

COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS MINUTES

Township of Huron-Kinloss Council met in regular session on the 18th day of February, 2014 at 7:00 p.m. in the Township of Huron-Kinloss Council Chambers.

Mayor	Mitch Twolan	(P)
Deputy Mayor	Wilfred Gamble	(P)
Councillors	Lillian Abbott	(P)
	Jeff Elliott	(A)
	Jim Hanna	(P)
	Don Murray	(P)
	Carl Sloetjes	(P)
Administrator	Mary Rose Walden	(A)
Clerk	Sonya Watson	(P)
Treasurer	Jodi MacArthur	(P)

OTHERS PRESENT: Barb McKay, Lacey Murray, Liz Dadson, Jack Meurs, Mac Serra and Mary Ellis

1.0 CALL TO ORDER

Mayor Twolan called the meeting to order at 7:06 p.m.

2.0 DISCLOSURE OF PECUNIARY INTEREST

<u>Name</u>	<u>Item</u>	<u>Nature of Interest</u>
<i>Councillor Hanna</i>	5.5	<i>Subject of the investigation</i>

3.0 ADOPTION OF THE MINUTES

Moved by Abbott
Seconded by Murray

ADOPT COUNCIL MINUTES	40	THAT Huron-Kinloss Township Council hereby adopts the January 20 th , 2014 Council Meeting Minutes as written.	Carried.
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Moved by Murray
Seconded by Abbott

ADOPT GENERAL COMMITTEE MINUTES	41	THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the February 3 rd , 2014 General Committee Meeting Minutes as written.	Carried.
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4.0 **DELEGATIONS**

4.1 Music in the Fields Rick McMurray & Ken Irwin 7:00 p.m.

Members of the Lucknow Kinsmen Rick McMurray and Ken Irwin will be attending to present information on the Music in the Fields events.

STAFF COMMENTS: None at this time.

ACTION: Ken Irwin and Rick McMurray reported on the success of the 2013 event and proposed changes for the 2014 event. The full Line up will be announced March 5th, 2014 and they are promoting major headliners for both nights. They will also be expanding the campground facilities. All tickets and camping this year will be sold online through Ticket Scene. The group is requesting the support of the municipality again and openly thanked the municipality and Taralyn Martin the Business and Economic Officer for the help she has provided the committee and for her assistance with grant applications. Mayor Twolan thanked the representatives for their continued commitment to the event.

4.2 Mary Ellis and Mac Serra 774 Lake Range Drive 7:30 p.m.

Mary Ellis and Mac Serra will be attending to present information on electrical, plumbing, structural and septic issues they have uncovered in their own residence.

STAFF COMMENTS: We have attached their written submission for your review.

Under the Building Code, an official can only do an inspection if a building permit has been issued and certain stages of construction have been completed or if there is unsafe condition present. In order to investigate whether an unsafe condition is present, a CBO needs to have sufficient evidence to perform an inspection, especially if it is in a dwelling. This evidence is typically in the form of a report from a third-party individual with specialized building knowledge and should include details of the unsafe condition as well as photographs.

In this case the CBO has notified the owners of this property several times of these requirements. To date no reports, documentation or pictures showing that there is an unsafe condition present have been produced. As described it is likely that the pipe leading from the laundry through the retaining wall is most likely a grey water pipe and may have been permitted at the time the system was installed.

Further, we have confirmed with the Township solicitor that the CBO is taking the appropriate response to this matter based on his authority under the Building Code.

ACTION: The owners distributed copies of photographs that they have taken to illustrate some of the problems in the home and building permits that were obtained from the former Township of Huron. They reported that title insurance has agreed to pay for the repairs to their home provided work orders are issued against the home. The Electrical Safety Authority conducted an inspection and they will be disconnecting the hydro service effective February 26th, 2014. The owners suggested that based on the estimate they have received the work to correct the deficiencies they have reported is in the neighbourhood of \$250,000.00. Due to the potential litigation regarding this matter Council stated they needed to consult the Township solicitor and the Chief Building Official. Due to the urgent nature of the family having to leave their home on February 26th, 2014 the Mayor called a special meeting for February 20th, 2014 at 6:00 p.m. to review the advice of the solicitor and consult the Chief Building Official.

5.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

5.1 MPAC Assessment Practices

Moved by Abbott
Seconded By Murray

MPAC
ASSESSMENT
PRACTICES

42

WHEREAS the Municipal Property Assessment Corporation (MPAC) is able to, and routinely adjusts assessed values for tax purposes for the current year and for up to two prior years on properties where development has occurred and a building permit has been obtained, and where severances have been granted;

AND WHEREAS the Township of Mulmur has discovered several instances where development has occurred where no building permit had been obtained and provided proof of the existence of the development and requested that MPAC retroactively assess those properties in the same manner and for the same time periods;

AND WHEREAS requests for re-assessment sent in by the Township as much as 20 months ago have not been dealt with and MPAC has advised that requests made in the summer of 2013 are 'too late' to allow a re-assessment for 2013;

AND THAT the Township of Mulmur has been advised that the re-assessments will only apply to the 2014 taxation year and may not be applied to the two previous years resulting in a loss of tax revenue;

AND WHEREAS this appears to reward those who choose not to obtain building permits, not only because the payment of taxes is deferred but also because interest charges on the previous years' taxes are not applied and because developments are not being assessed in the same manner and for the same time periods as buildings for which building permits have been obtained;

AND WHEREAS the onus should not be on the municipality to prove when such buildings were constructed by rather on the landowner in such situations;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the Township of Mulmur as they advise MPAC that it is entirely inappropriate and unacceptable to not immediately and retroactively assess a building that has been erected without a building permit for the current year and up to two prior years (depending on when it was built and occupied) when such is the norm for buildings built with building permits;

AND FURTHER THAT MPAC be requested to automatically and immediately re-assess all properties once the improvements have been discovered and apply the resulting increase to the current year and for the two previous taxation years;

AND FURTHER THAT the onus be placed on the landowner to prove that the building has not existed for the entire time period.

Carried.

5.2 Implementation of Source Water Protection Education and Outreach Policies

Moved by Abbott
Seconded By Hanna

IMPLEMENTATION
OF SOURCE
WATER
PROTECTION
PLACE

43

THAT Huron-Kinloss Township Council hereby authorizes contracting Ausable Bayfield Conservation Authority for the implementation of the required education and outreach policies in the Ausable Bayfield Maitland Valley Source Protection Plan as outlined in Option 3 of the proposal dated September 2013 for a total cost of \$5,442.95.

Carried.

5.3 Mandatory On-Site Septic Inspections

Moved by Hanna
Seconded By Abbott

MANDATORY
ON-SITE SEPTIC
INSPECTIONS

44

WHEREAS the provincial government regularly make sweeping regulations and policies without giving appropriate consideration to specific locations or the effects on smaller municipalities and the rights of individuals;

AND WHEREAS government regulations now control and limit many property owner rights and privileges restricting more and more as time goes on;

AND WHEREAS the Council of the United Townships of Head, Clara and Maria does recognize that legislation is required to protect the environment from some who may not maintain their properties appropriately;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the United Townships of Head, Clara and Maria to lobby the provincial government to stop the process of mandatory on-site septic system inspections and to continue to only require them in known vulnerable areas adjacent to source water areas;

AND FURTHER THAT should regular and routine inspections become mandatory across the province that the province builds into any regulation the corresponding funding to compensate property owners and the small municipalities who cannot continue to rely on the property tax base to meet the constant downloading of responsibility without equivalent funding.

Defeated.

5.4 Burnside 28th Annual Client Appreciation Night

We have received an invitation for Council and Senior Staff to attend the annual Client Appreciation Night Wednesday, March 26th, 2014 at the Wingham Golf and Curling Club

STAFF COMMENTS: Please notify the Clerk if you wish to attend.

ACTION: Noted.

Councillor Hanna declared a conflict, vacated his seat and left the room.

5.5 Integrity Commissioner Report

A written complaint was filed with the Integrity Commissioner.

STAFF COMMENTS: The Integrity Commissioner has conducted his investigation and prepared a report as required under section 223.6 (3) of the *Municipal Act* and according to By-Law 2007-105.

The Integrity Commissioner's Report has been attached for your review.

Schedule "A" to By-law 2007-05 has also been attached for your review of the process for an alleged breach of the Code of Conduct.

ACTION: Council approved the following motion.

Moved by Murray
Seconded By Gamble

INTEGRITY
COMMISSIONER
REPORT

45

THAT Huron-Kinloss Township Council hereby receives the report prepared by the Integrity Commissioner dated February 14th, 2014 and as such supports the recommendation therein in the form of a written apology.

Carried.

6.0 FINANCIAL REPORTS

6.1 Payment of Current Accounts as Presented

Moved by Sloetjes
Seconded By Gamble

APPROVE
FEBRUARY
ACCOUNTS

46

THAT Huron-Kinloss Township Council hereby authorizes the payment of the February 2014 accounts as presented.

Carried.

6.2 Payment of Previous Month Actual Accounts

Moved by Gamble
Seconded by Sloetjes

APPROVE
ACTUAL
JANUARY
PAYMENTS

47

THAT Huron-Kinloss Township Council hereby approves the payment of the January 2014 accounts in the amount of \$681,636.05.

Carried.

6.3 Summary Revenue/Expenditure Reports

Reports for Township, RHCC and Point Clark CC to January 31, 2014.

Moved by Gamble
Seconded by Sloetjes

JANUARY
REVENUE
EXPENDITURE
REPORT

48

THAT Huron-Kinloss Township Council reviews and receives the summary revenue/expenditure reports of the Treasurer as written.

Carried.

6.4 Development Charges Financial Statement

Attached is the annual statement required by the Ministry of Municipal Affairs showing the balances of the reserve funds established under the Development Charge By-Law.

STAFF COMMENTS: This is provided for information purposes. A copy of this report will be forwarded to the Ministry.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: Noted.

6.5 Sale of Land by Public Tender

On February 5, 2014 tenders were opened for the purchase of property under the Municipal Tax Sales Rules of the *Municipal Act, 2001*.

STAFF COMMENTS: A successful purchaser was notified, has paid the tendered amount in full and the land registration was completed on February 12, 2014. The proceeds from the sale, minus the cancellation price, will be paid into the Superior Court of Justice according to the legislation. We bring this forward for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: Noted.

6.6 Trillium Application Lions

Moved by Sloetjes
Seconded by Gamble

TRILLIUM
APPLICATION
FOR LIONS PARK

49

THAT Huron-Kinloss Township Council hereby authorizes the collaborative application with the Huron Shores Lions Club for the March 2014 submission date to the Ontario Trillium Foundation for funding for the Lion's Park new accessible play structures, benches, picnic tables, static fitness stations, barbeque and;

FURTHER THAT the Huron-Kinloss Township Council hereby authorizes the Township's contribution for the project is \$15,000.00.

Carried.

6.7 Minutes of Settlement

The Taxation and Revenue Clerk has prepared a report for your review.

STAFF COMMENTS: Included in the report.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

7.0 **REPORTS OF STAFF AND COMMITTEES**

7.1 Natural Gas Project Open House Update

The Clerk has prepared an update based on the comments received from the November 22nd and November 23rd, 2013 Open Houses held in Huron-Kinloss, Kincardine and Arran –Elderslie.

STAFF COMMENTS: None at this time.

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *recommendations* or *actions* contribute to our goals in achieving a *prosperous, and accessible* community.

ACTION: Noted. This report will be posted on the Township website.

7.2 Update on the Ontario Society for the Prevention of Cruelty to Animals (OSPCA)

Deputy Mayor Gamble and the Clerk attended a meeting hosted by the Bruce County Federation of Agriculture in regards to the OSPCA service in Bruce & Grey Counties.

STAFF COMMENTS: There were a number of updates provided at the meeting. The main one being OSPCA is still serving Grey/Bruce Counties with two local agents. However, they will not be having a central office location in Grey/Bruce. The area office is located in Newmarket. Based on a recent announcement by the Ontario Government the OSPCA will be receiving an additional \$5.5 million annually. One positive addition as a result of this funding is establishing a 24-7 centralized dispatching service to deal with animal welfare calls. It is expected this 24-7 response will be available by the end of March. There are many other steps they will be taking to improve services as outlined in the link here:

<http://news.ontario.ca/mcscs/en/2013/10/ontario-strengthening-protection-for-animals.html>

Media Release

We bring this to your attention for information purposes.

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *actions* contribute to our goals in achieving an *accessible* community.

ACTION: Noted.

7.3 ROMA OGRA Delegation – Ministry of Energy

We have received confirmation from the Honourable Bob Chiarelli, Minister of Energy, that he will see the delegation of Mayors Twolan, Kraemer and Eagleson at the Ontario Good Roads Association conference. They will be discussing the natural gas project.

STAFF COMMENTS: We bring this to your attention for information purposes.

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *actions* contribute to our goals in achieving a *prosperous and accessible* community.

ACTION: Noted.

