



The Corporation of The County of Perth

Minutes of the September 2, 2010 Council Meeting

September 2, 2010

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

Absent: Councillor Gerry Kehl
Dept Head Renato Pullia
Dept Head Dave Hanly

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

Others Present: Debbie Gibson, Acting Corporate Services Director

Allan Rothwell, Senior Planner

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

2010-380

Moved By: Councillor McKay

Seconded By: Councillor Seiler

That correspondence regarding a Working Group for Industrial Wind Turbines be added to the agenda under Correspondence 9.1.1 and Public Meeting for Plan of Condominium Public Meeting be added as 6.1 and

that the Council Agenda for September 2, 2010 as amended be approved.

Carried

5. CONSENT AGENDA AND COUNCIL MINUTES

Councillor Seiler requested Item 5.4 MNR Correspondence regarding Wildlife-Human conflict be removed from Consent Agenda.

- 5.1 Regular Meeting Council Minutes August 12, 2010**
- 5.2 AMO Watch File August 12, 2010**
- 5.3 AMO Watch File - August 19, 2010**
- 5.5 Victim Services Annual AGM invitation**
- 5.6 AMO Alert August 26, 2010**
- 5.7 ABCA - Conservation Strategy Development Team meeting**
- 5.8 Plowing Match August 28, 2010**
- 5.9 MEPCO - Second Phase Pension Reform**
- 5.10 AMO Board Update August 2010**

2010-381

Moved By: Councillor Wilhelm

Seconded By: Councillor Hollinger

That items 5.1 to 5.10 except 5.4 on the Consent Agenda be received for information and the minutes of the August 12, 2010 Regular Meeting be approved.

Carried

18. 5.4 MNR WILDLIFE CORRESPONDENCE

The coyote problem continues in Perth County. The Ministry of Natural Resources will meet with municipalities to discuss mutual roles and responsibilities in managing human-wildlife conflicts if enough interest.

2010-382

Moved By: Councillor Hollinger

Seconded By: Councillor McTavish

That Item 5.4 Ministry of Natural Resources correspondence regarding human-wildlife conflict be received.

Carried

19. PLOWING MATCH

MPP John Wilkinson, Councillors McKay, Van Bakel, Forrest and McTavish joined Warden Behrns in the Municipal section at the Plowing Match held in North Perth. The following won awards:

First place - Councillor Van Bakel; 2nd place - Councillor McTavish; 3rd place - Councillor McKay

6. ADJOURN TO PUBLIC MEETING

2010-383

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

That the Council of the County of Perth recess for the purpose of moving into a Public Meeting at 9:10 a.m. for the Plan of Condominium submitted by Mel Herrfort Investments Inc and Marlene Herrfort (File PE CD 10-01) effecting property at Lots 160 to 168, 200 to 203 and part lots 159, 160 and 199 and Part of 1.006 metre wide reserve and Part Perth and Wellington Streets, Plan 261(Millbank) in Mornington Ward, Perth East.

Carried

20. MEL HERRFORT PLAN OF CONDOMINIUM MILLBANK

Marlene Herrfort, applicant, present.

Allan Rothwell, Senior Planner, reviewed the purpose of the application which will create a three phase Plan of Condominium development as addressed in Planning Report 8.1.5. The first phase was previously approved by Council. Each of the three phases will contain 2 semi units and one single detached unit. Once a phase has been completed, the next phase will start and upon completion all phases will be joined under the same Condominium Corporation.

Notice was given in accordance with The Planning Act on August 12, 2010. A sign was posted on the property as well as notice posted on the County website.

Additional comments received, not included in the report, came from the Huron Perth School Board. No issues of concern expressed.

The applicants asked that the existing draft plan approval for phase 1 be repealed so they can move forward with the 3 phase version.

No one was present to speak in support of or in opposition to the application. The applicant had no comment.

Draft Plan conditions will be brought to the September 16th Council.

2010-384

Moved By: Councillor VanBakel

Seconded By: Councillor Forrest

That the Public Meeting for the Plan of Condominium submitted by Mel Herrfort Investments Inc and Marlene Herrfort (File: PE CD 10-01) in Millbank, Mornington Ward, Perth East be closed and Perth County Council reconvene at 9:20 a.m.

