



Municipality of West Elgin

Minutes

Council Meeting

April 14, 2022, 9:30 a.m.

West Elgin Community Complex - Hybrid Meeting

160 Main Street

West Lorne

Electronic Hybrid Meeting

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
Jeff McArthur, Fire Chief
Heather James, Planner

Also Present:
George Nute

Due to the COVID-19 Pandemic and physical distancing requirements this meeting was held in a hybrid format.

1. Call to Order

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

2. Adoption of Agenda

Resolution No. 2022- 105

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby adopts the Agenda as presented.

Carried

3. Disclosure of Pecuniary Interest

3.1 Mayor McPhail - Lee Gosnell, Manager of Operations & Community Services - Award 2022 Gravel Tender

Business relationship with Johnston Brothers

3.2 Councillor Cammaert - J. Nethercott, Clerk - Dutton Child Care Centre Board – Request for Municipal Representation

Business Relationship with Dutton Child Care

3.3 Councillor Cammaert - West Lorne Optimist Car Show

Business Relationship with West Lorne Optimists

4. Employee Recognition - George Nute Retirement

Mayor and Council recognized George Nute on his retirement after 31 years of service.

5. Public Meeting

Resolution No. 2022- 106

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That Council proceed into a Public Meeting pursuant to Section 34 of the *Planning Act, R.S.O 1990* at 9:40 a.m. in order to consider a proposed amendment to Zoning By-Law 2015-36.

Carried

5.1 Purpose of the Public Meeting

The purpose of the public meeting was read aloud by the Clerk.

5.2 Planning Report

Planner Heather James provided an overview of the planning report.

5.3 Public Comments

No public comments

5.4 Council Comments

No Council Comments

5.5 Recommendation

Resolution No. 2022- 107

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council approve the zoning by-law amendment 2022 housekeeping amendment, in accordance with the draft by-law attached to this report; and

Further That West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the April 14, 2022 Council Agenda.

Carried

5.6 Close of Public Meeting

Resolution No. 2022- 108

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby closes the public meeting held pursuant to Section 34 of the Planning Act R.S.O 1990 at 9:51 a.m. to reconvene in the Regular Meeting of Council.

Carried

6. Adoption of Minutes

Resolution No. 2022- 109

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That the Minutes of the Council meeting on March 24, 2022 and the Special Meeting of Council on March 29, 2022 be adopted as circulated and printed.

Carried

7. Business Arising from Minutes

CAO/Treasurer Magda Badura provided an update that the Royal Canadian Legion Command did not approve the transfer of the Rodney Legion funds to the Municipality to be held in a reserve fund.

8. Staff Reports

8.1 Building

8.1.1 Jackie Morgan-Beunen, CBO - Building Activity Report March 2022

Resolution No. 2022- 110

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Jackie Morgan-Beunen, CBO re: Building Permit Report for March 2022 for information purposes.

Carried

8.2 Fire

8.2.1 Jeff McArthur, Fire Chief - Monthly Report – March 2022

Resolution No. 2022- 111

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Jeff McArthur, Fire Chief re: March Monthly Fire Report for information purposes.

Carried

8.3 Operations & Community Services

8.3.1 Lee Gosnell, Manager of Operations & Community Services - Award 2022 Dust Suppressant Tender

Resolution No. 2022- 112

Moved: Councillor Rowe

Seconded: Councillor Cammaert

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

That West Elgin Council hereby accepts the quote submitted by Eastern Oilfield Services Ltd. at a cost of \$117,000.00 plus applicable taxes for supply and application of dust suppressant included in the 2022 municipal budget.

Carried

8.3.2 Lee Gosnell, Manager of Operations & Community Services - Award 2022 Gravel Tender

Mayor McPhail declared a conflict on this item. (Business relationship with Johnston Brothers)

Mayor McPhail vacated chair at 10:33 a.m. and Deputy Mayor Leatham became chair of meeting until 10:07 a.m.

Resolution No. 2022- 113

Moved: Councillor Rowe

Seconded: Councillor Cammaert

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

That West Elgin Council hereby accepts the quote submitted by Johnston Brothers Ltd. at a cost of \$299,250.00 plus applicable taxes for supply & application of maintenance gravel included in the 2022 municipal budget.

Carried

8.3.3 Lee Gosnell, Manager of Operations & Community Services - Monthly Operations Update – March 2022

Mr. Gosnell reported that he was just informed that Elgin County will be installing an Electric Vehicle Charging station this year on Furnival Road in Rodney.

Resolution No. 2022- 114

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Lee Gosnell, Manager of Operations & Community Services for information purposes.

Carried

8.4 Municipal Drains

8.4.1 J. Nethercott, Clerk - Re-Appportionment of Drainage Assessment for the Head Drain

Resolution No. 2022- 115

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Apportionment of Drainage Assessment for the Head 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 Head Municipal Drain, as part of severance E37/21 as presented.

Carried

8.5 Clerk

8.5.1 J. Nethercott, Clerk - Dutton Child Care Centre Board – Request for Municipal Representation

Councillor Cammaert declared a conflict on this item. (Business Relationship with Dutton Child Care)

Councillor Cammaert left the meeting at 10:21 a.m. and returned at 10:29 a.m.

Council directed staff to contact Dutton Child Care for more information on this appointment and to request that a representative attend a future Council meeting to answer Council questions.

Council recess at 10:29 a.m. and reconvened at 10:43 a.m.

8.6 Finance/Administration

8.6.1 Magda Badura, CAO/Treasurer - Water and Wastewater Billing Collection Policy

Resolution No. 2022- 116

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer re: Water and Wastewater Billing Collection Policy; and

That West Elgin Council considers the Water and Wastewater Billing Collection Policy in the By-Law portion of the agenda.

Carried

8.6.2 Magda Badura, CAO/Treasure - Water Fill Station Retrofit

Resolution No. 2022- 117

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer re: Water Fill Station Retrofit; and

West Elgin Council hereby approves the purchase of the Surface Mount Access Terminal and installation costs of up to \$26,000 plus applicable taxes for the Water Fill Station Retrofit.

Carried

8.6.3 M. Badura, CAO/Treasurer & J. Nethercott, Clerk - Administration Monthly Update – March 2022

Resolution No. 2022- 118

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer and Jana Nethercott, Clerk re: Administration Monthly Update for March 2022 for information purposes.

Carried

9. Approval of Waiver of Fees

9.1 West Lorne Optimist Car Show

Councillor Cammaert declared a conflict on this item. (Business Relationship with West Lorne Optimists)

Councillor Cammaert left the meeting at 11:22 a.m. and returned at 11:24 a.m.

Resolution No. 2022- 119

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby approves the request of the West Lorne Optimist to waive the rental fee for Miller Park Pavilion of \$25 plus applicable taxes on July 3, 2022.

Carried

9.2 Rodney Horticultural Society

Resolution No. 2022- 120

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council hereby approve the request of the Rodney Horticultural Society to waive the rental fee of \$140 plus applicable takes for the West Elgin Recreation Centre on Friday May 20 and Saturday May 21, 2022 for the Annual Plant Sale.

Carried

9.3 Rodney Kiwanis

Resolution No. 2022- 121

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby approve the Kiwanis Club of Rodney's request to waive rental fees of \$520 plus applicable taxes for their bi-weekly meetings in the large meeting room at the West Elgin Recreation Centre and \$425 plus applicable taxes for the full building rental for the Easter Egg Hunt on April 16, 2022.

Carried

10. Committee and Board Report

10.1 Councillor Reports from Committees

10.2 Youth Task Team Minutes - January 31

10.3 Four Counties Transit Minutes - February 14, 2022

11. Accounts

Resolution No. 2022- 122

Moved: Councillor Tellier

Seconded: Councillor Rowe

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #4 amounting to \$1,952,760.35 in settlement of General, Road, Water and Arena Accounts including EFT#5000-5064, online Payments# 892-903, cheque # 25903-25916 and Payroll PP06/07.

Carried

12. Correspondence

12.1 Ministry of Agriculture, Food and Rural Affairs - Avian Flu

12.2 Ministry of Municipal Affairs and Housing - More Homes for Everyone Plan

12.3 Ministry of Municipal Affairs and Housing - Reopening Ontario Act Update

12.4 City of Waterloo - Ontario Building Code

12.5 Municipality of Clarington - Natural Heritage System Mapping

12.6 Ontario Clean Water Agency - New President

12.7 Minister for Seniors and Accessibility - Nominations Ontario Senior of the Year Award

12.8 County of Elgin - Platinum Jubilee Nominations

12.9 Rodney Fire Fighters Association - Request to Close Furnival Road

Resolution No. 2022- 123

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That West Elgin Council hereby supports the request of the Rodney Fire Fighters Association for the temporary closure of Furnival Road from Queen Street to Victoria Street Rodney on Friday May 13, 2022 from 4:00 p.m. until 8:00 p.m.

Carried

12.10 Grey Highlands - HST Rebate on new homes in Ontario

12.11 Rodney Kiwanis - Port Glasgow Beach Clean Up

13. Council Inquires/Announcements

13.1 Notice of Motion

Resolution No. 2022- 124

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

Whereas in the recent past, the Municipality of West Elgin has had Wind Energy companies lease agricultural land within its boundaries, for the purposes of developing large scale Industrial Wind Turbine facilities;

And Whereas on October 24, 2013, the Municipality of West Elgin passed a resolution declaring the Municipality of West Elgin, not a willing host to Industrial Wind Turbine projects;

And Whereas the Green Energy Repeal Act 2018 (Bill 34) provides for the restoration of municipal authority over the siting of renewable energy generation facilities within its boundaries;

And Whereas the Independent Electricity System Operator (IESO) is undertaking a new RFP process this year, and expedited proposals will be awarded this fall;

And Whereas the IESO is encouraging developers to approach Municipal Councils as soon as possible, to obtain resolutions of support;

And Whereas West Elgin's Official Plan review is underway with an anticipated completion date of 2023;

And Whereas Section 38 of the *Planning Act* permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof, for such purposes as set out in the By-law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area;

Now Therefore West Elgin Council hereby directs staff to undertake the necessary research and consultation with respect to developing land use planning policies and regulations, and bring forward recommendations to Council, to ensure that any new large scale renewable energy facilities are

appropriately situated and regulated within all lands located within the Municipality of West Elgin;

And That West Elgin Council hereby directs staff to bring forward for Council's consideration, a staff report on interim control measures, including an Interim Control By-Law, to allow for sufficient time for this research and consultation on restricting Wind Turbines within the Municipality.

Carried

13.2 Statements/Inquires by Councillors

None.

13.3 Matters of Urgency

None.

14. Upcoming Meetings/Events

- April 20, 2022 - So You Want to Run for Council Workshop - 6:30pm at WEDS Theatre - 199 Currie Rd, Dutton
- April 6, 2022 - Tri-County Water Board Meeting - 7 pm Hybrid format

Council Recessed at 11:52 a.m. and reconvened at 1:09 p.m.

15. By-Laws

15.1 By-Law 2022-17 - Delegated Authority During "Lame Duck" Period

Resolution No. 2022- 125

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That By-law 2022-17, being a By-Law to Delegate Authority to the Chief Administrative Officer for Certain Acts during a "Lame Duck" Period for the Corporation of the Municipality of West Elgin, be read a first, second and third and final time.

Carried

15.2 By-Law 2022-18 - Housekeeping Zoning Amendment

Resolution No. 2022- 126

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That By-law 2022-18 being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for all the lands within the Municipality of West Elgin, be read a first, second and third and final time.

Carried

15.3 By-Law 2022-19 - Water and Wastewater Billing and Collection Policy

Resolution No. 2022- 127

Moved: Councillor Rowe

Seconded: Councillor Tellier

That By-law 2022-19 being a By-Law to adopt the Policy AD 3.4 – Water and Wastewater Billing and Collection Policy, be read a first, second and third and final time.

Carried

16. Confirming By-Law

Resolution No. 2022- 128

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That By-law 2022-20 being a By-law to confirm the proceeding of the Regular Meeting of Council held on April 14, 2022, be read a first, second and third and final time.

Carried

17. Closed Session

Resolution No. 2022- 129

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at 1:11 pm. under Section 239 2(b, d & f) of the *Municipal Act R.S.O. 2001* consideration will be given to matters pertaining to:

1. personal matters about an identifiable individual, including a municipal or local board employee;
2. labour relations or employee negotiations; and
3. advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

18. Report from Closed Session

Resolution No. 2022- 130

Moved: Councillor Rowe

Seconded: Councillor Tellier

That the Council of the Municipality of West Elgin Council provided staff direction on matters pertaining personal matters about an identifiable individual, including a municipal or local board employee; labour relations or employee negotiations; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

19. Adjournment

Resolution No. 2022- 131

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That the Council of the Municipality of West Elgin hereby adjourn at 1:48 p.m. to meet again at 9:30 a.m. on April 28, 2022 or at the call of the Chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk