

**MINUTES
MUNICIPAL COUNCIL**

**Monday, May 29, 2023
6:30 PM
South Edwardsburgh Community Centre
24 Sutton Dr.
Johnstown Ontario**

PRESENT: Mayor Tory Deschamps
Deputy Mayor Stephen Dillabough
Councillor Joe Martelle
Councillor Waddy Smail
Councillor Chris Ward

STAFF: Dave Grant, CAO
Sean Nicholson, Treasurer
Gord Shaw, Director of Operations
Mike Spencer, Manager of Parks, Recreation & Facilities
Candise Newcombe, Deputy Clerk
Chris LeBlanc, Manager of Public Works

PUBLIC: Jamie Pollock - MNP LLP Accounting

1. Call to Order

Mayor Deschamps called the meeting to order at 6:34 p.m.

2. Approval of Agenda

Decision: 2023-146

Moved by: S. Dillabough

Seconded by: W. Smail

That Municipal Council approves the agenda as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof

None.

4. Delegations & Presentations

a. Township Consolidated Financial Statements - MNP LLP

Mr. Pollock of MNP LLP reviewed with Council the findings of the Auditor's Report and 2022 Consolidated Township Financial Statements ending on December 31, 2022. He noted there were no significant findings to bring to Council's attention at this time and that the Township is in a good financial position.

5. Consent Agenda

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives and approves the following consent agenda items as presented:

- a. Regular Council – April 24, 2023
- b. Special Council – May 8, 2023

- c. Public Library Board – March 28, 2023
- d. Port Management Committee – April 17, 2023
- e. Public Meeting – Proposed Amendments to Building Permit Fee Schedule – April 24, 2023
- f. Committee of the Whole – Community Development – May 1, 2023
- g. Committee of the Whole – Administration & Operations – May 8, 2023
- h. Purchase Filehold OCR Module
- i. Pride Month – Banners/Flag Request
- j. 2023 PSAB Budget Addendum
- k. 2022 Year End Township Surplus
- l. Amending the Spencerville Lagoon Environmental Compliance Approval

Carried

6. Minutes of the Previous Council Meetings

- a. Regular Council - April 24, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives and approves the minutes of the Regular Council Meeting dated April 24, 2023.

Carried

- b. Special Council - May 8, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives and approves the minutes of the Special Council Meeting dated May 8, 2023.

Carried

7. Business Arising from the Previous Council Meeting (if any)

None.

8. Committee Minutes

- a. Public Library Board - March 28, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives the minutes of the Public Library Board Meeting dated March 28, 2023.

Carried

- b. Port Management Committee - April 17, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail
Seconded by: J. Martelle

THAT Municipal Council receives the minutes of the Port Management Committee Meeting dated April 17, 2023.

Carried

- c. Public Meeting - Proposed Amendments to Building Permit Fee Schedule - April 24, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail
Seconded by: J. Martelle

THAT Municipal Council receives the minutes of the Public Meeting – Proposed Amendments to Building Permit Fee Schedule Meeting dated April 24, 2023.

Carried

- d. Committee of the Whole - Community Development - May 1, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail
Seconded by: J. Martelle

THAT Municipal Council receives and approves the minutes of the Committee of the Whole – Community Development Meeting dated May 1, 2023.

Carried

- e. Committee of the Whole - Administration and Operations - May 8, 2023 - CONSENT

Decision: 2023-147

Moved by: W. Smail
Seconded by: J. Martelle

THAT Municipal Council receives and approves the minutes of the Committee of the Whole – Administration and Operations Meeting dated May 8, 2023.

Carried

9. Action and Information Items from Committees

- a. Purchase Filehold OCR Module - CONSENT

Decision: 2023-147

Moved by: W. Smail
Seconded by: J. Martelle

THAT Municipal Council:

1. Purchase the Filehold OCR Module for a one-time implementation fee of \$1,600.00, with an annual maintenance fee of \$320.00; and
2. Authorize staff to execute the necessary Filehold contract updates.

As recommended by the Committee of the Whole – Administration and Operations.

Carried

- b. Pride Month - Banners/Flag Request - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council:

1. Direct staff to purchase and install a total of 6 pride banners, with 2 banners in each of the communities: Cardinal, Johnstown and Spencerville; and
2. That the cost be funded through the Administration department budget.

