



Huron County Council

Minutes - October 5, 2011

Tenth Session

GODERICH, ONTARIO



TENTH SESSION HURON COUNTY COUNCIL

Auditorium, Health & Library Complex,
south of Clinton,
October 5th, 2011.

Huron County Council met in the Auditorium of the Health and Library Complex, south of Clinton on Wednesday October 5th, 2011. Warden Neil Vincent called the meeting to order at 9:03 a.m.

Chief Administrative Officer Larry C. Adams called the roll and all members of Council were present. Councillors Ginn and Gowing arrived at 9:06 a.m. Councillor Hessel left the meeting at 10:28 a.m.

Warden Vincent welcomed all present to the Tenth Session. Warden Vincent reviewed the Warden's report for the month of September.

Welcome to the "Page" – Chelsea McTaggart:

County Councillor Siemon introduced his granddaughter Chelsea McTaggart; a grade 8 student from Clinton Public School. Chelsea enjoys playing bantam hockey and soccer in Clinton.

Minutes of the previous session:

MOTION: 194 - 11

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

THAT:

The minutes of the previous session being; the Ninth Session of September 7th, 2011; be adopted as circulated.

CARRIED

Declaration of Pecuniary Conflict of Interest:

There were no declarations of pecuniary conflict of interest stated by any member of Council with regard to items on the Agenda.

Petitions and Deputations:

Service Awards:

Homes - Huronlea and Huronview:

40 Years of Service – Pin Presentation

- Bonnie Mathers
- Mary Lou Bell

35 Years of Service – Pin Presentation

- Pat Fields
- Brenda Hart

30 Years of Service – Pin Presentation

- Marie Lobb
- Linda Bedard
- Elizabeth McIntosh
- Pauline Mero
- Cheryl Riehl
- Shirley Robinson
- Glenda Chaput
- Debbie Thompson

25 Years of Service – Pin Presentation

- Marilyn Blake
- Anne Powell
- Bonnie Jewell
- Susan Heffer
- Beth Lovell
- Donna Walsh

20 Years of Service – Pin Presentation

- Elaine Hodgins
- Doreen Thompson
- Barb Springall

Social Services:

25 Years of Service – Pin Presentation

- Donna McPhee

20 Years of Service – Pin Presentation

- Cheryl Johnston
- Christine Smith

Highways:

25 Years of Service – Pin Presentation

- Bill Empey
- Darryl Hastings

15 Years of Service – Pin Presentation

- Rick Poels

Planning and Development:

25 Years of Service – Pin Presentation

- Scott Tousaw

15 Years of Services – Pin Presentation

- Mike Burroughs

Museum:

15 Years of Service – Pin Presentation

- Jeremy Allin

Councillor's Issues:

Councillor Van Diepenbeek reminded everyone that the Huron Manufacturing Awards of Excellence evening has been moved to November 18th, 2011.

Correspondence:

CAO Larry Adams read correspondence from the Ontario Federation of Agriculture (OFA). The OFA is celebrating its 75th anniversary of advocating for Ontario's farmers. OFA's County and Regional Federations of Agriculture are invited to nominate a local candidate, who will be entered into the provincial selection process for an overall winner. OFA will participate in recognizing the local winners.

MOTION: 195 - 11

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

THAT:

The Council of the County of Huron supports the nomination of Bob and Pat Downs as Huron's local candidate to the Ontario Federation of Agriculture's 75th Anniversary Volunteer Award.

CARRIED

Reports of Committees:

Board of Health

Members of Council were given an opportunity to review the minutes of the regular Board of Health meeting of September 1st, 2011. Councillor B. MacLellan, Chair of the Board of Health was available to speak to the minutes and the reports.

MOTION: 196 - 11

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

THAT:

The Board of Health Report of September 1st, 2011; be received and will appear in the printed minutes as Report No. 33.

CARRIED

Committee of the Whole – Day 1

Members of Council were given an opportunity to review the minutes of the Committee of the Whole - Day 1, September 14th, 2011 meeting. Councillor B. Dowson, Chair of the Committee of the Whole - Day 1 was available to speak to the minutes and the reports.

There was some discussion regarding the Provincial Policy Statement as it relates to the urban versus rural challenges in planning.

MOTION: 197 - 11

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

THAT:

The Committee of the Whole – Day 1 minutes and reports of September 14th, 2011; be adopted as presented and will appear in the printed minutes as Report No. 34.

CARRIED

MOTION: 198 - 11

Moved by: Councillor Ginn and Seconded by: Councillor MacLellan:

THAT:

Scott Tousaw, Director of Planning and Development; be directed to inform the Provincial Policy Statement Review Committee that Huron County Council endorses the ability for local decisions on small lot severances in rural Ontario; Motion Con't. on Page 5.

Motion Con't. from Page 4.

AND FURTHER THAT;

This position; be circulated to all applicable Ministries in the Province of Ontario.

Councillor B. Dowson requested a Recorded Vote:

YEAS:

Versteeg

Dowson

Shewfelt

Van Diepenbeek

Ginn

MacLellan

Grace

Jewitt

Hessel

Gowing

Riach

Vincent

Frayne

Steffler

Dietrich

Barnim

Siemon

Robertson

Rintoul

Klopp

YEAS – 20 NAYS – 0 ABSENT – 0
CARRIED'

Library Board

Members of Council were given an opportunity to review the minutes of the Library Board, September 21st, 2011 meeting. Councillor B. Barnim, Chair of the Library Board was available to speak to the minutes and the reports.

MOTION: 199 - 11

Moved by: Councillor B. Barnim and Seconded by: Councillor G. Robertson:
THAT:

The Library Board Report of September 21st, 2011; be received and will appear in the printed minutes as Report No. 35.

CARRIED

Committee of the Whole – Day 2

Members of Council were given an opportunity to review the minutes of the Committee of the Whole - Day 2, September 21st, 2011 meeting. Councillor J. Steffler, Chair of the Committee of the Whole – Day 2 was available to speak to the minutes and the reports.

MOTION: 200 - 11

Moved by: Councillor J. Steffler and Seconded by: Councillor T. Hessel:
THAT:

The Committee of the Whole – Day 2 of September 21st, 2011 minutes and reports; be adopted as presented and will appear in the printed minutes as Report No. 36.

CARRIED

Councillor T. Hessel left the meeting at 10:28 a.m.

Inquiries:

There were no inquiries at this session of County Council.

11. Unfinished Business:

11.1 Private Woodlots harvested for commercial purposes destroyed or rendered useless resulting from the tornado and applications to ODRAP:

MOTION: 201 - 11

Moved by: Councillor J. Ginn and Seconded by: Councillor P. Gowing:
WHEREAS:

Ontario's private woodlots harvested for commercial purposes are a valuable asset and a source of income to the landowners who harvest them responsibly;
Motion Con't. on Page 7.

Motion Con't. from Page 6.

AND WHEREAS:

Once a woodlot is destroyed or rendered useless; for example, the tornado that hit the Goderich area in August 2011; it will take a generation for the woodlot to be sustainable again;

AND WHEREAS:

The woodlot landowners have no recourse for this loss of income derived from the responsible harvesting of their woodlots;

AND WHEREAS:

The Ontario Disaster Relief Assistance Program (ODRAP) does not currently include claims from the private woodlots harvested for commercial purposes, for their loss of income or product; even when the woodlot landowner can provide evidence of the loss of income sustained from an eligible disaster;

AND FURTHER THAT:

The losses sustained by the woodlot landowners could be evaluated by a member of the Ontario Professional Foresters Association;

AND FURTHER THAT:

Woodlots are not insurable under a property owner's insurance;

NOW THEREFORE BE IT RESOLVED:

The Corporation of the County of Huron strongly supports the woodlot landowners within the Province of Ontario; by requesting the Minister of Finance and the Minister of Municipal Affairs and Housing to conduct an immediate review and include the losses sustained by woodlot owners in the applications for eligible assistance under ODRAP;

AND FURTHER THAT:

The eligible assistance under ODRAP; be made retro active to the August 21st, 2011 tornado disaster that struck Goderich and area;

AND FURTHER THAT:

This Motion; be forwarded to all municipalities in the Province of Ontario for their support.

CARRIED

MOTION: 202 - 11

Moved by: Councillor J. Dietrich and Seconded by: Councillor A. Versteeg;

WHEREAS:

The Corporation of the County of Huron owns infrastructure within the Town of Goderich more specifically known as the Huron County Court House (HCCH);

Motion Con't. on Page 8.

Motion Con't. from Page 7.

AND WHEREAS:

The Municipal Corporation's of Goderich, Ashfield-Colborne-Wawanosh and Central Huron have declared certain areas of their municipal jurisdictions as Disaster Areas for purposes under the Ontario Disaster Relief Assistance Program (ODRAP) following the recent F3 Level Tornado which devastated a defined disaster area on Sunday August 21, 2011;

AND WHEREAS:

The HCCH has experienced substantial damage directly attributable to that event, the Council of The Corporation of the County of Huron hereby requests the Minister of Municipal Affairs and Housing to declare the County of Huron as an eligible recipient for Public Funding under ODRAP;

AND FURTHER THAT:

The Corporation of the County of Huron acknowledges that this application is outside the prescribed timeline permitted under the ODRAP guidelines but requests a Ministerial exemption as the magnitude of damage and costs to return the HCCH to pre-tornado condition has been exponentially increased due to the entrance of wind borne contaminants - inclusive of asbestos which is specifically excluded under our insurance coverage - being brought into the HCCH as a direct result of the aforesaid Tornado;

AND FURTHER THAT:

Continuing investigation, remediation and de-contamination of the HCCH continues to be undertaken by authorized agents of the County to ensure the removal, clean up and remediation of the HCCH to compliance with Ministry regulations. The total costs of this restoration are unknown at this time but detailed accounts outlining costs not covered by our insurer will be provided to the Minister as they are confirmed;

AND FURTHER THAT:

The Council of The Corporation of the County of Huron respectfully requests that upon acknowledgment of their eligibility for receipt of Public Funds through ODRAP under a Minister's declaration that the costs incurred by the County on the restoration of the HCCH be from new funds allocated by the Minister and not from those funds previously announced and committed as Public Funds available to our municipal partners being specifically Goderich, Ashfield-Colborne-Wawanosh and Central Huron.

CARRIED

MOTION: 203 - 11

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

THAT:

Staff; be instructed to investigate the potential of retaining counsel in regards to the recent disaster at the Huron County Court House; and report back to Council as soon as possible.

CARRIED

Motions:

MOTION: 204 - 11

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

THAT:

A vote of appreciation; be extended to Chelsea McTaggart for acting as Page at the Tenth Session of County Council.

CARRIED

Public Question Period:

There were no questions from the public for this session of County Council.

14. By-laws:

MOTION: 205 - 11

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

THAT:

The Third Reading for By-law No. 41-2011; being a By-law to establish decrease limits for certain property classes; that was tabled at the September 7th, 2011 Ninth Session of County Council until the Tenth Session of County Council; be raised from the table.

CARRIED

MOTION: 206 - 11

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

THAT:

Motion Con't. on Page 10.

Motion Con't. from Page 9.

By-law No. 41-2011; being a By-law to establish decrease limits for certain property classes; having received first and second reading at the Ninth Session of County Council on September 7th, 2011; be given a third reading in accordance with Part 7 of the Procedural By-law for the County of Huron, Section 25, Subsection 2;

AND FURTHER THAT:

By-law No. 41-2011, as read a third time, be passed, signed by the Warden and the Clerk, and the Seal of the Corporation affixed thereto.

CARRIED

MOTION: 207 - 11

Moved by: Councillor N. Rintoul and Seconded by: Councillor D. Riach:

THAT:

Leave be given to introduce the following By-laws:

By-law No. 43-2011; being a By-law to authorize the County of Huron to enter into a Lease Agreement with Andrew Martens (1199762 Ontario Ltd.);

By-law No. 44-2011; being a By-law to authorize the County of Huron to enter into a Service Agreement with the YMCA of Sarnia Lambton;

By-law No. 45-2011; being a By-law to authorize the County of Huron to enter into a 2011 Service Contract with the Ministry of Community and Social Services;

By-law No. 46-2011; being a By-law to authorize the County of Huron to enter into an Agreement with the County of Middlesex;

By-law No. 47-2011; being a By-law to authorize the County of Huron to enter into a Road User Agreement with Reef Resources Ltd.

CARRIED

MOTION: 208 - 11

Moved by: Councillor P. Klopp and Seconded by: Councillor D. Jewitt:

THAT:

By-law No. 43-2011, 44-2011, 45-2011, 46-2011 and 47-2011; be given first and second reading;

AND FURTHER THAT:

By-law No. 43-2011, 44-2011, 45-2011, 46-2011 and 47-2011; as read a first and second time, be passed.

CARRIED

MOTION: 209 - 11

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

THAT:

By-law No. 43-2011; be given a third reading in accordance with Part 7 of the Procedural By-law for the County of Huron, Section 25, Subsection 2;

AND FURTHER THAT:

By-law No. 43-2011; as read a third time, be passed, signed by the Warden and the Clerk, and the Seal of the Corporation affixed thereto.

CARRIED

MOTION: 210 - 11

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

THAT:

By-law No.44-2011 ; be given a third reading in accordance with Part 7 of the Procedural By-law for the County of Huron, Section 25, Subsection 2;

AND FURTHER THAT:

By-law No. 44-2011; as read a third time, be passed, signed by the Warden and the Clerk, and the Seal of the Corporation affixed thereto.

CARRIED

MOTION: 211 - 11

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

THAT:

By-law No. 45-2011; be given a third reading in accordance with Part 7 of the Procedural By-law for the County of Huron, Section 25, Subsection 2;

AND FURTHER THAT:

By-law No. 45-2011; as read a third time, be passed, signed by the Warden and the Clerk, and the Seal of the Corporation affixed thereto.

CARRIED

MOTION: 212 - 11

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

THAT:

By-law No. 46-2011; be given a third reading in accordance with Part 7 of the Procedural By-law for the County of Huron, Section 25, Subsection 2;

AND FURTHER THAT:

By-law No. 46-2011; as read a third time, be passed, signed by the Warden and the Clerk, and the Seal of the Corporation affixed thereto.

CARRIED

"Closed to the Public Session"

There was no Closed to the Public Session for this session of County Council.

Arrangement of Committee Meetings:

- Board of Health in Clinton at the Health and Library Complex Auditorium, Thursday October 6th, 2011 at 9:00 a.m.
- Committee of the Whole Day 1 at the Health and Library Complex Auditorium, Wednesday October 12th, 2011 at 9:00 a.m.
- Committee of the Whole Day 2 at the Health and Library Complex Auditorium, Wednesday October 12th, 2011 following Committee of the Whole Day 1 meeting and lunch
- Library Board at the Health and Library Complex Meeting Room 1, Wednesday October 19th, 2011 at 9:00 a.m.

Adjournment:

MOTION: 213 - 11

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

THAT:

The Council of the County of Huron adjourn the Tenth Session of Council at 11:05 a.m. to meet again on the November 2nd, 2011, or at the call of the Warden and the County Clerk, with the venue to be announced.

CARRIED

The Tenth Session closed with the singing of O Canada.

Warden Neil Vincent

County Clerk Barbara L. Wilson