



MINUTES

Council Meeting

4:00 PM - Thursday, May 27, 2021
Virtual - Zoom Technology

The Council of the Brooke-Alvinston was called to order on Thursday, May 27, 2021, at 4:00 PM, in the Virtual - Zoom Technology, with the following members present:

Council Present: Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Jeannette Douglas, Councillor Jamie Armstrong, Councillor Wayne Deans, and Councillor Warwick Wayne Morris

Staff Present: Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Public Works Manager Randy Hills, Fire Chief Steve Knight, and Administrative Assistant Darlene Paolucci

Regrets:

1 CALL TO ORDER

Mayor Ferguson called the meeting to order at 4:00 p.m.

2 DISCLOSURE OF PECUNIARY INTEREST

Mayor Ferguson requested that any pecuniary interest be declared when appropriate during the meeting.

3 MINUTES

a) Regular Council Meeting Minutes of May 13, 2021

RESOLUTION-2021-147

Councillor Wayne Deans made a motion that the Minutes from the May 13, 2021 Council meeting be approved as presented, without any errors or omissions. Deputy Mayor Frank Nemcek seconded the motion.

Carried

4 BUSINESS ARISING FROM THE MINUTES

5 DELEGATIONS & TIMED EVENTS

Council held the Court of Revision on the Ruth & Logan Drains prior to the regular session beginning.

a) **Court of Revision - Ruth Drain**

Members of the Court: Mayor Ferguson & Councillor Nemcek; Councillor Wayne Morris (Warwick). There were no members of the public present for the Hearing.

RESOLUTION-2021-148

Deputy Mayor Frank Nemcek made a motion that the Court of Revision on the Ruth Drain be opened. Wayne Morris seconded the motion.

Carried

Ray Dobbin, Engineer was present. He along with the Clerk Administrator noted that no comments were received regarding assessments on the drain.

RESOLUTION-2021-149

Councillor Warwick Wayne Morris made a motion that the assessments on the Ruth Drain be confirmed as presented in the report. Deputy Mayor Frank Nemcek seconded the motion.

Carried

The Court of Revision on the Ruth Drain was adjourned.

b) Court of Revision - Logan Drain

Members of the Court - full Brooke-Alvinston Council; There were no members of the public present for the hearing.

RESOLUTION-2021-150

Councillor Jeannette Douglas made a motion that the Court of Revision on the Logan Drain be opened. Deputy Mayor Frank Nemcek seconded the motion.

Carried

Ray Dobbin, Engineer was present. He along with the Clerk Administrator noted that no comments were received regarding assessments on the drain.

RESOLUTION-2021-151

Councillor Jamie Armstrong made a motion that the assessments on the Logan Drain be confirmed as presented in the Engineers' report. Councillor Jeannette Douglas seconded the motion.

Carried

The Court of Revision on the Logan Drain was adjourned.

6 CORRESPONDENCE

a) Information Only

RESOLUTION-2021-152

Councillor Jamie Armstrong made a motion that the Information Only Correspondence be received and filed. Councillor Jeannette Douglas seconded the motion.

Carried

b) St. Clair Region Conservation Authority-Regulatory Proposal Consultation

Mayor Ferguson suggested an amendment to the proposed motion.

RESOLUTION-2021-153

Deputy Mayor Frank Nemcek made a motion that the Council of The Municipality of Brooke-Alvinston supports the current membership of the St. Clair Region Conservation Authority allocating one (1) member each to Adelaide-Metcalf, Brooke-Alvinston, Dawn-Euphemia, Lambton Shores, Middlesex Centre, Petrolia, Plympton Wyoming, Point Edward, Warwick; two (2) members to Chatham-Kent, St. Clair, Strathroy-Caradoc; three (3) members to Sarnia; one (1) member to Enniskillen which will represent Oil Springs and one (1) member rotating between Southwest Middlesex (for a 3 year term) and Newbury (for a 1 year term) providing a total Board Membership of 20; AND THAT a general farm organization such as the Member Service Representative of the Ontario Federation of Agriculture be included on the membership. Councillor Jeannette Douglas seconded the motion.

Carried

c) Township of McKellar - Tax Breaks on 2020 CERB Payments

RESOLUTION-2021-154

Councillor Wayne Deans made a motion that the request for support from the Township of McKellar be received and filed. Councillor Jamie Armstrong seconded the motion.

Carried

- d) Township of Terrace Bay - Advocacy for Reform MFIPPA

RESOLUTION-2021-155

Deputy Mayor Frank Nemcek made a motion that the request for support from the Township of Terrace Bay be received and filed. Councillor Wayne Deans seconded the motion.

Carried

7 STAFF REPORTS

- a) **Clerk Administrator's Report:** Request to purchase an unopened road allowance

RESOLUTION-2021-156

Councillor Jamie Armstrong made a motion that the report on the purchase of the unopened road allowance off Cameron Road be received and filed. Councillor Wayne Deans seconded the motion.

Carried

- b) **Clerk Administrator's Report:** Travel Trailer - Accommodation Request

RESOLUTION-2021-157

Deputy Mayor Frank Nemcek made a motion that the request to reside in a trailer for 18 months on a residential lot be denied as per the municipal zoning by-law. Councillor Jamie Armstrong seconded the motion.

Carried

- c) **Treasurer's Report:** Building Permit Fees

RESOLUTION-2021-158

Councillor Wayne Deans made a motion that Council approve that the Municipality move to a Flat Building Permit Fee structure; that a Public Meeting be held; and that Council adopt the Building Permit Fee structure as proposed in Appendix C (subject to any recommended changes that may arise from the Public Meeting); and that staff establish a Building Services Cost Stabilization Fund to account for any excess Building Permit Fees collected over costs incurred. Councillor Jeannette Douglas seconded the motion.

Carried

- d) **Treasurer's Report:** By-law to Adopt the Municipality's 2021 Tax Rates

RESOLUTION-2021-159

Councillor Jeannette Douglas made a motion that Council pass By-Law 23 of 2021 to provide for the adoption of the 2021 tax rates for the Municipality of Brooke-Alvinston. Councillor Jamie Armstrong seconded the motion.

Carried

- e) **Public Works Manager's Report:** Speed By-law

RESOLUTION-2021-160

Deputy Mayor Frank Nemcek made a motion that the attached by-law be reviewed and discussed and presented formally for approval at the June 10th Council meeting. Councillor Jamie Armstrong seconded the motion.

Carried

- f) **Public Works Manager's Report:** 2021 Tractor Tenders

RESOLUTION-2021-161

Councillor Jamie Armstrong made a motion that Council approve the purchase of the John Deere 6120 M at the quoted price of \$84,750 with trade in option of \$10 / tach hour for up to 5 years as the trade in option is more economical and eliminates repair costs as replacement is done prior to expiry of warranty. Councillor Jeannette Douglas seconded the motion.

Carried

- g) **Public Works Manager's Report:** Preliminary Study -Project Proposal

RESOLUTION-2021-162

Councillor Jeannette Douglas made a motion that Council approve the Project Proposal for the Centre Street Sanitary & Water Extension Preliminary Study as attached. Councillor Jamie Armstrong seconded the motion.

Carried

- h) **Drainage Superintendent's Report** - Benner Duffy DrainTender opening results

RESOLUTION-2021-163

Councillor Wayne Deans made a motion that Council accepts the low tender submitted by Bruce Poland & Sons Trucking in the amount of \$12,364.86 Councillor Jamie Armstrong seconded the motion.

Carried

- i) **Drainage Superintendent's Report:** Summary Report

RESOLUTION-2021-164

Councillor Jeannette Douglas made a motion that the Drainage Superintendent's Summary Report be received and filed. Councillor Jamie Armstrong seconded the motion.

Carried

8 BY-LAWS

- a) Proposed By-law 23 of 2021 - Tax Rate By-law

RESOLUTION-2021-165

Deputy Mayor Frank Nemcek made a motion that By-law 23 of 2021 be read a first, second and third time and finally passed this 27th day of May, 2021. Councillor Jamie Armstrong seconded the motion.

Carried

- b) Proposed By-law 24 of 2021 - Repeal By-law 33 of 2020
(separation of 6550 / 6552 James St)

RESOLUTION-2021-166

Councillor Wayne Deans made a motion that By-law 33 of 2020 be repealed Councillor Jeannette Douglas seconded the motion.

Carried

9 NEW BUSINESS

- a) Councillor Armstrong inquired when the Shiloh Road project would begin. He was advised the project is anticipated to begin the week of June 14th at the west end of Shiloh.

- b) Councillor Deans inquired about the water in the ditch at Courtright and Inwood Road. Staff advised that they would consult the Drainage Superintendent.
- c) Councillor Armstrong inquired if the article in the Independent was accurate on Costs to Date for the Normal Farm Practices Board hearing. He was advised it was.
- d) Councillor Armstrong commented that while some by-laws in the Municipality are enforced (swimming pool) some are not as easily enforced (ATV on roadways). He further requested a staff report be completed on potential amendments to the ATV by-law which can allow some enforcement.

10 CLOSED SESSION

11 RISE AND REPORT

12 BY-LAW CONFIRMING PROCEEDINGS

- a) Confirming By-law

RESOLUTION-2021-167

Councillor Wayne Deans made a motion that By-law 25 of 2021 be read a first, second and third time and finally passed this 27th day of May, 2021. Councillor Jamie Armstrong seconded the motion.

Carried

13 ADJOURNMENT

Councillor Armstrong adjourned the meeting at 4:37 p.m.

Clerk-Administrator

Mayor