As recommended by the Committee of the Whole – Administration and Operations.

Carried

- c. 2023 PSAB Budget Addendum - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council adopts the 2023 PSAB Budget Addendum Report which meets the requirements of Ontario Regulation 284/09, as recommended by the Committee of the Whole – Administration and Operations.

Carried

- d. 2022 Year End Township Surplus - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council implements option 1 (establish a separate reserve account for deductibles) and directs staff to set up the “Insurance Reserve” account in the general ledger and transfer the 2022 operating surplus of \$55,778.71 to the newly created account, as recommended by the Committee of the Whole – Administration and Operations.

Carried

- e. Amending the Spencerville Lagoon Environmental Compliance Approval - CONSENT

Decision: 2023-147

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council direct staff to initiate the application process with the MECP to modify ECA # 3-1377-87-896 and cover the cost of the application and studies from the Spencerville Wastewater Reserve Fund (98-3806) to an upset limit of \$30,000.00.

Carried

- f. Port of Johnstown - Tender Award - Electrical Work for Bin Automation Project #300-507

Council clarified that approval for this capital project was required as it exceeded the 2023 budgeted amount. Members encouraged Port staff to research grant opportunities to offset the additional costs.

Decision: 2023-148

Moved by: C. Ward

Seconded by: J. Martelle

THAT Municipal Council:

1. Award the electrical work for the Bin Automation project #300-507 to Industrial Contracting Solutions Inc. in the amount of \$374,165.00 (excluding HST) with a 15% contingency; and
2. Authorize the Port General Manager to execute the purchase order on behalf of the Township and Port.

As recommended by the Port Management Committee.

Carried

- g. 2022 Township Financial Statements (Consolidated)

Council commended the previous council members, treasurer and staff on their efforts in diligently maintaining the Township's finances and highlighted the restrictions it faces with the limited number of staff available.

Decision: 2023-149

Moved by: J. Martelle

Seconded by: W. Smail

WHEREAS the Mayor and Deputy Mayor met with the external auditors, MNP LLP, for the Township of Edwardsburgh Cardinal and Port of Johnstown; and

WHEREAS MNP LPP provided a review of the Management Representation/Responsibility Letter, the Independent Auditor's Report, the Audit Findings Report, and the 2022 Draft Consolidated Financial Statements for the Township of Edwardsburgh Cardinal and Port of Johnstown.

NOW THEREFORE BE IT RESOLVED THAT Municipal Council receives the Audit Findings Report and approves the 2022 Consolidated Financial Statements for the Township of Edwardsburgh Cardinal, as provided by MNP LLP.

Carried

- h. 2022 Port of Johnstown Audited Financial Statements

Council commended Port staff on their diligence with the Port of Johnstown finances and noted the preference to require additional layered responsibility incorporated in the cash receipts handling procedure, though recognize the similar issue as experienced with the Township due to limited staff.

Decision: 2023-150

Moved by: S. Dillabough

Seconded by: W. Smail

WHEREAS the Port Management Committee received and reviewed the Auditor Findings Report on the Port of Johnstown’s financial statements during the regular meeting held on May 23, 2023.

NOW THEREFORE BE IT RESOLVED THAT Municipal Council receives the Audit Findings Report and approves the 2022 Financial Statements for the Port of Johnstown, as provided by MNP LLP.

Carried

i. Proposed New Provincial Policy Statement

Council reviewed the report and discussed requirements to remain aligned with the Provincial Policy Statement (PPS) and concern with the lack of reference to sensible management of natural resources. Members requested that the letter read that "Council express general support for the proposed Provincial Policy Statement changes".

Decision: 2023-151

Moved by: C. Ward

Seconded by: J. Martelle

THAT Municipal Council receives and generally supports the Proposed New Provincial Planning Statement report; authorizes the Mayor to sign the attached letter, and direct staff to submit the comment letter to the Province of Ontario through the Environmental Registry of Ontario (ERO), prior to the June 5, 2023 deadline.

Carried

j. Temporary Road Closure Request - Soapbox Derby

Decision: 2023-152

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council:

1. Approve the request for partial closure of Goodin Rd. between civic addresses 2927-3012 on June 24, 2023 between the hours of 9:00am to 1:00pm for the Optimist Club Soapbox Derby; and
2. Direct staff to supply barricades and work with the Optimist Club to ensure notification is provided to affected residents and emergency services.

Carried

k. Use of Unopened Road Allowance Request - Cedar/Water St

Council reviewed the report and discussed timeline of issue, the Township setting a precedent for future disputes, MECP inspection findings and type of fill material.

Decision: 2023-153

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council grant permission for the applicant to place fill material on the unopened road allowance portion to sufficiently gain access to the vacant lot for placement of additional fill material.

Carried

10. Correspondence

Decision: 2023-154

Moved by: C. Ward

Seconded by: J. Martelle

THAT Municipal Council receives the correspondence listings for the following dates as previously circulated:

- April 25, 2023
- May 3, 2023
- May 10, 2023
- May 17, 2023
- May 24, 2023

Carried

11. Municipal Disbursements

Decision: 2023-155

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives the payment of municipal invoices circulated and dated as follows:

- | | |
|------------------------------------|--------------|
| • Report dated April 27 (2023-076) | \$127,523.02 |
| • Report dated April 29 (2023-077) | \$186,367.84 |
| • Report dated May 4 (2023-080) | \$55,971.16 |
| • Report dated May 4 (2023-081) | \$15,000.00 |
| • Report dated May 17 (2023-086) | \$112,270.05 |
| • Report dated May 25 (2023-092) | \$155,592.56 |
| • Report dated May 25 (2023-093) | \$111,638.00 |
| • Report dated May 25 (2023-094) | \$80,775.62 |

TOTAL: \$845,138.25

Carried

12. By-laws

- a. Amend Building Bylaw 2012-05 - Permit Fee Schedule

Council clarified that there was no feedback received following the newspaper announcements or the public meeting held April 24.

Decision: 2023-156

Moved by: J. Martelle

Seconded by: C. Ward

THAT the mover be granted leave to introduce a bylaw to amend bylaw 2012-05 as amended being a bylaw respecting permits relating to construction, demolition, change of use, inspections, and privately owned swimming pools, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-157

Moved by: J. Martelle

Seconded by: C. Ward

THAT a bylaw to amend bylaw 2012-05 as amended being a bylaw respecting permits relating to construction, demolition, change of use, inspections, and privately owned swimming pools, be now read a third time and finally passed, signed, sealed and numbered 2023-32.

Carried

b. Update Fence Bylaw

Council clarified that the definition of a fence does not include a hedge within the Township fence bylaw.

Decision: 2023-158

Moved by: W. Smail

Seconded by: J. Martelle

THAT the mover be granted leave to introduce a bylaw to regulate the erection, height and maintenance of boundary fences within the Township of Edwardsburgh Cardinal, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-159

Moved by: W. Smail

Seconded by: J. Martelle

THAT a bylaw to regulate the erection, height and maintenance of boundary fences within the Township of Edwardsburgh Cardinal, be now read a third time and finally passed, signed, sealed and numbered 2023-33.

Carried

c. Update Reserve and Reserve Fund Policy

Decision: 2023-160

Moved by: C. Ward

Seconded by: W. Smail

THAT the mover be granted leave to introduce a bylaw to adopt a reserve and reserve funds policy, and this shall constitute first and second reading thereof.

Carried

Council noted the growing fluctuations in insurance costs and increases in claim settlements and commended staff on the proactive layer of protection to the ratepayers provided through the implementation of an Insurance Reserve.

Decision: 2023-161

Moved by: C. Ward

Seconded by: W. Smail

THAT a bylaw to adopt a reserve and reserve funds policy, be now read a third time and finally passed, signed, sealed and numbered 2023-34.

Carried

d. **SNC Memorandum of Understanding for Forestry Services**

Council reviewed the agreement and discussed scope of SNC partnership responsibilities, tender process, road brushing budget and management lead on the project.

Decision: 2023-162

Moved by: S. Dillabough

Seconded by: C. Ward

THAT the mover be granted leave to introduce a bylaw to authorize the Mayor and Clerk to execute a Memorandum of Understanding with the South Nation River Conservation Authority for Forestry Services, and this shall constitute first and second reading thereof.

Carried

Council members commended staff on the expedient grant application to obtain funding for the project.

Decision: 2023-163

Moved by: S. Dillabough

Seconded by: C. Ward

THAT a bylaw to authorize the Mayor and Clerk to execute a Memorandum of Understanding with the South Nation River Conservation Authority for Forestry Services, be now read a third time and finally passed, signed sealed and numbered 2023-35.

Carried

13. CAO's Administrative Update

Council reviewed the CAO's administrative update and discussed the following items:

- Junior and senior hockey club contract status
- Pride banner installation timeline
- Hanging flower basket locations and recommended additional baskets be added along the posts in front of the Cardinal Mall on County Road 2.
- Firefighter's appreciation dinner held May 27.
- Status of pool heater installations.
- Commended staff on roadside brushing.
- Meeting with hockey organization representatives and Town of Prescott recreation manager to coordinate team ice times between the Township arenas and the new Prescott facility.

Decision: 2023-164

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives the CAO's Administrative Report as presented.

Carried

14. Councillor Inquiries or Notices of Motion

Councillor Martelle requested a discussion item regarding a proposed Cardinal Canal clean-up be added to the June Administration and Operations Committee meeting.

Mayor Deschamps requested a discussion item regarding Bill 5 - Stopping Harassment and Abuse by Local Leaders Act, 2023 be added to the June Administration and Operations Committee meeting.

15. Mayor's Report

Mayor Deschamps reported on the following:

- Tri-Council meeting held May 25, discussed collaboration and received a presentation from the St. Lawrence Corridor Economic Development Commission.
- Successful canoe/kayak poker run at the Spencerville Mill with 262 registered participants. The need for accessible canoe/kayak launches was noted.
- Recognized the Fever Pitch event held in Spencerville this weekend and requested discussion at a future Committee on ways the Township can support its local events.
- Invited to participate as a judge at the Prescott Poutine Fest May 27 and commended the economic development department in Prescott for acquiring this event.
- Upcoming Spencerville Mill Golf Tournament to be held June 10.
- SERA hosting the upcoming Johnstown community garage sale and opening of the Johnstown Dog Park on June 3
- Cardinal community garage sale to be held on June 10th.
- Reminded Council of AMO delegation submission June 9 deadline.
- Commended the Agricultural Society on the successful hosting of the Fire Fighters appreciation dinner and long-term service awards on May 27.

Decision: 2023-165

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council receives the Mayor's Report as presented.

Carried

16. Question Period

None.

17. Closed Session

Decision: 2023-166

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council proceeds into closed session at 8:46 p.m. in order to address a matter pertaining to:

1. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: CAO, Fire Department and Township Workplace Assessments; and
2. Section 239(2)(c) Proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: Minutes of Closed Session dated March 27, 2023.

Carried

- a. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: CAO, Fire Department and Township Workplace Assessment and Review

Decision: Verbal

Moved by: S. Dillabough

Seconded by: C. Ward

THAT Municipal Council extend beyond the 10:00 p.m. curfew.

Carried

- b. Section 239(2)(c) Proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: Minutes of Closed Session dated March 27, 2023

Decision: 2023-167

Moved by: C. Ward

Seconded by: W. Smail

THAT the closed meeting of Municipal Council does now adjourn and the open meeting does now resume at 10:46 p.m.

Carried

18. Report Out of Closed Session

The Chair reported that Council met in closed session to discuss personal matters about an identifiable individual, including municipal or local board employees, specifically CAO, Fire Departments and Township workplace assessment and direction was provided to the CAO. The Chair noted a motion to extend past the 10:00 p.m. curfew was passed verbally in closed session.

Decision: 2023-168

Moved by: J. Martelle

Seconded by: C. Ward

THAT Municipal Council receives and approves the closed session minutes of Council dated March 27, 2023.

Carried

19. Confirmation By-law

Decision: 2023-169

Moved by: W. Smail

Seconded by: J. Martelle

THAT a by-law to adopt, confirm and ratify matters dealt with by resolution be now passed, signed, sealed and numbered 2023-36.

Carried

20. Adjournment

Decision: 2023-170

Moved by: S. Dillabough

Seconded by: C. Ward

That Municipal Council does now adjourn at 10:48 p.m.

Carried

Mayor

Deputy Clerk