MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO

TUESDAY, FEBRUARY 21st, 2017 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler

Councillors Alvin McLellan, David Blaney,

John Lowe, Brenda Dalton, Kevin Wilbee, Nathan Marshall,

Robert Fisher and Raymond Chartrand

Councillor Larry McGrath arrived at 7:05 p.m.

Members Absent: Councillor Dianne Diehl

Staff Present: CAO/Clerk, Brad Knight

Finance Manager-Treasurer/Deputy Clerk, Paula Michiels

Deputy Clerk, Mark Gilpin

Public Works Coordinator, Barry Mills Economic Development Officer, Jan Hawley

Fire Chief/CEMC, Marty Bedard Executive Assistant, Janice Andrews

Kenn Hines attended the meeting to hear the discussion on consent application B01/17 on Part Lot 9, Concession 1, HRS, Tuckersmith Ward (Design Concrete).

CALL TO ORDER

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

CONFIRMATION OF THE AGENDA

Moved by Brenda Dalton and seconded by Alvin McLellan That the Agenda for the Regular Meeting of Council dated February 21st, 2017 be adopted as circulated. Carried.

Adopt Agenda

DISCLOSURE OF PECUNIARY INTEREST

Councillor Dalton declared a pecuniary interest on agenda item 6 concerning the accounts payable as a family member was listed to receive a payment.

MINUTES OF PREVIOUS MEETING

Moved by Alvin McLellan and seconded by Brenda Dalton: That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:

a) Regular Meeting – February 7th, 2017

Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

Court of Revision – Ninth Concession Municipal Drain 2017

Moved by John Lowe and seconded by Nathan Marshall: That the Court of Revision for the Ninth Concession Municipal Drain 2016 be opened and that Councillors Chartrand, Dalton and Wilbee be appointed as the Open Court of Revision

Meeting Minutes

Huron East members with Councillor Chartrand acting as Chairman. Carried.

No appeals were received.

Close *Moved* by Brenda Dalton and seconded by Kevin Wilbee:

That the Court of Revision for the Ninth Concession Municipal Drain 2016 be

Court of Revision

closed. Carried.

ACCOUNTS PAYABLE

Moved by Raymond Chartrand and seconded by Nathan Marshall: Accounts That the accounts payable in the amount of \$983,986.07 be approved for Payable

payment. Carried.

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Finance Manager-Treasurer/Deputy Clerk – 2017 Budget – 1st Draft

Finance Manager-Treasurer/Deputy Clerk Paula Michiels presented and reviewed in detail the 1st draft of the 2017 Budget for consideration by Council. The 1st draft included a 5% general municipal levy increase that would provide an additional \$191,863 to offset the net impact of a decrease in OMPF funding (\$256,200) and the OCIF formula based funding increase (\$89,423) from 2016 funding levels. She noted that the County levy increase is estimated at 5% but the Huron East share of the County level will increase due to the 2016 reassessment and the impact of the increased farmland assessments. She further noted that the education levy is unknown at this time.

The Finance Manager noted that the budgets submitted from the department heads and committees were compiled and with the 5% general municipal levy increase there was a shortfall of approximately \$2.5 million. After review of the draft 2017 Budget, approximately \$1.35 million has been cut from the original budgets submitted. A complete list of items cut from the budgets was provided and reviewed with Council. It was noted that after cuts were made, the 1st draft of the 2017 Budget was still in a shortfall position of \$690,826.

Council reviewed and discussed the proposed 2017 Budget and the Mayor requested any suggestions to be considered be brought back to the next meeting. The Finance Manager was requested to present the 2^{nd} draft of the 2017 Budget at the next regular meeting.

Deputy Clerk - Tender Results - Knechtel Municipal Drain & Johnston Municipal Drain

Deputy Clerk Mark Gilpin reviewed his report to Council concerning tenders received for the construction of the Knechtel Municipal Drain – Branch 'A' 2016 and the Johnston Municipal Drain – Branch 'B' 2016. The following tenders were received before 2:00 pm on February 8th, 2017 and opened by Councillor Raymond Chartrand, Public Works Coordinator Barry Mills and Deputy Clerk Mark Gilpin.

Knechtel Municipal Drain - Branch 'A' 2016

Contractor	Tender Price (excluding taxes)
Marquardt Farm Drainage Ltd.	\$23,196.00
Van Bree Drainage and Bulldozing Ltd.	\$22,855.00
Cassidy Construction	\$19,988.50
Van Gestel Excavating Services	\$24,810.92
Robinson Farm Drainage Ltd.	\$21,755.00
Kurtis Smith Excavating Inc.	\$22,960.00
A.G. Hayter Contracting Ltd.	\$23,585.00
Hanna & Hamilton Construction Co. Ltd.	\$30,200.00
Engineer's Estimate	\$20,400.00

Moved by Kevin Wilbee and seconded by Nathan Marshall: That Council of the Municipality of Huron East accept the tender of Cassidy Construction in the amount of \$19,998.50 plus applicable taxes for the Knechtel Municipal Drain – Branch 'A" 2016, subject to the recommendation of GM BluePlan Engineering Limited. Carried.

Accept Tender Knechtel Drain

Johnston Municipal Drain - Branch 'B' 2016

Contractor	Tender Price (excluding taxes)
Marquardt Farm Drainage Ltd.	\$87,941.00
Van Bree Drainage and Bulldozing Ltd.	\$94,900.00
Cassidy Construction	\$92,681.85
Van Gestel Excavating Services	\$106,230.81
Robinson Farm Drainage Ltd.	\$81,965.50
Kurtis Smith Excavating Inc.	\$98,000.00
A.G. Hayter Contracting Ltd.	\$92,570.00
Hanna & Hamilton Construction Co. Ltd.	\$118,062.50
Engineer's Estimate:	\$100,010.00

Accept Tender

Johnston Drain

Moved by Alvin McLellan and seconded by David Blaney:

That Council of the Municipality of Huron East accept the tender of Robinson Farm Drainage Limited in the amount of \$81,965.50 plus applicable taxes for the Johnston Municipal Drain – Branch 'B" 2016, subject to the recommendation of

GM BluePlan Engineering Limited. Carried.

<u>Public Works Coordinator – Designate Period of Restricted Load Limits – Municipal Roads</u>

Public Works Coordinator Barry Mills presented his report to Council concerning a by-law to designate a period of reduced load limits on some municipal roadways within the Municipality. The reduced load limit period will be in effect from March 1st to April 20th inclusive each and every year. By-Law 14-2017 to authorize the reduced load limit period will be considered later in the meeting.

Public Works Coordinator – Tenders

The following tenders were received before Noon on February 15th, 2017 and opened by Councillor Raymond Chartrand, Finance Manager-Treasurer/Deputy Clerk Paula Michiels and Public Works Coordinator Barry Mills.

HE-01-2017 - Gravel - North Patrol Area

HE-02-2017 – Gravel – Central Patrol Area

HE-03-2017 - Gravel - South Patrol Area

HE-04-2017 - Dust Control

HE-05-2017 – Roadside Mowing

The tenders received were as follows:

HE-01-2017 - Gravel North Patrol

	Supply & Crush	Weigh, Load, Haul &	Net Total (excluding
	20,000 tonnes	Spread	HST)
		20,000 tonnes	
Joe Kerr Limited	\$4.10/tonne	\$5.00/tonne	\$182,000.00
Donegan's Haulage(2010)Ltd.	\$4.00/tonne	\$5.00/tonne	\$180,000.00

HE-02-2017 – Gravel Central Patrol

	Supply & Crush	Weigh, Load, Haul &	Net Total
	34,000 tonnes	Spread	
		34,000 tonnes	
Joe Kerr Limited	\$4.90/tonne	\$4.50/tonne	\$319,600.00
Donegan's Haulage(2010)Ltd.	\$4.00/tonne	\$5.75/tonne	\$331,500.00
Jennison Construction Ltd.	\$6.40/tonne	\$2.80/tonne	\$312,800.00

HE-03-2017 - Gravel South Patrol

	Supply & Crush	Weigh, Load,	Load, Haul &	Net Total
	13,300 tonnes	Haul and Spread	Stockpile	
		12,300 tonnes	1,000 tonnes	
Joe Kerr Limited	\$6.80/tonne	\$2.65/tonne	\$3.10/tonne	\$126,135.00
Jennison Construction	\$6.40/tonne	\$2.80/tonne	\$2.80/tonne	\$122,320.00
Ltd.				

HE-04-2017 – Dust Control

	Unit Price	Net Total
Pollard Highway Products	\$238.75	\$175,481.25
Clifford Holland	\$181.00	\$133,035.00
Den-Mar Brines	\$297.41	\$218,596.35
Da-Lee Dust Control	\$352.58	\$259,146.30

HE-05-2017 – Roadside Mowing

Тос	ut 2 rounds in Ju	ine and August	each year	Hourly Rates
	2017	2018	2019	2017/2018/2019
		(Prices are before 13% HST)		
Vandriel Excavating Inc.	\$54,900.00	\$56.272.00	\$57,397.00	\$115/\$117.88/\$120.24
John McGregor	\$47,000.00	\$47,000.00	\$47,000.00	\$90/\$98/\$98

Moved by John Lowe and seconded by Alvin McLellan: That Council of the Municipality of Huron East accept the tender of Donegan's Haulage Ltd. in the amount of \$180,000 plus applicable taxes for Contract HE-01-2017 – Gravel – North Patrol. Carried.

Accept Tender HE-01-2017 Gravel – North

Moved by Brenda Dalton and seconded by Kevin Wilbee: That Council of the Municipality of Huron East accept the tender of Jennison Construction Ltd. in the amount of \$312,800 plus applicable taxes for Contract HE-02-2017 – Gravel Central Patrol. Carried.

Accept Tender HE-02-2017 Gravel – Central

Moved by Raymond Chartrand and seconded by Larry McGrath: That Council of the Municipality of Huron East accept the tender of Jennison Construction Ltd. in the amount of \$122,320 plus applicable taxes for Contract HE-03-2017 – Gravel South Patrol. Carried.

Accept Tender HE-03-2017 Gravel – South

Moved by Nathan Marshall and seconded by Brenda Dalton: That Council of the Municipality of Huron East accept the tender of 552976 Ontario Limited c/o Clifford Holland in the amount of \$181.00 (unit price); total contract price of \$133,035 plus applicable taxes for Contract HE-04-2017 to provide dust suppressants and road stabilization products. Carried.

Accept Tender HE-04-2017 Dust Control

Moved by Raymond Chartrand and seconded by Larry McGrath: That Council of the Municipality of Huron East accept the tender of 680085 Ontario Ltd., McGregor Farms for Contract HE-05-2017 for roadside mowing as follows:

Accept Tender HE-05-2017 Roadside Mowing

2 rounds on all roads in June and August, minimum cut width of 14 feet each time: 2017 - \$47,000 / 2018 - \$47,000 / 2019 - \$47,000 Additional grass cutting as directed by the Public Works Manager at an hourly rate:

Additional grass cutting as directed by the Public Works Manager at an hourly rate: 2017 - \$90.00/hr. – 2018 - \$98.00/hr. / 2019 - \$98.00/hr.

Carried.

Public Works Coordinator – HL4 Asphalt, Anne Street, Egmondville

Public Works Coordinator Barry Mills reviewed his report to Council concerning a request of residents in the vicinity of Anne Street in Egmondville to pave Anne Street. Council were advised that the direction provided in the Asset Management Plan is to reclaim hard surface roadways where life cycles have expired and where road condition ratings are critical. He noted that currently, there are no plans to pave any of the municipality's gravel roads and priorities are being focused on maintaining existing infrastructure particularly where poor conditions could pose a greater health and safety risk to motorists.

Moved by Raymond Chartrand and seconded by Larry McGrath: That Council concur with the report of the Public Works Coordinator with respect to the petition submitted by residents of Anne Street (Egmondville) for HL4 asphalt and the petition be noted and filed. Carried.

Note & File

Moved by Nathan Marshall and seconded by Robert Fisher: That Huron East Council receive the following Reports of Municipal Officers as presented: Receive Reports Municipal

- 1) Finance Manager-Treasurer/Deputy Clerk
- 2) Deputy Clerk
- 3) Public Works Coordinator

Carried.

CORRESPONDENCE

Moved by Kevin Wilbee and seconded by John Lowe: That Council of the Municipality of Huron East proclaim March 2017 as Red Cross Month in Huron East to raise public awareness about the work of the Red Cross Society in the community. Carried.

Proclaim Red Cross Month

<u>UNFINISHED BUSINESS</u>

MUNICIPAL DRAINS

PLANNING

Moved by Larry McGrath and seconded by Raymond Chartrand: That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds and has no objection to the severance application (B3/17) of William DeJong on Lot 33, Concession 3, LRS, Tuckersmith Ward, provided the following conditions are met:

No Objection Consent B3/17 William DeJong

- i) that the severed and retained lands be rezoned to AG4-34 and AG2 respectively
- ii) that \$500 be paid to the Municipality as cash-in-lieu of parkland
- iii) that Section 65 of the *Drainage Act* be addressed to the satisfaction of the Municipality. Carried.

Moved by Raymond Chartrand and seconded by Larry McGrath: That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds and has no objection to the severance application (B4-17) of Allan Michael Menheere on Lot 2, Concession 7, HRS, Tuckersmith Ward, subject to the conditions as per the resolution of Council dated January 24th, 2017. Carried.

No Objection Consent B4/17

Huron County Planner Claire Dodds presented her report on severance application B 01/17 (Design Concrete), Concession 1 HRS, Part Lot 9, Tuckersmith and Lots 200-202, Plan 399, Seaforth. Ms. Dodds noted that the purpose of the application involved the severance of 7.74 ha from a 19.11 ha parcel of property which was currently owned by John and Michelle Wilson and was currently used as farmland. The purpose of the proposed severance was to allow for a proposed expansion of Design Concrete.

Ms. Dodds noted that the severance had originally been discussed with Huron East staff and County Planning staff in September, 2016 and noted that both Huron East and County staff had expressed concerns with the lack of open public road access to the retained parcel and the general lack of conformity with the Huron East Official Plan. She noted that the severance had been submitted without these concerns being addressed and that Huron East Council had passed a resolution at their February 7th, 2016 meeting recommending deferral until documentation was provided to meet conditions of access to the retained parcel.

Ms. Dodds acknowledged correspondence from the solicitor for Design Concrete which generally suggested the need to enter into agreements with the owner of the retained parcel, the Municipality and the "Bridges" residential development to the south, but in the absence of written agreements between the parties involved, suggested that the application was premature and recommended that Council recommend deferral to the County until such time as the details of the agreements can be worked out to the satisfaction of the parties involved.

Mayor MacLellan indicated that he didn't disagree with any of the comments in the Planner's Report, and suggested that he didn't think the County should approve the severance either until the County knew the agreements were in place, but suggested that if the Municipality deferred a recommendation to the County that it would further delay the process for Design Concrete.

Moved by Alvin McLellan and seconded by Joseph Steffler: That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds with respect to severance application B01/17 (Design Concrete) on Part Lot 9, Concession 1, HRS and Lots 200-202, RP 399 (Seaforth/Tuckersmith Wards) but recommend that the severance be granted given the following requirements be met:

No Objection Consent B1/17 Design Concrete

- i) that \$500 be paid to the Municipality as cash-in-lieu of parkland
- ii) that Section 65 of the *Drainage Act* be addressed to the satisfaction of the Municipality
- iii) that a development agreement be entered into between all the affected parties.

A recorded vote was requited by Deputy Mayor Steffler.

McLellan, Alvin	Yes	Grey Ward
MacLellan, Bernie	Yes	Mayor
Dalton, Brenda	Yes	McKillop Ward
Blaney, David	Yes	Brussels Ward
Diehl, Dianne	Absent	Grey Ward
Steffler, Joe	Yes	Deputy Mayor
Lowe, John	Yes	Brussels Ward
Wilbee, Kevin	Yes	McKillop Ward
McGrath, Larry	Yes	Tuckersmith Ward
Marshall, Nathan	Yes	Seaforth Ward
Chartrand, Ray	Yes	Tuckersmith Ward
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Fisher, Robert Yes Seaforth Ward Motion Carried.

COUNCIL REPORTS

<u>Deputy Mayor Steffler – South West LHIN – Residential Hospice</u>

Deputy Mayor Steffler advised of a media release by the South West LHIN stating the Board of Directors had decided on the establishment of a two-site residential hospice in Huron Perth with six beds in Stratford and four beds in Central Huron.

INFORMATION ITEMS

Moved by Brenda Dalton and seconded by Larry McGrath: That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

Board/Committee Meeting Minutes

1) Huron East Economic Development Committee – December 12th, 2016
Carrie

OTHER BUSINESS

BY-LAWS

Moved by Alvin McLellan and seconded by David Blaney: BE IT HEREBY RESOLVED that leave be given to introduce By-Laws No. 7, 13, 14 and 15 for 2017.

Introduce By-Laws

By-Law 7-2017 – Ninth Concession Municipal Drain (3rd reading)

By-Law 13-2017 – Interim Tax Levy

By-Law 14-2017 – Designate Period of Restricted Load Limited on Municipal Roads

By-Law 15-2017 – Confirm Council Proceedings

Carried.

Moved by Alvin McLellan and seconded by Kevin Wilbee: BE IT HEREBY RESOLVED that By-Law 7 for 2017, a by-law to authorize borrowing on the credit of the Municipality for completion of the Ninth Concession Municipal Drain 2016 be given third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried. Ninth Con.
Municipal Drain
3rd reading

Moved by John Lowe and seconded by Raymond Chartrand: BE IT HEREBY RESOLVED that By-Law 13-2017, a by-law to provide for interim tax levies for the year 2017, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Interim Tax Levy

Moved by Raymond Chartrand and seconded by Brenda Dalton: BE IT HEREBY RESOLVED that By-Law 14-2017, a by-law to designate a period of reduced load limits on municipal roads, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Reduced Load Limits Municipal Roads

CLOSED SESSION AND REPORTING OUT

Moved by Nathan Marshall and seconded by Kevin Wilbee: That Council of the Municipality of Huron East, pursuant to Section 239 (2) of the *Municipal Act*, adjourn the regular meeting of Council at 10:25 p.m. to go into Closed Session to discuss the following:

Closed Session

i) 239(2)(c) – proposed disposition of land by the municipality (Brussels Business & Cultural Centre)

CAO/Clerk Brad Knight and Finance Manager-Treasurer/Deputy Clerk Paula Michiels shall remain for the Closed Session.

Carried.

Mayor MacLellan reported out that Council had considered RFP's received for the proposed disposition of the Brussels Business and Cultural Centre and had given direction to staff.

Moved by Raymond Chartrand and seconded by Alvin McLellan: That Council of the Municipality of Huron East resumes the regular Council meeting at 10:32 p.m. Carried.

Resume Regular Council Meeting

CONFIRMATORY BY-LAW

Moved by Larry McGrath and seconded by Kevin Wilbee: BE IT HEREBY RESOLVED that By-Law 15 for 2017, a by-law to confirm the proceedings of Council, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Confirm Council Proceedings

ADJOURNMENT

Moved by John Lowe and seconded	by David Blaney:	Adjournment
The time now being 10:34 p.m.		
That the meeting do now adjourn until Marc	ch 7 th , 2017 at 7:00 p.m. Carried.	
Bernie MacLellan, Mayor	Brad Knight, CAO/Clerk	