

TOWNSHIP OF PELEE
Regular Meeting of Council
Monday, April 8, 2019
Royal Canadian Legion at 8:00 p.m.

- 1. Closed Session**
- 2. Confirmation of Previous Meeting Minutes**
 - a. Regular Meeting of Council, **March 25, 2019.**
- 3. Disclosure of Pecuniary Interest**
- 4. Delegations**
 - a. **Jill Crosthwaite-NCC Property**
- 5. Reports**
 - Action Reports**
 - Consent Reports**
 - a. **Treasurer-Disbursements**
 - b. **CAO/Clerk-Marina Update (verbal)**
 - c. **CAO/Clerk-Legal Counsel Update (verbal)**
- 6. Recognitions**
 - a. **From Mayor Durocher**
 - i. **Mack Feltz & Perry Ryersee-Chainsaw Safety Course Certification**
 - ii. **Jay Nageleisen & Nick Goulden-Grower Pesticide Safety Course Certification**
 - iii. **Parks in coordination with other departments-Island Brushing**
- 7. Communications and Petitions**
 - a. **Past Members of Library Board-Removal of Signing Authority**
 - b. **Marilyn Pow, Volunteer Gardening Group-Grant Funds Request**
- 8. Scheduled Motions**
 - Action Motions**
 - a. Receive communication from Volunteer Gardening Group and defer request for grant funds to the Tourism/Hunting & Fishing/Economic Development Committee for recommendation.
 - b. Appoint Ford Crawford as an interim member of the Drainage Committee.
 - Consent Motions**
 - a. NCC Update
 - b. Disbursements
 - c. Marina Update
 - d. Legal Counsel Update
- 9. Deferred Matters**
- 10. Enquires**

- a. **Councillor Malloch to Administration**-Is there an action plan for maintenance of marina facilities i.e. washrooms, sinking dock and fuel tank?

11. Emergent Matters

12. By-Laws

- a. **By-Law 2019-16**; Being a By-Law to establish rates of remuneration for Members of Council
- b. **By-Law 2019-17**; Being a By-Law to Enter into an Agreement with Transport Canada
- c. **By-Law 2019-18**; Being a By-Law to Confirm Proceedings

13. Adjournment

TOWNSHIP OF PELEE
Regular Meeting of Council
Monday, March 25, 2019
Royal Canadian Legion at 5:00 p.m.

Mayor: Ray Durocher
Deputy Mayor: Dave Dawson
Councillors: Dave DeLellis
Dayne Malloch
Sherri Smith Ouellette

Staff: John Maddox, CAO/Clerk
Michelle Feltz, Treasurer/Deputy Clerk
Stephanie Rodgers, Admin Asst.
Eric Chamberlain, Drainage Superintendent

1. Closed Session

- a. *A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board [Sec. 239(k)]*
- b. *Personal matters about an identifiable individual, including municipal or local board employee [Sec. 239(b)]*

The following Resolution was passed:

Resolution 2019-58:

Moved By: Dayne Malloch

Seconded By: Dave DeLellis

“Be it Resolved that the Council of the Corporation of the Township of Pelee hereby resolves to **move in to** a closed meeting session regarding

a. *a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board [Sec. 239(k)]*

b. *Personal matters about an identifiable individual, including municipal or local board employee [Sec. 239(b)] at 5:00 pm.”*

AGENDA

Carried.

The following Resolution was passed:

DATE April 8, 2019

NO. 2.(a)

Resolution 2019-59:

Moved By:

Dave Dawson

Seconded By:

Sherri Smith

“Be it Resolved that the Council of the Corporation of the Township of Pelee hereby resolves to move out of a closed meeting session regarding

a. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board [Sec. 239(k)]

b. Personal matters about an identifiable individual, including municipal or local board employee [Sec. 239(b)] at 6:00 pm.”

Carried.

2. Confirmation of Previous Meeting Minutes

Moved By:

Dayne Malloch

Seconded By:

Sherri Smith

3. Disclosure of Pecuniary Interest

None.

4. Delegations

None.

5. Reports

Action Reports

- a. **Administration**-Pelee in Motion: Trolley Proposal 2019-09 JGM
- b. **Treasurer**-AMP it UP 2.0 2019-10 MF
- c. **Treasurer**-Golder Proposal 2019-11 MF
- d. **Drainage Superintendent**-Drain No. 2 and West Branch Drain No. 1 2019-12 EC

Consent Reports

- e. **Treasurer**-Disbursements
- f. **Deputy Mayor Dawson**-Pelee Islander II Update
- g. **Deputy Mayor Dawson**-Pelee Island Public Library Update (verbal)

Leamington building inspector has been scheduled for a site visit that will take place at the library with the goal of gaining permission to move forward with completion of the library building.

h. **Deputy Mayor Dawson-Scudder Harbour Lands Update (verbal)**

Draft report will be forthcoming.

6. **Recognitions**

a. **From the Public**

- i. **Roads and Parks Department-Complements on the grading and improved conditions of Victoria road, and brushing on West Shore**
- ii. **Mack Feltz-Positive representative of the Municipality for work as transfer station attendant**

7. **Communications and Petitions**

- a. **Gino Saccucci and Vic Gabriele on Behalf of the Leamington Airport**
- b. **Steve Clark, Minister of Municipal Affairs and Housing**

Matter deferred to budget discussions.

- c. **Jeff Hill, Environment and Climate Change Canada (verbal)**
- d. **Vic Fedeli, Minister of Finance**

Matter deferred to budget discussions.

8. **Scheduled Motions**

Action Motions

The following Resolution was passed:

Resolution 2019-60

Moved By: Dave Dawson

Seconded By: Sherri Smith

“Be it Resolved that the Council of the Corporation of the Township of Pelee accepts the Administrative Report 2019-09 and declines to move forward with Pelee Motion Trolley Proposal.”

Carried.

The following Resolution was passed:

Resolution 2019-61

Moved By: Dayne Malloch

Seconded By: Sherri Smith

“Be it Resolved that the Council of the Corporation of the Township of Pelee accepts the Treasurer’s Report 2019-10, and direct administration to register the municipality to participate in the program, AMP it UP 2.0.”

Carried.

The following Resolution was passed:

Resolution 2019- 62

Moved By:

Dave DeLellis

Seconded By:

Dayne Malloch

“Be it Resolved that the Council of the Corporation of the Township of Pelee accepts the Treasurer’s Report 2019-11 and direct administration to move forward with a 1 year agreement and to put out an RFP for future years.”

Carried.

The following Resolution was passed:

Resolution 2019-63

Moved By:

Dave DeLellis

Seconded By:

Dave Dawson

“Be it Resolved that the Council of the Corporation of the Township of Pelee accepts the Drainage Superintendent’s Report 2019-12, and direct administration to schedule the a special meeting of Council for the Meeting to Consider the Big Marsh Drainage Scheme – Drain No. 2 and West Drain No. 1 on April 29, 2019 commencing at 1:00 pm.”

Carried.

The following Resolution was passed:

Resolution 2019-64

Moved By:

Dayne Malloch

Seconded By:

Dave DeLellis

“Be it Resolved that the Council of the Corporation of the Township of Pelee direct Administration to provide a Letter of Support to NAVCanada regarding Leamington Airport’s request that certification be provided at no charge and to ensure that Pelee also does not pay the fee due to isolated status.”

Carried.

Consent Motions

The following Resolution was passed:

Resolution 2019-65

Moved By:

Dayne Malloch

Seconded By:

Dave Dawson

“Be it Resolved that the Council of the Corporation of the Township of Pelee hereby consents to the following items:

- a. Disbursements as of March 19, 2019 in the amount of \$111,197.81
- b. Pelee Islander II Updates
- c. Pelee Island Public Library Update
- d. Scudder Harbour Lands Update.”

Carried.

9. Deferred Matters

10. Enquires

- a. **Councillor Smith to Chair of Tourism/Hunting & Fishing/ Economic Development Committee**-Is there an update on the Downtown Revitalization Grant recommendations?

Answer: This matter will be addressed at the first committee meeting and there is currently not an update.

- b. **Councillor Smith to Administration**-Does administration have recommendations for a temporary fix to the damaged wall of the west marina building?

Answer: Plywood has been installed as a temporary safety measure. Anything further will be a budget discussion.

11. Emergent Matters

None.

12. By-Laws

- a. **By-Law 2019-14; Being a By-Law to Enter into an Agreement with Golder Associates Ltd for Groundwater and Storm Water Monitoring and Annual Reporting**

The following Resolution was passed:

Resolution 2019-66

Moved By: Dayne Malloch

Seconded By: Dave DeLellis

“Be it Resolved that the Council of the Corporation of the Township of Pelee hereby adopts By-Law 2019-14; Being a By-Law to Enter into an Agreement with Golder Associates Ltd for Groundwater and Storm Water Monitoring and Annual Reporting.”

Carried.

b. By-Law 2019-15; Being a By-Law to Confirm Proceedings

The following Resolution was passed:

Resolution 2019-67

Moved By: Dayne Malloch

Seconded By: Dave DeLellis

“Be it Resolved that the Council of the Corporation of the Township of Pelee hereby adopts By-Law 2019-15; Being a By-Law to Confirm Proceedings.”

Carried.

13. Adjournment

Report Date
4/04/2019 1:55 PM

Township of Pelee
List of Accounts for Approval
As of 4/04/2019
Batch: 2019-00017

Payment #	Date	Vendor Name	Reference	Payment Amount
Bank Code: General - General Bank Account				
Computer Cheques:				
3710	3/19/2019	Voided by the print process		0.00
3711	3/19/2019	Bell Canada	Office	1,429.50
3712	3/19/2019	Bell Mobility	WSW Internet	132.77
3713	3/19/2019	EWS Electrical Wholesale	Light Bulbs	249.17
3714	3/19/2019	Grand & Toy	Stationary & Supplies	93.72
3715	3/19/2019	Hamill Building Services	Plywood	74.47
3716	3/19/2019	Maddox, John	CAO expenses	254.99
3717	3/19/2019	Owen Sound Transportation	Air Fair & Freight	224.65
3718	3/19/2019	Pelee Island Co-Op	Fuel 2017	8,978.91
Total for General:				11,438.18

Certified Correct This April 4, 2019

Mayor, Raymond Durocher

Treasurer

AGENDA

DATE April 8, 2019

NO. 5(a)

Thursday, April 4, 2019

Members of Pelee Island Municipal Council,

As the persons named below are no longer members of the Pelee Island Public Library Board – dissolved and re-formed upon the inauguration of Pelee Island Municipal Council on Monday, December 3, 2018 – it is requested this correspondence be entered into the minutes of the Monday, April 8, 2019 Regular Meeting of Municipal Council so the individuals named may be removed from “signing authority” through Libro Credit Union:

Darlene Wiper

Lisa Rollo-Kipp

Vanessa Taylor

Your assistance with this matter is greatly appreciated.

AGENDA

DATE April 8, 2019

NO. 7(a)

To: Township Of Pelee - Attention John Maddox, Interim CAO/Clerk
Michelle Feltz, Deputy Clerk/Treasurer

From: Marilyn Pow - Pelee Volunteer Garden Group aka Pelee Beautification Group

Date: January 16, 2019

Re: Pelee Island's Grant for Main Street Beautification

I understand that Pelee Island has been granted \$37,853.41 for streetscaping, landscaping, etc. improvements. Our group would like to request the following amount:

