

THE MUNICIPALITY OF LAMBTON SHORES

Regular Meeting of Council

Meeting Number: 30-2011

Date of Meeting: Monday, November 21, 2011

Members Present: Mayor Bill Weber
Deputy Mayor Elizabeth Davis Dagg
Councillor Dave Maguire
Councillor Doug Bonesteel
Councillor Lorie Scott
Councillor Ruth Illman
Councillor Martin Underwood
Councillor Doug Cook
Councillor John Russell

Staff Present: C.A.O. John Byrne
Clerk Carol McKenzie
Treasurer Janet Ferguson
Planner Patti Richardson
Administrative Assistant Roberta Brandon

Media present: Lynda Hillman-Rapley, Lakeshore Advance
Amy McMahan, The Standard
Gord Whitehead, Various Publications

1. CALL TO ORDER

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

2. DECLARATION OF PECUNIARY OR CONFLICT OF INTEREST

The Mayor asked members to declare any pecuniary or conflict of interest that they may have with respect to the business itemized on the agenda and Deputy Mayor Davis-Dagg declared a conflict with item 5.2 as her husband is involved in a community based wind project.

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

3.1 Regular Council Meeting – November 7, 2011

The minutes of the regular Council meeting held the 7th day of November, 2011 were reviewed.

Councillor Illman noted that during the last meeting, there had been a discussion on the allocation of funds from AUBI for the delay in the reconstruction of the Legacy Centre. She clarified that her comment had been that the remaining funds should not be

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distributed to one particular organization only but should to be available if other situations arise.

Councillor Russell noted that the Council direction of the preliminary discussion with the Community Services management team about the 2012 Capital program were not noted in the minutes and sought some assurance that they would be reflected in the budget document. C.A.O. John Byrne confirmed that the feedback from Council had been noted by staff and would be reflected in the budget.

Councillor Russell noted that in his recommendation for the Kennedy Line drainage issues he had asked that the affected land owners be consulted, and the Clerk advised that although the Municipality was signing the petition to have the process initiated, the usual process for drainage petitions including appointing an engineer and the required public meetings would be followed.

Mayor Weber also noted that Councillor Underwood's question, did Council had any plans to construct a sewage system for Zones 3 & 4 had been omitted. In answer to this question Mayor Weber had replied "not at this time".

**11-1121-01 Moved by: Councillor Russell
Seconded by: Councillor Scott**

That the minutes of the regular Council meeting held November 7, 2011 be accepted as amended. Carried

4. DELEGATIONS, PUBLIC MEETINGS & PRESENTATIONS

4.1 Peter Coleman, Grand Bend Optimists – Re: PowerPoint Presentation on the Grand Bend Youth Centre

Mr. Peter Coleman attended the meeting on behalf of the Grand Bend Optimists and provided information on the community involvement of the Optimists, which includes donating to community projects such as the Gym at the Grand Bend School, the Skateboard Park and Outdoor Basketball Court, the 81 Crescent Street Park, and the Beach Enhancement Project, as well as running the Grand Bend Area Youth Centre.

Mr. Coleman explained the programs held at the Youth Centre such as drop-in floor hockey, dance class, babysitting courses and computer classes. He noted the Youth Centre also acts as a gathering place for other groups for Zumba, computer or art classes. One of the new programs for this year include the creation of a skating area behind the Grand Bend Fire Hall.

Details were provided on the revenue and expenses for the Centre and asked Council to consider partnering with the Optimist and provide facilitation staff for the Youth Centre, approximately 40 to 50 hours per year to help in coordinating and promoting these important and much needed programs within Lambton Shores.

Council agreed on the importance of the Optimist Club and the benefits to the community for this Centre. A discussion ensued on Council's role in terms of "programming", the availability of staff resources and possible precedent setting.

**11-1121-02 Moved by: Councillor Russell
Seconded by: Councillor Bonesteel**

That this request from the Grand Bend Optimists for administrative assistance to the Youth Centre be referred to staff for a report on staff resources and the impact this would have on the 2012 Budget. Carried

4.2 Public Meeting – Application for an Official Plan Amendment OP-05/2011 & Zone Amendment ZO-07/2011 for Maria and Theodore Vanos – 7634 Jericho Road

**11-1121-03 Moved by: Councillor Maguire
Seconded by: Deputy Mayor Davis-Dagg**

That the Council meeting adjourns at 7:20 p.m. for a public meeting held under the Planning Act to hear an application for an Official Plan Amendment Application and Zone Amendment Application submitted by Theodore and Maria Vanos for property located at 7634 Jericho Road. Carried

Councillor Cook raised a Point of Order advising that under Section 15.8 of the Lambton Shores' Procedural By-law, the recording of sounds, or images and the taking of photographs is not permitted during a public meeting without the written permission of the Municipality. Following a brief discussion as to why recording is not allowed, Mayor Weber asked that all outside recording devices be turned off.

Planner Ms. Richardson advised that the applicants, Maria and Theodore Vanos are requesting an amendment to the "Agricultural" policies of the Lambton Shores' Official Plan to permit the creation of a new non-farm dwelling lot for a dwelling which is surplus to a farming operation as a result of a farm consolidation.

The Planner noted that Council has received a number of these applications and although the existing Lambton Shores' Official Plan Policies do not allow these types of severances, the Provincial Policy Statement does in the event of farm consolidations. If the amendments are approved by Council, the owner can apply for a severance to create the new lot.

Ms Richardson advised that the dwelling on the proposed lot to be severed is serviced by a private septic system and the County has advised that there are no septic records for this property, which is an indication that the system has been in existence long past its useful life. She further noted that the dwelling has not been connected to the Municipal watermain and any approval should be conditional on the dwelling being connected to Municipal water.

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Mr. Philip Walden, Agent for the applicants advised that his clients were aware that the septic was old and in need of replacement and that they would be required to connect to the Municipal waterline and advised that his clients intended to comply with these conditions imposed in the Planner's report.

Mayor Weber asked for questions from the audience and Mrs. Ruthanne Wallace inquired as to why the applicants are required to connect to the Municipal waterline when previous Council had not required mandatory connections.

Mayor Weber asked if there were any questions from Council.

Councillor Russell asked if there were any concerns with the neighbours concerning this application and Mr. Walden advised that no concerns had been raised.

Deputy Mayor Davis Dagg advised that she could attest to Mrs. Wallace's comment that a previous Council had revoked the mandatory hookup.

**11-1121-04 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That the public meeting adjourns and the regular Council meeting reconvenes at 7:29 p.m. Carried

In follow-up to the question posed by Mrs. Wallace regarding a previous Council's decision that mandatory waterline hookups would not be imposed, Councillor Russell asked that this statement be confirmed.

Planner Patti Richardson noted that the Municipal policy has been that all new lots created must be on full services if available and indicated that as this is a request for a Planning Act approval for a new lot, Council's policy respecting full services for new lots developed needs to be consistent across the Municipality.

Deputy Mayor Davis noted that there are a number of public documents that state there would be no requirement for connection to the waterline and that there are no conditions on this, and does not say if a lot is severed it has to be connected, or if it is a new lot it must connect.

**11-1121-05 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That Official Plan Amendment Application OP-05/2011 submitted by Maria and Theodore Vanos requesting an amendment to the Lambton Shores Official Plan, as it relates to lands known as 7634 Jericho Road, to allow the creation of a new non-farm dwelling lot for a dwelling which is surplus to a farming operation as result of a farm consolidation, be APPROVED IN PRINCIPLE, subject to the County and Municipality being satisfied that:

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1. A new septic system is installed for the surplus farm dwelling; and
2. The surplus farm dwelling is connected to the municipal watermain

prior to the Official Plan amendment being adopted by Council, as the application is consistent with the Provincial Policy Statement.

That Zoning By-law Amendment Application ZO-07/2011 requesting an amendment to the Lambton Shores Zoning By-law 1 of 2003 as it relates to lands known as 7634 Jericho Road to:

- (a) Prohibit the construction of a new dwelling on the remnant farm parcel after the severance of the surplus dwelling; and
- (b) To allow a farm parcel to have a minimum lot area of 20.6 hectares

be APPROVED IN PRINCIPLE, subject to the County and Municipality being satisfied that:

1. A new septic system is installed for the surplus farm dwelling; and
2. The surplus farm dwelling is connected to the municipal watermain

prior to the Zoning By-law Amendment being adopted by Council as the application is consistent with the Provincial Policy Statement. Carried

Further to the question of mandatory hookup it was agreed that staff report back on the conditions of mandatory hook up as approved in the by-law and how this applies to Planning applications.

**11-1122-06 Moved by: Deputy Mayor Davis-Dagg
Seconded by: Councillor Russell**

That staff prepare a report for Council on the issue of connecting to municipal services as a result of planning applications.

Carried

4.3 Glen Baillie, Secretary – Grand Bend and Area Chamber of Commerce – Re: Summary of Round Table Discussion on Parking and Traffic Congestion in Grand Bend

Mr. Glen Baillie, Secretary of the Grand Bend and Area Chamber of Commerce appeared before Council to provide a summary of the discussions held during public meetings in Grand Bend with respect to traffic congestion, parking and payment in lieu of parking. He noted that the number one priority noted at the public meetings was the traffic congestion and that this problem of traffic congestion must be addressed.

Mr. Baillie also noted support for suggestions for crosswalks across Highway #21, limited overnight parking, possible credit card payments for parking meters, parking rate increases during demand times, QR codes for use downtown Grand Bend, signage for the Gill St. Parking Lot and possibly re-evaluating the payment fee structure in lieu of parking.

Councillor Bonesteel complimented the Chamber on a job well done in conducting these public discussion meetings, and noted that the Municipality was currently in discussion with the MTO regarding the traffic congestion in Grand Bend and the crosswalk at Merrywoods Subdivision.

Councillor Illman commended Mr. Baillie on this report, noted that the traffic congestion in Grand Bend was a double edged sword in being good for the economy as that inferred visitors to the community as well, and advised Mr. Baillie that Council had every intention to speak with the Ministry of Transportation regarding the traffic congestion at the OGRA/ROMA Conference in 2012.

**11-1121-07 Moved by: Councillor Maguire
Seconded by: Deputy Mayor Davis Dagg**

That the report from Mr. Glen Baillie regarding a summary of the Round Table Discussion on Parking and Traffic Congestion in Grand Bend be referred to staff for prioritizing and budget consideration. Carried

5. CORRESPONDENCE & PETITIONS

Correspondence – Referred to Staff for a Resolution or a Report to Council

5.1 Correspondence from Sharon Weitzel for the Lambton Shores Community Association – Re: Irresponsible Landlords & Noise

Council reviewed correspondence from Sharon Weitzel of the Lambton Shores Community Association regarding irresponsible landlords and noise in Grand Bend. It was noted that the Clerk would be presenting a report on these issues to Council in December of 2011, and that there would be a public meeting held in January of 2012 to allow public input for Council consideration prior to the implementation of a by-law.

**11-1121-08 Moved by: Councillor Russell
Seconded by: Councillor Scott**

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That correspondence from Sharon Weitzel regarding the irresponsible landlords and noise in Grand Bend be referred to the Short Term Rental Accommodation Committee for review.

Carried

Correspondence – For Council Direction

5.2 Correspondence from Mitch Heimpel, Executive Assistant – Todd Smith, MPP – Prince Edward – Hastings – Re: Wind Turbine Issue

Correspondence from the MPP for Prince Edward – Hastings requesting support of a Private Members Bill allowing Municipality to govern activities relating to renewable energy project, renewable energy sources and renewable energy testing projects was reviewed.

**11-1121-09 Moved by: Councillor Russell
Seconded by: Councillor Illman**

That correspondence from the MPP for Prince Edward – Hastings regarding wind turbine issues be received and filed. Carried

6. CONSIDERATION OF COMMITTEE MINUTES AND STAFF REPORTS

6.1 Minutes of the Short Term Rental Accommodation Committee Meeting held October 12, 2011

The minutes of the October 12, 2001 meeting of the Short Term Rental Accommodation Committee were reviewed.

**11-1121-10 Moved by: Councillor Underwood
Seconded by: Councillor Scott**

That the minutes of the Short Term Rental Accommodation Committee meeting held the 12th day of October, 2011 be received and filed. Carried

Planning

PL Report No. 43-2011 was reviewed during the public meeting portion of the agenda.

Administration & Finance

6.3 TR Report No. 51-2011 – Re: Grand Bend Parking Revenue

Further to an earlier request from Council, Treasurer Janet Ferguson reported on the Grand Bend parking revenues for 2011. In TR Report No. 51-2011 it was noted that the revenue from parking is used to offset the capital costs to acquire lots, and the expenses to operate the beach and parking areas of Grand Bend that would otherwise be funded through taxation.

**11-1121-11 Moved by: Councillor Maguire
Seconded by: Councillor Illman**

That TR Report No. 51-2011 regarding the revenue from parking lots in Grand Bend be received and filed. Carried

6.4 TR Report No. 53-2011 – Re: Draft Year to Date Financial Statements – October 31, 2011

The draft operating and capital financial statements for the period ending October 31, 2011 were reviewed by Council and it was noted that a discussion would take place during budget discussions on the challenges faced by the Building Department on a day to day basis when delivering this service.

Deputy Mayor Davis-Dagg asked why there was an increase to the Information Technology budget of approximately \$9,000. and the Treasurer Ms. Ferguson explained that this was contributed to a link upgrade that was required and that this increase had previously been reported to Council.

Councillor Illman inquired as to how the costs related to improvements to the Grand Bend Lions' Park and the Grand Bend Optimists' Park were to be paid and was advised that it was a 50/50 partnership between the Lions, Optimists and the Municipality.

**11-1121-12 Moved by: Councillor Illman
Seconded by: Councillor Scott**

That TR Report No. 53-201 regarding the draft year to date financial statements for the period ending October 31, 2011 be received and filed. Carried

6.5 CL Report No. 81-2011 – Re: Annual Conferences – 2012

Information regarding annual municipal conference schedule for 2012 was outlined in CL Report No. 81.2011.

**11-1121-13 Moved by: Councillor Cook
Seconded by: Deputy Mayor Davis-Dagg**

That CL Report No. 81-2011 regarding annual conferences to be held in 201 be received and filed. Carried

6.6 CL Report No. 82-2011 – Re: Proposed Council Meeting Dates for 2012

The proposed dates for 2012 Council meetings were provided in CL Report No. 82-2011, as required by the Procedural By-law. Meetings are scheduled for the first and third Monday evenings and the second Tuesday of each month, and it was noted that revisions will be made as required.

**11-1221-14 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That the proposed 2012 Council meeting dates, as detailed in CL Report No. 82-2011 be accepted as presented. Carried

Corporate & Strategic

6.7 C.A.O. Report No. 49-2011 – Re: Groundwater Testing Analysis and Interpretation – CAO

As referred by the Grand Bend Sewer Ad Hoc Committee, C.A.O. Report No. 49-2011 was presented for Council review.

**11-1121-15 Moved by: Councillor Illman
Seconded by: Councillor Russell**

That C.A.O. Report No. 49-2011 be deferred to 2012 following receipt of the Grand Bend Sewer Ad Hoc Committee report.
Later Withdrawn

Councillor Cook asked that instead of deferring this report Council should receive and file as the report needed no further explanation.

Councillor Illman concurred and advised that she would speak to this report at a more appropriate time.

**11-1221-16 Moved by: Councillor Cook
Seconded by: Councillor Russell**

That C.A.O. Report No. 49-2011 regarding the groundwater testing analysis and interpretation be received and filed. Carried

6.8 C.A.O. Report No. 68-2011 – Re: Tender Results for the Reconstruction of the Sercombe Drain

Tender results received for the reconstruction of the Sercombe Drain were reviewed. The scope of the project includes 270 metres of open ditching and approximately 4500 metres of convert tile and appurtenances, catch-basin inlets at specified locations, and 4 road bores.

Questions were asked and answered concerning the costs for this project and it was noted that Lambton Shores' portion has been assessed at \$57,660.00 and the other costs would be detailed in the drainage schedule. Council agreed that the low bid submitted by Van Bree Drainage be accepted.

**11-1121-17 Moved by: Councillor Russell
Seconded by: Councillor Cook**

That the recommendation to accept the tender submitted by Van Bree Drainage for the Sercombe Drain as outlined in C.A.O. Report No. 68-2011 is approved. Carried

6.9 C.A.O. Report No. 65-2011 – Re: The Grand Bend Area Sewage Treatment Facility – Tender Results and Direction to Proceed

Mayor Weber advised that C.A.O. Report No. 65-2011 had been tabled for more information at a previous meeting and asked Councillor Russell who had made the original tabling motion if he was prepared to lift this report from the table.

**11-1121-18 Moved by: Councillor Russell
Seconded by: Councillor Illman**

That C.A.O. Report No. 65-2011 be lifted from the table for Council consideration. Carried

Councillor Bonesteel noted that in light of the legal implications or ramifications around this decision, he requested that a portion of the discussion be held in camera.

Mayor Weber explained that the Municipal Solicitor Barry Card was in attendance to brief Council on the potential legal implications of the options which would be discussed in camera and the Council would come back into open session to discuss any other non privileged aspect of the agreement that needed to be addressed.

**11-1121-19 Moved by: Councillor Bonesteel
Seconded by: Councillor Illman**

That Council rise and go into Committee of the Whole, in camera, at 8:12 p.m. pursuant to Section 239 (2)(e) of the Municipal Act, to discuss litigation or potential litigation affecting the municipality, pursuant to the Grand Bend Sewage Treatment Plant mediated agreement. Carried

Council rose from the “Closed Session” at 9:15 p.m.

**11-1121-20 Moved by: Councillor Russell
Seconded by: Councillor Bonesteel**

That Council confirms its support for the Full Build-Double Train sewage treatment facility as outlined in the Joint Agreement approved July 23rd 2010 and that the partners to this agreement be so advised prior to the November 29th meeting of the Joint Sewage Board. Carried

**11-1121-21 Moved by: Councillor Russell
Seconded by: Councillor Bonesteel**

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With respect to the Grand Bend Area Sewage Treatment project, staff is instructed to prepare a report on the financial implications if a) the other two partners withdraw from the project and Lambton Shores proceeds unilaterally with the double train full build, and b) if the decision of the other partners is to proceed with the “single train” option, and that the report include the impacts on capacity for future and existing development, development charges and water/wastewater rates with both options. Carried

7. BY-LAWS

**11-1121-22 Moved by: Councillor Underwood
Seconded by: Councillor Cook**

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 99-2011 – Confirming Resolutions to Date
- By-law 100-2011 – Authorize Agreement with Hensall District Co-op. Carried

8. ACCOUNTS

8.1 TR Report No. 54-2011 – Re: October, 2011 Cheque Register

The Municipal accounts for the month of October, 2011 were reviewed and Deputy Mayor Davis-Dagg asked why a payment of approximately \$6,000. was made to Dillon Engineering for work on the Pinery Park sewage when the project is completed. The Treasurer noted this payment was for their final review on the sewage system and that the Municipality has already been reimbursed by the Pinery for these costs.

**11-1121-23 Moved by: Councillor Bonesteel
Seconded by: Councillor Cook**

That the Municipal accounts for the month of October, 2011 in the amount of \$1,865,388.22 be accepted as presented. Carried

9. COUNCILLOR REPORTS

Councillor Illman updated Council on the efforts of a group of individuals known as Homemade Jam to bring a Festival event to Esli Dodge Conservation Area, that the YMCA Advisory Committee met recently and now have a new staff supervisor that is devoted strictly to the Lambton Shores facility and that the YMCA is listening to what the Advisory Committee is bringing before them. Also noted was “Doors Open” which is a Provincial program promoting Heritage tours province wide is looking for County wide interest and also that St. Clair Conservation Authority is preparing a watershed plan for the formerly unregulated area of the Municipality.

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She also asked for an update on an environmental spill that had occurred the past weekend.

Mr. Byrne reported that the Drainage Superintendent had responded to a call regarding a manure spill, and was liaising with the MOE representative on the remediation efforts the property owner is doing to reduce the impact of the problem. Mr. Byrne further advised that the Federal representatives and the St. Clair Conservation Authority have been notified and will report back on this issue.

Councillor Russell reported that he was attending the Public Private Partnership Conference in Toronto and that the Lakesmith Conservationists were working on an irrigation system for the Klondyke Soccer Fields and Tree Farm and he would report back to Council on this. He further reported that in honour of the 20th Anniversary of Lakesmith Conservationists, a Heritage Cairn was proposed for the Bog area and noted the Remembrance Day Ceremony in Thedford was amazing and asked that the road along the cenotaph be closed for future ceremonies.

Deputy Mayor Davis-Dagg noted that Lambton Shores Remembrance wreaths were needed for the Arkona and Thedford Remembrance Day ceremonies and that the Annual Santa Claus Parade would take place November 26th at 7:00 p.m. in Forest and on December 3rd in Thedford.

Councillor Bonesteel reported that the Christmas Comes Early Event recently held in Grand Bend had been a huge success.

Councillor Cook reported that Arkona Fire Chief Jim Sisler had left for Minnesota to pick up the new tanker truck for the Arkona Fire Department.

Councillor Maguire extended his sympathies to the VanBrouaene family in the passing of a long time Grand Bend business man Prosper VanBrouaene. He further reported that he had attended the Remembrance Day Ceremony in Grand Bend and it was a wonderful honour to our veterans and that he had attended the Chamber of Commerce Annual meeting.

Councillor Scott reported that the ABCA had passed the draft budget and would be happy to present it to Council and further that the ABCA would be holding an auction to raise funds for a pavilion.

Councillor Weber reported that he had attended the Forest Remembrance Day Ceremony and noted what an impressive event this is and further reported that he had attended the Detroit Red Wings Alumni game held the past weekend in Forest.

10. NEW BUSINESS

**11-1121-24 Moved by: Councillor Russell
Seconded by: Councillor Bonesteel**

That an emergent issue related to the Rice Development be brought forward by the Planner. Carried

Ms. Richardson explained that the developers for the Rice Development would like to alter the Draft M Plan of their Subdivision Agreement to append an area associated with the townhouse Block 26 to the commercial block instead. She noted that this was a minor amendment.

**11-1121-25 Moved Councillor Scott
Seconded by: Councillor Bonesteel**

That the minor amendment to Draft M Plan for the Rice Subdivision Agreement be approved. Carried

8.1 Notice of Motion from Deputy Mayor Davis-Dagg – Re: Proposal to Establish an Agricultural Advisory Committee

The Deputy Mayor asked Council to consider establishing a Rural Agriculture Advisory Committee for Lambton Shores to recognize the importance of agricultural issues

The need to have a full discussion on committees, and how they can assist the Municipality and bring information from the community was discussed along with the need for terms of reference outlining the parameters and expectations of committees.

**11-1121-26 Moved by: Deputy Mayor Davis Dagg
Seconded by: Councillor Russell**

Whereas agriculture is one of Lambton Shores' highest sources of income;

And whereas a thriving agricultural economy will add significantly to our Municipality's success;

And whereas Council desires to understand the needs of agriculture and empower this industry to thrive;

And whereas the St. Clair Regional Conservation Authority round-table participants identified the need to establish a Rural Agriculture Advisory Committee as a top priority in its efforts to protect the natural environment and improve water quality;

Therefore, Council directs staff to prepare a report in the new year on the various aspects related to establishing a Rural Agriculture Advisory Committee and that this report be referred to future Strategic Planning discussions. Carried

10.2 Notice of Motion from Councillor Underwood – Re: Signage for “Forest Pioneer Cemetery” and Signage for the Proposed “BMX Park” in Forest

Councillor Underwood noted the importance of having memorial signage erected in Forest depicting the “Forest Pioneer Cemetery”. Councillor Illman noted that funds for

this signage was allocated in the 2011 budget, and therefore should not be deferred until the 2012 budget.

**11-1121-27 Moved by: Councillor Underwood
Seconded by: Councillor Scott**

That Council proceed with the memorial for the Pioneer Cemetery in Forest, as discussed in C.A.O. Report No. 47-2011. Carried

Councillor Underwood asked for Council consideration of a sign advising of the BMX Bike Park proposed adjacent to Dinyer's Storage facility in the Town of Forest. He asked that this be considered in the 2012 budget discussions.

**11-1121-28 Moved by: Councillor Underwood
Seconded by: Councillor Scott**

That a sign be erected at the Municipal property adjacent to Dinyer's Storage facility naming it the "Future Home of the Lambton Shores BMX Park". Carried

11. DISCUSSION PERIOD

Mr. Bob Sharen asked for clarification on the decision in the motion made by Councillor Russell regarding Council's decision regarding the Grand Bend Sewage Treatment Facility and Councillor Russell advised that the decision of Council was to stand by the signed agreement of July, 2010 for a Full Build – Double Train Sewage Treatment Facility.

Mr. Sharen also asked Mr. Underwood if he had stated earlier if the Official Plan rules that everyone must connect to the waterline and Councillor Underwood replied that no he was asking if a previous agreement with the Municipality was grandfathered or usurped the Planning Act and that Council should be fair and transparent to everybody when asking them to hook up to the waterline.

Mr. Dick Matzka stated that at the last Sewage Treatment Facility meeting there was a secret meeting that supposedly was taped and following this meeting there was discussion between Mayor Weber and Mayor Dowson about taking a portion, of Bluewater's allocation for the new plant and what are the financial ramifications to Lambton Shores if this 10% is taken. Mr. Weber noted that he would follow the agreement with the Tri-Municipal Board as signed by the Municipality.

12. CONFIDENTIAL

**11-1121-29 Moved by: Councillor Underwood
Seconded by: Councillor Bonesteel**

That Council rise and go into Committee of the Whole, in camera, at 9:45 p.m. pursuant to Section 239 (2)(e) of the Municipal Act, to

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discuss litigation or potential litigation affecting the Ad Hoc Sewage
Advisory Committee. Carried

Council rose from the "Closed Session" at 10:41 p.m.

13. ADJOURN

**11-1121-30 Moved by: Councillor Maguire
Seconded by: Councillor Cook**

That the November 21, 2011 Council meeting adjourn at 10:41 p.m.
Carried