



# **Municipality of West Elgin**

## **Minutes**

### **Council Meeting**

**November 26, 2020, 9:00 a.m.**

**Recreation Centre**

**135 Queen Street**

**Rodney**

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

**Staff Present:** M. Badura, CAO/ Treasurer  
J. Nethercott, Clerk  
L. Gosnell, Manager of Operations & Community Services  
H. James, Planner

**Also Present:** Julie Gonyou, CAO/Clerk County of Elgin  
Dave Mennell, Elgin County Warden

**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 9:00 a.m.

**2. Adoption of Agenda**

**Resolution No. 2020-394**

**Moved: Councillor Rowe**

**Seconded: Councillor Tellier**

That West Elgin Council hereby adopts the Agenda as presented.

**Carried**

**3. Adoption of Minutes**

**Resolution No. 2020-395**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Cammaert**

That the Minutes of the Council meeting on November 12, 2020 and Committee of the Whole on November 19, 2020 be adopted as circulated and printed.

**Carried**

**4. Delegations**

**4.1 J. Gonyou, CAO Elgin County and D. Menell, Elgin County Warden - Elgin County Service Review**

Mayor McPhail welcomed Warden Mennell and Ms. Gonyou to present Elgin County's Service Review.

Ms. Gonyou thanked Magda and West Elgin Staff for all their assistance and participation in the service review. Ms. Gonyou and Warden Mennell presented a power point presentation regarding the Elgin County Service Review.

All Council thanked Elgin County for their increase communications with the lower tier municipalities and for their presentation.

Council recessed at 9:51 a.m. and reconvened at 9:58 a.m.

**5. Closed Session**

**Resolution No. 2020-396**

**Moved: Councillor Tellier**

**Seconded: Deputy Mayor Leatham**

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at 9:59 a.m. under Section 239(2)(b) of the Municipal Act, consideration will be given to personal matters about identifiable individual(s) including a municipal or local board employee(s).

**Carried**

**6. Report from Closed Session**

Mayor McPhail reported out at 12:12 p.m., that direction was consideration was given to matters pertaining to personal matters about an identifiable individual including a municipal employee or local board employee.

**7. Disclosure of Pecuniary Interest**

No disclosures

**8. Business Arising from Minutes**

None.

**9. Staff Reports**

**9.1 Operations & Community Services**

**9.1.1 L. Gosnell, Manager of Operations & Community Services -  
Water Meter Reading Technology**

Mr. Gosnell reported that the upgrade to this software will stop the manual re-reads of meters when they are missed as well as for final reads when homes change hands, which will save the Municipality in staff time. This software can be used to read the meters we currently have and do not require replacement meters.

**Resolution No. 2020-397**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Tellier**

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

That West Elgin Council approves the purchase of Sensus Automatic Meter Reading Technology from KTI Limited at a cost of \$6,989.54 plus applicable tax; and

That this money be taken from the 2020-budgeted amount of \$60,000.00 for water meter replacement.

**Carried**

Council recessed at 12:28 p.m. and reconvened at 12:46 p.m.

## **9.2 Clerk's**

### **9.2.1 J. Nethercott, Clerk - Apportionment of Drainage Assessment for the Government Drain No. 1 North due to Severance of Land, Pursuant to Section 65 (2) of the Drainage Act, R.S.O. 1990**

**Resolution No. 2020-398**

**Moved: Councillor Rowe**

**Seconded: Councillor Cammaert**

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Apportionment of Drainage Assessment for the Government Drain No. 1 North 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 Government Drain No. 1 North, as part of severance E34/20 as presented.

**Carried**

## **9.3 Finance/Administration**

### **9.3.1 M. Badura, CAO/Treasurer - 2021 Employee Remuneration**

**Resolution No. 2020-399**

**Moved: Councillor Rowe**

**Seconded: Councillor Tellier**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer regarding 2021 Employee Remuneration; and

That West Elgin Council hereby direct staff to bring forward a By-law regarding Employee Remuneration at the next Regular Council Meeting.

**Carried**

**9.3.2 M. Badura, CAO/Treasurer - Application for Tile Drainage Loan Under Tile Drainage Act – CALVIN SCHOUTEN**

**Resolution No. 2020-400**

**Moved: Councillor Cammaert**

**Seconded: Deputy Mayor Leatham**

That the application for the loan by Calvin Schouten under the *Tile Drainage Act*, in the amount of up to \$48,500, be approved, with the understanding that the funds shall be provided through a Tile Drainage Debenture with the Province of Ontario, subject to the availability of funding from the Ontario Ministry of Agriculture and Food and Rural Affairs (OMAFRA).

**Carried**

**9.3.3 M. Badura, CAO/Treasurer - EI Premium Reduction**

**Resolution No. 2020-401**

**Moved: Councillor Tellier**

**Seconded: Deputy Mayor Leatham**

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer and;

That Council approves payment from the Premium Employment Insurance Rate reduction to all full-time employees in the total amount of \$1,564.91, being 5/12 of the total savings of \$ 3,755.78 realized by West Elgin in 2020.

**Carried**

**10. Public Meeting - Not Before 1:00 p.m.**

**Resolution No. 2020-402**

**Moved: Councillor Cammaert**

**Seconded: Councillor Tellier**

That Council proceed into a Public Meeting pursuant to Section 34 of the *Planning Act* at 1:00 p.m.

**Carried**

## **10.1 Purpose of the Public Meeting**

Clerk read the purpose aloud.

## **10.2 Planning Report**

### **10.2.1 H. James, Planner - Zoning By-law Amendment Report 12098 Blacks Road**

**Resolution No. 2020-403**

**Moved: Councillor Cammaert**

**Seconded: Councillor Rowe**

That West Elgin Council hereby receives the report from Heather James regarding the application to amend the Zoning By-law for 12098 Blacks Road, File No. D14 06-2020; and,

That West Elgin Council consider the by-law to amend the Zoning By-law, subject to the conditions on the By-law, as presented in the By-law of the agenda.

**Carried**

## **10.2 Public Comments**

Applicant stated that they will be applying for the required entrance permit now that the planners for both parties have suggested it.

## **10.3 Council Comments**

## **10.4 Close of Public Meeting**

**Resolution No. 2020-404**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Tellier**

That West Elgin Council hereby closes the Public Meeting at 1:04 p.m. and reconvenes the Regular Meeting of Council.

**Carried**

# **11 Staff Reports**

## **11.1 Planning**

### **11.1.1 H. James, Planner - West Elgin Official Plan Request for Proposal Results**

**Resolution No. 2020-405**

**Moved: Councillor Cammaert**

**Seconded: Deputy Mayor Leatham**

That West Elgin Council hereby receives the report from Heather James regarding the request for proposal results for the West Elgin Official Plan update; and,

That West Elgin Council hereby awards the West Elgin Official Plan update to Dillon Consulting Limited at a cost of \$119,972.65; and,

That West Elgin Council hereby directs staff to proceed with preparing the contract to be entered into between the Municipality and Dillon Consulting Limited.

**Carried**

**11.2 Finance/Administration**

**11.2.5 M. Badura, CAO/Treasurer - Agreement Renewal Ontario Clean Water Agency**

Sam Smith from OCWA was present and addressed Council stating that the trend has been to move towards longer term agreements at this time for cost certainty.

**Resolution No. 2020-406**

**Moved: Councillor Cammaert**

**Seconded: Deputy Mayor Leatham**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Agreement Renewal Ontario Clean Water Agency and s

That West Elgin Council hereby approves the Service Agreement between the Municipality of West Elgin and the Ontario Clean Water Agency (OCWA) for a ten-year period; and

That West Elgin Council hereby directs staff to bring forward and adoption by-law at the next regular Council meeting.

**Carried**

### **11.3.1 M. Badura, CAO/Treasurer - Municipal Building Renovations**

Council requested staff report back at the next meeting on the costs of renting another location for Council meetings as well as the costs to purchase the equipment and technology for hybrid virtual and in person meetings.

#### **Resolution No. 2020-407**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Tellier**

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer regarding the Municipal building renovations; and

That West Elgin Council hereby direct staff to bring forward revised concept drawings for the Municipal Building renovations along with the cost estimates to the next Regular Council Meeting

**Carried**

## **12. Councillor Announcements**

Deputy Mayor Leatham stated that with COVID-19 there will be no Christmas Party for staff and as the full time staff always get a gift of a turkey, ham or local grocery store gift card, should this not be offered to the other staff as well, such as the fire fighters? Council agreed this was a great idea and directed staff to proceed with offering all staff and volunteer fire fighters the ham, turkey or gift card.

### **12.1 Councillor Reports from Committees**

Councillor Rowe reported that the Community Foundation brochure will be in the mail soon to all residents in Western Elgin.

Deputy Mayor Leatham stated that the Lower Thames Conservation Authority would appreciate West Elgin's support in not passing Schedule 6 of Bill 229, as shown in the correspondence part of the agenda. There has been a meeting with the Lower Thames Conservation Authority board and there is great concern that the proposed changes put the municipalities in a dangerous position.

Councillor Tellier reported that the Youth Task Force are hosting more on line initiatives and trying to recruit more youth to the task force.



Councillor Tellier reported that the new chair of Heritage Homes is Jerry Galbraith.

Councillor Tellier reported that the West Elgin Health Centre has requested that a Councillor attend an emergency meeting regarding the homelessness issues in the community.

**Resolution No. 2020-408**

**Moved: Councillor Rowe**

**Seconded: Councillor Cammaert**

That West Elgin Council send Councillor Tellier to the West Elgin Health Centre meeting on community homelessness.

**Carried**

**12.2 Elgin County Council**

**12.2.1 Council Highlights November 10, 2020**

**13. Accounts**

**Resolution No. 2020-409**

**Moved: Councillor Rowe**

**Seconded: Councillor Tellier**

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #11A amounting to \$194,379.84 in settlement of General, Road, Water and Arena Accounts (including EFT#3259-3301 Cheque# 25596-25598, online Payments# 561-568 and Payroll PP24).

**Carried**

**14. Correspondence**

**14.1 Township of East Garafraxa - Assessment of Methodologies for Aggregate Resource Properties**

**14.2 Service Ontario - Request to Change Hours of Service Ontario Location**

**14.3 Four Counties Health Services - Fall Newsletter**

**Resolution No. 2020-410**

**Moved: Councillor Rowe**

**Seconded: Councillor Cammaert**

That West Elgin Council hereby approve the donation of \$5,000 to the Four Counties Health Services campaign.

**Carried**

**14.4 Lower Thames Conservation Authority - Impact of Bill 229 Request for Support**

**Resolution No. 2020-411**

**Moved: Deputy Mayor Leatham**

**Seconded: Councillor Tellier**

Whereas the Province has introduced Bill 229, Protect, Support and Recover from COVID-19 Act - Schedule 6 - Conservation Authorities; and

Whereas the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications; and

Whereas we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act; and

Whereas the changes allow the Minister to make decisions without conservation authority watershed data and expertise; and

Whereas the Legislation suggest that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between conservation authorities and municipalities to meet local watershed needs; and

Whereas municipalities believe that the appointment of municipal representation on Conservation Authority Boards should be a municipal decision, and the Chair and Vice Chair of a Conservation Authority Board should be duly elected; and

Whereas the changes to the "Duty Members" contradicts the fiduciary duty of a Conservation Authority Board member to represent the best interests of the conservation authority and its responsibility to the watershed; and

Whereas conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed

up permitting and planning approvals through Conservation Ontario's Client Services and Streamlining Initiative; and

Whereas changes to the legislation will create more red tape and costs for the conservation authorities and their municipal partners, and potentially result in delays in the development approval process; and

Whereas municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

Now therefore be it resolved that the Municipality of West Elgin request:

That the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229);

That that the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth;

That the Province respect the current conservation authority and municipal relationships; and

That the Province embrace their long-standing partnership with conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

**Carried**

## **15. By-Laws**

### **15.1 By-Law 2020-87 - 2021 Fees and Charges**

**Resolution No. 2020-412**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

That By-law 2020-87 being a by-law to to provide for various fees and charges for the Municipality of West Elgin for 2021, be read a first, second and third and final time.

**Carried**

**15.2 By-Law 2020-88 - Council Remuneration**

**Resolution No. 2020-413**

**Moved: Councillor Tellier**

**Seconded: Deputy Mayor Leatham**

That By-law 2020-88 being a by-law to set rates of remuneration for members of Council, be read a first, second and third and final time.

**Carried**

**15.3 By-Law 2020-89 - Rezone 10289 Blacks Road**

**Resolution No. 2020-414**

**Moved: Councillor Rowe**

**Seconded: Councillor Tellier**

That By-law 2020-89 being a by-law to amend the Municipality of West Elgin Comprehensive Zoning By-law No. 2015-36 for the property known as 10289 Blacks Road, be read a first, second and third and final time.

**Carried**

**16. Confirming By-Law**

**Resolution No. 2020-415**

**Moved: Councillor Rowe**

**Seconded: Deputy Mayor Leatham**

That By-law 2020-90, being a by-law to confirm the proceedings of the Regular Meeting of Council held on November 26, 2020, be read a first, second and third and final time.

**Carried**

**17. Adjournment**

**Resolution No. 2020-416**

**Moved: Councillor Cammaert**

**Seconded: Deputy Mayor Leatham**

That the Council of the Municipality of West Elgin hereby adjourn at 2:57 p.m. to meet again at 9:30 a.m. on December 17, 2020 or at the call of the Chair.

**Carried**

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Duncan McPhail, Mayor

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Jana Nethercott, Clerk