-improvements to the garden borders that are rotting in front of the Township	\$500.
-replacing rotting wooden planters with concrete ones	\$1600.
-street banners	\$800.
-replacing 2 benches that are rotting in front of the Heritage Center with heavy steel benches to withstand the wear, tear and winds	\$1000
-placing a new bench (same quality as at the Heritage Center)out on the dock where foot passengers come off the ferry	\$500

Total \$4400

Thank you,
Marilyn Pow



AGENDA

DATE April 8, 2019

NO. 7(b)

AGENDA

DATE April 8, 2019 CORPORATION OF THE TOWNSHIP OF PELEE

BY-LAW NO. 2019-16

NO. 12(a) ~~A By-Law to establish rates of remuneration for Members of Council.~~

(April 8, 2019)

WHEREAS Section 283 (1) of the *Municipal Act, 2001* provides that a municipality may pay any part of the remuneration and expenses to the Members of Council, and such remuneration may be determined in any manner that Council considers advisable; and

WHEREAS despite any Act, a municipality may only pay the expenses of the members of its Council if the expenses are of those persons in their capacity as members, officers, or employees, and if the expenses are in lieu of the expenses actually incurred, a reasonable estimate, in the opinion of the Council of the actual expenses that would be incurred; and

WHEREAS the *Municipal Act, 2001*, Section 283 (7) also states: "Council shall review a by-law under subsection (5) at a public meeting at least once during the four year period corresponding to the term of office of its members after a regular election"; and

WHEREAS Council of The Corporation of the Township of Pelee deems it necessary and desirable to enact a by-law to establish the rate of remuneration for the Members of Council for the term of Council 2019 to 2022.

NOW THEREFORE the Council of the Corporation of the Township of Pelee enacts as follows:

1. That the Mayor shall receive \$11,000.00 per annum remuneration paid in equal quarterly installments less statutory deductions.
2. That the Deputy Mayor shall receive \$8,000.00 per annum remuneration paid in equal quarterly installments less statutory deductions.
3. That each Councillor shall receive \$7,000.00 per annum remuneration paid in equal quarterly installments less statutory deductions.
4. That the preceding remuneration shall cover all regular, special and emergency Council and committee meetings as well as additional Council duties as outline in the *Municipal Act, 2001* Section 224 & 225.
5. That all Members of Council shall be reimbursed for actual expenses incurred while engaged in meetings and/or Council business outside the boundaries of the Township

upon submission of proper documentation to Administration. Such expenses may include:

- Parking;
- Accommodation (prepaid);
- Meals with submitted receipts
 - Breakfast \$15.00;
 - Lunch \$15.00;
 - Dinner \$25.00; or,
 - Up to \$55.00 daily.
- Tips up to 15% of the bill;
- Cab fare to event functions; and,
- Registration fee (prepaid).

Ineligible expenses include:

- Any costs incurred by the attendance of a companion;
- Hospitality or entertainment; and,
- Alcoholic Beverages.

6. That all Members who use their personal vehicle to conduct Township business shall be compensated at such a rate as prescribed by policy, for each actual kilometer driven, subject to the completion of the prescribed forms.
7. That, notwithstanding section 7 of this policy, all attempts shall be made to schedule and hold meetings within the boundaries of the Township to reduce expenses incurred.
8. Subject to funds being available in the current year budget, Members of Council, may attend conferences, subject to the following conditions:
 - a) Two conference of Members' choice, within the Province of Ontario in one calendar year;
 - b) Attendance to conferences geographically outside of the Province of Ontario be at the Members' expense;
 - c) Accommodations shall be reserved by Administration;
 - d) Members shall be responsible for surplus charges resulting from the attendance of a companion; and,
 - e) Whenever possible, Members shall opt for transportation modes of the best value and carpool when attending the same event. Mileage will be compensated at the regular mileage rate for the use of personal vehicles.

9. The Provisions of this By-Law upon the final passing thereof shall come into force as of April 8th, 2019.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 8TH, DAY OF APRIL 2019.

Raymond Durocher, Mayor

John Maddox, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF PELEE
BY-LAW: 2019-17
"NATURE CONSERVANCY OF CANADA AGREEMENT"

(April 8, 2019)

A By-Law to authorize execution by the Mayor and CAO/Clerk of an agreement between the Municipality and Minister of Transport – Pre-Transfer Activities Project, Revival and Amendment Agreement

The Council of the Corporation of the Township of Pelee of Pelee hereby enacts as follows:

- 1.) That the Mayor and CAO/Clerk are hereby authorized to execute and affix the corporate seal to an agreement between the Municipality and Minister of Transport.
- 2.) That the agreement attached as Schedule 'A' forms part of this by-law.

READ IN OPEN COUNCIL THREE TIMES AND PASSED THIS 8th DAY of April, 2019.

MAYOR, Raymond Durocher

CAO/Clerk, John Maddox

AGENDA

DATE April 8, 2019

NO. 12(b)

**CANADA – THE CORPORATION OF THE TOWNSHIP OF PELEE
PORT ASSET TRANSFER PROGRAM**

PRE-TRANSFER ACTIVITIES PROJECT

REVIVAL AND AMENDMENT AGREEMENT

This revival and amendment agreement is effective as of the date of the last signature.

BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of Transport (“Canada”)

AND THE CORPORATION OF THE TOWNSHIP OF PELEE, continued or incorporated as pursuant to the *Municipal Act* (the “Recipient”).

individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

WHEREAS The parties entered into a Port Asset Transfer contribution agreement, effective May 9, 2017, as amended, (the “Agreement”), with respect to Canada’s funding of pre-transfer activities to assess the feasibility of entering into an agreement to transfer with Her Majesty (“Agreement to Transfer”) with respect to the Port of Pelee Island (Scudder Wharf) located at Pelee Island, Ontario (“Port”) (the “Project”);

WHEREAS The Agreement provides for a termination date of March 31, 2019 (the “Termination Date”);

WHEREAS The parties had intended to extend the Agreement, and to amend its terms before its termination, but no formal agreement was executed prior to that date;

WHEREAS The parties wish to remain bound by the Agreement as though it had been formally extended prior to its termination, and therefore wish to revive the Agreement, and to amend it accordingly;

AND WHEREAS the Parties wish to amend the Agreement to extend the Agreement End Date, among other changes (“Revival and Amendment Agreement”);

NOW THEREFORE, The Parties hereby agree as follows:

1. The parties agree to revive the Agreement which shall continue in full force and effect, as if it had not expired.
2. The parties agree, subject to the amendments set out in this agreement, to remain bound by the terms and conditions of the Agreement to the same extent as would have been the case had the Agreement been formally extended prior to its termination.

3. The definition of "Agreement End Date" in Section 1.1. (Definitions) of the Agreement is deleted and replaced by the following:

"Agreement End Date" means 31st day of the month of March 2020.

4. Paragraph a) of Section 4. (Recipient's Representation and Warranties) of the Agreement is deleted and replaced by the following:
 - a) The Recipient has the capacity and authority to enter into this Agreement and to carry out the Eligible Activities by By-Law 2017-17 dated April 8, 2019.

5. Paragraph a) of Section 5.1. (Awarding of Contracts) of the Agreement is deleted and replaced by the following:

- a) The Recipient shall ensure that all contracts are awarded and managed in accordance with its policies and procedures. Notwithstanding the foregoing, the Recipient shall ensure that Contracts are awarded in a way that is transparent and consistent with value-for-money principles, or in a manner otherwise acceptable to Her Majesty, and if applicable, in accordance with the Canadian Free Trade Agreement and international trade agreements.

6. Schedule B (Eligible Activities and Budget) of the Agreement is deleted and replaced by a revised Schedule B (Eligible Activities and Budget), hereto attached as Annex A.

7. Except for the amendments provided for in this Revival and Amendment Agreement, the obligations, covenants, and terms and conditions set forth in the Agreement will continue to remain in full force and effect.

8. All capitalized terms not otherwise defined herein have the meaning ascribed to them in the Agreement.

9. The Agreement may be signed in counterpart, and when attached, the signed copies shall constitute an original and fully-executed agreement.

10. This Revival and Amendment Agreement will be effective as of the date this agreement is signed by the last Party.

Each party is signing this agreement on the date stated opposite that party's signature.

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of Transport.

Date: _____

By: _____

Name: Gail Wannop

Title: Regional Director, Programs Branch,

Ontario Region

**THE CORPORATION OF THE TOWNSHIP
OF PELEE**

Date: _____

By: _____

Name: Raymond Durocher

Title: Township of Pelee, Mayor

Date: _____

By: _____

Name: John Maddox

Title: Township of Pelee, CAO/Clerk

Annex A

SCHEDULE B – ELIGIBLE ACTIVITIES AND BUDGET

The Recipient will carry out the following activities to exercise due diligence in advance of the potential transfer of the Port. The funding by Her Majesty will allow the Recipient to determine the feasibility of acquiring the Port and, if feasible, to submit a Port Proposal to pursue the acquisition of the Port.

A. ELIGIBLE EXPENDITURES BY ELIGIBLE ACTIVITY	TOTAL	FISCAL YEAR BREAKDOWN	
		April 1, 2018 – March 31, 2019	April 1, 2019 – March 31, 2020
		Effective Date to Proposal Date	After Proposal Date
LEGAL FEES			
Review or preparation of legal documents associated with a Port transfer with eligible HST (1.76% HST)	\$49,386	\$0	\$49,386
PROFESSIONAL SERVICES			
Provision of environment-related advice including review of documents and development of a report with findings with eligible HST (1.76% HST)	\$16,287	\$16,287	\$0
Provision of a site inspection, review of Genivar inspection report and assessment of potential long term costs with eligible HST (1.76% HST)	\$17,129	\$17,129	\$0
TOTAL A: TOTAL ELIGIBLE EXPENDITURES	\$82,802	\$33,416	\$49,386

B. SOURCES OF FUNDING	TOTAL	FISCAL YEAR BREAKDOWN	
		April 1, 2018 – March 31, 2019	April 1, 2019 – March 31, 2020
		Effective Date to Proposal Date	After Proposal Date
HER MAJESTY'S MAXIMUM CONTRIBUTION	\$82,802	\$33,416	\$49,386
TOTAL B: TOTAL FUNDING FOR ELIGIBLE ACTIVITIES	\$82,802	\$33,416	\$49,386

C. Total Financial Assistance received for the Eligible Activities	
Contributor	Amount
None	\$0

**THE CORPORATION OF THE TOWNSHIP OF
PELEE**

BY-LAW: 2019-18

"CONFIRMATION OF PROCEEDINGS"

(April 8, 2019)

A by-law to confirm the proceedings of Council

WHEREAS the *Municipal Act 2001*, as amended, states that the powers of a municipal corporation are to be exercised by by-law;

AND WHEREAS the Council of The Corporation of the Township of Pelee wishes to confirm the proceedings and business conducted by Council;

NOW THEREFORE the Council of The Corporation of the Township of Pelee does hereby enact as follows:

1. That the action of the Council at its Council meeting held on the 8th day of April, 2019 in respect to each motion, resolution and other action passed and taken by Council is hereby adopted, ratified and confirmed; save and except resolutions resulting from closed meetings.
2. That the Mayor and the proper Officers are hereby authorized and directed to execute all documents as may be necessary and the Clerk is authorized and directed to affix the Corporate Seal to all such documents.
3. That this by-law shall be cited as the "Confirmation of Proceedings By-law" (April 8, 2019)
4. That this by-law shall come into force and take effect on the date of passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 8th day of April, 2019.

AGENDA

MAYOR, Raymond Durocher

DATE

April 8, 2019

CAO/Clerk, John Maddox

NO.

12(c)