



COMMITTEE OF THE WHOLE MINUTES

Tuesday, April 11th, 2023

6:00 p.m.

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

ATTENDANCE:

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

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Janie Laidlaw, Deputy Clerk
Sean Ervin, Public Works Manager (left at 8:16 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

i) Public Meeting: Zoning By-Law Amendment - March 21st, 2023.

A Member had a concern that the minutes in the agenda did not have the attachments and received an explanation by email prior to the meeting indicating that minutes that are attached to an agenda for approval never have the attachments to those minutes, it is always just the minutes portion as that is what Council is verifying occurred. When the approved minutes are posted to the website, they will include all of the attachments. A full copy of the draft minutes were circulated to Members prior to the meeting. The Member also had a concern that by only having the attachments from the Planner and some members of the public that not all comments were captured as they adlibbed their written presentations. The CAO/Clerk explained that the public meeting minutes are not a transcript or verbatim but to capture without note or comment the main points of the public, presenter, or a delegate and that is what occurred with these minutes. The Member felt it might be useful to record the meetings to ensure everything is captured in the minutes. The CAO/Clerk explained that if Council were to have such a discussion then there were things to consider. For instance, would the recording only be used for purposes of the minutes whereby the Recording Secretary would only use them if unsure of a certain section of the minutes and then the recording would be destroyed, or if recordings were to be kept then there would need to be storage added to the municipal server as recordings had not been factored into the capacity, etc. In addition, whatever route Council chose, it would require an amendment to the Procedural By-Law, this would need to be a discussion and staff report at a later date.

A Member felt that staff captured the essence of the meeting, some of the comments and concerns were similar and the attachments are available with the official copy of the minutes and provide the substance of what the citizens said at the meeting.

The Member indicated that an appeal has been received and felt the Township is now vulnerable without the information of what was presented.

A Member suggested that it would require further discussion and had concern with the amount of staff time it would take if staff had to replay a 4 hour recording of a meeting.

A Member asked if it had to be a blanket approach or could it be based on the situation. The CAO/Clerk explained that best practice would be no, due to who would determine that, no other Township uses it to produce a transcript, it is only used to verify what is in the minutes and then destroyed.

The minutes of the Public Meeting – Zoning By-Law Amendment held on March 21st, 2023 were approved.

Recommendation to Council:

“THAT, Council at a later date discuss recording of meetings for the purpose of minute taking.”

5. DELEGATIONS & PRESENTATIONS

- i) **Perth and District Community Foundation Vital Signs Report.**
Victoria Gibb-Carsely, Executive Director, Perth and District Community Foundation.

V. Gibb-Carsely gave the PowerPoint presentation that was attached to the agenda.

The Committee discussed the statistics from the presentation.

Recommendation to Council:

“THAT, the Perth and District Community Foundation Vital Signs Report to Tay Valley Township Council on April 11th, 2023 be received for information.”

- ii) **Planet Youth Lanark County Update.**
Andrew Lynch, Steering Committee Member.

A. Lynch gave the PowerPoint Presentation that was attached to the agenda. John Reid was also present.

Planet Youth will be holding a workshop in June and invitations will be sent out, there will be representatives from municipal councils to non-governmental organizations and community members and it will be to see how they see their community and for the data to help them align certain projects. It will provide an opportunity to move forward with options and direction which can be helpful when applying for funding.

The Committee discussed the statistics, and the factors that may contribute to those statistics.

The report on the survey can be found at www.planetyouthlanark.ca.

Recommendation to Council:

“THAT, the Planet Youth presentation to Tay Valley Township Council on April 11th, 2023 be received for information.”

Council recessed at 7:18 p.m.

Council reconvened at 7:24 p.m.

6. PRIORITY ISSUES

i) **Report #PW-2023-09 – Calcium Chloride – Tender Award.**

Recommendation to Council:

“THAT, the Calcium Chloride Tender, #2023-PW-004 be awarded to Da-Lee Dust Control Limited;

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

ii) **Report #PW-2023-10 – Engineering Services for the Glen Tay Culvert and Gambles Side Road Bridge – RFP Award.**

A Member expressed concern about the process for awarding Request for Proposals (RFP). All Council sees is the recommendation from staff and not the scoring, this is only a Tay Valley thing, even the Library Board discusses the scores, without that it is difficult to give it to someone else if Council does not see the short-listed bids.

The Public Works Manager explained that even at the County level the Council gets the staff report and that the scores are just numbers without the entire proposal, so Council would need to read the proposals.

The Member thought it would be helpful to know the difference in the pricing and if the higher bid was merited.

The CAO/Clerk explained how the scoring was done for an RFP and that staff does the background work and would bring a report to Council in closed session if any discrepancy needed to be discussed or if Council needed to discuss or decide on another option.

As explained earlier in an email to Council, there is a difference between RFP's and tenders. Tenders are an opportunity for potential suppliers to submit an offer to supply goods or services against a detailed tender and lowest price (all else equal) is the successful bid. Whereas Request for Proposals (RFPs) are used when there are many ways to provide a service and the successful bidder is based on both the quality of service that can be provided and the price. The lowest price is not always the successful bidder, that is why there is a two-step scoring process. Bids and scoring for both tenders and RFP's are confidential. If anyone other than a staff member is asking for the information then this is a MFIPPA request, unless the majority of Council requests the information which then can only be shared during a closed session as it is proprietary information. The evaluation of tenders and RFPs is a staff responsibility as outlined in the Procurement Policy. If this process is to change then this will need to be discussed with Council on how to go about this, a staff

report presented to Council, Council direction provided and then if there are any changes to be made the Procurement Policy updated.

A Member feels that staff have the expertise to do this, and the senior managers look at them and discuss them if needed.

Another Member feels the same, that staff know what they are doing and asked if when evaluating does being local come into the decision? The CAO/Clerk explained that you can no longer procure based on where the company is located, but that factor is usually reflected in the bid price.

The Member feels that there is no reason to provide three options then, only to award as staff recommended or to not award it.

Recommendation to Council:

“THAT, the Engineering Services for the Glen Tay Culvert and Gambles Side Road Bridge, #2023-PW-003, be awarded to the Greer Galloway Group;

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

iii) **Report #PW-2023-11 – Half-Ton Truck – RFP Award.**

The Public Works Manager explained that the maintenance service package can be purchased for \$2,700 and cover eight years of recommended servicing.

Staff is confident that the truck will work for what the truck it is replacing does.

The Committee discussed the following concerns:

- it is over budget
- heavier than a gas-powered truck, the weight of the truck is like you are pulling something
- service package does not include battery replacement
- knows someone that has one, good for driving, but not for towing something
- if the Township is purchasing another truck in two years, why not wait to see how the trucks the County ordered work out
- will it be replaced within eight (8) years as the battery warranty runs out then
- what is the value after one year if the Township does not like it
- if there are only a few models made, will parts be hard to get
- what if it is needed as a “working” truck
- the Township is in a rural area and just went without power for days
- cost is high but understands the pay now versus pay later life cycle costs

A Member that sits on the Green Energy and Climate Change Working Group explained that the Working Group was upset that Council did not purchase an electric vehicle to replace the CBO vehicle. Need to factor in the cost to the environment, is supportive based on what she has learned about life cycle

costing. The Township needs to set an example to others. Lanark County is ordering three trucks.

The Public Works Manager explained that this vehicle will not be towing anything, it is driven by him but is used to carry signs, pylons, garbage, so does need to be a truck to carry things.

A Member expressed that they have an electric vehicle and are happy with it, the technology has been around for a long time, the cost of gas is increasing, and battery technology is improving. Feels Tay Valley Township needs to set an example.

The Public Works Manager explained that the County Climate Action Committee may be offering \$10,000 to municipalities to purchase electric vehicles, will know this before the Council meeting.

A Member asked Council to think of the social effect of using gas powered motors, the oil sands, water being tainted, land being taken, where it comes from, how they treat their workers and the global community.

It was suggested that it move forward to Council and before the meeting that more information is provided.

Council was asked to submit their questions to staff.

Recommendation to Council:

“THAT, Request for Proposal #2023-PW-006 – One (1) Half-Ton Truck be awarded to James Braden Ford Ltd. for the Ford Lightning;

THAT, The Reeve and Clerk be authorized to sign the necessary documentation;

AND THAT, Truck No. 14 be sold on GovDeals.net once the new truck arrives, with the funds to be transferred to the Equipment Reserve.”

iv) **Report #PW-2023-12 – Municipal Office Roof Replacement – Tender Award.**

Recommendation to Council:

“THAT, Tender #2023-MO-002 – Municipal Office Roof Replacement be awarded to Sargeant Construction Inc. in the amount of \$123,222.15 plus H.S.T.;

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

The Public Works Manager left at 8:16 p.m.

- v) **Report #CBO-2023-04 – Building Department Report – January – March 2023.**

Recommendation to Council:

“**THAT**, Report #CBO-2023-04 – Building Department Report – January - March 2023 be received as information.”

- vi) **Report #C-2023-03 – Proposed New Road Name – Lampman Hill.**

Recommendation to Council:

“**THAT**, the necessary by-law to name an existing Private Road to Lampman Hill as outlined in Report #C-2023-03 – Proposed New Road Name – Lampman Hill, be brought forward for approval.”

- vii) **Report #CAO-2023-08 – 25th Anniversary Celebrations Update.**

The Committee discussed other possible ideas and changing the date of the picnic but agreed with the recommendations in the report.

Recommendation to Council:

“**THAT**, staff be authorized to proceed with the ideas to celebrate the 25th Anniversary of Tay Valley Township as outlined in Report #CAO-2023-08 – 25th Anniversary Celebrations Update;

AND THAT, the required funds, as outlined in Report #CAO-2023-08 – 25th Anniversary Celebrations Update will be expensed from the 200th Anniversary Reserve and the Contingency Reserve.”

- viii) **Report #CAO-2023-09 – Code of Conduct for Council and Local Boards Update.**

A Member feels the time for an Integrity Commissioner report to be made public on the Township website should be linked to the term of Council rather than a minimum of five (5) years, but since the rest of the municipalities are doing five (5) years Tay Valley cannot change it and asked why Council is reviewing it if it cannot be changed.

Members were in agreement with the minimum of five (5) years, and some felt it should be longer as an investigation and the report is significant and the public has a right to know, it speaks to the integrity of Council and of that individual.

Recommendation to Council:

“**THAT**, changes to the Code of Conduct for Council and Local Boards as outlined in Report #CAO-2023-09 – Code of Conduct for Council and Local Boards Update, be approved;

AND THAT, the necessary by-law be brought forward.”

- ix) **Report #CAO-2023-10 – Pay Equity and Compensation Review – RFP Award.**

Recommendation to Council:

“THAT, the Pay Equity and Compensation Review, Contract #2023-HR-01, be awarded to ML Consulting Services;

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

7. CORRESPONDENCE

- i) **23-03-30 – Council Communication Package.**

Deputy Reeve Dobbie asked that item #23 (Municipality of North Perth Resolution – School Bus Stop Arm Cameras) be pulled and voted on separately.

Recommendation to Council:

“THAT, the 23-03-30 Council Communication Package, excluding item 23, be received for information.”

- ii) **Municipality of North Perth Resolution – School Bus Stop Arm Cameras.**

Recommendation to Council:

“WHEREAS, almost 824,000 students travel in about 16,000 school vehicles every school day in Ontario and according to the Ministry of Transportation’s statistics the rate of vehicles blowing by stopped school buses is over 30,000 times every day;

AND WHEREAS, the Province of Ontario passed the Safer School Zones Act in 2017 which authorized the use of Automated School Bus Stop Arm Camera Systems to detect incidents where vehicles failed to stop when the school bus was stopped and the stop-arm extended (O.Reg. 424/20);

AND WHEREAS, the Association of Municipalities of Ontario (AMO) working on behalf of all Ontario Municipalities made its submission to the Standing Committee on General Government on May 21, 2019 in support of Administrative Monetary Penalties (AMPs) to be used to collect fine revenue for school bus stop arm infractions and other applications, including Automated Speed Enforcement (ASE) technologies deployed in school and community safety zones;

AND WHEREAS, police resources can not be spread any thinner to enforce Highway Traffic Act offences throughout municipalities;

AND WHEREAS, the administrative and financial costs to establish the required municipal Administrative Penalty program under the Highway Traffic Act, and its regulations, are substantial and maybe out of reach for small or rural municipalities that have insufficient amounts of traffic to generate the required funds to offset the annual operational costs of a municipal Administrative Penalty program;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township urges the Provincial Government to:

- a) Require all school buses to have stop arm cameras installed and paid for by the province for the start of the 2023-2024 school year and;
- b) Underwrite the costs for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities;

AND FURTHER THAT, this resolution be circulated to Premier Doug Ford, Attorney General Doug Downey, Minister of Education Stephen Lecce, Provincial opposition parties, John Jordan MPP, AMO and all municipalities in Ontario.”

iii) **23-04-05 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 23-04-05 Council Communication Package be received for information.”

iv) **Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales.**

Recommendation to Council:

“**WHEREAS**, prior to being repealed by the Modernizing Ontario’s Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001 allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction;

AND WHEREAS, the Public Tax Sale process is burdensome to a municipality who invest a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario;

NOW THEREFORE BE IT RESOLVED THAT, a letter be sent to all relevant taxation bodies, including the Ministry of Municipal Affairs and Housing, the Ministry of Finance, John Jordan, MPP, the Association of the Municipalities of Ontario and all other municipalities in Ontario urging them to re-instate previous legislation that permitted a Municipality to apply for and retain the surplus proceeds from a tax sale in their jurisdiction.”

v) **New Fee Proposed by Enbridge Gas.**

Recommendation to Council:

“WHEREAS, Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200 CAD (plus applicable taxes) for utility locates where a field locate is required;

AND WHEREAS, third-party contractors include Ontario Municipalities;

AND WHEREAS, these locate requests are only required as Ontario Municipalities have allowed utilities to use municipal right-of-ways at no charge to the utilities;

AND WHEREAS, this announcement of new downloaded costs will negatively impact the budgets of Ontario Municipalities which are already burdened;

AND WHEREAS, if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Township of Tay Valley Township strongly opposes these utility locate costs being downloaded to Ontario Municipalities by Enbridge Gas or other utilities;

AND THAT, the Province of Ontario’s Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;

AND THAT, this decision be forwarded to Premier Doug Ford, Minister of Public and Business Service Delivery, Kaleed Rasheed, Minister of Infrastructure, Kinga Surma, Minister of Energy, Todd Smith, John Jordan, MPP, the Association of Ontario Road Supervisors and the Association of Municipalities of Ontario;

AND FURTHER THAT, the Association of Ontario Road Supervisors will be sending your Public Works Manager and Directors a survey to further investigate the true costs of this proposed fee on your budgets. We ask you to encourage your staff to complete this survey so we can better advocate on your behalf.”

vi) **AMO Calls for Legislation to Strengthen Municipal Codes of Conduct and Enforcement.**

Recommendation to Council:

“WHEREAS, all Ontarians deserve and expect a safe and respectful workplace;

AND WHEREAS, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;

AND WHEREAS, several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;

AND WHEREAS, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;

AND WHEREAS, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;

AND WHEREAS, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township supports the call of the Association of Municipalities in Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;

AND THAT, the legislation encompass the Association of Municipalities of Ontario’s recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the Province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.”

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

- the auditor presented 2022 Audit
- fire call occurred during the meeting and within five (5) minutes the trucks were gone and backup was arranged, it was very impressive
- approved some new policies
- during the power outage there was 27 fire calls for various issues

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.**

Councillor Greg Hallam and Councillor Angela Pierman

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

- one member cannot attend in person for health reasons and, put forward a motion to have the ability to have virtual meetings
- the Planner spoke about the use of electric vehicles
- the Working Group was invited to Sundance Festival to have a table

viii) **Municipal Drug Strategy Committee – *deferred to the next meeting.***

Councillor Korrine Jordan.

ix) **Mississippi Valley Conservation Authority Board.**

Councillor Andrew Kendrick.

The Committee reviewed the meeting summary that was attached to the agenda.

- the Finance and Administration Committee held a meeting, the inflation rate for non-residential construction is increasing significantly, can expect an increase to the capital levy in future years

- ix) **Rideau Valley Conservation Authority Board.**
Councillor Angela Pierman.

The Committee reviewed the meeting board summaries and minutes that were attached to the agenda.

- xi) **County of Lanark.**
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

- the last set of meetings were postponed to the end of April due to the ice storm
- the Climate Action Working Group is holding their second meeting soon
- there was a fire to social housing on Harvey Street in Perth

9. CLOSED SESSION

None.

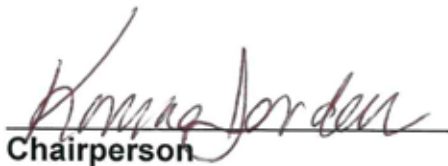
10. DEFERRED ITEMS

**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 9:17 p.m.


Chairperson


Janie Laidlaw, Deputy Clerk