



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday January 8, 2024
7:00 p.m. Council Chambers, Fingal/Via Video Link

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

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
Aaron VanOorspronk, Director of Infrastructure & Development
Services
Jeff McArthur, Director of Emergency Services/Fire Chief
Brent Clutterbuck, Drainage Superintendent
June McLarty, Corporate Services Clerk

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

ADDENDUM TO AGENDA: None

DISCLOSURES: Councillor Emons declared a conflict on item 5a.

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2024-001 Councillor Emons – Deputy Mayor Pennings

THAT the Minutes of the Regular Council Meeting of December 11, 2023 are hereby adopted.

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

CARRIED

Committee Minutes – Review

2023-002 Councillor Fellows – Deputy Mayor Pennings

THAT Council has reviewed the draft Minutes of the Talbotville Station Technical Advisory Committee Meeting of January 3, 2024.

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

CARRIED

DRAINAGE:

In attendance: R. and L. Mills

Meeting to Consider Report – Palmer Drain 2023

2024-003 Deputy Mayor Pennings – Councillor Fellows

THAT the Meeting to Consider the Report for the Palmer Drain 2023 forms at **7:02 p.m.**

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

CARRIED

Chairperson Jones called the meeting to order and stated this is the Meeting to Consider the Report of the Engineer for the Palmer Drain 2023, dated November 10, 2023, prepared by the Engineer Mike DeVos of Spriet Associates.

This report was submitted to the Clerk of the Township of Southwold on November 24, 2023. Council received this report and decided to proceed with this report at the meeting on December 11, 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, that on December 14th, 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 Palmer Drain 2023 Dated November 10, 2023.

Engineer Mike DeVos presented the report to Council.

Chairman Jones asked if any landowners or affected parties had any questions or concerns. No questions were asked. No concerns were raised.

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

Report – Palmer Drain 2023

2024-004 Councillor Emons – Deputy Mayor Pennings

THAT the Report on the Palmer Drain 2023 prepared by Spriet Associates pursuant to Section 4 of the Drainage Act, dated November 10, 2023 be accepted by Council of the Township of Southwold; and

THAT Council authorizes staff to initiate the tender process, if required, for the construction of the Palmer Drain 2023; and

THAT the Court of Revision for the Palmer Drain 2023 will be held virtually/in-person at 7:00 p.m. on February 12, 2024; and

THAT Council consider provisional By-law No. 2024-03.

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

CARRIED

Chairman Jones stated that later during this meeting, Council will be passing provisional by-law 2024-03. 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 Palmer Drain 2023 on February 12, 2024, 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.

Appeals to the Court of Revision must be 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 Palmer Drain 2023

2024-005 Councillor Fellows – Councillor Adzija

THAT the Meeting to Consider the Report for the Palmer Drain 2023 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:

FIR 2024-01 Activity Report – December 2023

Jeff McArthur presented this report.

FIR 2024-02 RFP Results Talbotville Fire Station

2024-006 Deputy Mayor Pennings – Councillor Fellows

THAT Report FIR 2024-02 relating to Talbotville Station Build Recommendation, be received for information; and

THAT the proposal submitted by Baribeau Construction in the amount \$2,684,613.00 excluding HST be accepted; and

THAT Staff be directed to contact BM Ross for a post tender addendum for additional training room space.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons	√	
S. Fellows	√	

G. Jones – Mayor √
J. Pennings √

CARRIED

ENG 2024-01 Activity Report – December 2023

Aaron VanOorspronk presented this report.

ENG 2024-02 Woodplant Bridge Design for Budget Consideration

2024-007 Councillor Emons – Deputy Mayor Pennings

THAT Report ENG 2024-02 relating to Woodplant Bridge Design for Budget Consideration, be received for information; and

THAT Council approve the allocation of \$75,000 in the 2024 Budget deliberations to complete engineering design for the replacement of Woodplant Bridge.

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

CARRIED

DELEGATION:

Councillor Emons – vacated her seat.

7:32 p.m. – 7:53 p.m.

Peter Zuzek, Zuzek Inc.

Mr. Zuzek presented to Council the background information on Working Group for the Long Point Biosphere Region. This Working Group is a group of individuals who are concerned about costal erosion, infrastructure threats and disappearing coastal wetlands along the Ontario Great Lakes. He also outlined the funding announcement from Environment and Climate Change Canada (ECCC) and the submission from the Long Point Biosphere Region.

Support for Biosphere let Grant

2024-008 Councillor Fellows – Councillor Adzija

THAT Council of the Township of Southwold in principle supports the application for The Great Lakes Freshwater Ecosystem Initiative grant lead by the Long Point Biosphere Region, Long Point Littoral Cell Working Group.

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

CARRIED

Councillor Emons returned to her seat.

ENG 2024-03 Ontario Trillium Capital Grant

2024-009 Councillor Emons – Councillor Fellows

THAT Council authorize staff to submit an Application for Funding under the Ontario Trillium Foundation, Capital Grant towards the renewal and improvement of Fingal Ball Park.

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

CARRIED

ENG 2024-04 Maintenance Management Software

2024 – 010 Councillor Fellows – Deputy Mayor Pennings

THAT Report ENG 2024-04 relating to Maintenance Management Software, be received for information; and

THAT the quotation submitted by PSD Citywide Inc in the amount \$88,700, excluding HST (HARMONIZED SALES TAX), be accepted; and

THAT a contingency amount of \$10,000 be carried for additional hardware purchases if required; and

THAT the annual costs in the amount of \$20,500, excluding HST be approved in the 2024 Operating Budget.

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

CARRIED

FIN 2024-01 Section 357/Tax Incentive Approval Applications

2024-011 Councillor Emons – Councillor Adzija

THAT Council approves the total adjustment of taxes for the 2023 tax year resulting from Municipal Act, Sec.357/Tax Incentive Approval adjustments as presented, in the amount of \$19,885.01.

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

CARRIED

CBO 2024-01 Replacing Lights at Keystone Complex

2024-012 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold accepts the quote from Talbot Electric at a cost of \$22 750.00 plus HST to convert entire fixtures and install led fixtures at the Keystone Complex.

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

CARRIED

CBO 2024-02 Activity Report – November 2023

Corey Pemberton presented this report.

CBO 2024-03 Activity Report – December 2023

Corey Pemberton presented this report.

CBO 2024-04 Year End Report 2023

Corey Pemberton presented this report.

CAO 2024-01 Activity Report – December 2023

Lisa Higgs presented this report.

County Council Highlights December 6, 2023

Mayor Jones presented this report.

CORRESPONDENCE:

- Correspondence from TVDSB RE: Enrolment Growth at Southwold Public School
- Correspondence from Chatham-Kent RE: Highway 401 Median Barrier Construction
- Fee Waiver Request from Shedden Scouts
- Invitation to St. Thomas & District Chamber of Commerce Lunch with the Mayors

STAFF DIRECTION

Staff was directed by Council to send a letter to the Ministry of Transportation regarding the Highway 401 Median Barrier Construction.

Fee Waiver Request from Shedden Scouts

2024 -013 Councillor Emons – Councillor Fellows

THAT Council approves the fee waiver request from Shedden Scouts in the amount of \$5 565.00 for their 21 meeting dates this year at the Keystone Complex.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons	√	

S. Fellows	√
G. Jones – Mayor	√
J. Pennings	√

CARRIED

Correspondence

2024-014 Councillor Emons – Deputy Mayor Pennings

THAT Council receives and files as information the other items listed under Correspondence.

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

CARRIED

BY-LAWS:

- By-law No. 2024-01, being a by-law authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31st, 2024.
- By-Law No. 2024-02, being a by-law to provide for an interim tax levy, to provide for the payment of taxes and to provide for penalty and interest of 1.25 percent.
- By-law No. 2024-03, being a by-law to provide for drainage works – Palmer Drain 2023
- By-law No. 2024-04. being a by-law to assume municipal services in The Ridge Phase 2
- By-law No. 2024-05, being a by-law to appoint a Deputy Clerk.
- By-law No. 2024-06, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on January 8, 2024

By-law 2024-05

2024-015 Councillor Fellows – Councillor Adzija

THAT By-law No. 2024-05, being a by-law to appoint a Deputy Clerk be read a first and second time, considered read a third time and finally passed this 8th day of January, 2024.

Recorded Vote	Yeas	Nays
J. Adzija	√	

S. Emons	√
S. Fellows	√
G. Jones – Mayor	√
J. Pennings	√

CARRIED

By-laws

2024-016 Councillor Emons – Deputy Mayor Pennings

THAT By-law Nos. 2024-01, 2024-02, 2024-03, 2024-04, and 2024-06 be read a first and second time, considered read a third time and finally passed this 8th day of January, 2024.

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

CARRIED

OTHER BUSINESS

- Notice of Completion - Highway 401 and Highway 4 (Colonel Talbot Road) Interchange Reconfiguration & Highway 4 (Colonel Talbot Road) and Glanworth Drive Bridge Replacements

Council reviewed the item Other Business.

ADJOURNMENT:

2024-017 Deputy Mayor Pennings – Councillor Fellows

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **8:39 p.m.**

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

CARRIED

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs