



Minutes
Council meeting
Municipality of West Grey

Tuesday, August 9, 2022, 9 a.m.
West Grey municipal office, council chambers and virtual

Council members present: Mayor C. Robinson, Deputy Mayor T. Hutchinson, Councillor B. Hamilton, Councillor R. Hergert, Councillor D. Hutchinson, Councillor G. Shea, Councillor S. Townsend

Staff members present: Chief Administrative Officer L. Johnston, Corporate and Community Initiatives Officer K. Hewlett, Director of Finance/Treasurer K. Mighton, Manager of Planning and Development L. Spencer, Communications Coordinator S. Ferguson, Interim Director of Infrastructure and Public Works B. Glasier, Administrative Support Staff H. Webb and S. Bothman

1. Call to order

Mayor Robinson called the meeting to order at 9:00 a.m.

Staff reviewed instructions for members of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected. It was noted that this meeting will be livestreamed to the West Grey YouTube channel.

2. Moment of reflection

Mayor Robinson called for a moment of reflection.

3. Declarations of pecuniary interest and general nature thereof

None.

4. Delegations/presentations

4.1 Presentation - Integrity Commissioner Recommendation Report - Complaint against Councillor Hergert

Janice Atwood-Petkovski of Principles Integrity attended virtually to present the report for a complaint alleging that Councillor Rebecca Hergert contravened the Council Code of Conduct - Rule 13: Conduct Respecting Staff: Members shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the council; and

Rule. 13.4:

No member shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the municipality.

The report noted that Councillor Hergert acknowledged the statements, and the innuendo and negative implication cast by her comments, made at the April 5, 2022 council meeting and during the investigation.

She also acknowledged that there have been no threats to her or her family, and although one constituent phoned her home, no member of the Police Service has threatened or intimidated her or any member of her family.

Ms. Atwood-Petkovski explained that one of their primary objectives is course correction and remedial measures where appropriate. This can form the basis of a resolution through informal disposition, which allows for the conclusion of the complaint to the satisfaction of the complainant without the need for a public report to council.

Given the facts of the complaint, a public apology by the councillor to members of the West Grey Police might of brought early resolution and closure to this matter however no such public apology has been forthcoming therefore compelling Principles Integrity to bring this public report to council.

When given the opportunity to speak, Councillor Hergert stated that she did not feel the report fully captured how rattled she was by the communications received from a member of the public and a member of the Police Service.

She apologized to the West Grey Police Association for her comments and any concern they may have caused.

Councillor Hergert went on to say that she would be advocating, at AMO, for legislative changes to specific policy and procedural fairness as it relates to Integrity Commissioner legislation.

In closing, she stated in the future she will be more cognizant of making truthful comments at council meetings and mindful of how they impact others and our community and rejected the report.

Mayor Robinson called for a recorded vote.

Resolution: 304-2022

Moved: Councillor G. Shea

Seconded: Councillor S. Townsend

That West Grey council hereby receives the report, Integrity Commissioner Recommendation Report - Complaint against Councillor Hergert; and accepts Councillor Hergert's apology and considers this matter closed.

	For:	Against:
Mayor C. Robinson	X	
Deputy Mayor T. Hutchinson	X	
Councillor B. Hamilton	X	
Councillor R. Hergert		X
Councillor D. Hutchinson	X	
Councillor G. Shea	X	
Councillor S. Townsend	X	
Results	6	1

Disposition: Carried

4.2 Presentation - Barry Heaney, Partner and Rhys Thomas, Manager BDO - Consolidated Financial Statements

Barry Heaney, Partner, BDO Canada LLP Chartered Professional Accountants presented the draft Consolidated Financial Statements for the year ending December 31, 2021, noting the Municipality is in a strong financial position and praised council and staff for their management of municipal finances.

Resolution: 305-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor R. Hergert

That council hereby accepts the West Grey Consolidated Financial Statements for the year ended December 31, 2021.

Disposition: Carried

4.3 Delegation - Township of Southgate - Affordable Attainable Housing Advisory Committee - South Grey Housing Development Corporation Proposal

Southgate Affordable Attainable Housing Advisory Committee representatives, Southgate CAO Dave Milliner and Southgate Mayor John Woodbury, attended council to provide information on the South Grey Housing Development Corporation and to request a consideration in the 2023 budget to assist in the hiring of an employee to setup and manage the corporation.

Resolution: 306-2022

Moved: Councillor G. Shea

Seconded: Deputy Mayor T. Hutchinson

That West Grey staff be directed to participate in further discussions with the Affordable Attainable Housing Advisory Committee – South Grey Housing Development Corporation Proposal spearheaded by the Township of Southgate.

Disposition: Carried

5. Public meetings

None.

6. Comment period

Alex Neuman, co-chair of the Durham Homecoming Committee, thanked the members of the community for participating in the Homecoming Celebrations. They are still finalizing numbers and determining the amount of revenue collected and look for council's endorsement and support of the community splash pad, noted as Item 10.1.1.

Corporate and Community Initiatives Officer Hewlett read comments received by email from Scott Foerster, resident, regarding Item 11.3.2 Customer Service Strategy and asked that council consider keeping the council chambers for in person meetings noting that internet service is still problematic in certain areas of West Grey and consideration should be given to moving some departments to other municipal facilities.

Kevin Eccles, resident, inquired why Bylaw 71-2022 and Bylaw 72-2022 were on the agenda when they were not approved at the August 8, 2022 Public Planning meeting. This matter was further addressed under Items 13.1 and 13.2 on this agenda.

7. Unfinished business

None.

8. Adoption of minutes

8.1 Minutes - July 12, 2022 Regular council meeting

Councillor Townsend asked that the title of Item 8.2 be amended to include the June 20, 2022 Public Meeting and Item 13.1 be amended to include the name of the building inspector appointed.

8.2 Minutes - July 12, 2022 Special council meeting

Resolution: 307-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor S. Townsend

That the minutes of the July 12, 2022 regular council meeting and the July 12, 2022 special council meeting are hereby approved as amended.

Disposition: Carried

9. Committee and board reports

9.1 West Grey Public Library Board - May 11, 2022 minutes

9.2 Saugeen Valley Conservation Authority - May 19, 2022 minutes

9.3 West Grey Police Services Board - May 30, 2022 minutes

9.4 Saugeen Municipal Airport - June 15, 2022 regular meeting minutes

9.5 Saugeen Municipal Airport - June 20, 2022 special meeting minutes

9.6 West Grey Police Services Board - June 27, 2022 minutes

9.7 West Grey Police Services Board - July 8, 2022 special meeting minutes

Resolution: 308-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor B. Hamilton

The minutes of committees and boards are hereby received.

Disposition: Carried

Council members recessed at 10:32 a.m. Council reconvened at 10:47 a.m.

10. Correspondence

10.1 Items requiring action

10.1.1 Durham 150 Homecoming Committee - Splash Pad Endorsement Request

Resolution: 309-2022

Moved: Councillor B. Hamilton

Seconded: Councillor R. Hergert

That council directs staff to work with the Durham Homecoming Committee regarding the splash pad project and further, that staff report back to council on the findings of preliminary investigations regarding the future needs of this project

Disposition: Carried

10.1.2 West Grey Concession Road 2 SDR - Speed Limit Change Request

Resolution: 310-2022

Moved: Councillor D. Hutchinson

Seconded: Councillor G. Shea

That council, in the matter of the Concession 2 SDR speed limit reduction, defers this request to staff.

Disposition: Carried

10.1.3 Letter from West Grey Police Services Board

Resolution: 311-2022

Moved: Councillor B. Hamilton

Seconded: Councillor S. Townsend

That council hereby refers this matter to staff.

Disposition: Carried

10.1.4 Community Schools Alliance - Three Point Action Plan

Resolution: 312-2022

Moved: Councillor S. Townsend

Seconded: Councillor D. Hutchinson

Whereas all students should have the opportunity to attend elementary and secondary school in their home community.

Therefore be it resolved that:

1. The province increase the Rural and Northern Education Fund (RNEF) to \$50 million;

2. Should the current moratorium on accommodation reviews and school closures be lifted, we ask that the moratorium remain in place for schools that qualify for the RNEF until a thorough review of the education funding formula is completed;

3. Before templates required by the 2018 Pupil Accommodation Review Guideline (PARG) are developed, there be consultation with school boards and community groups including the Community Schools Alliance;

And further that a copy of the resolution be sent to Doug Reycraft, Chair of the Community Schools Alliance and local MPP, Rick Byers.

Disposition: Carried

10.1.5 Normanby Plowing Match - Request for support

Resolution: 313-2022

Moved: Councillor S. Townsend

Seconded: Councillor D. Hutchinson

That council hereby provides support to the Normanby Plowing Match in the amount of \$200.00.

Disposition: Carried

10.2 Items for information

10.2.1 Community Schools Alliance

10.2.2 City of Cambridge - Ontario Must Build it Right the First Time Resolution

10.2.3 Owen Sound - Removal of Municipal Councillors Under Prescribed Circumstances Letter

10.2.4 Durham Agricultural Society - Durham Fall Fair

Resolution: 314-2022

Moved: Councillor R. Hergert

Seconded: Deputy Mayor T. Hutchinson

That council receives all correspondence not otherwise dealt with.

Disposition: Carried

11. Staff reports

11.1 Interim Director of Public Works and Infrastructure

11.1.1 Durham Upper Dam and Neustadt Creek Environmental Assessment

Resolution: 315-2022

Moved: Councillor S. Townsend

Seconded: Councillor D. Hutchinson

That the main motion be amended to include, that council approves a 2023 budget allocation of up to \$20,000 for West Grey's portion of the EA.

Disposition: Carried

Resolution: 316-2022

Moved: Councillor D. Hutchinson

Seconded: Deputy Mayor T. Hutchinson

That council supports the recommendation by the Saugeen Valley Conservation Authority Water Resources Committee to commence the Environment Assessment (EA) process for the repair or replacement of the Durham Upper Dam and the Neustadt Creek gabion wall; and further that council approves a 2023 budget allocation up to \$20,000.

Disposition: Carried

11.1.2 Waste Management Request for Increased Curbside Collection Costs

Resolution: 317-2022

Moved: Councillor S. Townsend

Seconded: Councillor R. Hergert

That council approves the monthly increase requested by Waste Management in the amount of \$3,765.55 plus taxes.

Disposition: Carried

11.2 Director of Finance/Treasurer

11.2.1 2022 Mid-Year Budget Variance Report

Resolution: 318-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor G. Shea

That council receives the 2022 Mid-Year Budget Variance Report for information.

Disposition: Carried

11.3 Chief Administrative Officer

11.3.1 December Holiday Closure

Resolution: 319-2022

Moved: Councillor S. Townsend

Seconded: Councillor B. Hamilton

That report December Holiday Closure be received; and further,

That council approves the addition of the December Holiday Closure policy to the West Grey Personnel Policy.

Disposition: Carried

11.3.2 Customer Service Strategy

Resolution: 320-2022

Moved: Councillor B. Hamilton

Seconded: Councillor G. Shea

That council receives report Customer Service Strategy for information; and

That council endorses the Customer Service Strategy recommendation – “Service West Grey” – from the Wilfrid Laurier University MBA consultant team; and

That further recommendations from the Customer Service Strategy be brought forward through the 2023 budget process.

Disposition: Carried

Resolution: 321-2022

Moved: Councillor S. Townsend

Seconded: Councillor G. Shea

That council approves funding from the Municipal Modernization Grant be used to complete a space planning assessment and space planning model.

Disposition: Carried

At 12:49 p.m, Council agreed to extend the council meeting curfew.

Resolution: 322-2022**Moved:** Councillor S. Townsend**Seconded:** Councillor G. Shea

That council hereby approves going past curfew to 1:30 p.m.

Disposition: Carried**12. Questions**

Councillor Hutchinson asked that Deputy Mayor Hutchinson, a member of the Saugeen Municipal Airport Committee, provide a copy of the Ombudsman's Report for Council members.

Deputy Mayor Hutchinson advised that he has made that request of the Chair of the Saugeen Municipal Airport.

13. Bylaws**13.1 Bylaw 71-2022 - Zoning amendment - Dauphin**

Manager of Planning and Development L. Spencer recommended that these bylaws be deferred until clarifying information has been received as directed at the August 8, 2022 Public meeting.

Resolution: 323-2022**Moved:** Councillor B. Hamilton**Seconded:** Councillor S. Townsend

That Bylaw 71-2022 be deferred until staff report back to council with additional information.

Disposition: Carried**13.2 Bylaw 72-2022 - Zoning amendment - Anderson**

Councillor Hutchinson declared a conflict of interest with Bylaw 72-2022 and as such did not vote on the item.

Resolution: 324-2022**Moved:** Councillor R. Hergert

Seconded: Councillor S. Townsend

That Bylaw 72-2022 be deferred until staff report back with additional information from Saugeen Valley Conservation Authority.

Disposition: Carried

13.3 Bylaw 73-2022 - No Demand for Municipal Services Site Plan Agreement - Lichti

Resolution: 325-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor S. Townsend

That Bylaw 73-2022, being a bylaw to authorize entering into a no demand for municipal services site plan agreement, be read a first, second and third and final time.

Disposition: Carried

13.4 Bylaw 74-2022 - Confirming the proceedings of council

Resolution: 326-2022

Moved: Councillor R. Hergert

Seconded: Deputy Mayor T. Hutchinson

That Bylaw 74-2022, being a bylaw to confirm the proceedings of council, be read a first, second and third and final time.

Disposition: Carried

14. New business

None.

15. Announcements

Councillor Shea advised the members that council's correspondence had been received by the West Grey Police Services Board and they had affirmed their willingness to meet.

16. Closed session

Resolution: 327-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor R. Hergert

That the Council of the Municipality of West Grey does now go into a closed session at 1:08 p.m., with the CAO/Deputy Clerk, Director of Finance and Corporate and Community Initiatives Officer for the purpose of addressing personal matters about an identifiable individual, including municipal or local board employees; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and to receive 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.

Disposition: Carried

17. Report from closed session

18. Adjournment

The closed meeting went to curfew, as set out in the procedural bylaw. A report from closed session will be provided at the September 6, 2022 council meeting. The closed meeting adjourned at 1:30 p.m.

Mayor Christine Robinson

CAO/Deputy Clerk Laura Johnston