



# The Corporation of The County of Perth

## Minutes of the September 15, 2011 Council Meeting

September 15, 2011

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

Absent: Councillor Bob McMillan  
Administrative Support Clerk/Recording Secretary Pauline Walkom

Staff Present: Bill Arthur, CAO  
Linda Rockwood, Director of Emergency 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

### **1. CALL TO ORDER**

The Regular Meeting of Perth County Council was called to order at 9:00 a.m. and the roll call conducted. Quorum was present.

### **2. OPENING PRAYER**

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

### **3. DISCLOSURE OF PECUNIARY INTEREST**

Councillor Wilhelm stated a pecuniary interest in Item 8.5.1 and Item 13.1 being a request for an Encroachment Agreement by Bruce Schmidt. Bruce Schmidt is a cousin of Councillor Wilhelm.

**4. ADDITION TO AGENDA/ADOPTION**

**2011-320**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Ehgoetz**

THAT the Council Agenda for September 15, 2011 be approved as circulated;

Carried

**5. CONSENT AGENDA AND COUNCIL MINUTES**

**2011-321**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Aitcheson**

THAT the Consent Agenda Items 5.1 to 5.9 excluding Item 5.2 be received for information and the minutes of August 18, 2011 Regular Council meeting be approved;

Carried

**2011-322**

**Moved By: Councillor Forrest**

**Seconded By: Councillor McKenzie**

THAT Item 5.2 being correspondence from the Town of Ingersoll requesting support for the Ontario Federation of Independent Towers be deferred to the next meeting of Council; and

THAT staff be directed to collect additional information regarding a Request for Proposal which would transfer the authority of vehicle impoundments from the Ministry of Transportation to the OPP;

Carried

**6. ADJOURN TO PUBLIC MEETING**

**2011-323**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Judge**

THAT the Council of the County of Perth recess for the purpose of

moving into a Public Meeting to address the following application:

1. Official Plan Amendment Application - Earl & Kathleen Albrecht (OPA 112)

Carried

## **6.1 Official Plan Amendment Application 112 - Earl and Kathleen Albrecht**

Warden Behrns stated that

The purpose of the public meeting is to provide an opportunity to advise the public of the purpose and intent of the amendment and to receive input prior to considering adoption of an implementing by-law. The Public Meeting will deal with an Application to amend the County of Perth Official Plan) submitted by Earl and Kathleen Albrecht, the owners of part of Lot 10, Concession 4 in the Mornington Ward in the Township of Perth East. Those in attendance were given an opportunity to comment on the application. Those present wanting to receive written notice of the decision were asked to provide their name, address and telephone number to the Clerk. Dave Hanly, Director of Planning provided comments in respect to the purpose of the Application and noted that the purpose of Application is to permit a build pet food business. Comments were then made in respect to the Notice of Public Meeting details. Written correspondence received prior to the preparation of the planning report were referred to, with copies being attached to the planning report. There was no written correspondence received after the planning report was prepared. The Director of Planning and Development referred to the planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

Warden Behrns offered those in attendance the opportunity to speak in support of the Application (other than the application). No person in attendance spoke in support of the application.

Warden Behrns offered those in attendance the opportunity to speak in opposition to the Application. No person spoke in opposition of the application.

Warden Behrns offered the Applicant/Applicant's Agent the opportunity to speak to the Application. Sean Raleigh of W. Stirling Kenny Professional Corporation, agent for the applicant, described the purpose of the application. Warden Behrns offered Council the opportunity to ask questions regarding the Application.

The Warden noted that the Committee of the Whole would give consideration to all information received in respect to the subject Application prior to making a recommendation to Council. Council considers the recommendation of the Committee and makes a decision. Notice of that decision is given in

accordance with the Planning Act, R.S.O. 1990 (as amended). The decision is subject to appeal to the Ontario Municipal Board.

Warden Behrns declared the Public Meeting to be closed.

## **7. DELEGATIONS**

### **7.1 John Hardman, President and Chris Scott, Business Development and Operations - Woodstock Oxford Collections Inc. O/A The Credit Bureau - POA Collections**

John Hardman, Present and Chris Scott, Business Development and Operations for The Credit Bureau attended the Council meeting to review collection procedures and legislation which impacts the ability to collect.

### **7.2 Christel Ivanyshyn, CEMC Perth County - Town of Goderich Emergency Assistance Update**

Christel Ivanyshyn, CEMC attended to update Council on the Perth County response to the Town of Goderich tornado which occurred on August 20, 2011.

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

**2011-324**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Wilhelm**

THAT the Council of the County of Perth adjourns to convene as Committee of the Whole with Councillor Vince Judge Chairing the meeting at 10:05a.m.;

Carried

### **8.1 Planning and Development**

#### **8.1.1 Official Plan Amendment Application 112 - Earl and Kathleen Albrecht**

**2011-325**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Forrest**

THAT the Committee of the Whole recommends to Perth County

Council that the Application for an Amendment to the County of Perth Official Plan by Earl and Kathleen Albrecht affecting property described as part of Lot 10, Concession 4 in Mornington Ward of the Township of Perth East be approved and that an Official Plan Amendment permitting a bulk pet food business, subject to the criteria noted in the Planning Director's September 15, 2011 report, be approved;

Carried

### **8.1.2 Lake Erie Source Water Protection**

Planner Geoff VanderBarren and Bernie Hermsen, Planner for MHBC Planning were in attendance to present the report.

**2011-326**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Aitchison**

THAT the Committee of the Whole recommends to Perth County Council that they adopt the policy options outlined in the tables entitled "Recommended Source Protection Plan Policy Options for Perth County (Lake Erie Source Protection Region)" for the drinking water threats related to the Milverton water supply wells; and

THAT these policy options be forwarded to the Lake Erie Source Protection Committee for inclusion in the Source Protection Plan;

Carried

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

The Director of Planning and Development informed Council that Heather Sturgeon, Draftsperson has announced her retirement effective September 30, 2011.

## **8.2 Chief Administrative Officer**

### **8.2.1 2012 County Council - Regular Meeting Dates**

**2011-327**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommends to Perth County Council that the following meetings be scheduled for Regular Council

Meetings in 2012:

January 12 and 26; February 2 and 16; March 1 and 15; April 5 and 19; May 3 and 17; June 7 and 21; July 19; August 16; September 6 and 20; October 4 and 18; November 1 and 15 and 29(budget); December 6 and 13(budget) and 20;

Carried

### **8.2.2 Warden Activity Report - August, 2011**

**2011-328**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Ehgoetz**

THAT the Committee of the Whole recommends to Perth County Council that the Warden's Activity Report for August, 2011 dated September 15, 2011 be received for information;

Carried

### **8.2.3 Job Evaluation Review**

**2011-329**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Forrest**

THAT the Committee of the Whole recommend to Perth County Council that a new custom designed job evaluation plan be implemented for management/non-union positions; and

THAT the new plan be developed in accordance with the recommendations of the consultant;

Carried

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

The CAO announced that the Accessibility Coordinator has resigned her position. Recruitment for position will begin immediately offering a two year contract. The CAO will research the option of sharing the position with another County.

## **8.3 Corporate Services**

### **8.3.1 O. Reg. 284-09 Impact**

**2011-330**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Aitcheson**

THAT the Committee of the Whole recommends to Perth County Council that the Ontario Regulation 284/09, amortization impact report for 2011 budget year, be received for information;

Carried

### **8.3.2 Proposed Schedule for the 2012 Budget**

**2011-331**

**Moved By: Warden Behrns**

**Seconded By: Councillor Schneider**

THAT the Committee of the Whole recommends to Perth County Council that the CAO and Director of Corporate Services revise the proposed 2012 budget schedule to reflect the Council review of the budget starting in December;

Carried

### **8.3.3 2010 Audited Consolidated and Unconsolidated Financials**

Deputy Treasurer, Debbie Gibson attended the meeting to present the report.

**2011-332**

**Moved By: Warden Behrns**

**Seconded By: Councillor Wilhelm**

THAT the Committee of the Whole recommend to Council that the Consolidated Financial Statements for the fiscal year ending December 31, 2010, as audited by the firm BDO Canada, LLP, be hereby received and approved; and

THAT the 2010 fiscal year end surplus of \$73,205.81 be transferred to the County Levy Stabilization Reserve;

Carried

### **8.3.4 Other Matters - Corporate Services**

No other matters.

## **8.4 Emergency Medical Services - no report**

### **8.4.1 Other Matters - Emergency Medical Services**

No other matters.

## **8.5 Public Works**

### **8.5.1 Encroachment Agreement - Bruce Schmidt - Perth East (South Easthope Ward)**

Having previously declared a pecuniary interest, Councillor Wilhelm removed himself from consideration of this item.

**2011-333**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Aitcheson**

THAT the Committee of the Whole recommends to Perth County Council that the encroachment agreement with Bruce Schmidt be approved by adopting by-law 3262-2011;

Carried

### **8.5.2 Other Matters - Public Works**

No other matters.

## **8.6 Financial Reports - To August 31, 2011**

**2011-334**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Ehgoetz**

THAT the Committee of the Whole recommends to Perth County Council that the County's Operating and Capital financial reports for the period ending August 31, 2011, be received for information;

Carried



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

### **9.1 Correspondence**

#### **9.1.1 Town of St. Marys - August 29, 2011 - Shared Services**

**2011-335**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Schneider**

THAT correspondence from the Town of St. Marys, dated August 29, 2011, regarding the Consolidated Municipal Services Management Agreements (Shared Services) be received for information; and

THAT further consideration be held in Closed Session as there is a potential for litigation;

Carried

### **9.2 Minutes of Committees**

**2011-336**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Ehgoetz**

THAT the Committee of the Whole recommend to Perth County Council that the following draft minutes be received and the recommendations contained within the minutes be approved;

Economic Development Committee - August 18, 2011 Minutes

Human Resources Committee - September 18, 2011 Minutes

Perth County Joint Accessibility Committee - August 30, 2011 Minutes

Carried

### **9.3 Minutes of Outside Boards - none**

**2011-337**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Forrest**

THAT the Committee of the Whole adjourn and reconvene as Council  
at 11:35AM

Carried

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

**2011-338**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor McKenzie**

That the Council of the County of Perth endorse all recommendations  
from the September 15, 2011 Committee of the Whole meeting;

Carried

## **11. NOTICE OF MOTIONS - NONE**

No Notice of Motions were stated.

## **12. NEW BUSINESS**

Warden Behrns announced that she will not be seeking the position of Warden for 2012.

## **13. BY-LAWS**

### **13.1 3262-2011 - Encroachment Agreement - Bruce Schmidt**

Having previously declared a pecuniary interest in this item, Councillor Wilhelm  
left the Council Chambers during consideration of By-law 3262-2011.

**2011-339**

**Moved By: Councillor Forrest**

**Seconded By: Councillor Schneider**

THAT By-law 3262-2011 being a by-law to enter into an encroachment agreement with Bruce Schmidt, owner of Plan 44R-4221 Part 2, Part 3, south Part of Part 1 Lot 30, Concession 6 (South Easthope Ward) in the Township of Perth East, be read a first and second time;

Carried

**2011-340**

**Moved By: Councillor Ehgoetz**

**Seconded By: Councillor French**

THAT By-law 3262-2011 being a by-law to enter into an encroachment agreement with Bruce Schmidt, owner of Plan 44R-4221 Part 2, Part 3, south Part of Part 1 Lot 30, Concession 6 (South Easthope Ward) in the Township of Perth East, be read a third and final time; and

THAT the Warden and Clerk are hereby authorized and instructed to execute the same;

Carried

**13.2 3263-2011 By-law Authorizing an Official Plan Amendment Application  
112 - Earl and Kathleen Albrecht**

**2011-341**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Judge**

THAT By-law 3263-2011 being a by-law adopt Official Plan Amendment Application 112, be read a first and second time;

Carried

**2011-342**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Forrest**

THAT By-law 3263-2011 being a by-law to adopt Official Plan Amendment Application 112 be read a third and final time; and

THAT the Warden and Clerk are hereby authorized and instructed to execute the same;

Carried

#### **14. CLOSED MEETING**

Council adjourned to a Closed Meeting to consider a Tree Matter (File No. T4/2011) and Item 9.1.1 being correspondence received from the Town of St. Marys.

**2011-343**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Aitcheson**

THAT Perth County Council move into a Closed Meeting at 11:40 pm in accordance with Section 239 of the *Municipal Act S.O. 2001 c.25* (as amended), regarding the subject matter as follows:

-litigation or potential litigation, including matters before administrative tribunals, affect the municipality;

Carried

#### **15. REPORT OUT**

Nothing to report.

#### **16. CONFIRMING BY-LAW**

**2011-344**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Judge**

That By-law 3264-2011, 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 September 15, 2011 be read a first, second and third time; and

THAT the Warden and the Clerk are hereby authorized to execute the same;

Carried

#### **17. ADJOURNMENT**

**2011-345**

**Moved By: Councillor Forrest**

**Seconded By: Councillor McKenzie**

THAT the meeting adjourn at 12:07 PM

Carried

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WARDEN JULIE BEHRNS

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KERRI ANN O'ROURKE, CLERK