

The Corporation of the Township of Malahide**May 19, 2022 – 7:30 p.m.****Virtual Meeting - <https://youtu.be/F3Qkdwf3gNM>**

Due to COVID 19 and Public Health concerns, the Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30 p.m. in order to allow for physical distancing. No public attendance was permitted. The following were present:

Council: Mayor D. Mennill, Deputy Mayor D. Giguère, Councillor M. Widner, Councillor M. Moore, Councillor R. Cerna, Councillor S. Lewis, and Councillor C. Glinski.

Staff: Clerk A. Adams, Director of Public Works M. Sweetland, Director of Finance A. Boylan and Director of Fire and Emergency Services J. Spoor.

Council via Zoom: N/A

Staff via Zoom: Chief Administrative Officer A. Betteridge

Absent:

CALL TO ORDER:

Mayor Mennill took the Chair and called the meeting to order at 7:30 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Councillor Widner disclosed a pecuniary interest with respect to Council Agenda item D – Meeting to Consider Tate Drain and Council Agenda items E (ii) Petition for Drainage – Dykxhoorn Petition and Hacienda Road and Vienna Line Culvert Rehabilitation Consideration. The nature of the conflict being that a Junior Partner at Spriet Associates is an immediate relative of his.

Councillor Glinski disclosed a pecuniary interest with respect to Council Agenda item D – Meeting to Consider Tate Drain. The nature of the conflict being that the drain affects his property.

MINUTES:**No. 22–197****Moved By: Max Moore****Seconded By: Scott Lewis**

THAT the minutes of the regular meeting of the Council held on May 5, 2022, be adopted as printed and circulated.

Carried**PRESENTATIONS/DELEGATIONS/PETITIONS:**

- Meeting to Consider – Tate Drain Branch “E” 2021 relating to property at Lots 24 to 26, Concession 2, Geographic Township of Malahide

Councillor Widner and Councillor Glinski declared a conflict of interest with respect to Council Agenda item D – Meeting to Consider Tate Drain. They retired from the meeting and abstained from all discussions and voting on the matter.

Drainage Engineer, Mike DeVos, of Spriet Associates, appeared before the Council to present the Drainage Engineer’s Report, dated April 23, 2021, regarding the Tate Drain Branch “E” 2021 and outlined the nature of the proposed work.

Mayor Mennill inquired if any persons, including Members of Council, would like to withdraw or add their names to the Petition and there were none.

Mayor Mennill inquired if any persons were in attendance that wished to comment or ask questions concerning the Drainage Report. Deputy Mayor Giguère inquired how errors are mitigated in this type of profession and if fellow colleagues in the industry or landowners of the effected properties are consulted. Mr. DeVos indicated it is a combination of those things as they rely on landowner knowledge, complete field investigations and internal engineers’ complete reports under the Drainage Act.

Leon Passmore noted that he had Mr. Dohner on the phone as Mr. Dohner’s internet connection wasn’t allowing him to connect and make comment. Mr. Dohner inquired how it’s possible that the field is systematically tiled and before it wasn’t a part of the Tate Drain and now it is. Mr. DeVos responded to this by stating that the 10inch tile that was installed would have tiles connected to it and that is the reason for the installation of the tile there was no mention made of tiles heading off to southwest the surface water in the field will flow southwest and leave the property and all the tilling and water that gets into that pipe would come into the Tate Drain. As a result, he noted that Mr. Dohner has to be assessed on the Tate Drain as some surface water will be addressed southwest but not all will be. Having some water going one way and some another does not alleviate the necessity for having the drain. Mr. Devos indicated that Mr. Dohner could remove the tile and have all the water go to the southwest if he wished but he chose to do that tile in that direction and is accessed for the water using that tile.

Mayor Mennill noted that the Township was going to receive the report tonight and that Mr. DeVos had outlined the options if Mr. Dohner wasn't satisfied with the report indicating there is a forty-day appeal period and a final decision would be made at the Drainage Tribunal. If he chose to appeal, he could submit his appeal to the Township office.

No. 22-198

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the Engineer's Report for the Tate Drain Branch "E" 2021, as prepared by Spriet Associates London Limited and dated April 23, 2021, be accepted;

AND THAT By-law No. 22-39 being a by-law to provide for the Tate Drain Branch "E" 2021 drainage works be read a first and second time and provisionally adopted.

Carried

No. 22- 199

Moved By: Max Moore

Seconded By: Rick Cerna

THAT the Court of Revision for the Tate Drain Branch "E" 2021 be scheduled to be held on June 16, 2022, at 7:30 p.m.

Carried

No. 22-200

Moved By: Dominique Giguère

Seconded By: Scott Lewis

THAT the tenders for the construction of the Tate Drain Branch "E" 2021 be requested for June 9, 2022 at 11:00 a.m.

Carried

Councillor Widner and Councillor Glinski returned to their seats at the Council table.

REPORTS:

Director of Fire & Emergency Services

- Emergency Services Activity Report – April

No. 22–201

Moved By: Dominique Giguère

Seconded By: Scott Lewis

THAT Report No. F-22-08 entitled “Emergency Services Activity Report – April” be received.

Carried

Director of Public Works

- Petition for Drainage – Dykxhoorn Petition

Councillor Widner declared a conflict of interest with respect to Council Agenda item E (ii) Petition for Drainage – Dykxhoorn Petition. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 22–202

Moved By: Max Moore

Seconded By: Rick Cerna

THAT Report No. PW-22-30 entitled “Petition for Drainage – Dykxhoorn Petition” be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed to prepare an Engineer’s Report for the Dykxhoorn petition, it being noted that the Petitioner is requesting this petition to be incorporated into the Engineers report currently being prepared for the construction of a new branch of the Burks Drain.

Carried

Councillor Widner returned to his seat at the Council table.

- Road Safety Audit Phase 2 Implementation

Councillor Widner inquired about the speed reduction being on one side and not the other at College Line and Springwater Road at Kingsville Corners as it was requested to be included. Director of Public Works Sweetland indicated that this section was included in the Phase 2 Audit and it wasn’t recommended at that time but can be looked

at in the Phase 3 Audit that has recently commenced.

No. 22–203

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT Report No. PW-22-35 entitled “Road Safety Audit Phase 2 Implementation” be received;

AND THAT the Municipal Staff be authorized and directed to take the necessary steps to ensure that appropriate speed reductions are implemented on all Township roads;

AND THAT the Municipal Staff be authorized and directed to proceed with the installation of guiderail at the identified locations as budget limitations allow.

Carried

- Hacienda Road and Vienna Line Culvert Rehabilitation Consideration

Councillor Widner declared a conflict of interest with respect to Council Agenda item E (ii) Hacienda Road and Vienna Line Culvert Rehabilitation Consideration. He retired from the meeting and abstained from all discussions and voting on the matter.

Mr. Vereyken of Spriet Associates provided an overview of the report and noted both culverts are due for replacement in the near future. Both sites were examined and both are significantly deep which present significant construction challenges and load capacities. Rehabilitation methods and replacement methods were both analyzed for these projects and after review it's being recommended that both sites are replaced.

Mayor Mennill noted the new concept that was used when originally installed and how this type has been problematic since.

Director of Public Works Sweetland noted the implementation plan for these replacement projects are included in the 2022 Capital budget. These culverts are both candidates for grant programs and because they are both Schedule A Class EA's and the pre-approval won't expire.

The Mayor thanked Mr. Vereyken and he retired from the meeting.

No. 22–204

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT Report No. PW-22-36 entitled “Hacienda Road and Vienna Line Culvert Rehabilitation Consideration” be received;

AND THAT Staff proceed with issuance of request for proposals for the design of concrete box culverts for the replacement of the C-15 Hacienda Road Culvert and C-17 Vienna Line Culvert in accordance with the 2022 Capital budget.

Carried

Councillor Widner returned to his seat at the Council table.

CAO

- Shared Development Approvals Service Business Plan and Electronic Processing

CAO Betteridge noted that a preliminary review has been conducted and will be presented to Council tonight. He noted that the Municipality of Bayham held a special Council meeting the night prior and passed a similar recommendation as being presented to Council tonight.

Todd MacDonald and Tony Quirk of Performance Concepts Inc. presented a shared development services presentation summarizing the findings of their review. The consultants believe there is a workable model to consider that being that the Township of Malahide sell Building Service to Municipality of Bayham, Municipality of Bayham would sell By-law Enforcement Services to the Township of Malahide and that a Shared Services Board be established for Land-Use Planning Services between both municipalities. This recommendation, if approved, would enact phase two.

The Mayor noted the sharing services with other lower tier municipalities and the County of Elgin has provided efficiencies over the years. He noted that at first look the recommendation being presented makes sense.

Councillor Glinski inquired that if Malahide's CBO is completely booked already where would the three days come from to assist Bayham with this service. CAO Betteridge noted that the CBO is booked and utilizing RSM (building consultants) and the shared agreement with Elgin County CBO's for covering vacation. The benefits of this shared service would be that there would be one CBO and one inspector not two separate CBO's.

Councillor Glinski inquired how many new staff would be required in this new model. Mr. MacDonald stated that one new staff would be required for the By-law Enforcement services and this cost would be split between each municipality. This scenario would relieve current staff from their double duty of this job and would reduce billable hours from the By-law Enforcement contractor. In the second stage of the work the net financial impact will be reviewed in detail.

Councillor Glinski inquired which company the Municipality of Bayham uses for By-law Enforcement. CAO Betteridge stated that Municipality of Bayham, like Malahide uses MEU Consulting.

Deputy Mayor Giguère inquired what is the ultimate benefit to Malahide residents and what if any, tangible impact would they see from this arrangement. Mr. MacDonald noted that the primary benefit is that the necessary resources and capacity to consistently deliver services that meet the expectations of the residents. The independent contractor is being deployed but not necessarily closing cases to the satisfaction of residents. Having a trained dedicated By-law Enforcement officer will provide consistency of service and will generate results. The joint service makes economic sense in a constrained labour market.

The Mayor thanked Todd MacDonald and Tony Quirk for their presentation and they retired from the meeting.

No. 22–205

Moved By: Mark Widner

Seconded By: Scott Lewis

THAT Report No. CAO-22-07 entitled “Presentation #1 Re: Shared Development Approvals Service Business Plan and Electronic Processing” be received;

AND THAT Council support and give direction to Performance Concepts Inc. and Staff to proceed with a detailed build-out of a preferred model, subject to the Council for the Municipality of Bayham agreeing, whereby: the Township of Malahide sells Building Services to the Municipality of Bayham; the Municipality of Bayham sells By-Law Enforcement Services to Malahide; and, a Shared Services Board is established for Land-Use Planning Services between both municipalities.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

No. 22–206

Moved By: Max Moore

Seconded By: Rick Cerna

THAT the following Reports of Committees/Outside Boards be noted and filed:

- (i) Long Point Region Conservation Authority Board of Directors–
Minutes of May 4, 2022**

Carried

CORRESPONDENCE:

Councillor Widner inquired about correspondence item two and asked Director of Fire Services if he could elaborate on this. Director of Fire Services Spoor noted that in July the Province is enforcing certification for all firefighters and if Tay Township is pushing back they may not be in compliance with the training requirements. Malahide firefighters are up to date and the training gap is smaller than most services our size. Director of Fire Services noted that he supports the certification being presented by the province.

No. 22-207

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario - Watch File – dated May 5, 2022 and May 12, 2022. (Pages C2-7)**
- 2. Tay Valley Township – Resolution supporting the Association of Municipalities of Ontario’s letter to the Solicitor General of Ontario outlining their concerns with the draft regulations regarding firefighter certification. (Pages C8-11)**
- 3. Mohawk Nation of the Grand River Country- Further expansion of the Mohawk nation. (Pages C12-18)**
- 4. Ministry of Northern Development, Mines, Natural Resources and Forestry – Decision Notice of Proposed Regulation Changes under the Aggregate Resources Act. (Pages C19-20)**
- 5. Ministry of the Solicitor General – Malahide Compliance in 2021 of the Emergency Management and Civil Protection Act (EMCPA). (Page C21)**
- 6. Municipality of Central Elgin – Notice of Study Commencement – Municipal Class Environmental Assessment. (Pages C22-23)**
- 7. Municipality of Central Elgin – Notice of Passing Zoning By-law Amendment relating to the following: (Page C24)**
 - 43315 Roberts Line**
- 8. Ministry of the Solicitor General – Conclusion of COVID-19 Enforcement Support Line. (Page C25)**
- 9. Town of Aylmer – Notice of Public Information Centre – Replacement of the existing water storage facility. (Page C26)**

Carried

OTHER BUSINESS:

- Malahide Firefighters Association – Fireworks Display at Pier in Port Bruce

No. 22–208**Moved By: Rick Cerna****Seconded By: Chester Glinski**

THAT Malahide Volunteer Firefighter Association be granted permission to utilize a portion of the pier in Port Bruce for the purpose of a fireworks display on May 22 or May 23; SUBJECT to providing the Township with proof of Event Liability Insurance naming the Township of Malahide as an additional insured.

Carried

- Appointment of Court of Revision Member Barons Drain Branch A & E

No. 22–209**Moved By: Rick Cerna****Seconded By: Max Moore**

THAT Deputy Mayor Giguère be appointed as the Township of Malahide’s Court of Revision Member for the Barons Drain Branch A & E (Municipality of Central Elgin).

Carried

Councillor Lewis shared news that the Talbot Trail ATV Club had its first group activity in two years and they did a garbage cleanup along the roadway on their trail tour and filled a dumpster full. They did this as a thank you to Malahide Township for allowing the club to access its roadways. Mayor Mennill noted this contribution and directed Staff to send a letter of appreciation for that contribution to the ATV Club.

Deputy Mayor Giguère would like to see speed and traffic counts implemented on Ron McNeil Line at the west village limit to support the need for extending the 50km/h speed limit further out of the village boundaries.

No. 22–210**Moved By: Dominique Giguère****Seconded By: Max Moore**

That Township of Malahide Council requests that Elgin County Council conduct speed and traffic counts on Ron McNeil Line at the west village limit in support of extending the 50km/hr speed limit westerly beyond the built-up residential area.

Carried

Deputy Mayor Giguère would like Staff to review sight distances and a no parking consideration on Imperial Road at the northbound curve west of the Port Bruce Provincial Park beach as a result of blind spots around the curve coming into the beach area. Pedestrians are also walking along the road and are being pushed onto the roadway creating unsafe conditions.

No. 22-211

Moved By: Scott Lewis

Seconded By: Dominique Giguère

That Township Council direct staff to review sight distances and no parking consideration on Imperial Road at the northbound curve west of the Port Bruce Provincial Park beach

Carried

CONFIRMATORY:

No. 22- 212

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT By-law No. 22-37, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:


No. 22-213

Moved By: Chester Glinski

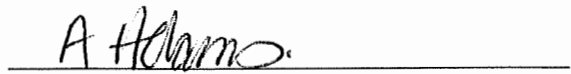
Seconded By: Mark Widner

THAT the Council adjourn its meeting at 8:52 p.m. to meet again on June 2, 2022, at 7:30p.m.

Carried



Mayor – D. Mennill



Clerk – A. Adams