



Municipality of West Elgin

Minutes

Council Meeting

November 12, 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
L. Gosnell, Manager of Operations & Community Services
J. Morgan-Beunen, Chief Building Official
T. Mohan, Drainage Superintendent
H. James, Planner
Jeff McArthur, Fire Chief

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 9:32 a.m.

2. Moment of Silence in Honour of Remembrance Day

Mayor McPhail asked all present to stand for a Moment of Silence in honour of those who have served our Country and in honour of Remembrance Day.

3. Adoption of Agenda

Resolution No. 2020- 358

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby adopts the Agenda as presented.

Carried

4. Disclosure of Pecuniary Interest

No disclosures

5. Request for Letter of Support

Resolution No. 2020- 359

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That the Mayor issue a letter to Tiny Tots Cooperative Nursery in support of their efforts to be the lead agency to administer and deliver EarlyON Child and Family Centre programs and services in western Elgin County.

Carried

6. Public Meeting - 9:30 a.m.

Purpose of the meeting was read aloud by Clerk.

CAO/Treasurer Magda Badura removed herself from Council horseshoe and joined the meeting as a member of the public in the gallery.

Resolution No. 2020- 360

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council proceed into a Public Meeting pursuant to Section 34 of the Planning Act at 9:40 a.m.

Carried

6.1 Application to ReZone 24801 Pioneer Line

6.1.1 H. James, Planner - Zoning Report 24801 Pioneer Line

Planner read her report and all comments that were submitted. Planner is recommending deferring any action for one month until the current owner of the property and the properties of 24793 Pioneer Line and 24803 Pioneer Line are able to enter into the Mutual Drain Agreement to protect the legal outlets created as part of past severances, but never registered on title.

Deferred

That West Elgin Council hereby receives the report from Heather James regarding the application to amend the Zoning By-law for 24801 Pioneer Line, File No. D14 07-2020; and,

That West Elgin Council consider deferral of the by-law to amend the Zoning By-law until the current owner of the subject lands and the owners of 24793 Pioneer Line & 24803 Pioneer Line enter into a mutual agreement drain and have such agreement registered on title for both parties to provide a legal drainage outlet for 24793 Pioneer Line with a timeframe of one month for completion.

6.2 Public Comments

Amy Dale, Legal representative for potential purchaser of 24801 Pioneer Line. Ms. Dale stated that she believed many of the issues could be dealt with through Lower Thames Conservation Authority permits as well as Building Permit regulations. The issue of drainage has just recently come to light and therefore the purchaser is ok with the recommended deferral of a decision for one month at this time as they want to be good neighbours.

C. Blair, resident - Catherine Road, West Lorne - Ms. Blair stated that there is already a fair amount of drainage concerns with properties in this area and the property in question is where the majority of surface water runs. Ms. Blair is concerned that the existing drain is not large enough to handle more water.

6.3 Council Comments

Mayor McPhail stated that it seems that a drainage plan needs to be worked out for this area, which is separate from the issue of the missing mutual drain agreement. Mayor McPhail asked Drainage Superintendent Tom Mohan to speak with the concerned residents and see what can be done to alleviate concerns.

Tom Mohan, Drainage Superintendent responded to Mayor McPhail that a site meeting should be held with concerned property owners regarding the concerns on Catherine Street. There is a potential that if someone petitions the mutual drain that is currently servicing the two recently severed properties could become part of the Municipal Drain, but otherwise an agreement would need to be entered into with each party and the current owner and then registered on title.

Council directed staff to pursue a mutual drain agreement with both lots on Pioneer line and the current owner of 24801 Pioneer Line in a timely fashion so that development can move ahead.

6.4 Close of Public Meeting

Resolution No. 2020- 361

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That West Elgin Council hereby closes the public meeting at 10:18 a.m. and reconvenes in the Regular Meeting of Council.

Carried

7. Delegations - 10 a.m.

7.1 Joe Machado and Christie Robinson - Utility Rate Increases for Multi Residential Properties

Mayor welcomed Mr. Machado and Ms. Robinson. Ms. Robinson thanked Council for the opportunity to bring forward their issues and the fact that the increased water and sewer rates cause a trickle down effect. Ms. Robinson went on to explain that with the rent freeze in effect due to COVID-19, they will be unable to recoup any of the increase through rent increases. She also stated that she would like West Elgin to implement a flat rate for multi-residential properties for the water and sewer.

Deputy Mayor Leatham inquired if there is a way that the building could be fitted with individual unit meters to allow for utility charges to be paid by the tenants. Ms. Robinson stated that could be done, but at a significant cost.

Council directed staff to report back to Council with comparisons with other area municipalities on how they charge multi-residential water and sewage charges and what the cost would be to the municipality if a flat rate system was implemented in West Elgin.

Council recessed at 10:54 a.m. and reconvened at 11:06 a.m.

7.2 Debbie Hope - Backyard Chickens

Mayor McPhail welcomed Ms. Hope. Ms. Hope thanked Council for allowing her to propose an alternative to the current ban on backyard chickens. Ms. Hope read her letter and provided information from other municipalities on backyard chickens.

Council stated that the pamphlet may have been overkill and they realize that many residents see chickens as their pets. Allowing backyard chickens would require amendments to the Zoning by-law, along with the Official Plan and the required public meetings could attract a large number which is just not feasible at this time with the pandemic, Council will consider this at a future meeting.

8. Adoption of Minutes

Resolution No. 2020- 362

Moved: Councillor Rowe

Seconded: Councillor Tellier

That the Minutes of the Council meeting on October 22, 2020 and Court of Revision for the Arvai Drain on October 22, 2020, be adopted as circulated and printed.

Carried

9. Business Arising from Minutes

None.

10. Staff Reports

10.1 Water

10.1.1 S. Smith, OCWA - West Elgin Water Distribution System Third Quarter Operations Report

Resolution No. 2020- 363

Moved: Councillor Tellier

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Sam Smith, OCWA re: West Elgin Distribution System Third Quarter Operations Report, for information purposes.

Carried

10.2 Wastewater

10.2.1 S. Smith, OCWA - West Lorne WWTP Third Quarter Operations Report

Resolution No. 2020- 364

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Sam Smith, OCWA re: West Lorne Waste Water Treatment Plant Third Quarter Report, for information purposes.

Carried

10.2.2 S. Smith, OCWA - Rodney WWTP Third Quarter Operations Report

Resolution No. 2020- 365

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from Sam Smith, OCWA re: Rodney Wastewater Treatment Plant Third Quarter Report, for information purposes.

Carried

10.4 Municipal Drains

10.4.1 T. Mohan, Drainage Superintendent - Award Tender – Crabbe Drain Reconstruction

Resolution No. 2020- 366

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Tom Mohan, Drainage Superintendent re:

Award Tender for the Crabbe Drain Reconstruction; and

That West Elgin Council hereby awards the tender to the lowest bidder GW Clarke Drainage in the amount of \$57,000 plus applicable taxes.

Carried

10.4.2 T. Mohan, Drainage Superintendent - Award Tender – Yauch Drain Reconstruction

Resolution No. 2020- 367

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from Tom Mohan, Drainage Superintendent re:

Award Tender for the Yauch Drain Reconstruction; and

That West Elgin Council hereby awards the tender to the lowest bidder McNally Excavating Ltd. in the amount of \$222,886.96 plus applicable taxes.

Carried

10.3 Planning

10.3.1 H. James, Planner - Holding Removal By-law 13371 Furnival Road

Resolution No. 2020- 368

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Heather James regarding the removal of Holding (H-3) Symbol for Concession 6, Part of Lot 8, 13371 Furnival Road; and,

That West Elgin Council consider the by-law to remove the Holding (H-3) Symbol, subject to the conditions on the by-law, as presented in the by-law portion of the agenda.

Carried

10.8 Operations & Community Services

10.8.1 L. Gosnell, Manager of Operations & Community Services - October 2020 – Monthly Report

Council received the report from Lee Gosnell, Manager of Operations & Community Services for information purposes.

Mr. Gosnell Reported that information will be sent out today that public skating will be starting next week. There will be a hard cap on 40 participants and pre-registration is encouraged.

There has been increased interest in our ice time, however our ice time has decreased with the required cleaning times.

Council recessed at 12:22 p.m. and reconvened at 1:08 p.m.

10.6 Fire

10.6.1 J. McArthur, Fire Chief - Monthly Report – October

West Elgin Council received the October Monthly report from Fire Chief, J. McArthur. Chief McArthur reported that recruitment is wrapping up this week and there has been a fair number of applicants.

Mayor inquired about providing new CO2 detectors when called out to an alarm as it may be less expensive to provide new detectors than call outs to the same residences. Chief McArthur to look into.

10.5 Building

10.5.2 J. Morgan-Beunen, CBO - Building Activity Report October 2020

West Elgin Council received and filed the report from J. Morgan-Beunen, CBO reg: Building Activity Report for October 2020.

10.5.1 J. Morgan-Beunen, CBO - Pre-Budget Approval for Electronic Building Permit Application System

Resolution No. 2020- 369

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Jackie Morgan-Beunen, Chief Building Official re: Pre-approval for Electronic Building Permit Application System; and

That West Elgin Council pre-approve of \$6,000 for the Building Department 2021 operating budget for the implementation of an electronic building permit application submission system.

Carried

10.7 Emergency Management

10.7.1 Emergency Control Group - October 28, 2020

Mayor McPhail reported that Jeff Smith has resigned as CEMC and Fire Training Officer for Elgin County. At this time Elgin County has commenced the recruitment process for this position and in the meantime CAO/Clerk Julie Gonyou will be operating CEMC.

10.8 Operations & Community Services

10.8.2 L. Gosnell, Manager of Operations & Community Services - Private Drain Connections

Council directed staff to approach Elgin County about long term financing for the Rodney Reconstruction Project as at this time the project is beyond West Elgin's ability, however it needs to be completed.

Council directed staff to inquire about the cost of adding conduit for Electric Car charging stations, as part of the reconstruction project.

Resolution No. 2020- 370

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

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

That West Elgin Council chooses Mandatory Private Drain Connections for all properties within the County of Elgin's Rodney Reconstruction Project slated to begin 2021; and

That West Elgin Council will determine the allocation of costs at a future meeting once a policy for Private Drain Connections has been developed.

Carried

10.9 Clerks

10.9.1 J. Nethercott, Clerk - 2021 Council & Committee Meeting Dates

Resolution No. 2020- 371

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: 2021 Council Meeting Dates; and

That West Elgin Council hereby approves the Council and Committee meeting dates as presented.

Carried

10.9.2 J. Nethercott, Clerk - Off Road Vehicle Enforcement – Information Request from Elgin County

Resolution No. 2020- 372

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: Off Road Vehicle Enforcement – Information Request from Elgin County; and

That West Elgin Council direct staff to provide Elgin County the answer that West Elgin does not have the ability to enforce such a by-law and has no intention of passing a by-law prohibiting ORVs on Municipal roads and

West Elgin Council is comfortable with the regulations under the Highway Traffic Act and that enforcement continues to be with the OPP; and

That Elgin County Police Services Board consider providing an ORV unit in future.

Carried

10.9.3 J. Nethercott, Clerk - Apportionment of Drainage Assessment for the Barrett Drain due to Severance of Land, Pursuant to Section 65 (2) of the Drainage Act, R.S.O. 1990

Resolution No. 2020- 373

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: Apportionment of Drainage Assessment for the Barrett 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 Barrett Municipal Drain, as part of severance E20/20 as presented.

Carried

West Elgin Council recessed at 2:59 pm and reconvened at 3:09 p.m.

10.10 Finance/Administration

10.10.1 M. Badura, CAO/Treasurer - 2021 TODS

Resolution No. 2020- 374

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: 2021 TODS; and

That West Elgin Council hereby direct staff to cancel the subscription for Port Glasgow Trailer Park and inform Port Glasgow Yacht Club that cancellation is being considered if they wish to take it over.

Carried

10.10.2 M. Badura, CAO/Treasurer - 2020-2021 Cyber Insurance

CAO/Treasurer Magda Badura provided a verbal update that insurance in 2021 will be going up by 35% and projection of a minimum of 20% in the future. Ms. Badura is in the process of obtaining quotes to compare costs for 2021.

Resolution No. 2020- 375

Moved: Councillor Tellier

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: 2020-2021 Cyber Insurance report for information; and

That West Elgin Council approves the purchase of Cyber Insurance from Ascent Underwriting for the remainder of 2020 and for 2021 as indicated in the attached quote for the liability insurance of \$1 million enhanced.

Carried

11. Committee and Board Report

11.1 West Elgin Community Centre Board of Management - October 27, 2020

Mr. Gosnell stated that the Board was updated on how the arena operations are going and that the Fees and Charges were discussed, but will need to be brought back for more discussion after doing more research into other Arena's rate structures and a report will be presented to the Board on November 17, 2020.

11.2 Tri-County Water Board - October 27, 2020

11.3 Port Glasgow Trailer Park Committee - October 23, 2020

Deputy Mayor Leatham reported that they were notified that the capital work on the gates and monument will be worked on in the spring.

Councillor Rowe set up a committee for the 100 year anniversary of the dance hall and depending on the pandemic some sort of celebration will be held.

11.4 Councillor Reports from Committees

Councillor Tellier reported that Agricultural Society held a quick update in the parking lot as they did not have quorum.

12. Accounts

Resolution No. 2020- 376

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #11 amounting to \$736,742.69 in settlement of General, Road, Water and Arena Accounts (including EFT#3190-3258 Cheque# 25564-25595, online Payments# 542-560 and Payroll PP22-23).

Carried

13. Correspondence

13.1 Township of Huron-Kinloss - Municipal Elections Act

13.2 Enbridge Rate Notice

13.3 City of Hamilton - Amending AGCO Process re Cannabis Locations

13.4 County of Elgin - 2020 Highlights

13.5 Rodney Aldborough Agricultural Society - Request for Letter of Support

Resolution No. 2020- 377

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council approve issuing a letter of support for the Rodney Aldborough Agricultural Society in their use of grounds and of the West Elgin Recreation Centre for the 2021 Rodney Aldborough Fall Fair for the week of September 13 to 20, 2021.

Carried

13.6 Township of Amaranth - Amendments to Elections Act

14. Council Inquires/Announcements

14.1 Notice of Motion

None.

14.2 Statements/Inquires by Councillors

Councillor Cammaert stated that she is on the toy drive committee, which is run by students from West Elgin Secondary School for the weeks of November 16 to December 4 and they are inquiring if West Elgin Council is receptive to challenging to the Council of Dutton Dunwich to see which Municipality can collect more new toys and gift cards.

Council had agreed to participate in this initiative and challenge the Council of Dutton Dunwich.

14.3 Matters of Urgency

15. By-Laws

15.1 By-Law 2020-66 - Final Reading for Arvai Drain

Resolution No. 2020- 378

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That By-Law 2020-66, being a by-law to provide for the Arvai Drain in the Municipality of West Elgin, be read for a third and final time.

Carried

15.2 By-Law 2020-77 - Adopt Human Resources Policies

Resolution No. 2020- 379

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That By-law 2020-77, being a by-law to adopt and maintain policies with respect to hiring of employees, compensation and probation periods, be read a first, second and third and final time.

Carried

15.3 By-Law 2020-78 - Adopt Employee Code of Conduct

Resolution No. 2020- 380

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That By-law 2020-78, being a by-law to adopt and maintain policies with respect to employee code of conduct, be read a first, second and third and final time.

Carried

15.4 By-Law 2020-79 - Extension Agreement with Independent Resolutions Inc.

Resolution No. 2020- 381

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That by-law 2020-79, being a by-law to authorize the execution of an extension agreement with Independent Resolutions Inc, Mark McDonald, for the services of Municipal Ombudsman, Closed Meeting Investigator and Integrity Commissioner for the period of January 1, 2021 to December 31, 2022, be read a first, second and third and final time.

Carried

15.5 By-Law 2020-80 - CEMC Pilot Project Agreement with Elgin County

Resolution No. 2020- 382

Moved: Councillor Tellier

Seconded: Councillor Rowe

That By-law 2020-80, being a by-law to authorize the execution of an agreement with the County of Elgin for the services of a Certified Emergency Management Coordinator for a one year pilot project, be read a first, second and third and final time.

Carried

15.6 By-Law 2020-81 - Delegate Authority for Tax Arrears Extension Agreements

Resolution No. 2020- 383

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That By-law 2020-81, being a by-law to delegate authority to the municipal Treasurer to authorize the execution of tax arrears extension agreements pursuant to section 378 of the *Municipal Act*, be read a first, second and third and final time.

Carried

15.7 By-Law 2020-83 - Remove Holding Provision for 13371 Furnival Road

Resolution No. 2020- 384

Moved: Councillor Rowe

Seconded: Councillor Tellier

That By-law 2020-83, being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for the property known as 13371 Furnival Road, be read a first, second and third and final time.

Carried

16. Confirming By-Law

Resolution No. 2020- 385

Moved: Councillor Tellier

Seconded: Councillor Cammaert

That By-law 2020-84, being a By-law to confirm the proceedings of the Regular Meeting of Council held on November 12, 2020, be read a first, second and third and final time.

Carried

17. Adjournment

Resolution No. 2020- 386

Moved: Deputy Mayor Leatham

Seconded: Councillor Rowe

That the Council of the Municipality of West Elgin hereby adjourn at 3:54 p.m. to meet again at 7:00 p.m. on November 23rd for Special Meeting of Council or at the call of the Chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk