

# 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 April, 2011 at 7:00 p.m. in the Township of Huron-Kinloss Council Chambers.

<b>Mayor</b>	<b>Mitch Twolan</b>	<b>(P)</b>
<b>Deputy Mayor</b>	<b>Wilfred Gamble</b>	<b>(P)</b>
<b>Councillors</b>	<b>Lillian Abbott</b>	<b>(P)</b>
	<b>Jeff Elliott</b>	<b>(P)</b>
	<b>Jim Hanna</b>	<b>(P)</b>
	<b>Don Murray</b>	<b>(P)</b>
	<b>Carl Sloetjes</b>	<b>(P)</b>
<b>Administrator</b>	<b>Mary Rose Walden</b>	<b>(P)</b>
<b>Clerk</b>	<b>Sonya Watson</b>	<b>(P)</b>
<b>Treasurer</b>	<b>Jodi MacArthur</b>	<b>(P)</b>
<b>Director of Facilities and Recreation</b>	<b>Mike Fair</b>	<b>(P)</b>
<b>By-Law Enforcement Officer</b>	<b>Brianne Elliott</b>	<b>(P)</b>

**OTHERS PRESENT:** Ken Kilpatrick, Garit Reid, Barb McKay, Liz Dadson, Ken Goldsmith, Wayne Couture, Bill Johnson, Rae Johnson, John Gillespie, Ron Gillespie, Friedrich Martens-Oberwelland, Andrew Page, Allister MacKay

**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>
Councillor Elliott	5.2	Landowner

**3.0    ADOPTION OF MINUTES**

Moved by Hanna  
Seconded by Abbott

ADOPT COUNCIL MINUTES                      97                      THAT Huron-Kinloss Township Council hereby adopts the March 21<sup>st</sup>, 2011 and April 4<sup>th</sup>, 2011 special Council Meeting Minutes as written.

Carried.

Moved by Elliott  
Seconded by Sloetjes

ADOPT GENERAL COMMITTEE MINUTES                      98                      THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the April 4<sup>th</sup>, 2011 General Committee Meeting Minutes as written.

Carried.

**4.0 DEPUTATIONS AND PETITIONS**

- 4.1 Friedrich Martens-Oberwelland Tree Preservation By-Law 7:00 p.m.

STAFF COMMENTS: Mr. Martens-Oberwelland has prepared a letter for your review and wishes to speak to the matter.

ACTION: Mr. Martens-Oberwelland outlined several concerns with the by-law and the restrictions it placed on local farmers. He had concerns with the March 15<sup>th</sup> –April 30<sup>th</sup> deadline, farmers being able to use the wood they cut for their own firewood and also how the by-law would restrict even the thinning out of fence lines if located within the EP zone.

- 4.2 William Paul (Bill) Johnson Tree Preservation By-Law

STAFF COMMENTS: Mr. Johnson has prepared a letter for your review and wishes to speak to the matter.

ACTION: Mr. Johnson outlined the numerous trees he has planted over the years (500-1000 per year) He stated these trees need to be thinned for good tree lot management. People should be able to remove sick and dead trees for their own use. He also had concerns with the March 15-April 30<sup>th</sup> restrictions and felt the by-law was excessive and suggested it be thrown out in its current state unless changes were made. Mr. Johnson suggested changes be made regarding the restricted time period, the cutting of firewood for a person's own use and felt those who had a forestry management plan should be exempt from the by-law. A copy of Mr. Johnson's presentation was received by the Clerk.

- 4.3 Wayne Couture Tree Preservation By-Law

STAFF COMMENTS: Mr. Couture has prepared some points of concern and wishes to speak to the matter.

ACTION: Mr. Couture outlined a number of stewardship practices he has taken to improve tree cover in Huron-Kinloss. He feels that the common sense of most people in the Township overrules the need for such stringent restrictions. He suggested a number of practices Council could enact to encourage tree planting. He presented a power point outlining various before and after pictures that showed the trees that have been planted by him over the years.

- 4.4 Andrew Page Tree Preservation By-Law

STAFF COMMENTS: Mr. Page has prepared a letter for your review and wishes to speak to the matter.

ACTION: Mr. Page has had thousands of trees planted on his EP lands and is concerned with the need to require a permit to manage those trees. With the current draft by-law he will need to obtain a permit to manage his own forest.

- 4.5 Allister MacKay Tree Preservation By-law

Council allowed Allister MacKay to speak to the by-law.

STAFF COMMENTS: None at this time.

ACTION: Mr. MacKay had concerns with someone entering the back of his property without his permission. He was concerned about how a map of his property had been obtained. Ken Goldsmith explained how the aerial photos were taken and available for all properties. Mr. MacKay seemed satisfied.

Mayor Twolan then asked Ken Goldsmith, County Forestry Manager to speak to clarify some of the issues brought up so far. Mr. Goldsmith clarified that most of the EP land areas spoken of by the delegations are over 1 hectare in size and therefore already under the current restrictions in the County of Bruce Forest Conservation By-Law. This by-law allows for firewood for ones own use, has no time restrictions throughout the year and no permitting cost. He encourages good forestry management which allows for the cutting of some trees.

Council stated to those present that it was not their intention to hinder the good farm practices of area residents but to stop the actions of those who clear cut the bluff area near the lakeshore. Further discussion on the matter will take place in item 7.5 but Council decided to remove section 2.0 All lands zoned Environmental Protection (EP) in the Township Comprehensive Zoning By-Law that was affecting area farmers.

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

5.1 Lucknow Kinsmen Community Festival

Moved by Hanna  
Seconded by Abbott

LUCKNOW  
KINSMEN  
TOURNAMENT  
A COMMUNITY  
FESTIVAL

99

THAT Huron-Kinloss Council declares the Lucknow Kinsmen's Summerfest Ball Tournament scheduled to be held Wednesday June 22nd thru Sunday June 26<sup>th</sup>, 2011 at the Lucknow Sports Complex grounds a Community Festival for the purpose of facilitating the organizers to obtain the appropriate liquor licence.

Carried.

5.2 Promoting Community Consultation in Industrial Wind Projects

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

Moved by Sloetjes  
Seconded by Gamble

PROMOTING  
COMMUNITY  
CONSULTATION  
IN INDUSTRIAL  
WIND PROJECTS

100

THAT Huron-Kinloss Township Council hereby endorses the resolution of the Town of Saugeen Shores and in so doing supports them in adopting the General Government Report of March 14<sup>th</sup>, 2011 which recommends that as per Section 2 of The Green Energy Act states that "This Act shall be administered in a manner that promotes community consultation" and

WHEREAS there has been no community approval or permission for the Arran Wind Project and or the North Bruce Wind Project and;

THAT approvals for these projects be suspended until the Government of Ontario receives community approval and permission.

Carried.

5.3 New Funding for Transportation Infrastructure from the H.S.T.

Moved by Murray  
Seconded by Abbott

NEW FUNDING FOR TRANSPORTATION INFRASTRUCTURE FROM HST 101 THAT Huron-Kinloss Township Council hereby endorses the resolution of the Regional Municipality of Halton and the City of Mississauga and in so doing requests that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards on transportation infrastructure.

Carried.

6.0 FINANCIAL REPORTS

6.1 Payment of Current Accounts as Presented

Moved by Gamble  
Seconded By Elliott

APPROVE APRIL ACCOUNTS 102 THAT Huron-Kinloss Township Council hereby authorizes the payment of the April, 2011 accounts as presented.


Carried.

6.2 Payment of Previous Month Actual Accounts

Moved by Hanna  
Seconded by Murray

APPROVE ACTUAL MARCH PAYMENTS 103 THAT Huron-Kinloss Township Council hereby approves the payment of the March, 2011 accounts in the amount of \$2,187,283.82.

Carried.

6.3 Summary Revenue/Expenditure Reports 

Reports for Township, RHCC and Point Clark CC to March 31, 2011.

Moved by Elliott  
Seconded by Gamble

REVENUE EXPENDITURE REPORT 104 THAT Huron-Kinloss Township Council reviews and receives the summary revenue/expenditure reports of the Treasurer as written.

Carried.

6.4 Purchasing Policy Exemption

Moved by Sloetjes  
Seconded by Gamble

EXEMPTION TO PURCHASING POLICY FOR RHCC ICE PLANT RENOVATION 105 THAT Huron-Kinloss Township Council hereby grants an exemption from the Township's purchasing policy under Section 6.0 b) Limited Source Suppliers to allow the Director of Facilities and Recreation to negotiate directly with Drennan Refrigeration for the upgrades to the ice plant at the Ripley-Huron Community Centre.

Carried.

6.5 2011 Budget – Excluded Expenses O. Reg 284/09

The Treasurer has prepared a report with recommendations related to O. Reg 284/09.

Moved by Murray  
Seconded by Hanna

2011 BUDGET EXCLUDED EXPENSES 106 THAT Huron-Kinloss Township Council hereby approve the report of the Treasurer dated April 11, 2011 regarding the exclusion of certain expenses from the 2011 budget as per Ontario Reg. 284/09.

Carried.

6.6 Tax Arrears Report

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

STAFF COMMENTS: Included in the report.

ACTION: Received and filed.

**7.0 REPORTS OF STAFF AND COMMITTEES**

7.1 Approve Planning Committee Recommendations

Moved by Elliott  
Seconded by Gamble

APPROVE PLANNING COMMITTEE RECOMMENDATIONS 107 THAT The Township of Huron-Kinloss Council hereby acknowledges the decisions made by the Planning Committee at the March 28th, 2011 meeting and as such supports their recommendation of *approval* for the following applications:

Application # Z-8-11.16 for Nancy Campbell c/o Paul Irwin for a Zoning By-Law Amendment and;

Application #Z-4-11.16 and HKOPA 26.11.16 for Tom Kerr for a Zoning By-law Amendment and Official Plan Amendment.

Carried.

7.2 Tile Loan Application Matt –Will Farms

Moved by Abbott  
Seconded by Hanna

TILE LOAN APPLICATION MATT-WILL FARMS 108 THAT Huron-Kinloss Township Council approve the application of Matt-Will Farms for a Tile Loan in the amount of \$33,700 to undertake drainage works on Lots 18 and 19 N.D. R. 1 in the former Township of Kinloss Roll #110-003-21500.

Carried.

7.3 Longest Day of PLAY in Bruce Grey

Moved by Abbott  
Seconded by Sloetjes

LONGEST DAY OF PLAY IN BRUCE GREY 109 THAT Huron-Kinloss Township Council hereby supports the PLAY in Bruce Grey Initiative and as such endorses and commits the Township of Huron-Kinloss to participate in the first annual "Longest Day of PLAY in Bruce Grey" Countywide Challenge!

Carried.

7.4 Planning Meeting

Council is reminded of the Planning Meeting scheduled for April 25<sup>th</sup>, 2011.

STAFF COMMENTS: There will be a Special Council meeting at 7:00 p.m. to adopt the budget. There are three planning applications and the Notices have been copied for your review.

ACTION: The Clerk also noted that the Wilken application would also be considered at this meeting.

7.5 Tree Preservation By-Law

Staff has reviewed the letters received and prepared a report for your consideration.

STAFF COMMENTS: Included in the report. Ken Goldsmith is expected to be in attendance to help provide input as required.

ACTION: There was further discussion regarding the draft by-law. The consensus was to change the coverage area to include only the bluff area from Saratoga Road to Amberley Beach along Lake Range Drive. Section 2.0 will be amended and will reference a map that will be attached as Schedule "A" that will outline the specific properties. Section 4.0 (1) will be revised from a limit of less than 5 trees to cover any tree cutting in the specified area. The restricted period from March 15 to April 30 will also be removed from the by-law. There will be no restricted period for the permitting. There will be no associated fee to obtain a tree cutting permit. Council also clarified they do want the by-law to cover any live or dead tree. The by-law is currently drafted as such but will be more clearly defined in the tree definition.

**8.0 BY-LAWS AND AGREEMENTS**

8.1 Council Remuneration By-Law

Moved by Murray  
Seconded by Abbott

COUNCIL REMUNERATION BY-LAW                      110                      THAT leave be given to introduce By-Law Number 2011-30 being the "Council Remuneration By-Law" and that it now be read severally a first, second and third time and finally passed this 18<sup>th</sup> day of April, 2011.  
Carried.

8.2 Amend Expense Remittance Policy

Moved by Gamble  
Seconded by Sloetjes

AMEND EXPENSE REMITTANCE POLICY                      111                      THAT leave be given to introduce By-Law Number 2011-31 being the "Amend Expense Remittance Policy By-Law" and that it now be read severally a first, second and third time and finally passed this 18<sup>th</sup> day of April, 2011.  
Carried.

8.3 Traffic and Parking Amendment (18) By-Law

The only change is the removal of a stop sign on Park Street that stopped traffic at Ripley Street that was heading west from the soccer fields.

Moved by Abbott  
Seconded by Hanna

TRAFFIC AND PARKING AMENDMENT (18)                      112                      THAT leave be given to introduce By-Law Number 2011- 32 being the " Traffic and Parking Amendment (18) By-Law" and that it now be read severally a first, second and third time and finally passed this 18<sup>th</sup> day of April, 2011.  
Carried.

8.4 Official Plan Amendment No. 26 (Kerr) By-Law

Moved by Elliott  
Seconded by Murray

OFFICIAL PLAN AMENDMENT No. 26 (Kerr)                      113                      THAT leave be given to introduce By-Law Number 2011-33 being the "Official Plan Amendment No. 26 (Kerr) By-Law" and that it now be read severally a first, second and third time and finally passed this 18<sup>th</sup> day of April, 2011.  
Carried.

8.5 Tom Kerr Zoning Amendment By-Law

Moved by Hanna  
Seconded by Gamble

TOM KERR  
ZONING  
AMENDMENT

114

THAT leave be given to introduce By-Law Number 2011-34 being the "Tom Kerr Zoning Amendment By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

8.6 Campbell/Irwin Zoning Amendment By-Law

Moved by Abbott  
Seconded by Sloetjes

CAMPBELL/  
IRWIN ZONING  
AMENDMENT

115

THAT leave be given to introduce By-Law Number 2011-35 being the "Campbell/Irwin Zoning Amendment By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

8.7 Consolidated Appointment Amendment

This by-law updates the Strawberry Summerfest Committee, Lucknow Music Fest Committee and Summer Sports Committee members.

Moved by Hanna  
Seconded by Murray

CONSOLIDATED  
APPOINTMENT  
AMENDMENT

116

THAT leave be given to introduce By-Law Number 2011-36 being the "Consolidated Appointment Amendment By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

8.8 Elliott as By-Law Enforcement/Small Animal Control Officer Agreement By-Law

Moved by Elliott  
Seconded by Sloetjes

ELLIOTT AS BY-  
LAW  
ENFORCEMENT  
OFFICER

117

THAT leave be given to introduce By-Law Number 2011-37 being the "Elliott as By-Law Enforcement/Small Animal Control Officer Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

8.9 Lot 5, Boundary Act Application By-Law

The surveyors report is now complete and our solicitor is preparing the application. All that is required is Council to pass a by-law authorizing the application.

Moved by Murray  
Seconded by Gamble

LOT 5,  
BOUNDARY  
ACT  
APPLICATION

118

THAT leave be given to introduce By-Law Number 2011-38 being the "Lot 5, Boundary Act Application By-law " and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

8.10 April 2011 Confirmatory By-Law

Moved by Abbott  
Seconded by Murray

APRIL 2011  
CONFIRMATORY

119

THAT leave be given to introduce By-Law Number 2011-39 being the "April 2011 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of April, 2011.

Carried.

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

9.1 Bruce County-Owen Sound Seniors Needs Analysis

We have received an invitation for a Presentation of Final Report of the Senior Needs Analysis and to discuss an Action Plan to meet the future needs of those 55 and over in Bruce County & Owen Sound.

STAFF COMMENTS: The meeting will be held May 3<sup>rd</sup>, 2011 at the Kincardine Pavilion from 1-3 p.m. Do any Council members wish to attend?

ACTION: Councillor Murray will attend.

10.0 **TOWNSHIP COMMITTEE MINUTES COPIED**

10.1 Lucknow Strawberry Summerfest Committee

Minutes of meeting held April 27<sup>th</sup>, 2010  
Financial Report as of February 28<sup>th</sup>, 2011.

ACTION: Councillor Murray clarified details regarding liability insurance for certain events.

10.2 Lucknow & District Joint Recreation Board

Minutes of meeting held February 16<sup>th</sup>, 2011

**11.0 NEW BUSINESS**

11.1 Bruce County Fire School

The Lucknow Fire Department is looking for Council's approval to taking the refuse from the fire school practices sessions to the dump for free.

STAFF COMMENTS: None at this time.

ACTION: Council approved waiving the tipping fees for the event.

11.2 Refreshment Vehicle Permits

Councillor Sloetjes questioned the parameters around the Refreshment Vehicle Licence and clarified why the Mennonite community does not require a permit.

STAFF COMMENTS: Staff clarified that the Mennonite community is selling their own locally grown produce and this is permitted on the roadside. A refreshment vehicle licence does not pertain to them for they are not cooking and preparing food for resale. Staff will review the legislation that permits this and provide the excerpt to Council for their information.

ACTION:

**12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED**

12.1 Wingham Physician Recruitment Committee

Minutes of meeting held April 11, 2011

12.2 Maitland Valley Conservation Authority

Minutes of meeting held January 26<sup>th</sup>, 2011  
Minutes of annual meeting held February 16<sup>th</sup>, 2011  
Financial Statements for the year ended December 31<sup>st</sup>, 2010

**13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE**

13.1	AMO	AMO Report to Members – March 2011 Board Meeting April 1, 2011
13.2		AMO LAS/AMO Town Hall Sessions April 1, 2011
13.3		AMO Watch File – March 31, 2011
13.4		AMO Nominate Your Project for the 2011 Peter J. Marshall Municipal Innovation Awards April 6, 2011
13.5	Grey Bruce Health Unit	News Release "Pause to PLAY by Turning Off The Screens" April 11, 2011
13.6		News Release "Children 17 and under and no dental coverage – Public Health can help!" April 5, 2011
13.7		News Release "Positive Rabid Bat" April 1, 2011
13.8		News Release "Grey Bruce Launches Meth Watch" March 21, 2011
13.9	General	Public Meeting Concerning a Proposed Zoning By-law Amendment Affecting the Township of Ashfield-Colborne-Wawanosh March 30, 2011

13.10		Motion 11-08-74 Wind Turbine Working Group from Municipality of Brockton April 6, 2011
13.11		Kingsbridge Wind Power Connection Spring 2011 Edition
13.12		AMCTO's Advice to Members on Ontario's 2011 Budget March 30, 2011
13.13		AAC Forums – Invitation to AAC Regional Forums 2011 March 31, 2011
13.14		Lake Huron & Georgian Bay Community Action News Winter 2011
13.15		Lake Huron Centre for Coastal Conservation e-news March 2011
13.16		2011 AMO Urban Symposium April 14-15, 2011
13.17		Great Lakes & St. Lawrence Cities Initiative Green Stormwater Award Nominations March 29, 2011
13.18		Metis Nations of Ontario
13.19		Grey Bruce Children's Alliance 2010 Alliance Report September 2010
13.20		MVCA Annual Dinner & Auction
13.21		Lincoln M Alexander Award 2011 March 2011
13.22		OMAFRA – Food Safety and Traceability Initiative March 30 & April 1, 2011
13.23		OMAFRA Connects for Huron County and Beyond April 2011
13.24		OMAFRA Considering Consumer Trends While Building Food Capacity for a Sustainable Future March 29, 2011
13.25		In Appreciation – Hanna Family
13.26		Brockton resolution – wind turbines

**CLOSED SESSION**

Moved by Hanna  
Seconded by Abbott

MOVE TO  
CLOSED  
SESSION

120

THAT Huron-Kinloss Township Council move into a Closed Session pursuant to section 239 of the Municipal Act, 2001, as amended at 8:50 p.m. for the purpose of discussing:

- 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 Gamble  
Seconded by Sloetjes

RISE FROM  
CLOSED  
SESSION

121

THAT Huron-Kinloss Township Council rise from Closed Session at 9:00 p.m.

Carried.

**16.0 ADJOURN**

Moved by Elliott  
Seconded by Stoetjes

ADJOURN            122

THAT Huron-Kinloss Township Council do now adjourn to meet again on April 25<sup>th</sup>, 2011 at 7:00 p.m. or at the Call of the Mayor.

Carried.

Original Signed by  
Wilf Gamble

---

Mayor - Deputy

Original Signed by  
Mary Rose Walden

---

Clerk - Deputy