

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, MARCH 15th, 2016 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors David Blaney, Alvin McLellan, John Lowe, Dianne Diehl, Robert Fisher, Nathan Marshall, Kevin Wilbee and Larry McGrath
 Councillor Raymond Chartrand arrived at 7:10 p.m.

Members Absent: Councillor Brenda Dalton

Staff Present: CAO/Clerk, Brad Knight
 Public Works Coordinator, Barry Mills
 Economic Development Officer, Jan Hawley
 Executive Assistant, Janice Andrews

CALL TO ORDER

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

CONFIRMATION OF THE AGENDA

Moved by Dianne Diehl and seconded by Joseph Steffler: Adopt Agenda
 That the Agenda for the Regular Meeting of Council dated March 15th, 2016 be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Kevin Wilbee declared a conflict of interest on the Wilfred Municipal Drain (agenda item 5.06.2.3 and 15.06.1) as he has family members involved within the drainage assessment.

Councillor Alvin McLellan declared a conflict of interest on the accounts payable (agenda item 6) as there was an invoice payable to himself.

MINUTES OF PREVIOUS MEETING

Moved by Joseph Steffler and seconded by Dianne Diehl: Meeting Minutes
 That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:
 a) Regular Meeting – March 1st, 2016 Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. CLOSED SESSION AND REPORTING OUT

Moved by Larry McGrath and seconded by Kevin Wilbee: 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 (Seaforth Public School)
 ii) 239(2)(b) – personal matters about an identifiable individual (CAO performance evaluation)
 CAO/Clerk Brad Knight and Solicitor Greg Stewart shall remain for the Closed Session.
Carried.

Moved by John Lowe and seconded by Dianne Diehl: Resume regular Council Meeting
 That Council of the Municipality of Huron East resumes the regular Council meeting at 8:00 p.m. Carried.

Mayor MacLellan reported out from the Closed Session that Council had discussed a legal issue with their solicitor concerning a property matter and had reviewed the performance evaluation of the CAO.

7:30 p.m. Dietrich Engineering Limited – Drainage Reports

Dave Ryan and Don Nolan were in attendance to hear the reading of the report on the Branch A of Ryan Municipal Drain.

Keith Wilbee, Matt Shortreed, Val Shortreed and Gary Pipe were in attendance to hear the reading of the report on the Wilfred Municipal Drain.

Branch A of Ryan Municipal Drain 2016

Bill Dietrich, P.Eng. of Dietrich Engineering Limited, attended before Council to review the Branch A of Ryan Municipal Drain 2016 Report serving part of Lots 6 and 8, Concession 5 and part of Lot 7, Concession 6, McKillop Ward. Mr. Dietrich gave a summary of his report and answered questions of Council and those in attendance at the meeting. The total estimated cost of the Branch A of Ryan Municipal Drain 2016 is \$39,400.

Dave Ryan questioned how one individual was able to submit the petition for drainage works and questioned if the petition was valid. Mr. Dietrich advised the petition was received under Section 4 of the Drainage Act, and given the area required drainage, the petition was considered valid. Mr. Ryan advised he attended the on-site meeting and information meeting but the individual who had imitated the petition was not in attendance and therefore he didn't have an opportunity to talk to the petitioner concerning the nature of the issues. Mr. Ryan also advised he did not want to proceed with either option that was stated in the report noting there are existing drains that are working adequately.

Dan Nolan also questioned the need for a new tile drainage system noting that the existing header tile in the vicinity of the proposed drain were adequate.

Moved by Kevin Wilbee and seconded by Raymond Chartrand: Engineers Report
Ryan Drain
That Council of the Municipality of Huron East accept the engineers' report on the Branch A of Ryan Municipal Drain 2016 and designate it as By-Law 20-2016 and the Court of Revision be set for Tuesday, April 5th, 2016 at 7:15 p.m. Carried.

Kirkby Municipal Drain 2016

Bill Dietrich, P.Eng. of Dietrich Engineering Limited, attended before Council to review the Kirkby Municipal Drain 2016 Report serving part of Lots 26 and 30, Concession 11 and parts of Lots 27 to 29, Concession 12, McKillop Ward. Mr. Dietrich gave a summary of his report and answered questions of Council. The total estimated cost of the Kirkby Municipal Drain 2016 is \$174,100.

Moved by Alvin McLellan and seconded by David Blaney: Engineers Report
Kirkby Drain
That Council of the Municipality of Huron East accept the engineers' report on the Kirby Municipal Drain 2016 and designate it as By-Law 18-2016 and the Court of Revision be set for Tuesday, April 5th, 2016 at 7:15 p.m. Carried.

Wilfred Municipal Drain 2016

Bill Dietrich, P.Eng. of Dietrich Engineering Limited, attended before Council to review the Wilfred Municipal Drain 2016 Report serving part of Lots 31 and 32, Concession 14 in the McKillop Ward and parts of Lots 26 and 27, Concession 10 in the Municipality of Morris-Turnberry < Morris Ward. Mr. Dietrich gave a summary of his report and answered questions of Council. The total estimated cost of the Wilfred Municipal Drain 2016 is \$177,500.

Matt Shortreed questioned the maintenance responsibilities for the section of the drain going through the bush. Mr. Dietrich indicated that a working area would be cleared to construct the drain and that the municipal Drainage Superintendent would be obligated to maintain the municipal drain

Moved by John Lowe and seconded by Dianne Diehl: Engineers Report
Wilfred Drain
That Council of the Municipality of Huron East accept the engineers' report on the Wilfred Municipal Drain 2016 and designate it as By-Law 19-2016 and the Court of Revision be set for Tuesday, April 5th, 2016 at 7:15 p.m. Carried.

8:15 p.m. Citizens Concerned about Health Impacts from Wind Turbines

Carol Ryan, Joanne Ryan, Jim Ryan, Ken Flanagan, Tom Melady, Gary Cronin, Ann Cronin, Jen Dixon, Jeff Ryan and Allison Dekroon attended the meeting to hear the presentation of Jeanne Melady and Gerry Ryan on behalf of Citizens Concerned about Health Impacts.

On behalf of Citizens Concerned about Health Impacts, Jeanne Melady and Gerry Ryan attended before Council requesting the following from Council:

- to acknowledge the health related problems reported by some families in proximity to wind turbines
- to pass a resolution noting support for the Huron County Health Unit investigation into the health complaints received from residents living near Industrial Wind Turbines
- to request delay of any reconsideration of a vibrancy fund until the Medical Officer of Health has completed the investigation into the health complaints.

Council were provided copies of the following documents:

- resolution supporting the Huron County Health Unit investigation into health complaints from residents living near Industrial Wind Turbines
- Health Impact of the Kingsbridge 2 Wind Turbine Project – on behalf of residents of Ashfield-Colborne-Wawanosh
- March 4th, 2016 Report to the Huron County Health Unit – Health Concerns form Industrial Wind Turbines
- Statements from Residents in Huron County describing the impact of wind turbine projects
- Section 11 of the *Health Protection and Promotion Act*

Jeanne Melady advised that complaints have been forwarded to the Huron County Medical Officer of Health and a deputation was made to the Board of Health on March 3rd, 2016. It was noted that the Medical Officer of Health advised under Section 11 of the *Health Protection and Promotion Act* she had an obligation to investigate the significant number of health concerns and a survey is being conducted and a report will be presented to the Board and the matter was tabled until April 2nd meeting.

Gerry Ryan advised the resolution presented for support was passed by the Multi-Municipal Wind Group and would be circulated to active members and across Huron County. Mayor MacLellan noted that it would be appropriate for Council to consider the resolution once it was circulated.

ACCOUNTS PAYABLE

Moved by Nathan Marshall and seconded by Raymond Chartrand: Accounts
That the accounts payable in the amount of \$2,501,684.10 be approved for payment. Payable
Carried.

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Finance Manager-Treasurer/Deputy Clerk – 2016 Budget – 3rd Draft

The CAO/Clerk reviewed the report in detail noting the discussion by Council to consider an increase in ice rental rates by \$15/hour would result in additional revenue for 2016 based on current hours of \$5,418 for Brussels Morris Grey Community Centre and \$9,159 for Seaforth & District Community Centres. It was noted that the budgets for the recreation centres had not been adjusted and if rate increases were implemented, it would provide some additional funding to their budgets. It was also noted, as per the direction of Council, that no working capital reserves will be utilized to decrease the impact of the 2016 Budget increases.

In conclusion, the CAO noted that the budget was now balanced with an overall municipal levy increase of 20.18%. The municipal levy combined with the draft County and estimated Education levies results in an overall total levy increase in Huron East of 9.7%. The final public budget meeting is scheduled for April 5th, 2016.

Councillor Fisher advised he had received complaints on the overall municipal levy increase of 20.18% and questioned whether further cuts, in particular to the recreation facilities, could be made to reduce the municipal levy to 10%. Mayor MacLellan agreed there will be concerns with the budget and cuts have been made, but to maintain current service levels, increases were necessary. The CAO noted that at the commencement of the 2016 budget process, Council were advised that 2016 provincial funding cut would require a 15.4% levy increase to maintain overall budget funding at the 2015 levels.

Vanastra Early Childhood Learning Centre – Wage Enhancement

Finance Manager-Treasurer/Deputy Clerk Paula Michiels provided a report outlining the Vanastra Early Childhood Learning Centre wage enhancement provided by the Ministry of Education for 2016. The CAO/Clerk reviewed the report noting the support from the Ministry of Education is for a three year period, although if the funding was discontinued, there is no obligation for the Municipality to continue to provide the enhancement.

Moved by Raymond Chartrand and seconded by Nathan Marshall: Day Care Wage
That Council of the Municipality of Huron East approve the implementation of the Enhancement
Child Care Wage Enhancement for eligible Vanastra Early Childhood Learning Centre
staff effective January 1st, 2016. Carried.

Additional Grant Requests

CAO/Clerk Brad Knight reviewed his report to Council regarding additional grant requests yet to be dealt with by Council. It was noted that grant requests have been received from the following:

1. North Woods (Grey Central) School Council for assistance with the \$25,000 cost to improve playground equipment.
2. Clinton Public Hospital Foundation – requesting support of the Gala Event being held June 11th, 2016 – historically supported with a \$500 bronze sponsorship.
3. Wingham Hospital Foundation – towards the \$4 million fundraising campaign for renovations/expansions – motion currently tabled for more information.
4. Building Bridges to our Future – FE Madill Track & Sports Field – estimated project cost was \$720,000 and suggested funding of \$25,000 from small municipalities – motion currently tabled for more information.

Moved by David Blaney and seconded by Raymond Chartrand:
That Council of the Municipality of Huron East authorize a financial donation in the amount of \$500.00 to the Clinton Public Hospital Foundation Dinner Auction Gala.

Donation
Clinton Public
Hospital Gala
Fundraiser

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East authorize a financial donation in the amount of \$1,000.00 towards the North Woods Elementary School ‘Improving Our Outdoor Space Fundraiser’. Carried.

Donation
North Woods
Elementary School

Moved by John Lowe and seconded by Dianne Diehl:
That Council of the Municipality of Huron East note and file the grant request from Building Bridges to Our Future (FE Madill Track & Field). Carried.

Note and File
Grant Request
FE Madill Track

Moved by Nathan Marshall and seconded by John Lowe:
That Huron East Council receive the following Reports of Municipal Officers as presented:

- 1) Finance Manager-Treasurer/Deputy Clerk
- 2) CAO/Clerk

Receive
Municipal
Reports

Carried.

CORRESPONDENCE

Moved by Dianne Diehl and seconded by Larry McGrath:
That Council of the Municipality of Huron East note and file the resolutions from the City of Cambridge and Town of Aurora and the City of Markham to limit the jurisdiction of the Ontario Municipal Board to questions of law or process. Carried.

Note and File
Resolutions
Cambridge, Aurora
and Markham

Moved by Raymond Chartrand and seconded by Nathan Marshall:
That Council of the Municipality of Huron East note and file the resolution of the City of Hamilton reaffirming support for the *Safer Communities and Neighbourhood Act*. Carried.

Note and File
Resolution
City of
Hamilton

Moved by Raymond Chartrand and seconded by Nathan Marshall:
That the Municipality of Huron East book a table at a cost of \$400 at the Huron County Federation of Agriculture 75th Anniversary on April 9th, 2016. Carried.

Fed. of Agr.
Anniversary

Moved by John Lowe and seconded by David Blaney:
That the request of the Brussels Tigers Fastball Club to declare their 45th annual fastball tournament being held in Brussels from July 22nd to 24th, 2016 to be declared as a municipally significant event be approved by Council;
AND FURTHER that the Municipality of Huron East Alcohol Policy be complied with, with specific reference to Regulation 11 of said Policy, being a minimum of \$2,000,000 in liability insurance naming the Municipality as an additional insured;
AND FURTHER that the Brussels Tigers Fastball Club covenants to save harmless and keep indemnified The Corporation of the Municipality of Huron East, its officers, employees, servants, agents, successors and assigned against any and all liability for losses, damages, claims, action demands, suits, and costs arising directly or indirectly by virtue of the Municipality of Huron East allowing the Brussels Tigers Fastball Club use of the Property/Facility for this event. The Municipality of Huron East shall not be responsible for any accidents, injury, or loss of property to the Brussels Tigers Fastball Club. Carried.

Brussels
Tigers Fastball
Club Tournament

UNFINISHED BUSINESS

Councillor Lowe requested the Wingham District Hospital Funding request be listed on unfinished business until a decision has been made on a contribution towards the fundraising campaign.

Councillor McGrath requested the Goderich-Exeter Railway Company Ltd. be listed on unfinished business until a response has been received regarding the lease agreements for the 4 railway crossings in Seaforth.

MUNICIPAL DRAINS

Moved by Alvin McLellan and seconded by Dianne Diehl: Request Drain Improvement Johnston Municipal Drain
That Council of the Municipality of Huron East accept the Notice of Request for Drain Improvement on the Johnston Municipal Drain on Lot 3, Lot 4 and Lot 5, Concession 15, Grey Ward and appoint GM Blueplan Engineering to prepare a report 30 days after notification to the Conservation Authority. Carried.

PLANNING

Moved by Dianne Diehl and seconded by Alvin McLellan: No Objection Severance B2/16 Cochrane
That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds and has no objection to the severance application B2/16 of Don and Evon Cochrane on Part Lots 29 and 30, Concession 7, Grey Ward subject to the conditions as per the resolution of Council dated March 1st, 2016. Carried.

COUNCIL REPORTS**Councillor Chartrand – Vanastra Recreation Centre Committee**

Councillor Chartrand provided an update on the VRC budget and various grant applications that are in the process of being completed. Councillor Chartrand also noted that since 2010 rates at the facility have been increased as needed by approximately 20%. Councillors were also advised the Committee will be hosting their annual Chicken Dinner Fundraiser on April 22nd.

NOTICE OF MOTION**Vanastra Recreation Centre – Trillium Grant Application**

Moved by Raymond Chartrand and seconded by Larry McGrath: Support/Endorse Trillium Grant Application VRC
That Council of the Municipality of Huron East support and endorse a grant application to the Ontario Trillium Foundation for the accessibility upgrades to the parking lot paving project at the Vanastra Recreation Centre. Carried.

INFORMATION ITEMS

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

- 1) Vanastra Recreation Centre Committee – March 8th, 2106

Carried.

OTHER BUSINESS**Citizens Concerned about Health Impacts (Agenda Item 5.06.3)**

Council deferred the resolution to support the Huron County Health Unit investigation into health complaints from residents living near Industrial Wind Turbines until a report has been received from the Huron County Health Unit.

BY-LAWS

Moved by John Lowe and seconded by Joseph Steffler: Introduce By-Laws
BE IT HEREBY RESOLVED that leave be given to introduce By-Laws No. 18, 19, 20 and 21 for 2016.

By-Law 18-2016 – Kirkby Municipal Drain 2016 (1st and 2nd readings)

By-Law 19-2016 – Wilfred Municipal Drain 2016 (1st and 2nd readings)

By-Law 20-2016 – Branch A of Ryan Municipal Drain 2016 (1st and 2nd readings) Carried.

Moved by Kevin Wilbee and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 18 for 2016, a by-law to provide for borrowing on the credit of the Municipality the sum of \$174,100 for completion of the Kirkby Municipal Drain 2016, be given first and second readings. Carried.

Kirkby
Municipal Drain

Moved by Alvin McLellan and seconded by David Blaney:
BE IT HEREBY RESOLVED that By-Law 19-2016, a by-law to provide for borrowing on the credit of the Municipality the sum of \$177,500 for completion of the Wilfred Municipal Drain 2016, be given first and second readings. Carried.

Wilfred
Municipal Drain

Moved by Larry McGrath and seconded by Raymond Chartrand:
BE IT HEREBY RESOLVED that By-Law 20-2016, a by-law to provide for borrowing on the credit of the Municipality the sum of \$39,400 for completion of the Branch A of Ryan Municipal Drain 2016, be given first and second readings. Carried.

Branch A
Ryan Municipal
Drain

CONFIRMATORY BY-LAW

Moved by Joseph Steffler and seconded by Dianne Diehl:
BE IT HEREBY RESOLVED that By-Law 21 for 2016, 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 John Lowe and seconded by Kevin Wilbee:
The time now being 10:17 p.m.
That the meeting do now adjourn until April 5th, 2016 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk