



Essex County Council Regular Meeting Minutes

Wednesday, September 7, 2022

7:00 PM

Council Chambers, 2nd Floor

360 Fairview Avenue West

Essex, Ontario N8M 1Y6

<https://video.isilive.ca/countyofessex/live.html>

- Council:
- Gary McNamara, Warden, Mayor, Town of Tecumseh
 - Joe Bachetti, Deputy Mayor, Town of Tecumseh
 - Tracey Bailey, Deputy Mayor, Municipality of Lakeshore
 - Tom Bain, Mayor, Municipality of Lakeshore
 - Steve Bjorkman, Deputy Mayor - Town of Essex
 - Marc Bondy, Mayor, Town of LaSalle
 - Tony Gaffan, Alternate Member - Town of Kingsville
 - Hilda MacDonald, Mayor, Municipality of Leamington
 - Crystal Meloche, Deputy Mayor, Town of LaSalle
 - Leo Meloche, Deputy Mayor, Town of Amherstburg
 - Richard Meloche, Mayor, Town of Essex
 - Michael Prue, Alternate Member - Town of Amherstburg
 - Gord Queen, Deputy Mayor, Town of Kingsville
 - Larry Verbeke, Deputy Mayor, Municipality of Leamington
- Absent:
- Aldo DiCarlo, Mayor, Town of Amherstburg
 - Mark Carrick, Alternate Member - Town of LaSalle
- Administration:
- Rebecca Belanger, Manager of Planning Services
 - Mary Birch, Director, Legislative and Community Services/Clerk
 - Allan Botham, Director, Infrastructure & Planning Services
 - Jayne Brooks Keller, Administrator - Sun Parlor Home
 - Katherine Hebert, Deputy Clerk
 - Don McArthur, Manager, Communication and Organizational Development
 - David Sundin, County Solicitor
 - Crystal Sylvestre, Administrative Assistant, Legislative and Community Services

Sandra Zwiers, Director, Financial Services/Treasurer

1. Closed Meeting

There was no Closed Meeting scheduled for September 7, 2022

2. Moment of Reflection

3. Singing of 'O Canada'

4. Land Acknowledgement Statement

We begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples.

To recognize the land is an expression of gratitude to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial.

We value the significant historical and contemporary contributions of local and regional First Nations and all the Original Peoples of Turtle Island.

5. Recording of Attendance

Warden McNamara and members of Council attended the meeting at the Essex County Civic Centre, Council Chambers.

Aldo DiCarlo was absent.

Michael Prue attended as the alternate member for the Town of Amherstburg.

Tony Gaffan attended as the alternate member for the Town of Kingsville.
(Nelson Santos – resigned as Mayor of Kingsville July 17, 2022)

6. County Warden's Welcome and Remarks

Warden McNamara welcomed the members of County Council, Administration and members of the public and delivered the following greeting:

"Summer is almost over. Students are back in school. And many of us are thankful for having had a break to soak up the sun and recharge our batteries.

While council meetings generally slow down during the summer, the work being done by staff does not. Essex County's Infrastructure and Planning Services department has been working full-out overseeing road rehabilitation and construction projects – as well as taking care of regular

maintenance on county roads. Essex-Windsor EMS and Sun Parlor Home staff are continuing to give their all despite the challenges to the entire health-care system.

Staff at the Essex County Library have been busy providing programs, activities and great book recommendations. We are pleased to welcome our new chief librarian: Adam Craig. He is a lifelong Essex County resident who has worked in both the county and City of Windsor library systems. Welcome to back to the Essex County Library, Adam!

Last month, many members of Essex County council attended the Association of Municipalities of Ontario conference. Our delegations met with the provincial ministries of finance and health.

I want to thank Leamington Mayor Hilda MacDonald for making a presentation about levelling the property tax field for residents in municipalities with large-scale greenhouses.

As well, we called on the Ministry of Health to address the offload delay crisis, which sees ambulances idling outside of congested hospitals waiting for patients to be admitted. We urged the Province to declare offload delays a public health crisis and do everything in its power to help keep Paramedics on the road responding to emergency calls.

It is our job as elected municipal representatives to ensure the voices of our residents are heard on issues like these. It is also our job to make sure residents are provided with the municipal services important to them in a financially responsible way. The October 24 municipal election is approaching quickly. It is time to get informed about the candidates and where they stand on issues that matter to you. Get ready to make your voice heard at the ballot box and hold those who are elected accountable.

Finally, I want to encourage Essex County residents to say thank you to the thousands of foreign temporary workers who are contributing to the local economy by helping put fresh produce on grocery store shelves across North America.

One way to do this is by attending the Festival of Guest Nations and Public Safety Information Day at Seaclyff Park in Leamington on Sunday, September 18, from 1 p.m. to 6 p.m.

Over a dozen groups, businesses and government departments are supporting this tremendous event. There will be music, food, prizes and opportunities to meet guest nation community members and service providers. In short: It is a great way to spend a Sunday afternoon."

7. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest raised.

8. Adoption of Regular Meeting Minutes

Minutes of the August 10, 2022 Regular Meeting of Essex County Council.

193-2022

Moved By Gord Queen

Seconded By Marc Bondy

That the minutes of the August 10, 2022 Regular Meeting of Essex County Council be adopted as presented.

Carried

9. Delegations and Presentations

194-2022

Moved By Crystal Meloche

Seconded By Steve Bjorkman

That the delegation from the Essex Region Conservation Authority be permitted to address County Council.

Carried

9.1 Essex Region Conservation Authority

James Bryant, Director, Watershed Management Services, Essex Region Conservation Authority to make a presentation to County Council regarding the Flood Hazard Identification and Mapping Program (FHIMP) project funding.

James Bryant provided Council with information regarding an opportunity to apply for FHIMP grant funding and was seeking the support of Council in the form of a letter to be included in the grant application.

Mr. Bryant explained that the data being used today was collected in 1976 and requires updating. Updating the maps would provide ERCA with the appropriate information to minimize flood related hazards and risks in the watershed and would be shared with all residents of all communities online.

195-2022

Moved By Gord Queen

Seconded By Crystal Meloche

That Essex County Council provide the Essex Region Conservation Authority with a letter of support to accompany the Flood Hazard Identification and Mapping Program application.

Carried

10. Communications

10.1 Correspondence

196-2022

Moved By Tracey Bailey

Seconded By Larry Verbeke

That the correspondence listed on the Regular Agenda for September 7, 2022, be received and any noted action approved.

Carried

10.1.1 Pathway to Potential

August 2022 - [Monthly Newsletter Update](#)

10.1.2 Windsor-Essex Regional Chamber of Commerce

August 16, 2022 - [Border Chambers of Commerce ask government to Scrap the App](#)

10.1.3 Iris Residential Inns and Services

August 10, 2022 Letter RE Request for increase in funding

10.1.4 The Hospice of Windsor and Essex County Inc.

August 15, 2022 - Media Release - Hospice Launches 20th Annual Face To Face Campaign, and Announces New Program in Partnership With Essex-Windsor EMS

10.1.5 City of Kingston

Resolution RE Provincial Government to release Landlord and Tenant Board Information

10.1.6 Town of Hanover

Resolution RE Physician Shortage in Ontario by South Bruce Peninsula Council

10.1.7 Town of South Bruce Peninsula

Resolution RE Firefighter Certification Concerns

10.1.8 Northumberland County

Resolution RE Private Members Bull C-233 Keira's Law

10.1.9 Northumberland County

Resolution RE Former Mohawk Institute Residential School Document Release

10.1.10 Northumberland County

Resolution RE Expanding Amber Alert System

10.1.11 City of Owen Sound

Resolution RE Changes to the Amber Alert System

10.1.12 Town of Wasaga Beach

Resolution RE Strong Mayors Building Homes Act

10.1.13 Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)

A. August 11, 2022 - [Policy Blog RE Government Introduces Strong Mayors Legislation](#)

B. September 1, 2022 - [Advocacy Update RE Standing Up for Municipal professionals at Standing Committee on Bill 3: Strong Mayors, Building Homes Act](#)

10.1.14 Ontario Human Rights Commission

August 18, 2022 - [HRTO Finds discrimination in OPP DNA sweep of migrant workers](#)

10.1.15 Ontario Premier's Office

August 18, 2022 - [News Release - Premier Ford re-appoints Secretary of the Cabinet Michelle DiEmanuele's leadership will remain critical as government implements plan to build Ontario](#)

10.1.16 Ontario Ministry of Municipal Affairs and Housing

August 17, 2022 - [News Release - Working with Municipalities to Move Ontario Forward, Province announces funding at 2022 AMO conference to support critical public services](#)

10.1.17 Ontario Ministry of Municipal Affairs and Housing

August 16, 2022 - [Speech, Minister Steve Clark's Speech at the 2022 Association of Municipalities of Ontario Conference](#)

10.1.18 Ontario Ministry of Municipal Affairs and Housing

August 9, 2022 - [Media Advisory - Minister Clark to Introduce Legislation to Help Municipalities Build More Homes](#)

10.1.19 Association of Municipalities of Ontario (AMO)

July 29, 2022 Letter RE Circular Economy Initiatives in the Made-in-Ontario Environment Plan

10.1.20 Association of Municipalities of Ontario (AMO)

August 8, 2022 - [AMO's 2021 Annual Report](#)

10.1.21 Association of Municipalities of Ontario (AMO)

August 9, 2022 - [AMO Policy Update – Throne Speech and Budget](#)

10.1.22 Association of Municipalities of Ontario (AMO)

August 10, 2022 - [AMO Policy Update – Strong Mayors, Building Homes Act](#)

10.1.23 Association of Municipalities of Ontario (AMO)

August 11, 2022 - [AMO Watchfile Online](#)

10.1.24 Association of Municipalities of Ontario (AMO)

August 18, 2022 - [AMO Watchfile Online](#)

10.1.25 Association of Municipalities of Ontario (AMO)

August 25, 2022 - [AMO Watchfile Online](#)

10.1.26 Association of Municipalities of Ontario (AMO)

August 19, 2022 - [AMO Policy Update – Provincial Health News from a Municipal Lens, Canada Child Care Plan Update, Flood Hazard Identification and Mapping Program](#)

10.1.27 Association of Municipalities of Ontario (AMO)

August 29, 2022 - [AMO Policy Update – Standing Committee on Bill 3, Strengthening Public Health, Increasing and Preserving Purpose-Built Rental Housing Strategy](#)

10.1.28 Association of Municipalities of Ontario (AMO)

September 1, 2022 - [AMO Watchfile Online](#)

10.2 Resolutions

There were no resolutions for Council's consideration for September 7, 2022.

11. Consent Agenda

197-2022

Moved By Marc Bondy

Seconded By Crystal Meloche

That the recommendations in the Administrative Report listed as item 11.1, on the Consent Agenda for September 7, 2022, be approved and further that the information item listed as item 11.2 on the said Consent Agenda be received.

Carried

11.1 Approval of Invoices - Legal/Consulting Services

Report number 2022-0907-LCS-R019-DS, Approval of Invoices - Legal/Consulting Services, dated September 7, 2022 from David Sundin, County Solicitor

11.2 Housing and Homelessness Advisory Committee (HHAC)

Minutes of the June 21, 2022 Housing and Homelessness Advisory Committee meeting, Warden Gary McNamara, committee member.

12. Reports and Questions

12.1 Essex-Windsor Solid Waste Authority (EWSWA)

Minutes of the EWSWA Meeting for July 5, 2022, Mayor Aldo DiCarlo, Vice Chair

198-2022

Moved By Hilda MacDonald

Seconded By Richard Meloche

That the minutes for the July 5, 2022 Essex-Windsor Solid Waste Authority meeting be received.

Carried

12.2 Financial Projected Results of Operations 2022

Report number 2022-0907-FIN-R13-SZ, Financial Projected Results of Operations 2022, dated September 7, 2022 from Sandra Zwiers, Director, Financial Services/Treasurer

Sandra Zwiers provided the report to Council outlining the projected results of operations to the end of the fiscal budget year. The review was conducted using year to date data at July 2022 and was prepared in consultation with department heads and analyzed by County Financial staff.

Ms. Zwiers informed Council that it was projected the Corporation would be in an overall net deficit position of \$2,000 at year end. Following the format of the previous year's budget, the information was broken into operating and capital expenses. The operating component was projected to have a surplus of \$229,000, however the capital component was expected to have a deficit of \$231,000; resulting in the net overall deficit of \$2,000.

Ms. Zwiers attributed the shortfall to continued pandemic related pressures for EMS and Sun Parlour Home. Both of the departments were experiencing continued market related staffing shortages. The Sun Parlor Home was projected to end in a slight surplus position due to an unexpected transfer payment received from the Provincial government. The deficit projected for EMS was attributed to continued supply chain issues in the industry surrounding ambulance replacement. Ms. Zwiers explained that the inability to replace vehicles according to the fleet rotation schedule was resulting in increased repairs and maintenance costs.

The Infrastructure Services department was also expected to end in a deficit position as a result of rising inflation, construction market capacity issues, along with increased material, fuel and insurance costs.

A surplus was expected in the General Government division as a result of wage gapping and recoveries from the Essex County Library for interim leadership support.

Ms. Zwiers pointed out a correction to the report stating that the Records Management position that was reported to have been filled and it remains vacant, thereby increasing the General Government surplus by year end.

Ms. Zwiers assured Council that there will be continued monitoring of the financial forecast and any major variances before the end of the year would be reported to Council. As the projected deficit is largely related to pandemic impacts, Ms. Zwiers recommended the deficit should be covered by COVID Safe Restart funding rather than the Rate Stabilization Reserve.

199-2022

Moved By Marc Bondy

Seconded By Hilda MacDonald

That Essex County Council receives the Projected Results of Operations 2022 for information.

Carried

12.3 Request from the Town of Tecumseh to Initiate an OPA to Incorporate revised CIP Policies

Report number 2022-0907-IPS-R02-RB, Request from the Town of Tecumseh to Initiate an OPA to Incorporate revised CIP Policies, dated September 7, 2022, from Rebecca Belanger, Manager, Planning Services

Rebecca Belanger provided a report seeking Council approval to begin the process to amend the County Official plan to revise Community Improvement Plan (CIP) policies to allow the County to participate in grant programs of local tier municipalities' CIPs that have been adopted according to Section 28 of the Planning Act.

Ms. Belanger explained that the focus of the Tecumseh CIP was to align with Federal and Provincial incentive programs to generate broad economic opportunity for the town. The County did not have an incentive program in place to offer developers therefore the incentive could only be calculated on the local tier portion of the fees. Ms. Belanger explained that matching CIP levels at the upper tier would allow all seven local tier municipalities the opportunity to increase financial incentives for qualifying developments in a similar fashion to a single tier municipality.

Sandra Zwiers explained that the impacts to the budget would be better known based on case specifics found through applications. Policy statements would be developed and would include a fail-safe to ensure that any award of an incentive would be contingent on budget approval.

200-2022

Moved By Crystal Meloche

Seconded By Joe Bachetti

That County Council direct the Manager of Planning Services to initiate the planning process to undertake an Official Plan Amendment to modify the County's Official Plan regarding

Community Improvement Plans and report back with further recommendations.

Carried

12.4 County Road 42 and County Road 43 – Phase 1

Report Number 2022-0907-ISD-R21-AB, County Road 42 and County Road 43 – Phase 1, dated September 7, 2022 from Allan Botham, Director, Infrastructure and Planning Services

Allan Botham provided Council with an update on Phase 1 of the project through limited tendering.

Mr. Botham reviewed the history and reasons the development was required in this area including the introduction of new industries, increased capacity of travelers, residential growth and an historic agreement with the Town of Tecumseh to complete this work.

Mr. Botham provided Council with the details of the initial procurement process that was undertaken in May 2022 that resulted in no bids received. He also explained the options available under the County of Essex Procurement Policy outlining the reasons limited tendering would be acceptable and preferred at that time.

Discussion included the economic impacts driving the price of this work higher than initially budgeted.

201-2022

Moved By Marc Bondy

Seconded By Leo Meloche

That Essex County Council receive report 2022-0907-ISD-R21-AB, County Road 42 and County Road 43 – Phase 1, as information, and as background to support the probable action, and decision to exercise the CAO's delegated authority under By-law 2022-25 to 'authorize unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000' and to proceed with limited tendering and to enter into a contract if favourable to do so, to complete Phase 1 of the County Road 42 and County Road 43 project.

Carried

13. Unfinished Business

202-2022

Moved By Joe Bachetti

Seconded By Steve Bjorkman

That the letters listed as item 13.1 and 13.2 be received.

Carried

13.1 County of Essex

August 19, 2022 - Letter RE County of Essex AMO Delegation – Code Black - Solving the EMS Offload Delay Crisis

13.2 County of Essex

August 19, 2022 - Letter RE County of Essex AMO Delegation – Level the Field – Residents Are Paying for Greenhouse Growth

14. New Business

14.1 Public Reporting of Closed Meeting (Held August 10, 2022)

A Closed Meeting was held following the regular meeting of Council on August 10, 2022, pursuant to Sections 239 (2) (b) and (e) of the Municipal Act, 2001 as amended .

Council was provided with information that contained personal matters about an identifiable individual. Council was also provided with a report on a matter related to litigation or potential litigation affecting the municipality. Council provided Administration direction on how they wished to proceed.

15. Adoption of By-Laws

203-2022

Moved By Tracey Bailey

Seconded By Larry Verbeke

That By-laws 2022-27 and 2022-28, having been read a first, second and third time, be finally passed and enacted.

Carried

15.1 By-Law Number 2022-27

Being a by-law to adopt Official Plan Amendment Number 2 to the County of Essex Official Plan

15.2 By-law Number 2022-28

Being a by-law to confirm the proceedings of the Council of the Corporation of the County of Essex for September 7, 2022.

16. Notice of Motion

There were no Notices of Motion for September 7, 2022.

17. Adjournment

That the Essex County Council meeting for September 7, 2022 adjourned at 8:01 PM.

204-2022

Moved By Crystal Meloche

Seconded By Hilda MacDonald

Carried

Gary McNamara

Warden - County of Essex

Mary Birch

Director, Legislative and Community Services/Clerk