



COUNCIL MEETING MINUTES

Tuesday, February 28th, 2023

6:00 p.m.

**Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario
Council Chambers**

ATTENDANCE:

Members Present: Chair, Reeve Rob Rainer
Deputy Reeve Fred Dobbie
Councillor Wayne Baker
Councillor Greg Hallam
Councillor Korrine Jordan
Councillor Andrew Kendrick
Councillor Angela Pierman
Councillor Marilyn Thomas

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Janie Laidlaw, Deputy Clerk
Sean Ervin, Public Works Manager
Noelle Reeve, Planner
Ashley Liznick, Treasurer

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

Councillor Kendrick called a Point of Privilege as he had provided information to staff and requested that it be circulated to Council and that was not done. He was told the information should not go to Council prior to and was to told present an uninformative motion with no ability to explain what the motion will accomplish. Does not feel that Council can make a decision on the motion to make the addition to the agenda without the explanation, feels that the Procedural By-Law is too restrictive and there should be an opportunity to be able to give the information, feels that it removes the opportunity

to add an item to the agenda and asked the Reeve to be removed as Chair until the Point of Privilege is dealt with.

The CAO/Clerk reviewed with Council the sections of the Procedural By-Law and how to make an addition to the agenda.

The Reeve explained that he understood what Councillor Kendrick was trying to accomplish with the Notice of Intent but that a Member seeking an addition to the agenda can not get into the substance of the addition before asking for it.

Councillor Kendrick feels the Reeve is missing the Point of Privilege if he uses the wording he was provided to make the addition it makes no sense to Council and it makes it hard to obtain a 3/4 vote when no one knows what it is about.

The Reeve disagreed and reiterated that Council can not get into the substance of the discussion.

Councillor Kendrick call a Point of Privilege as the Reeve is trying to dictate his actions and asked for him to step down as Chair until the Point of Privilege is dealt with.

The CAO/Clerk read from the Procedural By-Law regarding Point of Privilege:

Point of Privilege

A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.

A point of privilege shall take precedence over any other matter except during verification of a vote.

A Member shall state the point of privilege to the Chair at the time of occurrence.

A Member shall not be permitted to enter into any argument or introduce any Motion not related to the point of privilege.

The Chair shall decide upon the point of privilege and advise the Members of the decision.

Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

If the decision of the Chair is appealed, the question to be answered is "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final.

When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a Motion in relation to that point of privilege.

The Chair decided against the Point of Privilege.

Councillor Kendrick appealed that decision and the Chair asked Council “Shall the ruling of the Chair be upheld”? Council voted to uphold the decision of the Chair.

The Chair asked if Councillor Kendrick was prepared to make an addition to the agenda.

Councillor Kendrick requested an addition under New/Other Business: Notice of Intention to Reconsider Council Resolution #2023-02-03 at the March 21st Council meeting.

The request was defeated.

The Agenda was adopted as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

4. APPROVAL OF MINUTES

i) Council Meeting – January 31st, 2023.

RESOLUTION #C-2023-02-06

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the Council Meeting held on January 31st, 2023, be approved as circulated.”

ADOPTED

ii) Committee of the Whole Meeting – February 7th, 2023.

RESOLUTION #C-2023-02-07

MOVED BY: Wayne Baker

SECONDED BY: Angela Pierman

“THAT, the minutes of the Committee of the Whole Meeting held on February 7th, 2023, be approved as circulated.”

ADOPTED

- iii) **“Special” Council Meeting – February 16th, 2023.**

RESOLUTION #C-2023-02-08

MOVED BY: Andrew Kendrick

SECONDED BY: Korrine Jordan

“THAT, the minutes of the “Special” Council Meeting held on February 16th, 2023, be approved as circulated.”

ADOPTED

- iv) **“Special” Council Meeting (Closed Session – Solicitor/Client Privilege – Private Unassumed Roads) – February 16th, 2023.**

RESOLUTION #C-2023-02-09

MOVED BY: Greg Hallam

SECONDED BY: Andrew Kendrick

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Solicitor/Client Privilege – Private Unassumed Roads) held on February 16th, 2023, be approved as circulated.”

ADOPTED

- v) **“Special” Council Meeting (Closed Session – Litigation – 196 Little Silver Lake Road) – February 16th, 2023.**

RESOLUTION #C-2023-02-10

MOVED BY: Korrine Jordan

SECONDED BY: Andrew Kenrick

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Litigation – 196 Little Silver Lake Road) held on February 16th, 2023, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation and Orientation: Lanark County Situation Table and the Community Plan for Safety and Well Being 2021 Progress Report.**
Stephanie Gray, Coordinator.

S. Gray gave the PowerPoint Presentation that was attached to the agenda.

Council discussed the demographics of the referrals to The Situation Table pre-pandemic and during the pandemic.

RESOLUTION #C-2023-02-11

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“THAT, the Community Plan for Safety and Well-Being 2021 Progress Report be received for information.”

ADOPTED

- ii) **Presentation: Lanark County Community Justice Program.**
Joellen McHard, Executive Director and Marilyn Bird, Director.

J. McHard and M. Bird gave the PowerPoint Presentation that was attached to the agenda.

RESOLUTION #C-2023-02-12

MOVED BY: Korrine Jordan

SECONDED BY: Andrew Kendrick

“THAT, the Lanark County Community Justice Program Presentation to Tay Valley Township Council on February 28th, 2023 be received for information.”

ADOPTED

- iii) **Presentation: Comprehensive Road Needs Study.**
Mohamed Maslati, B.Eng., EIT and Kevin Worley, P.Eng WSP Golder.

M. Maslati and K. Worley gave the PowerPoint presentation that was attached to the agenda.

A Member asked how often these studies were done. The Public Works Manager explained that the Township tries to do one every term of Council or every four years and then internally it is reviewed every year. The matrix's quantitated information is a working document, the information is used in the 10-Year Capital Plan and the Asset Management Plan which are living documents.

The CAO/Clerk explained that this study was asked to include gravel roads so the information is available if one day the Township wanted to upgrade a gravel road to surface treatment and that tonight Council is being asked to adopt the study to formulate the 10-Year Capital Plan based on its information.

A Member asked if the matrix would be used on all of the roads and if the intention was for the Public Works Manager to use it to populate them for the road network and asked about the budgeted amounts changing year to year. The Public Works Manager will have to apply the qualitative information to the gravel roads network the budgeted amounts fluctuate based on what roads would be done that year to set the same amount every year would mean potentially only part of a road would be completed if the money ran out, the difference takes into account the different length of roads, etc.

A Member asked if having this study would be helpful in getting grants. The CAO/Clerk explained that having studies is often a question in a grant application and this would allow the Township to answer that question.

A Member clarified that if an amount was budgeted for and if it was not all spent then that would be put away until needed in a future year.

RESOLUTION #C-2023-02-13

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“THAT, 2022 Comprehensive Road Need Study be adopted.”

ADOPTED

Council recessed at 7:44 p.m.

Council reconvened at 7:50 p.m.

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Report #PD-2023-02 – Septic Re-Inspection Program Expansion.**

RESOLUTION #C-2023-02-14

MOVED BY: Angela Pierman

SECONDED BY: Wayne Baker

“THAT, the Maberly Pines subdivision lots be included in the mandatory Septic Re-Inspection Program.”

ADOPTED

Council feels more education is needed on the program; that it is only on systems that are over 10 years old and the benefits of having the inspections done (ex. resale value, economic development, etc.).

RESOLUTION #C-2023-02-15

MOVED BY: Wayne Baker

SECONDED BY: Angela Pierman

“THAT, prior to Council directing staff to include other lakes and rivers in the mandatory septic re-inspection program to assist in protecting lake water quality following the removal by Bill 23 of Site Plan Control Agreements for residential development under 10 units that feedback be solicited from lake and river property owners in time for the March Council meeting.”

ADOPTED

- ii) **Report #PD-2023-03 – Appointment to County Climate Action Implementation Working Group.**

RESOLUTION #C-2023-02-16

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“THAT, Noelle Reeve, Planner be appointed to the Lanark County Climate Action Implementation Working Group.”

ADOPTED

- iii) **Report #PW-2023-02 – Maberly Community Hall Renovation – Tender Award.**

RESOLUTION #C-2023-02-17

MOVED BY: Greg Hallam
SECONDED BY: Andrew Kendrick

“THAT, the Maberly Community Hall Renovation, be awarded to JT Concrete Ltd. in the amount of \$54,000, plus applicable taxes;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

ADOPTED

- iv) **Report #CBO-2023-02 – Building Department Report – January 2023.**

RESOLUTION #C-2023-02-18

MOVED BY: Korrine Jordan
SECONDED BY: Andrew Kendrick

“THAT, Report #CBO-2023-02 – Building Department Report – January 2023 be received as information.”

ADOPTED

- v) **AMO Policy Update – A Call for Provincial Action on Property Assessments.**

RESOLUTION #C-2023-02-19

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“THAT, the AMO Policy Update – A Call for Provincial Action on Property Assessments dated January 13, 2023, be received for information.”

ADOPTED

- vi) **23-02-02 – Council Communication Package.**

RESOLUTION #C-2023-02-20

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“**THAT**, the 23-02-02 Council Communication Package be received for information.”

ADOPTED

- vii) **Appointment of Re-Use Center Volunteers.**

RESOLUTION #C-2023-02-21

MOVED BY: Angela Pierman
SECONDED BY: Marilyn Thomas

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the Re-Use Center, subject to the Criminal Records Check Policy:

- Rita Redner.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2023-012: Road Closing – Hudson.**

RESOLUTION #C-2023-02-22

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, By-Law No. 2023-012, being a by-law to Stop Up, Close and Sell a portion of an Unopened Road Allowance between Part Lots 18 & 19, Concession 5, geographic Township of North Burgess (Hudson), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2023-013: Road Closing – Pearson.**

RESOLUTION #C-2023-02-23

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, By-Law No. 2023-013, being a by-law to Stop Up, Close and Sell a portion of an Unopened Road Allowance between Part Lots 18 & 19, Concession 5, geographic Township of North Burgess (Pearson), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iii) **By-Law No. 2023-014: Repeal Appointment of Chief Building Officials and Building Inspectors By-Law Amendment.**

RESOLUTION #C-2023-02-24

MOVED BY: Greg Hallam

SECONDED BY: Andrew Kendrick

“**THAT**, By-Law No. 2023-014, being a by-law to Repeal By-Law No. 2022-019, being a by-law to amend By-Law 2018-020 Appointment of Chief Building Officials and Building Inspectors, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

9. NEW/OTHER BUSINESS

- i) **Report #PW-2023-03 – Electric Vehicle – Price Increase.**
Sean Ervin, Public Works Manager.

A Member expressed concern about the cost of the battery replacement.

A Member asked about the initial report and this report showing different figures. The Public Works Manager explained it is just because of the tax rebate the Township receives and how it is shown differently on the two reports. Several Council Members while supportive of reducing greenhouse gas emissions and of the Climate Action Plan, expressed concern over the price, even before the requested increase and factoring in the unknown long-term performance of a fully electric vehicle. A few Members felt that since the vehicle had low mileage put on each year that the benefit for reducing greenhouse gas emissions was not beneficial enough for the cost of the vehicle.

A Member asked since the previous Council approved the initial amount and if the price had not increased that is what would be paid for the vehicle, if staff could push back and see if A&B Ford would honour the quote from last year.

A Member asked why this is in front of Council given the small amount and does it meet the threshold to come to Council for approval. The CAO/Clerk explained the Procurement Policy and that it did exceed the amount staff could approve without Council approval.

After listening to the debate, the CAO/Clerk asked if Council was okay to purchase the vehicle if the price was the same as quoted last year, if not is Council wanting staff to look at a gas-powered vehicle?

A Member explained that as an owner of an electric vehicle, can attest that they do well in the cold temperatures and is not concerned with the performance of the vehicle. The Climate Action Plan was put in place to reduce the greenhouse gas emissions due to the Climate Crisis, it does not seem like one vehicle will do much but the more that is done the more it helps, the Green Energy and Climate Change Working Group has put a lot of work into that Plan and backing

away from this decision that was made in the last term of Council could be demoralizing to them.

A Member wondered if the money that was to be spent on the vehicle could be put towards another climate action that would be more of a benefit as the vehicle is not driving very much to yield a great reduction in greenhouse gas emissions? The CAO/Clerk explained that those funds are coming from the vehicle replacement reserve and to use them for something else would affect that reserve.

Members discussed a hybrid option as there may be more supply available rather than waiting for one to be built. The Public Works Manager explained that a hybrid was investigated but was not a good option. The Township was also trying to take advantage of two grants for electric vehicles.

Council discussed the options if they decided not to purchase the electric vehicle as some were okay to purchase if the price remained the same as quoted last year and some felt it was still too much to spend on a vehicle.

RESOLUTION #C-2023-02-25

MOVED BY: Wayne Baker

SECONDED BY: Greg Hallam

“THAT, Tay Valley Township proceed with the purchase of a Ford Mustang Mach-E from A&B Ford Sales, if the price remains firm at \$54,600;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

(SEE RECORDED VOTE)

Deputy Reeve Dobbie called a recorded vote on Resolution #C-2023-02-25:

For:	Reeve Rob Rainer	1
	Councillor Wayne Baker	1
	Councillor Greg Hallam	<u>1</u>
		3
Against:	Deputy Reeve Fred Dobbie	1
	Councillor Korrine Jordan	1
	Councillor Andrew Kendrick	1
	Councillor Angela Pierman	1
	Councillor Marilyn Thomas	<u>1</u>
		5
Absent:		0
Total:		8

DEFEATED

RESOLUTION #C-2023-02-26

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“THAT, the order for a Ford Mustang Mach-E from A&B Ford Sales be cancelled;

AND THAT, the current vehicle be used until the end of its useful life.”

ADOPTED

10. CALENDARING

Meeting	Date	Time	Location
Committee of the Whole Meeting	March 7 th	6:00 p.m.	Municipal Office
“Special” Council Meeting	March 11 th	9:00 a.m.	Municipal Office
Mississippi Valley Conservation Authority Meeting	March 15 th	1:00 p.m.	MVCA Office
Committee of Adjustment Hearing	March 20 th	5:00 p.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	March 21 st	5:30 p.m.	Municipal Office
Council Meeting	March 21 st	Following	Municipal Office
“Special” Council Meeting	March 28 th	5:30 p.m.	Municipal Office

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

- i) **By-Law No. 2023-015 - Confirmation By-Law – February 16th and 28th, 2023.**

A Member had a question about the effect of the Confirmation By-Law. A resolution is a less permanent decision, but the Confirmation By-Law gives those resolutions the same force and effect as a By-Law.

The CAO/Clerk explained that the resolutions are in effect regardless of the Confirmation By-Law. Resolutions give direction to Staff but does not prescribe a permanent rule of government. The Confirmation By-Law is confirming the proceedings of the meeting and the motions and by-laws that were passed. Passing a Confirmation By-Law does not mean a motion cannot be reconsidered.

RESOLUTION #C-2023-02-27

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

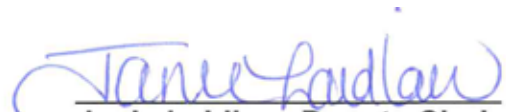
“THAT, By-Law No. 2023-015, being a by-law to confirm the proceedings of the Council meetings held on February 16th and 28th, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

13. ADJOURNMENT

Council adjourned at 8:55 p.m.


Rob Rainer, Reeve


Janie Laidlaw, Deputy Clerk