

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, SEPTEMBER 3rd, 2013 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler
 Councillors Frank Stretton, Dianne Diehl, David Blaney,
 Alvin McLellan, Andrew Flowers, Allison Dekroon, 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
 Fire Chief/CEMC, Marty Bedard
 Economic Development Officer, Jan Hawley
 Executive Assistant, Janice Andrews

CALL TO ORDER

Mayor MacLellan called the meeting to order at 7:06 p.m.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

Councillor David Blaney declared a conflict of interest and refrained from any discussion on agenda item 16.17.1, adoption of July 30th, 2013 Closed Session of Council meeting minutes, and correspondence presented at the meeting by Councillor McGrath under old business, as he has a financial interest in wind turbines.

DEPUTATIONS

Jim Papple was in attendance to hear the proceedings of Council.

COUNCILLORS ISSUES

Councillor McGrath advised that Susan Hundertmark, press reporter for the Huron Expositor, has taken a position with the Avon Maitland District School Board and this will be her last meeting covering Huron East Council. Mayor MacLellan expressed appreciation to Susan in doing a good job reporting over the years and wished her good luck with her new position.

MINUTES OF THE PREVIOUS MEETING

<i>Moved</i> by Frank Stretton and seconded by Nathan Marshall: That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated.	Meeting Minutes
a) Regular Meeting – August 13 th , 2013	Carried.

ACCOUNTS PAYABLE

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

CAO/Clerk – Additional Information Pertaining to By-Laws

CAO/Clerk Brad Knight reviewed his report to Council providing additional information concerning By-Laws 60-2013, 61-2013 and 62-2013 being considered later in the meeting.

Chief Building Official – Report

A report to Council from the Chief Building Official Paul Josling summarizing zoning and tax certificates as well as building permits was received.

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. A draft policy including the amended registration and liability forms as requested at the July 30th Council meeting was provided. Fire Chief Marty Bedard had presented a report to Council on July 30th and has since received correspondence from the Office of the Fire Marshall. Based on the recommendations from the insurance company and correspondence received from the Office of the Fire Marshall since the last report to Council, the Fire Chief does not support allowing fire truck victory rides to continue.

This matter was discussed at the Administrative Committee meeting on August 27th, 2013. Mayor MacLellan advised that both the Office of the Fire Marshall and the municipal insurance provider were similar in their comments that victory rides on fire apparatus is not what the equipment was purchased for. Council were in agreement to continue the victory rides for the community and to adopt the policy “Use of Fire Apparatus for Victory Rides” with a revision that rides will only be given to teams or individuals that win a Provincial Championship.

Moved by Nathan Marshall and seconded by Joseph Steffler:
That Huron East Council accept the “Victory-Ride” policy as prepared by the Huron East Fire Chief/CEMC for victory rides on Huron East fire trucks and that the policy be designated as Protection to Persons & Property Policy 2.02 and Application 2.6.2., as amended. Carried.

Victory-Ride
Policy

Finance Manager-Treasurer/Deputy Clerk – Audit Services Extension

Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed her report to Council concerning extending the agreement with Vodden, Bender & Seebach LLP to perform the audit functions for the municipality. Vodden, Bender and Seebach LLP were initially appointed as the Municipality’s external auditing firm under the provisions of By-law 54-2007 for the maximum five-year term (2007-2011) The Treasurer noted that the Municipality was in the process of switching the financial software and for continuity she requested that term with the firm be extended to at least the completion of the 2014 financial statements. It was also suggested that given the satisfaction of the Municipality with their services, that an additional 5-year period retroactive to 2012 could be considered. Council supported a five-year extension retroactive to the 2012 financial year and a by-law will be prepared to authorize the extension.

Public Works Coordinator – Huron County Auction, Surplus Equipment

Public Works Coordinator Barry Mills reviewed his report to Council recommending the following equipment be submitted for auction at the Huron County Equipment Auction on September 28th, 2013.

- i) 1994 International snow plow truck (wing and plow included)
- ii) 2008 Club Cadet zero turn lawn mower

Moved by Les Falconer and seconded by Larry McGrath:
That Huron East Council deem the following equipment surplus or obsolete to the Public Works Department and offer the equipment for sale at the Huron County Equipment Auction on September 28th, 2013.

- i) 1994 International snow plow truck (wing and plow included)
- ii) 2008 Cub Cadet zero turn lawn mower

Surplus
Equipment
Huron County
Auction

Carried.

Moved by Andrew Flowers and seconded by Robert Fisher:
That Council of the Municipality of Huron East receive the following Reports of Municipal Officers as presented:

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

Reports of
Municipal
Officers

Carried.

CORRESPONDENCE

Moved by Dianne Diehl and seconded by Frank Stretton:
That Council of the Municipality of Huron East proclaim October 30th, 2013 as the 13th annual “Child Care Worker & Early Childhood Educator Appreciation Day” in appreciation of the education, dedication and commitment of child care workers to children, their families and the quality of life in the community. Carried.

Proclaim
Child Care
Worker & Early
Childhood
Educator App.Day

UNFINISHED BUSINESS

NextEra (Bluewater) Wind Project

Councillor McGrath informed Council he had today received an email from Chris Maloney advising that Hydro One is burying lines in a section of the road allowance in front of the Brian Oldfield and Jim Papple properties.. Mr. Maloney advised he had requested NextEra numerous times to consider burying the lines in front of his property to no avail. Mr. Maloney requested Council discuss this issue and also suggested that two other neighbours on Hensall Road (Thomas Nolan) and Gerry Martin would appreciate it as well. Mr. Maloney also requested a map/plan clearly outlining where the poles and lines are planned.

Moved by Larry McGrath and seconded by Allison Dekroon:
That Council of the Municipality of Huron East send a request to NextEra and Hydro One that the transmission line be buried in the road allowance in front of the Maloney, Martin and Nolan properties in the Tuckersmith Ward. Carried.

Maloney Request
Transmission Line
Bluewater Wing
Project

NEW BUSINESS

Brussels Trailer Park

A lot lease request from Garnet MacTavish was reviewed. Mr. MacTavish had submitted an offer to purchased the mobile home at 24 Trailer Park Road in Brussels subject to entering into a lot lease agreement with the Municipality.

Moved by Frank Stretton and seconded by David Blaney:
That Council of the Municipality of Huron East enter into a Lease Agreement with Garnet MacTavish for Site # 4 (24 Trailer Park Road) in the Brussels Trailer Park, Lot 358 to Lot 361, Plan 192, subject to the signing of the said Agreement and the finalization of the necessary documentation. Carried.

Lease Agreement
24 Trailer Park
Brussels
MacTavish

Level of Service Review – September 24th, 2013

Councillor Marshall provided a list of suggested topics for discussion at the level of service meeting scheduled for September 24th, 2013. The CAO/Clerk advised a full agenda package will be provided prior to the meeting.

Inter-Municipal Wind Turbine Working Group

Councillor Dekroon requested to be added to the Inter-Municipal Wind Turbine Working Group meetings as a council representative.

Mayor MacLellan advised Councillor Dekroon she could attend the meeting on her own, however he will be conducting a review of committee appointments and there would be no official appointment until the next Council meeting.

MUNICIPAL DRAINS

Moved by Larry McGrath and seconded by Les Falconer:
Huron East Council accept the Petition for Drainage Works by Owners on the McCullie Municipal Drain on Lot 16 and 17, Concession 4, LRS, Tuckersmith Ward and appoint R. J. Burnside & Associates, Consulting Engineers, to prepare a report 30 days after notification to the Conservation Authority. Carried.

Petition for
Drainage Works
McCullie Drain
Tuckersmith

TILE DRAINAGE

FINANCIAL REPORT

PLANNING

Moved by Les Falconer and seconded by Larry McGrath:
That the Municipality of Huron East has no objection to the severance application of McIntosh Poultry Farms Limited (B39/13), Lot 21 and 22, Concession 1 and 2, HRS, Tuckersmith Ward, provided the following conditions are met:

No Objection
Consent B39/13

1. That the retained lands be rezoned to AG1-Special Zone to recognize a deficient rear lot line from a barn
2. that the drain maintenance obligations of the severed and retained parcels be apportioned in accordance with Section 65 of the *Drainage Act*. Carried.

INFORMATION ITEMS

Moved by Alvin McLellan 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. Huron East Water & Sewer Committee – July 16th, 2013
2. Seaforth & District Community Centres Management Committee – August 8th, 2013
3. Vanastra Recreation Centre Building & Fundraising Committee – July 23rd, 2013
4. Vanastra Recreation Centre Committee – August 20th, 2013
5. Huron East Administrative Committee – August 27th, 2013

Carried.

CLOSED SESSION

Moved by Nathan Marshall and seconded by Frank Stretton: 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 8:45 p.m. to go into Closed Session to discuss the following:

- i) 239(2)(f) – advice that is subject to solicitor-client privilege (comments from Greg Stewart regarding 197 Toronto Blvd. Vanastra)
- ii) 239(2)(c) – proposed or pending acquisition or disposition of land by the municipality (Duke Street)

Carried.

Moved by Allison Dekroon and seconded by Andrew Flowers: Resume Regular Council Meeting
That Council of the Municipality of Huron East resumes the regular Council meeting at 9:40 p.m. Carried.

Moved by David Blaney and seconded by Alvin McLellan: Statement of Claim
That Council of the Municipality of Huron East instruct Greg Stewart of Donnelly Murphy to serve a Statement of Claim against Affordable Housing Ontario Corporation regarding 197 Toronto Blvd., Vanastra. Carried. 197 Toronto Blvd. Vanastra

BY-LAWS

Moved by Allison Dekroon and seconded by Larry McGrath: Introduce By-Laws
BE IT HEREBY RESOLVED that leave be given to introduce By-Law No. 58, 59, 60, 61, 62 and 63 for 2013.

By-Law 58-2013 – Temporary Road Closings – Seaforth and Brussels Fall Fair Parades

By-Law 59-2013 – Temporary Road Closure – portion of Main Street South (County Road 12) Seaforth Ward – Maintenance on Goderich-Exeter Railway track – Repeal By-Law 52-2013

By-Law 60-2013 – Consolidation of Existing Union Gas Franchise Agreements

By-Law 61-2013 – Sale & Disposal of Real Property – Repeal By-Law 35-2001

By-Law 62-2013 – Authorize Agreement – Fire Suppression Services –

Municipality of Morris-Turnberry – Repeal By-Law 101-2011

By-Law 63-2013 – Confirm Council Proceedings

Carried.

Moved by Frank Stretton and seconded by Dianne Diehl: Temporary Road Closures
BE IT HEREBY RESOLVED that By-Law 58 for 2013, a by-law to provide for temporary road closures to accommodate the Seaforth and Brussels Fall Fair Parades, 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. Seaforth/Brussels Fair Parades

Moved by Joseph Steffler and seconded by Frank Stretton: Temporary Road Closure
BE IT HEREBY RESOLVED that By-Law 59 for 2013, a by-law to temporarily close a portion of Main Street South, Seaforth Ward, to accommodate maintenance on the Goderich-Exeter Railway track, 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. Maintenance Railway Track Seaforth Ward

Moved by Nathan Marshall and seconded by Alvin McLellan: Consolidate Union Gas Franchise Agreements
BE IT HEREBY RESOLVED that By-Law 60 for 2013, a by-law to authorize consolidation of existing Union Gas Franchise Agreements, be given first and second readings. Carried.

Moved by Nathan Marshall and seconded by Alvin McLellan:
That:

1. This Council approves the form of By-Law 60-2013 and the franchise agreement attached thereto and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of The Municipal Franchises Act.

2. This Council requests that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the attached draft by-law and franchise agreement pertaining to the Corporation of the Municipality of Huron East is not necessary pursuant to the Provisions of Section 9(4) of The Municipal Franchises Act.

Carried.

Moved by Andrew Flowers and seconded by Joseph Steffler:
BE IT HEREBY RESOLVED that By-Law 61 for 2013, a by-law to establish revised policies for sale and disposition of land and to repeal By-Law 35-2001, 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.

Consolidate
Union Gas
Franchise
Agreements

Moved by Dianne Diehl and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 62 for 2013, a by-law to authorize an Agreement for Fire Suppression Services with the Municipality of Morris-Turnberry and to repeal By-Law 101-2011, 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.

Authorize
Agreement
Fire Suppression
Services
Morris-Turnberry

Moved by Les Falconer and seconded by Nathan Marshall:
BE IT HEREBY RESOLVED that By-Law 63 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 Andrew Flowers and seconded by Nathan Marshall:
The time now being 9:55 p.m.
That the meeting do now adjourn until September 17th, 2013 at 7:30 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk