

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**  
**Regular Meeting of Council**

Meeting Number: 27-2011

Date of Meeting: Tuesday, October 11, 2011

Time: 02:00 p.m.

Place of Meeting: Village Complex, Thedford

**AGENDA**

	Pages
<b>1. Call to Order</b>	
<b>2. Declaration of Pecuniary or Conflict of Interest</b>	
<b>3. Confirmation of Minutes from Previous Meetings</b>	
3.1 None at this time.	
<b>4. Delegations, Public Meetings &amp; Presentations</b>	
4.1 None at this time.	
<b>5. Correspondence &amp; Petitions</b>	
5.1 None at this time.	
<b>6. Consideration of Committee Minutes and Staff Reports</b>	
6.1 Minutes of the Lambton Shores Ad Hoc Sewer Advisory Committee Meeting held September 13, 2011	1 - 10
<u>Community Services</u>	
6.2 D.C.S. Report No. 95-2011 - Re: Arkona Sidewalk Replacement	11 - 12
<b>7. By-laws &amp; Resolutions</b>	
7.1 None at this time.	
<b>8. Accounts</b>	
8.1 None at this time	
<b>9. Councillor Reports</b>	
9.1 Opportunity for Members of Council to make a report.	
<b>10. New Business</b>	

10.1 Opportunity for new business to be discussed.

**11. Discussion Period**

11.1 Opportunity for the public to make an inquiry or seek clarification on issues discussed and decisions made by Council with respect to items of business on this agenda.

**12. Confidential**

12.1 Municipal Solicitor Barry Card will be in attendance to provide advice on policy matters involving employees. (Authorization to Close - Section 239.(2) d & f of the Municipal Act)

**13. Adjourn**

# THE MUNICIPALITY OF LAMBTON SHORES

## Ad Hoc Sewer Advisory Committee Meeting

Meeting No. 4-2011

Date: September 13<sup>th</sup>, 2011

Time: 7:00 pm

Place: Grand Bend Community Health Centre

Present: Elizabeth Davis-Dagg  
Dave Maguire  
Doug Bonesteel  
Carl Belke  
James Munn  
Ernest Lewis  
Ronald Boire

Regrets: Bill Weber  
Richard Fabar  
Adrian Vrolyk

Staff Peggy Van Mierlo-West –Director of Community Services

1. **Call to Order** – The Chairman called the meeting to order at 7:00 p.m. and welcomed those in attendance and proceeded to make the following announcements.

### 2. **Approval of the Agenda**

**Moved by: Mr. Doug Bonesteel, Seconded by: Mr. Dave Maguire**

**That the Committee approve the agenda as presented.**

**Carried**

### 3. **Approval of the Minutes of the Committee meeting of August 2<sup>nd</sup>, 2011**

**Moved by: Mr. Ron Boire, Seconded by: Ms. Elizabeth Davis-Dagg**

Ms. Davis-Dagg noted that the Draft Official Plan was being presented to council on October 17<sup>th</sup>, 2011.

**That the Committee approves the minutes of the previous meeting held June July 19<sup>th</sup>, 2011 as corrected.**

**Carried**

#### **4. Issues arising from minutes**

##### **4.1 Report on delegation to Council on August 08, 2011**

The Chairman informed the committee the both himself and Mr. Richard Fabar did present the request for a change to the scope of the Ad Hoc Committee to the Lambton Shores Council. These items included: Council to allow the Committee to have a Vice-Chair, approval of the expansion of the scope of the Committee to include the STF, and approval for Committee to request a budget for activities deemed necessary. A work plan and schedule was also presented. The Chairman informed that all requests were approved.

##### **4.2 Schedule Planner to Discuss Official Plan & Lagoon Capacity**

Mr. Doug Bonesteel noted that it would be beneficial to have the Chair of the Official Plan Committee to attend and have the Planner as a secondary resource. It was noted that Councillor Illman was the chair. Ms. Elizabeth Davis-Dagg believed that the Planner should be attendance to answer some unanswered questions. Mr. Doug Bonesteel requested that this request be made through the CAO and to have both Chair and Planner attend the meeting. The Chairman did state that he would contact the CAO to obtain a date in which both the Official Plan Chairperson and Planner could attend.

Mr. Doug Bonesteel reminded the Committee that the Official Plan is still in draft form, and that it was agreed that this committee should not become a super omnibus committee for inquisitions. Ms. Elizabeth Davis-Dagg stated that she would like the reassurance that all references to Zone 3 and 4 are removed as there was a council resolution instructing this.

The Chairman stated that he would delay asking for a meeting with the Official Plan Chairperson and Planner until a later date.

##### **4.3 Schedule CAO for PowerPoint Presentation**

The Chairman gave a brief description of the presentation which the CAO Mr. John Byrne presented to council at the September 6<sup>th</sup>, 2011 Regular Council meeting. The Chairman suggested that at the next Ad Hoc Committee meeting, scheduled for September 26<sup>th</sup>, 2011, that the CAO should be invited to present this information. Mr. Doug Bonesteel also requested that 11 copies of this presentation be available to the Ad Hoc Committee.

#### **4.4 Team Report updates**

##### **Section 1: Review the Need for Improved Sewage Treatment (CB / All)**

The chairman stated that this was included within the agenda under new business and would be discussed at that time.

##### **Section 2: Cost Benefit Analysis of STF/Collection Systems (EL (L)/DM/AV)**

The team leader, Mr. Ernest Lewis gave a status update of the ongoing review of Section 2 of the work plan. Mr. Lewis stated that this is an arduous task to coordinate this and establish a set of questions and develop recommendations to. It is believed that in asking the right questions we will receive good answers. A proper understanding of capacity is key. The group required clarification regarding the Dillon flow recommendation of 350 m<sup>3</sup>/day compared to the actual daily residential water usage of 210 m<sup>3</sup>/day. This is quite a discrepancy and the group needs to know why this is occurring and does it need to be reassessed. Mr. Lewis commented that the group is also questioning the values used for calculating capacity and how these values came about.

Regarding the matter of costing Mr. Lewis commented that the Municipality of Bluewater recently completed a Public Information Meeting regarding their collection system and costing. He stated that he had emailed these figures to the committee. The values on their project are based on two systems (Gravity and Low Pressure) and 3 sites. There is a bit of mathematics to do to achieve the correct installation cost. The Municipality of Bluewater presented that a large lot with the gravity sewer component is estimated to cost \$65,900.00 where as a small lot with the low pressure component would cost approximately \$13,000.00. It was commented that the biggest concern is the costing. Mr. Bonesteel inquired if these estimates included funding. Mr Lewis stated no, however one of the recommendation made at the centre was that it would be recommended that this project not proceed without funding. It is the team's intention to review the cost benefit and discover what the Municipality will be gaining with a collection system and plant compared to septic systems.

Mr. Lewis commented that the consultant, Dillon Consulting, are required to present accurate household costs and currently the firm has not provided this to the public.

Mr Doug Bonesteel stated that he did not see within the work plan the cost of the collection system to the environment. Mr Ernest Lewis commented that the residents have been told that boring has limited impact however we waiver from low pressure to gravity there may be severe impact.

Ms. Elizabeth Davis-Dagg stated that it is the expectations of the Ministry of the Environment (MOE) that the Municipality will present a cost per household, and

the cost for decommissioning of septic systems should also be included within the estimate presented to the public.

Mr. Doug Bonesteel asked if it would be prudent to talk to neighbouring realtors regarding the advantages and disadvantages of selling homes on both septic and municipal collection.

It was reminded that this was to only be a status update and Mr. Lewis finalized his update with stating that the United States did have a lot of good information.

### **Section 3: Options for Sewer Treatment**

The team Leader stated that the group was scheduling a trip to the University of Guelph to visit the Arkel Centre. The group are wishing to discuss various options for tertiary treatment and to discuss maintenance. They have also requested copies of the Ministry of the Environment (MOE) Part 2 Orders for the Zone 3 and 4 projects.

### **Section 4: Taxation and Users**

The group has collected information from the Lambton Shores Treasury Department and will be ready to present soon.

### **Section 5: Communication Plan**

Ms. Elizabeth Davis-Dagg had informed the group that as of yet the group had not scheduled time to meet.

## **4.5 Webpage**

The Chairman informed the committee that the agenda and minutes would be located within the Municipal website at [www.lambtonshores.ca](http://www.lambtonshores.ca). The link is located on the front page.

The Chairman also informed the committee that meeting would be advertised on the two municipally owned electronic sign boards located in Forest and Grand Bend.

## **4.6 Community Workshop**

The Chair requested that the meeting for the Community Workshop should be a Town hall meeting. At that Monday November 28<sup>th</sup>, 2011 would be the scheduled date. It was decided that the Chairman would investigate the Grand Bend Legion as the location for the Community Workshop.

Mr. Doug Bonesteel inquired if there was enough time between the time of the Community Workshop and the Council meeting to finalize the report. The

Chairman stated that there would be. Mr. Bonesteel also requested that the presentation be placed on Power Point and that the public have time for a question and answer period.

Mr. Ronald Boire is amendable to this idea as well as Mr. Jim Munn. Mr Bonesteel agreed that this would be a good time for a minority report. Mr. Ernest Lewis inquired how the group envisioned public input and the integration of this into the report to council.

Mr. Doug Bonesteel asked about interaction with the public through the website and email. Mr Ernest Lewis stated that the group should look at polling. Mr. Doug Bonesteel stated that at the Huron Woods recent AGM questions were requested prior to the meeting as to have a representative sampling prior to the meeting, it was very beneficial to the meeting as it provided the committee a good basis of the concerns of the residents.

## **5. Correspondence – Mr. Roy Merkley**

Report was tabled as Mr. Merkley also has a Part II Order and this correspondence would be dealt with at this time. Mr. Merkley thanked the committee for allowing input.

## **6.0 New Business**

**6.1 The** Chairman stated that originally when both he and Mr. Richard Faber divided the committee into teams it was the expectation of each team to research their given topics. He presented the proposed template for presentation to the group. And requested that findings be included within the template.

**Moved by: Mr. Doug Bonesteel, Seconded by: Ms. Elizabeth Davis-Dagg**

**That the Committee approves the reporting template as presented.**

**Carried**

## **6.2 Presentation of Item 1**

The Chairman presented the finding of the Item 1 of the Work Plan. This portion was developed by the entire committee hence the Chairman would speak to the findings. The chairman presented his findings as per attachment to the agenda. The Master plan was initiated in 2003 when the staffs of Dillon were asked to assist. Dillon Consulting wrote its own terms of reference for the project.

Regarding comments made through Item#1 of the report Mr. Doug Bonesteel was if “New Development” was ever defined. The Chairman responded that it was not. Ms. Davis-Dagg stated that the draft Official Plan there is a definition of development.

Mr. Lewis stated that there is a brief history of the Environmental Assessment, Pinery and Southbend Estates. Dillon was also the project manager for the Pinery Servicing Project. Costing of the Pinery Forcemain was a burden to the taxpayer. Ms. Davis-Dagg requested why the assumption. Mr. Lewis responded that there is a brief history on the Pinery and Dillon within the Master plan.

## **Item 2:**

The committee consulted the story boards presented at the Public Information Centre and discussed the key point of these boards. The Chairman presented the conclusion of their discovery. In conclusion the committee found that the drive for sewers had changed from the original scope of being driven by development to being driven by pollution.

In particular the Zone 3 study gave five points for sewer: capacity, expansion plans, evidence, septic sludge disposal, more restrictions, and all new development should be on sewers. The Chairman commented that the Municipality created a crisis. Currently 42% of capacity is being used within the lagoon and the other capacity is committed to development.

Ms. Davis-Dagg asked if the current Official Plan stated that all new development should be on sewers. The Chairman did state that it was in the Official Plan. An observation made regarding lot size and that no lots within the Zone 3 and 4 area that were deemed too small for septic systems. The Chair reiterated that there are new systems which can fit a small footprint.

A comment regarding Slide 15 – Nitrates within the groundwater was considered alarmist. Ms. Davis-Dagg asked where this information came from and it was stated by the Chair that Golder Associates provided this information. Ms. Davis-Dagg asked if there was anything alarming within Lake Huron. The Chair stated no.

Mr. Lewis included that the Parkhill Creek does not fall within this area as the groundwater slopes to Lake Huron. Ms Davis-Dagg asked if there were any other concerns from Golder Associates. The Chairman commented none.

Mr. Bonesteel wanted to stress at this time that this is a working document and asked to have some verbiage edited as to not become to frank.

Ms. Davis-Dagg commented that she was shocked with the misleading comments from Dillon and that they are required to be held accountable for this information. She inquired how the committee can make informed decisions if they are being misled. She was deeply disturbed over this.

Mr. Ernest Lewis stated what he has discovered it that there is a manipulation of the truth within the development, official plan and the resources used. Unfortunately this

misinformation is being projected out upon the community, and confusion. The cost of this project is enormous.

### **Item 3:**

The Chairman described Item 3 on page 4 of the template. Comments included:

Mr. Doug Bonesteel requested that personal opinions and comments need to be kept to themselves. This committee needs to be unbiased. He does not feel comfortable with some litigious comments being made at this time. Ms. Davis Dagg stated that she would take note and take to the team. Mr. Ron Boire requested clarification regarding Mr. Bonesteel comments.

Mr. Bonesteel stated that the committee needs to be careful with discussions not to mislead information. Mr. Boire agreed that personal opinions should be removed when the final report is submitted. Mr. Bonesteel would like for this to occur immediately.

Mr. Lewis would like to have Dillon quantify these statements from the slides presented at the Public Information Centre in 2009.

Mr. Bonesteel stated that the information can be presented in a factual way. The report should have all subjective statements that provide bias. Mr. Jim Muir asked for a status report on CAO Report No15-2010. And the notification to the MOE, it was stated that the report was tabled for further discussion. The MOE should have been notified that this will be coming to them. Ms. Davis-Dagg stated that there wasn't a 2/3rds vote for tabling hence the original motion to withdraw the EA still stands.

Mr. Lewis is very concerned with the notice of completion in Zone 4. Peggy Van Mierlo-West, Director of Community Services was asked to comment on the Zone 4 Notice of Completion. Ms. Van Mierlo-West did state that the Municipality followed the MEA Standards for EA's however this is a proponent driven process and the Municipality has enhanced notifications which will be a template to be used with other projects which require Environmental Assessments.

### **Item 4:**

Mr. Doug Bonesteel will assist in drafting the verbiage for this area.

### **6.1**

Mr. Doug Bonesteel communicated with the committee that he has emailed the Ministry of Municipal Affairs to ask for clarification if the Provincial Policy Statements are considered regulatory or considered a guideline.

There was a discussion regarding the definition of what is considered a Rural versus Urban area. Mr. Ernest Lewis stated that until recently addresses in Zone 3 were considered Rural Routes.

## 6.2

Ms. Davis-Dagg commented on table 4.36 and was there a change in the title?

## 6.3

There was a comment regarding the Water Quality Objectives which were concluded with Golder. Ms Davis Dagg asked if the consultant applied the drinking water standards or Species at Risk. The Chair stated the he believed they used both. Ms. Davis-Dagg asked if they were used appropriately. The Chair stated in his opinion yes they were.

## 7 New Business

The Chair requested that this be deferred to a later date. Ms. Davis-Dagg stated that these items came from the Draft Official Plan and that the Official Plan is anticipated to have a 20 year lifespan, and is a core document. Mr. Lewis inquired regarding the Official Plan and how it directs Council, does it supersede Council decisions. Mr. Bonesteel stated yes the Official Plan does and it is very important to the public.

### Discussion Period:

Mr. Bob Sharen stated that the Draft Official Plan had been removed off of the Municipal website however could now be found at the Citizens for Good Governance website at:

[http://www.ezlink.ca/~cfgg/10%2010%20DRAFT\\_%20WORKING\\_COPY\\_Lambton\\_Shores\\_Official\\_Plan\\_Draft\\_4.pdf](http://www.ezlink.ca/~cfgg/10%2010%20DRAFT_%20WORKING_COPY_Lambton_Shores_Official_Plan_Draft_4.pdf)

Mr. Sharen continued by discussing the misrepresentation of Mr. Bill Boussey, as Mr. Boussey has stated numerous times that he was the one who constructed the sewers within Grand Bend. Mr. Sharen stated that this was untrue as he was a Junior Inspector during time of construction. Mr. Sharen also stated that information given by Mr. Boussey that every m3 of water used goes into the lake was incorrect.

Mr. Sharen also commented on the comment made by Dillon that all pharmaceuticals are extruded from the body hence they will travel also to the lake. Mr. Sharen has discussed this with an expert who stated that not all of these pharmaceuticals are extruded; and that treatment facilities such as the proposed plant would not remove these as there is not enough time for treatment however a septic system will as there is enough contact time in the system. He also stated that there are no known filters which will remove pharmaceuticals from treatment plants.

Mr. Sharen also commented that Dillon Consulting do tend to twist the truth. And that the operational costs are lower for a gravity sewer than a low pressure sewer.

In regards to communication, Mr. Sharen stated that in Zone 4 the heading was correct however some subdivisions were not mentioned within the notice hence they were not communicated to properly. Regarding the tabling of the CAO report, the recommendation should have been done already.

Mr. Dick Matzka stated to Mr. Doug Bonesteel that he believed that for the first time nothing sounds biased, and that the reports given to council are totally biased. The ultimate question regarding the Sewage Treatment Facility is has Dillon given a report regarding the Water Quality. Mr. Matzka's children who are engineers have reviewed the findings, and that the assumption from water quality should be taken from the Tilbury Plant and that the water quality numbers for this plant are higher. He believes that council does have a challenge.

A procedural question was asked regarding reports to the committee. It was stated that Article 8 was coming and the work plan dates as end dated.

Mr. Justin Speake stated that he believes that everyone should visit the Arkel Centre. He has also spoken with Ms. Corrine Nauta of Lambton County in which she stated that she had planned open houses within Lambton Shores to discuss septic inspections. The County would like to start inspections but is waiting for Municipal approval. Mr. Speakes also commented that there would be a loss of jobs within the area if sewers were brought in.

Mr. Doug Bonesteel requested clarification on the last comment.

Mr. Speake stated that without septic systems people who operate pump our services would lose their jobs hence leave the area. He also inquired why 90% of all the questions are not complete and warned the group does not to drop the ball.

Ms. Davis-Dagg commented regarding how do we address biased comments as there should be room for animated discussion. The council has a job as a leader. If we temper our comments we will not have a full bodied discussion. How can a report be neutral to make any decisions?

Mr. Bonesteel stated that during the public meeting that language needs to be tempered and based on facts and that it could be considered unprofessional.

Mr. Ron Boire asked for clarification on 7.1. He believes that the Ad Hoc would come back to council to amend the official plan.

Ms. Davis Dagg stated that it would take some time regarding these changes. The official plan will be finalized in the New Year.

Mr. Roy Boire believes that there are solid facts within the studies and that these are required to be presented forcefully to the public.

Mr. Dave Maguire reminded the committee that there was an Official Plan meeting on Friday and he would reinforce no discussion of waste management for Zones 3 and 4 until the Ad Hoc Committee's reports are complete.

Mr. Bob Sharen stated the discussions of the Official Plan should be included. The issues that council address all portions of sewers are removed until the Ad Hoc Committee is complete. The Official plan is a blueprint and very important document which should be delayed until the sewer work is complete. This could be problematic as he believes the Planner has not provided the proper information to council.

Mr. Ken Walker who lives within the Zone 4 limits inquired about page 5 of the report. He inquired about the decision by the MOE and why not all subdivisions were not located within the notice. He also wishes that the discussion remain. He believes that questionable things are occurring and what it happening with the sewers. He commented that prior to amalgamation he lived in Bosanquet and since amalgamation things have deteriorated.

Mr. Jordy Speake inquired about the group set up for the communication group. It was stated that the group was comprised of Mr. Bill Weber, Ms. Elizabeth Davis-Dagg and Mr. Richard Faber. Mr Speake asked if anything had been done yet with the group as proper communication is the issue. Ms. Davis-Dagg stated that she would take back his concerns to the group.

**Adjournment:**

**Moved by: Mr. Dave Maguire Seconded by: Mr. Doug Bonesteel**

**That this meeting of the Ad Hoc Committee does now adjourn to meeting again September 26<sup>th</sup> or at the call of the Chair.**

**Carried**

Time: 9:00 p.m.

# THE MUNICIPALITY OF LAMBTON SHORES

**D.C.S. Report No. 95-2011**

**Wednesday, September 28<sup>th</sup>, 2011**

**TO:** Mayor Weber and Members of Council  
**FROM:** Peggy Van Mierlo-West, Director of Community Services  
**RE:** Arkona Sidewalk Replacement

**RECOMMENDATION:**

For Council direction.

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**REPORT**

On September 8th, 2011, tenders for the 2011 Arkona Sidewalk Replacement were opened in public. The scope of the project included all things necessary to remove all existing brick pavers at the intersection of Akona Road and Townsend Line and the removal of the existing asphalt within the boulevard at the north east and south east sides of Townsend Line.

The results were as follows:

Birnam Excavating	\$111,561.70
J.D. McPhee Construction	\$119,856.84

The approved Capital Budget was \$42,000.00.

Upon review of the results Staff revised the scope of the work in order to to attempt to decrease the projects costs. The revised scope included: removals of paving stones and asphalt being completed by Municipal forces, and revision of coloured concrete to grey. Both tenderers were requested to submit a "Firm and Final" offer on the adjusted scope of project. Firm and Final offers were received on Friday September 23, 2011. The results were as follows:

Birnam Excavating	\$81,100.80
J.D. McPhee Construction	\$74,609.29

As stated earlier the original approved Capital cost for this project was \$42,000.00. There are two options which are feasible to this project currently. Option 1 would be to approve Firm and Final offer of McPhee Construction in the amount of \$74,609.29. And that the additional required funds be reallocated from the Roads Reserve Fund in the amount of \$32,609.29. Option 2 would propose that this project be deferred until 2012 and that additional funds for the project be allocated to 2012 Capital budget deliberations.

It is to be noted that The Arkona Cemetery Services Board has shown interest in removing approximately 200-300 brick pavers for usage within the cemetery grounds. If this is amenable to council the Community Services Department will notify the board of this approval.

Respectfully submitted

A handwritten signature in black ink, appearing to read "P. Van Mierlo-West". The signature is fluid and cursive, with a large initial "P" and a stylized "M" and "W".

Peggy Van Mierlo-West  
Director of Community Services