

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

Township of Huron-Kinloss Council met in regular session on the 16<sup>th</sup> day of August, 2010 at 7:00 p.m. in the Township of Huron-Kinloss Council Chambers.

|  |                         |            |
|--|-------------------------|------------|
| <b>Mayor</b>                                 | <b>Mitch Twolan</b>     | <b>(A)</b> |
| <b>Deputy Mayor</b>                          | <b>Wilfred Gamble</b>   | <b>(P)</b> |
| <b>Councillors</b>                           | <b>Lillian Abbott</b>   | <b>(P)</b> |
|  | <b>Anne Eadie</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>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> |

**OTHERS PRESENT:** Dr. Hazel Lynn, Jason Wepler, Susan Shular, Ken Kilpatrick, Liz Dadson, Sara Bender

**1.0    CALL TO ORDER**

Deputy Mayor Gamble 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 | 9.4         | Landowner                 |
| Councillor Elliott | 9.5         | Landowner                 |
| Councillor Elliott | 9.6         | Landowner                 |

**3.0    ADOPTION OF MINUTES**

Moved by Abbott  
Seconded by Murray

|                             |     |  |
|-----------------------------|-----|--|
| ADOPT<br>COUNCIL<br>MINUTES | 244 | THAT Huron-Kinloss Township Council hereby adopts the July 19 <sup>th</sup> , 2010 Council Meeting Minutes and the August 4 <sup>th</sup> , 2010 Special Council Meeting Minutes as written. |
|-----------------------------|-----|--|

Carried.



5.2 Joint Meeting Request to Discuss a Low Frequency Noise By-law (Wind Turbine)

The Municipality of Huron East Council received a request to pass regulations controlling development of wind farms. In particular, their Council has been requested to create a by-law regulating Low Frequency Noise (LFN). The Huron East Council is asking other municipalities affected by proposed wind farms if there is any interest in a joint meeting to discuss the feasibility of investigating a LFN By-law or some other forms of regulations.

STAFF COMMENTS: Is Council interested in participating in a joint meeting with the Municipality of Huron East and any other municipalities affected by proposed wind farms?

ACTION: Council is interested in participating in the meeting. The Clerk will send Huron East a letter stating such.

5.3 Poplar Beach Cottage Letter

A letter has been received in support of extending the leases of the Poplar Beach Cottages.

STAFF COMMENTS: The letter has been copied for your review.

ACTION: Noted. The Clerk will prepare a response.

5.4 Letter Regarding Tree Cutting

A letter has been received from a concerned resident regarding the cutting of trees on Lake Range Drive.

STAFF COMMENTS: The letter has been copied for your review. Staff have viewed the property and while there is a section of trees removed it looks to be more the result of a wash out than actual cutting. However, it is hard to determine after the fact. We will prepare a response to the owner of the property reminding them the area is owned by the Township and tree cutting is prohibited.

ACTION: Councillor Eadie stated that SVCA only has jurisdiction when a person is building a structure in a hazard area. The Clerk will send a letter to both parties.

5.5 Ramifications of the WSI Act and Presumptive Legislation for Firefighters

Moved by Abbott  
Seconded by Hanna

RAMIFICATIONS  
OF THE WSI ACT  
AND  
PRESUMPTIVE  
LEGISLATION  
FOR  
FIREFIGHTERS

247

THAT Huron-Kinloss Township Council hereby endorses the resolution of the Town of New Tecumseth and in so doing requests the Province of Ontario review their policy decision regarding Presumptive Legislation for Fire Fighters with respect to the undeterminable significant financial impact this may have on all municipalities particularly those which are in Schedule 2 of the WSI Act, as well as the impact of the retroactivity of the legislation and requesting that the Province establish a cap on the municipal portion payable for such claims.

Defeated.

5.6 Ripley Men's Slo-pitch League Tournament a Community Festival

The Ripley Men's Slo-pitch League, are requesting to have their year end tournament declared a community festival. The tournament will run from August 27<sup>th</sup> to August 29<sup>th</sup>, 2010 inclusive at the Point Clark Ball Diamond.

STAFF COMMENTS: We have prepared the following resolution for your consideration.

ACTION:

Moved by Abbott  
Seconded by Murray

|  |     |  |
|--|-----|--|
| RIPLEY MEN'S<br>SLO-PITCH<br>LEAGUE<br>TOURNAMENT<br>A COMMUNITY<br>FESTIVAL | 248 | THAT Huron-Kinloss Council declare the Ripley Men's Slo-pitch League year end tournament scheduled to be held August 27 <sup>th</sup> through August 29 <sup>th</sup> , 2010 at the Point Clark Ball Diamond a Community Festival for the purpose of facilitating the organizers to obtain the appropriate liquor licence. |
|--|-----|--|

Carried.

5.7 Invitation to Tour Scott Demonstration Project

The CAO / Clerk of the Township of North Huron is inviting our municipal council, storm water management representatives, drainage personnel and any other interested staff to a tour of the Scott Demonstration Project. This property demonstrates innovative approaches to rural storm water management which has built resiliency into the watershed as well as improve water quality and fish habitat.

STAFF COMMENTS: We have copied you on the invitation. Please notify the Clerk if you wish to attend and she can forward the information on to North Huron.

ACTION: Mayor Twolan and Councillor Eadie will attend.

5.8 Land Acquisition

We have received a letter from a resident who owns a small piece of property and wishes to return it to Township ownership

STAFF COMMENTS: We have copied the letter and a map of the property for your review.

ACTION: The Administrator indicated that there is a clear description of the property and the only cost involved would be the transfer of ownership. Council approved the transfer.

5.9 Request for Support – Residential Tenancies Act

The following motion was deferred at the July 19<sup>th</sup>, 2010 session until further information was obtained.

STAFF COMMENTS: Please review the letter received from the Women's House of Grey Bruce regarding the resolution.

ACTION:

Moved by Abbott  
Seconded by Murray

REQUEST FOR SUPPORT – RESIDENTIAL TENANCIES ACT 249 THAT Huron-Kinloss Township Council hereby endorses the resolution of the Town of Midland and in so doing supports their request to amend current legislation under Part 1, Section 5K of the *Residential Tenancies Act* from one year to two years or adding a one year extension.

Carried.

## 6.0 FINANCIAL REPORTS

### 6.1 Payment of Current Accounts as Presented

Moved by Hanna  
Seconded By Abbott

APPROVE AUGUST ACCOUNTS 250 THAT Huron-Kinloss Township Council hereby authorizes the payment of the August, 2010 accounts as presented.

Carried.

### 6.2 Payment of Previous Month Actual Accounts

Moved by Abbott  
Seconded by Hanna

APPROVE ACTUAL JULY PAYMENTS 251 THAT Huron-Kinloss Township Council hereby approves the payment of the July, 2010 accounts in the amount of \$679,646.96.

Carried.

### 6.3 Summary Revenue/Expenditure Reports

Reports for Township, RHCC and Point Clark CC to July 31, 2010.

Moved by Murray  
Seconded by Abbott

REVENUE EXPENDITURE REPORT 252 THAT Huron-Kinloss Township Council reviews and receives the summary revenue/expenditure reports of the Treasurer as written.

Carried.

### 6.4 Securities Ripley Market Square

Moved by Murray  
Seconded by Abbott

SECURITIES RIPLEY MARKET SQUARE 253 THAT Huron-Kinloss Township Council hereby agrees to waive the depositing of securities for the Ripley Market Square project by the developer Meat Consultants International Inc. and agrees to accept a Corporate Undertaking and Personal Guarantee in the amount of \$15,000.00.

Carried.

6.5 Minutes of Settlement

Moved by Abbott  
Seconded by Hanna

MINUTES OF SETTLEMENT 254

THAT Huron-Kinloss Township Council have no objection to Minutes of Settlement for the following properties:

| <u>Year</u> | <u>Property Location</u> | <u>Roll #</u>       | <u>Before</u> |         | <u>After</u> |          |
|-------------|--------------------------|---------------------|---------------|---------|--------------|----------|
| 2009        | 693 Wolfe St             | 41-07-110-002-19800 | RT            | 64,775  | RT           | 52,700   |
|             |                          |                     | FT            | 50,900  | FT           | 50,325   |
|             |                          |                     | E             | 86,575  | E            | 86,575   |
| 2012        |                          | Destination CVA     | RT            | 70,400  | RT           | 52,700   |
|             |                          |                     | FT            | 56,900  | FT           | 54,600   |
|             |                          |                     | E             | 90,700  | E            | 90,700   |
| 2009        | 358 Hayes                | 41-07-110-003-13300 | RT            | 44,549  | FT           | 44,549   |
| 2012        | Lake Ave                 | Destination CVA     | RT            | 48,000  | FT           | 48,000   |
| 2009        | 569-571                  | 41-07-120-002-02100 | RT            | 110,000 | RT           | 91,292   |
|             | Campbell St              |                     |               |         | CT           | 20,732   |
| 2012        |                          | Destination CVA     | RT            | 127,000 | RT           | 105,400  |
|             |                          |                     |               |         | CT           | 21,600   |
| 2010        | Con 4 W Pt               | 41-07-160-001-23720 | RT            | 123,825 | RT           | 108,200  |
|             | Lot 25                   |                     | FT            | 39,675  | FT           | 39,900   |
| 2012        |                          | Destination CVA     | RT            | 155,100 | RT           | 108,200  |
|             |                          |                     | FT            | 51,900  | FT           | 52,800   |
|             |                          |                     |               |         |              | Carried. |

6.6 Write off of Uncollectible Taxes

Moved by Hanna  
Seconded by Abbott

WRITE OFF TAXES ROLL NO. 110-002-06400-0000

255

THAT Huron-Kinloss Township Council hereby accepts the recommendation of the Treasurer to write off the taxes on roll no. 110-002-06400-0000 as uncollectible pursuant to Section 354 of the *Municipal Act, 2001* and charge back the proportionate share to the upper tier and school board.

Carried.

**7.0 REPORTS OF STAFF AND COMMITTEES**

7.1 Tile Loan Application Gibson

Moved by Abbott  
Seconded by Hanna

TILE LOAN APPLICATION GIBSON                      256                      THAT Huron-Kinloss Township Council approve the application of David Gibson for a Tile Loan in the amount of \$30,000.00 to undertake drainage works on Lot 3 Concession 3 in the former Township of Huron.

Carried.

7.2 Approve Planning Committee Recommendations

Moved by Elliott  
Seconded by Eadie

APPROVE PLANNING COMMITTEE RECOMMENDATIONS                      257                      THAT The Township of Huron-Kinloss Council hereby acknowledges the decisions made by the Planning Committee at the July 26th, 2010 meeting and as such supports their recommendations and resolutions pertaining to the Dynamic Beach Study Phase III South of Concession 6 and the Huron-Kinloss Zoning By-law Amendment Application # Z-17-10.16 and Official Plan Amendment HKOPA #24.10.16.

Carried.

7.3 Lucknow Town Hall Window Tender

Tenders for the above-mentioned project closed on August 11<sup>th</sup>, 2010. Tenders were opened by and received.

STAFF COMMENTS: The Director of Facilities & Recreation was on holidays therefore a staff report will be available Monday evening.

ACTION: The Clerk reported that the report was available for Council on their desks.

Moved by Eadie  
Seconded by Elliott

LUCKNOW TOWN HALL TENDER                      258                      THAT Huron-Kinloss Township Council hereby approves the tender from D & D Glass in the amount of \$11,500.00 for new windows in the Lucknow Town Hall.

Carried.

7.4 Ripley Medical Centre & Community Centre Lighting Tender

Tenders for the above-mentioned project closed on August 11<sup>th</sup>, 2010. Tenders were opened by and received.

STAFF COMMENTS: The Director of Facilities & Recreation was on holidays therefore a staff report will be available Monday evening.

ACTION:

Moved by  
Seconded by

RIPLEY MEDICAL  
CENTRE &  
COMMUNITY  
CENTRE  
LIGHTING  
TENDER

259

THAT Huron-Kinloss Township Council hereby approves the tender from Pollock Electric in the amount of \$8,007.67 for lighting upgrades at the Ripley Medical Centre & the Ripley-Huron Community Centre.

Carried.

7.5 Lucknow Town Hall Furnace & Air Conditioning Tender

Tenders for the above-mentioned project closed on August 11<sup>th</sup>, 2010. No tenders were received.

STAFF COMMENTS: The Director of Facilities & Recreation is requesting permission to solicit quotes.

ACTION:

Moved by Elliott  
Seconded by Eadie

LUCKNOW  
TOWN HALL  
FURNACE & AIR  
CONDITIONING

260

THAT Huron-Kinloss Township Council hereby approves the Director of Facilities & Recreation to solicit quotes for the purchase and installation of a new Furnace & Air Conditioner in the Lucknow Town Hall.

Carried.

7.6 Windmill Working Group

Councillor Murray attended the windmill working group meeting on Thursday August 5<sup>th</sup>, 2010 in Chesley.

STAFF COMMENTS: At the July Council meeting Councillor Eadie and Murray were appointed as Huron-Kinloss representatives on the working group. However, since that time Councillor Eadie has indicated she can no longer sit on the committee. Mayor Twolan is attending the AMO conference but has agreed to sit on the committee if Council concurs. A by-law will be brought forward in September confirming the appointment. Councillor Murray has also indicated the working group would like to have a citizen representative from each municipality appointed as well. How does Council wish to proceed?

ACTION: Bring the by-law forward. Councillor Murray and Twolan will attend the next meeting on September 2, 2010.

7.7 Lucknow Music fest

Councillor Murray is looking for volunteers from staff and Council to work a shift at the bar for Music fest from 8-10 p.m.

STAFF COMMENTS: An e-mail has been sent to office staff. The Clerk will report on Monday if anyone is available on the long weekend to help.

ACTION: Some councillors have agreed to help. The invitation will be extended to Public Works.

**8.0 BY-LAWS AND AGREEMENTS**

8.1 Adopt Amendment to Emergency Response Plan By-Law

Moved by Eadie  
Seconded by Elliott

ADOPT AMENDMENT TO EMERGENCY RESPONSE PLAN                      261                      THAT leave be given to introduce By-Law Number 2010-84 being the "Adopt Amendment to Emergency Response Plan By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of August, 2010.

Carried.

8.2 Ontario Trillium Foundation Agreement By-Law

Moved by Elliott  
Seconded by Eadie

ONTARIO TRILLIUM FOUNDATION AGREEMENT                      262                      THAT leave be given to introduce By-Law Number 2010-85 being the "Ontario Trillium Foundation Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of August, 2010.

Carried.

8.3 August 2010 Confirmatory By-Law

Moved by Elliott  
Seconded by Eadie

AUGUST 2010 CONFIRMATORY                      263                      THAT leave be given to introduce By-Law Number 2010-86 being the "August 2010 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of August, 2010.

Carried.

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

9.1 Taste of Huron

Taste of Huron is a 12 day festival of flavours and feasts running from August 16 to 27, 2010. We are pleased to note that the "Huron Country Supper" event will be held at Grassroots Rural Retreat on Friday, August 20<sup>th</sup>, 2010 from 7:00 pm to 10:00 pm. Organizers are expecting approximately 200 attendees.

STAFF COMMENTS: The purpose of this event is to raise awareness for purchasing local foods. For more information, visit [www.tasteofhuron.ca](http://www.tasteofhuron.ca).

ACTION: Noted.

9.2 Position Statement from Lake Huron Centre for Coastal Conservation re: Offshore Wind Projects.

The Lake Huron Centre for Coastal Conservation has developed a Position Statement for Offshore Wind Projects on Lake Huron. They hope this will be some assistance in your decision making process if required.

STAFF COMMENTS: We have copied their position statement for your review.

ACTION: The Clerk will prepare a draft position statement with Council's concerns over the impact on tourism, effects of assessment and the economic impact for the area.

9.3 Request for Joint Delegation at AMO Denied

The request for the Joint Delegation with West Grey Council to present the Arran – Elderslie Wind Turbine By-law and address the issues regarding wind turbines has been turned down due to an overwhelming number of delegation requests.

STAFF COMMENTS: We bring this to you for information purposes only.

ACTION: Noted.

9.4 Letters from Residents Concerned with the Wind Turbine Project.

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

We were copied on two letters from citizens who are concerned about the proposed wind projects west of Highway 21.

STAFF COMMENTS: We have copied the letters for your review.

ACTION: The Clerk will prepare a response. Received and filed

9.5 Concerned Resident Letter and Newspaper Article

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

We have received a letter requesting Council to oppose the wind farms east of Lake Range Drive and west of Highway 21. A related newspaper article is included.

STAFF COMMENTS: The letter has been copied for your review

ACTION: The Clerk will prepare a response. Received and filed.

9.6 Concerned Resident Letter

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

A letter has been received from a resident who is concerned about both the Poplar Beach Cottages and the proposed windfarm.

STAFF COMMENTS: We have copied the letters for your review.

ACTION: The Clerk will prepare a response. Received and filed.

9.7 Concerned Resident Letter

We have received a letter from a resident concerned with the noise exemption given for 316 Hunt Club Drive.

STAFF COMMENTS: Council had granted a noise exemption to 316 Hunt Club Drive and while there was no mention of fireworks to staff in the letter an exemption for fireworks detonation could also have been requested. The By-Law Enforcement Officer regularly attends calls in this area and has worked with all the neighbours there to try to "keep the peace". It is staff's opinion that that the owner of 316 Hunt Club Drive went through the proper process to receive an exemption from the noise by-law. Fireworks were not mentioned prior to receiving the exemption and a letter will be sent stating the rules for fireworks detonation.

ACTION: The Clerk will prepare a response to both parties.

**10.0 TOWNSHIP COMMITTEE MINUTES COPIED**

10.1 Lucknow Musicfest Committee

Minutes of meeting held August 9<sup>th</sup>, 2010

Minutes of meeting held July 26<sup>th</sup>, 2010

Minutes of meeting held July 12<sup>th</sup>, 2010

10.2 Ripley-Huron Minor Hockey

Minutes of meeting held June 8<sup>th</sup>, 2010

10.3 Lucknow & District Fire Board  
Minutes of meeting held June 23<sup>rd</sup>, 2010

10.4 Wind Turbine Group Meeting  
Minutes of meeting held July 8<sup>th</sup>, 2010

**11.0 NEW BUSINESS**

11.1 Gold Medal Reception

Councillor Murray stated we should hold a ceremony in Lucknow or Ripley for Garrett Meurs team winning the Canadian under 18 Championship.

STAFF COMMENTS: One suggestion was having him on a float for the Ripley or Lucknow Fall Fairs.

ACTION: The item will be further discussed by the Minor Hockey Committee and arrangements made depending on when Garrett Meurs is available.

**12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED**

12.1 Source Water Protection-SVCA  
Minutes of meeting held June 25<sup>th</sup>, 2010

**13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE**

|       |                        |   |
|-------|------------------------|---|
| 13.1  | AMO                    | AMO Watch File, August 5, 2010  |
| 13.2  |                        | AMO Report to Members on June 2010 Board Meeting, August 4, 2010  |
| 13.3  | Grey Bruce Health Unit | News Release- CAW Receives EastSmart! Award of Excellence, August 11, 2010  |
| 13.4  |                        | News Release: Lion's Head Beach Posted Unsafe for Bathing, August 11, 2010  |
| 13.5  |                        | News Release: Black Creek Beach (Old Woman River) Safe for Bathing; Station Park Beach Posted Unsafe August 6, 2010 |
| 13.6  |                        | News Release- CAW Receives EastSmart! Award of Excellence, August 5, 2010   |
| 13.7  |                        | News Release- Kelso and Bayshore Beaches Safe for Bathing; Black Creek Beach Posted Unsafe, August 4, 2010          |
| 13.8  |                        | News Release- Grey Bruce Youth Celebrate International Youth Day 2010 August 3, 2010                                |
| 13.9  |                        | News Feature- Hold the Sodium, July 30, 2010  |
| 13.10 |                        | News Release- Positive Rabid Skunk, July 29, 2010   |
| 13.11 | General                | South West LHIN Welcomes New Board Member August 10, 2010   |
| 13.12 |                        | OMAFRA Connects August 2010   |
| 13.13 |                        | Western Waste Management Facility Newsletter Summer 2010  |
| 13.14 |                        | Suncor 2010 Summary Report on Sustainability  |
| 13.15 |                        | Landscaping & Groundskeeping Summer 2010  |
| 13.16 |                        | Water for People Strategic Plan 2010  |

**14.0 CLOSED SESSION**

Moved by Eadie  
Seconded by Elliott

MOVE TO  
CLOSED  
SESSION

264

THAT Huron-Kinloss Township Council move into a Closed Session pursuant to section 239 of the Municipal Act, 2001, as amended at 8:55 p.m. for the purpose of discussing:

- a proposed or pending acquisition or disposition of land by the municipality or local board;
  - Beach Access
  - Poplar Beach Cottages
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - Poplar Beach Cottages

Carried.

**15.0 RETURN TO OPEN SESSION**

Moved by Elliott  
Seconded by Eadie

RISE FROM  
CLOSED  
SESSION

265

THAT Huron-Kinloss Township Council rise from Closed Session at 9:03 p.m.

Carried.

**16.0 ADJOURN**

Moved by Eadie  
Seconded by Elliott

ADJOURN

266

THAT Huron-Kinloss Township Council do now adjourn to meet again on September 8<sup>th</sup>, 2010 at 7:00 p.m. or at the Call of the Mayor.

Carried.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk