



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

**Regular Council Meeting
Monday February 13, 2023
7:00 p.m. Council Chambers, Fingal/Via Video Link**

COUNCIL PRESENT: Mayor Grant Jones

Deputy Mayor Justin Pennings

Councillor John Adzija

Councillor Scott Fellows (virtually)

COUNCIL ABSENT: Councillor Sarah Emons

ALSO PRESENT: Jeff Carswell, CAO/Clerk

Peter Kavcic, Dir. of Infrastructure & Development Services

Paul Van Vaerenbergh, Public Works Superintendent

Brent Clutterbuck, Drainage Superintendent

June McLarty, Corporate Services Clerk

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

ADDENDUM TO THE AGENDA:

8. REPORTS:

- (k) CAO 2023-09 Country Grocery – Request to Sell Alcohol on Statutory Holidays

11. OTHER BUSINESS:

- (h) Elgin Police Group Services Board RE: Bail Reform Letter

DISCLOSURES: None

ADOPTION OF MINUTES:

Council Minutes – Adopt

2023-47 Deputy Mayor Pennings – Councillor Adzija

THAT the Minutes of the Regular Council Meeting of January 25, 2023 and the Special Council Meetings of January 19, 26 and February 6, 2023, are hereby adopted.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Committee Minutes – Review

2023-48 Deputy Mayor Pennings – Councillor Adzija

THAT Council has reviewed the minutes of the Family Day Committee Meetings of December 8, 2021, January 18, 23 and 30, 2023 and the Draft Minutes of the Family Day Committee Meeting of February 7, 2023 and the Draft Minutes of the Southwold Young at Heart Committee Meeting of January 19, 2023

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

DRAINAGE:

A & C Jones Drain 2022

In attendance: A. Jones, W. Luyks

Mtg to Consider Report – A & C Jones Drain 2022

2023-49 Deputy Mayor Pennings – Councillor Adzija

THAT the Meeting to Consider the Report for the A & C Jones Drain 2022 forms at **7:03 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Chairman Jones called the meeting to order and stated that this is the Meeting to Consider the Report for the A. & C. Jones Drain 2022, dated December 12, 2022 prepared by the Engineers Mike DeVos and George Vereyken of Spriet Associates.

This report was submitted to the Clerk of the Township of Southwold on January 3, 2023. Council received this report and decided to proceed with this report at our meeting on January 9, 2023

The purpose of this meeting is to allow the landowners and other affected parties to be given the opportunity to voice their concerns relating to any aspect of this report.

During this meeting anyone who signed a petition under Section 4 of the Drainage Act for this drain will be given the opportunity to remove their name, also any affected party who did not sign a petition will be given the opportunity to add their name to the petition.

Matters dealing specifically with assessments including where any land or road has been assessed too high or too low, any land or road that should have been assessed but has not been, or the land use was not duly considered will be dealt with by the Court of Revision at a date to be determined after the passing of a Provisional By-Law.

The Chairman asked if everyone was notified of this Meeting to Consider the Report of the Engineer in an appropriate way that were required to be notified under the Drainage Act? The Clerk responded yes, on January 16, 2023 the required notice of this meeting was sent by regular mail, or by email to all landowners and affected parties required to be notified under Section 41 of the Drainage Act. Included with the notice was a copy of the Report of the Engineer for the A. & C. Jones Drain 2022 Dated December 12, 2022.

Engineer George Vereyken presented the report to Council.

Chairman Jones asked if any landowners or affected parties had any questions and concerns.

W. Luyks asked if the drain was designed to handle an inch and half of rain in 24 hours. Mr. Vereyken responded yes. The agriculture portion which is the majority of the drain has been designed for an inch and half of rain. This is the current OMAFRA standard. The portion that goes down the gully is designed larger to prevent erosion. Mr. Luyks asked if a 4-inch rain would go over top. Mr. Vereyken responded that no a 4-inch rain would not go over top. We don't anticipate a storm that big in the next 100 years. No other questions were asked.

The Chairman asked if there are any landowners who would like to add or remove their name from the petition. No names will be added or removed.

