



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

- A G E N D A -

Monday April 25, 2022

REGULAR MEETING OF COUNCIL

5:30 p.m., Council Chambers, Fingal /Video Link

1. CALL TO ORDER

2. ADDENDUM TO AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES

- (a) Minutes of Regular Council Meeting of April 13, 2022
- (b) Minutes of the Talbotville Station Technical Advisory Committee meeting of August 14, 2019
- (c) Minutes of the Communities in Bloom Committee meeting of February 24, 2022

5. DELEGATION

6. DRAINAGE

- (a) **6:15 p.m.** – Court of Revision – McIntosh Drain No. 2 2022

7. PLANNING

- (a) **5:30 p.m.** Committee of Adjustment MV 2022-03, Pine Tree Homes Inc., C/O Fil Abrantes 90 Optimist Drive **(sent under separate agenda package)**

8. REPORTS

- (a) ENG 2022-17 Alternate Locate Agreement -AECON Group Inc.
- (b) ENG 2022-18 Talbotville Wastewater Treatment Plant
- (c) CAO 2022-20 Talbotville Station Technical Advisory Committee Update
- (d) CAO 2022-21 Procedural By-law Updates for Virtual Meetings
- (e) CAO 2022-22 Election Procedures – 2022 Election

9. CORRESPONDENCE

- (a) Waiver of Fee Request – OPP Uniform Recruitment Information Session

10. BY-LAWS

- (a) By-law No. 2022-31, being a by-law to enter into an agreement with the owner of 10234 Iona Road
- (b) By-law No. 2022-32, being a by-law to govern proceedings and to amend 2018-23
- (c) By-law No. 2022-33, being a by-law to authorize an alternate locate agreement
- (d) By-law No. 2022-34, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on April 25, 2022

11. OTHER BUSINESS *(For Information Only)*

- (a) Ministry of Agriculture, Food and Rural Affairs – Avian Influenza
- (b) Southwest Public Health Recommendations for Workplaces
- (c) Ministry of Solicitor General (Office of the Fire Marshall) – O. Reg 343/22: Firefighter Certification

12. CLOSED SESSION

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board (section 239(2))(c) – Talbotville Fire Station

13. ADJOURNMENT: NEXT REGULAR MEETING OF COUNCIL
Monday May 9, 2022 @ 7:00 P.M.
Council Chambers, Fingal /Video Link

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES



Regular Council Meeting
Wednesday April 13, 2022
7:00 p.m. Council Chambers, Fingal/Via Video Link

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: S. Emons (left at 8:33 p.m.)
P. North
J. Pennings

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Jeff Carswell, Dir. of Corporate Services/Treasurer (7:00 p.m.- 9:10 p.m.)
Peter Kavcic, Dir. of Infrastructure & Development Serv.
(7:00 p.m.- 8:55 p.m.)
Paul Van Vaerenbergh, Public Works Superintendent (7:00 p.m.- 8:56p.m.)
Jeff McArthur, Dir. of Fire Services/Fire Chief (7:00 p.m.- 9:05 p.m.)
Heather James, Planner (7:00 p.m.- 7:31 p.m.)
June McLarty, Corporate Services Clerk (7:00 p.m.-9:10 p.m.)

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

ADDENDUM TO THE AGENDA:

8. Report:

(k) CAO 2022-19 Election Cost Updates and Consideration of Options.

DISCLOSURES:

There were no disclosures

ADOPTION OF MINUTES:

2022-95

Councillor North – Councillor Emons

Minutes

THAT the Minutes of the Regular Council Meeting of March 28, 2022 are hereby adopted.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022- 96

Deputy Mayor Monteith – Councillor Pennings

**Committee Mtg
Minutes**

THAT Council has reviewed the minutes of the Shedden Recreation & Community Centre & Keystone Complex Committee Meeting of September 30, 2021, the Southwold Young @ Heart Committee Meeting of February 15, 2022 and the Minutes of the Zero Waste Committee Meeting of March 18, 2022.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

PLANNING:

COMMITTEE OF ADJUSTMENT

Minor Variance MV 2022-02

2022-97

Deputy Mayor Monteith – Councillor Emons

MV 2022-02

THAT the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2022-02, filed by B. and G. Shaw at **7:04 p.m.**

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

2022-98

Councillor Emons – Deputy Mayor Monteith

**Adjournment of
C of A**

THAT the meeting of the Committee of Adjustment to hear application MV 2022-02, filed by B. and G. Shaw ends at **7:19 p.m.** and the regular meeting of council reconvene.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

Consent Application E12-22

Planner Heather James presented her report to Council. This proposal is to create a lot for an under -construction warehouse distribution facility with a proposed easement for a storm sewer over the proposed severed parcel in favour of the proposed retained parcel and a proposed right-of-way for access to an existing pump house (located on the retained parcel) over the proposed severed parcel in favour of the proposed retained parcel located at 11884 Sunset Road.

Councillor North questioned if this severance has legal access to Highway 4. Ms. James responded yes.

Councillor Pennings questioned whether this severance had an impact on any other facility to use the wastewater treatment plant. Rachel Bossie, Planner for Eleanor Limited Partnership responded that the water treatment plant was going to be on the severed lands. It is sized to service that development, it will be with the warehouse facility. Councillor Pennings commented that if is modular, then it could be used by other development in the area. Ms. Bossie commented that at this time, it is not planned but in the future more assessment can be completed.

R. Bossie questioned if the Cash-in-Lieu Parkland fee is part of the Site Plan agreement. Ms. Higgs responded that that this fee is part of a consent, plan of subdivision or condo application and was not contemplated in the Site Plan Agreement.

2022-99 Deputy Mayor Monteith – Councillor Pennings Consent Application E12-22 Eleanor Limited Partnership

THAT Council of the Township of Southwold receive Report PLA 2022-06 regarding Consent Application E12-22 – Comment to the County of Elgin; and

THAT Council of the Township of Southwold recommends approval of the Land Division Committee of County of Elgin for the consent application, File E12-22, subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2022-06; and

FURTHER THAT Council of the Township of Southwold directs Administration to provide Report PLA 2022-06 as Municipal comments to the County of Elgin.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

DELEGATION:

7:31 p.m. – 7:50 p.m.

Mark Peacock, C.A.O./ Secretary-Treasurer presented the 2021 Lower Thames Valley Conservation Authority Annual Report to Council.

Todd Casier, Manager, Finance and Administrative Services presented the Lower Thames Valley Conservation Authority Inventory of Programs and Services to Council.

REPORTS:

Activity Report from the Fire Chief

Jeff McArthur presented the March activity report to Council.

Activity Report from the Director of Infrastructure and Development Services

Peter Kavcic presented the March activity report to Council.

2022-100 Councillor Emons – Councillor North Waste Collection Proposal

THAT Council provide staff with direction on waste collection based on the options highlighted within the below report.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

STAFF DIRECTION

Staff was directed by Council to prepare a RFQ for weekly garbage pickup in Talbotville, Lynhurst and Ferndale with back out clauses included as well as the cost for organics pickup.

2022-101 Councillor Pennings – Deputy Mayor Monteith**Tandem Axle
Plow/Sander Truck
Proposal Award**

THAT Council accept the proposal for the supply and delivery of a Freightliner Tandem Axle Plow/Sander Truck from Premier Truck Group – London at a price of \$341,800.00 excluding HST.

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED**2022-102 Deputy Mayor Monteith – Councillor Pennings****2022 Annual
Repayment Limit**

THAT Council receive Report FIN 2022-11 2022 Annual Debt Repayment Limit for information.

| <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 | <u>√</u> | — |

J. Pennings √ —

CARRIED

2022-103

Deputy Mayor Monteith – Councillor North

**Waste Collection
Contract Extension**

THAT Council approve the Waste Collection Contract Extension to June 30, 2023 to coincide with Producer Responsibility for recycling collection.

| <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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| P. North | <u>√</u> | — |
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| J. Pennings | <u>√</u> | — |
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CARRIED

2022-104

Deputy Mayor Monteith – Councillor Pennings

**Financial Report –
January to December 2021**

THAT Report FIN 2022-13 Financial Report – January to December 2021 be received and filed for information; and

That Council approve the following reserve adjustments for 2021:

- Cancel \$15,000 transfer from Reserve for Fire Operating Wages as salaries and wages are under budget
- Transfer \$50,000 from the Police Reserve to Police Operating Revenue to cover the shortfall in Provincial Offences Revenue
- Adjust the transfer to the Public Works Equipment Reserve from \$220,000 to \$120,000

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

CARRIED

Activity Report from the Director of Building and Community Services

The March activity report was presented to Council. A large recycling bin similar to the garbage bin is needed at the Keystone Complex.

Activity Report from the CAO/Clerk

Lisa Higgs presented the March activity report to Council

2022-105 Councillor North – Councillor Pennings

**Election Cost Updates
and Consideration of Options**

THAT Council receives this report as information; and

THAT Council provides direction to the Clerk on the 2022 Election as it relates to method of voting, method of vote-counting, and budget allocation.

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

CARRIED

STAFF DIRECTION

Staff was directed by Council to continue as planned with the Vote-by- Mail method and the use of tabulators.

County Council Highlights

Mayor Jones presented the highlights to Council

CORRESPONDENCE:

- Correspondence from Elgin County/MP Karen Vecchio RE: Nominations for Platinum Jubilee of Her Majesty Queen Elizabeth II Awards

Council reviewed the item under Correspondence. Any suggestions are to be forwarded to CAO/Clerk Lisa Higgs.

BY-LAWS:

- By-law No. 2022-27, being a by-law to assume roads in the Ridge Phase 1
- By-law No. 2022-28, being a by-law to authorize an agreement for a contract extension for waste collection
- By-law No. 2022-29, being a by-law to authorize an agreement for vacant land condominium agreement.
- By-law No. 2022-30, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on April 13, 2022

2022- 106

Deputy Mayor Monteith – Councillor North

By-laws

THAT By-laws Nos. 2022-27, 2022-28, 2022-29, and 2022-30 be read a first and second time.

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

CARRIED

2022-107

Councillor North – Councillor Pennings

By-laws

THAT By-laws Nos. 2022-27, 2022-28, 2022-29, and 2022-30 be read a third time and finally passed.

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

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

CARRIED

OTHER BUSINESS:

- Nominations for Ontario Senior of the Year Award
- Municipality of Clarington RE: Comprehensive Zoning By-law Review
- Ministry of Municipal Affairs and Housing RE: More Homes for Everyone Act, 2022
- Ministry of Municipal Affairs and Housing RE: MMAH Orders under the Reopening Act.

2022-108 Councillor Pennings – Councillor North Other Business Items

THAT Council receives and files the items listed under Other Business

| <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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

CLOSED SESSION:

2022-109 Councillor North – 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 **9:10 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) – Recruitment for Director of Finance/Treasurer
- A proposed or pending acquisition or disposition of land by the municipality or local board (section 239(2))(c) – Talbotville Conservation Authority Lands

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

CARRIED

STAFF DIRECTION

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

ADJOURNMENT:

2022- 110 Councillor North – Councillor Pennings

Adjournment

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:24 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 | <u>√</u> | — |
| J. Pennings | <u>√</u> | — |

CARRIED

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs

Talbotville Station Technical Advisory Committee



Minutes of Meeting
Wednesday, August 14th, 2019
7:00 p.m.
Fire Station, Shedden



In Attendance: Jeff McArthur, Fire Chief / Chair
Grant Jones, Mayor
Justin Pennings, Councillor
Barry Smith, District Chief
Chris Kampers, Fire Fighter
Steve Van Maanen, Public Member
Caitlin Wight, Staff Resource

1. Call to Order

Mayor Grant Jones called the meeting to order at 7:13 p.m.

2. Pecuniary Interest

That there are none to declare by any members of the committee.

3. Adoption of Minutes

The committee reviewed the Meeting Minutes of the June 12th Meeting and the Fire Hall Station Tour July 5th, 2019.

One amendment was noted on Tour Notes – correct price per sq. ft. to \$213 on page 5.

Moved by Chris Kampers
Seconded by Steve Van Maanen

RESOLVED that the Minutes of the June 12th Meeting and Tour Notes be approved.

DISPOSITION Motion Carried

4. Land Acquisition Update

Mayor Jones noted that he and CAO/Clerk Lisa Higgs were to have a meeting with potential Land Owner on August 13th, 2019. This meeting did not take place, and another meeting would have to be set-up.

5. Listing of Priorities for Station Replacement

Mayor Jones commented that the Fire Hall Tour was well worth the time, and an eye opener.

Chief McArthur noted that there were lots of good photos taken of the Milverton Station, and good notes.

Councillor Pennings briefed S. Van Maanen on the final tour, as was unable to join the group to Milverton.

Chief McArthur noted that the Committee was happy with the Milverton Station with respect to the hall that was built versus the money that was spent building it. It would fit the Talbotville Station's needs with the budget that they had.

S. Van Maanen asked how many trucks this station housed – holds 6.

Chief McArthur noted that the first two stations, Malahide and Beachville – were good for discussions.

Mayor Jones noted that the Malahide station was too much, and over the top, for what the Committee is looking for.

Councillor Pennings noted that the Malahide station was not worth looking at, as the budget for that station is out of reach for the Talbotville Station.

C. Kampers noted it would make more sense to have a larger storage closet off the clean side of apparatus bay than a large washroom. As the Malahide station had a large washroom, and from a practicality stand point, better to have more storage.

Councillor Pennings noted that we are waiting on Chief Hunter to add drawings etc. to drop box for Committee to look at. He also noted that it is not the layout that drives the cost of the project, it is the build style and materials that do. Would like more information on the building style of the Milverton Station. Would like to add construction company for this project to list of bidders for the Talbotville Station.

Mayor Jones noted that there were numerous problems that were visible with the Beachville Station.

Councillor Pennings noted that some of the difference in quality of the build had to do with Chief Hunter visiting the site at Milverton daily.

Chief McArthur noted that he liked all the windows that were in the truck bays at the Beachville Station.

Councillor Pennings discussed approaching the Township of Southwold CBO for his opinion on some of the materials that were used at the different station. Mayor Jones noted that there was a post disaster site that used wood and plastic.

S. Van Maanen noted that an architect would need to view the drawings relating to the materials. Councillor Pennings noted that if we get the drawings and information from Chief Hunter that we can further investigate the materials used.

S. Van Maanen noted that non-combustible material would have to be used in the bay area for a reason. That they also must have had to have a rated truss system in the ceiling above the plastic material. He also asked if the walls were the same material – which they were two different types: a puck board or corrugated plastic material.

B. Smith noted the smoked plexiglass doors were a nice option, liked the esthetic look of them. All the Committee agreed with this.

Was a discussion about the plastic materials on the walls and ceiling. Mayor Jones noted that the engineers stamp on the drawings would take precedence, and Councillor Pennings noted that it would be the same building code that would be applicable to us here.

Mayor Jones noted the stone work on the exterior of the building, hard to imagine being able to incorporate this financially with the budget that they had. Also noting that they did not have to include land purchase in their budget.

Councillor Pennings noted that they did have the communications tower included in this budget, which is not something that we need to incorporate.

S. Van Maanen noted that in the differences between the two contractors, PK and DOMM Group, that you could put out an RFP for a construction manager. Put grading / marking heavy on experience and qualifications over price. Then pick from these points.

Mayor Jones pointed out the difference in the fit and finish of the PK Constructed buildings. Councillor Pennings noted that DOMM group build their Public Works building as well, the municipal buildings have the same esthetic look. Mayor Jones noted that DOMM have built stations in different areas, not local to each other.

Chief McArthur questioned if there will be a cost savings on taking another Hall's drawings and tweaking them, if a contractor has already built a few. Mayor Jones noted that if we are working with the existing hall, and adding on, there could be more cost to incorporate both sides, but adding on with existing that is sq. footage that you don't have to build. If the project were to go well, then there would be savings. If it did not go well, then there would be no savings.

Councillor Pennings noted that a construction manager would want a % of the project value. Mayor Jones noted that it is more useful for a project manager for larger projects.

Chief McArthur questioned the group on using the existing hall square footage – how that fits in with the likes and thoughts on the other stations.

Mayor Jones noted that all the stations were separating the gear and areas between clean and dirty areas.

Councillor Pennings noted that two distinct areas for clean and dirty are important, however not necessary that they be on either side of the building. Parking at the area of

the building where fire fighters responding enter the dirty side would be the best option. The side of the building where the gear is kept, and offices are located would be the new / clean side. This would also hinge on getting land at the existing site.

Mayor Jones noted that there is a good chance we would be able to obtain land near the existing site, however, not a for sure.

Chief McArthur noted that with the Hydro and Water available near Talbot Line, if able to get the land, and access off, it would be a good spot for filling. C. Kampers noted the current water fill services is not ideal.

Mayor Jones and B. Smith discussed what Talbotville will be, from a population perspective 20 to 30 years from now, and how many fire fighters might be based out of this station.

Chief McArthur noted that 22 are approved through the By-Law, which would be a full complement at each station. Councillor Pennings discussed looking at 30 as a target in future, as the group agreed there will be a large population growth in the Talbotville area. It was also noted, that the likelihood of having all 30 firefighters out of the station at once is unlikely.

C. Kampers asked if the training room would be able to accommodate everyone from both stations, which yes, this is the idea.

Councillor Pennings noted with the existing square footage, adding on would give the ability to have a larger training room.

The group discussed the potential of incorporating a community room in the fire hall. Mayor Jones noted that this space in the hall does create challenges in terms of separation. Also, the idea that there could be enough room on the site to have a park in future, if able to incorporate adjoining land.

Councillor Pennings noted that the Milverton station does have a good layout that they were able to segregate the training room off from the fire hall operations. Chief McArthur thought that we should keep this point in mind for a meeting room space. Councillor Pennings also noted that the approach in the build could be done with the thought of the ability to lock it off from fire hall operations, but not necessarily for use as a community space.

Mayor Jones discussed the thoughts on the church in Talbotville at a point in the future not being there as a space for meeting. Councillor Pennings queried on the ability to access financial resources from other places if we there is consideration to adding a community space to the hall.

Mayor Jones was not sure but would check into this with CAO/Clerk Lisa Higgs. Chief McArthur thought that the community room is something to look into, and that the group could investigate it, and determine that it is not worth proceeding with.

Mayor Jones noted that the room would have to function without hindering the fire department.

Councillor Pennings noted that it would add to the cost of the project as there could be a need for a kitchen, different septic requirements. Chief McArthur thought that the key would be to keep it small, meeting room sized. Mayor Jones agreed that it should not be larger than the training room at the Shedden Hall.

S. Van Maanen noted that the average size of a training room, on the projects they have worked on are 650sq ft.

B. Smith noted that the Milverton Station training room had space for 50, and C. Kampers noted the tables chosen were a good decision based on the ability to alter the way the room is set -up.

Mayor Jones noted that scheduling for this room could be an issue, as it could not interfere with training. He also noted discussions for the feasibility of joint training at the hall.

Councillor Pennings noted that the Milverton Hall had doors that locked off from the hall, and that there was a large firewall between this space and the fire hall side.

Chief McArthur inquired about the sq. foot cost, S. Van Maanen thought that it was in line. Councillor Pennings noted the different construction types in the different areas, and a four-hour firewall between the sides.

Mayor Jones noted that it is a challenge to make both sides look nice, while working through potential problems that may arise. The committee knows what they would like, and have a great idea, now is getting the information required to come up with a drawing and a price. Councillor Pennings noted the first big step is land acquisition.

S. Van Maanen asked what the next steps are with the RFP, Who puts it together, and what is the Committee's role in this.

Mayor Jones noted that it would be the Jeff Carswell, Treasurer, and Lisa Higgs, CAO/Clerk that would put the RFP together, and that the Committee would have a say in the actual wording and what we are looking for. Would like to have many technical points added to it.

Councillor Pennings noted that we should not have to invent the RFP ourselves. Mayor Jones asked if Chief Hunter had theirs. Councillor Pennings noted that we should be able to look it up as it would be public record. When the RFP goes out, it would be a specific guide for contractors to what design we are after. Mayor Jones noted that we must be specific so that we are not getting all different designs, too hard to compare that way.

S. Van Maanen noted that if there is a conceptual plan / site plan, then the RFP can be more specific, and not have bids with numbers all over the place. Councillor Pennings though that we should be able to come up with a site plan and get very close to what the committee is looking for and get it into the RFP to get fair pricing.

Mayor Jones noted that if we had a drawing with real measurements, elevations then we would know what we are looking for with proposals. There might be a corrugated model in the Township Office Basement of the Shedden Station. For the next meeting, we will

schedule it once we know about the land, as well as have more information from Chief Hunter, when he gets back to us. Councillor Pennings will follow-up with Chief Hunter.

S. Van Maanen brought a couple of sample site plans for fire halls.

The first one, is similar to the Talbotville Station, it's being built in Kingsville. Large training room in the upstairs with washroom, and community room idea. Public access is a stair way at the rear. Room doubles as training. Front area is the dirty side. Has a part time group. All steel building, project came in just under \$2 Million. Upper area is not accessible.

The second one – was a \$5 Million project, was the old Public Works Building. Combined Fire and EMS in one location. Office and training room are out front. Layout shows a big training room and other options, something different to look at. They have 6 trucks plus the pick-up trucks, and a full-time fire force.

Mayor Jones noted the training area in the up stairs at Malahide did not have an elevator.

Councillor Pennings noted if there was to be a public space, it would certainly need to be accessible. If the project goes with an addition, there would be more lee way as an addition, than a new build altogether. Would be smart to be accessible.

S. Van Maanen noted the first site, the budget included demolition of an old building. Would like to visit the Talbotville station.

Not looking at a net zero or geo building. Mayor Jones noted that if there were people in the building all the time, then it might make sense.

Councillor Pennings noted that the extra cost for net zero and compare to cost of operation over 50 years. S. Van Maanen noted that it does not make sense for the fire hall, with the usage of the utilities varying all over the place each month and season of the year.

Councillor Pennings to follow-up with Chief Hunter on sharing documents related to the Milverton Hall.

6. Next Meeting – TBD – Fire Station, Shedden

7. Motion to Adjourn

Moved by Councillor Pennings
Seconded by Chief McArthur

RESOLVED that the Talbotville Station Technical Advisory
Committee meeting adjourns at 7:55 PM

DISPOSITION Motion Carried

Fire Chief
Jeff McArthur

Mayor
Grant Jones



MINUTES

CIB COMMITTEE

@ 2:00 p.m.

February 24, 2022



| | | |
|------------|--------------------|--------------------------|
| Attendees: | Grant Jones | Karen Graff |
| | Brenda Longhurst | Jim Hamilton |
| | Christine McArthur | Jo-Anne Cummings-Stinson |
| | Shelley Smith | June McLarty |

Regrets Val Cron, Bill Cron, Gord Longhurst, Harv Graff, Cathy Koyle

Meeting called to order at 2:00 p.m. at the Keystone Complex.

2022-01 Moved by Brenda Longhurst – Seconded by Karen Graff

THAT the agenda for the February 24th, 2022, meeting be approved.

(carried)

Finances

June gave an update on the finances for the CIB Committee. There was an increase in revenue from the 2020 the plant sale.

Fingal Step Boxes

The step box that was located at the Fingal Heritage Park will be moved to the plane crash site on Third Line. The McArthur family will maintain it.

2022-02 Moved by Brenda Longhurst – Seconded by Shelley Smith

THAT the Communities in Bloom Committee reimburse Karen Graff up to \$2000.00 for costs of the plants, soil and fertilizer for the planters and step boxes.

(carried)

Japanese Beetle Traps

Japanese Beetle traps will not be purchased. Geraniums and sprays will keep the beetles away.

Plant Sale

The 2022 plant sale will be held at the Keystone Complex on Saturday May 28 from 8:00 am -1:00 pm. Cathy will run the coffee and muffin booth. Committee members are asked to donate a dozen muffins. The plant sale will be advertised in the Spring issue of the Southwold in Motion Newsletter, on the CIB Facebook page and the Township website. If you are donating plants, a sign must be posted indicating what the plant is. All sales will be done in person. No orders taken over the phone.

2022 Flags

The Township is in the process of hiring a person to manage the parks and facilities. This person may be able to assist with the flags. The fire department may also be able to assist but won't maintain the flags. We will reduce the number of flags from 120 to 50-60. Val will order the flags. There are about 20 big black brackets in Fingal that need to come down.

Seminar/Community Event

The Committee discussed how we can improve this event while maintain goal to educate the community. Some suggestions were having it outdoors, a master gardener speaker, have it at the plant sale, more hands-on activities, ideas and tips for new gardeners, move the location outside of Shedden or have it later in the year. The Committee also discussed having some activities for children. We can maybe partner with the library.

At the plant sale on May 28th, between 10:30 am -11:00 am there will be session for beginner gardeners.

New Volunteers

Karen Lynch has volunteered to help with the watering and maintaining of a plant/step box. We just need to find a location for her. Karen is in the process of updating the list of volunteers and what plant/step box they are responsible for.

Other Business

Shelley advised the Committee that the County has approved the garden at Elgin Manor. It will include native plant species.

Shelley will look into getting fertilizer.

We hope to have a gathering in 2022 to thank our volunteers.

The sign box in Talbotville by the firehall may need to be replaced soon. The wood is deteriorating.

2022-03 MOVED by Brenda Longhurst – Seconded by JoAnn Cummings-Stinson

RESOLVED THAT the meeting of the Community in Bloom Committee be adjourned at 3:15 pm to meet again at 2:00 pm on Monday April 4th, 2022.

(carried)

Grant Jones - Chair

June McLarty - Resource



A G E N D A

Monday March 28, 2022

COURT OF REVISION

6:15 p.m., Council Chambers, Fingal/Via Video Link

1. CALL TO ORDER
2. ADDENDUM TO AGENDA
3. DISCLOSURE OF PECUNIARY INTEREST
4. NEW BUSINESS
 - (a) **Court of Revision McIntosh Drain No. 2 2022**
5. ADJOURNMENT



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: April 25, 2022

PREPARED BY: Peter Kavcic, Director of Infrastructure and Development Services

REPORT NO: ENG 2022-17

SUBJECT MATTER: Alternate Locate Agreement – AECON Group Inc.

Recommendation(s):

THAT Council approve the execution of the alternate locate agreement with AECON Group Inc. as shown in Schedule 'A' and in the attached by-law.

Purpose:

The purpose of this report is for Council to approve the execution of the alternate locate agreement with AECON Group Inc.

Background:

Municipalities and infrastructure owners can enter into alternate locate agreements with excavators if both parties deem the work to be low risk. This type of agreement provides both parties flexibility into the type of work that doesn't require traditional field locates. The purposes of the alternate locate agreements are to reduce the amount of locates received by municipalities and infrastructure owners for low risk activities that are completed through hand digging or hydro vacuum. This allows excavators to construct projects quicker which does provide a better level of service to customers.

Financial Implications:

N/A

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.

☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety

☒ Exercising good financial stewardship in the management of Township expenditures and revenues.

☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Peter Kavcic, P.Eng.
Director of Infrastructure and
Development Services
"Submitted electronically"

Approved by:
Lisa Higgs, CAO/Clerk
"Approved electronically"

SCHEDULE 'A'

ALTERNATE LOCATE AGREEMENT

Between: The Corporation of the Township of Southwold (hereinafter called the "Utility Owner")

And: Aecon Utilities, A DIV. of ACGI. (hereinafter called the "Contractor")

For the following Station Codes: _____ ALL _____

NOTICES:

To the Contractor:

Name: Aecon Utilities, A DIV. of ACGI. _____

Address: 20 Carlson Crt , Suite 105 _____

Toronto, ON, M9W 7K6 _____

Dept: _____

Contact: Adam Hurley _____

Phone/Fax: 416.573.1807 _____

Email: ahurley@aecon.com _____

To the Utility Owner:

1. Station Code(s): _____ ALL _____

Utility Owner Representative:

Name: _____

Position: _____

Address: _____

Phone/Cell: _____

Email: _____

Emergency: _____

WHEREAS:

1. The Contractor plans to undertake excavation work from time to time as further described in Schedule "A" attached hereto.
2. The Contractor has requested the Utility Owner to provide an alternate locate for such work.
3. The Utility has agreed to grant an alternate locate, solely for such work, on the terms and conditions as further described in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained in this Agreement and other consideration (the receipt and sufficiency of which are acknowledged), the Utility Owner and the Contractor agree as follows:


1. The Contractor shall perform the excavation work described in Schedule "A" attached hereto (the "Allowable Work") and use the Ontario One Call Contractor Alternate Locate ID number in accordance with the terms and conditions set forth in this Agreement, including without limitation the additional terms and conditions pertaining to the Allowable Work set out in Schedule "A".

2. The terms and conditions and Schedule "A" attached hereto form part of this Agreement and are binding upon the parties hereto and shall supersede and be unaffected by all other terms and conditions made or issued by the Contractor in relation to the Allowable Work.

Ontario One Call Contractor **Alternate Locate ID**: 158597

In Witness Whereof the parties hereto have executed this Agreement as of the 25th day of April 2022, ("the Effective Date"):

Aecon Utilities, A Division of ACGI

By: 
Signature: Eric MacDonald
Title: EVP, Aecon Utilities

By: _____
Signature: _____
Title: _____

By: _____
Signature: _____
Title: Mayor

Signature: _____
Title: CAO/Clerk

We have authority to bind the
Corporation

TERMS AND CONDITIONS

1. The term of this Agreement is for two (2) years, commencing on the Effective Date, subject to earlier termination in accordance with the terms of this Agreement. At the Utility Owner's sole option, the term of this Agreement may be renewed by the Utility Owner for an additional one (1) year term by the Utility Owner by providing the Contractor with written notification of such renewal.
2. This Agreement may be terminated at any time by either party upon one day written notice to the other party with no liability for any incurred costs to either party as a result of the termination. Upon termination or expiration of this Agreement, the Contractor shall immediately cease any excavation related to the Allowable Work and shall immediately cease, and cause all of its personnel to cease, any use of the Contractor Alternate Locate ID.
3. The Contractor represents and warrants that the Allowable Work will not have a negative impact on the underground plant or equipment owned by the Utility Owner (the "Utility Owners Plant"). This Agreement pertains only to the Utility Owners Plant, and the Contractor will be required to obtain locates of all other underground plant.
4. The following terms and conditions apply to the use of the Contractor Alternate Locate ID:
 - a. Locate requests shall be made to Ontario One Call for all excavations by the Contractor.
 - b. The Contractor will be issued a contractor alternate locate ID number (the "**Contractor Alternate Locate ID**") by Ontario One Call which shall be referenced by the Contractor for locate requests for Allowable Work made through Ontario One Call.
 - c. The Contractor will only use a Contractor Alternate Locate ID when making locate requests to Ontario One Call for Allowable Work.
 - d. The Contractor shall keep and maintain at the job site a copy of this Agreement and a copy of all Ontario One Call confirmations and communications pertaining to Allowable Work at the job site for which the Contractor has used the Contractor Alternate Locate ID.
 - e. The Contractor shall ensure that all of its on-site employees are aware of the terms and requirements of this Agreement;
 - f. An Ontario One Call alternate locate confirmation is valid for sixty (60) days from the date the request was made to Ontario One Call or as noted on the alternate locate confirmation form. If excavation work is not completed within such timeframe, the Contractor must contact Ontario One Call to register a new alternate locate request.
 - g. The Utility Owner retains the right to refuse to honour the alternate locate at any time for any reason, and may also cancel the Utility Owners Contractor Alternate Locate ID at any time upon notice.
5. The Contractor shall request individual regular locates through Ontario One Call for all excavation work done outside the scope of the Allowable Work, or whenever requested by the Utility Owners (either directly or through Ontario One Call).
6. The Contractor Alternate Locate ID applies to the Contractor only and not to any of its subcontractors. The Contractor shall not disclose the Contractor Alternate Locate ID to any individual except for its authorized employees who require the Contractor Alternate Locate ID for the purposes of executing the Allowable Work in accordance with the terms of this Agreement.
7. All Allowable Work shall be conducted in accordance with all laws, standards, codes and guidelines applicable to the Contractor and the Allowable Work, including, without limitation, the most recent versions of each of the following:

- a. Electrical Safety Authority (ESA) and Technical Standards & Safety Authority (TSSA) *Guidelines for Excavations in the Vicinity of Utility Lines*;
- b. Infrastructure Health & Safety Association ("IHSA") Safe Practice Guide *Excavating with Hydrovacs in the vicinity of Underground Electrical Plant*;
- c. *The Occupational Health and Safety Act* (Ontario) and all regulations made thereunder including, without limitation, O. Regulation 213/91 (Construction Projects) (as each of the foregoing is amended from time to time, the "OHSA");
- d. The Ontario Regulation 22/04 – Electrical Distribution Safety – made under subsection 113(1) of Part VII of the *Electricity Act, 1998*; and
- e. The Technical Standards and Safety Authority Act 2000 and reg.210/01

In the event of any conflict among any of the foregoing, or any other applicable laws, standards, codes or guidelines, the most stringent standard shall apply. The Contractor shall obtain any necessary licenses, permits or consents of such governmental authorities or of any applicable third parties, in respect of their respective obligations and conduct pursuant to or in respect of this Agreement.

- 8. In the event any Utility Owners Underground Plant is discovered or encountered, but where there has been no damage to the Utility Owners Plant or to property of any third party and no personal injury as described in Section 9, the Contractor will contact the Utility Owner immediately at the telephone number set out on the first page of this Agreement and ensure that if required by the Utility Owner, the excavation is left open in a safe and secure manner until it has been inspected by the Utility Owner.
- 9. If any excavation by the Contractor results in any damage (including but not limited to pipe coating damage or damage to tracer or grounding wires) to the Utility Owners Plant or property of any third party or any personal injury, the Contractor shall immediately:
 - a. Cease all work within the excavation;
 - b. Exclude all people and barricade the area; and
 - c. Contact the Utility Owner immediately.
- 10. The Contractor shall comply with the Ontario Regional Common Ground Alliance Best Practices, 4-23: Facility Damage Notification and 4-24: Notification of Emergency Personnel, as same may be changed or amended from time to time. In the event of any conflict between the Ontario Regional Common Ground Alliance Best Practices and the terms of this Agreement, the terms of this Agreement shall be paramount. This Agreement shall not release the Contractor of any liability for damage to the Utility Owners Plant or property of any third party or any related personal injury arising from any excavation by the Contractor. The Contractor shall be liable for and shall indemnify and hold harmless the Utility Owner, and its Affiliates (as defined under the *Business Corporations Act* (Ontario)) and their respective shareholders, directors, officers, employees, contractors, agents and other representatives (collectively, "Representatives") from all actions, claims, penalties, damages, losses, judgments, settlements, cost and expenses (including legal costs) arising out of or resulting from any breach of this Agreement, negligence or any act or omission or willful misconduct of the Contractor or any of its Representatives and for those whom they are responsible in law. For certainty, in the event of any damage to Utility Owners Plant or personal injury, the Utility Owner has the right to complete an investigation into the nature and cause of the damage or personal injury. If the Utility Owner determines that the damage or personal injury arose out of or resulted from any breach of this Agreement or any negligent act or omission or willful misconduct of the Contractor or any of

its Representatives, then the Contractor shall indemnify, defend and hold harmless the Utility Owner as provided herein. Without limiting the generality of the foregoing, the Contractor shall be liable to pay for any and all costs and expenses to repair damages to any Utility Owners Plant caused directly or indirectly by excavation by the Contractor and shall pay any invoices for such costs or expenses within thirty (30) days from receipt thereof. Late payment charges shall accrue at 1.5% per month.

11. Any notice or other communication to be given under or pursuant to the provisions hereof or in any way concerning this Agreement shall be sufficiently given if reduced in writing and delivered to the person to whom such communication is to be given, or sent by facsimile transmission, or mailed to such person by prepaid mail addressed to such person at the address set out on the first page of this Agreement, or at such other address as may be specified therefore by proper notice hereunder. Any communication mailed as aforesaid shall be deemed to have been given and received on the fifth (5th) business day following the date on which it was so mailed, where such communication is sent by facsimile transmission it shall be deemed to have been given and received on the next business day following transmittal provided the facsimile is received as confirmed by the issuance of a confirmation receipt, and where such communication is personally delivered it shall be deemed to have been given and received when so delivered.
12. Unless the Utility Owner specifies otherwise in writing, the Contractor shall obtain, maintain, pay for and provide evidence of insurance coverage, with insurance companies licensed to transact business in the Province of Ontario and not otherwise excluded by the Utility Owner's Insurance and Risk Manager.

1. Commercial General Liability Insurance

Commercial General Liability ("CGL") Insurance shall include as an Additional Insured, the Utility Owner, with limits of not less than \$5 million (\$5,000,000.00) inclusive per occurrence for bodily and personal injury, death and damage to property including loss of use hereof. The CGL insurance will include Cross Liability & Severability of Interest Clauses, Products & Completed Operations coverage (12 months), Owners and Contractors Protective, and Non-Owned Automobile Liability endorsement including standard contractual liability coverage.

2. Automobile Liability Insurance

Automobile Liability Insurance in respect of licensed vehicles shall have limits of not less than \$5 million (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property. Coverage shall be in the form of a Standard owner's form automobile policy providing third party liability and accident benefits insurance and covering licensed vehicles owned, leased or operated by or on behalf of the Contractor.

The Utility Owner shall accept in place of the above mentioned insurance coverage, a combination of primary liability limits and umbrella insurance or excess liability limits which meet the CGL and Automobile Liability limits noted above.

The form of all insurance to be provided herein, shall in all respects be satisfactory to the Utility Owners Insurance and Risk Manager and shall be maintained continuously from either the commencement of the services or the signing of the Contract, whichever is sooner. The policies shall be endorsed to provide the Utility Owner with not less than 30 days written notice in advance of cancellation, change or amendment restricting coverage.

13. The Contractor shall not, without the prior written consent of the Utility Owner, assign this Agreement or any rights of the Contractor under this Agreement.
14. All indemnities provided for in this Agreement shall survive the termination of this Agreement irrespective of the time of or party responsible for such termination and all such indemnities shall remain in full force and effect and be binding on the Contractor notwithstanding such termination.

15. This Agreement, including any schedules attached hereto, constitutes the entire agreement between the parties with respect to the subject matter set out herein and replaces any prior understandings or agreements, whether written or oral, regarding such subject matter.

SCHEDULE "A"

"Allowable Work" means excavation meeting the following criteria within the Contractor's operating area:

Method of Excavation

All depth requirements are from original grade.

Hand excavation either side of a sidewalk to a depth not to exceed 0.25m on private property and not to exceed 0.30m on municipal property - no picks or bars are allowed. Use of a tunneling bar is allowed to bore from one side of the sidewalk to the other immediately below the bottom of the sidewalk only after each side of the sidewalk has first been exposed by hand excavation. The tunneling bar must be operated to ensure it moves from private property to public property.

Hand excavating to a depth not greater than 1.0m and diameter not greater than 0.6m around a survey monument.

Ploughing, mechanical brushing, grading to a depth not to exceed **0.20m**.

Wood and plastic Staking to a depth not to exceed 1.0m on private property and not to exceed 0.30m on municipal property.

Blading or leveling of soil only to create a flat surface for pouring of cement, no digging allowed without full locates (ALA is not valid).

Use of mechanical equipment only to remove concrete and asphalt pavement, and for stump grinding, to a depth not to exceed 0.25m on private property and not to exceed 0.30m on municipal property.

Installation of service cables on private property, by plowing or spading to a depth of not greater than 0.25m and not greater than 0.3m on municipal property.

Pedestal Replacement, hand dug to a depth of not greater than 0.3m, use of a jackhammer is approved for concrete removal but not to exceed the allowable depth. Replacement with new pedestal in the same location

For manhole/sewer grate raising and repairs only:

- Hand excavation to a depth not greater than 0.60m and width not greater than 0.60m beyond edge of manhole/sewer grate. Use of a jackhammer is approved for asphalt and concrete removal only. Work below asphalt and/or concrete to be done with hand tools only – no picks or bars are allowed.

For surveyors only:

- Hand excavation to a depth not greater than 1.0m and a diameter not greater than 0.60m around existing survey monuments.

Vacuum Hydrovac-Excavation:

- All hydro-excavation work is to be completed with the conditions outlined in the "Guideline for Excavation in the Vicinity of Utility Lines" (jointly published by the Electrical Safety Authority and the Technical Standards & Safety Authority). For detailed procedures for using hydro-excavation in the vicinity of pipelines see in Appendix 5.
- Maintenance, repair and removal of existing roadside features not to exceed 1.50m x 1.50m x 1.50m (exceptions apply if shoring is in place in accordance with the guidelines). Above ground maintenance, repair and removal of existing roadside features conducted through a circular hole with a diameter not to exceed 1.0m (Type 1 and Type 2 soil only).
- The pre-engineering design for the purpose of infrastructure depth surveys in order to determine the location of existing underground utilities. The purpose is to map out existing infrastructure in order to

determine the location of utilities that are presently underground within the future construction site. Standard locates must be requested to facilitate the future construction work.

- Minimum clearance requirements shall be maintained for each facility for all installations/replacements during hydrovac-excavation:
 1. Only competent, qualified workers shall operate hydro-excavation equipment;
 2. The maximum water pressure to be used at any time with a straight tip nozzle if during excavation in public roads or easements shall be 17250 kPa (2500 psi). Below a depth of 0.45m (18") the water pressure to be used at any time with a straight tip nozzle¹ shall be reduced to a maximum of 10350 kPa (1500 psi). All pressure measurements are to be taken at the hydro-excavation machine (truck, pump);
 3. The maximum water pressure to be used at any time with a spinning tip nozzle² during excavation shall be 20684 kPa (3000 psi). When a spinning tip nozzle² is used, pressure measurements are to be permanently monitored using a calibrated device mounted on either the hydro-excavation machine (truck, pump) or the wand;
 4. The wand shall never remain motionless during excavation. Aiming directly at the plant shall be avoided at all times;
 5. A distance of 0.2m (8") shall be maintained between the end of the pressure wand nozzle and the plant and/or the subsoil. The nozzle shall never be inserted into the subsoil while excavating above the plant;
 6. Only use hydro-excavation equipment and nozzles that have been specifically designed for use above buried electricity distribution power cables, wires and plant, gas lines or other reasonably expected underground gas plant;
 7. A device capable of stopping the excavation on demand, such as a dead man trigger or valve, shall be installed on the wand;
 8. If heated water is used during excavation, the temperature and pressure of the water shall never exceed 115°F (45 °C) and 17250 kPa (2500 psi) respectively;
 9. If damage to the Utility Owners Underground Plant occurs while using hydro-excavation technology or any other method of excavation, the excavator shall contact the Utility Owner as indicated below.

NOTES:

- 1) Straight Tip Nozzle- A straight tip nozzle is a single orifice fitting that can be inserted into the end of the wand used with a hydro-excavation machine such that there is a single concentrated jet of water exiting from the tip of the nozzle.
- 2) Spinning Tip Nozzle- A spinning tip nozzle consists of a conically shaped housing unit that contains a single exit port (to facilitate the flow).

NOTE: *Restoration* around any exposed Utility Owners Plant shall be to the Utility Owners standard specifications and subject to Utility Owners inspection at the Utility Owners discretion.

Types of Work Allowed

The work must be conducted using one of the excavation methods above.

Landscaping/Forestry

- Installation and service of lawn sprinkler systems
- Installation of fence posts
- Tree planting
- Stump grinding

- Installation of park benches and picnic tables
- Installation of new soil and nursery sod; lawn restoration
- Removal of existing root ball trees

Road Work

- Final permanent repair to surface material
- Final permanent repair to utility cuts
- Removal of temporary surface material, asphalt
- Installation of bus shelters and garbage cans
- Installation of wooden stakes for sidewalk replacement
- Sign Post Replacement

Cable Work

- Cable drop lines
- Installation of service cables by ploughing or spading

Pedestal replacement and flush grade enclosure

- Installation of replacement pedestals and flush grade enclosures

Manhole and Sewer Grates Repairs Only:

- Raising or repairs made around manholes and sewer grates are not to exceed 0.6m beyond edge of manhole or sewer grate and 0.6m in depth. Work below asphalt and or concrete to be done with hand tools only, no picks or bars allowed.

Surveyors

- Hand excavating to a depth not greater than 1.0m and diameter not greater than 0.6m around a survey monument

Type of allowable work using Hydro Vacuum Excavation

- Replacement of existing utility poles
- Removal and replacement of existing fence posts
- Installation of new fence posts, deck posts
- Construction, maintenance, repair, removal of existing roadside features
- Excavation of service pits for repair or maintenance of buried facilities
- Slot trenching for daylighting or installation of underground services
- Pre-Engineering design



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: April 25, 2022

PREPARED BY: Peter Kavcic, Director of Infrastructure and Development Services

REPORT NO: ENG 2022-18

SUBJECT MATTER: Talbotville Wastewater Treatment Plant

Recommendation(s):

THAT Council provide direction to staff on the storage of chemicals at the Talbotville wastewater treatment plant.

Purpose:

The purpose of this report is for Council to provide direction to staff for the storage of chemicals at the Talbotville wastewater treatment plant (WWTP).

Background:

On March 14, Council asked staff to review opportunities for the storage of chemicals at the existing wastewater treatment plant in Talbotville. For the regular chemicals that are required at the WWTP, there are two options for delivery; drums (205L) or pails (20L). Currently, the Township is using 40 pails a month as these can be stored within the WWTP and are easy to handle in a constrained building. If the Township was to consider a drum delivery option, a storage facility or sea container would be required as there isn't sufficient space in the existing WWTP. Additional equipment and pumps would also be required to move chemicals from the storage facility to WWTP.

The storage of chemicals does require the storage facility to be heated, which would require a hydro connection. Additional considerations for insulation may be necessary but aren't included in the estimate. Staff anticipate the storage facility will need to maintain a temperature of 5-10 degrees Celsius.

With the location of the storage facility being installed prior to the expansion of the WWTP, Staff won't know where a suitable permanent location is, until we have fully operated this facility following the expansion. Staff believe this expansion is required within the next 3-5 years, as there is significant development interest in Talbotville. The storage facility location will also need to consider the eventual sludge removal operations which can take place at 250m³/day. With this, it is likely the storage facility will need to be where the future WWTP expansion is located, as there is limited space at the WWTP site. The current average flows at the WWTP are 122.9 m³/day

Communication Requirements:

If the Township were to consider additional storage facility or sea container, Staff believe it would be good practice to reach out to the Conversation Authority to see if there are any concerns with the storage facility in the regulated area. Upon further review in the zoning bylaw, a site plan process is not required for this accessory structure. While site plan approval is not required, a sea container requires a building permit application to be submitted along with ground anchoring details, which must be engineered since this is outside the OBC.

High Level Cost Estimates:

Below is a cost breakdown of each option that is being considered:

Drum (205L) = \$224.5 per drum

Pail (20L) = \$31.48 per pail

Table 1: Comparing Cost of Pails vs. Drums

| Pails | | Drums | |
|-------------------------------|-------------|--|--------------------|
| Items | Cost | Items | Costs |
| Chemicals | \$15,110 | Chemicals | \$10,513 |
| | | New sea container (10 ft) | \$6,100 |
| | | Engineering/construction work for permit | \$5,000 |
| | | Electrical work | \$1,000 |
| | | Monthly hydro bill | Approx. \$50/month |
| Yearly Costs | \$15,110 | | \$11,513 |
| One time Capital Costs | | | \$12,100 |

Table 2: Breakeven point between two options

| Year | Pails | Drum | Difference (Pails-Drum) |
|-------------|--------------|-------------|--------------------------------|
| 1 | \$15,110 | \$23,613 | -\$8,503 |
| 2 | \$15,110 | \$11,513 | -\$4,906 |
| 3 | \$15,110 | \$11,513 | -\$1,309 |
| 4 | \$15,110 | \$11,513 | \$2,288 |

Based on the above estimate, the drum option is more economical within the fourth operation year.

Comparison BreakdownOption 1 – Chemicals being delivered in pails

- Cost effective option in years 1-3
- Easier to operate within constrained WWTP site
- Requires less coordination with KCCA and potentially MECP
- Storage of large drum of chemicals will be accommodated during WWTP expansion, as we don't appreciate full operational constraints of site for storage facility

Option 2 – Chemicals being delivered in drums with storage facility

- Cost effective option within fourth operation year
- Storage facility will need to be heated and additional sea container could be a security concern for theft
- Sea container will likely be in a temporary location which will require Township to then remove sea container and hydro connection if it isn't compatible with future WWTP expansion
- Result in increased operational costs for WWTP ie. Added OCWA costs to operate
- Insulation and added costs of OCWA handling chemicals not included in estimate
- Added engineering costs to anchor the sea container are a very preliminary estimate.

Financial Implications:

N/A

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.

☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety

☒ Exercising good financial stewardship in the management of Township expenditures and revenues.

☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Peter Kavcic, P.Eng.
Director of Infrastructure and
Development Services
"Submitted electronically"

Approved by:
Lisa Higgs, CAO/Clerk
"Approved electronically"



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: April 25, 2022

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO: CAO 2022-20

SUBJECT MATTER: Talbotville Station Technical Advisory Committee Update

Recommendation:

THAT Council receives this report as information;

AND THAT Council provides direction to staff to begin the drafting of an RFP for the construction of a new Fire Hall, for when the lands do become available.

Purpose:

To provide Council with updated information on the recommendations made to date by the Talbotville Station Technical Advisory Committee.

Background:

In 2019, Southwold Council appointed the Talbotville Station Technical Advisory Committee and adopted the Terms of Reference under which this committee would operate. The purpose of the Committee is:

"To ensure the Township receives a properly located, appropriately designed, and financially suitable building, that will serve the Fire Department for several decades."

The Role of the Committee is:

"To make recommendations to Council on the properly located, appropriately designed and financially suitable building, that will serve the Fire Department".

At the Committee's formation, the initial timeline for events to ensure that the Talbotville Station was constructed on time was proposed as follows:

April 2019 – Establish Committee Members and Terms of Reference for Committee

May 2019 – July 2019 – Recommendations of Possible Sites for the Hall, land size requirements, report to Council

July 2019 – December 2019 – Secure Land for Hall (via contact with property owners in Talbotville Area)

January 2020 – June 2020 – Needs Assessment, Public Information Session, Report to Council

June 2020 – September – RFP Design of Building

February 2021 – Tender Construction

The Committee met in 2019 and established their Terms of Reference, which is to serve an advisory role to Council and provide recommendations on the various elements of the project. In 2019, the committee proposed a recommendation for land acreage (3 – 4 acres in total) and size and a potential site for the location of the new fire hall (immediately adjacent to the existing site).

A report in Closed Session included on the April 25, 2022 agenda details the status of the land acquisition for the Fire Hall, which has been delayed. In the interim, the Committee has not been meeting since they have been waiting for confirmation on the lands.

While the land acquisition is still ongoing, staff are recommending that the Committee can be engaged for feedback on the needs assessment and recommendation of elements to be included in the hall, so that staff can initiate drafting various purchasing documents that will be required. The below comments represent that various items that the Committee has discussed to date, including significant feedback provided at their meeting on April 19th, 2022.

Comments:

As part of their meetings in 2019, the Committee has completed a preliminary needs assessment and have provided discussion on various items that they are recommended should be either included or excluded from the elements in the Talbotville Station. As a part of this initiative, the committee also completed tours of various facilities.

Needs Assessment Results and Recommendations for Inclusion/Exclusion:

| RECOMMENDED INCLUSIONS | RECOMMENDED EXCLUSIONS |
|---|---|
| General | |
| | Stone work on exterior of building (costly) |
| | Communications Tower |
| | Community Room |
| | Net Zero/Geo Building |
| Separation between 'clean' & 'dirty' side | |
| Water filling station | |
| Kitchen | |
| Bays | |
| Able to accommodate at least 6 trucks | |
| Pull through bays | |
| Larger storage closest off clean side of apparatus bay | |
| Windows for natural light | |
| Smoked plexiglass doors | |
| Site Work | |
| Parking lot for fire fighters on "dirty" side of building | |
| Hydro and Water Services | |
| Training Room | |
| Accommodate up to 30-50 Firefighters (650 sq. ft) | |
| Able to be easily separated from fire hall operations | |

There were many items that the Committee was consulted on at their meeting on April 19th to assist in the design of a possible RFP. Below is a summary of the feedback they provided.

Administrative Areas/Room Types:

- The committee suggested that there should be office space requirements potentially for use by the Chief, district chiefs, FPO, Training Officer. It was noted that 4 Offices recommended overall by the committee for Fire Services use. Committee members noted that there is Office Space in Shedden too which currently houses the Chief and Training Officer as well as Fire Coordinator, so the envision the offices being flexible and also suggested that the training room can serve as open office space if needed. There was discussion on whether to provide office space for OPP and EMS and it was

recommended by the committee that a docking station for OPP/EMS could be available in the training room. There was a recommendation that there should also be parking for OPP/EMS parking shared space. The Committee was not opposed to a Building Department Satellite office/other municipal office, so long as it was if done correctly – with parking and appropriate space.

Public Education Office/Design element

The Committee discussed that a specific space for A/V storage, public bulletin boards, social media opportunities, education area, and office were not specifically required, but that storage space in general should be ample and available

Training Room AV/Technology requirements?

To accommodate long term planning, the committee suggested that 50 people should be accommodated at once, comfortably and that there may be an opportunity for this space to be used by the fire training school. A recommended size of space was approximately 40'X60'.

Maintenance recommendations for buildings

The Committee emphasized that the preferred materials for construction should be hard surface, long-lasting and low maintenance materials.

Public Use of the Building

The Committee suggested that public use of the building should be limited, to include elements such as open houses and Fire Prevention events, school tours, but does not support the idea of a community room being included in the plans. The Committee expressed concerns with conflict between Fire Response and community use of the facility, especially as it relates to parking and events afterhours.

Future flexibility

The committee recommended that the design allow for future growth/expansion/additions/renovations.

Cost Effective/Energy Efficiency

The Committee discussed that they do not recommend a "Net Zero" building construction concept since they do not feel it is a cost effective and the Return On Investment needs to be logical.

Compatibility with Adjacent Properties

Since there are no existing compatibility issues with adjacent properties, the committee suggested that there will likely not be complaints from existing residents.

Storage Requirements

The Committee suggested that there should be significant storage space available throughout the hall, including possible mezzanine space above apparatus bays, if available. They also emphasized a need for storage of fuel/propane/hazardous storage

Kitchen/Eating area

The Committee recommends a small kitchen (12'X14' estimated size) with a server window, very similar to Shedden. They are suggesting that the training room would serve as an eating area.

Lounge/social room

The Committee feels that a lounge/social room is not necessary for this construction and indicated that the training room would provide flexibility to serve this purpose.

Washroom, Locker, and Shower Space

The Committee recommends that there be a Men's, Women's, & Universal washroom with only the universal washroom to have shower. The Committee suggested that there is no need for additional showers beyond 1 in universal washroom; gear lockers for each fire personnel (for gear), personal lockers as well to be considered.

Other On-site Amenities

The Committee recommends that the plans should include an on-site generator, work bench area, service area for equipment, industrial washing machine, laundry tub, and a water fill station for the trucks. There was a discussion on an SCBA filling station being installed on site, with the Committee suggesting this is a 'nice to have' item vs. a 'need to have', however they acknowledged that more investigation was needed on the cost/benefit of on site filling vs. using St. Thomas for this service.

Outdoor training

The Committee suggested that the space is sufficient for outdoor training but that the site plan should include a fire hydrant placed in a logical area for training purposes

Treatment of existing facility

The Committee indicated in the past that they are agreeable to re-using the existing hall as Office/storage space but that it is not suitable for bay space. Committee members suggested that this space could house the kitchen, training room, offices. The idea of the Committee would be to keep the existing bay while new ones are being constructed. Committee members are going to confer with the Township building department to talk about this option and the code implications in terms of cost.

Parking

The Committee suggested that there is a need parking for both stations' personnel as well as public parking.

Form of Tender/RFP

The Committee suggested that the RFP be drafted to include a design/build option since the Committee is of the opinion that this can lead to both cost and time saving efficiencies.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☐ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Lisa Higgs, CAO/Clerk



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: April 25, 2022

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO: CAO 2022-21

SUBJECT MATTER: Procedural By-Law Updates for Virtual Meetings

Recommendation:

THAT Report CAO-2022-21 re Procedural By-law Updates for Virtual Meetings be received for information;

AND THAT Council give consideration to By-Law No. 2022-32 included on the April 25, 2022 Agenda.

Purpose:

To provide Council with updated information on the required amendment to the Procedural By-Law to allow for ongoing virtual participation in meetings, outside of a provincially declared state of emergency.

Background:

On March 24th 2020, Council enacted By-Law No. 2020-20, which is a By-Law to amend the Township's procedural By-Law. The amendments were enacted to allow for electronic participation in council meetings, which was required in light of the COVID-19 Pandemic and the declared provincial state of emergency.

Comments:

Under Section 38 of the Municipality's Procedural By-law Council meetings may be conducted virtually; however, this Section only applies to Declared States of Emergency.

As Council is aware, the County of Elgin and numerous lower tier municipalities lifted the existing COVID-19 Emergency Declaration effective April 8, 2022. Based upon the way the Procedural By-law is currently written, there is no provision to conduct virtual meetings and/or permit electronic participation in same outside of a Declared State of Emergency.

In accordance, staff are recommending that Section 38 of the Procedural By-law be renamed and amended to permit electronic participation generally, even outside of a

provincially declared emergency. Suggested revised language for the entire Section 38 is below:

38. Electronic Participation

- 38.1 Notwithstanding that set forth in Section 6, and in accordance with the *COVID-19 Economic Recovery Act, 2020* to amend the *Municipal Act, 2001*, the following rules and regulations for electronic participation in a Council Meeting shall apply:
- a) A Member who is unable to attend a Council Meeting in person may participate in that Meeting by electronic or other communication facilities if the facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.
 - b) Except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.
 - c) A Member who intends to participate in any such Meeting of Council by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting. In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.
 - d) There shall be no limit upon the number of Members who may attend a Meeting of Council by electronic or other communication facilities.
 - e) The Mayor (or designate), as Chair, shall lead the Meeting and be present from a designated meeting location supported by the CAO (or designate), where possible.

- f) Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when he or she joins the Meeting and, if and when applicable, upon leaving the Meeting.
- g) Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
- h) Any Member attending and present during a Meeting by electronic or other communication facilities may participate in all aspects of the Meeting as if present in person, including but not limited to debate, questioning, presentation of motion, and/or voting.
- i) During the course of a Meeting within which any Member is participating by electronic or other communication facilities, the Chair (or designate) shall announce each agenda item on the floor of the Meeting and shall thereafter maintain an orderly meeting process, including keeping Members fully informed.
- j) Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted and, as set forth below, duly recorded.
- k) During the course of each vote conducted within such Meeting:
 - i. All votes shall be a recorded vote conducted by the Clerk, as directed by the Chair, unless Council decides otherwise.
 - ii. The Clerk shall call the name of each Member to vote and shall thereafter record such indicated vote of that Member as "yes" or "no".
 - iii. If the Member, whether present in person or electronically and after two attempts, fails to respond to the call of his or her name, then the vote is recorded as "no", unless directed otherwise by the Chair.
 - iv. The Clerk shall announce the results of the vote to the Chair and Council, including announcement of the specific vote of each Member as either "yes" or "no".
- l) During the course of the Meeting:

- i. Each Member shall remain silent and attentive to the proceeding when not assigned to the floor by the Chair.
- ii. Each Member shall listen for their name to be assigned to the floor to speak or to vote.
- iii. All Members shall take and abide by the directions of the Chair in order to facilitate an effective, efficient, and orderly Meeting.

38.2 The rules and regulations set forth under Section 38.1 of this By-law shall also be applicable to any Council Meeting held during any period in which an emergency has been declared to exist in all or part of the territorial limits of the Township of Southwold pursuant to either section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
- ☐ Providing improved transportation and a strong commitment to asset management with a goal of maintaining the Township's infrastructure in the promotion of public safety
- ☐ Exercising good financial stewardship in the management of Township expenditures and revenues.
- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Lisa Higgs, CAO/Clerk



TOWNSHIP OF SOUTHWOLD

Report to Council

MEETING DATE: April 25, 2022

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO: CAO 2022-22

SUBJECT MATTER: Election Procedures – 2022 Election

Recommendation:

THAT Report CAO-2022-22 be received as information;

AND THAT Council adopt the 2022 Election Procedures which use the alternative voting method of Vote By Mail and Tabulators that use optimal scanning technology.

Purpose:

To provide Council with the election procedures for the 2022 Election.

Background:

The 2022 Municipal Election will be held on Monday October 24, 2022 and, pursuant to the Township of Southwold's By-law No. 2021-40 will be conducted using the Vote by Mail process and vote counting equipment. Every voter has the responsibility to complete his/her ballot in accordance with the instructions provided with the Voting Kit and return the ballot to the appropriate location.

The Municipal Election Act S.42(3)(a), requires that procedures and forms be developed for the Vote-By-Mail process and further that a copy of the procedures must be available to each candidate when his or her nomination is filed. The Act requires that these procedures be established by May 1st of the election year.

The 2022 Election procedures are attached to this report.

Comments:

The 2022 Election procedures are very similar to the procedures used in 2018, with minor adjustments based on staff's experience. The procedures themselves have been updated to reflect the Township's new branding and small corrections and date changes to align with 2022's calendar. Compared to the 2018 procedures, there are also new sections on Programming and Testing of Central Count Tabulators, Tabulating and Counting of Ballots and Tabulation Procedures.

These procedures will be available on the municipal website and provided to each candidate. There are abilities in the procedures for the municipal Clerk to make amendments as required to the procedures and a mandate that the Clerk will provide all candidates with copies of any amendments made to the procedures.

Strategic Plan Goals:

The above recommendation helps the Township meet the Strategic Plan Goal of:

- ☐ Promoting residential, agricultural, commercial, and industrial development by ensuring policies and services are in place to support growth in The Township of Southwold.
- ☐ Promoting a healthy, naturally beautiful, and community-oriented municipality by encouraging and supporting involvement of volunteer organizations wishing to provide cultural and recreational activities in the Township of Southwold.
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- ☒ Promoting public engagement, transparent government, and strong communications with all members of the community across various mediums for the strengthening of civic participation.

Respectfully Submitted by:
Lisa Higgs, CAO/Clerk



MUNICIPALITY OF SOUTHWOLD TOWNSHIP

MUNICIPAL ELECTION OCTOBER 24, 2022

PROCEDURES FOR ALTERNATIVE VOTING METHOD - VOTE BY MAIL

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PART I - INTRODUCTION

The 2022 Municipal Election will be held on Monday October 24, 2022 and, pursuant to the Township of Southwold's By-law No. 2021-40, will be conducted using the Vote by Mail process as an alternative voting method for the 2022 Municipal Election. The *Municipal Elections Act, 1996* provides that when a by-law authorizing the use of an alternative voting method is in effect, Section 43 (advance votes) and Section 44 (voting proxies) apply only if the by-law so specifies. Pursuant to the By-law, Council has authorized the elimination of advance voting and proxy voting other than Ballot Return Stations.

Section 42(3) of the *Act* requires that the Clerk establish procedures and forms for the use of any alternative voting method; and that a copy of such procedures and forms be provided to each candidate. The purpose of this document is to establish procedures for the use of the Vote by Mail method that are consistent with the principles of the *Municipal Elections Act, 1996*. It is noted that the Clerk, in the role of Returning Officer, may need to vary from these prescribed rules, or develop additional ones, from time to time if necessary.

This alternative voting method is used to ensure that every eligible voter has an opportunity to exercise his/her right to vote. It is anticipated that designated Election Officials, candidates, voters and all other stakeholders will work together to ensure the integrity of the system.

The Clerk may at any time, up to and including Voting Day, amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate.

With respect to matters of policy and procedures for alternative voting methods, the Clerk's decision is final.

Information and Notice of Election will be updated and posted on the Public Notice Election Board located at the Municipal Office and on the Municipal Website.

Questions regarding these procedures are welcome. Please contact the Municipal Clerk during regular office hours or call 519-769-2010, if you have any comments or questions.

PART II - KEY DATES FOR 2022 MUNICIPAL ELECTION

| ITEM | MEA Reference | Date or Time Period |
|-------------------------------------|------------------------|--|
| Nomination & Campaign Period Begins | S. 31, S.33 (4)) | May 2 nd - August 19 th , 2022 |
| Voter's List Produced | (S.23(2)(a)) (s.65(4)) | On or before September 1st, 2022 |
| Nomination Day | (S.31, 33(4)) | August 19 th , 2022 (9 am to 2pm) |
| Certification of Nominations | (S.35(1.1)) | August 22 nd , 2022 (before 4pm) |
| Revision Period for Voter's List | (S.24) | September 1 st , 2022 to October 24 th , 2022 |
| Reproduction of Voter's List | (S. 23(2)) | September 6 th , 2022 |
| Ballot packages mailed to Electors | Not Applicable | Week of September 26 th , 2022 |
| Election Day | (S. 5) | October 24 th , 2022 |
| Official Declaration of Votes | (S.55 (4)) | October 25 th , 2022 ("As soon as possible after voting day") |
| Council Term Begins | S. 6(1) | November 15 th , 2022 |
| Inaugural Council Meeting | M.A. | December 5 th , 2022 |
| Campaign Period Ends | (S.68) | January 3 rd , 2023 |
| Financial filing Deadline | (S. 77) | Last Friday in March (March 31 st , 2023) |
| Guaranteed date for mail return | | (TBD) |

PART III - DEFINITIONS

"ASSISTANT RETURNING OFFICER" shall be a person appointed by oath with the responsibility for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures.

"BALLOT BOX" shall mean a sealed box secured at the Municipal Administration Office, in which ballots are kept in advance of the close of polls.

"BALLOT RETURN STATION" shall mean a voting place under the general supervision of a designated Election Official where electors, who prefer to deliver or have delivered their completed ballots, may deposit their ballots directly into the care of the Clerk or designated Election Official rather than forwarding their ballots by mail.

"CLERK" shall mean the Clerk of The Corporation of the Township of Southwold.

"CLOSE OF VOTING" shall be 8:00 p.m. Eastern Standard Time on Election Day.

"CONTINUOUS DROP BOX LOCATION" shall be the Municipal Administration Office located at 35663 Fingal Line, Fingal, Ontario. A drop box shall be available for the drop off of Return Envelopes during regular office hours starting on the day that Voting Kits are mailed to voters through to and including Election Day. The drop box will be available for usage during regular office hours during this period, except on Election Day, when the office will be open from 8:00 a.m. through to the Close of Voting. The after hours drop box shall be available for the drop off of Return Envelopes anytime, 24 hours a day, 7 days a week until Election Day at 8:00 p.m.

"COUNCIL" shall mean the Council of The Corporation of the Township of Southwold.

"COUNTING LOCATION" shall mean the Municipal Administration Office located at 35663 Fingal Line, Fingal and/or any other location that the Clerk deems appropriate.

"DEPUTY RETURNING OFFICER" shall be a person appointed by oath to act in place of the Clerk in respect of administering oaths, revision of the voters' list, ensuring security, updating the voters' list, carrying out the counting of votes in a ballot box and other duties as may be delegated by the Returning Officer.

"DROP BOX" shall be a box in which Return Envelopes and Secrecy Envelopes are placed by persons delivering their ballots in person to either the Continuous Drop Box Location or Ballot Return Station.

"ELECTION DAY" shall be Monday, October 24th, 2022.

"ELECTION OFFICIAL" shall be a person, appointed by the Clerk, with responsibility to assist in the administration of the election process and for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures.

"GUARANTEED DATE FOR MAIL RETURN" shall be the date that Canada Post guarantees the return of voting packages deposited in Mail Boxes anywhere in Canada. This date is yet to be determined.

"MUNICIPAL OFFICE", unless otherwise specified, shall mean the Township of Southwold Municipal Administration Office located at 35663 Fingal Line, Fingal.

"REPLACEMENT VOTING KIT" shall mean a set of documents which consists of: a Voting Declaration and Instruction Form, a Ballot(s), an Inner Ballot Secrecy Envelope, an outer Return Envelope with prepaid postage, and such other necessary material as the Clerk or designated Election Official determines. The declaration form shall bear the initials of the Returning Officer, Election Official or the Assistant Returning Officer.

"RETURN ENVELOPE" shall be a prepaid postage envelope addressed to the Municipal Office that is either returned by mail to the Municipal Office or is dropped off at the Continuous Drop Box Location or other Ballot Return Station. Each Return Envelope should contain both a Voter Declaration Form and an Inner Ballot Secrecy Envelope containing one (1) ballot.

"RETURNING OFFICER" shall be the Clerk of The Corporation of the Township of Southwold with responsibility for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures. As Returning Officer, the Clerk is empowered by legislation to conduct the election and may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk's opinion, necessary or desirable for conducting the election.

"REVISION OFFICE" shall be the Municipal Office whereby electors may make changes to information contained in the voter's list, as described in these procedures.

"VALID MARK" shall mean a mark within the space designated for the marking of the ballot to the right of the name of each candidate and it is "clearly evident that the intent of the voter was to cast a vote".

"VENDOR" shall mean the vendor authorized by Council to provide the Vote by Mail Services for the Municipal Election. For the purpose of the 2022 Municipal Elections, the Vendor will be DataFix.

"VOTE BY MAIL" shall apply to all voting in the 2022 Municipal Election in the Township of Southwold.

"VOTING DAY" shall mean October 24th, 2022.

"VOTER DECLARATION FORM" shall be a slip upon which the qualifying address of the voter is indicated as well as a space for the voter's signature and name. This documentation signifies the voter's declaration that he/she is the person eligible to vote in the election, and this declaration must accompany every ballot submitted.

"VOTERS' LIST" shall be a list showing all eligible electors within the Municipality of Southwold, as provided by the Municipal Property Assessment Corporation (MPAC) and revised by the Returning Officer or Assistant Returning Officer or Election Official pursuant to the provisions of the *Municipal Elections Act, 1996*.

"VOTING KIT" shall consist of a Voter Declaration and Instruction Form, a Ballot(s), an Inner Ballot Secrecy Envelope, an outer Return Envelope with prepaid postage, and such other necessary material as the Municipal Clerk determines.

PART IV - ALTERNATIVE VOTING PROCEDURES - VOTE BY MAIL OVERVIEW

The Township of Southwold will again be utilizing an alternative method of voting - VOTE BY MAIL - for the 2022 Municipal Election being held on Monday October 24th, 2022.

Voters will receive a Voting Kit in the mail on or about the last week of September. The Voting Kit will contain all of the materials required to place their vote by mail. The voter simply follows the instructions in their kit, deposits their ballot in the mail using the postage paid response envelope, and Canada Post will deliver the ballots to the Municipal Office for tabulating by Election Day.

Electors who apply to revise the Voter's List before September 1st, 2022, will receive their Voting Kit by mail. The Voting Kit will contain a voting instruction sheet and Voter Declaration Form; a ballot; a ballot secrecy envelope; a 'Voter Declaration Form'; and a postage prepaid return envelope in which to return the required materials to the Returning Officer.

Electors who do not receive their personal Voting Kit, or who receive a Voting Kit with incorrect information, must have their own information revised on the Voter's List in order to receive their own Voting Kit. After September 1st, electors who revise their own information on the Voter's List will be issued their Replacement Voting Kit at the time that they submit such revision. Any person who receives a Voting Kit addressed to another person should contact the Municipal Office to receive further information as **it is against the law to exercise a vote other than your OWN vote.**

Return Envelopes will be received daily by mail and also by drop-off at the Municipal Office. Designated Election Officials will remove the secrecy envelope from the return envelope, and update the Voter's Lists to show that the voter identified on the Voter Declaration Form has cast a ballot. The secrecy envelope will then be secured in a ballot box.

Should voters be unable, or choose not to mail their vote, a ballot return station at the Municipal Office will protect their right to vote by allowing them to deliver their ballots in person right up to the close of elections.

Ballot Return Station Location

Township Administration Office
35663 Fingal Line, Fingal

Drop-off Times

In the after hours drop box anytime,
24 hours a day, 7 days a week,

until October 24th (Election Day)
at 8:00 p.m.

Assistance will be available at the Municipal Office. Please drop in during regular office hours or call 519-769-2010 if you have any questions.

PART V - ELECTION PROCEDURES

Procedures and forms have been developed for this alternative voting procedure, as required by s.42(3)(a), and will be revised as necessary.

1. ELECTION OFFICIALS

- 1.1 The Municipal Clerk is responsible for conducting the Municipal Election, establishing the procedures and rules and interpreting the procedures and rules except as varied by a Court.
- 1.2 The Clerk may appoint, in writing, Deputy Returning Officers (DRO's) and such other designated Election Officials as required to assist in the administration of the election process, including but not limited to, revising the Voters' List, management, security and control of the Vote by Mail election system, counting ballots, tabulating results, issuance of notices, printing of materials, and attendance at Ballot Return Stations.
- 1.3 Written appointments of designated Election Officials and delegation of duties shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996*, as amended.

2. ELECTION STAFF

- 2.1 Clerk shall appoint Deputy Returning Officers or designated Election sOfficials in writing and they shall be required to attend training session, as required by the Clerk, at a time and place as designated by the Clerk.
- 2.2 To avoid suggestions of conflict and to protect the integrity of the election process, the following are ineligible to be appointed as designated Election Officials by the Clerk:
 - persons under 18 years of age;

- a candidate;
- spouse, child of a candidate;
- scrutineers;
- candidate's financial officer;
- campaign manager, spokespersons or worker;
- persons convicted under the Municipal Elections Act or earlier version thereof;
- persons barred from being a candidate in the current election; and
- any other person deemed inappropriate by the Clerk having regard for the public interest or the integrity of the election process.

2.3 The Clerk's decisions regarding the appointment or non-appointment of designated Election Officials shall be final and not open for review.

3. SCRUTINEERS

- 3.1 A certified candidate may appoint, in writing, scrutineers to be present during the counting of the votes. All scrutineers will be required to show proof of appointment in the form prescribed by the Clerk or designated Election Official. Prescribed forms are available from the Clerk or designated Election Official.
- 3.2 Candidates may appoint scrutineers, who must swear or solemnly affirm an oath.
- 3.3 Scrutineers will produce a copy of their appointment, upon request, to prove that they are entitled to receive a record of voters who have voted, and observe the updating of the Voters' List, processing of Return Envelopes, removal of ballots from the Inner Ballot Secrecy Envelopes, vote counting, and recount procedures, if necessary.
- 3.4 The rights of scrutineers are set out in the *Municipal Elections Act*, subject to whatever modifications are necessary to accommodate the Vote by Mail process.
- 3.5 One scrutineer for each candidate is permitted for each ballot box in the Counting Location, but the number of permitted scrutineers will be reduced by one while the candidate who appointed them is present.

- 3.6 All scrutineers must comply with the procedures that are set out on their Appointment Form and identified in Appendix "B" attached hereto.

4. PRELIMINARY LIST AND VOTERS' LIST

- 4.1 The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Township of Southwold with the Preliminary List for municipal elections. The Preliminary List, as corrected by the Clerk under Section 22 of the Municipal Elections Act, 1996, shall constitute the Voters' List.
- 4.2 The preliminary list and the Voters' List are public documents and may be inspected by the public at the Municipal Office during regular office hours from 8:30 a.m. to 4:30 p.m., Monday to Friday. On Election Day, the office will be open from 8:30 a.m. through to the Close of Voting.
- 4.3 No person shall use information obtained from these lists, except for election purposes. The use and sale of these lists for commercial purposes is PROHIBITED.
- 4.4 Upon receipt of a written request from a candidate for an office, the Clerk or designated Election Official shall provide him/her with a copy of the part of the Voters' List that contains the names of the voters who are entitled to vote for that office. Candidates will be required to sign a declaration, stating that the Voters' List will be used for election purposes only.

5. VOTERS' QUALIFICATIONS

- 5.1 A voter is entitled to vote once in a municipality where he or she resides even if the voter has more than one qualifying property address, a voter may only have one permanent residence.
- 5.2 A voter may be asked to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter. Acceptable Identification is prescribed and attached as Appendix "B".
- 5.3 **Qualifications of Electors**

17(2) *A person is entitled to be an elector at an election held in a local municipality if on voting date, he or she,*

- (a) *resides in the local municipality, or is the owner or tenant of land there, or is the spouse or same-sex partner 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.*

5.4 **Persons Prohibited from Voting**

17(3) *The following persons are prohibited from voting:*

- (a) *a person who is serving a sentence of imprisonment in a penal or correctional institution,*
- (b) *a corporation,*
- (c) *a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44, and*
- (d) *a person who was convicted of the corrupt practice described in subsection 90(3), if Voting Day in the current election is less than five (5) years after Voting Day in the election in respect of which he or she was convicted.*

5.5 A voter must complete the Voter Declaration Form provided in the Vote by Mail kit to declare his or her eligibility to vote in this election.

6. **NOTICES**

When required under the Act, notices will be published in a newspaper having general circulation in the Municipality. In addition, at the discretion of the Returning Officer, notices will also be posted on the street front display window at the Municipal Office and/or on the Public Notice Board located at the Municipal Office and/or on the Municipal Website & Social Media Pages and/or a mass mailing to all residents of Southwold. All notices will be published/posted in the English language only.

6.1 **Notice of Election Information:** Information regarding the election will include the location of the Ballot Return Station, the dates and times on

which the station will be opened, and other relevant information as determined by the Clerk.

- 6.2 **Notice of Revision of Voters' List:** The period for revisions to the Voters' List begins the Tuesday after Labour Day (September 6th, 2022) and ends at the close of Voting on Voting Day.
- 6.3 **Notice of Nomination:** The nomination period is from May 2nd, 2022 to August 19th, 2022.
- 6.4 **Certified Election Results:** The certified election results shall be published as soon as possible after Voting Day.

The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

7. REVISION OF THE VOTERS' LIST PROCEDURE

- 7.1 The period for revisions to the Voters' List begins the Tuesday after Labour Day (September 6th, 2022) and ends at the close of Voting on Voting Day.
- 7.2 Persons, upon application in writing on the prescribed form to the Clerk or designated Election Official, may have their name added, removed, or information added or amended on the Voters' List.
- 7.3 A voter will be asked to provide, to the designated Election Official, the prescribed proof of identity and residence or complete an application in the prescribed form, including a statutory declaration, to prove his/her right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.

In addition, a voter may be asked to provide proof of citizenship, such as a birth certificate, Canadian Citizenship certificate or other such documentation.

- 7.4 Applications to remove another person's name from the Voters' List begins the Tuesday after Labour Day and ends on Nomination Day. Application must be made in writing on the prescribed form to the Clerk or designated Election Official.

- 7.5 Revisions to the Voters' List will be conducted at the Municipal Office, on forms available from the Clerk's Department, during regular office hours up to and including Election Day. On Election Day revisions can take place up to the close of voting.
- 7.6 The Clerk or designated Election Official will maintain a list of changes. Applications to revise the Voters' List may be filed in person or by mail by the applicant or in person by an agent. Applications must be filed in accordance with the *Municipal Elections Act, 1996*, Section 24 and Section 25.
- 7.7 Upon determination of all applications for revision to the Voters' List received on or prior to Nomination Day, the Clerk will compile a statement of all changes and within ten (10) days after Nomination Day send a copy of the statement to each person who was provided with a copy of the Voters' List. After the Statement of Changes to the Voters' List has been compiled, the original list and the Statement of Changes together make up the Voter's List.
- 7.8 The Clerk shall certify the Voters' List as revised. Only persons on this Voters' List and those added by revision are entitled to vote.
- 7.9 It must be emphasized that, in a Vote by Mail system, the onus is on ELIGIBLE VOTERS TO ENSURE that their NAMES and RELEVANT INFORMATION are on the Voters' List. Due to time constraints, the Clerk or designated Election Official cannot ensure that Voting Kits mailed out after the guaranteed date for mail return will reach voters in time for them to exercise their right to vote.

8. NOMINATIONS

- 8.1 Nominations are to be filed with the Clerk or designated Election Official at the Municipal Office, in person or through an agent during normal office hours from May 2nd, 2022 to August 18th, 2022 between the hours of 8:30 a.m. to 4:30 p.m. The nomination paper may not be faxed or e-mailed.
- 8.2 On Nomination Day (August 19th, 2022), the prescribed filing time

is 9:00 a.m. to 2:00 p.m. and nominations will be accepted at the Municipal Office only. Nominations will be closed at 2:00 p.m. sharp and only those persons within the office at that time will be considered for filing.

- 8.3 Nominations must be on the prescribed form and accompanied by the prescribed fee. (Councillor or Deputy Mayor – one hundred dollars, Mayor – two hundred dollars – cash (including debit), Visa or Mastercard, money order or certified cheque). Candidates will be required to provide photo-identification when submitting the nomination forms.
- 8.4 All candidates must provide designated Election Officials with proof of identity and qualifying address within the municipality when filing a nomination. If an agent is filing on behalf of a candidate, the agent must provide a copy of the candidate's proof of identity as well as their own.
- 8.5 Nomination forms received on or before Nomination Day will be reviewed for completeness when filed and will be certified at a later date, on or before 4:00 p.m. the Monday following Nomination Day (August 22nd, 2022).
- 8.6 The Nominee's Name as it is to appear on the ballot is subject to approval of the Clerk.
- 8.7 Notice of Offices for which persons may be nominated and nomination procedures shall be given by advertisement in the local newspapers with general circulation prior to Nomination Day.
- 8.8 An unofficial list of persons who have submitted nomination forms and the office that they are seeking election to, shall be updated as soon as practical after receipt of nomination papers. The list will also be included on the Township of Southwold Website (www.southwold.ca) and posted on the Public Notice Board located at the Municipal Office.
- 8.9 An official list shall be posted once nomination forms have been certified and the nomination period has expired.
- 8.10 A candidate is entitled to a refund of the nomination filing fee if: they are elected to office; they receive more than 2% of the votes cast in the

election; or they withdraw their nomination before 2:00 p.m. on Nomination Day.

8.11 The Clerk's decision to certify or reject a nomination is final.

9. Withdrawal of Nominations

9.1 A candidate shall appear in person, with identification in order to withdraw their nomination in the Clerk's Office before 2 p.m. on Nomination Day, being Friday, August 19th, 2022. An agent shall also appear in person, with identification and a Letter of Authorization to represent the candidate in order to withdraw the candidate's nomination.

9.2 **Nominations for One Office Only** – If a person has been nominated for an office and is nominated for another office, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed.

9.3 The process for receiving a Withdrawal of Nomination shall be as follows:

9.3.1 Get the candidate's file and nomination paper.

9.3.2 Provide the candidate with a copy of the "Withdrawal of Nomination Form". Ensure that all information is filled out correctly. Fill in 'Clerk or Designate' box.

9.3.3 Provide a copy of the form and inform the candidate that the filing fee will be reimbursed by cheque and upon receipt of the completed Financial Statement. The original form, copy of the cheque and the Financial Statement shall be placed in the candidate's file.

9.3.4 Remove the candidate's name from the 'Unofficial List of Candidates'.

10. Maximum Campaign Expenses

10.1 The period begins on the date a candidate files their nomination and ends on January 3rd, 2023 or the day the nomination is withdrawn or rejected by the Clerk.

- 10.2 During the campaign period, expenses shall not exceed the amount calculated in accordance with the prescribed formula.
- 10.3 Upon the filing of a person's nomination, the clerk shall calculate the applicable maximum amount of the person's expenses, as of the filing date, using the number of electors determined from the voters' list from the previous election, and shall give the person, or the agent filing the nomination for the person, a certificate of the applicable maximum amount as of the filing date.
- 10.4 The Clerk will, on September 26th 2022, calculate the maximum campaign expenses for each office for which nominations were filed and prepare a Certificate of Maximum Campaign Spending Limits for each certified candidate.

Whichever of the above two amounts is higher, it becomes the candidate's official spending limit. The Clerk's calculation of the maximum campaign expenses is final.

11. Financial Reporting

- 11.1 The Clerk will, before Voting Day, give to each person nominated for an office, notice of the penalties related to election campaign finances.
- 11.2 The deadline for filing financial statements is the last Friday in March (being March 31st, 2023) following the election on or before 2 p.m. The Clerk will, at least 30 days before the filing date, give notice by registered mail. The Clerk is not required to give any further or additional notice. The penalties for non-compliance may apply unless the candidate files within 30 days and pays a \$500.00 penalty or unless a court ordered extension has been granted.
- 11.3 Financial statements are available at no charge for viewing by the public.

11.5 Candidate Filing Default

A candidate is in default of the filing requirements of the Act if:

- (a) he or she fails to file any document as required by the

relevant date;

- (b) a document filed shows on its face a surplus and the candidate fails to pay the amount required to the Clerk by the relevant date;
- (c) a document filed shows on its face that the candidate has incurred expenses exceeding what is permitted; or

In the case of these defaults:

- (a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
- (b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which the Act applies.

11.6 Notice of Default

The Clerk is required to send a notice of the default to the candidate, by Registered Mail, and to the relevant Council or local Board.

12. ACCLAMATIONS

- 12.1 If the number of candidates nominated for any office is equal to or less than the number that are required to be elected to that office, the Clerk will, after 4 p.m. on the Monday following Nomination Day (Monday, August 22nd, 2022) declare the candidate(s) acclaimed and prepare Declaration of Acclamation.
- 12.2 The Clerk will post this list on the Public Notice Board located at the Municipal Office and on the Municipal Website. The Clerk will also provide a copy of the declaration to the acclaimed candidate(s) and will place a copy of the declaration in the candidate's file.
- 12.3 If additional nominations have been filed and if, at 2 p.m. on the Wednesday following Nomination Day, the number of certified candidates still does not exceed the remaining number of vacancies. The required additional nominations may be filed on Wednesday August 24th, 2022

between 9:00 a.m. and 2:00 p.m. The Clerk will certify the additional nominations by 4:00 p.m. on August 25th, 2022 and after 4:00 p.m. declare the additional candidate or candidates elected by acclamation.

- 12.4 The Clerk will post this list on the Public Notice Board located at the Municipal Office and on the Municipal Website. The Clerk will also provide a copy of the declaration to the acclaimed candidate(s) and will place a copy of the declaration in the candidate's file.

13. VOTE BY MAIL PROCEDURES

The procedures for voting are set out in the voting instruction sheet which accompanies the Voting Kit. Voters requiring technical assistance in any manner, should attend at the Municipal Office or call the Township of Southwold at 519-769-2010 for assistance from election staff. The Municipal Office will be open for assistance during normal office hours from 8:30 a.m. to 4:30 p.m., Monday to Friday, up to and including Election Day to the closing of the vote.

Where an election is required to be held for an Office, the Vote by Mail procedure shall be as follows:

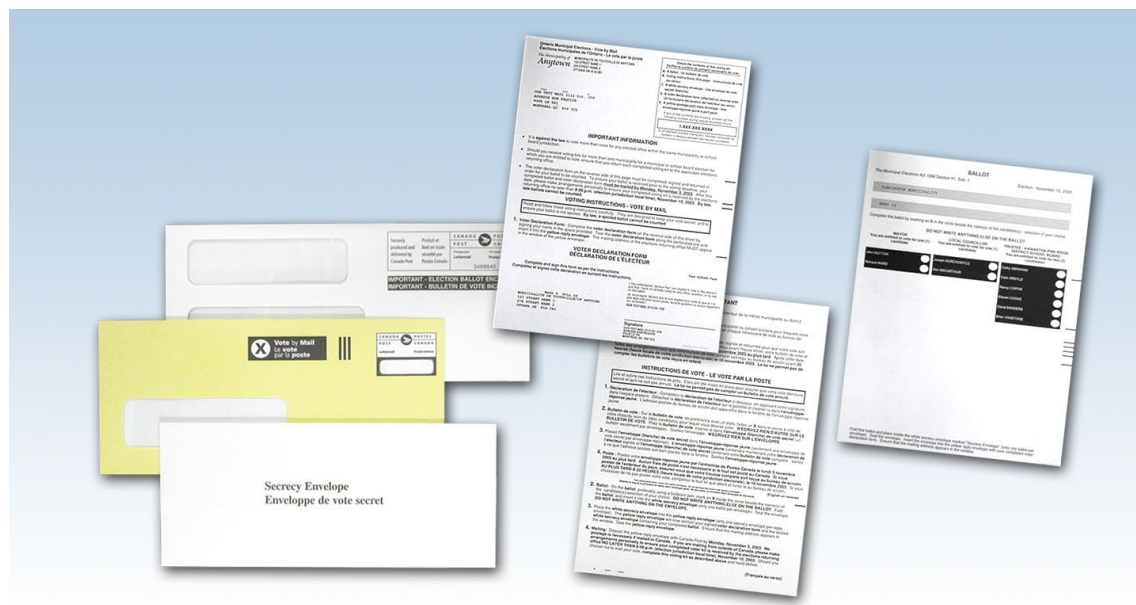
- 13.1 The Municipality, in conjunction with DataFix, will provide a Vote By Mail Kit to every person who qualifies to be an elector up to the Close of Voting on Voting Day.



- 13.2 During the last week of September, delivery of Voting Kits to those that are on the Voter's List as of September 6th, 2022 will commence. After this date, Voting Kits will be provided by the Clerk or designated Election Official, either by mail or in person at the Municipal Office.

13.2.1 A Voting Kit shall consist of:

- A Voting Instruction Sheet;
- A Composite Ballot;
- A White Ballot Secrecy Envelope;
- A Voter Declaration Form (with bar code);
- A Yellow Return Envelope with prepaid postage; and
- Such other necessary material as the Clerk or designated Election Official determines necessary.



- 11.2.2 In addition to the Voting Kits mailed, the Clerk will receive blank Voting Kits. Once received, the Voting Kits will be counted and the numbers recorded.

13.2.3 The number of Voting Kits distributed by the Clerk or designated Election Official to persons qualifying to be voters after September 6th, 2022 will be recorded.

13.3 Upon receipt of the Voting Kit, each voter should follow the instructions provided in the Voting Kit exactly. The instructions require the voter to:

13.3.1 Complete the ballot;

13.3.2 Insert the ballot into the ballot envelope marked Secrecy Envelope;

13.3.3 SEAL the Ballot Secrecy Envelope;

13.3.4 Complete and sign the Voter Declaration Form. If a voter requires assistance in voting, he/she shall make their mark (ie. an "x") on the signature line and have a witness sign in the signature area of the Voter Declaration Form;

13.3.5 Place the completed Voter Declaration Form, along with the SEALED Ballot Secrecy Envelope, into the yellow prepaid business reply envelope;

13.3.6 Seal the yellow prepaid business reply envelope; and

13.3.7 Mail the yellow prepaid business reply envelope by the guaranteed date of return or deliver it by some other means to the Municipal Office no later than 8:00 p.m. on October 24th, 2022.



Note: The postage paid envelope is only applicable for mail originating within Canada.

13.4 In addition to using the mail system, a Ballot Return Station will be established for those voters, who prefer to deliver or have delivered their completed ballots, directly into the care of the Clerk or designated Election Official rather than forwarding their ballots by mail.

A Ballot Return Station shall be established at the following location, date and time:

| Location | Date and Time |
|--|--|
| Southwold Township Office 35663 Fingal Line, Fingal | In the after hours drop box anytime, 24 hours a day, 7 days a week, until Election Day (October 24 th , 2022) at 8:00 p.m. |

- 13.5 The final day to deposit the Return Envelope in the mail to ensure delivery (guaranteed mail return date) to the Clerk or designated Election Official is TBD
- 13.6 Voters who have failed to mail their Return Envelope by the guaranteed return date are encouraged to take steps to ensure alternate delivery of the Return Envelope to the Municipal Office by the Close of Voting on Voting Day.
- 13.7 Return Envelopes deposited in the after hours Drop Box located at the Municipal Office by the Close of Voting on Voting Day will be considered as having been mailed.
- 13.8 DataFix has a record of all voters on the Voters' List provided by the Municipal Property Assessment Corporation (MPAC), and has received a list of all voters added to the list up to and including September 1st, 2022.
- 13.8.1 Voters on or added to the list up to September 1st, 2022 will receive their Voting Kit by mail.
- 13.8.2 Voters added to the list between September 4, 2018 and guaranteed mail return date will receive their Voting Kit by mail or in person from the Clerk or designated Election Official.
- 13.8.3 After the guaranteed mail return date, it is recommended that those persons making application to add their names to the list do so in person or by an agent at the Municipal Office.

- (i) Those persons making application to add their names to the list do so in person will be asked to provide, to the designated Election Official, the prescribed proof of identity and residence (in accordance with Appendix B) or complete an application in the prescribed form (Declaration of Identity – Form 9), including a statutory declaration, to prove his/her right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.
- (ii) Agents acting on behalf of a voter will be asked to provide, to the designated Election Official, the prescribed proof of identity for themselves, and in addition, for the voter that they are agent for, the prescribed proof of identity and residence to prove the voter's right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.

In addition, proof of citizenship, such as a birth certificate, Canadian Citizenship certificate or other such documentation may be required for any voter.

If the application is certified by the Clerk or designated Election Official, a Voting Kit will be issued at that time. Those voters will have the option of returning the ballot at a later time or conducting their vote and depositing their Return Envelope with a designated Election Official for placement in the Drop Box in the Municipal Office or depositing the Return Envelope in the Ballot Return Station.

- 13.8.4 A list of names shall be maintained showing the name and address of each person who has been added to the Voters' List and has been issued a Voting Kit.
- 13.8.5 It must be emphasized that, in a Vote By Mail system, the onus is on eligible voters to ensure that their names are on the Voters' List. Due to time constraints, the Clerk or designated Election Official cannot ensure that a Voting Kit

mailed after the guaranteed mail return date will reach voters in time for them to exercise their right to vote.

Where it is not possible to mail a Voting Kit to a voter, and at the request of the voter, the Clerk or designated Election Official may arrange for a Voting Kit to be delivered to the voter by courier – “collect only”.

14. REPLACEMENT VOTING KITS

14.1 If a voter on or added to the Voters’ List does not receive a Voting Kit, or if the Voting Kit is lost or destroyed, a Replacement Voting Kit may be issued. The voter or their agent must attend the Municipal Office to obtain a Replacement Voting Kit. A form must be signed by the elector prior to the issuance of a Replacement Voting Kit. The Clerk or designated Election Official will confirm that the voter is qualified, administer an appropriate oath to the voter or their agent, and issue the Replacement Voting Kit.

14.1.1 If the Voting Kit is a Replacement Kit, the Voter Declaration Form will be marked with “RVK” and initialed by the Clerk or designated Election Official to indicate that the voter has been issued a Replacement Voting Kit.

14.1.2 A list of names shall be maintained showing the name and address of each person who has received a "Replacement Voting Kit" and the Master Voters’ List shall be updated in accordance with the established procedures.

14.1.3 The designated Election Official shall ensure that a form is filled out for each individual for whom a Replacement Voting Kit is issued. The elector shall also sign a declaration on this form attesting to the fact that they are:

- A qualified elector;
- Not in receipt of their Voting Kit; or
- They were in receipt of their Voting Kit but it has been either lost or destroyed.

- 14.2 All "Replacement Voting Kits" will be stored in the Secured Room under the control of the Clerk or designated Election Official in the Municipal Office.
- 14.3 The completed Replacement Voting Kit declarations/forms shall be kept in the custody of the Returning Officer.
- 14.5 A designated Election Official shall be responsible for monitoring the inventory. The designated Election Official shall ensure that Replacement Voting Kits issued plus remaining inventories equal totals received at all times by producing a daily balance.

15. FORM OF BALLOT

- 15.1 The form of ballot will be a "Composite Ballot".
- 15.2 The ballot shall be designed with the names of the candidates in alphabetical order based upon the candidate's last name.
- 15.3 The place for the elector to mark the ballot for each candidate shall be clear and unambiguous.

16. STORAGE OF BALLOTS & ELECTION MATERIAL - DURING ELECTION PERIOD

Utilization of a Vote by Mail process necessitates the storage of cast ballots, the master voters' list and Replacement Voting Kits in a secure location. For the purpose of the 2022 Municipal Election, the Secure Room shall be designated as the vault located in the Municipal Office, 35663 Fingal Line, Fingal.

STORAGE OF ITEMS REQUIRING SECURITY

- 16.1 The following items shall be secured during the election period:
 - Ballot Boxes
 - Drop Boxes
 - Replacement Voting Kits
 - Master Voters' List
 - (any other material as deemed necessary by the Clerk)

- 16.2 During the election period beginning on or about September 26th through October 24th, all ballot boxes, and Replacement Voting Kits will be kept in the Secure Room and may only be accessed by either the Returning Officer or a designated Election Official.
- 16.3 Access will be witnessed by an additional individual.
- 16.4 The Master Voters' List will be kept in the Secure Room and may be removed on a daily basis for updates and revisions. As well, the Master Voters' List will be given to the designated Election Official to strike the names of those who have voted.
- 16.5 The Drop Box located at the Municipal Office, will be kept in view of the main reception counter during regular office hours, and will be returned to the Secure Room at the close of business each day.

17. SECURITY OF THE BALLOT PRIOR TO VOTING

- 17.1 Ballots will be printed under the supervision of the Vendor and the number of ballots printed will be forwarded to the Clerk.
- 17.2 The Vendor will mail a ballot to each person identified on the revised Voters' List as of September 6th, 2022 and this number of ballots used will be forwarded to the Clerk.
- 17.3 In addition to the ballots mailed, the Clerk will receive approximately 1,500 additional ballots. Once received, the ballots will be counted and the numbers recorded.
- 17.4 The number of ballots distributed by the Clerk or designated Election Official to persons qualifying to be voters after September 6th, 2022 will be recorded.
- 17.5 If the Clerk or designated Election Official runs out of ballots printed by the Vendor, he/she may photocopy as many ballots as he/she deems necessary and place his/her initials upon the back of such ballots. The number of ballots copied will be recorded.

18. SECURITY OF THE BALLOT DURING/AFTER THE VOTE

- 18.1 Upon receiving the prepaid yellow Return Envelope by mail or from a Ballot Return Station, the Return Envelope will be opened and upon being verified, the sealed Inner Ballot Secrecy Envelope will be stored in ballot boxes. The number of Inner Ballot Secrecy Envelopes entered into the container each day will be recorded.
- 18.2 At the end of each day, the Clerk or designated Election Official shall affix a seal to the ballot box, initial the seal and place the sealed boxes in a secure location under the control of the Clerk or designated Election Official. Each morning, the Clerk or designated Election Official shall retrieve the ballot box, inspect the seals to ensure that they are intact, and in the presence of another designated Election Official, break the seals to access the slots for use during the day. Ballot boxes (as required) shall be maintained at the Election Day Ballot Return Station during the specified hours. At the Close of Voting, the ballot boxes maintained at the Ballot Return Station shall be sealed.
- 18.3 The ballot boxes, once sealed, will be transported to the Counting Location and the boxes opened and the ballots counted.
- 18.4 After the count, each bundle of ballots, along with the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialed by the Clerk or designated Election Official prior to transfer to a secure place under the control of the Clerk or designated Election Official.

19. PROCEDURE ON RECEIPT OF RETURN ENVELOPES

19.1 Mailed Return Envelopes

- 19.1.1 Return Envelopes will be received, on a regular basis, by designated Election Officials. The Clerk or a designated Election Official, shall in plain view, sort the Return Envelopes for processing and place them in a tray/container for this purpose. These trays/containers will be placed in the Secured Room for safekeeping until the designated time for the Return Envelopes to be opened in accordance with the procedures set out in S. 20.

19.1.2 Access to the secure location will be restricted commencing at the time of receipt of the first Return Envelope until the Close of Voting on Election Day.

19.1.3 The opening of Return Envelopes between September 26th, 2022 and Voting Day is for the purpose of processing Voter Declaration Forms, updating the Voters' List, and placing sealed Ballot Secrecy Envelopes into the Ballot Boxes.

19.2 **Dropped Off Return Envelopes**

19.2.1 Voters attending in person at the Municipal Office to exercise their right to vote shall complete their vote in accordance with the instructions contained in the Voting Kit and may deliver the Return Envelope to a designated Election Official. There will be an area designated at the Municipal Office for voters to complete their vote in privacy.

19.2.2 Return Envelopes will be deposited immediately in a secure receptacle (Ballot Box) located in the main reception counter area. The receptacle shall be clearly marked as a "Drop Box" for return ballots in their Return Envelopes containing the ballot secrecy envelope and the Voter Declaration Form.

19.2.3 Designated Election Officials shall monitor the use of the Drop Box and request placement of its contents in the Secured Room as often as necessary. The contents of the Drop Box may be processed daily or as needed, with the mailed Return Envelopes. Designated Election Officials shall ensure that the Drop Box is placed in the Secured Room at the end of every business day.

19.3 On Monday to Friday, from September 26th, 2022 to and including October 24th, 2022, between the hours of 8:00 a.m. and 5:00 p.m., as required and on Voting Day between the hours of 8:00 a.m. and 8:00 p.m., Return Envelopes will be opened by designated Election Officials and dealt with as outlined in Section 20 below.

20. **COUNTING OF BALLOTS – ACCEPTED AND REJECTED BALLOTS**

- 20.1 The Clerk and designated Election Officials will ensure that every vote possible can be counted.
- 20.2 At the designated time and location, the Clerk or designated Election Official, in the presence of at least one other designated Election Official, will sort the Return Envelopes and will open Return Envelopes which have been received at the Municipal Office, and will remove the Ballot Secrecy Envelope and Voter Declaration Form from the Return Envelope.

The designated Election Official will identify the voter from the Voter Declaration Form, and will confirm that the Voter Declaration Form is properly signed and the designated Election Official will update the Voters' List by striking the name of the elector.

- 20.2.1 If upon opening the Return Envelope, it contains an equal number of Ballot Secrecy Envelopes to Voter Declaration Forms, the ballots WILL BE COUNTED.
- 20.2.2 If upon opening the Return Envelope, the ballot is not contained within the Ballot Secrecy Envelope; however is accompanied by a signed Voter Declaration Form, the Election Official will insert the ballot into a Ballot Secrecy Envelope without examining the ballot and seal the envelope. The ballot WILL BE COUNTED.
- 20.2.3 If upon opening the Return Envelope, it contains a Ballot Secrecy Envelope; however, there is no Voter Declaration Form, the Election Official will open the Ballot Secrecy Envelope to determine if the Voter Declaration Form has been inserted in the Ballot Secrecy Envelope.
 - (a) If the Election Official finds the Voter Declaration Form contained in the Ballot Secrecy Envelope, the Election Official will remove the Voter Declaration Form without examining the ballot. The Ballot Secrecy Envelope will be resealed by taping it closed.
 - (i) If the Voter Declaration Form is signed, the ballot WILL BE COUNTED.

- (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.

- (b) If the Election Official does not find the Voter Declaration Form contained in the Ballot Secrecy Envelope, the ballot WILL BE REJECTED.

20.2.4 If upon opening the Return Envelope, it contains more Voter Declaration Forms to Ballot Secrecy Envelopes, or more Ballot Secrecy Envelopes to Voter Declaration Forms, the Election Official will open the Ballot Secrecy Envelopes to determine if any Voter Declaration Forms or additional ballots have been inserted in such envelopes.

- (a) If the Election Official finds more than one ballot is contained in the Ballot Secrecy Envelope and the number of ballots now equals the number of Voter Declaration Forms, the Election Official will remove the additional ballot without examining the ballot and insert it into a new Ballot Secrecy Envelope and seal or tape the envelopes.

- (i) If the Voter Declaration Form is signed, the ballots WILL BE COUNTED.

- (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.

- (b) If the Election Official finds that a Voter Declaration Form is contained in the Ballot Secrecy Envelope, the Election Official will remove the Voter Declaration Form without examining the ballot and seal or tape the Ballot Secrecy Envelope.

- (i) If the Voter Declaration Form is signed, the ballots WILL BE COUNTED.

- (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.

- (c) If after this process there remains a different number of Ballot Secrecy Envelopes than Voter Declaration Forms, the ballots WILL BE REJECTED.

20.2.5 If a Voter Declaration Form has *not been signed* by the voter, and where sufficient time permits, an attempt will be made to contact the voter to provide for an opportunity for the voter to sign the Voter Declaration Form. The Voter Declaration Form together with the Ballot Secrecy Envelope will be kept in the Secured Room up to the Close of Voting on Voting Day.

- (i) If the voter attends the Municipal Office and signs the Voter Declaration Form prior to the Close of Voting on Voting Day, the ballot WILL BE COUNTED.
- (ii) If the Voter Declaration Form is unsigned at the Close of Voting on Voting Day, the ballot WILL BE REJECTED.

20.2.6 If, upon opening the Return Envelope, the Ballot Secrecy Envelope has not been sealed or in the event the Ballot Secrecy Envelope has been sliced open as a result of opening the Return Envelope, the Clerk or designated Election Official will seal or tape the envelope without examining the ballot and the ballot WILL BE COUNTED.

20.2.7 If the Secrecy Envelope contains writing or marks that may identify the elector, or is torn, defaced or otherwise dealt with by the elector in a way that may identify him or her, the ballot may be rejected. Since ballot envelopes will be opened and separated from the ballot prior to counting, ballot envelopes dealt with in such a manner will not automatically be rejected. The decision of the Clerk in determining whether or not the ballot will be counted or rejected is final.

Rejected Ballots

20.2.8

In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996*, the following conditions will also cause a ballot to be considered rejected if:



- (a) upon opening the Return Envelope there is no Voter Declaration Form, subject to Section 20.2.3 above;
- (b) upon opening the Return Envelope there is a different number of Ballot Secrecy Envelopes than Voter Declaration Forms, subject to Section 20.2.4 above;
- (c) upon opening the sealed Ballot Secrecy Envelope at the Counting Location, the envelope contains more than one ballot;
- (d) upon opening the sealed Ballot Secrecy Envelope at the Counting Location, the envelope contains a ballot which has not been marked, it will be counted as a 'Ballot Used but Unmarked by Elector'; and
- (e) if votes have been cast for more candidates for the office than are elected (ie: voted for 4 councillors instead of 3) that portion of the ballot shall be rejected.

20.2.9

A ballot may be rejected if the vote is not marked inside the space provided for marking the ballot. The vote should be obvious, if not, that portion of the ballot shall be rejected.

20.2.10

Any ballots received after 8:00 p.m. on Election Day shall be rejected.

20.2.11

In cases where the voter has already been struck off the list as having voted (in cases where a voter votes twice), the Election Official will mark the outer envelope, number, initial and record that it has been rejected.

- 20.2.12 Where a Ballot Secrecy Envelope is rejected, the reason for the rejection shall be recorded by numbering the Ballot Secrecy Envelope and noting the reason for the rejection on a separate Rejected Ballots Record.
- 20.3 The designated Election Official will place the Voter Declaration Form in a container. Voter Declaration Forms that have been processed will be made available for viewing at the Municipal Office by the candidates or scrutineers to review or update their Voter's Lists, if desired.
- 20.4 The designated Election Official will place the Ballot Secrecy Envelope in the appropriate Ballot Box and keep a running tally of the number of Ballot Secrecy Envelopes in that box. (In order to facilitate counting on Voting Day, a maximum number of ballots per box will be predetermined). Once the box contains the predetermined number of ballots, the box will be sealed, numbered sequentially and stored in the Secured Room under the control of the Clerk or designated Election Official. A new box will then be utilized.
- (ie. Box 1 – once this box contains the predetermined number of Ballot Secrecy Envelopes, it will be numbered accordingly, sealed and placed in the Secured Room under the control of the Clerk or designated Election Official. A new Ballot Box, numbered Box 2 will be used.)
- 20.5 After all Return Envelopes received each day have been dealt with, the Clerk or designated Election Official will affix a seal to each Ballot Box, initial the seal and place the sealed Ballot Box in the Secured Room under the control of the Clerk or designated Election Official.
- 20.6 Each morning, the Clerk or designated Election Official will re-open the Ballot Boxes in the presence of at least one other designated Election Official.
- 20.7 On Voting Day, the Ballot Boxes and other required election material will be transported to the Counting Location.

21. COUNTING LOCATION

- 21.1 The Counting Location will be located in the Municipal Office located at 35663 Fingal Line, Fingal.
- 21.2 Proceedings at a Counting Location are under the direction of the Clerk, or persons designated by the Clerk and no other person shall touch any ballot, or interfere in the proceedings in any way.
- 21.3 No campaign material will be allowed within the Counting Location.

22. PROGRAMMING & TESTING OF CENTRAL COUNT TABULATORS

- 22.1 For the purpose of counting ballots, the Township of Southwold will utilize optical scanning Vote Tabulators. The Clerk or designated Election Official will facilitate the training sessions for all Election Officials using the Vote Tabulators and shall oversee the programming, testing and use of the Vote Tabulators.
- 22.2 Programming
 - The Vote Tabulator hardware and software shall be programmed so that:
 - a printed record of the number of votes cast for each candidate is provided;
 - the tabulator will stop when it hits a damaged or defective ballot;
 - a ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by the scanner shall be returned to the Election Official;
 - an over-voted race (i.e. where more votes are marked than are allowed) shall not be counted. The remaining races that have been properly voted on that same composite ballot shall be counted;
 - an under-voted race (i.e. where fewer votes are marked than are allowed) shall be counted;
 - a blank ballot (i.e. no votes indicated in any race on the composite ballot) shall be counted;
- 22.3 Prior to Voting Day, the Clerk in the presence of a designated Election Official, shall have the Vote Tabulators tested to ensure

that they will accurately count the votes for all candidates that are marked with a valid mark in the designated area.

- 22.4 When testing the Vote Tabulators, adequate safeguards shall be taken to ensure that the system, or any part of it that is used for processing and tabulating votes, is isolated from all other applications or programs and that no remote devices are capable of gaining access to the system.
- 22.5 After programming the Vote Tabulators, a set of ballots shall be established for testing purposes. The back of these test ballots shall be marked "sample".
- 22.6 The testing of the vote tabulators shall be conducted as follows:
 - 22.6.1 Tabulate a pre-audited group of ballots marked in the designated area, including ballots that fall into each of the following categories:
 - ballots on which are recorded a pre-determined number of votes for each candidate;
 - ballots that have over-voted races for each office;
 - ballots that have under-voted races for each office;and
 - ballots that have no votes recorded.
 - 22.6.2 Assign a varying number of votes to each candidate.
 - 22.6.3 Compare the output of the tabulation with the pre-audited results.
- 22.7 If the Clerk or designated Election Official detects any errors in the tests, efforts shall be made to determine the cause of the error and correct it. The test shall be repeated until an errorless count is made and certified by the Clerk or designated Election Official.
- 22.8 The Clerk shall, at the completion of the tests, Produce a final set of zero totals reports in order to confirm that the systems has been successfully re-zeroed, retain the programs, test materials and ballots in a sealed envelope with the remaining election materials and records in accordance with the Act.

- 22.9 In the event that a scanner malfunctions during the counting process, it may be necessary for an adjustment to be made on the scanner. Paper jams, multi-feeds, and other minor interruptions shall not be considered malfunctions and will not require that the system be re-tested.
- 22.10 The Clerk shall retain and have access to the pre-audited group of ballots referred to in Section 22.6 and other materials used in the programming and testing of the Vote Tabulators.

23 TABULATION & COUNTING THE BALLOTS

- 23.1 No ballot cast in the 2022 municipal election shall be tabulated or counted prior to Voting Day (October 24th, 2022).
- 23.2 On October 24th, 2022, at a time to be determined by the Clerk, the sealed Ballot Boxes stored in the Secured Room containing the Secrecy Envelopes will be transported by the Clerk or designated Election Official to the Counting Location.
- 23.3 During the sequestered period on Voting Day, designated Election Officials, at the Counting Location, will open the Ballot Boxes, remove and open the Secrecy Envelopes and sort the ballots in preparation for processing through the Vote Tabulators. The ballots will be bundled into batches of 50 ballots for processing and tabulation.
- 23.4 The Ballot Secrecy Envelopes will be opened by hand.
- 23.5 No results or final counting of ballots will be made until after the Close of Voting.
- 23.6 No candidate or scrutineer shall interfere with the vote tabulation or count in any manner or they will be required to leave the Counting Location.
- 23.7 The Clerk will appoint Election Officials to operate the Vote Tabulators. It is the operators' responsibility to ensure the fairness and accuracy of the tabulation of ballots. It will be their

responsibility to use whatever appropriate means they feel necessary to accomplish this goal, subject to direction by the Returning Officer.

- 23.8 Upon receipt of a batch of 50 ballots at the Ballot Scanning Station, the designated Election Official shall feed the batch of ballots into the Vote Tabulator. The image processor will read each image to determine voter intent. Once scanned, the batch will be placed in an envelope marked with the Tabulator and Batch Number.
- 23.9 Defective Ballot Processing: Slit, torn, ripped, crumpled, damaged or defective ballots shall be set aside and processed as a separate batch as follows:
 - 23.9.1 In the event a ballot is accidentally slit or damaged during extraction from the Secrecy Envelope in such a manner that it cannot be scanned, the Election Official shall re-insert the ballot back into the envelope and set it aside for the designated Election Official to deliver it to the Defective Ballot Processing Station.
 - 23.9.2 A replacement ballot shall be prepared in plain view at the Defective Ballot Processing Station by marking a new ballot only with the marks contained in the designated voting spaces on the original used ballot, and the replacement ballot shall be clearly labeled "replacement" and given a number which shall also be recorded on the original used ballot.
 - 23.9.3 The replacement ballot shall be substituted for the original used ballot and then tabulated by the Vote Tabulator.
 - 23.10.4 The original used ballot being replaced shall be placed in the batch envelope marked "Defective Ballots" by the Clerk or Election Official with the tabulated batch of replacement ballots.
- 23.11 Any part of any ballot rejected shall not invalidate the remainder of the ballot except if there are elector identifying marks, in which case the entire ballot shall be rejected. There are appropriate spaces on the back of the composite ballot for numbering and noting objections to ballots. A corresponding list is provided to record the same number and summarize any objection.

- 23.12 Once all ballots have been counted, the ballots will be secured; the Ballot Boxes will be sealed and returned to the Clerk or designated Election Official for secure storage.
- 23.13 No candidate or scrutineer shall interfere with the vote tabulation or count in any manner or they will be required to leave the Counting Centre.

24. ENVELOPES

- 24.1 Envelope B – For All Declined Ballots** – A Declined ballot is a ballot which has been returned to the DRO by an elector who has declined to vote, and who thereby forfeits his or her right to vote. In such circumstances, the DRO should immediately write the word “DECLINED” upon the ballot and place it in this envelope and into the ballot box at the close of Poll. **(THIS IS FOR ELECTION OFFICIALS WORKING DURING THE DAY)**
- 24.2 Envelope D – For all used ballots that have not been objected to and have been counted in whole or in part** – immediately following the count of the votes, the DRO should place such ballots in this envelope.
- 24.3 Envelope E – for all used ballots that have been objected to but have been counted in whole or in part** – immediately following the count of the votes, the DRO should place in this envelope the ballots objected to by a candidate or scrutineer. The DRO is authorized to decide the objection, subject to review on a recount or in a proceeding questioning the validity of the election.
- 24.4 Envelope F – For all rejected ballots** – All rejected ballots should be placed in this envelope. The DRO shall establish a list in which the objections are summarized and numbered, write the number of each objection on the back of the relevant ballot and initial the number, and where all the votes on the ballot are rejected the ballot shall be treated as a rejected ballot.

24.5 Envelope G – For all ballots used but unmarked – For example, a blank ballot. An Elector who wanted to be marked off on the voter's list as having voted, but did not want to vote for any candidate.

25. TABULATION PROCEDURES

- 25.1 Tabulation of the Statement of Results will be conducted using an Excel spreadsheet in the Municipal Office commencing after 8:00 p.m.
- 25.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Counting Location.
- 25.3 The results forwarded to the Keystone Complex will be unofficial.

26. ANNOUNCEMENT OF RESULTS

- 26.1 Unofficial results of the counting will be posted on the Municipal Election Board located at the Municipal Office and on the Municipal Website following the conclusion of counting on Voting Day.



- 26.2 Official results will be announced and posted by the Clerk on the Municipal Election Board at the Municipal Office and on the Municipal Website as soon as possible after Voting Day.

27. RECOUNTS

- 27.1 The Clerk will conduct all recounts as per the regulations in the *Municipal Elections Act, 1996, Sections 56 to 64* and Township of Southwold By-Law No. 2022-16.

A recount is required when:

- a tied vote where both or all candidates cannot be declared elected;
- by resolution of council;
- by resolution of a local board; and
- by order of the Ontario Superior Court of Justice.

- 27.2 The Clerk will conduct the recount in the same manner as with the original count, unless otherwise ordered by the judge who issued the order for the recount.
- 27.3 The Clerk will notify all involved parties of the recount and set a date, time and place of the recount.
- 27.4 If, after a recount is conducted, there is still a tie vote, the names of the candidates will be placed in a container. The Clerk will draw a name from the container. The name drawn will be the successful candidate.
- 27.5 At a recount, the following persons are entitled to examine each ballot as the votes are being counted by the Clerk (Section 42(4) of the MEA):
- Certified candidate;
 - Applicant who requested recount;
 - A lawyer for candidate or application; and
 - One scrutineer for each recount station

28. DISPOSITION OF RECORDS

- 28.1 The Clerk will retain all the ballots, documents and materials relating to the 2022 Municipal Election for 120 days after declaring the results of the election. The earliest date for destruction of election records is February 23rd, 2023.
- 28.2 The Clerk shall retain the financial statement and auditor's report until the Members of Council elected at the next regular election have taken office.
- 28.3 The Clerk shall not destroy the ballots or documents if the court orders that they be retained or a recount has commenced and not finally disposed of.
- 28.4 Documents and materials destroyed will be witnessed by two people and the 'Witness Statement as to Destruction of Ballots' will be completed.

29. ACCESSIBILITY

- 29.1 The Clerk shall have regard for the needs of candidates and electors with disabilities.
- 29.2 The Clerk shall ensure that the Ballot Return Station is accessible to electors with disabilities.
- 29.3 The Clerk shall ensure that the Counting Location is accessible to candidates and scrutineers with disabilities.
- 29.4 The Clerk shall prepare a Report to be submitted to the Council, 90 days after voting day, about the identification, removal and prevention of barriers that affect voters and candidates with disabilities.
- 29.5 Election Officials will be available for assistance during normal office hours from 8:00 a.m. to 5:00 p.m., Monday to Friday, during the election period and on Voting Day from 8:00 a.m. to 8:00 p.m.
- 29.6 The Township of Southwold has established Accessible Customer Service Policies, Practices and Procedures. The 2018 Municipal Election for the Township of Southwold will be conducted with having regard to the policies as established.

30. EMERGENCIES

It is impossible to predict if an emergency will occur, and if so, to what extent the conduct of the election will be affected. In the event of an emergency, the Clerk may, in accordance with Section 53 of the *Municipal Elections Act*, declare an emergency and make such arrangements as deemed necessary for the conduct of the election.

31. GENERAL

Any person, corporation or trade union guilty of corrupt practices or contravening provisions of the *Municipal Elections Act 1996* may be prosecuted pursuant to the provisions of the *Municipal Elections Act 1996*.

32. AMENDMENTS TO PROCEDURES

- 32.1 The Clerk has the right, at any time, up to and including Voting Day, to amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate, if time permits.
- 32.2 With respect to matters of policy and procedures for alternative voting methods, the Clerk's decision is final.

DATED at the **TOWNSHIP OF SOUTHWOLD** and **Received by Council April 25, 2022.**

Lisa Higgs
Clerk and Returning Officer
Township of Southwold



APPENDIX "A"

PROCEDURES FOR SCRUTINEERS

1. GENERAL

- 1.1 A candidate may appoint scrutineers to represent him or her during the processing and at the tabulating of the votes, including during a recount.
- 1.2 The appointment of the scrutineer shall be in writing on the Clerk's prescribed form.
- 1.3 All scrutineers must comply with the procedures that are set out on their appointment form.
- 1.4 The appointment of a scrutineer shall be in writing if made by a candidate or applicant for a recount.
- 1.5 A scrutineer shall, on request, show his or her appointment to the designated Election Official in charge of the Return Envelope and Inner Ballot Secrecy Envelope processing or of a place where votes are being counted.
- 1.6 Scrutineers may be present when Return Envelopes, Inner Ballot Secrecy Envelopes are being processed and when the votes are being tabulated. The scrutineers that may be present include:
 - 1.6.1 One (1) scrutineer for each certified candidate to view the process of opening the secrecy envelopes at the Counting Location;
 - 1.6.2 One (1) scrutineer per certified candidate at each counting location;
 - 1.6.3 The number of scrutineers who may be present is reduced by one while the candidate who appointed them is present; and

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- 1.6.4 There is no age or relation to the candidate restrictions relative to the appointment of scrutineers.
- 1.7 Cell phones or other equipment will not be permitted in the Counting Location other than for designated Election Officials as authorized by the Clerk.
- 1.8 No candidate or scrutineer shall interfere with the vote count in any manner or they will be required to leave the Counting Location. Should they do so, they shall be required to leave the facility when so requested by the designated Election Official.
- 1.9 The designated Election Official shall provide a candidate/scrutineer a printout of the results signed by designated Election Official, if requested.
- 1.10 Persons arriving at the Counting Location after 10:00 a.m. on Voting Day and before 8:00 p.m. will be permitted to enter, but will not be permitted to return once they leave the Counting Location.
- 1.11 No campaign material will be allowed within the Counting Location on Voting Day.

2. RIGHTS OF SCRUTINEERS (includes candidates)

- 2.1 To be present during the processing of Return Envelopes, Inner Ballot Secrecy Envelopes and at the tabulating of the ballots.
- 2.2 To inspect the ballot boxes, forms and documents relating to the vote (but not so as to unduly delay processing).
- 2.3 To examine each ballot as votes are counted (but not to touch the ballot);
- 2.4 To object to a Return Envelope, Inner Ballot Secrecy Envelope or a ballot or the counting of votes in a ballot;
- 2.5 To sign the Statement of Results prepared by the Deputy Returning Officer;

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- 2.6 To place a seal (and/or initial the seal) on the ballot box after the counting of the votes when the Election Official seals the box.
 - 2.7 A scrutineer may object to a ballot, or to the counting of some or all votes in a ballot, on the grounds that the ballot or votes do not comply with the prescribed rules. The Election Official alone shall decide all objections.
3. **PROHIBITIONS ON SCRUTINEERS** (includes candidates)
- 3.1 Scrutineers and candidates are prohibited from:
 - 3.1.1 Attempting directly or indirectly to interfere with how an elector votes, and prohibited from attempting to campaign or persuade an elector to vote for a particular candidate at the Ballot Return Station.
 - 3.1.2 Displaying a candidate's election campaign material at the Ballot Return Station or within the Counting Location on Voting Day. No campaign material or literature of any nature whatsoever of any candidate in the election shall be displayed within the Voting/Counting Location. This includes campaign buttons or any other advertising materials.
 - 3.1.3 Compromising the secrecy of the voting.
 - 3.1.4 Interfering or attempting to interfere with an elector who is marking a ballot at the Ballot Return Station.
 - 3.1.5 Obtaining or attempting to obtain, in a Ballot Return Station, any information about how an elector intends to vote or has voted.
 - 3.1.6 Communicating any information obtained at a Ballot Return Station about how an elector intends to vote or has voted.



APPENDIX "B"

ACCEPTABLE DOCUMENTS FOR VOTER IDENTIFICATION

PROOF OF IDENTITY AND RESIDENCE

The following is prescribed as the proof of identity and residence that a person may present for the purposes of paragraph 1 of subsection 52 (1) of the Act:

1. An original, or a certified or notarial copy, of a document that is listed in Schedule 1 and shows the person's name and qualifying address. O. Reg. 304/13, s. 1; O. Reg. 151/18, s. 1. SCHEDULE 1

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the Indian Act (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).
16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.

22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residence at a long-term care home under the Long-Term Care Homes Act, 2007, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school

The Township of Southwold

Waiving of Facilities Fees Application Form



Township of Southwold
35663 Fingal Line
Fingal, ON N0L 1K0
Phone: 519-769-2010
Fax: 519-769-2837

communications@southwold.ca

| | | | |
|--|----|---|---------------------------------------|
| Name of Event: | | | |
| OPP Uniform Recruitment Information Session | | | |
| Name of Group or Organization | | | |
| Ontario Provincial Police | | | |
| Primary & Secondary Contact Person | | Purpose of Event | |
| Michelle SMITH and Marylou SCHWINDT | | OPP Uniform Recruitment Information Session | |
| Contact Address | | | Postal Code |
| 42696 John Wise Line, St. Thomas, ON, | | | N5P 3S9 |
| Phone # Primary / Secondary | | Email / Website: | |
| 529-631-2920/226-378-7893 | | Michelle.J.Smith@opp.ca | |
| Not for Profit # or Charitable Organization Registration #: | | | |
| Activity or Event Information | | | |
| Fees to be Waived (ie: facility rental) | | Rental Fee | |
| Date and Times: | | May 13th 1900hrs/ May 29th any time | |
| Number of People expected: | | u/k at this time | Admission Fee: (If applicable) \$0 |
| Will food be served? | no | Will alcohol be served? | no |

Activity or Event Description

| |
|---|
| How will your activity or event enhance community services and recreation in the Township of Southwold? |
|---|

The Township of Southwold Waiving of Facilities Fees Application Form



Township of Southwold

35663 Fingal Line

Fingal, ON N0L 1K0

Phone: 519-769-2010

Fax: 519-769-2837

communications@southwold.ca

Please describe the projected social, cultural, economic and environmental impact that the activity or event will have on the Township and its residents.

This is to encourage local residents to consider a career with the Ontario Provincial Police and holding the information session in Elgin County will encourage more local representatives

What will the impact on the activity or event be if the fee is **not** waived?

u/k at this time

Are you seeking funding from any other sources (fundraising, grants, sponsorships, etc.)?

no

What features will you have in place to ensure that your event is accessible to all residents (residents with disabilities)?

the event will be participants looking to begin a career in policing

Deadline for submission is November 15, for events being held the following year.

The Township of Southwold Waiving of Facilities Fees Application Form



Township of Southwold

35663 Fingal Line

Fingal, ON NOL 1K0

Phone: 519-769-2010

Fax: 519-769-2837

communications@southwold.ca

The Township of Southwold may waive fees to eligible applicants to help offset the fee(s) that would be charged by the Township related to the delivery or presentation of festivals or events which offers an inclusive experience to a wide range of participants.

An approval of waived fees by Council, does not guarantee the availability of a reservation.

Applicants are still required to apply and sign for a park/facility rental agreement, and supply the necessary supporting documentation, such as proof of liability insurance, special occasion permit, and or special event permit.

Council reserves the right to limit the total amount of fees waived annually.

Ineligibility

Some activities are beyond the scope of this program, regardless of their merit. Fees will not be waived for:

- Festivals or events that are similar to those already being provided by the Township
- Festivals or events already funded through other programs or agreements with the Township.
- Damage deposits will not be refunded.
- Non-Township fees or expenses.

Application Checklist

Please submit one hard copy of the following documents with your application for fee reduction / waiver.

- ☐ Copy of Township rental agreement, confirming: Dates/times and location of event, and all fees associated with the event.

Applications can be submitted, in person, fax or mail to:

Township of Southwold,
Attention: Community Services & Communications Clerk
35663 Fingal Line
Fingal, ON NOL 1K0
Fax: 519-769-2837

or by email: communications@southwold.ca

Authorization for Application

On behalf of, and with the authority of, the above-mentioned organization, we certify that the information given in this application for waiving of facilities fees is true, correct and complete in every respect.

| | | | |
|------------|----------------|--------|----------------------|
| Name: | Michelle SMITH | Title: | Provincial Constable |
| Signature: | Michelle SMITH | Date: | 19/04/2022 |

Southwold Keystone Complex Facility Rental Agreement

| | |
|--|--|
| Name /Purpose of Event: | |
| Name of Group or Organization: | |
| Primary Contact Person: Secondary Contact Person: | |
| Contact Address: | |
| Contact Number: Primary Secondary | |
| Email Address: | |
| Not for Profit #: | |
| Date of Event (if multiple dates, attach schedule | |
| Time of Event (start and end time) | |
| Expected Attendance | |

| | |
|--|---|
| Signed Facility User Agreement Provided: | |
| Sketch of facility provided: | |
| Will alcohol be served: | |
| If yes, please provide: | <ul style="list-style-type: none"> • Completed MAP Agreement • Third Party Insurance • Special Occasion Permit |
| Will food be served: | |
| If yes, please provide name of Caterer: | |
| Signed COVID Waiver provided: | |

| Facilities Requested | Keystone Complex – please make note of all items requested for rental in the space below: |
|--|---|
| Main Hall, Kitchen, Meeting Room, Grounds, Barn, Picnic Shelter, Horse Ring | |
| Other requirements (please note additional charges may apply for use of the following): Stage, podium, screen, gazebo, sign & letters | |

Terms and Conditions

1. The renter shall be responsible for their participants and guests. Also, the renter must enforce the terms & conditions to each individual. No inappropriate use of the space will be tolerated. Failure to comply with the terms & conditions will result in immediate termination of the rental.
2. The renter shall pay for all damages to the property of the Municipality arising from the use of the facility where the renter is deemed responsible.
3. **Damage Deposit:** For Stag and Doe's and other like events, an \$800.00 maintenance and damage deposit is required 24 hours prior to the event. Upon satisfactory inspection, the deposit will be returned to the renter. Upon failed inspection, the deposit is forfeited, and the renter will be charged the remainder of any outstanding expenses incurred by the facility to repair. Further details outlined in Facility User Agreement. All other events require a \$100.00 damage deposit 24 hours prior to the event. A \$25.00 keyfob deposit is required prior to event. Keyfob deposit is returned after fob is returned after event.
4. **Clean Up:** Set-up and clean-up is the responsibility of the renter to be done during the reservation period. If extra set-up/clean-up time is required, this time must be booked by the renter in advance. If the space is not cleaned to the state in which the space was at the beginning of the rental, the renter will be subject to a \$285.00 clean-up fee, HST included. Day ahead set-up is available for \$270.00, HST included.
5. **Alcohol:** If the event includes the serving of alcohol, the renter will be given the Schedule "A" to the Corporation of the Township of Southwold Facility User Agreement, Municipal Facilities Policies and Procedures By-Law 2014-19. As per this policy, the renter must acquire a Special Occasion Permit and personal alcohol liability insurance. The personal alcohol liability insurance must name the applicant and the Township of Southwold as co-insureds. The renter must provide a copy of both their Special Occasion Permit, liability insurance and a list of certified Smart Serve servers to the Township of Southwold Community Services & Communications Clerk 24 hours prior to the beginning of the event. Full terms & conditions are outlined in the Facility User Agreement.
6. **Catering:** If food is to be served to the general public, an Application for Special Event Permit must be submitted to the Southwestern Public Health Unit by the renter two weeks prior to the event.
7. All Southwold Keystone Complex bookings must be accompanied by a Non-Refundable Booking fee of \$200.00 (for rentals with a fee of \$200.00 or more), which Fee is required prior to confirmation of booking. Balance of fees are to be paid prior to commencement of event/activity.
8. **Cancellations:** The renter can cancel up to 7 days prior to event, with proper written notice given.
9. **Liability:** The Corporation of the Township of Southwold is not responsible for injuries to users of the facility and does not assume any responsibility for articles lost or stolen.
10. The Lessee and their guests shall comply with all applicable Municipal by-laws as well as Provincial and Federal laws and regulations and any specific use regulations.
11. Complete Terms & Conditions for renters outlined in Facility User Agreement - Municipal Facilities policies and Procedures.

The Corporation of the Township of Southwold hereby grants permission to use the facility(is) as outlined herein, subject to the terms and conditions of the Agreement and all documents attached hereto, all of which form part of this agreement. The undersigned has read, and on behalf of the USER, agrees to be bound by the Agreement and all Schedules attached hereto together with all the applicable policies, procedures, laws, by-laws, and regulations of the Corporation of the Township of Southwold (the "Township") and hereby warrants and represents that he/she executes this Agreement on behalf of the USER and has sufficient power, authority and capacity to bind the USER with his/her signature.

USER Print: _____ USER Signature: _____ Date: _____

For office use:

Application reviewed by staff: yes / no Application Approved: yes / no Deposit: yes / no

Date paid: _____ Receipt #: _____ Method of payment: _____



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2022-31

Being a By-Law to authorize an Agreement with Owner of

10234 Iona Road
CON 5 W PT LOT 3, Southwold Township,
County of Elgin
Roll: 34-24-000-002-06500-0000

Owner: James Robert Drewitt

WHEREAS Section 20 of the Municipal Act, 2001, R.S.O. 2001, as amended, authorizes a municipality to enter into agreements;

AND WHEREAS it is the desire of the Corporation of the Township of Southwold to authorize an agreement with James Robert Drewitt granting permission to leave an existing (old) residence standing on the property while a new residence is being constructed.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. That the Corporation of the Township of Southwold enter into an Agreement with James Robert Drewitt (Owner) dated April 25th, 2022 of which a true copy is attached to this By-Law as Schedule "A".
2. That the Mayor and Clerk are authorized to execute the said agreement on behalf of and under the seal of the Corporation of the Township of Southwold.

READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME AND FINALLY PASSED THIS 25th DAY OF APRIL, 2022.

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs

**Corporation of the Township of Southwold
SCHEDULE "A" TO BY-LAW 2022-31**

THIS AGREEMENT made this 25th day of April 2022.



BETWEEN:

James Robert Drewitt
(hereinafter called the "Owner")

- and -

The Corporation of the Township of Southwold
(hereinter called the "Township")

WHEREAS: The Owner located at 10234 Iona Road, CON 5 W PT LOT 3, Southwold Township, County of Elgin Roll: 34-24-000-002-06500-0000 would like permission to leave the existing (old) residence standing on the property while a new residence is being constructed. The owner will complete construction of the new residence on or about October 1st, 2022. The existing (old) house on the property shall be demolished within 60 days of occupancy of the new residence, no later than December 1st, 2022.

WITNESSETH: that the Owner, in consideration of the fulfillment of their respective promises and obligations herein set forth, covenant and agree as follows:

ARTICLE 1: The Owner undertakes and agrees:

- (a) To indemnify and save harmless the Township, its officers officials, employees, agents, against all losses and all claims, demands, construction liens, payments, suits, actions, recoveries and judgments of every nature and description, brought or recovered against the Township by reason of any act or omission of the Owner, his agents or employees, in the execution of the work or in the guarding of it;
- (b) To maintain such insurance as will protect him from claims under Provincial Workplace Safety Insurance legislation, and from any other claims for damages for public liability, property damage and for personal injury, including death, which may arise from his operations in the execution of his work. Certificates of such insurance must be available upon request and shall be subject to its approval as to adequacy of protection. If the Township deems such insurance inadequate, it may request such coverage, and the cost of such added insurance shall be payable by the Owner.

- (c) That provided a permit application and adequate plans have been submitted, a building permit may be issued upon signing of an agreement with the Township and an appropriate deposit received.
- (d) That the existing (old) house be removed or demolished no later than December 1st, 2022 and once the Owner have taken occupancy of the new residence and final inspection has been issued for the new residence.
- (e) If the owner fails to demolish or remove the existing house and foundation within the specified timeframe, then the Township may within ten (10) days after notice from the Township has been sent by email or regular mail addressed to the owner as provided in this agreement, then the Township, in addition to any other remedy the Township may have, may take such steps as it deems necessary to remove or demolish the existing house. All costs shall be paid by the owner and the \$15,000 refundable security will be used towards these associated costs.
- (f) A refundable security in the amount of FIFTEEN THOUSAND DOLLARS (\$15,000) in the form of a certified cheque, money order or irrevocable letter of credit made payable to the Township of Southwold. The security will only be refunded to the Owner upon written confirmation from the Chief Building Official that the existing (old) house has been removed or demolished and all other applicable legislation and municipal bylaws have been adhered to, and confirmation by the owner that all costs associated with the property have been paid.
- (g) Any amendments or extensions to this agreement shall be agreed to in writing by both parties.

ARTICLE 2

This Agreement shall be interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein and shall be treated in all respects as an Ontario contract.

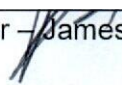
ARTICLE 3

This Agreement shall apply to and be binding on the parties hereto and their heirs, successors, executors and assigns.

TERMINATION

This Agreement shall remain in effect until such time when the Owner have fulfilled their obligations under this Agreement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written or caused their corporate seals to be affixed, attested by the signature of their proper officers, as the case may be.

Owner  James Robert Drewitt

APRIL 20 2022
Date

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

(SEAL)

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2022-32

Being a by-law to amend By-law No. 2018-23 being a by-law to govern the proceedings of the Council of the Township of Southwold, and if its committees and the conduct of its members and a by-law to repeal By-Law No. 2020-20

WHEREAS the Province of Ontario passed Bill 187, an Act to amend the *Municipal Act, 2001* on March 19, 2020 to permit Municipal Councils to conduct meetings through electronic media in a declared emergency;

AND WHEREAS the Province of Ontario passed Bill 197, an Act to amend the *Municipal Act, 2001* on July 21, 2020 to permit Municipal Councils to conduct meetings through electronic media outside of a declared emergency;

AND WHEREAS Council for the Corporation of the Township of Southwold deems it desirable to amend By-Law No. 2018-23, being a By-Law to Govern the Proceedings of the Council of the Township of Southwold and of its Committees and the Conduct of its Members to conduct meetings by electronic media outside of a declared emergency;

AND WHEREAS Council of the Corporation of the Township of Southwold deems it necessary to repeal By-law No. 2022-20;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. That section 1 of By-law No. 2018-23 be amended by adding the following:

(r) "electronic participation" means participation in a Council meeting by a Councillor or member of a local board or committee through the use of electronic means; whether it be through teleconferencing, video conferencing or any technology that is considered appropriate by Council and available to the Township.

2. The following provisions be added as Section 38 to By-Law No. 2018-23:**38. Electronic Participation**

- 38.1 Notwithstanding that set forth in Section 6, and in accordance with the *COVID-19 Economic Recovery Act, 2020* to amend the *Municipal Act, 2001*, the following rules and regulations for electronic participation in a Council Meeting shall apply:
- a) A Member who is unable to attend a Council Meeting in person may participate in that Meeting by electronic or other communication facilities if the facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.
 - b) Except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.
 - c) A Member who intends to participate in any such Meeting of Council by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting. In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.
 - d) There shall be no limit upon the number of Members who may attend a Meeting of Council by electronic or other communication facilities.
 - e) The Mayor (or designate), as Chair, shall lead the Meeting and be present from a designated meeting location supported by the CAO (or designate), where possible.

- f) Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when he or she joins the Meeting and, if and when applicable, upon leaving the Meeting.
- g) Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
- h) Any Member attending and present during a Meeting by electronic or other communication facilities may participate in all aspects of the Meeting as if present in person, including but not limited to debate, questioning, presentation of motion, and/or voting.
- i) During the course of a Meeting within which any Member is participating by electronic or other communication facilities, the Chair (or designate) shall announce each agenda item on the floor of the Meeting and shall thereafter maintain an orderly meeting process, including keeping Members fully informed.
- j) Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted and, as set forth below, duly recorded.
- k) During the course of each vote conducted within such Meeting:
 - i. All votes shall be a recorded vote conducted by the Clerk, as directed by the Chair, unless Council decides otherwise.
 - ii. The Clerk shall call the name of each Member to vote and shall thereafter record such indicated vote of that Member as "yes" or "no".
 - iii. If the Member, whether present in person or electronically and after two attempts, fails to respond to the call of his or her name, then the vote is recorded as "no", unless directed otherwise by the Chair.
 - iv. The Clerk shall announce the results of the vote to the Chair and Council, including announcement of the specific vote of each Member as either "yes" or "no".

- l) During the course of the Meeting:
 - i. Each Member shall remain silent and attentive to the proceeding when not assigned to the floor by the Chair.
 - ii. Each Member shall listen for their name to be assigned to the floor to speak or to vote.
 - iii. All Members shall take and abide by the directions of the Chair in order to facilitate an effective, efficient, and orderly Meeting.

38.2 The rules and regulations set forth under Section 38.1 of this By-law shall also be applicable to any Council Meeting held during any period in which an emergency has been declared to exist in all or part of the territorial limits of the Township of Southwold pursuant to either section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

3. That By-law No. 2020-20 be repealed in its entirety.

READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME AND FINALLY PASSED THIS 25TH DAY OF APRIL, 2022.

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2022-33

Being a By-Law to authorize an alternate locate agreement with Aecon Utilities, A DIVISION of ACGI

WHEREAS Section 8 (1) of the Ontario Municipal Act, S.O., 2001, c.25 states that the powers of a municipality shall be interpreted so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS Section 9 states that a municipality has the capability, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Aecon Utilities, A DIV. of ACGI, the Contractor plans to undertake excavation work from time to time;

AND WHEREAS Aecon Utilities, A DIV. of ACGI has requested the Corporation of the Township of Southwold to provide an alternative locate for such work;

AND WHEREAS the Corporation of the Township of Southwold has agreed to grant an alternate locate, solely for such work, on the terms and conditions as further described in this Agreement.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. That the Mayor and CAO/Clerk are authorized to sign on behalf of the Corporation of the Township of Southwold the alternative locate agreement attached to this By-law as Schedule "A".
2. This By-law shall come into force and effect upon the final passing thereof.

**READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME AND
FINALLY PASSED THIS 25TH DAY OF APRIL, 2022.**

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs

ALTERNATE LOCATE AGREEMENT

Between: The Corporation of the Township of Southwold (hereinafter called the "Utility Owner")

And: Aecon Utilities, A DIV. of ACGI. (hereinafter called the "Contractor")

For the following Station Codes: _____ ALL _____

NOTICES:

To the Contractor:

Name: Aecon Utilities, A DIV. of ACGI. _____
Address: 20 Carlson Crt , Suite 105 _____
Toronto, ON, M9W 7K6 _____
Dept: _____
Contact: Adam Hurley _____
Phone/Fax: 416.573.1807 _____
Email: ahurley@aecon.com _____

To the Utility Owner:

1. Station Code(s): _____ ALL _____

Utility Owner Representative:

Name: _____
Position: _____
Address: _____

Phone/Cell: _____
Email: _____
Emergency: _____

WHEREAS:

1. The Contractor plans to undertake excavation work from time to time as further described in Schedule "A" attached hereto.
2. The Contractor has requested the Utility Owner to provide an alternate locate for such work.
3. The Utility has agreed to grant an alternate locate, solely for such work, on the terms and conditions as further described in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained in this Agreement and other consideration (the receipt and sufficiency of which are acknowledged), the Utility Owner and the Contractor agree as follows:


1. The Contractor shall perform the excavation work described in Schedule "A" attached hereto (the "Allowable Work") and use the Ontario One Call Contractor Alternate Locate ID number in accordance with the terms and conditions set forth in this Agreement, including without limitation the additional terms and conditions pertaining to the Allowable Work set out in Schedule "A".

2. The terms and conditions and Schedule "A" attached hereto form part of this Agreement and are binding upon the parties hereto and shall supersede and be unaffected by all other terms and conditions made or issued by the Contractor in relation to the Allowable Work.

Ontario One Call Contractor **Alternate Locate ID**: 158597

In Witness Whereof the parties hereto have executed this Agreement as of the 25th day of April 2022, ("the Effective Date"):

Aecon Utilities, A Division of ACGI

By: 
Signature: Eric MacDonald
Title: EVP, Aecon Utilities

By: _____
Signature: _____
Title: _____

By: _____
Signature: _____
Title: Mayor

Signature: _____
Title: CAO/Clerk

We have authority to bind the
Corporation

TERMS AND CONDITIONS

1. The term of this Agreement is for two (2) years, commencing on the Effective Date, subject to earlier termination in accordance with the terms of this Agreement. At the Utility Owner's sole option, the term of this Agreement may be renewed by the Utility Owner for an additional one (1) year term by the Utility Owner by providing the Contractor with written notification of such renewal.
2. This Agreement may be terminated at any time by either party upon one day written notice to the other party with no liability for any incurred costs to either party as a result of the termination. Upon termination or expiration of this Agreement, the Contractor shall immediately cease any excavation related to the Allowable Work and shall immediately cease, and cause all of its personnel to cease, any use of the Contractor Alternate Locate ID.
3. The Contractor represents and warrants that the Allowable Work will not have a negative impact on the underground plant or equipment owned by the Utility Owner (the "Utility Owners Plant"). This Agreement pertains only to the Utility Owners Plant, and the Contractor will be required to obtain locates of all other underground plant.
4. The following terms and conditions apply to the use of the Contractor Alternate Locate ID:
 - a. Locate requests shall be made to Ontario One Call for all excavations by the Contractor.
 - b. The Contractor will be issued a contractor alternate locate ID number (the "**Contractor Alternate Locate ID**") by Ontario One Call which shall be referenced by the Contractor for locate requests for Allowable Work made through Ontario One Call.
 - c. The Contractor will only use a Contractor Alternate Locate ID when making locate requests to Ontario One Call for Allowable Work.
 - d. The Contractor shall keep and maintain at the job site a copy of this Agreement and a copy of all Ontario One Call confirmations and communications pertaining to Allowable Work at the job site for which the Contractor has used the Contractor Alternate Locate ID.
 - e. The Contractor shall ensure that all of its on-site employees are aware of the terms and requirements of this Agreement;
 - f. An Ontario One Call alternate locate confirmation is valid for sixty (60) days from the date the request was made to Ontario One Call or as noted on the alternate locate confirmation form. If excavation work is not completed within such timeframe, the Contractor must contact Ontario One Call to register a new alternate locate request.
 - g. The Utility Owner retains the right to refuse to honour the alternate locate at any time for any reason, and may also cancel the Utility Owners Contractor Alternate Locate ID at any time upon notice.
5. The Contractor shall request individual regular locates through Ontario One Call for all excavation work done outside the scope of the Allowable Work, or whenever requested by the Utility Owners (either directly or through Ontario One Call).
6. The Contractor Alternate Locate ID applies to the Contractor only and not to any of its subcontractors. The Contractor shall not disclose the Contractor Alternate Locate ID to any individual except for its authorized employees who require the Contractor Alternate Locate ID for the purposes of executing the Allowable Work in accordance with the terms of this Agreement.
7. All Allowable Work shall be conducted in accordance with all laws, standards, codes and guidelines applicable to the Contractor and the Allowable Work, including, without limitation, the most recent versions of each of the following:

- a. Electrical Safety Authority (ESA) and Technical Standards & Safety Authority (TSSA) *Guidelines for Excavations in the Vicinity of Utility Lines*;
- b. Infrastructure Health & Safety Association ("IHSA") Safe Practice Guide *Excavating with Hydrovacs in the vicinity of Underground Electrical Plant*;
- c. *The Occupational Health and Safety Act* (Ontario) and all regulations made thereunder including, without limitation, O. Regulation 213/91 (Construction Projects) (as each of the foregoing is amended from time to time, the "OHSA");
- d. The Ontario Regulation 22/04 – Electrical Distribution Safety – made under subsection 113(1) of Part VII of the *Electricity Act, 1998*; and
- e. The Technical Standards and Safety Authority Act 2000 and reg.210/01

In the event of any conflict among any of the foregoing, or any other applicable laws, standards, codes or guidelines, the most stringent standard shall apply. The Contractor shall obtain any necessary licenses, permits or consents of such governmental authorities or of any applicable third parties, in respect of their respective obligations and conduct pursuant to or in respect of this Agreement.

- 8. In the event any Utility Owners Underground Plant is discovered or encountered, but where there has been no damage to the Utility Owners Plant or to property of any third party and no personal injury as described in Section 9, the Contractor will contact the Utility Owner immediately at the telephone number set out on the first page of this Agreement and ensure that if required by the Utility Owner, the excavation is left open in a safe and secure manner until it has been inspected by the Utility Owner.
- 9. If any excavation by the Contractor results in any damage (including but not limited to pipe coating damage or damage to tracer or grounding wires) to the Utility Owners Plant or property of any third party or any personal injury, the Contractor shall immediately:
 - a. Cease all work within the excavation;
 - b. Exclude all people and barricade the area; and
 - c. Contact the Utility Owner immediately.
- 10. The Contractor shall comply with the Ontario Regional Common Ground Alliance Best Practices, 4-23: Facility Damage Notification and 4-24: Notification of Emergency Personnel, as same may be changed or amended from time to time. In the event of any conflict between the Ontario Regional Common Ground Alliance Best Practices and the terms of this Agreement, the terms of this Agreement shall be paramount. This Agreement shall not release the Contractor of any liability for damage to the Utility Owners Plant or property of any third party or any related personal injury arising from any excavation by the Contractor. The Contractor shall be liable for and shall indemnify and hold harmless the Utility Owner, and its Affiliates (as defined under the *Business Corporations Act* (Ontario)) and their respective shareholders, directors, officers, employees, contractors, agents and other representatives (collectively, "Representatives") from all actions, claims, penalties, damages, losses, judgments, settlements, cost and expenses (including legal costs) arising out of or resulting from any breach of this Agreement, negligence or any act or omission or willful misconduct of the Contractor or any of its Representatives and for those whom they are responsible in law. For certainty, in the event of any damage to Utility Owners Plant or personal injury, the Utility Owner has the right to complete an investigation into the nature and cause of the damage or personal injury. If the Utility Owner determines that the damage or personal injury arose out of or resulted from any breach of this Agreement or any negligent act or omission or willful misconduct of the Contractor or any of

its Representatives, then the Contractor shall indemnify, defend and hold harmless the Utility Owner as provided herein. Without limiting the generality of the foregoing, the Contractor shall be liable to pay for any and all costs and expenses to repair damages to any Utility Owners Plant caused directly or indirectly by excavation by the Contractor and shall pay any invoices for such costs or expenses within thirty (30) days from receipt thereof. Late payment charges shall accrue at 1.5% per month.

11. Any notice or other communication to be given under or pursuant to the provisions hereof or in any way concerning this Agreement shall be sufficiently given if reduced in writing and delivered to the person to whom such communication is to be given, or sent by facsimile transmission, or mailed to such person by prepaid mail addressed to such person at the address set out on the first page of this Agreement, or at such other address as may be specified therefore by proper notice hereunder. Any communication mailed as aforesaid shall be deemed to have been given and received on the fifth (5th) business day following the date on which it was so mailed, where such communication is sent by facsimile transmission it shall be deemed to have been given and received on the next business day following transmittal provided the facsimile is received as confirmed by the issuance of a confirmation receipt, and where such communication is personally delivered it shall be deemed to have been given and received when so delivered.
12. Unless the Utility Owner specifies otherwise in writing, the Contractor shall obtain, maintain, pay for and provide evidence of insurance coverage, with insurance companies licensed to transact business in the Province of Ontario and not otherwise excluded by the Utility Owner's Insurance and Risk Manager.

1. Commercial General Liability Insurance

Commercial General Liability ("CGL") Insurance shall include as an Additional Insured, the Utility Owner, with limits of not less than \$5 million (\$5,000,000.00) inclusive per occurrence for bodily and personal injury, death and damage to property including loss of use hereof. The CGL insurance will include Cross Liability & Severability of Interest Clauses, Products & Completed Operations coverage (12 months), Owners and Contractors Protective, and Non-Owned Automobile Liability endorsement including standard contractual liability coverage.

2. Automobile Liability Insurance

Automobile Liability Insurance in respect of licensed vehicles shall have limits of not less than \$5 million (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property. Coverage shall be in the form of a Standard owner's form automobile policy providing third party liability and accident benefits insurance and covering licensed vehicles owned, leased or operated by or on behalf of the Contractor.

The Utility Owner shall accept in place of the above mentioned insurance coverage, a combination of primary liability limits and umbrella insurance or excess liability limits which meet the CGL and Automobile Liability limits noted above.

The form of all insurance to be provided herein, shall in all respects be satisfactory to the Utility Owners Insurance and Risk Manager and shall be maintained continuously from either the commencement of the services or the signing of the Contract, whichever is sooner. The policies shall be endorsed to provide the Utility Owner with not less than 30 days written notice in advance of cancellation, change or amendment restricting coverage.

13. The Contractor shall not, without the prior written consent of the Utility Owner, assign this Agreement or any rights of the Contractor under this Agreement.
14. All indemnities provided for in this Agreement shall survive the termination of this Agreement irrespective of the time of or party responsible for such termination and all such indemnities shall remain in full force and effect and be binding on the Contractor notwithstanding such termination.

15. This Agreement, including any schedules attached hereto, constitutes the entire agreement between the parties with respect to the subject matter set out herein and replaces any prior understandings or agreements, whether written or oral, regarding such subject matter.

SCHEDULE "A"

"Allowable Work" means excavation meeting the following criteria within the Contractor's operating area:

Method of Excavation

All depth requirements are from original grade.

Hand excavation either side of a sidewalk to a depth not to exceed 0.25m on private property and not to exceed 0.30m on municipal property - no picks or bars are allowed. Use of a tunneling bar is allowed to bore from one side of the sidewalk to the other immediately below the bottom of the sidewalk only after each side of the sidewalk has first been exposed by hand excavation. The tunneling bar must be operated to ensure it moves from private property to public property.

Hand excavating to a depth not greater than 1.0m and diameter not greater than 0.6m around a survey monument.

Ploughing, mechanical brushing, grading to a depth not to exceed **0.20m**.

Wood and plastic Staking to a depth not to exceed 1.0m on private property and not to exceed 0.30m on municipal property.

Blading or leveling of soil only to create a flat surface for pouring of cement, no digging allowed without full locates (ALA is not valid).

Use of mechanical equipment only to remove concrete and asphalt pavement, and for stump grinding, to a depth not to exceed 0.25m on private property and not to exceed 0.30m on municipal property.

Installation of service cables on private property, by plowing or spading to a depth of not greater than 0.25m and not greater than 0.3m on municipal property.

Pedestal Replacement, hand dug to a depth of not greater than 0.3m, use of a jackhammer is approved for concrete removal but not to exceed the allowable depth. Replacement with new pedestal in the same location

For manhole/sewer grate raising and repairs only:

- Hand excavation to a depth not greater than 0.60m and width not greater than 0.60m beyond edge of manhole/sewer grate. Use of a jackhammer is approved for asphalt and concrete removal only. Work below asphalt and/or concrete to be done with hand tools only – no picks or bars are allowed.

For surveyors only:

- Hand excavation to a depth not greater than 1.0m and a diameter not greater than 0.60m around existing survey monuments.

Vacuum Hydrovac-Excavation:

- All hydro-excavation work is to be completed with the conditions outlined in the "Guideline for Excavation in the Vicinity of Utility Lines" (jointly published by the Electrical Safety Authority and the Technical Standards & Safety Authority). For detailed procedures for using hydro-excavation in the vicinity of pipelines see in Appendix 5.
- Maintenance, repair and removal of existing roadside features not to exceed 1.50m x 1.50m x 1.50m (exceptions apply if shoring is in place in accordance with the guidelines). Above ground maintenance, repair and removal of existing roadside features conducted through a circular hole with a diameter not to exceed 1.0m (Type 1 and Type 2 soil only).
- The pre-engineering design for the purpose of infrastructure depth surveys in order to determine the location of existing underground utilities. The purpose is to map out existing infrastructure in order to

determine the location of utilities that are presently underground within the future construction site. Standard locates must be requested to facilitate the future construction work.

- Minimum clearance requirements shall be maintained for each facility for all installations/replacements during hydrovac-excavation:
 1. Only competent, qualified workers shall operate hydro-excavation equipment;
 2. The maximum water pressure to be used at any time with a straight tip nozzle if during excavation in public roads or easements shall be 17250 kPa (2500 psi). Below a depth of 0.45m (18") the water pressure to be used at any time with a straight tip nozzle¹ shall be reduced to a maximum of 10350 kPa (1500 psi). All pressure measurements are to be taken at the hydro-excavation machine (truck, pump);
 3. The maximum water pressure to be used at any time with a spinning tip nozzle² during excavation shall be 20684 kPa (3000 psi). When a spinning tip nozzle² is used, pressure measurements are to be permanently monitored using a calibrated device mounted on either the hydro-excavation machine (truck, pump) or the wand;
 4. The wand shall never remain motionless during excavation. Aiming directly at the plant shall be avoided at all times;
 5. A distance of 0.2m (8") shall be maintained between the end of the pressure wand nozzle and the plant and/or the subsoil. The nozzle shall never be inserted into the subsoil while excavating above the plant;
 6. Only use hydro-excavation equipment and nozzles that have been specifically designed for use above buried electricity distribution power cables, wires and plant, gas lines or other reasonably expected underground gas plant;
 7. A device capable of stopping the excavation on demand, such as a dead man trigger or valve, shall be installed on the wand;
 8. If heated water is used during excavation, the temperature and pressure of the water shall never exceed 115°F (45 °C) and 17250 kPa (2500 psi) respectively;
 9. If damage to the Utility Owners Underground Plant occurs while using hydro-excavation technology or any other method of excavation, the excavator shall contact the Utility Owner as indicated below.

NOTES:

- 1) Straight Tip Nozzle- A straight tip nozzle is a single orifice fitting that can be inserted into the end of the wand used with a hydro-excavation machine such that there is a single concentrated jet of water exiting from the tip of the nozzle.
- 2) Spinning Tip Nozzle- A spinning tip nozzle consists of a conically shaped housing unit that contains a single exit port (to facilitate the flow).

NOTE: *Restoration* around any exposed Utility Owners Plant shall be to the Utility Owners standard specifications and subject to Utility Owners inspection at the Utility Owners discretion.

Types of Work Allowed

The work must be conducted using one of the excavation methods above.

Landscaping/Forestry

- Installation and service of lawn sprinkler systems
- Installation of fence posts
- Tree planting
- Stump grinding

- Installation of park benches and picnic tables
- Installation of new soil and nursery sod; lawn restoration
- Removal of existing root ball trees

Road Work

- Final permanent repair to surface material
- Final permanent repair to utility cuts
- Removal of temporary surface material, asphalt
- Installation of bus shelters and garbage cans
- Installation of wooden stakes for sidewalk replacement
- Sign Post Replacement

Cable Work

- Cable drop lines
- Installation of service cables by ploughing or spading

Pedestal replacement and flush grade enclosure

- Installation of replacement pedestals and flush grade enclosures

Manhole and Sewer Grates Repairs Only:

- Raising or repairs made around manholes and sewer grates are not to exceed 0.6m beyond edge of manhole or sewer grate and 0.6m in depth. Work below asphalt and or concrete to be done with hand tools only, no picks or bars allowed.

Surveyors

- Hand excavating to a depth not greater than 1.0m and diameter not greater than 0.6m around a survey monument

Type of allowable work using Hydro Vacuum Excavation

- Replacement of existing utility poles
- Removal and replacement of existing fence posts
- Installation of new fence posts, deck posts
- Construction, maintenance, repair, removal of existing roadside features
- Excavation of service pits for repair or maintenance of buried facilities
- Slot trenching for daylighting or installation of underground services
- Pre-Engineering design

Ministry of Agriculture,
Food and Rural Affairs

Office of the Minister

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Tel: 416-326-3074
www.ontario.ca/OMAFRA

Ministère de l'Agriculture, de
l'Alimentation et des Affaires rurales

Bureau du ministre

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April 8, 2022

Lisa Higgs
CAO/Clerk
Township of Southwold
cao@southwold.ca

Dear Ms. Higgs,

The Canadian Food Inspection Agency (CFIA) has confirmed cases of highly pathogenic avian influenza (H5N1) in Ontario.

While the CFIA leads the disease response for highly pathogenic avian influenza, and has imposed permitting requirements in defined areas of the province, I am writing to inform you and your constituents that Ontario is taking action to help limit the spread of the virus in the province.

On the advice and recommendation of the Chief Veterinarian for Ontario, I have issued a Minister's Order under the *Animal Health Act, 2009*, for the purpose of limiting the commingling of birds from different locations in Ontario, in order to reduce the likelihood of disease transmission in domestic birds by limiting direct contact.

Effective April 9, 2022, this Order temporarily prohibits events where birds commingle, such as bird shows, bird sales and swaps, portions of fairs where birds are exhibited, sport and educational displays where birds are brought from multiple locations, vaccination gatherings for birds from multiple locations, and prohibits the movement of birds to those events. Temporarily reducing direct contact between birds from different locations will limit the spread of avian influenza and protect flock health. This Order will expire on May 9, 2022, but may be extended if required.

This Order builds on the government's actions to limit the spread of avian influenza, including increasing surveillance and testing capacity and providing education and resources for all those along the poultry supply chain. As well, the Ontario government has expanded mental health supports for farmers and their families.

I also continue to encourage your constituents to further enhance their biosecurity measures.

If your municipality permits backyard flocks, I strongly encourage you to share these essential resources with them. Additionally, I am asking you to take a proactive approach in limiting public events that involve the commingling of birds.

Avian influenza subtype H5N1 has been identified in Ontario, and eight other provinces, including Nova Scotia, and Alberta, as well as numerous US states. Avian influenza is not a threat to food safety but impacts domesticated and wild birds. Ontario poultry and eggs are safe to eat when, as always, proper handling and cooking takes place. People working with poultry should take additional precautions and are strongly encouraged to follow all public health guidelines and maintain strict biosecurity.

I understand that temporarily stopping participation in these activities is disappointing news for many Ontario farmers, bird owners and hobbyists. By pausing these activities in the short term, I firmly believe we will help protect the poultry industry for the long term.

For more information on the Minister's Order, please visit [NEWSROOM](#) and [OMAFRA's Avian Influenza webpage](#).

The Ontario Ministry of Agriculture, Food and Rural Affairs continues to monitor this quickly developing situation and may implement further measures as part of the response to this disease.

I appreciate your cooperation as we continue to work together to enhance biosecurity and reduce the spread of avian influenza.

Sincerely,



Lisa M. Thompson

Minister of Agriculture, Food and Rural Affairs

Resources:

- [OMAFRA Avian Influenza Website](#)
- [CFIA Avian Biosecurity – Protect Poultry, Prevent Disease](#)
- [Checklist to Implementing an Effective Biosecurity Plan](#)
- [Suggested Solutions for Farmers – Deterring Migratory Birds](#)
- [Biosecurity Recommendations for Small Flock Poultry Owners](#)
- [How to prevent and detect disease in backyard flocks and pet birds](#)
- [Biosecurity for Small Poultry Flocks During High Risk Periods for Avian Influenza](#)
- [Mental health resources for farmers](#)

Public Health Principles for Living with COVID-19 and Protecting the Most Vulnerable Citizens

Southwestern Public Health Recommendations FOR WORKPLACES

Last Updated: April 11, 2022

Background

On March 9 2022, the Province of Ontario announced a plan to **live with and manage COVID-19** for the long-term. This plan include the removal of mandatory requirements for businesses and organizations to have vaccination policies, and remove mask mandates, except for in specific settings. Since then, there has been an increase in new daily cases and percent positivity in the our region. The BA.2 sub-variant of Omicron is now the dominant strain circulating in Ontario and cases are rising. While less common, a person can be re-infected with BA.2 after having the BA.1 variant of COVID-19.

The following recommendations relay the importance of continued implementation of public health principles, on a voluntary basis, in certain settings to protect the community and our most vulnerable people from COVID-19.

Older adults experience the greatest risk to their health and lifespan due to COVID-19. In the Southwestern Public Health region, 48% of all hospitalizations and 76% of all fatalities associated with COVID-19 were in those aged 70+. This data demonstrates the disproportionate and inequitable burden the pandemic has on seniors. Age is the most significant risk factor; those with underlying health conditions and/or immune-compromised also remain at greater risk.

Key Considerations

- The pandemic is not over. The COVID-19 virus continues to circulate in our community.
- We have a collective obligation to protect the most vulnerable from severe illness and death due to COVID-19. This includes protecting older adults and immune-compromised individuals.
- We have a collective responsibility to respect one another and the personal decisions we make to protect our own health.
- We need a collective approach to protect each other and ourselves from COVID-19 while recognizing the need to resume a sense of normalcy.
- Vaccination is our strongest defence against COVID-19. As such, vaccination policies should be maintained as a protective strategy to safeguard workplace health and safety. In addition,

Public Health Principles for Living with COVID-19 and Protecting the Most Vulnerable Citizens

employees should be encouraged to [stay up-to-date](#) with booster doses, including fourth doses if eligible. See the [COVID-19 Third Dose and Booster Dose Recommendations](#) for Ontarians.

- Businesses and organizations should enable physical distancing where feasible.
- Masking policies should be maintained to prevent the spread of highly transmissible variants of COVID-19 and based on the setting and the vulnerability of people.
- Workplaces may experience an increase in absenteeism when public health measures are lifted.

Safety Plans

- Safety plans are no longer required under the Reopening Ontario Act. Safety plans remain a good strategy to ensure employers meet their obligation to protect employees health and safety. Information on how to create a safety plan is [found here](#).

Screening Employees and Patrons

- Neither active nor passive screening screening of patrons or employees is required. However, active screening is one way to ensure that employees stay home if they are sick or experiencing symptoms of COVID-19.
- Southwestern Public Health suggests that workplaces have all employees and volunteers use a screening tool, if one or more of the following applies to them:
 - They have symptoms consistent with COVID-19
 - They are a close contact of a suspect COVID-19 case
 - They have a household member who is ill
 - They have travelled outside of Canada
 - They plan to visit a vulnerable individual

Face Coverings/Masks

- Early evidence demonstrates that the implementation of mask mandates in community settings was associated with reductions in COVID-19 case growth (Public Health Ontario, March 2022).
- Face coverings/masks are no longer required in most public places except for public transit, long-term care homes, retirements homes and other health care settings, congregate care and living settings, shelters, and jails.
- However, workplaces should strongly consider implementing and/or maintaining a face mask policy for indoor public settings.
- Masking policies are fundamental and should be considered in settings with a higher proportion of vulnerable people at risk of COVID-19 in the context of community spread. This may include

Public Health Principles for Living with COVID-19 and Protecting the Most Vulnerable Citizens

healthcare settings where older adults live, congregate and/or recreate, such as long-term care homes, retirement homes, seniors' centres and/or churches/places of worship. The wearing of masks is strongly encouraged when singing in large groups.

- Public Health Ontario recommends a respirator (KN95) or a well-fitted medical mask to protect against COVID-19. The Public Health Agency of Canada states that some high-quality, three-layer non-medical masks can help prevent the spread of COVID-19 like medical masks. Proper mask fit determines effectiveness. Learn more about [types of masks and respirators](#)

Ensuring Employees Stay Home When Sick or with Symptoms of COVID-19

- Employees should not come to work if they have:
 - [Symptoms of COVID-19](#)
 - Tested positive for COVID-19 (on a Rapid Antigen or PCR test)
- Employees should complete the screening tool, which provides direction on self-isolation requirements for those who are not fully vaccinated with a booster or previously tested positive for COVID-19 in the last 90 days. You can learn more about self-isolation requirements at www.ontario.ca/exposed or on the [Southwestern Public Health website](#).
- Have a clear procedure for employees to notify a supervisor/manager if they can't attend work. Maintain flexible policies so employees can self-isolate or work from home (if feasible) when necessary. The [Ontario COVID-19 Worker Income Protection Benefit](#) is available until July 31, 2022, to support employees without paid sick time.
- If an employee becomes ill with COVID-19 [symptoms](#) while at work, employees should follow their workplace policy and/or safety plan to avoid exposing others.
- View our [Guidance on Rapid Antigen Test Use](#) for more information on the appropriate use of rapid antigen tests when symptomatic.
- If an employee or someone in their household has symptoms or they have become a contact of a case, direct them to review our [website](#) or our [Symptoms or Exposure to COVID-19 factsheet](#)

Encourage Physical Distancing and Outdoor Gatherings Where Feasible

- Physical distancing remains an effective public health measure to stop the spread of COVID-19.
- Businesses and organizations should continue to encourage physical distancing of 2 metres where feasible.
- Enabling employees to work from home may allow for improved physical distancing and reduce employee absenteeism.

Public Health Principles for Living with COVID-19 and Protecting the Most Vulnerable Citizens

- Gathering outdoors is generally safer than gathering indoors and should be considered for meetings and events where possible.

Cleaning, Disinfecting and Hand Hygiene

- Commonly used cleaners and disinfectants are effective against COVID-19.
- Ensure frequent cleaning and disinfecting of high-touch surfaces and common areas such as door handles, counters, cabinet doors, debit machines, elevator buttons, light switches, faucets, toilet handles, handrails, and touch screen surfaces and keypads.
- **Washrooms** should be cleaned and disinfected frequently to maintain a sanitary environment.
- Encourage regular hand hygiene by placing hand sanitizer (with at least 60% alcohol) at facility entrances and exits. Recommend washing hands with soap and water if hands are visibly dirty.
- Only use disinfectants with a Drug Identification Number (DIN) that confirms they are approved for use in Canada. Follow manufacturer's instructions and check the expiry date of products.

Heating, Ventilation and Air Conditioning (HVAC)

- Increase the introduction and circulation of outdoor air by maximizing the outdoor air ratio of the HVAC system settings or by opening windows and doors where possible. Avoid recirculating air where possible.
- Ensure the HVAC system(s) are adequately maintained.
- Where provided, use the highest efficiency filters compatible with the HVAC system.
- Keep areas near HVAC inlets and outlets clear. Seating and activities should be arranged away from high airflow areas (i.e. not in front of air vents).
- Rooms, where indoor ceiling fans are used should have an upward airflow rotation.
- If portable fans are used, limit air blowing across people and surfaces by positioning them to provide an upward movement of air.

Vaccination

- Vaccination is our strongest defense against COVID-19.
- Southwestern Public Health encourages all workplaces to develop or maintain employee vaccination policies. See [Guidance for Workplace Vaccination Policies](#).
- All businesses and organizations should encourage employees to obtain COVID-19 vaccine booster doses as suggested by the [National Advisory Committee on Immunization](#). Visit www.swpublichealth.ca/covid19vaccine for clinic availability.

Public Health Principles for Living with COVID-19 and Protecting the Most Vulnerable Citizens

- Provincial proof of vaccination requirements for patrons entering businesses and organizations have been lifted. However, businesses and organizations may voluntarily continue to choose to require proof of vaccination.

Resuming Normalcy

- The COVID-19 pandemic has resulted in many unintended negative impacts on our mental, emotional, and physical health and well-being. See the [Public Health Agency of Canada's report](#).
- As a community, it is time to start resuming the activities and experiences that are good for our overall health, while being mindful of personal protective measures that reduce the risk of COVID-19 and protect those at greatest risk.
- While the principles noted in this guidance should be considered to mitigate the risk of COVID-19, we acknowledge the community level of fatigue and the desire to resume normal activities that benefit our overall health.
- Being considerate of personal decisions while protecting those at greatest risk of COVID-19 will ensure the least negative impact on the community and the most vulnerable.

If you have further questions about managing COVID-19 in your workplace or organization, please visit www.swpublichealth.ca for current information.

**Ministry of the Solicitor General
Office of the Fire Marshal**

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tel: 647-329-1100
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**Ministère du Solliciteur général
Bureau du commissaire des incendies**

25, avenue Morton Shulman
Toronto ON M3M 0B1
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MEMORANDUM TO: Heads of Council / Chief Administrative Officers

FROM: Tim Beckett
Acting Ontario Fire Marshal

DATE: April 14, 2022

SUBJECT: O. Reg. 343/22: Firefighter Certification

Dear Heads of Council and Chief Administrative Officers,

I am writing to provide an update on the work that we have been doing on firefighter certification under the [Fire Protection and Prevention Act, 1997](#).

I am pleased to let you know that O. Reg. 343/22: Firefighter Certification has been filed under the Act. It is available on e-Laws [here](#).

Throughout the consultation period, we received tremendous feedback and support from municipalities, fire chiefs, and partner associations including the Ontario Association of Fire Chiefs, Ontario Professional Fire Fighters Association and the Fire Fighters Association of Ontario. The Office of the Fire Marshal (OFM) has been working collaboratively with all partners to understand the regulation and how the OFM can best support departments at the local level throughout the implementation period.

The final regulation reflects changes related to exceptions, transition, and certification standards in response to feedback received during the Regulatory Registry posting period and during the municipal technical briefings. This feedback assisted in finalizing the firefighter certification regulation, which provides flexibility for local municipalities, while supporting firefighter and public safety.

With this regulation, we are not asking that firefighters train to higher levels than they already are. Certification is a process of verification, ensuring that a firefighter is trained to the standard they are required to perform, as set out in the level of service determined by a municipal council or territory without municipal organization.

Mandatory certification in Ontario will validate the training that firefighters receive and, in turn, will create safer communities.

Many of the comments received with respect to implementation have also been or will be addressed in the coming months. For instance, to address capacity pressures within the OFM, we are already increasing the staff complement for both the Ontario Fire College (OFC) and our Academic Standards and Evaluation Unit. This will ensure that we can respond to the current and ongoing demand for training and certification across Ontario.

We also continue to refine and enhance both our Adjunct Instructor and Regional Training Centre models to meet provincial demand. Learning Contract accessibility has been expanded allowing fire departments that already train together to continue to do so in order to achieve certification. The OFC will also be working with fire departments to increase their own internal training capacity and will be exploring opportunities to provide additional training for senior officers through upcoming seminars, conferences and webinars.

At the same time, we heard from many departments that purchasing textbooks and other training essentials is challenging. We have therefore explored options with the Fire Marshal's Public Fire Safety Council (FMPFSC) to look at supports that they can provide on the procurement of textbooks and other materials. The FMPFSC is supportive of the certification file and will be finalizing options that will be communicated to fire departments shortly.

I am pleased that we have been able to work so collaboratively with municipalities, fire departments, and other partners to have this regulation finalized. With a long implementation window, we are confident that certification is achievable and look forward to working with firefighters across Ontario as this regulation is operationalized.

Sincerely,

Tim Beckett
Acting Fire Marshal

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY- LAW NO. 2022-34

Being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on April 25, 2022.

WHEREAS Section 5(3) of the Municipal Act, 2001, Chapter 25, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

WHEREAS it has been expedient that from time to time, the Council of the Corporation of the Township of Southwold should enact by resolution or motion of Council;

AND WHEREAS it is deemed advisable that all such actions that have been adopted by a resolution or motion of Council only should be authorized by By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. That the actions of the Council of the Township of Southwold at the Regular Meeting of Council held on April 25, 2022; in respect to each report, motion, resolution or other action passed and taken by the Council at its meetings, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the Corporate Seal of the Township of Southwold to all such documents.

**READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME, AND
FINALLY PASSED THIS 25th DAY OF APRIL, 2022.**

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs