



THE CORPORATION OF
HALDIMAND COUNTY

COUNCIL IN COMMITTEE MINUTES

DATE: April 1, 2014

TIME: 9:30 a.m.

PLACE: Cayuga Municipal Administration Building, Council Chambers

PRESENT:

Council	K. Hewitt	Mayor
	L. Bartlett	Councillor
	F. Morison	Councillor
	C. Grice	Councillor
	R. Shirton	Councillor
	L. Boyko	Councillor
SMT	D. Boyle	Chief Administrative Officer
	K. General	General Manager, Corporate Services
	T. Haedrich	Director, Engineering Services & Roads Operations
	H. Hanly	General Manager, Community Services
	C. Manley	General Manager, Planning & Economic Development
	P. Mungar	General Manager, Public Works
Staff	M. Evers	Manager, Planning & Development
	L. Friesen	Coordinator, Purchasing & Support
	R. Grimwood	Manager, Emergency Services/Fire Chief
	N. Mahmood	Planner
	D. McLean-Daniels	Risk Management & Insurance Coordinator
	S. VanDalen	Planner
Clerk	E. Eichenbaum	Clerk

CALL TO ORDER

Councillor Boyko called the Council in Committee meeting to order at 9:32 p.m.

ROLL CALL

The Mayor and all Members of Council were in attendance except for Councillor Dalimonte who was absent on County business.

DISCLOSURES OF PECUNIARY INTEREST

None.

PUBLIC MEETINGS FOR PLANNING APPLICATIONS

Councillor Boyko, Chair of Planning and Economic Development, assumed the Chair for this portion of the meeting.

Prior to commencing the public meeting the Chair explained the meeting, delegation and appeal process. He noted that decisions made by Committee at this meeting would be given final consideration at the April 7, 2014 Council meeting.

PED-PD-05-2014 RE: TEMPORARY USE BY-LAW TO PERMIT AN ADDITIONAL USE - DUNN (1736032 ONTARIO INC.)

Nasir Mahmood introduced Report PED-PD-05-2014 outlining an application to amend the Town of Dunnville Zoning By-law 1-DU 80 for a Temporary Use By-law to permit an additional use for a timeframe of 8 months.

David Roe, agent for the applicant was in attendance to answer questions. Mr. Roe provided an update on current preparations for the 2014 season.

There being no one else present to speak either for or against this application, deliberations concluded with the introduction of the following recommendation:

Recommendation 1

Moved By: Councillor Grice
Seconded By: Councillor Shirton

1. THAT Report PED-PD-05-2014 Re: Temporary Use By-law to Permit an Additional Use - Dunn (1736032 Ontario Inc.) dated February 19, 2014 BE RECEIVED;
2. AND THAT application PLZ-HA 2014-026, to pass a Temporary Use By-law for a period of 40 days (stretching over a period of 8 months) to permit an additional use BE APPROVED for reasons outlined in Report PED-PD-05-2014;
3. AND THAT the application is deemed to be consistent with the Provincial Policy Statement 2005, the Provincial Growth Plan and other matters of Provincial interest;
4. AND THAT the Temporary Use By-law attached to Report PED-PD-05-2014 BE PASSED.

CARRIED (Unanimously 6-0)

PED-PD-06-2014 RE: ZONING AMENDMENT TO FACILITATE RESIDENTIAL DEVELOPMENT, DUNNVILLE (WOODLAND ESTATES)

Shannon VanDalen introduced Report PED-PD-06-2014 outlining an application to amend the Town of Dunnville Zoning By-law to develop 5 semi-detached residential lots within the development know as Woodland Estates, Dunnville.

Mary Ann Anderson, agent for the applicant, was in attendance to answer questions.

There being no one else present to speak either for or against this application, deliberations concluded with the introduction of the following recommendation:

Recommendation 2

Moved By: Councillor Shirton
Seconded By: Councillor Grice

1. THAT Report PED-PD-06-2014 Re: Zoning Amendment to Facilitate Residential Development, Dunnville (Woodland Estates) dated February 26th, 2014 be received;
2. AND THAT Application PLZ-HA-2014-014, to amend the Town of Dunnville Zoning By-law 1-DU 80 to rezone portions of the subject lands to "Urban Residential Type 2 – Holding (R2 (H))" with site-specific provision 37.349 to facilitate residential development of 5 semi-detached dwellings, BE APPROVED for reasons outlined in Report PED-PD-06-2014;
3. AND THAT the by-law attached to Report PED-PD-06-2014 BE PASSED;
4. AND THAT the holding provision removal by-law attached to Report PED-PD-06-2014 BE PASSED and the General Manager of Planning and Economic Development be granted authority to remove the holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT servicing allocation in the amount of 4.3 m³/day of water and 5 m³/day of wastewater be assigned to the subject proposal with an allocation deadline of three years from the date that servicing infrastructure is available to the development;
6. AND THAT the proposal is deemed to BE CONSISTENT with Provincial Policy Statement 2005 and the Provincial Growth Plan.

