



*The Corporation of the Township of Perry*

**MINUTES**  
**REGULAR MEETING**  
**Wednesday March 1<sup>st</sup>, 2023**  
**7:00 p.m.**  
**Municipal Office and Electronic Attendance**  
**(1695 Emsdale Road, Emsdale, ON)**

Any and all Minutes are to be considered Draft until approved by Council at a Regular Meeting of Council

**In Attendance:**

**Municipal Office:**

Norm Hofstetter, Mayor  
Beth Morton, Clerk-Administrator  
Kim Seguin, Treasurer-Tax Collector  
Erica Cole, Deputy Clerk

**Electronic Attendance:**

Councillors: Joe Lumley, Paul Sowrey, Margaret Ann MacPhail, and Jim Cushman  
Mike Wilmon, CBO/By-law Enforcement Officer  
Randy McLaren, Working Roads Supervisor

**Members of the Public:**

None

**Declaration of Pecuniary Interest**

Councillor Cushman declared pecuniary interest on Agenda Item 7.3 on the Council Agenda of March 1<sup>st</sup>, 2023, due to owning and operating the gravel/stone business who has requested that review of the removal of half-load restrictions on a portion of Savage Settlement Road be conducted.

**Resolution No. 2023-49**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Corporation of the Township of Perry hereby approves the Addendum to include Agenda Item 11.1, Closed Session relating to Section 239(2)(e), on the March 1, 2023 Regular Meeting of Council.

**Carried**

**Resolution No. 2023-50**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Corporation of the Township of Perry approves the Minutes of the following Meeting as presented:

- 3.1. Regular Meeting of Council on Wednesday February 15<sup>th</sup>, 2023
- 3.2. Public Meeting Minutes on Wednesday February 15<sup>th</sup>, 2023 – Zoning By-law Amendment (Part of Lots 12 and 13, Concession 3, located at 649

**Carried**

**Resolution No. 2023-51**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Corporation of the Township of Perry has received the Minutes and/or Reports from the following Municipal Boards and Committees:

**5.1. Almaguin Highlands Health Council**

5.1.1. February 2023 Draft Minutes

5.1.2. AHHC Progress Status February 2023

**5.2. District Social Services Administration Board**

5.2.1. February 2023 CAO Report

**5.3. Almaguin Community Economic Development Committee**

5.3.1. Director of Economic Development February 2023 Report

5.3.2. January 2023 Minutes

5.3.3. Draft 2023 ACED Workplan

**5.4. Township of Perry Public Library Board**

5.4.1. December 2022 Minutes

5.4.2. December 2022 CEO Report

5.4.3. November 2022 Minutes

5.4.4. November 2022 CEO Report

**5.5. Township of Perry Recreation and Culture Committee**

5.5.1. January 2023 Minutes

**5.6. Kearney Perry Joint Waste Management Committee**

5.6.1. February 2023 Draft Minutes

5.6.2. Proposed 2023 Budget

**5.7. Eastholme Board of Management**

5.7.1. February 2023 Report

**Carried**

**Resolution No. 2023-52**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Corporation of the Township of Perry has received the Monthly Reports, as circulated, from the following Municipal Departments:

**6.1. Fire Department**

6.1.1. Fire Training and Chiefs Report – February 2023

**6.2. Public Works**

**6.3. Transfer Station**

**6.4. Finance Department**

**Carried**

**Resolution No. 2023-53**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

***Be it resolved that*** By-law 2023-04 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry (February 2023 Meetings)" be given first and second reading.

**Carried**

**Resolution No. 2023-54**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** By-law 2023-04 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry (February 2023 Meetings)" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2023-55**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** By-law 2023-05 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands legally described as Part of Lots 12 and 13, Concession 3, in the Township of Perry" be given first and second reading.

**Carried**

**Resolution No. 2023-56**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** By-law 2023-05 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands legally described as Part of Lots 12 and 13, Concession 3, in the Township of Perry" be given third and final reading and enacted in open Council.

**Carried**

Councillor Cushman, having previously declared pecuniary interest, did not participate or vote on Agenda Item 7.3.

Item 7.3 By-law 2023-06 Reduced Load Limit By-law was deferred by Mayor Hofstetter and considered by Council following Closed Session of the March 1<sup>st</sup>, 2023 Regular Council Meeting.

**Resolution No. 2023-57**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** By-law 2023-07 "Being a By-law to Repeal By-law 2000-27, being a By-law authorizing an Agreement between the Township and Frederick and Bessie Marhsall" be given first and second reading.

**Carried**

**Resolution No. 2023-58**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

**Be it resolved that** By-law 2023-07 "Being a By-law to Repeal By-law 2000-27, being a By-law authorizing an Agreement between the Township and Frederick and Bessie Marshall" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2023-59**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

**Be it resolved that** the Council of the Corporation of the Township of Perry hereby receives the Health and Safety Report prepared by the Deputy Clerk dated March 1<sup>st</sup>, 2023.

**Carried**

**Item 9.1 – DSSAB Formal Appointments for 2022-2026 Term {Information}**

Council received the information on the formal appointments to the Parry Sound District Social Services Administration Board (PSDSSAB) and looks forward to a future presentation from Area 4 Representatives on coming programs and sessions through PSDSSAB.

**Resolution No. 2023-60**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

**Whereas** the Township entered into an Agreement between the Township and Frederick and Bessie Marshall for the use, enjoyment and benefit of a well installed on Township property;

**And Whereas** the use of the well on Township lands is no longer required;

**Be it resolved that** the Council of the Corporation of the Township of Perry hereby repeals said Agreement and hereby authorizes the Mayor and Clerk to execute all documents and take all action necessary to remove the Agreement from title.

**Carried**

**Resolution No. 2023-61**

**Moved by: Paul Sowrey**

**Seconded by: Margaret Ann MacPhail**

**Whereas** Budget Propane Corporation has made a request that the Council of the Corporation of the Township of Perry consider a Half Load Exception for Heating Fuel (propane);

**Be it resolved that** the Council of the Corporation of the Township of Perry hereby supports Budget Propane Corporation's request for a Half Load Exemption for roads under the jurisdiction of the Township of Perry, extending the interpretation of Section 122(2) of the *Ontario Highway Traffic Act* for vehicles used exclusively for the transportation of liquid or gaseous heating fuels to include three axle (tandem rear axle) commercial vehicles such that they may carry a weight of 6700 kilograms per axle, for the 2023 season;

**And further that** the Council of the Corporation of the Township of Perry hereby directs the Clerk-Administrator and Working Roads Supervisor to prepare and forward the letter of support to Budget Propane Corporation.

**Carried**

**Resolution No. 2023-62**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

**Be it resolved that** the Council of the Corporation of the Township of Perry hereby receives Correspondence Items 10.1 to 10.9 as outlined in the Agenda of Wednesday March 1<sup>st</sup>, 2023.

**Carried**

**Resolution No. 2023-63**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

**Be it resolved that** in accordance with Section 239 of the *Municipal Act, 2001*, as amended, Council shall proceed into 'Closed Session' at 7:32 p.m. in order to address matters relating to Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees; and 239(2)(e) litigation or potential litigation, including matters before administrative tribunal, affecting the municipality or local board

**Carried**

**Resolution No. 2023-66**

**Moved by: Paul Sowrey**

**Seconded by: Joe Lumley**

**Be it resolved that** the Council of the Corporation of the Township of Perry reconvenes to its Regular Meeting of Council of Wednesday March 1<sup>st</sup>, 2023 at 8:35 p.m.

**Carried**

**REPORTING OUT OF CLOSED**

Mayor Hofstetter advised that Council approved the Closed Session Minutes of February 15<sup>th</sup>, 2023, and received and provided direction to staff regarding a proposed or pending disposition of land by the municipality, personal matters about an identifiable individual, including municipal or local board employees, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Councillor Cushman, having previously declared pecuniary interest, did not participate or vote on Agenda Item 7.3 or Resolution 2023-67.

**Resolution No. 2023-TABLED**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

**Be it resolved that** By-law 2023-06 "Being a By-law to provide for reduced load limits in the Township of Perry and to repeal By-law 2000-06" be given first and second reading.

**Carried**

**Resolution No. 2023-67**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Corporation of the Township of Perry hereby direct that a third-party engineer's report be completed on Savage Settlement Road from Hwy 592 to 178 Savage Settlement Road to confirm that the road meets specifications for hauling full loads during half load restrictions at the expense of Cushman Stone and Gravel, prior to exemption being considered and approved.

**Carried**

**Resolution No. 2023-68**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Corporation of the Township of Perry hereby delegate authority to the Road Supervisor to issue certain temporary or annual exemptions to the Reduced Load Limit By-law at this discretion, where circumstances warrant it, for services deemed essential or immediate in nature.

**Carried**

The Meeting adjourned at approximately 8:44 p.m.

Dated this 15<sup>th</sup> day of March, 2023.

**"Originally Signed"**

Norm Hofstetter, Mayor

**"Originally Signed"**

Beth Morton, Clerk-Administrator