

ELGIN COUNTY COUNCIL

MINUTES

June 23, 2020

Council Present: Warden Dave Mennill (in-person)
Deputy Warden Duncan McPhail (electronic)
Councillor Bob Purcell (electronic)
Councillor Sally Martyn (electronic)
Councillor Tom Marks (electronic)
Councillor Mary French (electronic)
Councillor Grant Jones (electronic)
Councillor Dominique Giguère (electronic)
Councillor Ed Ketchabaw (electronic)

Staff Present: Julie Gonyou, Chief Administrative Officer (in-person)
Jim Bundschuh, Director of Financial Services (electronic)
Brian Lima, Director of Engineering Services (electronic)
Brian Masschaele, Director of Community and Cultural Services (electronic)
Amy Thomson, Director of Human Resources (electronic)
Michele Harris, Director of Homes and Senior Services (electronic)
Alan Smith, General Manager of Economic Development (electronic)
Nancy Pasato, Manager of Planning (electronic)
Katherine Thompson, Supervisor of Legislative Services (in-person)
Carolyn Krahn, Legislative Services Coordinator (in-person)

1. CALL TO ORDER

Elgin County Council met this 23rd day of June, 2020 in the Administrative Boardroom, at the County Administration Building, St. Thomas at 9:00 a.m. with Warden Mennill in the chair. The Councillors and some staff participated electronically by video conference.

2. ADOPTION OF MINUTES

Moved by: Councillor Purcell
Seconded by: Councillor Marks

Resolved that the minutes of the meeting held on June 9, 2020 be adopted.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

4. COMMITTEE OF THE WHOLE

Moved by: Councillor Martyn
Seconded by: Councillor French

Resolved that we do now move into Committee of the Whole Council.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5. REPORTS OF COUNCIL, OUTSIDE BOARDS AND STAFF

5.1 Final Plan of Subdivision Approval – Little Creek Subdivision – Manager of Planning

The Manager of Planning advised County Council that final approval was given for a plan of subdivision in Port Stanley on June 12, 2020.

Moved by: Councillor Jones
Seconded by: Councillor Marks

Resolved that the report titled “Final Plan of Subdivision Approval Little Creek Subdivision” from the Manager of Planning, dated June 23, 2020, be received and filed.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.2 Homes – Multi-Sector Service Accountability Agreement – Schedule G – Form of Compliance Declaration – Director of Homes and Senior Services

The Director of Homes and Senior Services provided details regarding the County’s current Multi-Sector Service Accountability Agreement (M-SAA) with the South West Local Health Integration Network (SWLHIN). The M-SAA process requires the submission of a signed annual Declaration of Compliance – Schedule G.

Moved by: Councillor McPhail
Seconded by: Councillor Ketchabaw

Resolved that Council authorize staff to sign the “Multi-Sector Service Accountability Agreement Declaration of Compliance – Schedule G” for April 1, 2019 – March 31, 2020.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.3 Temporary Suspension of E-Green Recycling Program at Library Branches – Director of Community and Cultural Services

The Director of Community and Cultural Services presented a report on the temporary suspension of the E-Green Recycling Program, the service that supports Elgin County Library's e-waste partnership with the STEAM Centre in St. Thomas. The service is being temporarily suspended until fall 2020.

Moved by: Councillor Jones
Seconded by: Councillor Martyn

Resolved that the report titled "Temporary Suspension of E-Green Recycling Program at Library Branches" from the Director of Community and Cultural Services dated June 16, 2020 be received and filed, and; that the Townships of Malahide and Southwold, and the Municipalities of Central Elgin, Dutton Dunwich and West Elgin be notified of the temporary suspension of service.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.4 HR Policy: 2.160 Telework – Director of Human Resources

The Director of Human Resources presented the Telework Policy and Agreement, outlining the requirements of a safe and productive telework arrangement.

Moved by: Councillor Giguère
Seconded by: Councillor Marks

Resolved that Council approve the new HR Policy #2.160 'Telework' and the associated Telework Agreement and training requirements as amended.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		

Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.5 **Canada's Rural & Remote Broadband Conference Series: A Summary – Director of Financial Services**

The Director of Financial Services and the General Manager of Economic Development presented highlights from Canada's Rural & Remote Broadband Conference Series (CRRBC). This virtual two-day event featured community, government, and industry stakeholders addressing the challenges of rural broadband.

Moved by: Councillor Purcell
Seconded by: Councillor Giguère

Resolved that the June 15, 2020, report titled, "Canada's Rural & Remote Broadband Conference Series: A Summary," submitted by the Director of Finance and by the General Manager of Economic Development, be received and filed for information.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.6 **May 2020 Budget Performance – Director of Financial Services**

The Director of Financial Services presented the May 2020 Budget Performance. The budget comparison for the County shows unfavourable performance of \$21,000 for the month of May, primarily the result of an unbudgeted legal settlement, bringing year-to-date favourable performance to \$273,000.

Moved by: Councillor Ketchabaw
Seconded by: Councillor Jones

Resolved that the report titled "May 2020 Budget Performance" dated June 17, 2020 be received and filed.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		

Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.7 Talbot Line and Currie Road Intersection Review – Director of Engineering Services

The Director of Engineering Services presented details on the Talbot Line and Currie Road intersection and reviewed two (2) options with associated costs.

Moved by: Councillor Jones

Seconded by: Councillor McPhail

Resolved that the report titled “Talbot Line and Currie Road Intersection Review” from the Director of Engineering Services, dated June 15, 2020 be received and filed.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

Moved by: Councillor Purcell

Seconded by: Councillor Ketchabaw

Resolved that a pilot project be undertaken with the installation of a four-way stop, appropriate speed limit reductions and signage at the intersection of Currie Road and Talbot Line; and, that the pilot be reviewed after one (1) year; and, that the pilot project be presented to Dutton Dunwich Council for the approval of financing.

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.8 Western Ontario Wardens Caucus – SWIFT 2.0 Recommendations – Chief Administrative Officer

The Chief Administrative Officer presented details of the special meeting of the Western Ontario Wardens Caucus called on Thursday, June 4, 2020.

Moved by: Councillor Marks
Seconded by: Councillor Jones

Resolved that the report entitled “Western Ontario Wardens Caucus – SWIFT 2.0 Recommendations” submitted by the Chief Administrative Officer and Warden Mennill, dated June 14, 2020 be received and filed; and that consideration be given for the County of Elgin to sign the letters for the CRTC and ISED.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

5.9 Green Lane Public Liaison Committee – Chief Administrative Officer

The Chief Administrative Officer presented a report regarding the vacancy on the Green Lane Landfill Public Liaison Committee.

Moved by: Councillor Giguère
Seconded by: Councillor French

Resolved that Elgin County Council consent to the appointment of the Director of Engineering Services to the Green Lane Landfill Public Liaison Committee; and that formal notification of the appointment of the Director of Engineering Services to the Green Lane Landfill Public Liaison Committee be sent to the Manager, Green Lane Landfill Solid Waste Management Services Toronto.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

6. COUNCIL CORRESPONDENCE

6.1 Items for Consideration

None.

6.2 Items for Information (Consent Agenda)

6.2.1 Amanda Rouse, recipient of the Leadership Award for the Personal Support Worker Program, with a letter thanking Council for their continued

support of the students in the Personal Support Worker Program at Fanshawe College.

- 6.2.2 Jim Ginn, Chair of the Western Ontario Wardens' Caucus, with a letter to the Honourable Steve Clark expressing the Western Ontario Wardens' Caucus's appreciation for Minister Clark's support of rural access to broadband.
- 6.2.3 Assistant Deputy Minister Hannah Evans, Ministry of Municipal Affairs and Housing, with a letter regarding the deadline extension for the Municipal Modernization Program.
- 6.2.4 Christine Elliott, Deputy Premier and Minister of Health, with a letter regarding one-time funding for the 2020-21 funding year to support the temporary pandemic pay.
- 6.2.5 SWIFT Monthly Project Update – May 2020.

Moved by: Councillor Martyn
Seconded by: Councillor Jones

Resolved that Correspondence Items #1-5 be received and filed.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

7. OTHER BUSINESS

7.1 Statements/Inquiries by Members

None.

7.2 Notice of Motion

None.

7.3 Matters of Urgency

7.3.1 The County Solicitor presented a memo on the conditions for approval of temporary new/external licensed patios during the Province's Phase 2 of the Reopening Plan.

Moved by: Councillor Martyn
Seconded by: Councillor McPhail

Resolved that the report and memo from the County Solicitor be received; and that Council consent to extending the temporary use of County Road Allowance for Licensed Patios and permit fees for this temporary use during the Province's Phase 2 of the Reopening Plan; and that the County Solicitor be directed to draft a formal agreement for the Temporary Use of County Road Allowance with Local Municipal Partners including the recommendations and provisions presented in the attached

memo; and further that the Chief Administrative Officer and County Warden be directed to sign the agreement for use of the County's Road Allowance.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

8. CLOSED MEETING ITEMS

Moved by: Councillor Ketchabaw
Seconded by: Councillor French

Resolved that we do now proceed into closed meeting session in accordance with the Municipal Act to discuss the following matters under Municipal Act Section 239 (2):

In-Camera Item #1

(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 – Parking Space Licence Agreement

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

9. RECESS

Council recessed at 10:10 a.m. and reconvened at 10:14 a.m.

10. MOTION TO RISE AND REPORT

Moved by: Councillor Purcell
Seconded by: Councillor Martyn

Resolved that we do now rise and report.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		

Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

In-Camera Item #1 – Parking Space Licence Agreement

Moved by: Councillor Marks
Seconded by: Councillor Jones

Resolved that the report from staff be received, and that staff proceed as directed and draft a by-law for enactment at the July 14, 2020 Meeting.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

11. MOTION TO ADOPT RECOMMENDATIONS FROM THE COMMITTEE OF THE WHOLE

Moved by: Councillor McPhail
Seconded by: Councillor French

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

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

12. CONSIDERATION OF BY-LAWS

12.1 By-law 20-29 – Confirming all Actions and Proceedings

BEING a By-law to Confirm Proceedings of the Municipal Council of the Corporation of the County of Elgin at the June 23, 2020 Meeting.

Moved by: Councillor Martyn

Seconded by: Councillor Jones

Resolved that By-Law No. 20-29 be now read a first, second and third time and finally passed.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

13. ADJOURNMENT

Moved by: Councillor French
Seconded by: Councillor Jones

Resolved that we do now adjourn at 10:24 a.m. to meet again on July 14, 2020 at 9:00 a.m.

Recorded Vote

		Yes	No	Abstain
West Elgin	Duncan McPhail	Yes		
Dutton Dunwich	Bob Purcell	Yes		
Central Elgin	Sally Martyn	Yes		
Central Elgin	Tom Marks	Yes		
Southwold	Grant Jones	Yes		
Aylmer	Mary French	Yes		
Malahide	Dominique Giguère	Yes		
Bayham	Ed Ketchabaw	Yes		
Malahide	Warden Dave Mennill	Yes		
		9	0	0

- Motion Carried.

Julie Gonyou,
Chief Administrative Officer.

Dave Mennill,
Warden.

Memo to File

Date: June 22, 2020

Re: Temporary New/External Patios – Conditions for Approval

1. ACGO Requirements/Directives

- (a) Extension of existing licenced patio or add new patio within approved period (up to January 1, 2021);
- (b) physical extension must be adjacent to the premises which are licensed to sell liquor;
- (c) no objection from local municipality;
- (d) licensee is able to demonstrate sufficient control over physical extension;
- (e) no condition on licensee prohibiting patio;
- (f) new/extended patio does not exceed 1.1 sq. metres per person.

Note: * Licensee not required to comply to ACGO or pay a fee for extension

* Licensee not required to submit documentation to ACGO but must produce if demanded

** municipalities have discretion to require documentation for Licensee so as to permit temporary patio

- 2. Servers can carry alcohol over non-licensed areas to get to temporary patio.
- 3. Maximum capacity applicable to existing patio space continues to apply. Licensee can accommodate patrons above that capacity in temporary patio so long as 1.1 square metres maximum is satisfied.
- 4. Social distancing requirements must be satisfied in any existing and new/extended temporary patio.

Municipal Conditions

- 5. Municipalities should recognize distinction between new/extended patios on private lands (ie. owned by Licensee or others (Landlord)) and on public lands (ie. sidewalks/road allowances).
- 6. Local municipalities have a statutory interest in licensed activities as both private lands and lands which it owns and should establish appropriate standards to accommodate new/temporary patios within its territorial limits.

Upper tier municipalities should consider appropriate standards to accommodate new/temporary patios upon lands which is owns and/or over which jurisdiction is exercised, primarily its owned road allowances, but should consider standards otherwise required by local municipalities when amending its own standards to be satisfied.

7. Sample standards for local municipality (Chatham-Kent) for extensions/new patios on private property attached as Schedule "A" to this Memorandum.

Considerations for County Council Consideration

8. Does County Council support the concept of temporary patios on County-owned property, including road allowances and sidewalks (hereinafter "public property")?

9. If County Council supports the concept of temporary patios on public property, the following factors are suggested for consideration in respect of any specific request:

(i) What standard, if any, for temporary patios has been adopted by the local municipality? Do these standards provide compliance with regulatory requirements and otherwise establish appropriate control over patio design and use so as to protect the interests of Elgin County?

(ii) What additional standard(s) are required by Elgin County?

(iii) Does the proposed patio design incorporate lands (ie. shoulders/sidewalks) which force pedestrian traffic towards vehicular traffic? In these circumstances, the County Solicitor recommends against incorporation of those areas within the temporary patio design as creating unacceptable risk to patio users and pedestrians.

(iv) Does the temporary patio design create accessibility issues (ie. width between tables; necessity of ramps)? If so, any permission must be conditional upon prior acceptable accessibility detail design and installations prior to any permission for patio on public property should be permitted.

(v) Does temporary patio location/design raise spectre of incompatibility with neighbouring uses? This factor should be a local factor but may become a County consideration if not subject matter of local standard.

(vi) Any permission for a temporary patio, if granted, should be terminated as of December 31, 2020, or the re-opening of the associated licensed area for in-house patronage, whichever is earliest.

(vii) In respect of all temporary patios for which Elgin County Council, or its designate, grants permission to operate a temporary patio on its property, the Licensee (ie. person/entity holding liquor licence) shall enter into a revocable Licence Agreement with Elgin County addressing the following factors:

(a) Identification of Parties;

(b) Terms of Licence (ie. Termination date);

- (c) Licence Fee (if any);
- (d) Compliance with all federal, provincial, and municipal regulatory requirements, including those of social distancing established by Southwest Public Health;
- (e) Indemnity and Save Harmless requirements in favour of Elgin County;
- (f) Insurance requirements, including naming Elgin County as additional insured; and
- (g) Consent/approval of local municipality, particularly if local municipality is current occupant of lands upon which temporary patio to extend.

End of Memo