



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

**DATE:** October 13, 2015

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

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

**PRESENT:**

<b>Council</b>	K. Hewitt	Mayor
	L. Bartlett	Councillor
	C. Grice	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
<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 except Councillor Dalimonte and Councillor Morison who were absent due to personal reasons.

## DISCLOSURES OF PECUNIARY INTEREST

Councillor Corbett declared a disclosure of pecuniary interest with regards to the Closed Session item related to a verbal update Re: U.S. Steel – Court Proceedings by virtue of his former employment with the company.

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

### **Resolution 227-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Corbett

1. THAT the minutes of the September 21, 2015 Council meeting be adopted as circulated;
2. AND THAT the minutes of the Closed Session of the September 21, 2015 Council meeting be adopted as circulated and remain confidential.

CARRIED (Unanimously 5-0)

## **PRESENTATIONS OF RECOGNITION**

None.

## **DELEGATIONS**

None.

## **APPROVAL OF COMMITTEE MINUTES**

### **Resolution 228-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT the minutes of the September 21, 2015 Committee of the Whole meeting be adopted as circulated.

CARRIED (Unanimously 5-0)

### **Resolution 229-15**

Moved By: Councillor Grice  
Seconded By: Councillor Bartlett

THAT the minutes of the October 6, 2015 Council in Committee meeting be adopted with the following recommendations withdrawn to be voted on separately:

Recommendation # 5                      Re: PED-COM-10-2015 Re: Townsend Land Lease  
Property Tax Exemption

Recommendation # 14                      Re: CS-GM-08-2015 Re: Conservation Authorities Act and  
Municipal Legislation Reviews

CARRIED (Unanimously 5-0)

**Resolution 230-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT Recommendation # 5, of the Council in Committee minutes dated October 6, 2015 be adopted.

CARRIED (Unanimously 5-0)

**Resolution 231-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT Recommendation # 14, of the Council in Committee minutes dated October 6, 2015 be amended with the addition of the following:

6. AND THAT the summary information from the Municipal Finance Officers' Association of Ontario (MFOA) October 2015 Municipal Act Review, as tabled at the October 13, 2015, Council meeting, be received as information;
7. AND THAT the MFOA recommendations be supported, with the exception that Haldimand County requests that "prudent investor status" be expanded beyond the ONE Investment Program to all municipalities with sufficient credit rating/fiscal policies;

AND THAT paragraph #5 be amended to add: "the Municipal Finance Officers' Association of Ontario".

CARRIED (Unanimously 5-0)

**Resolution 232-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT Recommendation # 14, of the Council in Committee minutes dated October 6, 2015 be adopted as amended.

CARRIED (Unanimously 5-0)

**Resolution 233-15**

Moved By: Councillor Grice  
Seconded By: Councillor Bartlett

THAT the minutes of the Closed Session of the October 6, 2015 Council in Committee meeting be adopted as circulated and remain confidential.

CARRIED (Unanimously 5-0)

## **UNFINISHED BUSINESS**

### **PW-ES-18-2015 RE: MINISTRY OF TRANSPORTATION PETITION FOR MUNICIPAL DRAIN - HIGHWAY 3 AND HALDIMAND ROAD 56 INTERSECTION IMPROVEMENTS**

#### **Resolution 234-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Corbett

1. THAT Report PW-ES-18-2015 Re: Ministry of Transportation Petition for Municipal Drain - Highway 3 and Haldimand Road 56 Intersection Improvements dated September 18, 2015 be received;
2. AND THAT the Ministry of Transportation (MTO) petition for drainage works be accepted;
3. AND THAT staff be authorized to seek the services of a qualified Drainage Engineer for subsequent Council appointment as required by the petition process.

DEFEATED (2-3)

#### **Resolution 235-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Shirton

THAT Report PW-ES-18-2015 Re: Ministry of Transportation Petition for Municipal Drain - Highway 3 and Haldimand Road 56 Intersection Improvements dated September 18, 2015 be received;

AND THAT the Ministry of Transportation (MTO) petition for drainage be denied.

CARRIED (3-2)

### **CS-HR-M01-2015 RE: ADDITIONAL INFORMATION RELATED TO CS-HR-08-2015 RE: TERMS OF REFERENCE – EMPLOYEE GROUP BENEFITS**

#### **Resolution 236-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT Memorandum CS-HR-M01-2015 Re: Additional Information Related to CS-HR-08-2015 RE: Terms of Reference – Employee Group Benefits dated October 8, 2015 be received as information.

CARRIED (Unanimously 5-0)

**A) CS-HR-08-2015 RE: TERMS OF REFERENCE – EMPLOYEE GROUP BENEFITS**

**Resolution 237-15**

Moved By: Councillor Grice  
Seconded By: Councillor Bartlett

1. THAT Report CS-HR-08-2015 Re: Terms of Reference - Employee Group Benefits dated September 22, 2015 be received;
2. AND THAT the Draft Terms of Reference included as Attachment #3 to Report CS-HR-08-2015 be approved in principle, subject to minor changes, for use in the Request for Proposal process for the Employee Group Benefits Program;
3. AND THAT Accidental Death & Dismemberment Coverage for Council members be provided through the Employee Group Benefits Insurance program.

CARRIED (Unanimously 5-0)

**MOTION RE: RESCHEDULING OF THE OCTOBER 31, 2016 COUNCIL MEETING**

**Resolution 238-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT the Council meeting scheduled for Monday, October 31, 2016 be re-scheduled to Tuesday, November 1, 2016.

CARRIED (Unanimously 5-0)

**RESOLUTIONS OF THE SHAREHOLDER OF HALDIMAND-NORFOLK HOUSING CORPORATION**

**Resolution 239-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

WHEREAS, the Corporation of Haldimand County is a shareholder of the Haldimand-Norfolk Housing Corporation by way of Share Certificate Number 2 dated July 12th, 2001, for a total of 40 shares, and;

WHEREAS the Haldimand-Norfolk Housing Corporation has presented the audited financial statements for the fiscal year ended December 31, 2014 to the Shareholders, and;

WHEREAS the auditors, Millard, Rouse and Rosebrugh has provided an unqualified opinion on those financial statements;

THEREFORE, BE IT RESOLVED that the financial statements for the fiscal year ended December 31, 2014 of the Haldimand-Norfolk Housing Corporation be approved and received by the Shareholder.

CARRIED (Unanimously 5-0)

**Resolution 240-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

WHEREAS, the Corporation of Haldimand County is a shareholder of the Haldimand-Norfolk Housing Corporation by way of Share Certificate Number 2 dated July 12th, 2001, for a total of 40 shares, and;

WHEREAS the Corporation of Haldimand County, as a shareholder of the Haldimand-Norfolk Housing Corporation is required to appoint the auditor for the Haldimand-Norfolk Housing Corporation in accordance with Section 149 of the Ontario Business Corporations Act;

THEREFORE BE IT RESOLVED by the Corporation of Haldimand County that it hereby appoints the firm of Millard, Rouse and Rosebrugh, Chartered Accountants, Simcoe, Ontario as the auditors of the Haldimand-Norfolk Housing Corporation for the fiscal year ending December 31, 2015.

CARRIED (Unanimously 5-0)

**NEW BUSINESS**

**PED-EDT-M02-2015 RE: FEED-IN TARIFF (FIT) 4.0 MUNICIPAL SUPPORT FOR 5235 RAINHAM ROAD, SELKIRK**

**Resolution 241-15**

Moved By: Councillor Grice  
Seconded By: Councillor Bartlett

THAT Memorandum PED-EDT-M02-2015 be received as information;

AND WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.;

AND WHEREAS Deboer Acres Holsteins Inc. (the "Applicant") proposes to construct and operate a Solar PV (Rooftop) (the "Project") on 5235 Rainham Road, Selkirk, ON (the "Lands") in Haldimand County under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Haldimand County indicate by resolution, Council's support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of Haldimand County supports the construction and operation of the Project on the Lands.

CARRIED (Unanimously 5-0)

**PED-EDT-M03-2015 RE: FEED-IN TARIFF (FIT) 4.0 MUNICIPAL COUNCIL SUPPORT RESOLUTION FOR 45 HALD-DUNN TOWNLINE ROAD, DUNNVILLE**

**Resolution 242-15**

Moved By: Councillor Bartlett

Seconded By: Councillor Grice

THAT Memorandum PED-EDT-M03-2015 be received as information;

AND WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.1;

AND WHEREAS Huigen Bros. Farms Limited (the "Applicant") proposes to construct and operate a 350 kW PV Rooftop Solar Project (the "Project") on 45 Hald-Dunn Townline Road, RR #9, Dunnville, ON, N1A 2W8 (the "Lands") in Haldimand County under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of Haldimand County indicate by resolution, Council's support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0.1, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of Haldimand County supports the construction and operation of the Project on the Lands.

CARRIED (Unanimously 5-0)

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

1. Update RE: Meeting with the Ministry of Transportation RE: Caledonia Bridge – Mayor Hewitt and Councillor Grice emphasized that work on the Caledonia Bridge cannot begin until there is confirmation that there will be no disruption, and until the Cayuga bridge is completed. Concern was expressed regarding potential temporary road closure and loss of business related to proposed bridge work.
2. Announcement RE: Grand River Conservation Authority – The GRCA recently received \$540,000 for ice storm relief. Also, the GRCA has recently petitioned the province for compensation for the emerald ash borer.
3. Update RE: Townsend Lands Adjacent to Parkview Meadows – It was noted that these lands are currently unavailable as they are being held for Ministry of Aboriginal Affairs program needs.

**MOTIONS**

None.

## **BY-LAWS**

1. By-law 931-HC/15 to amend the City of Nanticoke Zoning By-law NE-1-2000, as amended, in the name of William and Izabella Selmecci
2. By-law 1594/15 to establish and lay out as part of a highway, lands acquired for purposes of a municipal highway in Haldimand County (*related to report CS-SS-11-2015*)
3. By-law 1595/15 to assume the road widening on Haldimand Road 50, Cayuga, being Part of the North ½ of Lot 18, Concession 5, South Cayuga, designated as Parts 2 and 3 on Plan 18R-2818, in Haldimand County, and to establish these lands as an open public highway to form part of Haldimand Road 50
4. By-law 1592/15 to authorize the sale of certain lands legally described as PIN # 38163-0109(LT), being Part of Lot 7, E/S Selkirk Plan for the Town of Caledonia, designated as Part 1 on 18R-919, Haldimand County
5. By-law 1593/15 to authorize the sale of certain lands legally described as PIN # 38191-0095(LT) Part Lot 7, Concession 14, Walpole, Part 1 on 18R-1945, Haldimand County
6. By-law 1591/15 to designate the Townsend Park Lands, leased from Ontario Infrastructure and Lands Corporation, as a municipal capital facility for the purpose of property tax exemption

### **Resolution 243-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Corbett

THAT By-laws 1 to 6, as listed on the agenda, be hereby introduced and given a first and second reading.

CARRIED (Unanimously 5-0)

### **Resolution 244-15**

Moved By: Councillor Corbett  
Seconded By: Councillor Shirton

THAT By-laws 1 to 6, 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 5-0)

## **NOTICES OF MOTION**

1. Notice of Motion submitted by Councillor Grice RE: U.S. Steel, to be considered at the October 27, 2015 Council in Committee meeting.

## **ANNOUNCEMENTS**

None.



## **CLOSED SESSION**

### **Resolution 245-15**

Moved By: Councillor Grice  
Seconded By: Councillor Bartlett

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 7:12 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: U.S. Steel – Court Proceedings

CARRIED (Unanimously 4-0)  
1 Disclosure of Pecuniary Interest

Councillor Corbett left for the remainder of the meeting.

### **Resolution 246-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Grice

THAT this closed meeting now adjourn at 7:39 p.m. and reconvene in open session.

CARRIED (Unanimously 4-0)

## **CONFIRMING BY-LAW**

### **Resolution 247-15**

Moved By: Councillor Bartlett  
Seconded By: Councillor Shirton

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

CARRIED (Unanimously 4-0)

### **Resolution 248-15**

Moved By: Councillor Shirton  
Seconded By: Councillor Bartlett

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 4-0)

# ADJOURNMENT

## Resolution 249-15

Moved By: Councillor Bartlett

Seconded By: Councillor Grice

THAT this meeting is now adjourned at 7:42 p.m.

CARRIED (Unanimously 4-0)

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MAYOR

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CLERK