A & C Jones Drain 2022

2023-50 Deputy Mayor Pennings – Councillor Adzija

THAT Council consider provisional By-law No. 2023-13 for the A. & C. Jones Drain 2022; and

THAT Council authorizes staff to initiate the tender process, if required, for the construction of the A. & C. Jones Drain 2022; and

THAT Court of Revision for the A. & C. Jones Drain 2022 will be held virtually/in-person at 7:00 p.m. on March 13, 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

The Chairman stated that later during this meeting, Council will be passing provisional by-law 2023-13. The Clerk will be mailing a copy of the Provisional By-Law duly passed tonight to the Landowner and affected parties as required by Section 46 of the Drainage Act along with the notice of The Court of Revision for the A. & C. Jones Drain 2022 can be attended in person or virtually on March 13, 2023 at 7:00pm.

Any owner of land assessed for the drainage works may appeal to the Court of Revision on any of the following grounds:

1. Any land or road has been assessed an amount that is too high or too low.
2. Any land or road that should have been assessed has not been assessed.
3. Due consideration has not been given to the use being made of the land; by a written notice setting out the grounds of the appeal at least 10-days before the first sitting of the Court of Revision to the Chief Administrative Officer/Clerk of the Township of Southwold and further under section 48 of the Drainage Act Any owner of land or any public utility affected by a drainage works, if dissatisfied with the report of the engineer on the grounds that,
 - (a) the benefits to be derived from the drainage works are not commensurate with the estimated cost thereof.
 - (b) the drainage works should be modified on grounds to be stated.
 - (c) the compensation or allowances provided by the engineer are inadequate or excessive;

may appeal to the Tribunal, and in every case a notice of appeal shall be served within 40 days of the mailing of the Provisional By-Law.

A fact sheet is available that explains the appeals that are available to landowners under the Drainage Act as well as the required forms are available for pick up at the Township of Southwold Office or they could be sent to you by regular mail or email. If anyone has any questions regarding appeals or any other aspect of this work, please contact the Drainage Superintendent Brent Clutterbuck

Adjournment of Mtg to Consider Report – A & C Jones Drain 2022

2023-51 Councillor Adzija –Deputy Mayor Pennings

THAT the Meeting to Consider the Report for the A. & C. Jones Drain 2022 hereby adjourns and the regular meeting of Council reconvenes at **7:12 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

REPORTS:

ENG 2023-07 Activity Report – January 2023

Peter Kavcic presented this report to Council.

ENG 2023-08 Water Pick-Up Truck Quotation Award

2023-52 Councillor Adzija – Councillor Fellows

THAT Council approve the quote submitted by Disbrowe Chevrolet, Buick, GMC, Cadillac for a water pick up truck in the amount of \$55,626, excluding HST.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

ENG 2023-09 Draft Site Alternation By-law

2023-53 Deputy Mayor Pennings – Councillor Adzija

THAT Council endorse the draft site alteration bylaw and allow for a 20-working day period for public consultation.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

ENG 2023-10 Composting Program Initial Purchase

2023-54 Deputy Mayor Pennings – Councillor Adzija

THAT Council approve the purchase of 1000 green bins and 250 digesters in advance of the Green Lane Community Trust budget being approved.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

ENG 2023-11 Draft Township Design Guidelines Manual – Part 2

2023-55 Councillor Fellows – Deputy Mayor Pennings

THAT Council endorse the draft Township Design Guidelines Manual Part 2 following a 20 working day period for consultation with consultants and development industries; and

THAT the colour temperature under Section 13.5.2 shall be changed to 3000k.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

PW 2023-01 Supply and Delivery of Grader Proposal Award

2023-56 Councillor Adzija – Deputy Mayor Pennings

THAT Council approve the proposal submitted by Brandt Tractor Ltd. for a motor grader in the amount of \$587,900.00, excluding HST.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

PW 2023-02 Supply and Delivery of Granular Material Tender Results

2023-57 Deputy Mayor Pennings – Councillor Fellows

THAT Council accept the supply and delivery of granular materials from Jeff Campbell Trucking in the amount of \$458,300.00, excluding HST.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

CBO 2023-03 Activity Report – January 2023

This report was presented to Council.

CAO 2023-06 Activity Report – January 2023

Jeff Carswell presented this report to Council.

CAO 2023-07 Covid Vaccination Policy

2023-58 Councillor Adzija – Councillor Fellows

THAT the Covid Vaccination Policy, last updated January 24, 2022, be rescinded; and,

THAT the Covid-19 Safety Plan be updated by staff to reflect the current guidance from Southwestern Public Health and be incorporated into the Township Health and Safety Program.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

CAO 2023-09 Country Grocery – Request to Sell Alcohol on Statutory Holidays

2023-59 Councillor Adzija – Deputy Mayor Pennings

THAT Council grant permission for the Country Grocery – LCBO Convenience Outlet, Shedden to be open on the following Statutory Holidays or until revoked or modified by Council

- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving
- Good Friday
- Easter Sunday
- Christmas Day
- New Year's Day

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

CORRESPONDENCE:

Application for Fireworks Event

2023-60 Deputy Mayor Pennings – Councillor Fellows

THAT Council of the Township of Southwold approves the request from the Fingal – Shedden & District Optimist Club to have a Fireworks Event at the Southwold Winterfest on Saturday February 18, 2023 (rain date February 20, 2023).

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Fee Waiver Request – Shedden Scouts

2023-61 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold approves the \$5035.00 fee waiver request from the Shedden Scouts for the use of the Keystone Complex for 19 meetings.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

BY-LAWS:

- By-law No. 2023-13, being a by-law to provide for drainage works A. & C. Jones Drain 2022

By-laws

2023-62 Deputy Mayor Pennings – Councillor Fellows

THAT By-law No. 2023-13, be read a first and second time this 13th day of February 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

OTHER BUSINESS:

- Resolution from the Township of Lanark Highlands RE: Violence Against Women
- Resolution from the Town of Petrolia RE: School Board Election
- Memo from OPP RE: Tragic Event in Memphis Tennessee – Tyre Nichols
- Invitation to Kettle Creek Conservation Authority Annual General Meeting
- Elgin County Economic Development and Tourism- What's New in Elgin – February 2023
- West Elgin Council Request to Elgin County Council to Review By-Law EC-1 Parking By-law
- Police Service Board Information
- Elgin Police Group Service Board RE: Bail Reform Letter

Request to Elgin County Council to Review By-law Number EC-1 Parking By-law

2023-63 Councillor Adzija – Deputy Mayor Pennings

THAT Council of the Township supports the request from the Municipality of West Elgin to have the Elgin County Council review By-law Number EC-1, Parking By-law.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Bail Reform Letter

2023-64 Deputy Mayor Pennings – Councillor Adzija

THAT the Council of the Township of Southwold supports the request made in the letter from the Elgin Group Police Services Board to urge immediate action from the federal government to improve Canada's bail system to protect the public and our heroic first responders.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

OTHER BUSINES:

2023-65 Councillor Adzija – Deputy Mayor Pennings

THAT Council receive and file the other items listed under Other Business.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

CLOSED SESSION:

2023 –66 Deputy Mayor Pennings – Councillor Adzija

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **7:57** p.m. in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- A proposed or pending acquisition or disposition of land by the municipality or local board (section 239(2))(c) – Iona Road Allowance Property
- Labour relations or employee negotiations (section 239(2))(d) – CUPE Update
- Personal Matters about an identifiable individual, including municipal or local board members (section 239(2))(b) – HR Update

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Adjournment of Closed Session

2023-67 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:24p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

STAFF DIRECTION

Staff was given direction from Council on the items that were discussed in the Closed Session.

Ratification of CUPE Agreement

2023-68 Deputy Mayor Pennings – Councillor Fellows

THAT Council ratify the Collective Agreement with CUPE Local 35.7 for the period of March 9, 2022 to December 31, 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

BY-LAW:

- By-law No. 2023-14, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on January 26, 2023, February 6 and 13, 2023.

Confirming By-law

2023-69 Councillor Adzija – Deputy Mayor Pennings

THAT By-law No. 2023-14 be read a first and second time, considered read a third time and finally passed this 13th day of February 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED


ADJOURNMENT:

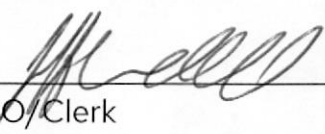
2023-70 Deputy Mayor Pennings – Councillor Adzija

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:27 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED



Mayor
Grant Jones

CAO/Clerk
Jeff Carswell