

## Special Council Meeting

July 8, 2024

6:00 pm

Council Chambers

**IMPORTANT NOTICE:** This meeting will be held in person and will be open to the public in the Council Chambers.

It will also be recorded and livestreamed electronically on the "Village of Merrickville-Wolford" YouTube channel accessible by clicking

[https://www.youtube.com/channel/UC\\_OEkw3yIMarGSHGeNecrQg](https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg)

Pages

1. **Call to Order**
2. **Approval of the Agenda**
3. **Disclosure of Pecuniary Interest or the General Nature Thereof**
4. **Draft Motions for Consideration** 1
5. **Public Meeting** 2  

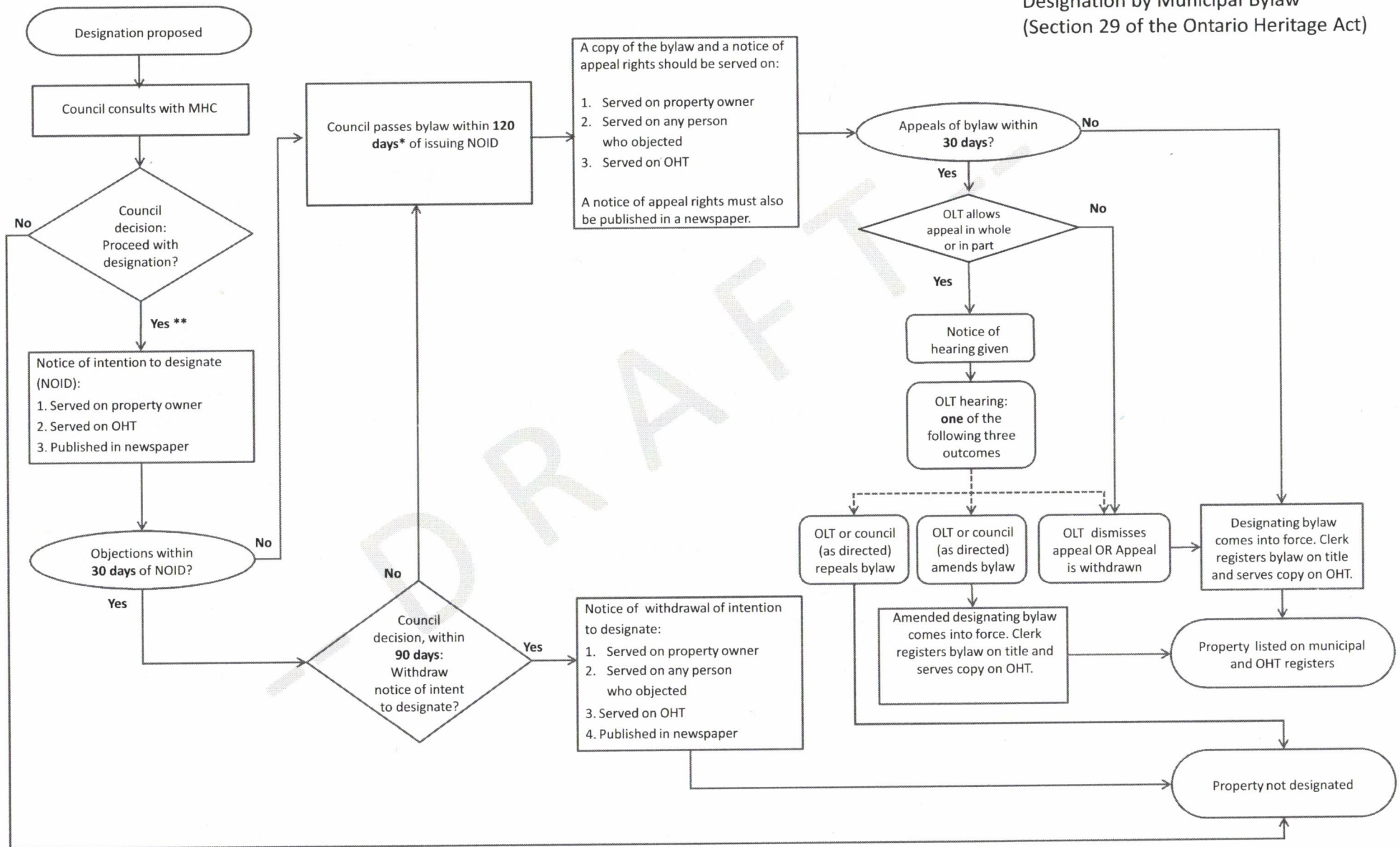
The purpose of the Public Meeting is to provide an opportunity for public comments regarding the heritage designation of cemeteries, specifically the proposed heritage designation of McGuigan's cemetery.
6. **Return to Special Meeting of Council**
7. **Confirming By-law 45-2024** 5
8. **Adjournment**

Next meetings of Council:

Regular Council Meeting - July 8, 2024 at 7:00 p.m.

1.	<b>Call to Order</b> -----
2.	<b>Adoption of the Agenda</b> THAT the Agenda for the Special Council Meeting held on July 8, 2024, be approved as presented. -----
3.	<b>Disclosure of Pecuniary Interest and the General Nature Thereof</b> -----
4.	<b>Draft Motions for Consideration</b> THAT the Council of the Corporation of the Village of Merrickville-Wolford receive for information the Draft Motions for Consideration document as presented. -----
5.	<b>Public Meeting</b> THAT the Council of the Corporation of the Village of Merrickville-Wolford enter into a Public Meeting to provide an opportunity for public comments regarding the heritage designation of cemeteries, specifically the proposed heritage designation of McGuigan's cemetery. -----
6.	<b>Return to Special Meeting of Council</b> THAT the Council of the Corporation of the Village of Merrickville-Wolford close the Public Meeting component and re-enter into the Special Meeting of Council. -----
7.	<b>Confirming By-law 45-2024</b> THAT the Council of the Corporation of the Village of Merrickville-Wolford give First, Second, Third and Final Reading to By-law 45-2024 Being a By-law to Confirm the Proceedings of Council for the Special Meeting of July 8, 2024; AND FURTHER THAT authorization be given to the Mayor and Clerk to sign, seal and place in the By-law Book for the Municipality By-law Number 45-2024. -----
8.	<b>Adjournment</b> THAT the Council of the Corporation of the Village of Merrickville-Wolford adjourn at XX p.m.

Designation by Municipal Bylaw  
(Section 29 of the Ontario Heritage Act)



\*If council fails to meet these timelines, the NOID will be deemed withdrawn, and council must issue a notice of withdrawal. For exceptions to the 120-day timelines, please consult the guidance text.

\*\* Council has a limited 90 day period to give its notice of intention to designate a property when the property is subject to an official plan amendment, a zoning bylaw amendment, or plan of subdivision.

***June 22, 2024***

***To the Council of Merrickville-Wolford***

***Re: Heritage Designation of McGuigan's Cemetery***

***Sent via email***

Thank you for allowing me to comment on this matter. My name is Cheryl Anderson, and I own 514 County Road 23, which is just down the road from McGuigan's Cemetery.

I have not yet formed an opinion on whether McGuigan's should be designated as an historical property. This is because, in my opinion, key information is still missing. With respect, I would like to suggest that Council is also missing information it should consider before proceeding on this matter.

***We know McGuigan's qualifies for designation***

The Heritage and Planning Committee has established that **McGuigan's cemetery qualifies for designation a heritage property**. Congratulations and thanks are due to the Heritage and Planning Committee for its hard work and an excellent report.

***There's a twist: the Village is also the owner of McGuigan's***

But this is not just a policy decision! Because the Village is the owner of McGuigan's and in the end would be responsible for performing and paying for anything arising out of designation, **Council needs to consider its obligations related to its representative and stewardship roles**.

***Missing information part 1: Does the Village actually want this?***

**In its representative role, Council has an obligation to determine if the citizens of Merrickville-Wolford actually want the cemetery to be designated**. Of course, Council is a duly elected body and probably already has the mandate to decide on behalf of the citizens of Merrickville-Wolford, but in this particular situation, consultation is perhaps the more judicious approach. I am sure **citizens will help Council form an opinion at the meeting** planned for July 8<sup>th</sup>, 2024.

***Missing information part 2: Is designation worth it?***

**Council also has a stewardship role, which requires it to ensure the public and municipality's financial and administrative resources are being used as efficiently as possible**. For example, If I were the owner of a property being proposed for designation, I would compare the benefits of designation to the increased costs and risk, and if it looked

like designation was bringing costs and risk with little or no benefit, I would appeal the designation.

In carrying out its stewardship role, I suggest that Council needs to look at designation from this benefit vs cost/risk perspective as well. Council could ask questions such as:

- Does designation improve Council's ability to manage McGuigan's? For example, do new streams of funding come available? Do other types of support become available?
- Does designation provide any other benefit/value to the community that it does not already have?
- Keeping in mind Merrickville-Wolford already has obligations related to management of McGuigan's stemming from the Funeral, Burial and Cremations Act...
  - o Does designation create any *additional* oversight and does this oversight create issues with oversight related to the Funeral, Burial and Cremations Act and other acts?
  - o Does designation create any *additional* obligations/costs for the Village?
  - o Does designation create any *additional* restrictions on the property?
  - o Does designation create or enable creation of restrictions on neighbouring properties that may create issues? (this rumour is circulating)
  - o Does designation create any other *additional* obligations or risks?

**From this information, Council can form a clear understanding of the benefits of designation, as well as the associated obligations and risks... and how they balance out.**

***Summary: There's maybe more work to be done before Council can decide***

In summary, I am suggesting that Council has Policy-making obligations related to management of our heritage, but because it is the owner of the property, Council also needs to consider its obligations related to its Representative and Stewardship roles. These latter considerations have not yet been investigated and need to be before Council can come to a fully informed decision on the heritage designation of McGuigan's Cemetery.

I hope this is helpful to Council and thank you for your consideration of my thoughts.

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**

**BY-LAW 45-2024**

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD AT ITS MEETING HELD ON JULY 8, 2024

WHEREAS section 5(3) of the Municipal Act, 2001 states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed prudent that the proceedings of the Council of the Corporation of the Village of Merrickville-Wolford (hereinafter referred to as "Council") at its meeting held on July 8, 2024 be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. The proceedings and actions of Council at its meeting held on July 8, 2024 and each recommendation, report, and motion considered by Council at the said meeting, and other actions passed and taken by Council at the said meeting are hereby adopted, ratified and confirmed.
2. The Mayor or his or her designate and the proper officials of the Village of Merrickville-Wolford are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and, except where otherwise provided, the Mayor and Clerk are hereby directed to execute all documents necessary in that regard, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Municipality to all such documents.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 8<sup>th</sup> day of July 2024.

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Michael Cameron, Mayor

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Julia McCaugherty-Jansman, Clerk