



The Corporation of The County of Perth

Minutes of the August 12, 2010 Council Meeting

August 12, 2010

Council Present: Councillor McKay
Councillor Wilhelm
Councillor McTavish
Councillor Forrest
Councillor VanBakel
Councillor Kehl
Councillor Hollinger
Warden Behrns
Councillor Seiler

Absent: Councillor Bob McMillan
Dept Head Renato Pullia

Staff Present: Bill Arthur, CAO
Dave Hanly, Dept Head
Matt Ash, Dept Head
Carol Zimmer, Deputy Clerk
Linda Rockwood, Dept Head

Others Present: Debbie Gibson, Deputy Treasurer
Cliff Eggleton, EMS Operations Manager

1. CALL TO ORDER

The Regular Meeting of Perth County Council with Quorum present was called to order at 9:01 a.m. and the roll call conducted.

2. OPENING PRAYER

The Regular meeting of Perth County Council commenced with Opening Prayer.

3. DISCLOSURE OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

4. ADDITION TO AGENDA/ADOPTION

2010-343

Moved By: Councillor Wilhelm

Seconded By: Councillor Forrest

That the Council Agenda for August 12, 2010 be approved.

Carried

5. CONSENT AGENDA AND COUNCIL MINUTES

2010-344

Moved By: Councillor Hollinger

Seconded By: Councillor McTavish

That items 5.1 to 5.10 be received for information and the minutes of July 15, 2010 be approved.

Carried

6. ADJOURN TO PUBLIC MEETING

2010-345

Moved By: Councillor Wilhelm

Seconded By: Councillor VanBakel

That the Council of the County of Perth recess for the purpose of moving into a Public Meeting for the Official Plan Amendment No. 104 at 9:07 a.m. dealing with municipal sewage collection and treatment services in Atwood and Shakespeare.

Carried

6.1 OPA 104 Atwood Shakespeare Servicing

Dave Hanly, Director of Planning and Development summarized the purpose of the OPA No. 104 which was initiated by the County. OPA No. 104 addresses municipal sewage collection and treatment services into Atwood and Shakespeare and the prospects for new development. Parts of the areas are

fully serviced and parts are partially serviced and policy will address both. No boundary changes are included in the amendment. Considerable discussion has taken place with the lower tiers and public.

Notice of Public Meeting was advertising in local newspapers having circulation in the area and First Class mail to owners and agencies as prescribed on July 21, 2010.

Correspondence was received from the following:

1. Cleland and Simpson – asking that their agricultural land be removed from Atwood designation
2. Lacasse – current zoning left as is on property
3. McTaggart – not satisfied with proposal re some land designations
4. MMAH - most issues can be clarified, doesn't comply with PPS
5. UTRCA – no objections
6. McKinnon – Planner asking for date of Public Meeting

Dave Hanly suggested that decision could be deferred in order to reply to the MMAH on compliance with the Provincial Policy Statement.

No one spoke in support of the amendment.

Mr. Glenn Cleland, property owner, spoke in opposition to the amendment. He and his sister own agricultural property in and abutting Atwood that was originally purchased by his parents 60 years ago. When a portion of the agricultural property was included in the Atwood designation, they were not consulted and would have objected at that time as the property will continue to be farmed. Agricultural land needs to be protected. By being included within the Atwood designation, it opens the possibility for urban development. Mr. Cleland requested that the portion of the property included in the Atwood designation be removed.

In response to concerns in the McTaggart letter, Allan Rothwell, County Sr. Planner, stated that nothing is being taken away in the amendment. Residential uses located on commercial designated properties will continue as a secondary use. Discussions have taken place with Mrs. McTaggart and other property owners.

2010-346

Moved By: Councillor McKay
Seconded By: Councillor Forrest

That the Public Meeting for the Official Plan Amendment No. 104 dealing with servicing in Atwood and Shakespearew be closed and Perth County Council reconvene at 9:33 a.m.

Carried

2010-347

Moved By: Councillor Seiler

Seconded By: Councillor Kehl

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 9:37 a.m.

Carried

9.1 Planning and Development

9.1.1 OPA 104 Atwood Shakespeare Servicing

Ministry of Municipal Affairs and Housing have responded that OPA No. 104 does not comply with the Provincial Policy Statements. Dave Hanly recommended deferral to address the issue with the Ministry.

Staff was directed to bring a further report back to Council on September 2, 2010 and discuss the request from Glenn Cleland and Joyce Simpson to have the portion of the farm removed from the Atwood designation with North Perth.

2010-348

Moved By: Councillor Hollinger

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that proposed OPA No. 104 initiated by the County and affecting the Atwood and Shakespeare settlements areas be deferred to September 2, 2010.

Carried

2010-349

Moved By: Councillor Forrest

Seconded By: Councillor McKay

That Committee of the Whole adjourn and reconvene as Council at 9:47 a.m.

Carried

7. CLOSED MEETING

2010-350

Moved By: Councillor McTavish

Seconded By: Councillor Hollinger

That Perth County Council move to Closed Meeting at 10:00 a.m. in accordance with Sec. 239 of The Municipal Act S.O. 2001 c.25 (as amended), regarding labour negotiations with CUPE.

Carried

Council reconvened in Open Meeting at 10:25 a.m.

2010-351

Moved By: Councillor McTavish

Seconded By: Councillor Wilhelm

That Perth County Council ratify the Memorandum of Settlement between the County of Perth and the Canadian Union of Public Employees, Local 4514 dated the 14th day of July, 2010.

Carried

9. ADJOURN TO COMMITTEE OF THE WHOLE

2010-352

Moved by: Councillor Hollinger

Seconded by: Councillor Kehl

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 10:30 a.m.

Carried

9.1 Planning and Development

9.1.7 NP 07-02 (Listowel) Sonnenburg Draft Conditions

2010-353

Moved By: Warden Behrns

Seconded By: Councillor Wilhelm

That the Committee of the Whole recommends to Perth County Council that the County give draft plan approval to Plan of Subdivision Application No. NP 07-02 by Sonnenburg Enterprises Ltd. for a residential development consisting of 160 dwelling units and affecting property described as Lots 147, 148, and part of Dover Street (closed), Registered Plan No. 183, Block 159, Lots 160 and 161, Registered Plan No. 194, and part of Lots 33, 34, and 35, Concession 1 (formerly in the geographic Township of Elma), Listowel Ward in the Municipality of North Perth subject to the conditions of draft plan approval attached to the Planning and Development Director's August 12, 2010 report to County Council titled "Subdivision Application by Sonnenburg Enterprises Ltd. (File No. NP 07-02)".

Carried

9.1.2 Plan of Subdivision-OPA Open File Summary

Plan of Subdivision Applications not moving forward have an impact on sewage capacity allocations for the municipality and could prevent ongoing development. OPA 11 has no progress for 6-7 years.

2010-354

Moved By: Councillor McTavish

Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the County consult with the local municipalities in the County to determine whether or not they want the draft plan approvals for subdivisions within their respective jurisdictions to remain in place or to be removed by the County.

Carried

2010-355

Moved By: Councillor Forrest

Seconded By: Councillor McKay

That the Committee of Whole recommends to Perth County Council that the County notify the OPA #11 owners/applicants and Perth East of the County's intention to proceed with refusing the application at an upcoming County Council meeting September 16, 2010

Carried

2010-356

Moved By: Councillor VanBakel

Seconded By: Councillor McTavish

That the Committee of the Whole adjourns and reconvenes as Council at 10:45 A.M.

Carried

8. DELEGATIONS

Mr. Andrews Williams of the Huron Perth Healthcare Alliance attended to update Council on the healthcare changes.

8.1 Healthcare Changes update - Andrew Williams

Mr. Andrew Williams, CAO of Huron Perth Healthcare Alliance, presented an update on the healthcare changes that will guarantee quality healthcare services now and in future. He expressed a thank you to Perth County for their support to the building of new Stratford Hospital addition. Changes are needed to have state of the art system that will attract healthcare professionals to the area.

Amendments to Regulation 965 under the Public Hospitals Act will eliminate physician having a vote on the board and the Excellent Care for All Act, 2010 focuses on excellent care for all. HPHA is also involved in the 3 year Integrated Health Services Plan and Vision 2022. It is necessary to keep pace with the evolving healthcare world which is becoming more specialized and high tech. The bar is going up on safety and quality and funding models are changing. The Emergency Department report can be viewed on the HPHA website.

Changes to the healthcare system will ensure people are using skills to the fullest, facilities are being used appropriately, access to hospital beds is improved, wait times are, ER wait time reduces, access to family health care is improved and new services for children and adolescents are pursued.

Emergency Care Centres established throughout the province cannot accept ambulances but Emergency Departments can. Not having 24/7 Emergency Departments is a new concept for the province. The 12 hour Emergency Department in Seaforth has seen little impact for the Huron County EMS. Emergency visits are reducing as health care centres are open in evenings.

Extensive public consultation regarding healthcare changes has taken place since 2009. Beds will increase in Clinton, St. Marys and Seaforth, medical and surgical bed access will strength in Stratford and rehabilitation beds will relocate to Seaforth.

The new plan will be submitted to LHIN in September for plan development over the next 12-18 months. Obtaining MRI is top priority with increased health beds for teens being the focun in the future.

Services will be moved out of Avoncrest and into the west wing of the Stratford hospital with possible rental space available.

2010-357

Moved By: Councillor Wilhelm

Seconded By: Councillor Kehl

The Perth County Council adjourn to Committee of the Whole at 11:30 a.m.

Carried

Council recessed at 11:31 a.m. to 11:40 a.m.

9.4 Emergency Medical Services

9.4.1 St. Marys Memorial Hospital ED Closure impact on EMS

Linda Rockwood, Director of EMS, shared comments from Dr Lewell regarding SMMH Emergency Department.

2010-358

Moved By: Councillor McTavish

Seconded By: Councillor Wilhelm

That the Committee of the Whole recommend to Perth County Council that EMS and HPHA discuss with the OPP winter road closure contingency plans and to work with the OPP to address road closure policies and procedures, and

That HPHA place a sign on the Emergency Department doors or appropriate place indicating that the Emergency Department is closed and provide signage or access to a phone to call 911 for an ambulance during the closed hours and

That EMS report monthly on the impact of the SMMH Emergency Department closure impact on EMS during the first 12 months of its closure.

Carried

9.4.2 EMS - Other Matters

None

9.4.3 Radio Communications Billing

Councillor Van Bakel brought forth the issue of costs being charged to lower tiers for the maintenance of the new radio system for clarification as charges are higher than indicated. (\$1,800. rather than \$360. per year). Staff was directed to bring report to Council on September 2 indicating what was agreed upon and what is now being charged.

Council recessed at 12:06 p.m. to 12:40 p.m.

9.1 Planning and Development

9.1.3 Provincial Policy Statements Review

Mr. Hanly explained that agricultural production use was not included in item 9 of the report and should be addressed as some mechanism of tax relief should be available.

Staff directed to obtain information of Huron East severance approval that did not conform to MDS requirements in relation to Item 12.

2010-359

Moved By: Councillor McKay

Seconded By: Councillor Kehl

That the Committee of the Whole recommends to Perth County Council that item no. 11 concerning lot creation in prime agricultural areas be removed from report.

Carried

2010-360

Moved By: Warden Behrns

Seconded By: Councillor Kehl

That the Committee of the Whole recommends to Perth County Council that the comments contained in the Perth South letter be summarized and included in the submission to the Ministry.

Carried

2010-361

Moved By: Councillor McTavish

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that comments regarding tax classes be included in the submission to the Ministry.

Carried

2010-362

Moved By: Councillor McKay

Seconded By: Councillor Wilhelm

That the Committee of the Whole recommends to Perth County Council that the County proceed to make a submission to the Province in respect to the 5-year review of the Provincial Policy Statement with the issues as agreed upon by Council being included in the submission.

Carried

9.1.4 Consent Granting Authority

Suggested by Councillor Forrest that moving consent granting authority to a committee of council could be an intermediate step leading to having it done by all of Council in the future.

2010-363

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

That the Committee of the Whole recommends to Perth County Council that the consent granting authority be delegated to a committee of council pursuant to the provisions of Section 54(4) of The Planning Act, R.S.O. 1990, with the committee of council consisting of five (5) council members with representation from across county, commencing in December 2010.

Carried

9.1.5 Urban Woodlots

When a woodlot meets definition in bylaw then bylaw applies whether located in agricultural and urban area. But if Plan of Subdivision approved for the area, it overrules Forestry By-law and trees may be removed. If County wants to protect woodlots in urban areas, it needs to be communicated to lower tiers

2010-364

Moved By: Councillor Forrest

Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the County proceed with consultation with the local municipalities in respect to the identification of urban woodlots, the need to protect and preserve urban woodlots, and the determination and implementation of appropriate mechanisms to achieve same.

Carried

9.1.6 Part Lot Control North Perth Bylaw

2010-365

Moved By: Warden Behrns

Seconded By: Councillor McTavish

That the Committee of the Whole recommends to Perth County Council that the County approve the Municipality of North Perth's By-law No. 95-2010 for the removal of part-lot control on property described as part of Lot 7, Registered Plan No.509 in the Elma Ward of the Municipality of North Perth.

Carried

9.1.8 2011 Census Changes

2010-366

Moved By: Councillor McTavish

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that the County express its opposition to the decision to eliminate the mandatory long form from the 2011 Census and that Council petition the Government of Canada and our elected federal government representative to reverse the Government of Canada's decision to eliminate the use of the mandatory long form from the 2011 Census and thereby reinstate the use of the mandatory long form in the 2011 Census.

Carried

9.1.9 Planning - Other Matters

An appeal has been received on Terrier Plan of Subdivision approval.

9.2 CAO

9.2.1 CAO - Other Matters

The 'Lame Duck' provisions under Section 275 of The Municipal Act S. O. 2001 were reviewed with Council.

9.3 Corporate Services

9.3.1 Corporate Services - Other Matters

9.5 Public Works

9.5.1 Tender - Dublin Reconstruction

2010-367

Moved By: Councillor Wilhelm

Seconded By: Councillor Hollinger

That the Committee of the Whole recommends to Perth County Council that Contract No. MSZ-17106, Storm Sewer Replacement, Perth Road 180, Dublin, be awarded to Lavis Contracting Company Limited in the amount of \$1,024,679.05 plus HST.

Carried

9.5.2 Public Works June Financial Statement

2010-368

Moved By: Councillor Hollinger

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County

Council that the information regarding the June Public Works financial statement be received for information.

Carried

9.5.3 Other Matters - Public Works

None

9.6 Financial Reports

9.6.1 County Financials - July

2010-369

Moved By: Councillor VanBakel

Seconded By: Councillor Kehl

That the Committee of the Whole recommend to Perth County Council that County's July 31st Operating and Capital Financial Summary reports be received for information.

Carried

10. CORRESPONDENCE/BOARD AND COMMITTEE MINUTES

10.1 Correspondence

10.1.1 Canada Post - Mailbox assessment

2010-370

Moved By: Councillor McTavish

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that the correspondence from Canada Post dated August 4, 2010 regarding mailbox assessment in areas of Perth County be received for information.

Carried

10.2 Minutes of Committees

10.2.1 Facilities Committee Minutes July 14, 2010

No recommendations contained in minutes requiring acceptance by Council

2010-371

Moved By: Councillor Hollinger

Seconded By: Councillor Wilhelm

That the Committee of the Whole recommends to Perth County Council that the Facilities Review Committee minutes of July 14, 2010 be received for information.

Carried

10.2.2 Municipal Liaison Committee Minutes July 15, 2010

No recommendations in minutes required Council approval.

2010-372

Moved By: Councillor Wilhelm

Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the Municipal Liaison Committee minutes of July 15, 2010 be received for information.

Carried

10.3 Minutes of Outside Boards

None

2010-373

Moved By: Councillor Hollinger

Seconded By: Councillor VanBakel

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

Carried

11. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

No items were deferred or removed from the Committee of the Whole recommendations.

2010-374

Moved By: Councillor VanBakel

Seconded By: Councillor Hollinger

That the Council of the County of Perth endorses all recommendations from the Committee of the Whole on August 12, 2010.

Carried

12. NOTICE OF MOTIONS

No Notice of Motions were stated.

13. NEW BUSINESS

Tickets available for Flavours of Perth. Contact Stratford-Perth Museum

14. BY-LAWS

14.1 By-law 3206-2010 authorize execution of Museum Loan Extension Agreement

Loan extension approved by County Council March 3, 2010, Recommendation 2010-R104

2010-375

Moved By: Councillor McKay

Seconded By: Councillor Wilhelm

That By-law 3206-2010, to authorize the execution of an Amending Loan Agreement with the City of Stratford, the County of Perth and the Stratford-Perth Museum Association be read a first and second

time.

Carried

2010-376

Moved By: Councillor VanBakel

Seconded By: Councillor Forrest

That By-law 3206-2010 to confirm the proceedings of the Council of the Corporation of the County of Perth at its Regular Meeting on August 12, 2010 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

14.2 By-law 3207-2010 To adopt OPA 104 Shakespeare-Atwood Servicing

By-law to adopt Official Plan Amendment No. 104 not proceeded with as matter was deferred.

15. CLOSED MEETING

2010-377

Moved By: Councillor Hollinger

Seconded By: Councillor McTavish

That Perth County Council move to Closed Meeting at 2:07 p.m. in accordance with Sec. 239 of the *Municipal Act S.O. 2001 c. 25* (as amended), regarding a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

16. CONFIRMING BY-LAW

Council resumed Open Meeting at 2:25 p.m.

2010-378

Moved By: Councillor Kehl

Seconded By: Councillor Wilhelm

That By-law 3207-2010 to confirm the Proceedings of the Council of the Corporation of the County of Perth at its regular meeting held on August 12, 2010 be read a first, second and third time.

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

Carried

17. ADJOURNMENT

2010-379

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

THAT the meeting adjourn at 02:28 PM

Carried

“Julie Behrns”

“R. William Arthur”

Julie Behrns, Warden

R. William Arthur