

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, MAY 21st, 2019 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Robert Fisher, Councillors Dianne Diehl, Alvin McLellan, John Lowe, Zoey Onn, Brenda Dalton, Gloria Wilbee, Joseph Steffler, Larry McGrath and Raymond Chartrand

Members Absent: nil

Staff Present: CAO/Clerk, Brad Knight
Public Works Coordinator, Barry Mills
Economic Development Officer, Jan Hawley
Accounts Payable Clerk, Tricia Thompson

Others Present: Shawn Loughlin, Editor, The Citizen
Bill Murray, Wayne Dolmage and Frances Dolmage attended to hear the discussion on the Dolmage Municipal Drain Court of Revision

CALL TO ORDER & MAYOR'S REMARKS

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

CONFIRMATION OF THE AGENDA

Moved by Zoey Onn and seconded by John Lowe: Adopt Agenda
That the Agenda for the Regular Meeting of Council dated May 21st, 2019 be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Raymond Chartrand declared a pecuniary interest on the Minor Variance Application (agenda item 5.11.1) as he is the applicant of the proposed minor variance.

Councillor Larry McGrath declared a pecuniary interest on the Accounts Payable (agenda item 6) as cheque number 12496 is listed to a company he owns.

MINUTES OF PREVIOUS MEETING

Moved by John Lowe and seconded by Zoey Onn: Meeting Minutes
That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:
a) Regular Meeting – May 7th, 2019
b) Public Hearing – May 7th, 2019
c) Regular Meeting – May 14th, 2019
d) Public Hearing – May 14th, 2019 Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:02 p.m. Public Hearing – Minor Variance Application A04-2019

Moved by Gloria Wilbee and seconded by Brenda Dalton: Adjourn Regular Meeting to Public Hearing
That Council of the Municipality of Huron East adjourn the regular meeting of Council at 7:02 p.m. to go into a Public Hearing to discuss the following:
i) Minor Variance Application – 179 Isabella Street, Plan 390, Block G, Lot 15, Seaforth Ward (Ray Chartrand) Carried.

The regular meeting reconvened at 7:07 p.m.

Reconvene Regular Meeting

7:10 p.m. Court of Revision – Dolmage Municipal Drain 2019

Moved by Larry McGrath and seconded by Ray Chartrand: Court of Revision Dolmage Drain
That the Court of Revision for the Dolmage Municipal Drain 2019 be opened and that Councillors Alvin McLellan, Brenda Dalton and Gloria Wilbee be appointed as members with Councillor McLellan acting as Chair. Carried.

There were no appeals received.

Moved by Brenda Dalton and seconded by Gloria Wilbee: Close Court
That the Court of Revision for the Dolmage Municipal Drain 2019 be closed. of Revision
Carried.

7:15 p.m. Court of Revision – ‘C’ Branch of the Krauskopf Municipal Drain 2019

Moved by Ray Chartrand and seconded by Joe Steffler Court of
That the Court of Revision for the ‘C’ Branch of the Krauskopf Municipal Drain 2019 Revision
be opened and that Councillors Alvin McLellan, Brenda Dalton and Gloria Wilbee be Krauskopf
appointed as members with Councillor McLellan acting as Chair. Carried. Drain

There were no appeals received.

Moved by Brenda Dalton and seconded by Gloria Wilbee: Close Court
That the Court of Revision for the ‘C’ Branch of the Krauskopf Municipal Drain 2019 of Revision
be closed. Carried.

ACCOUNTS PAYABLE

Moved by Dianne Diehl and seconded by John Lowe: Accounts
That the accounts payable in the amount of \$1,048,329 be approved for payment. Payable
Carried.

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Chief Building Official – Report

The Chief Building Official report for April 2019 was received by Council.

Finance Manager-Treasurer/Deputy Clerk – Ontario Regulation 284/09 – Budget Matters – Expenses

The CAO reviewed the report of the Finance Manager-Treasurer/Deputy Clerk to Council concerning Ontario Regulation 284/09 which requires Municipalities to acknowledge during the budget process the exclusion of the following:

1. Amortization Expenses
2. Post-Employment Benefit Expenses
3. Solid Waste Landfill Closure and Post-Closure Expenses

It was noted that the regulation recognizes that these are large expenses for Municipalities and allows for them to be excluded from the annual budget as long as a resolution be adopted stating which of these expenses are excluded from the annual operating budget.

