



Day One: Committee of the Whole

Highways, Facilities, Planning & Corporate

Minutes - January 12, 2011

GODERICH, ONTARIO



COMMITTEE OF THE WHOLE DAY 1

Goderich, Ontario
January 12th, 2011

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 12th of January, 2011. All members of Council were present. At 1:30 p.m. Councillors D. Shewfelt, B. MacLellan and J. Grace left the meeting.

Warden Neil Vincent called the meeting to order at 9:04 a.m.

Election of the Chair and Vice-Chair of the Committee of the Whole Day 1 for 2011:

Warden Vincent requested a Motion to nominate a Chair of the Committee of the Whole Day 1 for 2011. Warden Vincent called three times for nominations for the Chair of the Committee of the Whole Day 1 for 2011.

Councillor MacLellan nominated Councillor Bill Dowson as Chair of the Committee of the Whole Day 1 for 2011.

Warden Vincent confirmed with Councillor Dowson that he would be in favour of the nomination of Chair of the Committee of the Whole Day 1 for 2011. Councillor Dowson agreed to have his name stand as Chair of the Committee of the Whole Day 1 for 2011.

MOTION:

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

THAT:

Councillor Bill Dowson; be nominated as the Chair of the Committee of the Whole Day 1 for 2011.

CARRIED

Warden N. Vincent turned the Committee of the Whole Day 1 meeting over to Chair Dowson.

Chair Dowson requested a Motion to nominate a Vice-Chair of the Committee of the Whole Day 1 for 2011. Chair Dowson called three times for nominations for the Vice-Chair of the Committee of the Whole Day 1 for 2011.

Councillor B. Siemon nominated Councillor Jim Ginn as Vice-Chair of the Committee of the Whole Day 1 for 2011.

Chair Dowson confirmed with Councillor Ginn that he would be in favour of the nomination of Vice-Chair of the Committee of the Whole Day 1 for 2011. Councillor Ginn agreed to have his name stand as Vice-Chair of the Committee of the Whole Day 1 for 2011.

MOTION:

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

THAT:

Councillor J. Ginn; be nominated as the Vice-Chair of the Committee of the Whole Day 1 for 2011.

CARRIED

MOTION:

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

THAT:

The Committee do now go into a "Closed to the Public Session" at 9:15 a.m. under *Section 239 of the Municipal Act, 2001 as amended*:

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose

AND FURTHER THAT:

Greg Stewart, County Solicitor, CAO Larry C. Adams, Treasurer/Deputy CAO David Carey and County Clerk Barbara L. Wilson remain in attendance.

CARRIED

MOTION:

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

THAT:

The Committee rise from the "Closed to the Public Session" at 9:55 a.m.

CARRIED

There was a great deal of discussion regarding the composition of County Council and the Huron County By-law No. 28-1999 that sets out the composition of County Council.

MOTION:

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

THAT:

County Council; review the composition of County Council.

Chairman Dowson requested a Recorded Vote:

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor T. Hessel:

THAT:

The Motion for County Council to review the composition of County Council; be tabled until there is further discussion at the Strategic Planning meeting.

CARRIED

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

There were no declarations of pecuniary conflict of interest except for Councillor B. Barnim who declared a conflict of interest with Item number 9.1 a) Consent Application Lighthouse Cove. Councillors Van Diepenbeek, Rintoul and Ginn all declared conflicts of interest when Item number 10.4 was discussed.

Approve Agenda:

MOTION:

Moved by: Councillor J. Steffler and Seconded by: Councillor B. Barnim:

THAT:

The Committee of the Whole Day 1 Agenda for January 12th, 2011; be accepted and all Reports included in the Agenda; be received.

CARRIED

5. Delegation:

Melissa Campion, Events Coordinator for the Alzheimer Society of Huron County briefly reviewed the function of the Alzheimer Society of Huron County. Melissa was also hoping to find a team of County Councillors to participate in the 16th Annual Walk for Memories on Saturday January 29th, 2011.

MOTION:

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

THAT:

County Council; support the Alzheimer 16th Annual Walk for Memories by walking individually or by financially supporting someone who is walking.

CARRIED

6. Councillor's Issues:

Councillor B. MacLellan requested when individuals attend Committee meetings with interest in an item on the Agenda, that if possible the item be moved forward on the Agenda to accommodate the individuals.

7. 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 Committee.

Councillor Van Diepenbeek expressed a concern about manure spreading in the winter and manure storage. Jane Muegge advised that the Ministry of the Environment (MOE) is the agency that enforces this issue; however the public is encouraged to contact the OMAFRA or the MOE office at any time with these concerns.

8. Public Works Department:

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

8.1 Boundary Bridge #3 – Ownership Transfer (Ramsay Line):

MOTION:

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

THAT:

The recommendation of Dave Laurie, Director of Public Works to transfer ownership of Boundary Bridge #3 to the Municipality of Morris-Turnberry; be approved;

AND FURTHER THAT:

A By-law; be prepared for the February Council meeting to devolve the County of ownership.

CARRIED

8.2 Boundary Bridge #2 – Ownership Transfer (Clyde Line, Bluevale):

MOTION:

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

THAT:

The recommendation of Dave Laurie, Director of Public Works to transfer ownership of Boundary Bridge #2 to the Municipality of Morris-Turnberry; be approved;

AND FURTHER THAT:

A By-law; be prepared for the February Council meeting to devolve the County of ownership.

CARRIED

8.3 Renewal of Huron/Bruce Boundary Agreement:

MOTION:

Moved by: Councillor T. Hessel and Seconded by: Warden N. Vincent:

THAT:

The recommendation of Dave Laurie, Director of Public Works to review, adopt and execute the Boundary Agreement between the County of Huron and the County of Bruce for the routine maintenance and repair of boundary roads, bridges and culverts in Huron and Bruce Counties; be approved;

AND FURTHER THAT:

A By-law; be prepared for the February Council meeting to authorize the Agreement with the County of Bruce.

CARRIED

8.4 Capital Budget Surplus – 2010:

MOTION:

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

THAT:

The recommendation of Dave Laurie, Director of Public Works to transfer all surpluses from the 2010 Public Works Capital Budget to the Department's Accumulated Surplus for use in 2011 or in future years; be approved.

CARRIED

8.5 Tendering 2011 Capital Projects Use of 80% of last year's approved budget:

MOTION:

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

THAT:

The recommendation of Dave Laurie, Director of Public Works to allow 80% of last year's approved capital funding to tender a portion of the proposed 2011 work early in January, February and March; be approved.

CARRIED

9. Planning and Development:

9.1 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.

Councillor B. Barnim declared a conflict of interest with the next item.

9.1 a) B32/10 – 1404569 Ontario Limited (aka Lighthouse Cove, c/o George Land) Part Lot 36 & 37, Conc. 1, Goderich Township West Ward, Municipality of Central Huron:

The purpose and effect of this application is for lot creation. The land to be severed contains an existing house and small shed approximately 0.34 ha. The land to be retained is approximately 9.73 ha with existing trailers, shed and community hall. The application has been recommended for approval by the Municipality of Central Huron. The application is being recommended for approval by the Planning & Development Department. The application is being heard by Committee because of concerns raised by neighbours.

Susanna Reid, Planner reviewed the application.

An opportunity was given to members of the public in attendance to ask questions. Barry Brant, a Norma Street property owner questioned if the municipal water service fee of \$5,000 would have to be paid for the lot that is created. Susanna Reid answered that there is a municipal water service fee that would need to be paid.

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor J. Dietrich:

THAT:

Consent Application B32/10; requesting separation and conveyance of a parcel of land described as; Part Lots 36 & 37, Conc. 1, Goderich Township West Ward, Municipality of Central Huron; be given Provisional Consent as the severance conforms to the Central Huron Official Plan and *Section 51(24) of the Planning Act, RSO 1990, as amended*; subject to conditions.

CARRIED

9.1 b) Huron County Federation of Agriculture (HCFA):

A letter dated November 15th, 2010 was received from HCFA requesting that the Federation be circulated on Consent (Severance) Applications.

MOTION:

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

THAT:

In future Consent (Severance) Applications within an agricultural designation area; be circulated to the Huron County Federation of Agriculture; for information.

DEFEATED

9.1 c) B45/10 – R. Vodden and J. Palmer:

MOTION:

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

THAT:

The Motion of September 8th, 2010; "to approve the Vodden Consent B45/10; be tabled; until review of the relevant planning policies is completed"; be raised from the table.

CARRIED

On September 8, 2010 at the Committee of the Whole Day 1, after a full discussion of the application, a Motion was passed that "The Vodden Consent B45/10 be tabled until review of the relevant planning policies." Pursuant to procedure, the tabling motion ended discussion on the file and no explanation was given on the requested review.

At the October 6, 2010 County Council meeting, the mover and seconder (Councillors MacLellan and Bezaire) of the tabling motion provided clarification

that they were interested in seeing a study conducted on the possibility of similar parcels for severance in the County and the advantages and disadvantages of allowing such severances. The Councillors also clarified that they were asking the Planning and Development Department to conduct the study rather than the applicant.

A study was undertaken to assess the number and effect of rural severances similar to the lot requested by the Vodden/Palmer application. The possible rural residential lots would be approximately 9,500 and the possible additional MDS restriction would be 120,000 acres (a further 17% of the County). This figure would show there would be enough building lots for 70 years. Important to keep in mind that residential lots are prohibited in agricultural areas by the Provincial Policy Statement, the County Official Plan and municipal Official Plans.

It is recommended that this report be reviewed, and consent application B45/10 be brought back for a decision at the February 2011 meeting of the Committee of the Whole Day 1.

The Rural Residential Severance Impact Study was reviewed with the Committee. A great deal of discussion ensued.

Upon further review of the September 8th, 2010 Committee of the Whole Day 1 minutes; the Motion considered on January 12th, 2011, that was Moved by: Councillor B. Siemon and Seconded by: Councillor D. Shewfelt; "to deny Severance application B45/10 – R. Vodden and J. Palmer;" is out of order. There is a Motion on September 8th, 2010; that was Moved by: Councillor T. Collyer and Seconded by: Councillor J. Seili; to approve Consent Application B45/10. Then it was Moved by: Councillor B. MacLellan and Seconded by: Councillor J. Bezaire; to table the motion to approve Consent Application B45/10; until there is a review of the relevant planning policies. The Motion to approve from September 8th; must be dealt with first by Committee.

MOTION:

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

THAT:

The recommendation from Scott Tousaw, Director of Planning and Development to forward Application B45/10 for Vodden and Palmer to create a rural residential building lot in an Agricultural Designation; be tabled pending receipt of additional information from the Planning Department.

CARRIED

9.1 d) Notice of Appeal File B57/10 – Calvin Halliday (owner), Colin Martin (agent for Markham Waterloo Mennonite Conference), Part of Park Lots 20 & 21, Plan 243, being Part of Part 2, Plan 22R-3977, Village of Fordwich, Township of Howick:

The Severance Application B57/10 was approved by Committee of the Whole Day 1 on November 10, 2010. A letter of appeal was received by a neighbour, Monique Mason objecting to the Severance. The letter of appeal and supporting documentation has been forwarded to the Ontario Municipal Board (OMB); as required.

9.2 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 J. Dietrich and Seconded by: Councillor B. Siemon:

THAT:

The recommendation of Senga Smith, Land Division Secretary; that no objections be lodged further to the Delegated Consents submitted with the Report of January 12th, 2011; be approved.

CARRIED

9.3 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 Report entitled Zoning By-laws.

MOTION:

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

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 January 4th, 2011; be approved.

CARRIED

9.4 Community Economic Development:

9.4 a) 2011 Huron County Vacation Guide:

MOTION:

Moved by: Councillor B. Van Diepenbeek and Seconded by: Councillor J. Ginn:

THAT:

The recommendation of Cindy Fisher, Tourism Coordinator and Jenna Ujiye, Tourism Marketer that the 2011 Huron County Vacation Guide be printed by Commercial Print Craft for a cost not exceeding \$37,100.00 plus applicable tax for 108 inside pages with 8 page cover; be approved.

CARRIED

9.4 b) 2011 Event Planner and Social Awareness Co-ordinator Contract:

MOTION:

Moved by: Councillor J. Ginn and Seconded by: Councillor T. Hessel:

THAT:

The recommendation of Cindy Fisher, Tourism Coordinator and Jenna Ujiye, Tourism Marketer; that the 2011 Event Planner and Social Awareness Co-ordinator contract be awarded to EMPIRE Consulting at a cost of \$25,000.00 (exclusive of applicable taxes); be approved.

CARRIED

9.4 c) 22nd Annual Huron County Tourism Event and Brochure Swap:

The County and the Huron Tourism Association will host this annual Tourism Event in Seaforth on Thursday April 28, 2011. County Councillors are requested to save the date and will receive registration brochures in February.

9.4 d) Draft Economic Development Strategy:

An overview of key findings and recommendations from the Report entitled Draft Economic Development Strategy and the accompanying Report entitled Economic Development Opportunities Blueprint were presented at the meeting by Michael Pullen, Senior Economic Development Officer and Jon Linton, Director of TCI Management Consultants.

MOTION:

Moved by: Councillor D. Frayne and Seconded by: Councillor B. Siemon:

THAT:

The recommendation of Michael Pullen, Senior Economic Development Officer; that the draft Huron County Economic Development Strategy and accompanying Report; be received and circulated for the purpose of review and discussion at the February 9th, 2011 Committee of the Whole Day 1 meeting and in the context of the 2011 budget deliberations; be approved.

CARRIED

9.5 Forest Conservation:

Scott Tousaw introduced David Pullen, who was the successful candidate to fill the Forest Conservation Officer position.

MOTION:

Moved by: Councillor G. Robertson and Seconded by: Councillor T. Hessel:

THAT:

The recommendation of Scott Tousaw, Director of Planning and Development, that David Pullen be appointed as the Huron County Forest Conservation Officer; be approved;

AND FURTHER THAT:

This appointment; be confirmed by By-law at the February 2nd, 2011 County Council meeting.

CARRIED

10. ADMINISTRATION, POLICIES & OTHER ISSUES:

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

10.1 Liability Insurance Premium 2011:

MOTION:

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

THAT:

The recommendation of David Carey, Treasurer; that the 2011 liability insurance premium in the amount of \$304,732 plus applicable taxes be paid to Frank Cowan Insurance Company; be approved.

CARRIED

10.2 Appointment of External Auditor:

MOTION:

Moved by: Councillor J. Dietrich and Seconded by: Councillor B. Barnim:

THAT:

The recommendation of David Carey, Treasurer; that Vodden, Bender & Seebach LLP; be appointed as the County's external auditor for the 2010 and 2011 fiscal years; be approved.

CARRIED

10.3 County Calendar for 2011:

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor D. Frayne:

THAT:

The County establish the following events; subject to available facilities and resources:

- Invitation to attend County Council on April 6th, 2011 to:
- Past Wardens, Huron-Bruce M.P. Ben Lobb, Huron-Bruce M.P.P. The Honourable Carol Mitchell, and the local municipalities of Central Huron, Huron East, Bluewater and South Huron (the remaining local municipalities will be invited to attend County Council in 2012)
- Warden's Banquet on November 4th, 2011;

AND FURTHER THAT:

The County Calendar for 2011; be approved.

CARRIED

10.4 Notice of Motion:

Councillors Van Diepenbeek, Rintoul and Ginn declared a pecuniary conflict of interest with regard to Item 10.4 – Notice of Motion.

The Notice of Motion from Councillor B. Siemon at the Second Session on January 5th, 2011:

THAT:

County Council direct the Planning Department to establish a committee of lower tier and county representatives and county staff to investigate the effect and action that may be taken by governments concerning low frequency noise.

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor D. Jewitt:

THAT:

County Council direct the Planning Department to establish a Committee of Lower Tier and County representatives and County staff to investigate the effect and action that may be taken by governments concerning low frequency noise.

Councillor Siemon requested a Recorded Vote:

YEAS: Steffler
Hessel
Dowson
Riach
Robertson
Klopp
Vincent
Frayne
Jewitt
Siemon
Dietrich
Barnim
Gowing

NAYS: Versteeg

CONFLICT OF INTEREST: Van Diepenbeek
Ginn
Rintoul

ABSENT: Grace
MacLellan
Shewfelt

CARRIED

11. Correspondence:

12. Accounts and Financial Statements:

12. a) Accounts & Financial Statements:

Accounts up to and including November 30th, 2010 were reviewed.

Highways	\$238,587.50
Fleet	\$55,379.40
Planning	\$119,437.23

Financial statements for the period ending October 31st, 2010; were reviewed.

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	250,839	1,808,160	16,114,083	11,933,780	15,863,244	10,125,620
Fleet	1,749,344	1,732,270	1,243,638	1,557,010	(505,706)	(175,260)
Planning	793,793	908,810	2,537,766	2,906,090	1,743,973	1,997,280

MOTION:

Moved by: Councillor J. Steffler and Seconded by: Councillor D. Jewitt:

THAT:

The accounts up to and including November 30th, 2010 and the financial statements as of October 31st, 2010; be received.

CARRIED

12. b) Accounts & Financial Statements:

Accounts up to and including December 30th, 2010 were reviewed.

Highways	\$754,418.77
Fleet	\$30,361.28
Planning	\$188,808.19

Financial statements for the period ending November 30th, 2010; were reviewed.

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	310,805	1,988,976	17,205,314	13,127,158	16,894,509	11,138,182
Fleet	1,855,726	1,905,497	1,355,185	1,712,711	(500,541)	(192,786)
Planning	868,530	999,691	2,831,599	3,196,699	1,963,069	2,197,008

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MOTION:

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

THAT:

The accounts up to and including December 30th, 2010 and the financial statements as of November 30th, 2010; be received.

CARRIED

Next Meeting:

The next meeting of Committee of the Whole Day 1 will be in Goderich on Wednesday February 9th, 2011 at 9:00 a.m.

Adjournment:

MOTION:

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

THAT:

The meeting adjourn at 2:50 p.m.

CARRIED

Chair Bill Dowson