST be accepted.

Carried

8.5.2 Stratford EMS Administration Lease

**Resolution: 2009-262**

Moved by Councillor McTavish                      Seconded by Councillor Wilhelm  
That Council endorses authorizing By-law #3140-2009, permitting the execution of the lease agreement between the County and Festival Hydro.

Carried

8.5.3 Public Works Brush Chipper

**Resolution: 2009-263**

Moved by Councillor McTavish                      Seconded by Warden Behrns  
That Council permit Public Works to negotiate for and execute the purchase of a brush chipper. Such purchasing may be done as single source procurement;

Carried

**9.0 MINUTES OF OUTSIDE BOARDS/COMMITTEES - None**

10. **CORRESPONDENCE**

10.1 2009 Ontario West Municipal Conference – London

10.2 Support Ontario – Buy Local

**Resolution: 2009-264**

Moved by Councillor Hollinger

Seconded by Councillor Wilhelm

That correspondence regarding the 2009 Ontario West Municipal Conference in London and Support Ontario – Buy Local be received.

Carried

11. **AMO ALERTS** – See Consent Agenda

**Resolution: 2009-265**

Moved by Councillor Forrest

Seconded by Councillor Van Bakel

That the Committee of the Whole adjourn and reconvene as Council at 11:24 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: 2009-266**

Moved by Councillor McKay

Seconded by Councillor Seiler

That the Council of the Corporation of the County of Perth endorses all recommendations from Committee of the Whole from May 14, 2009.

Carried

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** –

14.1 May 21<sup>st</sup> Closed session Agenda 9 – 3 p.m.

Distributed and contact Bill for additions to agenda

14.2 Hwy 7/8 Corridor Study

**Resolution: 2009-267**

Moved by Councillor McKay

Seconded by Councillor Wilhelm

That the County of Perth send letter on behalf of residents of Perth South and Perth East to Consultants and MTO expressing appreciation for their consideration of residents concerns and comments throughout the recent PIC meetings.

Carried

15. **BY-LAWS –**

15.1 By-law 3140-2009 – To authorize signing agreement with Festival Hydro

**Resolution: 2009-268**

Moved by Councillor McTavish

Seconded by Councillor Kehl

That By-law 3140-2009 being a by-law to authorize the signing of a lease agreement with Festival Hydro for 187 Erie St., Stratford be read a first and second time.

Carried

**Resolution: 2009-269**

Moved by Councillor McMillan

Seconded by Councillor Hollinger

That By-law 3140-2009 being a by-law to authorize the signing of a lease agreement with Festival Hydro for 187 Erie St., Stratford be read a third and final time

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

Carried

15.2 By-law 3141-2009 to approve OPA 95 – North Perth

Clause regarding appropriate screening was added to By-law 3141-2009 as requested by Council before By-law approved.

**Resolution: 2009-270**

Moved by Councillor Van Bakel

Seconded by Councillor Seiler

That By-law 3141-2009 being a By-law to approve Official Plan Amendment #95 North Perth be read a first and second time.

Carried

**Resolution: 2009-271**

Moved by Councillor Hollinger

Seconded by Councillor Wilhelm

That By-law 3141-2009 being a By-law to approve Official Plan Amendment #95 North Perth be a read a third and final time

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

Carried



16. **CLOSED SESSION –**

**Resolution: 2009-272**

Moved by Councillor Forrest

Seconded by Councillor Wilhelm

That Perth County Council move to Closed Session in accordance with Sec. 239 of the Municipal Act S.O. 2001, c. 25 (as amended), at 11:33 a.m. regarding subject matter as follows:

- Personnel matters about an identifiable individual, including municipal or local board employees

Carried

**Resolution: 2009-274**

Moved by Councillor McTavish

Seconded by Councillor Seiler

That the Council of the Corporation of the County of Perth rises from Closed Session and reconvenes the regular meeting at 12:25 p.m.

Carried

18. **CONFIRMATORY BY-LAW**

**Resolution: 2009-275**

Moved by Councillor Van Bakel

Seconded by Councillor Forrest

That By-law 3142-2009 being a By-law to confirm the proceedings of the Council of the Corporation of the County of Perth, at its regular meeting on May 14, 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: 2009-276**

Moved by Councillor Kehl

Seconded by Councillor Wilhelm

That this meeting adjourns at 12:26 p.m.

"Julie Behrns"

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Warden, Julie Behrns

"R. William Arthur"

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Clerk, R. William Arthur