

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

TWENTY-FOURTH MEETING

MINUTES

DECEMBER 17 2019

A meeting of the Council of the Township of Enniskillen was held on Tuesday December 17 2019 at 7:00 pm at the Enniskillen Council chambers.

Present: Kevin Marriott, Mary Lynne McCallum Wally Van Dun, Judy Krall and Chad Burke.

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 Krall

Seconded by Councillor Van Dun

That the minutes of the meeting of December 3 2019 be adopted as circulated.

Carried.

B. Interview:

Planning: High Park-Official Plan and Zoning Amendments-

Present: Trevor Brand, Simon Rice, Douglas Booth and Chris Weyers

The Clerk noted that Council had not made a formal decision in regards to the Official Plan and Zoning amendment submitted by High Park for the production of edible cannabis products from its site on LaSalle Line.

Moved by Councillor Krall

Seconded by Councillor Burke

That the Township of Enniskillen not amend the Zoning Bylaw and not amend the Official Plan for the applications to permit edible production at the High Park site.

Carried.

Rob Nesbitt: Report on setbacks for cannabis production facilities

Mr. Nesbitt presented a report on setbacks for cannabis production facilities.

In his review he noted that municipalities had put in place a variety of setbacks from cannabis facilities and more sensitive uses.

Mr. Nesbitt was requested to provide a draft bylaw for Council consideration.

C. Court of Revision: McFadyen Drain 7:15 pm

Present: Leo Burns and Wayne McMurphy

Moved by Councillor Van Dun
Seconded by Councillor McCallum
That Councillors Krall and Burke be appointed to the Court of Revision for the McFadyen Drain.

Councillor McFadden was present representing the Village of Oil Springs.
Councillor Meyer was present representing the Township of Dawn-Euphemia.

Moved by Councillor Meyer
Seconded by Councillor McFadden
That Councillor Krall be appointed Chair of the Court of Revision.
Carried.

Ray Dobbin noted that during the meeting to consider it was determined that land owned by Wayne McMurphy was over assessed. Mr. Dobbin noted that a revised construction schedule and maintenance schedule incorporating the changes had been circulated as part of the notice for the Court of Revision.

The Clerk and Engineer reported that no verbal or written appeals had been received concerning the McFadyen Drain report.

Leo Burns reported that a main tile crossed his property from the west side of Tile Yard Road and entered into the McFadyen drain on his property. He reported that this property was not properly assessed in the report.

Ray Dobbin recommended that the land be incorporated into the report by Section 65 of the Drainage Act.

Moved by Councillor Meyer
Seconded by Councillor McFadden
That the revised construction and maintenance schedule for the McFadyen Drain be approved.
Carried.

Moved by Councillor Meyer
Seconded by Councillor Burke
That the Court of Revision for the McFadyen Drain be closed.
Carried.

Ray Dobbin provided an update on the maintenance of drains and the preparation of new reports.

D. Meeting to Consider Stewart Drain 7:30 pm

Present: Mike and Janet Braaksma, Wayne Anderson, Gary Piggott and Bruce Thompson.

Ray Dobbin presented the new report providing a history of the drain which had been approved by report in the 1880s. He noted that a diversion of the original drain had cut off the portion of the Stewart Drain that was included in the current report. Property owners had made modifications to the drain on their properties.

Mr. Dobbin reported that a preliminary report had been prepared and a meeting held with ratepayers to discuss options prior to the final report being prepared. Mr. Dobbin reported that the open portion of the drain on W1/2 Lot 2 Concession 7 would be straightened and the grade lowered to provide for free board for the tile upstream. No work was proposed in the wooded area in Lot 1 however he indicated that specifications had been provided in the report should maintenance be required in the future. The closed portion of the drain to the east had been incorporated as part of the drain for future maintenance.

A culvert to provide access to the Enbridge gas storage pool to the north was incorporated as part of the drain.

Mr. Dobbin discussed the total cost of the drain.

Mike Braaksma noted that the open portion of the drain crossing his property emptied into a Hickenbottom which he considered insufficient to provide drainage for his property. Mr. Dobbin noted that the open ditch on his property would be lowered to provide free board for Mr. Braaksma's tile. Mr. Dobbin provided alternatives to address Mr. Braaksma's concerns regarding sufficient outlet for his surface water.

Mr. Dobbin reported that he had received permission from the Department of Fisheries and Oceans regarding the property. He noted that he was still in discussions with the St Clair Region Conservation Authority regarding a permit for construction of the project.

Tender results were circulated for the McFadyen Drain.

J&L Henderson: \$ 17,703.03

Bruce Poland Trucking: \$ 13,662.19

GJS Contracting Inc: \$ 20,523.51

Moved by Councillor McCallum

Seconded by Councillor Van Dun

That the low tender from Bruce Poland Trucking be accepted for the McFadyen Drain subject to appeals on the drain.

Carried.

- E. Chief Jay Arns- Petrolia North Enniskillen Fire Department- operating bylaw, training center and new aerial truck 7:45 pm

Chief Arns discussed the revised operating bylaw for the fire department and the mutual aid bylaw for the department.

Councillor McCallum posed questions regarding the mutual aid bylaw and auto aid bylaws. Chief Arns noted that currently no fees were charged for mutual aid calls.

