

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE AUDITORIUM AT THE SEAFORTH & DISTRICT COMMUNITY CENTRE
SEAFORTH, ONTARIO
TUESDAY, SEPTEMBER 22nd, 2020 – 7:00 P.M.

Members Present: Deputy Mayor Robert Fisher,
Councillors Zoey Onn, Dianne Diehl, Alvin McLellan,
Brenda Dalton, Gloria Wilbee, Joe Steffler, Larry McGrath
and Raymond Chartrand
John Lowe – 7:12 p.m.

Absent: Mayor Bernie MacLellan

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

Others Present: Shawn Loughlin, Editor, The Citizen

Kyle and Lori Henderson attended to hear the discussion and answer any questions on their consent applications C58/10 and C59/20 on Roxburgh Plan 286 (Items 11.16.3 and 11.16.4).

John Van Dooren, Erin McGrath, Greg McGrath, Marian Van Dooren, Elaine DeCorte and Jeff Watson attended the meeting to hear the discussion on the consent applications C58/20 and C59/20 on Roxburgh Plan 286 (Items 11.16.3 and 11.16.4).

Matthew and Muriel Edgar attended the meeting to hear the consideration of their zoning by-law amendment application. (Item 5.16.2)

Jill McLlwin attended the meeting to hear the consideration of road safety issues and speed reduction options on Bayfield Street in Egmondville. (Item 8.16.1)

CALL TO ORDER & MAYOR'S REMARKS

Deputy Mayor Robert Fisher called the meeting to order at 7:00 p.m. Deputy Mayor Fisher thanked staff for their efforts during the pandemic to accommodate the requirements and needs of Council and the public.

CONFIRMATION OF THE AGENDA

Moved by Larry McGrath and seconded by Alvin McLellan: Adopt Agenda
That the Agenda for the Regular Meeting of Council dated September 22nd, 2020
be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Larry McGrath declared a pecuniary interest and refrained from any discussion on the accounts payable as there was an EFT (No. 000000002564) payable to the company he owns (Item 6).

Councillor Larry McGrath declared a pecuniary interest and refrained from any discussion on the Kyle and Lori Henderson severance applications as his son owns property beside the property in question (Items 11.16.3 and 11.16.4).

Councillor Brenda Dalton declared a pecuniary interest and refrained from any discussion on the GM Dalton Farms severance application C53/20 as her son is owner of the property in question (Items 11.16.1 and 11.16.2).

MINUTES OF PREVIOUS MEETING

Moved by Brenda Dalton and seconded by Alvin McLellan: Meeting
That Council of the Municipality of Huron East approve the following Council Minutes
Meeting Minutes as printed and circulated:
a) Regular Meeting – September 1st, 2020

Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS**Court of Revision – Cox Municipal Drain and Burrows ‘B’ Drain Improvement 2020**

Moved by Larry McGrath and seconded by Gloria Wilbee:
That the Court of Revision for the Cox Municipal Drain and Burrows ‘B’ Drain Improvement 2020 be opened and that Councillors Alvin McLellan, Dianne Diehl and Brenda Dalton be appointed as members with Councillor McLellan acting as Chair. Carried.

Court of
Revision
Cox Drain

No appeals were filed.

Moved by Dianne Diehl and seconded by Brenda Dalton:
That the Court of Revision for the Cox Municipal Drain and Burrows ‘B’ Drain Improvement 2020 be closed. Carried.

Close Court of
Revision

7:07 p.m. Public Meeting – Zoning By-Law Amendment Applications

Moved by Ray Chartrand and seconded by Dianne Diehl:
That Council of the Municipality of Huron East adjourn the regular meeting of Council at 7:07 p.m. to go into a Public Meeting to discuss the following:

Adjourn
Regular
Meeting

- i) Zoning By-Law Amendment Application – North Part Lot 34, North Part Lot 35, Grey Ward, known as 44027 Amberley Road (Matthew Edgar and Muriel Edgar)

Carried.

Moved by Gloria Wilbee and seconded by Ray Chartrand:
That Council of the Municipality of Huron East resumes the regular Council meeting at 7:15 p.m. Carried.

Reconvene
Regular Meeting

ACCOUNTS PAYABLE

Moved by Zoey Onn and seconded by Brenda Dalton:
That the accounts payable in the amount of 4,463,580.20 be approved for payment. Carried.

Accounts
Payable

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**Building & Property Maintenance Coordinator**

The Building & Property Maintenance Coordinator Reports for January to March and April to June, 2020 were received by Council.

Public Works Coordinator – Seaforth Connecting Link – Winter Maintenance 2020-2021

Public Works Coordinator Barry Mills advised that Owen Sound Highway Maintenance Limited (IMOS) is offering winter maintenance service for the connecting link on Highway 8 through the Ward of Seaforth for the 2020/2021 season at a cost of \$5,871.98 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.

Public Works Coordinator – Snow Removal Contract – Grader

Public Works Coordinator Barry Mills reviewed his report to Council concerning one of the snow removal contracts that has not been renewed due to equipment needs and insurance reasons. The Public Works Coordinator advised that tenders were called for a snowplow contract to provide snowplowing services with a fully equipped motor grader with an operator for a 3-year term with provisions to extend for two additional winter seasons, however no tenders were received. He noted after consulting with local contractors the main reason for lack of bids is the availability of contractors with motor graders, availability of operators and the cost or ability of obtaining adequate insurance. Council were advised the Municipality’s insurance provider will not cover private contractors doing snow removal but would insure rental units with municipal operators. He also noted a local contractor was contacted about renting a unit and having the Municipality provide the insurance, however they were not interested.

The Public Works Coordinator advised only one dealer in the area was able to supply a rental for the upcoming season at a cost of \$5,200 per month plus applicable taxes. Council were also provided with the following comparison of costs using the average hours of service for the existing contracts for the last two seasons versus rental costs, operators and fuel.

Contracted projected cost	\$52,975
Rental projected cost	\$49,625

Moved by Brenda Dalton and seconded by Ray Chartrand:
That Council authorize staff to enter into a rental agreement for a motor grader with snow removal equipment for 4 months from Jade Equipment Company Ltd. at a rate of \$5,200 plus applicable tax per month for the 2020-2021 season. Carried.

Rental
Agreement
Snow
Removal

Public Works Coordinator – Traffic Calming

Public Works Coordinator Barry Mills reviewed his report to Council regarding concerns and letters requesting additional measures to control traffic speed through residential and urban areas. Council were advised the Municipality does implement a number of ongoing measures to regulate speed including:

- Use of traffic counters in certain locations to record time, traffic volume and speed and this information is provided to the OPP as background to problem areas
- Installation of additional regulatory speed signs including school bus stopping warning signs
- Added centre line painting to high volume roads
- Have utilized the CHIP mobile radar speed board to show motorists their current speed and alter them of excessive speed – this sign is no longer available

The Public Works Coordinator recommended the purchase of two digital speed boards to be used on various roads in the Municipality as additional traffic calming measures.

Moved by John Lowe and seconded by Joe Steffler:
That Council authorize the Public Works Coordinator to purchase two (2) Digital Speed Board at a cost of \$5,948.00 plus applicable taxes to be used on various roads in the Municipality as additional traffic calming measures. Carried.

Digital
Speed Boards

Moved by Ray Chartrand and seconded by Gloria Wilbee:
That Huron East Council receive the following Reports of Municipal Officers as presented:
(1) Building & Property Maintenance Coordinator
(2) Public Works Coordinator

Municipal
Officers
Reports

Carried.

CORRESPONDENCE

Moved by Ray Chartrand and seconded by Joe Steffler:
That Council of the Municipality of Huron East endorse the resolution of the Municipality of Tweed requesting that immediate action be taken by all levels of government for medical cannabis licencing to follow similar regulations and guidelines as all other pharmaceutical industries, including a requirement that Health Canada withhold licencing until proof of appropriate zoning is provided. Carried.

Endorse
Resolution
City of
Tweed

UNFINISHED BUSINESS

MUNICIPAL DRAINS

Moved by Dianne Diehl and seconded by Ray Chartrand:
That Council of the Municipality of Huron East accept the Notice of Request for Drain Improvement on the Knox Municipal Drain on Lot 10, Concession 15, Grey Ward, and appoint GM BluePlan Engineering Limited to prepare a report 30 days after notification to the Conservation Authority. Carried.

Request for
Improvement
Knox Drain

PLANNING

Moved by Gloria Wilbee and seconded by John Lowe:
That Council of the Municipality of Huron East acknowledge the report of Huron County Planner Laura Simpson dated September 15th, 2020 and has no objection to severance application C53/20 of GM Dalton Farms c/o Geoff Dalton on North Part Lot 20, Concession 14, McKillop Ward, provided the following conditions are met:
i) that the severed and retained lands be rezoned to AG4-34 and AG2 respectively
ii) that \$750 be paid to the Municipality as cash-in-lieu of parkland
iii) that Section 65 of the *Drainage Act* be addressed to the satisfaction of the municipality. Carried.

No Objection
Consent B53/20
Dalton Farms

Consent Applications C58/20 and C59/20 – Kyle and Lori Henderson

Huron County Planner Laura Simpson presented her report to Council on consent applications C58/20 and C59/20. Ms. Simpson provided a PowerPoint presentation and reviewed the report with the following points being noted.

Ms. Simpson advised that Kyle and Lori Henderson had submitted a severance inquiry in November 2019 to Council seeking the opinion of Council on purchasing the road allowances located on the subject property from the Municipality with the intent to divide the property into 3 separate parcels with single family dwellings constructed on each parcel. It was noted that the existing road allowances had created two legally conveyable properties and both Planning Department staff and Huron East staff had recommended that the property should not be reconfigured into any more than two lots. It was noted that Council had no objection to the closing and conveyance of the unopened road allowances and had not expressed any concern with the creation of residential lots

Ms. Simpson confirmed that two consent applications have been submitted with the intent of changing the existing two parcels of land into three residential building lots and would incorporate the existing unopened road allowances. The applications were submitted with a completed Stage 1 and 2 Archaeological Assessment and Nitrate Study. The subject property is designated Agriculture in the Huron East Official Plan and zoned AG1 (General Agriculture) and Natural Environment (NE1 and NE2). The middle portion of the property is within the Maitland Valley Conservation Authority floodplain and does not permit development.

Ms. Simpson advised that during the circulation of the two applications, four sets of comments were received by neighbouring landowners. Comments included one letter that did not object to the proposed three severances but objected to plans to create a fourth lot from the subject properties. Three of the four letters raised objections and concerns with considering residential severances of an agricultural parcel.

Ms. Simpson advised that the proposed severance applications to create three residential parcels in an agricultural area do not meet the policies of the Provincial Policy Statement, the County Official Plan or the local Huron East Plan and recommended the consents be denied.

Kyle Henderson attended before Council and advised in 2019, Council had questioned if the land would remain as farmland if additional lots were not created. Mr. Henderson advised his intentions would remain the same as he had advised Council in 2019; regardless of the outcome of the severance applications, that the property would be used for residential purposes only. Mr. Henderson also indicated that from his presentation in 2019, it was his opinion that Council were supportive of the creation of 3 lots and he noted that one Councillor had suggested the development of 4 lots on the property dependent on soil and water samples supporting 4 lots.

Greg McGrath attended before Council to express his concerns with permitting residential development on agricultural land. Mr. McGrath noted his father-in-law has rented the farmland on the property for the last 12 years and his biggest concern was the development would be against Huron East and Huron County policies.

Moved by John Lowe and seconded by Gloria Wilbee:
Council defer a recommendation on severance application C58/20 and C59/20 by Kyle and Lori Henderson and that Council direct staff to bring a report back to the next meeting of Council. Carried.

Defer
Recommendation
C58/20 & C59/20
Henderson

Moved by Dianne Diehl and seconded by Joe Steffler:
That Council of the Municipality of Huron East has no objection to severance application C61/20 of Walter F. Leppington on Lot 21, Plan 225, Stanley Ward, Municipality of Bluewater. Carried.

No Objection
Consent B61/20
Leppington

Moved by Ray Chartrand and seconded by Dianne Diehl:
THAT WHEREAS the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990 with respect to the proposed zoning By-Law 54-2020;
AND WHEREAS no public comments were received on this application;
AND WHEREAS comments were received from the Huron East Chief Building Official and Huron County Public Works Department indicating no objections or concerns on the application;
AND WHEREAS agency comments were received on this application from the Huron County Planning and Development Department recommending that the Municipality approve Zoning By-Law 54-2020;

Recommend
By-Law 54-2020
for approval

NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the September 16th, 2020 Planning Report and recommends By-Law 54-2020 for approval. Carried.

COUNCIL REPORTS

Notice of Motions

Water & Sewer Committee – Procedure/Practice Policy 4.08 amendment

Moved by Alvin McLellan and seconded by Zoey Onn:
That Council accept the recommendation from the Water & Sewer Committee and amend the Water & Sewer Billing Procedure/Practice Policy 4.08 with the following addition:

Water/Sewer
Policy 4.08

If municipal staff are called in after hours in the following instances, the Municipality will invoice the property owner/contractor responsible for the damage that required the call-in at the labour and equipment rates in the Huron East Consolidated fee by-law and all materials will be invoiced at cost.

Councillor Larry McGrath requested greater clarity on the intent of the amendment to the policy being recommended for approval.

Moved by Larry McGrath and seconded by John Lowe:
That the motion to amend the Water & Sewer Billing Procedure/Practice Policy 4.08 be tabled until the next regular meeting. Carried.

Table Motion
Water/Sewer
Policy 4.08

Brussels Agricultural Society Parade

Councillor John Lowe advised that although the Brussels Fall Fair had been cancelled for 2020, the Brussels Agricultural Society held a parade on September 20th, 2020. Councillor Lowe noted social distancing protocols were followed and the parade was well attended with over 80 entries.

INFORMATION ITEMS

Moved by Brenda Dalton and seconded by Zoey Onn:
That Huron East Council receive the following Board and Committee meeting minutes as submitted:

Meeting Minutes

- (1) Huron East Water & Sewer Committee – August 18th, 2020
 - (2) Seaforth & District Community Centres Management Committee – August 27th, 2020
 - (3) Huron East Administration Committee – August 31st, 2020
 - (4) Huron East/Seaforth Community Development Trust – August 2nd, 2020
 - (5) Vanastra Recreation Centre/Day Care Committee – September 14th, 2020
- Carried.

OTHER BUSINESS

BY-LAWS

Moved by Ray Chartrand and seconded by Joe Steffler:
BE IT HEREBY RESOLVED that leave be given to introduce By-Laws 53, 54 and 55 for 2020:

Introduce
By-Laws

By-Law 53-2020 – Authorize Agreement – Integrated Maintenance Operations Services Inc.
– Connecting Link Maintenance – Highway 8, Seaforth, repeal By-Law 60-2019

By-Law 54-2020 – Zoning Amendment – North Part Lot 34, North Part Lot 35, Concession 1, Grey Ward – Matthew and Muriel Edgar

By-Law 55-2020 – Confirm Council Proceedings

Carried.

Moved by Joe Steffler and seconded by Ray Chartrand:
BE IT HEREBY RESOLVED that By-Law 53 for 2020, a by-law to authorize an Agreement with Integrated Maintenance and Operations Services Inc. to provide winter maintenance on Highway 8 within the limits of the Ward of Seaforth, 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.

Authorize
Agreement
IMOS
Connecting
Link – Seaforth

Moved by Dianne Diehl and seconded by John Lowe:
BE IT HEREBY RESOLVED that By-Law 54 for 2020, a by-law to amend the zoning on north part Lot 34, north part Lot 35, Concession 1, Grey Ward (Matthew and Muriel Edgar) 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.

Zoning
Amendment

CLOSED SESSION AND REPORTING OUT (Section 239 of the *Municipal Act, 2001*)

CONFIRMATORY BY-LAW

Moved by Gloria Wilbee and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 55 for 2020, 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
Proceedings

ADJOURNMENT

Moved by John Lowe and seconded by Dianne Diehl:
The time now being 8:10 p.m.
That the meeting do adjourn until October 6th, 2020 at 7:00 p.m. Carried.

Adjournment

Robert Fisher, Deputy Mayor

Brad Knight, CAO/Clerk