

THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

Regular Council Meeting

Meeting No. 26-2010

Date of Meeting: Monday, November 1, 2010

Members Present: Mayor Gord Minielly
Deputy Mayor Carolyn Jamieson
Councillor Bill Weber
Councillor Mark Simpson
Councillor Ruth Illman
Councillor Gerry Rupke
Councillor Doug Cook
Councillor John Russell

Members Absent: Councillor John Dehondt

Staff Present: C.A.O. John Byrne
Clerk Carol McKenzie
Treasurer Janet Ferguson
Director of Community Services Peggy Van Mierlo-West
Planner Patti Richardson

Media Present: Linda Hillman-Rapley, Lakeshore Advance
Kim Powell, The Standard

1. CALL TO ORDER

The Mayor called the meeting to order at 7:00 p.m.

2. DECLARATION OF PECUNIARY OR CONFLICT OF INTEREST

Mayor Minielly asked the members to declare any pecuniary or conflict of interest that they may have with respect to the business itemized on the agenda and Carolyn Jamieson declared a conflict with the accounts, as she supplied goods to the Municipality.

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

3.1 Regular Council Meeting – October 4, 2010

The minutes of the October 4, 2010 regular Council meeting were reviewed and Councillor Russell noted several minor corrections.

**10-1101-01 Moved by: Councillor Rupke
Seconded by: Councillor Russell**

That the minutes of the regular Council meeting held the 4th day of October, 2010 be accepted as presented. Carried

4. DELEGATIONS, PUBLIC MEETINGS & PRESENTATIONS

There were no delegations or public meetings scheduled.

5. CORRESPONDENCE & PETITIONS

5.1 Darlene Lacey, President and Mary Lou Glenn, Treasurer – Thedford Spirit Club - Re: Request for Permission to Decorate the New Thedford Village Green Parkette for Christmas

The Thedford Spirit Club has asked permission to decorate the pine trees in the new Thedford Village Green for Christmas, and intends to purchase the lights with funds they have raised over the past year. In addition to the lights, the group would like to host a “Christmas in the Park” event for the community, and is interested in purchasing garbage receptacles for the main street to help beautify the downtown core.

A discussion ensued regarding partnerships with community groups for the provision of garbage receptacles and street furniture, and it was discussed that it was mutually beneficial for groups to partner with the Municipality for these types of improvements, as it allows the groups to be part of the enhancement of their own community, and it allows municipal funds to be used more effectively.

**10-1101-02 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Weber**

That the Municipality of Lambton Shores has no objection to the request from the Thedford Spirit Club to decorate the Thedford Village Parkette with Christmas lights. Carried

5.2 Peggy Knight – Re: Feral Cats

Correspondence was received from a resident in Port Franks concerning the issue of a large number of feral cats in the community. It was noted that the possibility of re-instating “cat trapping” had previously been referred to the 2011 budget discussions.

**10-1101-03 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That the correspondence regarding feral cats in Port Franks be received and referred to the 2011 budget deliberation. Carried

5.3 Victoria Barrington, Senior Communications Advisor – Suncor Media - Re: Wind Power Project in Lambton County

The Senior Communications Advisor for Suncor Energy Services, Victoria Barrington, advised that the company is delaying some of the planned environmental studies for projects in the area, as a result of the Ontario Power Authority's decision to delay awarding the Feed-in Tariff contracts until spring of 2011.

**10-1101-04 Moved by: Councillor Rupke
Seconded by: Councillor Cook**

That the correspondence dated October 18, 2010 from Victoria Barrington, Senior Communications Advisor – Suncor Media regarding Wind Power Project in Lambton County be received and filed. Carried

5.4 Stephane Thiffeault, General Manager/Legal Services/Clerk, County of Lambton - Re: Follow Up – Coyote Population

At a previous meeting, correspondence from the Southcott Pines Park Association outlining concerns with coyotes was reviewed, and as the County of Lambton was preparing a report on the issue of coyotes in the area, a decision was deferred until the report was available. The report from the County clerk is now available, and states that coyotes are not an “upper tier” responsibility, and provides additional information about coyote “bounties”. Information pertaining to coyotes is available on the Ministry of Natural Resources website, and Council asked that the coyotes information be made available as a link on the Lambton Shores’ website.

**10-1101-05 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Illman**

That the information pertaining to coyotes from the County of Lambton Clerk Stephane Thiffeault be received and filed, and that a link to the Ministry of Natural Resources website that pertains to coyotes be established on the Lambton Shores’ website. Carried

6. CONSIDERATION OF COMMITTEE MINUTES AND STAFF REPORTS

6.1 Draft Minutes of the Kettle and Stony Point/Lambton Shores Joint Committee Meeting – August 27, 2010

The minutes from the August 27, 2010 meeting between representatives from Kettle & Stony Point and Lambton Shores were reviewed.

**10-1101-06 Moved by: Councillor Illman
Seconded by: Councillor Weber**

That the minutes from the August 27, 2010 Kettle and Stone Point/Lambton Shores Joint Committee Meeting be received and filed. Carried

6.2 Grand Bend Area Sewage Treatment Facility Board Meeting Minutes – September 16, 2010

The minutes from the September 16, 2010 Grand Bend Area Sewage Treatment Facility Board were reviewed, and several questions were raised and answered.

**10-1101-07 Moved by: Councillor Weber
Seconded by: Councillor Cook**

That the minutes from the September 16th, 2010 Grand Bend Area Sewage Treatment Facility Board meeting be received and filed.

Carried

6.4 C.A.O. Report No. 34-2010 - Re: MOE Charges for Illegal Release of Sediments from the Arkona Standpipe in 2009

In C.A.O. Report No. 34-2010, Chief Administrative Officer John Byrne provided information on the charges laid by the Ministry of the Environment stemming from the cleaning of the Arkona Standpipe.

**10-1101-08 Moved by: Councillor Weber
Seconded by: Deputy Mayor Jamieson**

That C.A.O. Report No. 34-2010 regarding MOE charges for illegal release of sediments from the Arkona Standpipe in 2009 be received and filed.

Carried

Mayor Minielly explained that this situation arose during the decommissioning of the tower, when the Municipality changed the water supply source from the ground water to the pipeline water, with the goal of improving the water quality, and moving away from the aquifer with the various minerals. He asked for support to send a letter to the Ministry of Environment, requesting better co-operation with the lower tier municipalities when they are working to improve municipal systems, and situations like this occur.

**10-1101-09 Moved by: Councillor Weber
Seconded by: Councillor Rupke**

That Mayor Minielly is authorized to send a letter to the Ministry of the Environment asking for better co-operation with the lower tiers when situations arise when flushing water mains or when improving drinking water systems.

Carried

Planning

6.5 PL Report No. 37-2010 Re: Request for Conditional Building Permit by Parkbridge Lifestyle Communities Inc. for Reconstruction of the Recreation Centre, Oakridge Dunes Resort – 9910 Northville Crescent

In PL Report No. 37-2010, Planner Patti Richardson advised Council of a recent fire at the Dunes Oakridge Campground, which resulted in the Recreation Centre suffering extensive damage and has been subsequently torn down. While planning the reconstruction, it was determined that the septic system was incapable of supporting the recreation centre. After reviewing the options, the owners are requesting permission to service the new recreation centre by using the existing capacity in the private sewage treatment facility at the adjacent "Northville Estates" development, which they also own.

The Planner notes that she can support the proposal, which involves granting a conditional building permit for the Recreation Centre, on the understanding that an agreement addressing all the Municipal and Ministry of the Environment concerns is signed by the owner prior to any construction commencing.

The conditions to be imposed and the possible future expansion of Northville Estates were discussed, all of which will be addressed in the agreement. Ms. Richardson noted that the agreement would be reviewed by the Municipal Engineer and Solicitor and once acceptable, provided to Council for review.

**10-1101-10 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Rupke**

That Council approve in principle the issuance of a conditional building permit to Parkbridge Lifestyle Communities Inc. for a new recreation centre at Oakridge Dunes Resort, 9910 Northville Crescent, subject to an acceptable agreement being presented to Council for approval. Carried

Community Services

6.6 D.C.S. Report No. 66-2010 Re: East and West Lambton Shores Water Distribution Systems – MOE Inspections

D.C.S. Report No. 66-2010 outlined the results of the recent inspection by the Ministry of the Environment of the East and West Lambton Shores' water distribution systems. It was noted that the inspection covered all components of the distribution of safe drinking water to the public, including treatment processes, operations manual, logbooks, certification and training, water quality monitoring and reports and corrective actions. The Director of Community Services Peggy Van Mierlo-West reported that the Municipality received a 100% approval.

Councillor Rupke advised that it was not easy to get a 100% rating and that staff and the operating authority should be commended.

**10-1101-11 Moved by: Councillor Rupke
Seconded by: Councillor Illman**

That D.C.S. Report No. 66-2010, providing details on the Ministry of the Environment Inspections for the East and West Lambton Shores Water Distribution Systems be accepted as presented. Carried

Administration & Finance**6.7 TR Report No. 43-2010 – Re: Audit Services**

Treasurer Janet Ferguson outlined the new and unique challenges for financial reporting that were experienced during the past year, most noteworthy being the change to tangible capital asset reporting, which has delayed the completion of the 2009 financial return. Ms. Ferguson noted that the Municipality has retained the services of BDO Dunwoody LLP for the annual audit for the past several years, and although the Municipality has been pleased with the service, it is beneficial to periodically issue requests for proposals (RFP) for audit services.

In light of the delays experienced as a result of the change in reporting requirements, it was recommended that the RFP for auditing services be delayed until 2011 and that BDO continue their services for the 2010 fiscal reporting term.

It is anticipated that the 2009 audit will be presented in December.

**10-1101-12 Moved by: Councillor Russell
Seconded by: Councillor Cook**

That Council confirms the appointment of BDO Dunwoody as auditors for Lambton Shores for 2010, and delays the issuance of a Request for Proposals for Audit Services until the 2011 fiscal year as outlined in TR Report No. 43-2010.

6.8 TR Report No. 44-2010 – Re: Development Charges

In TR Report No. 44-2010, Treasurer Janet Ferguson outlined the status of the Development Charges (DC) in Lambton Shores, and noted that the Development Charge Act sets a 5 year maximum term, which means the original Lambton Shores' Development Charge by-law passed in 2005 expires on December 31, 2010. Ms. Ferguson noted that there are several studies that are currently underway that will impact Development Charges, such as the Recreation Master Plan, the Road Needs Study and the Official Plan review.

As there would not be sufficient time for a thorough consideration of the components prior to the expiry date, it is recommended that another interim review be completed to confirm the existing level of the DC Fees, and a by-law be passed with a one year term. A full review and study would be undertaken in 2011, which will allow the new Council sufficient time to review the studies and make solid long term planning decisions for the Municipality.

**10-1101-13 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That staff be authorized to proceed with an interim review of Development Charges and schedule a full study update in 2011, as outlined in TR Report No. 44-2010. Carried

6.9 TR Report No 46-2010 Re: Federation of Canadian Municipalities Agreement for the Legacy Centre

Part of the funding arrangements approved previously for the Thedford Legacy Centre project was a grant and low interest loan from the Federation of Canadian Municipalities for the Green Municipal Fund program for the environmental aspects of the project. The agreement is now available and a by-law is required to authorize the Mayor, C.A.O., Treasurer and Clerk to sign the required documentation.

**10-1101-14 Moved by: Councillor Weber
Seconded by: Councillor Simpson**

That Council authorizes the execution of the Funding and Financing Agreement for the Federation of Canadian Municipalities Green Municipal Fund program for the Legacy Centre project as outlined in TR Report No.46-2010. Carried

CL Report No. 80-2010 – Re: Municipal Election Update

Clerk Carol McKenzie provided an update on the Municipal Election process in CL Report No. 80-2010, and noted the turnout was approximately 51%, which is well above the provincial average of 38%. Some of the challenges faced during the election were noted, such as the outdated information on the voters' list for children of eligible electors or "tenants" and the continuing problems with some voters not following the Vote By Mail procedures..

Ms. McKenzie noted that a full review of the election process would be undertaken prior to the 2014 election.

**10-1101-15 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Cook**

That CL Report No. 80-2010 regarding the Municipal Election update be received and filed, and that a summary of the report be included on the Municipal website. Carried

7. BY-LAWS & RESOLUTIONS

7.1 By-law 70-2010 – 3rd Reading – Sutherland Drain

7.2 By-law 89-2010 – Authorizing Agreement – FCM- Legacy Centre

7.3 By-Law 90-2010 – Confirming Resolutions to Date

**10-1101-16 Moved by: Councillor Simpson
Seconded by: Councillor Rupke**

That the following by-law be read a third time, passed and numbered appropriately, signed by the Mayor and Clerk and engrossed in the by-law book:

- By-law 70-2010 – Sutherland Drain; and

That the following by-laws be read a first, second and third time, passed and numbered appropriately, signed by the Mayor and Clerk and engrossed in the by-law book:

- By-law 89– 2010 – Authorizing Agreement – FCM – Legacy Centre

- By-law 90-2010 – Confirming Resolutions to Date Carried

8. ACCOUNTS

8.1 TR Report No. 42-2010 Re: September 2010 Cheque Register

The accounts for the month of September were reviewed, and Deputy Mayor Jamieson had previously declared a conflict with the accounts, as she supplied goods to the Municipality.

10-1101-17

Moved by: Councillor Cook

Seconded by: Councillor Simpson

That the Municipal accounts for the month of September 2010, in the amount of \$5,925,529.77 be approved. Carried

6.3 PowerPoint Presentation – Chief Administrative Officer John Byrne

Chief Administrative Officer John Byrne presented information on the Stimulus Funding Projects that the Municipality of Lambton Shores had undertaken in the past few years, and the strategic approach used to maximize the impact of the investments.

As the Municipality had in place a current Strategic Plan, Accessibility Plan and Community Improvement Plan, it was easier to maximize the impact of the programs. Projects that benefitted from the funding included the Grand Bend Main Street, which included new lights, curbs, gutters, and sidewalks, new crosswalks, the “greening” of the Main Street and the improved accessibility to not only to the streets and sidewalks, but to some of the Main Street businesses as well.

Another benefitting project was the “Village Green” in Thedford, which was identified in the Community Improvement Plan the year prior, and the project resulted in an oasis in the core area of Thedford with trees and gardens and a children’s play area, which is serving as a catalyst for the community, building and strengthening the local economy.

In the past, Lambton Shores had identified a need to replace a large number of water mains in the Town of Forest, especially those of 1920 vintage that were causing recurring problems with breaks and poor flows. Using stimulus funds to replace this

failing infrastructure has resulted in improved service and safe water delivery to over 454 homes, plus numerous businesses and multi residential units, and included provisions to replace sidewalks and road surfaces. With the replacement of these lines, there is a reduction in the “infrastructure deficit” which will allow funds to be allocated to other areas.

The replacement of the Thedford Bosanquet Arena with the “Legacy Centre” was another project that was ready to go when the grants were announced, as the future needs for the facility had been determined earlier by the Steering Committee. The project will result in a more efficient and cost effective “LEED” certified facility that is fully accessible, and will include an improved day care and new library facility, and will help to strengthen the local economy.

The total cost for all 4 projects was 20 million dollars, of which grants for \$9,406,000 were received. Of the net cost, \$4,800,000.00 will be financed, with the balance funded through reserves and capital budget allocations.

Chief Administrative Officer John Byrne also noted that in addition to the stimulus capital projects, and the day to day work that is required to ensure the smooth operation of the Municipality, it is important to review the Strategic Plan goals that were accomplished during this term of Council. Mr. Byrne provided details on the initiatives from the past 4 years, which included improved communications with the residents with the “Living and Playing in Lambton Shores” newsletter and annual “Leisure Guide”, more information available on the Website, newsletters sent to affected residents on projects, and initiatives, PIC meetings on waste water and planning issues, improved access for residents with disabilities, improved equipment for the fire departments, expanded and safer water supply for residents, safer roads and bridges, safer and more environmentally friendly beaches and marinas, more attractive and environmentally friendly communities, improved relations with our municipal neighbours, strengthening the economy, improved community pride, update recreation facilities, the construction of 172 new homes, improvements to our streetscapes, awards received for innovated products and services, all while being strategic and future oriented, leveraging funds, fundraising and preparing for future projects.

Mr. Byrne noted that all of the above was accomplished while keeping the water rolling and lights on.

Councillor Russell noted that staff should be commended for all their work on these projects as well.

9. COUNCILLOR REPORTS

Councillor Illman commended staff on the forest water main projects, which was a significant project, and had a significant positive impact on residents and businesses.

Mrs. Illman questioned the communications with the community groups relating to the Legacy Centre project, and Director of Community Services Peggy Van Mierlo-West noted that the groups are kept updated on a regular basis, and that the groups have been allocated 1 more month of ice time next year to make up.

Council was also advised that the Forest Foundation has just announced their 2010 grant allocations.

Councillor Rupke noted that with respect to improved relationships with our neighbours, Lambton Shores was able to provide a water supply to the Municipality of North Middlesex during a significant water break, and the municipality has subsequently relayed their appreciation.

Deputy Mayor Jamieson noted a needed repair at the corner of Gordon Road and Jura Line.

10. NEW BUSINESS

The only item of new business had been discussed during the report discussions.

11. DISCUSSION PERIOD

Mr. Cam Taylor raised an issue with respect to the cost a resident was quoted to trap feral cats in Grand Bend and Clerk Carol McKenzie advised that cat trapping was not a Municipal service, but the service is offered by a private citizen using his own traps and vehicle for transportation.

Mr. Ernie Lewis asked a question pertaining to the acceptable limits for discharges from the Arkona Standpipe, and Mayor Minielly provided an overview of the situation.

Mr. Bob Sharen complimented the candidates on the prompt removal of election signs.

12. CONFIDENTIAL

**10-1101-18 Moved by: Councillor Weber
Seconded by: Councillor Russell**

That the Council meeting goes "In Camera" at 8:00 p.m. to discuss legal matters and will reconvene immediately thereafter.

Carried

Council rose with no report at 8:02 p.m.

It was noted that there would not be a meeting on November 9, 2010.

13. ADJOURN

**10-1101-19 Moved by: Deputy Mayor Jamieson
Seconded by: Councillor Illman**

That the Council meeting adjourns at 8:03 p.m. Carried