

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

EIGHTEENTH MEETING

MINUTES

JULY 22 2014

A meeting of the Council of the Corporation of the Township of Enniskillen will be held on Tuesday July 22 2014 at 7:10 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 O'Hara Wilson

Seconded by Councillor Greydanus

That the minutes of the meeting of July 8 2014 be adopted as circulated.

Carried.

Mr. Nywening reported to Council on communications received concerning the operation of a moto cross track in the Township. He reported that the operator planned to shut down the facility at the end of September 2014.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That a letter be sent of the motocross operator confirming that the operation of the commercial moto cross activity would stop at the end of September 2014.

Carried.

Mr. Nywening reported to Council in regards to a complaint received concerning the operation of a motor vehicle sales business within the Township of Enniskillen. Mr. Nywening reported that the historical zoning bylaw had permitted the operation of a motor vehicle sales business within the Township. He noted that the business in question had started operations under the provisions of the historical bylaw. The current bylaw had continued to permit accessory business activities within the agricultural areas of the Township. He noted that the new bylaw did not permit outdoor storage and limited the area of a building used for the business.

Mr. Nywening noted that the information provided in the complaint had indicated that the business activity had stopped on the site due to vehicle sales licensing issues.

Mr. Nywening discussed the views associated with legal non-conforming uses and when these rights may expire.

Staff were instructed to provide additional information on the matter.

- B. Public Meeting: McAuslan Rezoning 7:15 pm  
1. Correspondence W Nywening

Moved by Councillor Greydanus

Seconded by Councillor Phair

That the public meeting concerning the McAuslan rezoning be opened.

Carried.

No person was present for the public meeting.

No correspondence other than that of the Planner was received on the application.

Will Nywening reported that a severance had been granted to separate a house from a farm property. A condition of the severance required that the property be rezoned to prohibit the construction of residential unit on the property.

Moved by Councillor McCallum

Seconded by Councillor Greydanus

That the rezoning application be supported.

Carried.

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That the public meeting to consider the McAuslan severance be closed.

Carried.

- C. Interview

Public Works

Drainage: Tender results- 6<sup>th</sup> Concession and Osborne Drains

- D. Court of Revision: 6<sup>th</sup> Concession Drain, Osborne Drain 7:30 pm

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the court of revision for the reports on the 6<sup>th</sup> Concession Drain and the Osborne Drains be opened.

Carried.

No ratepayers were present at the Court of Revision on the 6<sup>th</sup> Concession or the Osborne Drains.

The Engineer noted that he had had no communications with ratepayers concerning the assessments on the drain.

It was reported that an amended schedule of assessment had been circulated to the ratepayers for the Court of Revision of the 6<sup>th</sup> Concession Drain and the Osborne Drain. The amended schedule had removed one farm property to the non-agricultural assessed portion of each schedule. The property was not eligible for provincial grant.

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the circulated revised schedule of assessment for the 6<sup>th</sup> Concession Drain be adopted.

Carried.

Moved by Councillor Phair

Seconded by Councillor McCallum

That the circulated revised schedule of assessment for the Osborne Drain be adopted.

Carried.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That the meeting of the Court of Revision be closed.

Carried.

The tender results for the 6<sup>th</sup> Concession Drain, Osborne Drain and the Graham Bourne Drain were circulated.

6<sup>th</sup> Concession Drain

Van Bree Drainage- \$315,722.00

J & L Henderson- \$177,161.40

Osborne Drain

Van Bree Drainage- \$64,636.00

AG Hayter- \$28,673.75

J & L Henderson- \$46,612.50

Graham Bourne Drain

Van Bree Drainage- \$42,375.00

AG Hayter- \$ 12,656.00

Darrell Dick- \$11,067.20  
J & L Henderson- \$20,566.00

The Engineer reported that the tenders received for the three projects were advertised with the municipality supplying materials. Van Bree Drainage had submitted bids that included materials and labour and as a result were higher than the other bidders.

The Engineer reported that the tenders received for the Graham Bourne Drain could not be considered until after the Court of Revision on the Drain. The Engineer reported that the tenders received for the 6<sup>th</sup> Concession Drain and the Osborne Drain exceeded the estimates of the report. He recommended that all tenders for the two drains be rejected.

Moved by Councillor O'Hara Wilson  
Seconded by Councillor Phair  
That the tenders received for the 6<sup>th</sup> Concession Drain be rejected as being too high in cost.  
Carried.

Moved by Councillor McCallum  
Seconded by Councillor Phair  
That the tenders for the Osborne Drain be rejected as being too high in cost.  
Carried.

The Engineer requested permission from Council to approach Van Bree Drainage to negotiate a price for the construction of the 6<sup>th</sup> Concession Drain and the Osborne Drain.

Moved by Councillor Greydanus  
Seconded by Councillor O'Hara Wilson  
That the Engineer be authorized to open direct negotiations with Van Bree Drainage to establish a contract for the construction of the 6<sup>th</sup> Concession Drain and the Osborne Drain.  
Carried.

The Engineer reported that the work on the Stark Drain, Hunter Drain, Hescott Mackesy Drain and the 4<sup>th</sup> Concession Outlet Drain had been completed. Brushing on the Fox Creek Drain had been completed. Cleaning of the drain had not started.  
Work on the Tile Yard Road Drain had started. At the present time there were no issues associated with the construction project.

E. Correspondence for information

1. National Recreational Trails Program
2. Western Research Park
3. AMO-
  1. Ontario Speech from the Throne
  2. Accountability Act reintroduced
  3. 2014 Provincial Budget
4. Blyth Festival Municipal Night
5. Oil Museum of Canada- donation
6. Township of Baldwin- Policing costs
7. County of Lambton
  1. Art Gallery lands prestigious exhibition
  2. Venetian Boulevard reopens to traffic
8. Stewardship Ontario
9. Halton Region – Protection of Public Participation Act, 2014 (Bill 83)

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That correspondence items 1-9 be received and filed.

Carried.

#### F. Correspondence requiring motions

#### G. Accounts

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That the accounts be paid as circulated:

Cheque: 7352-7374: \$ 68,029.44

Cheque: 7375-7381: \$15,723.70

Carried.

#### H. Bylaws

1. Bylaw 45 of 2014 Confirmation Bylaw
2. Bylaw 46 of 2014 McAuslan Rezoning
3. Bylaw 48 of 2014 Water purchase agreement

Moved by Councillor O'Hara Wilson

Seconded by Councillor Greydanus

That first and second reading be given to Bylaws 45, 46 and 48 of 2014

Carried.

Moved by Councillor McCallum  
Seconded by Councillor Phair  
That third and final reading be given to Bylaws 45, 46 and 48 of 2014.  
Carried.

I. Other Business

1. Water and Sewer Rates

A memo was circulated noting the proposed reductions in the sale rates for water as a result of the new agreement with Petrolia.

Moved by Councillor O'Hara Wilson  
Seconded by Councillor Greydanus  
That first and second reading be given to Bylaw 39 of 2014 a bylaw to establish water rates.  
Carried.

Moved by Councillor McCallum  
Seconded by Councillor Phair  
That third and final reading be given to Bylaw 39 of 2014  
Carried.

2. 2014 Table top exercise & review

Council was requested to make arrangements for the emergency measures table top exercise to be held on August 21 2014.

Councillor Greydanus noted that she had received a complaint in regards to dust suppressant being sprayed on the side of a vehicle.

The Clerk reported attendance at a provincial meeting to discuss the OMPF funding. He noted that further discussions would continue with the provincial staff in the next week to stabilize municipal funding.

The Clerk reported that the Ontario Power Authority was planning a webinar to discuss the request for proposal process for large renewable energy projects. The Clerk noted that municipal participation in the meeting was necessary.

J. Adjournment

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

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Mayor

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Clerk