



**The Corporation of The County of Perth
Council - Regular Meeting
Minutes**

August 14, 2014

Council Present:

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

Staff Present:

Bill Arthur, CAO
Renato Pullia, Director of Corporate Services, Treasurer
Allan Rothwell, Director of Planning & Development
Matt Ash, Director of Public Works
Pauline Walkom, Administrative Support Clerk/Recording Secretary

Staff Absent:

Director of Emergency Services Linda Rockwood
Kerri Ann O'Rourke, Clerk

Others Present:

Cliff Eggleton, Operations Manager; Pat Berfelz, Clerk, North Perth, Stephen Cornwall, Planner and Tim Seyler, Planning student.

1. Call to Order

The Regular Meeting of Perth County with Quorum present 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. Disclosure of Pecuniary Interest – None Declared

4. Confirmation of the Agenda

2014-201

Moved By: Councillor Forrest

Seconded By: Councillor Behrns

THAT the Council Agenda for the August 14, 2014 be approved;

Carried

5. Consent Agenda

2014-202

Moved By: Councillor Judge

Seconded By: Councillor Aitcheson

THAT the Consent Agenda Items 5.1 to 5.6 be received for information and the minutes of the July 17, 2014 Regular Council meeting be adopted as amended;

Carried

5.1. Perth County Council - July 17, 2014 - Draft Regular Minutes

5.2. Spruce Lodge Board of Management - June 18, 2014 - Draft Regular Minutes

5.3. Perth District Health Unit - May 21, 2014 - Regular Minutes

5.4. Halton Region - July 11, 2014 - Support for Protection of Public Participation Act 2014 (Bill 83)

5.5. Municipal Liaison Committee - July 17, 2014 - Draft Regular Minutes

5.6. Quadro Communications Co-op; Mornington Communications Co-Op Ltd; and Wightman Communications Co-Op - July 25, 2014 - Thanks for Support Regarding SWIFT Initiative

6. Public Meetings, Public Hearings and Delegations

6.1. Public Meeting

6.1.1. Application for an Amendment to the County Official Plan (140) by Peter James Hyde (See 7.1.1)

Warden Wilhelm 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 the modifications to the Draft Plan conditions. Those present wanting to receive written notice of the decision were asked to provide their name, address and telephone number to the Clerk. Allan Rothwell, Director of Planning & Development noted that the purpose of the Application is to amend the "Natural Resources/Environment" policies of the County Official Plan to permit development and site alteration that includes replacing an existing shop located within an opening of the woodlot with a larger shop and residential loft.

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

The following comments were received after the preparation of the report:

1. Township of Perth East Council advised support of the application with conditions.
2. Upper Thames River Conservation (UTRC) advised that no objections to the application.
3. Marvin Smith, County of Perth Tree Inspector had no objections to the proposal.

Allan Rothwell referred to the Planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

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

Warden Wilhelm offered those in attendance the opportunity to speak in opposition to the Application. None one spoke in opposition.

Warden Wilhelm offered the Applicant/Applicant's Agent to speak to the application.

1. Peter Hyde, applicant spoke in support of the application.

6.1.2. Application for Modification to a Draft Plan of Subdivision by Donegans Haulage (See 7.1.2)

Warden Wilhelm 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 the modifications to the Draft Plan conditions. Those present wanting to receive written notice of the decision were asked to provide their name, address and telephone number to the Clerk. Allan Rothwell, Director of Planning & Development noted that the purpose of the Application is to amend the Draft Plan approval of the above-noted Subdivision. The subject application was originally received by the County of Perth on July 5, 2013, with a revised drawing submitted July 7, 2014.

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

The following comments were received after the preparation of the report:

1. Municipality of North Perth – Correspondence was received

advising support of the application, subject to conditions.

Allan Rothwell referred to the Planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

Warden Wilhelm offered those in attendance the opportunity to speak in support of the Application. (Other than the applicant).

1. Charlene Gordon, spoke on behalf of her mother Lorne Dickson who requested clarification on payment of property costs due to application and information on conveyances of property.

Municipality of North Perth Clerk Pat Berfelz advised that further discussion with Municipality of North Perth; applicant and Ms. Dickson would be held.

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

Warden Wilhelm offered the Applicant/Applicant's Agent to speak to the application.

1. Scott Patterson, applicant spoke in support of the application and was available to answer questions.

6.1.3. County Initiated Amendment to The County Official Plan (OPA 142) (See 7.1.3)

Warden Wilhelm 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 the modifications to the Draft Plan conditions. Those present wanting to receive written notice of the decision were asked to provide their name, address and telephone number to the Clerk. Allan Rothwell, Director of Planning & Development noted that the purpose of the Application is to bring County Official Plan in line with recent legislative changes, as well as the incorporation of the

new generic regulatory lines of the Conservation Authorities under Ontario Regulation 97/04.

Comments were then made in respect to the Notice of the Public Meeting details.

Written Correspondence received prior to the preparation of the planning report was referred to with copies being attached to the planning report.

The following comments were received after the preparation of the report:

1. Correspondence from Art Horne was read and was in opposition to the proposed amendments.
2. Correspondence from Kim and Conroy Schelhaas was received and was not in support of the amendments.

Allan Rothwell referred to the Planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

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

Warden Wilhelm offered those in attendance the opportunity to speak in opposition to the Application.

1. Cindy Moyer, President, Huron Perth Land Owners Association outlined association's concerns and did not support the amendment proposal.
An objection to the plan was submitted in the form of a petition which was given to Deputy Clerk. It was suggested to have public meetings during hours when more of public can attend. The Association gives no consent to agencies to include their land in official plans; ask that it be excluded and to send notices by registered mail to vested title. Ms. Moyer

advised that due to timing, and the unavailability of people to attend, there may be further notices later.

2. Scott MacIntosh spoke in opposition to the amendments and agreed with previous speaker's comments.
3. Bill Jeffrey reviewed concerns regarding lack of notifications of property amendments.
4. John Van Dyk spoke against the amendments. Mr. Van Dyk requested that notifications should be sent to each affected farm.
5. Kelly Riehl spoke against the amendment.
6. Roger Fuhr, St. Pauls spoke against the amendments and suggested that County Council defer the decision.

Warden Wilhelm offered the Applicant/Applicant's Agent to speak to the application.

1. Allan Rothwell, Director of Planning and Development reviewed input from lower tiers.
 - Municipality of West Perth has requested additional time.
 - Township of Perth East has asked for additional time.

7. Staff Reports

7.1. Planning and Development

7.1.1. Application for Amendment to County Official Plan by Peter James Hyde (OPA 140)

2014-203

Moved By: Councillor Ehgoetz

Seconded By: Councillor Forrest

THAT Perth County Council approve the application for an Amendment to the County of Perth Official Plan by Peter James

Hyde affecting property described as Part Lot 40, Concession 4, North Easthope Ward, Township of Perth East;

Carried

7.1.2. Application for Modification to Draft Plan of Subdivision by Donegan Haulage Ltd (NP 05-04)

2014-204

Moved By: Councillor Judge

Seconded By: Councillor Behrns

THAT the application to modify an approved Draft Plan of Subdivision (File No. NP 05-04) by Donegan's Haulage Ltd. affecting property described as part of Lots 126 and 127 and all of Lots 111, 117, 118, 120, 121 and 125, R.P. 194; Part of Lots 3 and 8 and all of Lots 4, 5, 6 and 7, R.P. 195; Part of Lots 123 and 124 and all of Lots 116, 119 and 122, R.P. 181; Part of Lots 153; and 156 to 162 (inclusive), and all of Lots 150, 151, and 152, R.P. 189; Part of Lots 142 and 143, R.P. 168; Part of Bolton Street (closed), R.P. 168, 181 and 194; Part of Wellington Avenue S. (closed), R.P. 168 and 169, in the Listowel Ward of the Municipality of North Perth, be approved subject to the attached modified Draft Plan Conditions;

Carried

7.1.3. County Initiated Amendment to County Official Plan (OPA 142)

2014-205

Moved By: Councillor Behrns

Seconded By: Councillor McKenzie

THAT Perth County Council defer the proposed County initiated Amendment No. 142 to the County of Perth Official Plan affecting all lands within the County of Perth and a report be brought back;

AND THAT Warden draft a letter to all Conservation Authorities expressing displeasure with the lack of communication to affected landowners;

Carried

7.1.4. OPA 5-Year Review Follow-up Report

2014-206

Moved By: Councillor Forrest

Seconded By: Councillor McMillan

THAT Perth County Council receive the August 14, 2014 report of the Director of Planning and Development entitled "County Official Plan 5 Year Review Update";

Carried

County Council recessed at 10:33 AM

County Council reconvened at 10:45 AM

7.1.5. Application for Extension of Draft Plan Approval for Lunor Group Inc. Subdivision (NP 04-01)

2014-207

Moved By: Councillor Behrns

Seconded By: Councillor Schneider

THAT Perth County Council approve the request for a 5-year extension of Draft Plan approval be given for the Draft Plan of Subdivision (Application No. NP 04-01) (Lunor Group Inc.) affecting property described as part of Part of Lots 41 and 42, Concession 1 (Tremaine Ave., Elma Ward) in the Municipality of North Perth and that the conditions of Draft Plan approval issued by the County on October 20, 2004 be satisfied prior to final approval.

By granting a 5-year extension, the Draft Plan approval for this development will lapse on October 20, 2019 (five years from the previous lapsing date);

Carried

7.1.6. Trails and Active Transportation Update (Proposed Goderich to Guelph Rail Trail)

2014-208

Moved By: Councillor Forrest

Seconded By: Councillor McMillan

THAT Perth County Council receive the report from the Director of Planning and Development dated August 14, 2014 and that the Director bring back another report to the September 18, 2014 Council meeting to address the next steps identified in the Trails and Active Transportation Update (Proposed Goderich to Guelph Rail Trail) report dated June 5, 2014;

Carried

7.1.7. Tree Report

2014-209

Moved By: Councillor McKenzie

Seconded By: Councillor Schneider

THAT Perth County Council receive the Tree Inspection report dated August 14, 2014 for information;

Carried

Allan Rothwell, Director of Planning and Development introduced Tim Seyler, Summer Planning Student.

7.2. Chief Administrative Officer

7.2.1. Service Delivery Report

2014-210

Moved By: Councillor Forrest

Seconded By: Councillor Aitcheson

THAT Perth County Council receives the Report "Service Delivery Report - CAOs recommendation" for information and

THAT Perth County Council approve the First Priority Opportunities to be researched and detailed reports presented in the fall of 2014;

Carried

Heather Robinson, Payroll and Finance Clerk was introduced to County Council.

7.2.2. 2014 CPI Adjustment

2014-211

Moved By: Councillor Forrest

Seconded By: Councillor French

THAT Perth County Council approves that the County Non-Union Salary Grid and the remuneration for the CAO, County Warden, Members of Council and members of County Committee's be increased by 1.50%, effective January 1, 2015;

Carried

7.2.3. Project Update - Monthly Report

2014-212

Moved By: Councillor Behrns

Seconded By: Councillor McKenzie

THAT Perth County Council receive the monthly Projected Status Report - August 2014 for information;

Carried

7.2.4. Lamé Duck (Delegation of Authority to CAO)

2014-213

Moved By: Councillor Schneider

Seconded By: Councillor Aitcheson

THAT the report prepared by the CAO dated August 14, 2014, 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 "Lamé Duck" provision, will be made by the County Clerk after September 12, 2014 (Nomination Day) and after October 27, 2014 (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

7.2.5. Accessibility - Annual Status Update to the Multi-Year Plan

2014-214

Moved By: Councillor Judge

Seconded By: Councillor Behrns

THAT the Perth County Council receives the Perth County Joint Accessibility Plan: Annual Status Update as information;

Carried

7.2.6. Election Services Agreement - West Perth and Perth County

2014-215

Moved By: Councillor Aitcheson

Seconded By: Councillor McMillan

THAT the report prepared by the County Clerk, dated August 14, 2014, regarding an Election Services Agreement, be received for information; and

THAT Council proceed to adopt By-law 3429-2014 being an

Election Services Agreement, which would permit the Perth County Clerk to fulfill the statutory duties of the Clerk, for the Municipality of West Perth, during 2014 Municipal and School Board Election (in the event of an early leave by the Municipality of West Perth Clerk);

Carried

7.3. Corporate Services - No Report

7.4. Emergency Services

7.4.1. Ambulance Purchase - 2 Type II Mirage EXA - 14 Sprinter Diesel

2014-216

Moved By: Councillor Forrest

Seconded By: Councillor Behrns

THAT Perth County Council authorize the purchase of two Type II, Mirage EXA - 14 Sprinter Diesel Ambulances for \$227,818.00 (taxes excluded) from Demers Ambulances;

Carried

7.5. Public Works

7.5.1. Micro surfacing Tender Results

2014-217

Moved By: Councillor Aitcheson

Seconded By: Councillor Schneider

THAT the Council of the County of Perth award contract number 14-2014, Micro Surfacing Type II, to MSO Construction in the amount of \$261,690 plus HST;

Carried

7.5.2. Snow Plow Rental Contract

2014-218

Moved By: Councillor Behrns

Seconded By: Councillor Schneider

THAT the Council of the County of Perth extend Contract #11-004, Snow plow Rental, with the Murray Group for an additional three winter seasons;

Carried

8. Correspondence - None

9. Council Reports

9.1. Warden Activity Report - July 2014

1. Human Resources Committee: Councillor Aitcheson advised that a Human Resources meeting will be held on September 4, 2014.
2. Councillor French reported a sold out event for the Flavours of Perth – Stratford Perth Museum’s fund raiser on August 11, 2014.

2014-219

Moved By: Councillor Judge

Seconded By: Councillor French

THAT the July 2014 Warden's Activity Report dated August 14, 2014 be received for information;

Carried

10. By-Laws

2014-220

Moved By: Councillor Forrest

Seconded By: Councillor Schneider

- 3427-2014 A By-law to Adopt Amendment No. 140 to the County of Perth Official Plan;
- 3429-2014 A By-law to Enter into an Election Services Agreement between The Corporation of the Municipality of West Perth and the Corporation of the County of Perth;

THAT the By-laws listed above be read a first, second and third time and finally passed;

Carried

15. Confirmatory By-Law

2014-221

Moved By: Councillor Judge

Seconded By: Councillor McKenzie

THAT By-law 3430-2014, 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 14, 2014 be read a first, second and third time;

Carried

14. Closed Session Meeting and Reporting Out - None

16. Adjournment

2014-222

Moved By: Councillor Forrest

Seconded By: Councillor Judge

THAT the meeting adjourn at 11:27 AM;

Carried

Warden, Robert Wilhelm

Bill Arthur, CAO/Deputy Clerk