



# Municipality of West Elgin

## Minutes

### Council Meeting

August 27, 2020, 9:30 a.m.  
Recreation Centre  
135 Queen Street  
Rodney

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

**Staff Present:** M. Badura, CAO/ Treasurer  
J. Nethercott, Clerk  
T. Mohan, Drainage Superintendent  
H. James, Planner

**Also Present:** J.M. Spriet, PEng. Spriet & Associates

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

**1. Call to Order**

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

**2. Adoption of Agenda**

**Resolution No. 2020-263**

**Moved: Councillor Cammaert**

**Seconded: Councillor Tellier**

That West Elgin Council hereby adopts the Agenda as presented.

**Carried**

### **3. Disclosure of Pecuniary Interest**

No disclosures

### **4. Meeting to Consider Engineers Report Under Drainage Act**

#### **4.1 J.M Spriet, PEng - Crabbe Drain**

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

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

#### **Resolution No. 2020-264**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Tellier**

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

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

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

**Carried**

#### **4.2 J.M Spriet, PEng. - Yauch Drain**

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

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

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

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

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

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

**Resolution No. 2020-265**

**Moved: Councillor Tellier**

**Seconded: Councillor Cammaert**

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

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

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

**Carried**

**5. Meeting Under Drainage Act - Court of Revision**

**Resolution No. 2020-266**

**Moved: Councillor Tellier**

**Seconded: Councillor Rowe**

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

**Carried**

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

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

## **6. Delegations**

### **6.1 T. Carroll, Elgin-St Thomas Community Foundation**

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

#### **Resolution No. 2020-267**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

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

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

**Carried**

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

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

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

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

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

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

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

**7. Adoption of Minutes**

**Resolution No. 2020-268**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Rowe**

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

**Carried**

**8. Business Arising from Minutes**

None.

**9. Staff Reports**

**9.1 Emergency Management**

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

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

**9.2 Water**

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

**9.3 Clerk's**

**Resolution No. 2020-269**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

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

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

**Carried**

**10. Committee and Board Report**

**10.1 Elgin County Council**

**10.1.1 Elgin Council Highlights - August 11, 2020**

**10.1.2 Elgin County Planner - Report on Provincial Policy Statement**

**10.2 Lower Thames Conservation Authority**

**10.2.1 Board of Directors Minutes - August 20, 2020**

**10.3 Councillor Reports from Committees**

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

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

**11. Accounts**

**Resolution No. 2020-270**

**Moved: Councillor Rowe**

**Seconded: Councillor Cammaert**

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

**Carried**

## **12. Other Business**

### **12.1 Statements/Inquires by Councillors**

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

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

### **12.2 Notice of Motion**

None.

### **12.3 Matters of Urgency**

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

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

Councillor Rowe inquired if there are payment options for those residents struggling with their bills. M. Badura reported that staff are able to make arrangements and there is always the Equal Billing Plan that a resident can sign up for.

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

## **13. Correspondence**

### **13.2 Seaside Waterfronts Inc. - Request for Public Meeting**

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

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

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

**14. Closed Session**

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

**Resolution No. 2020-271**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Rowe**

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

**Carried**

**15. Report from Closed Session**

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

**16. By-Laws**

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

**Resolution No. 2020-272**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Rowe**

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

**Carried**



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

**Resolution No. 2020-273**

**Moved: Councillor Tellier**

**Seconded: Councillor Cammaert**

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

**Carried**

**16.3 By-Law 2020-61 - Adopt Flag Policy**

**Resolution No. 2020-274**

**Moved: Councillor Tellier**

**Seconded: Councillor Rowe**

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

**Carried**

**16.4 By-Law 2020-15 - McColl Drain West**

**Resolution No. 2020-275**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

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

**Carried**

**17. Confirming By-Law**

**Resolution No. 2020-276**

**Moved: Councillor Cammaert**

**Seconded: Councillor Tellier**

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

**Carried**

**18. Adjournment**

**Resolution No. 2020-277**

**Moved: Councillor Cammaert**

**Seconded: Deputy Mayor Leatham**

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

**Carried**

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Duncan McPhail, Mayor

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Jana Nethercott, Clerk