

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

Township of Huron-Kinloss Council will meet in regular session on the 16th day of December, 2013 at 6:30 p.m. in the Township of Huron-Kinloss Council Chambers.

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

**OTHERS PRESENT:**

**1.0 CALL TO ORDER**

Mayor Twolan called the meeting to order at \_\_\_\_\_

**2.0 DISCLOSURE OF PECUNIARY INTEREST**

<u>Name</u>	<u>Item</u>	<u>Nature of Interest</u>
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**2.1 CLOSED SESSION**

Moved by  
Seconded by

MOVE TO  
CLOSED  
SESSION

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

- personal matters about an identifiable individual, including municipal or local board employees;
  - Compensation Review

**2.2      RETURN TO OPEN SESSION**

Moved by  
Seconded by

RISE FROM  
CLOSED  
SESSION

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

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**3.0      ADOPTION OF THE MINUTES**

Moved by  
Seconded by

ADOPT COUNCIL  
MINUTES

THAT Huron-Kinloss Township Council hereby adopts the [November 18<sup>th</sup>, 2013](#) Council Meeting Minutes as written.

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Moved by  
Seconded by

ADOPT GENERAL  
COMMITTEE  
MINUTES

THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the [December 2<sup>nd</sup>, 2013](#) General Committee Meeting Minutes as written.

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**4.0      DELEGATIONS**

4.1      Mary Donaldson & Pat Downing      Right of way      8:00 p.m.

The above noted residents have submitted a Planning Application for a minor variance and severance. The minor variance was recently approved by the Planning Committee but it was noted that the right of way ownership was being verified.

STAFF COMMENTS: Since the November 25<sup>th</sup>, 2013 planning meeting staff have verified with the solicitor that a portion of the right of way that was previously part of the old shore road allowance is owned by the Township (6' x 66' part). This is noted as Part 7 on the attached map. Part 14 another part of the right of way is owned by Mary Donaldson and Patricia Downing and is subject to a right of way in favour of William and Jocelyn Bowers (owners Part 9) and Sarah and Kendra Dubeau (owners Part 10) also noted on the attached map. We have also attached a map showing the area beach accesses for your information.

- [Map showing right of way parts from solicitor/planning application maps](#)
- [Map of area beach accesses](#)

At the time of the minor variance application there were letters submitted in regards to the ownership and use of this right of way. Once it was discovered that a portion of this right of way was still owned by the Township we felt it prudent to bring this to Council's attention. The Township could seek to obtain Part 14 (owned by the Donaldson/Downings) through the severance process.

There have been numerous letters received in regards to maintaining this right of way for private use and they have been attached for your review. In reviewing the documentation received, it is staffs recommendation that the current private right of way status and the legal use by the current noted landowners should be maintained.

On reviewing the history the Township only transferred a grant of easement with respect to existing water pipes over Part 7. It has been our practice not to transfer ownership of these road allowances regardless of how insignificant of a parcel it may seem.

The Donaldson/Downings wish to speak to the matter and have provided some back ground information here for your review.

- [Donaldson/Downing letter \(owners Part 15 & Part 14\)](#)

Letters concerning this matter received from various family members and landowners:

1. <a href="#">Kendra Dubeau Letter</a>	2. <a href="#">Catherine Pushalik</a>
3. <a href="#">Kathleen Colling Bauer &amp; Wayne Bauer Letter</a>	4. <a href="#">Bill McLeod and Family</a>
5. <a href="#">Christine Kirkland</a>	6. <a href="#">Margaret Mac Charles</a>
7. <a href="#">Jennifer Cox</a>	8. <a href="#">Andrew Kirkland</a>
9. <a href="#">Sarah Dubeau</a>	10. <a href="#">Curt Donaldson and Family</a>
11. <a href="#">Katherine and Ken Kirkland</a>	12. <a href="#">Meagan and Jason Higgins Cory Downing</a>

ACTION:

4.2 Bill Bowers Right of Way 8:10 p.m.

Mr. Bowers will be doing a power point presentation regarding the right of way on the Donaldson/Downing property.

STAFF COMMENTS: The [presentation](#) has been attached for your review.

ACTION:

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

5.1 **Ontario Provincial Police New Billing Model**

Moved by  
Seconded by

ONTARIO  
PROVINCIAL  
POLICE FUNDING  
MODEL FOR 2015

WHEREAS the Ontario Provincial Police are proposing a new billing model for charging municipalities for police services, starting in 2015;

AND WHEREAS the new methodology would charge each municipality a flat \$260.00 per household fee for the base costs related to providing police services, plus a variable charge for each call for service in the municipality. The rationale for this is that there is a base fixed cost for providing police services that must be borne by all participating municipalities, regardless of the number of calls for service that the OPP responds to in each municipality, The OPP have advised that 73% of their costs are fixed and 27% are variable;

NOW THEREFORE IT BE RESOLVED THAT the Township of Huron-Kinloss Council hereby endorses the resolution of the Township of The Archipelago and in so doing requests the Ontario Government to not allow the new Ontario Provincial Police billing model proposed for policing services as it is fundamentally flawed, unfair and inequitable

AND FURTHER IT BE RESOLVED THAT the Province of Ontario not allow this type of unfair treatment towards rural Ontario and this model be scrapped immediately.

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5.2 **AMO Conference**

The 2014 AMO AGM and Annual Conference is being held in London, ON August 17 - 20, 2014.

STAFF COMMENTS: Room bookings start January 14<sup>th</sup>, 2014. Are there any Councillors planning on attending?

ACTION:

5.3 [Aggregate Resources Act](#)

Moved by  
Seconded by

AGGREGATE  
RESOURCES ACT

WHEREAS the Aggregate Resources Act controls and regulates aggregate operations on Crown and private lands;

AND WHEREAS the Act provides that every licensee or holder of an aggregate permit shall pay an annual fee to local municipalities

AND WHEREAS peat-moss extractors are not subjected to annual fees;

AND WHEREAS in the Act, the word "earth" does not include topsoil and peat moss'

AND WHEREAS municipalities must ensure the protection of the road network as heavy trucks carrying peat moss contribute to the deterioration of roads and infrastructures;

NOW THEREFORE IT BE RESOLVED THAT the Township of Huron-Kinloss Council hereby endorses the resolution of the United Counties of Prescott and Russell and in so doing requests the Ministry of Natural Resources to amend the Aggregate Resources Act to ensure that peat moss extractors are subject to the same criteria as other aggregate extractors.

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6.0 **FINANCIAL REPORTS**

6.1 [Payment of Current Accounts as Presented](#)

Moved by  
Seconded By

APPROVE  
DECEMBER  
ACCOUNTS

THAT Huron-Kinloss Township Council hereby authorizes the payment of the December 2013 accounts as presented.

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6.2 [Payment of Previous Month Actual Accounts](#)

Moved by  
Seconded by

APPROVE  
ACTUAL  
NOVEMBER  
PAYMENTS

THAT Huron-Kinloss Township Council hereby approves the payment of the November 2013 accounts in the amount of \$934,114.00.

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6.3 [Summary Revenue/Expenditure Reports](#)

Reports for Township, RHCC and Point Clark CC to November 30, 2013.

Moved by  
Seconded by

NOV REVENUE  
EXPENDITURE  
REPORTS

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

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6.4 Council Timesheets

As the end of the year is fast approaching, we would appreciate if you could hand in any outstanding timesheets as soon as possible.

STAFF COMMENTS: Thank you for your co-operation.

ACTION:

6.5 [Small Rural and Northern Municipal Infrastructure Fund Capital Program](#)

We have been notified that our expression of interest for the Lucknow Standpipe project did not pass the pre-screening to move on to the full application process.

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

ACTION:

6.6 Bridge Related Needs – 2014 Project

Moved by  
Seconded by

APPROVE  
BRIDGE  
REHABILITATION  
PROJECT

THAT Huron-Kinloss Township Council hereby accepts the recommendations contained in the November 28, 2013 staff report and grants pre budget approval for the rehabilitation of the Concession 6 Corridor Bridges at an estimated cost of \$280,000.00 to be funded from the bridge replacement/Federal Gas Tax reserve fund (\$264,000.00) and 2014 maintenance budget (\$16,000.00).

6.7 [Minutes of Settlement](#)

The Taxation and Revenue Clerk has prepared a report for your review.

STAFF COMMENTS: Included in the report.

ACTION:

6.8 Sale of Property for Tax Arrears

There is a property in the Township with a registered tax arrears certificate that is now eligible for sale. If the owner does not pay the full cancellation price, the property will be advertised for sale beginning December 24<sup>th</sup> and tenders accepted until February 4, 2014.

STAFF COMMENTS: We bring this to your attention for information purposes.

ACTION:

**7.0 REPORTS OF STAFF AND COMMITTEES**

7.1 [Permanent Alcohol Licence Stakeholders Meeting](#)

A stakeholder meeting was held December 4<sup>th</sup>, 2013 to review the Permanent Licence Policy.

STAFF COMMENTS: We have attached the meeting Minutes for your review. There was concern regarding the profit share arrangement proposed. Staff communicated that the profit share will be evaluated again in 2014. Our goal is to ensure that our costs are recovered and that the improved responsible service of Alcohol combined with rewarding profit share with community stakeholders and stag and does will provide renters with a facility that is attractive for all users for events. We recommend that the Permanent Licence policy be brought forward for adoption as previously presented.

ACTION:

7.2 Annual Lake Huron Lakeshore Friendship Club Donation

We have received the Annual Huron Lakeshore Friendship donation of \$2000.00 in lieu of rentals fees.

STAFF COMMENTS: We bring this forward for information purposes. Thank you notes will be sent.

ACTION:

7.3 ROMA/OGRA Conference

We have received notice that requests for meetings with the Ministers' will be accepted until Friday January 17<sup>th</sup>, 2014.

STAFF COMMENTS: Does Council wish to submit any delegation requests?

ACTION:

7.4 Bridge Related Needs

Moved by  
Seconded by

APPROVE  
BRIDGE LIMITS  
AND CLOSURE

THAT Huron-Kinloss Township Council hereby approves the recommendations contained in the Bridge Related Needs report dated November 28, 2013 prepared by B.M. Ross and Associates Limited to implement a 15 tonne load limit on Structure H52 and close baseline bridge (H35) to traffic until further notice.

7.5 Recreation Staff Resignation

Scott Brown has resigned his position as a Casual Part-Time Facility Maintainer effective December 21<sup>st</sup>, 2013. Scott provided us with the standard two weeks' notice.

STAFF COMMENTS: Scott was a good employee and will be missed. It is with regret that we accept his resignation.

ACTION:



**8.0 BY-LAWS AND AGREEMENTS**

8.1 [Adopt Victory Rides/Parade Use Policy By-Law](#)

Moved by  
Seconded by

ADOPT VICTORY  
RIDES/PARADE  
USE POLICY

THAT leave be given to introduce By-Law Number 2013-120 being the "Adopt Victory Rides Parade use Policy By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.2 [Calcium Chloride Tender Acceptance 2014 By-Law](#)

Moved by  
Seconded by

CALCIUM  
CHLORIDE  
TENDER  
ACCEPTANCE  
2014

THAT leave be given to introduce By-Law Number 2013-121 being the "Calcium Chloride Tender Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.3 [Consolidated Recreation Fees, December 2013 By-Law](#)

Moved by  
Seconded by

CONSOLIDATED  
RECREATION  
FEES,  
DECEMBER 2013

THAT leave be given to introduce By-Law Number 2013-122 being the "Consolidated Recreation Fees, December, 2013 By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.4 [Adopt Permanent Liquor Sales Licence Policy By-Law](#)

Moved by  
Seconded by

ADOPT  
PERMANENT  
LIQUOR SALES  
LICENCE POLICY

THAT leave be given to introduce By-Law Number 2013-94 being the "Adopt Permanent Liquor Sales Licence Policy By-Law" and that it now be read a third time and finally passed this 16th day of December, 2013.

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8.5 [George and Esther Martin – Kennel Zoning Amendment By-Law](#)

Moved by  
Seconded by

GEORGE AND  
ESTHER MARTIN  
– KENNEL  
ZONING  
AMENDMENT

THAT leave be given to introduce By-Law Number 2013-123 being the “George and Esther Martin – Kennel Zoning Amendment By-Law” and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.6 [Freeman Zoning Amendment By-Law](#)

Moved by  
Seconded by

FREEMAN  
ZONING  
AMENDMENT

THAT leave be given to introduce By-Law Number 2013-124 being the “Freeman Zoning Amendment By-Law” and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.7 [Brown Zoning Amendment By-Law](#)

Moved by  
Seconded by

BROWN ZONING  
AMENDMENT

THAT leave be given to introduce By-Law Number 2013-125 being the " Brown Zoning Amendment By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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8.8 [Freeman Brown OP Amendment No. 32 By-Law](#)

Moved by  
Seconded by

FREEMAN  
BROWN OP  
AMENDMENT  
NO. 32

THAT leave be given to introduce By-Law Number 2013-126 being the “Freeman Brown OP Amendment No. 32 By-Law” and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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

9.1 Warden of Bruce County

The County of Bruce has provided notification that the new Warden for 2014 is Mayor John Close of the Town of South Bruce Peninsula.

STAFF COMMENTS: We bring this to your attention for information purposes.

ACTION:

9.2 [Ausable Bayfield Maitland Valley Proposed Source Protection Plans](#)

We have received notice from Ausable Bayfield Maitland Valley Source Protection Region regarding revisions that have been made to the Proposed Source Protection Plan based on comments received from the Ministry of the Environment (MOE).

STAFF COMMENTS: We have copied the letter for your review for information purposes.

ACTION:

**10.0 TOWNSHIP COMMITTEE MINUTES RECEIVED**

10.1 [Lucknow & District Joint Recreation Board](#)

Minutes of meeting held October 16<sup>th</sup>, 2013

**11.0 NEW BUSINESS/COUNCIL REPORTS**

**12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED**

12.1 [Multi-Municipal Wind Turbine Working Group](#)

Minutes of meeting held October 10<sup>th</sup>, 2013

12.2 [Maitland Valley Conservation Authority](#)

Minutes of meeting held October 16<sup>th</sup>, 2013

**13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE**

13.1	<i>AMO</i>	AMO Watch File – December 5 <sup>th</sup> , 2013
13.2		AMO Communications – <i>New Child Care Legislation Introduced</i> December 3, 2013
13.3		AMO Watch File –November 28 <sup>th</sup> , 2013
13.4		AMO Communications – <i>Highlights of the November 2013 Board Meeting</i> November 27, 2013
13.5		AMO Communications – <i>Connections Energy Symposium 2013</i> November 27, 2013
13.6	<i>Grey Bruce Health Unit</i>	News Release – <i>Flu Arrives in Grey Bruce</i> – December 10 <sup>th</sup> , 2013
13.7		News Release – <i>The Cost of Easting Well in Grey Bruce</i> – December 5 <sup>th</sup> , 2013
13.8		News Release – <i>Have You Got Yyour Flu Shot Yet?</i> – November 29 <sup>th</sup> , 2013
13.9	<i>General</i>	Planning for 2014 and Beyond (Election) December 9 2013
13.10		ABCA Source Protection Region letter November 26 <sup>th</sup> , 2013
13.11		Ontario Power Generation Scope of Work and Proposed Response Dates for Information Request Package # 12 December 6 <sup>th</sup> , 2013
13.12		Notice of Adoption of Official Plan Amendment – Township of Ashfield-Colborne-Wawanosh November 29 <sup>th</sup> , 2013
13.13		Lake Huron e-news – December 2013
13.14		Ministry of Citizenship and Immigration – Ontario Medal for Young Volunteers November 2013

**14.0 CLOSED SESSION**

Moved by  
Seconded by

MOVE TO  
CLOSED  
SESSION

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

- the security of property of the municipality or local board;
  - Natural Gas Project
- personal matters about an identifiable individual, including municipal or local board employees;
  - Casual Part-time Hires
  - Employee Probation

**15.0 RETURN TO OPEN SESSION**

Moved by  
Seconded by

RISE FROM  
CLOSED  
SESSION

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

**16.0      BUSINESS ARISING FROM THE CLOSED SESSION**

Moved by  
Seconded by

BUSINESS  
ARISING FROM  
THE CLOSED  
SESSION

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**17.0      CONFIRMING BY-LAW**

Moved by  
Seconded by

DECEMBER, 2013  
CONFIRMATORY  
BY-LAW

THAT leave be given to introduce By-Law Number 2013-129 being the "December, 2013 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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**18.0      ADJOURN**

Moved by  
Seconded by

ADJOURN

THAT Huron-Kinloss Township Council do now adjourn.

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Mayor

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Clerk

**16.0      BUSINESS ARISING FROM THE CLOSED SESSION**

Moved by  
Seconded by

BUSINESS  
ARISING FROM  
THE CLOSED  
SESSION

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**17.0      CONFIRMING BY-LAW**

Moved by  
Seconded by

DECEMBER, 2013  
CONFIRMATORY  
BY-LAW

THAT leave be given to introduce By-Law Number 2013-129 being the "December, 2013 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of December, 2013.

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**18.0      ADJOURN**

Moved by  
Seconded by

ADJOURN

THAT Huron-Kinloss Township Council do now adjourn.

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Mayor

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Clerk