



The Corporation of The County of Perth

Minutes of the February 16, 2012 Council Meeting

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

Absent: Councillor Robert Wilhelm

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
 Pauline Walkom, Administrative Support
 Clerk/Recording Secretary

Others Present: Planner, Mark Swallow

 Deputy Treasurer, Debbie Gibson

1. CALL TO ORDER

With quorum present, the Regular Meeting of Perth County Council was called to order at 9:00 A.M.

2. MOMENT OF REFLECTION

The Regular meeting of Perth County Council commenced with a moment of silent reflection.

3. CONFIRMATION OF THE AGENDA

The County Clerk administered the "Declaration of Office" for Barb MacLean for the office of Councillor, for the Municipality of West Perth. Councillor MacLean has been duly appointed by the Municipality of West Perth to act in the absence of Councillor Bill French.

2012-47

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT the following items be added to the agenda:

6.3 DELEGATION - Douglas Pratt - Amendment No. 28 to the Listowel Ward Official Plan;

THAT the following changes be made to the agenda:

Item 7.1.8 be moved to Item 7.1.2;

Item 7.3.1 be moved to after Item 14;

AND THAT the Council agenda for February 16, 2012 be approved as amended;

Carried

4. DISCLOSURE OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

5. CONSENT AGENDA

5.1 Perth County Council - January 26, 2012 - Regular Minutes

5.2 Perth County Council - February 2, 2012 - Regular Minutes

5.3 OGRA Board of Directors - February 2, 2012 - Notice of Poll

5.4 Town of Halton Hills - January 31, 2012 - Support of Private Members Bill to Pave Highway Shoulders

5.5 Town of Bancroft - January 10, 2012 - Global Warming Resolution

5.6 Land Division Committee - February 3, 2012 - Regular Minutes

- 5.7 Perth County Economic Development Committee - January 16, 2012 - Regular Minutes**
- 5.8 Conroy Schelhaas - Highway 7/8 Expansion - February 2012**
- 5.9 Glenn Schwendinger, CAO, Township of Perth East - February 9, 2012 - Appreciation for Response to Hampstead Motor Vehicle Collision**

2012-48

Moved By: Councillor McMillan

Seconded By: Councillor Ehgoetz

THAT the Consent Agenda Items 5.1 to 5.9 be received for information and the minutes of the January 26th, 2012 and February 2nd, 2012 Regular Council meeting minutes be adopted;

Carried

6. PUBLIC MEETINGS, PUBLIC HEARINGS AND DELEGATIONS

6.1 Official Plan Amendment Application No. 116 by William Bradshaw (agent for Lindsay and Michael Higgins) (See Item 7.1.1)

Warden Forrest declared the Public Meeting for Official Plan Amendment Application No. 116 by William Bradshaw (agent for Lindsay and Michael Higgins) to be open.

Warden Forrest 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 bylaw. The Public Meeting will deal with an Application to amend the County of Perth Official Plan submitted by William Bradshaw (Agent for Lindsay and Michael Higgins) of Part of Lot 29, Concession 2 in the North Easthope Ward of the Township of Perth East. (File No. Official Plan Amendment #116).

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. Mark Swallow, Planner for the County of Perth provided comments in respect to the purpose of the Application. Planner Swallow noted that the purpose of the Application is to change the designation of the subject property from its current "Agriculture" designation to the "Mineral Aggregate Resources" designation. It is the owner's intention that the pit be operated by Wilhelm Excavating.

Comments were then made in respect to the Notice of the Public Meeting details. Written correspondence was received prior to the preparation of the planning report were referred to, with copies being attached to the planning report.

Planner Swallow referred to the planning report (prepared by Dave Hanly, Director of Planning & Development) that was included in Council's meeting agenda package, with specific reference to the recommendation.

Warden Forrest offered those in attendance the opportunity to speak in support of the Application (other than the applicant). No one spoke in support of the Application.

Warden Forrest offered those in attendance the opportunity to speak in opposition to the Application. No one spoke in opposition to the Application.

Warden Forrest offered the Applicant/Agent the opportunity to speak to the application. The Applicant was not present. The Applicant's Agent contacted Planning & Development Department staff stating that they were delayed due to traffic.

Warden Forrest offered Council the opportunity to ask questions regarding the Application. No questions were asked.

Warden Forrest noted that Council would give consideration to all information received in respect to the subject Application subsequent to the Public Meeting. 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 Forrest declared the Public Meeting to be closed.

6.2 Scott Patterson, Senior Planner, Labreche Patterson & Associates - Amendment No. 28 to the Listowel Ward Official Plan - Agent for Applicant

Scott Patterson, Senior Planner for Labreche Patterson & Associates and Agent for the applicant for Amendment No. 28 to the Listowel Ward Official Plan, spoke in support of the application. Mr. Patterson provided a written submission which was circulated with the Council Agenda.

6.3 Douglas Pratt - Amendment No. 28 to the Listowel Ward Official Plan

Doug Pratt, lawyer acting on his own behalf stated objections to Amendment No. 28 to the Listowel Ward Official Plan. Mr. Pratt circulated a copy of a photo of what he believes are alternative lands available for this development. Mr. Pratt circulated a copy of Map 34 of Schedule "A" to By-law 6-ZB-1999 of the Municipality of North Perth and excerpts from Section 19 (Highway Commercial Zone C3) of the same By-law. Mr. Pratt opposes the application which would permit the establishment of an automotive sales and service business on the property.

7. STAFF REPORTS

7.1 Planning and Development

7.1.1 Official Plan Amendment Application No. 116 by William Bradshaw (agent for Lindsay and Michael Higgins)

2012-49

Moved By: Councillor Behrns

Seconded By: Councillor McKenzie

THAT Perth County Council approve the application for an Amendment to the County of Perth Official Plan by William Bradshaw (agent for Lindsay and Michael Higgins) affecting property described as part of Lot 29, Concession 2 in the North Easthope Ward of the Township of Perth East and that the proposed Official Plan Amendment for this application be adopted;

Carried

7.1.2 Amendment No. 28 to the Listowel Ward Official Plan

2012-50

Moved By: Councillor Ehgoetz

Seconded By: Councillor Aitcheson

THAT Perth County Council refuse to approve Amendment

No. 28 to the Listowel Ward Official Plan affecting property described as Corporation Lot 14, Plan No. 194 and Lot S or 13, Plan 156 in the Listowel Ward of the Municipality of North Perth;

Carried

7.1.3 Amendment No. 29 to the Listowel Ward Official Plan

2012-51

Moved By: Councillor McMillan

Seconded By: Councillor Aitcheson

THAT Amendment No. 29 to the Listowel Ward Official Plan file, affecting property described as part of Lot 142, Registered Plan No. 165 in the Listowel Ward of the Municipality of North Perth, be closed;

Carried

7.1.4 Approval of North Perth Part Lot Control By-law No. 7-2012 Affecting Property Described as Lot 38, Registered Plan No. 44M-33 in the Municipality of North Perth (Listowel Ward)

2012-52

Moved By: Councillor MacLean

Seconded By: Councillor Ehgoetz

THAT the Council of the County of Perth approve the Municipality of North Perth's By-law No. 7-2012 for the removal of part-lot control on property described as Lot 38, Registered Plan No. 44M-33 in the Listowel Ward of the Municipality of North Perth;

Carried

7.1.5 Plan of Subdivision File No. WP 11-01 (Corporation of the County of Perth)

2012-53

Moved By: Councillor McMillan

Seconded By: Councillor Ehgoetz

THAT Perth County Council give draft plan approval to Plan of Subdivision Application No. WP 11-01 by The Corporation of the County of Perth affecting property described as Part of Park Lot 48, Registered Plan No. 339, Mitchell Ward, in the Municipality of West Perth subject to the conditions attached to the Planning Director's February 16, 2012 report regarding Plan of Subdivision File No. WP 11-01;

Carried

7.1.6 Tree Report

2012-54

Moved By: Councillor MacLean

Seconded By: Councillor Schneider

THAT the Tree Inspection Report dated February 16, 2012 be received for information;

Carried

7.1.7 Approval of North Perth Part Lot Control By-law No. 11-2012 Affecting Property Described as Lots 9 and 10, Registered Plan No. 44M-22 in the Municipality of North Perth (Listowel Ward)

2012-55

Moved By: Councillor Schneider

Seconded By: Councillor Aitcheson

THAT Perth County Council approve the Municipality of North Perth's By-law No. 11-2012 for the removal of part-lot control on property described as Lots 9 and 10, Registered Plan No. 44M-22 in the Listowel Ward of the Municipality of North Perth;

Carried

7.1.8 Forest Conservation By-law Enforcement – Potential Litigation Files

2012-56

Moved By: Councillor Ehgoetz

Seconded By: Councillor Aitcheson

THAT Perth County Council endorse the process for dealing with the handling potential litigation files under the County's Forest Conservation By-law as set out in the Planning Director's February 16, 2012 report to County Council and this process be implemented commencing in March, 2012;

Carried

7.2 Chief Administrative Officer

7.2.1 Charitable Tax Rebate By-law Update

2012-57

Moved By: Councillor McKenzie

Seconded By: Councillor Aitcheson

THAT the report prepared by the County Clerk dated February 16, 2012 regarding the adoption of a Charitable Tax Rebate Program, be received for information; and

THAT Council proceed to give three readings to By-law 3281-2012 being a by-law to adopt a Charitable Tax Rebate Program and to repeal By-law 2672 (2001); and

THAT the Council declare the Stratford Perth Museum property located at 4275 Line 34, Concession 1, West Part Lot 7 (Downie Ward) in the Township of Perth South as an eligible property under the County of Perth Charitable Tax Rebate Program;

Defeated

7.2.2 Temporary Vacancy on Perth County Council – Appoint Barb MacLean to Temporarily Replace Councillor Bill French

2012-58

Moved By: Councillor Behrns

Seconded By: Councillor Schneider

THAT the report prepared by the County Clerk dated February 16, 2012 regarding the temporary vacancy on Perth County Council, be received for information; and

THAT the County of the Council of Perth, subsequent to West Perth Acting Deputy Mayor Barb MacLean hereby appoint Barb MacLean to the Perth County Human Resources Advisory Committee, the Perth County Land Division Committee and the Stratford-Perth Museum Board, until such time as Councillor Bill French has resumed his duties;

Carried

7.4 Emergency Services

7.4.1 Hampstead Motor Vehicle Collision Update

2012-59

Moved By: Councillor Ehgoetz

Seconded By: Councillor Aitcheson

THAT Perth County Council receive the EMS Hampstead Motor Vehicle Collision Update report for information;

Carried

7.4.2 Hampstead Motor Vehicle Collision Response

2012-60

Moved By: Councillor MacLean

Seconded By: Councillor Ehgoetz

THAT the report prepared by the Community Emergency Management Coordinator on February 16, 2012 be received for information;

Carried

7.5 Public Works - no report

8. CORRESPONDENCE

8.1 Optimism Place - Team Request - Walk a Mile in Her Shoes Event

2012-61

Moved By: Councillor Ehgoetz

Seconded By: Councillor Schneider

THAT the letter from Optimism Place regarding a team request for "Walk a Mile in Her Shoes Event" be received;

Carried

9. COUNCIL REPORTS

9.1 Warden Meeting Log & Report - no report

9.2 Council Member Reports - no reports

10. BY-LAWS

10.1 3280-2012 To Adopt Amendment No. 116 to the County of Perth Official Plan (Refer to Item 7.1.1)

2012-62

Moved By: Councillor Schneider

Seconded By: Councillor Behrns

THAT Bylaw 3280-2012 To Adopt Amendment No. 116 to the County of Perth Official Plan,

Be read a first and second time;

Carried

2012-63

Moved By: Councillor McMillan

Seconded By: Councillor McKenzie

THAT Bylaw 3280-2012 To Adopt Amendment No. 116 to the County of Perth Official Plan,

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

11. NOTICE OF MOTIONS - NO NOTICES MADE

12. OTHER BUSINESS - NONE

13. ANNOUNCEMENTS - NONE

Recess taken at 10:01 AM

Resumed meeting from recess at 10:14 AM

14. CLOSED SESSION MEETING AND REPORTING OUT

2012-64

Moved By: Councillor McKenzie

Seconded By: Councillor Judge

THAT Perth County Council move to Closed Meeting at 10:15 AM in accordance with Sec. 239 of the *Municipal Act S.O. 2001 c. 25* (as amended), regarding subject matter as follows:

X litigation or potential litigation, including matters before administrative tribunals, affecting the municipality regarding:
- Forest Conservation By-law infraction investigation (File No. T1/2012 G. & R. de Wit);

Carried

7. STAFF REPORTS

7.3 Corporate Services

7.3.1 2012 Budget

2012-65

Moved By: Councillor McMillan

Seconded By: Councillor Judge

THAT staff be directed to prepare a report on the Milverton Solar Project in September, 2012, outlining options for the project;

Carried

2012-66

Moved By: Councillor Judge

Seconded By: Councillor Ehgoetz

THAT Perth County Council approve budget reductions (Low Risk (green dots) and Moderate Risk (yellow dots)) as identified in the report entitled "2012 Budget Update Report", and

THAT staff be directed to prepare a report outlining the levy

impact of utilizing the Levy Stabilization Reserve (\$100,000, \$150,000 and \$200,000);

Carried

15. CONFIRMATORY BY-LAW

2012-67

Moved By: Councillor Judge

Seconded By: Councillor Schneider

THAT By-law 3282-2012, 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 February 16, 2012 be read a first, second and third time;

Carried

16. ADJOURNMENT

2012-68

Moved By: Councillor Ehgoetz

Seconded By: Councillor Judge

THAT the meeting adjourn at 12:04 PM

Carried

WARDEN, IAN FORREST

COUNTY CLERK, KERRI ANN O'ROURKE