



MUNICIPALITY OF ARRAN-ELDERSLIE

Council Meeting

MINUTES

Meeting No. 1-2022

Monday, January 10, 2022, 9:00 a.m.

Council Chambers and via Teleconference

1925 Bruce Road 10, Chesley, ON

Council Present: Mayor Steve Hammell
Deputy Mayor Mark Davis - Present Electronically
Councillor Doug Bell - Present Electronically
Councillor Brian Dudgeon - Present Electronically - Arrived at 9:45am. Departed at 11:46am.
Councillor Ryan Greig - Present Electronically
Councillor Ryan Nickason - Present Electronically

Council Absent: Councillor Melissa Kanmacher

Staff Present: Sylvia Kirkwood - CAO
Christine Fraser-McDonald - Clerk
Julie Reid - Deputy Clerk - Present Electronically
Scott McLeod - Public Works Manager - Present Electronically
Tracey Neifer - Treasurer
Carly Steinhoff - Recreation Manager - Present Electronically
Pat Johnston - Chief Building Official - Present Electronically
Laura Fullerton - Economic Development Coordinator - Present Electronically
Mark O'Leary - Water/Sewer Foreman - Present Electronically

1. Call to Order

Mayor Hammell called the meeting to order at 9:00 am. A quorum was present.

2. Adoption of Agenda

Council passed the following resolution:

01-01-2022

Moved by: Councillor Nickason

Seconded by: Deputy Mayor Davis

Be It Resolved that the agenda for the Council Meeting of Monday, January 10, 2022 be received and adopted, as distributed by the Clerk.

Carried

3. Disclosures of Pecuniary Interest and General Nature Thereof

Mayor Hammell declared a pecuniary interest regarding Agenda Item No. 9.3.3 as his brother and sister-in-law own property on that particular road.

4. Adoption of Minutes of Previous Meeting(s)

4.1 December 13, 2021 Regular Council Minutes

Council passed the following resolution:

02-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held December 13, 2021.

Carried

4.2 December 15, 2021 - Special Council Meeting

Subsequent to further discussion, Council passed the following resolution:

03-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Special Council Session held December 15, 2021.

Carried

4.3 December 22, 2021 Special Council Meeting

Council passed the following resolution:

04-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Special Council Session held December 22, 2021.

Carried

5. Business Arising from the Minutes

None.

7. Delegation(s)

7.1 Treasure Chest Museum Update - Judy MacKinnon

Judy MacKinnon made a presentation to Council on behalf of the Friends of the Treasure Chest Museum.

This is a small group of volunteers that maintain and work at the museum.

She gave an update on the activities at the museum for the past two years.

She thanked Recreation Manager, Carly Steinhoff, for her help and support with the museum.

Council thanked Ms. MacKinnon for her presentation.

7.2 Affordable Housing - Chris Barfoot

Mr. Barfoot was unable to attend the meeting.

7.3 Michael Barrett and Bill Heikkila - South Bruce Grey Health Centre

Michael Barrett and Bill Heikkila made a presentation to Council.

Bill Heikkila is the Chair of the SBGHC.

They want to return Chesley and Walkerton to previous service levels. There are 35% of beds with alternative level of care patients that belong in LTC homes, which are full, and the patients must stay in the hospital. As well, 30% of the nursing staff is on leave. The nursing shortage is widespread and possibly worse in a rural perspective.

They made the decision to make some beds into alternative level of care beds to assist the staff as the nurses were working 24 hour shifts.

They have been addressing the nursing shortage for over 5 years. The Healthcare System is very stressed and a lack of nurses. They have had multiple information sessions and have twice monthly meetings with the mayors and CAO of municipal partners.

Michael Barrett noted that they want Chesley and Walkerton to return to the level of service that was available prior to 2019. The situation has become worse and not better at this present time. This is not unique to just Chesley or Walkerton; it is across the Province. The message is they need help and they know there is a motion that is passed about a third party review. Mr. Barrett felt that this would not be beneficial or help the situation. They need to attract nurses to the community. They are working with nursing agencies and internationally trained nurses and they need to make sure there are accommodations for these nurses. They

need something like the physician recruitment process for nurse recruitment.

Mr. Barrett noted that the number of nurses that are needed to get back to full operation is 3.5 registered nurses working 37.5 hours per week. They would like 5.1 nurses ultimately. The collective agreement does not allow casual employment. They are negotiating this and are hoping it will be solved in the near future. There is one collective agreement for all hospitals in Ontario. If a full-time nurse goes on leave, then a part-time must fill that position. There is a vacant full-time position that has been open for six months.

They need help to implement strategies to attract nurses to the communities.

Council thanked Mr. Barrett and Mr. Heikkila for their presentation.

7.4 Harold Elston, Integrity Commissioner - Annual Council Report

Mr. Elston presented his report to Council. He has received no requests for advice or complaints.

He wanted to take this opportunity to review with Council his approach to two issues that he deals with on a regular basis; anonymous complaints and the recording of confidential information in a closed meeting.

To identify or not to identify the complainant is one of the first questions that needs to be answered when a complaint is received. Leaving aside instances where the particular Code of Conduct requires the disclosure, the answer turns on whether it is necessary that the respondent know the identity of the complainant so as to be able to make a “full answer and defence” to the allegations. If so, generally speaking, the respondent should be told the name of his or her accuser. An example might be a complaint of bullying or intimidation against a person.

On the other hand, if the identity of the complainant is not material to the specific allegation and withholding his or her identity does not in any way prejudice the respondent’s ability to respond, generally speaking, the name should not be revealed. For example, allegations of conflict of interest or improper use of municipal resources would usually not require the respondent to know the name of the accuser; there either was a conflict or an improper use of a resources or there wasn’t. ... This approach best balances the obvious need for protection of a “whistle blower” against the right of a respondent to properly answer the complaint.

While the recording of the discussion may not constitute a transgression of the rule against disclosure, it may affect the openness of the discussion and will add to the risk of disclosure, two good reasons to avoid the practice. Accordingly, it would be his advice that no one but the Clerk or Deputy Clerk take notes in any way during a closed meeting. If it is the will

of Council that a recording be made, he suggests that the recording should be an audio or an audio/visual recording, made through the Clerk's office.

He also noted that the next municipal election will be held on Monday, October 24, 2022. This date is significant for a number of reasons but, for the purposes of my duties under the Act, it means that if he has not completed an inquiry before nomination day (Friday, August 19, 2022, between 9:00 a.m. and 2:00 p.m.) he must terminate the inquiry on that day.

If an inquiry is terminated, he cannot commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, the person or entity who made the request or the member or former member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

Council passed the following resolution:

05-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be it Resolved that Council hereby receives the report of Integrity Commissioner, Harold Elston for information purposes.

Carried

8. Correspondence

8.1 Requiring Action

8.1.1 Bruce County and Town of Hanover Council Resolutions regarding Nursing Shortages

09-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby supports recommendations made by the Council of The Town of Hanover addressing the nursing shortages in Ontario.

Carried

8.1.2 Bruce County Resolution to contribute \$2500.00 to Third Party Review of Proposed Health Services Reductions

Subsequent to further discussion, Council passed the following resolution:

10-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Whereas, on December 22, 2021, the Municipality of Arran-Elderslie passed a motion regarding a request for the Province of Ontario to consider conducting a third-party review at their own expense to address the provincial wide issue of nursing shortages and the critical impacts of such on the local health care services within Bruce County;

Whereas, as a result of this nursing shortage the South Bruce Grey Health Centre has now implemented overnight emergency room closures at the Walkerton Hospital and modified the inpatient unit at the Chesley Hospital in addition to the existing closed overnight emergency services in Chesley;

Whereas, these changes have put an unnecessary additional burden on the surrounding hospitals to accommodate these lost services, impacting our first responders and the community at large;

Whereas, Brockton has identified that in the interim to a Provincial review they would be proceeding to undertake an independent third-party review directly using an external consultant for the total cost of \$10,000. Brockton would be seeking partnerships from the County, Municipalities of South Bruce and Arran-Elderslie to pay their proportionate share of costs of \$2,500 each.

Whereas, Brockton has identified the review would take approximately 85 hours of consulting time and estimated to be completed within 3 to 4 weeks;

Whereas, on December 23, the Bruce County Executive Committee passed a resolution supporting the County's contribution of \$2,500 towards this review;

Whereas, the Municipality of Arran-Elderslie continue to strongly recommend that the province take the lead on a review, however in the interim support Brockton's independent review and offer \$2,500 in support of their review;

Whereas, the Municipality of Arran-Elderslie as a contributor to this review would request that their staff participate in the process, including the finalization of the scope of work of the review, participate in any working groups, etc.

Now therefore be it resolved, that a copy of this motion be provided to the County of Bruce, Municipality of South Bruce and the Town of Brockton and to MPP Bill Walker Bruce Grey Owen Sound, MPP Lisa Thompson Huron Bruce.

Carried

8.2 For Information

11-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie receives, notes, and files correspondence on the Council Agenda for information purposes.

Carried

8.2.1 MMWTWG minutes of the October 14, 2021 Meeting

8.2.2 Protocol for Investigating Wind Turbine Accidents for Council Consideration

8.2.3 Letter from Hon. Steve Clark, Minister of Municipal Affairs and Housing

9. Staff Reports

9.1 CAO/Clerks

9.1.1 Paisley School Room – Community Partnership Lease Agreement with the Bluewater District School Board

CAO Sylvia Kirkwood noted that Trinity needs to locate space to provide a community hub for students. The second floor at community centre in Paisley could be used as a gathering area. The funding could renovate the area. Council supported this opportunity and directed the CAO to proceed with this opportunity.

She is also working on a safety plan with Fire Chief and Water Foreman.

There is a vaccine hub today and Thursday in Chesley.

Clerk, Christine Fraser-McDonald responded to questions from Members of Council regarding her report.

Subsequent to further discussion, Council passed the following resolution:

12-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby

1. Continue to lease the Paisley School rooms until the termination of the Community Partnership Lease Agreement in 2023 and the funds for the rent to continue to be funded by the Community Well-Being Reserve 03-0100-1034.

Carried

9.2 Finance

9.2.1 SRFIN.22.01 By-Law Updates for 2022

Treasurer, Tracey Neifer, responded to questions from Members of Council. She noted that the interim audit will start tomorrow. Staff are currently reviewing operating and capital and department heads will be meeting with herself and the CAO on Wednesday.

Subsequent to further discussion, Council passed the following resolution:

13-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby,

1. Receive By-Law 01-2022 being a by-law to provide for a 2022 interim tax levy and to provide for the payment of taxes, and
2. Receive By-Law 02-2022 being a by-law to enter into an agreement with Canadian Imperial Bank of Commerce, and
3. That the By-Laws be brought forward for Council approval.

9.3 Public Works

9.3.1 SRW.22.01 Tree Damage Paisley

CAO Sylvia Kirkwood noted that there were no indications that this tree was not healthy. She noted that the municipality's insurance company recommended that this claim be denied.

Works Manager, Scott McLeod responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

14-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby,

1. That the request to compensate the property owner at 242 Alma Street for \$4000.00 for damage incurred to his vehicles from a municipal tree, be approved.

Carried

9.3.2 SRW.22.02 Teeswater River Temporary Bridge - Fill and Abutment

Works Manager, Scott McLeod responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

15-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby,

1. Support B.M. Ross and Associates Limited to investigate the viability of leaving the fill and temporary bridge abutment after the construction of the new Teeswater River Bridge in Paisley is in place, and
2. That the associated cost of \$4,000 be financed by the Working Capital Reserve account 01-0000-2101.

Carried

9.3.3 SRW.22.03 Elgin Street, Tara Drainage

Mayor Steve Hammell declared a conflict on this item. (Mayor Hammell declared a direct pecuniary interest due to the fact that his brother and sister in law own property on this street. ; ;)

Mayor Hammell declared a pecuniary interest. Deputy Mayor Davis assumed the Chair.

Works Manager, Scott McLeod responded to questions from Members of Council. He noted that the Good Roads Conference is still on for March, 2022.

He will look into temporary solutions for this issue until such time that the Tara Stormwater Study has been completed.

Subsequent to further discussion, Council passed the following resolution:

16-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby,

1. Receive the GSS Letter Report on Elgin Avenue Flooding and await the completion of the Tara Stormwater Study before undertaking major improvements.
2. Approve the interim use of proposed 2022 operational budget funds to complete maintenance items and ditching as needed, from account 01-3018 – Environmental – Storm Water.

Carried

9.7 Economic Development and Planning

9.7.1 SRECDEV.22.01 Award Contract for Corporate Strategic Plan

Mayor Hammell resumed his Chair.

CAO Sylvia Kirkwood noted that the Province is streamlining the planning process. The Municipality will work with the County with this and will bring back a report.

Economic Development Coordinator, Laura Fullerton, responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

17-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that Council hereby,

1. Award contract for the Corporate Strategic Plan to Boulevard Strategy Group for the amount of \$34,408.50 including HST.

10. Reports of Members

Davis:

Deputy Mayor Davis noted he will be attending the Saugeen Valley Conservation Authority meeting. He felt that Council could live with a 4 to 5% budget increase, but is worried about taking money out of reserves for operations.

Bell:

Councillor Bell had nothing to report.

Dudgeon:

Absent

Greig:

Councillor Greig will be attending a Grey Sauble Conservation Authority. He noted that the arenas have been forced to closed until January 27th, and minor hockey has asked to keep the ice in the arenas until March.

Kanmacher:

Absent

Nickason:

Councillor Nickason has a BASWR meeting to attend and has had a phone call from a resident regarding backyard chickens.

Hammell:

Mayor Hammell will be attending County council and thanked staff for their work over the holidays.

13. Notice of Motion

13.1 DRAFT Notice of Motion Re: Storm Sewers - Councillor Dudgeon and Deputy Mayor Davis

Deputy Mayor Davis presented his Notice of Motion to Council.

This will be brought back to the next Council meeting for action.

14. By-laws

14.1 By-law 1-2022 - Interim Tax Levy

Council passed the following resolution:

18-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that By-law No. 01-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 01-2022 being a By-law to provide for a 2022 Interim Tax Levy and to provide for the payment of taxes.

Carried

14.2 By-law 2-2022 - Borrowing By-law

Council passed the following resolution:

19-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that By-law No. 02-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 02-2022 being a By-law to enter into an agreement with the Canadian Imperial Bank of Commerce.

Carried

14.3 By-law 3-2022 - 2022 Fees and Charges By-law

Council passed the following resolution:

20-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that By-law No. 03-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 03-2022 being a By-law to Establish Fees and Charges for 2022.

Carried

14.4 By-law 4-2022 - Amend By-law 19-2021 Open Air Burning By-law

Council passed the following resolution:

21-02-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that By-law No. 4-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 4-2022 being a By-law to Amend By-law 19-2021, a By-Law to Regulate Open Air Burning within the Municipality of Arran-Elderslie.

Carried

15. Closed Session (if required)

The Mayor advised that Council go into Closed Session at 19:16 a.m. for the purpose of matters identified in the motion below.

06-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved, That the Council of the Municipality of Arran-Elderslie does now go into closed session to discuss an item(s) which relates to:

- () the security of the property of the municipality or local board
- () personal matters about an identifiable individual, including municipal or local board employees
- () proposed or pending acquisition or disposition of real property
- () labour relations or employee negotiations
- () litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- () advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- () a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another act
- (X) education or training of members of Council

Staff Authorized to Remain: Sylvia Kirkwood, CAO and Christine Fraser-McDonald, Clerk

Carried

16. Resolution to Reconvene in Open Session

The Mayor noted that only the items listed on the Closed Agenda were discussed.

Subsequent to further discussion, Council passed the following resolution:

07-01-2022

Moved by: Councillor Greig

Seconded by: Deputy Mayor Davis

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 10:36 a.m.

Carried

17. Adoption of Closed Session Minutes

08-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved; that Council of the Municipality of Arran-Elderslie adopt the minutes of the Closed Session dated December 13, 2021.

18. Adoption of Recommendations Arising from Closed Session (If Any)

None.

19. Confirming By-law

19.1 By-Law No. 5-2022 Confirming Regular Council Meeting January 10, 2022

22-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that By-law No. 5-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 5-2022 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, January 10, 2022.

Carried

20. Adjournment

Subsequent to further discussion, Council passed the following resolution:

23-01-2022

Moved by: Councillor Greig

Seconded by: Councillor Nickason

Be It Resolved that the meeting be adjourned to the call of the Mayor at 12:27 p.m.

Carried

21. List of Upcoming Council meetings

January 31, 2022

February 14, 2022

February 28, 2022

Steve Hammell, Mayor

Christine Fraser-McDonald, Clerk