



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting

Monday August 14, 2023

7:00 p.m. Keystone Complex, 35921 Talbot Line, Shedden/Via Video Link

COUNCIL PRESENT: Mayor Grant Jones
Deputy Mayor Justin Pennings
Councillor John Adzija
Councillor Sarah Emons
Councillor Scott Fellows

ALSO PRESENT: Jeff Carswell, CAO/Clerk
Lisa Higgs, Clerk
Michele Lant, Director of Corporate Services/Treasurer
Aaron Van Oorspronk, Director of Infrastructure & Development Services
Jeff McArthur, Director of Emergency Services/Fire Chief
Josh Mueller, Planner
June McLarty, Corporate Services Clerk

Mayor Jones called the meeting to order at 7:00 p.m. He welcomed back Lisa Higgs from her maternity leave and thanked Jeff Carswell for covering Lisa's absence.

ADDENDUM TO AGENDA: None

DISCLOSURES: None

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-243 Deputy Mayor Pennings – Councillor Adzija

THAT the Minutes of the Regular Council Meeting of July 10, 2023
are hereby adopted.

CARRIED

Committee Minutes – Review

2023-244 Councillor Adzija – Councillor Emons

THAT Council has reviewed the minutes of the Draft Minutes of the Southwold Young at Heart Committee Meeting of July 20, 2023, the Draft Minutes of the Talbotville Station Technological Advisory Committee Meeting of July 31, 2023 and the Draft Minutes of the Economic Development Committee Meeting of August 2, 2023.

CARRIED

DRAINAGE:

COURT OF REVISION – Bogart Drain 'C' 2023

Members – Court of Revision Bogart Drain 'C' 2023

2023-245 Councillor Emons – Deputy Mayor Pennings

THAT Council of the Township of Southwold appoints Grant Jones as Chair, Justin Pennings, John Adzija, Sarah Emons and Scott Fellows as members of the Court of Revision for the Bogart Drain 'C' 2023.

AND THAT Council adjourn and form Court of Revision for the Bogart Drain 'C' 2023 at **7: 03 p.m.**

CARRIED

Adjournment Court of Revision – Bogart Drain C 2023

2023-246 Deputy Mayor Pennings – Councillor Adzija

THAT the Court of Revision for the Bogart Drain 'C' 2023 adjourns at **7:05 p.m.**

AND THAT the regular meeting of Council reconvenes.

CARRIED

Gregory Drainage Works Petitions

Section 4 Petitions- Goodhue and 927470 Ontario Ltd.

2023-247 Councillor Emons – Deputy Mayor Pennings

THAT Council of the Township of Southwold receives and decides to proceed with the petitions for the Gregory Drainage Works under Section 4 (1) of the Drainage Act that was received from Steve Goodhue and 927470 Ontario Ltd; and,

THAT Council instructs the Clerk to send notice required under Section 5 (1) (b) of the Drainage Act to the petitioners, OMAFRA and Kettle Creek Conservation Authority; and

THAT Council will appoint an engineer under the appropriate section of the Drainage Act after the 30-day period specified in Section 6(1) and 7 (1) has passed.

CARRIED

Section 78 – Ferguson

2023-248 Councillor Fellows – Deputy Mayor Pennings

THAT Council of the Township of Southwold receives the request to improve the Gregory Drainage Works, as described in the petition submitted by Mac Ferguson, under Section 78 (1) of the Drainage Act and decides to proceed; and

THAT Council instructs the Clerk to send notice required under Section 5 (1) (b) of the Drainage Act to the petition and OMAFRA and under Section 78(2) of the Drainage Act to Kettle Creek Conservation Authority; and

THAT Council will appoint an engineer under the appropriate section of the Drainage Act after the 30-day period specified in Section 6(1) and 7 (1) has passed.

CARRIED

PLANNING:

PLA 2023-26 Consent Application E60-23 Gifford/Dale C/O Strik Baldinelli Moniz Ltd, 37362 Lake Line and 37360 Lake Line

2023-249 Deputy Mayor Pennings – Councillor Adzija

THAT Council recommends approval to the Land Division Committee of the County of Elgin for consent application, E60-23 subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-26.

CARRIED

PLA 2023-27 Consent Application E66-23 Balser/Easton, 8934 Iona Road

2023-250 Councillor Emons – Councillor Adzija

THAT Council recommends approval to the Land Division Committee of the County of Elgin for consent application, E66-23 subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-27.

CARRIED

Zoning By-law Amendments

7:15 p.m. ZBA 2023-07, Ralph and Anne DeVries Farms Ltd, 32698 Scotch Line

In attendance: Ralph and Anne DeVries, Wes Whalls, Sandfred Woolley

Opening of Public Meeting for ZBA 2023-07

2023-251 Deputy Mayor Pennings – Councillor Fellows

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider Zoning By-law Amendment file no. 2023-07, filed by Ralph and Anne DeVries Farms Ltd, 32698 Scotch Line opens at **7:15 p.m.**

CARRIED

The Mayor called the meeting to order and stated this is a public meeting as required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed Zoning By-law Amendment to rezone the subject property legally described as CON SNBTR S PT Lots 1, 2 and 3 and described municipally as 32698 Scotch Line.

The proposed Zoning By-law Amendment (ZBA) Application would rezone the retained parcel from Agricultural 1 (A1) Zone to Agricultural 3 (A3) Zone to prevent future residential development and ensure that the retained parcel continues to be utilized for agricultural uses.

The Mayor asked if any member of Council had a disclosure of interest concerning the proposal. None were declared.

The Mayor asked what method of notice and when was the notice given to the public for the meeting. The Clerk responded that a notice was mailed to the neighbouring property owners with 120 meters of the subject lands and emailed to commenting agencies on July

14th, 2023. A sign was posted on the subject property prior to the deadline of July 25th, 2023.

Planner Josh Mueller presented this report.

The Mayor asked if comments were received from staff. The Clerk responded yes. Staff comments were received as detailed in the Planning Staff Report.

The Mayor asked if any written submissions were received on this application. The Clerk responded that agency comments were received, as detailed in the Planning Staff Report. No public comments were received at the time of writing the Planning Staff Report.

The Mayor stated that before he opened the floor to questions from the public, please be advised if any person from the public wishes to receive further information on the action of Council regarding the decision on the application for Zoning By-law Amendment, please ensure they email their name, address, postal code and phone number to the Planner or Clerk by August 15th, 2023. Any person that has contacted the Planner to be part of this public meeting will receive this further information automatically.

The Owners of the property, Ralph and Anne DeVries identified themselves. They had no additional comments.

The Mayor asked if there were any members of the public who would like to make any oral comments on the application. No oral comments on the application were received.

The Mayor asked if any member of Council had any comments or questions on the application. None were received.

No additional comments or questions were received from Council or the public.

PLA 2023-25 ZBA 2023-07 Ralph and Anne DeVries Farms Ltd., 32698 Scotch Line

2023-252 Councillor Adzija – Councillor Emons

THAT Council approves the proposed Zoning By-law Amendment Application ZBA 2023-07, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2023-25.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicant. This public meeting is now concluded.

Closing of Public Meeting for ZBA 2023-07

2023-253 Deputy Mayor Pennings – Councillor Adzija

THAT the public meeting to consider the applications to amend the zoning on the property owned by Ralph and Anne DeVries Farms Ltd., 32698 Scotch Line, closes at **7:21 p.m.**

CARRIED

PLA 2023-28 Consent Application E67-23 Lyle, 39564 Fingal Line

2023-254 Deputy Mayor Pennings–Councillor Fellows

THAT Council recommends approval to the Land Division Committee of the County of Elgin for consent application, E67-23 subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-28.

CARRIED

REPORTS:

FIR 2023-08 Activity Report – June and July 2023

Jeff McArthur presented this report to Council.

ENG 2023-36 Activity Report – July 2023

Aaron VanOorspronk presented this report to Council.

DELEGATION:

Jennifer Buchanan, Graham Scott Enns LLP

7:30 p.m. – 7:47 p.m.

2022 Financial Statements

2023-255 Councillor Fellows – Councillor Emons

THAT the Financial Statements for the Year Ended December 31, 2022 of the Corporation of the Township of Southwold, as prepared and presented by Graham Scott Enns, LLP be approved;

AND THAT the Mayor, CAO/Clerk and/or Treasurer, as required, be authorized to sign the following documents associated with the 2022 Year End:

1. Financial Statements
2. Management's Responsibility for Financial Reporting
3. Management Representation Letter
4. Audit findings letter

CARRIED

REPORTS:

ENG 2023-37 Bulk Water Station Upgrade

2023-256 Councillor Emons – Deputy Mayor Pennings

THAT Report ENG 2023-37 relating to Bulk Water Station upgrades, be received for information; and,

THAT the quotation submitted by FlowPoint Environmental Systems in the amount of \$22, 206.90, excluding HST (Harmonized Sales Tax), be accepted.

CARRIED

ENG 2023-39 Waste Management Update

STAFF DIRECTION

Staff was directed by Council to determine options for collecting waste from commercial businesses and report back a future Council meeting.

DELEGATION:

St. Thomas Elgin Local Immigration Partnership Overview

8:22 p.m. – 8:45 p.m.

Petrusia Hontar provided an overview of the St Thomas Elgin Local Immigration Partnership.

REPORTS:

CBO 2023-14 Activity Report – July 2023

This report was presented to Council.

Economic Development Committee Report 2023-01

2023-257 Councillor Fellows – Deputy Mayor Pennings

THAT Michelle Hoffsuemmer be appointed to the Economic Development Committee.

CARRIED

CAO 2023-35 Activity Report – July 2023

Jeff Carswell presented this report to Council.

CAO 2023-36 Strategic Plan – Draft Strategic Priorities, Mission, Vision, Goals and Objectives

2023-258 Deputy Mayor Pennings – Councillor Adzija

THAT Council provide feedback and direction on the Draft- Strategic Priorities, Mission, Vision, Goals and Objectives of the Strategic Plan.

CARRIED

Elgin County Council Highlights – July 11, July 25, and August 8, 2023

Mayor Jones presented the Elgin County Council Highlights to Council.

CORRESPONDENCE:

Elgin Group Policing Agreement

2023- 259 Councillor Fellows – Councillor Emons

THAT Council of the Township of Southwold accepts the extension to the Elgin Group Policing Agreement.

CARRIED

BY-LAWS:

- By-law No. 2023-38, being a by-law to provide for drainage works – Bogart Drain 'C' 2023, third and final reading.

- By-law No. 2023-42, being a by-law to amend By-law No. 2011-14, Ralph and Anne DeVries Farms Ltd, 32698 Scotch Line
- By-law No. 2023-43, being a by-law to amend By-law No. 2022-47, appoint a Chief Administrative Officer and Clerk
- By-law a No. 2023-44, being a by-law to amend By-law No. 2021-73 – User Fees-Garbage Bag Tags.
- By-law No. 2023-45, being a by-law to amend By-law No. 2023-32, Local Improvement Charges
- By-law No. 2023-47 being a by-law to execute an amending agreement for the provision of the Police Services for the Elgin Group Municipalities

By-law 2023-38

2023-260 Councillor Emons – Deputy Mayor Pennings

THAT By-law No. 2023-38, be read a third time and finally passed this 14th day of August 2023.

CARRIED

By-laws

2023-261 Deputy Mayor Pennings – Councillor Emons

THAT By-law Nos. 2023-42, 2023-43, 2023-44, 2023-45, 2023-47 and be read a first and second time, considered read a third time and finally passed this 14th day of August 2023.

CARRIED

CLOSED SESSION:

2023-262 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 **9:12 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- A trade secret or scientific, technical, commercial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Section 239 (2) (i)) – MTO Technical Documents

- A position, plan, procedure, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2)(k)) – Sanitary Sewer Updates
- Personal Matters about identifiable individual, including municipal or local board employees (Section 239(2)(b)) – 2 items- Southwold Scholarship and Municipal Asset Naming

CARRIED

STAFF DIRECTIONS

Staff were given directions by Council to the items that were discussed in the Closed Session.

Adjournment of Closed Session

2023-263 Deputy Mayor Pennings – Councillor Adzija

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **10:38 p.m.**

CARRIED

Student Scholarships

2023-264 Councillor Fellows – Councillor Emons

THAT Council adopt the recommendations in CAO Report 2023-38 RE: Student Scholarships

CARRIED

BY-LAW:

- By-law No. 2023-48, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on August 14th, 2023

Confirming By-law

2023-265 Deputy Mayor Pennings – Councillor Adzija

THAT By-law No. 2023-48 be read a first and second time.

CARRIED

2023-266 Councillor Emons – Councillor Fellows

THAT By-law No. 2023-48 be read a third time and finally passed this 14th day of August, 2023.

CARRIED

ADJOURNMENT:

2023-267 Deputy Mayor Pennings – Councillor Emons

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **10:39 p.m.**

CARRIED



Mayor
Grant Jones

CAO/Clerk
Lisa Higgs