



COUNCIL MEETING MINUTES

Tuesday, April 25th, 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
Noelle Reeve, Planner

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

- i) **Council Meeting – March 21st, 2023.**

RESOLUTION #C-2023-04-07

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the Council Meeting held on March 21st, 2023, be approved as circulated.”

ADOPTED

- ii) **Council Meeting (Closed Session – Litigation – 196 Little Silver Lake Road) – March 21st, 2023.**

RESOLUTION #C-2023-04-08

MOVED BY: Marilyn Thomas

SECONDED BY: Angela Pierman

“THAT, the minutes of the Council Meeting (Closed Session – Litigation – 196 Little Silver Lake Road) held on March 21st, 2023, be approved as circulated.”

ADOPTED

- iii) **“Special” Council Meeting – March 28th, 2023.**

A member asked why there is not a copy of the public submissions in the minutes, other than those made at the public meeting. There were over 60 written submissions and none of those are included in the public record so there is no way to track them.

The CAO/Clerk explained that the submissions made at the public meeting are in the minutes, the others received before or after the public meeting are kept in the topic file and are subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). The Township is required to have a list of public comments.

A member asked if a MFIPPA request was the only way for one to see those records. The CAO/Clerk explained that not necessarily, but it depends on the type of information in them that can be released, depending on whether it is a statutory meeting or not. For example, email addresses may not be released, also it depends on the volume of documents and the time to retrieve them.

The member was unhappy that when other issues have been brought to meetings the submissions have been in the agenda package so that they can be reviewed in advance. As a member of Council does not have the information that was circulated so is not sure if that is a complete record, will follow up with staff to see what is in the file.

RESOLUTION #C-2023-04-09

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the “Special” Council Meeting held on March 28th, 2023, be approved as circulated.”

ADOPTED

- iv) **“Special” Council Meeting (Closed Session – Litigation – Legal File Update) – March 28th, 2023.**

RESOLUTION #C-2023-04-10

MOVED BY: Wayne Baker

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Litigation – Legal File Update) held on March 28th, 2023, be approved as circulated.”

ADOPTED

- v) **“Special” Council Meeting – April 1st, 2023.**

RESOLUTION #C-2023-04-11

MOVED BY: Andrew Kendrick

SECONDED BY: Greg Hallam

“THAT, the minutes of the “Special” Council Meeting held on April 1st, 2023, be approved as circulated.”

ADOPTED

- vi) **“Special” Council Meeting – April 4th, 2023.**

RESOLUTION #C-2023-04-12

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“THAT, the minutes of the “Special” Council Meeting held on April 4th, 2023, be approved as circulated.”

ADOPTED

- vii) **“Special” Council Meeting (Closed Session – Labour Relations – Human Resources) – April 4th, 2023.**

RESOLUTION #C-2023-04-13

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Labour Relations – Human Resources) held on April 4th, 2023, be approved as circulated.”

ADOPTED

- viii) **Committee of the Whole Meeting – April 11th, 2023.**

RESOLUTION #C-2023-04-14

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the Committee of the Whole Meeting held on April 11th, 2023, be approved as circulated.”

ADOPTED

- ix) **“Special” Council Meeting – April 18th, 2023.**

A member asked why the comment they made about objecting to Council going In-Camera was not in the minutes. The CAO/Clerk explained that the minutes are taken without note or comment and if one member had made a comment, there was no discussion or decision otherwise and the motion to move in-camera was adopted.

RESOLUTION #C-2023-04-15

MOVED BY: Marilyn Thomas

SECONDED BY: Angela Pierman

“THAT, the minutes of the “Special” Council Meeting held on April 18th, 2023, be approved as circulated.”

ADOPTED

- x) **“Special” Council Meeting (Closed Session – Identifiable Individual – Identifiable Individual) – April 18th, 2023.**

RESOLUTION #C-2023-04-16

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Identifiable Individual – Identifiable Individual) held on April 18th, 2023, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Recording Meetings for the Purpose of Minute Taking.**

RESOLUTION #C-2023-04-17

MOVED BY: Wayne Baker

SECONDED BY: Marilyn Thomas

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

ADOPTED

- ii) **Perth and District Community Foundation Vital Signs Report.**

RESOLUTION #C-2023-04-18

MOVED BY: Andrew Kendrick

SECONDED BY: Greg Hallam

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

ADOPTED

- iii) **Planet Youth Lanark County Update.**

RESOLUTION #C-2023-04-19

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

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

ADOPTED

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

RESOLUTION #C-2023-04-20

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“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.”

ADOPTED

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

RESOLUTION #C-2023-04-21

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**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.”

ADOPTED

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

Council made and/or discussed the following concerns and comments:

- draining the equipment reserve as it is over budget by 44%
- cannot support on taxpayers dollars
- does not believe the batteries can handle the power of the vehicle
- not a good fit for the climate this far north
- feels it will rust faster
- is intended for the Public Works Manager and needs to be available 24-7 so needs to be a reliable vehicle
- not socially or environmentally responsible given how the raw materials in the batteries are mined
- residents are struggling to keep food on the table, this purchase is not responsible
- car fires are always possible but with electric vehicles it is much harder to extinguish and they are very toxic when burning
- need more transparency as to where the cobalt is coming from and how the vehicles are manufactured
- understand the need to phase out fossil fuels, but need improvements to making the batteries and the vehicles
- does not feel this is the right time, prefer to have something cheaper and use the money for something to assist the environment
- cannot support due to the cost
- cannot support a vehicle that has only been out for a year, it is not proven yet
- knows of someone who purchased one and they are trading it back in for a gas powered one
- \$27,000 more for the truck than an SUV, would support an SUV but not the truck

- leading the way with the first Green Energy and Climate Change Working Group
- the perfect position to try one on is the Public Works Manger, need to lead by example and try it
- the Public Works Manger will be the one to use it and his report and research recommended it
- had been made more favourable by the increase in funding from the County
- the life cycle economics look good
- there are some unanswered questions about the sources of the materials
- should be prepared to lead and trust the transition to electric vehicles
- the vehicle is over budget but the life cycle cost savings more than cover that
- the environment has changed due to climate change if we wait for dramatic improvements and costs to go down, it will be a different world we live in
- asked Council to consider the need to be stewards, money will actually be saved over the life of the vehicle, need to set an example
- this would be the second electric vehicle Council turned down and that sends a message about Tay Valley Township's concern about the environment
- would like Tay Valley to be a leader
- agrees with the concerns about the manufacturing industry but cannot ignore the impact of using fossil fuels
- the call is being made to electrify everything and get off fossil fuels
- life cycle costing is convincing that the electric option will save money
- the concern about the newness is what warranties are for, the technology has been around for a long time
- this truck is rated no. 2
- there is no compelling reason not to purchase the electric truck

RESOLUTION #C-2023-04-22

MOVED BY: Marilyn Thomas

SECONDED BY: Angela Pierman

“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.”

(SEE RECORDED VOTE)

Councillor Hallam called a recorded vote on Resolution #C-2023-04-22:

For:	Reeve Rob Rainer	1
	Councillor Greg Hallam	1
	Councillor Angela Pierman	1
	Councillor Andrew Kendrick	<u>1</u>
		4

Against:	Deputy Reeve Fred Dobbie	1
	Councillor Wayne Baker	1
	Councillor Korrine Jordan	1
	Councillor Marilyn Thomas	<u>1</u>
		4

Absent:		0
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Total:		8
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DEFEATED

RESOLUTION #C-2023-04-23

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“THAT, Request for Proposal #2023-PW-006 – One (1) Half-Ton Truck be awarded to Mike Fair Chevrolet Buick GMC Cadillac Ltd for the Chevrolet Silverado;

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.”

ADOPTED

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

RESOLUTION #C-2023-04-24

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“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.”

ADOPTED

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

RESOLUTION #C-2023-04-25

MOVED BY: Wayne Baker

SECONDED BY: Marilyn Thomas

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

ADOPTED

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

RESOLUTION #C-2023-04-26

MOVED BY: Andrew Kendrick

SECONDED BY: Greg Hallam

“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.”

ADOPTED

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

RESOLUTION #C-2023-04-27

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“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.”

ADOPTED

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

RESOLUTION #C-2023-04-28

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“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.”

ADOPTED

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

RESOLUTION #C-2023-04-29

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

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

ADOPTED

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

RESOLUTION #C-2023-04-30

MOVED BY: Marilyn Thomas

SECONDED BY: Angela Pierman

“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 FURHTER 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.”

ADOPTED

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

RESOLUTION #C-2023-04-31

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

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

ADOPTED

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

RESOLUTION #C-2023-04-32

MOVED BY: Wayne Baker

SECONDED BY: Marilyn Thomas

“**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.”

ADOPTED

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

RESOLUTION #C-2023-04-33

MOVED BY: Andrew Kendrick

SECONDED BY: Greg Hallam

“**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.”

ADOPTED

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

RESOLUTION #C-2023-04-34

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“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.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2023-018: Septic System Maintenance Inspection Program.**

RESOLUTION #C-2023-04-35

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“**THAT**, By-Law No. 2023-018, being a by-law to implement a Sewage System Maintenance Inspection Program, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2023-019 – Code of Conduct for Members of Council and Local Boards.**

RESOLUTION #C-2023-04-36

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2023-019, being a by-law to adopt a Code of Conduct for Members of Council and Local Boards, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

Meeting	Date	Time	Location
Lanark County Police Services Board Meeting	April 26 th	10:00 a.m.	Drummond/North Elmsley Municipal Office
Rideau Valley Conservation Authority Board Meeting	April 27 th	6:30 p.m.	Manotick
Committee of the Whole	May 9 th	6:00 p.m.	Municipal Office
Committee of Adjustment Hearing	May 15 th	5:00 p.m.	Municipal Office
Council Meeting	May 23 rd	6:00 p.m.	Municipal Office

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

- i) **By-Law No. 2023-020 - Confirmation By-Law – March 28th, April 1st, 4th, 18th and 25th, 2023.**

RESOLUTION #C-2023-04-37

MOVED BY: Marilyn Thomas

SECONDED BY: Angela Pierman

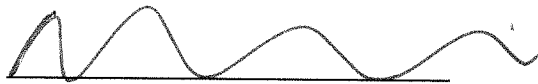
“THAT, By-Law No. 2023-020, being a by-law to confirm the proceedings of the Council meetings held on March 28th, April 1st, 4th, 18th and 25th, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

The Reeve explained that it was the Deputy Clerk’s last meeting with Council and thanked her for her years of service at Tay Valley Township.

13. ADJOURNMENT

Council adjourned at 7:13 p.m.



Rob Rainer, Reeve



Janie Laidlaw, Deputy Clerk