

**MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**  
**HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO**  
**TUESDAY, JANUARY 8<sup>th</sup>, 2013 – 7:00 P.M.**

**Members Present:** Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors David Blaney, Frank Stretton, Dianne Diehl Alvin McLellan, William Siemon, Andrew Flowers, Robert Fisher, Nathan Marshall, Larry McGrath and Les Falconer

**Members Absent:** nil

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

**CALL TO ORDER**

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

**DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST**

**CLOSED SESSION**

*Moved* by David Blaney and seconded by Alvin McLellan: Closed Session  
That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 7:02 p.m. to go into Closed Session to discuss the following:

- i) 239(2)(f) – advice that is subject to solicitor-client privilege (reconsideration of resolution to contribute \$125,000 towards construction of Robert Street)
- ii) 239(2)(e) – litigation or potential litigation (Power of Sale, 36 Winnipeg Road)  
Carried.

*Moved* by Andrew Flowers and seconded by Larry McGrath: Resume Regular Council  
That Council of the Municipality of Huron East resumes the regular Council meeting at 7:33 p.m. Carried.

**DEPUTATIONS**

Bill Murray was in attendance to hear the proceedings of Council.

**7:15 p.m. KW Power Logic – Solar Project – 42600A Canada Company Road**

Albrecht Ringgenberg, applicant for a solar project on Lot 28, Concession 14, McKillop Ward, 42600A Canada Company Road and Bill King, representative from KW Power Logic, attended before Council requesting municipal support for the construction and operation of the project. The project will be a joint venture between Albrecht and Annelies Ringgenberg and Solar City Co-operative Inc.

Mr. King advised of their intent to hire local labour, including electricians and engineers for the project. KW Power Logic will also work with the local fire department to provide education on the design and proper procedure on how to handle and shut off components should their be a fire or emergency. The company is also willing to identify solar sites in the area and create a database for local fire departments that would be of assistance during fire calls.

The Ontario Power Association is accepting applications until January 18<sup>th</sup>, 2013 for the FIT program and Priority Points will be awarded for projects that are given municipal support. Council were supportive of this project as detailed information had been presented and it was site-specific.

*Moved* by Joseph Steffler and seconded by Andrew Flowers: No Objection  
That the Municipality of Huron East has no objection to the development and Solar Project  
installation of a rooftop solar project on property owned by Albrecht and Annelies Ringgenberg  
Ringgenberg, 42600A Canada Company Road. Carried.

Mayor MacLellan advised that two solar projects that were previously presented to Council requesting municipal support should also be considered for site specific motions of support.

**Moved** by Alvin McLellan and seconded by Dianne Diehl: No Objection  
That the Municipality of Huron East has no objection to the development and Solar Project  
installation of a rooftop solar project on the property owned by Miriam Terpstra, Terpstra  
84483 McNaughton Line. Carried.

**Moved** by Les Falconer and seconded by Larry McGrath: No Objection  
That the Municipality of Huron East has no objection to the development and Solar Project  
installation of a rooftop solar project on the property owned by John Calderwood, Calderwood  
43359 Kippen Road. Carried.

7:54 p.m. Ben Lobb, MP (Huron-Bruce) – FEDDEV Funding – Brussels Library Project

Mr. Ben Lobb, MP Huron-Bruce, attended before Council to announce federal funding of \$147,167 for renovations and accessibility improvements to the Brussels Library. Mr. Lobb advised that the Government of Canada, through the Community Infrastructure Improvement Fund, is demonstrating its continued support for communities across Canada. Mr. Lobb extended his congratulations and acknowledged the efforts of Council and staff in putting the application together and moving this project forward.

Mayor MacLellan expressed appreciation to Mr. Lobb and the Government of Canada for the funding support of the renovations noting the funding is specifically geared towards accessibility improvements to the Brussels Library.

8:10 p.m. – John Rutledge – Brussels Library

Architect John Rutledge attended before Council to provide an update on the tender process for the Brussels Library expansion. Revisions to the final proposal, working drawings and specifications have been made and the second tender closes January 31<sup>st</sup>, 2013. Tender results will be provided to Council at the February 5<sup>th</sup>, 2013 meeting.

8:12 p.m. Brian Barnim – Seaforth Public School Site

Jack Vanderweg and Brian Barnim, developers of the former Seaforth Public School site, attended before Council to provide information on the project. Mr. Barnim referred to a letter to Council dated January 8<sup>th</sup>, 2013 which had been provided to Council. He noted that they had discussed the property with their engineer and legal counsel and he suggested that the 1952 plan of subdivision on the property remained active and such the capacity allocated to the plan must be held for the future development of the property. He further suggested that the capacities would be based on 1952 standards and not current standards. He indicated that the storm water capacity for their development had to be within the existing storm water systems in Seaforth and would not require the creation of stormwater management ponds. Mr. Barnim also advised that it was their understanding that the \$125,000 contribution towards the construction of Robert Street was to remain in place and the opportunity existed for both sides to get together to discuss the storm water management plans. In moving forward, it was their opinion that Phase I which consists of Robert Street and 13 building lots would be completed no later than December 31<sup>st</sup>, 2013 with presales of the lots commencing early summer. Final approval in writing from the Ministry of the Environment is also required and this process would take approximately 4-6 months to complete.

Mayor MacLellan noted the \$125,000 contribution towards the development was to be considered by Council at this meeting, although should Council agree, the motion could be tabled until the first meeting in March in order to give the developer an opportunity to provide further documentation for consideration by Council.

**Moved** by Joseph Steffler and seconded by Andrew Flowers: Table Motion  
That Council of the Municipality of Huron East table the motion to reconsider to Reconsider  
the March 6<sup>th</sup>, 2007 motion until the March 5<sup>th</sup>, 2013 meeting of Council. Carried. March 6, 2007  
Motion

**COUNCILLORS ISSUES**

**MINUTES OF THE PREVIOUS MEETING**

**Moved** by David Blaney and seconded by Alvin McLellan: Meeting  
That Council of the Municipality of Huron East approve the following Minutes  
Council Meeting Minutes as printed and circulated.

- a) Regular Meeting – December 18<sup>th</sup>, 2012
  - b) Special Meeting – December 18<sup>th</sup>, 2012
- Carried.

**ACCOUNTS PAYABLE**

**Moved** by Alvin McLellan and seconded by William Siemon:  
That the accounts payable in the amount of \$520,017.34 by approved  
for payment. Carried.

Accounts  
Payable

**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS****CAO/Clerk – Town Hall Bell**

CAO/Clerk Brad Knight reviewed his report and recommendation concerning the formation of a committee to develop a proposal for the restoration and relocation of the Town Hall bell. Mr. Knight noted that because of its history, the bell should be preserved and displayed properly and because of its connection to the Seaforth Fire Department and the Town of Seaforth, it is appropriate that representatives from both the Fire Department and Ward of Seaforth develop a plan for the bell. Economic Development Officer Jan Hawley requested a representative from the Seaforth BIA participate in the process. Council supported the formation of a committee and noted all recommendations would be considered by Council.

**Moved** by Frank Stretton and seconded by Dianne Diehl:  
That a committee comprising of Deputy Mayor Steffler, Councillors Marshall  
and Fisher, Huron East Fire Chief Marty Bedard and Seaforth District Fire  
Chief Tom Phillips be formed to develop a proposal for the restoration and  
relocation of the Town Hall bell. Carried.

Committee  
Restoration and  
Relocation of  
Town Hall Bell

**CAO/Clerk – Status of Town Hall Renovations**

At the last meeting of Council, Councillor Marshall asked for an update on the status of the repairs to the Town Hall. CAO/Clerk Brad Knight reviewed his report and provided a summary of costs to date. The Municipality had budgeted \$500,000 for the project and while the net contract price was \$477,662, it is expected the cost of the project will be closer to \$600,000 and the project will not be finished until the spring of 2013. The additional costs along with repairs to the flat roof will be budgeted in 2013. Mayor MacLellan suggested the Building and Property Maintenance Coordinator and Chief Building Inspector prepare a report on repairs to the flat roof.

Chief Building Official Paul Josling provided a series of photos showing the condition of brickwork on the building particularly in the areas close to the eaves that had been affected by moisture. The consensus of Council was to delay the masonry repairs until more favourable weather rather than using winter heat to complete the repairs. It was noted that the contractor would be able to install the slate roof over the next two months.

The CAO/Clerk advised Council he was approached by the Food Bank requesting additional space in the building. The CAO/Clerk noted that long term needs of the Municipality should be considered prior to committing additional space to the Food Bank.

**Treasurer-Finance Manager – 2013 Assessment Summaries/Notional Tax Rates**

Treasurer-Finance Manager Paula Michiels provided highlights on her report concerning the 2013 assessment summaries and notional tax rates. It was noted that the 2013 cuts to the OMPF funding would have an impact of 5.6% on the general levy and would also have a significant effect on the County levy. going into the 2013 budget, the Municipality is faced with the OMPF funding cut of approximately 5.6% . Mayor MacLellan advised that he anticipated a 3% increase to the County of Huron levy.

**Treasurer-Finance Manager – 2012 Tax Arrears Report**

Treasurer-Finance Manager Paula Michiels reviewed the 2012 tax arrears report with Council, noting the tax arrears as a percentage of the roll amounted to 9.9% for 2012 compared to 10.6% in 2011.

**CAO/Clerk – Leave to Construction application by NextEra Energy**

The CAO/Clerk reviewed his report concerning the Notice of Application and Written Hearing by Varna Wind Inc. for Leave to Construct an electricity transmission line and related facilities in Huron County served by NextEra Energy Canada.

The CAO/Clerk advised that correspondence has been sent to the Ontario Energy Board in response to the notice for Leave to Construct advising that as a minimum, the Municipality of Huron East wishes to retain the right to provide written comments, but that if the process elevates to an oral hearing, that the Municipality will make a submission.

**Moved** by William Siemon and seconded by Nathan Marshall:  
That Council of the Municipality of Huron East receive the following Reports of  
Municipal Officers as presented:

Receive  
Reports

- a) CAO/Clerk
- b) Treasurer-Finance Manager

Carried.

**CORRESPONDENCE**

**Moved** by Nathan Marshall and seconded by David Blaney:  
That Huron East Council support the resolution of the Township of Elizabethtown-Kitley requesting the Premier of Ontario to review Ontario Provincial Police Costs; and further that the Province be requested to cover a percentage of the high costs of mandatory police services. Carried.

Endorse  
Resolution  
Township of  
Elizabethtown-  
Kitley

**UNFINISHED BUSINESS****NEW BUSINESS****MUNICIPAL DRAINS**

**Moved** by Andrew Flowers and seconded by William Siemon:  
That Huron East Council accept the Petition for Drainage Works by Owners on the O'Reilly Municipal Drain on Lot 13, Concession 2, McKillop Ward, and appoint Dietrich Engineering Limited, Consulting Engineers, to prepare a report 30 days after notification to the Conservation Authority. Carried.

Accept Petition  
Drainage Works  
O'Reilly  
Municipal Drain

**TILE DRAINAGE****FINANCIAL REPORT****PLANNING****INFORMATION ITEMS**

**Moved** by Alvin McLellan and seconded by Frank Stretton:  
That Council of the Municipality of Huron East receive the following Board and Committee Meeting Minutes as submitted:

1. Walton Landfill Committee – December 19<sup>th</sup>, 2012
  2. Huron East/Seaforth Community Development Trust – December 6<sup>th</sup>, 2012
- Carried.

Receive Board/  
Committee  
Minutes

**Moved** by Larry McGrath and seconded by Dianne Diehl:  
That Council of the Municipality of Huron East pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 10:00 p.m. to go into Closed Session to discuss the following:

Closed Session

- i) 239(2)(e) – litigation or potential litigation (Power of Sale, 36 Winnipeg Road)
- Carried.

**Moved** by Les Falconer and seconded by William Siemon:  
That Council of the Municipality of Huron East resume the regular Council meeting at 10:10 p.m. Carried.

Resume Regular  
Council Meeting

**Moved** by Larry McGrath and seconded by Nathan Marshall:  
That should the outstanding principle and associated interest for the mortgage held on Lot 36, Plan 133, Vanastra, 36 Winnipeg Road, not be received by January 9<sup>th</sup>, 2013, that Huron East Council continue the Power of Sale process and that the property be listed with Glead Real Estate Brokerage (London). Carried.

Power of Sale  
36 Winnipeg Rd.

**BY-LAWS**

**Moved** by Larry McGrath and seconded by Frank Stretton:  
BE IT HEREBY RESOLVED that leave be given to introduce By-Law No. 1 and 2 for 2013.

Introduce  
By-Laws

By-Law 1-2013 – Borrowing

By-Law 2-2013 – Confirm Council Proceedings

Carried.

**Moved** by Nathan Marshall and seconded by David Blaney:  
BE IT HEREBY RESOLVED that By-Law 1 for 2013, a by-law to authorize borrowing of money to meet current expenditures of the Municipality for the year 2013, 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.

Borrowing

**Moved** by Andrew Flowers and seconded by Alvin McLellan:  
BE IT HEREBY RESOLVED that By-Law 2 for 2013, 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 Les Falconer and seconded by Dianne Diehl:  
The time now being 10:14 p.m.  
That the meeting do now adjourn until January 22<sup>nd</sup>, 2013 at 7:00 p.m. Carried.

Adjournment

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Bernie MacLellan, Mayor

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Brad Knight, CAO/Clerk