

DRAFT COUNTY COUNCIL MINUTES
Tuesday, June 12, 2018
Accessible formats available upon request.

The Elgin County Council met this day at the Administration Building at 9:00 a.m. with all members present.

Warden Marr in the Chair.

ADOPTION OF MINUTES

Moved by Councillor Mennill
Seconded by Councillor Wiehle

THAT the minutes of the meetings held on May 22, 2018 and June 4, 2018 be adopted.

- Carried.

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF –

Councillor McWilliam declared a conflict of interest with regard to an item on the Closed Meeting Agenda relating to a Lease. At the appropriate time, Councillor McWilliam vacated the Council Chambers and refrained from discussing the item.

DELEGATIONS

Founder's Day Civic Service

The Rev. Canon Nick Wells, Chaplin, Old St. Thomas Anglican Church with an invitation for the annual "Founders Day" Civic Service at the Old St. Thomas Church.

Moved by Councillor Ens
Seconded by Councillor Jones

THAT the invitation from The Rev. Canon Nick Wells, Chaplain, Old St. Thomas Anglican Church be received and filed.

- Carried.

Ontario Works 2017 Year in Review and Children's Services 2017 Year in Review

Kim Verkuil, Ontario Works Program Manager with a report providing a current synopsis of the Ontario Works division and an update on Social Assistance Modernization and Irma Pedersen, Supervisor of Children's Services with report titled "Children's Services 2017 Year in Review" providing a review of the organization's programs and objectives for the 2018 year.

Moved by Councillor Martyn
Seconded by Councillor Jenkins

THAT the reports titled "Ontario Works 2017 Year in Review" and "Children's Services 2017 Year in Review" from Ontario Works and Children's Services, be received and filed.

- Carried.

SWIFT

Geoff Hogan, Chief Executive Officer, SWIFT (SouthWestern Integrated Fibre Technology) and Adriana Dekker, Stakeholder Relations Manager with a PowerPoint presentation providing an overview of the SWIFT project, the current status of the project and information regarding membership in SWIFT.

Moved by Councillor Wiehle
Seconded by Councillor Jones

THAT the PowerPoint presentation titled "SWIFT" from the SWIFT Chief Executive Officer and the Stakeholder Relations Manager, be received and filed.

- Carried.

Assessment Base Management Part 2: Implementing ABM in Your Community

Amanda Macdougall, Regional Manager, Municipal and Stakeholder Relations, MPAC with a PowerPoint titled "Assessment Base Management Part 2: Implementing ABM in Your Community". This presentation provided Council with suggestions on how to implement an assessment base management program in the municipality.

Moved by Councillor Mennill
Seconded by Councillor Wiehle

THAT the PowerPoint presentation titled "Assessment Base Management Part 2: Implementing ABM in Your Community" from MPAC, be received and filed.

- Carried.

VON Middlesex-Elgin

Michelle McKay, Manager, Fund Development VON Middlesex-Elgin and Shirley Biro, VON Volunteer with a PowerPoint presentation updating Council on the activities and programs of the VON and inviting them to participate in the organization's annual fundraiser the Great Community Run, Walk 'n' Roll.

Moved by Councillor Ens
Seconded by Councillor Jenkins

THAT the PowerPoint presentation titled "VON Middlesex-Elgin" from the Manager of Fund Development VON, be received and filed.

- Carried.

Council recessed at 10:29 a.m. and reconvened at 10:46 a.m.

Moved by Councillor Mennill
Seconded by Councillor Martyn

THAT we do now move into Committee of the Whole Council.

- Carried.

REPORTS

SWIFT Membership – General Manager of Economic Development

The general manager presented the report providing detailed information about SWIFT membership and recommending that Council authorize staff to negotiate SWIFT membership fees.

Moved by Councillor Jones
Seconded by Councillor Mennill

THAT staff negotiate SWIFT membership fees with an upset limit of \$3,400.00, as described in the report titled "SWIFT Membership" from the General Manager of Economic Development, dated May 31, 2018.

- Carried.

Elgin County Official Plan Five (5) Year Review – Natural Heritage Study – Manager of Planning

The manager presented the report reminding Council that the County of Elgin Official Plan is approaching its five-year review at which time the County agreed to consider the establishment of a Natural Heritage System Study. The manager sought Council's approval to enter into a service provider agreement with the Upper Thames River Conservation Authority to complete this study.

Moved by Councillor Martyn
Seconded by Councillor Jenkins

THAT the Council of the Corporation of the County of Elgin authorizes the Warden and the Chief Administrative Officer to sign a "Service Provider" agreement with the Upper Thames River Conservation Authority to provide the work necessary to complete an Elgin Natural Heritage System Study.

- Carried.

Terrace Lodge Redevelopment Update (deferred from May 22, 2018 Council) – Chief Administrative Officer

The Chief Administrative Officer presented the report providing background on the Terrace Lodge Rebuild project including information regarding servicing issues, Ministry approvals and spacing constraints. The report also provided a timeline surrounding a Request for Proposal (RFP) to hire external expertise consisting of an Architect, Engineer and Operations Consultant to complete a comprehensive study/business case for the rebuild or redevelopment of Terrace Lodge.

Moved by Councillor Mennill
Seconded by Councillor Martyn

THAT staff provide a report with the results and costs of the RFP process to County Council at the July 10th meeting; and,

THAT the report titled "Terrace Lodge Redevelopment Update" from the Chief Administrative Officer and Director of Financial Services, dated May 16, 2018, be received and filed.

- Carried.

Municipal Election 2018 Delegation of Powers during "Lame Duck" Council – Chief Administrative Officer

The Chief Administrative Officer presented the report summarizing changes to the "Lame Duck Provision" under Bill 181 and seeking Council's approval to draft a by-law delegating certain authorities to the Chief Administrative Officer during the "Lame Duck" period.

Moved by Councillor McWilliam
Seconded by Councillor Mennill

THAT the report titled Municipal Election 2018, Delegation of Powers during "Lame Duck" Council as prepared by the Chief Administrative Officer be received and filed; and,

THAT the Chief Administrative Officer be directed to prepare the necessary by-law prior to Nomination Day (July 27, 2018) delegating authority to the Chief Administrative Officer from July 27, 2018 to December 13, 2018 to:

a) Be the financial signing authority for expenditures, outside the current budget, exceeding \$50,000 and/or for the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and,

b) That the by-law shall come into force and effect only in the event that less than 75% of the current Members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Elections, as determined by the CAO/Clerk.

- Carried.

CORRESPONDENCE**Items for Information (Consent Agenda)**

1. Invitation to World Elder Abuse Awareness Day at John Kenneth Galbraith Reference Library – Dutton on Friday, June 15, 2018 at 1:00 p.m.
2. Invitation to Grand Opening of the New Elgin County Heritage Centre on Tuesday, June 26, 2018 at 12:00 p.m.

Moved by Councillor Jones
Seconded by Councillor Jenkins

THAT Correspondence Items #1 & 2 be received and filed.

- Carried.

Closed Meeting Items

Moved by Councillor Wiehle
Seconded by Councillor Mennill

THAT we do now proceed into closed meeting session in accordance with the Municipal Act to discuss matters under Municipal Act Section 239.2;

(a) the security of the property of the municipality or local boards – Lease

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

- Carried.

Councillor McWilliam vacated the Council Chambers at 11:19 a.m. and returned to the Chambers at 11:25 a.m. after the item related to a Lease had been discussed.

Moved by Councillor Martyn
Seconded by Councillor Jenkins

THAT we do now rise and report.

- Carried.

Moved by Councillor Mennill
Seconded by Councillor Jones

THAT the Warden and Chief Administrative Officer be authorized and directed to sign a lease agreement with 1342961 Ontario Inc. for Suite 313 and Storage Room 34; and,

THAT the lease commence on May 1, 2018 for a lease rate of \$17.14 per square foot (\$40,450.00 annual payment), plus the HST for year one, and \$17.48 per square foot (\$41,253.00 annual payment), plus the HST for year two; and that the lease rate for Room 34 be leased at \$7.65 per square foot (\$765.00 annual payment) plus the HST for both years.

- Carried.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT the confidential report from Chief Administrative Officer be received and filed.

- Carried.

REPORTS (continued)**Port Bruce Bridge Update – Director of Engineering Services**

The director presented the report providing Council with an update on the Port Bruce Bridge and temporary bridge. This update included information about the public information session held on June 11, about the contractor selected for installation and about enhanced detour signage in place.

Moved by Councillor Martyn
Seconded by Councillor Mennill

THAT the report titled “Port Bruce Bridge Update” from the Director of Engineering Services, dated June 7, 2018, be received and filed.

- Carried.

Contract Award – Port Bruce Temporary Panel Bridge Installation Contract No. 6290-18-05 – Director of Engineering Services

The director presented the report recommending that McLean Taylor Construction be selected for the Port Bruce Temporary Panel Bridge Installation.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT McLean Taylor Construction be selected for the Port Bruce Temporary Panel Bridge Installation Tender, Contract No. 6290-18-05 at a total price of \$972,000.00, inclusive of a contingency allowance and exclusive of H.S.T.; and,

THAT the Warden and Chief Administrative Officer be authorized to sign the contracts.

- Carried.

OTHER BUSINESS

Statements/Inquiries by Members – None.

Notice of Motion – None.

Matters of Urgency – Road Assumption in the Township of Malahide

The Chief Administrative Officer presented the report recommending that Council approve the temporary assumption of several Malahide Township Roads in order to be able to complete work associated with the installation of the temporary bridge.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT Elgin County Council approve the temporary assumption of Bank Street (north of Catfish Creek), Rush Creek Line and Lewis Street Road Allowances and subject to further negotiation, the long-term assumption of Dexter Line (Bank Street south of Catfish Creek) and extending southerly to Colin Street from the Township of Malahide; and,

THAT Elgin County Council authorize staff to enter into an agreement with the Township of Malahide including the following terms and conditions:

1. Malahide agrees to provide Elgin with photocopies of all relevant plans, construction specifications, and maintenance records for road allowances to be assumed, and furthermore, Malahide shall cooperate with Elgin Engineering Services in answering inquiries as to current conditions of such road allowances.

2. Save and except for claims attributable to negligence on the part of Elgin or its contractors, Malahide shall release Elgin from any and all claims relating to the assumption of the road allowances and specifically including claims and/or complaints relating to works upon or improvement by Elgin or its contractors.
3. Malahide shall indemnify Elgin and/or its contractors from claims relating to existing conditions upon road allowances to be assumed, including in respect of encroachments thereon and to be removed therefrom but excluding claims related wholly to installation of the temporary bridge and associated mitigation measures.
4. Malahide shall not charge Elgin for the maintenance of the road/road allowances to be assumed save and except for the extension of Bank Street south of Catfish Creek (which road has been presumed and continues to be presumed and will be treated as a County road for purposes of road maintenance).
5. By resolution, Malahide shall assent to assumption of the road allowances by Elgin through a by-law adding road allowances to the County System. Malahide does not intend to oppose or challenge a subsequent repeal of assumption by-law by Elgin provided that a new Imperial Road Bridge is open and Elgin traffic is restored to Imperial Road; the temporary bridge is removed and the area restored; and the road allowances are in at least the equivalent condition to their current status.
6. Malahide shall otherwise cooperate fully with Elgin in respect of the installation of the temporary bridge and associated mitigation measures including but not limited to approval of local improvements to be completed by the County and enactment of traffic and parking regulations upon Malahide roads not assumed as required to implement the traffic plan prepared and implemented by Elgin.
7. Malahide, as contractor to Elgin, shall conduct patrols, in accordance with the Minimum Maintenance Standard requirements of a Class 2 road and the County Road Maintenance Agreement, of the roads to be assumed and the municipal roads not assumed but within the area of traffic control to ensure that required traffic control measures, including but not limited to signs, barrels, and temporary signals are in place and operational; provided that Malahide, as contractor to Elgin, shall reinstate such traffic control measures or otherwise advise Elgin Engineering Services of need to do so when Malahide forces are unqualified, unequipped, or unavailable to do so; and provided further that, in addition to such patrols, Malahide shall use its best efforts to secure the assistance of its employees travelling within the area of traffic control to report to, firstly, Malahide and, secondly and alternatively, Elgin any observed operational difficulties with traffic control measures.

- Defeated.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT County Council approve the temporary assumption of Bank Street (north of Catfish Creek), Rush Creek Line and Lewis Street Road Allowances and subject to further negotiation, the long-term assumption of Dexter Line (Bank Street south of Catfish Creek) and extending southerly to Colin Street from the Township of Malahide; and,

THAT County Council authorize staff to enter into an agreement with the Township of Malahide including conditions 1-6 as noted above; and,

THAT condition 7 be amended to more clearly recognize the intention for daily patrolling/ monitoring through a combination of Malahide and Elgin personnel (or agents) and to more clearly define the contributions to be made by Malahide in connection with that activity.

- Carried.

Motion to Adopt Recommendations of the Committee of the Whole

Moved by Councillor Jones
Seconded by Councillor Wiehle

THAT we do now adopt recommendations of the Committee Of The Whole.

- Carried.

BY-LAW

Moved by Councillor Jones
Seconded by Councillor Wiehle

THAT By-Law No. 18-19 "Being a By-Law to Confirm Proceedings of the Municipal Council of the Corporation of the County of Elgin at the June 12, 2018 Meeting" be read a first, second and third time and finally passed.

- Carried.

ADJOURNMENT

Moved by Councillor McWilliam
Seconded by Councillor Currie

THAT we do now adjourn at 1:16 p.m. and meet again on June 26, 2018 at the County Administration Building Council Chambers at 9:00 a.m.

- Carried.

Julie Gonyou,
Chief Administrative Officer.

David Marr,
Warden.