

**MINUTES
PORT OF JOHNSTOWN MANAGEMENT COMMITTEE
MUNICIPAL OFFICE – SPENCERVILLE
WEDNESDAY, MAY 19, 2021
6:30 PM**

Present: Mayor Patrick Sayeau, Chair
Deputy Mayor Tory Deschamps
Councillor Hugh Cameron
Councillor Stephen Dillabough
Councillor John Hunter
Mr. Joe Hendriks
Mr. Frank McAuley

Staff: Robert Dalley, General Manager
Kevin Saunders, Operations Manager
Rebecca Williams, Clerk

1. Call to Order

Mayor Sayeau called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Moved by: H. Cameron

Seconded by: F. McAuley

That Committee approve the agenda as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof – None

4. Delegations & Presentations – None

5. Minutes of the Previous POJ Committee Meeting

a) Regular Meeting –April 21, 2021

Moved by: J. Hunter

Seconded by: S. Dillabough

That Port Management Committee receives and approves the minutes of Port Management Committee meeting dated April 21, 2021.

Carried

6. Business Arising from Previous PMC Minutes – None

7. Discussion Items

a) Aquatarium – Sponsorship/Donation – Mayor’s Letter

Committee reviewed the Mayor's draft letter to the Aquatarium and Members noted that the letter outlines that the Port's focus is on capital projects to improve the Port. Members noted that the letter makes the Aquatarium aware of the Port's position and priorities. It was noted that the Port could consider a contribution in a future budget, however, the current 2021 budget has already been approved by Committee.

Members noted that if the Port supported the contribution request, it could be approximately \$93,000 per year, over 4 years, instead of the original \$125,000 over 3 years. Members discussed the requested funding and if the Port should support such an ask. Members debated if the Aquatarium display would help promote Port business or only be useful to attract tourism. Members suggested that the Port could utilize some of the funds to hire a communications employee to promote the Port. Members suggested that the display may not accurately depict and promote the agricultural sector in Eastern Ontario. It was noted that the Port has an annual \$75,000 community capital grants program, where the Aquatarium could request funding, or the Port could consider donating between \$10,000 to \$30,000.

Members noted that Mr. Beatty will match any contribution/donation dollar for dollar. Members noted that the \$75,000 annual Port community capital grant program supports local organizations within the Township, however, supporting a regional approach to incorporate the Aquatarium could be considered.

Port staff noted that the Aquatarium contribution request is substantial, and that money could be utilized for future capital projects at the Port. Port staff noted their concern that the Aquatarium is expecting the Port to be their main donor for the project. It was suggested that the Port could communicate with various business associates that may be interested in sponsoring the project. Committee discussed the display concept and if it would be an accurate representation of the Port.

b) Port Lands Purchase – Appraisal/Next Steps

Committee reviewed the report and noted that the appraisal assumes that there are no environmental issues, however, the appraiser cautions the Port in many instances within the report about legal liability relating to the effect of environmental issues on the property. Members noted that the Port solicitor could draft the purchase and sale document to ensure that the purchaser would assume all liability and risks associated with property, specifically with respect to environmental impacts. There was consensus of Committee to direct Port staff to have the Port solicitor draft the purchase and sale agreement.

Committee discussed how the property can be sold. It was noted that in accordance with the policy, industrial land is exempt from the restrictions within the sale of surplus land policy and therefore can be sold privately. Members noted that other businesses may be interested in the property,

such as the local golf course and telecommunication companies to install new towers. There was a general discussion on potentially acquiring the services of Mr. Earle to advertise and sell the property.

Moved by: J. Hunter

Seconded by: S. Dillabough

That the Port Management Committee recommends that Council declare the parcel of property as surplus to the needs of the Township and Port.

Carried

Committee briefly debated if the property should be available and made public to the open market, or sell to the interested company. It was noted that the Port solicitor would draft the offer to ensure that the Township and Port would not be liable for any environmental risks.

Moved by: S. Dillabough

Seconded by: F. McAuley

That the Port Management Committee recommends that the property to be declared as surplus to the needs of the Township and Port be offered for sale, to the open market place, by public tender as the method of sale.

Carried

c) Port Community Capital Funding Signage

Committee reviewed the draft signage and there was consensus to include the words “a division of” between the logos for the Port of Johnstown and Township of Edwardsburgh Cardinal.

Committee briefly debated if the signage should indicate if the funding provided was “in full/in part”. There was consensus to keep the “in full/in part” wording as currently outlined on the drafts.

d) Investments

Mr. McAuley and Port staff provided an overview of the current investment portfolio for the Port and outlined the types of investments, rates, and possible options. There was a brief discussion on how the Township and Port are restricted under the Municipal Act on how funds can be invested. Committee discussed how Port could contact LAS to discuss the investments. It was noted that Port staff will bring a report to the June meeting to further discuss the Port investments.

8. Action/Information Items

a) Operation Manager’s Report

Port staff provided an overview of the monthly report and there was a general discussion on the following topics: inventory, electrical maintenance, and the hiring of a second electrician.

Committee reviewed the capital report and there was a general discussion on the following projects: paving near waterfront dock, dock fenders, and hardware for the temperature monitoring system.

b) General Manager's Report – Traffic Report

Port staff provided an overview of the monthly report and there was a general discussion on the following topics: monthly revenues versus year to date actuals, National Trade Corridors Funding loading spouts project status, project cargo, tree maintenance, and employee benefits costs. Committee reviewed the traffic report.

c) Health & Safety Report

Moved by: F. McAuley
Seconded by: J. Hunter

That Committee receives and reviewed items 8a) Operation Manager's Report – Capital Report, 8b) General Manager's Report - Traffic Report and 8c) Health & Safety Report.

Carried

d) 2020 Auditor's Report

Committee reviewed the Auditor's report and inquired about the cost to have the annual audit completed by MNP LLP. It was noted that the cost is approximately \$12,000.00. It was noted that the Port is required to complete the audit and the information is then consolidated with the Township's financial statements.

Moved by: H. Cameron
Seconded by: S. Dillabough

That the Port Management Committee:

1. Receives, accepts and approves the auditor's report on the Port of Johnstown's financial statement as provided by MNP LP chartered accountants; and
2. Recommends that Council receives the auditor's report on the Port of Johnstown's financial statement as provided by MNP LLP chartered accountants.

Carried

e) Investments – GIC Maturing on June 7, 2021

Moved by: F. McAuley

Seconded by: H. Cameron

That the Port Management Committee approves the transfer of the Scotia Bank 30-day GIC maturing on the 7th of June, 2021 in the amount of \$2,092,006.32 to the Royal Bank operating account #100-118-9 in name of the Port of Johnstown and directs the Port General Manager to complete this transaction.

Carried

f) Lease Assignment Name Change – Salt Company

Moved by: J. Hunter

Seconded by: S. Dillabough

That the Port Management Committee recommends that:

1. Council approves the assignment of the current lease from K+S Windsor Salt Ltd to Windsor Salt Ltd effective April 16, 2021; and
2. The Mayor, Clerk and Port General Manager be authorized to execute and sign the attached lease assignment.

Carried

g) Dock Fenders

Committee reviewed the report and discussed the rising cost of lumber and how it has impacted the project cost. It was noted that if the Port were to complete the project in house, they may only be able to complete the replacement of 1-2 timbers per day, while Kehoe Marine Construction could likely complete the replacement of 5-10 per day. Members noted that the time saving would help offset the increased cost of the timbers. Committee briefly discussed the installation of the rubber fenders to help protect the docks and vessels. It was noted that a specific type of rubber is required to absorb the movements caused by the vessels rubbing against them when entering and exiting the dock.

Moved by: S. Dillabough

Seconded by: T. Deschamps

That the Port Management Committee:

1. Awards the new fender installation contract to Kehoe Marine Construction Ltd. For an amount of \$4,200.00 per day plus consumables at cost, plus 15% (excluding HST); and
2. That the overall project will not exceed the approved budget amount of \$300,000.00 (excluding HST); and
3. That the Port General Manager sign the contract with Kehoe Marine Construction Ltd on behalf of the Township.

Carried

h) Termination of Operating Agreement with the Federal Government

Moved by: J. Hunter
Seconded by: H. Cameron

That the Port Management Committee recommends that:

1. Council approves the termination agreement of the operating agreement between the Township of Edwardsburgh Cardinal and Transport Canada; and
2. Authorize the Township's CAO to sign the document on behalf of the Township/Port.

Carried

9. Approval of Disbursements – Port Accounts

Moved by: H. Cameron
Seconded by: J. Hunter

That Committee approves payment of Port invoices as circulated.

Carried

10. Councillor Inquiries/Notices of Motion – None

11. Chair's Report – None

12. Question Period – None

13. Closed Session

Moved by: J. Hunter
Seconded by: T. Deschamps

That Committee proceeds into closed session at 8:46 p.m. in order to address a matter pertaining:

- A proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: Availability of lands that the Port may be interested in purchasing and Minutes of Closed Session dated March 17, 2021.

Carried

14. Adjournment

Moved by: J. Hunter
Seconded by: H. Cameron

That the Committee meeting adjourns at 7:18 pm.

Carried

These minutes were approved by Port Management Committee this 19 day of May, 2021.

Chair

Clerk