



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday November 11, 2024
7:00 p.m. Council Chambers, Fingal/Via Video Link

COUNCIL PRESENT: Mayor Grant Jones
Deputy Mayor Justin Pennings
Councillor John Adzija
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, Deputy Clerk

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

ADDENDUM TO AGENDA:

8. REPORT:

(p) Capital Project Sheet: Keystone Complex Electronic Sign

DISCLOSURES: None

ADOPTION OF MINUTES:

Council Minutes – Adopt

2024-341 Councillor Emons – Councillor Adzija

THAT the Minutes of the Regular Council Meeting of October 28, 2024 and the Minutes of the Special Council meeting of November 5, 2024 are hereby adopted.

CARRIED

Committee Minutes – Review

2024-342 Councillor Adzija – Councillor Fellows

THAT Council had reviewed the Draft Minutes of the Young at Heart Committee Meeting of October 24, 2024 and the Draft Minutes of the Family Day/Winterfest Committee Meeting of October 30, 2024.

CARRIED

PLANNING:

CAO/Clerk Lisa Higgs reported that the Committee of Adjustment public hearing for MV 2024-06, 6383 Coon Road was deferred to the next Council meeting. Planning staff received some correspondence that requires further review.

DRAINAGE:

DRA 2024-07 Abandonment of the Larson Drain West

2024-343 Councillor Fellows – Deputy Mayor Pennings

THAT the Council of the Township of Southwold receives the report DRA 2024-07, Larson Drain West 2011 -Abandon a portion of Larson Drain West 2011—from Sta 0+000 to 0+089 "; and,

THAT upon receiving signed letters representing 100% of the affected landowners requesting abandonment under Section 84(1) of the Drainage Act, Council decides to proceed with the abandonment of the section of the Larson Drain West 2011—from Sta 0+000 to 0+089; and,

THAT Council instructs the Clerk to send the required Notice of Abandonment of Drainage Works to all owners of land assessed for the

drainage works, stating its intention to proceed with the abandonment of the part of Larson Drain West 2011 from Sta 0+000 to 0+089.

CARRIED

REPORTS:

FIR 2024-12 Activity Report – October 2024

Director of Emergency Services/Fire Chief Jeff McArthur presented his report to Council.

ENG 2024-57 Activity Report – October 2024

Director of Infrastructure and Development Services Aaron VanOorspronk presented his report to Council.

ENG 2024-58 Commercial Plaza RFP Awards

2024-344 Deputy Mayor Pennings – Councillor Emons

THAT Report ENG 2024-58 relating to the Commercial Plaza RFP Award, be received for information; and

THAT the proposal submitted by DHP Homes in the amount \$325,000 be accepted; and

THAT Council direct staff to negotiate an agreement of purchase and sale with the proponent.

CARRIED

DRAINAGE:

Taylor Drain 2024 Tender Results

In attendance: D. McCallum

Meeting to Consider Taylor Drain 2024 Tender Results

2024-345 Councillor Emons – Councillor Fellows

THAT the Meeting to Consider the Taylor Drain 2024 Tender Results forms at **7:20 p.m.**

CARRIED

Chairman Jones stated that this is a meeting required under Section 59 of the Drainage Act to Consider the Bid Price for the Taylor Drain 2024, report dated May 28, 2024, By-law No. 2024-38.

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 the bid price received at tender opening. I would ask that any affected parties present please sign an attendance sheet for the record

On Monday October 28, 2024 Council reviewed the tender price received for this drain and the low bid of \$397,800.00 was approximately 145% of the Engineers estimate of \$274,850.00. Under Section 59 of the Drainage Act Council is required to call a meeting of the affected parties to consider the price if the bid price exceeds 133% of the Engineers Estimate.

Council will give an opportunity to any person who has signed the petition to withdraw from it by filing a signed withdrawal with the clerk and shall also give those present owning lands within the area requiring drainage who have not signed the petition an opportunity to do so

Chairman Jones asked if everyone was notified of this Meeting to Consider the Bid Price under section 59 of the Drainage Act in an appropriate way that were required to be notified under the Drainage Act. The Clerk responded yes. On Wednesday October 30, 2024 (this date must be at least 10 days before this meeting) all landowners and affected parties required to be notified under Section 41 of the Drainage Act were either hand delivered or emailed a notice followed by regular mail notice of the date and time and location of this meeting. The notice included a copy of the Report of the Drainage Superintendent to Council on the bid price for the Taylor Drain 2024 as well as an estimated schedule of assessment that provided and estimate of how the increased bid price will affect the landowners involved.

Chairman Jones asked the Engineer to discuss the bid price received. George Vereyken reported that this is a project that requires a special bour under the 401. Four bids were received but three companies were using the same sub-contractor. The estimates for this project were based on the last similar project that was done approximately two years ago and had anticipated the costs to increase by 50%. It is specialty work, and the net assessment came in at a 27% increase for each property. For the landowners it resulted in an approximate increase of \$17.00-\$1304.00 but the bulk of the costs are going to the MTO who is receiving the bour. Mr. Vereyken provided a couple of options that included revising the scope to cut costs or maybe retendering the project, but we may not be able to beat this price. There are not a lot of companies that complete this type of work.

Chairman Jones asked if any members of Council had any questions. Councillor Emons asked if there had been any response from landowners. Drainage Superintendent Brent

Clutterbuck responded that Mr. McCallum had asked that the improvement to the drain be completed.

Chairman Jones asked if any landowners or affect parties had any questions. No questions were asked.

Chairman Jones stated that this drain was initiated a major drain improvement under Section 78(1.1) of the Drainage Act. He asked if any landowners wish to remove their name or are there any that wish to add their name to the request. No changes were requested.

Taylor Drain 2024 Tender Results

2024-346 Deputy Mayor Pennings – Councillor Fellows

THAT Council accepts the tender submitted by Robinson Farm Drainage and awards the contract to improvement the Taylor Drain 2024 at a cost of \$397 800.00 plus HST.

CARRIED

Adjournment of Mtg to Consider Taylor Drain 2024 Tender Results

2024- 347 Councillor Adzija – Councillor Emons

THAT the Meeting to Consider the Taylor Drain 2024 Tender Results hereby adjourns and the regular meeting of Council reconvenes at **7:27 p.m.**

CARRIED

REPORTS:

ENG 2024-59 Intact Climate Change Grant Opportunity

2024-348 Councillor Adzija – Councillor Emons

THAT Council direct Staff to apply for a grant through the Municipal Climate Resiliency Grant.

CARRIED

ENG 2024-60 OCWA Negotiations Report

2024-349 Councillor Fellows – Deputy Mayor Pennings

THAT Report ENG 2024-60 relating to the future operations and maintenance of the drinking water and wastewater system with the Ontario Clean Water Agency, be received for information; and

THAT the Mayor and Council of the Township of Southwold authorize Township Staff to enter into negotiations with the current Operating Authority being the Ontario Clean Water Agency, for a potential renewal in accordance with the terms of conditions within the current agreement.

CARRIED

ENG 2024-61 St. Thomas Secondary Shutdown

2024-350 Councillor Adzija – Councillor Emons

THAT Report ENG 2024-61 relating to the supply of drinking water to Southwold Township from the Municipality of Dutton Dunwich during emergency situations, be received for information and;

THAT Council direct the Mayor and Clerk to send correspondence to the Council of the Municipality of Dutton Dunwich requesting temporary supply of water to the Township through the Iona Interconnect.

CARRIED

FIN 2024-27 2025 Ontario Municipal Partnership Fund (OMPF)

Director of Corporate Services/Treasurer Michele Lant presented this report to Council

FIN 2024-28 Q3 Financial Report

2024-351 Councillor Fellows – Deputy Mayor Pennings

THAT Report FIN 2024-28 Financial Report - January to September 2024 be received and filed for information.

CARRIED

FIN 2024-29 Tax Incentive Approval Applications

2024-352 Councillor Emons – Councillor Adzija

THAT Council approves the total adjustment of taxes for the 2024 tax year resulting from Municipal Act, Tax Incentive Approval adjustments as presented, in the amount of \$9,119.68.

CARRIED

CBO 2024-16 Activity Report – October 2024

This report was present to Council

CAO 2024-83 Activity Report – October 2024

CAO/Clerk Lisa Higgs presented her report to Council.

CAO 2024-84 Updated Cleaning and Clearing By-law

2024-353 Councillor Pennings – Councillor Emons

THAT Council give consideration to By-Law No. 2024-56, a By-Law for requiring and regulating, the cleaning and clearing of land; the clearing of refuse or debris from lands; and prohibiting the depositing of refuse or debris on land.

CARRIED

CAO 2024-85 ROMA Delegations

2024-354 Councillor Emons – Deputy Mayor Pennings

THAT Council approve the proposed recommended delegation requests for the ROMA Conference and that they provide any feedback on additional recommendations to make with various Ministries.

CARRIED

CAO 2024-86 Budget for Wildlife Management

2024-355 Deputy Mayor Pennings – Councillor Adzija

THAT Council approve the proposed recommendation to allocate \$1,000.00 to fund wildlife management, specifically related to euthanizing of distempered racoons and other wildlife.

CARRIED

CAO 2024-87 Southwold Township History Committee

2024-356 Deputy Mayor Pennings – Councillor Emons

THAT Council approves the appointment of Deputy Mayor Pennings, Councillor Fellows and a staff resource to the Southwold History Committee.

CARRIED

Keystone Complex Electronic Sign

2024-357 Councillor Fellows – Councillor Emons

THAT the Keystone Complex Electric Sign be included in the 2025 capital budget.

CARRIED

CORRESPONDENCE:

- Correspondence from J. and S. Malott – Recycling Collection
- Kettle Creek Conservation Authority – Conservation Areas Strategy Consultation Period
- Fee Waiver Request – Len Cuthbert

Council reviewed the items under Correspondence.

Fee Waiver Request – Len Cuthbert

STAFF DIRECTION

Staff was directed by Council to further investigate the request for the fee waive from Mr. Cuthbert.

BY-LAWS:

- By-law No. 2024-56, being a by-law for requiring and regulating, the cleaning and clearing of land; the clearing of refuse and debris from lands; and prohibiting the depositing of refuse and debris on land in the Township of Southwold.

By-law No. 2024-56

2024-358 Deputy Mayor Pennings – Councillor Fellows

THAT By-law No. 2024-56 be read a first and second time, considered read a third time and finally passed this 11th day of November, 2024.

CARRIED

OTHER BUSINESS

- City of St. Thomas Notice of Adoption Official Plan Amendment, 9783 Wellington Road
- Municipality of Central Elgin Notice for Official Plan Amendment, 349 George Street, Port Stanley

Council reviewed the items under Other Business.

CLOSED SESSION:

2024-359 Councillor Adzija – Councillor Emons

THAT Council of the Township of Southwold now moves again into a session of the meeting that shall be closed to the public at **8:26 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 employees (Section 239 (2)(b)) – Township Planning Staff

CARRIED

Adjournment of Closed Session

2024-360 Councillor Emons – Councillor Adzija

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:01 p.m.**

CARRIED

STAFF DIRECTION

Staff were directed by Council to contact Elgin County to confirm the use of centralized planning services.

Confirming By-law

- By-law No. 2024-57, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on November 11, 2024

Confirming By-law

2024-361 Councillor Fellows - Deputy Mayor Pennings

THAT By-law No. 2024-57 be read a first and second time, considered read a third time and finally passed this 11th day of November, 2024.

CARRIED

ADJOURNMENT:

2024-362 Councillor Emons- Councillor Adzija

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:02 p.m.**

CARRIED

Original signed by:
Mayor
Grant Jones

Original signed by:
CAO/Clerk
Lisa Higgs