



MINUTES
For the Regular Meeting of the
Council of the Municipality of West Grey
Held on Monday, October 3, 2016 at 10:00 a.m.
At the Council Chambers – West Grey Municipal Office

<u>Council</u>	Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Doug Hutchinson, Councillor Carol Lawrence, Councillor Don B. Marshall, Councillor Rob Thompson
<u>Staff</u>	Larry Adams, CAO/Deputy Clerk; Mark Turner, Clerk; Kerri Mighton, Director of Finance/Treasurer; Brent Glasier, Director of Infrastructure and Public Works – during reports

Moment of Reflection

Declarations of Pecuniary Interest and General Nature Thereof

- None

Closed Session – None

Matters Arising from the Closed Session – n/a

Public Meeting - None

Part I - Consent Agenda

Bell-Thompson, Be it resolved that, Items A1 to C1 inclusive, contained in Part 1 – Consent Agenda, be adopted, as amended; And further that, authorization be given for the action to be taken as may be necessary to give effect to the recommendations contained therein. ... #342-16 **Carried.**

Adoption of Minutes

Council:

- A1 Minutes of Regular Council Meeting – September 19, 2016 (deferred)
Minutes of Special Committee of the Whole Meeting (Service Delivery Review) – September 16, 2016 (deferred)
Minutes of Committee of the Whole Meeting – September 26, 2016

Committees:

- A2 Durham Recreation Advisory Committee – May 12, 2016
Neustadt Recreation Advisory Committee – June 8, 2016
West Grey Economic Development Committee – July 19, 2016

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Other

- A3 Elmwood Fire Department Joint Board of Management – May 11, 2016
Drinking Water Source Protection Committee – May 27, 2016
Saugeen Mobility and Regional Transit Board – July 22, 2016 & August 26, 2016
Elmwood Community Centre Board – August 23, 2016
Saugeen Municipal Airport Commission – August 24, 2016
PLAY Committee – September 22, 2016 – resolution #343-16

Marshall-Cutting, Be it resolved that, the minutes of the Regular Meeting of the Council of the Municipality of West Grey, held on September 26, 2016, be adopted, as amended; Further that, the Minutes of the West Grey Committees – A2, be received, as circulated; And further that, the Minutes of the Other Committees – A3, be received, as circulated. ... #343-16 Carried.

Award of Tenders

- B1 None

Routine Department Reports

- C1 Clerk – Report #CC 10/03/16 – resolution #344-16

Cutting-Marshall, Be it resolved that, the Council of the Municipality of West Grey hereby approves the allocation of the sale of surplus equipment listed in the September 26, 2016 Committee of the Whole Agenda/ Director of Infrastructure and Public Works' Report in the amount of \$20,955.00 to the department equipment budget, as recommended by the Committee of the Whole. ... #344-16 Carried.

Miscellaneous Correspondence (For Information Only - Not Circulated but Available for Viewing at Meeting)

- D1 Recycling Council of Ontario – request to proclaim the week of October 17-23, 2016 as "Waste Reduction Week in Canada"
D2 CUPE/SCFP Ontario – request to proclaim October 26, 2016 as "Child Care Worker & Early Childhood Educator Appreciation Day"

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Future Committee Meetings

- E1 West Grey Police Services Board – October 3, 2016, 3:30 p.m., West Grey Municipal Office
- E2 West Grey Economic Development Committee – October 6, 2016, 1:00 p.m., West Grey Municipal Office
- E3 West Grey Committee of Adjustment – October 11, 2016, 1:00 p.m., West Grey Municipal Office
- E4 West Grey Committee of the Whole (Planning) – October 11, 2016, 2:00 p.m., West Grey Municipal Office
- E5 West Grey Economic Development Committee – October 12, 2016, 1:00 p.m., West Grey Municipal Office

Part II - Regular Agenda

Mayor Eccles, and Councillors Lawrence and Marshall, reported on past activities and events since the last regular meeting of Council, and on upcoming events and activities.

Delegations

David Sugarman – Council complaint (re-scheduled to October 17, 2016 Council Meeting)

Ian Howes, Compass Energy Consulting

Ian Howes, Compass Energy Consulting, provided a powerpoint presentation to Council regarding two “Small FIT” ground mounted (non-rooftop) solar PV projects in West Grey, by 2502928 Ontario Inc. Compass Energy Consulting is requesting supporting resolutions from Council for the proposed solar projects.

Council asked what does the Province pay for these proposed projects. Mr. Howes indicated the rate last year was 21 cents per KWh, and this year’s rate will likely be 19 cents per KWh. Solar companies typically lease lands from landowners at a rate of \$500 - \$1,000 per year per acre. Council noted the Independent Electricity Operator (IESO) has indicated there is no more need in the next ten years for green energy projects, and mentioned concerns regarding the potential cost to Ontario taxpayers if additional green energy projects are approved. Mr. Howes indicated the IESO planning outlook includes the next FIT Contract round, and while admitting there may be some surplus energy on off-peak hours, stated there is the demand during peak summer hours.

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Council asked if the Compass leases with landowners contain lease hold mortgage clauses. Mr. Howes indicated the leases do contain lease hold mortgage clauses, however, he stressed it is based on the solar assets on the land, and not the actual lands.

Council mentioned a belief that the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) is reviewing classes of lands that solar panels are able to be placed on, as there is some concerns that some Class 4-5 agricultural land may be too good for sole use for solar panels. Mr. Howes noted he is not aware of any OMAFRA process being undertaken, however, he has heard that new Provincial Policy Statements may look at prime agricultural designations.

Council asked if landowners are aware of the lease hold mortgage clause in their leases. Mr. Howes indicated the clause is contained in the lease, so landowners should be aware of the clause. Council asked if surrounding neighbours are notified of the proposed solar projects. Mr. Howes responded that his firm identifies specific properties of interest, so they contact every property owner in the area regarding potential leasing of lands, but due to confidentiality issues, they do not divulge actual properties entering into lease agreements until later stages of the process.

Council opined that landowners should obtain a legal opinion regarding lease hold agreements. Mr. Howes indicated his firm does recommend that landowners obtain a legal opinion.

Council asked if it is clearly stated in lease agreements if a company becomes insolvent and the project is assigned to another company, does the new company have to adhere to conditions contained in the original lease. Mr. Howes stated Compass is not in the business of selling projects, but stated it could happen, and noted the terms of conditions contained in the lease are binding on both parties.

Council inquired if endangered species and/or migratory birds are discovered on a property for potential lease, are there any restrictions when work can be done on the subject lands. Mr. Howes indicated that as part of the second phase development, more detailed development work is completed, including a detailed environmental review to assess species at risk and other natural heritage features. If endangered species and/or migratory birds issues arise, mitigation procedures will be implemented.

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Council questioned how long do solar companies tie up properties with the lease agreement. Mr. Howes responded that every lease is different, however, the predominant approach is to enter into a preliminary five year lease, but if no contract is approved, the lease is subsequently terminated.

Council asked if a private solar development requires council approval. Mr. Howes stated that no solar project requires municipal approval, however, over 98% of FIT projects approved by the Province were supported by municipal resolutions.

The CAO/Deputy Clerk questioned if Compass would assist firefighters for training purposes if their solar projects are approved. Mr. Howes indicated the Canadian Solar Association has prepared a working document for fire departments, and at the time of the commercial operation, Compass would invite certain stakeholders, including fire departments, for a safety walk and education training related to the solar project. - resolution #348-16, #349-16

Marshall-Eccles, WHEREAS capitalized terms not defined herein have the meaning ascribed to them in the FIT Rules, Version 5.0.

AND WHEREAS 2502928 Ontario Inc. (the "Applicant") proposes to construct and operate a non-Rooftop Solar Project (the "Project") on 37219-0155 (the "Lands") in West Grey under the province's FIT Program;

AND WHEREAS the Applicant has requested that the Council of West Grey 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 5.0, 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 Council of the Municipality of West Grey supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects, or for any other purpose.

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Recorded Vote

For: Mayor Eccles, Councillor Marshall

Against: Deputy Mayor Bell, Councillor Cutting, Councillor Hutchinson, Councillor Lawrence, Councillor Thompson

... #348-16

DEFEATED.

Marshall-Eccles, WHEREAS capitalized terms not defined herein have the meaning ascribed to them in the FIT Rules, Version 5.0.

