

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, MARCH 5TH, 2019 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan,
 Councillors John Lowe, Zoey Onn, Dianne Diehl, Alvin McLellan,
 Brenda Dalton, Gloria Wilbee, Joseph Steffler, Raymond Chartrand
 and Larry McGrath

Members Absent: Deputy Mayor Robert Fisher

Staff Present: CAO/Clerk, Brad Knight
 Finance Manager-Treasurer/Deputy Clerk, Paula Michiels
 Public Works Coordinator, Barry Mills
 Economic Development Officer, Jan Hawley
 Executive Assistant, Janice Andrews

Others Present: Shawn Loughlin, Editor, The Citizen
 Daniel Caudle, Reporter, Clinton News Record/Huron Expositor

Mike Ash, Cathy Elliott, Bob Beuttenmiller, Bill Scott, Bryan Vincent and Lesley Ash attended the meeting for the Seaforth Lions Club delegation concerning a request to increase funding for the operations of the Lions Park and Pool.

John Poland, Dean Glanville and Josh Dietz attended the meeting for the Court of Revision for the Campbell Municipal Drain 2019.

Bill Charters, Leanne MacDonald and Mark MacDonald attended the meeting to hear the discussion on consent application C10/19 on Lot 22, Concession 3, LRS, Tuckersmith Ward.

CALL TO ORDER & MAYORS REMARKS

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

CONFIRMATION OF THE AGENDA

Moved by Raymond Chartrand and seconded by Joseph Steffler: Adopt Agenda
 That the Agenda for the Regular Meeting of Council dated March 5th, 2019
 be adopted as circulated with the addition of the following item:
 – 15.05.6 – By-Law 19-2019 – Deem Lot 20, Plan 133, Tuckersmith Ward,
 not to be part of a registered plan of subdivision Carried.

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING

Moved by Raymond Chartrand and seconded by Joseph Steffler: Meeting Minutes
 That Council of the Municipality of Huron East approve the following Council
 Meeting Minutes as printed and circulated:
 a) Regular Meeting – February 19th, 2019 Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. Court of Revision – Campbell Municipal Drain 2018

Moved by Joseph Steffler and seconded by Dianne Diehl: Court of
Revision
Campbell Drain
 That the Court of Revision for the Campbell Municipal Drain 2019 be opened
 and that Councillors Alvin McLellan, Brenda Dalton and Gloria Wilbee be
 appointed as members with Councillor McLellan acting as Chair. Carried.

There were no appeals received.

Moved by Gloria Wilbee and seconded by Brenda Dalton: Close Court
of Revision
 That the Court of Revision for the Campbell Municipal Drain 2019 be closed.
 Carried.

7:05 p.m. Seaforth Lions Club – Municipal Grant – Lions Park & Pool

Seaforth Lions Club representative Mike Ash attended before Council to request an increase in the amount of the municipal grant for the operations of the Lions Park and Pool from \$7,500 to \$10,000. Mr. Ash provided background on the financial situation of the Seaforth Lions Park and Pool and the Brussels Community Pool as a comparison. Mr. Ash noted there has not been an increase in the municipal grant since 2013 however expenses continue to rise and the Club is struggling to maintain operation. The Seaforth Lions Club is requesting an increase of \$2,500 for 2019 and another \$2,500 in each of the next three years. Mr. Ash advised Council that \$298,000 in capital investments have been made within the past 12 years made possible by the fundraising efforts of the Lions and the generosity of the local community members. The Club anticipates upgrading the ball diamond during 2019 at an estimated cost of \$18,000. Mr. Ash noted that regular maintenance and management of the park and pool is provided by volunteers. Council were also advised that the lease from the Municipality would expire in or around 2025 and without increased financial assistance, the Club may not be in a position to renew the lease and it would be forced to turn over operation of and responsibility for the park and pool to the Municipality.

Council expressed appreciation to the Seaforth Lions Club for the time and effort they provide to manage the park and pool and recognize the benefits the facility offers to the community. Mayor MacLellan advised that all municipal grants will be reviewed by the Administration Committee.

Moved by Raymond Chartrand and seconded by Joseph Steffler:
That the financial request of the Seaforth Lions Club to increase the municipal grant for operations of the Lions Park and Pool be deferred to staff for a report to be considered at a future meeting. Carried.

Defer Request
Seaforth Lions
Club to Staff
for Report

ACCOUNTS PAYABLE**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**Chief Building Official – Report

The Chief Building Official report for 2018 was received by Council.

CAO/Clerk – Code of Conduct & Appointment of an Integrity Commissioner

CAO/Clerk Brad Knight reviewed his report to Council concerning requirements of Bill 68 (Modernizing Ontario's Municipal Legislation Act) which introduced a number of changes to the *Municipal Act*. Council were advised of the requirement to adopt a Code of Conduct for Council and the appointment of an Integrity Commissioner.

Council were advised that in 2018 Huron County lower tiers in conjunction with the County of Huron issued a joint RFP for the services of an Integrity Commissioner and selected the firm of Aird & Berlis LLP to provide the service. Aird & Berlis have prepared a standard Code of Conduct for all municipalities and will handle/respond to requests from Council regarding advice on code of conduct, conflict of interest, etc. Aird & Berlis will also receive Code of Conduct complaints from the public and will conduct the required investigation of the complaints. By-Law 14-2019 to establish a Code of Conduct and By-Law 15-2019 to appoint Aird & Berlis LLP as Integrity Commissioner, Closed Meeting Investigator and Ombudsman will be considered by Council later in the meeting.

CAO/Clerk Brad Knight reviewed the Code of Conduct with Council in detail and noted that members of the public (and Council members) will also be able to file complaints with the Integrity Commissioner over allegations that Councillors/Committee members have violated the Code of Conduct. Council were also advised that Bill 68 requires all written statements of pecuniary interests shall be available for public inspection and will be maintained in a public register.

CAO/Clerk – Bill 68 Requirements

CAO/Clerk Brad Knight reviewed his report to Council concerning requirements of Bill 68 to implement the following policies:

- 270(1) 2.1 – a policy to be established with respect to the relationship between members of Council and staff
- 270(1) 7 – a policy on protection/enhancement of the tree canopy/natural vegetation
- 270(1) 8 – a policy for pregnancy leaves/parental leaves for members of Council

CAO/Clerk reviewed the draft policies in detail for consideration by Council.

Moved by Larry McGrath and seconded by Zoey Onn:
That Council adopt the Council/Staff Relationship Policy contained in the CAO's report and attach it as Appendix "G" to the Huron East Employee

Adopt
Council/Staff
Relationship

Handbook. Carried.

Policy

Moved by Brenda Dalton and seconded by Gloria Wilbee:
That Council adopt the policy for pregnancy and parental leaves of members of Council as described in the CAO’s report and that the policy be included in Section 26 (Parental/Maternity Leaves) in the Employee Handbook. Carried.

Adopt
Pregnancy/
Parental Leave
Councillors

Moved by Alvin McLellan and seconded by Dianne Diehl:
That Council adopt the policy contained with the CAO’s report with respect to the protection and enhancement of tree canopy/natural vegetation and designate it as Planning & Development Policy 8.04. Carried.

Adopt Policy
Protect Tree
Canopy

Public Works Coordinator – Kippen Road Tenders

Public Works Coordinator Barry Mills reviewed his report to Council concerning the tender for the reconstruction and sewer installation of Kippen Road, Silver Creek Terrace, North Street and Thompson Street in Egmondville.

Council were advised that four tenders were received for this project prior to March 1st, 2019 at 2:00 pm and opened at the County offices and the results were as follows:

Tenderer	Tendered Amount + HST
Lavis Contracting Co. Limited	\$4,273,783.85
Birnam Excavating Inc.	\$4,340,203.48
Omega Contractors Inc.	\$4,599,259.79
Blue-Con Construction	\$4,941,416.81

Council were provided with a copy of correspondence received from BM Ross and Associates Limited advising the lowest tender submitted by Lavis Contracting Co. Limited is acceptable contractually, and the tenderer is experienced in street reconstruction and therefore recommended the contract be awarded to Lavis Contracting Co. Limited for the total tender sum of \$4,273,783.85.

Moved by Raymond Chartrand and seconded by Larry McGrath:
That Council of the Municipality of Huron East acknowledge the tender of Lavis Contracting Co. Ltd. in the amount of \$4,273,783.85 plus applicable taxes for the reconstruction of Kippen Road, Silver Creek Terrace, North Street and Thompson Street in Egmondville, Contract HC 19-302, pending Huron County approval and recommend approval of the tender by the County of Huron. Carried.

Recommend
Approval
Tender
HC-2019-302
Egmondville
Reconstruction

Moved by Brenda Dalton and seconded by Gloria Wilbee:
Huron East Council receive the following Reports of Municipal Officers as presented:
1) Chief Building Official
2) CAO/Clerk
3) Public Works Coordinator

Receive
Municipal Reports

Carried.

CORRESPONDENCE

Moved by Joseph Steffler and seconded by John Lowe:
That Council of the Municipality of Huron East note and file the resolution of the Municipality of South Huron urging Huron County to consider deferring a new administration building until feedback is received from the Provincial Governance Review. Carried.

Note & File
Resolution
Municipality of
South Huron

Moved by John Lowe and seconded by Alvin McLellan:
That Council of the Municipality of Huron East endorse the resolution of the Township of South Stormont and their concerns for the potential reduction and/or loss of the Ontario Municipal Partnership Fund (OMPF);
AND FURTHER, petition the Provincial government to complete the OMPF review in an expeditious manner as future financial consideration ensures municipal sustainability. Carried.

Endorse
Resolution
Township of
Stormont

Moved by Joseph Steffler and seconded by Brenda Dalton: Appoint BIA
Directors-2019
That Council of the Municipality of Huron East appoint the following Directors to the Seaforth Business Improvement Area Board of Management for the 2019 term:

1. Brenda Campbell – Realty Executives Platinum Ltd.
2. Shannon Craig – McKillop Mutual Insurance
3. Shelley MacMillan – The Looking Glass
4. Shelley Lindner – CIBC
5. Kaleda Connell – DeGree CrossFit Seaforth
6. Tracey Sills-McKee – Sills Home Hardware
7. Maureen Agar – Community Member

Carried.

Moved by John Lowe and seconded by Zoey Onn: Support Huron
& Area Search
and Rescue
That Council of the Municipality of Huron East support the Huron & Area Search and Rescue organization in their effort to be accepted by the Ontario Search and Rescue Volunteer Association and complete their Basic Search and Rescue certification.
Carried.

UNFINISHED BUSINESS

MUNICIPAL DRAINS

PLANNING

Moved by Larry McGrath and seconded by Raymond Chartrand: No Objection
C10/19
Charters
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated February 28th, 2019 and has no objection to severance application C10/19 of William and Marlene Charters on Lot 22, Concession 3, LRS, Tuckersmith Ward, provided the following conditions are met:

- 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
- iv) that two easements be shown on the reference plan and registered for the purposes of drainage and access to field tiles.

Carried.

COUNCIL REPORTS

INFORMATION ITEMS

Moved by Brenda Dalton and seconded by Alvin McLellan: Board/Committee
Meeting Minutes
That Huron East Council receive the following Board and Committee meeting minutes as submitted:

- (1) Huron East/Seaforth Community Development Trust – January 10th, 2019
- (2) Huron East Water & Sewer Committee – February 11th, 2019
- (3) Seaforth & District Community Centres Management Committee – February 21st, 2019

Carried.

OTHER BUSINESS

BY-LAWS

Moved by John Lowe and seconded by Dianne Diehl: Introduce
By-Laws
BE IT HEREBY RESOLVED that leave be given to introduce
By-Laws 14, 15, 16, 17, 18, 19 and 20 for 2019

By-Law 14-2019 – Establish Code of Conduct

By-Law 15-2019 – Appoint Aird & Berlis LLP as Integrity Commissioner, Closed Session Investigator and Ombudsman

By-Law 16-2019 – Authorize Agreement – County of Huron – Transfer of Boundary Bridges 8 and 9

By-Law 17-2019 – Authorize Lease Agreements – Farm Land Rentals – Part Lot 23, Concession 4, HRS, Tuckersmith Ward, Scott Cooper; Part Lots 14 and 15, Concession 1,

HRS, Tuckersmith Ward, Cody Janmaat; Part 1 RP 22R-844, Morris-Turnberry and Lot 367 and 368 Plan 192, Part Lot 369 as RP 22R844 Part 1, Brussels Ward, Scott Somers

By-Law 18-2019 – Repeal By-Law 8-1974 of former Township of Tuckersmith and authorize sale of Part of 6th Avenue, Registered Plan 133, Part 3, 22R-2867, Tuckersmith Ward, Murtaza Ahmad

By-Law 19-2019 – Deem Lot 20, Plan 133, Tuckersmith Ward, not to be part of a registered plan of subdivision

By-Law 20-2019 – Confirm Council Proceedings

Carried.

Moved by Dianne Diehl and seconded by John Lowe:

BE IT HEREBY RESOLVED that By-Law 14 for 2019, a by-law to establish a Code of Conduct for members of Council and local boards/committees, 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.

Establish
Code of
Conduct

Moved by Gloria Wilbee and seconded by Joseph Steffler:

BE IT HEREBY RESOLVED that By-Law 15 for 2019, a by-law to appoint Aird & Berlis LLP as the Integrity Commissioner, Closed Meeting Investigator and Ombudsman for the Municipality 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.

Appoint
Integrity
Commissioner
Closed Mtg.
Investigator &
Ombudsman

Moved by Raymond Chartrand and seconded by Dianne Diehl:

BE IT HEREBY RESOLVED that By-Law 16 for 2019, a by-law to authorize an Agreement with the County of Huron to transfer Boundary Bridges 8 and 9, 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.

Authorize
Agreement
County of Huron
Bridges 8 & 9

Moved by Larry McGrath and seconded by Gloria Wilbee:

BE IT HEREBY RESOLVED that By-Law 17 for 2019, a by-law to authorize agricultural land lease agreements with Scott Cooper, Cody Janmaat and Scott Somers, 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.

Authorize
Farm Land
Rental Leases

Moved by Brenda Dalton and seconded by Raymond Chartrand:

BE IT HEREBY RESOLVED that By-Law 18 for 2019, a by-law to repeal By-Law 8-1974 of former Township of Tuckersmith and authorize the sale of part of 6th Avenue, Registered Plan 133, Part 3, RP 22R-2897, Tuckersmith Ward, to Murtaza Ahmad, 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.

Authorize Sale
Pt. 6th Avenue
Vanastra

Moved by Alvin McLellan and seconded by Raymond Chartrand:

BE IT HEREBY RESOLVED that By-Law 19 for 2019, a by-law to deem Lot 20, Plan 133, Tuckersmith Ward, not to be part of a registered plan of subdivision, 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.

Deeming
Lot 20
Plan 133
Vanastra

CLOSED SESSION AND REPORTING OUT

Moved by Zoey Onn and seconded by Joseph Steffler:

That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of council at 8:53 pm to go into Closed Session to discuss the following:

Closed Session

i. 239(2)(c) – a proposed acquisition of land by the Municipality and CAO/Clerk Brad Knight and Public Works Coordinator Barry Mills shall remain for the Closed Session. Carried.

Moved by Larry McGrath and seconded by Zoey Onn:

That Council of the Municipality of Huron East resumes the regular Council meeting at 9:43 pm. Carried.

Resume Regular
Council Mtg.

Mayor MacLellan reported out from the Closed Session that staff had been given direction regarding the potential acquisition of a property.

CONFIRMATORY BY-LAW

Moved by Brenda Dalton and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 20 for 2019, 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
Proceedings

ADJOURNMENT

Moved by Alvin McLellan and seconded by Brenda Dalton:
The time now being 9:45 p.m.
That the meeting do adjourn until March 19th, 2019 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk