

**MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES  
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO  
TUESDAY, OCTOBER 4<sup>th</sup>, 2016 – 7:00 P.M.**

**Members Present:** Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler  
Councillors Alvin McLellan, David Blaney,  
Brenda Dalton, John Lowe, Kevin Wilbee, Nathan Marshall,  
Robert Fisher, Larry McGrath and Raymond Chartrand

**Members Absent:** Councillor Dianne Diehl

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

Harry Zwep and George Zwep were in attendance to hear the discussion on the Engineers' Report for the Johnston Municipal Drain Branch 'B' 2016.

Derick Bachert and Kaitlynn Bachert were in attendance to hear the discussion on the proposed Zoning By-Law Amendment on Lot 21, Concession 14, McKillop Ward.

Stephen Perin and Richard Green were in attendance to hear the discussion on their request to use 94 Coleman Street, Seaforth Ward as a private garden during the growing season.

Thomas Cormier was in attendance to hear the proceedings of Council.

**CALL TO ORDER**

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

**CONFIRMATION OF THE AGENDA**

*Moved* by Larry McGrath and seconded by Joseph Steffler: Adopt  
Agenda  
That the Agenda for the Regular Meeting of Council dated October 4<sup>th</sup>, 2016 be adopted as circulated. Carried.

**DISCLOSURE OF PECUNIARY INTEREST**

**MINUTES OF PREVIOUS MEETING**

*Moved* by Nathan Marshall and seconded by Raymond Chartrand: Meeting  
Minutes  
That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:  
a) Regular Meeting – September 20<sup>th</sup>, 2016  
b) Public Meeting – September 20<sup>th</sup>, 2016

Carried.

## **PUBLIC MEETINGS/HEARINGS AND DELEGATIONS**

### 7:00 p.m. Johnston Municipal Drain Branch ‘B’ 2016 – Engineers’ Report

Matt Ash, Senior Project Manager with GM BluePlan attended before Council to present the Engineer’s Report for the Johnston Municipal Drain Branch ‘B’ 2016. He noted the Johnston Municipal Drain (Grey ward) was originally constructed in 1922 and the work proposed is replacement of the existing Branch ‘B’ beginning with the existing outlet into Branch ‘A’ on Part Lot 3, Concession 16, upstream to the property line of Lot 4, East Part Lot 3, Concession 16 and South Part Lot 5, Concession 16. The new drain will have the capacity to accommodate current drainage standards and eliminate ponding in the upstream areas.

Mr. Ash advised that a recent severance occurred in the watershed area and a small adjustment to the watershed area, construction cost assessment, and maintenance assessment schedules for the proposed improvements to the Johnston Drain will be necessary. The change will not affect the design of the improved system, nor the total estimated cost. The proposed changes to the assessment schedules will be provided to the upcoming Court of Revision for final consideration.

*Moved* by Brenda Dalton and seconded by Raymond Chartrand:  
Engineers’ Report

That Council of the Municipality of Huron East accept the engineers’ report on Johnston Drain the Johnston Municipal Drain Branch ‘B’ 2016 and designate it as By-Law 67-2016 and the Court of Revision be set for Tuesday, November 1<sup>st</sup>, 2016 at 7:05 p.m.  
Carried.

## **REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

### Economic Development Officer – OACFDC Award Presentation

Economic Development Officer Jan Hawley advised the ‘Win This Space’ competition has received the Community Economic Development Award of Excellence at the Community Futures Ontario’s 23<sup>rd</sup> Annual Conference. A video describing the competition was viewed by Council.

### 7:15 p.m. Huron County Senior Planner Claire Dodds Zoning By-Law Amendment – Lot 21, Concession 14, McKillop Ward (Bachert)

Senior Planner Claire Dodds attended before Council to review the report on the proposed zoning amendment affecting Lot 21, Concession 14, McKillop Ward. She noted that Council had deferred making a decision on the application at the August 9<sup>th</sup>, 2016 meeting to allow the applicant time to respond to the concerns from neighbours and for staff to obtain further information from the Ministry of Agriculture & Rural Affairs and the Ministry of the Environment & Climate Change about the provincial regulations that apply to abattoirs.

Council were advised that a conference call between Claire Dodds, Brad Knight, Heather

Pollard (MOECC), Andrew Torrie (MOECCC) and Jacqui Empson-Laport (OMAFRA) occurred on September 9<sup>th</sup>, 2016 to review the questions raised at the August 9<sup>th</sup> public meeting and to obtain more information regarding the provincial licensing and enforcement requirements that apply to the Bachert Meats abattoir. Separate phone calls also occurred with Mark Mitchell (OMAFRA – Meat Inspection Branch) and Carol Neuman (OMAFRA – Land Use Planner).

Carol Neuman, OMAFRA Land Use Planner confirmed the proposed use was an agricultural-related use. Mark Mitchell, Area Manager, Meat Inspection Program, OMAFRA provided written and verbal confirmation that Bachert Meats Inc. is a provincially licensed meat plant in good standing. Heather Pollard, District Supervisor, Owen Sound District Office, MOECC and Mr. Andrew Torrie, an Agricultural Environment Officer, Owen Sound District Office, MOECC have provided written and verbal confirmation that there are no outstanding orders issued to the Bacherts, and the Bacherts have a current NASM plan. MOECC staff and Jacque Empson Laport, OMAFRA's local Agricultural Environmental Specialist are aware and have been responding to ongoing odour complaints but have not confirmed offsite impacts of odours since modifications were made to the storage tank earlier in 2016.

Ms Dodds noted that the additional information from OMAFRA and MOECC staff regarding the provincial approvals and the enforcement system for complaints under the Nutrient Management Act was helpful to address concerns from neighbours and to assist staff in evaluating the application. She noted that many of the concerns raised about Bachert Meats are not matters that are under the direct control of the municipality and that Provincial staff will continue to monitor the Bachert Meats abattoir for compliance with provincial standards and will continue to respond to complaints should they arise.

Senior Planner Claire Dodds advised that the application conforms to the Huron East Official Plan, the Huron County Official Plan and is consistent with the Provincial Policy Statement and recommended Council approve the zoning by-law amendment application.

## **ACCOUNTS PAYABLE**

## **REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

### **Public Works Coordinator – Seaforth Connecting Link (Winter Maintenance for 2016-2017)**

Public Works Coordinator Barry Mills advised that Owen Sound Highway Maintenance Limited is offering winter maintenance service for the connecting link on Highway 8 through the Ward of Seaforth for the 2016/2017 season at a cost of \$5,440.95 plus HST. The level of service required for the connecting link is 24/7 bare to centre bare with the parking lanes plowed when time permits. A by-law to authorize an Agreement with IMOS for the connecting link maintenance in Seaforth Ward will be considered later in the meeting.

### **CAO/Clerk – Clean Water & Wastewater Fund – Ontario Community Infrastructure Top-Up Component**

CAO/Clerk Brad Knight reviewed his report to Council concerning two recent grant funding announcements and potential projects that could be submitted for funding.

The CAO noted that the Clean Water & Wastewater Fund would be shared between three levels of government on a 50/25/25 basis to a predetermined maximum level of funding. This program is not competitive based, but an application must be submitted for approval prior to October 31<sup>st</sup>, 2016. The Ontario Community Infrastructure Top-Up Component fund is competitive and applications must be submitted prior to October 21<sup>st</sup>, 2016. Municipalities that received less than \$2 million in formula based grants for 2017 and 2018 are eligible.

**Moved** by Raymond Chartrand and seconded by Larry McGrath: Ontario  
 Water &  
 That Council of the Municipality of Huron East authorize a grant application under  
 Wastewater Fund  
 the Clean Water & Wastewater Fund for the infrastructure reconstruction of parts of  
 Winnipeg Road and Toronto Boulevard in Vanastra at an estimated cost of \$811,000.  
 Carried.

**Moved** by Larry McGrath and seconded by Raymond Chartrand:  
 Ontario  
 That Council of the Municipality of Huron East authorize a grant application under  
 Community  
 the Ontario Community Infrastructure (OCIF) Top-Up Fund for the infrastructure  
 Infrastructure  
 reconstruction of Regina Road (Vanastra) at an estimated cost of \$1,145,000. Carried. Top-  
 Up Fund

**Moved** by Nathan Marshall and seconded by Kevin Wilbee: Receive  
 That Huron East Council receive the following Reports of Municipal Officers Reports  
 as presented: Municipal  
 1) Economic Development Officer Officers  
 2) Public Works Coordinator  
 3) CAO/Clerk

Carried.

7:45 p.m. Matt Chapman, Lawyer with The Ross Firm Corporation

Mr. Matt Chapman, lawyer with The Ross Firm Professional Corporation representing Stephen Perin and Richard Green, attended before Council to request use of a portion of municipal property known as 94 Coleman Street, Seaforth Ward as a private garden during the growing season. Council were advised that Mr. Perin and Mr. Green had purchased their property which is adjacent to 94 Coleman Street in 2014. Mr. Chapman advised that at the time of purchase through their real estate agent, there was a verbal agreement for his clients to use a portion of 94 Coleman Street as a garden in exchange for cutting and maintaining the grass on the municipal lot. It was also noted that several fruit trees have been planted on the municipal lot. Mr. Chapman advised Council his clients are requesting that Council allow them to use a portion of the municipal lot known as 94 Coleman Street as a private garden during the growing season. The estimated size of the private garden would be 150' x 65' and fencing would be installed to protect their investment.

**CORRESPONDENCE**

**Moved** by David Blaney and seconded by Alvin McLellan: No

Objection

WHEREAS Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0;  
 AND WHEREAS Chad Fischer (the “Applicant”) proposes to construct and operate a On Farm BioGas Project – 100 kw (the “Project”) on 41351-0019, Lot 8, Concession 9, Grey Ward  
 Grey, Huron East (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 5.0, 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 any other purpose.

Carried.

*Moved* by Alvin McLellan and seconded by David Blaney:

Objection

WHEREAS Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0;  
 AND WHEREAS C. W. Fischer Farms Ltd. (the “Applicant”) proposes to construct and operate a On Farm BioGas Project – 250 kw (the “Project”) on 41351-0018, Lot 9, Concession 9, Grey Ward  
 Concession 9, Grey, Huron East (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 5.0, 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 any other purpose.

Carried.

**Moved** by Brenda Dalton and seconded by Kevin Wilbee:

Objection

No

WHEREAS Capitalized terms not defined herein have the meanings ascribed to them

On-Farm

Biogas

in the FIT Rules, Version 5.0;

Project

AND WHEREAS 1697679 ONTARIO LIMITED (the “Applicant”) proposes to

Lot 6,

Con. 9

construct and operate a Biogas (on-farm) (the “Project”) on LT 6 CON 9 MCKILLOP

Lot 6,

Con. 10

EXCEPT PT 6, 22R1330; S1/2 LT 6 CON 10 MCKILLOP (the “Lands”) in the

McKillop

Ward

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 5.0, 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 any other purpose.

Carried.

**Moved** by Robert Fisher and seconded by Nathan Marshall:

Agreement

WHEREAS Council of the Municipality of Huron East entered into a

Bell

Mobility Inc.

Telecommunications Structure Licence Agreement & Municipal Access Agreement

Water

Tower

with Bell Mobility Inc. dated September 1<sup>st</sup>, 2011 and authorized by By-Law 3-2012

Seaforth

Ward

with respect to the Water Tower, 85 Daly Street, Seaforth Ward;

AND WHEREAS Bell Mobility Inc. have provided notice of intent to exercise its first

option to renew the Initial Term of a Lease Agreement for a further five (5) year period

as per Section 3 of the Licence Agreement;

AND WHEREAS Schedule ‘C’ Section 2 of said Lease Agreement states that provided

the Licensee shall have exercised its first (1<sup>st</sup>) option to renew the licence, during the

period commencing on February 1<sup>st</sup>, 2017 and ending January 31<sup>st</sup>, 2022, the Licensee

shall pay to the Licensor an annual Licence Fee in the amount of Nine Thousand Two

Hundred and Seventy Four Dollars (\$9,274.00) plus applicable taxes, payable in advance;

NOW THEREFORE Council of the Municipality of Huron East authorizes the first (1<sup>st</sup>)

option to renew the Lease Agreement for a successive term of five (5) years and the Lease Agreement as renewed remains in full force and effect pursuant to the terms of the original Lease Agreement.

Carried.

**Moved** by John Lowe and seconded by Kevin Wilbee:

Note &

File

That Council note and file the resolution from the Municipality of Dutton Dunwich  
Resolution

calling on the Province of Ontario to provide a 100% Hydro rate reduction to  
Municipality of

residential occupants and businesses or commercial operations in Dutton Dunwich  
Dunwich

Dutton

in order to compensate for the hosting of a wind project and to assist to build up its  
Ontario citizens and economy. Carried.

**Moved** by Larry McGrath and seconded by Raymond Chartrand:

Note &

File

That Council of the Municipality of Huron East note and file the resolution of the  
Resolution

City of Belleville concerning proposed changes to Ontario Regulation 63/09 and the  
Belleville

City of

impact that it will have on the consulting relationships between Certified Crop Advisors  
and the Ontario farming community. Carried.

## **UNFINISHED BUSINESS**

### **MUNICIPAL DRAINS**

### **PLANNING**

## **COUNCIL REPORTS**

### **Councillor Blaney – R2R Conference, Blyth**

Councillor Blaney attended the R2R Conference held recently in Blyth, advising it was an excellent conference and there was a high level of interesting discussion on rural medicine, rural economy and rural leadership.

### **Mayor MacLellan – BMGCC – Sprung Instant Structures Ltd.**

Mayor MacLellan advised that at the AMO Conference he was speaking with a representative from Sprung Instant Structures Ltd. The Mayor advised these types of structures have low construction costs and lower overall operating costs, particularly beneficial for ice arenas. A short video was presented to Council on the Collingwood Pool & Ice Arena complex where the structure was used. The Mayor suggested this type of structure may be something that could be considered for the Brussels Morris & Grey Community Centre and questioned whether Council wanted to pursue this possibility further. Councillor John Lowe advised he would refer this matter to the BMGCC committee at their next regular meeting for comment.

### **Mayor MacLellan – Advanced Care Paramedic (ACP) Program**

Mayor MacLellan advised the correspondence that was forwarded to the County of Huron supporting the resolution of the Municipality of Bluewater requesting the County review the decision to cancel Advanced Care Paramedic Services in Huron County was noted and filed by County Council.

Councillor Fisher – Crosswalk – Seaforth Ward

Councillor Fisher suggested the request to the County of Huron for a lighted designated crosswalk in Seaforth that was removed from the 2016 budget be considered again for the 2017 budget and this matter be included on the next Council meeting agenda for discussion.

**INFORMATION ITEMS**

*Moved* by David Blaney and seconded by Alvin McLellan:  
Board/Committee

That Huron East Council receive the following Board and Committee Meeting Minutes

Meeting Minutes as submitted:

- 1) Huron East/Brussels Community Development Trust – September 22<sup>nd</sup>, 2016
- 2) Seaforth & District Community Centre Management Committee – September 15<sup>th</sup>, 2016
- 3) Vanastra Recreation Centre Committee – September 14<sup>th</sup>, 2016
- 4) Huron East Water & Sewer Committee – September 13<sup>th</sup>, 2016

Carried.

**OTHER BUSINESS**

Delegation Request – 94 Coleman Street, Seaforth Ward

Council discussed the request of Stephen Perin and Richard Green to use a portion of municipal property known as 94 Coleman Street, Seaforth Ward as a private garden during the growing season. Council directed staff to prepare a report to Council with three options to consider including rental of the land, shared use of the land and no use of the land. The CAO advised that he would discuss the matter further with Mr. Chapman and report back with options for Council to consider.

**BY-LAWS**

*Moved* by John Lowe and seconded by Nathan Marshall:

BE IT HEREBY RESOLVED that leave be given to introduce

Introduce

By-Laws No. 52, 64, 65, 66, 67 and 68 for 2016.

By-Laws

By-Law 52-2016 – Zoning Amendment – Lot 21, Concession 14, McKillop Ward  
(Bachert)

By-Law 64-2016 – Authorize Site Plan Control Agreement – Lot 1, Plan 133, Vanastra,  
Tuckersmith Ward (Pickett)

By-Law 65-2016 – Authorize Agreement – Integrated Maintenance Operations Services  
Inc. – Connecting Link Maintenance – Highway 8, Seaforth Ward



By-Law 66-2016 – Authorize Ontario Community Infrastructure Fund – Formula-Based Component Agreement  
 By-Law 67-2016 – Johnston Municipal Drain Branch ‘B’ 2016 (1<sup>st</sup> and 2<sup>nd</sup> readings)  
 By-Law 68-2016 – Confirm Council Proceedings

Carried.

**Moved** by Kevin Wilbee and seconded by Brenda Dalton: Zoning  
 BE IT HEREBY RESOLVED that By-Law 52-2016, a by-law to amend the zoning  
 Amendment Lot 21,  
 on Lot 21, Concession 14, McKillop Ward, be given first, second, third and final McKillop  
 Con. 14 Bachert  
 readings and signed by the Mayor and Clerk, and the Seal of the Corporation be Site Plan  
 Ward Control  
 affixed thereto. Carried.

**Moved** by Larry McGrath and seconded by Raymond Chartrand: Site Plan  
 BE IT HEREBY RESOLVED that By-Law 64 for 2016, a by-law to authorize a Control  
 Agreement BE IT HEREBY RESOLVED that By-Law 64 for 2016, a by-law to authorize a  
 Site Plan Control Agreement on Lot 1, Plan133, Vanastra, Tuckersmith Ward Agreement  
 Plan 133 Site Plan Control Agreement on Lot 1, Plan133, Vanastra, Tuckersmith Ward Lot 1,  
 (Pickett), be given first, second, third and final readings and signed by the Mayor Plan 133 (Pickett), be given first, second, third and final readings and signed by the Mayor Vanastra  
 and Clerk, and the Seal of the Corporation be affixed thereto. Carried. and Clerk, and the Seal of the Corporation be affixed thereto. Carried. Pickett

**Moved** by Nathan Marshall and seconded by Robert Fisher: IMOS  
 Agreement BE IT HEREBY RESOLVED that By-Law 65 or 2016, a by-law to authorize an IMOS  
 BE IT HEREBY RESOLVED that By-Law 65 or 2016, a by-law to authorize an Agreement with Integrated Maintenance Operations Services Inc. for Connecting  
 Agreement with Integrated Maintenance Operations Services Inc. for Connecting Connecting Link IMOS  
 Connecting Link Link Maintenance, Seaforth Ward, be given first, second, third and final readings Seaforth  
 Link Maintenance, Seaforth Ward, be given first, second, third and final readings Ward and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed  
 Ward and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.  
 and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

**Moved** by Nathan Marshall and seconded by Alvin McLellan: OCIF  
 BE IT HEREBY RESOLVED that By-Law 66 for 2016, a by-law to authorize a Formula-  
 Based Ontario Community Infrastructure Fund – Formula-Based Component Agreement, Component  
 Ontario Community Infrastructure Fund – Formula-Based Component Agreement, Component  
 Component be given first, second, third and final readings and signed by the Mayor and Clerk,  
 be given first, second, third and final readings and signed by the Mayor and Clerk, Agreement  
 Agreement and the Seal of the Corporation be affixed thereto. Carried.  
 and the Seal of the Corporation be affixed thereto. Carried.

**Moved** by Kevin Wilbee and seconded by David Blaney: Johnston  
 Drain BE IT HEREBY RESOLVED that By-Law 67 for 2016, a by-law to authorize 1<sup>st</sup> and 2<sup>nd</sup>  
 BE IT HEREBY RESOLVED that By-Law 67 for 2016, a by-law to authorize reading  
 reading borrowing on the credit of the Municipality for completion of the Johnston  
 borrowing on the credit of the Municipality for completion of the Johnston

Municipal Drain Branch 'B' be given first and second reading. Carried.

**CLOSED SESSION AND REPORTING OUT**

**CONFIRMATORY BY-LAW**

*Moved* by Joseph Steffler and seconded by John Lowe:  
BE IT HEREBY RESOLVED that By-Law 68 for 2016, a by-law to confirm the  
proceedings of Council, be given first, second, third and final readings and signed  
Proceedings  
by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.  
Carried.

Confirm  
Council

**ADJOURNMENT**

*Moved* by John Lowe and seconded by Joseph Steffler:  
Adjournment  
The time now being 9:17 p.m.  
That the meeting do now adjourn until October 18<sup>th</sup>, 2016 at 7:00 p.m. Carried.

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Bernie MacLellan, Mayor

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Brad Knight, CAO/Clerk