



Day One:
Committee of the Whole
Highways, Facilities, Planning & Corporate
Minutes - September 11, 2013

GODERICH, ONTARIO



COMMITTEE OF THE WHOLE DAY 1 – MEETING MINUTES

Goderich, Ontario
September 11th, 2013

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 11th day of September 2013.

1. Call to Order:

All members of Council were present. Councillor Vincent and Councillor Gowing departed at 10:50 a.m. Councillor Grace departed at 11:20 a.m. and returned at 12:34 p.m. Councillor Dowson departed at 12:30 p.m. Chair Ginn called the meeting to order at 9:00 a.m. Chair Ginn informed members that at 11:00 a.m. there will be a Closed to the Public Session.

2. Declaration of Pecuniary Interest:

Councillor Versteeg declared a Pecuniary Interest with regards to item 8.1 (a).

3. Approval of the Agenda:

MOTION:

Moved By: Councillor Dietrich and Seconded By: Warden Robertson

THAT:

The Committee of the Whole Day 1 Agenda for September 11th, 2013 be accepted and all reports included in the Agenda be received as presented.

CARRIED

4. Delegations:

4.1 Gateway Rural Health Research Institute presented an activity update and requested economic development partnership. Gwen Devereaux, President and Dr. Craig Hudson reviewed the presentations. Ms. Devereaux will forward the business plan for this project to staff for inclusion in the Grant Request Report.

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor MacLellan

THAT:

The Committee of the Whole Day 1 direct staff to prepare a report for the presentation to Council with regards to the request for financial support by the Gateway Rural Health Research Institute.

CARRIED

- 4.2 Overview of Western Ontario Warden's Caucus (WOWC) Broadband Feasibility Study. Lance Thurston, CAO Grey County, Secretary Western Ontario Warden's Caucus and Campbell Patterson, WOWC Consultant reviewed the presentation for Council information.

5. Councillor's Issues:

Councillor Steffler requested that the councillors be able to meet with the consultants retained for the provision of a review of the emergency management services of the County of Huron. CAO Orchard will organize a schedule to meet with the Consultants.

Councillor MacLellan informed members that with the departure of the Lambton Shores CAO, the report of the committee to review fire services (prevention, responsibilities and services) has not been completed. CAO Orchard will discuss this at the next Huron County CAOs meeting to get someone to take the lead and finish the coordination of this project. Councillor MacLellan will attend this meeting for information.

6. Agriculture & Rural Economic Development Advisor, OMAFA, re: Update on Agriculture and Economic Development Affairs:

Daryl Ball delivered a presentation for the information of the Committee on two funding opportunities. Growing Forward II Program encourages innovation, competitiveness and market development in Canada's agri-food and agri-products sector. Rural Economic Development Program (RED) helps rural communities remove barriers to community development and promote economic growth to support sustainable rural economies and regions, while developing the capacity, tools and flexibility they need to become stronger, more prosperous communities. Economic Development staff are investigating both of these programs.

7. Consent Agenda:

Planning and Development

- 7.1 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.

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

MOTION:

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, be approved.

7.2 Forest Conservation: Notices of Intent under the Tree By-law.

	Contractor	Property Owner	Acres	Location
1.	G & D Forestry	Ian Woolcock	50	Lot 5, Con. 10, MT, Turnberry Ward
2.	Kevin Winger	Matt Heipel	6	South Pt. Lot 13, Con B, MT, Turnberry Ward
3.	C & D Quality Logging Inc.	Ralph Crawford	12	Lot 42, Con 10, NH, East Wawanosh Ward
4.	C & D Quality Logging Inc.	Great Land Farms	10	Lot 41, Con 9, NH, East Wawanosh Ward
5.	C & D Quality Logging Inc.	Wayne Hopper	10	Lot 5, Con 4, MT, Turnberry Ward
6. ***	Martin's Cutting & Skidding Inc./Jesse Hinrich	Tim Bachery	12	Lot 41, Maitland Concession, CH, Goderich Ward
7.	G & D Forestry	Dave Heffer	15	Lot 4, Con 10, MT, Turnberry Ward
8.	Bruce County Forest Products	Burns Acres Ltd.	25	West Pt. Lot 28, Con 4, HE, McKillop Ward
9.	Bruce County Forest Products	Mike McNichol	30	North ½ Lot 13, Con 9, MT, Morris Ward
10.	Bruce County Forest Products	Ray & Mike McNichol	40	South ½ Lot 21 & 22, Con 7, MT, Morris Ward
11. ***	B. Kropf Forestry	James Reid	18	Lot 14, Con 6, Bluewater, Stanley Ward
12.	RJ's Tree Farm	Estate of Hermina Dyk C/O John Dyk	9	South Pt. Lot 4, Con 9, MT, Morris Ward
13.	RJ's Tree Farm	Stephen Webster	17	North Pt. Lot 2 & South Pt. Lot 5, Con 9, MT, Morris Ward
14.	Edgewood Lumber	Hillsight Farms Ltd.	16	Lot 24, Con 6, CH, Hullet Ward

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

15.	Edgewood Lumber	Flynn Farms (Clinton) Ltd.	8	Lot 24, Con 5, CH, Hullet Ward
16.	Edgewood Lumber	Kathryn O’Leary Swinkels	10	Lot 9, Con 5, HE, Tuckersmith Ward
17.	Edgewood Lumber	Hillsight Farms Ltd.	18	Lot 6 & 7, Con 28, CH< Hullet Ward
18.	K. Shea Logging Ltd.	Brad Pryce	7	Lot 29, Con 11, HE, McKillop Ward
19.	Bruce County Forest Products	Henry Hendricks	11	Lot 29 & 30, Con 4 LRS, HE, McKillop Ward
20.	Morley Logging Inc.	Larry Ratz	30	Lots 9 & 10, Con 14, SH, Stephen Ward

*** Marked by and woodlot prescription prepared by a member or associate member of the Ontario Professional Foresters Association in accordance with **“Good Forestry Practice”**

ACTION: Receive for information.

7.3 Waste Management Master Plan – public meetings.

Public meetings are scheduled for the Waste Management Master Plan for 7:00 p.m. September 25, 2013 at the Belgrave arena, and 7:00 p.m. September 26, 2013 at the Hensall arena. The Warden and Councillors Klopp and Vincent were appointed previously to represent Council at waste management meetings.

ACTION: Receive for information.

***7.4 Public Works Information Report.

ACTION: Receive for information.

7.5 Accounts and Financial Statements.

Accounts up to and including August 22, 2013 were reviewed.

Highways	856,205.63
Fleet	82,093.58
Planning	83,575.55

Financial statements for the period ending July 31, 2013 were reviewed.

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	17,701	1,265,714	8,904,204	7,959,916	1,445,538	1,394,806
Fleet	1,445,538	1,394,806	1,106,323	1,159,011	(339,215)	(235,795)
Planning	346,224	492,170	1,847,450	2,231,446	1,501,226	1,739,276

ACTION:

THAT:

The accounts up to and including August 22, 2013 and the financial statements as of July 31, 2013 be received.

Consent Agenda:

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor Versteeg

THAT:

Items 7.1 through 7.5 be approved with the actions as noted.

CARRIED

8. Planning and Development Department:

8.1 Planning and Development Consents under the Planning Act.

The authority to grant or refuse to grant consents is delegated to the Committee of the Whole under By-law 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.

a) B25/2013 – 657723 Ontario Inc. c/o Paul Reichard (owner), Chris Reichard (applicant), Pt Lot 20, Concession 3, Township of Howick -
presented by Sally McMullen.

Councillor Versteeg vacated his chair.

The purpose and effect of this application is for the creation of a new lot under the surplus residence policies. The land to be severed is approximately 1 acre (0.4 ha) with a residence and two sheds. The land to be retained is approximately 48.4 acres (19.6 ha) with two solar panels. This is a disputed consent because it does not meet the surplus residence severance criteria in the Howick Township Official Plan for three reasons. 1) The retained land is below the minimum lot size of 30 ha. 2) Neither the proposed lot line nor the dwelling comply with MDS and are 45% and

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

20% deficient respectively. 3) There have been two previous severances from the original farm lot. The Township of Howick has recommended denial of this application. The Planning & Development Department recommends that this application be denied.

MOTION:

Moved by: Councillor MacLellan and Seconded by: Councillor Gowing

THAT:

Application B25/2013 by 657723 Ontario Inc. c/o Paul Reichard (owner) and Chris Reichard (applicant), for property described as Pt Lot 20, Concession 3, Township of Howick, requesting separation and conveyance of a parcel of land and easement as described be denied Provisional Consent as the application does not conform to the Huron County Official Plan, the Township of Howick Official Plan, or Section 51(24) of the Planning Act.

CARRIED

Councillor Versteeg resumed his chair.

b) B29/2013 – Connell Farms Inc. (owners), Gary & Gina Stewart (applicants), Lot 30, Concession 4, and Pt Lot 3, and Lot 12, Plan 298, Township of Howick - presented by Sally McMullen

The purpose and effect of this application is for an addition to a lot. The vacant land to be severed is approximately 985 sq m. If approved these lands will be added to the abutting lands currently owned by Gary & Gina Stewart (Part Lot 3 & 4, Plan 298, Township of Howick). The land to be retained is approximately 100 acres (40.5 ha) which consists of a farm house and crop land. This is a disputed consent because there have been unresolved objections raised by two neighbours. They have concerns that the addition to the lot might facilitate commercial uses and that there may be limitations on one of their livestock operations created by the severance. This severance meets the applicable consent policies of the Township of Howick Official Plan and would allow the abutting lot to be enlarged. This would then comply with the zone provisions and would permit the Stewarts to replace their septic system. Currently their septic system is not entirely located within the boundary of their property. The Township of Howick and the Planning & Development Department recommend that the application be approved.

MOTION:

Moved by: Councillor Dowson and Seconded by: Councillor Vincent

THAT:

Application B29/2013 by Connell Farms Inc (owner), Gary & Gina Stewart (applicants) for property described as Lot 30, Concession 4, & Pt Lot 3, Lot 12, Plan 298, Township of Howick, requesting separation and conveyance of a parcel of land as described be approved with Provisional Consent as the application conforms to the Huron County Official Plan, Township of Howick Official Plan, Section 51(24) of the Planning Act, and is consistent with the Provincial Policy Statement (PPS).

CARRIED

c) B12/2013 - Johanna Geene (owner), Gerardus Geene (applicant), Pt Lot 39, Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh - presented by Scott Tousaw and Monica Walker-Bolton

The purpose and effect of this application is for the creation of a new lot. It is proposed to create two 52 acre (21 ha) farm properties. The property contains approximately 49 acres (20 ha) of land designated Agriculture in the Official Plan. Lands designated Natural Environment in the Official Plan make up the remaining 54 acres (22 ha) of the subject property. The natural environment features are composed of significant woodland, significant wildlife habitat, fish habitat and natural hazards. There is an existing residence on the proposed retained parcel on the north half of the property. This application proposes to further subdivide lands which were previously rezoned in 2000 to allow for two houses on one farm and in 2010 to separate the two houses into two separate farms. The Planning & Development Department and the Township of Ashfield-Colborne-Wawanosh Council have recommended that the application be denied.

A motion to deny this application was defeated at Committee of the Whole, Day 1 on August 7, 2013. The Committee requested that the Planning & Development Department bring a report back outlining conditions of approval and estimated costs of an appeal to the Ontario Municipal Board. These reports are provided.

On August 20, 2013, the Township of Ashfield-Colborne-Wawanosh Council **reviewed the proposed conditions and passed a motion "that if they [Committee of the Whole, Day 1] agree to approve this application, that the conditions as outlined in the report remain, as well as a condition that the applicant pay for all legal fees, if appealed, that the Township of Ashfield-Colborne-Wawanosh may incur."**

At the September 4, 2013 Council meeting, Councillor Steffler indicated his intention to bring a motion that if the application is approved, that a condition be added to require the applicant to pay the County's costs in the event of an appeal to the Ontario Municipal Board. The signed application for consent contains the following note.

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

"In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality."

There was much discussion regarding this application.

MOTION:

Moved by: Councillor Dowson and Seconded by: Councillor Shewfelt

THAT:

Application B12/2013 by Johanna Geene (owner), Geraldus Geene (applicant), for property described as Pt Lot 39, Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh, requesting separation and conveyance of a parcel of land as described be approved Provisional Consent with the conditions outlined in the report from the planning department as well as the following condition:

In the event of third-party appeals to this application approved by the County, the applicant shall be responsible for all of the legal and other costs incurred by the County/Municipality.

A recorded vote was requested by Councillor Dietrich and taken as follows:

YEAS: Shewfelt, MacLellan, Steffler, Robertson, Klopp, Dowson

NAYS: Grace, Dietrich, Jewitt, Van Diepenbeek, Ginn, Rintoul, Versteeg,
Hessel

ABSENT: Gowing, Vincent

DEFEATED

Council recessed at 11:12 a.m. and resumed at 11:20 a.m.

11. Closed to the Public Session:

MOTION:

Moved by: Councillor Shewfelt and Seconded by: Councillor Hessel

THAT:

The Committee do now go into a "Closed to the Public Session" at 11:20 a.m. under Section 239 of the Municipal Act, 2001 as amended, to discuss an item that

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

relates to solicitor-client privilege, including communications necessary for that purpose.

AND FURTHER THAT:

CAO/Deputy Clerk Brenda Orchard and Marg Szilassy, Solicitor, Hicks and Morley remain in attendance.

CARRIED

MOTION:

Moved by: Councillor Hessel and Seconded by: Councillor Versteeg

THAT:

The Committee rise from the “Closed to the Public Session” at 12:04 p.m.

CARRIED

CAO Orchard informed all present that an activated recording device was found during the “**Closed to Public Session**”. CAO Orchard, the owner of the device and Solicitor Marg Szilassy departed from Council Chambers to erase any recordings from Closed Session. Upon return CAO Orchard informed all present that the recording was deemed to be done by error and had been erased.

8.2 Cycling Brochure–Reprinting for 2013–2016 -presented by Cindy Fisher and Jenna Ujiye

A request for quotations for the printing of the cycling brochure was posted to several local and regional printers and a summary report is provided.

MOTION:

Moved by: Councillor Shewfelt and Seconded by: Warden Robertson

THAT:

The recommendation of Cindy Fisher, Tourism Coordinator and Jenna Ujiye, Tourism Marketer that the 2013-2016 Huron County Cycling Brochure be printed by Goderich Print Shop Ltd. for the quoted cost of \$4,358.00 plus applicable taxes, be approved.

CARRIED

8.3 Enhanced Promotion of Economic Development Videos-presented by Mike Pullen

At the June 19, 2013 Committee of the Whole Day 2 meeting there was discussion regarding expanding the distribution and promotion of various County videos. Staff was asked to prepare a report on how best to promote multi-media and

video work. The report is provided and a demonstration will be given at the meeting.

MOTION:

Moved by: Councillor Hessel and Seconded by: Councillor Steffler

THAT:

The report by Mike Pullen, Senior Economic Development Officer, entitled Enhanced Promotion of Economic Development Videos, be received for information.

CARRIED

8.4 Municipal Hazardous and Special Waste (MHSW) - Program Report.

The County has collected residential MHSW through mobile event days since 2003 and through the year-round depot at the Mid-Huron Landfill since 2009. The annual program report showing collection and usage data for 2011 and 2012 is provided.

MOTION:

Moved by: Councillor MacLellan and Seconded by: Councillor Versteeg

THAT:

The report entitled Municipal Hazardous and Special Waste (MHSW) – Program Report, be received for information.

CARRIED

9. Public Works Department:

9.1 Request for Quotation for Supply of Culvert Liners - presented by Mike Alcock

MOTION:

Moved by: Councillor MacLellan Seconded by: Councillor Versteeg

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the County of Huron accept the quotation from Ideal Pipe to supply Culvert Liners for the price of \$54,203.14 (including HST), be approved.

CARRIED

9.2 Winter Sand Contracts - presented by Mike Alcock

MOTION:

Moved by: Councillor Dietrich Seconded by: Councillor Dowson

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the following winter sand contracts be approved:

1. It is recommended that Contract 13-101 Supply and Haul Winter Sand to Zurich be awarded to Johnston Bros. Bothwell Ltd. for the tendered price of \$34,171.20 (including HST) based on estimated quantities. The sand will **be supplied from Jennison's Holmesville Pit.**
2. It is recommended that Contract 13-102 Supply only of Winter Sand for Auburn to be hauled by County Forces be awarded to Johnston Bros. (Bothwell) Ltd. for the tendered price of \$24,091.60 (including HST) based on estimated quantities. The sand will be supplied from Johnston Bros. Cunningham Pit.
3. It is recommended that Contract 13-103 Supply only of Winter Sand for **Wingham to be hauled by County Forces be awarded to Donegan's Haulage** Ltd. for the tendered price of \$18,645.00 (including HST) based on estimated quantities. The sand will be supplied **from Donegan's Whitechurch Pit.**
4. It is recommended that Contract 13-104 Supply and Haul Winter Sand to **Wroxeter be awarded to Donegan's Haulage Ltd. for the tendered price of** \$47,855.50 (including HST) based on estimated quantities. The sand will be supplied **from Donegan's Whitechurch Pit.**

CARRIED

10. Administration, Policies and Other Issues:

10.1 Amalgamation of Health Units - presented by Brenda Orchard

MOTION:

Moved by: Councillor Versteeg and Seconded by: Warden Robertson

THAT:

The recommendation of Brenda Orchard, CAO, that Council forward a copy of the attached correspondence from the Municipal Solicitor regarding the process for the amalgamation of Health Units to the Huron County Board of Health, the Perth Board of Health and the municipalities that comprise the Perth Board of Health jurisdiction along with a letter suggesting that the two Boards consider investigating amalgamation, be approved.

CARRIED

11. Closed to the Public Session: earlier in meeting

Huron County Committee of the Whole – Day 1 Minutes
September 11th, 2013

12. Next Meeting:

The next meeting of Committee of the Whole Day 1 will be in Goderich on Wednesday October 9, 2013 at 9:00 a.m.

13. Direction to Set Dates for:

- Bus Tour of County Infrastructure and Facilities: a) North Tour b) South Tour. Tentative dates are October 15th and October 30th at 9:00 a.m. at the County Courthouse. Council will confirm availability to staff.

14. Adjournment:

MOTION:

Moved By: Councillor Dietrich and Seconded By: Councillor Hessel

THAT:

The meeting adjourn at 12:38 p.m.

CARRIED

***These minutes were approved at Council Council on October 2, 2013 with the exception of item 7.4

Chair Councillor J. Ginn

Clerk Susan Cronin