

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

Township of Huron-Kinloss Council met in regular session on the 21st day of April, 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	(A)
	Jeff Elliott	(P)
	Jim Hanna	(P)
	Don Murray	(P)
	Carl Sloetjes	(A)
Administrator	Mary Rose Walden	(P)
Clerk	Sonya Watson	(P)
Treasurer	Jodi MacArthur	(P)

OTHERS PRESENT: Liz Dadson, Ken Kilpatrick, Valerie Gillies

1.0 CALL TO ORDER

Mayor Twolan called the meeting to order at 7:00 p.m.

2.0 DISCLOSURE OF PECUNIARY INTEREST

<u>Name</u>	<u>Item</u>	<u>Nature of Interest</u>
<i>Councillor Elliott</i>	5.3 & 5.4	<i>landowner</i>
<i>Councillor Hanna</i>	7.1	<i>Neighbouring property</i>

3.0 ADOPTION OF THE MINUTES

Moved by Gamble
Seconded by Elliott

ADOPT COUNCIL MINUTES	103	THAT Huron-Kinloss Township Council hereby adopts the March 17 th , 2014 Council Meeting Minutes as written.	Carried.
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Moved by Elliott
Seconded by Gamble

ADOPT GENERAL COMMITTEE MINUTES	104	THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the April 7 th , 2014 General Committee Meeting Minutes as written.	Carried.
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Moved by Elliott
Seconded by Gamble

ADOPT COUNCIL MINUTES 105 THAT Huron-Kinloss Township Council hereby adopts the April 9th, 2014 Special Council Meeting Minutes as written.
Carried.

4.0 DELEGATIONS

None scheduled.

5.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

5.1 Exemption to Noise By-Law

Moved by Murray
Seconded by Elliott

EXEMPTION TO NOISE BY-LAW 106 THAT the Township of Huron-Kinloss Council hereby grants an exemption to Section 3.5 of the Noise By-law 2005-101 as amended to Music In The Fields from 11:00 p.m. on August 22nd, 2014 to 2:00 a.m. on August 23rd, 2014 and from 11:00 p.m. on August 23rd, 2014 to 2:00 a.m. on August 24th, 2014 for the two day concert.
Carried.

5.2 Waiving Arena Floor Fee for 2014 Reunion Kick-Off Dance

Moved by Gamble
Seconded by Elliott

WAIVING ARENA FLOOR FEE FOR 2014 KICK-OFF DANCE 107 THAT the Township of Huron-Kinloss Council hereby waives the \$625.00 fee for the rental of the Ripley Community Centre arena floor for the May 10th, 2014 Kick-Off Dance as requested by the Ripley-Huron Reunion Committee.
Carried.

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

5.3 Multi-Municipal Wind Turbine Working Group (MMWTWG) – infrasound letter

We have received a request from the MMWTWG requesting Council support to send a letter to members of the Provincial Cabinet and the local Medical Officer of Health regarding infrasound from wind turbines. We have attached the letter for your review.

Moved by Murray
Seconded by Gamble

MMWTWG
INFRASOUND
LETTER

108

THAT the Township of Huron-Kinloss Council hereby supports the letter prepared by the MMWTWG regarding “New research indicates human ear *does* respond to infrasound from wind turbines” and as such supports the MMWTWG sending the letter and authorizes the Clerk to send the letter to the parties indicated on behalf of Council.

Carried.

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

5.4 MMWTWG – Investigation of Renewable Energy Approval Process

We have received a request from the MMWTWG requesting Council support for a resolution re: Ombudsman Investigation. We have attached the letter for your review.

Moved by Murray
Seconded by Gamble

MMWTWG -
INVESTIGATION
OF
RENEWABLE
ENERGY
PROCESS

109

WHEREAS the Provincial government is proposing to create new municipal accountability and transparency measures by giving the Ontario Ombudsman a role in investigating specific actions of municipalities and to conduct broader investigations if a broader systemic issue is identified; and,

WHEREAS the Green Energy and Green Economy Act 2009 removed decisions related to renewable energy projects from an open, accessible, timely and efficient municipal planning process governed by the Planning Act and replaced them with the Renewable Energy Approval process operated by the Ministry of the Environment; and,

WHEREAS the current Provincial Renewable Energy Approval process reviews are conducted in private using a process, which

compared to the planning processes that they replaced have very limited public transparency to the local communities affect by their decisions; and,

WHEREAS local review of applications submitted by proponents of wind projects after they are deemed complete by the Ministry of the Environment indicate that the required assessments of the impact of the project on a community are missing significant information, inaccurate or completely absent; and,

WHEREAS the government set out a commitment in the February 2013 Throne Speech to place renewable energy projects in 'Willing Host' communities but continues to ignore resolutions of 82 municipalities indicating that they are not willing to host wind turbine projects by issuing new approvals of turbine projects in these municipalities; and,

WHEREAS municipalities are now receiving proposals from wind companies that contain substantial financial inducements to support projects in their community even though similar inducements would be considered an inappropriate transaction in the context of other planning proposals; and,

WHEREAS the legal procedures of the Environmental Review Tribunal that hears appeals of Ministry of the Environment decisions make it very difficult for local citizens to register local concerns as well as to follow the proceedings of tribunals that are largely conducted in Toronto offices according to a schedule that is not publicly available and constantly changing at the last minute.

In particular, the Township of Huron-Kinloss would like to draw the attention the Ombudsman to a number of specific concerns as outlined in the attachment prepared by Wind Concerns Ontario (WCO)

NOW THEREFORE IT BE RESOLVED THAT The Council of the Township of Huron-Kinloss:

- 1) Requests that the Ontario Ombudsman undertake a broad review of systemic issues related to the current operation of the Renewable Energy Approval process and,
- 2) Recommend guidelines and standards for the process going forward to ensure that it operate with an appropriate level of integrity, openness and transparency appropriate for a high profile provincial government initiative.

Carried.

5.5 Provincial direction regarding development on private roads

Moved by Gamble
Seconded by Elliott

PROVINCIAL
DIRECTION
REGARDING
DEVELOPMENT
ON PRIVATE
ROADS

110

WHEREAS in Townships such as Wollaston with thousands of acres of undeveloped lands and the best potential for growth for the Rural properties is tourism and recreational use; and,

WHEREAS the Township cannot afford to extend the existing network of municipally maintained roads to grant road frontage to these lands; and,

WHEREAS the Ministry of Municipal Affairs and Housing (MMAH) has indicated that they may not support policies that will permit new development to occur on the extensions of private roads, on new private roads or unopened road allowances;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the Township of Wollaston and requests the MMAH to reconsider their policy direction regarding development on private roads and un-open road allowances;

AND FURTHERMORE that policy be developed to allow municipalities more autonomy to regulate their own development in ways that are appropriate for their specific area.

Carried.

5.6 Long Term Energy Costs

Moved by Elliott
Seconded by Murray

LONG TERM
ENERGY
COSTS

111

WHEREAS the province's recently released Long Term Energy Plan anticipates that consumers will face hydro rates that will rise by 42% over the next five (5) years; and,

WHEREAS the Minister of Energy recently announced that past FIT prices are driving electricity prices higher and that changes to domestic content requirements for construction of future renewable energy projects are necessary to lower future electricity rates; and,

WHEREAS the recent auditor-general's report advised of extreme

amounts of waste in the energy sector, particularly at Ontario Power Generation and Hydro One, due to high labour costs and generous public sector pension plans; and,

WHEREAS decisions including but not limited to the cancellation of gas plants in Ontario could cost taxpayers close to \$1.1 billion; and,

WHEREAS it is essential for the residents and businesses of Ontario to have access to affordable hydro to thrive and prosper;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the Regional Municipality of Niagara and requests that Premier Wynne and the Province of Ontario take immediate action to prevent these and any other rate increases from being implemented.

Carried.

5.7 Review of Funding for Small Town Ontario Schools

Moved by Elliott
Seconded by Gamble

REVIEW OF
FUNDING FOR
SMALL TOWN
ONTARIO
SCHOOLS

112

WHEREAS small town/rural Ontario communities face many risks and challenges that are far different than our large city counterparts; and

WHEREAS one of the challenges sees small town and rural communities facing closures of both elementary and high schools in their communities; and,

WHEREAS these potential closures are subject to an administrative School Board process called and Accommodation Review; and,

WHEREAS there is lack of public trust in the Accommodation Review process due to their reputation of having pre-determined outcomes; and,

WHEREAS in some instances, the elected School Board Trustees have not met with the Minister of Education nor the Minister of Rural Affairs to discuss small town and rural Ontario per student funding needs; and,

WHEREAS small town and rural Ontario schools are being closed in favour of opening new schools in the larger city centers; and,

