

**PERTH COUNTY COUNCIL
Minutes**

August 13, 2009
9:00 a.m.

1. ROLL CALL

Bill Arthur, 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 Councillor Van Bakel. The August 13, 2009 session of Perth County Council commenced with an Opening Prayer at 9.01 a.m.

Staff in attendance:

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

Randy Huitema, new IT Support Technician, was introduced to Council.

3. DISCLOSURE OF PECUNIARY INTEREST and the general nature thereof

None declared

4. ADDITIONS TO AGENDA/ADOPTION OF AGENDA

Resolution: 2009-392

Moved by Councillor Wilhelm

Seconded by Councillor Kehl

That item number 8.1.2 Land Division – OACA 2011 Seminar report be removed from the August 13th agenda and moved forward to September 3rd

That the 'Plowing Match information' be added to the Council Agenda as item number 10.3 That 'Other Matters' be added to the Council Agenda as item numbers 8.1.4, 8.2.7, 8.3.3, 8.1.4 and 8.5.4

That a 'potential financial litigation' matter be added to the Closed Session

And that the Council agenda for August 13, 2009 as amended be approved.

Carried

5. CONSENT AGENDA

Resolution: 2009-393

Moved by Councillor Forrest

Seconded by Councillor Seiler

That the Items 5.1 to 5.13 be received and the minutes of the July 16, 2009 Regular Session be approved.

Carried

Carried

Councillor Seiler chaired the Committee of the Whole.

PRESENTATION AND CONSIDERATION OF REPORTS IN COMMITTEE OF THE WHOLE

8.1 Planning and Development

8.1.1 Official Plan Amendment 97

Recommendation: 2009-397

Moved by Councillor Hollinger

Seconded by Councillor Wilhelm

That the Application for Official Plan Amendment by Wallaceview Developments Ltd. and H & J Donegan Holdings Inc. affecting property described as Block 187 and Block 188, Registered Plan 44M-33 (Forbes Cresc.) in the Elma Ward; Block 158, Registered Plan 563 (Wallace Ave. S.) in the Listowel Ward; Block 159, Registered Plan 563 (Wallace Ave. S.) in the Listowel Ward; Block 11, Registered Plan 44M-3 (Albert Ave. N.) in the Listowel Ward; and Block 160 and Block 161, Registered Plan 563 (Bamford Dr.) in the Listowel Ward, all in the Municipality of North Perth, be approved.

And further the responsibility of ongoing road maintenance be investigated;

And further that there be no refund of the application fee.

Carried

8.1.2 Land Division – 2011 Seminar - REMOVED FROM AGENDA

8.1.3 OPA for Atwood and Shakespeare

Recommendation: 2009-398

Moved by Councillor McKay

Seconded by Councillor Hollinger

That the County initiate the process of amending of the County Official Plan for the purpose of establishing an appropriate designation category for Atwood and Shakespeare along with appropriate land use and development policies for these areas.

Carried

8.1.4 Other Matters

Summary of comments from Open Public Meeting on the Surplus Farm Severance issue will be brought to Council.

8.2 CAO

8.2.1 County-wide Radio System Improvement

Recommendation: 2009-399

Moved by Councillor McKay

Seconded by Warden Julie

That the report dated August 13, 2009 prepared by Christel Hollinger, CEMC, be taken to the lower tiers for comment and such comments shall be received by October 1, 2009.

Carried

8.2.2 Accessible Customer Services Policies and Procedures

Recommendation: 2009-400

Moved by Councillor Forrest

Seconded by Councillor Hollinger

That the County Council approves and adopts the County of Perth's Accessible Customer Service Policies and Procedures, dated August 1, 2009, to be implemented immediately, in accordance with Regulations 429/07 Accessibility Standards for Customer Service under the OADA, 2005.

Carried

8.2.3 Remuneration for Councillors

Recommendation: 2009-401

Moved by Councillor McKay

Seconded by Councillor Kehl

That the meal allowance contained in Policy CL-1.01 be set at the following amount:

Day	\$55
Breakfast	\$10
Lunch	\$15
Supper	\$30

Carried

Recommendation: 2009-402

Moved by Councillor McTavish

Seconded by Councillor Hollinger

That Council information contained in Policy CL-1.01 and Policy 1.03 be updated and transferred to a new bylaw including removal of Section E, 'pay at half day full day rate when representing Warden' and adding 'shall be paid mileage'

Carried

Recommendation: 2009-403

Moved by Councillor Kehl

Seconded by Councillor Hollinger

That carryover provisions for any unspent dollars for Council Professional Development in the current year (based on \$4,000.) be carried forward to the next year and such provisions shall cease at the end of the term of Council and start with the election of a new Council.

Carried

8.2.4 Facilities Committee

Recommendation: 2009-404

Moved by Councillor Forrest

Seconded by Councillor Wilhelm

THAT a Facilities Committee be created as an Advisory Committee to review all facilities matters under the following Terms of Reference.

Mandate:

- To assist staff with the review of facility needs and make recommendations to County Council.

Composition:

The Facilities Committee shall be appointed by County Council and be comprised of the following:

- Warden
- 3 Councillors
- Preferably each lower tier represented
- The CAO and Director of Public Works shall be staff resources to Committee
- The Committee will appoint a Chair from among the members
- Clerk or Deputy Clerk shall maintain minutes

Term:

- Annual Appointment
- The Committee shall meet at the call of the Chair or CAO

AND THAT an additional Councillor be appointed to serve on the Facilities Committee as per the Terms of Reference.

