



COMMITTEE OF THE WHOLE MINUTES

Tuesday, March 7th, 2023

6:00 p.m.

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

ATTENDANCE:

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

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Janie Laidlaw, Deputy Clerk
Noelle Reeve, Planner
Sean Ervin, Public Works Manager (left at 6:22 p.m.)
Ashley Liznick, Treasurer (left at 7:46 p.m.)

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

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 OF PUBLIC MEETINGS

None.

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation – Annual Waste Site Reports.**
Jordan Bowman, P.Geo., P. Biol
Manager, Geo-Environmental, McIntosh Perry.

J. Bowman gave a PowerPoint Presentation – *attached, page 12.*

- ii) **Report #PW-2023-07 – 2022 Waste Disposal Site Annual Reports**

Recommendation to Council:

“**THAT**, Report #PW-2023-07 – 2022 Waste Disposal Site Annual Report be received as information;

AND THAT, staff be directed to submit the 2022 Annual Reports for the Glen Tay, Maberly and Stanleyville sites to the Ministry of the Environment, Conservation and Parks before the March 31st, 2023 deadline, to be in conformity with the Certificates of Approval for each site.”

6. PRIORITY ISSUES

- i) **Report #PD-2023-06 – Severance Application – Lee.**

The Planner advised that the applicant has withdrawn his severance application since the agenda was completed.

- ii) **Report #CBO-2023-03 – Building Department Report – January – February 2023.**

Recommendation to Council:

“**THAT**, Report #CBO-2023-03 – Building Department Report – January - February 2023 be received as information.”

- iii) **Report #PW-2023-04 – Tandem Plow Truck – RFP Award.**

Recommendation to Council:

“**THAT**, Request for Proposal #2023-PW-002 – One (1) Tandem Plow Truck be awarded to Francis Canada Truck Centre Inc.;

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

- iv) **Report #PW-2023-05 – Rehabilitation of Harper and Keays Road – Tender Award.**

A Member confirmed with staff that the paved shoulders would be bike friendly.

Recommendation to Council:

“THAT, Tender #2023-PW-001 for the Rehabilitation of Harper and Keays Roads be awarded to Arnott Brothers Construction in the amount of \$1,366,722.96 plus H.S.T.;

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

- v) **Report #PW-2023-06 – Micro-surfacing Powers Road – Tender Award.**

Recommendation to Council:

“THAT, Schedule ‘O’, Powers Road, of Lanark County Tender #PW-C-09-2023-23-E0 – Micro-surfacing be awarded to Miller Paving Limited;

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

The Public Works Manager left at 6:22 p.m.

- vi) **Report #FIN-2023-02 – 2022 Development Charges Statement.**

Recommendation to Council:

“THAT, Report #FIN-2023-02 - 2022 Development Charges Statement be received as information.”

- vii) **Report #FIN-2023-03 – 2022 Planning Act Financial Report for Parkland.**

Recommendation to Council:

“THAT, Report #FIN-2023-03 - 2022 Planning Act Financial Reporting for Parkland be received as information.”

- viii) **Report #FIN-2023-04 – 2022 Statement of Remuneration and Expenses.**

Recommendation to Council:

“THAT, Report #FIN-2023-04 - 2022 Statement of Remuneration and Expenses be received as information.”

- ix) **Report #FIN-2023-05 – 2022 Investment Report.**

Recommendation to Council:

“THAT, Report #FIN-2023-05 - 2022 Investment Report be received as information.”

x) **Report #FIN-2023-06 – 2023 Budget – PSAB Restatement.**

Recommendation to Council:

“THAT, Report #FIN-2023-06 - 2023 Budget – PSAB Restatement, be received as information.”

xi) **Report #CAO-2023-04 – Naming of Forest Trail Park.**

The CAO/Clerk introduced Chief Lalande. Chief Lalande expressed that it was an honour and privilege to put forth these names for Council's consideration, he met with the elders to discuss possible names for the park and they felt it should be meaningful and relevant to the community.

A Member noted the report indicated that under suggestion No. 4 that the ancestors were buried on the land and asked if the unregistered graves were on the land where the park is. Chief Lalande explained that they have a pretty good idea where the graves are and should try to establish where they are located, there is an archeology report that the family did live there.

Chief Lalande was asked if there was one that rose to the top for him. Proposed name No. 3 Chief Shawinipinessi already has a plaque in Bolingbroke and while it is a sad story it is being celebrated. We all honour our ancestors and should recognize that, he envisions a board at the park with photos and a list of them on the other side, a fireplace and in the park area wildlife management. Proposed name No. 2 represents the people that live there now and that have been there for many generations, many had to leave and have not come back, it celebrates all ancestors. The indigenous community will be supportive of any of the names.

The Committee discussed the four proposed names and the majority were in favour of Nin Kitisim Park.

Recommendation to Council:

“THAT, the newly developed Forest Trail be named Nin Kitisim Park as outlined in Report #CAO-2023-04 – Naming of Forest Trail Park.”

xii) **Report #CAO-2023-05 – Forest Trail Project Update.**

Recommendation to Council:

“THAT, Report #CAO-2023-05 – Forest Trail Project Update, be received for information.”

xiii) **Report #CAO-2023-06 – Strategic Planning Consultant.**

A Member discussed that the report indicated that Council informally agreed to engage the consultant but does not think they did and are now committed at this stage. Would prefer if in future, Council is properly informed. Council knew

that a strategic planning session was being planned but should be informed when a contract is entered into, and staff should follow procedure.

A Member reminded the Committee that Members had agreed that the consultant is the best option as he had Council engaged during the training session in January. Some Members were okay with the process as it was time sensitive. The CAO/Clerk expressed that this should have been before Council before now, but felt Council was in favour of proceeding with the consultant after the feedback from the training session with him and it was just a matter of the timing of the report coming forward.

Recommendation to Council:

“THAT, Section 7.4 of the Procurement Policy be waived to single source a Strategic Planning Consultant through Town Hall Consulting (Rob Adams).”

xiv) **Report #CAO-2023-07 – Extension of Integrity Commissioner Contract.**

A Member expressed concern that the contract has been in place for five (5) years and now it is time sensitive to extend the contract as it ends on March 31st. Is concerned with the process and the product and asked why the contract is five (5) years when the term of Council is only four (4) years. The reports from the Integrity Commissioner (IC) are on the Township website, personally has no issue with Mr. Fleming as the IC or the Lawyer but does have concerns with him having both roles.

The CAO/Clerk explained that this contract is not the only one that is five (5) years, recreation, OPP, etc. are five (5) year contracts so that they do not renew with the term of Council leaving the old or new Council to deal with at either the end of the term or the beginning of the term. Council was informed that the Lanark County Clerks would be meeting to review the IC contract, and updating the Code of Conduct, which will be coming forward at another meeting. The agreement is with all municipalities, the contract is led by Lanark County. The CAO/Clerk explained that if Mr. Fleming has a conflict acting as IC and as Township solicitor, he has to declare that, there has been one in Tay Valley and the IC assigns another IC to conduct the investigation. The annual reports are not legislated but is required under the Code of Conduct, the report typically comes to Council in April.

A Member thanked the CAO/Clerk for directing them to the Annual Reports on the website, even though they are required by the By-Law providing Annual Reports should be in the IC contract otherwise there is no obligation to provide them. Feels contracts should begin mid Council term so that each Council has a chance to review them. The last Council did not get to review this contract and now this Council does not either. It should not just be a decision of the Lanark County Clerks. The CAO/Clerk explained that other joint contracts are done this way, a report always comes to each Council, the contract also has a clause that 30 days notice can be provided to review the agreement so Council is not stuck with the term of the contract.

The Reeve explained that Lanark County has this on their agenda tomorrow evening and feels there is nothing broken with the process and the agreement can be reviewed with 30 days notice. The IC can also attend Council to give his Annual Report to be held accountable for the service they provide should Council wish. If the Reeve had any concerns with the IC or the services, they provide he would speak up about them.

The Deputy Reeve has been on Council for nine (9) years and there has been no issues with the IC or the process.

A Member asked if there was a financial benefit to having a joint agreement. The CAO/Clerk explained that the IC does not require a retainer fee so it is just a fee for services used, some other IC's require a retainer fee regardless if they provide any services or not.

A Member understands some of the concern with the process and asked if the contract could be looked at every two years. The CAO/Clerk can have the IC attend and present the Annual Report and Council can ask questions. Advised Council that if there are any concerns with any third-party contractor to let her know so it can be dealt with at that time, not just at contract renewal.

A Member expressed they have a degree of discomfort with one person holding both the role of IC and Township solicitor. What if they advise a Council Member and then there is an IC complaint against them. The CAO/Clerk explained it is the IC's role to give advice to a Member and if there was an IC complaint that advice is what the Councillor should be relying on.

The CAO/Clerk explained that in 2018 it was mandatory to have an IC, for efficiency purposes the County put out the RFP for all the municipalities within the County including the Town of Smiths Falls. There was not a lot that were qualified and those that were, were from larger cities and more expensive. Most smaller municipalities have the same IC and Solicitor, but the larger ones have an IC on staff and legal counsel on staff.

A Member agreed with the concerns about the process and would like to be notified earlier in the process, but all the Lanark County municipalities are agreeing so the process is not necessarily broken.

A Member feels that it is important to change contract providers once in a while or relationships become too familiar, personally does not have anything against the IC, just the process for the contract renewal.

Recommendation to Council:

"THAT, the current contract with Cunningham, Swan, Carty, Little & Bonhom, the Township's appointed Integrity Commissioner be extended until March 31, 2028;

AND THAT, the Reeve and Clerk be authorized to execute the necessary extension agreement.”

7. CORRESPONDENCE

i) **23-03-01 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 23-03-01 Council Communication Package be received for information.”

ii) **Rideau Valley Conservation Authority – New Flood Mapping Project.**

Recommendation to Council:

“**THAT**, the letter from Rideau Valley Conservation Authority dated February 3, 2023 regarding New Flood Mapping Project be received for information.”

iii) **A Call to End Homelessness in Ontario.**

Recommendation to Council:

“**WHEREAS**, the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario;

WHEREAS, the homelessness crisis is the result of the underinvestment and poor policy choices of successive provincial governments;

WHEREAS, homelessness requires a range of housing, social service and health solutions from government;

WHEREAS, homelessness is felt most at the level of local government and the residents that they serve;

WHEREAS, municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity or tools to address this complex challenge;

AND WHEREAS, leadership and urgent action is needed from the provincial government on an emergency basis to develop, resource and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario;

NOW THEREFORE BE IT RESOLVED THAT, the Township of Tay Valley Township calls on the Provincial Government to urgently:

- a. Acknowledge that homelessness in Ontario is a social, economic and health crisis;
- b. Commit to ending homelessness in Ontario;

- c. Work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource, and implement an action plan to achieve this goal;

AND FURTHER THAT, a copy of this motion be sent to the Minister of Municipal Affairs and Housing, the Minister of Children, Community and Social Services, the Minister of Health and to the Association of Municipalities of Ontario.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board** – *deferred to the next meeting.*
Councillor Wayne Baker.

- ii) **Committee of Adjustment.**

The Committee reviewed the minutes that were attached to the agenda.

- iii) **Fire Board** – *deferred to the next meeting.*
Councillor Wayne Baker, Councillor Greg Hallam, Councillor Marilyn Thomas

- iv) **Library Board** – *deferred to the next meeting.*
Councillor Andrew Kendrick.

