

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

NINETEENTH MEETING

MINUTES

AUGUST 6 2013

A meeting of the Council of the Township of Enniskillen was held on Tuesday August 6 2013 at 7:00 pm at the 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

Minutes of the meeting of July 16 2013

B. Interviews:

Drainage: Tender results- Rainsberry Drain, Scott & Dowling Drain and McMurray Drain. Update on Drain maintenance

Roads: Update on Shiloh Line, Culvert Tender Results,

Water:

Sewer:

C. Meeting to Consider the preliminary report on the Stewart Drain 7:00 pm

Present: Debra and Greg Racher, Jim Melton, John Bell, Ron Brand and John Hyatt

Ray Dobbin reviewed the preliminary report for the Stewart Drain. He noted that at the site meeting a request had been made to deepen and widen the drain and that culverts be increased in size. The Engineer reported that the culverts were adequate in size west of Marthaville Road. He noted that the culverts east of Marthaville Road were slightly undersized for current standards.

Mr. Dobbin noted that he had spoken with Keith Woods who had requested that the drain be deepened and culverts replaced.

Jim Melton requested that the road ditch along Marthaville Road be used to carry water from the Hunter Drain south to the McGeachy Drain. This would remove some water from the Stewart Drain.

The Engineer reported that some land area had been removed from the Stewart Drain along Shiloh Line west of Marthaville Road.

The Engineer recommended that if there was no support for construction at the present time that the report should be completed to provide standards for the replacement of culverts on the drain.

Ron Brand noted that the drain was obstructed by brush and cat tails. He recommended that a tile be placed in the bottom of the drain to control vegetation growth.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Phair

That the Engineer be directed to prepare a final report on the Stewart Drain under Section 78 of the Drainage Act to provide for maintenance provisions for the replacement of culverts on the drain.

Carried.

D. Meeting to Consider the report on the Lammers Drain 7:15 pm

Present: John Lammers and Wayne McKay

The Engineer reported that a petition had been received from John Lammers to create a new municipal tile drain on his property. The Engineer reported that the tile drain would be extended over the property of Al Ferguson outletting into the property to the west.

A discussion took place in regards to the variation in assessments to Mr. Lammers and Ferguson.

The Engineer reported that Mr. Lammer's additional assessment was related to the added work to connect his field tile to the tile drain.

Mayor Marriott requested whether anyone present on the drain wish to add their name to the petition or remove their name.

No changes were made to the petition.

Moved by Councillor McCallum

Seconded by Councillor Greydanus

That first and second reading be given to Bylaw 65 of 2013 a bylaw to adopt the Lammers Drain Report.

Carried.

E. Meeting to Consider the preliminary report on the Rumbold Drain 7:30 pm

Present: Mr. and Mrs. Dennis Rumbold, Kristen Kelvin and Lonnie Mansfield

The Engineer reported that the preliminary report was developed from a petition submitted by Mr. Rumbold.

The Engineer reported on four options to control the flow of water that currently crossed Mr. Rumbold and Mr. Redmond's properties.

The Road Superintendent supported the placement of a tile drain along the west side of the road.

It was noted that an amended schedule of assessment had not been distributed to all present.

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That the Rumbold Drain consideration be tabled to the meeting of August 27 2013 to permit circulation of the amended schedule of assessment.

Carried.

Minutes of the meeting of July 16 2013

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the minutes of the meeting of July 16 2013 be adopted as circulated.

Carried

F. Interviews:

Drainage: Tender results- Rainsberry Drain, Scott & Dowling Drain and McMurray Drain.

Tender Results- Rainsberry Drain

McKenzie Henderson \$16,837.00

AG Hayter Contracting \$20,340.00

J&L Henderson \$14,263.14

Scott Dowling Drain

McKenzie & Henderson \$22,487.00

J & L Henderson \$14,583.01

McMurray Drain

McKenzie & Henderson \$ 32,318.00

AG Hayter Contracting \$ 35,984.85

J & L Henderson \$15,788.86

Moved by Councillor McCallum

Seconded by Councillor Greydanus

That the low tenders from J & L Henderson be accepted for the three drains.

Carried.

Update on Drain maintenance

Mr. Dobbin reported that Steve Vokes was working on the wicking of vegetation on municipal drains through the month of August and September.

Mr. Dobbin reported on the Heskott Mackesy Drain site meeting. He reported that there was a 2005 report on the drain that provided for culvert replacement. The only work that was discussed at the site meeting was the replacement of the culvert on the Keith Woods property.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That the Mr. Dobbin proceed to replace the Woods culvert on the Hescott Mackesy Drain.

Carried.

Mr. Dobbin reported on the Sarnia Enniskillen Town Line Drain. He noted that only Steve Vokes was present for the site meeting. He requested that a new tile drain be constructed to add to or replace the existing tile drain.

Moved by Councillor Greydanus

Seconded by Councillor Phair

That the Engineer be directed to proceed to a final report under Section 78 of the Drainage Act in regards to the Sarnia Enniskillen Town line Drain.

Carried.

Drain maintenance requests were received for the Kelly Drain, Prince Street East Drain the 4th Concession Outlet Drain and Lewis McDougall Hyatt Branch Drain.

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the Drainage Superintendent proceed to undertake the brushing on the Kelly Drain in the Straatman property, tile cleaning on the Prince Street East Drain, culvert replacement at the Hungler property on the 4th Concession Outlet Drain and tile repair on the Lewis McDougall Hyatt Branch.

Carried.

Roads: Update on Shiloh Line, Culvert Tender Results

The Road Superintendent provided a review of the culvert pricing received.

Rokeby Line at Wanstead Road

AIL \$ 4,774.00

Canada Culvert \$ 4,112.00

Armtec \$ 4,039.42
Hubbell \$ 3,901.95

Shiloh Line at the Hescott Mackesy Drain

AIL \$ 5,436.00
Canada Culvert \$ 4,707.90
Armtec \$ 5,220.36
Hubbell \$ 4,459.05

Moved by Councillor McCallum
Seconded by Councillor O'Hara Wilson
That the ES Hubbell tender for a culvert on the Hescott Mackesy Drain be accepted.
Carried.

Moved by Councillor Phair
Seconded by Councillor Greydanus
That the ES Hubbell tender for the road culvert on the 8th Concession Drain at Wanstead Road be accepted.
Carried.

The Road Superintendent provided pricing for culvert replacement on Black Creek at Fairweather Road.

Gary Piggott was present requesting that Council consider increasing the size of the culverts to reduce the flooding of the road in the future.

Moved by Councillor McCallum
Seconded by Councillor Greydanus
That the culvert replacement be tabled until the next meeting to provide an opportunity to review the implications of increasing the size of the culvert on the Black Creek crossing at Fairweather Road.
Carried.

The Road Superintendent noted that half of the gravel had been applied to Shiloh Line.

A discussion took place in regards to the trade in of the JD tractor. Podolinsky Farm Equipment was requesting that additional funds be provided over the tac hour fee to obtain a new tractor. It was noted that over \$17,000 was being requested to address the changes in the emissions standards in the engine. A discussion took place in regards to the options available.

Moved by Councillor Greydanus

Seconded by Councillor Phair

That the Township of Enniskillen proceed to participate in the John Deere tractor replacement program with the additional charge from the changes in emission standards.

Carried.

The Road Superintendent noted that the brushing work on Crooked Road had not started.

G. Correspondence for information

1. Ministry of Natural Resources rabies control operations 2013
2. Federation of Canadian Municipalities communique July 17, 24, 25, 29-13
3. Ministry of Labour- unpaid internships
4. Marc-Andre Morin NDP- requesting support to amend the Vessel Operation Restriction Regulations
5. Ministry of Tourism, Culture and Sport –Cultural Development Fund
6. MPAC Update
7. Canadian Energy Pipeline Association pipeline safety
8. MPAC- Assessment of common lands within residential communities
9. County of Lambton
 1. Warden's Citizen of the month
10. St Clair Region Conservation Authority meeting highlights and minutes June 27 2013
11. Ministry of Finance OMPF 3rd Quarter payment
12. Oil Museum of Canada 2013 grant
13. Ministry of Consumer Services Oil City Cemetery

Moved by Councillor Greydanus

Seconded by Councillor Phair

That correspondence items 1-13 be received and filed.

Carried.

H. Correspondence requiring motions

1. Region Halton- Enbridge Pipeline Inc.- Line 9 reversal

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That the resolution from the Region Halton concerning the installation of control valves on water crossings on the Line 9 reversal project be supported.

Carried.

2. Application for reduction of Assessment 5028 Shiloh Line, From May 29-Dec 31-13 to RT 5,249 and FT 414,450

Moved by Councillor McCallum

Seconded by Councillor Phair

That the recommendation of the assessor be approved for 5028 Shiloh Line from May 29-Dec 31-13 to RT \$5,249 and \$FT 414,450

Carried.

3. C Nauta- Requalification of Municipal Building Officials

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the resolution concerning the testing for requalification of Municipal Building Officials be supported.

Carried.

4. Invitation to Mayor to attend the Petrolia Enniskillen Fall Fair

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That Mayor Marriott be authorized to attend the Petrolia Enniskillen Fall Fair.

Carried.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Phair

That the tile loan application for Rob Rops for \$14,700 for Concession 13 Lot 3 be approved.

Carried.

I. Accounts

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That the accounts be paid as circulated:

6147-6193: \$ 96,980.18

6194-6210: \$13,786.34

Carried.

J. Bylaws

1. Bylaw 64 of 2013 Oil City Cemetery amending bylaw
2. Bylaw 63 of 2013 Confirmation Bylaw

3. Bylaw 66 o 2013 A bylaw to authorize a building agreement with Carl Gray.

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That first and second reading be given to Bylaw 63, 64 and 66 of 2013.

Carried.

Moved by Councillor McCallum

Seconded by Councillor Phair

That third and final reading be given to Bylaw 63, 64 and 66 of 2013.

Carried.

K. Other Business

1. Memo Council sale of Shiloh Centre

Mayor Marriott declared a conflict of interest concerning the sale of the property as he had expressed an interest in purchasing the property. John Phair chaired the meeting.

A discussion took place concerning the selection of auctioneers to proceed with the sale of the Shiloh Centre.

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That the proposal from Great West Auction be accepted for the sale of the Shiloh Center and that an agreement be signed.

Carried.

A discussion took place in regards to the implications of the Brownfield regulations on the change in use of the property. Council was made aware that a minor variance would be required to permit the construction of a dwelling on the property due to the setback requirement for a livestock operation.

2. Arnold Syer- Inwood Fire service fees
3. Memo Council landfill dumpster operations
4. Memo 2013 BBQ Revenue and Expenditures
5. Memo Council Ontario Long Term Energy Plan Review
6. Memo Council Road Closure

The Clerk submitted a cost estimate to obtain a legal opinion on the environmental implications on the proposed road closure.

Moved by Councillor O'Hara Wilson
Seconded by Councillor Greydanus
That a legal opinion be obtained from Tara Ouder Kirk.
Carried.

A letter was received from Tom Kozak of Bimmer Auto Parts Ltd concerning the zoning of a property located at 4173 La Salle Line. The property was being sold and Mr. Kozak asked for clarification whether auto wrecking would be permitted on the property.

A discussion took place in regards to the property and the status of the auto wrecking activity.

Moved by Councillor Greydanus
Seconded by Councillor McCallum
That the Council confirm that the auto wrecking business was closed and the legal non- conforming use status had ended.
Carried.

Councillor O'Hara Wilson requested that an in camera meeting take place on August 27 2013 under the provisions of Section 239 (2) b of the Municipal Act to discuss a personal matter about an identifiable individual.

Moved by Councillor O'Hara Wilson
Seconded by Councillor Greydanus
That an in camera meeting take place at the meeting of August 27 2013 under the provisions of Section 239 (2) b of the Municipal Act to discuss a personal matter about an identifiable individual.
Carried.

L. Adjournment

Moved by Councillor Phair
Seconded by Councillor Greydanus
That the meeting be adjourned.
Carried.

Mayor

Clerk