Carried

Recommendation: 2009-405

Moved by Councillor McTavish

Seconded by Warden Behrns

That Councillor Kehl be appointed to the Facilities Committee for the balance of the 2009 year.

Carried

8.2.5 Warden's Report – July 2009

Recommendation: 2009-406

Moved by Councillor Hollinger

Seconded by Councillor McMillan

That the Warden's Activity Report dated August 13, 2009 be received for information.

Carried

8.2.6 Perth County H1N1 Response and Exercise

Recommendation: 2009-407

Moved by Councillor McKay

Seconded by Councillor Forrest

That the County Council receives the report prepared by the Community Emergency Management Coordinator dated August 13, 2009 and endorse the activation of the Perth County Pandemic Influenza Pandemic Plan and Perth County Pandemic Unified Command in response to the novel H1N1 virus as the County's mandatory annual exercise for 2009.

Carried

8.2.7 Other Matters - None

8.3 **Corporate Services**

8.3.1 Tax Capping Report

Recommendation: 2009-408

Moved by Councillor McTavish

Seconded by Councillor Forrest

That pursuant to Section 330(1) of the Municipal Act, S.O. 2001, c25, the County of Perth adopt By-law No. 3154-2009, establishing decrease limits for certain property classes; and

That the Warden and Clerk be hereby authorized to affix their signatures and the corporate seal thereto.

Carried

8.3.2 Appointment of Auditor

Recommendation: 2009-409

Moved by Warden Behrns

Seconded by Councillor Wilhelm

That the firm of BDO Dunwoody LLP be appointed as the auditors for the 2009 and 2010 fiscal audits, as specified under the Municipal Act, 2001, c25, s296 (1); and
That a management letter be presented by the Auditor to Council annually with the audited financial statements.

Carried

8.3.3 Other Matters – None

8.4 **Emergency Medical Services – None**

8.5 **Public Works**

8.5.1 Tender – Court House Painting

Recommendation: 2009-410

Moved by Councillor Forrest

Seconded by Councillor McKay

That the tender for exterior renovations to the County Courthouse be awarded to Robertson Restoration in the amount of \$286,000 plus GST

Carried

8.5.2 Tender – Paving Stratford Yard

That the donation request from the Haldimand County Disaster Relief Committee be received for information.

Carried

10.2 Municipality of West Perth – HST resolution

Recommendation: 2009-416

Moved by Councillor Kehl

Seconded by Councillor Wilhelm

That the Council of the County of Perth supports the resolution of the Municipality of West Perth appealing to the Province of Ontario to stop the implementation of the proposed Provincial Harmonized Sales Tax;

Further that the Council of the County of Perth requests that a copy of the resolution be sent to the Minister of Revenue John Wilkinson and Premier Dalton McGuinty

Carried

10.3 County of Perth Plowing Match

Recommendation: 2009-417

Moved by Warden Behrns

Seconded by Councillor McTavish

That the Perth County Plowing Match information be received.

Carried

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

Recommendation: 2009-418

Moved by Warden Behrns

Seconded by Councillor Hollinger

That the Committee of the Whole adjourn and reconvene as Council at 11.50 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: 2009-419

Moved by Councillor Hollinger

Seconded by Councillor Wilhelm

That the Council of the Corporation of the County of Perth endorses recommendations from Committee of the Whole from August 13, 2009.

Carried

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** –
none

15. **BY-LAWS** –

15.1 By-law 3153-2009 – To approve Official Plan Amendment No 97

Resolution: 2009-420

Moved by Councillor Forrest

Seconded by Councillor Hollinger

That By-law 3153-2009 being a by-law to approve Official Plan Amendment No. 97 North Perth be read a first and second time.

Carried

Resolution: 2009-421

Moved by Councillor Wilhelm

Seconded by Councillor Kehl

That By-law 3153-2009 being a by-law to approve Official Plan Amendment No. 97 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 3154-2009 to establish decrease limits for certain property classes

Resolution: 2009-422

Moved by Councillor McKay

Seconded by Councillor Wilhelm

That By-law 3154-2009 being a By-law to establish limits for certain property classes be read a first and second time

Carried

Resolution: 2009-423

Moved by Councillor Hollinger

Seconded by Councillor McMillan

That By-law 3154-2009 being a By-law to establish limits for certain property classes 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

16. **CLOSED SESSION** –

Resolution: 2009-424

Moved by Councillor Wilhelm

Seconded by Councillor Forrest

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 11:54 a.m. regarding subject matter as follows:

Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Resolution: 2009-425

Moved by Councillor Kehl

Seconded by Councillor Forrest

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

Resolution: 2009-426

Moved by Councillor McKay

Seconded by Councillor Seiler

That the Council of the County of Perth endorse the direction given to staff in closed session regarding litigation or potential litigation concerning the tree by-law and financial obligations.

Carried

18. CONFIRMATORY BY-LAW

Resolution: 2009-427

Moved by Councillor McTavish

Seconded by Councillor Forrest

That By-law 3155-2009 being a By-law to confirm the proceedings of the Council of the Corporation of the County of Perth, at its regular meeting on August 13, 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: 2009-428

Moved by Councillor Wilhelm

Seconded by Councillor Kehl

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

Carried

"Julie Behrns"

" R. William Arthur"

Warden, Julie Behrns

Clerk, R. William Arthur