- v) **Pinehurst Cemetery Board** – *deferred to the next meeting.*
Councillor Fred Dobbie.

- vi) **Police Services Board.**
Reeve Rob Rainer.

The Committee reviewed the minutes that were attached to the agenda.

- vii) **Green Energy and Climate Change Working Group** – *deferred to the next meeting.*
Councillor Greg Hallam and Councillor Angela Pierman

- viii) **Municipal Drug Strategy Committee** – *deferred to the next meeting.*
Councillor Korrine Jordan.

- ix) **Mississippi Valley Conservation Authority Board** – *deferred to the next meeting.*
Councillor Andrew Kendrick.

- x) **Rideau Valley Conservation Authority Board** – *deferred to the next meeting.*
Councillor Angela Pierman.

xi) **County of Lanark.**

Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

- the 2023 budget was adopted at \$122 million the main reason for the increase is due to flow through money for child services
- planning services report was presented, it gave an assessment of the County's planning services
- the Andrewsville bridge in Merrickville is a historic bridge and is coming to end of life, County staff are recommending to close it to vehicular traffic and keep open to pedestrians, there were some concerns for the impact of that and there will be more discussion before a decision is made
- attended an event The Table Lanark Affordable Housing, was part of a panel with the Mayors and Reeves of Perth, Drummond/North Elmsley and Lanark Highlands to talk about housing, there were a lot of people there; there needs to be more discussions about this to look at regional issues as individual municipalities cannot deal with it on their own
- attending Lanark Lodge to talk about Tay Valley Township
- will be attending the FCM conference end of May in Toronto
- received an update on the K & P trail sale it to the County, issues as there are houses along the trail with no deeded access and there is a beaver problem on the havelock trail along with some trespassing issues

The Treasurer left at 7:46 p.m.

The Committee recessed at 7:46 p.m.

The Committee returned to session at 7:51 p.m.

9. **CLOSED SESSION**

i) **CONFIDENTIAL: Identifiable Individual – Unreasonable Customer Behaviour.**

The Committee moved "in camera" at 7:52 p.m. to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, regarding unreasonable customer behaviour and the Chief Administrative Officer/Clerk, Deputy Clerk and Planner, remained in the room.

The Committee returned to open session at 8:26 p.m.

The Chair Rose and reported that Committee discussed the unreasonable behaviour of an identifiable individual.

10. **DEFERRED ITEMS**

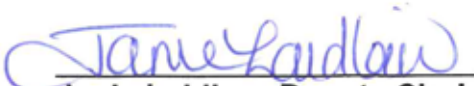
**The following items will be discussed at the next and/or future meeting:*

- **See Township Action Plan – distributed separately to Council**

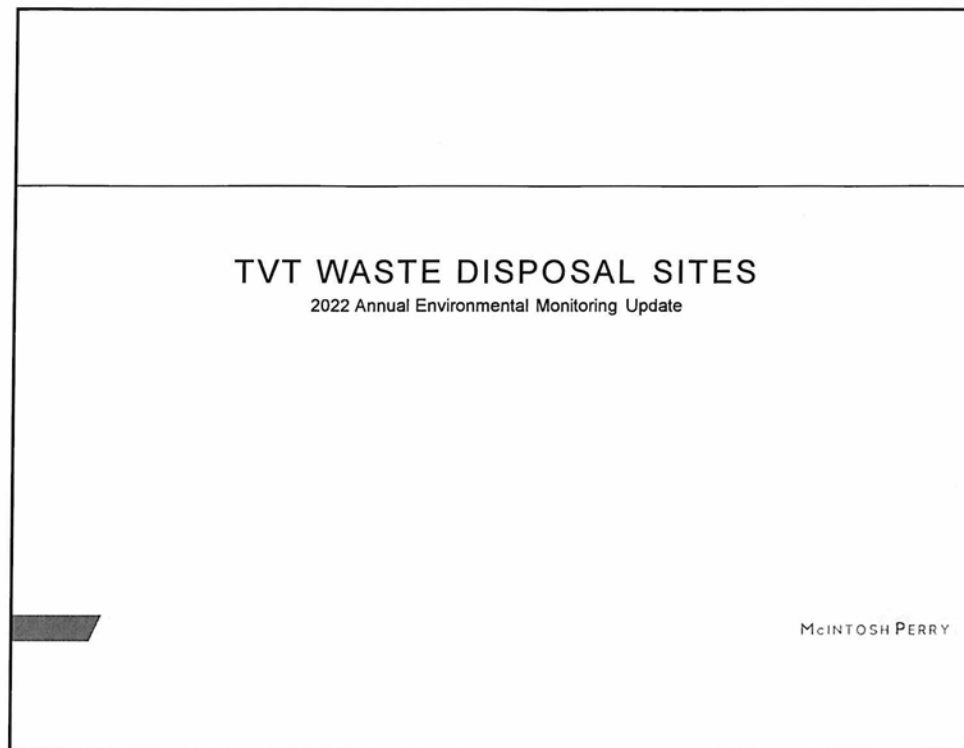
11. ADJOURNMENT

The Committee adjourned at 8:26 p.m.

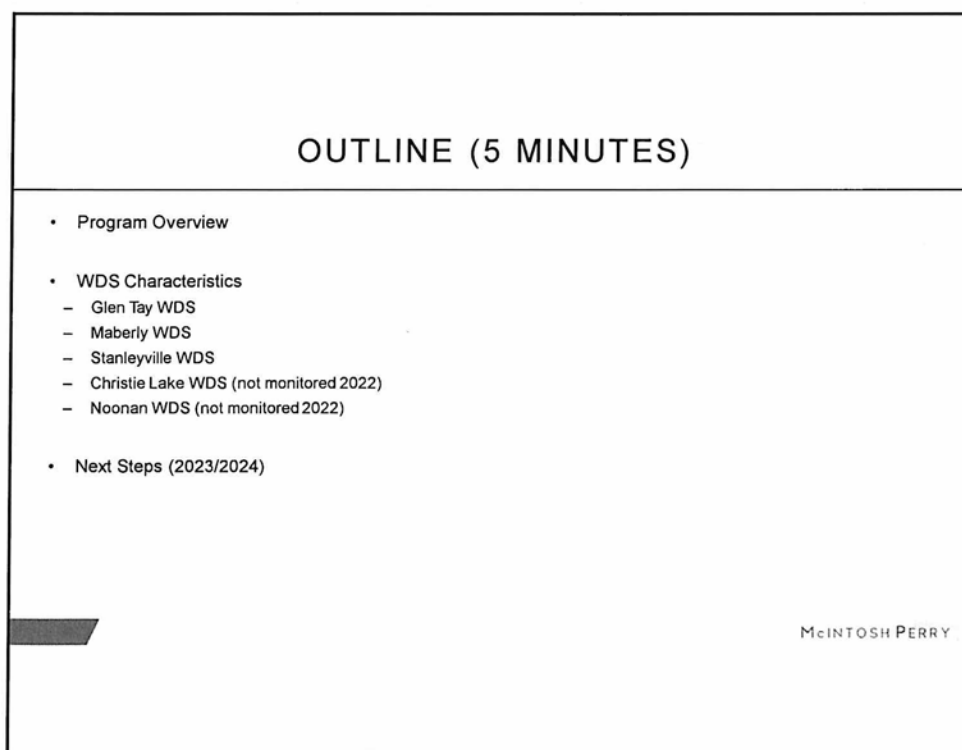

Chairperson


Janie Laidlaw, Deputy Clerk

DELEGATIONS/ PRESENTATIONS



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2

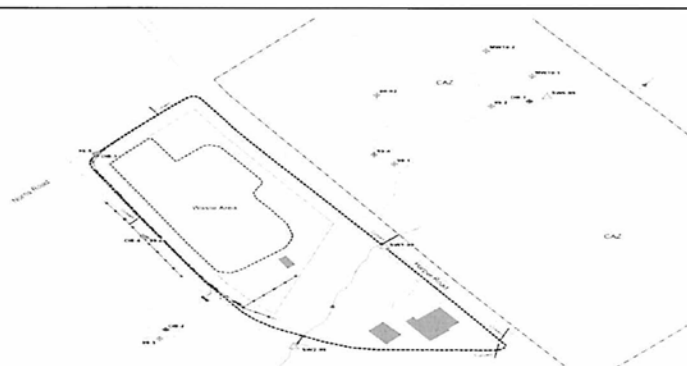
PROGRAM OVERVIEW

- Bi-annual monitoring (May, October)
 - Overburden groundwater
 - Bedrock groundwater
 - Surface water
 - General observations (seeps, exposed waste, other compliance issues)
- Operational
 - Annual capacity survey
 - Administrative updates (new ECA for 2023)
- Annual reporting

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GLEN TAY WDS PROGRAM

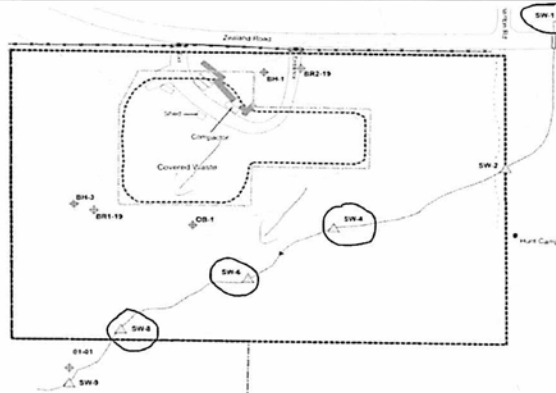


- 8 BR Wells
- 3-4 OB Wells
- 3 Private Wells
- 3 SW Stations

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MABERLY WDS PROGRAM

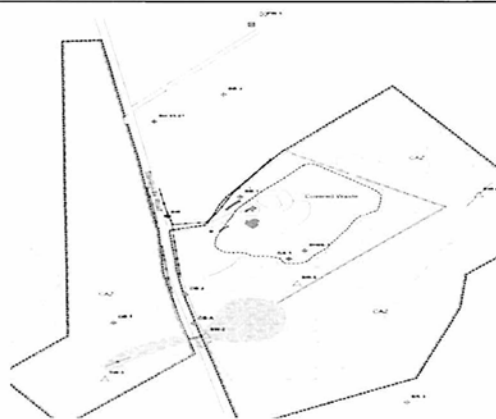


- Groundwater, surface water flows SW
- Sample integrity continues to be an issue (MW construction, swampy conditions, etc.)
- Groundwater generally consistent
- Surface water showing elevated phosphorus, iron in Fall 2022

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STANLEYVILLE WDS PROGRAM



- 3 BR Wells
- 6 OB Wells
- 1 Private Well
- 4 SW Stations

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STANLEYVILLE WDS PROGRAM

- Groundwater, surface water flow SW
- Potential for WDS-related impacts to surface water and shallow groundwater
- Surface water showing elevated phosphorus, iron, phenols in Fall 2022
- Lesser potential for impacts in bedrock groundwater
- No impacts to private well



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NEXT STEPS

- Continue monitoring programs
- Monitor concentrations of boron, iron, phenol in surface water
- Monitor for leachate seeps at Glen Tay, remediate as needed
- Continue compacted and uncompacted waste bin tracking (new as of May 2021)
 - Phase out bag counts ~2023–2024
- 2023 Monitoring Program
 - Glen Tay (active WDS)
 - Maberly (active transfer)
 - Stanleyville (active transfer)
- Future years
 - Christie Lake (closed, 5-year rotation)
 - Noonan (closed, 5-year rotation)

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QUESTIONS?

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