



MUNICIPALITY OF NORTH MIDDLESEX

EMERGENCY AND SPECIAL MEETING MINUTES

The Electronic Meeting of the Council of the Municipality of North Middlesex was held on Wednesday April 8, 2020 under the provisions of Section 238 (3.3) and 238 (3.4) of the *Municipal Act, 2001* as amended, without physically being present at 229 Parkhill Main Street, Parkhill.

1. CALL TO ORDER

Mayor Ropp called the meeting to order at 6:14 p.m. with a quorum present by way of livestream on the North Middlesex You Tube Channel

2. ROLL CALL

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol

Councillor Ward Three – Gord Moir

Councillor Ward Four –John Keogh

Councillor Ward Five – Andrew Hemming

CAO/Director of Operations – Jonathon Graham

Clerk Jackie Tiedeman

Director of Economic Development and Community Services – Mike Barnier

Infrastructure Supervisor, Jonathon Lampman

Treasurer, Tracy Johnson

Fire Chief, Greg Vandenheuvel

Executive Assistant/HR Co-ordinator, Donna Vanhooydonk

The Mayor welcomed everyone present and acknowledged the current pandemic the world is dealing with as well as extending his gratitude to the community as a whole for doing their part during this emergency situation.

3. DISCLOSURE OF PECUNIARY INTEREST (in writing) - None

4. INTRODUCTION OF RESOLUTION

To enable the amendment to the Procedural By-law for the purpose of conducting Electronic Meetings during an emergency only without being physically present.

MOTION #079/2020

CORNELISSEN/MCLINCHEY: WHEREAS

- A. the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;
- B. Meetings pursuant to the definition in section 238(1) of the *Municipal Act, 2001* include any regular, special or other meeting;
- C. The Corporation of the Municipality of North Middlesex has enacted Rules of Procedure By-law 7 of 2018;
- D. the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (hereinafter, "**COVID-19**");
- E. On March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* ("**EMCPA**") related to COVID-19;
- F. On March 17, 2020 at 11:20am, a Declaration of Emergency was made by the Corporation of the County of Middlesex pursuant to section 4(1) of the *EMCPA* related to COVID-19, which is the geographic location of where the North Middlesex Municipal Office is located;
- G. On March 17, 2020 at 3:10 p.m. a Declaration of Emergency was made by the Corporation of the Municipality of North Middlesex pursuant to section 4(1) of the *EMCA* related to COVID-19
- H. the Lieutenant Governor has issued Order-in-Council 520/2020, pursuant to the *EMCPA*, prohibiting all organized public events of over fifty people due to COVID-19;
- I. Section 7.2 of the *EMCPA* provides that in the event of any conflict between Order-in-Council 520-2020 and any statute, regulation, rule, by-law or other order or instrument of a legislative nature, the Order-in-Council prevails;
- J. Section 7.0.11(1) of the *EMCPA* provides that it is an offence to fail to comply with, interfere with, or obstruct the enforcement of Order-in Council 520/2020;
- K. The Ministry of the Solicitor General in a Declaration on March 18, 2020 confirmed the duty of police to enforce Order-in-Council 2020;

- L. In the event The Corporation of the Municipality of North Middlesex were to hold a meeting (regular, special and other) in relation to COVID-19 and its Councillors, regular complement of staff, the public, and media attended physically, North Middlesex would be at risk of breaching Order-in-Council 2020;
- M. The Council of the Municipality of North Middlesex considers the protection of the health and safety of the public to be the paramount concern during COVID-19 but values business continuity for its citizens;
- N. The Municipality of North Middlesex, commencing Friday March 20, 2020 has effectively used work from home and social distancing initiatives to productively and effectively continue its operations and services. Two staff members will continue to physically be present at the Administrative Office – 229 Parkhill Main Street, along with rotating staff reporting to the Parkhill Arena for the Facility Department and Creamery Road Garage for Public Works (which is subject to change without notice), thus complying with Provincial Order-in-Council 520/2020 and doing its part in furthering the social distancing required by the World to defeat COVID-19;
- O. The Corporation of the Municipality of North Middlesex considers it desirable to continue to further its business continuity for the good of its citizens during COVID-19 by holding meetings (regular, special or other) electronically during COVID-19;
- P. On March 19, 2020, the Province of Ontario provided the Corporation of the Municipality of North Middlesex with the tool to further its business continuity while maintaining compliance with Provincial Order-in-Council 520/2020 when it enacted the *Municipal Emergency Act, 2002* to amend the *Municipal Act, 2001* to enact section 238(3.3) and 238(3.4) to permit meetings (regular, special and other) to be held electronically during an emergency declared pursuant to the *EMCPA*;
- Q. The Council of the Corporation of the Municipality of North Middlesex believes it inappropriate to require the public to physically attend at a meeting held at the Council Chambers of the Shared Services Building in Parkhill during COVID-19 while Councillors have been provided the ability through legislation for their respective votes to be counted as quorum when participating in meetings electronically;
- R. During COVID-19, The Corporation of the Municipality of North Middlesex is able to:
- hold meetings (regular, special and other) at a location other than the place set out in Rules of Procedural By-law #7 of 2018 pursuant to section 236(1) of the *Municipal Act, 2001*
 - without physical attendance pursuant to sections 238(3.3) and 238(3.4) of the *Municipal Act, 2001*

- ensure agenda material is publicly posted on the municipal website under Council Meeting Calendar
- ensure that delegations/submissions are accepted in writing by the Clerk
- ensure that Councillors, the general public, and the press are able to watch and/or hear the business to be carried out at meetings by using an online streaming service and that Members have appropriate contemporaneous input into the meetings electronically through video and/or audio teleconference;
- publicly post minutes in an expeditious manner; and
- ensure meetings are open and transparent;
- as it possesses the technology and resources to do so.

NOW THEREFORE BE IT RESOLVED That the Council of the Municipality of North Middlesex does hereby enact amendments to Rules of Procedure By-law #7 of 2018 in the form attached as **APPENDIX #1** hereto to enable electronic meetings to be held during a period of declared emergency;

1. That Council for Municipality of North Middlesex does hereby approve the Emergency Electronic Meeting Protocol attached as **APPENDIX #2** hereto to be applied to any electronic meeting held in conjunction with the amendments to Rules of Procedure Bylaw #7 of 2018, as amended, enacted under paragraph 1 of this Resolution, and that amendments to the Emergency Electronic Meeting Protocol be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are not contrary to prevailing Provincial legislation or orders; and
2. That any notice requirement under Rules of Procedure By-law #7 of 2018 be hereby waived for the purpose of this Resolution on the basis that COVID-19 and related social distancing and self-isolation are considered to be of an urgent or time sensitive nature and affect the health or well-being of the residents or property in North Middlesex

CARRIED

By-law #33 of 2020 – Amendment to Procedural By-law

MOTION #080/2020

HEMMING/MOIR: That By-law #33 of 2020 be read a first and second time

CARRIED

MOTION #081/2020

KEOGH/NICHOL: That By-law #33 of 2020 be read a third and final time

CARRIED

The Mayor then moved into the Special Meeting portion of the agenda in order to consider business as listed.

5. MINUTES OF PREVIOUS MEETINGS

MOTION #082/2020

MOIR/KEOGH: That the March 11th Special Budget and March 16th Regular Meeting Minutes be approved as presented.

CARRIED

6. DEPARTMENTAL REPORTS

a. Report from CAO/Director of Operations Jonathon Graham – Provincial Legislative Updates and Responses due to COVID 19.

Mr. Graham provided some further recent updates such as the recent update to the essential business listing from the province. There was some discussion on how the issuance of building permits are impacted with respect to the agricultural sector.

Council was advised that at the present time planning and drainage matters requiring public input are on hold.

MOTION #083/2020

NICHOL/CORNELISSEN: That the COVID 19 – Legislative Updates & Response Report be received and filed as information.

CARRIED

b. Report from Treasurer, Tracy Johnson – Financial Relief Measures – COVID 19

MOTION #084/2020

HEMMING/MCLINCHEY: That to help mitigate impacts on residents and local business during the COVID 19 pandemic that staff be directed to proceed with the following recommended temporary amendments to municipal fee and by-laws:

By-law 64 of 2017:

- Section 1.1 –waive penalty on current outstanding taxes
- Section 1.2 waive interest on tax arrears
- Section 1.11 waive NSF charges on returned payments;

By-law 46 of 2019

- Section 13.3.2 waive late payment charges on water/wastewater bills
- Section 13.3.3 waive NSF charges on returned water/wastewater bills

And that staff suspends producing or sending any statements to residents and businesses until 45 days from lifting of the North Middlesex declared state of emergency, therefore, eliminating the \$5.00 statement fee;

And that the temporary amendment of By-law 64 of 2017 and 46 of 2019 be lifted 45 days following the lifting to the North Middlesex declared state of emergency;

And that rent of any municipal facilities upon request may be deferred upon approval by the CAO and Treasurer in consultation with the Mayor;

And further that staff continue to monitor the situation and make recommendations for further municipal relief, if warranted, to council on a timely basis.

CARRIED

c. Report from Treasurer, Tracy Johnson – Financial Relief Community Service Groups COVID 19

MOTION #085/2020

NICHOL/CORNELISSEN: That to help alleviate the increased pressures of the local Ailsa Craig Food Bank and the VON, which operates the local Meals on Wheels services due to the pandemic of COVID 19 staff is recommending:

- Council approve a payment of \$1,000 to each organization from the Disaster Relief section of the Community Vibrancy Reserve Fund;
- Council approve a payment of \$4,000 to each organization from the Tax Mitigation section of the Community Vibrancy Fund.

CARRIED

It was recognized that the local food bank has been supported by other organizations outside of North Middlesex that they were grateful for.

7. PASSING OF ACCOUNTS

Compilation of accounts from March 12-25, 2020 in the amount of \$470,124.31

MOTION #086/2020

MCLINCHEY/MOIR: Be it resolved that the following Bills and Accounts be approved for payment:

General Cheques \$96,875.63

Direct Deposit \$318,719.39

On-line/PAP \$54,529.29

CARRIED

8 .OTHER OR URGENT BUSINESS

a. Discussion on establishing potential future meeting dates during emergency period –

Council concurred that the next meeting will be held on Wednesday May 6, 2020 at 6:00 p.m. by the same electronic process.

b. Jonathon Graham, CAO/Director of Operations verbal update on status of Subdivision agreement with 2665920 Ontario Inc/Jules Pattyn (Westwood Estates – Parkhill)

Mr. Graham stressed that although this is a major step in the process there is still administrative matters that need to be completed by the applicant before the shovels are in the ground. This relates to meeting conditions imposed in the draft plan approval with the County of Middlesex who is the approval authority for plans of subdivisions.

Several questions were asked by Council and responded to by Mr. Graham.

9. READING OF BY-LAWS

By-law 34 of 2020 – Authorize the execution of a Subdivision Agreement with 2665920 Ontario Inc.

By-law 35 of 2020 – Confirming By-law

MOTION #087/2020

MCLINCHEY/NICHOL: That By-laws #34 and 35 of 2020 be read a first and second time

CARRIED

MOTION #088/2020

HEMMING/KEOGH: That By-laws #34 and 35 of 2020 be read a third time and final time

CARRIED

10.ADJOURNMENT

MOTION #089/2020

MCLINCHEY/KEOGH: That the meeting adjourn at 6:46 p.m.

CARRIED

MAYOR

CLERK