

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES



Regular Council Meeting
Monday February 14, 2022
7:00 p.m. Via Video Link

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: S. Emons
J. Pennings

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Jeff Carswell, Treasurer (7:00 p.m. – 8:39 p.m.)
Peter Kavcic, Dir. of Infrastructure & Development Serv.
(7:00 p.m. – 9:45 p.m.)
Jeff McArthur, Fire Chief (7:00 p.m.– 8:39 p.m.)
June McLarty, Corporate Services Clerk (7:00 p.m.– 8:39 p.m.)

ABSENT: Councillor: P. North

Mayor Jones called the meeting to order at 7:00 p.m.

ADDENDUM TO THE AGENDA:

None

DISCLOSURES:

There were no disclosures

ADOPTION OF MINUTES:

2022-28

Councillor Emons – Councillor Pennings

Minutes

THAT the Minutes of the Special Council Meeting of January 20, 2022 and the Regular Council Meeting of January 24, 2022 are hereby adopted, and

THAT Council has reviewed the minutes of the Emergency Control Group meeting of January 27, 2022.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

DRAINAGE:

2022-29 Councillor Emons – Councillor Pennings Court of Revision

THAT Council adjourn and form the Court of Revision at **7:02 p.m.**

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

**2022-30 Deputy Mayor Monteith – Councillor Pennings Minutes of Court
of Revision**

THAT the minutes of the Court of Revision meeting that was held on February 22, 2021 for the Larson Drain West Branch 'A' 2020 and the Wallis Drain 2021 are hereby adopted.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |

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| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-31 Councillor Pennings – Councillor Emons Adjournment of Court of Revision

THAT the Court of Revision adjourns at **7:03 p.m.** ; and

THAT the regular meeting of Council reconvene.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

REPORTS:

Aggregate Resources Act Update

P. Kavcic reported to Council the proposed changes to the Aggregate Resources Act. These changes will align with the Environmental Protection Act for soil management and excess quality standards. Staff is questioning the possibility of updating the Maps to include the type of fill these sites will be able to take.

2022-32 Deputy Mayor Monteith – Councillor Pennings Shedden and Fingal Sanitary Detailed Design Award

THAT Council award the Shedden and Fingal design assignments for the sanitary sewer system to Dillon Consulting Limited for Project A at a cost of \$180,045.42 and MTE Consulting for Project B at a cost of \$243,986.43.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-33 Councillor Pennings – Councillor Emons Lynhurst Reconstruction Project Award

THAT Report ENG2022-04 relating to Lynhurst Reconstruction Project Award, be received for information; and

THAT the tender submitted by Cassidy Construction London in the amount \$2,373,224.60, excluding HST, be accepted; and

THAT the consultant administration proposal submitted by Spriet Associates Engineering and Architects in the amount of \$166,190.00, excluding HST, be accepted.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-34 Councillor Pennings – Councillor Emons Talbotville Gore Road Stop Signs

THAT staff be directed to provide a follow-up report and By-Law to authorize an all-way stop at Talbotville Gore Road and Talbot Grove; and

THAT staff provide a subsequent report on a traffic calming policy in Southwold.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones – Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-35

Councillor Emons – Councillor Pennings

**Section 357/Tax
Incentive Adjustment
Applications**

THAT Council approves the total adjustment of taxes for the 2021 tax year resulting from Municipal Act, Section 357 / Tax Incentive Adjustment applications, as presented, in the amount of \$30,919.30.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones – Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-36

Deputy Mayor Monteith – Councillor Emons

**EAPWSS
Governance Steering
Committee Decision Point**

THAT Report CAO 2022-07 entitled Elgin Area Primary Water Supply Systems Governance Steering Committee Decision Point be received for information; and

THAT Council of the Township of Southwold supports the existing structure and representation model of the Elgin Area Water System Board.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-37

Councillor Emons – Councillor Pennings

**"Lame Duck" Period
2022**

THAT Council receive the Council Restricted Acts, Municipal Act, 2001 provision (most commonly known as the 'Lame Duck Periods') staff report for information purposes;

AND FURTHER THAT the Municipal Clerk be directed to prepare the necessary by-law prior to Nomination Day (August 19, 2022), delegating authority to the Chief Administrative Officer/Clerk from August 19, 2022 to November 15, 2022 to:

- a) Be the financial signing authority for expenditures, outside the current budget, exceeding \$50,000 and/or for the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;
- b) Be the authority to hire or remove any officer from/to employment with the Township of Southwold; and

FURTHER THAT the by-law shall come into force and effect only in the event that less than 75% percent of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2022 Municipal Election as determined by the Municipal Clerk.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |

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| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-38

Councillor Pennings – Deputy Mayor Monteith

**Country Grocer
Request for
Statutory Holidays**

THAT Council approves the request for municipal approval for the sale of liquor and beer on Family Day, Victoria Day, Canada Day, Labour Day, and Thanksgiving Day in 2022 at the Country Grocery LCBO outlet in Shedden.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones – Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

DELEGATION:

7:45 p.m. – 8:15 p.m.

Treasurer Jeff Carswell – 2022 Budget

Treasurer Jeff Carswell presented the 2022 budget to Council, staff and the public.

REPORTS:

2022-39

Councillor Pennings – Councillor Emons

**Various Election
Policies**

THAT Council approve the 2022 Election Use of Municipal Corporate Resources Policy;

AND THAT a by-law to adopt a 2022 Election Recount Policy be brought forward for enactment at the next Council meeting;

AND FURTHER THAT a by-law for a 2022 Election Sign By-law be brought forward for enactment at the next Council meeting.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022- 40

Deputy Mayor Monteith – Councillor Pennings

**Frequency of
Staff Monthly Reports**

THAT staff will continue to provide an activity report on a monthly basis.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones - Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | - | — |
| J. Pennings | <u>√</u> | — |

CARRIED

CORRESPONDENCE:

- Correspondence from the Solicitor General RE: Court Security and Prisoner Transportation Program (CSTP) and the Transfer Payment Program (TP)
- Correspondence from the County of Middlesex RE: Official Plan Review
- Correspondence from the Lower Thames Valley Conservation Authority RE: Member Appointment to Authority's Board of Directors.

- Correspondence from Tom Mrakas, Mayor of Aurora RE: Dissolve Ontario Land Tribunal Motion
- Fee Waiver Request from Rosy Rhubarb Festival Committee

**2022-41 Councillor Emons – Deputy Mayor Monteith Fee Waiver Request –
Rosy Rhubarb**

THAT Council of the Township of Southwold approves the Rosy Rhubarb Festival Committee 2022 fee waiver request for the use of the Keystone Complex; and

THAT this request totals to the amount of \$470.00 for 7 monthly meetings and the use of the meeting room and kitchen for their rhubarb sauce prep day.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
| G. Jones – Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

BY-LAWS:

- By-law No. 2022-08, being a by-law to adopt the Budget Estimates and Capital Projects for the year 2022.
- By-law No. 2022-09, being a by-law to amend the assessment schedule of By-law No. 2020-62 based on the actual costs incurred for the construction and improvement of the Barber Drain 2020.
- By-law No. 2022-10, being a by-law to amend By-law No. 2004-20, to regulate the construction or alteration of any entranceways, private roads or access to a County Road
- By-law No. 2022-11, being a by-law to amend the assessment schedule of By-law No. 2019-09 based on the actual costs incurred for the construction of the Turville Drain No. 2.
- By-law No. 2022-12, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on February 14, 2022

2022-42**Councillor Pennings – Deputy Mayor Monteith****By-laws**

THAT By-laws Nos. 2022-08, 2022-09, 2022-10, 2022-11 and 2022-12 be read a first and second time.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| G. Jones - Mayor | <u>√</u> | — |
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| R. Monteith | <u>√</u> | — |
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| J. Pennings | <u>√</u> | — |
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CARRIED**2022-43****Councillor Emons – Councillor Pennings****By-laws**

THAT By-laws Nos. 2022-08, 2022-09, 2022-10, 2022-11 and 2022-12 be read a third time and finally passed.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
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| S. Emons | <u>√</u> | — |
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| G. Jones - Mayor | <u>√</u> | — |
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| R. Monteith | <u>√</u> | — |
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| J. Pennings | <u>√</u> | — |
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CARRIED**CORRESPONDENCE:****2022-44****Deputy Mayor Monteith – Councillor Pennings****LTVCA Board of Directors**

THAT Council of the Township of Southwold hereby confirm that Councillor Sarah Emons be appointed to the Lower Thames Valley Conservation Authority Board of Directors for the remainder of this Council term; and

THAT a new board member will be appointed at the beginning of the 2022-2026 term of Council.

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | — | — |
| G. Jones - Mayor | ✓ | — |
| R. Monteith | ✓ | — |
| P. North | — | — |
| J. Pennings | ✓ | — |

CARRIED

OTHER BUSINESS:

- Ministry of Infrastructure RE: Ontario Connects: Bringing High-Speed Internet to Every Community
- Resolution from the City of Brantford RE: Addressing the Revolving Door of Justice-Accountability for Sureties and Swift Justice

Council reviewed the items under other business.

CLOSED SESSION:

2022-45

Councillor Emons – Councillor Pennings

Closed Session

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **8:39 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- Personal Matters about an identifiable individual, including municipal or local board members (section 239(2))(b) – Maternity Leave Options
- A proposed or pending acquisition or disposition of land by the municipality or local board (section 239(2))(c) – 2 items – Shedden Development Property and Conservation Authority Lands
- Litigation or potential litigation including matters before administration tribunals, affecting the municipality or local board (section 239 (2) (e)) – Mels Minor Variance Appeal
- Advice that is subject to solicitor-client privilege, including communication necessary for the purpose (section 239(2)) (f) – Shedden Commercial Property.

- A position, plan, procedure, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2)(k)) – Talbotville Development

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| S. Emons | <u>√</u> | — |
| G. Jones – Mayor | <u>√</u> | — |
| R. Monteith | <u>√</u> | — |
| P. North | — | — |
| J. Pennings | <u>√</u> | — |

CARRIED

STAFF DIRECTION

Staff was directed by Council to the items that were discussed in the Closed Session.

ADJOURNMENT:

2022-46 Councillor Pennings – Councillor Emons

Adjournment

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **10:18 p.m.**

Mayor

Grant Jones

CAO/Clerk

Lisa Higgs