

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, MARCH 5th, 2013 – 7:00 P.M.

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

Members Absent: Councillors Nathan Marshall and William Siemon

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

DEPUTATIONS

Don Pletsch, Kathy Pletsch, Barbara Box and John Lansink were in attendance to hear the discussion on the Seaforth Public School property development.

7:00 p.m. Seaforth Public School Property Development

Brian Barnim and Jack Vanderweg, attended before Council to provide an update on the potential development of the former Seaforth Public School property. Mr. Barnim indicated that they would be prepared to start Phase 1 of 40 home subdivision as early as this spring, but he noted that Ministry of the Environment approval may take 4 to 6 months. He indicated that Phase 1 of the project would encompass the entire east and west sides of Robert Street.

COUNCILLORS ISSUES

MINUTES OF THE PREVIOUS MEETING

Moved by Frank Stretton and seconded by Dianne Diehl:
 That Council of the Municipality of Huron East approve the following
 Council Meeting Minutes as printed and circulated.

- a) Special Meeting – February 19th, 2013
- b) Regular Meeting – February 19th 2013

Meeting
Minutes

Carried.

ACCOUNTS PAYABLE

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Finance Manager-Treasurer/Deputy Clerk – 2013 Grants

Treasurer-Finance Manager Paula Michiels reviewed with Council a summary of grants that have been authorized by Council from 2010-2012 along with funding requests for 2013.

Moved by Alvin McLellan and seconded by Les Falconer:
That Council of the Municipality of Huron East approve the following grants for 2013.

| | |
|--|---------------------|
| Brussels Ag. - Fall Fair | 1,000.00 |
| Brussels Horticultural | 550.00 |
| Brussels Santa Claus | 500.00 |
| Ethel Minor Ball Grant | 500.00 |
| Huron Centennial Public School - Graduation Awards | 40.00 |
| Huron County Farm & Home Safety | 250.00 |
| Huron Plowmen's Assoc. | 250.00 |
| Lions Club - Clinton | 750.00 |
| Lions Club - Seaforth (Pool) | 7,500.00 |
| Maitland Bank Cemetery | 400.00 |
| North Wood Elementary School - Band | 500.00 |
| Royal Canadian Legion - Branch 468 (Brussels) | 60.00 |
| Royal Canadian Legion - Remembrance Day (Seaforth/Hensall) | 100.00 |
| Seaforth Ag. Fall Fair | 1,000.00 |
| Seaforth Santa Claus Parade | 2,000.00 |
| St.Columban Soccer | 500.00 |
| United Way/Social Research & Planning Council | 500.00 |
| Van Egmond Foundation | 700.00 |
| Walton Area Sports Club | 500.00 |
| Winthrop Ball Park | 500.00 |
| | \$ 18,100.00 |

Carried.

Notice of Intent to Adopt 2013 Budget

Moved by Andrew Flowers and seconded by Joseph Steffler:
That pursuant to Huron East Administration Policy 1.11, that Huron East Council declares their intention to consider the 2013 Budget for adoption at the March 19th, 2013 regular meeting of Council at 7:30 p.m. Carried.

Notice of Intent to adopt 2013 Budget

Public Works Coordinator – Tenders

The following tenders were received before Noon on February 22nd, 2013 and opened by Mayor Bernie MacLellan, CAO/Clerk Brad Knight and Public Works Coordinator Barry Mills.

- HE-01-2013 – Gravel – North Patrol Area
- HE-02-2013 – Gravel – Central Patrol Area
- HE-03-2013 – Gravel – South Patrol Area
- HE-04-2013 – Dust Control
- HE-05-2013 – Roadside Mowing

The tenders received were as follows:

HE-01-2013 – Gravel- North Patrol

| | Supply & Crush 20,000 tonnes | Weigh, Load, Haul and Spread 20,000 tonnes | Total |
|----------------------|---------------------------------|---|--------------|
| Donegan’s Haulage | \$4.00/tonne | \$3.98/tonne | \$159,600.00 |
| Joe Kerr Limited | \$3.95/tonne | \$4.25/tonne | \$164,000.00 |
| McCann Redi-Mix Inc. | \$5.67/tonne | \$3.28/tonne | \$179,000.00 |

HE-02-2013 – Gravel – Central Patrol

| | Supply & Crush 34,000 tonnes | Weigh, Load, Haul and Spread 34,000 tonnes | Total |
|----------------------------|---------------------------------|---|--------------|
| Donegan’s Haulage Ltd | \$4.25/tonne | \$2.75/tonne | \$238,000.00 |
| Joe Kerr Limited | \$4.31/tonne | \$2.91/tonne | \$245,480.00 |
| Jennison Construction Ltd. | \$6.00/tonne | \$2.70/tonne | \$295,800.00 |
| Blane Trucking | \$5.70/tonne | \$2.15/tonne | \$266,900.00 |
| McCann Redi-Mix Inc. | \$5.45/tonne | \$2.03/tonne | \$254,320.00 |

HE-03-2013 – Gravel – South Patrol

| | Supply & Crush 13,300 tonnes | Weigh, Load, Haul and Spread 12,300 tonnes | Load, Haul & Stockpile 1,000 tonnes | Total |
|-------------------------------|---------------------------------|--|---|--------------|
| Donegan's Haulage Ltd | \$4.20/tonne | \$2.98/tonne | \$2.98/tonne | \$95,494.00 |
| Joe Kerr Limited | \$4.31/tonne | \$3.45/tonne | \$3.45/tonne | \$103,208.00 |
| Jennison Construction Ltd. | \$6.00/tonne | \$2.10/tonne | \$3.20/tonne | \$108,830.00 |
| McCann Redi-Mix Inc. | \$5.66/tonne | \$2.84/tonne | \$4.00/tonne | \$114,210.00 |

HE-04-2013 – Dust Control

| | <u>Total</u> | <u>Unit Price</u> |
|--------------------------|--------------|-------------------|
| Pollard Highway Products | \$161,883.75 | \$220.25 |
| Clifford Holland | \$152,145.00 | \$207.00 |
| Da-Lee Dust Control | \$216,391.35 | \$294.41 |
| Den-Mar Brines | \$211,187.55 | \$287.33 |
| Miller Paving Ltd | \$257,896.80 | \$350.88 |

HE-05-2013 – Roadside Mowing

| | <u>Total</u> | <u>Hourly Rate</u> | (additional grass) |
|----------------------------|--------------|--------------------|--------------------|
| Diamond Environmental Inc. | \$54,800.00 | \$68.00 | |
| Vandriel Excavating | \$63,650.00 | \$102.00 | |

Moved by Dianne Diehl 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 \$159,600 plus applicable taxes
for Contract HE-01-2013 (North Patrol). Carried.

Accept Tender
HE-01-2013
Gravel – North

Moved by Larry McGrath and seconded by Robert Fisher:
That Council of the Municipality of Huron East accept the tender of
Donegan's Haulage Ltd. in the amount of \$238,000 plus applicable taxes
for Contract HE-02-2013 (Central Patrol). Carried.

Accept Tender
HE-02-2013
Gravel – Central

Moved by Les Falconer and seconded by Larry McGrath:
That Council of the Municipality of Huron East accept the tender of
Donegan's Haulage Ltd. in the amount of \$95,494 plus applicable taxes
for Contract HE-03-2013 (South Patrol). Carried.

Accept Tender
HE-03-2013
Gravel – South

Moved by Andrew Flowers and seconded by Frank Stretton:
That Council of the Municipality of Huron East accept the tender of
552976 Ontario Limited Holland Transport c/o Clifford Holland Trucking
in the amount of \$207.00 (unit price); total contract price of \$152,145.00
plus applicable taxes for contract HE-04-2013 to provide dust suppressants
and road stabilization products. Carried.

Accept Tender
HE-04-2013
Dust Control

Moved by David Blaney and seconded by Les Falconer:
That Council of the Municipality of Huron East accept the tender of Diamond
Environmental Inc. in the amount of \$54,800 plus applicable taxes for
Contract HE-05-2013 to cut 2 rounds on all roads in June, with minimum
width of 14 feet, and cut to the fence line on all roads in September;
with additional grass cutting as directed by the Public Works Coordinator
at an hourly rate of \$68.00. Carried.

Accept Tender
HE-05-2013
Grass Mowing

CAO/Clerk – Seaforth Public School Development

CAO/Clerk Knight reviewed his report and provided the following information for consideration of
Council with respect to the January 8th 2013 letter from Brian Barnim:

- i) January 8th, 2013 letter from Brian Barnim
- ii) February 14th, 2013 letter from Municipality to B. M. Ross & Associates including photos
- iii) March 1st, 2013 response from Bruce Potter, B. M. Ross & Associates
- iv) GIS Layout of storm drainage in the vicinity of Market and Sparling Streets

Moved by Dianne Diehl and seconded by Frank Stretton:
That Council of the Municipality of Huron East receive the following Reports of
Municipal Officers as presented:

Receive
Reports

- a) Finance Manager-Treasurer/Deputy Clerk
- b) Public Works Coordinator
- c) CAO/Clerk

Carried.

CORRESPONDENCE

Moved by Les Falconer and seconded by Larry McGrath:
That the request from Heather and Philip Ashwin for additional sidewalk snow removal on Kippen Road be referred to the Public Works Coordinator for a report. Carried.

Refer Request
Ashwin
Sidewalk Snow
Removal

Moved by Andrew Flowers and seconded by Joseph Steffler:
That Huron East Council endorse the resolution of the Ontario Small Urban Municipalities Executive Committee recommending the Provincial Government take into consideration the low water levels in the Great Lakes when developing water strategy and initiatives. Carried.

Endorse
Resolution
OSUM

Moved by David Blaney and seconded by Alvin McLellan:
That Huron East Council appoint Nicole Noble to the Brussels Morris and Grey Board of Recreation Management to fill the current vacancy from Huron East on the Committee. Carried.

Appoint Noble
BMGCC
Committee

UNFINISHED BUSINESS**Duke Street Extension**

Councillor Fisher questioned the status of the Duke Street Extension, Seaforth Ward. Mayor MacLellan advised the Municipality has met twice with the solicitor for the Seaforth Hospital Trust and are waiting for a response from the Trust.

Reconsideration of March 6th, 2007 Resolution

Councillor Marshall served notice at the December 28th, 2012 Council meeting to reconsider the motion passed in March of 2007 regarding the contribution of \$125,000 from the Seaforth Reserve regarding the Seaforth Public School property development.

A motion was passed by Council on January 8th, 2013 to table the motion to reconsider the March 6th, 2007 motion until the March 5th, 2013 meeting of Council.

Moved by Joseph Steffler and seconded by Dianne Diehl:
That the resolution passed at the March 6th, 2007 meeting to contribute one hundred and twenty-five thousand dollars (\$125,000) towards the construction of Robert Street, Seaforth Ward with the funds to be removed from Huron East Seaforth Ward Reserves; and further that the balance of the construction costs for Robert Street be the responsibility of Brian Barnim, Coastal Enterprise 2005 Ltd. conditional upon the existing school building being torn down and removed within one (1) year be rescinded.

Rescind Motion
March 6, 2007
Contribution
from Seaforth
Reserves
Defeated

A recorded vote was requested by Councillor Larry McGrath.

| | | |
|-------------------|--------|------------------|
| Blaney, David | No | Brussels Ward |
| Diehl, Dianne | No | Grey Ward |
| Falconer, Les | No | Tuckersmith Ward |
| Fisher, Robert | Yes | Seaforth Ward |
| Flowers, Andrew | No | McKillop Ward |
| MacLellan, Bernie | No | Mayor |
| Marshall, Nathan | Absent | Seaforth Ward |
| McGrath, Larry | Yes | Tuckersmith Ward |
| McLellan, Alvin | No | Grey Ward |
| Siemon, William | Absent | McKillop Ward |
| Steffler, Joseph | No | Deputy Mayor |
| Stretton, Frank | Yes | Brussels Ward |

Motion Defeated.

NEW BUSINESS**MUNICIPAL DRAINS****TILE DRAINAGE****FINANCIAL REPORT**

PLANNING

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East have no objection to the severance application of Thelma Steinman (B5/13), Lot 4, Concession 12, Grey Ward, provided the following conditions are met:

i) that the severed and retained lands be rezoned to AG4 and AG2 respectively
ii) that \$500 be paid to the Municipality as cash-in-lieu of parkland

Carried.

No Objection
Consent B5/13
Steinman

Moved by Alvin McLellan and seconded by Dianne Diehl:
That Council of the Municipality of Huron East have no objection to the severance application of Herman Terpstra (B73/12), Part Lots 9 and 10, Concession 6, Grey Ward, provided the following conditions are met:

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

Carried.

No Objection
Consent B73/12
Terpstra

INFORMATION ITEMS

Moved by Robert Fisher and seconded by Larry McGrath:
That Council of the Municipality of Huron East receive the following Board and Committee Meeting Minutes as submitted:

1. BMGCC Board of Recreation Management – February 13th, 2013
2. Vanastra Recreation Centre – February 12th, 2013

Carried.

Receive Board/
Committee
Minutes

CLOSED SESSION

Moved by Les Falconer 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 9:10 p.m. to go into Closed Session to discuss the following:

239(2)(e) – litigation or potential litigation (Brussels Public Library)

Carried.

Closed Session

Moved by Larry McGrath and seconded by Alvin McLellan:
That Council of the Municipality of Huron East resumes the regular Council meeting at 9:59 p.m. Carried.

Resume Regular
Council

Moved by David Blaney and seconded by Les Falconer:
That Huron East Council rescind the resolution passed at the February 5th, 2013 meeting to accept the tender of the Metkor Group for the Brussels Library project as the bonding requirements were not met and that the tender of Wayne & Harold Smith Construction in the amount of \$894,300 plus HST be accepted subject to the execution of the necessary contract documents. Carried.

Tender for
Brussels Library
Project

BY-LAWS

Moved by Larry McGrath and seconded by Robert Fisher:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Law No. 15 and 16 for 2013.

Introduce
By-Laws

By-Law 15-2013 – Authorize Contribution Agreement – Ministry of Agriculture, Food and Rural Affairs – Municipal Infrastructure Investment Initiative (MIII) – Asset Management Program
By-Law 16-2013 – Confirm Council Proceedings

Carried.

Moved by Les Falconer and seconded by Andrew Flowers:
BE IT HEREBY RESOLVED that By-Law 15 for 2016, a by-law to authorize a Contribution Agreement with the Ministry of Agriculture, Food and Rural Affairs – Municipal Infrastructure Investment Initiative for the development of a comprehensive Asset Management Plan, 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
MIII
Asset
Management
Plan

Moved by Dianne Diehl and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 16 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 Joseph Steffler and seconded by Frank Stretton:
The time now being 10:03 p.m.
That the meeting do now adjourn until March 19th, 2013 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk