

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

SEVENTH MEETING

MINUTES

APRIL 2 2013

A meeting of the Council of the Corporation of the Township of Enniskillen was held on Tuesday April 2 2013 at 7:15 pm at the Enniskillen Council Chambers.

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

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 Phair

Seconded by Councillor O'Hara Wilson

That the minutes of the meeting of March 26 2013 be adopted as circulated.

Carried.

Meeting to Consider Dawn Anderson Drain Report 7:30 pm

Ray Dobbin was present to present his report on the Dawn Anderson Drain East. No ratepayer was present for the meeting to consider the report.

Mr. Dobbin reported that the new report provided for the replacement of two culverts on the drain. He also noted that the report provided for a revised schedule of maintenance for the drain.

Moved by Councillor McCallum

Seconded by Councillor Phair

That the Dawn Anderson Drain East Report be adopted by Council.

Carried.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That Councillors McCallum and Phair be appointed to the Court of Revision for consideration of the Dawn Anderson Drain East Report.

Carried.

Ray Dobbin reported that the report on the 9 Sideroad Drain had been circulated for review.

Ray Dobbin reported on the site meeting for the Stark Drain.

He reported that the access culvert for the property of Dave Gray required replacement. He reported that a new report was required to incorporate wording to address replacement of culverts for other property owners on the drain.

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That R Dobbin Engineering be authorized to prepare a report under Section 78 of the Drainage Act for the Stark Drain.

Carried.

Rob Nesbitt reported that he had been in discussion with the Planner for the Ontario Municipal Board who was coordinating the hearing on the appeal concerning Official Plan Amendment # 3. Mr. Nesbitt noted that he had requested that the Planner review the OPA file taking into consideration that a severance application and rezoning for the property would also be required. Both of the remaining applications could be subject to an appeal to the Board. Mr. Nesbitt requested that the owner be required to submit applications on the two remaining matters prior to a hearing being set by the OMB.

B. Interview Public Works

Sewer-Update on discharge on Oil City Sewer Lagoon

Mike Young reported that permission had been obtained from the Ministry of Environment to release the effluent from the Oil City Lagoon. The permission was required in that the phosphorus parameter did not become low enough to meet the regulated level for discharge of the site.

Mr. Young reported that a meeting would be held with Ministry staff to discuss the matter.

Mr. Young reported that the Township QMS audit was underway. He noted that the operators meeting had been held. After completion of the audit a meeting would be held with the Mayor to review the findings.

Roads-Forest Road Culvert Replacement

Mike Cumming reported that the Township of Brooke Alvinston was preparing to replace another culvert on Forest Road in 2013.

He noted that work would need to be included in the 2013 budget.

Mr. Cumming noted that he was reviewing the draft drainage report for Marthaville Road.

Mr. Cumming reported that the application of the 2013 maintenance gravel would start in the next week.

Mr. Cumming was requested to include a site visit to 4251 Marthaville Road and the sewage lagoon during the road tour.

C. Correspondence for information

1. Ward & Uptigrove- Federal Budget Commentary
2. Accessibility Directorate regional forums
3. Kathleen Wynne Premier- Clean Energy Projects
4. Environment Canada- recovery strategy for eastern flowering dogwood
5. Hillsdale Cemetery Cleanup April 15-19-13
6. Sarnia Lambton Research Park
7. Inwood Fire Department minutes Feb 11 2013.
8. Assessment Review Board decision re appeal of assessment Wolfe Island.
9. AMO March 2013 Board Highlights

Moved by Councillor McCallum

Seconded by Councillor Greydanus

That correspondence items 1-9 be received and filed.

Carried.

D. Correspondence requiring motion

1. Application for Reduction in Assessment R Langstaff -3744 Oil Springs Line change RT to FT from July 24-Dec 31-12 \$243,000

Moved by Councillor Phair

Seconded by Councillor O'Hara Wilson

That the application for reclassification of assessment for 3744 Oil Springs Line from RT to FT from July 24-December 31 2012 be approved.

Carried.

E. Accounts

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That the accounts be paid as circulated:

Cheque: 5759-5772: \$7,097.72

Carried.

F. Bylaws

1. Bylaw 33 of 2013 Confirmation Bylaw
2. Bylaw 34 of 2013 Dawn Anderson Drain

Moved by Councillor O'Hara Wilson
Seconded by Councillor McCallum
That first and second reading be given to Bylaws 33 and 34 of 2013.
Carried.

Moved by Councillor Greydanus
Seconded by Councillor Phair
That third and final reading be given to Bylaw 33 of 2013.
Carried.

G. Other Business

1. Memo to Council request for Road Closure

The Clerk reported that a request had been received to close up the municipal road allowance located between Discovery Line and LaSalle Line where the former CN railway line had been located. The applicants had been requested to submit the information requested in the road closure policy. Once the information had been received Council would be requested to review the matter.

H. Interview- Chad Burke, Tiffany Smale, Karen Bruton- CORE- Presentation concerning Industrial Wind Turbines

Mayor Marriott introduced Chad Burke and invited him to make his presentation to Council. Chad Burke read from a prepared text noting that some local residents had formed a group called the Conservation of Rural Enniskillen. The members of the group were concerned with respect to the impacts of industrial wind turbines on the community. Mr. Burke recognized that Mayor Marriott had clearly indicated that he supported a moratorium on additional wind turbine construction until the federal health study had been completed in 2014. Mr. Burke circulated questions to the Council members to determine their positions.

Mayor Marriott noted that there was currently litigation underway in two municipalities to establish the validity of municipal bylaws concerning restrictions on the construction of wind turbines. He noted that when the court decisions were made the Council would make a decision whether to approve similar bylaws.

Mayor Marriott noted that the Churchill Wind Farm did not currently have a FIT contract to sell electricity.

Ken King questioned whether the Council licensed door to door salesman. He noted that the land agents working for the wind farm company were using unfair practices to mislead land owners into signing lease agreements.

It was noted that the Council did not have such a bylaw in place.

A discussion took place concerning the amount of time required by Council to put in place a bylaw with additional restrictions on the construction of a wind farm. Councillor McCallum noted that once a decision was in place concerning the Wainfleet bylaw a decision could be made by Council to implement a bylaw in a very short period of time.

A request was made to place wind farm information in the mail outs circulated by the Township with water and tax bills.

Ken King questioned when lease agreements had to be registered in the registry office. Lloyd Hyatt noted that in the document he read the lease must be registered within three months.

Ron MacDougall was present as a representative of the Lambton Federation of Agriculture. He noted that the organization had taken no official position concerning the construction of industrial wind towers in Lambton County. He noted that people should be aware of the content of leases prior to signing. He noted that local governments should have input into locating wind towers. He noted that an independent health study should be undertaken. He noted that the local Federation had taken a position opposing solar farms.

Ken King questioned what it would cost for an independent health study.

Mike Hoven noted that a six year old turbine had been destroyed by fire this day in Kincardine. He commented on the potential problems associated with such a fire in windy circumstances.

A discussion took place in regards to the establishment of a two kilometer setback for the establishment of wind turbines.

Chad Burke noted that 15-20 people were currently involved with the CORE group.

Mrs. King noted that efforts have been made to encourage people in the community to put up signs opposing wind turbines. She noted that although they had found no support for wind turbines their neighbours were unwilling to put up signs on their property.

Tom Saul requested that Council should act in a leadership role. He noted that the group was quite small with limited resources. He recommended that Council organize and educate people within the community. He noted that Council was hiding from the matter.

Mr. Saul recommended that Council organize a meeting to bring people to speak about the impacts of signing leases.

A discussion took place in regards to the type of information that would be relevant for a public meeting. Information on insurance and borrowing were considered subjects of relevance that would be impacted by wind turbines.

Mike Hoven noted that he wanted to make Council aware of another matter. He noted that there appeared to be dogs being stolen along Courtright Line within the Township. He suggested that the dogs were being used in dog fighting activity.

I. Adjournment

Moved by Councillor O'Hara Wilson
Seconded by Councillor Greydanus
That the meeting be adjourned.
Carried.

Mayor

Clerk