

**PERTH COUNTY COUNCIL
Minutes**

September 3, 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. The September 3, 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; Renato Pullia, Director of Corporate Services/Treasurer, Linda Rockwood, Director of Emergency Medical Services, Matt Ash, Director of Public Works.

3. DISCLOSURE OF PERCUNIARY INTEREST and the general nature thereof

None declared

4. ADDITIONS TO AGENDA/ADOPTION OF AGENDA

Resolution: 2009-429

Moved by Councillor McKay

Seconded by Councillor Seiler

That a 'potential financial litigation' matter be added to the Closed session and additional comments on the surplus farm house issue be added under Item 8.1.5.

And that the Council agenda as amended for September 3, 2009 as be approved.

5. CONSENT AGENDA

Resolution: 2009-430

Moved by Councillor McTavish

Seconded by Councillor Wilhelm

That the Items 5.1 to 5.5 be received and the minutes of the August 12, 2009 Public Meeting as amended and August 13, 2009 Regular Session be approved.

Carried

6. PUBLIC MEETING - None

7. DELEGATIONS – None

8. ADJOURN TO COMMITTEE OF THE WHOLE

Resolution: 2009-431

Moved by Councillor Hollinger

Seconded by Councillor Forrest

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 9:04 a.m.

Carried

Councillor Wilhelm chaired the Committee of the Whole.

PRESENTATION AND CONSIDERATION OF REPORTS IN COMMITTEE OF THE WHOLE

8.1 Planning and Development

8.1.1 Tree Report

Recommendation: 2009-R432

Moved by Councillor Hollinger

Seconded by Councillor Forrest

THAT the Tree Inspection Report dated September 3, 2009 be accepted as presented.

Carried

8.1.2 LDC – OACA 2011 Seminar

Recommendation: 2009-R433

Moved by Councillor Seiler

Seconded by Councillor McKay

That the County advise the OACA Executive that the County is interested in hosting the 2011 Fall Seminar with an understanding that the appropriate amount of funds be put in the County's 2011 budget for this;

And further that Planning Department staff have further discussions with Stratford and St. Marys about their participation in sponsoring the 2011 Fall Seminar.

Carried

8.1.3 Hwy 7/8 PIC meeting – Sebringville

Recommendation: 2009-R434

Moved by Warden Behrns

Seconded by Councillor McTavish

That the Planning Director's September 3, 2009 report concerning the August 11, 2009 PIC session held in Sebringville be received for information.

Carried

8.1.4 Land Division Report

Recommendation: 2009-R435

Moved by Councillor Van Bakel

Seconded by Councillor Seiler

That the Land Division Secretary-Treasurer's September 3, 2009 report on the Land Division Committee's August 24, 2009 meeting be received for information.

Carried

8.1.5 Surplus Farm House Issue

Recommendation: 2009-R436

Moved by Councillor Van Bakel

Seconded by Councillor McKay

That the proposed Amendment No. 99 to the County Official Plan dealing with the severance of surplus farm dwellings be proceeded with, with an additional provision 'that the surplus farm dwelling must have been in existence for a minimum of 20 years prior to the severance application being submitted' be added to the proposed amendment.

Withdrawn

Recommendation: 2009-R437

Moved by Councillor McTavish

Seconded by Councillor Forrest

That Perth County Council rescind Resolution 2009-306 regarding Surplus Farm Severance OPA 99 passed on June 4, 2009.

Carried

Recommendation: 2009-R438

Moved by Councillor Van Bakel

Seconded by Councillor McKay

That the proposed Amendment No. 99 to the County Official Plan dealing with the severance of surplus farm dwellings be proceeded with, with an additional provision 'that the surplus farm dwelling must have been in existence for a minimum of 20 years prior to the severance application being submitted' be added to the proposed amendment.

Recorded vote by Councillor Seiler

Councillor Hollinger	no	Councillor Van Bakel	yes
Councillor Forrest	no	Councillor McKay	yes
Warden Behrns	no	Councillor Kehl	yes
Councillor McMillan	no	Councillor McTavish	yes
Councillor Seiler	no	Councillor Wilhelm	yes

Lost

8.1.6 Other matters – none

8.2 **CAO**

8.2.1 Council Remuneration

Recommendation: 2009-R439

Moved by Councillor McTavish

Seconded by Councillor Forrest

That Corporate Policies CL-1.01 and CL-1.03 be rescinded and By-law 3156-2009 as amended be considered for adoption.

Carried

8.2.2 Warden's Election

Recommendation: 2009-R440

Moved by Councillor Kehl

Seconded by Councillor Seiler

That the invited guest list be amended as follows:

Dignitaries to include MP, MPP, Mayor of Stratford, Mayor of St. Marys

Special Guests to include Councillors of lower tiers, CAO's of lower tiers, President of Past Warden's Association (on behalf of association) and County staff;

That the program is to be amended as follows:

Add introduction of past warden's and the greetings list order amended

That a general announcement of election to be sent to OPP, School Boards, Agricultural Societies and the press.

Carried

8.2.7 Other Matters - none

8.3 Corporate Services

8.3.1 Auditor's Summary

Recommendation: 2009-R441

Moved by Councillor McMillan

Seconded by Warden Behrns

That the Summary of Audit Costs – 2004 to 2008 be received for information.