AND WHEREAS 2502928 Ontario Inc. (the "Applicant") proposes to construct and operate a non-Rooftop Solar Project (the "Project") on 37296-0179 (the "Lands") in West Grey under the province's FIT Program;

AND WHEREAS the Applicant has requested that the Council of West Grey 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 5.0, 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 Council of the Municipality of West Grey supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects, or for any other purpose.

Recorded Vote

For: Mayor Eccles, Councillor Marshall

Against: Deputy Mayor Bell, Councillor Cutting, Councillor Hutchinson, Councillor Lawrence, Councillor Thompson

... #349-16

DEFEATED.

Warren Howard

Warren Howard provided a powerpoint presentation to Council regarding a proposed Comprehensive Wind Turbine Noise Emissions and Health Study being developed by Wind Concerns Ontario in conjunction with the University of Waterloo and the Huron County Health Unit.

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Mr. Howard is seeking a resolution of support for the proposed Study and agreement for West Grey to participate as a "Knowledge User". If such a resolution is adopted, Mr. Howard is requesting that West Grey provide a 'Statement of Support' for the Study, that would include a statement outlining the situation in West Grey and why the results of the study are relevant to the community. – resolution #350-16 (Council requested the Clerk to work on a statement letter, and to send the draft statement letter to Council for comments, and if the majority of Council support the contents of the letter, then submit the statement letter accordingly.)

Cutting-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby supports the 'Comprehensive Wind Turbine Noise Emissions and Health Study' and agrees to participate as a 'Knowledge User'.

Recorded Vote

For: Mayor Eccles, Deputy Mayor Bell, Councillor Cutting, Councillor Hutchinson, Councillor Lawrence, Councillor Thompson

Against: Councillor Marshall

... #350-16

Carried.

Business Arising from the Previous Meeting - None

Staff Reports

Director of Finance/Treasurer - Report #FTR 10/03/16

Approval of Accounts, Voucher #18-2016 – resolution #345-16

West Grey – Canada 150 Committee – resolution #346-16

Ontario Community Infrastructure Fund – Formula-based Component (see By-law Number 83-2016)

Hutchinson-Thompson, Be it resolved that, the Director of Finance/Treasurer be authorized to pay the accounts presented as Voucher #18-2016 of the Municipality of West Grey, in the amount of \$446,682.34. ... #345-16

Carried.

Cutting-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby approves the provision of repayable seed funding to the West Grey – Canada 150 Committee in the amount of \$5,000. ... #346-16

Carried.

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Director of Infrastructure and Public Works – Report #DIPWR
10/03/16

2016 Clean Water and Waste Water Fund Application – Durham Waste
Water Treatment Plant – resolution #347-16
Proposed Durham Hospital Signs (see resolution #355-16)

Thompson-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves the submission of a 2016 Clean Water and Waste Water Fund Application for the proposed installation of ultraviolet equipment at the Durham Waste Water Treatment Plant, at an estimated total project cost of \$239,000, with West Grey's estimated cost share being \$94,000, based on 50% funding from the Federal Government and 25% funding from the Provincial Government.

... #347-16

Carried.

By-Laws – First, Second & Third Readings

83-2016 A By-law to enter into an Ontario Community Infrastructure Fund Formula-Based Component Agreement – resolution #351-16

84-2016 A By-law to amend By-law Number 65-2016, being a By-law to appoint officials and citizens to various committees – resolution #352-16

85-2016 A By-law to confirm the proceedings of the October 3, 2016 Council meeting – resolution #353-16

Thompson-Hutchinson, Be it resolved that, By-law Number 83-2016, being a By-law to enter into an Ontario Community Infrastructure Fund (OCIF) Formula-Based Component Agreement, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #351-16

Carried.

Marshall-Cutting, Be it resolved that, By-law Number 84-2016, being a By-law to amend By-law Number 65-2016, being a By-law to appoint officials and citizens to various committees, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #352-16

Carried.

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Thompson-Bell, Be it resolved that, By-law Number 85-2016, being a By-law to confirm the proceedings of Council, be now read a first, second and third time, passed and numbered and that the said by-law be signed by the Mayor and CAO/Deputy Clerk, sealed with the seal of the Corporation and be engrossed in the by-law book. ... #353-16 Carried.

New Business

Discussions Relating to the Sept 16, 2016 Special Committee of the Whole (Service Delivery Review) Draft Minutes & September 26, 2016 Committee of the Whole Draft Minutes:

- Council asked for clarification respecting the proposed Engineers Report for the original Elmwood Public Library building. The CAO/Deputy Clerk noted the Request for Proposals (RFP) for the proposed in-depth Engineers Report is currently being worked on, and will address issues relating to the structural integrity of the building and the possible mold issue.
- The RFP for the Lamlash Hall Caretaker position will be going out next week.
- The Clerk indicated the Municipality is responsible for dust control at the Station Street parking lot, as the Durham Furniture Lease Agreement does not stipulate that Durham Furniture is responsible for dust control. The Director of Infrastructure and Public Works indicated he has taken appropriate action to mitigate dust concerns, and has advised the complainant accordingly.
- Council questioned the inclusion of the Hanover/West Grey employment lands as a Core Service in the September 16, 2016 Special Committee of the Whole (Service Delivery Review) Draft Minutes. Mayor Eccles it was noted it is one of the Joint Services that West Grey has at present, and that this issue is still on-going between West Grey and Hanover.

Council asked for an update regarding Rockwood Terrace. Mayor Eccles reported that the Rockwood Terrace correspondence from West Grey will be contained in the correspondence package for tomorrow's Grey County Council meeting. The CAO/Deputy Clerk indicated the West Grey correspondence regarding Rockwood Terrace was sent individually to all Grey County Council members and applicable senior County staff.

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Addendum

CAO/Deputy Clerk – Report #CR 10/03/16

Delegation with MTO at MSO Conference (The Ministry of Transportation Ontario (MTO) staff have advised that the Ministry does not have delegations at the Ontario West Municipal Conference, however, a meeting may be able to be arranged with the Minister through the regional director. (Council requested the CAO/Deputy Clerk to arrange a meeting with the Minister through the Regional Director.)

Storage Requirements – The CAO/Deputy Clerk has spoken with the landlord regarding the lease of a site in Durham. The storage would be the rear of the former rent all property on Main Street. This site is large enough – roughly 3,000 square feet - to accommodate our equipment and includes utilities, ground and building maintenance. It has two bay entrances so that key assets – lighting, atv's, snow machines, etc. - could be strategically located for quick access when required. West Grey would be responsible for insurance on our equipment and snow removal. The lease would be \$1,500 plus HST per month with all West Grey users of the leased space participating in payment of the costs. (see resolution #356-16)

Delegations to 2017 ROMA Conference (Council will consider delegation requests prior to the November 14 deadline)

Notice of Motion/Direct Motions

Waste Management Week in Canada – resolution #354-16

Proposed Durham Hospital Sign – resolution #355-16

Building Lease – resolution #356-16

Bell-Thompson, Be it resolved that, the Council of the Municipality of West Grey hereby proclaims the week of October 17-23, 2016 as "Waste Reduction Week in Canada".
... #354-16 **Carried.**

Thompson-Hutchinson, Be it resolved that, the Council of the Municipality of West Grey hereby approves a special exemption for the South Bruce Grey (Durham Site) Health Centre to place the proposed exterior sign (Sign 3) on the municipal road allowance, as indicated in their letter dated September 8, 2016, as recommended by the Committee of the Whole.
... #355-16 **Carried.**

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Cutting-Lawrence, Be it resolved that, the Council of the Municipality of West Grey hereby approves leasing of a property in Durham with an approximate storage space of 3,000 square feet at a lease in the amount of \$1,500/month plus HST. ... #356-16 **Carried.**

Closed Session – Incomplete Items Only – n/a
Matters Arising from Closed Session – Incomplete Items Only – n/a

Question Period

Paul Gutzke asked why Council did not consider industrial racking for one of the existing storage buildings instead of leasing another storage building. Mayor Eccles indicated there does not appear to be sufficient available space for industrial racks within the storage buildings owned by West Grey, and the Municipality would need to purchase a fork lift truck.

Municipal Act – Notices - None

Adjournment

Hutchinson, Resolved that, we do now adjourn at 12:58 p.m., to meet again on October 17, 2016, 7:00 p.m., or at the call of the Mayor. **Carried.**

(Signed)
Kevin Eccles, Mayor

(Signed)
Larry C. Adams, CAO/Deputy Clerk