CARRIED (Unanimously 6-0)

DEPARTMENTAL STAFF REPORTS

Planning and Economic Development Business

PED-COM-02-2014 RE: DUNNVILLE YOUTH IMPACT CENTRE 5KM RUN SPECIAL EVENT

Recommendation 3

Moved By: Councillor Grice
Seconded By: Councillor Shirton

1. THAT Report PED-COM-02-2014 Re: Dunnville Youth Impact Centre 5km Run Special Event dated March 24, 2014 be received;
2. AND THAT the Dunnville Youth Impact Centre (YIC) be authorized to host the Dunnville 5km Run for Youth special event on May 30, 2014 in accordance with the Haldimand County Special Event Guidelines.

CARRIED (Unanimously 6-0)

OTHER BUSINESS:

1. Councillor Grice provided an update on the open houses held regarding the future of LaFortune Park.

Mayor Hewitt assumed the Chair for this portion of the meeting.

MOTIONS OF CONSENT

Recommendation 4

Moved By: Councillor Bartlett
Seconded By: Councillor Morison

THAT the following memorandums/report be received as information:

1. CMS-ES-M02-2014 RE: Ambulance Response Time Performance Plan Results
2. CS-SS-04-2014 RE: Purchasing Activity for July to December 2013
3. PED-PD-07-2014 RE: McClung Community – Status Update

AND THAT the recommendations as contained in the following reports be adopted:

CS-SS-08-2014 RE: 2013 ANNUAL REPORT ON INSURANCE CLAIMS IN LITIGATION

1. THAT Report CS-SS-08-2014 Re: 2013 Annual Report on Insurance Claims in Litigation dated February 20, 2014 be received as information;
2. AND THAT the addendum memorandum CS-SS-M03-2014 be received as information and remain confidential.

CS-SS-M04-2014 RE: UPDATE ON JOINT AND SEVERAL LIABILITY REFORM

1. THAT Memo CS-SS-M04-2014 Re: Joint and Several Liability Reform dated March 18, 2014 be received;
2. AND THAT Haldimand County strongly supports the adoption of measures which limit the impact of joint and several liability on municipalities, with the “Combined Model”, as outlined in the correspondence from the Attorney General and recommended by the Association of Municipalities of Ontario (AMO), viewed as providing the most reasonable long term solution;
3. AND THAT a letter, similar to the draft version included in Attachment #1, be sent from the Mayor’s Office to the Ministry of the Attorney General prior to April 16, 2014, with a copy sent to AMO and local MPP’s.

CS-SS-M05-2014 RE: BILL 69, PROMPT PAYMENT ACT, 2013

1. THAT Memorandum CS-SS-M05-2014 Re: Bill 69 – Prompt Payment Act 2013 be received as information;
2. AND THAT the letter included as Attachment #1 to CS-SS-M05-2014 be issued from the Mayor’s Office expressing Haldimand County’s strong objections to the proposed Bill.

CARRIED (Unanimously 6-0)

DEPARTMENTAL STAFF REPORTS (CONTINUED)

PUBLIC WORKS Business

Councillor Shirton, Chair of Public Works, assumed the Chair for this portion of the meeting.

OTHER BUSINESS:

None.

Joint Services Business

Councillor Boyko, Vice-Chair of Joint Services, assumed the Chair for this portion of the meeting.

OTHER BUSINESS:

None.

Community Services Business

Councillor Grice, Chair of Community Services, assumed the Chair for this portion of the meeting.

CMS-GM-01-2014 DEMOLITION OF CANFIELD FIRE HALL

Recommendation 5

Moved By: Councillor Boyko
Seconded By: Councillor Bartlett

1. THAT Report CMS-GM-01-2014 Re: Demolition of the Old Canfield Fire Hall dated March 06, 2014 be received;
2. AND THAT The Old Canfield Fire Hall be demolished, the ground leveled and restored to match the existing site conditions;
3. AND THAT the cost be included as part of the new Canfield Fire Hall Project.

CARRIED (Unanimously 6-0)

CMS-ES-04-2014 FIRE PROTECTION AGREEMENT – MISSISSAUGAS OF THE NEW CREDIT FIRST NATION

Recommendation 6

Moved By: Councillor Boyko
Seconded By: Councillor Bartlett

1. THAT Report CMS-ES-04-2014 Re: Fire Protection Agreement-Mississaugas of the New Credit First Nation dated March 11, 2014 be received;
2. AND THAT the Haldimand County Fire Department respond to the Request for Proposal (RFP) for fire services to Mississaugas of the New Credit First Nation and include recovery for all direct and indirect costs related to the service provided as outlined in Report CMS-ES-04-2014;
3. AND THAT until such time as the current RFP process is resolved and New Credit has selected a fire protection provider, the current agreement be extended for a period of a maximum of 4 months with the option for either party to terminate the extension with 30 days notice.

CARRIED (Unanimously 6-0)

CMS-LI-01-2014 ADDITIONAL FUNDING TO COMPLETE THE SELKIRK LIBRARY WASHROOM RENOVATIONS

Recommendation 7

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

1. THAT Report CMS-LI-01-2014 Re: Response to Request For Quotation for Selkirk Library Washroom Renovations dated March 01, 2014 be received;
2. AND THAT the contract for the project be awarded to Tucker Design Build, Inc., in the amount of \$38,423, plus applicable taxes;
3. AND THAT the Revised Budget as outlined in CMS-LI-01-2014 be approved.

CARRIED (Unanimously 6-0)

OTHER BUSINESS:

1. H. Hanly provided an update on firehall construction projects.

Corporate Services Business

Councillor Morison, Chair of Corporate Services, assumed the Chair for this portion of the meeting.

OTHER BUSINESS:

Recommendation 8

Moved By: Councillor Boyko
Seconded By: Councillor Bartlett

THAT the notice provision of the procedural by-law be waived in order to consider a motion related to the Kohler Agricultural Centre.

CARRIED (Unanimously 6-0)

Recommendation 9

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

THAT the approved 2014 budget of \$40,000 for the Kohler Agricultural Centre's Community Vibrancy Fund project be amended to reallocate \$7,000 from the wheelchair access initiatives to allow for the purchase of kitchen appliances.

CARRIED (Unanimously 6-0)

Mayor Hewitt resumed the Chair for the remainder of the meeting.

REPORTS FROM SPECIAL PURPOSE COMMITTEES, BOARDS AND COMMISSIONS

1. Councillor Boyko provided an update on the most recent meeting of the Grand Erie District School Board's Accommodation Review Committee. Some mention has been made about the potential incorporation of the Cayuga Library into Cayuga High School but no correspondence has been forwarded to the County or the Library Board in this regard.

PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS

1. Current Grand River Watershed Conditions – Dwight Boyd, Director of Engineering, Grand River Conservation Authority

Recommendation 10

Moved By: Councillor Boyko
Seconded By: Councillor Grice

THAT the presentation from Dwight Boyd, director of Engineering, Grand River Conservation Authority, dated April 1, 2014 Re: Current Grand River Watershed Conditions, be received as information.

CARRIED (Unanimously 6-0)

INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

1. The following events were highlighted:

- Hagersville Rocks - tickets are on sale
- Mayor's Gala – May 24th

DELEGATIONS AND CONSIDERATION OF RELATED REPORTS

1. CS-GM-03-2014 RE: Haldimand County Hospitals – One-Time Grant
 - 1) David Montgomery, President & CEO, Haldimand War Memorial Hospital
 - 2) Ingrid Fell, VP – Chief Nursing Executive, West Haldimand General Hospital

David Montgomery provided an overview of Haldimand War Memorial Hospital's plans to expand its Emergency Department and make use of the one-time grant provided by Haldimand County.

Recommendation 11

Moved By: Councillor Grice
 Seconded By: Councillor Boyko

THAT the delegation material from David Montgomery, President & CEO, Haldimand War Memorial Hospital, dated March 14, 2014 RE: Haldimand County Hospitals – One-time Grant, be received as information.

CARRIED (Unanimously 6-0)

Ingrid Fell provided an update on West Haldimand General Hospital's plans to utilize the one-time grant from Haldimand County for new x-ray equipment and conversion of the current ambulance building.

Recommendation 12

Moved By: Councillor Boyko
 Seconded By: Councillor Bartlett

THAT the tabled correspondence from Lynn Montague, Chair, West Haldimand Hospital and Healthcare Foundation, dated March 27, 2014, RE: Haldimand County Hospitals – One-time Grant, be received as information.

CARRIED (Unanimously 6-0)

Recommendation 13

Moved By: Councillor Boyko
 Seconded By: Councillor Morison

1. THAT Report CS-GM-03-2014 Re: Haldimand County Hospitals – One Time Grants, dated March 26, 2014 be received;
2. AND THAT the 2014 Hospital Funding Framework/Criteria, included as Attachment #1 to Report CS-GM-03-2014, be approved;
3. AND THAT the proposed use of the grant by Haldimand War memorial Hospital, as identified in Attachment #2 to Report CS-GM-03-2014, be approved;

4. AND THAT the proposed use of the grant by West Haldimand General Hospital, as identified in Attachment #3 to Report CS-GM-03-2014, be approved;
5. AND THAT a letter from the mayor's Office, together with a copy of Report CS-GM-03-2014, be sent to the Minister of Health and the Hamilton Niagara Haldimand Brant Local Health Integration Network, advising of Haldimand County's one time grant and requesting enhanced Provincial financial assistance to this municipality's local hospitals to ensure their continued viability given the importance of this service to the community.

CARRIED (Unanimously 6-0)

2. PED-PD-08-2014 RE: Population, Household and Employment Forecasts Update – 2011 to 2041

Mike Evers and Jamie Cook, Director, Watson and Associates, presented the population, household and employment forecasts update for 2011 to 2041.

Recommendation 14

Moved By: Councillor Boyko

Seconded By: Councillor Grice

1. THAT Report PED-PD-08-2014 Re: Population, Household and Employment Forecasts Update - 2011 to 2041 dated April 4, 2014 be received;
2. AND THAT the Haldimand County Population, Household and Employment Forecasts Update - 2011 to 2041 prepared by Watson & Associates Economists Ltd. dated February 26, 2014 BE ACCEPTED as the forecasts for use growth management analyses and other land use planning related studies requiring detailed population projections;
3. AND THAT the forecasts identified in Recommendation #2 be incorporated into the Haldimand County Official Plan as part of the County's 5 year review beginning in 2015.
4. AND THAT the Revised Budget as outlined in PED-PD-08-2014 be approved.

CARRIED (Unanimously 6-0)

Decision of April 7, 2014 Council AMENDED (Unanimously 7-0)

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CLOSED SESSION

Recommendation 15

Moved By: Councillor Morison
Seconded By: Councillor Boyko

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 2:15 p.m. closed to the public, to discuss:

- a proposed or pending acquisition or disposition of land by the municipality or local board
 1. CS-SS-09-2014 RE: Offer to Purchase – 109 -113 Queen Street, Dunnville
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
 1. CS-SS-M03-2014 RE: Addendum to CS-SS-08-2014 RE: 2013 Annual Report on Insurance Claims in Litigation
 2. CS-FI-M01-2014 RE: US Steel Vacancy Rebate – Status Update
 3. CS-FI-M02 -2014 RE: Tax Appeal – Edgewater Gardens – Proposed Settlement
 4. CS-GM-04-2014 RE: OPG Assessment Appeal Settlement
- the security of the property of the municipality or local board
 1. Verbal Update – Status of Sale - Haldimand County Utilities Inc.
 2. Verbal Update – DCE Naturalization
 3. Correspondence from Haldimand County Utilities Inc. dated March 7, 2014 RE: HCUI & Its Subsidiary Companies' Minutes of Meetings
 - Haldimand County Utilities Inc. dated December 17, 2013
 - Haldimand County Hydro Inc. dated December 17, 2013
 - Haldimand County Energy Inc. dated December 17, 2013
 - Haldimand County Utilities Inc. dated January 2, 2014
 - Haldimand County Utilities Inc. dated January 29, 2014
 - Haldimand County Hydro Inc. dated January 29, 2014
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose
 1. Correspondence from the County Solicitor re: Boralex Memorandum of Understanding
 2. Correspondence from Haudenosaunee Development Institute re: LaFortune Park

CARRIED (5-1)

Recommendation 16

Moved By: Councillor Shirton
Seconded By: Councillor Boyko

THAT this closed meeting now adjourn at 5:18 p.m. and reconvene in open session.

CARRIED (Unanimously 6-0)

CS-FI-M01-2014 RE: US STEEL VACANCY REBATE – STATUS UPDATE

Recommendation 17

Moved By: Councillor Morison

Seconded By: Councillor Grice

1. THAT Memorandum CS-FI-M01-2014 Re: US Steel Vacancy Rebate – Status Update, dated March 26, 2014, be received and remain confidential;
2. AND THAT staff be authorized to obtain professional services to defend the County's position, to an upset limit of \$65,000, and assist staff in the US Steel Vacancy Rebate Assessment Review Board appeal, with funding from the Contingency Reserve.

CARRIED (Unanimously 6-0)

CS-FI-M02 -2014 RE: TAX APPEAL – EDGEWATER GARDENS – PROPOSED SETTLEMENT

Recommendation 18

Moved By: Councillor Grice

Seconded By: Councillor Morison

1. THAT Memorandum CS-FI-M02-2014 Re: Tax Appeal – Edgewater Gardens – Proposed Settlement be received as information and remain confidential;
2. AND THAT the County Solicitor be instructed to prepare an Agreement with Edgewater Gardens Long Term Care Centre in accordance with the provisions outlined in the correspondence dated March 19, 2014 as attached to CS-FI-M02-2014;
3. AND THAT, on behalf of Haldimand County, the Treasurer be authorized to execute such Agreement.

CARRIED (5-1)

CS-GM-04-2014 RE: OPG ASSESSMENT APPEAL SETTLEMENT

Recommendation 19

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

1. THAT Report CS-GM-04-2014 Re: OPG Assessment Appeal Settlement dated March 27, 2014 be received as information;
2. AND THAT, on behalf of Haldimand County, the Treasurer be authorized to execute the Memorandum of Agreement between Ontario Power Generation Inc. and the Municipal Property Assessment Corporation and Haldimand County as reflected on Attachment #1 to Report CS-GM-04-2014.

CARRIED (Unanimously 6-0)

CS-SS-09-2014 RE: OFFER TO PURCHASE – 109 -113 QUEEN STREET, DUNNVILLE

Recommendation 20

Moved By: Councillor Morison
Seconded By: Councillor Grice

1. THAT Report CS-SS-09-2014 Re: Offer to Purchase – 109 - 113 Queen Street, Dunnville dated March 17, 2014, be received;
2. AND THAT the offer from Debb Scott-Davies for the purchase of 109-113 Queen Street, Dunnville, legally described as Lot 3 Plan 7135, Haldimand County and comprising PIN 38118-0125(LT), for the purchase price of \$1,001.00 plus HST, be accepted;
3. AND THAT a by-law be prepared to authorize the sale;
4. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

CARRIED (Unanimously 6-0)

CORRESPONDENCE FROM SULLIVAN MAHONEY DATED MARCH 26, 2014 RE: BORALEX MEMORANDUM OF UNDERSTANDING

Recommendation 21

Moved By: Councillor Bartlett
Seconded By: Councillor Morison

THAT the correspondence from Woody McKaig, County Solicitor, dated March 26, 2014, Re: Boralex Memorandum of Understanding be received and remain confidential.

CARRIED (Unanimously 6-0)

CORRESPONDENCE FROM HALDIMAND COUNTY HYDRO INC. DATED MARCH 7, 2014 RE: HCUI & ITS SUBSIDIARY COMPANIES' MINUTES OF MEETINGS

Recommendation 22

Moved By: Councillor Grice
Seconded By: Councillor Morison

THAT the correspondence from Haldimand County Hydro Inc. dated March 7, 2014 and the following HCUI & its subsidiary companies' minutes of meetings be received and remain confidential:

- Haldimand County Utilities Inc. dated December 17, 2013
- Haldimand County Hydro Inc. dated December 17, 2013
- Haldimand County Energy Inc. dated December 17, 2013
- Haldimand County Utilities Inc. dated January 2, 2014
- Haldimand County Utilities Inc. dated January 29, 2014
- Haldimand County Hydro Inc. dated January 29, 2014

CARRIED (Unanimously 6-0)

ADJOURNMENT

Recommendation 23

Moved By: Councillor Bartlett
Seconded By: Councillor Morison

THAT this meeting is now adjourned at 5:27p.m.

CARRIED (Unanimously 6-0)

MAYOR

CLERK