

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**BRUSSELS PUBLIC LIBRARY****402 TURNBERRY STREET, BRUSSELS****TUESDAY, JULY 7th, 2015 – 7:00 P.M.**

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors Alvin McLellan, John Lowe, Dianne Diehl, David Blaney, Brenda Dalton, Robert Fisher, Nathan Marshall and Raymond Chartrand

Members Absent: Councillors Kevin Wilbee and Larry McGrath

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

CALL TO ORDER

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

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST**DEPUTATIONS**

The following members of the public were in attendance to hear the proceedings of Council: Sophie Farrell, Keith Turnbull, Sean Mitchell, Jeff Miller and Leona Armstrong.

The following members of the public were in attendance to hear the discussion on the Goderich to Guelph (G2G) Rail Trail: Margaret Vincent, Doug McClinchey, Gordon Mitchell, Bryan and Mary-Ellen Gross, Neil Mitchell and Marie Mitchell.

7:00 p.m. Richard Kootstra – Tax Sale Properties – Lots 1 and 2, Plan 133, Vanastra

Richard Kootstra attended before Council concerning Lots 1 and 2, Plan 133, Vanastra, Tuckersmith Ward and the tax sale process that has commenced on these properties. Mr. Kootstra purchased the properties in 2001, removed the building that was on Lot 1 and attempted to demolish the building on Lot 2. Demolition of the building on Lot 2 has not been completed due to regulations regarding the asbestos on the building. Mr. Kootstra questioned the assessment value on the properties and also expressed concerns with the condition of the property across the road as it is covered with scrap metal, appliances and debris. Mr. Kootstra requested Council to allow a grace period on the tax sale process to allow time to address concerns that he had raised.

CAO/Clerk Brad Knight noted that once the tax sale process has commenced there would be one year before it is complete. The Clerk advised the assessment on the properties can be appealed to MPAC next year and the deadline is March 31st. It was also noted that a complaint could be filed at the municipal office regarding property standards of the property located across the road.

7:20 p.m. Paul VanderMolen – G2G Rail Trail

Huron County G2G Rail Trail Advisory Committee Vice Chair Paul VanderMolen and Chair Chris Lee attended before Council to provide an update on the progress of the Goderich to Guelph (G2G) Rail Trail. Mr. VanderMolen advised the trail consists of 127 km of between Guelph and Goderich running along the former CPR railway land owned by the Province of Ontario. The Province has offered a lease to each County with Del Management Co. managing the lands and stewardship groups developing and maintaining the railway. The lease for the trail will be facilitated through Del Management Co. with the County being the leaseholder, G2G Rail Trail Advisory Committee managing the trail and trail groups the end users. Mr. VanderMolen advised public meetings have been held and all concerns are being reviewed, procedures documented, and all efforts will be made to address any concerns raised. Chris Lee noted that 50% of the trail is already in use, and it was noted that many of the problems being identified are already pre-existing conditions and that these problems could be addressed better through an organized group such as G2G.

Council were also provided a copy of the June 29th, 2015 press release advising the Goderich to Guelph Rail will open new sections early in July.

COUNCILLORS ISSUES

Mayor MacLellan expressed appreciation to the Brussels Leo Club on their efforts to rejuvenate the Brussels tennis courts. He noted that in addition to the work of the Leo Club, the project was supported by the Libro Community Credit Union and local service clubs. Leo Club President Sean Mitchell acknowledged the community support of the project and gave a brief report on the work that remained to be completed.

MINUTES OF THE PREVIOUS MEETING

Moved by Brenda Walton and seconded by Joseph Steffler: Meeting
That Council of the Municipality of Huron East approve the following Minutes
Council Meeting Minutes as printed and circulated.

- a) Regular Meeting – June 16th, 2015

Carried.

ACCOUNTS PAYABLE**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS****CAO/Clerk – Status of Seaforth & Brussels Community Trusts**

CAO/Clerk Brad Knight reviewed his report to Council dated June 29th, 2015 concerning the status of the Seaforth and Brussels Community Trusts. The Clerk noted that Greg Stewart presented a written opinion and discussed his opinion with Council at a Closed Session of Council held on June 2nd, 2015. The Clerk advised Council that based on the advice of Mr. Stewart that Council should rescind all amending by-laws to both Trusts and pass a resolution to appoint the Trustees to their terms and it was noted that By-Laws 40-2015 and 41-2015 to rescind all amending by-laws of the Trusts will be considered later in the meeting.