WHEREAS the levels of Educational service and costs associated with said services are funded by the Province of Ontario; and,

WHEREAS the Ontario Government has not directly consulted nor communicated with small town rural Ontario municipalities being serviced by the School Boards in regards to school closures, neither have they directly consulted / communicated with small town rural Ontario municipalities in regards to the financial implications of school closures on small town and rural Ontario communities; and,

WHEREAS all municipalities strive to be complete communities and education represents an integral component of being a complete community; and,

WHEREAS education is one of the largest assets that a municipality can provide to its residents in terms of offering quality of life and quality of community; and,

WHEREAS the continued pressure of Accommodation Reviews is having an adverse effect on municipalities in the delivery and attraction of other essential services, businesses and development within their respective communities; and,

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the Town of Penetanguishene and requests the Association of Municipalities of Ontario (AMO) and Ontario Small Urban Municipalities Association (OSUM) to clearly and directly communicate to the Provincial Government on the necessity of new per student funding models for small town and rural Ontario municipalities;

AND FURTHER THAT AMO and OSUM request meetings with the Minister of Education and Minister of Rural Affairs to review how the current funding model dramatically impacts small communities, from the loss of cultural identity for our children, the negative economic impact of job losses, diminished ability to attract new businesses and residents;

AND FURTHER THAT this joint effort request a moratorium on all school closures until such time that the administrative process on accommodations reviews is completed by the Provincial Government.

Carried.

6.5 Alcohol Service Revenue/Expenditure Report

As requested, we have provided a revenue/expenditure report on the results of the bar services to date.

STAFF COMMENTS: We bring this forward for information purposes.

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 *vibrant, spirited and accessible* community.

ACTION: Councillor Elliott supplied a hard copy of the Lucknow & District Recreation-Bar Sales for Council's review. It was suggested that the reports be presented and reviewed quarterly for comparison purposes.

7.0 REPORTS OF STAFF AND COMMITTEES

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

7.1 Ratify Decision from March Planning Meeting

Moved by Gamble
Seconded by Elliott

RATIFY
DECISIONS
FROM MARCH
PAC MEETING

116

THAT The Township of Huron-Kinloss Council hereby acknowledges the decisions made by the Planning Committee at the March 24th, 2013 meeting and as such supports their decision for the following application:

DEFERRAL of the Bushell Application File # HKOPA #33-14-11 and Z-3-14.11 until such time that a Site Plan Agreement can be developed satisfactory to both parties.

Carried.

8.0 BY-LAWS AND AGREEMENTS

8.1 Appoint Martin as Business and Economic Officer By-Law

Moved by Elliott
Seconded by Gamble

APPOINT MARTIN
AS BUSINESS
AND ECONOMIC
OFFICER

117

THAT leave be given to introduce By-Law Number 2014-23 being the "Appoint Martin and Business and Economic Officer By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.2 Lucknow's Music In The Fields Vendor By-Law

Moved by Gamble
Seconded by Elliott

LUCKNOW'S MUSIC IN THE FIELDS VENDOR 118 THAT leave be given to introduce By-Law Number 2014-24 being the "Lucknow's Music In The Fields Vendor By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.
Carried.

8.3 Adopt Revised Permanent Liquor Sales Licence Policy By-Law

Moved by Gamble
Seconded by Elliott

ADOPT REVISED PERMANENT LIQUOR SALES LICENCE POLICY 119 THAT leave be given to introduce By-Law Number 2014-25 being the "Adopt Revised Permanent Liquor Sales Licence Policy By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.
Carried.

8.4 Hill, Pine, Birch and Emmerton Watermain and Road Reconstruction Tender Acceptance By-Law

Moved by Elliott
Seconded by Gamble

HILL, PINE, BIRCH AND EMMERTON WATERMAIN AND ROAD RECONSTRUCTION TENDER ACCEPTANCE 120 THAT leave be given to introduce By-Law Number 2014-26 being the "Hill, Pine, Birch and Emmerton Watermain and Road Reconstruction Tender Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.
Carried.

8.5 Malcolm, Blake and Christina Watermain Replacement and Paving Project Tender Acceptance By-Law

Moved by Elliott
Seconded by Gamble

MALCOLM, BLAKE AND CHRISTINA WATERMAIN REPLACEMENT AND PAVING PROJECT TENDER ACCEPTANCE 121 THAT leave be given to introduce By-Law Number 2014-27 being the " Malcolm, Blake and Christina Watermain Replacement and Paving Project Tender Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.
Carried.

8.6 2014 Compliance Audit Committee By-Law

At the February General Committee meeting Council authorized the Clerk sending out letters confirming members on the 2010 Compliance Audit Committee wished to remain on the committee.

STAFF COMMENTS: We received confirmation in writing from 3 of the previous members indicating they will continue to serve on the committee. The *Municipal Elections Act* requires "not fewer than 3 members". The Clerk is satisfied with a 3 member committee and has brought forward the Consolidated Appointment By-Law for consideration and well as the updated Committee By-law.

Moved by Gamble
Seconded by Elliott

2014
COMPLIANCE
AUDIT
COMMITTEE

122

THAT leave be given to introduce By-Law Number 2014-28 being the "2014 Compliance Audit Committee By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.7 Consolidated Appointment By-Law

Moved by Elliott
Seconded by Gamble

CONSOLIDATED
APPOINTMENT
AMENDMENT

123

THAT leave be given to introduce By-Law Number 2014-29 being the "Consolidated Appointment Amendment April 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.8 Bruce Clean Water Research Initiative Agreement 2014 By-Law

Moved by Gamble
Seconded by Elliott

BRUCE CLEAN
WATER
RESEARCH
INITIATIVE
AGREEMENT
2014

124

THAT leave be given to introduce By-Law Number 2014-30 being the "Bruce Clean Water Research Initiative Agreement 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.9 Authorize Agreement with Dominion Voting Systems Corporation By-Law

Moved by Elliott
Seconded by Gamble

AUTHORIZE
AGREEMENT
WITH DOMINION
VOTING
SYSTEMS
CORPORATION

125

THAT leave be given to introduce By-Law Number 2014-31 being the "Authorize Agreement with Dominion Voting Systems Corporation By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.10 Unopened Road Allowance Establish Highway By-Law

Public Notice of Council's intention to dispose of an unopened portion of road allowance known as part of Delhi Street, Plan 43 (Lucknow); Huron-Kinloss lying North of Ludgard Street was provided on the 25th day of March, 2014.

STAFF COMMENTS: There were no concerns received from the public in regards to closing this road allowance. There was one item raised regarding an individual utility service for hydro and sanitary service. There is a possibility the residents private hydro line passes through this road allowance. The Director of Public works has spoken with the owner, viewed the site and has notified the County to ensure locates are obtained prior to excavation. It is our understanding from speaking with the Township solicitor the services would not have to be relocated. The following two By-Laws open and close the unopened road allowance and the third by-law authorizes the agreement of purchase and sale and Council's intent to sell to unopened road allowance to the County of Bruce for construction of a new County works shed in Lucknow.

* Note- Weather has delayed the surveying of this property. At the time of printing the agenda only a draft reference plan was available and the final plan was being deposited on Thursday in order to obtain a reference plan number which must be reflected in the closing by-law. The final by-laws will be prepared Monday and will reflect this Reference Plan number once received.

Moved by Gamble
Seconded by Elliott

UOPENED
ROAD
ALLOWANCE
ESTABLISH
HIGHWAY

126

THAT leave be given to introduce By-Law Number 2014-32 being the "Unopened Road Allowance (Delhi Street, Lucknow) Establish Highway By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.11 Close a Portion of Public Highway (Delhi Street, Lucknow) By-Law

Moved by Gamble
Seconded by Elliott

CLOSE A
PORTION OF
PUBLIC HIGHWAY

127

THAT leave be given to introduce By-Law Number 2014-33 being the "Close a Portion of Public Highway (Delhi Street, Lucknow) By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

8.12 Sale of Unopened Part of Delhi Street, Lucknow Agreement Acceptance By-Law

Moved by Elliott
Seconded by Gamble

SALE OF
UNOPENED PART
OF DELHI
STREET

128

THAT leave be given to introduce By-Law Number 2014-34 being the "Sale of Unopened Part of Delhi Street, Lucknow Agreement Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 21st day of April, 2014.

Carried.

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

9.1 Healthy Communities Conference

The 2014 Healthy Communities Conference Collaborative Partnerships Making Healthy Change Happen is being held May 14th and 15th, 2014 in Owen Sound. The program brochure is attached.

STAFF COMMENTS: If anyone is interested in attending, please advise the Clerk.

ACTION:

10.0 TOWNSHIP COMMITTEE MINUTES RECEIVED

10.1 Lucknow & District Joint Recreation Board

Minutes of meeting held February 19th, 2014 and March 19th, 2014

10.2 Nuclear Waste Community Advisory Committee

Minutes of meeting held March 4th, 2014

10.3 Multi-Municipal Wind Turbine Working Group

Minutes of meeting held February 13th, 2014 and March 13th, 2014.

11.0 **NEW BUSINESS/COUNCIL REPORTS**

11.1 AR- Restricted Agriculture Zone

Council is receiving inquiries in regard to whether livestock is permitted in the AR Zone.

STAFF COMMENTS: None at this time.

ACTION: Staff will review the Comprehensive Zoning By-law for clarity and a report will be provided at the May 5th, 2014 Council meeting for review and a response can be sent directly to the resident.

12.0 **OTHER AGENCY MINUTES & REPORTS RECEIVED**

12.1 Maitland Valley Conservation Authority

Financial Statements for the year ending December 31, 2013

Minutes of meeting held February 5th, 2014 and February 19th, 2014

12.2 Bruce Area Solid Waste Recycling

Financial Statements for the year ending December 31, 2013

12.3 Wingham & Area Health Professionals Recruitment Committee

Financial Statements for the year ending December 31, 2013

Minutes of meeting held January 13, 2014

12.4 Saugeen Mobility and Regional Transit (S.M.A.R.T.)

Financial Statements for the year ending December 31, 2013

12.5 Saugeen Valley Drinking Water Source Protection

Minutes of meeting held June 21st, 2013 and October 4th, 2013

13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

13.1	AMO	AMO Communications –Premier Announces \$29 Billion for Transit and Transportation Infrastructure April 14, 2014
13.2		AMO Watch File April 10, 2014
13.3		AMO Communications –AMO New Task Force on Police Modernization April 10, 2014
13.4		AMO OPP Billing Steering Committee Final Report April 10, 2014
13.5		AMO OPP Billing Steering Committee April 8, 2014
13.6		AMO Watch File April 3, 2014
13.7	Grey Bruce Health Unit	News Release –Public Assistance Request – April 15, 2014
13.8		News Release – Health Unit Receives Accreditation with Exemplary Standing March 3, 2014
13.9	General	Alcohol and Gaming Commission of Ontario- Vintner's Quality Alliance ("VQA") soon to be soon at Eligible Farmer's Markets April 11, 2014
13.10		Lake Huron e-news – April 2014
13.11		South Bruce Grey Health Centre In The News – March 2014
13.12		Making Waves April 8, 2014
13.13		Great Lakes – Quarterly Climate Impacts and Outlook March 2014
13.14		MISA Municipal Interface April 2014
13.15		NWMO – Implementing Adaptive Phased Management 2014 - 2018
13.16		Ministry of Agriculture and Food – Connects /April 2014

14.0 CLOSED SESSION

Moved by Murray
Seconded by Hanna

MOVE TO
CLOSED
SESSION

129

THAT Huron-Kinloss Township Council move into a Closed Session pursuant to section 239 of the Municipal Act, 2001, as amended at 7:50 p.m. for the purpose of discussing:

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - Natural Gas Project

Carried.

15.0 RETURN TO OPEN SESSION

Moved by Murray
Seconded by Hanna

RISE FROM
CLOSED
SESSION 131 THAT Huron-Kinloss Township Council rise from Closed Session at
p.m.
Carried

16.0 BUSINESS ARISING FROM THE CLOSED SESSION

Moved by Hanna
Seconded by Murray

BUSINESS
ARISING FROM
THE CLOSED
SESSION 132 THAT leave be given to introduce By-Law Number 2014-36 being
the "Memorandum of Agreement-Natural Gas Project By-Law"
and that it now be read severally a first, second and third time and
finally passed this 21st day of April, 2014.
Carried

17.0 CONFIRMING BY-LAW

Moved by Murray
Seconded by Hanna

APRIL, 2014
CONFIRMATORY
BY-LAW 133 THAT leave be given to introduce By-Law Number 2014-35
being the "April, 2014 Confirmatory By-Law" and that it now be
read severally a first, second and third time and finally passed
this 21st day of April, 2012.
Carried.

18.0 ADJOURN

Moved by Hanna
Seconded by Murray

ADJOURN 134 THAT Huron-Kinloss Township Council do now adjourn.
Carried

Original Signed by Mitch Twolan
Mayor

Original Signed by Sonya Watson
Clerk