

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

NINTH MEETING

MINUTES

APRIL 16 2013

A meeting of the Corporation of the Township of Enniskillen was held on Tuesday April 16 2013 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, John Phair, Mary Lynne McCallum and Kathy O'Hara Wilson

Mayor Marriott chaired the meeting.

Pecuniary Interest

Mayor Marriott requested that each member of Council declare an interest at the appropriate time within the agenda where an interest may exist.

A. Minutes

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the minutes of the meeting of April 2 and 5 of 2013 be adopted as circulated.

Carried.

B. Interview-Manny Baron, Mandi Pearson and Joe Adams Town of Petrolia  
7:00 pm.

C. Interview- Public Works

Water- Water Agreements Oil Springs, Dawn-Euphemia

The Clerk noted that the agreements provided the guidelines for Township staff to operate in the Village of Oil Springs and the Township of Brooke-Alvinston in regards to their licensed water distribution systems. The agreements would be discussed with the respective municipalities during the April 26 2013 meeting.

Sewer- Oil City Lagoon

The memo concerning the operation of the Oil City sewage lagoon was discussed. It was noted that Mike Young would be reporting to Council in regards to current sampling of the lagoon and the costs associated with two options to place alum in the lagoon.

Roads- Road Tour update- Shiloh United Church culvert

The Road Superintendent was requested to inspect the culvert abutting the church and report back on costs associated with maintenance of the culvert.

2013 construction projects- Shiloh Line Reconstruction, Rokeby Line Wanstead Road bridge replacement

A discussion took place in regards to the approval of the annual budget to permit start of work on the capital projects. The Clerk noted that the budget would be circulated for the next regular meeting.

Update on maintenance gravel

The Road Superintendent noted that the application of maintenance gravel on township roads was fifty per cent completed. Work would stop in this week until half load restrictions were removed.

D. Correspondence for information

1. Federation of Canadian Municipalities communique- Mar 25, Apr 2, 5 and 6-13
2. County of Lambton
  - a- Community CPR training
  - b- Lambton Creative Fund support
3. Stewardship Ontario- funding for municipal blue box recycling
4. EDF Canada- Churchill Wind Farm
5. AMO Conference agenda
6. St Clair Region Conservation Authority Canoe and Kayak Race April 21-13
7. Minister of Community Safety OGRA meeting
8. MADD Candlelight Vigil
9. Ontario Convenience Stores Association –contraband tobacco
10. Ministry of Agriculture 2013-2014 Tile Loan Program
11. Spriet Associates Municipal Infrastructure Asset Management
12. Lincoln Alexander Award 2013

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That correspondence items 1-12 be received and filed.

Carried.

E. Correspondence requiring motions

1. Resolution Township of Wainfleet- Not Willing Host for Wind Turbine Development

Moved by Councillor McCallum

Seconded by Councillor Phair

That the resolution from the Township of Wainfleet be supported.

Carried.

## F. Accounts

Moved by Councillor Phair  
Seconded by Councillor O'Hara Wilson  
That the accounts be paid as circulated:  
Cheque: 5773-5803: \$ 65,430.75  
Cheque: 5804-5815: \$41,881.81  
Carried.

## G. Bylaws

1. Bylaw 35 of 2013 Confirmation Bylaw
2. Bylaw 36 of 2013 Drain Rating Bylaw

Moved by Councillor McCallum  
Seconded by Councillor Phair  
That first and second reading be given to Bylaw 35 and 36 of 2013  
Carried.

Moved by Councillor O'Hara Wilson  
Seconded by Councillor McCallum  
That third and final reading be given to Bylaw 35 and 36 of 2013.  
Carried.

## H. Other Business

1. Minutes Health & Safety Meeting April 3 2013

Moved by Councillor Phair  
Seconded by Councillor O'Hara Wilson  
That the minutes of the Health & Safety meeting be received.  
Carried.

Councillor Phair agreed to report back to the Council concerning the request for a noise study in the office and the placement of asphalt as a ramp at the Enniskillen Community Centre.

The Clerk was requested to replace the carpet in the copier room.

2. Minutes Oil Springs/Enniskillen Fire Department- March 11 2013, January 9, February 22, May 23 and December 10 2012.

Councillor O'Hara Wilson reported that in the future the minutes for the fire committee would be kept by the Clerk of Oil Springs.

Moved by Councillor O'Hara Wilson  
Seconded by Councillor McCallum  
That the minutes of the Oil Springs/Enniskillen Fire Department be received and filed.  
Carried.

3. Report on building accessibility

Moved by Councillor McCallum  
Seconded by Councillor O'Hara Wilson  
That the inspection of municipal properties reporting on accessibility be received.  
Carried.

4. Municipal Liability Risk Management – Minimum Maintenance Standards

5. Audit Presentation May 21-13

The Clerk reported that the auditor would present the audit report on May 21 2013.

6. Oil Springs Enniskillen Fire Department operating agreement

The agreement was reviewed by Council.

Moved by Councillor O'Hara Wilson  
Seconded by Councillor Phair  
That first and second reading be given to Bylaw 37 of 2013 a bylaw to authorize the operating agreement for the Oil Springs Enniskillen Fire Department.  
Carried.

Moved by Councillor McCallum  
Seconded by Councillor Phair  
That third and final reading be given to Bylaw 37 of 2013.  
Carried

The Clerk reported that the Western Ontario Wardens were authorizing a survey of internet needs within western Ontario.

The Clerk noted that the reconciliation of the 2010 OMPF fund had generated an increase of \$100 to the Township.

The Clerk reported on a meeting with a representative of the Churchill Wind

Farm project. Representatives of the company expressed an interest in making a presentation to the municipal council in the future.

A copy of the court decision concerning the Township of Wainfleet municipal bylaw regulating the positioning of industrial wind towers was discussed. The Clerk noted that the municipal bylaw failed as the method of calculating the setback was unclear and that the setback was as an area of provincial responsibility.

The Clerk reported that a Divisional court decision had clarified the process concerning the appeal associated with health effects related to the placement of industrial wind towers. The Court had established that the duty of care did not require that the placement deal with all health effects. The Court relied on the Environmental Tribunal to address concerns in regards to the health effect of the project.

Mayor Marriott noted that he had been invited to attend a press conference in Toronto concerning the second reading to the private members bill of Lisa Thompson concerning the positioning of industrial wind towers.

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That Mayor Marriott represent the Township of Enniskillen at press conferences associated with the private members bills put forward by Lisa Thompson concerning the positioning of industrial wind towers.

Carried.

The Clerk reported that an application had been submitted in regards to the closure of an unopened municipal road allowance. A preliminary report would be submitted to Council in a future meeting.

The Clerk reported that the Planner for the Ontario Municipal Board was proceeding to arrange a hearing concerning Official Plan Amendment # 3.

A discussion took place concerning the appointment of a lawyer to represent the municipality at the Ontario Municipal Board.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Phair

That Allan Patton be appointed by the Township of Enniskillen to represent the Township in the Ontario Municipal Board hearing in regards to Official Plan Amendment # 3.

Carried.

Councillor McCallum requested that the municipal council make a statement that the Township would not be a willing host to the location of industrial wind towers.

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That first and second reading be given to Bylaw 38 of 2013 a bylaw to establish that the Township was not a willing host for industrial wind towers.

Carried.

The Clerk was requested to review the wording of the bylaw prior to submission for third reading.

Mayor Marriott reported on a meeting organized to discuss issues with the Ministry of Labour investigations associated with volunteer fire fighters. Mayor Marriott noted that the presentation did not clarify what changes in the Procedures by the Ministry of Labour had taken place as it related to the treatment of volunteer firefighters.

I. Adjournment

Moved by Councillor Phair

Seconded by Councillor O'Hara Wilson

That the meeting be adjourned.

Carried.

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Mayor

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Clerk