



Essex County Council Regular Meeting Minutes

Wednesday, November 15, 2023

6:00 PM

Council Chambers, 2nd Floor

360 Fairview Avenue West

Essex, Ontario N8M 1Y6

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

- Council:
- Joe Bachetti, Deputy Warden / Deputy Mayor - Town of Tecumseh
 - Sherry Bondy, Mayor - Town of Essex
 - Kimberly DeYong, Deputy Mayor - Town of Kingsville
 - Chris Gibb, Deputy Mayor - Town of Amherstburg
 - Hilda MacDonald, Warden / Mayor - Municipality of Leamington
 - Gary McNamara, Mayor - Town of Tecumseh
 - Crystal Meloche, Mayor - Town of LaSalle
 - Michael Prue, Mayor - Town of Amherstburg
 - Rob Shepley, Deputy Mayor - Town of Essex
 - Larry Verbeke, Deputy Mayor - Municipality of Leamington
 - Kirk Walstedt, Deputy Mayor - Municipality of Lakeshore
 - Mark Carrick, Councillor - Town of LaSalle (Alternate Member)
 - John Kerr, Councillor, Municipality of Lakeshore - (Alternate Member)
- Absent:
- Michael Akpata, Deputy Mayor - Town of LaSalle
 - Tracey Bailey, Mayor - Municipality of Lakeshore
 - Dennis Rogers, Mayor - Town of Kingsville
- Administration:
- Mary Birch, Director, Legislative and Community Services/Clerk
 - Allan Botham, Director, Infrastructure & Planning Services
 - Jayne Brooks Keller, Administrator - Sun Parlor Home
 - Adam Craig, CEO and Chief Librarian - Essex County Library

Katherine Hebert, Manager, Records and Accessibility/Deputy Clerk
Don McArthur, Manager, Communication and Organizational Development
Melissa Ryan, Director, Financial Services/Treasurer
David Sundin, County Solicitor
Crystal Sylvestre, Coordinator, Legislative and Community Services
Sandra Zwiers, Chief Administrative Officer
Jerry Behl, Manager, Transportation Planning and Development
Rebecca Belanger, Manager of Planning Services
Slawomir Pulcer, Deputy Chief, Professional Standards - EWEMS
Diana Radulescu, Coordinator, Active Transportation

1. Closed Meeting

A Closed Meeting was held at 5:00 PM on November 15, 2023.

320-2023

Moved By Larry Verbeke

Seconded By Kirk Walstedt

That Council move into a closed meeting pursuant to Section 239 (2) (c), (d), (e) and (f) of the Municipal Act, 2001, as amended for the following reason(s):

- a proposed or pending acquisition of land by the County;
- labour relations or employee negotiations;
- litigation, including matters before administrative tribunals, affecting the County; and
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

323-2023

Moved By Joe Bachetti

Seconded By Michael Prue

That Essex County Council adjourn, and rise from the Closed Meeting at 5:08 PM.

Carried

2. Moment of Reflection

3. Singing of 'O Canada'

4. Land Acknowledgement Statement

We acknowledge the land on which the County of Essex is located is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples.

We specifically recognize Caldwell First Nation and other First Nations which have provided significant historical and contemporary contributions to this region.

We also value the contributions of all Original Peoples of Turtle Island, who have been living and working on this land from time immemorial.

5. Recording of Attendance

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

Michael Akpata was absent. Mark Carrick attended as an alternate member for the Town of LaSalle.

Tracey Bailey was absent. John Kerr attended as an alternate member for the Municipality of Lakeshore.

Dennis Rogers was absent.

6. County Warden's Welcome and Remarks

Warden MacDonald welcomed Council, Administration and the viewing public to the meeting.

Warden MacDonald applauded County staff for their efforts to support local charities throughout the holiday season.

The Warden reminded everyone of the importance of supporting local food banks and other holiday fund raising efforts through donations and volunteering.

7. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest raised.

8. Adoption of Regular Meeting Minutes

Minutes of the Essex County Council Regular meeting for November 1, 2023.

324-2023

Moved By Chris Gibb

Seconded By Crystal Meloche

That the minutes of the November 1, 2023 Regular Meeting of Essex County Council be adopted as presented. (Voted by show of hands)

Carried

9. Delegations and Presentations

There were no delegations for November 15, 2023.

10. Communications

10.1 Correspondence

325-2023

Moved By Gary McNamara

Seconded By Rob Shepley

That the correspondence listed on the Regular Agenda for November 15, 2023 be received and any noted action approved. (Voted by show of hands)

Carried

10.1.1 Association of Municipalities of Ontario (AMO)

- AMO Training Alert: [Advanced Strategies for Elected Officials in Handling More Complex, Conflict Relationships \(NCR 2.0\)](#)
- Policy Update – [2023 Fall Economic Statement](#)
- AMO Watchfile: [November 2, 2023](#)
- AMO Watchfile: [November 9, 2023](#)

10.1.2 Hydro One

November 3, 2023 - Hydro One announces the Chatham to Lakeshore Transmission Line is on track to be completed by the end of 2024.

10.1.3 Ontario Ministry of the Environment, Conservation and Parks

November 7, 2023 - Response to the correspondence from the County of Essex regarding industrial, commercial and institutional organic waste reduction and diversion in Ontario.

10.1.4 Town of Amherstburg

October 27, 2023 - Copy of correspondence to MPP Anthony Leardi regarding Physician Recruitment.

10.1.5 Ontario News

November 6, 2023 - [Ontario Expanding Role of Registered Nurses to Prescribe and Administer More Medications](#)

November 7, 2023 - [Ontario Unveils New Statue to Honour Queen Elizabeth II](#)

November 8, 2023 - [Ontario Honours Past and Present Military Service by Indigenous People](#)

November 9, 2023 - [Ontario Strengthening Penalties for Landfill Facilities that Contravene Environmental Laws](#)

November 9, 2023 - [Ontario Investing in Critical Infrastructure](#)

10.2 Resolutions

There were no resolutions for the consideration of Council for November 15, 2023.

11. Consent Agenda

326-2023

Moved By Rob Shepley

Seconded By Sherry Bondy

That the minutes listed as item 11.1, on the Consent Agenda for November 15, 2023, be approved and further that the minutes listed as item 11.2 on the said Consent Agenda be received. (Voted by show of hands)

Carried

11.1 Essex County Accessibility Advisory Committee (ECAAC)

Minutes of the ECAAC meeting dated October 5, 2023.

11.2 Essex-Windsor Solid Waste Authority (EWSWA)

Minutes of the EWSWA meeting dated September 6, 2023.

12. Reports and Questions

12.1 Expropriation of Parts 27 and 28 on Reference Plan 12R-27997

Report number 2023-1115-LCS-R28-DMS, Expropriation of Parts 27 and 28 on Reference Plan 12R-27997, from David Sundin, County Solicitor, dated November 15, 2023.

David Sundin provided Council with necessary background to exercise their role as the approving authority for the County of Essex under the Expropriations Act, 1990.

David explained that the piece of property to be expropriated was required to complete the improvements to County Road 42 and was fair, sound and reasonably necessary.

327-2023

Moved By Gary McNamara

Seconded By Joe Bachetti

That Essex County Council consider and adopt a By-law that:

1. grants approval for the expropriation of the lands designated as Parts 27 and 28 on Reference Plan 12R-27997; and,
2. authorizes the Clerk to, among other things, cause an Expropriation Plan to be registered on title to the lands described as Parts 27 and 28 on Reference Plan 12R-27997 to finalize the expropriation of those lands. (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

12.2 Proposed New Essex County Council Code of Conduct - Question Responses

Report number 2023-1115-LCS-R030-MB, Proposed New Essex County Council Code of Conduct - Question Responses, from Mary Birch, Director Legislative and Community Services, dated November 15, 2023.

Mary Birch reviewed the information received from Aird & Berlis in response the questions presented by members of Council regarding the proposed Code of Conduct.

Discussion included that the definition of family could mirror Section 3 of the Municipal Conflict of Interest Act rather than the proposed expanded definition if that was Council's desire..

Annual Reports from the Integrity Commissioner could be available, if requested, once enough time had passed to offer valuable statistical information. Mary noted that this type of report was currently not budgeted for and would need to be considered in future budgets, if desired by Council.

328-2023

Moved By Michael Prue

Seconded By Kirk Walstedt

That Essex County Council direct administration to amend the definition of family to the definition from Section 3 of the Municipal Conflict of Interest Act. (Voted Electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

329-2023

Moved By Larry Verbeke

Seconded By Mark Carrick

That Essex County Council receive report number 2023-1115-LCS-R30-MB, Proposed New Essex County Code of Conduct – Question Responses; and,

That Essex County Council adopt By-law 2023-48, being a By-law to adopt a new Code of Conduct for Council Members, and Members of Local Boards attached hereto as Appendix B , as *amended (by resolution 328-2023)*.(Voted Electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

12.3 Shoreline Natural Hazard Mapping Initiative

Report number 2023-1115-IPS-R41-RB, Shoreline Natural Hazard Mapping Initiative, from Rebecca Belanger, Manager Planning Services, dated November 15, 2023.

Rebecca Belanger was joined by Tim Byrne, General Manager, Essex Region Conservation Authority to provide an update to the Shoreline Natural Hazard Mapping and Data Sharing Initiative Project. The project outlines flood prone areas along Essex County's 200-plus kilometres of shoreline and would be referenced to ensure development is planned in a responsible and safe manner.

Rebecca explained that the information obtained through the project would also be used to support the County's Emergency Management Department in preparation of the Hazard Identification and Risk Assessment (HIRA) and the Infrastructure and Planning Department to assist in identifying vulnerabilities in the County's infrastructure.

Rebecca explained the portions of the project completed to date and details of the funding agreement with the Ministry of Natural Resources and Forestry.

Rebecca explained that next steps included hosting public information sessions to allow residents the opportunity to review specific sections of properties.

330-2023

Moved By Gary McNamara

Seconded By Sherry Bondy

That Essex County Council receive report 2023-1115-IPS-R41-RB from the Manager, Planning Services on the Shoreline Natural Hazard Mapping Initiative for information. (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

12.4 2023 CWATS Master Plan Update

Report number 2023-1115-IPS-R23-JB, 2023 CWATS Master Plan Update, from Jerry Behl, Manager Transportation Planning and Development, dated November 15, 2023.

Jerry Behl and Diana Radulescu provided Council with the report regarding County Wide Active Transportation System (CWATS) Master Plan update.

Jerry reviewed the history of the CWATS charter and explained the update was to capture new best practices, implement Ontario Traffic Manual recommendations regarding cycling facilities and recognize the increased use of pedestrian infrastructure since the Charter's inception. The updates would allow for varying levels of ability and a broader variety of modes of transportation.

Jerry highlighted the programs included under the CWATS program and the plans for each going forward.

Discussion included the opportunities and challenges the current cost sharing arrangement between the County and the Local Municipal Partners provided.

331-2023

Moved By Joe Bachetti

Seconded By Rob Shepley

That Essex County Council receive report 2023-1115-IPS-R23-JB 2023 CWATS Master Plan Update for information. (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

12.5 Award of Contract for Engineering Services for the County Road 46 Schedule C Municipal Class Environmental Assessment

Report number 2023-1115-IPS-R40-AB, Award of Contract for Engineering Services for the County Road 46 Schedule C Municipal Class Environmental Assessment from Allan Botham, Director, Infrastructure Services and Planning, dated November 15, 2023

Jerry Behl provided the tender summary for the project to hire a consultant to conduct an Environmental Assessment on County Road 46 from Windsor to County Road 19 (Manning Road).

Jerry noted that for efficiency, Concession Roads 8 and 9 would be included in the assessment. The Town of Tecumseh had approved the full reimbursement to County for their portion of the work.

332-2023

Moved By Gary McNamara

Seconded By Sherry Bondy

That Essex County Council receive Report and award a contract to BT Engineering Inc., for the Environmental Assessment for the County Road 46 corridor from The City of Windsor boundary to County Road 19, Manning Road, in the amount of \$309,437 (plus applicable taxes). (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

12.6 County Road Rationalization Update

Report number 2023-1115-IPS-R42-AB, Update regarding County Road Rationalization, from Allan Botham, Director Infrastructure and Planning Services, dated November 15, 2023

Allan Botham provided Council a report on the history of the project since 2005.

Allan noted that in 2021, the regional CAO's agreed that it was appropriate to first update the County's Official Plan and then the County's Transportation Master Plan. Following the update of those plans, the Road Rationalization Study Terms of Reference and a formal Project Charter would be developed to support the study.

Per these recommendations, the draft Official Plan was scheduled to be presented to Council in early 2024 and the Transportation Master Plan was scheduled for completion in early 2025.

Allan provided an overview of the basic principles of the Road Rationalization Study Terms of Reference and Project Charter and emphasized the importance of including engineers, finance and planning representatives from the County and all Local Municipal Partners in this project.

Discussion included potential outcomes of the study, including the possibility of upload or download of County Roads to the Local Municipal Partners.

333-2023

Moved By Crystal Meloche

Seconded By Chris Gibb

That Essex County Council receive report 2023-1115-IPS-R42-AB, and

That Essex County Council directs Administration to include \$50,000 in the 2024 Budget (funded from the Rate Stabilization Reserve) for consulting services in support of the Road Rationalization Study. (Voted electronically)

In Favour (10): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Larry Verbeke, and Mark Carrick

Opposed (3): Rob Shepley, Kirk Walstedt, and John Kerr

Carried

13. Unfinished Business

13.1 Unfinished Business - Summary of Outstanding Reports for November 15, 2023

Report Number 2023-1115-LCS-R31-MB, Unfinished Business - Summary of Outstanding Reports for November 15, 2023

334-2023

Moved By Rob Shepley

Seconded By Gary McNamara

That Essex County Council receive report number 2023-1115-LCS-R31-MB, Summary of Outstanding Reports as information. (Voted by Show of Hands)

Carried

14. New Business

14.1 Public Reporting of Closed Meeting

A Closed Meeting was held prior to the regular meeting of Council this evening, pursuant to Sections 239 (2),(c), (d),(e) and (f) of the Municipal Act, 2001 as amended.

Council was provided with information regarding a proposed acquisition of land by the County and Council provided direction to Administration.

Administration also provided Council with an update on a labour relations and employee negotiation matter.

14.2 Proposed Amendment to Section 10.1 and 10.3 of Essex County Procedure By-law

Councillor Crystal Meloche brought forward the following notice of motion at the November 1, 2023 meeting:

Whereas Administration will be presenting a revised Essex County Procedure By-law for County Council's consideration at the November 15, 2023, County Council Meeting;

And whereas County Council does not yet know the extent of the revisions that will be proposed in the revised By-law;

And Whereas Section 10.1 of the existing By-law provides that the Agenda and supporting documents will be made available "to members of Council in the calendar week prior to that in which the meeting falls" and such agenda is usually distributed on the Friday of that week;

And Whereas Section 10.3 provides that agendas and supporting material will be "posted on the County's website on the Monday preceding the meeting" unless the Monday is a holiday, at which point the material is published on the Tuesday;

And Whereas these publishing dates do not provide enough time for members of County Council, nor members of the public, to review the agenda material;

Accordingly, it is moved that, Section 10.1 of the Procedure By-law be amended to provide that the agenda, including supporting documents, be made available to members of council at least seven (7) days prior to the meeting;

And that Section 10.3 be amended to provide that the agenda, with supporting documents, be posted on the County of Essex's website at least seven (7) days prior to the meeting.

Mary Birch pointed out there was a date error in the first paragraph, it should read December 6, 2023.

Mary asked for clarification regarding the use of addenda to the agenda. Council was agreeable to an addendum agenda being posted up to the Monday before the meeting date if information became available between the earlier posting date and the meeting date.

Mary further suggested that there be at least one day between the day Council receives the agenda and it being posted to the website to allow Council some time to familiarize themselves with the reports should questions from the public arise.

Council was agreeable to implementing the revised schedule for agenda distribution to begin in January 2024.

335-2023

Moved By Crystal Meloche

Seconded By Mark Carrick

Whereas Administration will be presenting a revised Essex County Procedure By-law for County Council's consideration at the December 6, 2023, County Council Meeting;

And whereas County Council does not yet know the extent of the revisions that will be proposed in the revised By-law;

And Whereas Section 10.1 of the existing By-law provides that the Agenda and supporting documents will be made available "to members of Council in the calendar week prior to that in which the meeting falls" and such agenda is usually distributed on the Friday of that week;

And Whereas Section 10.3 provides that agendas and supporting material will be "posted on the County's website on the Monday preceding the meeting" unless the Monday is a holiday, at which point the material is published on the Tuesday;

And Whereas these publishing dates do not provide enough time for members of County Council, nor members of the public, to review the agenda material;

Accordingly, it is moved that, Section 10.1 of the Procedure By-law be amended to provide that the agenda, including supporting documents, be made available to members of council at least seven (7) days prior to the meeting;

That Section 10.3 be amended to provide that the agenda, with supporting documents, be posted on the County of Essex's website at least six (6) days prior to the meeting, as amended;

That, should an urgent matter requiring the immediate attention of Council arise following the publishing of the Agenda, but prior to the date of the Council meeting, that the Clerk be given the discretion to prepare an Addendum Agenda and distribute it to Council and publish it to the website at least three (3) days prior to the meeting;

And that the changes to Section 10.1 and 10.3 take effective for January 2024. (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

14.3 Physician Recruitment Report

Councillor Chris Gibb brought forward the following notice of motion at the November 1, 2023 meeting:

Whereas Amherstburg Town Council has voted at their October 23, 2023 meeting to direct Mayor Prue and/or Deputy Mayor Gibb to bring forward a Notice of Motion to County Council a request for Administration to bring a report back on how the Physician Recruitment position could be reintroduced for the County of Essex.

Discussion included the history of the Physician Recruitment position and other opportunities to improve health care service to the County of Essex beyond recruitment of doctors.

336-2023

Moved By Kimberly DeYong

Seconded By Michael Prue

That Essex County Council amend the motion to delete the words "Physician Recruitment position could be reintroduced for the County of Essex and replace with the words request for Administration to develop a report on how to address the health care needs of the region." (Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

337-2023

Moved By Chris Gibb

Seconded By Michael Prue

That Essex County Council request for Administration to develop a report on how to address the health care needs of the region.
(Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

15. Adoption of By-Laws

338-2023

Moved By Kimberly DeYong

Seconded By Mark Carrick

That By-law 2023-48 and By-laws 2023-54 through 2023-56, having been read a first, second and third time, be finally passed and enacted.
(Voted electronically)

In Favour (13): Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Rob Shepley, Larry Verbeke, Kirk Walstedt, Mark Carrick, and John Kerr

Carried

15.1 By-law Number 2023-48

Being a By-law to adopt a new Code of Conduct for Members of Council and Members of Local Boards.

15.2 By-law Number 2023-54

Being a By-law to authorize the expropriation of certain lands for the widening of a portion of County Road 42 at its intersection with County Road 19.

15.3 By-law Number 2023-55

Being a By-law to Authorize the Execution of an Agreement between Teamsters Local 879 and The Corporation of the County of Essex

15.4 By-law Number 2023-56

Being a By-law to confirm the proceedings of the Council of the Corporation of the County of Essex, for the November 15, 2023 Closed and Regular meetings.

16. Notice of Motion

There were no Notices of Motion brought forward at the November 15, 2023 meeting.

17. Adjournment

339-2023

Moved By Gary McNamara

Seconded By Sherry Bondy

That the Essex County Council meeting for November 15, 2023 be adjourned at 8:21 PM.

Carried

Hilda MacDonald,
Warden, County of Essex

Mary Birch
Director, Legislative and Community Services/Clerk