



The Corporation of the Municipality of Brockton

Council Meeting Minutes

Tuesday, January 26, 2021, 7:00 p.m.

Electronic Meeting

Council Present: Chris Peabody, Mayor
Dan Gieruszak, Deputy Mayor
Steve Adams, Councillor
Tim Elphick, Councillor
Kym Hutcheon, Councillor
James Lang, Councillor
Dean Leifso, Councillor

Staff Present: Sonya Watson, Chief Administrative Officer
Fiona Hamilton, Clerk
Sarah Johnson, Jr. Deputy Clerk
Dieter Weltz, Building and Planning Manager
Gregory Furtney, Director of Operations
Mark Coleman, Director of Community Services

1. Acceptance of Council Agenda

Resolution 21-04-01

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton accept the Agenda for the regular Council Meeting on January 26, 2021 as presented.

Carried

2. Declaration of Pecuniary Interest and General Nature Thereof

3. Public Meetings Required Under the Planning Act

4. Delegations

4.1 Marl Lake Property Owners Association - Request for Prohibition of Wake Enhancing Boats and Hydroflight Devices

Raymond Hughes and Rick Kalte, representatives from the Marl Lake Property Owners Association, provided a summary to Council of the concerns of many residents related to the use of wake boat and hydroflight devices on Marl Lake due to safety and water quality concerns. Mr. Hughes and Mr. Kalte noted that there was strong support among the residents for Council to introduce a by-law and that it was an appropriate time to do so as currently no residents on Marl Lake owned one of these types of boats at this time.

Mr. Hughes and Mr. Kalte noted that they were concerned that the implementation of any such by-law could be delayed if Council decided to consult with residents of other in-land lakes, and that the prohibition was necessary to preserve the unique, ecological conditions of Marl Lake. The intention of the Marl

Lake Property Owners Association was to prohibit the use of these boats and devices before any properties were sold to new owners that may try to use one of these boats or devices. Mr. Hughes and Mr. Kalte also noted that the concern was pressing as the cost of the boats was high and the popularity of the wake surfing was increasing.

Mr. Hughes and Mr. Kalte recognized the environmental stewardship of the Marl Lake residents and confirmed the fact that although the lake bed itself was privately owned, the water above was openly used by all.

The representatives from the Marl Lake Property Owners Association responded to questions from Council and confirmed that no devices of these kind had been used in the past, but that the intention was to introduce the by-law preventatively in anticipation of properties selling or being rented. It was also noted that these devices were also being used at Lake Rosalind, and emphasized that the conditions of Marl Lake were considerably different than those at Lake Rosalind.

4.2 Big Brothers Big Sisters of Grey Bruce - Service Expansion Update

Andy McKee and Mandi Lamb described the overall Big Brothers and Big Sisters of Grey Bruce service as the organization has expanded outwards from the Owen Sound area to all of Grey Bruce. Mandi Lamb, Mentor/Coordinator provided a summary of the types of programs and the statistical success of the Big Brothers and Big Sisters organization in supporting youth.

Mandi Lamb responded to questions from Council about other types of programs and organizations that support mentoring in Grey Bruce, and encouraged Council to keep in mind any individuals looking to access or volunteer for the service. Ms. Lamb summarized the various methods that Council could support Big Brother and Big Sisters of Grey Bruce in the future.

4.3 Harold Elston, Integrity Commissioner - 2020 Annual Report and Overview on Council Code of Conduct

Harold Elston, Integrity Commissioner, provided an overview of the provisions of the Code of Conduct and the change that Integrity Commissioners be tasked with overseeing Municipal Conflict of Interest Act provisions as well. Mr. Elston reviewed the role of Council, the Mayor and staff in relation to one another.

Mr. Elston provided an overview of the recommendations made in the Collingwood Inquiry.

Mr. Elston responded to questions from Council about the recommendations in the Collingwood Inquiry, noting they had not been formally adopted into legislation by the Provincial Government. Mr. Elston also responded to inquiries regarding procurement processes, and whether the Code prevented Council from engaging in a critique or dialogue of local boards.