8.0 **BY-LAWS AND AGREEMENTS**

8.1 Dump Truck with Plow Quotation Acceptance By-Law

Moved by Sloetjes
Seconded by Gamble

DUMP TRUCK
WITH PLOW
QUOTATION
ACCEPTANCE

50

THAT leave be given to introduce By-Law Number 2014-05 being the "Dump Truck with Plow Quotation Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried

8.2 Consolidated Recreation Fees, February 2014 By-law

Moved by Gamble
Seconded by Sloetjes

CONSOLIDATED
RECREATION
FEES, FEBRUARY
2014

51

THAT leave be given to introduce By-Law Number 2014-08 being the "Consolidated Recreation Fees, February 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.3 Adopt Salary Pay Grid Market Review Policy By-Law

Moved by Gamble
Seconded by Sloetjes

ADOPT SALARY
PAY GRID
MARKET REVIEW
POLICY

52

THAT leave be given to introduce By-Law Number 2014-09 being the " Adopt Salary Pay Grid Market Review Policy By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.4 Animal Control/Kennel Licencing Amendment By-Law

Staff have noticed some provisions in the Animal Control/Kennel Licencing By-law that need to be amended in regards to enforcement of the "Dangerous Dogs" provisions in the By-Law.

STAFF COMMENTS: Both are minor amendments but provide clarity for enforcement of the by-law. Section 1.2 contained a bracketed section that resulted in confusion for enforcement. The bracketed section has been removed from the definition. In section 9.2 the amendment is adding the word "Dangerous" to the section rather than just "dog" as it should have been originally.

ACTION:

Moved by Sloetjes
Seconded by Gamble

ANIMAL
CONTROL/KENNEL
LICENCING

53

THAT leave be given to introduce By-Law Number 2014-10 being the "Animal Control/Kennel Licencing Amendment (1) By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.5 Consolidated Fees February 2014 By-Law

Moved by Gamble
Seconded by Sloetjes

CONSOLIDATED
FEES FEBRUARY
2014

54

THAT leave be given to introduce By-Law Number 2014-11 being the "Consolidated Fees February 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.6 Auditors Appointment By-Law

Moved by Sloetjes
Seconded by Gamble

AUDITORS
APPOINTMENT

55

THAT leave be given to introduce By-Law Number 2014-12 being the " Auditors Appointment By-Law " and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.7 BASWR Garbage Collection Renewal Acceptance By-Law

Moved by Gamble
Seconded by Sloetjes

BASWR
GARBAGE
COLLECTION
RENEWAL
ACCEPTANCE

56

THAT leave be given to introduce By-Law Number 2014-13 being the "BASWR Garbage Collection Renewal Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

8.8 Ontario Job Creation Partnership (OJCP) Program Agreement By-Law

Moved by Sloetjes
Seconded by Gamble

ONTARIO JOB
CREATION
PARTNERSHIP
(OJCP)
AGREEMENT

57

THAT leave be given to introduce By-Law Number 2014-14 being the "Ontario Job Creation Partnership (OJCP) Program Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

9.0 CORRESPONDENCE RECEIVED FOR WHICH THE DIRECTION OF COUNCIL IS NOT REQUIRED

9.1 Penetangore Regional Economic Development Corporation

We have received a thank you letter from the PREDC regarding a support letter that was sent outlining their work in Huron-Kinloss.

STAFF COMMENTS: We have provided this for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: Noted.

9.2 OPP Funding Model

We have received correspondence regarding the OPP Funding model. One is from the AMO whose Board of Directors on the establishment of an OPP Billing Steering Committee. The other is a letter from Lisa Thompson, MPP, to the Honourable Madeline Meilleur, Minister of Community Safety and Correctional Services seeking a funding model that is fair and equitable for both large and small communities.

STAFF COMMENTS: We have provided this for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: Noted.

9.3 Historic Saugeen Metis Council Seeking Natural Gas Project Information

We have received correspondence from the Historic Saugeen Metis (HSM) Council requesting that they be informed on developments regarding the Natural Gas Project so they may review the project and offer an informed opinion on the matter.

STAFF COMMENTS: We have provided this for information purposes.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: The Clerk will send a response letter.

9.4 Thank you letter

We have received a thank you letter from a resident commending the snow plow operators and the Township for their work this winter.

STAFF COMMENTS: We have provided this for information purposes.

SUSTAINABILITY ALIGNMENT: N/A

ACTION: The Clerk will send a response letter and pass on to the Public Works Department.

10.0 TOWNSHIP COMMITTEE MINUTES RECEIVED

10.1 Lucknow & District Joint Recreation Board

Minutes of meeting held December 18th, 2013

10.2 Ripley Minor Hockey

Minutes of meeting held August 8th, 2013, September 5th, 2013, September 11th, 2013, October 10th, 2013, November 27th, 2013.

10.3 Lucknow Community Health Centre Board

Minutes of meeting held February 12th, 2014

10.3 Lucknow Community Health Centre Board

Minutes of meeting held February 12th, 2014

11.0 **NEW BUSINESS/COUNCIL REPORTS**

11.1 Closed Meeting Investigation

This resolution was to be brought forward from the February 3rd, 2014 meeting.

STAFF COMMENTS: This was missed in error on the agenda and brought forward at the meeting.

ACTION: The following motion was passed.

Moved by Sloetjes
Seconded by Gamble

MULTI-
MUNICIPAL WIND
TURBINE
WORKING
GROUP CLOSED
MEETING
INVESTIGATION
REPORT

58

THAT the Township of Huron-Kinloss Council hereby receives the Closed Meeting Investigator report prepared by Amberley Gavel Ltd. Regarding the alleged Multi-Municipal Wind Turbine Meeting held June 21st, 2013; and

FURTHER THAT the Meeting Investigator has provided a number of items 1. thru 11. for consideration by the Multi-Municipal Wind Turbine Working Group as outlined on page 6 of the report; and

FURTHER THAT as a member of the Multi-Municipal Wind Turbine Working Group, Council must ensure openness and transparency of all committees; and

FURTHER THAT as a member municipality Council requests the Multi-Municipal Wind Turbine Working Group review items 1. thru 11. on page 6 of the report and provide documentation on how the committee will address and implement these items going forward; and

FURTHER THAT the invoice for the Closed Meeting Investigation be forwarded to the Multi-Municipal Wind Turbine Working Group for consideration by member municipalities.

NOW THEREFORE BE IT RESOLVED THAT the Clerk is hereby directed to forward this resolution and the Closed Meeting Investigator Report to the Secretary of the Multi-Municipal Wind Turbine Working Group and to all member municipalities for consideration and support.

Carried.

11.2 Multi Municipal Wind Turbine Working Group Meeting

Councillor Murray reported that the draft resolution was considered at the February meeting of the MMWTWG. The Committee has agreed to support splitting the cost of the investigation. The Committee will be seeking a \$700 fee for 2014 from all member municipalities.

STAFF COMMENTS: None at this time.

ACTION: Councillor Murray relayed information from the MMWTWG meeting. Items 1. thru 11. on page 6 of the report were discussed at the meeting and a new Terms of Reference is being developed. The Clerk will clarify the members appointed on the Consolidated Appointment By-Law.

12.0 **OTHER AGENCY MINUTES & REPORTS RECIEVED**

12.1 Maitland Valley Conservation Authority

Minutes of meeting held December 18th, 2013

12.2 Maitland Source Protection Authority

Minutes of meeting held October 16th, 2013

13.0 **CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE**

13.1	AMO	AMO OPP Policed Communities: Update 1 February 7, 2014
13.2		AMO Communications – Roadmap to Asset Management: Getting Up to Speed (Symposium) February 6, 2014
13.3		AMO Communications –Highlights of January 2014 Board Meeting January 31, 2014
13.4		AMO Watch File January 30 th , 2014
13.5		AMO Communications –Registration Now Open for the 2014 AMO Annual Conference January 28 th , 2014
13.6	Grey Bruce Health Unit	News Release –It's Not Sexist, it's science – February 10 th 2014
13.7		News Release – Family Day of Play– February 7 th 2014
13.8		News Release – Grey County Social Housing adopts a smoke-free policy– February 3 rd , 2014
13.9	General	Farmland Forum 2014 – Toward Permanent Land Protection in an evolving Policy Environment March 7 th , 2014
13.10		Lake Huron e-news – February 2014
13.11		Huron County - Notice of Decision of an Official Plan Amendment February 10 th , 2014

13.12		LAS NewsFlash – Issue 14, February 2014
13.13		Making Waves January 29, 2014
13.14		Ontario Honours and Awards – 2014 Ontario Senior of the Year Award January 31 st , 2014
13.15		Ministry of Citizenship and Immigration – Newcomer Champion Award February 10 th , 2014

14.0 CONFIRMING BY-LAW

Moved by Sloetjes
Seconded by Gamble

FEBRUARY, 2014
CONFIRMATORY
BY-LAW

59

THAT leave be given to introduce By-Law Number 2014-15 being the "February, 2014 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

Carried.

15.0 ADJOURN

Moved by Gamble
Seconded by Sloetjes

ADJOURN

60

THAT Huron-Kinloss Township Council do now adjourn.

Carried

Original Signed by Mitch Twolan
Mayor

Original Signed by Sonya Watson
Clerk