



THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

REGULAR COUNCIL MEETING MINUTES

August 9, 2022

PRESENT: Pauline Rochefort, Mayor Steven Trahan, Deputy Mayor
 Terry Kelly, Councillor Rick Champagne, Councillor
 Erika Lougheed, Councillor

STAFF Monica L. Hawkins, Clerk Jason Trottier, CAO/Treasurer
PRESENT:

1. Call to Order

Mayor Rochefort called the meeting to order at 6:02 p.m.

2. Adoption of Agenda

2022-221

Moved by Councillor Lougheed

Seconded by Deputy Mayor Trahan

THAT the draft agenda presented to Council and dated the 9th day of August, 2022 be adopted as prepared.

Carried Mayor Rochefort

3. Accepting the Minutes of the Previous Meeting(s):

a. Council Minutes of July 12th, 2022

2022-222

Moved by Councillor Kelly

Seconded by Councillor Champagne

That the Minutes of the Regular Council Meeting held July 12th, 2022 be adopted as circulated.

4. Business Arising from the Minutes

None for this session

5. Declarations of Conflict of Interest- Pecuniary Interest Thereof

None for this session

6. Chair's Comments:

Mayor Rochefort advised that the 2022 Cycling was a major event last week and she advised that the Astorville Picnic was well attended.

7. Delegations to Council:

a. Todd Wilcox

Mr. Tod Wilcox, Board Member of the Trout Lake Conservation Association made a presentation to Council regarding the Trout Lake Water Study

b. David Boland

Mr. David Boland made a presentation to Council regarding the Quarry Application on Lavigne Road

c. Phil Koning

Mr. Phil Koning made a presentation to Council regarding the Quarry Application on Lavigne Road

8. Committee Reports:

a. Public Works and Infrastructure Committee

Deputy Mayor Trahan made a report regarding the Public Works Committee meeting. Deputy Mayor Trahan advised that a recommendation was being brought forward to Council for approval of the Assumption of Private Roadways Policy and later during the meeting, 1st and 2nd reading of Nuisance Beaver By-law would be presented to Council.

1. Minutes of Meeting - July 12th, 2022

2. Minutes of Meeting - July 28th, 2022

3. Recommendation from Minutes

2022-223

Moved by Councillor Kelly

Seconded by Deputy Mayor Trahan

THAT Council approve the Assumption of Unmaintained Municipal Roads and Private Roadways Policy as prepared and presented.

Carried Mayor Rochefort

- b. Community Emergency Management Committee

None for this session

- c. Fire and Emergency Services Committee

None for this session

- d. Planning Advisory Committee

None for this session

- e. Committee of Adjustment

None for this meeting

- f. Recreation, Parks and Culture Committee

None for this meeting

- g. Economic Development Committee

Deputy Mayor Trahan reported on the minutes of the Economic Development Committee. He advised that this was their last meeting of the year. Deputy Mayor Trahan thanked all present and past committee members for their service to the Municipality.

- 1. Minutes of Meeting - July 20th, 2022

- 2. Resolution Accepting Resignations

2022-224

Moved by Deputy Mayor Trahan

Seconded by Councillor Champagne

THAT Council accepts the resignation of Mr. Jake Lacourse and Mr. Steve Austin from the Economic Development Committee;

AND THAT a thank you letter be forwarded to Mr. Lacourse and Mr. Austin for their past services to the Economic Development Committee.

Carried Mayor Rochefort

- h. Communications Committee

None for this session

- i. Municipal Office Project/Technical Advisory Committee

None for this session

9. Board Reports:

- a. Library Board

None for this session

- b. Police Services Board

None for this session

10. Departmental Reports & Resolutions:

None for this session

11. Notice of Motions

None for this session

12. By-laws:

- a. By-law No. 2022-10 - 3rd Reading

Council deferred third reading of this by-law to the new in-coming Council.

- b. By-Law No. 2022-42 - 1st and 2nd Reading

2022-225

Moved by Deputy Mayor Trahan

Seconded by Councillor Kelly

THAT By-law No. 2022-42 being a By-law to adopt a policy respecting the management of nuisance beavers and beaver dams in the Municipality of East Ferris be read a first and second time this 9th day of August, 2022.

Carried Mayor Rochefort

13. Correspondence and Information Items:

- a. Minister of Infrastructure
- b. Ministry of the Solicitor General
- c. City of Brantford
Council referred for support
- d. Town of South Bruce Peninsula

- e. Township of Mulmar
- f. AMO Communications
- g. North Bay Mattawa Conservation Authority
- h. CN
- i. Enbridge Gas
- j. Adrien Bezaire
- k. Letters of Concerns Received Regarding Quarry Pit on Lavigne Road
Council acknowledged receipt of letters from concerned residents regarding the application of the Quarry on Lavigne Road.
- l. Residents of 1764 to 1772 Highway 94
- m. Trout Lake Conservation Association
- n. Wilfrid Weiskopf, President, Nosbonsing Anglers and Hunters
Council referred to Parks and Recreation Department
- o. Mercedes Proulx

14. Action Items:

- a. Approval of Correspondence and Information Circulated with the Agenda
2022-226
Moved by Deputy Mayor Trahan
Seconded by Councillor Champagne
THAT Council approve the Correspondence and Information as circulated with the agenda of August 9th, 2022.

Carried Mayor Rochefort

15. Approval of Accounts Payable

- 2022-227**
Moved by Deputy Mayor Trahan
Seconded by Councillor Kelly
THAT Council approve the general accounts for the Municipality of East Ferris as indicated in the cheque register(s) dated August 9th, 2022 in the amount of \$566,749.96.

Carried Mayor Rochefort

16. Other Business

- a. Discussion - Return of Public Attendance at Council Meetings

2022-228

Moved by Deputy Mayor Trahan

Seconded by Councillor Champagne

WHEREAS Council returned to in-person meetings on April 26th, 2022 with no public in attendance;

BE IT HEREBY RESOLVED THAT Council will continue to not have the public present at the meetings with the exception of delegations to Council only.

Carried Mayor Rochefort

17. In Camera (if required)

Council passed a resolution to go to In-Camera session to discuss the following matters:

- Personal matters about an identifiable individual - Municipal Staff and advice subject to solicitor-client privilege regarding Private Road (One Mile Road) and Quarry Application.

After resuming from the In-Camera session, Mayor Rochefort advised that there were two resolutions that would be brought forward. One resolution was pertaining to One Mile Road. The second resolution was pertaining to the Quarry Application. Mayor Rochefort read a statement and CAO Trottier read a letter that will be sent to Pebble Beach Aggregate regarding the Application for a Class "A" licence to operate a quarry above the groundwater table by Ministry ID number: 626565.

The following is Mayor Rochefort's statement that was read at the meeting:

As was stated publicly at the last Council meeting, the Municipality does not have the authority to decide or approve in the matter of the Lavigne Road quarry license application. It is a decision of the provincial government to change the existing license from B to A. The Municipality would have more options if the application was accompanied by a zoning or Official Plan amendment request: matters that are the responsibility of a municipal government. However, in this case, because it is a long-standing operation, no Official Plan or zoning by-law amendment is required.

The Municipality is therefore on an equal footing with the residents in providing information to the government and the applicant. The question of whether Council will provide a comment was discussed by Council at our July meeting and again at tonight's August 9th meeting. To prepare the Council for this discussion, a special public Council meeting was held a few weeks ago. For this meeting, the applicant was invited to present the project. Prior to the meeting, Council members received the full application and were therefore prepared to ask questions. Since then, Council members have had the opportunity to reflect and request additional information e.g. information pertaining to the demand and need for aggregates in our community and neighboring communities,

as well information on the cost benefits of having our own source of aggregates in East Ferris.

Council has also heard from citizens, some of whom are totally opposed to the application, and some of whom are totally in favor of it. We also heard from citizens who I would define as being in the middle of the issue. My own count suggests that there are more citizens that I would position in the middle: residents who are looking for more understanding of what is involved with a quarry operation, or citizens seeking changes or modifications to the application in order to address a personal concern. And the concerns are varied: road safety, road repair and maintenance, cost to taxpayers, noise levels from industrial equipment, hours of operation, water quality, impact of blasting on wells, septic systems and home foundations, air quality and silica concerns, environmental impacts on natural habitats, setbacks, fencing etc. It is good that many citizens have put their concerns in writing and submitted them to the applicant as well as with the regulator.

We also want to commend the citizens for the special information session held last week and for verbally conveying their concerns to the applicant. It was a well structured and organized meeting. It was good to witness the exchange of information between the citizens and the applicant. For those of us who stayed until the end of the meeting, I think we can all agree that the last 15 minutes of the meeting were excellent. Several times we heard the words "how can we find common ground" expressed by either the applicant or citizens.

We also heard the applicant ask residents "what would you like to see" ... as they opened the door for citizen input. On behalf of the Municipality I commend the Degagné's for their attendance at both the meeting with the Council and then with the citizens and for their willingness to listen and respond to issues and concerns. Personally I am very proud to have the Degagné group of companies as part of our community.

Marcel and Daniel's attitude at the end of last week's meeting made us think about some articles that were forwarded to Council by Cindy Simis. These were articles about members of the Ontario Stone, Sand and Gravel Association that featured awards received by member companies. These companies were recognized for being best in class in terms of health, safety, community relations practices, etc. As an example, one of the articles featured Walker Aggregates' Orillia operations. The award summary stated, *"Walker Aggregates is committed to keeping its Orillia operations safe, clean and in good standing with its neighbors. In addition, its employee safety training program, as well as road signs and vehicle beacons, help prevent incidents on its roads. At the same time, dust and noise control measures, as well as a robust complaint system, ensure that the impacts of its operations are regularly monitored and addressed. Community members are kept informed of all site activities through a newsletter. They are also invited to share their comments and concerns at a summer barbecue, holiday wine and cheese, and ongoing online and in-person interactions."*

If the license application is approved in East Ferris, maybe at some point in the future we will witness this type of award directed to our quarry. It is with this wish that we now read the letter of objection from the Municipality.

2022-229

Moved by Deputy Mayor Trahan

Seconded by Councillor Lougheed

THAT this meeting proceeds to In-Camera session at 7:25 p.m., under Section 239(2)(b) and (f) of the Municipal Act, 2001, S.O. 2001, c.25 in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees; and
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried Mayor Rochefort

2022-230

Moved by Councillor Lougheed

Seconded by Councillor Champagne

THAT we do now adjourn this In-Camera meeting at 8:32 p.m. and return to our regular session of Council.

Carried Mayor Rochefort

2022-231

Moved by Deputy Mayor Trahan

Seconded by Councillor Kelly

THAT Council authorizes staff to respond to Mr. Glenn Brophey's letter dated June 1st, 2022 from the Council Agenda of June 12th, 2022 pertaining to the ongoing concerns regarding maintenance and legal status of One Mile Road.

Carried Mayor Rochefort

2022-232

Moved by Deputy Mayor Trahan

Seconded by Councillor Champagne

THAT Council authorizes staff to send a letter to Mr. David Villard, Pebble Beach Aggregate along with a copy of the letter to the Integrated Aggregate Operations Section, with the Ministry of Northern Development, Mines, Natural Resources and Forestry regarding Municipal comments in respect to application made by 1851477

Ontario Inc. for an application for a class “A” licence to operate a quarry above the groundwater level.

Carried Mayor Rochefort

18. Confirmatory By-Law

- a. By-law No. 2022-43 - 1st, 2nd and 3rd Reading

2022-233

Moved by Councillor Kelly

Seconded by Councillor Lougheed

WHEREAS Council for the Municipality of East Ferris deems it expedient to pass three readings of the following by-law at this session; BE IT HEREBY RESOLVED THAT a By-law to confirm the proceedings of Council from July 12th, 2022 to August 9th, 2022, BE READ a first, second and third time, passed and numbered 2022-43;

AND THAT said by-law be signed by the Mayor and Clerk and sealed with the Seal of the Corporation.

Carried Mayor Rochefort

19. Adjournment

2022-233

Moved by Councillor Lougheed

Seconded by Deputy Mayor Trahan

THAT we do now adjourn at p.m. and meet again on September 13th, 2022.

Carried Mayor Rochefort

Mayor

Pauline Rochefort

Clerk

Monica L. Hawkins

