

**MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**  
**HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO**  
**TUESDAY, MARCH 21<sup>st</sup>, 2017 – 7:00 P.M.**

**Members Present:** Mayor Bernie MacLellan,  
 Councillors David Blaney, Dianne Diehl, Alvin McLellan,  
 Brenda Dalton, Kevin Wilbee, Nathan Marshall, Robert Fisher,  
 Larry McGrath and Raymond Chartrand

**Members Absent:** Deputy Mayor Joseph Steffler and Councillor John Lowe

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

Jim McNichol, Bob Eaton and Ken Devereaux attended the meeting to hear the discussion on the proposed By-Law 25-2017 to stop up, close and sell part of Silver Creek Road.

Emilie Duval and Jared MacLellan attended the meeting to hear the proceedings of Council.

Mark Horst attended the meeting to hear the discussion on By-Law 24-2017 to authorize a Site Plan Control Agreement on Part Lots 69 and 70, Concession 1, Grey Ward, as he is the owner of the property.

**CALL TO ORDER**

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

**CONFIRMATION OF THE AGENDA**

*Moved* by Dianne Diehl and seconded by Nathan Marshall: Adopt Agenda  
 That the Agenda for the Regular Meeting of Council dated March 21<sup>st</sup>, 2017 be adopted as circulated. Carried.

**DISCLOSURE OF PECUNIARY INTEREST**

Councillor Alvin McLellan declared a pecuniary interest on agenda item 15.06.2 concerning the Tindell Municipal Drain as he is an owner of lands assessed under the drainage works.

Councillor David Blaney declared a pecuniary interest on agenda item 8.06.2 concerning the appointment of a municipal representative on the Ausable Bayfield Maitland Valley Source Protection Committee as he is the representative appointed to that Committee.

**MINUTES OF PREVIOUS MEETING**

*Moved* by Nathan Marshall and seconded by Brenda Dalton: Meeting Minutes  
 That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:  
 a) Regular Meeting – March 7<sup>th</sup>, 2017  
 b) Public Meeting – March 7<sup>th</sup>, 2017 Carried.

**PUBLIC MEETINGS/HEARINGS AND DELEGATIONS**

7:00 p.m. Bruce Municipal Drain 2017 – Engineers' Report

Matt Ash, Senior Project Manager with GM BluePlan Engineering attended before Council to present the Engineer's Report for the Bruce Municipal Drain 2017 serving Lots 12 to 14, Concessions 16, 17 and 18, Grey Ward. Mr. Ash advised that based on the information obtained at the on-site meeting and the subsequent topographical survey, it has been determined that the tile drain that currently services the landowners contained within the watershed does not have sufficient size to convey runoff flows. Complete replacement of the existing drain has been proposed, with capacity to accommodate current drainage standards and eliminate wet areas, blowouts and plugs of drainage structures.

**Moved** by Raymond Chartrand and seconded by Brenda Dalton: Engineer's  
That Council of the Municipality of Huron East accept the Engineers' Report on the Report  
Bruce Municipal Drain 2017 and designate it as By-Law 21-2017 and the Court of Bruce Municipal  
Revision be set for Tuesday, April 18<sup>th</sup>, 2017 at 7:00 p.m. Carried. Drain 2017

7:05 p.m. McKee Municipal Drain 2017 – Engineers' Report

Matt Ash, Senior Project Manager with GM BluePlan Engineering attended before Council to present the Engineer's Report for the McKee Municipal Drain 2017 serving Lots 19 to 23, Concessions 6 and 7, Grey Ward. Mr. Ash advised that based on the information obtained at the on-site meeting, from previous reports, the topographic survey, and a site inspection, it was determined that the tile drain that currently services the landowners contained within the watershed does not have sufficient size to convey runoff flows. Wet areas were noticed in multiple areas along the existing drain, as well as areas of localized ponding. Full replacement of the existing drain has been proposed, with capacity to accommodate current drainage standards.

**Moved** by Brenda Dalton and seconded by Raymond Chartrand: Engineers'  
That Council of the Municipality of Huron East accept the Engineers' Report on the Report  
McKee Municipal Drain 2017 and designate it as By-Law 22-2017 and the Court of McKee Municipal  
Revision be set for Tuesday, April 18<sup>th</sup>, 2017 at 7:00 p.m. Carried. Drain 2017

**ACCOUNTS PAYABLE**

**Moved** by Dianne Diehl and seconded by Nathan Marshall: Accounts  
That the accounts payable in the amount of \$2,855,058.19 be approved for Payable  
payment. Carried.

**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

Finance Manager-Treasurer/Deputy Clerk – 2017 Budget – 3<sup>rd</sup> Draft

Finance Manager-Treasurer/Deputy Clerk Paula Michiels presented the 3<sup>rd</sup> draft of the 2017 Budget for consideration by Council. The Finance Manager advised the following adjustments have been made to the budget as directed by Council:

- cut the Public Works backhoe (\$150,000)
- add the estimated costs to repair the backhoe \$19,000
- adjust the municipal levy increase to 5% through the one time draw on the Bridge reserves

In conclusion, the Finance Manager noted that the budget was now balanced with a 5% Municipal levy increase. The County levy increase is 4.3% but because of shifts in farmland values, Huron East's overall levy for the County is 9.31% higher. This shift is beyond the control of Huron East. The Education tax rate has not been released by the Province and once this number is available, the overall tax levies by ward can be provided. The final public budget meeting is scheduled for April 4<sup>th</sup>, 2017.

Finance Manager-Treasurer/Deputy Clerk – Bill 73 – Smart Growth for Our Communities Act

Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed her report to Council concerning Bill 73 – Smart Growth for Our Communities Act. It was noted that Bill 73 has been proclaimed and includes a number of changes to the Development Charges Act and the Planning Act. Section 42(17) of the Planning Act requires the Treasurer to give an annual statement to Council on the activity in the Parkland Reserve account. Council were provided a statement on the Parkland Reserve to date and advised this report will be updated and produced annually for Council.

**Moved** by Kevin Wilbee and seconded by Alvin McLellan: Treasurer's  
That Council, pursuant to Section 42(17) of the Planning Act, R.S.O. 1990, Statement  
as amended, accept the Treasurer's statement of the Parkland Reserve account Parkland  
showing a balance of \$15,507.92 at the end of 2016. Carried. Reserve

CAO/Clerk – County Emergency Management Coordinator (CEMC)

CAO/Clerk Brad Knight reviewed his report to Council concerning the concept of the CEMC position being provided at the County level. In 2016 there were discussions initiated by the County of the lower tier municipalities moving this responsibility to the County. The CAO advised that this proposal is not being viewed as a measure to achieve cost savings but more of a means to maintain the necessary qualifications and establish emergency preparedness consistency across the lower tiers within the County. It was noted that if a lower tier expresses interest in the proposal, a more formal agreement will be entered into at a later date.

**Moved** by Nathan Marshall and seconded by Kevin Wilbee:  
 THAT Council of the Municipality of Huron East endorses the concept of each municipality within the County of Huron appointing the same Community Emergency Management Coordinator (CEMC) to provide emergency management planning services, in accordance with the requirements of the Emergency Management & Civil Protection Act and its regulations;  
 AND FURTHER that each member municipality and the County of Huron appoint by by-law the CEMC at the first official Council meeting following the CEMC’s selection. Carried.

Endorse  
 County of  
 Huron-CEMC  
 Position

CAO/Clerk – Delegation of Civil Marriage Solemnization Services

The CAO/Clerk advised that Sherrie Oliver had contacted him about conducting civil marriage solemnization services and had recently completed the AMCTO course to provide the service.

**Moved** by Dianne Diehl and seconded by David Blaney:  
 That Council concur with the recommendation of the CAO/Clerk that he is delegating his authority to provide civil marriage solemnization services to Sherrie Oliver.  
 Carried.

Civil Marriage  
 Solemnization  
 Sherrie Oliver

**PUBLIC MEETINGS/HEARINGS AND DELEGATIONS**

7:30 p.m. Stop Up, Close and Sell – Part of Silver Creek Road Allowance (By-Law 25-2017)

CAO/Clerk Brad Knight reviewed his report to Council providing background on the proposed road closing and explained the process to date. The CAO advised that notices had been circulated to adjoining property owners within 400' of the subject lands and no objections had been received to the proposed road closing. Council were advised that By-Law 25-2017 proposes to convey the unopened part of the Silver Creek Road Allowance to the owner of the vacant lots in what is commonly known as the “Silvercreek Subdivision”. The Municipality does propose to retain an easement on Part 4 and 6 on the draft reference plan as the route of the sanitary sewer into the JL Retirement Development. It was noted that the watermain easement on Part 4 for the Kluz Development will be drafted when the location of the watermain has become determined. The CAO also advised that Kluz Development will be responsible for all legal and advertising costs along with a land value of \$9,600 which is based on Policy 1.15 (\$7,500 per acre for road allowances).

**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

Public Works Coordinator – Vanastra Street Reconstruction – Project No. 08184,2

The Public Works Coordinator reviewed his report to Council concerning the tender for the reconstruction of Winnipeg Road, Toronto Boulevard and Regina Road in Vanastra. It was noted that five tenders were received prior to March 10<sup>th</sup>, 2017 at 12:00 noon and opened in the presence of Deputy Mayor Steffler, Finance Manager Paula Michiels, Public Works Coordinator Barry Mills and Dennis Elliott of BM Ross & Associates Limited. The following tenders were received.

Contractor	Tender Price (plus applicable taxes)
Kurtis Smith Excavating	\$1,666,000.00
Lavis Contracting Co. Limited	\$1,737,231.12
Moorefield Excavating	\$1,811,756.00
Omega Contractors Inc.	\$1,814,482.63
Birnam Excavating Ltd.	\$1,938,239.90

**Moved** by Raymond Chartrand and seconded by Larry McGrath:  
 That Council of the Municipality of Huron East accept the tender of Kurtis Smith Excavating Inc. in the amount of \$1,666,000 plus applicable taxes for the reconstruction of Winnipeg Road, Toronto Boulevard and Regina Road in Vanastra, Project No. 08184,2. Carried.

Accept Tender  
 Kurtis Smith  
 Vanastra  
 Project 08184,2

Public Works Coordinator – 5-Ton Plow Truck

Public Works Coordinator Barry Mills reviewed his report to Council concerning the purchase of a 2017 5-ton snow plow truck. It was noted the item is included in the 2017 Budget however it was suggested that staff inquire into the availability of a Demo snow plow truck that would be ready for the 2017-2018 snow season. Inquiries were made for a fully equipped demo snow plow truck with various truck and body suppliers. Viking Cives were the only supplier with a demo unit available that meets the municipality’s specification. Quotations were also obtained for a new 2018 model in the amount of \$258,386.21 and \$278,621.21 (taxes not included).

**Moved** by David Blaney and seconded by Kevin Wilbee:  
That Council of the Municipality of Huron East authorize the Public Works Coordinator to enter into a purchase agreement with Viking Cives Ltd. for a demo unit International 7600 complete with body and plow in the amount of \$252,790.71 plus applicable taxes. Carried.

Purchase  
Agreement  
5-Ton Truck

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

Receive  
Reports  
Municipal

- 1) Finance Manager-Treasurer/Deputy Clerk
- 2) CAO/Clerk
- 3) Public Works Coordinator

Carried.

## **CORRESPONDENCE**

**Moved** by Larry McGrath and seconded by Kevin Wilbee:  
That Council of the Municipality of Huron East endorse the resolution of the United Townships of Head, Clara, and Maria requesting the Minister of Municipal Affairs to rescind proposed Building Code change B08-09-03, requiring mandatory five year septic tank pump out and records retention by the owner. Carried.

Endorse  
Resolution  
United Twps.  
Head, Clara  
and Maria

**Moved** by Raymond Chartrand and seconded by Larry McGrath:  
That Council of the Municipality of Huron East support the Ausable Bayfield Source Protection Authority seeking an exemption from the Minister of Environment and Climate Change that Mr. David Blaney be retained on the Source Protection Committee until late 2018. Carried.

Support  
Source  
Protection  
Committee  
Appointment

## **UNFINISHED BUSINESS**

### **MUNICIPAL DRAINS**

### **PLANNING**

### **COUNCIL REPORTS**

#### **Councillor Blaney – MVCA Annual Dinner & Auction**

Councillor Blaney advised the MVCA Annual Dinner & Auction is being held on April 28<sup>th</sup>, 2017 from 6:00 to 9:00 pm at the BMGCC.

### **NOTICE OF MOTION**

### **INFORMATION ITEMS**

### **OTHER BUSINESS**

### **BY-LAWS**

**Moved** by Dianne Diehl and seconded by Kevin Wilbee:  
BE IT HEREBY RESOLVED that leave be given to introduce  
By-Laws No. 91 for 2016, 10, 21, 22, 23, 24, 25, 26 and 27 for 2017.

Introduce  
By-Laws

By-Law 91-2016 – Maintenance Kistner Municipal Drain (3<sup>rd</sup> reading)

By-Law 10-2017 – Tindell Municipal Drain 2016 (3<sup>rd</sup> reading)

By-Law 21-2017 – Bruce Municipal Drain 2017 (1<sup>st</sup> and 2<sup>nd</sup> readings)

By-Law 22-2017 – McKee Municipal Drain 2017 (1<sup>st</sup> and 2<sup>nd</sup> readings)

By-Law 23-2017 – Appoint Robert Trick – Municipal Investigator and Livestock and Poultry Viewer

By-Law 24-2017 – Authorize Site Plan Control Agreement – Part Lots 69 and 70, Concession 1, Grey Ward, Marcrest Holdings Inc.

By-Law 25-2017 – Road Closing – Silver Creek Road Allowance

By-Law 26-2017 – Easement Access – Sanitary Sewer/Stormwater – Silver Creek Road

By-Law 27-2017 – Confirm Council Proceedings

Carried.

- Moved** by Alvin McLellan and seconded by Brenda Dalton:  
BE IT HEREBY RESOLVED that By-Law 91 for 2016, a by-law to provide for maintenance of the Kistner Municipal Drain, be given third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Kistner Drain  
3<sup>rd</sup> reading
- Moved** by Kevin Wilbee and seconded by Dianne Diehl:  
BE IT HEREBY RESOLVED that By-Law 10 for 2017, a by-law to authorize borrowing on the credit of the Municipality for the completion of the Tindell Municipal Drain 2017, be given third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.
- Tindell Drain  
3<sup>rd</sup> reading
- Moved** by Raymond Chartrand and seconded by Nathan Marshall:  
BE IT HEREBY RESOLVED that By-Law 21 for 2017, a by-law to authorize borrowing on the credit of the Municipality for completion of the Bruce Municipal Drain 2017, be given first and second readings. Carried.
- Bruce Drain  
1<sup>st</sup> & 2<sup>nd</sup> readings
- Moved** by Raymond Chartrand and seconded by Brenda Dalton:  
BE IT HEREBY RESOLVED that By-Law 22 for 2017, a by-law to authorize borrowing on the credit of the Municipality for completion of the McKee Municipal Drain 2017, be given first and second readings. Carried.
- McKee Drain  
1<sup>st</sup> & 2<sup>nd</sup> readings
- Moved** by David Blaney and seconded by Dianne Diehl:  
BE IT HEREBY RESOLVED that By-Law 23 for 2017, a by-law to appoint Robert Trick as a Municipal Investigator and a Livestock and Poultry Valuer, 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.
- Appoint Municipal Investigator and Livestock & Poultry Valuer
- Moved** by Alvin McLellan and seconded by Dianne Diehl:  
BE IT HEREBY RESOLVED that By-Law 24 for 2017, a by-law to authorize a Site Plan Control Agreement on Part Lots 69 and 70, Concession 1, Grey Ward, Marcrest Holdings Inc. 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 Agreement  
Marcrest Holdings Inc.
- Moved** by Nathan Marshall and seconded by Robert Fisher:  
BE IT HEREBY RESOLVED that By-Law 25 for 2017, a by-law to stop up, close and sell part of Silver Creek Road, Plan 407, Seaforth 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.
- Stop Up, Close and Sell  
Part of Silver Creek Road
- Moved** by David Blaney and seconded by Raymond Chartrand:  
BE IT HEREBY RESOLVED that By-Law 26 for 2017, a by-law to authorize municipal sanitary sewer and stormwater easements on part of Silver Creek Road, Plan 407, Seaforth 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.
- Sanitary Sewer & Stormwater Easements-Part of Silver Creek Road
- CLOSED SESSION AND REPORTING OUT**
- CONFIRMATORY BY-LAW**
- Moved** by Robert Fisher and seconded by Nathan Marshall:  
BE IT HEREBY RESOLVED that By-Law 27 for 2017, 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 Alvin McLellan and seconded by Brenda Dalton:  
The time now being 8:10 p.m.  
That the meeting do now adjourn until April 4<sup>th</sup>, 2017 at 7:00 p.m. Carried.
- Adjournment