



THE CORPORATION OF
HALDIMAND COUNTY

COUNCIL IN COMMITTEE MINUTES

DATE: August 26, 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
	T. Dalimonte	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
Staff	M. Ferris	Planner
	R. Grimwood	Manager, Emergency Services / Fire Chief
Clerk	J. Shaw	Deputy Clerk

CALL TO ORDER

Councillor Boyko called the Council in Committee meeting to order.

ROLL CALL

The Mayor and all Members of Council were in attendance.

DISCLOSURES OF PECUNIARY INTEREST

Councillor Dalimonte declared a disclosure of pecuniary interest with respect to the closed session item regarding CS-FI-18-2014 Re: Proposed Minutes of Settlement Related to Assessment Review Board Appeal for US Steel (Canada) Inc. by virtue of his employment with U.S Steel Canada Inc.

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 September 2, 2014 Council meeting.

PED-PD-24-2014 RE: ZONING BY-LAW AMENDMENT TO FULFILL A CONDITION OF CONSENT (VANDERMOLLEN FARMS INC.)

M. Ferris provided an overview of Report PED-PD-24-2014 outlining an application to amend the City of Nanticoke Zoning By-Law NE 1-2000 to prohibit future residential development opportunities on the subject lands.

Ed McCarthy, solicitor for 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 recommendations.

Recommendation 1

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

1. THAT Report PED-PD-24-2014 Re: Zoning By-law Amendment to Fulfill a Condition of Consent (Vandermollen Farms Inc.) dated July 14, 2014 be RECEIVED;
2. AND THAT application PLZ-HA 2014-108 to amend the City of Nanticoke Zoning By-Law NE 1-2000 to prohibit future residential development opportunities on the subject lands BE APPROVED for reasons outlined in Report PED-PD-24-2014;
3. AND THAT the proposal is deemed to BE CONSISTENT with the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe (2013);
4. AND THAT the By-law attached to Report PED-PD-24-2014 BE PASSED.

CARRIED (Unanimously 7-0)

Planning and Economic Development Business

PED-PD-25-2014 RE: PART LOT CONTROL EXEMPTION (1211840 ONTARIO INC.)

Recommendation 2

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

1. THAT Report PED-PD-25-2014 Re: Part Lot Control Exemption (1211840 Ontario Inc.) dated July 14, 2014 be RECEIVED;

2. AND THAT application PLPL-HA 2014-120 to exempt lands from part lot control to facilitate the creation of 9 residential lots BE APPROVED for reasons outlined in Report PED-PD-25-2014;
3. AND THAT the Part Lot Control By-law attached to Report PED-PD-25-2014 BE PASSED and registered;
4. AND THAT the proposal shall be considered to be consistent with the Provincial Policy Statement 2014, Provincial Growth Plan and other matters of provincial interest.

CARRIED (Unanimously 7-0)

PED-PD-26-2014 RE: EXEMPTION FOR PART LOT CONTROL – POSTMA (DUNNVILLE)

Recommendation 3

Moved By: Councillor Shirton
Seconded By: Councillor Morison

1. THAT Report PED-PD-26-2014 Re: Exemption for Part Lot Control – Postma (Dunnville) dated July 30, 2014 be received;
2. AND THAT application PLPL-HA-2014-134 to exempt lands from part lot control to facilitate the development of five semi-detached residential lots BE APPROVED for reasons outlined in Report PED-PD-26-2014;
3. AND THAT the Part Lot Control By-law attached to Report PED-PD-26-2014 BE PASSED and registered;
4. AND THAT the proposal shall be considered to be consistent with the Provincial Policy Statement 2005, Provincial Growth Plan 2006 and other matters of provincial interest.

CARRIED (Unanimously 7-0)

PED-COM-10-2014 RE: MANAGEMENT AND OPERATION OF FOOD SERVICES IN THE HALDIMAND COUNTY CALEDONIA CENTRE

Recommendation 4

Moved By: Councillor Bartlett
Seconded By: Councillor Grice

THAT consideration of Report PED-COM-10-2014 be deferred to a future meeting date at the request of staff.

CARRIED (Unanimously 7-0)

PED-COM-11-2014 RE: TO AMEND CITY OF NANTICOKE BY-LAW NO. 50-82 DESIGNATING THE KNISLEY-LINDSAY RESIDENCE

Recommendation 5

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

1. THAT Report PED-COM-11-2014 Re: To Amend City of Nanticoke By-law No. 50-82 Designating the Knisley-Lindsay Residence dated July 30, 2014 be received;
2. AND THAT staff be directed to prepare and present to Council for enactment, a by-law to amend By-law No. 50-82, Instrument No. HC141770 being a by-law designating the Knisley-Lindsay Residence under the Ontario Heritage Act;
3. AND THAT following Council's enactment of the amending by-law and there being no objections filed with the Clerk, the County's Solicitor, Sullivan Mahoney, be directed to delete Instrument No. HC141770 from all lands other than 57 Erie Street North, Selkirk.

CARRIED (Unanimously 7-0)

OTHER BUSINESS:

1. It was noted that Dunnville Memorial Hospital newsletter highlighted the recent \$700,000 grant from the County.

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

MOTIONS OF CONSENT

Recommendation 6

Moved By: Councillor Dalimonte
Seconded By: Councillor Boyko

THAT the following memorandums / reports be received as information:

1. CMS-GM-M02-2014 Re: Status Update on Construction of Cayuga and Hagersville EMS/Fire Halls
2. CMS-ES-M03-2014 Re: Emergency Services Division Donations
3. CS-SS-16-2014 Re: Purchasing Activity for January to June 2014
4. CS-SS-17-2014 Re: 2014 2nd Quarter Insurance Loss Report
5. CS-FI-17-2014 Re: Projected Operating Budget Variance Forecast to December 31, 2014

CARRIED (Unanimously 7-0)

DEPARTMENTAL STAFF REPORTS (CONTINUED)

PUBLIC WORKS Business

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

OTHER BUSINESS:

1. Discussion RE: Empire Communities – concern was expressed regarding the lack of planned upgrades to McClung Road as development proceeds. Council was advised that a traffic impact analysis is part of the planning process and enhancements will be completed as required.
2. Update RE: Green Energy / Samsung Project – Council received an e-mail from Kris Franklin. It was requested that this be placed on the green energy portion of the County website.

Joint Services Business

Councillor Dalimonte, 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-ES-05-2014 RE: 2015 AMBULANCE RESPONSE TIME PERFORMANCE PLAN

Recommendation 7

Moved By: Councillor Boyko

Seconded By: Councillor Morison

1. THAT Report CMS-ES-05-2014 Re: 2015 Ambulance Response Time Performance Plan dated July 2, 2014 be received;
2. AND THAT Haldimand County adopt ambulance response time targets for the calendar year 2015 in accordance with the Ambulance Act, Ontario regulation 267/08, amending O. Reg. 257/00 as identified in Attachment 1 of Report CMS-ES-05-2014;
3. AND THAT the 2015 Ambulance Response Time Performance Plan, Attachment 1 of Report CMS-ES-05-2014, be submitted to the Ministry of Health and Long Term Care, Emergency Health Services Director.

CARRIED (Unanimously 7-0)

CMS-ES-06-2014 RE: EMERGENCY SERVICES DIVISION – REALLOCATION OF CAPITAL FUNDING FOR AN EMERGENCY EXPENDITURE

Recommendation 8

Moved By: Councillor Bartlett

Seconded By: Councillor Boyko

1. THAT Report CMS-ES-06-2014 Re: Emergency Services Division – Reallocation of Capital Funding for an Emergency Expenditure, dated August 19, 2014 be received;
2. AND THAT the Revised Budget outlined in Report CMS-ES-06-2014 be approved.

CARRIED (Unanimously 7-0)

OTHER BUSINESS:

1. Discussion RE: Delayed Park Projects across County – Council was advised that staff are working to complete these by year end.

Corporate Services Business

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

CS-SS-18-2014 RE: MONITORING WELL ENCROACHMENT AGREEMENTS – NIAGARA PENINSULA CONSERVATION AUTHORITY

Recommendation 9

Moved By: Councillor Shirton

Seconded By: Councillor Grice

1. THAT Report CS-SS-18-2014 Re: Monitoring Well Encroachment Agreements - Niagara Peninsula Conservation Authority, dated August 11, 2014, be received;
2. AND THAT Haldimand County enter into Landowner Agreements to allow the Niagara Peninsula Conservation Authority to encroach onto County property for the purposes of installing one monitoring well within the road allowance on North Shore Drive, south of Stromness, and one monitoring well within the road allowance between Canal Bank Road and Hutchinson Road, as outlined in Report CS-SS-18-2014, for a term of 20 years, with all associated costs being borne by the NPCA;
3. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

CARRIED (Unanimously 7-0)

CS-CL-08-2014 RE: 2015 COUNCIL MEETING SCHEDULE

Recommendation 10

Moved By: Councillor Grice
Seconded By: Councillor Shirton

1. THAT Report CS-CL-08-2014 Re: 2015 Council Meeting Schedule dated July 08, 2014 be received;
2. AND THAT the Council Meeting Schedule, attached to Report CS-CL-08-2014 as Option **B**, be adopted for the 2015 calendar year.

CARRIED (5-2)

OTHER BUSINESS:

1. Notice from the Ministry of Community Safety and Correctional Services RE: New OPP Billing Model for Municipalities

Recommendation 11

Moved By: Councillor Boyko
Seconded By: Councillor Grice

THAT the notice from the Ministry of Community Safety and Correctional Services Re: New OPP Billing Model for Municipalities dated August 14, 2014 be received as information.

CARRIED (Unanimously 7-0)

2. 2013 Audited Financial Statements – a report will be provided at the September 2, 2014 Council meeting.

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

DELEGATIONS AND CONSIDERATION OF RELATED REPORTS

None.

REPORTS FROM SPECIAL PURPOSE COMMITTEES, BOARDS AND COMMISSIONS

None.

UNFINISHED BUSINESS

1. Upcoming Workshop for Entrepreneurs of Haldimand County – this workshop includes ten (10) steps to starting your business. The Economic Development office can be contacted for more information.

NEW BUSINESS

None.

INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

1. 2014 AMO Conference – this was held last week and was attended by Councillor Grice.
2. The following events were highlighted:
 - Dunnville Hospital Foundation Golf Tournament Fundraisers
 - Dunnville Legion fundraiser on September 7th
 - Haldimand Girls Hockey Association Tournament Fundraiser on September 13th
3. Samsung Project – Council requested a list of roads to be repaired and timeline of completion. An update will be provided in the near future.
4. Status Update RE: Mayor's Gala
5. Update RE: Hagersville Rocks Festival in Hagersville – to be held August 30th.

PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS

1. Rob Grimwood, Manager, Emergency Services / Fire Chief RE: Rosa Flora Fire

Recommendation 12

Moved By: Councillor Shirton
Seconded By: Councillor Grice

THAT the presentation material from Rob Grimwood, Manager, Emergency Services / Fire Chief
Re: Rosa Flora Fire be received as information.

CARRIED (Unanimously 7-0)

2. Rob Grimwood, Manager, Emergency Services / Fire Chief RE: Emergency Response Vehicle (ERV) Departmental Staff Reports

Recommendation 13

Moved By: Councillor Morison
Seconded By: Councillor Bartlett

THAT the presentation material from Rob Grimwood, Manager, Emergency Services / Fire Chief
Re: Emergency Response Vehicle (ERV) be received as information.

CARRIED (Unanimously 7-0)

3. Update RE: Nanticoke Water System – restriction to be lifted soon; signs, website, telephone and radio will be updated when situation changes. It was noted that the restriction was not related to the algae blooms in Lake Erie.

Councillor Grice left for the remainder of the meeting.

CLOSED SESSION

Recommendation 14

Moved By: Councillor Shirton

Seconded By: Councillor Morison

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 1:11 p.m. closed to the public, to discuss:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
 1. Verbal Update Re: Notice of Default (County-wide Parks Upgrade Project)
 2. CS-FI-18-2014 Re: Proposed Minutes of Settlement Related to Assessment Review Board Appeal for US Steel (Canada) Inc.
 3. White Oaks Litigation – Report from County Solicitor
- a proposed or pending acquisition or disposition of land by the municipality or local board
 1. PW-SW-03-2014 Re: Haldimand-Norfolk Material Recovery Facility – Norfolk County's Offer to Purchase
- the security of the property of the municipality or local board
 - 1 Correspondence from Haldimand County Hydro Inc. dated August 14, 2014 Re: Sale of Haldimand County Utilities Inc. to Hydro One – Projected Legal Cost for MADD Application Process
 - 2 Correspondence from Haldimand County Hydro Inc. dated August 14, 2014 Re: Potential Purchase of Property
 - 3 Correspondence from Haldimand County Hydro Inc. dated July 23, 2014 Re: HCUI & Its Subsidiary Companies' Minutes of Meetings
 - Haldimand County Utilities Inc. dated May 28, 2014
 - Haldimand County Hydro Inc. dated May 28, 2014, and
 - Haldimand County Energy Inc. dated May 28, 2014
 4. Douglas Creek Estates – Update on Current Issues

CARRIED (Unanimously 5-0)
Mayor Hewitt was absent for vote.

Recommendation 15

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT this closed meeting now adjourn at 2:38 p.m. and reconvene in open session.

CARRIED (Unanimously 6-0)

Recommendation 16

Moved By: Councillor Dalimonte

Seconded By: Councillor Morison

1. THAT Report PW-SW-03-2014 Re: Haldimand-Norfolk Material Recovery Facility – Norfolk County’s Offer to Purchase dated August 07, 2014 be received;
2. AND THAT Haldimand County’s legal interest in the property located at 28 Grigg Drive, Simcoe, in Norfolk County, known as the Haldimand-Norfolk Material Recycling Facility, be declared surplus to the needs of the municipality;
3. AND THAT the conditional offer from Norfolk County to purchase Haldimand County’s share of the Haldimand-Norfolk Material Recovery Facility at 28 Grigg Drive, Simcoe in the amount of \$272,500 plus applicable taxes be accepted;
4. AND THAT the Mayor and Clerk be authorized to execute the necessary documents;
5. AND THAT a by-law authorizing the sale be presented to Council;
6. AND THAT Report PW-SW-03-2014 Re: Haldimand-Norfolk Material Recovery Facility – Norfolk County’s Offer to Purchase dated August 07, 2014, be forwarded to Norfolk County Council for their information;
7. AND THAT the Revised Budget outlined in Report PW-SW-03-2014 be approved.

CARRIED (Unanimously 6-0)

Recommendation 17

Moved By: Councillor Morison

Seconded By: Councillor Bartlett

1. THAT Report CS-FI-18-2014 Re: Proposed Minutes of Settlement Related to Assessment Review Board Appeal for US Steel (Canada) Inc., dated August 13, 2014, be received as information and remain confidential;
2. AND THAT Haldimand County is agreeable to the settlement of the Assessment Review Board Appeal for US Steel (Canada) Inc., as outlined in Report CS-FI-18-2014, with the estimated municipal share of the proposed refund, totaling \$1,911,720, to be absorbed within the Allowance for Tax Writeoffs account;
3. AND THAT the Mayor and Clerk be authorized to sign the Minutes of Settlement under Section 40 of the Assessment Act, for the appeals covering the years 2009 to 2016, for roll numbers 2810-332-001-41600-0000, 2810-332-001-47520-000 and 2810-332-001-47640-0000.

CARRIED (Unanimously 5-0)
Disclosure of the Pecuniary Interest

Recommendation 18

Moved By: Councillor Shirton
Seconded By: Councillor Boyko

THAT the correspondence from Haldimand County Hydro Inc. dated August 14, 2014 Re: Sale of Haldimand County Utilities Inc. to Hydro One – Projected Legal Cost for MADD Application Process be received as information and remain confidential.

CARRIED (Unanimously 6-0)

Recommendation 19

Moved By: Councillor Boyko
Seconded By: Councillor Morison

THAT the correspondence from Haldimand County Hydro Inc. dated August 14, 2014 Re: Potential Purchase of Property be received as information and remain confidential.

CARRIED (Unanimously 6-0)

Recommendation 20

Moved By: Councillor Bartlett
Seconded By: Councillor Boyko

THAT the correspondence from Haldimand County Hydro Inc. dated July 23, 2014 Re: HCUI & Its Subsidiary Companies' Minutes of Meetings:

- Haldimand County Utilities Inc. dated May 28, 2014;
- Haldimand County Hydro Inc. dated May 28, 2014; and
- Haldimand County Energy Inc. dated May 28, 2014,

be received as information and remain confidential.

CARRIED (Unanimously 6-0)

Recommendation 21

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

1. THAT correspondence from the County's solicitor dated August 25, 2014 Re: White Oaks Litigation be received as information and remain confidential;
2. AND THAT the Mayor and Clerk be authorized to enter into an extension agreement, as provided under section 378 of the Municipal Act, with Margaret Morrison to extend the period of time in which the cancellation price is to be paid in respect of the lands currently registered for tax sale to December 1, 2014;
3. AND THAT staff prepare the necessary by-law to enact such agreement.

CARRIED (Unanimously 6-0)

ADJOURNMENT

Recommendation 22

Moved By: Councillor Bartlett

Seconded By: Councillor Shirton

THAT this meeting is now adjourned at 2:44 p.m.

CARRIED (Unanimously 6-0)

MAYOR

ACTING CLERK