Moved by Ray Chartrand and seconded by Zoey Onn: Ont. Reg.
That Council of the Municipality of Huron East pursuant to Ontario Regulation 284/09
284/09 acknowledge that the following expenses have been excluded from the 284/09
2019 Huron East Budget:

1. Amortization Expenses
2. Post-Employment Benefit Expenses
3. Solid Waste Landfill Closure and Post-Closure Expenses

Carried.

Public Works Coordinator – Sidewalk Trackless

Public Works Coordinator Barry Mills reviewed his report to Council concerning the purchase of a 2019 Demonstrator Sidewalk Trackless MT7 unit from Work Equipment Ltd.

Moved by Alvin McLellan and seconded by Joe Steffler: Purchase
That Council of the Municipality of Huron East authorize the purchase of a Sidewalk
2019 Demonstrator Sidewalk Trackless MT7 unit from Work Equipment Ltd. Trackless MT7
in the amount of \$109,900 plus applicable taxes. Carried.

Public Works Coordinator – Tenders

The following tenders were received before Noon on May 15th, 2019 and opened by Councillor Joseph Steffler, Finance Manager-Treasurer/Deputy Clerk Paula Michiels and Public Works Coordinator Barry Mills.

HE-05-2019 – Asphalt Paving
HE-06-2019 – Class VII Motor Grader
HE-07-2019 – Valve Maintenance Trailer Unit

The tenders received were as follows:

HE-05-2019 – Asphalt Paving

	Morrison Line (Mill Road – Front Road)	Patching Morrison Line	Total
Lavis Contracting Co. Ltd.	\$405,600 (Unit Price \$78.00)	\$62,880 (Unit Price \$78.60)	\$468,480

Moved by Ray Chartrand and seconded by Larry McGrath: Accept Tender
Contract
HE-05-2019
Asphalt Paving
That Council of the Municipality of Huron East accept the tender of Lavis Contracting Co. Ltd. in the amount of \$468,480 plus applicable taxes for Contract HE-05-2019 – asphalt paving of Morrison Line from Mill Road to Front Road, and patching on Morrison Line between Kippen Road and Mill Road, Tuckersmith Ward. Carried.

HE-06-2019 – Class VII Motor Grader

	Price	5-year Warranty	Total
Nortrax	\$435,771	\$12,500	\$448,271
Toromont Cat	\$414,140	\$20,210	\$434,350

	Price	3-year Warranty	Total
Nortrax	\$435,771	\$5,030	\$440,801
Toromont Cat	\$414,140	\$12,010	\$426,150

Moved by Zoey Onn and seconded by John Lowe: Accept Tender
Contract
HE-06-2019
Motor Grader
That Council of the Municipality of Huron East accept the tender of Toromont Cat in the amount of \$434,350 plus applicable taxes for Contract HE-06-2019 – Class VII 2019 Motor Grader with the 5-year extended warranty equipped with snow plow equipment. Carried.

HE-07-2019 – Valve Maintenance Trailer Unit

	Price
Wachs Canada Ltd.	\$90,180

Moved by Joe Steffler and seconded by Alvin McLellan: Accept Tender
Contract
HE-07-2019
Valve Maint.
Trailer Unit
That Council of the Municipality of Huron East accept the tender of Wachs Canada Ltd. in the amount of \$90,180 plus applicable taxes for Contract HE-07-2019 – Valve Maintenance Trailer Unit. Carried.

Finance Manager-Treasurer/Deputy Clerk – Tenders – Dolmage and ‘C’ Drain of the Krauskopf Municipal Drains

The CAO presented the report of the Finance Manager-Treasurer/Deputy Clerk concerning tenders received for the construction of the Dolmage Municipal Drain 2019 and the ‘C’ Branch of the Krauskopf Municipal Drain 2019. The following tenders were received before 4:00 pm on May 15th, 2019 and opened by Councillor Joseph Steffler, Finance Manager-Treasurer Paula Michiels and Drainage Clerk Miranda Boyce.

Contractor	Price (excluding taxes)
A.G. Hayter Contracting Ltd.	\$105,630.00
Robinson Farm Drainage Ltd.	\$127,929.00
Sebben Ag. Drainage Systems Ltd.	\$123,480.00
Engineer’s Estimate	\$127,430.00

Moved by Brenda Dalton and seconded by Gloria Wilbee: Accept Tender
Dolmage Drain
That Council of the Municipality of Huron East accept the tender of A. G. Hayter Contracting Ltd. in the amount of \$105,630 plus applicable taxes for the construction of the Dolmage Municipal Drain 2019. Carried.

Contractor	Price (excluding taxes)
A.G. Hayter Contracting Ltd.	\$32,776.00
Robinson Farm Drainage Ltd.	\$40,928.00
Sebben Ag. Drainage Systems Ltd.	\$36,481.12
Engineer's Estimate	\$38,000.00

Moved by Brenda Dalton and seconded by Gloria Wilbee:
That Council of the Municipality of Huron East accept the tender of A. G. Hayter Contracting Ltd. in the amount of \$32,776 plus applicable taxes for the construction of the 'C' Branch of the Krauskopf Municipal Drain 2019. Carried.

Accept Tender
Krauskopf
Drain

CAO/Clerk – Cannabis Operation (Plant Paradise Property)

CAO Brad Knight reviewed his report to Council concerning the cannabis operation on the former Plant Paradise property located at 20-5th Avenue, Vanastra. He noted that there has been no dialogue/notice initiated by Health Canada to the Municipality and the Municipality has not been made aware of any inspection/enforcement issues by Health Canada and/or the OPP. He further noted that the Access to Cannabis for Medical Purposes (ACMPR) Regulation provides a licence to produce your own cannabis and allows up to 4 four licenses on one site. The CAO indicated that the OPP had confirmed that the subject property had four licenses. It was also noted that an OMAFRA representative had meet with several abutting property owners concerning the operation and it had been suggested that the neighbours may wish to file a complaint with the Normal Farm Practices Review Tribunal over the odour issues. The CAO summarized his report by indicating that the operation was conducted within a building on a property that was previously used as a greenhouse and the zoning allows a greenhouse and the product appears to be grown under the provisions of four federal licenses issued by Health Canada. It was further noted that a perimeter fence has enclosed the property and video surveillance is evident.

Council noted that Central Huron was experiencing similar issues and was considering changes to their zoning by-law to implement setbacks from residential areas and asked staff to investigate the options being considered by Central Huron.

Moved by Ray Chartrand and seconded by Larry McGrath:
That Council direct staff to update Council as more information becomes available from Health Canada, the OPP and OMAFRA regarding the cannabis growing operation at 20-5th Avenue, Vanastra;
AND FURTHER that staff be directed to notify the property owner concerning complaints from neighbouring property owners regarding odours from the facility.
Carried.

Direct Staff
Update Council
as info becomes
available on the
Cannabis
Growing
Operation

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

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

Receive
Municipal
Reports

Carried.

CORRESPONDENCE

Moved by Zoey Onn and seconded by Ray Chartrand:
That Council decline the request for funding from the Seaforth Agricultural Society for the Huron Progressive Agriculture Safety Day, and reiterate the need to have funding requests follow the proper grant procedures for next year.

Carried.

Decline
Seaforth
Agricultural
Society Financial
Request

UNFINISHED BUSINESS

MUNICIPAL DRAINS

PLANNING

Moved by Brenda Dalton and seconded by Gloria Wilbee:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated May 13th, 2019

Acknowledge
Report
C26/19

and has no objection to the severance application C26/19 of K & E De Corte Farms Ltd. on Lots 28, 29 and 30, Concession 2, McKillop Ward, subject to the conditions as per the resolution of Council dated May 7th, 2019.
Carried.

DeCorte Farms

COUNCIL REPORTS

Council Member Reports

Councillor McLellan advised that Campaign Coaches attended the last Brussels Morris Grey Recreation Committee Meeting to update the committee on their progress. They are expecting to present a report at the first meeting in June.

Mayor MacLellan reconfirmed the desire of the Water and Sewer Committee to bring an estimate of the Clearford waste water treatment system as an option for Egmondville to a future meeting.

Announcements

Councillor Lowe announced that the Brussels Farmers Market had opened for the season on May 17th at the Four Winds Barn and had good attendance.

INFORMATION ITEMS

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

Board/Committee
Meeting Minutes

- (1) Brussels Morris & Grey Board of Recreation Management – March 11th and April 15th, 2019
Carried.

OTHER BUSINESS

BY-LAWS

Moved by Ray Chartrand and seconded by Larry McGrath:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Law 40 for 2019

Introduce
By-Laws

By-Law 40-2019 – Confirm Council Proceedings

Carried.

CLOSED SESSION AND REPORTING OUT

CONFIRMATORY BY-LAW

Moved by Joe Steffler and seconded by Gloria Wilbee:
BE IT HEREBY RESOLVED that By-Law 40 for 2019, 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 Alvin McLellan and seconded by Dianne Diehl:
The time now being 8:07 p.m.
That the meeting do adjourn until June 4th, 2019 at 7:00 p.m.

Carried.

Adjournment

 Bernie MacLellan, Mayor

 Brad Knight, CAO/Clerk