

COUNTY COUNCIL MINUTES
Tuesday, September 11, 2018
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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 Jones
Seconded by Councillor Mennill

THAT the minutes of the meeting held on August 14, 2018 be adopted.

- Carried.

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF –

Councillor Martyn declared a conflict regarding the East Road Traffic Study; however, the Chief Administrative Officer advised her that no direct pecuniary interest was involved due to the potential impact on other lower-tier municipalities as well.

DELEGATION

SWIFT Project Update and Membership

Geoff Hogan, CEO, SWIFT, with a PowerPoint presentation updating Council on the SWIFT Project and explaining membership fees associated.

Moved by Councillor Jones
Seconded by Councillor McWilliam

THAT the County of Elgin become a member of SWIFT on behalf of Elgin and Elgin's constituent municipalities at the cost of \$3,400 annually to be reviewed on an annual basis.

- Carried.

Moved by Councillor Martyn
Seconded by Councillor Ens

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

- Carried.

REPORTS

Homes – Personal Support Worker Education Fund for Long-Term Care – Director of Homes and Seniors Services

The director presented the report informing Council that Bobier Villa and Elgin Manor were successful in receiving funding from the Personal Support Worker Education Fund for Long-Term Care (LTC) for the Excellence in Resident-Centred Care (ERCC) training program.

Moved by Councillor Jenkins
Seconded by Councillor Jones

THAT the report titled "Homes – Personal Support Worker Education Fund for Long-Term Care" from the Director of Homes and Seniors Services, dated September 4, 2018, be received and filed.

- Carried.

Quarterly Information Report – Contract Awards April 1, 2018 – June 30, 2018 – Purchasing Coordinator

The coordinator presented the report summarizing contracts awarded that exceeded \$15,000 between April 1, 2018 and June 30, 2018.

Moved by Councillor Mennill
Seconded by Councillor Jones

THAT the report titled “Quarterly Information Report - Contract Awards, April 1, 2018 to June 30, 2018” from the Purchasing Coordinator, dated August 10, 2018, be received and filed.

- Carried.

Terrace Lodge Redevelopment Update – Purchasing Coordinator

The coordinator presented the report recommending that Council award the contract for the Terrace Lodge Design and Operational Review to the Ventin Group. The draft report is expected to be presented to Council at the December 13, 2018 meeting.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT the Terrace Lodge Design and Operational Review be awarded to Ventin Group for \$83,000 plus Disbursements and H.S.T.

- Carried.

July 2018 Budget Performance – Director of Financial Services

The director presented the budget comparison for the County with favourable performance of \$115,000 for the month of July.

Moved by Councillor Wiehle
Seconded by Councillor Martyn

THAT the report titled “July 2018 Budget Performance” from the Director of Financial Services, dated August 23, 2018, be received and filed.

- Carried.

Contract Award – Miscellaneous Bridge and Culvert Repairs Contract No. 6290-18-04 – Deputy Director of Engineering Services

The deputy director presented the report recommending that Council award the contract for Miscellaneous Bridge and Culvert Repairs to Gary D. Robinson Contracting.

Moved by Councillor Mennill
Seconded by Councillor Jones

THAT Gary D. Robinson Contracting be selected for the Miscellaneous Bridge and Culvert Repairs Tender, Contract No. 6290-18-04 at a total price of \$305,810.00, exclusive of H.S.T.; and,

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

- Carried.

Approval for Official Plan Amendment No. 4, Part of Lots 17, 18 & 19 Concession SNBTR, Shedden, Township of Southwold, File No. SO-OPA4-18 – Manager of Planning

The manager presented the report providing County Council with information required in order to consider granting approval to the above noted Official Plan Amendment in the Township of Southwold.

Moved by Councillor Jones
Seconded by Councillor Martyn

THAT the Council of the Corporation of the County of Elgin modifies and approves Official Plan Amendment No.4 to the Township of Southwold Official Plan, File No. SO-OPA4-18; and,

THAT staff be directed to provide notice of this decision in accordance with the Planning Act.

- Carried.

Council recessed at 10:07 a.m. and reconvened at 10:19 a.m.

Land Severances – Unsolicited Conveyance of Lands – Manager of Planning

The manager presented the report recommending that Council make it the County's policy to accept only solicited lands to accommodate Land Division Consent applications and not those that are unsolicited.

Moved by Councillor Jones
Seconded by Councillor Mennill

THAT it shall be the policy of the County of Elgin to not accept unsolicited lands to accommodate Land Division Consent applications that have otherwise not been previously requested or required by the County; and,

THAT County Council provide formal direction to allow for this information to be shared with Land Division.

- Carried.

Council directed staff to prepare a letter to the Province of Ontario expressing concerns with certain aspects of the Planning Act which govern Land Severances.

Port Bruce Temporary Bridge Project Overview New Imperial Road Bridge and Jamestown Bridge Updates – Director of Engineering Services

The director presented the report updating Council on the installation of the temporary bridge in Port Bruce, the progress to replace the original Imperial Road Bridge and repairs completed on the Jamestown Bridge.

Moved by Councillor Mennill
Seconded by Councillor Jenkins

THAT the report titled "Port Bruce Temporary Bridge Project Overview; New Imperial Road Bridge and Jamestown Bridge Updates" from the Director of Engineering Services, dated September 4, 2018, be received and filed; and,

THAT County Council approve the use of a Request for Proposal process to acquire the services of an engineering consultant firm to replace the collapsed Imperial Road Bridge.

- Carried.

Traffic on Imperial Road, North of Aylmer – Director of Engineering Services

The director presented the report informing Council that the Township of Malahide has written to Elgin County requesting the County review Imperial Road in the vicinity of Moore's Flower & Garden Centre and Clovermead Adventure Farm after traffic concerns were raised to township council.

Moved by Councillor McWilliam
Seconded by Councillor Wiehle

THAT the report titled "Traffic on Imperial Road, North of Aylmer" from the Director of Engineering Services, dated August 31, 2018, be received and filed; and,

THAT the Chief Administrative Officer write a letter to the Township of Malahide Chief Administrative Officer acknowledging the traffic concerns the township has raised; and,

THAT the County of Elgin recommend a traffic study of Imperial Road (Elgin Road 73) be undertaken jointly by the County of Elgin and the Township of Malahide with costs to be shared at a percentage to be determined.

- Carried.

Council directed staff to prepare a report allowing for a consistent approach, procedures and parameters with which the County will consider undertaking shared traffic studies.

East Road – Sunset Road Traffic Study Cost Sharing Proposal with Central Elgin – Director of Engineering Services

The director presented the report recommending that Council authorize Elgin County and Central Elgin to jointly lead and fund the cost to complete an overall traffic impact study at the intersection of East Road and Sunset Road that will review traffic volumes, turning movements and identify both future intersection locations and intersection improvements.

Moved by Councillor Wiehle
Seconded by Councillor Jones

THAT County Council authorize the expenditure of a joint traffic study of East Road (Elgin Road 23) and Sunset Road (Elgin Road 4), led by the County of Elgin and the Municipality of Central Elgin, at a percentage to be determined.

- Carried.

Deputy Warden Position Review – Chief Administrative Officer

The Chief Administrative Officer presented the report summarizing the Deputy Warden Pilot Project and requesting direction from Council regarding making this position permanent.

Moved by Councillor Mennill
Seconded by Councillor McWilliam

THAT staff be directed to amend the Procedural By-law to include a provision whereby the Deputy Warden will be the most immediate past Warden who is a member of Council as part of a broader Procedural By-law amendment which will be reviewed by County Council.

- Carried.

Rough Railway Crossings in Elgin County – Chief Administrative Officer

The Chief Administrative Officer presented the report raising the issue of a formal complaint that was received in regard to rough railway crossings in Elgin County. Although these railway crossings are not under the jurisdiction of Elgin County, the Chief Administrative Officer is recommending that the County play a role in advocating for repairs through Transport Canada.

Moved by Councillor McWilliam
Seconded by Councillor Mennill

THAT the Engineering Services staff be directed to evaluate the safety of railway crossings on County roads in Elgin County against the Grade Crossing Regulations under the Railway Safety Act and identify which railway crossings do not meet minimum standards and investigate whether it is the road approach that is the issue or the railway crossing itself; and,

THAT this information be provided to County Council for their information at a future meeting; and,

THAT County Council invite a representative from Transport Canada to present to Council about *Grade Crossings Regulations* and the *Railways Safety Act* in an effort to clarify roles and responsibilities; and,

THAT Engineering Services staff be directed to follow up with Transport Canada notifying them of unsafe and rough railway crossings in Elgin County to advocate for immediate repair of these issues; and,

THAT the Chief Administrative Officer be directed to follow up with the complainant, notifying them of the direction provided by County Council.

- Carried.

Civil Enforcement of Reforestation Orders – County Solicitor

The solicitor presented the report advising Council of an option for enforcement of Reforestation Orders made by Provincial Offences Court through civil proceedings and in particular through contempt proceedings commenced in the Superior Court of Justice.

Moved by Councillor Jones
Seconded by Councillor Wiehle

THAT the report titled “Civil Enforcement of Reforestation Orders” from the County Solicitor and County Prosecutor/Solicitor, dated September 5, 2018, be received and filed; and,

THAT subject to approval by Council prior to commencement of any specific proceeding, the County Solicitor including any legal staff, be authorized to pursue civil enforcement of Reforestation Orders issued by the St. Thomas Provincial Offences Court (or any successor thereto) for non-compliance with the terms thereof.

- Carried.

CORRESPONDENCE

Items for Consideration

1. Peter Crockett, P. Eng., Chief Administrative Officer, Oxford County seeking support of Oxford County’s SouthwestLynx proposal for the development of an Integrated High-Performance Public Transportation Solution for Southwestern Ontario.
2. M. Casavecchia-Somers, Chief Administrative Officer/Clerk, Township of Malahide with concerns regarding Traffic on Imperial Road, North of Aylmer and response from Julie Gonyou, Chief Administrative Officer, County of Elgin.

The following recommendation was adopted in regard to Correspondence Item #1:

Moved by Councillor Jones
Seconded by Councillor Martyn

THAT Elgin County Council support Oxford County’s SouthwestLynx Proposal for the development of an Integrated High-Performance Public Transportation Solution for Southwestern Ontario.

- Carried.

The following recommendation was adopted in regard to Correspondence Item #2:

Moved by Councillor Jenkins
Seconded by Councillor Mennill

THAT correspondence from the Township of Malahide be received and filed.

- Carried.

Items for Information (Consent Agenda)

1. Fran Bell, Chair, Tillsonburg & District MSC (Multi-Service Centre) and Val Foerster, Chair, Stonebridge Community Services announcing appointment of Kathryn Leatherland as Executive Director and Chief Executive Officer of the MSC and Stonebridge organizations.
2. Fanshawe Foundation Summer 2018 Newsletter and 2017/18 Annual Report.
3. Elgin Residential Hospice Status Report from the Elgin Residential Hospice Planning Committee June 2018.

Moved by Councillor Mennill
Seconded by Councillor Wiehle

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

- Carried.

Moved by Councillor Martyn
Seconded by Councillor Jenkins

THAT the County of Elgin support a hospice location in Elgin County and request funding for this hospice from the Ministry of Health and Long-Term Care.

- Carried.

OTHER BUSINESS**Statements/Inquiries by Members**

Councillor McWilliam was appointed an Executive Member on the Community Schools Alliance. Maintaining schools in rural communities is an important cause to Councillor McWilliam and he hopes that the new Provincial Government will be open to strategies that preserve these schools.

Farm Tax Rebate Report – Warden Marr

The Warden presented the report recommending that Council advocate to the Provincial Government to provide a tax rebate to farmers.

Moved by Councillor McWilliam
Seconded by Councillor Jones

THAT a meeting be organized with Minister Yurek in regard to the request that the provincial government consider funding a farm tax rebate program; and,

THAT the Warden, on behalf of County Council engage in conversations with Elgin Federation of Agriculture, the Ontario Federation of Agriculture, National Farmers' Association, the Christian Farmers and ROMA; and,

THAT the Warden and Chief Administrative Officer meet with neighbouring counties to discuss this initiative; and,

THAT the Warden solicit support from the Western Ontario Warden's Caucus for a provincially funded farm tax rebate program.

- Carried.

Notice of Motion – None.

Matters of Urgency – None.

Council recessed at 11:44 a.m. reconvened at 11:49 a.m.

Closed Meeting Items

Moved by Councillor Jenkins
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;

In-Camera Item #1

(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 – Enforcement of Reforestation.

In-Camera Item #2

(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 – Port Bruce Bridge.

In-Camera Item #3

(b) personal matters about an identifiable individual, including municipal or local board employees – Organizational Update.

- Carried.

Moved by Councillor Jones
Seconded by Councillor Wiehle

THAT we do now rise and report.

- Carried.

In-Camera Item #1

Moved by Councillor McWilliam
Seconded by Councillor Wiehle

THAT staff proceed as directed.

- Carried.

In-Camera Item #2

Moved by Councillor Jones
Seconded by Councillor Martyn

THAT staff proceed as directed.

- Carried.

In-Camera Item #3

Moved by Councillor Mennill
Seconded by Councillor Ens

THAT staff proceed as directed.

- Carried.

Motion to Adopt Recommendations of the Committee of the Whole

Moved by Councillor Jenkins
Seconded by Councillor Jones

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

- Carried.

BY-LAW

Moved by Councillor Mennill
Seconded by Councillor Martyn

THAT By-Law No. 18-32 “Being a By-Law to Confirm Proceedings of the Municipal Council of the Corporation of the County of Elgin at the September 11, 2018 Meeting” be read a first, second and third time and finally passed.

- Carried.

ADJOURNMENT

Moved by Councillor McWilliam
Seconded by Councillor Wiehle

THAT we do now adjourn at 1:25 p.m. to meet again on September 25, 2018 at the County Administration Building Council Chambers at 9:00 a.m.

- Carried.

Julie Gonyou,
Chief Administrative Officer.

David Marr,
Warden.