



Day One: Committee of the Whole

Highways, Facilities, Planning & Corporate

Minutes - April 13, 2011

GODERICH, ONTARIO



COMMITTEE OF THE WHOLE DAY 1

Goderich, Ontario
April 13th, 2011

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 13th of April, 2011. All members of Council were present except for Councillor Jewitt. Chair B. Dowson called the meeting to order at 9:00 a.m. Councillor Klopp arrived at 9:03 a.m. Councillor Rintoul arrived at 9:55 a.m. Councillor Shewfelt left the meeting at 12:00 p.m. Councillor Frayne left the meeting at 12:39 p.m.

Declarations of Pecuniary Conflict of Interest and the General Nature Thereof:

There were no declarations of pecuniary conflict of interest.

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor A. Versteeg:

THAT:

The Committee of the Whole Day 1 April 13th, 2011 Agenda be accepted and all Reports included in the Agenda; be received.

CARRIED

Delegation:

Bob Budd presentation entitled "Rural Residential Impact Study":

Bob Budd a resident of Huron County delivered a power point presentation entitled Rural Residential Impact Study.

MOTION:

Moved by: Councillor B. Barnim and Seconded by: Councillor T. Hessel:

THAT:

The rules of procedure; be waived to allow Mr. Budd to continue with his presentation for five more minutes.

CARRIED

Councillor's Issues:

Councillor Barnim inquired about a delegation that is scheduled to attend the Sixth Session of County Council. Clerk Wilson explained the circumstances surrounding the delegation. There was some discussion.

Warden Vincent reported he had attended a workshop in Palmerston entitled The Essentials of Fire Training. It is to be held again on May 18th, 2011. This workshop is offered by the Office of the Fire Marshal. Warden Vincent strongly recommended all municipal Councillors attend this 7 hour workshop on the rules and regulations governing their Fire Services.

MOTION:

Moved by: Councillor J. Ginn and Seconded by: Councillor B. Siemon:

THAT:

The Motion tabled from the November 10th, 2010 Council meeting; "that the Honorarium Schedule "A" amendment to the proposed By-law"; be brought back to a future meeting; with staff directed to prepare a Report.

CARRIED

C.A.O. Adams advised of the thank you card received from Warden Vincent and his family thanking Council for their condolences during the passing of Warden Vincent's mother.

C.A.O. Adams advised that the Motion requested by County Council to be prepared for the lower tier Councils for their consideration; regarding the closing of the County jails in Walkerton, Owen Sound and Sarnia was sent to the Clerks in the lower tiers and County Councillors on Monday by Clerk Wilson.

6. Report of the Regional Information Co-ordinator OMAFRA:

Jane Muegge, Regional Information Co-ordinator, Ontario Ministry of Agriculture, Food and Rural Affairs delivered a presentation for the information of the Committee.

7. Public Works Department:

Dave Laurie, Director of Public Works and Mike Alcock, Civil Engineering Technologist presented the following reports for the information of the Committee.

7.1 Former MTO Patrol Yard (Grand Bend) – Lease to Municipality of Lambton Shores:

MOTION:

Moved by: Councillor P. Klopp and Seconded by: Councillor B. Barnim:

THAT:

The recommendation of Dave Laurie, Director of Public Works; to offer to lease the former MTO patrol yard (Grand Bend) to the Municipality of Lambton Shores for a period of one year; be approved;

AND FURTHER THAT:

The lease rate of \$1.00 per square foot, per month (3,500 square feet) for a lease rate of \$3,500 per month; be approved;

AND FURTHER THAT:

A lease agreement be prepared; if the Municipality of Lambton Shores is in agreement with this offer;

AND FURTHER THAT:

Should the Municipality of Lambton Shores enter into a lease agreement; the lease revenue would be used to offset any repair costs and/or demolition costs, with any funds remaining; to be used to offset any expenses related to the sale of the property.

CARRIED

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor B. Barnim:

THAT:

The recommendation of Dave Laurie, Director of Public Works; that should the Municipality of Lambton Shores agree to lease the property for one year; following the one year lease; the property be assessed and the Public Works Department prepare a Report for Council regarding the sale of the site; be approved.

CARRIED

7.2 Boundary Bridge 15 (BB15) Bridge Rehabilitation:

MOTION:

Moved by: Councillor J. Ginn and Seconded by: Councillor J. Steffler:

THAT:

The recommendation of Dave Laurie, Director of Public Works; to award the tender for the Boundary Bridge 15 (BB15) Rehabilitation Project; to AJN Builders Inc., for the tendered price of \$126,376.94 (including HST); based on estimated quantities; be approved;

AND FURTHER THAT:

The tendered price does not include Engineering, Construction Supervision, Contingency Allowance or County Administration.

CARRIED

7.3 Boundary Bridge 16 (BB16) Bridge Rehabilitation:

MOTION:

Moved by: Councillor D. Riach and Seconded by: Councillor G. Robertson:

THAT:

The recommendation of Dave Laurie, Director of Public Works; to award the tender for the Boundary Bridge 16 (BB16) Rehabilitation Project; to Weathertech Restoration Services Inc., for the tendered price of \$218,005.25 (including HST); based on estimated quantities; be approved;

AND FURTHER THAT:

The tendered price does not include Engineering, Construction Supervision, Contingency Allowance or County Administration.

CARRIED

7.4 Culvert #84-4.9 Repairs (Project BR 1010) & Culvert # 84.9.9 Repairs (Project BR 1011):

David Carey, Treasurer added these comments; 84-4.9- Budget \$120,000 and 84-9.9 Budget \$130,000 total \$250,000.

MOTION:

Moved by: Councillor A. Versteeg and Seconded by: Councillor P. Gowing:

THAT:

The recommendation of Dave Laurie, Director of Public Works; to award the tender for the Culvert #84-4.9 (Project BR 1010) and Culvert #84-9.9 (Project BR 1011); to Theo Vandenberg Construction; for the tendered price of \$61,212.10 (including HST); based on estimated quantities; be approved;

AND FURTHER THAT:

The tendered price does not include Engineering, Site Supervision, Contingency Allowance or County Administration.

CARRIED

7.5 Culvert #81-2.5 Replacement Project (Contract No. BR 1009)

David Carey, Treasurer added these comments; "Rather than utilize the capital reserve; it is suggested that the savings found in BB15, BB16, Culvert 84-4-9 and Culvert 8-9.9 be used. The savings found in these projects total \$215,000 and only an additional \$70,000 is required over the budget amount."

MOTION:

Moved by: Councillor Shewfelt and Seconded by: Councillor Van Diepenbeek:

THAT:

The recommendation of Dave Laurie, Director of Public Works; to award the tender for the Culvert #814-2.5 Replacement Project (Contract No. BR 1009); to VanDriel Excavating Inc., for the tendered price of \$422,306.12 (including HST), based on estimated quantities; be approved;

AND FURTHER THAT:

The tendered price does not include Engineering, Site Supervision, Contingency Allowance or County Administration.

CARRIED

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor G. Robertson:

THAT:

The Council of the County of Huron direct the Clerk to forward correspondence to the Conservation Authorities and the Department of Fisheries and Oceans requesting them to fund the costs for additional amenities to culverts and streams during repairs and maintenance. The Conservation Authorities and the Department of Fisheries and Oceans should consider the costs to the taxpayers when they are requesting additional features.

CARRIED

7.6 Contract HC 11-701 – 3 Year Vegetation Management 2011-2013:

MOTION:

Moved by: Councillor D. Frayne and Seconded by: Councillor J. Dietrich:

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist; to award the tender for Contract HC 11-701- 3 Year Vegetation Management 2011-2013; to DeAngelo Brothers Corp.; for the tendered price of \$64,314.52 (including HST); based on estimated quantities; be approved.

CARRIED

8. Planning and Development:

8.1 Consents:

The authority to grant or refuse to grant consents is delegated to the Committee of the Whole under By-law No. 5-2009. Decisions become effective upon a carried motion of the Committee of the Whole. County Council is notified for information and appeal purposes only.

There were no consents for Committee's consideration at this meeting.

8.2 Delegated Consents:

The authority to grant undisputed consents is delegated to the Director of Planning and Development under By-law 5-2009. The report lists the applications which received provisional consent approval since the last report. County Council is notified for information and appeal purposes only.

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor G. Robertson:

THAT:

The recommendation of Senga Smith, Land Division Secretary; that no objections be lodged further to the Delegated Consents submitted with the Report of April 13th, 2011; be approved.

CARRIED

8.3 Zoning By-laws:

Zoning By-laws and amendments are circulated to the County from local municipalities. These By-laws are reviewed for conformity with the County Official Plan and with the local Official Plan. The By-laws are listed in the attached Report.

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor J. Dietrich:

THAT:

The recommendation of Scott Tousaw, Director of Planning and Development; that no objections be lodged further to the Zoning By-laws submitted with the Report of March 21st, 2011; be approved.

CARRIED

8.4 Subdivisions:

8.4 a) Plan of Subdivision 40T08002 :

Randall Oke (Owner), Ronald C. Delanghe Lerner & Associates (Applicant/Agent), Part of Park Lots A, D, E, F, & G, Plan 323, Zurich Ward, Municipality of Bluewater (currently condo units on Knell Crescent Huron Vacant Land Condominium Plan #2):

A request has been made for an extension to Plan of Subdivision 40T08002 which received draft approval on July 2, 2008. Draft approval was given for a 3 year period to expire on July 2, 2011. The request for extension is for a 2 year period to expire on July 2, 2013. The applicant's lawyer is requesting additional time to de-register the vacant land condominium affecting these lands, and to transfer the road allowance to the municipality. It is recommended that draft plan approval be extended for 2 years to expire on July 2, 2013.

MOTION:

Moved by: Warden N. Vincent and Seconded by: Councillor B. Siemon:

THAT:

The recommendation of Senga Smith, Land Division Secretary, to extend draft plan approval for Subdivision 40T08002 for 2 years to expire on July 2, 2013; be approved.

CARRIED

8.5 Community Economic Development:

8.5 a) Business Retention & Expansion (BR+E) Activities:

Rural Economic Development (RED) funding from OMAFRA was approved in late 2010 for a variety of BR+E activities in Huron County. Building on successes from Phase I RED funding, Phase II is a 2-year program that will complete two more community BR+E action plans (Clinton and Seaforth) and assist with the implementation of the five previously completed BR+E community action plans (Goderich, South Huron, Wingham, Bayfield and Brussels). A consolidated report will also be developed using the data and action plans from all BR+E

studies; this report will be used to apply for future implementation and project funding.

Through the structure of the Huron Economic Development Partnership, RED funding will also be available for community BR+E related projects. A program brochure will be distributed at the meeting. Mr. Douglas Barill has been hired on a 2-year employee contract through the RED funding as a Business Development Coordinator. His role will be to assist communities, businesses and organizations throughout the County with developing and implementing BR+E actions and projects. This support and core service was identified as a key recommendation in the recently approved Economic Development Blueprint Strategy. Mr. Barill brings expertise and experience to this position.

Director of Planning and Development Scott Tousaw introduced Douglas Barill.

8.5 b) Huron Clean Water Project:

The Huron Clean Water Project provides financial and technical assistance to County residents to improve and protect water quality. The project is funded by the County of Huron and delivered by the Ausable Bayfield and Maitland Valley Conservation Authorities.

In 2010, Huron County contributed \$250,000 to the Clean Water Project, and OMAFRA supplemented the program with an additional \$162,465. The Clean Water Project Review Committee approved 228 projects and \$322,316 in grants in 2010.

Doug Hocking, representing the Maitland Valley Conservation Authority and staff support to the Clean Water Protection Committee presented a summary of the 2010 Clean Water Project.

Committee members were given an opportunity to ask questions about the Clean Water Project for 2010.

8.6 Meetings:

8.6 a) Public Meeting for Plan of Subdivision affecting the Municipality of South Huron:

A County Councillor is required to attend the public meeting for the Palen Plan of Subdivision (File 40T 10001) at 6:00 p.m. on Monday, May 16, 2011 at the South Huron Municipal Office, 322 Main Street, Exeter.

MOTION:

Moved by: Councillor D. Frayne and Seconded by: Councillor B. MacLellan:
THAT:

Councillor B. Barnim be appointed as County Council's representative at the public meeting for the Palen Plan of Subdivision at 6:00 p.m. on Monday May 16, 2011 at the South Huron Municipal Office, 322 Main Street, Exeter.

CARRIED

8.7 Forest Conservation:

8.7 a) Notices of Intent Under the Tree By-law:

	<u>Contractor</u>	<u>Property Owner</u>	<u>Acres</u>	<u>Location</u>
1.	Miller Wood Products	Bill Pincombe	10	Lot A, Con. 5, South Huron (Usborne Ward)
2.	Miller Wood Products	Dalton Jaques	5	Lot A, Con. 6, South Huron (Usborne Ward)
3.	Charles Wick	Charles Wick	100	S. Pt. Lot 26, Con. 7, Morris-Turnberry (Morris Ward)

8.7 b) Changes to Canadian Food Inspection Agency (CFIA) Regulation of Emerald Ash Borer (EAB) in Huron County:

The CFIA changed the EAB regulation on March 25, 2011, apparently without consultation to stakeholders, which has potentially devastating effects on the health of Ash trees and woodlands in Huron County. The report outlines detailed recommendations.

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Warden N. Vincent:
THAT:

The recommendation of David Pullen, Forest Conservation Officer that; Huron County object strongly to the CFIA's March 25th, 2011 Ministerial Order that will allow unrestricted movement of EAB-infested material into and around Huron County; be approved;

AND FURTHER THAT:

Huron County work with Perth County to ask CFIA for:

- a) A reversal of the March 25th Ministerial Order as it applies to Huron and Perth Counties;

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- b) The designation of Huron and Perth Counties into one CFIA-regulated area to slow the spread of EAB;
- c) Huron County further co-operate with Perth County to investigate the implementation of a By-law under *the Municipal Act, S.O. 2001, c. 25*; to restrict the entry and movement of ash products in order to slow the spread of EAB;
- d) The EAB-related road signage erected by the County in 2009; be left in place while the County determines how to prevent the unregulated entry and movement of infested ash products;
- e) Appeal to the industry and individuals to help slow the spread of EAB;

AND FURTHER THAT:

This correspondence be forwarded to our local MPP, the Federal Government, MNR, Premier of Ontario

Councillor J. Ginn requested a Recorded Vote for this Motion:

YEAS: Robertson
 Versteeg
 Dietrich
 Siemon
 Frayne
 Ginn
 Dowson
 Hessel
 Steffler
 Klopp
 Riach
 Grace
 Rintoul
 Gowing
 Vincent
 Shewfelt
 MacLellan
 Barnim
 Van Diepenbeek

NAYS:

ABSENT: Jewitt

YEAS: - 19; NAYS: - 0; ABSENT: - 1

CARRIED

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor D. Riach:

THAT:

In order to prevent infected firewood from being brought into Huron County; staff be directed to forward correspondence to the Ministry of Natural Resources requesting they enact a firewood movement ban in Huron County.

CARRIED

8.8 Natural Heritage Strategy - Advisory Committee:

The establishment of the Natural Heritage Strategy Advisory Committee was approved by County Council in 2010 with the following representation:

Maitland Valley Conservation Authority, Saugeen Valley Conservation Authority, Ausable Bayfield Conservation Authority, Upper Thames River Conservation Authority, Ministry of Natural Resources, the Huron County Planning Department, a Municipal Clerk, Agricultural representative, Nature Conservancy Canada and Huron Stewardship Council, and two County Councillors (one to act as chair).

The Huron Farm Environmental Coalition has requested that the Committee include three agricultural representatives, to represent the Huron Federation of Agriculture, Christian Farmers Federation of Ontario and the National Farmers Union. The Nature Conservancy would rather participate through the Technical Committee and the Water Protection Steering Committee. The Lower Maitland Stewardship Group and the Huron Perth Woodlot Association bring local expertise regarding woodlot management and stewardship activities.

It is recommended that the membership of the Natural Heritage Strategy Advisory Committee be revised to reflect these changes.

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor A. Versteeg:

THAT:

The recommendation of Susanna Reid, Planner; that the composition of the Natural Heritage Strategy Advisory Committee; be revised to include a representative from each of Maitland Valley Conservation Authority, Saugeen Valley Conservation Authority, Ausable Bayfield Conservation Authority, Upper Thames River Conservation Authority, Ministry of Natural Resources, the Huron County Planning Department, a Municipal Clerk, three agricultural representatives, Huron Stewardship Council, Huron Perth Woodlot Association,

Lower Maitland Stewardship Committee and two County Councillors (one to act as Chair); be approved.

CARRIED

8.9 Waste Management:

8.9 a) Municipal Hazardous or Special Waste (MHSW) – Program Report

The County has been operating MHSW services (commonly called Household Hazardous Waste) through mobile event days since 2003 and through the year-round depot since 2009. The program report shows collection and usage data across all of the materials and service locations.

8.9 b) Request for Proposals for Municipal Hazardous or Special Waste Services (MHSW):

A request for proposal was circulated for the provision of MHSW services (transportation and processing) for the County's year-round depot in Holmesville as well as any mobile Event Days. Two submissions were received by the closing date of March 28, 2011. The report explains the evaluation and selection of the preferred bidder.

It is recommended that the proposal submitted by Hotz Environmental Services be accepted and an agreement be signed.

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor P. Gowing:

THAT:

The recommendation of Craig Metzger, Senior Planner, to accept the proposal submitted by Hotz Environmental Services; for the provision of municipal hazardous or special waste services in the amount of \$277,748.35; be approved;

AND FURTHER THAT:

A By-law; be prepared for County Council to authorize the Warden and Clerk to enter into an agreement with Hotz Environmental Services for the provision of municipal hazardous or special waste services; be approved.

CARRIED

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor P. Klopp:

THAT:

The Planning and Development Department; be directed to bring back a report on the Stewardship Ontario rebate funding program for household hazardous waste; including recommendations for improvements to the system.

CARRIED

9. Administration, Policies & Other Issues:

David Carey, County Treasurer presented the following Report for the information of Committee.

9.1 a) County provided Vehicles – Cost of Fuel:

MOTION:

Move by: Councillor D. Frayne and Seconded by: Councillor D. Riach:

THAT:

The Report entitled County provided Vehicles – Cost of Fuel by Treasurer David Carey; be noted and filed.

CARRIED

10. Correspondence:

There was some discussion regarding the South West Economic Alliance (SWEA) and whether Huron County should continue with the membership for 2011.

CAO Adams advised this is an item that is on the Committee of the Whole Day 2 Agenda for April 20th, 2011. Councillor Van Diepenbeek requested that staff research the benefits of Huron County belonging to SWEA. There was also a request to clarify the per diem paid for individuals who sit on the Board of Directors for SWEA

The following Motion was forwarded by the CAA South Central Ontario and the Ontario Good Roads Association. Correspondence from the Region of Halton, the City of Mississauga and the Town of Ingersoll have been received supporting this Motion.

MOTION:

Moved by: Councillor Siemon and Seconded by: Councillor Van Diepenbeek:

THAT:

WHEREAS the introduction of the Harmonized Sales Tax (H.S.T.) on July 1st, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario;

AND WHEREAS based on 2010 average price levels of gasoline and diesel, and 2009 average consumption levels in Ontario, the Government of Ontario's projected new revenue will be approximately \$1.53 billion annually;

AND WHEREAS the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario's municipalities of approximately \$3.8 billion;

AND WHEREAS a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario's municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure;

NOW THEREFORE BE IT RESOLVED THAT the Council of the County of Huron requests that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure;

AND FURTHER THAT a copy of this Resolution be forwarded to Premier Dalton McGuinty, Hon. Dwight Duncan, Minister of Finance, Hon. Kathleen Wynne, Minister of Transportation, Hon. Bob Chiarelli, Minister of Infrastructure, the Ontario Good Roads Association and to CAA South Central Ontario.

CARRIED

11. Accounts and Financial Statements:

Accounts up to and including March 31st, 2011 were reviewed.

Highways	\$378,765.39
Fleet	\$125,773.63
Planning	\$111,293.65

MOTION:

Moved by: Councillor N. Rintoul and Seconded by: Councillor G. Robertson:

THAT:

The accounts up to and including March 31st, 2011; be received.

CARRIED

"Closed to the Public Session":

Next Meeting:

The next meeting of Committee of the Whole Day will be in Goderich on Wednesday May 11th, 2011 at 9:00 a.m.

NOTICE OF MOTION:

Moved by: Councillor B. MacLellan

THAT:

The issue of personal fuel compensation; be considered on the COTW Day 1 Agenda.

Adjournment:

MOTION:

Moved by: Councillor P. Gowing and Seconded by: Councillor J. Dietrich:

THAT:

The meeting adjourn at 12:50 p.m.

CARRIED

Chair B. Dowson