



Municipality of West Elgin

Minutes

Council Meeting

August 27, 2020, 9:30 a.m.

Recreation Centre

135 Queen Street

Rodney

- 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
T. Mohan, Drainage Superintendent
H. James, Planner
- Also Present:** J.M. Spriet, PEng. Spriet & Associates

Due to the COVID-19 Pandemic and physical distancing requirements this meeting was held in an alternate location.

1. Call to Order

Mayor Duncan McPhail called the meeting to order at 9:30 a.m.

2. Adoption of Agenda

Resolution No. 2020-263

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That West Elgin Council hereby adopts the Agenda as presented.

Carried

3. Disclosure of Pecuniary Interest

No disclosures

4. Meeting to Consider Engineers Report Under Drainage Act

4.1 J.M Spriet, PEng - Crabbe Drain

Mr. M. Vadenburg inquired about the changes to the maintenance assessment schedule. Mr. Spriet explained this is due to some severances that had taken place since the last Engineers Report.

Mr. L or F Connelly inquired if the portion on his property would be open ditch. Mr. Spriet confirmed.

Resolution No. 2020-264

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That West Elgin Council receives the Engineers report on the Crabbe Drain as prepared and presented by Mr. J.M. Spriet, P. Eng.; and

That West Elgin Council authorizes staff to initiate the tender process, if required, for the reconstruction of the Municipal Drain known as Crabbe Drain, to be considered by Council following the Court of Revision; and

That West Elgin Council consider the provisional By-Law as presented in the By-Law portion of the agenda for a first and second reading.

Carried

4.2 J.M Spriet, PEng. - Yauch Drain

Engineer J. M Spriet explained that this engineers report improves the current drain and adds a branch A to it.

Mr. D. Ciparis stated he is concerned that the proposed replacement will flow at the same grade as the previous drain, which failed at a relatively early age. Mr. Spriet explained that with newer construction materials this should not happen.

Mr. R Jones stated they are in the process of listing their property for sale and are concerned that this new drain could affect their well water. Mr. Spriet stated that a Hydro geologist was involved in the design specifically to ensure there is no adverse impact on the well. Mayor McPhail inquired if there is an issue that impacts the well, who pays? Mr. Spriet stated that

the Hydro geologist will be monitoring the well throughout construction and after if there are any adverse effects on the existing well the Hydro geologist would investigate and if the drain is the cause the costs would be attributed to the drain under the maintenance schedule.

Ms. P. Turner inquired as to the location on their property that will be dug up? Mr. Spriet explained that this design only has construction to the back corner of the property in question. Ms. Turner expressed that they were under the understanding that during this construction the connections would be made to their tile. Mr. Spriet explained that under the Drainage Act all that is afforded is a legal right to connect to the municipal drain, but the costs to connect are to be born by the property owner.

Mr. Krumm inquired if the catch basin on his property would be replaced. Mr. Spriet stated it would be.

Resolution No. 2020-265

Moved: Councillor Tellier

Seconded: Councillor Cammaert

That West Elgin Council receives the Engineers report as prepared for the Yauch Drain and presented by Mr. J.M. Spriet, P. Eng.; and

That West Elgin Council authorizes staff to initiate the tender process, if required, for the reconstruction and extension to the Municipal Drain known as Yauch Drain, to be considered by Council following the Court of Revision; and

That West Elgin Council consider the provisional By-Law as presented in the By-Law portion of the agenda for a first and second reading.

Carried

5. Meeting Under Drainage Act - Court of Revision

Resolution No. 2020-266

Moved: Councillor Tellier

Seconded: Councillor Rowe

That West Elgin Council hereby proceed into the Court of Revision for the McColl Drain West under the *Drainage Act* at 10:22 a.m.

Carried

Council reconvened out of Court of Revision at 10:28 a.m.

Mr. J.M Spriet and T. Mahon exited the meeting at 10:28 a.m.

6. Delegations

6.1 T. Carroll, Elgin-St Thomas Community Foundation

Mr. Terry Carroll and Ms. Junee Montieth presented the proposal for a Dutton Dunwich West Elgin Community Fund. This fund would be administered under the Elgin-St Thomas Community Foundation and would have a sub-fund named the Norma McMillan Trust Fund, which is being set up by the nieces and nephews of Norma McMillan. Mr. Carroll and Ms Montieth explained that their current request of Council is support the idea of the fund and have a Councillor volunteer to sit on the committee and recruit other members. Councillor Rowe volunteered to sit on the committee.

Resolution No. 2020-267

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby support the creation of the Dutton Dunwich West Elgin Community Fund; and

That West Elgin Council agree to act as a qualified donee, should the need arise, for the Dutton Dunwich West Elgin Community Fund.

Carried

Mr. Carroll and Ms. Montieth exited the meeting at 11:17 a.m.

Heather James, Planner entered the meeting at 11:17 a.m.

Council recessed at 11:17 a.m. and reconvened at 11:25 a.m.

6.2 S. Smith - Tiny Tots Request to use Recreation Centre

Mayor McPhail welcomed Shelley Smith from Tiny Tots Co-operative Nursery School. Ms. Smith stated that they have just recently been informed that they will not be able to access their current location within Aldborough Public School due to the Thames Valley School Board COVID-19 Policies. Ms. Smith further stated that the West Elgin Recreation Centre meeting room had been previously been licensed for a day camp and believes this could help expedite the process to license it for use now. A survey has been done of parents and users and the vast

majority want to return to the programming. Ms. Smith is proposing issuing a charitable receipt for the use of the room or the \$50.00 per month that they paid in rent at the Old Town Hall previously. Council requested that Ms. Smith meet with staff to present a detailed plan for use of the building and all rules needed to be implemented and report back to Council for a final decision.

Mayor McPhail inquired about the removal of Tiny Tots possessions from the Old Town Hall, Ms. Smith stated that they would have it all cleaned up by Labour Day.

7. Adoption of Minutes

Resolution No. 2020-268

Moved: Deputy Mayor Leatham

Seconded: Councillor Rowe

That the Minutes of the Council meeting on August 13, 2020 be adopted as circulated and printed.

Carried

8. Business Arising from Minutes

None.

9. Staff Reports

9.1 Emergency Management

West Elgin Council received the report from Jana Nethercott, Clerk re: Emergency Declaration – Information on termination of declared emergency for information purposes.

Mayor McPhail stated that the County will be discussing this at an upcoming meeting. Council agreed to follow the lead of the County.

9.2 Water

West Elgin Council received the report from OCWA re: Operational Plan for the West Elgin Distribution System and Council requested that Sam Smith from OCWA attend a future meeting regarding this plan.

9.3 Clerk's

Resolution No. 2020-269

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Apportionment of Drainage Assessment for the Czajkowski Drain due to Severance of Land, Pursuant to Section 65 (2) of the *Drainage Act, R.S.O. 1990*; and

That West Elgin Council hereby approves the Apportionment of the Drainage Assessment Agreement for the Czajkowski Municipal Drain, as part of severance E4/20 as presented.

Carried

10. Committee and Board Report

10.1 Elgin County Council

10.1.1 Elgin Council Highlights - August 11, 2020

10.1.2 Elgin County Planner - Report on Provincial Policy Statement

10.2 Lower Thames Conservation Authority

10.2.1 Board of Directors Minutes - August 20, 2020

10.3 Councillor Reports from Committees

Councillor Rowe reported that erosion work is moving forward at Port Glasgow Trailer Park.

Councillor Tellier reported that members of the Youth Task Force have made face masks and are currently distributing them to the youth of the community. The task force is working with an association in Iceland on how to distribute information and how to use their grant money.

Councillor Cammaert reported that she will be attending one last Fire meeting to say goodbye to the Fire department, however this month's meeting is scheduled the same day as Tri-County so it will be in the future. Deputy Mayor Leatham stated he will be attending Rodney Fire Meeting for the same reason this month.

11. Accounts

Resolution No. 2020-270

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #8A amounting to \$403,200.95 in settlement of General, Road, Water and Arena Accounts (including EFT#2929-2984 Cheque# 25386-25390, online Payments# 495-502 and Payroll PP17).

Carried

12. Other Business

12.1 Statements/Inquires by Councillors

Councillor Rowe reported that she was contacted by the Tai Chai group and they wished to express how much they enjoyed the use of the pavilion at Miller Park and hope that an hourly rate can be worked out for next years use.

Councillor Rowe stated that she attended AMO Virtual Conference. There were a lot of good sessions and enjoyed the fact that she could attend all sessions and didn't have to pick and choose if they were running concurrent, but she missed the networking opportunities that the in person conference offers. A lot of good sessions about recovering from COVID-19 as well as information about possible funding announcements to come.

12.2 Notice of Motion

None.

12.3 Matters of Urgency

Councillor Cammaert stated that she has had a number of calls and emails from residents with regards to the rate increases and would like Council to consider an extension of the waiver of penalty and disconnections. She also requested an explanation on the way the billing was done this time.

CAO/Treasurer M. Badura reported that water consumption has significantly increased over the past two months.

Councillor Rowe inquired if there are payment options for those residents struggling with their bills. M. Badura reported that staff are able to make

arrangements and there is always the Equal Billing Plan that a resident can sign up for.

Council directed staff to take out a full page ad in the local paper to give residents as much information on the water bills and payment options as possible.

13. Correspondence

13.2 Seaside Waterfronts Inc. - Request for Public Meeting

Council directed staff to proceed with a trial run of the equipment to ensure a meeting can happen with little issues prior to setting the date of a public meeting and to instruct the requester that all costs associated with this meeting shall be paid for prior to the meeting.

13.3 A. Smith - Proposal for Mural in West Elgin Recreation Centre

Council directs staff to contact Ms. Smith with questions related to the proposal and request she attend as a delegation at a future Council meeting.

14. Closed Session

Council recessed at 1:18 p.m. and reconvened at 1:31 p.m.

Resolution No. 2020-271

Moved: Deputy Mayor Leatham

Seconded: Councillor Rowe

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at 1:31 p.m. under Section 239(2)(b) & (d) of the Municipal Act, consideration will be given to personal matters pertaining to an identifiable individual and labour relations or employee negotiations.

Carried

15. Report from Closed Session

Mayor McPhail reported out at 2:16 p.m., that consideration was given and staff direction was provided for items regarding personal matters pertaining to an identifiable individual and labour relations or employee negotiations.

16. By-Laws

16.1 By-Law 2020-59 - Provisionally Adopt Crabbe Drain Reconstruction

Resolution No. 2020-272

Moved: Deputy Mayor Leatham

Seconded: Councillor Rowe

That By-law 2020-59 being a by-law to provide for the Crabbe Drain Reconstruction, be read a first and second time and provisionally adopted.

Carried

16.2 By-Law 2020-60 - Provisionally Adopt Yauch Drain Reconstruction and Extension

Resolution No. 2020-273

Moved: Councillor Tellier

Seconded: Councillor Cammaert

That By-law 2020-60 being a by-law to provide for the Yauch Drain Reconstruction and Extension, be read a first and second time and provisionally adopted.

Carried

16.3 By-Law 2020-61 - Adopt Flag Policy

Resolution No. 2020-274

Moved: Councillor Tellier

Seconded: Councillor Rowe

That By-law 2020-61 being a by-law to adopt and maintain a policy with respect to community flag raising and flag protocol, be read a first, second and third and final time.

Carried

16.4 By-Law 2020-15 - McColl Drain West

Resolution No. 2020-275

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That By-law 2020-15, being a by-law to provide for the McColl Drain West, with the amended Schedule C, be read a third and final time.

Carried

17. Confirming By-Law

Resolution No. 2020-276

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That By-law 2020-62, being a by-law to confirm the proceeding of the regular meeting of Council held on August 27, 2020, be read a first, second and third and final time.

Carried

18. Adjournment

Resolution No. 2020-277

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That the Council of the Municipality of West Elgin hereby adjourn at 2:17 p.m. to meet again at 9:30 a.m. on September 10, 2020 or at the call of the Chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk