

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

Township of Huron-Kinloss Council will meet in regular session on the 18th day of February, 2014 at 7:00 p.m. in the Township of Huron-Kinloss Council Chambers.

Mayor	Mitch Twolan	()
Deputy Mayor	Wilfred Gamble	()
Councillors	Lillian Abbott	()
	Jeff Elliott	(A)
	Jim Hanna	()
	Don Murray	()
	Carl Sloetjes	()
Administrator	Mary Rose Walden	(A)
Clerk	Sonya Watson	()
Treasurer	Jodi MacArthur	()

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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3.0 ADOPTION OF THE MINUTES

Moved by
Seconded by

ADOPT COUNCIL
MINUTES

THAT Huron-Kinloss Township Council hereby adopts the [January 20th, 2014](#) Council Meeting Minutes as written.

Moved by
Seconded by

ADOPT GENERAL
COMMITTEE
MINUTES

THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the [February 3rd, 2014](#) General Committee Meeting Minutes as written.

4.0 **DELEGATIONS**

4.1 Music in the Fields Rick McMurray & Ken Irwin 7:00 p.m.

Members of the Lucknow Kinsmen Rick McMurray and Ken Irwin will be attending to present information on the Music in the Fields events.

STAFF COMMENTS: None at this time.

ACTION:

4.2 Mary Ellis and Mac Serra 774 Lake Range Drive 7:30 p.m.

Mary Ellis and Mac Serra will be attending to present information on electrical, plumbing, structural and septic issues they have uncovered in their own residence.

STAFF COMMENTS: We have attached their [written submission](#) for your review.

Under the Building Code, an official can only do an inspection if a building permit has been issued and certain stages of construction have been completed or if there is unsafe condition present. In order to investigate whether an unsafe condition is present, a CBO needs to have sufficient evidence to perform an inspection, especially if it is in a dwelling. This evidence is typically in the form of a report from a third-party individual with specialized building knowledge and should include details of the unsafe condition as well as photographs.

In this case the CBO has notified the owners of this property several times of these requirements. To date no reports, documentation or pictures showing that there is an unsafe condition present have been produced. As described it is likely that the pipe leading from the laundry through the retaining wall is most likely a grey water pipe and may have been permitted at the time the system was installed.

Further, we have confirmed with the Township solicitor that the CBO is taking the appropriate response to this matter based on his authority under the Building Code.

ACTION:

5.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

5.1 **MPAC Assessment Practices**

MPAC
ASSESSMENT
PRACTICES

Moved by
Seconded By

WHEREAS the Municipal Property Assessment Corporation (MPAC) is able to, and routinely adjusts assessed values for tax purposes for the current year and for up to two prior years on properties where development has occurred and a building permit has been obtained, and where severances have been granted;

AND WHEREAS the Township of Mulmur has discovered several instances where development has occurred where no building permit had been obtained and provided proof of the existence of the development and requested that MPAC retroactively assess those properties in the same manner and for the same time periods;

AND WHEREAS requests for re-assessment sent in by the Township as much as 20 months ago have not been dealt with and MPAC has advised that requests made in the summer of 2013 are 'too late' to allow a re-assessment for 2013;

AND THAT the Township of Mulmur has been advised that the re-assessments will only apply to the 2014 taxation year and may not be applied to the two previous years resulting in a loss of tax revenue;

AND WHEREAS this appears to reward those who choose not to obtain building permits, not only because the payment of taxes is deferred but also because interest charges on the previous years' taxes are not applied and because developments are not being assessed in the same manner and for the same time periods as buildings for which building permits have been obtained;

AND WHEREAS the onus should not be on the municipality to prove when such buildings were constructed by rather on the landowner in such situations;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the Township of Mulmur as they advise MPAC that it is entirely inappropriate and unacceptable to not immediately and retroactively assess a building that has been erected without a building permit for the current year and up to two prior years (depending on when it was built and occupied) when such is the norm for buildings built with building permits;

AND FURTHER THAT MPAC be requested to automatically and immediately re-assess all properties once the improvements have been discovered and apply the resulting increase to the current year and for the two previous taxation years;

AND FURTHER THAT the onus be placed on the landowner to prove that the building has not existed for the entire time period.

5.2 Implementation of Source Water Protection Education and Outreach Policies

Moved by
Seconded By

IMPLEMENTATION
OF SOURCE
WATER
PROTECTION
PLACE

THAT Huron-Kinloss Township Council hereby authorizes contracting Ausable Bayfield Conservation Authority for the implementation of the required education and outreach policies in the Ausable Bayfield Maitland Valley Source Protection Plan as outlined in Option 3 of the proposal dated September 2013 for a total cost of \$5,442.95.

5.3 Mandatory On-Site Septic Inspections

Moved by
Seconded By

MANDATORY
ON-SITE SEPTIC
INSPECTIONS

WHEREAS the provincial government regularly make sweeping regulations and policies without giving appropriate consideration to specific locations or the effects on smaller municipalities and the rights of individuals;

AND WHEREAS government regulations now control and limit many property owner rights and privileges restricting more and more as time goes on;

AND WHEREAS the Council of the United Townships of Head, Clara and Maria does recognize that legislation is required to protect the environment from some who may not maintain their properties appropriately;

NOW THEREFORE BE IT RESOLVED THAT Huron-Kinloss Township Council hereby endorses the resolution of the United Townships of Head, Clara and Maria to lobby the provincial government to stop the process of mandatory on-site septic system inspections and to continue to only require them in known vulnerable areas adjacent to source water areas;

AND FURTHER THAT should regular and routine inspections become mandatory across the province that the province builds into any regulation the corresponding funding to compensate property owners and the small municipalities who cannot continue to rely on the property tax base to meet the constant downloading of responsibility without equivalent funding.

5.4 [Burnside 28th Annual Client Appreciation Night](#)

We have received an invitation for Council and Senior Staff to attend the annual Client Appreciation Night Wednesday, March 26th, 2014 at the Wingham Golf and Curling Club

STAFF COMMENTS: Please notify the Clerk if you wish to attend.

ACTION:

5.5 Integrity Commissioner Report

A written complaint was filed with the Integrity Commissioner.

STAFF COMMENTS: The Integrity Commissioner has conducted his investigation and prepared a report as required under section 223.6 (3) of the *Municipal Act* and according to By-Law 2007-105.

The [Integrity Commissioner's Report](#) has been attached for your review.

[Schedule "A"](#) to By-law 2007-05 has also been attached for your review of the process for an alleged breach of the Code of Conduct.

ACTION:

6.0 FINANCIAL REPORTS

6.1 Payment of Current Accounts as Presented

Moved by
Seconded By

APPROVE
FEBRUARY
ACCOUNTS

THAT Huron-Kinloss Township Council hereby authorizes the payment of the February 2014 accounts as presented.

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6.2 Payment of Previous Month Actual Accounts

Moved by
Seconded by

APPROVE
ACTUAL
JANUARY
PAYMENTS

THAT Huron-Kinloss Township Council hereby approves the payment of the January 2014 accounts in the amount of \$681,636.05.

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6.3 Summary Revenue/Expenditure Reports

Reports for Township, RHCC and Point Clark CC to January 31, 2014.

Moved by
Seconded by

JANUARY
REVENUE
EXPENDITURE
REPORT

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

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6.4 Development Charges Financial Statement

Attached is the annual statement required by the Ministry of Municipal Affairs showing the balances of the reserve funds established under the Development Charge By-Law.

STAFF COMMENTS: This is provided for information purposes. A copy of this report will be forwarded to the Ministry.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

6.5 Sale of Land by Public Tender

On February 5, 2014 tenders were opened for the purchase of property under the Municipal Tax Sales Rules of the *Municipal Act, 2001*.

STAFF COMMENTS: A successful purchaser was notified, has paid the tendered amount in full and the land registration was completed on February 12, 2014. The proceeds from the sale, minus the cancellation price, will be paid into the Superior Court of Justice according to the legislation. We bring this forward for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

6.6 Trillium Application Lions

Moved by
Seconded by

TRILLIUM
APPLICATION
FOR LIONS PARK

THAT Huron-Kinloss Township Council hereby authorizes the collaborative application with the Huron Shores Lions Club for the March 2014 submission date to the Ontario Trillium Foundation for funding for the Lion's Park new accessible play structures, benches, picnic tables, static fitness stations, barbeque and;

FURTHER THAT the Huron-Kinloss Township Council hereby authorizes the Township's contribution for the project is \$15,000.00.

6.7 [Minutes of Settlement](#)

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

STAFF COMMENTS: Included in the report.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

7.0 **REPORTS OF STAFF AND COMMITTEES**

7.1 **Natural Gas Project Open House Update**

The Clerk has prepared an update based on the comments received from the November 22nd and November 23rd, 2013 Open Houses held in Huron-Kinloss, Kincardine and Arran –Elderslie.

STAFF COMMENTS: None at this time.

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *recommendations* or *actions* contribute to our goals in achieving a *prosperous, and accessible* community.

ACTION:

7.2 Update on the Ontario Society for the Prevention of Cruelty to Animals (OSPCA)

Deputy Mayor Gamble and the Clerk attended a meeting hosted by the Bruce County Federation of Agriculture in regards to the OSPCA service in Bruce & Grey Counties.

STAFF COMMENTS: There were a number of updates provided at the meeting. The main one being OSPCA is still serving Grey/Bruce Counties with two local agents. However, they will not be having a central office location in Grey/Bruce. The area office is located in Newmarket. Based on a recent announcement by the Ontario Government the OSPCA will be receiving an additional \$5.5 million annually. One positive addition as a result of this funding is establishing a 24-7 centralized dispatching service to deal with animal welfare calls. It is expected this 24-7 response will be available by the end of March. There are many other steps they will be taking to improve services as outlined in the link here:

<http://news.ontario.ca/mcscs/en/2013/10/ontario-strengthening-protection-for-animals.html>

Media Release

We bring this to your attention for information purposes.

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *actions* contribute to our goals in achieving an *accessible* community.

ACTION:

7.3 [ROMA OGRA Delegation – Ministry of Energy](#)

We have received confirmation from the Honourable Bob Chiarelli, Minister of Energy, that he will see the delegation of Mayors Twolan, Kraemer and Eagleson at the Ontario Good Roads Association conference. They will be discussing the natural gas project.

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

SUSTAINABILITY ALIGNMENT: The information provided in this report is consistent with and in keeping with the Municipality's Vision & Mission. The *actions* contribute to our goals in achieving a *prosperous and accessible* community.

ACTION:

8.0 **BY-LAWS AND AGREEMENTS**

8.1 [Dump Truck with Plow Quotation Acceptance By-Law](#)

Moved by
Seconded by

DUMP TRUCK
WITH PLOW
QUOTATION
ACCEPTANCE

THAT leave be given to introduce By-Law Number 2014-05 being the "Dump Truck with Plow Quotation Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.2 [Consolidated Recreation Fees, February 2014 By-law](#)

Moved by
Seconded by

CONSOLIDATED
RECREATION
FEES, FEBRUARY
2014

THAT leave be given to introduce By-Law Number 2014-08 being the "Consolidated Recreation Fees, February 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.3 [Adopt Salary Pay Grid Market Review Policy By-Law](#)

Moved by
Seconded by

ADOPT SALARY
PAY GRID
MARKET REVIEW
POLICY

THAT leave be given to introduce By-Law Number 2014-09 being the " Adopt Salary Pay Grid Market Review Policy By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.4 [Animal Control/Kennel Licencing Amendment By-Law](#)

Staff have noticed some provisions in the Animal Control/Kennel Licencing By-law that need to be amended in regards to enforcement of the "Dangerous Dogs" provisions in the By-Law.

STAFF COMMENTS: Both are minor amendments but provide clarity for enforcement of the by-law. Section 1.2 contained a bracketed section that resulted in confusion for enforcement. The bracketed section has been removed from the definition. In section 9.2 the amendment is adding the word "Dangerous" to the section rather than just "dog" as it should have been originally.

ACTION:

Moved by
Seconded by

ANIMAL
CONTROL/KENNEL
LICENCING

THAT leave be given to introduce By-Law Number 2014-10 being the "Animal Control/Kennel Licencing Amendment (1) By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.5 [Consolidated Fees February 2014 By-Law](#)

Moved by
Seconded by

CONSOLIDATED
FEES FEBRUARY
2014

THAT leave be given to introduce By-Law Number 2014-11 being the "Consolidated Fees February 2014 By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.6 [Auditors Appointment By-Law](#)

Moved by
Seconded by

AUDITORS
APPOINTMENT

THAT leave be given to introduce By-Law Number 2014-12 being the " Auditors Appointment By-Law " and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.7 [BASWR Garbage Collection Renewal Acceptance By-Law](#)

Moved by
Seconded by

BASWR
GARBAGE
COLLECTION
RENEWAL
ACCEPTANCE

THAT leave be given to introduce By-Law Number 2014-13 being the "BASWR Garbage Collection Renewal Acceptance By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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8.8 [Ontario Job Creation Partnership \(OJCP\) Program Agreement By-Law](#)

Moved by
Seconded by

ONTARIO JOB
CREATION
PARTNERSHIP
(OJCP)
AGREEMENT

THAT leave be given to introduce By-Law Number 2014-14 being the "Ontario Job Creation Partnership (OJCP) Program Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2014.

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

9.1 [Penetangore Regional Economic Development Corporation](#)

We have received a thank you letter from the PREDC regarding a support letter that was sent outlining their work in Huron-Kinloss.

STAFF COMMENTS: We have provided this for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

9.2 OPP Funding Model

We have received correspondence regarding the OPP Funding model. One is from the [AMO whose Board of Directors](#) on the establishment of an OPP Billing Steering Committee. The other is a letter from [Lisa Thompson, MPP](#), to the Honourable Madeline Meilleur, Minister of Community Safety and Correctional Services seeking a funding model that is fair and equitable for both large and small communities.

STAFF COMMENTS: We have provided this for information purposes only.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

9.3 [Historic Saugeen Metis Council Seeking Natural Gas Project Information](#)

We have received correspondence from the Historic Saugeen Metis (HSM) Council requesting that they be informed on developments regarding the Natural Gas Project so they may review the project and offer an informed opinion on the matter.

STAFF COMMENTS: We have provided this for information purposes.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

9.4 [Thank you letter](#)

We have received a thank you letter from a resident commending the snow plow operators and the Township for their work this winter.

STAFF COMMENTS: We have provided this for information purposes.

SUSTAINABILITY ALIGNMENT: N/A

ACTION:

10.0 TOWNSHIP COMMITTEE MINUTES RECEIVED

10.1 Lucknow & District Joint Recreation Board

Minutes of meeting held [December 18th, 2013](#)

10.2 Ripley Minor Hockey

Minutes of meeting held [August 8th, 2013](#), [September 5th, 2013](#), [September 11th, 2013](#), [October 10th, 2013](#), [November 27th, 2013](#).

10.3 Lucknow Community Health Centre Board

Minutes of meeting held [February 12th, 2014](#)

11.0 NEW BUSINESS/COUNCIL REPORTS

11.1

12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED

12.1 Maitland Valley Conservation Authority

Minutes of meeting held [December 18th, 2013](#)

12.2 Maitland Source Protection Authority

Minutes of meeting held [October 16th, 2013](#)

13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

13.1	<i>AMO</i>	AMO <i>OPP Policed Communities: Update 1</i> February 7, 2014
13.2		AMO Communications – <i>Roadmap to Asset Management: Getting Up to Speed (Symposium)</i> February 6, 2014
13.3		AMO Communications – <i>Highlights of January 2014 Board Meeting</i> January 31, 2014
13.4		AMO Watch File January 30 th , 2014
13.5		AMO Communications – <i>Registration Now Open for the 2014 AMO Annual Conference</i> January 28 th , 2014
13.6	<i>Grey Bruce Health Unit</i>	News Release – <i>It's Not Sexist, it's science</i> – February 10 th 2014
13.7		News Release – <i>Family Day of Play</i> – February 7 th 2014
13.8		News Release – <i>Grey County Social Housing adopts a smoke-free policy</i> – February 3 rd , 2014
13.9	<i>General</i>	Farmland Forum 2014 – <i>Toward Permanent Land Protection in an evolving Policy Environment</i> March 7 th , 2014
13.10		Lake Huron e-news – February 2014
13.11		Huron County - Notice of Decision of an Official Plan Amendment February 10 th , 2014
13.12		LAS NewsFlash – Issue 14, February 2014
13.13		Making Waves January 29, 2014
13.14		Ontario Honours and Awards – <i>2014 Ontario Senior of the Year Award</i> January 31 st , 2014
13.15		Ministry of Citizenship and Immigration – <i>Newcomer Champion Award</i> February 10 th , 2014

14.0 CONFIRMING BY-LAW

Moved by
Seconded by

FEBRUARY, 2014
CONFIRMATORY
BY-LAW

THAT leave be given to introduce By-Law Number 2014-15 being the "[February, 2014 Confirmatory By-Law](#)" and that it now be read severally a first, second and third time and finally passed this 18th day of February, 2012.

15.0 ADJOURN

Moved by
Seconded by

ADJOURN

THAT Huron-Kinloss Township Council do now adjourn.

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Mayor

Clerk