



# The Corporation of The County of Perth

## Minutes of the March 17, 2011 Council Meeting

March 17, 2011

Council Present: Councillor Wilhelm  
Councillor Forrest  
Councillor McMillan  
Warden Behrns  
Councillor Aitcheson  
Councillor Schneider  
Councillor Judge  
Councillor French  
Councillor Ehgoetz  
Councillor McKenzie

Staff Present: Bill Arthur, CAO  
Linda Rockwood, Director of Emergency  
Medical Services  
Renato Pullia, Director of Corporate  
Services, Treasurer  
Dave Hanly, Director of Planning &  
Development  
Matt Ash, Director of Public Works  
Kerri Ann O'Rourke, Clerk

Others Present: Christel Hollinger, Emergency Manager Coordinator; Shelby  
Wilson, Accessibility Coordinator; Debbie Gibson, Deputy  
Treasurer; Linda Becker, POA Coordinator and Pauline Walkom,  
Administrative Support Clerk & Recording Secretary.

### **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**

**2011-119**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor Wilhelm**

THAT the following items be changed:

8.3.4 becomes 8.3.6 -Other Matters

THAT the following items be added to the agenda:

8.3.4 2010 Statement of Remuneration and Expenses

13.3 By-law 3241-2011 -A Bylaw to Establish Tax Ratios for Prescribed Property Classes for the year 2011

13.4 Bylaw 3242-2011 To set Tax Rate Reductions

13.5 Bylaw 3243-2011 To adopt Optional Tools for the Administering Limits for the Commercial, Industrial and Multi-Residential

AND THAT the Council agenda for March 17, 2011 be approved as amended;

Carried

#### **5. CONSENT AGENDA AND COUNCIL MINUTES**

- 5.1 Perth County Council - Regular Minutes - March 3, 2011
- 5.2 OMAFRA - March 2011 -The Food Safety and Traceability Initiative (FSTI)
- 5.3 Gary Schellenberger, M.P. Perth Wellington - March 1, 2011 - Risk Management Program Resolution -Ontario Cattlemen's Association & Ontario Pork
- 5.4 Ministry of Community Safety & Correctional Services - February 25, 2011 - Completion of Mandatory Emergency Management Activities - 2011

**2011-120**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Forrest**

THAT the Consent Agenda Items 5.1 to 5.4 be received for information and the minutes of the March 3, 2011 Regular Minutes be approved;

Carried

## **6. ADJOURN TO PUBLIC MEETING**

No Public Meeting.

## **7. DELEGATIONS**

**7.1 Tim Ryall, Manager, Pearl Dougall, Municipal Advisor, Kevin McClure, Planner, - Municipal Services Office -Western of the Ministry of Municipal Affairs and Housing - Local Government**

Tim Ryall, Manager, Pearl Dougall, Municipal Advisor and Kevin McClure, Planner for the Municipal Services Office (Western) for Ministry of Municipal Affairs and Housing were present. Tim Ryall reviewed the services Municipal Services Office provides.

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

**2011-121**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor Wilhelm**

That the Council of the County of Perth adjourns to convene as Committee of the Whole with Councillor McKenzie chairing the meeting at 9:23 a.m.;

Carried

### **8.1 Planning and Development**

#### **8.1.1 Monthly Tree Inspection Report**

**2011-122**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Aitcheson**

THAT the Committee of the Whole recommend to County Council that the Committee of the Whole recommend to Perth County Council that the Tree Inspection Report dated March 17, 2011 be received for information;

Carried

### **8.1.2 Other Matters - Planning and Development**

**2011-123**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Aitcheson**

THAT staff be directed to provide data-set information to the lawyer representing Municipality of West Perth and Township of Perth South, requested in preparation for the upcoming OMB Hearing addressing the surplus farmhouse severance issue;

Defeated

## **8.2 CAO**

### **8.2.1 Warden Activity Report - February 2011**

**2011-124**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Judge**

THAT the Committee of the Whole recommend to County Council that the Committee of the Whole recommends to Perth County Council that the Warden's Activity Report for February 2011 be received for information;

Carried

### **8.2.2 Proposed Integrated Accessibility Regulations under AODA**

Shelby Wilson, Accessibility Co-ordinator reviewed proposed changes to be submitted to Ministry of Community and Social Services for their consideration.

**2011-125**

**Moved By: Councillor Forrest**

**Seconded By: Councillor French**

THAT the Committee of the Whole recommend to County Council that the following suggestions be submitted to the Ministry of Community

and Social Services for their consideration in the Integrated Accessibility Standard:

- Self help toolkits with samples and templates should be made available well in advance of compliance timelines to provide resources and to help reduce the cost to organizations. I.E. provide sample policies, individual accommodation plans, requirement checklists, etc.;

- Funding should be made available to public, private and non-profit organizations to support the implementation of the requirements in the Integrated Accessibility Standard;

- More public education and communication needs to be given from the Government specifically to private and non-profit organizations;

- Make it clear what municipalities role is for educating or working with the private sector and non-profits to help them meet compliance.;

- The standard must set out clear context and definitions so that persons and organizations are aware of the full extent of their legal obligation;

- What is the definition of employee? When will we have further clarification around whether it includes contractors or independent operators?

- Determining the number of accessible taxicabs should be a provincial initiative not each municipality's responsibility. It is recommended the province identify guidelines and provide a consistent formula for determining how many accessible taxicabs are needed using population/square miles in a designated area. We also recommend a base-line revenue requirement be set as a minimum standard before cab companies are required to provide accessible taxi cabs.

THAT the first compliance date be changed to 12 months after;

as amended:

- Compliance timelines should be at least twelve months after the Integrated Accessibility Standard is made law;

Carried

### **8.2.3 Other Matters - Chief Administrative Officer**

No other matters.

## **8.3 Corporate Services**

### **8.3.1 2011 Levy By-law**

Renato Pullia briefly summarized amendments to 2011 budget since the Council Budget meeting, which are reflected in By-law 3240-2011/

### **8.3.2 Non-owned Auto Insurance Policy Extension**

**2011-126**

**Moved By: Councillor Judge**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommends to Perth County Council that the Corporation of the County of Perth hereby:

1. ASSUMES THE LIABILITY FOR BODILY INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR DESTRUCTION OF PROPERTY OF OTHERS, IMPOSED BY LAW UPON:

- a. Members of Council, members of Committees, Statutory Officers, Employees or Volunteer Workers of the

CORPORATION OF THE COUNTY OF PERTH for liability which arises out of the use or operation by such person of a licensed motor vehicle, or

- b. the owner of any licensed motor vehicle, for liability which arises out of the use or operation of such licensed motor vehicle by members of Council, members of Committees, Statutory Officers, Employees or Volunteer Workers of the CORPORATION OF THE COUNTY OF PERTH

2. DECLARES THAT SUCH ASSUMPTION OF LIABILITY BE SUBJECT TO THE FOLLOWING LIMITATIONS, EXCLUSIONS AND CONDITIONS:

- a. This assumption of liability applies only to the use or operation of a licensed motor vehicle in Canada or the United States of America by members of Council, members of Committees, Statutory Officers, Employees or Volunteer Workers on behalf of the CORPORATION OF THE COUNTY OF PERTH including travel to and from work and attendance at meetings.
- b. This assumption of liability applies only in excess of existing insurance carried by the owner of the licensed motor vehicle which was being used or operated by members of Council, members of Committees, Statutory Officers, Employees or Volunteer Workers at the time of the accident and does not apply unless the licensed motor vehicle which was being used or operated by such person at the time of the accident is insured for not less than the minimum Third Party Liability Limit required by The Insurance Act for the Province of Ontario.
- c. This assumption of liability is subject to the agreements, conditions, terms and limit of liability insured in the Non-Owned Automobile Policy issued by the

SUBSCRIPTION POLICY and shall terminate whenever such Non-Owned Automobile Policy is terminated.

3. For purposes of 1. and 2. Above, the term "employees" shall be as defined by the Canada Revenue Agency;

Carried

### **8.3.3 POA Defaulted Fines Write-off Policy**

Linda Becker, Provincial Offences Coordinator was present.

**2011-127**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Schneider**

THAT the Committee of the Whole recommend to Perth County Council that Policy #POA 1.02 "Write-Off of Provincial Offences Fines" be approved as amended;

Carried

### **8.3.4 2010 Statement of Remuneration and Expenses**

**2011-128**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommend to Perth County Council that pursuant to S.284 of the Municipal Act, S.O. 2001 c.25, the 2010 Statement of Remuneration and Expenses be hereby received.

Carried

### **8.3.5 2011 Tax Policy Recommendations**

**2011-129**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Judge**

THAT The Committee of Whole recommends to Perth County Council:



THAT Perth County adopt the same tax ratios for 2011 as those of 2010 for all respective classes; and

THAT Perth County not use a clawback for the recovery of capping costs; and

THAT Perth County adopt the following property tax capping options for the year 2011:

- increase capping limit to 10% over previous year's annualization capping tax; and

- Impose a threshold adjustment for increasers for capped properties within \$250 of their CVA tax; and

THAT the County implement the allowable 100% minimum tax levy for 2011 for all new construction that becomes eligible during the year in their respective class, as within the meaning of subsection 331 (20) of the Municipal Act, S0 2001, c.25; and

THAT Perth County adopt both 'Stay at DVA Tax' and 'Cross CVA Tax' options; and

THAT By-laws #3241-2011, 3242-2011 and 3243-2011 be hereby adopted and that the Warden and Clerk be hereby authorized to affix their signatures and the Corporate seal thereto;

Carried

### **8.3.6 Other Matters -Corporate Services**

**2011-130**

**Moved By: Warden Behrns**

**Seconded By: Councillor French**

THAT The Committee of Whole recommend to Perth County Council that Council proceed to adopt By-law 3242-2011 being a By-law to establish the property class tax rates and the County Requisition for the Year 2011;

Carried

## **8.4 Emergency Services**

### **8.4.1 Huron-Perth Mutual Assistance Agreement**

**2011-131**

**Moved By: Councillor Judge**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommends to Perth County Council that Council authorize the Warden and the Clerk to sign an agreement with the County of Huron relative to an Inter-County Mutual Assistance Agreement for the purposes of Emergency Management;

Carried

#### **8.4.2 Other Matters - Emergency Services**

Linda Rockwood, Director of Emergency Services advised Council that a report regarding off-load delays is forthcoming;

**Recess taken on 10:47 AM**

**Resumed meeting from recess on 11:04 AM**

#### **8.5 Public Works**

##### **8.5.1 Other Matters - Public Works**

Matt Ash, Director of Public Works advised that two recently closed tenders were significantly under budget. Council report forthcoming.

#### **8.6 Financial Reports**

No financial reports.

### **9. CORRESPONDENCE/BOARD AND COMMITTEE MINUTES**

#### **9.1 Correspondence**

No correspondence.

#### **9.2 Minutes of Committees**

##### **9.2.1 Facilities Committee -Meeting Minutes - February 23, 2011**

**2011-132**

**Moved By: Councillor Judge**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommendation to Perth County Council that the minutes of the February 23, 2011 Facilities Committee be received;

Carried

### **9.3 Minutes of Outside Boards**

No minutes of outside Boards.

**2011-133**

**Moved By: Councillor Judge**

**Seconded By: Councillor Aitcheson**

THAT The Committee of the Whole adjourn and reconvene as Council 11:10 a.m.;

Carried

## **10. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE**

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

**2011-134**

**Moved By: Councillor Judge**

**Seconded By: Councillor Schneider**

That the Council of the County of Perth endorses all recommendations from the Committee of the Whole on March 11, 2011;

Carried

## **11. NOTICE OF MOTIONS**

No Notice of Motions were stated.

## **12. NEW BUSINESS**

Warden Behrns asked Councillors to communicate recommendations regarding enhancement of the budget process to CAO or Director of Corporate Services.

### **13. BY-LAWS**

#### **13.1 3239-2011 - Huron-Perth Mutual Assistance Agreement**

**2011-135**

**Moved By: Councillor McKenzie**

**Seconded By: Councillor Aitcheson**

That Bylaw 3239-2011, being a By-law to authorize the Execution of a Mutual Assistance Agreement between the County of Huron and the Corporation of the County of Perth,

Be read a first and second time;

Carried

**2011-136**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Ehgoetz**

That Bylaw 3239-2011, being a By-law to authorize the Execution of a Mutual Assistance Agreement between the County of Huron and the Corporation of the County of Perth,

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

#### **13.2 3240-2011 - Levy By-law**

**2011-137**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Wilhelm**

That Bylaw 3240-2011, being a By-law to Establish the Property Class Rates and the County Requisition for the Year 2011,

Be read a first and second time;

Carried

**2011-138**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Forrest**

That Bylaw 3240-2011, being a By-law to Establish the Property Class Tax Rates and the County Requisition for the Year 2011,

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

**13.3 3241-2011 A Bylaw to Establish Tax Ratios for Prescribed Property Classes for the Year 2011**

**2011-139**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor Forrest**

That Bylaw 3241-2011, being a By-law to Establish Tax Ratios for Prescribed Property Classes For the Year 2011,

Be read a first and second time;

Carried

**2011-140**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Wilhelm**

That Bylaw 3241-2011, being a By-law to Establish the Tax Ratios for

the Prescribed Property Classes for the Year 2011,

Be read a third and final time,

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

Carried

**13.4 Bylaw 3242-2011 - A Bylaw to set tax Rate Reductions for Prescribed Property Subclasses for the Year 2011**

**2011-141**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor Aitcheson**

That Bylaw 3242-2011, being a By-law to Set Tax Rate Reductions for Prescribed Property Subclasses for the Year 2011,

Be read a first and second time;

Carried

**2011-142**

**Moved By: Councillor McKenzie**

**Seconded By: Councillor Forrest**

That Bylaw 3240-2011, being a By-law to Establish the Property Class Rates and the County Requisition for the Year 2011 be read a third and final time;

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

Carried

**13.5 By-law 3243**

**2011-143**

**Moved By: Councillor French**

**Seconded By: Councillor Wilhelm**

THAT By-law 3243-2011 being a Bylaw to adopt Optional Tools for

the Purpose of Administering Limits for the Commercial, Industrial and Multi-Residential Property classes,

Be read a First and Second time;

Carried

**2011-144**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Aitcheson**

THAT By-law 3243-2011 being a Bylaw to adopt Optional Tools for the Purpose of Administering Limits for the Commercial, Industrial and Multi-Residential Property classes,

Be read a THIRD and FINAL time,

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

Carried

**14. CLOSED MEETING**

No closed meeting.

**15. REPORT OUT**

No report.

**16. CONFIRMING BY-LAW**

**2011-145**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Aitcheson**

THAT By-law 3244-2011, 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 March 17, 2011 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**

**2011-146**

**Moved By: Councillor Judge**

**Seconded By: Councillor Forrest**

THAT the meeting adjourn at 11:19 AM;

Carried

Original minutes signed and available from the County Clerk

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Julie Behrns, WARDEN

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Kerri Ann O'Rourke, COUNTY CLERK