



THE CORPORATION OF  
**HALDIMAND COUNTY**  
**COUNCIL MINUTES**

**DATE:** February 9, 2015

**TIME:** 6:00 p.m.

**PLACE:** Cayuga Municipal Administration Building, Council Chambers

**PRESENT:**

<b>Council</b>	K. Hewitt	Mayor
	L. Bartlett	Councillor
	F. Morison	Councillor
	C. Grice	Councillor
	T. Dalimonte	Councillor
	R. Shirton	Councillor
	B. Corbett	Councillor
<b>SMT</b>	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
<b>Clerk</b>	E. Eichenbaum	Clerk

## **CALL TO ORDER**

Mayor Hewitt called the Council meeting to order.

## **MOMENT OF SILENCE**

Mayor Hewitt opened the meeting with a moment of silence.

## **ROLL CALL**

The Mayor and all Members of Council were in attendance.

## **DISCLOSURES OF PECUNIARY INTEREST**

None.

## **APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**

### **Resolution 14-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Dalimonte

1. THAT the minutes of the January 19, 2015 Council meeting be adopted as circulated;
2. AND THAT the minutes of the Closed Session of the January 19, 2015 Council meeting be adopted as circulated and remain confidential.

CARRIED (Unanimously 7-0)

## **PRESENTATIONS OF RECOGNITION**

None.

## **DELEGATIONS**

None.

## **APPROVAL OF COMMITTEE MINUTES**

### **Resolution 15-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

1. THAT the minutes of the January 26, 2015 Committee of the Whole meeting be adopted as circulated;
2. AND THAT the minutes of the Closed Session of the January 26, 2015 Committee of the Whole meeting be adopted as circulated and remain confidential.

CARRIED (Unanimously 7-0)

### **Resolution 16-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Dalimonte

THAT the minutes of the February 3, 2015 Council in Committee meeting be adopted with the following recommendations withdrawn to be voted on separately:

Recommendation # 2                      Re: PED-PD-06-2015 Re: Zoning By-law Amendment to Fulfill a Condition of Consent, Oneida (Hewitt & Topp)

Recommendation # 30                      Re: Unsolicited Offer to Purchase – Former Quarry, Rainham Road, Dunnville (to be considered after the closed session)

CARRIED (Unanimously 7-0)

**Resolution 17-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Morison

THAT Recommendation # 2, Paragraph # 1, of the Council in Committee minutes dated February 3, 2015 be amended by changing Oneida to Walpole.

CARRIED (Unanimously 7-0)

**Resolution 18-15**

Moved By: Councillor Morison  
Seconded By: Councillor Bartlett

THAT Recommendation # 2, of the Council in Committee minutes dated February 3, 2015 be adopted as amended.

CARRIED (Unanimously 7-0)

**Resolution 19-15**

Moved By: Councillor Grice  
Seconded By: Councillor Morison

THAT consideration of the minutes of the Closed Session of the February 3, 2015 Council in Committee meeting be deferred until after the Closed Session.

CARRIED (Unanimously 7-0)

**Resolution 20-15**

Moved By: Councillor Morison  
Seconded By: Councillor Corbett

THAT the minutes of the February 4 & 5, 2015 Committee of the Whole (Budget) meeting be adopted with the following recommendations withdrawn to be voted on separately:

Recommendation # 12      Re: PED-COM-M02-2015 Re: Community Halls –  
   Cayuga Kinsmen Community Centre Emergency  
   Repairs

CARRIED (Unanimously 7-0)

**Resolution 21-15**

Moved By: Councillor Morison  
Seconded By: Councillor Bartlett

THAT Recommendation # 12 be amended with the addition of the following:

AND THAT, further to Memorandum PED-COM-M02-2015, staff be directed to report back to Council the details, including funding sources, of the Kinsmen Hall capital projects including the emergency expenditures and 2014 Kinsmen Hall upgrades.

CARRIED (Unanimously 7-0)

**Resolution 22-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT Recommendation # 12, of the Committee of the Whole (Budget) minutes dated February 4 & 5, 2015 be adopted as amended.

CARRIED (Unanimously 7-0)

**Resolution 23-15**

Moved By: Councillor Dalimonte  
Seconded By: Councillor Shirton

THAT the 2015 capital budget expenditures identified for the purchase of library materials be subject to a further report providing historical and actual expenditures falling under this category for each library branch.

CARRIED (Unanimously 7-0)

**Resolution 24-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT the capital project for the Grandview Lodge wireless internet connection, as identified in the Tax Supported 2015 Capital Budget, be referred to the 2015 Operating Budget deliberations due to the identified annual operating costs.

CARRIED (Unanimously 7-0)

**UNFINISHED BUSINESS**

**PED-PD-M02-2015 RE: CHANGES TO PROPOSED TEMPORARY USE BY-LAWS RELATED TO REPORT PED-PD-07-2015 – SCRAP MATERIAL COLLECTION BINS**

**Resolution 25-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Morison

THAT Memorandum PED-PD-M02-2015 Re: Changes to Proposed Temporary Use By-laws related to Report PED-PD-07-2015 – Scrap Material Collection Bins, dated February 6, 2015, be received as information.

CARRIED (Unanimously 7-0)

**CS-FI-M01-2015 RE: UPDATE ON MUNICIPAL DRAIN BILLINGS AND REVISED DEAMUDE DRAIN BY-LAW**

**Resolution 26-15**

Moved By: Councillor Dalimonte  
Seconded By: Councillor Shirton

THAT Memorandum CS-FI-M01-2015 Re: Update on Municipal Drain Billings and Revised Deamude Drain By-Law, dated January 28, 2015, be received as information.

CARRIED (Unanimously 7-0)

Deputy Mayor Grice assumed the Chair for this portion of the meeting.

**2015 MAYOR'S GALA**

**Resolution 27-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Morison

THAT the fourth annual Mayor's Gala Event be approved to take place on May 23, 2015;

AND THAT the proposed budget for the event be included in the Draft 2015 Tax supported Operating Budget for Council's consideration;

AND THAT for the purposes of this event, the provisions of the Procurement Policy be waived if necessary;

AND THAT the net proceeds from this event be donated to the following designated Haldimand County charitable organizations:

Caledonia Legion  
Hagersville Legion  
Dunnville Legion  
Haldimand 4-H Association  
Haldimand Choralairs Inc.  
Whispering Hearts Horse Rescue  
T.E.A.D. Equestrian Association for the Disabled  
Haldimand Pregnancy Care & Family Centre

CARRIED (Unanimously 7-0)

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

**RESURFACING OF SECTION OF HIGHWAY 6 FROM CALEDONIA TO HAMILTON**

**Resolution 28-15**

Moved By: Councillor Grice  
Seconded By: Councillor Corbett

1. THAT Haldimand County Council considers the safety and well being of its residents as a highest priority;

2. AND THAT Haldimand County Council understands that the Ministry of Transportation will be resurfacing the section of Highway 6 from Caledonia to Hamilton in 2015;
3. AND THAT Haldimand County Council hereby requests that the Ministry of Transportation incorporate all necessary improvements in the design to increase public safety on the section of Highway 6 from Caledonia to Hamilton.

CARRIED (Unanimously 7-0)

**VERBAL UPDATE RE: DISPARITY OF HARDNESS IN CALEDONIA TAP WATER**

P. Mungar advised Council that water hardness is not controlled or tested regularly; however, added that there should be minimal difference between the water hardness in Hamilton and other areas of the County as it is all sourced from Lake Ontario.

**NEW BUSINESS**

**CS-FI-04-2015 RE: 2015 INTERIM TAX LEVY AND TEMPORARY BORROWING**

**Resolution 29-15**

Moved By: Councillor Corbett  
 Seconded By: Councillor Dalimonte

1. THAT Report CS-FI-04-2015 Re: 2015 Interim Tax Levy and Temporary Borrowing, dated January 22, 2015, be received;
2. AND THAT the 2015 Interim Tax be levied at the following rates:

<u>PROPERTY CLASS</u>	<b>Tax Classes</b>	<b>2015 Combined Interim Tax Rate</b>
Residential	RT (RF, RG, RH, RP)	0.00619070
Residential Farmland Pending Development	R1	0.00340490
Multi-Residential	MT	0.01310070
Commercial (Occupied)	CT, ST (CF, CG, CH, CP, DP, GF)	0.01558270
Commercial Excess Lands/Vacant Lands	CU, SU, CX (CJ, CR, CZ)	0.01090790
Commercial (New Construction)	XT	0.01481270
Commercial (New Construction) Vacant Lands	XU	0.01036890
Industrial (Occupied)	IT, LT (IH, IP, LI, LN, LS)	0.01986570
Industrial Excess Lands/Vacant Lands	IU, LU, IX (IK, IZ, LK)	0.01291270
Industrial Farmland Pending Development	I1	0.00340490
Industrial (New Construction)	JT	0.01811570
Pipelines	PT	0.01550330
Farm	FT (FP)	0.00154740
Managed Forests	TT	0.00154740

3. AND THAT the 2015 Interim Tax Levy be due and payable in two equal installments on March 31<sup>st</sup>, 2015 and May 29<sup>th</sup>, 2015;

4. AND THAT the rate of penalty and interest for 2015 be set at 1.25% per month (15% per annum);
5. AND THAT a By-law be passed to authorize an Interim Tax Levy for 2015 based on the tax rates set out in Report CS-FI-04-2015;
6. AND THAT delegated authority be given to the Treasurer to adjust an individual property owner's interim taxes for 2015, if required, in the event that the taxes would be too low or too high in relation to the estimated total annual taxes for 2015, in accordance with Section 317(9) of the Municipal Act;
7. AND THAT a Temporary Borrowing By-law be passed to set the limit for borrowing certain sums, until revenues are received, to meet current expenditures for the year.

CARRIED (Unanimously 6-0)  
Councillor Grice was absent from the vote.

### **COUNCIL INFORMATION PACKAGE**

1. Inquiry RE: Correspondence from the Ministry of Municipal Affairs and Housing RE: 2014 Municipal Performance Measurement Program (MPMP) Resolutions from Other Municipalities & Organizations
2. Discussion RE: Correspondence from the Ministry of Transportation RE: Consultation on Ontario's Default Speed Limit

### **ATTENDANCE RE: ECONOMIC DEVELOPMENT CONFERENCE (SUBCOMMITTEE OF EDCO)**

#### **Resolution 30-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Dalimonte

THAT the Manager of Economic Development and Tourism be authorized to attend the EDCO Subcommittee Conference taking place in France in March 2015, with costs to be funded from base operating budget for promotion of the County, and a report to be prepared upon return outlining the costs and outcome for the conference.

CARRIED (Unanimously 7-0)

### **REPORTS FROM COUNCIL APPOINTEES TO BOARDS AND COMMISSIONS**

None.

### **MOTIONS**

None.

### **BY-LAWS**

1. By-law 899-HC/15 to amend Zoning By-law 1-H 86, as amended, of the Town of Haldimand in the name of Edward Houwer

2. By-law 900-HC/15 to amend the Town of Haldimand Zoning By-law 1-H 86, as amended, in the name of Marie Hewitt & Maureen Topp ('Holding-"H" removal)
3. By-law 901-HC/15 to amend the Town of Haldimand Zoning By-law 1-H 86, as amended, in the name of Marie Hewitt & Maureen Topp
4. By-law 902-HC/15 to amend the City of Nanticoke, the Town of Haldimand Zoning By-law 1-H 86, and the Town of Dunnville Zoning By-law 1-DU 80, as amended, in the name of the Corporation of Haldimand County ('Holding – "H" removal)
5. By-law 903-HC/15 to authorize a temporary use prohibited by Zoning By-law 1-DU 80, as amended, of the Town of Dunnville, in the name of the Corporation of Haldimand County
6. By-law 904-HC/15 to authorize a temporary use prohibited by Zoning By-law NE 1-2000, as amended, of the City of Nanticoke, in the name of the Corporation of Haldimand County
7. By-law 905-HC/15 to authorize a temporary use prohibited by Zoning By-law 1-H 86, as amended, of the Town of Haldimand, in the name of the Corporation of Haldimand County
8. By-law 1506/15 to amend By-laws 302/02 and 307/02 to regulate parking in Haldimand County
9. By-law 1507/15 to license, regulate and govern salvage yards and scrap material collection bins and to repeal By-law 1341/13
10. By-law 1508/15 to authorize the borrowing of certain sums to meet current expenditures for the year 2015 until revenues are received and to repeal By-law No. 1428/14 to authorize the borrowing of certain sums to meet current expenditures for the year 2014
11. By-law 1505/15 to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest for non-payment
12. By-law 1504/15 to authorize the transfer of a 1 foot strip of land, being approximately 1 foot wide by 79.97 feet long, to HML Holdings Ltd.
13. By-law 1503/15 to authorize Haldimand County to enter into a lease with Bruce and Susan Duxbury for lands in Jarvis
14. By-law 1502/15 to amend By-law No. 1498/15, Schedule "B" to levy the actual cost of construction of the Deamude drain on the assessed lands
15. By-law 1501/15 to establish the regulation and management of cemeteries under the control of The Corporation of Haldimand County

**Resolution 31-15**

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

THAT By-laws 1 to 15, as listed on the agenda, be hereby introduced and given a first and second reading.

CARRIED (Unanimously 7-0)



### **Resolution 32-15**

Moved By: Councillor Morison  
Seconded By: Councillor Bartlett

THAT By-laws 1 to 15, as listed on the agenda, be hereby introduced and given a third and final reading, be signed by the Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED (Unanimously 7-0)

## **NOTICES OF MOTION**

None.

## **ANNOUNCEMENTS**

1. The Draft 2015 Water & Wastewater Rate Supported Capital Forecast and Operating Budget deliberations are scheduled to take place on February 17 & 18, 2015.

## **CLOSED SESSION**

### **Resolution 33-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 7:08 p.m. closed to the public, to discuss:

- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
  1. Correspondence from Sullivan Mahoney dated February 6, 2015 Re: "As Is, Where Is" and Indemnity/Release Provisions

CARRIED (Unanimously 7-0)

### **Resolution 34-15**

Moved By: Councillor Grice  
Seconded By: Councillor Morison

THAT this closed meeting now adjourn at 7:31 p.m. and reconvene in open session.

CARRIED (Unanimously 7-0)

**Resolution 35-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Dalimonte

THAT the minutes of the Closed Session of the February 3, 2015 Council in Committee meeting be adopted with Recommendation # 1 amended as revised in the February 9, 2015 Council Closed Session.

CARRIED (Unanimously 7-0)

**Resolution 36-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Corbett

THAT the correspondence from Sullivan Mahoney dated February 6, 2015 Re: "As Is, Where Is" and Indemnity/Release Provisions be received and remain confidential.

CARRIED (Unanimously 7-0)

**Resolution 37-15**

Moved By: Councillor Dalimonte  
Seconded By: Councillor Shirton

THAT Recommendation # 30, of the Council in Committee minutes dated February 3, 2015 be adopted as presented.

CARRIED (6-1)

**CONFIRMING BY-LAW**

**Resolution 38-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT the Confirming By-law be hereby introduced and given a first and second reading.

CARRIED (Unanimously 7-0)

**Resolution 39-15**

Moved By: Councillor Dalimonte  
Seconded By: Councillor Shirton

THAT the Confirming By-law be hereby introduced and given a third and final reading, be signed by the Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED (Unanimously 7-0)

## **ADJOURNMENT**

### **Resolution 40-15**

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT this meeting is now adjourned at 7:35 p.m.

CARRIED (Unanimously 7-0)

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MAYOR

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CLERK