



# Municipality of West Elgin

## Minutes

### Council Meeting

April 23, 2020, 10:00 a.m.

#### Electronic Participation Meeting

Due to the COVID-19 Pandemic and the Emergency Order Issued by the Province of Ontario under the Emergency Management & Civil Protection Act, prohibiting gatherings of more than 5 people, this meeting will be held electronically

**Present:**  
Mayor D. McPhail  
Deputy Mayor R. Leatham  
Councillor T. Tellier  
Councillor A. Cammaert  
Councillor B. Rowe

**Staff Present:**  
M. Badura, CAO/ Treasurer  
J. Nethercott, Clerk  
L. Gosnell, Public Works Superintendent  
H. James, Planner  
J. Simpson, Health and Safety Coordinator

**1. Closed Session - 9:00 a.m.**

This meeting held under Section 239(2)(b) of the *Municipal Act*, consideration was given to personal matters about identifiable individual(s) including municipal or local board employee(s).

**2. Report from Closed Session**

Mayor McPhail reported out at 10:03 a.m., that direction was provided to staff relating to personal matters about identifiable individuals including municipal or local board employees.

**3. Call to Order**

Mayor Duncan McPhail called the Open Session of the Council meeting to order at 10:03 a.m.

**4. Adoption of Agenda**

**Resolution No. 2020-137**

**Moved:** Councillor Rowe

**Seconded:** Councillor Tellier

That West Elgin Council hereby adopts the Agenda as presented.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

**5. Disclosure of Pecuniary Interest**

No disclosures

**6. Adoption of Minutes**

**Resolution No. 2020-138**

**Moved:** Councillor Rowe

**Seconded:** Deputy Mayor Leatham

That the Minutes of the Council meeting on April 9, 2020 be adopted as amended.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

**7. Business Arising from Minutes**

Mayor McPhail reported that staff are making decisions on a case by case basis regarding access to the Port Glasgow Trailer Park for residents that don't have government issued identification with the park as their address as this has been identified as an issue.

**8. Staff Reports**

**8.1 Health and Safety**

**8.1.1 J. Simpson, Health and Safety Coordinator -April Health and Safety Committee Report**

**Resolution No. 2020-139**

**Moved:** Councillor Cammaert

**Seconded:** Councillor Tellier

That West Elgin Council hereby receives the report from Jamie Simpson Health and Safety Coordinator for information purposes.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

## **8.2 Operations & Community Services**

### **8.2.1 L. Gosnell, Manager of Operations & Community Services Request from 8678 Furnival Road**

Councillor Rowe inquired as to why the cost of the restoration would fall under the Council Grants account. Mr. Gosnell responded that as this was not a required improvement, but a cosmetic one by a resident. Council directed that the cost of this remediation, which includes staff time, machine time and grass seed be taken out of the Public Works budget.

**Resolution No. 2020-140**

**Moved:** Councillor Rowe

**Seconded:** Councillor Tellier

That West Elgin Council receives the report from Lee Gosnell, Manager of Operations & Community Services; and

That West Elgin Council hereby directs public works staff to restore municipal property located at part lot 7, concession 14 (being Part 5 on RP 11R-2054) to its natural state.

For (3): Deputy Mayor Leatham, Councillor Tellier, and Councillor Rowe

Against (1): Councillor Cammaert

Abstain (1): Mayor McPhail

**Carried (3 to 1)**

### **8.2.2 L. Gosnell, Manager of Operations & Community Services - Pool Filter Replacement**

**Resolution No. 2020-141**

**Moved:** Councillor Rowe

**Seconded:** Councillor Tellier

That West Elgin Council receives the report from Lee Gosnell, Manager of Operations and Community Services; and

That West Elgin Council hereby accepts the quote submitted by Hollandia Pools & Spas at a cost of \$39,752.64 plus applicable taxes for the supply and installation of two (2) new commercial grade, horizontal sand filters at the West Elgin community pool.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

### **8.3 Planning**

#### **8.3.1 H. James, Planner - Request for Planting Area on Municipal Land**

**Resolution No. 2020-142**

**Moved:** Councillor Tellier

**Seconded:** Councillor Rowe

That West Elgin Council hereby receives the report from Heather James regarding a request from Kellie Milos to establish a planting area on an unopened portion of Sandford Street; and,

That West Elgin Council provides direction to staff to notify abutting property owners and provide a 30 day comment period; and

That West Elgin Council directs staff, that should no concerns be raised, to enter into an agreement with Ms. Milos regarding the maintenance of the land and that Ms. Milos be responsible for returning lands to their original state should this be required.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

#### **8.3.2 H. James, Planner - Exemption of Planning Act from Ontario Regulation 73/20**

***This item was deferred until more information can be obtained from Elgin County.***

That West Elgin Council hereby receives the report from Heather James regarding the exemption of the Planning Act from Ontario Regulation 73/20; and,

That West Elgin Council provides direction to staff to

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### **8.4 Administration**

#### **8.4.1 M. Badura, CAO/Treasurer - 2020 Capital Project Review**

CAO/Treasurer M. Badura reported that this report defers approximately \$2 million dollars from the Capital Budget.

**Resolution No. 2020-143**

**Moved:** Councillor Cammaert

**Seconded:** Councillor Rowe

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer and

That, Council approve deferring the projects identified in Attachment 1 to 2021 to assist with short-term cash flow needs during the COVID-19 pandemic; and That Staff ensure deferred projects are taken into consideration when preparing the 2021 capital budget and forecast.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

**9. Committee and Board Report**

Council recessed at 10:53 a.m. and reconvened at 11:09 a.m. with Deputy Mayor Leatham joining via phone at this time, due to technical issues with the internet.

**9.1 Elgin County Council**

**10. Accounts**

**Resolution No. 2020-144**

**Moved:** Councillor Rowe

**Seconded:** Councillor Tellier

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #4A amounting to \$1,052,898.25 in settlement of General, Road, Water and Arena Accounts (including cheques # 25334-25337, EFT#2554-2590 & online Payments# 306-415 and Payroll PP08).

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

**11. Notice of Motion**

None.

**12. Council Announcements**

None.

## 14. By-Laws

### 14.1 Third and Final Reading for By-Law 2020-14 - Smith Drain

#### **Resolution No. 2020-145**

**Moved:** Councillor Tellier

**Seconded:** Deputy Mayor Leatham

That By-Law 2020-14, being a by-law to provide for the Smith Drain in the Municipality of West Elgin, be read a third and final time.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

### 14.2 By-law 2020-37 - Dedicated Gas Tax Agreement

#### **Resolution No. 2020-146**

**Moved:** Councillor Rowe

**Seconded:** Councillor Cammaert

That By-law 2020-37, being a by-law to authorize the Execution of an Agreement between Her Majesty the Queen Right of Ontario and The Corporation of the Municipality of West Elgin for the Dedicated Gas Tax Funds for Public Transportation Program, be read for a first, second and third and final time.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

## 15. Confirming By-Law

#### **Resolution No. 2020-147**

**Moved:** Councillor Tellier

**Seconded:** Deputy Mayor Leatham

That By-law 2020-36, being a by-law to confirm the proceeding of the Regular Council Meeting on April 23, 2020, be read a first, second and third and final time.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

**16. Adjournment**

**Resolution No. 2020-148**

**Moved:** Councillor Rowe

**Seconded:** Councillor Tellier

That the Council of the Municipality of West Elgin hereby adjourn at 11:38 a.m. to meet again at 9:30 a.m. on May 14, 2020 or at the call of the Chair.

For (4): Deputy Mayor Leatham, Councillor Tellier, Councillor Cammaert, and Councillor Rowe

Abstain (1): Mayor McPhail

**Carried (4 to 0)**

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Duncan McPhail, Mayor

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Jana Nethercott, Clerk