Mayor Peabody suggested that the legislation reference to nursing homes may have been amended as referenced in the Code of Conduct. Ms. Hamilton will investigate and adjust the By-Law as required.

5. Minutes

Resolution 21-04-02

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton adopt the minutes of the January 12, 2021 Council Meeting, the January 19, 2021 Special Council Meeting (2021

Municipal Budget), and the January 20, 2021 Special Council Meeting (2021 Municipal Budget) as presented.

Carried

6. Business Arising From the Minutes

6.1 Town of Carleton Place Resolution - COVID-19 Childcare Funding

Resolution 21-04-03

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby support the Town of Carleton Place's Resolution 1-132-10 in their request of the Government of Ontario to:

- a. prioritize children and childcare as part of its overall post pandemic recovery plan;
- b. develop, adequately fund and release publicly a comprehensive plan that can support facilities through the provision of licensed childcare and early learning education; and
- c. provide increased funding to childcare providers reflective of COVID-19 operating cost increases to ensure a safe reopening and long-term sustainability for the sector

And further directs staff to forward a copy of this resolution to MPP Lisa Thompson, and MPP Bill Walker, the Federal Minister of Families, Children and Social Development, the Provincial Minister of Education, AMO, and the Town of Carleton Place.

Carried

6.2 Dufferin County Resolution - Aggregate Resource Property Valuation Assessment Criteria

Resolution 21-04-04

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Municipality of Brockton hereby support Dufferin County's resolution to review the current assessment scheme for aggregate resource properties to address the inequity of property values, and their request that the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value.

And further that a copy of this resolution be forwarded to Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry, AMO, ROMA, MPP Lisa Thompson, MPP Bill Walker, and Dufferin County.

Carried

6.3 Township of Huron-Kinloss Resolution - Support Peel on Property Tax Exemptions for Veterans Clubs

Resolution 21-04-05

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby support the Township of Huron-Kinloss' Resolution 788, in their support for Property Tax Exemptions for Veteran Clubs and the proposed amendment to the 2020 budget bill (Bill 229) to amend the Assessment Act that would provide a full property tax exemption to veterans' clubs retroactive to January 1, 2019.

And further directs staff to forward a copy of this resolution to MPP Lisa Thompson, MPP Bill Walker, AMO, the Township of Huron-Kinloss, and the Town of Peel.

Carried

6.4 Township of Matachewan Resolution - Application Deadline for Grants

Resolution 21-04-06

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby support the Township of Matachewan's Resolution 2020-257 requesting that the application deadline for grants be extended to accommodate a longer turn-around time.

And further that a copy of this resolution be forwarded to AMO and the Township of Matachewan.

Carried

6.5 City of Port Colborne Resolution - Proposed Regulation under the Ontario Heritage Act (Bill 108)

Resolution 21-04-07

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Municipality of Brockton hereby support the City of Port Colborne's resolution on proposed regulations to the *Ontario Heritage Act* (Bill 108) and further that a copy of this resolution be forwarded to the Minister of Heritage, Sport, Tourism and Culture Industries, AMO, the City of Port Colborne, and the Town of Grimsby.

Carried

7. Reports

7.1 Marl Lake Boat Restricting Bylaw

Council discussed the potential timeline of the process if a by-law were to be introduced, favoring completion of the consultation and research prior to the Spring to provide direction to Marl Lake residents.

Fiona Hamilton, Clerk advised that the timing would depend on when the legal opinion was received, and the considerations within the legal opinion. Ms. Hamilton suggested that a draft By-Law be prepared and brought forward in March which could allow for community consultation and feedback on the proposed By-Law, similar to past practice.

Council suggested including additional advertising in the Brockton Buzz Newsletter and website to make the public aware of the By-Law consideration.

Action: Staff to obtain a legal opinion and bring forward additional information to Council in sufficient time to allow a potential by-law to be passed in April, 2021.

Resolution 21-04-08

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby accepts Report Number BLDG2021-03 - Marl Lake Boat Restricting Bylaw, prepared by Dieter Wertz, Building and Planning Manager, and Fiona Hamilton, Clerk for information purposes and provides further direction to staff in relation to obtaining a legal opinion and consulting the community about the proposed restrictions.

Carried

7.2 Building Permit Summary 2018-2020

Council remarked on the growth in the community, and inquired if additional measures could be taken to support the agricultural community and encourage more permits in that sector. Council further inquired on the number of permits that have closed.

Dieter Wertz, Building and Planning Manager noted that staff internally track the status of permits, and provided his intent to bring forward additional reports to Council with further details and context on building permits.

Resolution 21-04-09

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2021-02 - Building Permit Summary 2018-2020, prepared by Dieter Wertz, Building and Planning Manager for information purposes.

Carried

7.3 Appoint Engineer Company for Dales Municipal Drain**Resolution 21-04-10**

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number DRAIN2021-01 - Appoint Engineer Company for Dales Municipal Drain, prepared by Stephen Cobean, Drainage Superintendent, and in doing so approves a By-Law coming forward to appoint Dietrich Engineering Ltd. as the Municipal Engineer for the Dales Municipal Drain.

Carried

7.4 COVID-19 Arena Closure Ice Operations Update

Council debated whether to remove the ice at the Walkerton Community Centre or wait until more information was available from the provincial government relating to extended restrictions. It was noted that many surrounding municipalities were already deciding to remove the ice in the interest of cost savings due to the lost revenues. Council discussed further and felt it necessary to delay a decision at this time if the volume of users for the Walkerton Community Centre may increase following the lockdown.

Resolution 21-04-11

Moved By: James Lang

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number REC2021-01 – COVID-19 Arena Closure Ice Operations Update, prepared by Mark Coleman, Director of Community Services and in doing so approves the removal of the ice at the Walkerton Community Centre for the balance of the 2020-2021 ice season as a result of the lack of revenues from users due to the Provincial lockdown and the COVID-19 pandemic.

Tabled

7.5 Budget Consultation 2021 Secondary Feedback

Council noted the feedback received on policing services, and suggested that the matter be revisited closer to the O.P.P. contract renewal.

Resolution 21-04-12

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number FIN2021-03 – Budget Consultation 2021 Secondary Feedback, prepared by Sarah Johnson. Jr. Deputy Clerk and Trish Serratore, Chief Financial Officer for information purposes.

Carried

7.6 Walker West Estates Water Booster Pumping Station Generator Set Quotations

Resolution 21-04-13

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number UT2021-02 - Walker West Estates Water Booster Pumping Station Generator Set Quotations, prepared by Gregg Furtney, Director of Operations and further approves the purchase of the Stamford, UC1274D Sommers Generator System in the amount of \$60,901.35 (HST included) as recommended by BM Ross and Associates.

Carried

7.7 Walker West Estates Water Booster Pumping Station Pump Quotation

Council noted issues related to a pumping station at a different subdivision. Gregg Furtney, Director of Operations confirmed that he was familiar with the reputation of the proposed pumps and confirmed his recommendation to proceed.

Resolution 21-04-14

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number UT2021-04 - Walker West Estates Water Booster Pumping Station Pump Quotations, prepared by Gregg Furtney, Director of Operations, and further approves the purchase of two (2) e-XC8x10x10 (High Demand -40 HP) pumps and three (3) 22SV6RF8E60 (Normal Demand – 3HP) pumps from Interpump Supply Ltd. (Xylem/ Goulds) in the amount of \$92,311.96 (HST included) as recommended by BM Ross and Associates.

Carried

7.8 Chepstow Funding Request – LED Streetlights

Council discussed the process of installation and maintenance of the lights, inquiring on the appropriate procurement process involved if the Municipality would be ultimately responsible for the lights.

Gregg Furtney, Director of Operations noted that the initial request received by the Chepstow Lions' Club was merely a donation and that the Club would be responsible for the lights. However, permission would be required from Hydro One to install the lights which would be given by the Municipality. The lights would be installed year-round, and the Municipality would be responsible for paying electricity costs. Mr. Furtney noted that rewiring would be required on John Street to accommodate the LED lights.

Council agreed with providing a \$10,000 donation per year for two years, and further amended the resolution to establish a Memorandum of Understanding between the Municipality and Chepstow Lions' Club regarding the installation and maintenance of the lights.

Action: Staff to draft a Memorandum of Understanding with the Chepstow Lions Club.

Resolution 21-04-15

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Council of the Municipality of Brockton hereby receives Report Number PW2021-01 – Chepstow Funding Request – LED Streetlights, prepared by Cally Mann, Municipal Executive Coordinator and in doing so requests Council approval to donate \$10,000 per year for two years to the Chepstow Lions Club for inclusion in the 2021 Municipal Budget subject to a Memorandum of Understanding being completed.

Carried

7.9 Water and Wastewater Financial Plans 2021 to 2026

Council debated the increase in rates, noting the impact on taxpayers. Gregg Furtney, Director of Operations advised that the report was drafted based off Council's discussions at the Budget Meetings, and to comply with the Municipality's Asset Management Plan regarding the expected life of the infrastructure. Mr. Furtney stressed the importance of upgrading the aging infrastructure, especially in the Town of Walkerton, and the recent repairs completed in the past two years. Mr. Furtney advised that he would be bringing additional reports on the water quantity to Council and noted the needed funds for infrastructure replacement which would be required in 2022. Mr. Furtney advised that the 2% increase for 2021 and additional increases are required to bring the Municipality up to a reasonable level in accordance with our Asset Management Plan and ensure water quality and infrastructure is maintained.

Council noted the need for maintaining healthy reserves for water and wastewater.

Resolution 21-04-16

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number UT2021-03 - Water and Wastewater Financial Plans 2021 - 2026, prepared by Gregg Furtney, Director of Operations, and further approves the following rate

increases be applied for the Water Financial Plan: 2021 =2 % ;2022 =3.8%; 2023 = 3.8%; 2024 =3.8%; 2025 =3.8%; 2026 =3.8 %.

And the Wastewater Financial Plan: 2021 =2%; 2022 =4.8%; 2023 =4.8%; 2024 =4.8%; 2025 =4.8 %; 2026 =4.8% so that they can be reported to the Ministry of Environment, Conservation, and Parks on or before February 4, 2021.

Carried

7.10 Request for Letter of Support for SWIFT Expansion

Council appreciated the request to receive better broadband access in rural hamlets, noting its importance for economic development throughout all of Brockton.

Resolution 21-04-17

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number CAO2021-01 - Request for Support for SWIFT Expansion, prepared by Sonya Watson, Chief Administrative Officer and in doing so approves a letter of support for the broadband expansion project of EH!tel in Brockton.

Carried

8. Public Notification

8.1 Budget Consultation 2021

8.2 2021 Municipal Budget Meeting

8.3 Notice to Declare Property Surplus to the Needs of the Municipality

9. Accounts

9.1 Accounts - \$477,495.30

Resolution 21-04-18

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton approve payment of the accounts in the amount of \$477,495.30.

Carried

10. Correspondence Requiring Action

11. Information

Council supported bringing forward Item 11.2 forward to the next Council Meeting.

11. Brockton Police Services Board Detachment Commander's Report - November 2020

11.2 Town of Bracebridge Resolution - Infrastructure Funding

11.3 Township of Laird Resolution - Support Hamilton on Interim Cap on Gas Plant and Greenhouse Gas Pollution

11.4 Municipality of Mississippi Mills Resolution - Support Wollaston on Municipal Elections Act Review

- 11.5 County of Perth Resolution - Support Matachewan on Application Deadline for Grants
- 11.6 Town of Plympton-Wyoming Resolution - Support Southwest Middlesex on Drainage Matters
- 11.7 Town of Plympton-Wyoming Resolution - Support Matachewan on Application Deadline for Grants
- 11.8 Resignation of Chair Position of Saugeen Valley Conservation Authority

Resolution 21-04-19

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby receives all items provided in Section 11. Information.

Carried

12. By-Laws

Resolution 21-04-20

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-010 - Appoint Dietrich Engineering Limited as Dales Municipal Drain Engineer By-Law
- By-Law 2021-011 - Amend Council Code of Conduct Policy By-Law

Carried

13. Committee Minutes

Councillor Elphick pointed out that the Police Services Board received a delegation about the O.P.P. Billing Model, which provided more information about the number of charges related to fail to attend statistics being attributed to Brockton. This matter will continue to be monitored by the Police Services Board in conjunction with the O.P.P. It was noted that the topic may warrant discussion by Council at a future meeting.

Resolution 21-04-21

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton receive the minutes of the following committees and or boards as presented:

- Brockton Police Services Board Minutes - December 17, 2020
- Brockton Economic Development Committee Minutes - November 16, 2020
- Brockton Economic Development Committee Minutes - December 14, 2020

Carried

14. New Business Brought Forward

1. Lifting of Restricting for Small Businesses

Council Hutcheon circulated a motion asking for lifting of restrictions for small businesses. Council supported amending the motion to reference lifting restrictions for small businesses where the epidemiology supports a move to the green zone.

Resolution 21-04-22

Moved By: Kym Hutcheon

Seconded By: James Lang

WHEREAS the number of Covid-19 cases throughout the Grey Bruce Health Unit catchment have remained significantly lower than the provincial average;

AND WHEREAS the number of Covid-19 cases was sufficiently low as to allow school age children to resume in-person learning in Grey and Bruce Counties;

AND WHEREAS larger corporations and big box stores have been able to remain open and profit from the lockdown restrictions throughout the Province of Ontario;

BE IT RESOLVED:

THAT the Council of the Municipality of Brockton request that the Province of Ontario allow for rural small businesses where the epidemiology supports a move to the green zone to immediately reopen with the required health guidelines and protocols in place; and

THAT this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, MPP Lisa Thompson, and circulated to the Association of Municipalities of Ontario.

Carried

2. Property Standards Matter

Councillor Elphick informed Council of a resident's remarks regarding a property along Bruce Road 3 in disrepair and concern that debris may blow onto the highway.

Action: Dieter Wertz, Building and Planning Manager to investigate the matter.

3. ROMA Delegation with Ministry of Heritage, Sport, Tourism & Culture Industries

Councillor Lang and Mayor Peabody informed Council about their ROMA Conference delegation with Minister Lisa McLeod to discuss potential future funding options for recreation.

4. Grey Bruce Health Unit Vaccination Plan

Mayor Peabody informed Council that there had been a shift in the provincial approach to ensure that all residents of long-term care homes be vaccinated prior to other categories or people.

15. Closed Session

Resolution 21-04-23

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton enter into Closed Session at 9:29 p.m. in order to address a matter pertaining to:

- Security of the property of the municipality or local board
- Personal matters about an identifiable individual, including municipal or local board employees
- A proposed or pending acquisition or disposition of land by the municipality or local board
- Labour relations or employee negotiations **-Staffing Update**
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board **-Consent Consideration**
- 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 may hold a closed meeting under another Act. 2001, c.25, s.239 (2)
- Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with contractual or other negotiations of a person, group of persons, or organization
- A trade secret or scientific, technical, commercial, financial information that belongs to the municipality or local board and has monetary value or potential monetary value
- A position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the municipality or local board
- The meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Carried

Resolution 21-04-24

Moved By: Dan Gieruszak

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby approve the direction provided to staff in Closed Session and further acknowledges the hiring of Dave West as Fire Prevention Officer/Health and Safety Training Coordinator effective February 8, 2021.

Carried

Resolution 21-04-25

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton authorizes that the following By-Law be read, enacted, signed, sealed and numbered as follow:

- By-Law 2021-012 - Appoint Dave West as Fire Prevention Officer/Health and Safety Coordinator By-Law

Carried

16. Confirmation of Proceedings

Resolution 21-04-26

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-013 - January 26, 2021 Confirmatory By-Law

Carried

17. Adjournment

Resolution 21-04-27

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton does now adjourn at 9:49 p.m. to meet again on February 9, 2021.

Carried

Mayor - Chris Peabody

Clerk – Fiona Hamilton