

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO****TUESDAY, JUNE 6th, 2017 – 7:00 P.M.**

Members Present: Councillors David Blaney, Dianne Diehl, Alvin McLellan
Brenda Dalton, Kevin Wilbee, Robert Fisher,
Larry McGrath and Raymond Chartrand
Councillor Nathan Marshall arrived at 7:37 p.m.

Members Absent: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler
Councillor John Lowe

Staff Present: CAO/Clerk, Brad Knight
Deputy Clerk, Mark Gilpin
Executive Assistant, Janice Andrews

Don McBrayne, P. Eng. with Associated Engineering (Ont.) Ltd., attended the meeting to hear the discussion on the Court of Revision for the Papple Drainage Works – Realignment East of William Street.

Carol Siemon attended the meeting to hear the discussion on the Court of Revision for the North Branch, Ryan Municipal Drain 2017.

Lori Henderson and Kyle Henderson attended the meeting to hear the discussion on consent application B24/17 on Part Park Lot 7, Plan 237 and Part Park Lot 7, Part 1, 22R-5594 and Part Church Street, Parts 3 and 4, 22R-5057, Tuckersmith Ward and also the Court of Revision for the Papple Drainage Works – Realignment East of William Street.

Ed VanMiltensburg attended the meeting to hear the discussion on the proposed closing and sale of an unopened road allowance in Plan 232, Tuckersmith Ward

Eric Steele and Sue Aldwinckle attended the meeting to hear the proceedings of Council.

CALL TO ORDER

CAO/Clerk Brad Knight called the meeting to order at 7:00 p.m.

Moved by Kevin Wilbee and seconded by Raymond Chartrand: Appoint
Chair
That pursuant to the provisions of Section 11.3 of Procedural By-Law 43-2015, that
due to the absence of both Mayor MacLellan and Deputy Mayor Steffler, that
Councillor McLellan be appointed as Chair of the meeting. Carried.

CONFIRMATION OF THE AGENDA

Moved by Raymond Chartrand and seconded by Kevin Wilbee: Adopt Agenda
That the Agenda for the Regular Meeting of Council dated June 6th, 2017 be
adopted as amended by the following:
15.11.3 – By-Law to authorize an Acknowledgement Agreement with St. Columban
Energy LP and the Royal Bank of Canada Carried.

DISCLOSURE OF PECUNIARY INTEREST**MINUTES OF PREVIOUS MEETING**

Moved by Brenda Dalton and seconded by Larry McGrath: Meeting Minutes
That Council of the Municipality of Huron East approve the following Council
Meeting Minutes as printed and circulated:
a) Regular Meeting – May 16th, 2017 Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. Court of Revision – Seaforth Drainage Works No. 1-2017

Moved by Dianne Diehl and seconded by Raymond Chartrand: Court of Revision
Seaforth Drainage
That the Court of Revision for the Seaforth Drainage Works No. 1-2017
be opened and that Councillors Larry McGrath, Brenda Dalton and Kevin
Wilbee be appointed as the members with Councillor McGrath acting as
Chairman. Carried.

No appeals were received.

Moved by Brenda Dalton and seconded by Kevin Wilbee:
That the Court of Revision for the Seaforth Drainage Works No. 1-2017 be closed. Carried.

Close Court of
Revision

7:02 p.m. Court of Revision – North Branch Ryan Municipal Drain – 2017

Moved by Raymond Chartrand and seconded by Dianne Diehl:
That the Court of Revision for the North Branch Ryan Municipal Drain 2017 be opened and that Councillor Larry McGrath, Brenda Dalton and Cheri Bell (West Perth) be appointed as the members with Councillor McGrath acting as Chairman. Carried.

Court of Revision
Ryan Drain

No appeals were received.

Moved by Kevin Wilbee and seconded by Brenda Dalton:
That the Court of Revision for the North Branch of the Ryan Municipal Drain 2017 be closed. Carried.

Close Court of
Revision

7:03 p.m. Court of Revision – Papple Drainage Works – Realignment East of William Street

Moved by Dianne Diehl and seconded by Raymond Chartrand:
That the Court of Revision for the Papple Drainage Works – Realignment East of William Street be opened and that Councillors Larry McGrath, Brenda Dalton and Kevin Wilbee be appointed as the members with Councillor McGrath acting as Chairman. Carried.

Court of Revision
Papple Drain

No appeals were received.

Moved by Kevin Wilbee and seconded by Brenda Dalton:
That the Court of Revision for the Papple Drainage Works – Realignment East of William Street be closed. Carried.

Close Court of
Revision

PLANNING

Moved by Raymond Chartrand and seconded by Larry McGrath:
That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds dated May 31st, 2017 and has no objection to the severance application B22/17 of TJW Farms Ltd. (formerly Peter Colyer Estate) on west ½ Lot 4, north ½ Lot 5, Concession 8, HRS, Tuckersmith Ward, subject to the conditions as per the resolution of Council dated May 2nd, 2017. Carried.

No Objection
Consent B22/17
TJW Farms Ltd.

Moved by Dianne Diehl and seconded by Larry McGrath:
That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Claire Dodds dated May 31st, 2017 and has no objection to the severance application of Christopher and Judith Lee B39/17 on Lots 3 and 4, Concession 17, Grey Ward. Carried.

Planners Report
Consent B39/17
Chris Lee

Moved by Raymond Chartrand and seconded by Larry McGrath:
That Council of the Municipality of Huron East has no objection to the severance application B24/17 of Kyle and Lori Henderson on Part Park Lot 7, Plan 237 and Part Park Lot 7, Part 1 22R-5594 and Part Church Street, Parts 3 and 4, 22R-5057, Tuckersmith Ward, provided the following conditions are met:

No Objection
Consent B24/17
Henderson

- i) that \$1,000 be paid to the Municipality as cash-in-lieu of parkland for the two lots being created
- ii) that Section 65 of the *Drainage Act* be addressed to the satisfaction of the Municipality
- iii) that the conditions attached to consent application B14/16 be completed.

Carried.

Moved by Kevin Wilbee and seconded by Brenda Dalton:
That Council of the Municipality of Huron East has no objection to the severance application B33/17 of McCall Farms Ltd. on Part Lots 29 and 30, Concession 4, Morris Ward, Municipality of Morris-Turnberry. Carried.

No Objection
Consent B33/17
McCall Farms

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:27 p.m. Stop-up, Close and Sell Part of Unopened and Unnamed Road Allowance, Plan 232, Tuckersmith Ward

CAO/Clerk Brad Knight advised a request had been received from Robert McBride to purchase part of the unnamed road allowance on Plan 232, Tuckersmith Ward, adjacent to his property. It was noted that Mr. McBride will be required to pay for all costs associated with the closing and conveyance of the road allowance. The CAO also advised that no comments were received concerning the proposed road allowance and By-Law 47-2017 to authorize this transaction will be considered later in the meeting.

ACCOUNTS PAYABLE

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Chief Building Official – Report

The Chief Building Official Report for May, 2017 was received by Council.

CAO/Clerk – Winthrop Park Committee – Replace Backstop and Fencing

CAO/Clerk Brad Knight reviewed his report to Council regarding a financial request from the Winthrop Ball Park Committee towards replacing the backstop/fencing at the Winthrop Park. The Committee had obtained a quotation from Fortress Fencing in the amount of \$9,291.88 for replacement of the fence. The CAO noted that Huron East Reserve Policy 1.09 indicated that the replacement equipment would be eligible for 50% funding from the Huron East Parkland Reserve.

Moved by Kevin Wilbee and seconded by Larry McGrath:
That Council of the Municipality of Huron East authorize a contribution of 50% of the net costs to replace the backstop/fencing at the Winthrop Park to a maximum of \$4,700 with funds to come from the Parkland Reserve. Carried.

Contribution
Winthrop Park
Backstop/
Fencing

Deputy Clerk – Tenders – North Branch of the Ryan Municipal Drain 2017

Deputy Clerk Mark Gilpin reviewed his report to Council concerning tenders received for the construction of the North Branch of the Ryan Municipal Drain 2017. The following tenders were received before 12:00 noon on June 1st, 2017 and opened by Deputy Mayor Steffler, Public Works Coordinator Barry Mills, Deputy Clerk Mark Gilpin and Marion Robinson.

| Contractor | Tender Price (excluding taxes) |
|---------------------------------------|---|
| A.G. Hayter Contracting Ltd. | \$60,970.00 |
| Marquardt Farm Drainage Ltd. | \$62,135.00 |
| Robinson Farm Drainage Ltd. | \$64,700.00 |
| Van Bree Drainage and Bulldozing Ltd. | \$64,700.00 |
| Sebben AG Drainage Systems Ltd. | \$67,712.00 |
| Van Gestel Excavating Services | \$76,514.00 |
| Engineer’s Estimate | <u>\$75,900.00</u> |

Moved by Dianne Diehl and seconded by Kevin Wilbee:
That Council of the Municipality of Huron East accept the tender of A. G. Hayter Contracting Ld. in the amount of \$60,970.00 plus applicable taxes for the construction of the North Branch of the Ryan Municipal Drain 2017, subject to the recommendation of Dietrich Engineering Limited. Carried.

Accept Tender
A.G.Hayter
Contracting
Ryan Drain

Public Works Coordinator – Tenders – Centennial Drive Extension and Duke Street (road allowance) Infrastructure, Contract 11151

In absence of the Public Works Coordinator, CAO/Clerk Brad Knight reviewed the report to Council concerning tenders received for the construction of Centennial Drive Extension and Duke Street (road allowance) infrastructure. The following tenders were received before 12:00 noon on May 15th, 2017 and opened by Councillor McGrath, CAO/Clerk Brad Knight, Public Works Coordinator Barry Mills and Dennis Elliott of BM Ross and Associates Limited.

| Contractor | Tender Price (excluding taxes) |
|-------------------------------|---|
| Kurtis Smith Excavating Inc. | \$786,000.00 |
| Lavis Contracting Co. Limited | \$796,316.40 |
| Kieswetter Excavating Inc. | \$937,111.50 |

Moved by Raymond Chartrand and seconded by Robert Fisher:
That Council of the Municipality of Huron East accept the tender of Kurtis Smith Excavating Inc. in the amount of \$786,000.00 plus applicable taxes for the construction of Centennial Drive Extension and Duke Street road allowance infrastructure. Carried.

Accept tender
Kurtis Smith
Excavating
Centennial Dr.
Duke Street

Moved by Larry McGrath and seconded by Raymond Chartrand:
Huron East Council receive the following Reports of Municipal Officers as presented:

Receive
Municipal
Reports

- 1) Chief Building Official
- 2) CAO/Clerk
- 3) Deputy Clerk
- 4) Public Works Coordinator

Carried.

CORRESPONDENCE

Moved by Raymond Chartrand and seconded by Nathan Marshall:
That Council of the Municipality of Huron East note and file the resolution of the Town of Lakeshore requesting the Province of Ontario to ease restrictions of surplus dwelling severances in areas zoned Agriculture, thereby permitting the seller of the farm to sever off an existing dwelling. Carried.

Note & File
Resolution
Town of
Lakeshore

Moved by Dianne Diehl and seconded by Kevin Wilbee
That Council of the Municipality of Huron East note and file the resolution of the Municipality of Killarney appealing to the Minister of Municipal Affairs to reconsider the proposed change to the Municipal Act, 2001 as a result of Bill 68 regarding tax registration procedures which would end payments out of court for municipalities. Carried.

Note & File
Resolution
Municipality of
Killarney

Moved by Dianne Diehl and seconded by David Blaney:
That the Ethel Minor Ball Committee, being a committee of the Municipality of Huron East, be authorized to apply for a special occasion permit for a 3 pitch mush ball tournament being held on July 7th, 8th and 9th, 2017 with all proceeds being designated towards the Ethel Minor Ball program and park improvements. Carried.

Ethel Minor
Ball Committee
SOP
Ball Tourney

Moved by Larry McGrath and seconded by Raymond Chartrand:
That the request from Bill Embling to temporarily close a section of Quebec Road in Vanastra to host a “Get to Know Your Neighbour” event on June 24th, 2017 be denied as it is not a public fundraiser or recognized community event. Carried.

Deny Request
Bill Embling
Temporary
Road Closing

A request from the Brussels Optimist Club for a \$500 donation towards the installation of flag poles at the Brussels Ball Park was discussed with it being noted that the request had been initiated by a commitment by Council at the May 2nd, 2017 meeting to the Seaforth Optimists for flag poles at the Seaforth Optimist Park. The CAO noted that the process in Procedural By-law 43-2015 for the referral of such requests to staff for a report had been suspended at the May 2nd, 2017 meeting, but he noted that staff had anticipated recommending that the request by the Seaforth Optimists be denied as Council would focus on contributing funds to capital upgrades/replacements at the facilities. He recommended to Council that the request of the Brussels Optimist Club be denied and the commitment to the Seaforth Optimist Club be paid from the reserves of the former Town of Seaforth.

Several Councillors noted that the requirement in the Procedural By-law to refer such requests to staff for a report at a future meeting had merit and that Council had been premature to vote on the request of the Seaforth Optimist Club.

Moved by David Blaney and seconded by Raymond Chartrand:
That Council of the Municipality of Huron East authorize the \$500.00 donation to the Brussels Optimists Club for flag poles at the Brussels Ball Park from the Brussels Reserves and that the \$500.00 commitment to the Seaforth Optimist Club be drawn from the Seaforth Reserves. Carried.

Donation
Flag Poles
Brussels and
Seaforth
Optimist

UNFINISHED BUSINESS**MUNICIPAL DRAINS****COUNCIL REPORTS****Councillor McGrath – Emergency Contact Information**

Councillor McGrath advised he was contacted by a ratepayer noting there was no emergency contact numbers easily available on the municipal website for after hours emergencies. The CAO advised that although there was emergency contact information available after hours on the telephone system, it would be beneficial to have the information listed on the home page of the website.

Councillor Marshall – Recycling Bins

Councillor Marshall advised he was contacted by local businesses concerning the removal of the recycling bin that was located in the public parking area west of the Seaforth main street. The CAO advised Bluewater Recycling Association has removed the bin because it was being contaminated with garbage. It was suggested the CAO contact Bluewater Recycling Association for possible solutions for the business owners as they did not want to lose access to the recycling services.

Councillor Fisher – 150th Canada Day Celebrations

Councillor Fisher suggested ideas to commemorate the 150th Canada Day Celebrations be discussed by Council at the next regular meeting. This matter will be added to the June 20th, 2017 agenda.

NOTICE OF MOTION**INFORMATION ITEMS**

Moved by Dianne Diehl and seconded by David Blaney:
That Council of the Municipality of Huron East accept the recommendation of the Administration Committee and proceed to rezone the Moncrieff Hall and ball park properties from Community Facility (CF) to Agricultural Small Holding (AG4). Carried.

Proceed to
Rezone
Moncrieff Hall
CF to AG4

Moved by Kevin Wilbee and seconded by Dianne Diehl:
That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

Meeting Minutes

- 1) Seaforth Area Fire Board – May 31st, 2017
- 2) Seaforth & District Community Centres – May 11th, 2017
- 3) Huron East Administration Committee – May 30th, 2017
- 4) Vanastra Recreation Centre Committee – May 29th, 2017

Carried.

OTHER BUSINESS**BY-LAWS**

Moved by Brenda Dalton and seconded by Nathan Marshall:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Laws No. 47, 48, 49 and 50 for 2017.

Introduce
By-Laws

By-Law 47-2017 – Stop-up, Close and Sell Unopened and Unnamed Road Allowance, Plan 232,
Tuckersmith Ward

By-Law 48-2017 – Authorize Agreement – Simply Voting Inc. – 2018 Municipal Election

By-Law 49-2017 – Authorize Acknowledgement Agreement – St. Columban Energy LP and
Royal Bank of Canada

By-Law 50-2017 – Confirm Council Proceedings

Carried.

Moved by Raymond Chartrand and seconded by Larry McGrath:
BE IT HEREBY RESOLVED that By-Law 47 for 2017, a by-law to stop-up, close and sell part of an Unnamed Street, Part 1, Registered Plan 232, Tuckersmith Ward be given first, second, third and final readings and signed by Councillor Alvin McLellan and the Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Road Closing
Unnamed Road
Plan 232,
Tuckersmith

Moved by Raymond Chartrand and seconded by David Blaney:
 BE IT HEREBY RESOLVED that By-Law 48 for 2017, a by-law to authorize an Agreement with Simply Voting Inc. to provide internet and telephone voting system and service for the 2018 Municipal Elections, be given first, second, third and final readings and signed by Councillor Alvin McLellan and the Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Agreement
 Simply Voting
 2018 Election

Moved by Nathan Marshall and seconded by Brenda Dalton:
 BE IT HEREBY RESOLVED that By-Law 49 for 2017, a by-law to authorize an Acknowledgement Agreement with St. Columban Energy LP and the Royal Bank of Canada, be given first, second, third and final readings and signed by Councillor Alvin McLellan and the Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Acknowledgement
 Agreement
 St. Columban
 Energy LP and
 RBC

CLOSED SESSION AND REPORTING OUT

CONFIRMATORY BY-LAW

Moved by Kevin Wilbee and seconded by Robert Fisher:
 BE IT HEREBY RESOLVED that By-Law 50 for 2017, a by-law to confirm the proceedings of Council, be given first, second, third and final readings and signed by the Deputy Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Confirm
 Council
 Proceedings

ADJOURNMENT

Moved by Dianne Diehl and seconded by Raymond Chartrand:
 The time now being 8:30 p.m.
 That the meeting do adjourn until June 20th, 2017 at 7:00 p.m. Carried.

Adjournment

Alvin McLellan, Councillor

Brad Knight, CAO/Clerk