

CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS

GENERAL COMMITTEE MEETING

7:00 p.m. - Council Chambers

August 4th, 2010

Mayor	Mitch Twolan	(P)
Deputy Mayor	Wilfred Gamble	(P)
Councillors	Lillian Abbott	(P)
	Anne Eadie	(P)
	Jeff Elliott	(P)
	Jim Hanna	(P)
	Don Murray	(P)
Administrator	Mary Rose Walden	(P)
Clerk	Sonya Watson	(P)
Treasurer	Jodi MacArthur	(P)
Director of Public Works	Hugh Nichol	(P)
Chief Building Official	Matt Farrell	(P)
Director of Facilities & Recreation	Mike Fair	(P)
By-law Enforcement Officer	Brianne Elliott	(A)
Drainage Superintendent	Grant Collins	(A)

OTHERS PRESENT: Liz Dadson, Sara Bender, Barb McKay, Ken Kilpatrick, Marc Gagne, Chris Meyer, Bev Dadson, Debbie Mowbray, Rod MacSween, Pat Demmerling, Miles Dadson, Barb & Maurice Wilson, Dale Walden, Nan Grant, Pat MacMaster

MINUTES

1.0 CALL TO ORDER

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

1.1 DISCLOSURE OF PECUNIARY INTEREST

<u>Name</u>	<u>Item</u>	<u>Nature of Interest</u>
Councillor Elliott	2.2	Landowner
Councillor Elliott	10.5	Landowner

1.2 DELEGATIONS

1.3 Dale Walden 7:00 pm

STAFF COMMENTS: Mr. Walden would like to make a presentation to Council regarding the Poplar Beach Cottage Leases as follows:

I support the councils decision to terminate the leases in September 2010 and return the beach to its original state. I have concerns regarding the Townships liability due to damage that could occur during high water levels, damage that has been done to the beach by the present tenants and environmental concerns with regard to septic systems.

ACTION: Mr. Walden prepared a verbal presentation to Council on why he felt the Poplar Beach cottages should be removed. Mr. Walden feels "extending the leases is essentially rewarding the people for the damage that has already been done". He felt the installation of groynes created undue hardship to the lakeshore and were installed without approval from the Township, the County,

the MNR or the SVCA. He is concerned with the cottage septic systems and although he stated he is not an expert feels there is not enough room for conventional septic systems.

Mr. Walden feels they are too close to the water table and to the shoreline and the situation only worsens during high water levels.

Mr. Walden stated the lease amount of \$10 to \$200.00 is ridiculous. In summary he encouraged Council to uphold the original decision in regards to removal of the poplar beach cottages.

Carl Mowbray wished to speak. As per the procedural by-law Council agreed by a show of hands and Mr. Mowbray was granted 2 minutes to speak. Mr. Mowbray suggested they have aerial photos that would show where the weirs and groynes are located and he could also provide a letter of approval granting permission from the Ministry of Natural Resources when the groynes were installed. He stated he wanted Council to consider real facts and could provide any documentation necessary.

1.4 Nan Grant South Bruce Beach Cottage Association Inc. 7:15 pm

STAFF COMMENTS: Ms. Grant would like to address Council regarding the naming of the Lake Huron Shoreline. Correspondence has been copied in your package.

ACTION: Ms. Grant provided Council with correspondence that outlined the historic relevance to South Bruce Beach. They feel that historically and geographically, Bruce Beach is located from Concession 10 to south of the 6th Concession, ending at 110 Gordon Street North. She stated that the South Bruce Beach Cottage Association was Incorporated in July 2006 and at that time had to provide historic background on South Bruce Beach for the incorporation. Ms. Grant made a request on behalf of the South Bruce Beach Cottage Association Inc. that the Township records be reverted back to South Bruce Beach as they have been known for over 70 years and that the graphics on the lakeshore signs be changed. Council was in agreement with working with the South Bruce Beach Association to return the name to South Bruce Beach.

2.0 **PLANNING & BUILDING DEPARTMENT**

2.1 Monthly Report

Please find attached the monthly report of the Chief Building Official.

STAFF COMMENTS: The Chief Building Official will be in attendance to answer any questions.

ACTION: Received and filed.

2.2 Wind Farm Development

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

Attached is a copy of a resident's comments regarding the wind farm development.

STAFF COMMENTS: None at this time.

ACTION: The Clerk will send a response letter and attach the windmill statement that was previously prepared.

2.3 Consent Application for 50 Queen Street Ripley

STAFF COMMENTS: Included in the report

ACTION: The Administrator provided a draft Corporate undertaking and Personal Guarantee that was copied for Council's review. Since this is unique situation and not precedent setting Council agreed to accept the Personal Guarantee and Corporate undertaking for approximately \$15,000.00 with no financial securities collected at this time. A resolution will be brought forward.

3.0 FIRE & EMERGENCY SERVICES

3.1 Lucknow Fire Hall

Members of the Fireboard will report on the build.

STAFF COMMENTS: None at this time.

ACTION: The building is complete and the flag pole will be installed.

3.2 Emergency Response Plan

We would like to change the secondary EOC from the Lucknow Town Hall to the Lucknow & District Fire Hall.

STAFF COMMENTS: The Joint Fire Board has approved use of the fire hall during emergency events. If Committee concurs a by-law with an updated schedule will be brought forward at the next Council meeting.

ACTION: Approved. Bring the by-law forward.

4.0 FINANCE

4.1 Unsuccessful Tax Sale

Attached is a report regarding the property that was advertised for sale in the spring.

STAFF COMMENTS: Included in the report.

ACTION: Approve staff recommendations. Mayor Twolan further reported that there may be monies available through Source Water Protection to purchase property to protect municipal well heads. Staff will investigate this further.

4.2 Potential Litigation

Please refer to the confidential agenda

5.0 DRAINAGE

No items scheduled.

6.0 WATER & SEWERS

No items scheduled.

7.0 ENVIRONMENTAL SERVICES - (Landfill & Collection)

7.1 Certificate of Approval Amendment

We have received signed Ministry approval to change the land filling operation at the Huron Landfill from trench method to above ground area method.

STAFF COMMENTS: One of the conditions imposed is a Design and Operation Manual for the waste segregation/recycling and WEEE program facilities. The Manual is to be submitted for MOE approval by December 2010. We have instructed Pryde Schropp McComb Inc. to begin preparation of the Manual. The amended Certificate of Approval also contains a clause granting Ministry approval to expand the service area of the Huron Landfill site to include the former Village of Lucknow. However, at this time we have no plans to alter our agreement with the Mid-Huron Landfill site.

On a non-related note, Landfill staff confirmed a break and enter occurred on the night of Monday July 19th. The OPP were notified, and a report filed. The only item taken was a computer monitor from the Landfill Worker's desk. Damage was limited to the front door which was forced open through the use of a pry-bar. We bring this forward for information purposes only.

ACTION: Noted.

7.2 Garbage Bag Tags

We have attached correspondence received from Highway Variety.

STAFF COMMENTS: The Director of Public Works has spoken previously with the owner and explained that as no other outlet has voiced a concern over the arrangement I was not prepared to increase the commission for one individual. In other words, it is his decision on whether to sell, or not to sell bag tags on the Township's behalf. At this time I still have no reason to revisit the issue.

ACTION: The commission will not be increased. The Director of Public Works will send a response to the owner.

8.0 TRANSPORTATION

8.1 Bob Street Extension of Storm, Water, and Sanitary Infrastructure

A property owner wishes to confirm Council's position with regards to sizing of servicing to his undeveloped lots on Bob Street for the purpose of building a residence.

STAFF COMMENTS: In July 2005, we replied to the property owner that it was the Township's wish to see a 6-inch watermain, 8-inch sanitary sewer line, and a 12-inch storm drain plus catch basin extended approximately 50 metres from the Bob/Delhi Street intersection, southerly to the property's lot line, at which point the owner would be allowed to connect his individual servicing. This work would be at his expense. The property owner believes that an alternative proposal regarding infrastructure sizing was agreed upon with Council at a later date.

ACTION: Council is in agreement to a 6-inch watermain and an 8-inch sanitary sewer line, and a 12-inch storm drain plus catch basin at the owner's expense. If the owner agrees the Township will have to apply for the C of A at the owner's expense. The Director of Public Works will notify the property owner.

8.2 Snobelen Trail Flooding

A resident of Snobelen Trail is experiencing basement flooding during heavy rainfall events.

STAFF COMMENTS: This particular property (and several neighbouring properties to the east) has its footing drains and sump pump tied into an internal lot storm water pipe that in turn is directly connected to the Parkplace storm drainage system. Thus, as our system backs up during heavy rains, this pipe, and the affected individual's basement lateral act as the perfect release valve for water. To the best of our knowledge the pipe was installed by a building contractor, is not part of the engineered Township storm water system, is not registered on the property owner's deeds as an easement, and has no agreement for responsibility of repair. The homeowner realizes he must disconnect from the pipe to solve his flooding issue, but has concerns of liability from his neighbours if he alters their outlet. Our belief is he is under no obligation to accept his neighbours' water, and that we, the Township, do not knowingly allow direct connections to our storm water systems to avoid the above flooding of basements, etc. In fact, our Huron-Kinloss Sewer Use By-Law (2002-108) states no person shall discharge to a storm sewer if the discharge results in an "adverse" impact to any person. Flooding would be considered an adverse impact. Our recommendation would be to notify the homeowners directly connected to the pipe that it will be disconnected from the Parkplace storm drain by a specified date, and that alternative outlet arrangements for their sump pumping must be made, at their expense by said date.

ACTION: Council agrees with staff recommendations. The internal lot storm water pipe will be disconnected from the properties. Notice will be provided to residents in the surrounding area who may be connected.

8.3 Kin-Bruce Drainage

A resident in the Kin-Bruce area is requesting Council repair/replace a section of the Kin-Bruce Park ball diamond drain to resolve his basement flooding concerns.

STAFF COMMENTS: We know the pipe leaving the ball park catch basin is lying extremely flat, but in the opinion of the Township Drainage Superintendent and Public Works staff it is working to the best of its ability. However, the homeowner is adamant that the drain has deteriorated in performance since its installation and that its inadequacy is causing potential flooding concerns. The drain has been a source of discontent for many years and the Director of Public Works is seeking Council's permission to have a drainage engineer investigate the situation; specifically the condition and capabilities of the piping connecting the ball diamond catch basin to the catch basin at 114 McCormick Drive.

ACTION: Council approves obtaining the opinion of B.M. Ross to investigate the situation.

8.4 Huron Road Reconstruction Update

All underground, infrastructure has been installed, and all individual connections to the new watermain have been made.

STAFF COMMENTS: Bill & Tom Kempton Construction Ltd. is excavating the road base from Attawandaron Road southerly to Lake Range Drive in preparation for curb and gutter, tentatively scheduled for mid-August. Once the curbs are installed fine grading, compacting, paving and restoration works can proceed. In discussions between the Director of Public Works and our engineering firm it has been decided that only the base coat of asphalt will be applied from Attawandaron Road to Lake Range Drive in order to allow the road base to settle over the winter. The section of Huron Road from Attawandaron Road to Lighthouse Road received its basecoat in June and will remain scheduled for a top coat this fall as per our original plans.

ACTION: Noted.

9.0 PARKS, FACILITIES & RECREATION

9.1 Lucknow Sports Complex

Members of the Lucknow Recreation Board will report on the build.

STAFF COMMENTS: None at this time.

ACTION: Councillor Murray reported that the roof has been installed and things are progressing on schedule.

9.2 Trillium Funding for Lucknow Library

STAFF COMMENTS: Ontario Trillium Foundation funding application for Lucknow Town Hall was approved. OTF representative Bertha Scott, and MPP Carol Mitchell made a presentation on Monday July 26th, 2010 at the Lucknow Library. The approved application included the ramp restoration, flooring for the stairwells, windows replaced, and furnace/AC replacement. Total Trillium funding is \$20,000.00 and Huron-Kinloss additional funding is \$8,000.00 which is included in the budget. We anticipate the minor improvements will be completed before the anniversary celebration Saturday September 11th, 2010 followed by the major projects to be completed this fall. We bring this forward for information purposes.

ACTION: The Director of Facilities and Recreation further reported that the ramp restoration has been completed and the tenders for the rest of the project close on Wednesday, August 11th, 2010.

9.3 Structural Review of the Ripley Huron Community Centre

B.M. Ross & Associates has prepared the attached report.

STAFF COMMENTS: Staff has reviewed the report and will implement the recommendations suggested by B.M. Ross engineers. We bring this forward for information purposes only.

ACTION: Photographs of the beams will be taken for documentation purposes and the maintenance repairs mentioned in the report will be completed.

9.4 Phragmites Update

STAFF COMMENTS: We have managed to cut almost eighty percent of the Phragmites. There are pockets remaining along the shoreline north from the Lighthouse, and large areas south of the lighthouse remain untouched. We will continue as resources permit throughout the summer and fall.

ACTION: Noted.

9.5 Algae Update

STAFF COMMENTS: We are pleased to report that there have been relatively few reports of algae along the shoreline, with only two Algae Harvester call out days up to July 28th. There were pockets of poor near shore water quality at times, we assume because of very heavy rainfall. We bring this forward for information purposes.

ACTION: The Director of Facilities and Recreation further reported that last Friday the algae did come in. The algae harvester has been working the last two days to rid the area of algae.

9.6 Smoke Free Recreational Spaces

STAFF COMMENTS: We have attached a draft policy for your review. If council approves we propose that the by-law be forwarded to the Lucknow and District Sports Complex Recreation board for review regarding the facilities in Huron-Kinloss to provide consistency across the Municipality. We seek your direction.

ACTION: Approve staff recommendations. Once approval is received from the Lucknow Recreation Board the By-Law will be brought forward and will cover the entire municipality.

9.7 Dune Restoration Workshop Labour Day Friday September 3, 2010

STAFF COMMENTS: We would like to proceed with planning a Dune restoration workshop for the Bruce beach Area residents. This is an opportunity for local residents to better understand Beach Dune ecosystems, transplanting beach grass, and temporary fencing to promote dune development. There will be very little cost to the workshop other than some advertising, and mail outs to local residents. We seek your approval to proceed.

ACTION: Approved.

9.8 Bruce County Planning & Economic Department

We have copied a report received from the ATP Rail Trail Subcommittee.

STAFF COMMENTS: All municipalities were circulated. The preferred Option No. 6 does include Huron-Kinloss in error. We have confirmed this with Mr. LaForest. At this time we are recommending receiving and filing the report as it does not effect us. We will inform the County if they ever do require our assistance with the County forests in Huron-Kinloss we will do what we can.

ACTION: Received and filed. The Clerk will prepare a response letter to send to the County.

10.0 GENERAL

10.1 Spruce the Bruce

The workshops were held last week and the following is a summary of our grant requests, our comments are in italics:

1. Streetscape Beautification (Ripley) – The committee has decided on \$3,000 for the purchase of the light and banner post. *We have requested extra funding because the installation is over budget.*
2. Street Sign & Awning (Lucknow) – approved for \$1,000
3. Destination Infrastructure & Marketing (bridge)- the funds are for the downtown area specifically and the bridge is not commercial area, so the committee has chosen not to fund that request. *If there is monies available in September we are contemplating applying for a trails mapping brochure.*
4. Community Signage (Lewis Park) – approved for \$1500, need to be ordered through the County. *Depending on the cost we may pursue this on our own..*
5. Streetscape Beautification (Lucknow) – the committee feels that this one is premature since the toolkit hasn't been developed.

STAFF COMMENTS: The two workshops were successful with approximately 15 attending in Ripley and 25 in Lucknow. Hopefully a draft report will be available this fall.

ACTION: Noted.

10.2 Exemptions for the Township of Huron Kinloss Noise By-law No. 2005-101 as amended.

We have copied you two requests for an exemption to Section 3.5 of the noise by-law.

STAFF COMMENTS: If Committee agrees on granting the exemptions, both these functions are before our next regularly scheduled Council meeting therefore we are requesting Committee to move into a Special Council meeting this evening to consider the resolution. We seek your direction.

ACTION: Approved.

10.3 Saugeen Valley Conservation Authority – Poplar Beach Cottages

Copied for your information are SVCA's comments.

STAFF COMMENTS: None at this time.

ACTION: Received and filed.

10.4 Poplar Beach Cottages

Attached are copies of two resident's comments regarding the leased cottages.

STAFF COMMENTS: None at this time.

ACTION: A response will be sent acknowledging receipt and that the comments will be taken under advisement.

10.5 International Power Wind Turbines - Bluewater Wind Project

Attached is a copy of a resident's comments regarding the Bluewater Wind Project.

STAFF COMMENTS: None at this time.

ACTION: The Clerk will send a response letter and attach the windmill statement that was previously prepared.

10.6 Lucknow Legion

The Legion is looking at doing some restoration work on the Cenotaph in Lucknow. Since it is located on municipal we are requesting permission. The work should be completed by Remembrance Day 2011. In the meantime they will need to remove the built up garden around the base of the cenotaph so the contractors who provide estimates for the restoration can check the condition of the base as well as the rest of it. This garden was installed by the legion many years ago.

STAFF COMMENTS: We recommend approval.

ACTION: Approve staff recommendations. Staff will request they refrain from starting until after September 11th for the celebration at the Lucknow Town Hall.

11.0 BY-LAW ENFORCEMENT & SMALL ANIMAL CONTROL

11.1 Monthly Report

Please find attached the monthly report of the By-Law Enforcement Officer.

STAFF COMMENTS: The By-Law Enforcement Officer will be in attendance to answer any questions.

ACTION: Received and filed.

12.0 PERSONNEL

No items scheduled.

13.0 NEW BUSINESS

13.1 MPAC Assessments

Councillor Elliott inquired whether all those parties building houses in the area have to wait two years in order to receive a tax bill and if the Township loses the associated revenue.

STAFF COMMENTS: The Treasurer responded that this is not normally the case however, it depends on how fast MPAC processes the information. There are some properties that have taken that long to be assessed, but the taxes go back to the date of completion. The tax department attempts to assist residents budget for their supplementary taxes as much as possible.

ACTION: Noted.

14.0 CORRESPONDENCE RECEIVED

14.1	AMO	Watch File, July 29, 2010
14.2		AMO Breaking News – Waste Diversion July 27, 2010
14.3		Watch File, July 22, 2010
14.4		AMO Breaking News – Waste Diversion July 20, 2010
14.5	Grey Bruce Health Unit	News Release <i>Lion's Head Beach Safe for Bathing</i> July 29, 2010
14.6		News Release <i>Little River Beach Park Safe for Bathing</i> July 28, 2010
14.7		News Release, <i>Station Beach Posted Unsafe for Bathing; Black Creek Beach (Old Woman River) Posting Lifted</i> July 22, 2010
14.8		News Release, <i>Little River Beach Park Posted Unsafe for Bathing</i> July 21, 2010
14.9		News Release, <i>Lion's Head Beach Posted Unsafe for Bathing</i> July 20, 2010
14.10	General Correspondence	thehealthline.ca e-bulletin July 20, 2010
14.11		Ontario Hospital Association ohatoday.com
14.12		The Ontario Landowners Association
14.13		Ontario Trillium Foundation – OTF Consultation with Not-for-Profit Sector Now On-Line
14.14		Municipal World August 2010

15.0 CLOSED SESSION

15.1 Move into closed session

Moved by Eadie
Seconded by Elliott

MOVE INTO
CLOSED
SESSION

238

THAT Huron-Kinloss Township Council move into a Closed Session pursuant to section 239 of the Municipal Act, 2001, as amended at 8:17 p.m. for the purpose of discussing:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - Motor Vehicle Accident on Concession 6

Carried.

16.0 RETURN TO OPEN SESSION

Moved by Elliott
Seconded by Gamble

RISE FROM
CLOSED
SESSION

239

THAT Huron-Kinloss Township Council rise from the Closed Session at 8:20 p.m.

Carried.

16.1 Severance Application Elmer and Minerva Brubacher

Councillor Murray brought up the information regarding a produce auction that Mr. Brubacher is looking to place on his recently severed property at Lot 15 Concession 5, former Kinloss or 755 Karishea Avenue.

STAFF COMMENTS: Noted.

ACTION: Staff will work with the County and Mr. Brubacher regarding the re-zoning application for the produce auction.

16.2 Arran Elderslie Windmill Working Group

Councillor Eadie will no longer attend the meeting due to a conflict of interest. Councillor Murray and Mayor Twolan will attend the Arran-Elderslie meeting on August 5th, 2010 in Chesley.

STAFF COMMENTS: None at this time.

ACTION: Noted.

17.0 ADJOURN

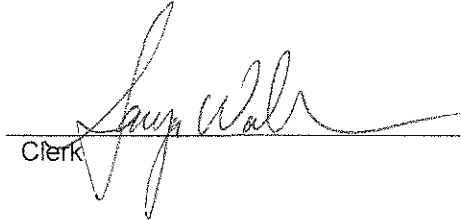
Moved by Gamble
Seconded by Eadie

ADJOURN 240 THAT Huron-Kinloss Township Council do now adjourn to meet again
on August 16th, 2010 at 7:00 p.m. or at the Call of the Mayor.

Carried.



Mayor



Clerk