

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 July, 2012 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	()
	Jim Hanna	()
	Don Murray	()
	Carl Sloetjes	()
Administrator	Mary Rose Walden	()
Clerk	Sonya Watson	()
Treasurer	Jodi MacArthur	()

OTHERS PRESENT:

1.0 CALL TO ORDER

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 [June 18th, 2012](#) 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 [July 4th, 2012](#) General Committee Meeting Minutes as written.

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Moved by
Seconded by

ADOPT
EDUCATION &
TRAINING
SESSION
MINUTES

THAT Huron-Kinloss Township Council hereby adopts and approves the Meeting Notes from the Education and Training Session held with the CNSC on [June 15th, 2012](#) in Ottawa as written.

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4.0 DELEGATIONS

4.1 Ken Goldsmith – County of Bruce 7:00 p.m.

Please find attached the [New Release](#) prepared by the Canadian Food Inspection Agency regarding the Emerald Ash Borer.

STAFF COMMENTS: Ken Goldsmith will be doing a [power point presentation](#) on controlling invasive plants on your property and speaking specifically on the Emerald Ash Borer. He has provided some further information on the [Emerald Ash Borer](#).

ACTION:

5.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

5.1 Ripley Mens Slo-pitch Tournament a “Municipally Significant Event”

Moved by
Seconded by

MUNICIPALLY
SIGNIFICANT
EVENT

THAT the Township of Huron-Kinloss Council hereby declares the Annual Ripley Men’s Slo Pitch Tournament scheduled to be held August 17th to the 19th at the Point Clark Ball Diamond a “municipally significant event” for the purpose of facilitating the organizers to obtain the appropriate liquor licence with the following conditions:

1. Proof of liability insurance is provided to the municipality
2. A Municipal Representative be present to ensure Municipal property is safe, and secure from 8 p.m. until property is cleared by users at 1:45 a.m.
3. Security is present from 8:00 p.m. to close to ID individuals and ensure AGCO regulations and the Township Alcohol Policy is followed.
4. All security will be billed to the user on a cost recovery basis.

5.2 [24th Annual Fiddler’s Jamboree](#)

We have received information on the 24th Annual Fiddler’s Jamboree at the Lucknow Community Centre Sunday August 5th, 2012

STAFF COMMENTS: They are requesting a Council member attend to greet the crowd.

ACTION:

5.3 Regulating Smoking in Public Places

The County of Bruce passed resolutions at their May and June meetings to rescind By-laws 4020 and the previous by-law 3938 that regulated smoking in public places and workplaces in favour of the Smoke Free Ontario Act which now regulates smoking in public places.

Prohibition

9. (1) No person shall **smoke** tobacco or hold lighted tobacco in any enclosed public place or enclosed workplace. 2005, c. 18, s. 9.

The County is requesting Council rescind a resolution passed on July 7th, 2003 that supported passage of the Bruce County Smoking By-Law No. 4020. The resolution prepared below supports this request.

The Township of Huron-Kinloss "No Smoking Policy" passed on August 7th, 2002 refers to the County By-Law 3938 and is now superseded by the Smoke Free Ontario Act. Therefore the resolution prepared below also rescinds this municipal policy.

STAFF COMMENTS: If Council concurs a resolution is prepared below for your consideration.

ACTION:

REGULATING
SMOKING IN
PUBLIC PLACES

Moved by
Seconded by

THAT Huron-Kinloss Township Council hereby supports the County of Bruce rescinding By-Laws 3928 and 4020 being By-laws to regulate Smoking in Public Places and Workplaces in Bruce County; and

FURTHER THAT Huron-Kinloss Township Council rescinds any and all resolutions passed in support of The County of Bruce No Smoking By-Law 3928 and 4020 in favour of the Smoke Free Ontario Act; and

FURTHER THAT Huron-Kinloss Township Council finds it appropriate to rescind the No Smoking Policy No. 2002-71 for Township of Huron-Kinloss in favour of the Smoke Free Ontario Act.

5.4 [2012 Evening Conservation Tours](#)

We have received information on the Saugeen Valley Conservation Foundation Evening Tours.

STAFF COMMENTS: These tours are from SVCA Directors and Member Municipalities. The tours visit different areas of the watershed to highlight projects, programs Conservation areas, Land etc. We have attached the program for your review. Should you wish to attend please notify the Clerk.

ACTION:

5.5 [Mac Intyre Municipal Drain](#)

Moved by
Seconded by

APPOINT
ENGINEER
MAC INTYRE
MUNICIPAL
DRAIN

THAT Huron-Kinloss Township Council hereby receives and accepts the petition for the MacIntyre Municipal Drain located on Lot 22, Concession 2 in the former Township of Kinloss and as such appoints Dietrich Engineering Limited to prepare a report under Sections 4 and 78 of the Drainage Act for the requested improvement.

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5.6 [Policing Costs, Service Levels and Delivery Methods](#)

Moved by
Seconded By

POLICING
COSTS, SERVICE
LEVELS AND
DELIVERY
METHODS

THAT Huron-Kinloss Township Council hereby endorses the resolution of The Corporation of the County of Norfolk and in so doing requests the Ministry of Community Safety and Correctional Services to include the Mayor's coalition in all present and future deliberations between the Ontario government and the Ontario Provincial Police pertaining to the cost of policing, and the process of determining local police service levels and delivery methods.

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5.7 [Establish the South Western Ontario Development Fund](#)

Moved by
Seconded By

ESTABLISH THE
SOUTH
WESTERN
ONTARIO
DEVELOPMENT
FUND

THAT Huron-Kinloss Township Council hereby endorses the resolution of The Corporation of the County of Norfolk and in so doing requests the support of Bill 11 that would establish the South Western Ontario Development Fund which is a vitally needed investment program for rural and small town Ontario.

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5.8 [Loss of Municipal Rights Over Control of Road Allowances](#)

Moved by
Seconded By

LOSS OF
MUNICIPAL
RIGHTS OVER
CONTROL OF
ROAD
ALLOWANCES

THAT Huron-Kinloss Township Council hereby endorses the resolution of The Corporation of the Municipality of Grey Highlands and in so doing requests the Government of Ontario to reimburse the taxpayers of Grey Highlands for funds (\$20,000) paid to the Courts for the legal challenges that were made to clarify what was unwritten in the Green Energy Act concerning the loss of Municipal rights over the control of road allowances.

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5.9 [Kincardine Family Health Team](#)

We have received notice from the Kincardine Family Health Team regarding an Open House scheduled for Thursday, September 6th, 2012 in the upper level of the Ripley Huron Community Center.

STAFF COMMENTS: This is an opportunity for residents to learn more about the health care professionals and what programs will be offered in Ripley. We have copied the Notice for your review.

ACTION:

5.10 Lucknow Lancers Co-ed Ball Tournament

We have received a request from the Lucknow Lancers regarding their Annual Co-ed Tournament to be held August 10th-12th.

STAFF COMMENTS: Lucknow Recreation is maintaining a consistent protocol and applying similar conditions for outdoor beer gardens in the Lucknow. The following resolution has been prepared for your consideration.

Moved by
Seconded by

LUCKNOW
LANCERS CO-
ED BALL
TOURNAMENT

THAT Huron-Kinloss Township Council hereby declares the Lucknow Lancers Coed Slo pitch Tournament scheduled to be held August 10th to the 12th, 2012 at the Lucknow Lions Gazebo and the Lucknow Ball Fields a "municipally significant event" to facilitate the organizers to obtain the appropriate liquor licence with the following conditions:

1. Proof of liability insurance is provided to the municipality.
2. A Municipal Representative be present to ensure Municipal property is safe, and secure from 8 p.m. until property is cleared by users at 1:45 a.m.
3. Security is present from 8:00 p.m. to close to ID individuals and ensure AGCO regulations and the Township Alcohol Policy is followed.
4. All security will be billed to the user on a cost recovery basis.

5.11 Ice Surface Lighting Proposal

The ice surface lighting project was deferred to 2013 because it was over budget.

STAFF COMMENTS: All the contractors were notified that the project was being deferred to 2013. During the evaluation of the ice surface lighting proposals staff felt that the 400 watt lighting system was the most efficient and economical. Eco-Shift Power Corp. was the only company to provide a tender for the 400 watt bulb system. They have since provided a new proposal that exceeds our specifications and have offered to defer payment until January 13th, 2013.

The total cost including tax is \$27,387.81 for the ice surface lighting. At this time we would require 2013 pre-budget approval. However, installation would occur by September 25th, 2012.

ACTION:

5.12 **Ripley Wolves Municipally Significant Event**

6.0 FINANCIAL REPORTS

6.1 **Payment of Current Accounts as Presented**

Moved by
Seconded By

APPROVE JULY
ACCOUNTS

THAT Huron-Kinloss Township Council hereby authorizes the payment of the July, 2012 accounts as presented.

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6.2 **Payment of Previous Month Actual Accounts**

Moved by
Seconded by

APPROVE
ACTUAL JUNE
PAYMENTS

THAT Huron-Kinloss Township Council hereby approves the payment of the June, 2012 accounts in the amount of \$2,560,652.11.

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6.3 **Summary Revenue/Expenditure Reports**

Reports for Township, RHCC and Point Clark CC to June 30, 2012.

Moved by
Seconded by

JUNE 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 **Tax Arrears Report**

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

STAFF COMMENTS: Included in the report.

ACTION:

6.5 Business Tax Capping Reform

SUPPORT
OPTIONAL
BUSINESS TAX
CAPPING

Moved by
Seconded by

WHEREAS the Province of Ontario first introduced mandatory “business tax capping” for the commercial, industrial and multi-residential property classes as a temporary reform mitigation program for the 1998, 1999 and 2000 taxation years;

AND WHEREAS this “temporary” and “transitional” measure was succeeded by a permanent business tax capping program for the 2001 and subsequent taxation years,

AND WHEREAS the 2012 taxation year will represent the fifteenth taxation cycle for which mandatory business tax capping has applied;

AND WHEREAS the overall business tax capping scheme was introduced as a means of assisting taxpayers manage tax shifts related to Provincial Assessment and Property Tax reforms introduced for the 1998 taxation year;

AND WHEREAS it has become evident over time that the protection provided under this program has been less related to the original impacts of reform and more so due to the ongoing impacts of subsequent assessment base updates;

AND WHEREAS this program must now be seen as a redundant measure in light of the Province’s successful four-year assessment phase-in program, which more effectively and equitably addresses assessment increases for all properties;

AND WHEREAS this program now has a only marginal impact on a very limited number of taxpayers due to the municipality’s careful and deliberate application of optional parameter and exclusion tools, and yet it remains a significant burden on the financial and administrative resources of the municipality;

THEREFORE BE IT RESOLVED THAT the Corporation of the Township of Huron-Kinloss calls on the Government of the Province of Ontario to Amend Part IX of the *Municipal Act, 2001* and supporting regulatory provisions so as to make the entirety of that Part (Business Tax Capping) optional at the discretion of each upper and single tier jurisdiction; and

THAT the Corporation of the Township of Huron-Kinloss calls on the Government of the Province of Ontario to make these changes and amendments effective for the 2013 taxation year to coincide with the pending reassessment and related four-year assessment cycle; and

THAT the discussion paper “Allowing Municipalities to Opt Out of Business Tax Capping” prepared by Municipal Tax Equity (MTE) Consulting Inc., which speaks directly to this subject matter, and which addresses many of this Council’s concerns, interests and preferences, shall be attached to, and shall form a part of this motion; and

THAT a copy of this motion be sent to Municipal Tax Equity (MTE) Consultants Inc.

6.6 Minutes of Settlement

Moved by
Seconded by

MINUTES OF SETTLEMENT

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>
2012	278 Sideroad 10 S	41-07-160-001-12600	RT	189,000	RT	130,000
2012	55 Sideroad 10 S	41-07-160-001-01210	RT	256,000	RT	128,000

7.0 REPORTS OF STAFF AND COMMITTEES

7.1 Septic reinspection program

The table below shows the monthly inspection stats from 2007- 2012 YTD which also includes the new or replacement septic systems installed this year.

STAFF COMMENTS: None at this time.

ACTION:

Month	2007	2008	2009	2010	2011	2012
Feb	0 0		0	0	0	1
March	0 0		0	0	0	1
April	0 6		0	13	0	2
May	0 20		49	38	25	67
June	34 32		37	57	113	40
TOTAL						111

7.2 [Carpet for Municipal Office](#)

The Administrator has prepared a report for your review.

STAFF COMMENTS: Included in the report.

ACTION:

8.0 BY-LAWS AND AGREEMENTS

8.1 [Ripley-Huron Fire Department Establish & Regulating By-Law](#)

Moved by
Seconded by

RIPLEY-HURON
FIRE
DEPARTMENT
ESTABLISH &
REGULATING

THAT leave be given to introduce By-Law Number 2012-79 being the "Ripley-Huron Fire Department Establishing & Regulating By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of July, 2012.

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8.2 [Landfill Compactor Lease Agreement By-Law](#)

Moved by
Seconded by

LANDFILL
COMPACTOR
LEASE
AGREEMENT

THAT leave be given to introduce By-Law Number 2012-80 being the "Landfill Compactor Lease Agreement By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of July, 2012.

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

9.1 July Planning Meeting

The July Planning meeting will take place on Monday July 23rd, 2012.

STAFF COMMENTS: Please mark your calendars.

ACTION:

9.2 [Health Canada Announces Wind Turbine Noise and Health Study](#)

We have attached the News Release from Health Canada announcing a research study on Wind Turbine Noise and Health.

STAFF COMMENTS: The results of the study are expected to be published in 2014.

ACTION:

10.0 TOWNSHIP COMMITTEE MINUTES RECEIVED

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

Minutes of meeting held May 16th, 2012

10.2 [Pine River Watershed Initiative Network](#)

Minutes of meeting held July 4th, 2012

11.0 NEW BUSINESS/COUNCIL REPORTS

12.0 OTHER AGENCY MINUTES & REPORTS RECIEVED

12.1 Maitland Valley Conservation Authority

Minutes of meeting held [January 25th, 2012](#) & [April 18th, 2012](#) & [May 16th, 2012](#)

12.2 [Mid-Huron Landfill Site Board](#)

Financial Statements- December 31st, 2011

13.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

13.1	<i>AMO</i>	AMO Breaking News Community Infrastructure Investment Fund July 5, 2012
13.2		AMO Watch File – July 5, 2012
13.3		AMO Makes Submission to the Ontario Distribution Sector Panel July 4, 2012
13.4		AMO June Board Report to Members June 29, 2012
13.5		AMO June Board Report to Members June 28, 2012
13.6		AMO Infrastructure and Asset Management Survey June 25, 2012
13.7	<i>Grey Bruce Health Unit</i>	News Release “ <i>Tick Talk</i> ” July 10, 2012
13.8		News Release “ <i>Lion’s Head Beach Safe for Bathing</i> ” July 6, 2012
13.9		News Release “ <i>Lion’s Head Beach UnSafe for Bathing</i> ” June 29, 2012
13.10		News Release “ <i>Longest Day of PLAY Results</i> ” June 26, 2012
13.11	<i>General</i>	The Globe and Mail “ <i>Satellite to Shatter Urban-Rural Digital Divide</i> ” July 5, 2012
13.12		Ontario Releases Plan to Combat Invasive Species July 3, 2012
13.13		Municipal Employer Pension Centre of Ontario July 2012
13.14		Minister of State (Science & Technology) “ <i>Economic Action Plan 2012</i> ” July 5, 2012
13.15		Drinking Water source Protection <i>Profile Bulletin</i> July 2012
13.16		LHCCC Coastal Ecology
13.17		Lake Huron Centre for Coastal Conservation E’News July 2012
13.18		OMAFRA Connects July 2012

14.0 **CONFIRMING BY-LAW**

Moved by
Seconded by

JULY, 2012
CONFIRMATORY
BY-LAW

THAT leave be given to introduce By-Law Number 2012-81 being the "July, 2012 Confirmatory By-Law" and that it now be read severally a first, second and third time and finally passed this 16th day of July, 2012.

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18.0 **ADJOURN**

Moved by
Seconded by

ADJOURN

THAT Huron-Kinloss Township Council do now adjourn to meet again on August 8th, 2012 at 7:00 p.m. or at the Call of the Mayor.

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Mayor

Clerk