Chief Arns reported on the training center indicating that it would provide an opportunity for in house and local fire department training. Chief Arns noted that the training center would be self-supporting financially.

Roads: 2020 Bridge Inspection, Rokeby Line Bear Creek Bridge approaches

The Clerk reported that a proposal had been received to prepare the 2020 bridge inspection from Ken Graham at R Dobbin Engineering at an estimated cost of \$12,000.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the proposal from R Dobbin Engineering for the 2020 Bridge Inspection be accepted.

Carried.

- F. Correspondence for information

1. St Clair Region Conservation Authority meeting highlights Nov 14 2019
2. Village of Oil Springs support of Cannabis MDS guidelines
3. Ministry of Environment Integrated emission and safety testing
4. Ministry of Agriculture Security From Trespass and Protecting Food Safety Act
5. Ministry of Environment Environmental Protection Act Violations
6. Ministry of Solicitor General New Animal Welfare System
7. Ministry of Environment reuse of local excess soil
8. County of Lambton Official Plan status Dec 6-19
9. Lambton Kent District School Board sidewalks- safe routes to schools
10. Ontario Provincial Police Municipal Policing Bureau new bulletin Dec 2019
11. Ontario Clean Air Alliance increasing reliance on natural gas generation
12. Ministry of the Attorney General Simplifying Justice System
13. Ministry of Attorney General modifications to Class Proceedings Act, Estates Act and Marriage Act
14. Ministry of the Solicitor General new grant program to support police services
15. Ministry of Agriculture helping Ontario farmers improve the environment
16. Ministry of Government Services Death Registration regulations

17. Enbridge Gas Supports Petrolia North Enniskillen Fire smoke detector and CO2 Detector program
18. Town of Petrolia support of Cannabis MDS policies

Moved by Councillor Burke
Seconded by Councillor Krall
That correspondence items 1-18 be received and filed.
Carried.

G. Correspondence requiring motions

1. Application for reduction in assessment 6000 Shiloh Line dwelling demolished.

Moved by Councillor McCallum
Seconded by Councillor Van Dun
That the recommendation of the assessor regarding the reduction in assessment for 6000 Shiloh Line be approved.
Carried.

2. Resolution Madawaska electronic delegations

Moved by Councillor Krall
Seconded by Councillor Burk
That the resolution of Madawaska regarding electronic municipal delegations with provincial officials be supported.
Carried.

3. Resolution Timmins continuation of Conservation Authority programs
4. Resolution Stratford- no wind down of Conservation Authority programs

Moved by Councillor Krall
Seconded by Councillor Van Dun
That the resolutions from Timmins and Stratford concerning Conservation Authority programs be received and filed.
Carried.

5. Meadowview Auxiliary donation request
6. Moore Agricultural Society donation request

Moved by Councillor McCallum
Seconded by Councillor Burke
That the grant requests from Meadowview Auxiliary and the Moore Agricultural Society be referred to budget considerations.
Carried.

H. Accounts

Councillor Van Dun declared an interest in that he was being paid through the accounts.

Moved by Councillor Krall
Seconded by Councillor McCallum
That the accounts be paid as circulated:
Cheque: 13960-13986: \$ 113,849.33
Cheque: 13987: \$ 472,902.66
Cheque: 13988-14006: \$ 36,615.88
Carried.

I. Bylaws

1. Bylaw 72 of 2019 McKenzie Drain Rating Bylaw
2. Bylaw 73 of 2019 Groves Drain Rating Bylaw
3. Bylaw 74 of 2019 Stewart Drain
4. Bylaw 75 of 2019 Drain Rating Bylaw
5. Bylaw 76 of 2019 Procedure Bylaw

Moved by Councillor Burke
Seconded by Councillor Krall
That first and second reading be given to Bylaws 72, 73, 74, 75 and 76 of 2019.
Carried.

Moved by Councillor Van Dun
Seconded by Councillor McCallum
That third and final reading be given to Bylaws 72, 73, 75 and 76 of 2019.
Carried.

A discussion took place in regards to establishing dates for Council meetings in 2020.

Moved by Councillor Van Dun
Seconded by Councillor Krall
That the following alternative meeting dates be established:
January 13 and 27 2020
February 18 2020
May 19 2020.
Carried.

J. Other Business

1. Blue Box Program Transition

Council was provided with an update on the wind down of the current Blue Box program and the discussions associated with the transfer to producer responsibility.

2. Deputy Mayor Krall's letter to the Minister of Health regarding cannabis setback resolution

Deputy Mayor Krall discussed a letter that she had prepared to be sent to the federal Minister of Health regarding the need for establishing setbacks between properties producing cannabis and neighbouring properties.

K. In camera meeting

An in camera meeting will be held under the provisions of Section 239 (2) d to review employee compensation.

Moved by Councillor Krall

Seconded by Councillor McCallum

That the Council move in camera under the provisions of Section 239 (2) d of the Municipal Act to review employee compensation.

Carried.

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the in camera meeting be adjourned and move into open Council.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the Clerk be directed to proceed with the compensation recommendations.

Carried.

L. Adjournment

Moved by Councillor Krall

Seconded by Councillor McCallum

That the meeting be adjourned.

Carried.

Mayor

Clerk