

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

Township of Huron-Kinloss Council met in regular session on the 15th day of April, 2013 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	(P)
	Jim Hanna	(P)
	Don Murray	(P)
	Carl Sloetjes	(P)
Administrator	Mary Rose Walden	(P)
Clerk	Sonya Watson	(P)
Treasurer	Jodi MacArthur	(P)
Drainage Superintendent	Grant Collins	(P)

OTHERS PRESENT: Liz Dadson, Garit Reid, Ken Kilpatrick, Brian Watt, Tim McGinnis, Morris Leonard, Sharon Rider, Scott Bacon, Rick Bacon, John Holder, Mike Holder, Matt Farrell, Cherie Johnson, Amanda Farrell, Gail Colling, Barb McKay

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>
None disclosed.		

3.0 ADOPTION OF THE MINUTES

		Moved by Sloetjes Seconded by Gamble	
ADOPT COUNCIL MINUTES	102	THAT Huron-Kinloss Township Council hereby adopts the March 18 th , 2013 Council Meeting Minutes as written.	Carried.
		Moved by Elliott Seconded by Sloetjes	
ADOPT GENERAL COMMITTEE MINUTES	103	THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the April 1 st , 2013, General Committee Meeting Minutes as written.	Carried.

4.3 Kincardine Nimrod Club Tim McGinnis, President 7:20 p.m.

Tim McGinnis, Sharon Rider, Morris Leonard and Brian Watt from the Kincardine Nimrod Club will be attending as a delegation to speak to their request for a noise exemption to hold a "After Dark Trap Shoot" on May 4th, 2013.

STAFF COMMENTS: More information pertaining to this request has been provided in item 5.2.

ACTION: Tim McGinnis clarified some information in the Green Acres Campground letter for Council that he felt was not correct. He also clarified that the group had contacted Green Acres Campground by email and had also tried to call and speak with them with no response. The Nimrod Club held a similar "After Dark Trap Shoot Event" in 2005 before the Noise by-law came into effect. He clarified that gun club members shoot only during the shooting hours. Nimrod means great hunter or sportsmen. The comments of excessive noise all day everyday are not correct. The Nimrod Gun Club hours are posted. Mr. McGinnis stated that they are safety conscious and do reprimand any members who go against their rules. They receive authorization to shoot from the Firearms Office. There are 8 people who come from farther away than Hanover so most members are local. They have made recent improvements to the range in an effort to prevent ricochets from occurring.

Councillor Murray questioned club members whether they could even do this shoot based on the current gun laws stating that guns have to be put away a half hour after dusk. This is not applicable to gun ranges. Mr. McGinnis stated that The Nimrod Gun Club has been in existence since 1953.

Rick Bacon requested permission to speak. Mayor Twolan asked if Council would permit Rick Bacon to speak. Council by way of a show of hands permitted Mr. Bacon to speak.

Rick Bacon said the Green Acres Campground is losing business due to the noise and risk associated with the gun club next door and brought up information on various incidents and the safety implications they have for the campground residents. They feel the hours permitted for shooting are excessive.

Mayor Twolan encouraged both groups to establish a working relationship. The Nimrod Gun Club was asked by Councillor Murray if they would consider reducing the shooting hours. There was no response at this time. The Clerk will prepare a response letter to all who provided written correspondence. The motion to permit the "After Dark Trap Shoot" was defeated.

5.0 **CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED**

5.1 A Bridges out of Poverty Educational Opportunity

We have received an invitation for Council and staff from the Grey Bruce Children's Alliance for an education forum they have organized on May 16th, 2013 at 9:30 a.m. in Port Elgin

STAFF COMMENTS: The invitation has been attached for your review. If anyone wished to attend please notify the Clerk.

ACTION: Councillor Abbott will attend.

5.2 Nimrod Club Noise Exemption Request

Council considered the request of the Nimrod Club at the April 1, 2013 session. The Club was directed to notify residents in the area based on the notification list provided to them of residents within 300 metres of the club. Any concerns in regards to this request would be considered tonight prior to passage of the resolution granting the exemption.

STAFF COMMENTS: We have received three written letters of concern in regards to this request that we have attached for your review. The Clerk and By-Law Enforcement Officer have also received phone calls of concern.

John Holder – Concession 12

Green Acres Campground – Concession 12

Bill McLelland - Concession 12

The following resolution authorizing the exemption has been prepared for your consideration.

ACTION: Council considered the comments from all parties.

Moved by Elliott
Seconded by Gamble

EXEMPTION
TO NOISE
BY-LAW

105

THAT the Township of Huron-Kinloss Council hereby grants an exemption to Section 3.3 of the Noise By-law 2005-101 as amended to the Kincardine Nimrod Club located at 2334 Concession 12 to host an "After Dark Trap Shoot" on Saturday May 4th, 2013 or on a rain date of May 11th, 2013 for the extended hours of 9:00 p.m. to 10:30 p.m.

Defeated.

5.3 Contraband Tobacco

We have received a request from the Ontario Convenience Stores Association (OCSA) regarding the distribution and sale of contraband (illegal) tobacco throughout Ontario.

STAFF COMMENTS: As per the letter we have prepared the following resolution of support for your consideration.

ACTION: The following motion was passed.

Moved by Gamble
Seconded By Sloetjes

CONTRABAND
TOBACCO

106

WHEREAS Contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco products, and in increase in criminal activity; and

WHEREAS small businesses are sometimes forced to close because of the sale of contraband tobacco; and

WHEREAS small business in our community and government in general stand to benefit from the institution of tougher restrictions on contraband tobacco;

NOW THEREFORE be it resolved that Huron-Kinloss Township Council hereby request the Ontario Minister of Finance support the Ontario Government's 2012 Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the Tobacco Tax Act. Particularity in support of measures such as;

- Increased fines for those convicted of offenses related to contraband tobacco;
- More authority for law enforcement officials with respect to: forfeiture of items seized, and impounding of vehicles;
- Drawing on the best practices of other jurisdictions and working collaboratively with the Federal Government and other jurisdictions to enhance contraband tobacco control through joint enforcement efforts; and

FURTHER THAT the Provincial Government be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco and maintain their commitment to introduce amendments this fall to implement these measures.

Carried.

5.4 Project Animal Welfare

We have received an invitation from the Bruce County Federation of Agriculture for their second "Project Animal Welfare meeting" being held April 17th, 2013 in Walkerton from 1:00 – 3:00 p.m.

STAFF COMMENTS: Deputy Mayor Gamble and the By-Law Enforcement Officer attended the last meeting. The Clerk will respond with the names of those attending.

ACTION: By-Law Enforcement Officer and Deputy Mayor Gamble will attend.

6.5 Quarterly Tax Arrears Report

The Deputy Treasurer/Tax Clerk has prepared a tax arrears report for your review.

STAFF COMMENTS: Included in the report.

ACTION: Received and filed.

6.6 Purchasing Policy Exemption

We respectfully request an exemption from the purchasing policy for the supply and installation of the Oil Separators and Ammonia detection system for the refrigeration Ice plant at the Ripley-Huron Community Centre.

STAFF COMMENTS: Due to the nature of the work we seek the exemption. Total cost is \$9958.00 plus applicable taxes from Drennan Refrigeration. We have prepared a resolution for your consideration.

ACTION: The following motion was passed.

Moved by Gamble
Seconded by Sloetjes

EXEMPTION TO
PURCHASING
POLICY

110

THAT Huron-Kinloss Township Council hereby grants an exemption to section 6. B) of the purchasing policy due to a limited source supplier for the supply and installation of the oil separators and an ammonia detection system for the ice plant at the Ripley-Huron-Community Centre in the amount of \$9958.00 plus taxes from Drennan Refrigeration.

Carried.

6.7 Surplus Equipment Report

The Treasurer has prepared a report for your review.

STAFF COMMENTS: Included in the report.

ACTION: The following motion was passed.

Moved by Sloetjes
Seconded by Elliott

DISPOSE OF
SURPLUS
EQUIPMENT

111

THAT Huron-Kinloss Township Council hereby declares the folding chairs and bench seats from the Lucknow Town Hall Theatre surplus and authorizes the HAWK Theatre to proceed with sale of the items as per the Township's Surplus Equipment Policy, with proceeds allocated to the Town Hall elevator project.

Carried.

7.0 REPORTS OF STAFF AND COMMITTEES

7.1 Ratify Decision from March Planning Meeting

Moved by Gamble
Seconded by Elliott

RATIFY
DECISIONS
FROM MARCH
PAC MEETING

112

THAT The Township of Huron-Kinloss Council hereby acknowledges the decisions made by the Planning Committee at the March 25th, 2013 meeting and as such supports their recommendations for the following application:

APPROVAL of the application of Murray E. Ferguson for a Zoning By-Law Amendment File #Z-5-13.16 prepared by the County of Bruce Planning and that the appropriate Zoning By-law be brought forward for consideration.

Carried.

7.2 OMB Hearing

The OMB Hearing for the property located at 1582 Bruce Road 1 is confirmed.

STAFF COMMENTS: The Hearing will be held for 2 days starting Monday July 22nd at 11:00 a.m. in Council Chambers. Steve O'Melia will be representing the Township's interests. We bring this to your attention for information purposes only.

ACTION: Noted.

7.3 Community Improvement Plan Policies

At the April 1st, 2013 meeting the CIP was presented. The By-Law was to come forward tonight for adoption.

STAFF COMMENTS: the By-Law will be deferred at this time. Please see the attached report prepared by the County of Bruce Planning Department.

ACTION: A new draft will be brought forward on May 6th, 2013.

7.4 Vanderhoek Municipal Drain Tender

The Clerk has prepared a report for your review.

STAFF COMMENTS: Included in the report.

ACTION: Approved. Bring the By-Law forward.

8.0 BY-LAWS AND AGREEMENTS

8.1 Saugeen Mobility and Regional Transit (S.M.A.R.T.) Agreement By-Law

Moved by Abbott
Seconded by Murray

S.M.A.R.T. 113 THAT leave be given to introduce By-Law Number 2012-33 being the "Saugeen Mobility and Regional Transit (S.M.A.R.T.) Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 15th day of April, 2013.

Carried.

8.2 Authorize Town of Hanover to Collect Dedicated Gas Tax Funds By-law

Moved by Abbott
Seconded by Murray

AUTHORIZE 114 THAT leave be given to introduce By-Law Number 2012-34 being the
TOWN OF " Authorize Town of Hanover to Collect Dedicated Gas Tax Funds
HANOVER TO By-Law" and that it now be read severally a first, second and third
COLLECT time and finally passed this 15th day of April, 2013.
DEDICATED GAS
TAX FUNDS

Carried.

8.3 Ferguson Zoning Amendment By-Law

Moved by Hanna
Seconded by Abbott

FERGUSON 115 THAT leave be given to introduce By-Law Number 2012-35 being the
ZONING "Ferguson Zoning Amendment By-Law" and that it now be read
AMENDMENT severally a first, second and third time and finally passed this 15th
day of April, 2013.

Carried.

8.4 Authorize Execution of Employment Agreement – Lush By-Law

Moved by Abbott
Seconded by Hanna

AUTHORIZE 116 THAT leave be given to introduce By-Law Number 2013-36 being the
EXECUTION OF " Authorize Execution of Employment Agreement – Lush By-Law"
EMPLOYMENT and that it now be read severally a first, second and third time and
AGREEMENT - finally passed this 15th day of April, 2013.
LUSH

Carried.

8.5 MacLennan Municipal Drain By-Law

Moved by Murray
Seconded by Abbott

MACLENNAN
MUNICIPAL
DRAIN

117

THAT leave be given to introduce By-Law Number 2013-37 being the "MacLennan Municipal Drain By-Law" and that it now be read a first and second time and provisionally adopted this 15th day of April, 2013.

Carried.

8.6 Vanderhoek Municipal Drain Tender Acceptance By-Law

Moved by Abbott
Seconded by Murray

VANDERHOEK
MUNICIPAL
DRAIN TENDER
ACCEPTANCE

118

THAT leave be given to introduce By-Law Number 2013-38 being the "Vanderhoek Municipal Drain Tender Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 15th day of April, 2013.

Carried.

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

9.1 Ministry of Community Safety and Correctional Services

We have received a response letter from the Ministry of Community Safety and Correctional Services in regards to the meeting with the Mayor and Councillors at the ROMA/OGRA Conference in February.

STAFF COMMENTS: We have attached the letter for your review.

ACTION: Received and filed.

10.0 **TOWNSHIP COMMITTEE MINUTES RECEIVED**

10.1 Lucknow Downtown Revitalization Committee

Minutes of meeting held February 5th, 2013

10.2 Ripley Downtown Revitalization Committee

Minutes of meeting held February 21st, 2013

- 10.3 Lucknow & District Joint Recreation Board
Minutes of meeting held February 20th, 2013

11.0 NEW BUSINESS/COUNCIL REPORTS

There was no new business raised.

12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED

- 12.1 Maitland Valley Conservation Authority
Financial Statements for the year ending December 31, 2012
- 12.2 Wingham & Area Health Professionals Recruitment Committee
Financial Statements for the year ending December 31, 2012
- 12.3 Saugeen Mobility and Regional Transit (S.M.A.R.T.)
Financial Statements for the year ending December 31, 2012
- 12.4 Bruce Area Solid Waste Recycling
Financial Statements for the year ending December 31, 2012
- 12.5 Ontario Provincial Police South Bruce Detachment
Detachment Commander's Report January – March 2013
- 12.6 Multi-Municipal Wind Turbine Working Group
Minutes of the meeting held Thursday February 28th, 2013
- 12.7 Wingham & Area Health Professionals Recruitment Committee
Minutes of the meeting held February 12th, 2013
- 12.8 Maitland Valley Conservation Authority
Minutes of the meeting held January 30th, 2013 and March 6th, 2013

13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

13.1	AMO	AMO Watch File – March 28, 2013
13.2		AMO Watch File – April 4, 2013
13.3		AMO Watch File – April 11, 2013
13.4		AMO Report to Members, March 26, 2013
13.5		AMO Breaking News – Interest Arbitration, March 28, 2013
13.6		2013 AMO Urban Symposium, April 18, 19, 2013
13.7		Inspiring & Aspiring Communities, August 18 to August 21, 2013
13.8	Grey Bruce Health Unit	News Release – Public Assistance Request, April 3, 2013
13.9	General	Saugeen Conservation Annual Report 2013
13.10		A Bridges Out of Poverty Educational Opportunity, May 16, 2013
13.11		Bruce County Historical Notes, Vol. 55, No. 1, April 2013
13.12		Lake Huron e-news April 2013
13.13		Invitation to Accessibility Advisory Committees Forums 2013
13.14		Memorandum from Federation of Canadian Municipalities, March 28, 2013
13.15		FCM News, March 28, 2013
13.16		FCM President's Corner
13.17		Letter of March 2013 Re: Lincoln M. Alexander Award 2013
13.18		Thank you from Grant & Carol Collins

14.0 CLOSED SESSION

Moved by Hanna
Seconded by Abbott

MOVE TO
CLOSED
SESSION

119

THAT Huron-Kinloss Township Council move into a Closed Session pursuant to section 239 of the Municipal Act, 2001, as amended at 8: 30 p.m. for the purpose of discussing:

- personal matters about an identifiable individual, including municipal or local board employees;
 - Employee Resignation
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - Zoning prosecution
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - Zoning Prosecution

Carried.

15.0 RETURN TO OPEN SESSION

Moved by Hanna
Seconded by Abbott

RISE FROM
CLOSED
SESSION

120

THAT Huron-Kinloss Township Council rise from Closed Session at 8:40 p.m.

Carried.

16.0 BUSINESS ARISING FROM THE CLOSED SESSION

16.1 Employee Resignation

Council accepted with regret the resignation of Harold Nicholson as Facilities and Cemetery Operator as of October 31st, 2013.

STAFF COMMENTS: None at this time.

ACTION: Noted.

17.0 CONFIRMING BY-LAW

Moved by Hanna
Seconded by Abbott

APRIL 2013
CONFIRMATORY
BY-LAW

121

THAT leave be given to introduce By-Law Number 2013-39 being the "April 2013 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 15th day of April, 2013.

Carried.

18.0 ADJOURN

Moved by Abbott
Seconded by Murray

ADJOURN

122

THAT Huron-Kinloss Township Council do now adjourn to meet again on April 22nd, 2013 at 7:15 p.m. or at the Call of the Mayor.

Carried.

Original Signed By Wilfred Gamble
Deputy Mayor

Original Signed By Sonya Watson
Clerk