Carried

8.3.2 MLC Report for Stratford-Perth Archives

Recommendation: 2009-R442

Moved by Councillor Van Bakel

Seconded by Councillor McTavish

That the Stratford-Perth Archives report of September 3, 2009 be received for information.

Carried

8.3.3 MLC Report for Provincial Offences

Recommendation: 2009-R443

Moved by Councillor Hollinger

Seconded by Councillor McTavish

That the Provincial Offices Administration report of September 3, 2009 be received for information.

Carried

8.3.4 Other Matters - None

8.4 **Emergency Medical Services – None**

8.4.1 MLC Report

Recommendation: 2009-R444

Moved by Warden Behrns

Seconded by Councillor McMillan

That the Emergency Medical Services report of September 3, 2009 as amended to include an update on the Mitchell EMS base construction be received for information.

Carried

8.4.2 Other EMS Matters

8.5 **Public Works**

8.5.1 Tree Program

Recommendation: 2009-R445

Moved by Warden Behrns

Seconded by Councillor McTavish

That Perth County Council direct Director of Public Works to prepare report on other options available to assist lower tiers with tree programs and any distribution of funds be calculated on assessment dollars.

Carried

8.5.4 Other Matters

Road Tour will be held October 29, 2009 from Court House 9 a.m.

9.0 **MINUTES OF OUTSIDE BOARDS/COMMITTEES –**

10. **CORRESPONDENCE**

10.1 Youth Development Program

Recommendation: 2009-R446

Moved by Councillor McKay

Seconded by Councillor Hollinger

That the memorandum from the Economic Development Committee regarding sponsorship to DocFest 2009 be received for information.

Carried

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

Recommendation: 2009-R447

Moved by Councillor McTavish

Seconded by Councillor Forrest

That the Committee of the Whole adjourn and reconvene as Council at 11:35 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 –

- Recommendation No. 2009-437 to recind the Resolution 2009-306 passed on June 4, 2009.
- Recommendation No. 2009-438 regarding Surplus Farm Severance OPA 99 and

12.2 Deferral of Recommendations from Committee of the Whole – None

12.3 Endorsement of Recommendations from Committee of the Whole

Resolution: 2009-448

Moved by Councillor Van Bakel

Seconded by Councillor Wilhelm

That the Council of the Corporation of the County of Perth endorses recommendations except for Recommendation 2009-437 and Recommendation 2009-438 concerning Surplus Farm Severance OPA 99 from Committee of the Whole from September 3, 2009.

Carried

Resolution: 2009-449

Moved by Councillor Forrest

Seconded by Councillor Wilhelm

That the Council of the County of Perth recind Resolution 2009-306 from June 4, 2009 Council Session concerning Surplus Farm Severance OPA 99.

Carried

Resolution: 2009-450

Moved by Councillor McTavish

Seconded by Councillor Wilhelm

That the proposed Amendment No. 99 to the County Official Plan dealing with the severance of surplus farm dwellings be proceeded with, with an additional provision 'that the surplus farm dwelling must have been in existence for a minimum of 20 years prior to the severance application being submitted' be added to the proposed amendment.

Recorded vote requested by Councillor Van Bakel

Wilhelm yes

Councillor Forrest	no	- 2	Councillor Wilhelm	yes	- 1
Councillor Hollinger	no	- 2	Councillor McTavish	yes	- 2
Councillor Seiler	no	- 2	Councillor Van Bakel	yes	- 2
Councillor McMillan	no	- 2	Councillor McKay	yes	- 1
Warden Behrns	no	- 2	Councillor Kehl	yes	- 2

Lost

13. **NOTICE OF MOTIONS** – None

14. **NEW BUSINESS** –

AMO presentation on Harmonized Sales Tax distributed to Council. Corporate Services report on impact to County will be on September 17, 2009 agenda.

15. **BY-LAWS** –

15.1 By-law 3156-2009 – To establish Councillor remuneration

Resolution: 2009-450

Moved by Councillor Forrest

Seconded by Councillor Wilhelm

That By-law 3156-2009 being a by-law to establish remuneration for Council in their capacity as members of Perth County Council be read a first and second time.

Carried

Resolution: 2009-451

Moved by Councillor McMillan

Seconded by Councillor Hollinger

That By-law 3156-2009 being a by-law to establish remuneration for Council in their capacity as members of Perth County Council 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: 2009-452

Moved by Councillor Seiler

Seconded by Councillor Wilhelm

That Perth County Council move to closed Session at 11:56 a.m. in accordance with Section 239 of the Municipal Act S.O. 2001 c25 (as amended) regarding subject matter as follows:

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

Carried

Resolution: 2009-453

Moved by Councillor Kehl

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 12:03 p.m.

Carried

Resolution: 2009-454

Moved by Councillor Forrest

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.

Carried

18. CONFIRMATORY BY-LAW

Resolution: 2009-455

Moved by Councillor McTavish

Seconded by Councillor Hollinger

That By-law 3157-2009 being a By-law to confirm the proceedings of the Council of the Corporation of the County of Perth, at its regular meeting on September 3, 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: 2009-456

Moved by Councillor Wilhelm

Seconded by Councillor Kehl

That this meeting adjourns at 12:06 p.m.

Carried

"Julie Behrns"

Warden, Julie Behrns

"R. William Arthur"

Clerk, R. William Arthur