Carried

7. DELEGATIONS

7.1 Stratford General Hospital Heart & Soul Campaign

A thank you plaque was presented to the County in recognition of the County's \$500,000. donation to Heart & Soul Campaign in 2006

7.2 BREI Award

Perth County won an International Honour for Program Impact in Economic Development. The Business Retention Expansion International organization gave out the award which is given to the community that contributes to the economic sustainability and growth of a community.

Bernia Wheaton attended the BREI Awards to accept this honour on behalf of staff and Council.

Prior to receiving the award, she gave a review of the program from its inception 4 years ago. Following the orientation and introduction to the BR & E program, Perth County took an active part, embraced the project, created an Economic Development Committee, budget and engaged staff resources. Perth County was fortunate to receive the RED grant to help develop the program. Many new ideas at the community level were born to utilize the funds. The County's vision thru the process got the County where it is today and recognition by the award.

Warden Behrns read letter of congratulations to the County from MPP John Wilkinson. Appreciation was expressed to our Economic Development Co-ordinator, Bernia Wheaton, for her dedication and professional approach to the BR & E project and development of economic development in Perth County. Her success is the County's success. Many local business and citizens have expressed gratitude for the professional efforts of Bernia Wheaton in her office of Economic Development Co-ordinator.

8. ADJOURN TO COMMITTEE OF THE WHOLE

Councillor Wilhelm took chair for Committee of the Whole

2010-385

Moved By: Councillor Forrest

Seconded By: Councillor McTavish

That the Council of the County of Perth adjourns to convene as Committee of the Whole at 9:26 a.m.

Carried

8.1 Planning and Development

8.1.1 Land Division Committee Report

2010-386

Moved By: Councillor McTavish
Seconded By: Councillor Hollinger

That the Committee of the Whole recommends to Perth County Council that the Land Division Secretary-Treasurer's report dated September 2, 2010 be accepted as presented.

Carried

8.1.2 Provincial Policy Statements Review

The submission for the 5 year Provincial Policy Statement has been made to the Ministry. As the deadline for submission has been extended to October 31st, further comments can be made if necessary.

The surplus farm clause was included in report going out to lower tiers but was not included in ministry submission.

2010-387

Moved By: Councillor McTavish
Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the August 12, 2010 submission comments to the Province on the Provincial Policy Statements (2005) be received.

Carried

8.1.3 Milverton OPA 10

The Milverton OPA 10 effects property in Milverton and will recreate new lots for residential purposes.

2010-388

Moved By: Councillor Forrest
Seconded By: Councillor Hollinger

That the Committee of the Whole recommends to Perth County Council that Amendment No. 10 to the Milverton Ward Official Plan affecting property described as Lot 53, Plan No. 363 in the Milverton Ward (formerly the Village of Milverton) of the Township of Perth East be approved.

Carried

8.1.4 OPA 104 Atwood-Shakespeare Servicing

The report presented is a followup to the public meeting held at Council August 12, 2010. Modifications are being made to the plan regarding servicing.

2010-389

Moved By: Councillor McTavish

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that the September 2, 2010 report titled 'Proposed OPA No. 104" (Atwood and Shakespeare)" be received for information. OPA No. 104 will be brought back to Council for consideration in October.

Carried

8.1.5 CD10-01 Herrfort Condominium Plan

2010-390

Moved By: Councillor McMillan

Seconded By: Councillor McTavish

That the Committee of the Whole recommend to County Council that the County move toward giving Draft Plan Approval for a Plan of Condominium by Mel Herrfort Investments Inc. and Marlene Faye Herrfort (PE CD 10-01) affecting property described as Lots 160, 161, 162, 163, 164, 165, 166, 167, 168, 200, 201, 202 and 203, and part of lots 159, 160 and 199 (inclusive) and Part of 1.006 metre wide Reserve, and Part of Perth Street and Part of Wellington Street, Registered Plan No. 261 (Millbank), in the Mornington Ward, Township of Perth East, and that the proposed conditions of draft plan approval be prepared and presented to County Council for consideration at its September 16, 2010 meeting, and

That the Committee of the Whole recommend to County Council that the County proceed to repeal draft plan approval of Condominium PE CD 09-01 concurrent with the draft plan approval for Condominium PE CD 10-01.

Carried

8.1.6 Planning - Other Matters

No other matters.

8.2 CAO

8.2.1 Council Lame Duck Period

2010-391

Moved By: Councillor Forrest

Seconded By: Warden Behrns

That the Committee of the Whole recommends to Perth County Council that:

The report prepared by the CAO dated September 2, 2010, be received; and

That a determination whether the Council of the County of Perth is impacted by Section 275 of the Municipal Act, 2001, known as the "Lame Duck" provision, will be made by the County Clerk after September 10, 2010 (Nomination Day) and after October 25, 2010 (Voting Day); and

That in accordance with Section 275(6) the Council of the County of Perth delegate to the Chief Administrative Officer authority over the following actions:

- a) the appointment or removal from office any officer of the municipality;
- b) the hiring or dismissal of any employee of the municipality;
- c) the disposition or any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- d) making any expenditures or incurring any other liability which exceeds \$50,000; and

That this delegation is conditional and effective upon the provisions of Section 275 of the Act coming into effect in the County of Perth; and

That this authority is extended only until the first meeting of the new Council; and

That the Chief Administrative Officer provide a report to Council on all actions taken pursuant to this delegation.

Carried

8.2.2 Warden's Activity Report

2010-392

Moved By: Councillor Hollinger

Seconded By: Councillor Seiler

That the Committee of the Whole recommends to Perth County Council that the Warden's Activity Report for July 2010 dated September 2, 2010 be received for information.

Carried

8.2.3 CAO - Other Matters

The issue of having election signs placed on the Court House property was discussed.

2010-393

Moved By: Councillor VanBakel

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that election signs not be permitted on or in front of County owned land excepting road allowances.

Carried

8.3 Corporate Services

8.3.1 Corporate Services - Other Matters

Debbie Gibson, Acting Director, introduced Mr. Niranjan Tank who has recently been hired as financial analyst in the Corporate Services Department.

8.4 Emergency Medical Services

8.4.1 Radio Improvement update

Christel Hollinger, Emergency Co-Ordinator, presented the radio update report. The additional operation charges deal with the fire radios only and passport radio system is not involved.

It was noted that each municipality was to have a political and staff representative on the Radio Committee and the fire radio issue was

discussed at great length. Thank you was expressed to Christel Hollinger for her work with the committee.

2010-394

Moved By: Councillor McTavish

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that the report submitted by the Community Emergency Management Coordinator be received as information and that staff further investigate other tower locations and report back on project costs

Carried

8.4.2 EMS - Other Matters

No EMS other matters.

Council recessed at 10:23 a.m. to 10:40 p.m.

8.5 Public Works

8.5.1 SUV Tender - EMS Department

The upfitting for the new EMS vehicle will cost approximately \$12,000 to \$15,000 but the total cost will remain within budget.

2010-395

Moved By: Councillor Forrest

Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the contract for the supply of an Emergency Support Unit be awarded to Downtown Pontiac Buick Ltd in the amount of \$40,950.00 plus HST

Carried

8.5.2 Solar Panel RFP

Solar systems will be located at the Public Works Mitchell and Milverton yards. Warrantee on the system varies from 6 to 25 years depending on the element/part.

2010-396

Moved By: Councillor Hollinger

Seconded By: Councillor McKay

That the Committee of the Whole recommends to Perth County Council that the contractor for the supply and installation of two 10kw solar systems be awarded to CRU Solutions Inc. in the amount of \$191,480. plus HST.

Carried

8.5.3 Public Works - Other Matters

Councillor McTavish requested that Oxford County be asked to remove the 'Welcome to Oxford County' sign located in Perth County on Perth Road 107 near Sebastopol.

2010-397

Moved By: Councillor McTavish

Seconded By: Councillor McMillan

That the Committee of the Whole recommends to Perth County Council that the Director of Public Works request Oxford County to remove their welcome sign located on Perth Road 107.

Carried

8.6 Financial Reports

No financial reports presented.

9. CORRESPONDENCE/BOARD AND COMMITTEE MINUTES

9.1 Correspondence

9.1.1 WOWC - Industrial Wind Turbines

A request was received from Western Warden's Caucus for representatives to act on a Working Group to further investigate wind turbines and prepare report for October, 2010.

2010-398

Moved By: Warden Behrns

Seconded By: Councillor McTavish

That the Committee of the Whole recommends to Perth County Council that Councillor Van Bakel and Planning Director or designate be approved to represent Perth County on the Wind

Turbine WOWC committee.

Carried

9.2 Minutes of Committees

9.2.1 Economic Development Committee Minutes August 10, 2010

2010-399

Moved By: Councillor Hollinger

Seconded By: Councillor VanBakel

That the Committee of the Whole recommends to Perth County Council that the minutes of the August 10, 2010 Economic Development Committee be received.

Carried

9.2.2 Human Resources Committee Minutes August 26, 2010

Item 1c: Added 'Adoption of Closed Session Minutes of June 14,2010.

2010-400

Moved By: Councillor Seiler

Seconded By: Councillor Forrest

That the Committee of the Whole recommends to Perth County Council that the August 26, 2010 minutes as amended of the Human Resources Committee be received.

Carried

9.3 Minutes of Outside Boards

No minutes from outside boards presented.

Warden Behrns resumed the Chair.

2010-401

Moved By: Councillor Hollinger

Seconded By: Councillor VanBakel

That the Committee of the Whole adjourn and reconvene as Council at 11:06 a.m.

Carried

10. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

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

2010-402

Moved By: Councillor Wilhelm

Seconded By: Councillor McTavish

That the Council of the County of Perth endorses all recommendations from the Committee of the Whole on September 2, 2010.

Carried

11. NOTICE OF MOTIONS

No Notice of Motions were stated.

12. NEW BUSINESS

12.1 Step Challenge - Perth County vs. Stratford

Warden Behrns challenged the Councillors for the upcoming Step Challenge with the City of Stratford.

13. BY-LAWS

No by-laws presented.

14. CLOSED MEETING

2010-403

Moved By: Councillor Forrest

Seconded By: Councillor Seiler

That Perth County Council move to Closed Meeting at 11:11 a.m. in accordance with Section 239 of The Municipal Act s.o. 2001 c.25 (as amended), regarding subject matter as follows:

- Litigation or potential litigation regarding outstanding funds- -
Labour relations with non union staff

-Personal matters about an identifiable individual regarding position
mandate change

Carried

15. REPORT OUT

Council resumed Open Meeting at 12:10 p.m.

The Minutes of the August 12, 2010 Closed Council Meeting and the August 26, 2010 Human Resources Closed Meeting were received in Closed Meeting. Direction was also given to staff to proceed with potential litigation.

2010-404

Moved By: Councillor Wilhelm

Seconded By: Councillor Forrest

That the County of the County of Perth hereby approves:

1. An additional salary grid increase of 1% for non-union staff, Council and Committees effective January 1, 2010, funded from the Levy Stabilization Fund (if necessary at year end); and
2. Recommends that a Job Market analysis be done in 2011

Carried

2010-405

Moved By: Councillor McKay

Seconded By: Councillor Seiler

That the Council of the County of Perth, upon the recommendation of the Human Resources Committee, hereby:

1. Approves the creation of the Clerk position and changing the CAO's Job Mandate by deleting Clerk responsibilities and adding Deputy Clerk's responsibilities, and that
2. The CAO is directed to fill the Clerk position following normal hiring policies.

Carried

16. CONFIRMING BY-LAW

2010-406

Moved By: Councillor VanBakel

Seconded By: Councillor Hollinger

That By-law 3208-2010, being a By-law 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

2010-407

Moved By: Councillor McMillan

Seconded By: Councillor Wilhelm

THAT the meeting adjourn at 12:17 PM

Carried

Julie Behrns, Warden

R. William Arthur, Clerk