



# **Municipality of West Elgin**

## **Agenda**

### **Council Meeting**

Date: **May 25 2023, 9:30 a.m.**  
Location: **West Elgin Community Complex - Hybrid Meeting**  
**160 Main St**  
**West Lorne**  
**Electronic Hybrid Meeting**

This meeting will be held in a Hybrid format. This meeting is broadcasted and the recording made available after the meeting on the municipal website, pending any technical difficulties. If you require an alternate format or accessible communication support or wish to receive the link to the meeting via email please contact the Clerk, at 519-785-0560 or by email at [clerk@westelgin.net](mailto:clerk@westelgin.net).

**Pages**

**1. Call to Order**

**2. Adoption of Agenda**

Recommendation:

That the Council of the Municipality of West Elgin hereby adopts the Agenda as presented.

**3. By-law 2023-38 - Appointment By-law**

**8**

Recommendation:

That By-Law 2023-38, being a by-law to appoint Richard Leatham as Mayor of the Municipality of West Elgin be read a first, second and third and final time.

**4. Adoption of Minutes**

**10**

Recommendation:

That the Minutes of the Regular Council Meeting on May 11, 2023 and the Special Council Meeting on May 18, 2023 be adopted as circulated and printed.

**5. Business Arising from Minutes**

**6. Disclosure of Pecuniary Interest**

**7. Presentation**

**7.1 LTVCA - Inventory of Programs and Services Agreement**

21

**8. Public Meeting**

Recommendation:

That Council proceed into a Public Meeting pursuant to Section 34 of the *Planning Act* in order to hear an application to rezone property located at 21179 Clachan Road

**8.1 Purpose of the Public Meeting**

The purpose of the Zoning By-law Amendment is to consider a condition of Consent Application E1-23, by rezoning the retained farmland parcel from General Agricultural (A1) Zone to Agricultural (A2) Zone, in order to prohibit any future dwellings, and by rezoning the severed surplus farm dwelling parcel from General Agricultural (A1) Zone to Restricted Agricultural (A3) Zone, in order to recognize the new surplus farm dwelling lot being created.

Council will not make a decision on the application at this public meeting. Based on the recommendation and information received at this public meeting an amending by-law will be presented to Council in the by-law portion of the Regular Meeting of Council.

The Planner is keeping a public registry and if any member of the public wishes to be notified in writing of the decision on this application, they can provide their name and mailing address via email to [planning@westelgin.net](mailto:planning@westelgin.net) or by calling 519-785-0560 ext.226 no later than 4pm on the day of the public meeting. A person or public body may appeal a decision if they have made an oral or written submission at today's meeting. If you wish to make an oral submission during this public meeting, please use the "raise your hand" feature in Zoom and the Clerk will allow you to speak when the call is put out for public comments.

**8.2 Planning Report**

32

Recommendation:

That the Council of the Municipality of West Elgin hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 6-2023 Recommendation Report (Planning Report 2023-20

### **8.3 Applicant Comments**

### **8.4 Public Comments**

### **8.5 Council Comments**

### **8.6 Recommendation**

Recommendation:

That the Council of the Municipality of West Elgin approve the rezoning of 21179 Clachan Road from General Agricultural (A1) Zone to Agricultural (A2) Zone and Restricted Agricultural Special Regulation 6 (A3-6) Zone, in accordance with the attached draft By-law; and

Further that the Council of the Municipality of West Elgin consider the By-law to amend the Zoning By-law, as presented in the by-law portion of the May 25, 2023 Council Agenda.

### **8.7 Close Public Meeting**

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn the Public Meeting held pursuant to Section 34 of the *Planning Act* at \_\_\_\_\_ a.m.

## **9. Consent Agenda**

Recommendation:

That the Consent Agenda for May 25, 2023 be received and filed.

### **9.1 Communications from Other Municipalities**

9.1.1	Elgin County Council Highlights - May 9, 2023	39
9.1.2	County of Elgin - Reduced Speed Zone/Community Safety Zone	42
9.1.3	County of Elgin - B. Lima Report - Reduced Speed Zone Ext and Comm Safety Zone Establishment - Aldborough P.S.	43
9.1.4	County of Elgin - Aldborough PS - Reduced Speed Zone Ext and Community Safety Zone - image	47
9.1.5	County of Elgin - County Council May 9th Resolution re: School Zone in Rodney	48
9.1.6	County of Elgin Amending By-law #23-21	50

9.1.7	County of Elgin - Amending By-law 23-22	51
9.1.8	Town of Lincoln - Municipal Heritage Register	52
9.2	Other Items	
9.2.1	Emergency Management Ontario - EM Compliance 2022	54
10.	Staff Reports	
10.1	Operations & Community Services	
10.1.1	L. Gosnell - Downie Line Paving Request Report	56
	Recommendation: That the Council of the Municipality of West Elgin hereby receives the report from L. Gosnell, Manager of Operations & Community Services re: Downie Line Paving Request for information purposes.	
10.2	Finance/Administration	
10.2.1	CAO/Treasurer M. Badura - Borrowing By-law Report	59
	Recommendation: That the Council of the Municipality of West Elgin hereby receives the report from M. Badura, CAO/Treasurer re: Borrowing By-law for information purposes.	
10.2.2	CAO/Treasurer M. Badura - Arvai Drain Debenture Report	62
	Recommendation: That the Council of the Municipality of West Elgin hereby receives the report from M. Badura, CAO/Treasurer re: Arvai Drain Debenture Report; and  That the Council of the Municipality of West Elgin approves a loan in the amount of \$35,381.12 from Salus Mutual.	



<b>10.2.3</b>	<b>CAO/Treasurer M. Badura - Procurement Policy Updates</b>	<b>64</b>
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Recommendation:

That the Council of the Municipality of West Elgin hereby receives the report from M. Badura, CAO/Treasurer re: Procurement Policy Revisions ; and

That the Council of the Municipality of West Elgin approves revisions to the Purchasing Policy and Procedure AD-1.2.

<b>10.2.4</b>	<b>CAO/Treasurer M. Badura - Video Surveillance Policy and Procedure Report</b>	<b>67</b>
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Recommendation:

That the Council of the Municipality of West Elgin hereby receives the report from M. Badura, CAO/Treasurer re: Video Surveillance Policy and Procedure; and

That the Council of the Municipality of West Elgin approves the Video Surveillance Policy and Procedures attached to this report.

<b>10.2.4.1</b>	<b>Video Surveillance Policy and Procedure</b>	<b>69</b>
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## **11. Committee and Board Report**

### **11.1 Councillor Reports from Committees**

<b>11.1.1</b>	<b>Heritage Homes Committee - Revised Jan 2023 Meeting Minutes</b>	<b>78</b>
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<b>11.1.2</b>	<b>Heritage Homes Committee - Financials - Jan 2023 Adjusted</b>	<b>81</b>
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## **12. Accounts**

Recommendation:

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #5A amounting to \$309,721.87 in settlement of General, Road, Water and Arena Accounts including EFT #6678-6706; Online Payments #1165-1167; Cheque #26181-16182 and Payroll PP10.

## **13. Council Inquires/Announcements**

### **13.1 Notice of Motion**

### **13.2 Statements/Inquires by Councillors**

## **14. By-Laws**

### **14.1 By-law 2023-39 - ZBA 21179 Clachan Road 85**

**Recommendation:**

That By-Law 2023-39, being a by-law to amend the Municipality of West Elgin Comprehensive Zoning By-law No. 2015-36 for property located at 21179 Clachan Road, be read a first, second and third and final time.

### **14.2 By-Law 2023-40 - Borrowing By-Law 87**

**Recommendation:**

That By-Law 2023-40, being a by-law for municipal borrowing of current expenditures be read a first, second and third and final time.

### **14.3 By-Law 2023-41 - Arvai Drain Construction - Issuance of Debenture 89**

**Recommendation:**

That By-Law 2023-41, being a by-law to authorize the issue of debentures in the principal amount of \$35,381.12 for the construction of the Arvai Drain, be read a first, second and third and final time.

### **14.4 By-Law 2023-42 - Amending By-law - Purchasing Policy 93**

**Recommendation:**

That By-Law 2023-42, being a by-law to amend By-law 2017-20 - Purchasing Policy and Procedures, be read a first, second and third and final time.

### **14.5 By-Law 2023-43 - Declaring the Office of the Deputy Mayor Vacant 104**

**Recommendation:**

That By-law #2023-43, being a by-law declaring the Office of the Deputy Mayor Vacant, be read a first, second and third and final time.

### **14.6 By-Law 2023-44 - Video Surveillance Policy 105**

**Recommendation:**

That By-Law 2023-44, being a by-law to adopt Policy AD-4.1 - Video Surveillance Policy be read a first, second and third and final time.

**15. Confirming By-Law**

115

Recommendation:

That By-law 2023-45 being a by-law to confirm the proceeding of the Regular Meeting of Council held on May 25, 2023, be read a first, second and third and final time.

**16. Adjournment**

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn at \_\_\_\_\_ to meet again at 9:30 a.m. on June 8, 2023, or at the call of the Chair.



# MUNICIPALITY OF **West Elgin**

## **The Corporation Of The Municipality Of West Elgin**

### **By-Law No. 2023-38**

#### **Being a By-Law to Provide for the Appointment of a Person for the Office of the Mayor.**

**Whereas** the Municipal Act, 2001 allows a council to fill a vacancy in the office of a member of council by appointing a person who has consented to accept the office if appointed within sixty (60) days after the day a declaration of vacancy is made;

**And Whereas** a vacancy has been declare in the office of the Mayor in the Municipality of West Elgin;

**Now therefore** the Council of the Municipality of West Elgin hereby enacts as follows:

1. That the vacancy in the office of the Mayor be filled by appointing a person who has consented to accept the office if appointed.
2. That the vacancy must be filled by someone who is eligible under the *Municipal Elections Act, 1996* to hold office as per section 17(2) which states:
  - a) resides in the local municipality or is the owner or tenant of land there or the spouse of such owner or tenant;
  - b) is a Canadian citizen;
  - c) is at least 18 years old; and
  - d) is not prohibited from voting under subsection (3) or otherwise by law. 2002, c.17, Sched. D, s.5(2); 2005, c.5 s.46(1).

3. That Richard Leatham, who has signified in writing that he is legally qualified to hold office and has consented to accept the office, is hereby appointed to the position of West Elgin Mayor for the duration of the 2022-2026 term of Council.
4. This by-law will come into effect on the date of passing.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of May, 2023.

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Richard Leatham  
Deputy Mayor

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Heather Bouw  
Clerk



# **Municipality of West Elgin**

## **Minutes**

### **Council Meeting**

**May 11, 2023, 9:30 a.m.**

**West Elgin Community Complex - Hybrid Meeting**

**160 Main St**

**West Lorne**

**Electronic Hybrid Meeting**

**Present:**  
Deputy Mayor R. Leatham  
Councillor T. Tellier  
Councillor Navackas  
Councillor Denning  
Magda Badura

**Staff Present:**  
M. Badura, CAO/ Treasurer  
L. Gosnell, Manager of Operations & Community Services  
Jeff McArthur, Fire Chief  
Robert Brown, Planner  
Corey Pemberton, CBO  
Deborah Daub, Deputy Treasurer  
Heather Bouw, Clerk

**This Meeting was held in Hybrid format and the recording available at  
[www.westelgin.net](http://www.westelgin.net) (pending no technical difficulties)**

#### **1. Call to Order**

Deputy Mayor Leatham called the meeting to order at 9:34 a.m.

##### **1.1 Announcement**

The Clerk noted one addition to the Agenda. The additional item will be discussed in the Closed Session as Item #2 - Personal Matters about an Identifiable Individual - Section 239(2)(b) of the Municipal Act. The Clerk

also reminded everyone that the recording of this meeting will stop after the resolution of Council entering into the Closed Session has been read. The Council Chamber doors will be closed during the Closed Session, and will be re-opened for anyone wishing to attend in person for Council's rise and report resolution, the confirming by-law resolution and the adjournment.

**2. Adoption of Agenda**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

That the Council of the Municipality of West Elgin hereby adopts the Agenda as presented.

**Carried**

**4. Presentation - Jennifer Kirkham, Michevious Cat Productions - Strategic Plan 2023-2026**

Jennifer Kirkham is leading Council through the steps of developing West Elgin's 2023-2026 Strategic Plan. Council's initial discussion with Ms. Kirkham included sharing comments heard during their election campaigns, impacts Councillors want to have in their term of Council, as well as their thoughts on our strategic focus for the next 4 years. Next steps include:

1. Community Online Survey (June 2023);
2. Online focus group (Summer 2023);
3. Working sessions with Council to develop the Strategic Plan (Sept-Oct 2023)

**5. Delegation**

**5.1 J. Hanlon - Municipal Food Waste Diversion Program**

Jacob Hanlon representing Foodcycle Science provided Council with a presentation on the FoodCycler. Food waste is added to the FoodCycler and the by-product is a dry, sterile, odourless and nutrient-rich biomass that can be added to garden soil, used by community gardens, added to backyard composters as well as other applications. The FoodCycler provides a means for all household to directly participate in organic diversion. Mr. Hanlon outlined a 12 week pilot program should Council

wish to participate. No decision to participate was made by Council at this time.

**6. Adoption of Minutes**

**Moved:** Councillor Tellier

**Seconded:** Councillor Navackas

That the Minutes of the April 27, 2023 West Elgin Council meeting be adopted as circulated and printed.

**Carried**

**7. Business Arising from Minutes**

None

**8. Consent Agenda**

**Moved:** Councillor Denning

**Seconded:** Councillor Navackas

That the Consent Agenda for May 11, 2023 be received and filed.

**Carried**

**8.1 Monthly Staff Reports**

**8.1.1 Building Department Summary Report - April 2023**

**8.1.2 Building Department - Comparison Report April 2023**

**8.1.3 J. McArthur - Fire Chief Monthly Report - April 2023**

**8.1.4 J. McArthur - Fire Chief - Incident Summary Report - 2022**

**8.1.5 L. Gosnell, Manager of Operations & Community Services - Monthly Report April 2023**

**8.2 Communications from Other Municipalities**

**8.2.1 County of Elgin - Road Safety Concerns - Aldborough Public School**

**8.2.2 Elgin County Council Highlights - April 25, 2023**

**8.2.3 County of Elgin - Emergency Preparedness Week 2023**

**8.2.4 Regional Municipality of Waterloo - Notice of Motion**



**8.2.5 Town of Bracebridge - School Bus Stop Arm Camera**

**8.2.6 Town of Cochran - Barriers for Women in Politics**

**8.2.7 Township of Puslinch - Roadside Litter on Highway 401**

**8.3 Procurement Items within Budget**

**8.4 Other Items**

**8.4.1 Ann Smith - Old Town Hall Committee Composition**

Councillor Tellier requested that a letter be sent to Ann Smith explaining Council's determination of the committee composition.

**8.4.2 Ministry of Economic Development, Job Creation & Trade - Strengthening Ontario's Competitiveness for Future Investments**

**8.4.3 Enbridge - Third Party Locate Charge**

**8.4.4 MPAC - Annual Report, Performance Report, Financials**

**8.4.5 Southwestern Public Health - COVID-19 Data Dashboard Paused**

**9. Staff Reports**

**9.1 Municipal Drains**

**9.1.1 Section 78 - Notice of Request for Drain Major Improvement - Lamont Drain**

**Moved:** Councillor Denning

**Seconded:** Councillor Tellier

That the Council of the Municipality of West Elgin receives and decides to proceed with the Lamont Drain improvement request under Section 78 of the Drainage Act received from the Municipality of West Elgin Public Works Department, and instructs the Clerk to notify LTVCA as required under S.78(2) of the Drainage Act for drainage improvements; and

That the requesting landowner be notified of Council's decision to proceed; and

That an engineer be appointed under the appropriate section of the Drainage Act after the 30-day time period from the notice of

Council's decision was sent to the LTVCA and OMAFRA has passed.

**Carried**

## **9.2 Planning**

### **9.2.1 Severance Application E24-23 - Comments to Elgin County - 25785 McMurchy Line**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

That the Council of the Municipality of West Elgin hereby receives the report from Robert Brown, Planner regarding Severance Application File E24-23 - Comments to Elgin County (Planning Report 2023-019); and

That the Council of the Municipality of West Elgin hereby recommends approval to the Land Division Committee of the County of Elgin for Severance Application File E24-23, subject to the Lower-Tier Municipality conditions in Appendix Two (2) of this report; and

Further That the Council of the Municipality of West Elgin directs administration to provide this report as municipal comments to the County of Elgin.

**Carried**

## **9.3 Finance/Administration**

### **9.3.1 M. Badura. CAO/Treasurer - 2023 Old Town Hall Insurance Premiums**

**Moved:** Councillor Tellier

**Seconded:** Councillor Navackas

That the Council of the Municipality of West Elgin hereby receives the report from M. Badura, CAO/Treasurer, 2023 Old Town Hall Insurance Premiums for information; and

That Council approves amending insurance coverage for the Old Town Hall by approving Option #1 to an Actual Cash Value basis of settlement of \$1,205,800, subject to a minimum \$10,000 deductible

(limit estimated by the risk management services), which will increase the annual premium by an additional \$11,530.00.

**Carried**

## **10. Committee and Board Report**

### **10.1 Councillor Reports from Committees**

Councillor Navackas reported on the May 9, 2023 meeting of Four Counties Transportation Services noting that a new part-time driver, Albert Schmitchen, has been hired and that the delivery date for the transit vehicle has been delayed until July.

## **11. Accounts**

**Moved:** Councillor Navackas

**Seconded:** Councillor Tellier

That the Deputy Mayor and Treasurer of the Municipality of West Elgin are hereby authorized to sign Payment Voucher #5 amounting to \$421,594.54 in settlement of General, Road, Water and Arena Accounts including EFT #6591-77; online Payments #1159-1164; Cheque #26169-26180 and Payroll PP09.

**Carried**

## **12. Council Inquires/Announcements**

### **12.1 Notice of Motion**

**Moved:** Councillor Denning

**Seconded:** Councillor Tellier

That staff investigate the feasibility of potentially selling or donating the municipally owned former rail corridor between Blacks Road and Furnival Road to LTVCA.

**Carried**

### **12.2 Statements/Inquires by Councillors**

**13. Closed Session**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

That the Council of the Municipality of West Elgin Council hereby proceeds into a session of the meeting that shall be closed to the public at 10:44 a.m. in accordance with Section 239(2) of the Municipal Act, S.O. 2001, c.25 for discussion of the following matters:

1. Security of Municipal Property - Section 239(2)(a) of the Municipal Act.
2. Personal Matters about an Identifiable Individual - Section 239(2)(b) of the Municipal Act.

**Carried**

**14. Report from Closed Session**

**Moved:** Councillor Tellier

**Seconded:** Councillor Navackas

That the Council of the Municipality of West Elgin hereby comes out of the Closed Session at 12:12 p.m. and the regular meeting re-convenes.

**Carried**

**15. Confirming By-Law**

**Moved:** Councillor Tellier

**Seconded:** Councillor Denning

That By-law 2023-36 being a By-law to confirm the proceeding of the Regular Meeting of Council of the Municipality of West Elgin held on May 11, 2023, be read a first, second and third and final time.

**Carried**

**16. Adjournment**

**Moved:** Councillor Navackas

**Seconded:** Councillor Tellier

That the Council of the Municipality of West Elgin hereby adjourn at 12:13 p.m. to meet again at 9:30 a.m. on May 25, 2023 or at the call of the Chair.

**Carried**

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Richard Leatham, Deputy Mayor

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Heather Bouw, Clerk



# Municipality of West Elgin

## Minutes

### Special Meeting of Council

May 18, 2023, 9:30 a.m.

West Elgin Community Complex - Hybrid Meeting

160 Main St

West Lorne

Electronic Hybrid Meeting

**Present:** Deputy Mayor R. Leatham  
Councillor T. Tellier  
Councillor Navackas  
Councillor Denning

**Staff Present:** Heather Bouw, Clerk  
Magda Badura, CAO/Treasurer

#### 1. Call to Order

Deputy Mayor Leatham called the meeting to order at 9:30 a.m.

#### 2. Adoption of Agenda

**Moved:** Councillor Navackas

**Seconded:** Councillor Tellier

That West Elgin Council hereby adopts the Agenda as presented.

**Carried**

#### 3. Disclosure of Pecuniary Interest

No disclosures

Deputy Mayor Leatham vacated the Chair to Councillor Tellier at 9:32 a.m.

#### **4. Filling the Vacancy of the Office of the Mayor**

##### **4.1 Applicant Submissions**

Richard Leatham, Andrei Kovalevskii, Kevin W. Fawcett and Christian Hernan Rueda Yepes attended the meeting in person. Trevor Lee attended the meeting virtually. Each applicant individually addressed Council outlining their views and visions for the future of the municipality. Council members posed a maximum of two (2) questions to each applicant.

##### **4.3 Applicant Nomination**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

THAT the Council of the Municipality of West Elgin nominates and appoints Richard Leatham to fill the Vacancy of the Office of the Mayor.

**Carried**

Deputy Mayor Leatham resumed the Chair at 11:00 a.m

#### **5. Confirming By-Law**

**Moved:** Councillor Tellier

**Seconded:** Councillor Navackas

That By-law 2023-37, being a by-law to confirm the proceedings of the Special Meeting of Council held on May 18, 2023, be read a first, second and third and final time.

**Carried**

#### **6. Adjournment**

**Moved:** Councillor Navackas

**Seconded:** Councillor Tellier

That the Council of the Municipality of West Elgin hereby adjourns the Special Council meeting at 11:01 to re-meet at 9:30 a.m. on May 25, 2023 or at the call of the Chair.

**Carried**

Deputy Mayor Leatham vacated the Chair to Councillor Tellier at 9:32 a.m.

**4. Filling the Vacancy of the Office of the Mayor**

**4.2 Question Period**

Each Council Member will be permitted to pose a maximum of two (2) questions to each Applicant.

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Richard Leatham, Deputy Mayor

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Heather Bouw, Clerk





# **Bill 229**

## **Inventory of Programs and Services and Categories of Programs and Services Agreement**

### **May 24, 2023**

Presentation by:  
Mark Peacock, P.Eng.  
CAO / Secretary-Treasurer

# Inventory of Programs and Services

- ▶ Required to be reported to the minister, member municipalities and made public by Feb. 28, 2022 - **Completed**
- ▶ The Inventory is a “living” document and changes can be made as the province provides more information and consultation of document with municipalities is completed
- ▶ Staff have prepared the most up-to-date document possible, however details will change as the province continues to provide guidance

# Categorizing all Programs and Services

- ▶ Category 1: Mandatory programs and services where municipal levy could be used without any agreement
- ▶ Category 2: Non-mandatory programs and services at the request of a municipality with **municipal funding through an agreement**
- ▶ Category 3: This category includes other non-mandatory programs and services the CA determines are advisable. These may use **municipal levy through an agreement**

# Providing Current and Ongoing Costs for Categorized Programs and Services of the LTVCA

- ▶ Changes to the budget have been occurring as the LTVCA responds to the strategic plan
- ▶ Significant changes have occurred to the LTVCA budget in response to COVID-19
- ▶ Many elements of these changes will continue into future budgets
- ▶ Significantly more funding through self generated revenue has occurred over the last 3 years

# Assumptions for Preparation of Inventory

- ▶ Surplus non-mandatory funds will not be used to offset mandatory programs
- ▶ Where possible surplus funds will be used in the area of business that they are generated within



# Types of Funding for Programs

- ▶ Municipal Levy
- ▶ Self-Generated – includes fees, grants, donations
- ▶ Special Levy – Flood Control Structures, CK Greening
- ▶ Provincial Funding – Section 39 and CMOG (museum grant)
- ▶ Note: Non-mandatory programs have significant self generated and grant funding

# Example of Lower Thames Valley Conservation Authority

## Inventory of Programs and Services, Draft: Feb 16, 2022

LTVCA Code(s)	Program/Service and Subservices	Description	Category (1,2,3)	Category Rationale	Average Annual Costs	Funding mechanism and percentage of costs
<b>Natural Hazard Management Program</b> Program Description: Conservation Authorities are the lead provincial agencies on Natural Hazard issues. The goal is to protect life and property from flooding and erosion. This watershed-wide, comprehensive program includes: development applications and permits, municipal plan input and review, environmental planning and policy, flood forecast and warning, flood and erosion control infrastructure, technical studies, ice management, education and public awareness.						
GENREGS (1)	Section 28.1 Permit Administration	Reviewing and processing permit applications, associated technical reports, site inspections, communication with applicants, agents, consultants and legal costs.	1	CA Act	\$190,500	Municipal Levy – 34%, Self-Generated – 66%
REGSPLAN-OPS39 (2), REGPLAN-WPP39(2), REGSPLAN (3) 80%	Municipal Plan Input and Review	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances). Input to municipal land-use planning documents (OP, Comprehensive ZB, Secondary plans) related to natural hazards, on behalf of MNRF (delegated to CAs in 1983). Input to the review and approval processes under other applicable law, with comments principally related to natural hazards, wetlands, watercourses and Sec. 28 permit requirements. Include property inquiries here	1	CA Act	\$110,000	Municipal Levy – 87%, Self-Generated – 13%
REGSPLAN (3) 20%	Plan Review Not Related to Natural Hazards	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances).	2	CA Act	\$17,300	Municipal Levy – 100%,
Flood-Comm (4), Flood-Data (4), Flood-Train (4), Flood-Oper (4), Flood-Res (4)	Flood Forecasting and Warning	Daily data collection and monitoring of weather forecasts, provincial and local water level forecasts, watershed conditions, snow course. Flood event forecasting. Flood warning, communications and response. Equipment maintenance. Annual meeting with municipal flood emergency coordinator.	1	CA Act	\$165,100	Municipal Levy – 51%, Provincial – 49%

# Developing the Municipal Agreement for Category 2 and 3 Levy - Background

- ▶ Have been and will be meeting with municipal staff and neighbouring CA staff regarding format
- ▶ Used the format proposed by Ausable-Bayfield Conservation Authority – that shares one our the LTVCA municipalities
- ▶ Same general format being used by neighbouring CAs
- ▶ Agreement asks for continued funding for all program areas



# Specifics of Agreement - Changes

- ▶ Was brought to the board for initial approval in October 2022 – prior to new board sitting
- ▶ Bill 23 resulted in changes to the agreement which include removal of non-permitted services e.g. natural heritage
- ▶ Amended Agreement was approved by LTVCA Board on April 20, 2023

# Recommendation

- ▶ Recommend Approval of LTVCA Inventory of Programs and Categories of Programs and Services Agreement

# Questions

## ABOUT US

### Our Vision

The LTVCA...for  
a balanced &  
healthy  
watershed

### Our Mission

Leading by example  
in environmental  
protection in  
partnership with  
the community

### Our Core Values

Respect, integrity,  
commitment, objectivity, &  
collaboration





## Staff Report

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**Report To:** Council Meeting  
**From:** Robert Brown, Planner  
**Date:** 2023-04-26  
**Subject:** Zoning By-law Amendment Application D14 6-2023 Recommendation Report (Planning Report 2023-20)

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 6-2023 – 21179 Clachan Road Recommendation Report (Planning Report 2023-20).

That West Elgin Council approve the rezoning of 21179 Clachan Road from General Agricultural (A1) Zone to Agricultural (A2) Zone and Restricted Agricultural Special Regulation 6 (A3-6) Zone, in accordance with the attached draft by-law, 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 May 25, 2023, Council Agenda.

### **Purpose:**

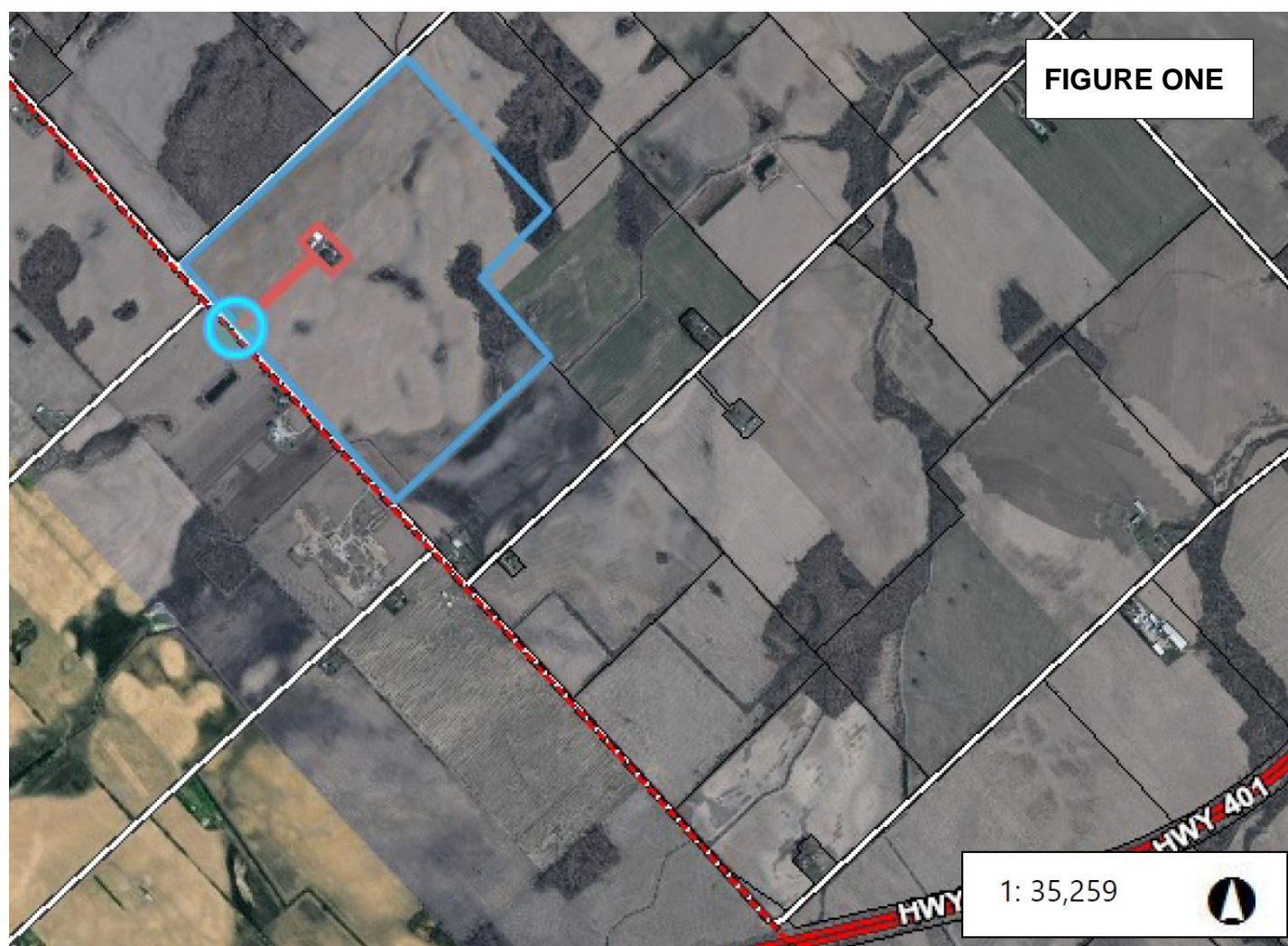
The purpose of the Zoning By-law Amendment is to consider a condition of Consent Application E1-23, by rezoning the retained farmland parcel from General Agricultural (A1) Zone to Agricultural (A2) Zone, in order to prohibit any future dwellings, and by rezoning the severed surplus farm dwelling parcel from General Agricultural (A1) Zone to Restricted Agricultural (A3) Zone, in order to recognize the new surplus farm dwelling lot being created.

### **Background:**

Below is background information, in a summary chart:

<b>Application</b>	D 14 6-2023 (condition of E1-2023)
<b>Owners</b>	J & M Van Lith Farm, Lithville Farms
<b>Applicant</b>	Timothy Van Lith
<b>Legal Description</b>	Part Lot of A & B, Concession 4 ED
<b>Civic Address</b>	21179 Clachan Road
<b>Services</b>	Private on-site water well & septic system
<b>Severed Parcel</b>	1.21 ha (3 ac.)
<b>Retained Farm Parcel</b>	79.7 ha (197 ac.)

Figure One below, depicts the subject lands:



The surrounding land uses are as follows:

- Agricultural on all sides

The zoning sketch, depicting the surplus farm dwelling lot creation (E1-23 application), is attached to this report as Appendix One for reference purposes.

Council may recall that Planning Report 2023-09, went before Council on March 9, 2023, to authorize comments to the County of Elgin on the consent application, E1-23 and provided planning analysis for the proposed surplus farm dwelling lot creation in relation to the applicable policies.

### **Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The severance may result in a minimal increase in assessment.



**Policies/Legislation:**

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) and does not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

**PPS:**

The subject lands are within the Agricultural area (Section 2.3). The proposed retained parcel would be rezoned to prohibit a dwelling through the zoning by-law amendment, in accordance with Section 2.3.4.1(c) of the PPS. The proposed new land uses comply with the minimum distance separation formulae, in accordance with Section 2.3.3.3 of the PPS.

The retained lands do contain some natural heritage area however, no development is proposed within the natural heritage portions of the property. The property also falls within an aggregate resource area. Section 2.5.1 outlines that, "Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified." The applicant was required to provide information on the presence and feasibility of aggregate extraction on the site. Based on the results of the test holes and review by three aggregate industry experts it was concluded that there are no economically viable quantities located around the proposed dwelling lot.

This proposed Zoning By-law Amendment is consistent with the PPS.

**CEOP:**

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. Section E1.2.3.4 b) of the CEOP permits the creation of new lots provided the local Official Plan supports their creation and if the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farmland created by the consent to sever.

No development is being proposed as a result of the zoning by-law amendment adjacent to any Natural Heritage areas (Section D1.2) on the subject lands.

Therefore, this proposed Zoning By-law Amendment conforms to the CEOP.

**OP:**

The subject lands are designated as Agricultural, as shown on Rural Area Land Use and Transportation Schedule 'E' of the Official Plan.

The agricultural land use policies, under Section 6.2 of the OP, permit a farm dwelling on the farm operation. Section 6.2.9 policies of the OP, state that the creation of a lot for the purposes of disposing of a dwelling considered surplus as a result of farm consolidation, being the acquisition of additional farm parcels to be operated as one farm operation, shall be considered provided no

new or additional dwelling is permitted in the future on the remnant parcel which shall be ensured through an amendment to the Zoning By-law.

Therefore, this proposal conforms to the OP.

### **Circulation Of The Application:**

The application was circulated to the applicable commenting agencies and neighboring property owners within 120 meters of the subject lands on May 3<sup>rd</sup>, 2023, 23 days prior to the public meeting (minimum 20 days required).

### **Municipal Department Comments:**

The zoning by-law amendment application was circulated to municipal staff for comment. No comments were received as comments were provided for the associated consent application and have been incorporated into the consent conditions (if required).

### **Agency Comments:**

The zoning by-law amendment application was circulated to the Agencies for comment. The following comments were received:

#### **Lower Thames Valley Conservation Authority**

Comment from the LTVCA is attached at Appendix A. No concerns with the proposed zoning were noted.

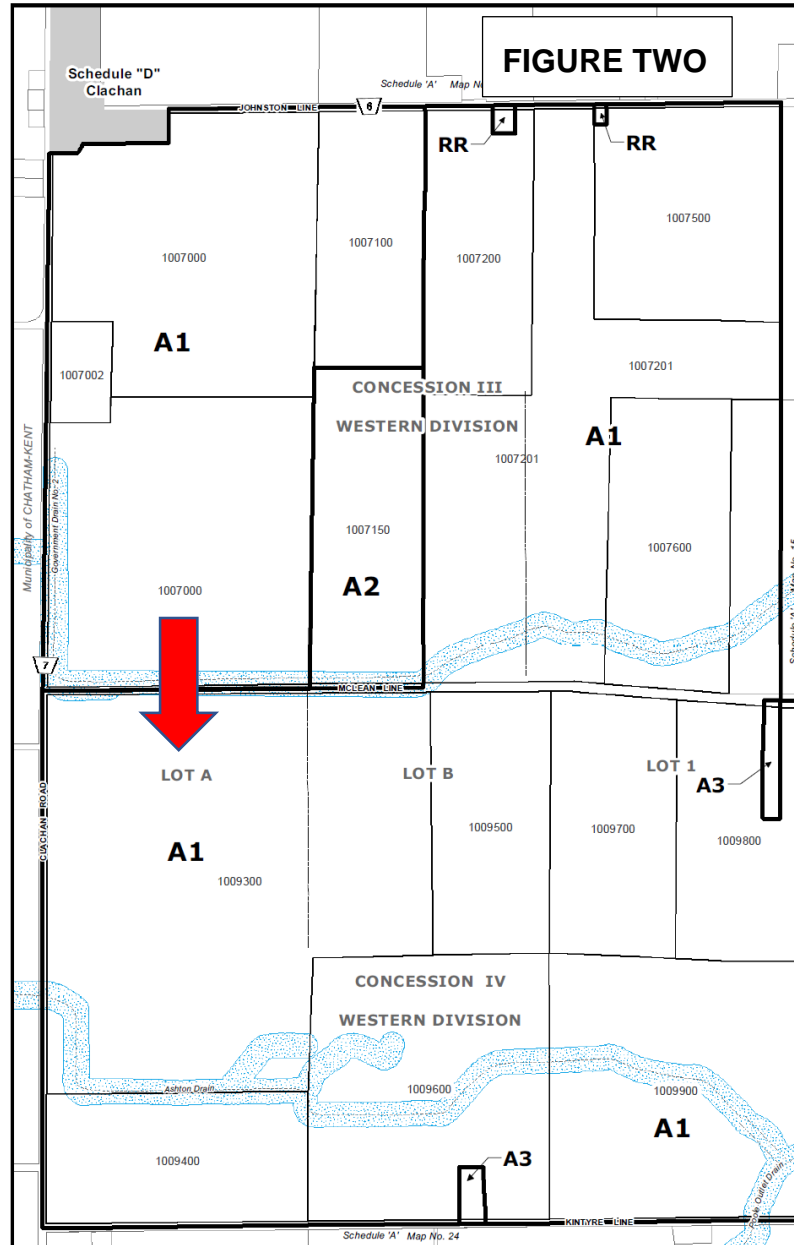
No additional comments have been received from other agencies.

### **Public Comments:**

At the time of subject of this report, no written comments from the public have been received related to the zoning by-law amendment.

## Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):

The subject lands are zoned General Agricultural (A1) on Schedule A, Map 14 of the ZBL, as depicted in Figure Two below.



Municipality of WEST ELGIN: RURAL AREA

Schedule "A"

SCALE 1:10,000

0 50 100 200 300 400 500 Metres

Municipality of West Elgin Zoning By-Law



April 28, 2014

Map No. 14



The severed parcel will need to be rezoned to implement the proposed lot creation, by rezoning it to the Restricted Agricultural (A3) Zone, as a condition of approval. The Restricted Agricultural (A3) Zone has a minimum lot area of 4000 square metres and a minimum lot frontage of 30 metres respectively. In addition, due to the flag-shaped nature of the lot the zoning amendment will also need to recognize the reduced lot frontage of 6 m (20 ft.).

The proposed retained parcel would need to be rezoned to the Agricultural (A2) Zone, in order to prohibit any future dwellings on the farmland. A draft of the zoning by-law amendment to be considered is appended to this report for reference purposes.

Therefore, the proposal for the surplus farm dwelling lot creation would be in compliance with the Zoning By-law, subject to the requested Zoning By-law Amendment.

### **Summary/Conclusion:**

Therefore, it is Planning Staff's opinion that the proposed Zoning By-law Amendment is consistent with the PPS, conforms to the CEOP and conforms to the OP; and recommends that the request for Zoning By-law Amendment be approved, subject to no concerns being raised through any oral and written submissions being received since the writing of this report and at the public meeting.

Once a Council decision is made, Notice will be sent to those who have requested a copy and/or attended the public meeting or provided written comments.

There will be a 20 day appeal period after the Notice is sent out. Any appeals received by the Municipality of West Elgin will be forwarded to the Ontario Land Tribunal (OLT) for a hearing, in accordance with the Planning Act.

Respectfully submitted by,



Robert Brown, H. Ba, MCIP, RPP  
Planner

**Report Approval Details**

Document Title:	Zoning By-law Amendment Application D 14 6-2023 - Recommendation Report - 2023-20-Planning.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - D_14_6_2023 VanLith J M VanLith Farm Lithville Farms Apr2023 drain.pdf</li><li>- 2023-xx - ZBLA - D14 6-2022 VanLith - DRAFT.pdf</li></ul>
Final Approval Date:	May 17, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw

# COUNCIL HIGHLIGHTS

TUESDAY,  
MAY 9, 2023

## IN THIS ISSUE:

Steve Gibson Appointed as  
Acting CAO

STEGH Shares 2022 Milestones  
and Future Plans

Driving Prosperity and Well-  
being: A Look into Western  
Ontario Warden's Caucus  
2023-2024 Strategic Priorities

Enhancing Safety: New  
Community Safety Zone and  
Speed Limit Extension Approved  
Near Aldborough Public School

Elgin County Council Takes a  
Stand Against Harassment and  
Abuse in Local Leadership with  
Bill 5 Endorsement

Planning Updates

## STEVE GIBSON APPOINTED AS ACTING CAO

County Council appointed Stephen Gibson, General Counsel (previously County Solicitor), as Elgin County's Acting Chief Administrative Officer (CAO).

Mr. Gibson will be in the Acting role until Council appoints an Interim CAO that will fulfill the role throughout the duration of the recruitment process to hire and onboard a permanent CAO.



## STEGH SHARES 2022 MILESTONES AND FUTURE PLANS

Representatives from the St. Thomas Elgin General Hospital (STEGH) presented County Council with an overview of our local hospital's patient services, 2022 achievements, key challenges, risks, and ongoing upgrades.

To view the full STEGH presentation, please access the May 9, 2023, Council Agenda Package.

## DRIVING PROSPERITY AND WELL-BEING: A LOOK INTO WESTERN ONTARIO WARDEN'S CAUCUS 2023-2024 STRATEGIC PRIORITIES

Kate Burns Gallagher, Executive Director for the Western Ontario Warden's Caucus (WOWC), provided County Council with an overview of the organization and their 2023-2024 strategic priorities. WOWC is a not-for-profit organization representing 15 upper- and single-tier municipalities in Southwestern Ontario with a goal of enhancing the prosperity and overall well-being of rural and small urban communities across the region.

At the forefront of WOWC's 2023-2024 priorities are housing, a workforce to support economic growth, and lastly, mental health, addictions and homelessness.



WOWC advocates on behalf of the 15 municipalities through meetings with Ministers and senior government officials and through partnering with various regional partners such as Community Futures Western Ontario and the South Central Ontario Region Economic Development Corporation (SCOR).

## ENHANCING SAFETY: NEW COMMUNITY SAFETY ZONE AND SPEED LIMIT EXTENSION APPROVED NEAR ALDBOROUGH PUBLIC SCHOOL

In response to a request received by the Municipality of West Elgin, County Council approved extending the existing reduced speed zone along Furnival Road for an additional 190m and the establishment of a Community Safety Zone within the school zone area.

This decision was made to accommodate normal school day traffic activities surrounding Aldborough Public School in the Village of Rodney while considering the school's new entrance location and existing roadway geometry.

## ELGIN COUNTY COUNCIL TAKES A STAND AGAINST HARASSMENT AND ABUSE IN LOCAL LEADERSHIP WITH BILL 5 ENDORSEMENT

The County of Elgin and its Council have shown their dedication to good governance and greater accountability to its Code of Conduct and workplace policies by endorsing Bill 5, Stopping Harassment and Abuse by Local Leaders Act. They have submitted a letter of support to Hon. Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, MPP Rob Flack, and the municipalities of Elgin County.

### PLANNING UPDATES



Elgin County Council granted draft plan approval to Draft Plan of Subdivision and Draft Plan of Condominium by CJDL Consulting Engineers on behalf of Performance Communities Realty Inc in the Township of Malahide and the Town of Aylmer.

County Council also granted approval to the revised Draft Plan of Subdivision, as prepared by CJDL Limited on behalf of 11:28 Properties Inc in the Municipality of Bayham.

Paul Hicks, the Acting Manager of Planning for Elgin, presented an overview of the updates made to Ontario's Draft Provincial Policy Statement (PPS). The PPS outlines the land use policies and regulations of the Province, covering a broad range of planning matters. This document holds significant influence over the development of official plans for both local and county levels, as well as all land use planning approvals. Council directed Mr. Hicks to prepare comments addressing the changes outlined in the PPS with regard to the changes to the agricultural policies and the urban settlement boundary policies to the Province through the Ontario Environmental Registry.

For the complete May 9, 2023, County Council Agenda Package, please visit the Elgin County [website](#).

Good Morning Heather,

Please find attached a copy of the Council resolution and supporting documents regarding the extension of the reduced speed zone and establishment of a community safety zone on Furnival Road.

Thank you,

Jenna



## **Jenna Fentie**

Manager of Administrative Services/Deputy Clerk



(519) 631-1460 x156



450 Sunset Drive, St. Thomas, ON N5R 5V1



[www.elgincounty.ca](http://www.elgincounty.ca)





## REPORT TO COUNTY COUNCIL

**FROM:** Brian Lima, General Manager of Engineering, Planning, & Enterprise (EPE) / Deputy CAO

Peter Dutchak, Manager of Transportation Services

**DATE:** April 28, 2023

**SUBJECT:** Reduced Speed Zone Extension and Community Safety Zone Establishment – Aldborough Public School

### RECOMMENDATIONS:

THAT the report titled “Reduced Speed Zone Extension and Community Safety Zone Establishment – Aldborough Public School” from the General Manager of Engineering, Planning, & Enterprise (EPE) / Deputy CAO and Manager of Transportation Services, dated April 28, 2023 be received and filed; and,

THAT Schedule ‘B’ of By-Law No. 20-58 be amended to include the following:

Road	Section	Description
103	A	From 1493 metres north of the south property line of County Road 104 to 2037 metres south of the south property line of County Road 104.

THAT Schedule ‘A’ of By-Law No. 17-12 be amended to include the following:

County Road Number and Name	From	To	Hours	Days	Months
103 Furnival Road	164M south of south property limit of Pioneer Line	384M south of south property limit of Pioneer Line	8:00 a.m. to 5:00 p.m.	Monday to Friday	January to June and September to December





## **INTRODUCTION:**

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At its meeting on April 25, 2023, Elgin County Council considered correspondence from the Municipality of West Elgin and passed the following resolution:

RESOLVED THAT staff be directed to provide a follow-up report addressing requests from the Municipality of West Elgin regarding signage needs, signage locations, and the establishment of a community safety zone in the area surrounding Aldborough Public School in the Village of Rodney.

This report recommends extending the existing reduced speed zone along Furnival Road (CR 103) as well as establishing a Community Safety Zone within the school zone.

## **DISCUSSION:**

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The County of Elgin received a request from the Municipality of West Elgin to review exiting signage within the vicinity of the Aldborough Public School located on Furnival Road (CR 103) south of the Village of Rodney and to establish a Community Safety Zone.

Staff reviewed the area and had detailed discussions with Municipality of West Elgin staff to determine the ideal warning and regulatory signage placement in order to accommodate normal school day traffic activities while considering the school's new entrance location and existing roadway geometry. As a result of those discussions, staff are recommending that a southerly extension of the existing 50km/h reduced speed zone for an additional 190 metres is warranted. A new Community Safety Zone encompassing the Aldborough school property and extending 110 metres beyond the school property in either direction is also recommended, supporting the request received from the Municipality. These newly defined regulatory areas are showcased on the attached map to this report.

School area warning signs will also be installed as per the Ontario Traffic Manual and no by-law is required for these installations.

## **FINANCIAL IMPLICATIONS:**

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Additional signage will be funded by the County's annual sign budget.



### ALIGNMENT WITH STRATEGIC PRIORITIES:

Serving Elgin	Growing Elgin	Investing in Elgin
<input checked="" type="checkbox"/> Ensuring alignment of current programs and services with community need.  <input checked="" type="checkbox"/> Exploring different ways of addressing community need.  <input checked="" type="checkbox"/> Engaging with our community and other stakeholders.	<input type="checkbox"/> Planning for and facilitating commercial, industrial, residential, and agricultural growth.  <input type="checkbox"/> Fostering a healthy environment.  <input type="checkbox"/> Enhancing quality of place.	<input type="checkbox"/> Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future.  <input checked="" type="checkbox"/> Delivering mandated programs and services efficiently and effectively.

### LOCAL MUNICIPAL PARTNER IMPACT:

The Municipality of West Elgin will be requested to install the new signage, funded by the County of Elgin.

### COMMUNICATION REQUIREMENTS:

The OPP Elgin Detachment will be notified of the establishment of this reduced speed zone extension and the establishment of the new Community Safety Zone.

### CONCLUSION:

Staff has been directed by County Council to provide a follow-up report addressing requests from the Municipality of West Elgin regarding signage needs, signage locations, and the establishment of a community safety zone in the area surrounding Aldborough Public School in the Village of Rodney. After discussions with local staff, this report recommends extending the exiting reduced speed zone along Furnival Road for an additional 190m and the establishment of a Community Safety Zone within the school zone area. These changes require amendments to existing by-laws as referenced in the report's recommendations.



All of which is Respectfully Submitted

Brian Lima, General Manager of  
Engineering, Planning, & Enterprise  
(EPE) / Deputy CAO

Peter Dutchak  
Manager of Transportation Services

Approved for Submission

Julie Gonyou  
Chief Administrative Officer



## Community Safety Zone Added & 50km Zone Extended

"Community Safety" zone from 110m south of the south property line of Aldborough Public School to 110m north of the north property line of Aldborough Public School along Furnival Rd.

Also 50km zone expanding south 190m

### Legend



Community Safety Zone



50km Zone



The Corporation of the County Elgin  
Prepared By: Planning and Development

May 10, 2023

Municipality of West Elgin  
c/o Heather Bouw, Clerk  
22413 Hoskins Line  
Rodney, ON N0L 2C0

**Re: Road Safety Concerns – Aldborough Public School**

Dear Ms. Bouw,

At its meeting on May 9, 2023, Elgin County Council considered a staff report prepared in response to a request from the Municipality of West Elgin that the County of Elgin address various concerns around the area of Aldborough Public School in Rodney, and passed the following resolution:

"Moved by: Councillor Leatham  
Seconded by: Councillor Noble

RESOLVED THAT the report titled "Reduced Speed Zone Extension and Community Safety Zone Establishment - Aldborough Public School" dated April 28, 2023 from the General Manager of Engineering, Planning & Enterprise / Deputy CAO and the Manager of Transportation Services be received and filed; and

THAT Schedule B of By-Law No. 20-58 be amended to include the following:

Road	Section	Description
103	A	From 1493 metres north of the south property line of County Road 104 to 2037 metres south of the south property line of County Road 104.

AND THAT Schedule A of By-Law No. 17-12 be amended to include the following:

County Road Number and Name	From	To	Hours	Days	Months
103 Furnival Road	164M south of south property limit of Pioneer Line	384M south of south property limit of Pioneer Line	8:00 a.m. to 5:00 p.m.	Monday to Friday	January to June and September to December




Motion Carried.”

A copy of the staff report and the corresponding by-laws are included for your information.

If you have any questions, please contact Peter Dutchak, Manager of Transportation Services at [pdutchak@elgin.ca](mailto:pdutchak@elgin.ca) .

Yours truly,



Jenna Fentie  
Manager of Administrative Services/Deputy Clerk  
[jfentie@elgin.ca](mailto:jfentie@elgin.ca)

cc Peter Dutchak, Manager of Transportation Services  
Mark Loucas, Detachment Commander, Elgin OPP

COUNTY OF ELGIN

By-Law No. 23-21

**“BEING A BY-LAW TO AMEND BY-LAW NO. 17-12 DESIGNATING COMMUNITY  
SAFETY ZONES ON COUNTY ROADS”**

WHEREAS, pursuant to Section 214.1 (1) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, the Council of a municipality may by by-law designate a part of a highway under its jurisdiction as a community safety zone if, in the Council's opinion, public safety is of special concern on that part of the highway;

AND WHEREAS Council did pass By-law No. 17-12 designating Community Safety Zones on certain County Roads;

AND WHEREAS Council did pass amending By-laws No. 19-18, 19-36, 20-33, and 20-55;

AND WHEREAS it is deemed advisable to further amend said By-law;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin enacts as follows:


1. THAT Schedule “A” of By-law No. 17-12 be and is hereby amended by adding the following:

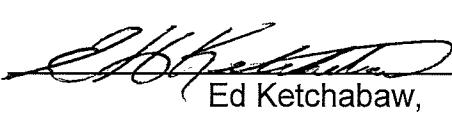
County Road Number and Name	From	To	Hours	Days	Months
103 Furnival Road	164M south of south property limit of Pioneer Line	384M south of south property limit of Pioneer Line	8:00 a.m. to 5:00 p.m.	Monday to Friday	January to June and September to December

2. THAT the penalties provided in Section 124.1 (1) of the Highway Traffic Act, R.S.O. 1990, Chapter H. 8, shall apply to offences against this by-law.

3. THAT this by-law shall become effective upon passing, but not before signs designating a Community Safety Zone have been erected.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF MAY 2023.

  
For: Julie Gonyou,  
Chief Administrative Officer/Clerk.

  
Ed Ketchabaw,  
Warden.

COUNTY OF ELGIN

By-Law No. 23-22

**"TO AMEND THE SCHEDULE TO BY-LAW NO. 20-58**  
**BEING A BY-LAW TO AUTHORIZE SPEED LIMITS"**

WHEREAS, pursuant to Section 128(2) of the Highway Traffic Act, being Chapter H.8, R.S.O. 1990, as amended, the Council of a municipality may by by-law prescribe a different rate of speed for motor vehicles driven on a highway or portion of a highway under its jurisdiction than is prescribed in Section 128(1a);

AND WHEREAS the County of Elgin did pass By-law No. 20-58 prescribing different rates of speed for motor vehicles on certain highways under its jurisdictions;

AND WHEREAS By-law No. 20-58 was previously amended by By-Law No. 21-30, 22-04, 22-40, and 23-16;

AND WHEREAS it is deemed expedient to further amend said By-Law to prescribe a different rate of speed on certain highways under its jurisdiction.

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT Schedule "B" of By-law No. 20-58 setting out a maximum rate of speed of 50km/hr be and is hereby amended by adding the following:

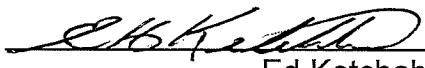
Road	Section	Description
103	A	From 1493 metres north of the south property line of County Road 104 to 2037 metres south of the south property line of County Road 104.

2. THAT this by-law shall become effective once signage setting out the speed limit has been installed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF MAY 2023.

For: 

Julie Gonyou,  
Chief Administrative Officer.



Ed Ketchabaw,  
Warden.



**4800 SOUTH SERVICE RD.,  
BEAMSVILLE, ON L3J 1L3  
905-563-2799**

May 10, 2023

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

Dear Honourable Doug Ford:

**RE: Town of Lincoln Council Resolution – Municipal Heritage Register**

Please be advised that Council of the Corporation of the Town of Lincoln at its Council Meeting held on May 8, 2023, passed the following motion:

Resolution Number: RC-2023-58

Moved by: Councillor Lynn Timmers; Seconded by Councillor JD Pachereva

**WHEREAS** the Municipal Heritage Register is an important tool for the recognition, preservation and protection of cultural heritage properties within the Town of Lincoln and throughout the Province of Ontario;

**AND WHEREAS** the Municipal Heritage Register allows municipalities to regulate demolition on properties protected under section 27 of the Ontario Heritage Act, to allow for evaluation of potential heritage value or significance, thereby ensuring that their potential cultural heritage value is preserved for future generations;

**AND WHEREAS** listing a property on the Municipal Heritage Register recognizes a property's potential cultural heritage value, and is generally less complex, time-consuming, and economically burdensome to local municipalities than pursuing the designation of a property as outlined within the existing process, which requires extensive research and documentation;

**AND WHEREAS** the new legislative requirements of the Ontario Heritage Act associated with Bill 23 mandate assessment of all properties on the



Municipal Heritage Register within two years, resulting in need for an unreasonable amount of resources and major budget implications for a local municipality within the short 2-year timeline;

**AND WHEREAS** the Town of Lincoln has 247 listed properties on the Municipal Heritage Register; and

**AND WHEREAS** the new requirement to remove the listed property after 2 years leaves resources exposed, and unprotected for up to 5 years;

**THEREFORE, BE IT RESOLVED** that the Council of the Town of Lincoln addresses this resolution to the government of the Province of Ontario, affirming the importance of the Municipal Heritage Register and its role in preserving the cultural heritage of municipalities throughout the Province;

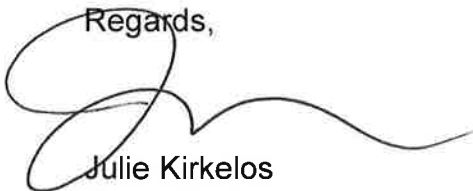
**BE IT FURTHER RESOLVED** that this Council of the Town of Lincoln encourages the government of the Province of Ontario to maintain the previous provisions of Section 27 of Ontario Heritage Act which promote the retention and expansion of the Municipal Heritage Register, keeping listed properties on the registry indefinitely, rather than for a maximum of 2 years in order to provide adequate time for the municipality to consider the heritage value of properties and, if necessary, initiate the designation process, before they may be demolished, and allowing properties to be re-listed within an unlimited timeframe; and

**BE IT FURTHER RESOLVED** that this Council of the Town of Lincoln circulate this resolution to the municipalities of Ontario for endorsement and circulation to the Province.

**CARRIED**

If you have any questions, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos  
Town Clerk  
[jkirkelos@lincoln.ca](mailto:jkirkelos@lincoln.ca)

JK/dp

c.c. All Municipalities of Ontario

**Treasury Board Secretariat**  
Emergency Management Ontario  
25 Morton Shulman Avenue  
Toronto ON M3M 0B1  
Tel: 647-329-1200

**Secrétariat du Conseil du Trésor**  
de la gestion des situations d'urgence  
Ontario  
25 Morton Shulman Avenue  
Toronto ON M3M 0B1  
Tél. : 647-329-1200



May 09, 2023

Municipality of West Elgin

Dear Stephanie Cyros - CEMC:

Emergency Management Ontario (EMO) is proud to support your efforts to deliver on our common mission to ensure Ontarians are safe, practiced and prepared before, during and after emergencies.

The Emergency Management and Civil Protection Act (EMCPA) requires each municipality to develop and implement an Emergency Management (EM) program that includes:

- Municipal hazard and identification risk assessment;
- Municipal critical infrastructure list;
- Municipal emergency plan;
- Program By-law;
- Annual Review;
- Annual training;
- Annual exercise;
- Public education program;
- An Emergency Operations Center;
- A Community Emergency Management Coordinator;
- An Emergency Management Program Committee;
- A Municipal Emergency Control Group (MECG) and;
- An Emergency Information Officer.

Emergency Management Ontario (EMO) assists municipalities by making available our Field Officers and other resources to provide advice and guidance, deliver training, participate in exercises, and other advisory services including annually advising municipalities on achieving their EMCPA requirements.

Thank you for sharing your EM program related information and the effort undertaken to do so. Upon review of the documentation submitted, EMO is pleased to advise that our assessment indicates that your municipality has satisfied all thirteen (13) program elements required under the EMCPA in 2022.

Congratulations on your municipality's efforts in meeting your EMCPA requirements in

2022.

You may also be interested in learning of the following information for further context:

- 398 of 444 municipalities sought EMO's advice on their progress to meet their EMCPA requirements in 2022, of which 393 were advised they appeared to satisfy their EMCPA requirements.
- Of the 5 municipalities who were advised they did not appear to meet all 13 program elements required under the EMCPA, the most prevalent reasons were:
  - Not conducting an annual exercise as prescribed;
  - CEMC did not complete training;
  - Not completing the annual MCEG training; and/or
  - Not completing an annual review of their EM program.

There is nothing more important than the safety and wellbeing of our families and loved ones, and the importance of ensuring that your municipality is as prepared as possible for any potential emergency cannot be understated.

Once again, EMO is here to assist municipalities in achieving their EMCPA requirements. For further information or if you have any questions or concerns about this letter, please contact our Field Officer assigned to your Sector; their contact information is below.

Name: Holly Robert

Email: [holly.robert@ontario.ca](mailto:holly.robert@ontario.ca)

Phone: 437-217-0230

Sincerely,

Teepu Khawja  
Assistant Deputy Minister and Chief, Emergency Management  
Treasury Board Secretariat

cc: Mayor Duncan McPhail



## Staff Report

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**Report To: Council Meeting**

**From: Lee Gosnell, Manager of Operations & Community Services**

**Date: 2023-05-25**

**Subject: Downie Line Paving Request**

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### **Recommendation:**

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

### **Purpose:**

The purpose of this report is to outline operational and financial implications regarding a request to hard surface a portion of Downie Line west of Furnival Road.

### **Background:**

Staff received a request from a resident living on Downie Line that consideration be given to “paving of Downie Line on the west side of Furnival Road for a few hundred feet at least”. In the diagram below, there are two options shown for possible project lengths.

Option 1 shows the requested ‘few hundred feet’ west of the intersection, which would have the hard surface end at the driveway for 22319 Downie Line. This new section of road would run adjacent to one residential lot, two commercial lots, and one undeveloped building lot.

Option 2 shows what it would look like if we were to lengthen the project area to include all the residential lots which front Downie Line on the south side. This would require approximately 900 feet and would have the hard surface end at the west edge of 22255 Downie Line. This would include one additional residence and 2 additional building lots.

Traditionally, this section of Downie Line has been serviced like all other gravel roads in West Elgin. It receives spring/fall grading and spot grading when deemed necessary through regular patrols. It also has dust control product applied after the spring grading has been completed. Hard surfacing 300 – 900 feet of this gravel road would have minimal impact on summer maintenance timing and costs, as the grader and brine truck would need to travel this section to complete operations on the remaining 3.4 kilometers (ending at Blacks Road). However, this would pose an operational concern during the winter months because the new hard surface section would need to be serviced by a truck vs. the grader. The grader would not be able to complete ice control measures as it does on gravel roads with serrated blades. A plow truck would be required to travel this small section to plow the snow and apply product, which would be time consuming and lead to increased costs in labour, fuel, and material. Additionally, the truck and grader would both be travelling this 3.7 km stretch of Downie Line to service their respective sections.

Should this area become hard surface, drainage upgrades would need to be completed off the Furnival Road apron to deal with wash water which lays along the road edge when the adjacent business washes trailers.

Finally, consideration needs to be given to future requests of this nature. Converting a gravel road (or portion thereof) to hard surface for the purpose of eliminating dust is a costly option. It will increase maintenance costs moving forward and make winter operations less efficient. It will also set a precedent which West Elgin Council will have to consider when property owners from other areas of the municipality make the same type of request. Generally, hard surfacing of small sections of roadway should be avoided for these reasons.



**Financial Implications:**

The following outlines approximate costs associated with 4 different options –

Option 1 – Asphalt paving for 300' west of the intersection	\$25,040.00
Option 2 – Surface treatment for 300' west of the intersection	\$8,540.00
Option 3 – Asphalt paving for 900' west of the intersection	\$75,370.00
Option 4 – Surface treatment for 900' west of the intersection	\$25,620.00

Note – this pricing only reflects the material cost associated with the various options and does not include necessary drainage work or road preparation. This pricing also considers the contractor being in West Elgin for other work and not mobilizing specifically for such a small job.

Respectfully submitted by,

Lee Gosnell  
Manager of Operations & Community Services



## Staff Report

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**Report To:** Council Meeting

**From:** Magda Badura, CAO/Treasurer

**Date:** 2023-05-25

**Subject:** Borrowing By-Law Report – 2023-23 Administration Finance

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### **Recommendation:**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Borrowing By-Law for information purposes.

### **Purpose:**

The purpose of this report is to provide an overview and explanation of the Borrowing By-law, its purpose, and its implications.

### **Background:**

The Borrowing By-law serves as a crucial tool for the municipality in managing its financial affairs and funding various projects and initiatives.

Purpose of the Borrowing By-law:

The Borrowing By-law is designed to authorize the municipality to borrow funds for capital projects, infrastructure improvements, and other significant expenditures. It outlines the procedures and limits within which the municipality can borrow money to meet its financial requirements.

Key Components of the Borrowing By-law:

**Borrowing Authority:** The By-law grants the municipality the legal authority to borrow funds from external sources such as banks, financial institutions, or through municipal bonds and debentures.

**Borrowing Limits:** The By-law sets specific limits on the amount of money that can be borrowed by the municipality. These limits are determined based on factors such as the municipality's financial capacity, debt service capabilities, and the specific needs of the projects or initiatives being funded.

**Repayment Terms:** The By-law defines the repayment terms, including the interest rate, repayment period, and any other relevant conditions. These terms ensure that the borrowed funds are repaid in a structured and manageable manner.

**Approval Process:** The By-law outlines the necessary approval process for borrowing. This typically involves seeking authorization from the council, with specific requirements such as public consultation or obtaining approval from higher levels of government, depending on the jurisdiction.



**Financial Accountability:** The By-law emphasizes financial accountability by stipulating reporting requirements, financial statements, and audits to ensure transparency in borrowing and debt management.

#### Implications and Benefits of the Borrowing By-law:

**Infrastructure Development:** The Borrowing By-law enables the municipality to finance crucial infrastructure projects such as road construction, water and sewer systems, public facilities, and other community development initiatives. It facilitates the timely implementation of projects that contribute to the growth and well-being of the community.

**Economic Stimulus:** By borrowing funds for capital investments, the municipality can stimulate the local economy, create job opportunities, and attract private sector investments. This leads to increased economic activity, improved quality of life, and enhanced municipal services for residents and businesses.

**Long-Term Financial Planning:** The By-law helps the municipality establish a comprehensive and sustainable financial plan by providing a framework for responsible borrowing and debt management. It ensures that borrowing decisions align with the municipality's long-term strategic goals and financial capabilities.

**Capitalizing on Favorable Market Conditions:** The By-law allows the municipality to take advantage of favorable borrowing conditions such as low interest rates or specific government funding programs. This optimizes the cost of borrowing and maximizes the value of investments in infrastructure and community development.

The Borrowing By-law is an essential tool that enables the municipality to fund capital projects, invest in infrastructure, and meet the evolving needs of the community. Its proper implementation and adherence ensure responsible financial management and facilitate sustainable growth. By carefully considering borrowing options and adhering to the guidelines established in the By-law, the municipality can achieve its strategic objectives and provide a better quality of life for its residents.

#### **Financial Implications:**

#### **Policies/Legislation:**

By-Law 2023-40

Respectfully submitted by,

Magda Badura  
CAO/Treasurer



## Report Approval Details

Document Title:	Borrowing By-Law - 2023-23-Administration Finance.docx
Attachments:	
Final Approval Date:	May 19, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw



## Staff Report

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**Report To:** Council Meeting

**From:** Magda Badura, CAO/Treasurer

**Date:** 2023-05-25

**Subject:** Arvai Drain Debenture Report – 2023-25 Administration Finance

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### **Recommendation:**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Arvai Drain Debenture and that West Elgin Council approves a loan in the amount of \$35,381.12 from Salus Mutual.

### **Background:**

Over the years Municipality of West Elgin would borrow money on behalf of ratepayers in order to fund specific projects or initiatives that benefit the local community. These projects could include infrastructure improvements, such as constructing the water systems and drains.

To finance these projects, we would take out loans from financial institutions. The borrowed funds are then used to cover the upfront costs of the project. The repayment of these borrowed funds, including the principal amount and any accrued interest, is typically collected from ratepayers through a mechanism known as local improvements.

Local improvements refer to a method of cost recovery where the municipality assesses a portion of the project costs to the properties that directly benefit from the improvement. This assessment is added to the property tax bill of the affected ratepayers and collected over a specified period of time.

By borrowing money on behalf of ratepayers and collecting it through local improvements, municipalities can distribute the costs of the project more equitably among the property owners who will benefit from the improvements. This approach allows for the upfront funding of necessary community projects while spreading the financial burden over a longer period, making it more manageable for ratepayers.

### **Financial Implications:**

The amount borrow meets the criteria of the borrowing by-law

### **Policies/Legislation:**

By-law 2023-41

Respectfully submitted by,  
Magda Badura, CAO/Treasurer

**Report Approval Details**

Document Title:	Arvai Drain Debenute - 2023-25-Administration Finance.docx
Attachments:	<ul style="list-style-type: none"><li>- 2023-01 Debenture - Salus Mutual-Sch A.pdf</li><li>- 2023-01 Debenture - Salus Mutual-Sch B.pdf</li></ul>
Final Approval Date:	May 19, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw



## Staff Report

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**Report To:** Council Meeting

**From:** Magda Badura, CAO/Treasurer

**Date:** 2023-05-25

**Subject:** Procurement Policy Revisions Report – 2023-24 Administration Finance

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### **Recommendation:**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Procurement Policy Revisions; and That West Elgin Council approves revisions to the Purchasing Policy and Procedure AD-1.2

### **Purpose:**

The purpose of this report is to provide the council with a comprehensive justification for the revisions needed in our municipality's procurement policy. As the landscape of procurement practices evolves, it is imperative that we update our policies to align with current legal and technological developments. This report outlines the key reasons why revising our procurement policies is crucial for the effective and efficient functioning of our municipality.

#### Compliance with Regulations:

The regulatory environment surrounding procurement practices is subject to frequent changes. In order to avoid legal repercussions and maintain transparency, accountability, and fairness, it is essential that our procurement policies are updated to align with the latest legal and regulatory requirements. By incorporating changes related to transparency, fair competition, diversity, sustainability, and ethical considerations, we can ensure that our municipality operates within the bounds of the law.

#### Enhanced Efficiency and Effectiveness:

Outdated procurement policies often hinder the efficiency and effectiveness of our procurement processes. By revising our policies, we can incorporate best practices and leverage technological advancements. Streamlining processes, standardizing documentation, and integrating digital tools into our procurement activities will result in improved efficiency, reduced administrative burden, faster decision-making, and enhanced effectiveness in procuring goods, services, and construction projects. These improvements will ultimately save time, resources, and taxpayer funds.

#### Transparency and Fairness:

Transparent and fair procurement processes are paramount in building public trust and fostering a level playing field for all potential suppliers. Updating our procurement policies will enable us to establish clear guidelines and criteria for evaluating bids, selecting vendors, and awarding contracts. This will reduce the risk of corruption, favoritism, and legal challenges, while promoting healthy competition, accountability, and integrity within our procurement practices.

### Stimulating Local Economic Development:

Our municipality has a vested interest in supporting local economic growth. By revising our procurement policies, we can introduce provisions that encourage the participation of small and medium-sized enterprises (SMEs), minority-owned businesses, and women-owned enterprises. These policies will diversify our supplier base, foster innovation, and create opportunities for local businesses. Additionally, by including provisions for local sourcing and subcontracting, we can circulate procurement dollars within our community, stimulating economic development and job creation.

### Environmental and Social Considerations:

As responsible stewards of our community and the environment, it is crucial that our procurement policies address sustainability and social responsibility. By updating our policies, we can incorporate environmental and social criteria into the evaluation and selection of suppliers. This may involve considering factors such as carbon footprint, energy efficiency, waste management, labor standards, and social impact. By integrating these considerations into our procurement practices, we can contribute to our sustainability goals, support responsible business practices, and meet the expectations of our constituents.

### Embracing Innovation and Technology Adoption:

In today's rapidly evolving digital landscape, it is essential that our procurement policies keep pace with technological advancements. By revising our policies, we can embrace innovative tools and platforms that streamline our procurement processes. The adoption of digital procurement platforms, e-auctions, electronic bidding, and data analytics will enable us to make informed decisions, reduce costs, and enhance the overall procurement experience. Embracing technology will position our municipality as forward-thinking and efficient while facilitating better outcomes for all stakeholders involved in the procurement process.

In conclusion, the revisions in our procurement policies are imperative to ensure compliance with regulations, enhance efficiency and effectiveness, promote transparency and fairness, stimulate local economic development, integrate environmental and social considerations, and embrace innovation. By proactively updating our policies, we can position our municipality as a responsible, progressive, and efficient entity, resulting in positive impacts for our community, suppliers, and stakeholders.

### **Financial Implications:**

None

### **Policies/Legislation:**

Purchasing Policy and Procedure AD-1.2

Respectfully submitted by,

Magda Badura  
CAO/Treasurer

**Report Approval Details**

Document Title:	Procurement Policy Revisions - 2023-24-Administration Finance.docx
Attachments:	- AD 1.2 - Purchasing Policy and Procedure May 25 2023.docx
Final Approval Date:	May 19, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw



## Staff Report

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**Report To:** Council Meeting

**From:** Magda Badura, CAO/Treasurer

**Date:** 2023-05-25

**Subject:** Video Surveillance Policy and Procedure Report – 2023-26 –  
Administration Finance

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### **Recommendation:**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Video Surveillance Policy and Procedure; and

That, West Elgin Council approves the Video Surveillance Policy and Procedure attached to this report.

### **Purpose:**

Security camera systems have become increasingly prevalent in both public and private spaces, serving as a valuable tool in deterring and investigating criminal activities.

One of the primary benefits of security camera policy is their role in deterring criminal activities and anti-social behavior. The presence of visible cameras acts as a deterrent to potential offenders, reducing the likelihood of crimes such as theft, vandalism, and assault. An established policy ensures the strategic placement of cameras in high-risk areas, maximizing their effectiveness as a preventive measure.

When incidents do occur, security camera footage plays a critical role in investigations. A robust security camera policy ensures that cameras are positioned to capture relevant areas, providing valuable evidence for law enforcement agencies. This accelerates the investigative process, facilitates the identification and apprehension of suspects, and enhances the chances of successful prosecution.

The presence of security cameras in public spaces instills a sense of security among community members. Knowing that their surroundings are monitored contributes to an increased feeling of safety, encouraging public participation in community activities. This fosters a positive environment, improves quality of life, and attracts businesses and investments.

Video Surveillance Policy and Procedures will ensure the surveillance of key locations, such as municipal buildings, utilities, and parks, reducing the risk of theft, damage, or unauthorized access.

Balancing the need for security with respect for individuals' privacy rights is essential. The proposed policy defines camera usage limitations, access restrictions, data storage duration, and protocols for handling and securing recorded footage. Transparency measures, such as signage indicating camera locations, also promote public awareness and accountability.

A comprehensive Video Surveillance Policy and Procedure is of paramount importance for our municipality seeking to enhance public safety, deter criminal activities, and protect critical assets. Such policy will ensure the responsible deployment and management of security camera systems, striking a balance between safety and privacy considerations.

**Financial Implications:**

None

**Policies/Legislation:**

Policy AD-4.1

Respectfully submitted by,

Magda Badura  
CAO/Treasurer

**Report Approval Details**

Document Title:	Security Cameras Policy - 2023-26-Administration Finance.docx
Attachments:	- AD-4.1 Video Surveillance Policy.docx
Final Approval Date:	May 22, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw



## **Municipality of West Elgin**

### **Schedule “A” to By-Law #2023-44**

#### **Policy AD-4.1**

#### **Video Surveillance Policy and Procedure**

**Effective Date: May 25, 2023**

**Review Date: NEW**

### **1. Policy Statement**

The Municipality of West Elgin (the Municipality) recognizes the need to balance an individual’s right to privacy and the need to ensure the safety and security of municipal employees, clients, visitors and property.

As an institution governed by the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter M. 56 (MFIPPA), the Municipality has obligations with respect to notice, access, use, disclosure, retention and disposal of records.

While video surveillance cameras are installed for safety and security reasons, the Municipality’s video surveillance systems must also be designed to minimize privacy intrusion.

Proper video surveillance, where deemed necessary, is one of the most effective means of helping to keep Municipal facilities and properties operating in a way that protects security, safety, and privacy. Personal information collected by video surveillance includes video images and audio.

### **2. Purpose**

This Municipal policy has been developed to govern video surveillance at municipally owned and leased properties in accordance with the privacy provisions of MFIPPA.

### **3. Municipal Freedom of Information and Protection of Privacy Act**

As detailed in Section 38(2) of the Freedom of Information and Protection of Privacy Act (FIPPA) and 28(2) of Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), personal information may be collected without consent when it is:

- a) expressly authorized by statute or by-law,
- b) used for the purposes of law enforcement, or
- c) necessary to the proper administration of a lawfully authorized activity.

This policy has been developed to conform with practices outlined by the Information and Privacy Commissioner of Ontario (“IPC”) in a document entitled Video Surveillance: The Privacy Implications.

The IPC has indicated that after careful consideration, an institution may decide to use video surveillance for purposes in accordance with MFIPPA.

#### **4. Application**

This policy applies to all types of camera surveillance systems, surveillance monitors, and camera recording devices at municipally owned and leased properties that are used for security purposes.

This policy does not apply to:

- Agencies, Boards, and Commissions,
- Cameras used by the Ontario Provincial Police,
- Video surveillance used for employment related or labour-related information, OR
- Cameras used for the reduction of liability for the surveillance of roads and their conditions.

The CAO is responsible for the Video Surveillance Policy. The CAO may delegate responsibilities under this Policy to other staff.

The CAO is responsible for providing a response to access requests.

The key duties of the CAO include:

- Ensuring policy compliance.
- Undertaking yearly evaluations of video surveillance system installations to ensure compliance with this Policy.
- Approving installation of video cameras at specified municipally owned and leased properties.
- Advising on placement of video surveillance monitoring signs.
- Acting as the primary contact for all requests by law enforcement agencies for access to video records.
- Overseeing day-to-day operations of video surveillance cameras.
- Ensuring monitoring and recording devices are stored in a safe and secure location.
- Ensuring logbooks, recording all activities related to video devices and records, are kept and maintained.
- Ensuring that no copies of data/images in any format (hardcopy, electronic, etc.) is taken from the video surveillance system inappropriately.
- Investigate video surveillance security privacy breaches.

- Providing status updates to Council, annually, regarding staff adherence to the responsibilities within the policy.
- Reporting to Council when video surveillance is being proposed in new locations.
- All Staff must adhere to the video surveillance policy and must not access or use information contained in the video surveillance system, it's components, files, or database for personal reasons, nor dispose, destroy, erase or alter any record without proper authorization and without following the regulations contained in the Security Video Surveillance Policy.

## **5. Guidelines Prior to Video Surveillance System Installations**

Before deciding to install video surveillance, the following factors must be considered:

- The use of video surveillance cameras should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns.
- A video surveillance system should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable.
- An assessment must be conducted on the effects that the proposed video surveillance system may have on personal privacy, and the ways in which any adverse effects can be mitigated.
- The proposed design and operation of the video surveillance systems should minimize privacy intrusion.
- Whether or not additional sensory information, such as sound, is directly related to potential problems or does not need to be recorded.

When designing a video surveillance system and installing equipment, the following must be considered:

- The video surveillance systems may operate at any time in a 24- hour period.
- Video equipment should be installed to only monitor those spaces that have been identified as requiring video surveillance.
- The ability to adjust cameras should be restricted, if possible, so that the cameras do not record and operators cannot adjust or manipulate cameras to overlook spaces that are not intended to be covered by the video surveillance program, such as through windows in adjacent buildings or onto adjacent properties.
- Equipment should never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. change rooms and washrooms).

- Where possible, video surveillance should be restricted to periods when there is a demonstrably higher likelihood of crime being committed in the area under surveillance.
- Viewing and recording equipment must be located in a strictly controlled access area.
- Only identified staff shall have access to the controlled access area and the reception/recording equipment.
- Every reasonable attempt should be made to ensure video monitors are not in a position that enables the public and/or unauthorized staff to view the monitors.

## **6. Notice of Use of Video Systems**

In order to provide notice to individuals that video is in use:

- The Municipality shall post signs, visible to members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds under video surveillance (see Appendix #2).
- The notification requirements of this sign must inform individuals, using words and symbols, of the legal authority for the collection of personal information; the principal purpose(s) for which the personal information is intended to be used; and the title, business address, and telephone number of someone who can answer questions about the collection (see Appendix #2).
- This information will also be available on the Municipal website.

## **7. Personnel Authorized to Operate Video Equipment**

Only the CAO and staff designated by the Clerk, shall be permitted to operate video surveillance systems.

## **8. Video Equipment And Records**

### **Types of Recording Devices**

The Municipality may use Digital Video Recorders (DVR) in its video systems. Facilities using video recorders will retain these records for a period of up to 30 days, depending on the recording device and technology. A record of an incident will only be stored longer than 30 days where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes.

Monitors will be kept in a secure location where they are not visible to the public.

## **Record Identification**

All records (storage devices) shall be clearly identified (labeled) as to the date and location of origin. They shall be labeled with a unique, sequential number or other verifiable symbol. In facilities with a DVR that stores information directly on a hard drive, the computer time and date stamp shall be understood to be this identification.

## **Logbook**

Each device shall have a logbook to record all activities related to video devices and records. The activities include all information regarding the use, maintenance, and storage of records and all instances of access to, and use of, recorded material. All logbook entries will detail authorized staff, date, time, and activity. This logbook must remain in a safe and secure location with the video recording equipment. Only the CAO is authorized to remove this logbook from the secure location.

## **Access to Records**

Access to the video surveillance records, e.g. remote access using the internet, logbook entries, etc., shall be restricted to authorized personnel in order to comply with their roles and responsibilities as outlined in the Video Surveillance Policy.

Any staff accessing records should sign a written agreement to adhere to this policy, including an undertaking of confidentiality.

## **Storage**

All storage devices that are not in use must be stored securely in a locked receptacle located in an access-controlled area.

## **Formal Access Requests Process**

With exception of requests by law enforcement agencies, all requests for video records should be directed to the CAO at the Municipal Office – 22413 Hoskins Line, Rodney ON N0L 2C0 for processing.

A person requesting access to a record should make a request in writing either in the form of a letter or the prescribed form and submit it to the Municipal Office. This form is available at our offices and on the Municipal website.

The individual requesting the record must:

- Provide sufficient detail (the approximate time and date, the location - if known - of the incident, etc.) to enable an experienced employee, upon a reasonable effort, to identify the record; and,
- At the time of making the request, pay the prescribed fees as provided for under the Act.

## **9. Access: Law Enforcement**

If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Law Enforcement Officer Request Form (See Appendix #1) and forward this form to the CAO.

While there may be other situations where the disclosure of video surveillance footage is permitted, video surveillance may be disclosed to a law enforcement agency when:

- the law enforcement agency approaches the Municipality with a warrant requiring the disclosure of the footage, as per section 42(1)(e) of FIPPA and section 32(e) of MFIPPA,
- the law enforcement agency approaches the Municipality, without a warrant, and requests the disclosure of footage to aid an investigation from which a proceeding is likely to result, as per section 42(1)(g) of FIPPA and section 32(g) of MFIPPA, or
- staff observe an illegal activity on Municipality property and disclose the footage to a law enforcement agency to aid an investigation from which a proceeding is likely to result, as per section 42(1)(g) of FIPPA and section 32(g) of MFIPPA.

Staff will provide the recording for the specified date and time of the incident as requested by the Law Enforcement Officer and record the following information in the facility's video logbook:

- the date and time of the original, recorded incident including the designated name/number of the applicable camera and DVR;
- the time and date the copy of the original record was sealed;
- the time and date the sealed record was provided to the requesting Officer;
- the case file number of the agency's investigation,
- a description of the circumstances justifying the disclosure;
- the amount of footage involved;
- the name, title and agency to whom the footage is being disclosed;
- the legal authority for the disclosure,
- the means used to disclose the footage and

- if the record will be returned or destroyed after use by the Law Enforcement Agency.

This must only be completed by an individual(s) authorized in a private, controlled area that is not accessible to other staff and/or visitors.

In order to protect privacy, the Municipality will, whenever possible, strongly encrypt video surveillance footage when transmitted across open, public networks, and store physical records of footage, such as discs, memory cards or servers, in a locked facility.

## **10. Custody, Control, Retention, Disposal of Video Records/Recordings**

The Municipality retains custody and control of all original video records not provided to law enforcement.

Video records are subject to the access and privacy requirements of the MFIPPA, which includes but is not limited to the prohibition of all Staff from access or use of information from the video surveillance system, it's components, files, or database for personal reasons.

With the exception of records retained for criminal, safety, or security investigations or evidentiary purposes, or as otherwise required by law, the Municipality must not maintain a copy of recordings for longer than 30 days. Any records that are accessed or disclosed will be retained for one year, as per Regulation 460 of FIPPA and Section 5 of Regulation 823 of MFIPPA.

The Municipality will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal.

Old storage devices must be disposed of in accordance with an applicable technology disposal process ensuring personal information is erased prior to disposal and cannot be retrieved or reconstructed. Disposal methods may include shredding, burning, or erasing, depending on the type of storage device.

## **11. Unauthorized Access and/or Disclosure (Privacy Breach)**

Staff who become aware of any unauthorized disclosure of a video record in contravention of this Policy and/or a potential privacy breach are to immediately notify the CAO. The following procedure will be followed when an unauthorized disclosure or potential privacy breach is reported:

- The CAO upon confirmation of the existence of a privacy breach, shall notify the Information and Privacy Officer of Ontario (IPO) and work

- constructively with the IPC staff to mitigate the extent of the privacy breach and to review the adequacy of privacy protection with the existing policy.
- The staff member shall work with the CAO to take all reasonable actions to recover the record and limit the record's disclosure.
- The CAO will notify affected parties whose personal information was inappropriately disclosed.
- The CAO shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences.

Intentional wrongful disclosure or disclosure caused by negligence by employees may result in disciplinary action up to and including dismissal. Intentional wrongful disclosure or disclosure caused by negligence by service providers (contractors) may result in termination of their contract.

## **12. Inquiries from the Public Related to the Video Surveillance Policy**

A staff member receiving an inquiry from the public regarding the Video Surveillance Policy shall direct the inquiry to the CAO.

## **13. Review of Video Surveillance Policy**

This policy shall be reviewed every 2 (two) years by the CAO who will forward recommendations for update, if any, to Council for approval.



## Appendix 1 - Law Enforcement Officer Request Form

RELEASE OF RECORD TO LAW ENFORCEMENT AGENCY  
UNDER SECTION 32(g) OF THE  
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

I, \_\_\_\_\_, of the \_\_\_\_\_  
(print name of officer) (print name of police force)

request a copy of the following record(s):

- 1.
- 2.
- 3.

containing the personal information of \_\_\_\_\_  
(print name(s) of individual(s))

to aid an investigation undertaken with a view to a law enforcement proceeding or from  
which a law enforcement proceeding is likely to result.

Signature of Officer	Badge/Identification No.	Date
_____	_____	_____

Signature of Clerk	Date
_____	_____

Return all completed ORIGINAL forms to:

The Municipal Clerk at 22413 Hoskins Line, Rodney ON N0L 2C0

Revised

**West Lorne Heritage Homes**  
**154 Munroe Street, West Lorne N0L 2P0**  
**519-768-3474**

**Board of Directors Meeting - January 23, 2023**

**Directors Present: Robert White, Cidalia Coelho, Marg Varga, Diane Nestor**

**Absent: Richard Latham, Taraesa Tellier, Gwen McLain**

**Property Manager: Patty Reid**

1. Approval of Agenda with adjustment to the Financial Reports. Motion: Marg, Second: Cidalia. All in Favour: Carried.
2. Approval of Minutes of Meeting November 28, 2022: Motion, Diane. Seconded. Marg. All in Favour: Carried
3. Declaration of Conflict of Interest: Yes – Tenant Board Reps to leave during New Business; Rent Increases for 2023
4. –Correspondence:
  - 1/ Property Assessment for 2023 from MPAC. Same as 2016; no increase (1,264,000)
  - 2/ multi-residential apartments not qualify for property tax rebates
  - 3/ Ford Keast Audit Shield for \$423.75; HUB and HH to split. Motion to accept invoice and pay; Cidalia, Second: Diane  
All in Favour: Carried
5. Business Arising from the Minutes: NIL

**Reports:**

6. **HUB** - *bejiver* Repairs should be done on front door. The fob used is not working. Patty suggested K & K cut keys instead. Ventri wanted \$3,000 not including electrical. Send them a thank you but we no longer need them for the repair. Patty to send.
7. **Heritage Homes Report:**  
Rent receipts will be going out for Income Tax purposes shortly.
8. **Heritage Homes Tenants:** No reports at this time as per Marg Varga
9. **Financial Reports:** October Updated, November and December 2022;  
Motion: Cidalia, Second: Marg. Carried
10. **Committee Reports:** Richard and Taraesa currently in Toronto at conference and hoping to meet and discuss with officials in regards to future build  
Still waiting on reports from municipality in regard to drainage system  
Andy Kroeker from Health Centre would like to be included in meeting/tour with MPP
11. **New Business** – Discussion for Rent Increases following guidelines for 2023  
Rents will be increasing the 2.5% allowed by Government standards as follows:  
1 Bedroom from \$592.00 to \$606.00  
2 Bedroom from \$741.00 to \$759.00
12. **Future Meetings:** April 24, June 26, Sept 25, Oct 23 (AGM and Board Meeting) November 27
13. **Adjournment of Meeting:** Motion: Cidalia, Second: Diane, All in Favour:  
Carried

**Reports:**

6. **HUB** - *bejiver* Repairs should be done on front door. The fob used is not working. Patty suggested K & K cut keys instead. Ventri wanted \$3,000 not including electrical. Send them a thank you but we no longer need them for the repair. Patty to send.
7. **Heritage Homes Report:**  
Rent receipts will be going out for Income Tax purposes shortly.
8. **Heritage Homes Tenants:** No reports at this time as per Marg Varga
9. **Financial Reports:** October Updated, November and December 2022;  
Motion: Cidalia, Second: Marg. Carried
10. **Committee Reports:** Richard and Taraesa currently in Toronto at conference and hoping to meet and discuss with officials in regards to future build  
Still waiting on reports from municipality in regard to drainage system  
Andy Kroeker from Health Centre would like to be included in meeting/tour with MPP
11. **New Business** – Discussion for Rent Increases following guidelines for 2023  
Rents will be increasing the 2.5% allowed by Government standards as follows:  
1 Bedroom from \$592.00 to \$606.00  
2 Bedroom from \$741.00 to \$759.00
12. **Future Meetings:** April 24, June 26, Sept 25, Oct 23 (AGM and Board Meeting) November 27
13. **Adjournment of Meeting:** Motion: Cidalia, Second: Diane, All in Favour: Carried



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17-04-23

Accrual Basis

**West Lorne Heritage Homes**  
**Profit & Loss Budget vs. Actual**  
**April 2022 through January 2023**

*Adjusted*

	Apr '22 - Jan 23	Budget
Ordinary Income/Expense		
Income		
4000 · Heritage Homes Income		
4005 · Rent	100,332.00	102,600.00
4015 · Housing Subsidy - Mortgage	45,165.00	45,166.68
4030 · Laundry	1,202.02	1,500.00
4035 · Bank Interest	0.00	41.68
4040 · Forgivable Loan Interest	0.00	0.00
Total 4000 · Heritage Homes Income	146,699.02	149,308.36
Total Income	146,699.02	149,308.36
Expense		
5000 · Heritage Homes Expenses		
5002 · Mortgage Interest Loan 1	11,052.66	12,333.32
5003 · Mortgage Interest Loan 2	12,733.75	12,833.32
5004 · Mortgage Insurance	9,525.50	9,525.82
5005 · Advertising	0.00	104.18
5010 · Contingency Fund	0.00	833.32
5060 · Repairs & Maintenance		
5061 · Building General/Equipment	6,972.23	4,166.68
5063 · General Maintenance Management	8,080.00	8,333.32
5064 · Snow Removal	2,718.83	3,125.00
5066 · Waste Removal	0.00	0.00
5067 · Heating, Plumbing & Electric	2,797.11	5,166.68
Total 5060 · Repairs & Maintenance	20,568.17	20,791.68
5070 · Telephone & Utilities		
5071 · Electricity	4,771.04	6,250.00
5072 · Gas	3,983.33	3,791.68
5073 · Water & Sewage	11,868.33	12,083.32
5074 · Telephone Expense	258.90	270.82
5075 · Internet	724.50	729.18
5076 · Television Expense	496.10	479.18
Total 5070 · Telephone & Utilities	22,102.20	23,604.18
5090 · Security & Fire Safety	447.44	1,833.32
5105 · Insurance Expense	6,100.49	6,166.68
5110 · Property Taxes	14,929.80	20,000.00
5115 · Bank Fees & Charges	225.00	250.00
5120 · Management Fees	6,750.00	6,500.00
5125 · Interest on Last Month Rent	265.12	0.00
5130 · Office expenses	162.54	625.00
5140 · Professional Fees - Audit	3,379.12	2,916.68
5150 · Bookkeeping Expenses	1,151.74	850.00
Total 5000 · Heritage Homes Expenses	109,393.53	119,167.50
5200 · General Operating Expenses		
5205 · HH HST expense	0.00	0.00
5210 · Transfer to Capital Reserve	0.00	0.00
5215 · Forgivable Loan Interest - Exp.	0.00	0.00
Total 5200 · General Operating Expenses	0.00	0.00
Total Expense	109,393.53	119,167.50
Net Ordinary Income	37,305.49	30,140.86

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17-04-23

Accrual Basis

**West Lorne Heritage Homes**  
**Profit & Loss Budget vs. Actual**  
**April 2022 through January 2023**

	Apr '22 - Jan 23	Budget
Other Income/Expense		
Other Income		
8000 · HUB Income	42,008.00	41,830.00
8005 · Rent	0.00	0.00
8010 · Other Rentals		
Total 8000 · HUB Income	42,008.00	41,830.00
Total Other Income	42,008.00	41,830.00
Other Expense		
9000 · HUB Expenses	0.00	0.00
9005 · Advertising		
9010 · Repairs & Maintenance		
9011 · General Building expenses	8,117.45	2,083.32
9012 · General Maintenance Management	13,755.00	13,750.00
9013 · Snow Removal Hub	1,812.56	1,583.32
9014 · Heating, Plumbing & Electric	635.22	1,000.00
9015 · Waste Management	0.00	0.00
Total 9010 · Repairs & Maintenance	24,320.23	18,416.64
9020 · Telephone & Utilities		
9021 · Electricity	4,785.87	4,833.32
9022 · Union Gas	1,423.43	1,416.68
9023 · Water	721.81	1,125.00
Total 9020 · Telephone & Utilities	6,931.11	7,375.00
9025 · Fire & Safety	298.30	1,083.30
9030 · Insurance Expense	4,066.99	2,916.68
9035 · Property Taxes	5,040.00	5,600.00
9040 · Management Fees	2,250.00	2,500.00
9050 · Professional Fees - Audit	3,379.12	2,916.68
9055 · Bookkeeping Expenses	572.77	470.82
9065 · Contingency Fund	560.00	833.32
Total 9000 · HUB Expenses	47,418.52	42,112.44
Total Other Expense	47,418.52	42,112.44
Net Other Income	-5,410.52	-282.44
Net Income	31,894.97	29,858.42

# West Lorne Heritage Homes

## Balance Sheet Prev Year Comparison

### As of 31 January 2023

	31 Jan 23	31 Jan 22
<b>ASSETS</b>		
Current Assets		
Chequing/Savings		
1010 · Heritage Homes Bank	28,309.15	25,455.92
1015 · HUB Bank	24,003.73	31,234.60
1016 · Petty Cash - Heritage Homes	124.42	110.05
1017 · Petty Cash - HUB	32.85	0.00
1020 · GIC asset account	45,114.75	43,022.19
Total Chequing/Savings	97,584.90	99,822.76
Accounts Receivable		
1025 · Accounts Receivable	-665.59	2,787.24
Total Accounts Receivable	-665.59	2,787.24
Other Current Assets		
1035 · HST Refundable	9,762.35	2,398.88
1050 · Prepaid Expenses		
1052 · Prepaid Insurance	8,314.74	10,994.35
1053 · Prepaid Property Tax	50,332.94	37,056.40
Total 1050 · Prepaid Expenses	58,647.68	48,050.75
1090 · Due to capital reserve fund	11,264.04	13,053.00
Total Other Current Assets	79,674.07	63,502.63
Total Current Assets	176,593.38	166,112.63
Fixed Assets		
1100 · Buildings		
1105 · Heritage House	2,503,840.77	1,221,656.00
1110 · Acc. Dep. Heritage House	-479,753.28	-390,523.00
1115 · Building - (HUB)	9,368.61	9,368.61
1120 · Hub amortization	-4,040.06	-3,464.00
Total 1100 · Buildings	2,029,416.04	837,037.61
1125 · Artwork	18,000.00	18,000.00
1126 · Vacant Land	50,000.00	0.00
Total Fixed Assets	2,097,416.04	855,037.61
Other Assets		
1205 · Capital Reserve - P & W	90,099.63	77,699.00
Total Other Assets	90,099.63	77,699.00
<b>TOTAL ASSETS</b>	<b>2,364,109.05</b>	<b>1,098,849.24</b>
<b>LIABILITIES &amp; EQUITY</b>		
Liabilities		
Current Liabilities		
Accounts Payable		
2005 · Accounts Payable	3,088.81	1,414.22
Total Accounts Payable	3,088.81	1,414.22
Other Current Liabilities		
2010 · Accrued Expenses	6,500.00	5,300.00
2015 · Accrued Mortgage Interest	2,452.90	2,640.11
2016 · Accrued Liabilities	3,919.00	1,358.00
2025 · Last Month Rent Deposits	10,068.00	9,952.00
2026 · Unearned Revenue	3,040.52	2,386.30

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17-04-23

Accrual Basis

**West Lorne Heritage Homes**  
**Balance Sheet Prev Year Comparison**  
**As of 31 January 2023**

	31 Jan 23	31 Jan 22
2030 · Building Committee		
2031 · CMHC Reimbursement Grant	0.00	-5,701.52
2032 · Expenses Incurred	0.00	5,336.85
2033 · HST Paid	0.00	-2,457.63
Total 2030 · Building Committee	0.00	-2,822.30
2090 · Due from operating fund	11,264.04	0.00
Total Other Current Liabilities	37,244.46	18,814.11
Total Current Liabilities	40,333.27	20,228.33
Long Term Liabilities		
2105 · Mortgage Payable-Prov.Aff.Pymt	277,883.52	315,707.93
2110 · Mortgage Payment - Pac. and Wes	336,476.54	343,305.00
2120 · Forgivable Loan-Federal	443,798.73	0.00
2130 · Forgivable Loan - Municipal	838,386.00	0.00
Total Long Term Liabilities	1,896,544.79	659,012.93
Total Liabilities	1,936,878.06	679,241.26
Equity		
3005 · Capital Reserve	78,835.59	98,904.05
3010 · Contributed surplus	85,892.00	85,892.00
3015 · Retained Earnings	230,608.43	199,196.22
Net Income	31,894.97	35,615.71
Total Equity	427,230.99	419,607.98
TOTAL LIABILITIES & EQUITY	2,364,109.05	1,098,849.24





# MUNICIPALITY OF **West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2023-39**

#### **Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property on Clachan Road.**

**Whereas** the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That Schedule "A" Map No. 14 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Agricultural (A2) Zone** for those lands outlined in heavy dashed lines, and from **Agricultural (A1) Zone** to **Restricted Agricultural Special Regulations 6 (A3-6) Zone** for those lands hatched on Schedule "A" attached hereto and forming part of this By-law, being Pt. Lots A & B, Concession 4, WD, Municipality of West Elgin.
2. That By-law No. 2015-36, as amended, is hereby further amended by adding the following subsection as follows:

“7.3.6 a) Defined Area (VanLith)

A3-6 as shown on Schedule “A” Map No. 14

7.3.6 b) Minimum Lot Frontage

6 metres”
3. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Ontario Land Tribunal (OLT), shall be deemed to have come into force on the day it was passed.

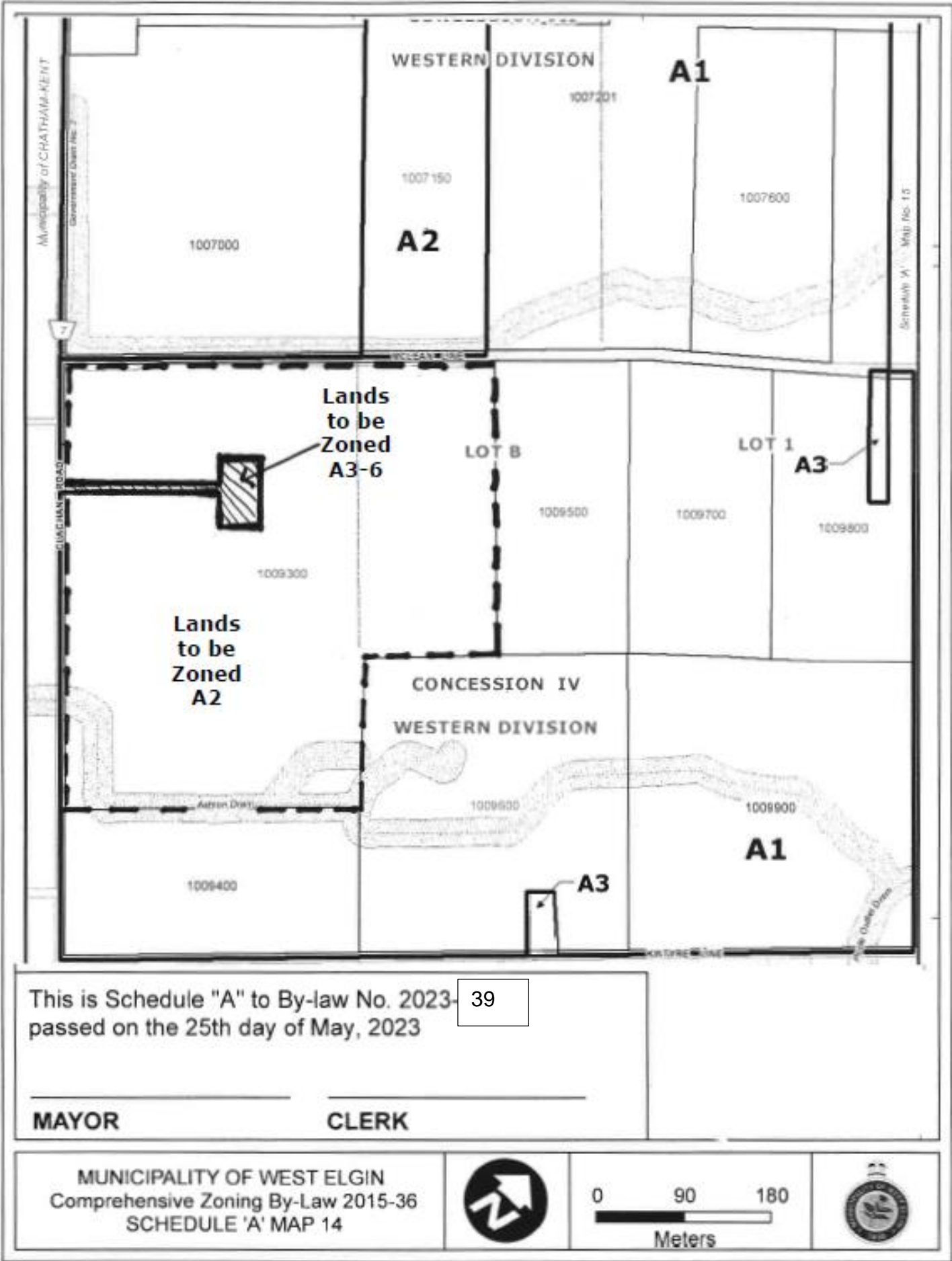
Read a first, second, and third time and finally passed this 25<sup>th</sup> day of May 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk





# MUNICIPALITY OF **West Elgin**

## **The Corporation Of The Municipality Of West Elgin**

### **By-Law No. 2023-40**

#### **Being a By-Law for Municipal Borrowing of Current Expenditures**

WHEREAS the provisions of the Municipal Act, S.O. 2001, C. 25, Section 407, permit a municipality to authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount Council considers necessary to meet the current expenditures of the municipality for the year; and

WHEREAS the total amount borrowed at any one time plus any outstanding amounts of principal borrowed and accrued interest, except with the approval of the Ontario Municipal Board, is limited;

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of Dutton Dunwich enacts as follows:

1. At any time during a fiscal year, the Head of Council and the Treasurer may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount Council considers necessary to meet the current expenditures of the municipality for the year, including amounts required in the year for:

- a) sinking and retirement funds;
- b) principal and interest due on any debt of the municipality;
- c) school purposes;
- d) other purposes the municipality is required by law to provide for; and
- e) the amount of principal and interest payable by a person or municipality primarily liable for a debt, if the municipality has guaranteed the debt and the debt is in default.

2. Except with the approval of the Ontario Municipal Board, the total amount borrowed at any one time plus any outstanding amounts of principal borrowed and accrued interest shall not exceed:

- a) from January 1 to September 30 in the year, 50 percent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and
- b) from October 1 to December 31 in the year, 25 percent of the total estimated revenues of the municipality as set out in the budget adopted for the year.

3. Until the budget is adopted in a year, the limits upon borrowing under Section 2 shall

temporarily be calculated using the estimated revenues of the municipality set out in the budget adopted for the previous year.

4. In Sections 2 and 3, estimated revenues do not include revenues derivable or derived from:

- a) arrears of taxes, fees or charges; or,
- b) a payment from reserve fund of the municipality, whether or not the payment is for capital purposes.

5. The lenders from whom amounts may be borrowed under authority of this By-law shall be Royal Bank of Canada and such other lender(s) as may be determined from time to time by resolution of Council.

6. The lender is not responsible for establishing the necessity of temporary borrowing or the manner in which the borrowing is used.

7. That this By-Law shall come into force and effect upon final passing.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of May, 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk



# MUNICIPALITY OF **West Elgin**

## **The Corporation of the Municipality of West Elgin**

### **By-Law No. 2023-41**

#### **A By-law to Authorize the issue of Debentures in the principal amount of \$35,381.12 for the construction of Arvai Drain.**

**Whereas** Section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority; and

**Whereas** The Corporation of the Municipality of West Elgin deems it expedient to borrow money from Salus Mutual for the construction of Arvai drain, by the issue and sale of debentures of this municipality in the principal amount of \$35,381.12, bearing interest at the rate of 4.25% per annum, payable annually, which is the amount of debt intended to be created by the By-law;

**Now Therefore** the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That for the purposes of the aforesaid, debentures shall be issued by The Corporation of the Municipality of West Elgin in the principal amount of \$35,381.12, bearing interest at the rate of 4.25% per annum payable annually on the 25<sup>th</sup> day of May in each year.
2. That the said debentures shall be dated the first day of May and shall be payable in five (5) annual installments of principal and interest payable in respect of such debentures in the years 2024 to 2028 inclusive, as set forth in Schedule "A" attached hereto. The amount of interest paid in the year 2028 shall be adjusted, if necessary.
3. That the said payments of principal and interest shall be payable in Canadian funds.
4. That the said debentures shall be sealed with the seal of The Corporation of the Municipality of West Elgin and shall be signed by the Mayor and the Treasurer.
5. That all sums required to pay off the installments of principal of the debentures and to pay interest thereon as set out in Schedule "A" attached hereto, shall be levied and raised in the years 2024 to 2028, inclusive, by a special rate, over and above all other rates, upon the rateable property as set out in Schedule "B" at the same time

and in the same manner as other rates, but shall not be necessary to levy in any year a greater amount than is required to pay the said installments of principal and interest after taking into account receipts from any other source in respect of said works.

6. The amount of \$35,381.12 is within the borrowing limits as prescribed by the Local Planning Appeals Tribunal.
7. That the debentures shall contain a clause providing for the registration thereof pursuant to Section 408 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended.
8. The Corporation shall have the right, at its option, to redeem the said debentures on any interest payment date prior to maturity by payment of the unmatured principal amount together with interest accrued to the date set for redemption.
9. This By-Law shall come into full force and effect upon final passage.

Read a first, second, and third time and passed this 25<sup>th</sup> day of May, 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk



# MUNICIPALITY OF West Elgin

## Debenture Schedule

Debenture No. WDEB2023-01

By-law No. 2023-41

### Arvai Drain Construction Debenture

Project: Arvai Drain Construction  
Amount: 35,381.12  
Years: 5  
Interest Rate: 4.25%  
Annual Payment: \$8,003.46

Name: Salus Mutual  
Address: 29584 Pioneer Line  
PO Box 312  
Dutton, ON N0L 1J0  
Tel. 519-762-3530

<u>Date</u>	<u>Open</u>	<u>Interest</u>	<u>Principal</u>	<u>Close</u>
2024	35,381.12	1,503.70	6,499.76	28,881.36
2025	28,881.36	1,227.46	6,776.00	22,105.36
2026	22,105.36	939.48	7,063.98	15,041.38
2027	15,041.38	639.26	7,364.20	7,677.18
2028	7,677.18	326.28	7,677.18	(0.00)

The Corporation of the Municipality of West Elgin agrees to pay all amount(s) owed for Debenture No. WDEB2023-01 over the period of five (5) years, with the first payment on Debenture WDEB2023-01 to be processed on May 25, 2024.

West Elgin Mututal Insurance

Municipality of West Elgin

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Richard Leatham, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Magda Badura, Treasurer

\_\_\_\_\_  
Date

Schedule "B" to By-Law No. 2023-41

<u>Roll#</u>	<u>Amount</u>
34-34-036-001-29500-0000	35,381.12
	<u>\$ 35,381.12</u>





# MUNICIPALITY OF **West Elgin**

## THE CORPORATION OF THE MUNICIPALITY OF WEST ELGIN

### BY-LAW NO. 2023-42

BEING A BY-LAW TO AMEND BY-LAW 2017-20 ADMINISTRATION  
POLICY AD 1.2 – PURCHASING POLICY AND PROCEDURE

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.M.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS it is deemed necessary to amend the West Elgin Purchasing Policy.

NOW THEREFORE the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. THAT the revised Administration Policy AD 1.2 - Purchasing Policy and Procedure as attached as Schedule "A" be adopted.
2. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix the Seal of the Corporation of the Municipality of West Elgin.
3. THIS By-law shall come into force and effect on May 25, 2023.

Read a first, second and third time and finally passed this 25<sup>th</sup> day of May 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	1 of 10

**1 PURPOSE:**

- 1.1 The Corporation of the Municipality of West Elgin will maintain an open and competitive process with respect to the purchase of goods and services and actively investigate new sources and methods of procurement for products and services to provide the most effective and efficient services.

**2 POLICY:**

- 2.01 This policy shall apply to all purchases of goods and services, lease and rental agreements and the disposal of surplus goods.

- 2.02 Goods and services that are not subjected to this policy are listed in Attachment "A".

2.03 Goals and Objectives

- (a) Establish clear objective specifications for all purchases;
- (b) Identify potential sources for purchases;
- (c) Recommend sole source justification in accordance with the policies;
- (d) Select successful bidders and suppliers in accordance with this policy;
- (e) Make recommendations to Council with respect to the awards of tenders as required by the policies and procedures;
- (f) Designate persons authorized to approve expenditures and their expenditure limits within their departments;
- (g) Review purchases upon delivery to ensure compliance with specifications; and
- (h) Comply with the approved purchasing policies and procedures of the Corporation.

2.04 Purchasing Principles

- (a) To procure by purchase, rental or lease the required quality and quantity of goods and services, including professional and consulting services, in an efficient and cost effective manner;
- (b) To encourage open competitive bidding on all acquisition and disposal of goods and services where practicable;
- (c) To consider all cost, including acquisition, operating and disposal cost, in evaluating bid submissions from qualified, responsive and responsible vendors, rather than basing a decision solely on the lowest bid price;
- (d) To give full consideration to the annual aggregate value or to consider the total project cost of specific goods and services that will be required by each Department as a whole prior to determining the appropriate acquisition method;
- (e) To monitor and report on the economic climate and legislative changes which may have an impact on the Municipality and to determine the appropriate actions to be taken through the purchasing policies and procedures;
- (f) To give consideration to local supplies where practical and ALL other things being equal;
- (g) To procure necessary goods and services with due regard to the preservation of the natural environment, to encourage vendors to supply goods made by a method resulting in the least damage to the environment and to encourage vendors to supply goods incorporating recycled materials where practicable; and
- (h) To ensure compliance with all Health and Safety regulations.

2.05 Authorization

Council has ultimate authority for all expenditures. Council delegates this authority by the authorization of budgets or by specific resolution. The Treasurer cannot pay for any item that has not been authorized by Council through budget appropriation or specific resolution. This purchasing policy provides guidelines outlining how spending authority is to be used.

2.06 The Accessibility for Ontarians with Disabilities Act (AODA)

In deciding to purchase goods or services through the purchasing process for the use of itself, its employees or the public; Council, to the extent possible, shall have regard to the accessibility for persons with disabilities to the goods or services. (Ontario Regulation 191/11)

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	2 of 10

In accordance with the Ontario Regulation 429/07, Accessibility Standard for Customer Service, and the Ontario Regulation 191/11, the Integrated Accessibility Standards Regulation, the Municipality is required to train all third parties or persons who provide goods, services or facilities on behalf of the organization.

### 3 **PROCEDURE:**

#### 3.01 Definitions

- (a) "Agreement" means a formal written legal agreement or contract for the supply of goods, services, equipment or construction;
- (b) "Award" means the authorization to proceed with the purchase of goods, services or construction;
- (c) "Blanket Order" shall mean the agreement wherein a vendor will sell certain items to the Municipality for an agreed period of time with established terms and conditions;
- (d) "Bid" shall mean a submission from a prospective vendor in response to a request for the purchase of goods or services by the Municipality;
- (e) "Bidder" means any legal entity that submits a bid in response to a call for bids;
- (f) "Call for Bids" means a formal request for bids and includes a request for quotations, a request for tenders, and a request for proposals;
- (g) "Bid Deposit" shall mean a financial guarantee to ensure the successful bidder will enter into an agreement;
- (h) "Construction" means construction, reconstruction, demolition, repair or renovation of a building or structure and includes site preparation, excavation, drilling, soil investigation, the supply of products and materials and the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures to a building or structure.
- (i) "Consulting and professional services" means those services requiring the skills of a professional for a defined service and includes the services of architects, engineers, designers, surveyors, planners, accountants, auditors, management professionals, marketing professionals, software and information technology experts, financial consultants, lawyers, law firms, real estate agents and brokers, environmental planners and engineers, hydro geologists, transportation planners and engineers, communications consultants and any other consulting services which may be required by the Municipality of West Elgin.
- (j) "Contingency" means costs that are in addition to, or exceed the cost stipulated in a contract;
- (k) "Contract" means any form of binding agreement between two or more legal entities, award under this Purchasing Policy.
- (l) "Contractor" means any legal entity to whom a contract is awarded;
- (m) "Council" shall mean the Municipal Council of the Corporation of the Municipality of West Elgin;
- (n) "Emergency Purchase" shall mean a purchase made in a crisis situation where immediate action is required to prevent the possible loss of life or property;
- (o) "Formal Bid" shall mean a sealed bid submission;
- (p) "Generic" shall mean no specific brand or name shall be included as part of the specifications unless such a brand or name is required to identify the intent of a purchase, or proposal;
- (q) "Goods" means personal property, including raw materials, products, supplies, equipment and other physical objects of every kind and description but does not include real property;
- (r) "Labour and Materials Payment Bond" means a bond issued by a surety company to ensure that the contractor has paid his or her suppliers, which thereby protect the Corporation against items, which might be granted to suppliers, should the contractor not make property payments;
- (s) "Performance Bond" means a bond issued by a surety company executed in connection with a contract and which secures the performance and fulfillment of the undertakings, covenants, terms, conditions and agreements contained in the contracts;
- (t) "Proposal" means a submission received in response to a request for proposal, acceptance of which may be subject to further negotiation;
- (u) "Quotation" means a binding offer received in response to a request for quotations;
- (v) "Request for Proposals" means a request for proposals made pursuant to this Purchasing Policy;
- (w) "Request for Quotations" means a request for quotations made pursuant to this Purchasing Policy;
- (x) "Request for Tenders" means a request for tenders made pursuant to this Purchasing Policy;

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	3 of 10

- (y) "Scope of Work" means the work that has been described in a contract that must be done to deliver the goods, services or construction with the specified features and functions and within the time specified as described in the contract;
- (z) "Sealed Bids" shall mean bids submitted in a sealed envelope to specified location, by a specified date;
- (aa) "Services" shall mean items such as telephone, gas, water, hydro, janitorial and cleaning service, consultant services, legal surveys, medical and related services, insurance, leases for grounds, buildings, office or other space required by the Corporation and the rental, repair or maintenance of equipment, machinery, or to other personal and real property;
- (bb) "Supplies" shall mean goods, wares, merchandise, material and equipment;
- (cc) "Supervisor" shall mean a head of a department operating within the Municipality of West Elgin, being the Superintendent of: Drainage, Recreation, Roads and shall include Magers and Fire Chiefs for the purposes of this policy;
- (dd) "Tender" shall mean a document, which sets out particular specifications for the commodity or service required. This can also refer to an offer in writing to execute some specified work or to provide articles at a specified rate;
- (ee) "The Corporation of the Municipality of West Elgin" herein is also referred to as the "Municipality" or "Corporation";
- (ff) "Treasurer" shall mean the Treasurer of the Municipality of West Elgin;
- (gg) "Vendor" shall mean any person or enterprise supplying goods or services to the Corporation of the Municipality of West Elgin.
- (hh) "Competitive Pricing" shall mean setting the price of a product or service based on what the competition is charging.

### 3.02 Limitations

- (a) Unless otherwise approved by Council, all purchases of goods and services must be approved in the annual budgets.
- (b) To ensure effective internal control and to promote efficient procurement of goods and services and lease and rental agreements, the procurement dollar value thresholds, approved authority, method of procurement and reporting requirements have been established and are presented in Attachment "A", attached.
- (c) Attachment "A" are considered to be the minimum standard and will become more formal and complex as the requirements and/or estimated value of the goods or services increase.
- (d) In the case where three written quotes cannot be obtained, Council shall have the option to accept a lesser number of quotations and authorize the purchase.
- (e) Petty Cash
  - (i) Petty cash is established to meet miscellaneous departmental expenses. The Treasurer approves the creation of petty cash funds and established reporting procedures for petty cash funds.
  - (ii) The maximum dollar amount for any single disbursement from the Purchasing Petty Cash Fund is \$100.00.
  - (iii) Disbursements from Petty Cash Funds must be properly documented and be for valid Municipal business purposes. Receipts should include a description of the business purposes of the transaction, goods or services purchased and the date.

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	4 of 10

### 3.03 Tenders

#### (a) General

Each Department shall comply with the process outlined below for purchases exceeding \$50,000 and where precise specifications can be prepared.

#### (b) Tender Process

- (i) The Superintendent/Administrator shall prepare specifications and with the assistance of the Clerk the tender document;
- (ii) The Clerk shall receive the bids until the advertised deadline, bids shall be marked with the time and date upon receipt;
- (iii) Bids received after the deadline will not be opened and will be returned to the bidder unopened or if the bidder cannot be identified on the outside of the envelope, the unopened bid shall be retained on file for 90 days and then destroyed;
- (iv) The bids shall be opened in public with at least two Municipal staff in attendance, the names of the Proponents shall be disclosed and a written record of all bids shall be prepared;
- (v) The Superintendent/Administrator shall evaluate all the bids submitted;
- (vi) A report shall be submitted to Council, summarizing the bids and making recommendations.

#### (c) Financing Report on Tenders

If not authorized by the annual budget or over the budget amount, the Treasurer shall provide information on the sources of financing to Council as part of the reporting process.

#### (d) Exemptions

Notwithstanding the above, adherence to the Purchasing Policy is not required with respect to those items listed below or a transaction specifically authorized by resolution of Council to be exempt from the tender policy.

- (i) Purchasing for consulting services for a program where services (i.e. bridge inspection/evaluation) have been awarded to a consulting firm on an on-going basis when clearly identified in the budget;
- (ii) Purchase of replacement parts where the original equipment is the original equipment manufacturer is the sole provider of that equipment;
- (iii) Direct negotiation (Single Source Supply).

### 3.04 Requests for Quotations

- (a) A request for quotations may be issued where the estimated total cost does not exceed \$50,000 and the following criteria apply:
  - (i) Two or more sources are available to supply the goods, services or construction;
  - (ii) The goods services or construction are clearly ascertainable and permit the evaluation of bids against applicable specifications;
  - (iii) The market conditions are such that bids can be submitted on a competitive pricing basis; and
  - (iv) It is intended that the lowest cost responsive bid shall be accepted without negotiation.
- (b) Department Superintendent will solicit suppliers and make every effort to obtain a minimum of three written quotes.
- (c) Requests for quotations that exceeds fifty thousand dollars (\$50,000) upon bid opening shall be submitted to Council for approval.

### 3.05 Requests for Proposals

#### (a) General

Each Department shall comply with the process outlined below for purchases exceeding \$50,000 and where goods and/or services cannot be specifically stipulated or when alternative methods are being sought to perform certain functions or services.

# MUNICIPALITY OF WEST ELGIN POLICY MANUAL

Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	5 of 10

- (b) Process:
- (i) The Request for Proposal will be acquired through a selection process based on a detailed description of the project through the terms of reference. Awards for Requests for Proposal will be based on a list of evaluation criteria prepared by the Manager/C.A.O. in advance;
  - (ii) The Clerk shall receive the bids until the specified deadline;
  - (iii) Bids received after the deadline will not be opened and will be returned to the bidder unopened or if the bidder cannot be identified on the outside of the envelope, the unopened bid shall be retained on file for 90 days and then destroyed;
  - (iv) The proposals shall be opened in public with at least two Municipal staff in attendance, the names of the Proponents shall be disclosed and a written record of all bids shall be prepared;
  - (v) The Manager/C.A.O. shall evaluate all the proposals submitted and prepare a report to be submitted to Council, summarizing the proposals and making recommendations.

## 3.06 Department On-Going Needs

- (a) The basis of this section is to provide staff with authorization to maintain municipal equipment and property, undertake approved maintenance projects in accordance with the approved municipal budget.
- (b) Three written quotations shall be received for items used on an ongoing basis by departments, such as equipment parts and repair, pipes, chemicals and submitted to Council for approval.
- (c) New quotations shall be requested at the minimum of every three years or as rates change.
- (d) The following, if appropriate, shall be included in the quotation document:
  - (i) Length of time firm price/fee is in effect.
  - (ii) Qualifications of contractor
  - (iii) Specifications appropriate to the items
- (e) Superintendents/C.A.O. may order in bulk from the approved source as long as the total amount is within the approved budget limits.

## 3.07 Advertising

- (a) Advertising for tenders or proposals shall be placed in at least one local publication or newspaper, if appropriate, and the Municipal Website at the discretion of the C.A.O. In compliance with the Inter-Provincial Trade Agreement 1997, all Construction Tenders over \$100,000.00 must be advertised on an approved electronic Internet.
- (b) Invitation to Tender
 

Tender documents may be forwarded to a specified list of companies/suppliers with a request to submit a tender in the case of:

  - (i) Purchases for supply and replacement of road material, not exceeding \$100,000.00.
  - (ii) Sidewalk construction/replacement
  - (iii) Vehicle replacement
  - (iv) Municipal drain construction
  - (v) As approved by the C.A.O.
- (c) Request for quotations will be forwarded to a specified list of companies/supplies with a request to submit a written quotation.

## 3.08 Leases/Lease Purchase and Rental Agreements

- (a) Process
 

Following the same limits as specified in Attachment A, the process outlined in the Leasing Policy shall be followed.
- (b) Authorizing Signatures
 

Documents shall be authorized by Council and signed by the Mayor and C.A.O..

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	6 of 10

### 3.09 Sole Source Procurement

#### (a) General

The procurement of materials, parts, supplies, equipment or services without competition, is done under exceptional and limited circumstances.

#### (b) Conditions Required for Sole Source Purchasing

The following conditions may result in the necessity to engage in sole source purchasing:

- (i) When the expertise of an individual organization or individual is deemed to be specifically required by the municipality.
- (ii) When competition is precluded because of the existence of patent rights, copyrights, secret processes, control
- (iii) When the procurement is for electric power or energy, gas, or other utility services where it would not be practical to allow a contractor other than the utility company itself to work upon the system.
- (iv) When the procurement is for technical services in connection with the assembly, installation or servicing of equipment of a highly technical or specialized nature.
- (v) When the procurement is for parts or components to be used as replacements in support of equipment specifically designed by the manufacturer.
- (vi) When the contractor is already at work on the site and it would not be practical to engage another contractor.

#### (c) Process for Sole Source Purchasing

The following process shall be followed prior to initiating a sole source purchase:

- (i) Sole source items require detailed documentation from the requisitioning department to justify their purchase and to ensure that the cost charged by the vendor is reasonable.
- (ii)

<b>LIMITS</b> Up to \$20,000 \$20,001 to \$50,000 Over \$50,000	<b>APPROVAL</b> Superintendent/Treasurer/Fire Chief C.A.O. Council
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### 3.10 Purchasing In Emergencies

#### (a) Emergency Conditions

Emergency includes:

- (i) An imminent or actual danger to the life, health or safety of an official or an employee while acting on the Municipality's behalf;
- (ii) The following approval limits shall apply:
  1. An imminent or actual danger of injury to or destruction of real or personal property belonging to the Municipality;
  2. An unexpected interruption of an essential public service;
  3. An emergency as defined by the *Emergency Management Act*, R.S.O. 1990, c.E.9, and the emergency plan formulated thereunder for the Municipality;
  4. a spill of a pollutant as contemplated by Part X of the *Environmental Protection Act*.

#### (b) Process for Emergency Purchases

Where, in the opinion of the C.A.O. or designate, an emergency occurs:

- (i) The Treasurer may authorize a purchase in excess of the pre-authorized expenditure limit; and
- (ii) Any purchase issued under such conditions together with a source of funding provided by the Treasurer shall be justified and reported to the next meeting of Municipal Council.

# MUNICIPALITY OF WEST ELGIN POLICY MANUAL

Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	7 of 10

## 3.11 Co-operative Purchasing

- a) The Municipality may participate with other levels of government, municipalities, boards, agencies, commissions or public sector entities where such plans are determined to be in the best interest of the Municipality;
- b) If the Municipality participates with levels of government, municipalities, boards, agencies, commissions or public sector entities where such plans are determined to be in the best interests of the Municipality, the Municipality shall adhere to the policies of the agency calling the co-operative bid.

## 3.12 Advertisement

- a) Unless vendors have been pre-qualified, all bids for goods and services over \$100,000 in value will be advertised in a local newspaper and on Municipal website.

## 3.13 Contractor Performance

- a) Chief Administration Officer (C.A.O.) shall be responsible for monitoring the performance of contractors and shall advise the Council in writing with documented evidence where the performance of a contractor has failed to comply with a contract or other Municipal requirements.

## 3.14 General

### (a) Separate Invoices

The submission of separate invoices in an attempt to circumvent this policy is not allowed.

### (b) Bid Sureties

Security is not required on the majority of purchases made by the Municipality. If security is required, the bid invitation will indicate the kind and amount. When a bid deposit is required, a bid will not be accepted without it. The principal types of security that may be required are as follows:

#### (i) Bid Deposit

A certified cheque drawn on a responsible bank doing business in Canada. Personal or company cheques are not acceptable. The deposit must be made payable to the Municipality, in the amount specified in the bid package and enclosed with the bid. The bid deposit will be forfeited to the Municipality should the successful bidder fail to accept the award. Bid deposits are returned to the unsuccessful bidders promptly after the award and acceptance by the successful bidder.

#### (ii) Performance Surety

A Performance Bond and a Labour and Materials Payment Bond in the amount specified in the bid invitation are required only from the successful bidder. Performance bonds are retained by the Municipality until all items, equipment and/or services specified in the contract has been completed to the satisfaction of the Municipality. The Performance Bond will be forfeited to the Municipality should the successful bidder fail to comply with the terms and conditions as set forth in the specifications and award.

#### (iii) Letter of Credit

A Letter of Credit in the amount of the value of the contract may be required from the successful bidder depending upon the requirements of the contract. The Municipality will stipulate the form of the letter of credit (attached as Attachment "B").

### (c) Insurance

Where installation, repair or service is undertaken on Municipal property, it will be necessary for the vendor to provide an insurance certificate evidencing the insurance coverage as may be required, and naming the Municipality as an additional insured. Bid documents will clearly indicate insurance requirements to be provided by the successful bidder. The minimum requirement being \$2,000,000.00 (2 million dollars).



MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	8 of 10

- (d) General Liability and Property Damage Insurance  
The policy must contain an endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty days prior written notice to the Municipality.

Contractor's Liability Insurance Policy shall not contain any exclusions of liability for damage, etc. to property, building, or land arising from

- (i) The removal or weakening of support of any property, building or lands whether such support be natural or otherwise;
- (ii) The use of explosives for blasting;
- (iii) The vibration from pile driving or caissons work, provided that the coverage for any such loss or damage shall be \$5,000,000.00.

- (e) Confidentiality of Bids/Quotations/Proposals  
All records and information pertaining to tenders, proposals and other sealed bids, which reveal a trade secret or scientific, technical, commercial, financial or other labour relations information, supplied in confidence implicitly or explicitly, shall remain confidential. All information received by the municipality is subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

- (f) Errors in Bids/Quotations/Proposals  
Vendors are responsible for the accuracy of their quoted prices; in the event of an error between a unit price and its extension, the unit price will govern. Quotations may be amended or withdrawn by the bidder in writing up "to closing date and time" by the signing officer of that company.

### 3.15 Disposal of Obsolete, Damaged or Surplus Equipment

- (a) General  
It shall be the responsibility of the Superintendent/C.A.O. to identify and dispose of obsolete, damaged, or surplus equipment in a timely manner.
- (b) Process for Disposal  
The following process shall be used to dispose of obsolete, damaged or surplus equipment:
- (i) All obsolete, damaged or surplus equipment shall first be offered to other departments within the Municipality.
  - (ii) Where obsolete, damaged or surplus equipment is offered to but not required by any Municipal department, it shall be disposed of by advertisement for public tender and sold to the highest bidder
  - (iii) That should it be determined, by the C.A.O. as being beneficial by the municipality, equipment may be sold at a public auction.
  - (iv) Where equipment has been declared obsolete, damaged or surplus by the Superintendent/Fire Chief/C.A.O. and declined by other departments within the Municipality and is determined by the Treasurer to have little or no value the equipment is advertised to municipal staff as being for sale and sold to the highest bidder.
  - (v) Where municipality equipment is declared surplus that is of a specialized nature (such as radio communications, etc.), public advertisement and sale by tender is not required. The C.A.O. is authorized to negotiate with interested parties and report to Council.

## 4 **ADMINISTRATION:**

- 4.01 The Treasurer, C.A.O., Superintendents shall follow the policy and procedure outlined herein.

## 5 **ATTACHMENTS:**

- 5.01 Attachment "A" – Levels of Contract Approval Authority

- 5.02 Attachment "B" – Goods and Services Not Subject to Purchasing Policy

Council authorization: By-law 2004-78

By-law 2005-63

By-law 2011-70

By-law 2013-73

By-law 2014-61

By-law 2017-45

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	9 of 10

## ATTACHMENT “A”

### LEVELS OF CONTRACT APPROVAL AUTHORITY

In the case of multi-year supply and/or service contracts, the pre-authorized expenditure limit shall refer to the estimated total expenditure under the contract.

Dollar Value (excluding taxes, duty or shipping)	Approved Authority	Procurement Process	Source of Bid	Report to Council Required
\$20,000 or less	Superintendent/Treasurer/Fire Chief	Charge to the Municipality	Purchase made from the competitive marketplace	No
Greater than \$20,000 but less than \$50,000	C.A.O. and Treasurer	Informal or Formal Quotations - Sec. 3.04	Minimum of three (3) quotes where reasonably possible by invitation or open competition	No if within 10% of the approved budget allocation
\$50,000 or less	C.A.O. and Treasurer	Consulting or Professional Services	Purchases made from the competitive marketplace	No
Greater than \$50,000	Municipal Council	Quotation, Tender or Request for Consulting or Professional Services	Tenders that meet qualifying criteria - Sec. 3.03 <b>OR</b> Request for Proposal - Sec. 3.05	Yes

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Administration	Index No.	AD-1.2
Section:	Procurement	Effective Date:	Dec 31/04
Subject:	<b>Purchasing Policy and Procedure</b>	Revision Date:	May 25/23
		Page:	9 of 10

## ATTACHMENT "B"

### GOODS AND SERVICES NOT SUBJECT TO PURCHASING POLICY

1. Training and Education including:
  - i. Conferences
  - ii. Courses
  - iii. Conventions
  - iv. Magazines
  - v. Memberships
  - vi. Periodicals
  - vii. Seminars
  - viii. Staff development
  - ix. Staff workshops
  - x. Staff relations
2. Refundable Employee/Council Expenses including:
  - i. Cash Advances
  - ii. Meal Allowances
  - iii. Travel Expenses
  - iv. Accommodation
3. Employer's General Expenses including:
  - i. Payroll Deduction Remittances
  - ii. Medicals
  - iii. Insurance Premiums
  - iv. Tax Remittances
4. Licenses, certificates and other approvals required.
5. Purchase of computer hardware and operating software.
6. Ongoing maintenance for existing computer hardware and software.
7. Engineering and planning consulting services
8. Legal services on an ongoing basis
9. Other Professional and Special Services up to \$20,000 including:
  - i. Additional non-recurring Accounting and Auditing Services
  - ii. Legal Services for hearings (such Ontario Municipal Board)
  - iii. Banking Services where covered by agreements
  - iv. Group Benefits
10. Utilities
  - i. Postage
  - ii. Water and sewer charges
  - iii. Hydro
  - iv. Gas



# MUNICIPALITY OF **West Elgin**

## **The Corporation Of The Municipality Of West Elgin**

### **By-Law No. 2023-43**

#### **Being a By-Law to Declare A Vacancy for the Office of the Deputy Mayor.**

**Whereas** the Council of The Corporation of the Municipality of West Elgin is composed of the positions of Mayor, Deputy Mayor, and one Councillor for each Ward 1, Ward 2 and Ward 3; and

**Whereas** pursuant to Section 259(1) of the *Municipal Act, 2001 S. O. c 25* an office of a member of council becomes vacant upon the happening of prescribed events; and

**Whereas** the Office of the Deputy Mayor of The Corporation of the Municipality of West Elgin has become vacant upon the occurrence of a prescribed event; and

**Whereas** pursuant to Section 262(1) of the *Municipal Act, 2001 S. O. c 25*, when a vacancy of office occurs, the Council of a municipality is required to declare the office vacant within the prescribed period set out therein; and

**Now therefore** the Council of the Municipality of West Elgin hereby:

1. Makes a Declaration that the Office of the Deputy Mayor is vacant;

Read a first, second, and third time and finally passed this 25th day of May, 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk



# MUNICIPALITY OF **West Elgin**

## The Corporation Of The Municipality Of West Elgin

### By-Law No. 2023-44

#### Being a By-Law to adopt Policy AD-4.1 – Video Surveillance Policy

**Whereas** section 5(3) of the *Municipal Act 2001*, S.O. 2001, c25, as amended, provides that a municipal power shall be exercised by by-law; and

**Whereas** the Council of the Municipality of West Elgin deems it expedient to adopt a Video Surveillance Policy; and

**Now therefore** the Council of the Municipality of West Elgin enacts as follows:

1. That Policy AD-4.1 – Video Surveillance Policy, identified as Schedule “A” attached hereto is authorized and approved.
2. That this by-law shall come into force and effect on May 25, 2023.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of May 25, 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk

## **Municipality of West Elgin**

### **Schedule "A" to By-Law #2023-44**

#### **Policy AD-4.1**

#### **Video Surveillance Policy and Procedure**

**Effective Date: May 25, 2023**

**Review Date: NEW**

### **1. Policy Statement**

The Municipality of West Elgin (the Municipality) recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of municipal employees, clients, visitors and property.

As an institution governed by the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter M. 56 (MFIPPA), the Municipality has obligations with respect to notice, access, use, disclosure, retention and disposal of records.

While video surveillance cameras are installed for safety and security reasons, the Municipality's video surveillance systems must also be designed to minimize privacy intrusion.

Proper video surveillance, where deemed necessary, is one of the most effective means of helping to keep Municipal facilities and properties operating in a way that protects security, safety, and privacy. Personal information collected by video surveillance includes video images and audio.

### **2. Purpose**

This Municipal policy has been developed to govern video surveillance at municipally owned and leased properties in accordance with the privacy provisions of MFIPPA.

### **3. Municipal Freedom of Information and Protection of Privacy Act**

As detailed in Section 38(2) of the Freedom of Information and Protection of Privacy Act (FIPPA) and 28(2) of Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), personal information may be collected without consent when it is:

- a) expressly authorized by statute or by-law,
- b) used for the purposes of law enforcement, or
- c) necessary to the proper administration of a lawfully authorized activity.

This policy has been developed to conform with practices outlined by the Information and Privacy Commissioner of Ontario ("IPC") in a document entitled Video Surveillance: The Privacy Implications.

The IPC has indicated that after careful consideration, an institution may decide to use video surveillance for purposes in accordance with MFIPPA.

#### **4. Application**

This policy applies to all types of camera surveillance systems, surveillance monitors, and camera recording devices at municipally owned and leased properties that are used for security purposes.

This policy does not apply to:

- Agencies, Boards, and Commissions,
- Cameras used by the Ontario Provincial Police,
- Video surveillance used for employment related or labour-related information, OR
- Cameras used for the reduction of liability for the surveillance of roads and their conditions.

The CAO is responsible for the Video Surveillance Policy. The CAO may delegate responsibilities under this Policy to other staff.

The CAO is responsible for providing a response to access requests.

The key duties of the CAO include:

- Ensuring policy compliance.
- Undertaking yearly evaluations of video surveillance system installations to ensure compliance with this Policy.
- Approving installation of video cameras at specified municipally owned and leased properties.
- Advising on placement of video surveillance monitoring signs.
- Acting as the primary contact for all requests by law enforcement agencies for access to video records.
- Overseeing day-to-day operations of video surveillance cameras.
- Ensuring monitoring and recording devices are stored in a safe and secure location.
- Ensuring logbooks, recording all activities related to video devices and records, are kept and maintained.
- Ensuring that no copies of data/images in any format (hardcopy, electronic, etc.) is taken from the video surveillance system inappropriately.
- Investigate video surveillance security privacy breaches.

- Providing status updates to Council, annually, regarding staff adherence to the responsibilities within the policy.
- Reporting to Council when video surveillance is being proposed in new locations.
- All Staff must adhere to the video surveillance policy and must not access or use information contained in the video surveillance system, it's components, files, or database for personal reasons, nor dispose, destroy, erase or alter any record without proper authorization and without following the regulations contained in the Security Video Surveillance Policy.

## **5. Guidelines Prior to Video Surveillance System Installations**

Before deciding to install video surveillance, the following factors must be considered:

- The use of video surveillance cameras should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns.
- A video surveillance system should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable.
- An assessment must be conducted on the effects that the proposed video surveillance system may have on personal privacy, and the ways in which any adverse effects can be mitigated.
- The proposed design and operation of the video surveillance systems should minimize privacy intrusion.
- Whether or not additional sensory information, such as sound, is directly related to potential problems or does not need to be recorded.

When designing a video surveillance system and installing equipment, the following must be considered:

- The video surveillance systems may operate at any time in a 24- hour period.
- Video equipment should be installed to only monitor those spaces that have been identified as requiring video surveillance.
- The ability to adjust cameras should be restricted, if possible, so that the cameras do not record and operators cannot adjust or manipulate cameras to overlook spaces that are not intended to be covered by the video surveillance program, such as through windows in adjacent buildings or onto adjacent properties.
- Equipment should never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. change rooms and washrooms).



- Where possible, video surveillance should be restricted to periods when there is a demonstrably higher likelihood of crime being committed in the area under surveillance.
- Viewing and recording equipment must be located in a strictly controlled access area.
- Only identified staff shall have access to the controlled access area and the reception/recording equipment.
- Every reasonable attempt should be made to ensure video monitors are not in a position that enables the public and/or unauthorized staff to view the monitors.

## **6. Notice of Use of Video Systems**

In order to provide notice to individuals that video is in use:

- The Municipality shall post signs, visible to members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds under video surveillance (see Appendix #2).
- The notification requirements of this sign must inform individuals, using words and symbols, of the legal authority for the collection of personal information; the principal purpose(s) for which the personal information is intended to be used; and the title, business address, and telephone number of someone who can answer questions about the collection (see Appendix #2).
- This information will also be available on the Municipal website.

## **7. Personnel Authorized to Operate Video Equipment**

Only the CAO and staff designated by the Clerk, shall be permitted to operate video surveillance systems.

## **8. Video Equipment And Records**

### **Types of Recording Devices**

The Municipality may use Digital Video Recorders (DVR) in its video systems. Facilities using video recorders will retain these records for a period of up to 30 days, depending on the recording device and technology. A record of an incident will only be stored longer than 30 days where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes.

Monitors will be kept in a secure location where they are not visible to the public.

## **Record Identification**

All records (storage devices) shall be clearly identified (labeled) as to the date and location of origin. They shall be labeled with a unique, sequential number or other verifiable symbol. In facilities with a DVR that stores information directly on a hard drive, the computer time and date stamp shall be understood to be this identification.

## **Logbook**

Each device shall have a logbook to record all activities related to video devices and records. The activities include all information regarding the use, maintenance, and storage of records and all instances of access to, and use of, recorded material. All logbook entries will detail authorized staff, date, time, and activity. This logbook must remain in a safe and secure location with the video recording equipment. Only the CAO is authorized to remove this logbook from the secure location.

## **Access to Records**

Access to the video surveillance records, e.g. remote access using the internet, logbook entries, etc., shall be restricted to authorized personnel in order to comply with their roles and responsibilities as outlined in the Video Surveillance Policy.

Any staff accessing records should sign a written agreement to adhere to this policy, including an undertaking of confidentiality.

## **Storage**

All storage devices that are not in use must be stored securely in a locked receptacle located in an access-controlled area.

## **Formal Access Requests Process**

With exception of requests by law enforcement agencies, all requests for video records should be directed to the CAO at the Municipal Office – 22413 Hoskins Line, Rodney ON N0L 2C0 for processing.

A person requesting access to a record should make a request in writing either in the form of a letter or the prescribed form and submit it to the Municipal Office. This form is available at our offices and on the Municipal website.

The individual requesting the record must:

- Provide sufficient detail (the approximate time and date, the location - if known - of the incident, etc.) to enable an experienced employee, upon a reasonable effort, to identify the record; and,
- At the time of making the request, pay the prescribed fees as provided for under the Act.

## **9. Access: Law Enforcement**

If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Law Enforcement Officer Request Form (See Appendix #1) and forward this form to the CAO.

While there may be other situations where the disclosure of video surveillance footage is permitted, video surveillance may be disclosed to a law enforcement agency when:

- the law enforcement agency approaches the Municipality with a warrant requiring the disclosure of the footage, as per section 42(1)(e) of FIPPA and section 32(e) of MFIPPA,
- the law enforcement agency approaches the Municipality, without a warrant, and requests the disclosure of footage to aid an investigation from which a proceeding is likely to result, as per section 42(1)(g) of FIPPA and section 32(g) of MFIPPA, or
- staff observe an illegal activity on Municipality property and disclose the footage to a law enforcement agency to aid an investigation from which a proceeding is likely to result, as per section 42(1)(g) of FIPPA and section 32(g) of MFIPPA.

Staff will provide the recording for the specified date and time of the incident as requested by the Law Enforcement Officer and record the following information in the facility's video logbook:

- the date and time of the original, recorded incident including the designated name/number of the applicable camera and DVR;
- the time and date the copy of the original record was sealed;
- the time and date the sealed record was provided to the requesting Officer;
- the case file number of the agency's investigation,
- a description of the circumstances justifying the disclosure;
- the amount of footage involved;
- the name, title and agency to whom the footage is being disclosed;
- the legal authority for the disclosure,
- the means used to disclose the footage and

- if the record will be returned or destroyed after use by the Law Enforcement Agency.

This must only be completed by an individual(s) authorized in a private, controlled area that is not accessible to other staff and/or visitors.

In order to protect privacy, the Municipality will, whenever possible, strongly encrypt video surveillance footage when transmitted across open, public networks, and store physical records of footage, such as discs, memory cards or servers, in a locked facility.

## **10. Custody, Control, Retention, Disposal of Video Records/Recordings**

The Municipality retains custody and control of all original video records not provided to law enforcement.

Video records are subject to the access and privacy requirements of the MFIPPA, which includes but is not limited to the prohibition of all Staff from access or use of information from the video surveillance system, its components, files, or database for personal reasons.

With the exception of records retained for criminal, safety, or security investigations or evidentiary purposes, or as otherwise required by law, the Municipality must not maintain a copy of recordings for longer than 30 days. Any records that are accessed or disclosed will be retained for one year, as per Regulation 460 of FIPPA and Section 5 of Regulation 823 of MFIPPA.

The Municipality will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal.

Old storage devices must be disposed of in accordance with an applicable technology disposal process ensuring personal information is erased prior to disposal and cannot be retrieved or reconstructed. Disposal methods may include shredding, burning, or erasing, depending on the type of storage device.

## **11. Unauthorized Access and/or Disclosure (Privacy Breach)**

Staff who become aware of any unauthorized disclosure of a video record in contravention of this Policy and/or a potential privacy breach are to immediately notify the CAO. The following procedure will be followed when an unauthorized disclosure or potential privacy breach is reported:

- The CAO upon confirmation of the existence of a privacy breach, shall notify the Information and Privacy Officer of Ontario (IPO) and work

- constructively with the IPC staff to mitigate the extent of the privacy breach and to review the adequacy of privacy protection with the existing policy.
- The staff member shall work with the CAO to take all reasonable actions to recover the record and limit the record's disclosure.
- The CAO will notify affected parties whose personal information was inappropriately disclosed.
- The CAO shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences.

Intentional wrongful disclosure or disclosure caused by negligence by employees may result in disciplinary action up to and including dismissal. Intentional wrongful disclosure or disclosure caused by negligence by service providers (contractors) may result in termination of their contract.

## **12. Inquiries from the Public Related to the Video Surveillance Policy**

A staff member receiving an inquiry from the public regarding the Video Surveillance Policy shall direct the inquiry to the CAO.

## **13. Review of Video Surveillance Policy**

This policy shall be reviewed every 2 (two) years by the CAO who will forward recommendations for update, if any, to Council for approval.

## Appendix 1 - Law Enforcement Officer Request Form

RELEASE OF RECORD TO LAW ENFORCEMENT AGENCY  
UNDER SECTION 32(g) OF THE  
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

I, \_\_\_\_\_, of the \_\_\_\_\_  
(print name of officer) (print name of police force)

request a copy of the following record(s):

- 1.
- 2.
- 3.

containing the personal information of \_\_\_\_\_  
(print name(s) of individual(s))

to aid an investigation undertaken with a view to a law enforcement proceeding or from  
which a law enforcement proceeding is likely to result.

Signature of Officer	Badge/Identification No.	Date
_____	_____	_____

Signature of Clerk	Date
_____	_____

Return all completed ORIGINAL forms to:

The Municipal Clerk at 22413 Hoskins Line, Rodney ON N0L 2C0



# MUNICIPALITY OF **West Elgin**

## **The Corporation Of The Municipality Of West Elgin**

### **By-Law No. 2023-45**

**Being a By-Law to confirm the proceedings of the Regular Meeting of Council held on May 25, 2023.**

**Whereas** Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be exercised by council; and

**Whereas** Section 5(3) of the Municipal Act, the powers of Council shall be exercised by by-law; and

**Whereas** it is deemed expedient that proceedings of Council of the Corporation of the Municipality of West Elgin as herein set forth be confirmed and adopted by by-law;

**Now therefore** the Council of the Municipality of West Elgin enacts as follows:

1. That the actions of the meeting of Council held on May 25, 2023, in respect of each recommendation, motion and resolution and other action taken by the Council at this meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. The Mayor and proper officials of the Corporation of the Municipality of West Elgin are hereby authorized and directed to do all things necessary to give effect to the action of the Council referred to in the preceding section hereof.
3. The Mayor and Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix the Seal of the Corporation of the Municipality of West Elgin.

Read a first, second, and third time and finally passed this 25<sup>th</sup> day of May, 2023.

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Richard Leatham  
Mayor

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Heather Bouw  
Clerk