

**MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**  
**HELD IN THE BRUSSELS BUSINESS & CULTURAL CENTRE, BRUSSELS, ONTARIO**  
**TUESDAY, JULY 30<sup>th</sup>, 2013 – 8:00 P.M.**

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

**Members Absent:** nil

**Staff Present:** CAO/Clerk, Brad Knight  
 Finance Manager-Treasurer/Deputy Clerk, 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 MacLellan called the meeting to order at 8:00 p.m.

**DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST**

Councillor Blaney declared a conflict of interest and refrained from any discussion on agenda items 10.15.1 and 16.15.2 as he has a financial interest in wind turbines.

Councillor McGrath declared a conflict of interest and refrained from any discussion on agenda item 17.15.4 as he owns property within 400 feet of the subject property.

**DEPUTATIONS**

Keith Mulvey and Keith Turnball were in attendance to hear the proceedings of Council.

**8:00 p.m. Brussels Optimist Club – Presentation – 40<sup>th</sup> Anniversary Certificate**

Tyler Deitner attended on behalf of the Brussels Optimist Club to accept the 40<sup>th</sup> Anniversary Certificate presented by Councillor Alvin McLellan. The Club was congratulated on their many years of service to the community and the community projects they have been involved with.

**COUNCILLORS ISSUES**

**MINUTES OF THE PREVIOUS MEETING**

|   |                    |
|---|--------------------|
| <i>Moved</i> by Alvin McLellan and seconded by David Blaney:<br>That Council of the Municipality of Huron East approve the following<br>Council Meeting Minutes as printed, circulated and amended. | Meeting<br>Minutes |
| a) Special Meeting – July 16 <sup>th</sup> , 2013<br>b) Regular Meeting – July 16 <sup>th</sup> , 2013  | Carried.           |

**ACCOUNTS PAYABLE**

**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

**Fire Chief/CEMC – Fire Truck Victory Rides**

Fire Chief/CEMC Marty Bedard reviewed his report to Council concerning the development of a policy to include rules and regulations for “Victory Rides” on fire apparatus for teams or individuals that win a significant championship. Council reviewed the policy and suggested revisions be made requiring two signatures instead of one on the application form and that restrictions be included for the time of day an event can be held.

**CAO/Clerk – Tour of Facilities**

Council completed a tour of the Grey Fire Hall and Ethel Community Centre, the Brussels Library and the Brussels, Morris & Grey Community Centre prior to the Council meeting. CAO/Clerk Brad Knight reviewed his report providing background information on each facility.

The Grey Fire Hall and Ethel Community Centre both have operational deficiencies in their present form. The Fire Hall is very cramped, the office facilities are very limited and there is no meeting space available for training, seminars, etc. The Ethel Community Centre has limited practical use in its present

form → there is a small flight of stairs to get into the hall, but there are stairs into the basement to get to the washrooms. It was suggested that due to the operational costs of both facilities, and the physical limitations of both facilities, that if improvements are being considered for the Fire Hall, that perhaps the improvements should be taken a step further and that a common area be incorporated that could be utilized both as a community hall and a meeting/Training area for the Fire Department.

The Brussels Library did not have any type of alarm system prior to the renovations. Over the years the library has been subject to some break-ins which may not be discovered for a couple of days if the library is not open. With different groups using the programming room, it was suggested a security system including fire protection be installed at the facility. A quotation was provided from Innovative Security in the amount of \$2,810 plus HST with annual monitoring costs of \$240. Innovative Security currently provides this type of service on a number of municipal buildings.

**Moved** by Frank Stretton and seconded by Dianne Diehl:  
That Council accept the quotation of Innovative Security Systems to install an alarm system (intrusion and fire) in the Brussels Library at an estimated cost not to exceed \$2,810 plus HST. Carried.

Security System  
Brussels Library

Council were advised the BMGCC Committee has been discussing for some time the need to give consideration to renovating the dressing rooms at the BMG. A new ceramic type of finished roof was installed in 2006 and while the north side has stoop up well, the finish on the south side has not. The south side appears to have been plagued by a poor initial application of primer however the south side was likely more rusted than the north side when the application was done and continues to receive the effects of a south exposure. CoEm-Tek installed the roof and there was a 10 year limited warranty provided and we are now at year 7 of the warranty. CoEm-Tek has offered to powerwash the roof and apply a double coat to the rusted areas and a single coat to the balance to recondition the roof to where a 10 year warranty can be offered. His price is \$38,028.75 plus tax. For comparison, when the roof at SDCC was painted as part of the RInC grant, the cost was \$76,000.

#### CAO/Clerk – Boundary Road Bridges on Grey-Elma Boundary

CAO/Clerk Brad Knight reviewed his report concerning the County of Huron downloading the responsibility for boundary bridges back to the lower tier municipalities. It was noted the Municipality will be affected by 12 structures and to date 4 structures have been repaired and downloaded to Huron East. The next 3 bridges to be downloaded are in the 4 km section of the Grey/Elma boundary between Jamestown Road and Rowland Road. The County has provided estimates that have been developed in conjunction with B. M. Ross to bring the structures to County standards. It has been suggested that Huron East may wish to consider a payment of \$385,000 in lieu of upgrades.

**Moved** by Larry McGrath and seconded by Andrew Flowers:  
That Council of the Municipality of Huron East advise the County of Huron that it is willing to accept \$385,000 in lieu of repairs to boundary bridges BB5, BB6 and BB7 prior to the responsibility for the structures being downloaded to Huron East. Carried.

Boundary Bridges  
BB5, BB6 & BB7  
County of Huron  
Downloaded

#### Finance Manager-Treasurer/Deputy Clerk – Council Conference Expenses

Finance Manager-Treasurer/Deputy Clerk Paula Michiels provided a year-to-date summary of Council's convention expenses as of July 24<sup>th</sup>, 2013. It was noted the convention/seminar expenses are forecasted at \$17,951 which negatively impacts the 2013 budget. If any further conventions/seminars are attended expenses will have to be cut elsewhere within the 2013 budget to cover the additional expenses incurred.

#### Public Works Coordinator – Main Line Railway Crossing in Seaforth

Public Works Coordinator Barry Mills reviewed his report to Council concerning the main rail crossing in Seaforth. A meeting was held on July 23<sup>rd</sup>, 2013 at the rail crossing on County Road 12 in Seaforth between Steve Hicksen of OWS Railroad, Dennis Curtis of DW Curtis Railway Consulting, David Laurie of the County of Huron, Jason Oud of Seaforth Elevators, Charlie Nigh and Public Works Coordinator Barry Mills.

It was stressed by the County of Huron and Huron East that the crossing as a whole should be addressed for the following:

- i) roughness of crossing
- ii) accessibility for wheelchair crossing
- iii) need for side lines in the crossing

The consultant and rail representative outlined 4 options that they will be reviewing with Goderich-Exeter Railway Company as follows:

- i) restoring main line only
- ii) restoring main line and side lines
- iii) restoring main line and eliminating side lines
- iv) restoring main line and eliminating south crossing and restoring north line

The consultant indicated that anything outside of the main line would probably not be considered unless there was financial support by the parties affected as the side rails are part of the agreement with the users. The Municipality and the County are willing to review the consultant’s results and gave support that they are willing participants to correct the entire crossing and not just part of it. The work is anticipated to commence the 3<sup>rd</sup> week of August.

**Public Works Coordinator – Tender HE-11-2012 (Project No. 12143) – Sports Drive Reconstruction**

The Public Works Coordinator reviewed his report on the tenders received for the Sports Drive Reconstruction project in Brussels. Five tenders were received and opened on July 25<sup>th</sup>, 2013 by Deputy Mayor Joseph Steffler, Finance Manager/Treasurer Paula Michiels, Public Works Coordinator Barry Mills and Dennis Elliott of B. M. Ross & Associates Ltd. The tenders received were as follows:

| <b>Contractor</b>             | <b>Price</b> |
|-------------------------------|--------------|
| Kurtis Smith Excavating Inc.  | \$284,760.00 |
| Moorefield Excavating Ltd.    | \$312,750.10 |
| Lavis Contracting Co. Limited | \$277,398.50 |
| Birnam Excavating Ltd.        | \$284,592.44 |
| Euro-Ex                       | \$416,533.26 |

**Moved** by David Blaney and seconded by Frank Stretton:  
That Huron East Council accept the tender of Lavis Contracting Co. Ltd. in the amount of \$277,398.50 (including taxes) for Tender HE-11-2013, Project No. 12143 for the reconstruction of Sports Drive in Brussels. Carried.

Accept Tender  
HE-11-2013  
Sports Drive

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

Receive  
Reports

- a) Fire Chief/CEMC
- b) CAO/Clerk
- c) Treasurer-Finance Manager/Deputy Clerk
- d) Public Works Coordinator

Carried.

**CORRESPONDENCE**

**Moved** by Frank Stretton and seconded by Andrew Flowers:  
That Huron East Council endorse the resolution of the Region of Halton requesting Enbridge Pipelines to install isolation valves on each side of watercourses that are crossed by the Enbridge Line 9 pipeline and further that the National Energy Board be requested to require isolation valves on each side of watercourses regardless of “navigable” status. Carried.

Endorse  
Resolution  
Region of  
Halton

**Moved** by Joseph Steffler and seconded by Nathan Marshall:  
That Huron East Council appoint Councillor Les Falconer as a Council representative on the Bluewater Community Liaison Committee for the Bluewater Wind Energy Centre. Carried.

Appoint Rep.  
Com. Liaison  
Committee  
Bluewater Wind

**Moved** by Robert Fisher and seconded by Larry McGrath:  
That Council of the Municipality of Huron East support the resolution of the members of the Bluewater Recycling Association (the “Corporation”) to amend Section 11.01 of By-Law No. 1 of the Corporation as follows:  
“ 11.01 Dissolution. – Upon the dissolution of the Corporation and after the payment of all debts and liabilities, its remaining property shall be distributed or disposed of to municipal organizations which carry on their work solely within Canada.”  
Carried.

Support  
Resolution  
BRA Amend  
By-Law No. 1  
Dissolution

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**Moved** by Alvin McLellan and seconded by Frank Stretton:  
That the resolution passed at the July 2<sup>nd</sup>, 2013 meeting of Council that the Council of the Municipality of Huron East investigate and submit an appeal to the St. Columban Wind Project approval be reconsidered.

Reconsider  
Motion of  
July 2, 2013  
Appeal  
St. Columban  
Wind Project  
Approval

A recorded vote was requested by Mayor MacLellan:

|                   |          |                  |
|-------------------|----------|------------------|
| Blaney, David     | Conflict | Brussels Ward    |
| Diehl, Dianne     | Yes      | Grey Ward        |
| Falconer, Les     | Yes      | Tuckersmith Ward |
| Fisher, Robert    | Yes      | Seaforth Ward    |
| Flowers, Andrew   | Yes      | McKillop Ward    |
| MacLellan, Bernie | Yes      | Mayor            |
| Marshall, Nathan  | Yes      | Seaforth Ward    |
| McGrath, Larry    | Yes      | Tuckersmith Ward |
| McLellan, Alvin   | Yes      | Grey Ward        |
| Steffler, Joseph  | Yes      | Deputy Mayor     |
| Stretton, Frank   | Yes      | Brussels Ward    |

Carried.

**Moved** by Larry McGrath and seconded by Nathan Marshall:  
That the resolution passed at the July 2<sup>nd</sup>, 2013 meeting of Council that the Council of the Municipality of Huron East investigate and submit an appeal to the St. Columban Wind Project approval be rescinded. Carried.

Rescind Motion  
Appeal to  
St. Columban  
Wind Project  
Approval

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

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

Receive Board/  
Committee  
Minutes

1. Vanastra Recreation Centre Committee – June 27<sup>th</sup>, 2013
2. Huron East Health Centre Management Committee – June 27<sup>th</sup>, 2013

Carried.

**CLOSED SESSION**

**Moved** by Larry McGrath and seconded by Andrew Flowers:  
That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 9:27 p.m. to go into Closed Session to discuss the following:

Closed Session

i) 239(2)(f) – advice that is subject to solicitor-client privilege (St. Columban Wind Appeal)  
Carried.

**Moved** by Nathan Marshall and seconded by Joseph Steffler:  
That Council of the Municipality of Huron East resumes the regular Council meeting at 10:17 p.m. Carried.

Resume Regular  
Council Meeting

**BY-LAWS**

**Moved** by Frank Stretton and seconded by Joseph Steffler:  
BE IT HEREBY RESOLVED that leave be given to introduce  
By-Law No. 50, 53, 54, 55 and 56 for 2013. Carried.

Introduce  
By-Laws

By-Law 50-2013 – Authorize Site Plan Control Agreement – R. & V. Foods Ltd.  
– Seaforth Foodland, 95 Main Street South, Seaforth Ward  
(3<sup>rd</sup> reading)

By-Law 53-2013 – Establish revised tariff of rates for Brussels, Cranbrook and Mount Pleasant Cemeteries, repeal By-Law 53-2005

By-Law 54-2013 – Authorize Lease Agreement – Gateway Rural Health Research Institute, Part Lot 24, Concession 1, McKillop/Seaforth Ward, Part 1 on Plan 22R-4906, Huron East Health Centre, repeal By-Law 63-2011

By-Law 55-2013 – Authorize Site Plan Control – Part of Park Lots 6 and 7, Registered Plan 237, Part 3, Plan 22R-5338, Tuckersmith Ward, Hulley

By-Law 56-2013 – Confirm Council Proceedings

Carried.

**Moved** by Andrew Flowers and seconded by Dianne Diehl:  
 BE IT HEREBY RESOLVED that By-Law 50 for 2013, a by-law to authorize a Site Plan Control Agreement with R. & V. Foods Ltd. – Seaforth Foodland, be given third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Site Plan  
 Control Agree.  
 Seaforth  
 Foodland

**Moved** by Dianne Diehl and seconded by Frank Stretton:  
 BE IT HEREBY RESOLVED that By-Law 53 for 2013, a by-law to establish a revised tariff of rates for the Brussels, Cranbrook and Mount Pleasant Cemeteries, and repeal By-Law 53-2005, 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.

Tariff of Rates  
 Cemeteries

**Moved** by Andrew Flowers and seconded by Robert Fisher:  
 BE IT HEREBY RESOLVED that By-Law 54 for 2013, a by-law to authorize a Lease Agreement with Gateway Rural Health Research Institute, Part Lot 24, Concession 1, McKillop/Seaforth Ward, Part 1 on Plan 22R-4906, Huron East Health Centre, and to repeal By-Law 63-2011, 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.

Lease Agree.  
 Gateway  
 Huron East  
 Health Centre

**Moved** by Les Falconer and seconded by Larry McGrath:  
 BE IT HEREBY RESOLVED that By-Law 55 for 2013, a by-law to establish Site Plan Control provisions on Part of Park Lots 6 and 7, Registered Plan 237, Part 3, Plan 22R-5338, Tuckersmith Ward, 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.

Site Plan  
 Control  
 Pt. Pk. Lots 6-7  
 RP 237  
 Pt. 3,22R-5338  
 Hulley

**Moved** by Nathan Marshall and seconded by Alvin McLellan:  
 BE IT HEREBY RESOLVED that By-Law 56 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  
 Proceedings

**ADJOURNMENT**

**Moved** by Joseph Steffler and seconded by David Blaney:  
 The time now being 10:26 p.m.  
 That the meeting do now adjourn until August 13<sup>th</sup>, 2013 at 7:00 p.m. Carried.

Adjournment

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Bernie MacLellan, Mayor

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Brad Knight, CAO/Clerk