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

Township of Huron-Kinloss Council met 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**	**(P)**
Deputy Mayor	**Wilfred Gamble**	**(P)**
Councillors	**Lillian Abbott**	**(P)**
	Jeff Elliott	**(P)**
	Jim Hanna	**(P)**
	Don Murray	**(P)**
	Carl Sloetjes	**(P)**
Administrator	**Mary Rose Walden**	**(P)**
Clerk	**Sonya Watson**	**(P)**
Treasurer	**Jodi MacArthur**	**(P)**
Drainage Superintendent	**Grant Collins**	**(P)**
Director of Facilities & Recreation	**Mike Fair**	**(P)**

OTHERS PRESENT: Liz Dadson, Barb McKay, Ken Kilpatrick, Ken Goldsmith

1.0 CALL TO ORDER

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

2.0 DISCLOSURE OF PECUNIARY INTEREST

Name	Item	Nature of Interest
None disclosed		

3.0 ADOPTION OF THE MINUTES

Moved by Elliott
Seconded by Sloetjes

ADOPT COUNCIL MINUTES — 175 — THAT Huron-Kinloss Township Council hereby adopts the June 18th, 2012 Council Meeting Minutes as written.

Carried.

Moved by Sloetjes
Seconded by Elliott

ADOPT GENERAL COMMITTEE MINUTES — 176 — THAT Huron-Kinloss Township Council hereby adopts and approves the staff recommendations of the July 4th, 2012 General Committee Meeting Minutes as written.

Carried.

Moved by Sloetjes
Seconded by Elliott

ADOPT EDUCATION & TRAINING SESSION MINUTES	177	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.

Carried.

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: Ken Goldsmith reviewed a number of invasive species that are a concern in Bruce County and other areas. The Emerald Ash Borer was confirmed and identified in Lucknow. Ken is suggesting that now that the Emerald Ash Borer has been identified the County and municipality should be proactive and develop a plan of attack to look at how to control it. He made suggestions one being to develop an inventory on ash trees in the County. The ash trees could be identified and added into the County GPS System as a layer. Treatment of the healthy ash trees is an option to protect them. This has been successful in other areas.

5.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

5.1 Ripley Men's Slo-pitch Tournament a "Municipally Significant Event"

Moved by Murray
Seconded by Abbott

MUNICIPALLY SIGNIFICANT EVENT	178	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.

Carried.

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: Councillor Abbott will attend.

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: The following resolution was passed.

Moved by Elliott
Seconded by Sloetjes

REGULATING SMOKING IN PUBLIC PLACES	179	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. Carried.

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: Noted.

5.5 Mac Intyre Municipal Drain

Moved by Sloetjes
Seconded by Elliott

APPOINT ENGINEER MAC INTYRE MUNICIPAL DRAIN	180	THAT Huron-Kinloss Township Council hereby receives and accepts the petition for the Mac Intyre 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.

Carried.

5.6 Policing Costs, Service Levels and Delivery Methods

Moved by Elliott
Seconded By Sloetjes

POLICING COSTS, SERVICE LEVELS AND DELIVERY METHODS	181	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.

Carried.

5.7 Establish the South Western Ontario Development Fund

Moved by Abbott
Seconded By Sloetjes

ESTABLISH THE SOUTH WESTERN ONTARIO DEVELOPMENT FUND	182	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.

Carried.

5.8 Loss of Municipal Rights Over Control of Road Allowances

Moved by Sloetjes
Seconded By Abbott

LOSS OF MUNICIPAL RIGHTS OVER CONTROL OF ROAD ALLOWANCES	183	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.

Carried.

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: Noted.

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 Abbott
Seconded by Sloetjes

LUCKNOW LANCERS CO-ED BALL TOURNAMENT	184	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.

Carried.

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: Council confirmed they would be out of the building before the fair starts. Council also wants to see what is happening with the wire that is coming out of the building. The Director of Facilities and Recreation estimates an approximately savings of $2,000 to $3,000 in electricity.

Moved by Elliott
Seconded by Sloetjes

ICE SURFACE LIGHTING PROPOSAL 185 THAT Huron-Kinloss Township Council hereby gives pre budget approval for the 2013 budget for the purchase of a 400 watt lighting system from Eco-Shift Power Corp. in the amount of $27,387.81 for ice surface lighting to be installed by September 25th, 2012.

Carried.

5.12 Ripley Wolves Indoor Volleyball Tournament

We have received a letter from the Ripley Wolves.

STAFF COMMENTS: Attached for your review.

ACTION: The following resolution was passed. Council did not approve a reduction in the rental rates. The Clerk will prepare a response.

Moved by Hanna
Seconded by Abbott

MUNICIPALLY SIGNIFICANT EVENT 186 THAT the Township of Huron-Kinloss Council hereby declares the Ripley Wolves Indoor Volleyball Tournament on scheduled to be held on Friday August 31st and Saturday September 1st, 2012 at the Ripley Huron Community Centre 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.

Carried.

6.0 FINANCIAL REPORTS

6.1 Payment of Current Accounts as Presented

Moved by Elliott
Seconded By Abbott

APPROVE JULY ACCOUNTS	187	THAT Huron-Kinloss Township Council hereby authorizes the payment of the July, 2012 accounts as presented.

Carried.

6.2 Payment of Previous Month Actual Accounts

Moved by Elliott
Seconded by Sloetjes

APPROVE ACTUAL JUNE PAYMENTS	188	THAT Huron-Kinloss Township Council hereby approves the payment of the June, 2012 accounts in the amount of $2,560,652.11.

Carried.

6.3 Summary Revenue/Expenditure Reports

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

Moved by Sloetjes
Seconded by Elliott

JUNE REVENUE EXPENDITURE REPORTS	189	THAT Huron-Kinloss Township Council reviews and receives the summary revenue/expenditure reports of the Treasurer as written.

Carried.

6.4 Tax Arrears Report

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

STAFF COMMENTS: Included in the report.

ACTION: Received and filed.

6.5 Business Tax Capping Reform

Moved by Elliott
Seconded by Sloetjes

SUPPORT OPTIONAL BUSINESS TAX CAPPING

190

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.

Carried.

6.6 Minutes of Settlement

Moved by Sloetjes
Seconded by Elliott

MINUTES OF SETTLEMENT 191 THAT Huron-Kinloss Township Council have no objection to Minutes of Settlement for the following properties:

Year	Property Location	Roll #	Before		After	
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

Carried.

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: Council would like to know the number of new or replacement systems. The Clerk will speak with B.M. Ross.

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: Approved.

8.0 BY-LAWS AND AGREEMENTS

8.1 Ripley-Huron Fire Department Establish & Regulating By-Law

Moved by Sloetjes
Seconded by Elliott

RIPLEY-HURON FIRE DEPARTMENT ESTABLISH & REGULATING	192	THAT leave be given to introduce By-Law Number 2012-79 being the "Ripley-Huron Fire Department Establish & 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.

Carried

8.2 Landfill Compactor Lease Agreement By-Law

Moved by Elliott
Seconded by Sloetjes

LANDFILL COMPACTOR LEASE AGREEMENT	193	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.

Carried.

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: Noted.

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: Council would like to provide comments to Health Canada on the local health concerns. A draft of local concerns will be brought to the August General Committee Meeting.

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

11.1 Fire Burning Ban

The Clerk made Council aware of the fire ban issued for all of Huron-Kinloss today.

STAFF COMMENTS: Council questioned how we could let the Mennonite community know.

ACTION: The Clerk will prepare a Notice for posting at the Holyrood General Store and Bruce Huron Produce Auction.

11.2 Tennis Courts in Lucknow

Councillor Sloetjes had inquiries on whether improvements could be made to the Tennis Courts in Lucknow and if that would be a shared expense with ACW.

STAFF COMMENTS: The tennis courts are the financial responsibility of Huron-Kinloss.

ACTION: Councillor Sloetjes will speak with Mark Hackett about whether Lucknow Recreation would be interested in running some programming at the Tennis Courts and sharing any improvement costs necessary.

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	*AMO*	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	*Grey Bruce Health Unit*	News Release "*Tick Talk*" July 10, 2012
13.8		News Release "*Lion's Head Beach Safe for Bathing*" July 6, 2012
13.9		News Release *"Lion's Head Beach Unsafe for Bathing"* June 29, 2012
13.10		News Release "*Longest Day of PLAY Results*" June 26, 2012
13.11	*General*	The Globe and Mail "*Satellite to Shatter Urban-Rural Digital Divide*" 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) "*Economic Action Plan 2012*" July 5, 2012
13.15		Drinking Water source Protection *Profile Bulletin* 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 Elliott
Seconded by Sloetjes

JULY, 2012 CONFIRMATORY BY-LAW	194	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. Carried.

15.0 ADJOURN

Moved by Sloetjes
Seconded by Elliott

ADJOURN	195	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. Carried

Original Signed by Wilf Gamble
Deputy Mayor

Original Signed by Sonya Watson
Clerk