Moved by Raymond Chartrand and seconded by Brenda Dalton: Appoint
That Council of the Municipality of Huron East, pursuant to the provisions of Seaforth Trust
By-Law 38-2002 hereby appoints the following as Trustees of the Huron East/Seaforth Trustees
Community Development Trust for the 2014-2018 term of Council:
Lin Steffler, Maureen Agar, William Teall, Neil Tam, Christie Little,
Robert Fisher and Nathan Marsha.. Carried.

Moved by Dianne Diehl and seconded by Alvin McLellan: Appoint
That Council of the Municipality of Huron East, pursuant to the provisions of Brussels Trust
By-Law 58-2002 hereby appoints the following as Trustees of the Huron East/Brussels Trustees
Community Development Trust for the 2014-2018 term of Council:
Ralph Watson, Doug Sholdice, Charlie Hoy, Paul Nichol, Joseph Seili,
David Blaney and John Lowe. Carried.

CAO/Clerk – Huron East Procedural By-Law

CAO/Clerk Brad Knight reviewed his report to Council dated June 29th, 2015 concerning the new Huron East Procedural By-Law. The Clerk noted that the draft procedural by-law had been reviewed by the Administration Committee at their May 28th and June 23rd meetings. Council were provided a copy of the new by-law along with a copy of the original procedural by-law passed in 2001. The key points that were identified by the Administration Committee were reviewed and discussed in detail with Council. A number of minor amendments were requested by Council and a revised by-law will be presented to Council for consideration at the next regular meeting.

CAO/Clerk – Service Delivery Review

Council were provided a copy of a report from the CAO/Clerk dated June 30th, 2015 providing information that was requested at the previous Council meeting regarding a Service Delivery Review. Information provided to Council included the 2013 Service Delivery Review document and additional reports that went to Council along with the relevant minutes from the meetings that were held in 2013 and 2014.

Mayor MacLellan suggested that developing a Request for Proposal to hire an outside consultant to complete a report on costs analysis should be the first step in an effort to reduce costs. Councillor Chartrand noted the amended motion of the June 16th, 2015 Council meeting stated that a complete review of the recently completed 2013 Service Delivery Review and its ancillary information be the first step in such an analysis.

Moved by David Blaney and seconded by Raymond Chartrand:
That the review of the 2013 Service Delivery Review be deferred to the next meeting of Council and that the Treasurer be directed to prepare a financial analysis from the 2013 FIR to the August 4th, 2015 meeting. Carried.

Defer Review
2013 Service
Delivery Review

Moved by Bernie MacLellan and seconded by John Lowe:
That the next regular meeting of Council be changed to Monday, July 20th, 2015. Carried.

Change Council
Meeting Date

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

Receive
Municipal
Reports

- 1) CAO/Clerk

Carried.

CORRESPONDENCE

Moved by Raymond Chartrand and seconded by David Blaney:
That Council of the Municipality of Huron East rescind the resolution passed on June 16th, 2015 regarding a roof top solar installation on Lot 7, Plan 133 (Vanastra Packaging) under the FIT Program. Carried.

Repeal
Resolution
Solar Installation
Lot 7 Plan 133
Vanastra

Moved by Raymond Chartrand and seconded by Alvin McLellan:
WHEREAS Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0;
WHEREAS Local Initiative for Future Energy Co-operative Inc. (the “Applicant”) proposes to construct and operate a Rooftop Solar Project (the “Project”) on Lot 7, Plan 133, Vanastra, Tuckersmith Ward; (the “Lands”) in the Municipality of Huron East under the Province’s FIT Program:
AND WHEREAS the Applicant has requested that Council of the Municipality of Huron East indicate by resolution Council’s support for the construction and operation of the Project on the Property;
AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts:
NOW THEREFORE BE IT RESOLVED THAT: Council of the Municipality of Huron East supports the construction and operation of the Project on the Lands. This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

No Objection
Solar Installation
Lot 7 Plan 133
Vanastra

Moved by Brenda Dalton and seconded by John Lowe:
That Council of the Municipality of Huron East hereby declares The Parts Canada TransCan, Canadian Motocross Grand National Championships being held from August 12th to 16th, 2015 at the Walton Raceway as an event of municipal and national significance. Carried.

Declare
Walton Motocross
Municipal and
National
Significance

Moved by David Blaney and seconded by Alvin McLellan:
That pursuant to Section 10 of Procedural By-Law 1-2001, that Council extend the meeting curfew time until 11:30 pm. Carried.

Extend Council
Meeting Curfew
Time

UNFINISHED BUSINESS

NEW BUSINESS

Performance Review

At the request of Mayor MacLellan, a performance review questionnaire of the CAO/Clerk had been circulated to Councillors with their Council package. Several Councillors questioned the method used to distribute the questionnaire and for various reasons indicated they would not complete the document. Mayor MacLellan advised that a performance evaluation should be completed and that Councillors were not required to fill out the document but they had been provided an opportunity to do so if they wished.

MUNICIPAL DRAINS

Moved by Brenda Dalton and seconded by Alvin McLellan:
That Council of the Municipality of Huron East accept the Petition for Drainage Works by Owners on the Boven drain, north part of Lot 21, Concession 11, McKillop Ward and appoint Dietrich Engineering Ltd. to prepare a report 30 days after notification to the Conservation Authority. Carried.

Accept Petition
for Drainage
Works
Boven Drain

TILE DRAINAGE**FINANCIAL REPORT**

Moved by Robert Fisher and seconded by Raymond Chartrand:
That Council receive the Recreation Facilities May 31st, 2015 Year-to-Date Financial Statements as presented. Carried.

Rec. Facilities
Financial YTD

PLANNING

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East has no objection to severance application of Bruce Mann, Lot 35, Concession 15, Grey Ward (B36/15) provided that the following conditions are met:

No Objection
Severance
B/36/15
Bruce Mann

- i) that the retained and severed lands be rezoned to AG2 and AG4-special provisions respectively
 - ii) that \$500 be paid to the Municipality as cash-in-lieu of parkland
 - iii) that Section 64 of the *Drainage Act* be addressed to the satisfaction of the municipality.
- Carried.

INFORMATION ITEMS

Moved by Nathan Marshall and seconded by John Lowe:
That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

Board/Committee
Meeting Minutes

- 1) Vanastra Recreation Centre Committee – June 9th, 2015
 - 2) Vanastra Recreation Centre Building & Fundraising Committee – June 9th, 2015
 - 3) Huron East/Seaforth Community Development Trust – June 4th, 2015
 - 4) Seaforth & District Community Centres Management Committee – June 11th, 2015
 - 5) Huron East Joint Health & Safety Committee – June 11th, 2015
 - 6) Brussels Morris & Grey Board of Recreation Management Committee – June 10th, 2015
- Carried.

CLOSED SESSION

Moved by Joseph Steffler and seconded by John Lowe:
That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 11:25 p.m. to go into Closed Session to discuss the following:

Closed Session

- i) 239(2)(c) – proposed or pending acquisition of land (Seaforth entrance sign)
- ii) 239(2)(f) – advice that is subject to solicitor-client privilege (status of Huron East Trusts)

Carried.

Moved by Nathan Marshall and seconded by Brenda Dalton:
That Council of the Municipality of Huron East resumes the regular Council meeting at 11:29 p.m. Carried.

Resume Regular
Council Meeting

BY-LAWS

Moved by David Blaney and seconded by Raymond Chartrand:
BE IT HEREBY RESOLVED that leave be given to introduce By-Laws No. 39, 40, 41 and 42 for 2015.

Introduce
By-Laws

By-Law 39-2015 – Temporary Road Closures Parts of Beechwood Line and Hydro Line Road, McKillop Ward – Bridge Reconstruction
By-Law 40-2015 – Repeal By-Laws 8-2004, 4-2007, 3-2011 and 5-2015 – Huron East/Seaforth Community Development Trust

By-Law 41-2015 – Repeal By-Laws 12-2004, 5-2007, 8-2011 and 4-2015 – Huron East/Brussels Community Development Trust

By-Law 42-2015 – Confirm Council Proceedings

Carried.

Moved by Brenda Dalton and seconded by Raymond Chartrand:
BE IT HEREBY RESOLVED that By-Law 39 for 2015, a by-law to temporarily close sections of Beechwood Line and Hydro Line Road, McKillop 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.

Temporary
Road Closures

Moved by Alvin McLellan and seconded by John Lowe:
BE IT HEREBY RESOLVED that By-Law 40 for 2015, a by-law to repeal By-Laws 8-2004, 4-2007, 3-2011 and 5-2015 (Huron East/Seaforth Community Development Trust), 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.

Repeal
Seaforth Trust
Amending
By-Laws

Moved by Brenda Dalton and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 41-2015, a by-law to repeal By-Laws 12-2004, 5-2007, 8-2011 and 4-2015 (Huron East/Brussels Community Development Trust), 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.

Repeal
Brussels Trust
Amending
By-Laws

Moved by Robert Fisher and seconded by John Lowe:
BE IT HEREBY RESOLVED that By-Law 42 for 2015, 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 Raymond Chartrand and seconded by Nathan Marshall:
The time now being 11:30 p.m.
That the meeting do now adjourn until July 20th, 2015 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk