

**VILLAGE OF POINT EDWARD
MINUTES**

Council Meeting – March 28, 2006

6:00 p.m. – Council Chambers, Point Edward Municipal Office
135 Kendall Street, Point Edward, Ontario

Council Members Present:

Mayor Kirkland Deputy Mayor Robson Councillor MacKenzie
Councillor Bourrie

Staff Present:

CAO Cramp

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

6 P.M. RESOLUTION TO ADJOURN TO AN ‘IN CAMERA’ SESSION

Resolution #1

Moved by Councillor Bourrie
Seconded by Deputy Mayor Robson
THAT Council adjourn to an “In Camera” session, at 6 p.m.

CARRIED.

7 P.M. RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION

Resolution #2

Moved by Deputy Mayor Robson
Seconded by Councillor MacKenzie
THAT Council reconvene to Regular Council Session, at 7 p.m.

CARRIED.

REPORT OF THE CLOSED SESSION MEETING OF COUNCIL

Resolution #3

Moved by Councillor Bourrie
Seconded by Deputy Mayor Robson
THAT Council direct the C.A.O. to prepare a policy to require that the recommendation for hiring of all permanent positions and of all volunteers in the Fire Department, be submitted to Council for approval.

CARRIED.

There was nothing further to report.

RESOLUTION TO ADOPT THE REPORT OF THE CLOSED SESSION

Resolution #4

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT the report of the Closed Session, be adopted.

CARRIED.

PUBLIC MEETINGS

Nil

DELEGATIONS

Nil

ADOPTION OF MINUTES

1. Regular Council of February 28, 2006.

Resolution #5

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT the minutes of the Regular Council meeting of February 28, 2006, be adopted.

CARRIED.

2. Regular Council of March 14, 2006.

Resolution #6

Moved by Councillor Bourrie
Seconded by Deputy Mayor Robson
THAT the minutes of the Regular Council meeting of March 14, 2006, be adopted.

CARRIED.

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

FINANCIAL REPORTS

1. General Operations: Total Revenues for the month of February 2006.

Resolution #7

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for General Operations for the month of February, 2006 in the amount of \$1,274,864.12, be approved.

CARRIED

General Operations: Total Expenditures for the month of February 2006.

Resolution #8

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for General Operations for the month of February, 2006 in the amount of \$431,331.28, be approved.

CARRIED.

2. Water/WPCP Total Revenues for the month of February 2006.

Resolution #9

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Revenues for the Water/WPCP for the month of February, 2006 in the amount of (\$27.34), be approved.

CARRIED.

Water/WPCP: Total Expenditures for the month of February 2006.

Resolution #10

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Total Expenditures for the Water/WPCP for the month of February, 2006 in the amount of \$55,107.14, be approved.

CARRIED.

COMMITTEE REPORTS

1. Joint Occupational Health & Safety Committee meeting of January 20, 2006.

Resolution #11

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the minutes of the Joint Occupational Health & Safety Committee meeting of January 20, 2006, be adopted.

CARRIED.

2. Finance Committee meeting of March 6, 2006.

Resolution #12

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Finance Committee meeting of March 6, 2006, be adopted.

CARRIED.

3. Parks Committee meeting of March 7, 2006.

Resolution #13

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the minutes of the Parks Committee meeting of March 7, 2006, be adopted.

CARRIED.

4. Public Works Committee meeting of March 7, 2006.

Resolution #14

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the minutes of the Public Works Committee meeting of March 7, 2006, be adopted.

CARRIED.

5. Arena/Community Hall Committee meeting of March 16, 2006.

Resolution #15

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the Arena/Community Hall Committee meeting of March 16, 2006, be adopted.

CARRIED.

6. Fire Committee meeting of March 16, 2006.

Resolution #16

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Fire Committee meeting of March 16, 2006, be adopted.

CARRIED.

7. Water/WPCP Committee meeting of March 16, 2006.

Resolution #17

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the minutes of the Water/WPCP Committee meeting of March 16, 2006, be adopted.

CARRIED.

8. Finance Committee meeting of March 20, 2006.

Resolution #18

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Finance Committee meeting of March 20, 2006, be adopted.

CARRIED.

9. Tender Opening of March 20, 2006 – St. Clair Street

Resolution #19

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the Tender Opening of March 20, 2006 for St. Clair Street, be received and filed.

CARRIED.

Recommendation from Peggy Van Mierlo-West

Resolution #20

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the recommendation from Peggy Van Mierlo-West regarding the successful bidder for St. Clair Street, be approved.

CARRIED.

MISCELLANEOUS REPORTS

1. News Release from the County of Lambton Community Health Services Department re: Two Confirmed Meningitis Cases in Lambton.
2. News Release from the County of Lambton Finance Department re: Budget Deliberations Reduce Draft Budget by \$1.9 Million.
3. News Release from the County of Lambton Office of the County Warden re: County Councillors Meet with Area MPP's.
4. Building Permits Issued for 2006 for the Village of Point Edward as of January 19, 2006.

Resolution #21

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT Items 1 – 4 under Miscellaneous Reports, be received and filed.

CARRIED.

COMMUNICATIONS (COUNCIL ACTION)

1. Resolution from the City of Toronto requesting support re: Request to Federal and Provincial Governments to Preserve the National Child Care Program – Protect High Quality Accessible Child Care in Toronto.

Resolution #22

Moved by Deputy Mayor Robson
Seconded by Councillor Bourrie
THAT the Resolution from the City of Toronto requesting support re: Request to Federal and Provincial Governments to Preserve the National Child Care Program – Protect High Quality Accessible Child Care in Toronto, be received and filed.

CARRIED.

2. Resolution from the Corporation of the County of Grey requesting support re: Municipal Financial Crisis.
3. Resolution from the City of Owen Sound requesting support re: Municipal Financial Crisis.

Resolution #23

Moved by Deputy Mayor Robson
Seconded by Councillor MacKenzie
THAT the Village of Point Edward Council support the resolutions passed by the Corporation of the County of Grey and the City of Owen Sound regarding the Municipal Financial Crisis.

CARRIED.

4. Resolution from the Township of King requesting support re: GTA Agricultural Action Plan.

Resolution #24

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Resolution from the Township of King requesting support re: GTA Agricultural Action Plan, be received and filed.

CARRIED.

5. Resolution from the Municipality of Durham requesting support re: Removal of Barriers to Family Physicians.

Resolution #25

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Village of Point Edward Council support the resolution passed by the Municipality of Durham regarding the removal of barriers to Family Physicians.

CARRIED.

6. Letter from Statistics Canada re: Census of Canada scheduled for Tuesday, May 16, 2006.

Resolution #26

Moved by Councillor MacKenzie

Seconded by Councillor Bourrie

THAT the letter from Statistics Canada re: Census of Canada scheduled for Tuesday, May 16, 2006, be received and filed.

CARRIED.

7. Letter from the St. Clair Region Conservation Authority re: 2005 Annual Report.

Resolution #27

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the letter from the St. Clair Region Conservation Authority re: 2005 Annual Report, be received and filed.

CARRIED.

8. Memo from the St. Clair Region Conservation Authority re: 34th Annual Sydenham River Canoe Race.

Councillor MacKenzie and Councillor Bourrie may attend.

9. Letter from K.E. Hansen re: Sarnia Yacht Club – 2006 Application for Dredging Permit.

Resolution #28

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT confirmation be provided to K. E. Hansen to indicate that the Village of Point Edward Council has been notified of the 2006 Application for Dredging Permit.

CARRIED.

10. Letter from Chris Pauschenwein re: license to operate chip wagon.

Resolution #29

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT Chris Pauschenwein be notified that the Village of Point Edward Council has denied his request to operate a chip wagon in the Village.

CARRIED.

11. Letter from the St. Clair Youth Ballet re: donation request.

Resolution #30

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the St. Clair Youth Ballet be advised their donation request has been denied.

CARRIED.

COMMUNICATIONS (RECEIVE AND FILE-LISTED)

Listed as of March 22, 2006

1. News Release from the Ontario Ministry of Tourism re: Local Leadership Proposed for St. Clair Parks.
2. News Release from Darlene Coke re: St. Clair Parks Commission is Disbanded.
3. News Release from Bluewater Power re: Warning to Bluewater Power Customers.
4. News Release from the County of Lambton Human Resources Department re: CUPE Job Action May Affect Services in Lambton County.
5. News Release from the County of Lambton Office of the C.A.O. re: Council Highlights.
6. News Release from the Ontario Ministry of Municipal Affairs and Housing re: Province Gives Control of Pension Plan to Members.
7. News Release from Dow Chemical Canada Inc. re: Ramesh Ramachandran to Lead Strategic Planning for The Dow Chemical Company.
8. News Release from the Research Park re: Western Engineering Students Compete for Cash Prizes.
9. Media Release from the Research Park re: The Research Park Hosing Western Engineering Event.
10. Letter from the Ontario Ministry of Labour re: endorsement of the City of Cornwall's Resolution to seek statutory amendments that would require interest arbitrators to take into account, when making awards, local economic conditions and municipalities ability to pay>

11. Letter from the Ministry of Community Safety and Correctional Services support for the City of Brampton proposing an amendment to Bill 169.
12. Letter from the Ontario Clean Water Agency re: highlights of 2005 and plans for 2006.
13. Letter from the Ministry of the Environment re: support of the resolution of the Township of Warwick with regard to certain recommendations made in the report of the Water Strategy Expert Panel.
14. Letter from the Minister of Municipal Affairs and Housing re: Length of Term of Office for Municipal Councillors and School Trustees.
15. Letter from the Minister of Municipal Affairs and Housing re: An Act to Revise the Ontario Municipal Employees Retirement System 2006.
16. Letter from the Friends of the St. Clair River addressed to Peter Mansbridge of CBC National news re: Mission to restore and protect the beneficial use of the St. Clair River and comments re: unbalanced media report
17. Letter from OMERS re: Bill 206.
18. Newsletter "Tax Alert" from Collins Barrow Winter 2006.
19. Ontario Reliability Outlook booklet for the Independent Electricity System Operator's.
20. Email from Communities in Bloom re: showcase your community.

Resolution #31

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT the Communications (Receive and File – Listed) as of March 22, 2006, be received and filed.

CARRIED.

NEW BUSINESS

1. Point Edward Water Pollution Control Plant Report for 2005.
2. Village of Point Edward Water Department Annual Water Report 2005 to Council.
3. Drinking Water Systems Regulation O. Reg 170/03 Part I.
4. Drinking Water Systems Regulation O. Reg 170/03 Part II.
5. Drinking Water Systems Regulation O. Reg 170/03 Part III.

Resolution #32

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Items 1 – 5 under New Business relating to the WPCP 2005 Report and the 2005 Water Reports, be received and filed.

CARRIED.

6. Bluewater Power Distribution Corp. Proposed Resolution re: Investment Opportunities in Electricity Generation.

Resolution #33

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Village of Point Edward Council, as a beneficial shareholder of Bluewater Power Distribution Corporation, and its affiliates, authorize the Mayor and Clerk to execute a Shareholder Special Approval authorizing the exploration by the Board of Directors of investment in Generation initiatives, and more specifically authorizing the following:

- (1) That generation of electricity is added as a permitted activity;
- (2) That the purchase of necessary plant and equipment is hereby authorized, provided that:
 - i. notice of total spending on any generation project is provided in writing to the Municipal Council prior to the submission of a proposal to the Province of Ontario, or the Ontario Power Authority, for the sale of electricity to be generated; and
 - ii. the at-risk equity of all generation investments in total does not exceed 20% of Net Book Value of Consolidated Capital Assets (Currently sitting at 20% of \$36.8 M. or \$7.4 M)
- (3) That the Board of Directors are authorized to rename an existing corporate affiliate and/or establish a new corporate affiliate or limited partnership to be beneficially owned by the current municipal shareholders, all as required to carry out this investment in compliance with requirements of the Ontario Energy Board, or as required to realize a financial or other benefit.
- (4) That any funds borrowed for generation projects that are unsecured, or secured by the generation project, are deemed to be outside of the borrowing restriction found in Section 4.1(6)(i) of the Shareholders' Agreement.

CARRIED.

BY-LAWS

1. By Law Number 16 of 2006 being a By Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including March 28, 2006.

Resolution #34

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT By Law Number 16 of 2006 being a By Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including March 28, 2006, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 28th day of March, 2006.

CARRIED.

BUSINESS FROM COUNCILLORS

Councillor Bourrie asked if a letter had been sent to Imperial Gas regarding their lot adjacent to Holmes Foundry property. CAO Cramp advised that the owners of Holmes Foundry were to provide contact information for the letter but this has not been provided.

Councillor Bourrie noted that the fence has not been erected around the Holmes Foundry property.

Deputy Mayor Robson advised that the Point Edward Novice Hockey Team and the Bantam Hockey Team won gold.

Councillor MacKenzie advised that construction by the Blue Water Bridge Authority will begin on April 19. The gate will also be installed on the Front Street ramp. If there are any issues or concerns, they should be brought forward.

Councillor MacKenzie commented that the Finance Committee and staff have helped to make the budget process easier and that it is appreciated.

Councillor Bourrie commented that the liquor store has cut back their hours and displays. The need for the warehouse at this location is keeping it open. Councillor Bourrie noted that he has been approached by someone from that area who would like to do something there. It was confirmed that it presently is a Tourism Designation. Councillor MacKenzie noted that the private sector should come forward with something for consideration by Council.

Councillor Bourrie commented that the property on Arthur and Michigan is continuing to deteriorate.

Resolution #35

Moved by Councillor Bourrie

Seconded by Deputy Mayor Robson

THAT Janet Bernard be contacted to let her know that complaints are being received about the deterioration of this property.

CARRIED.

Mayor Kirkland advised that the Brownfield Workshop was very beneficial and provided a lot of good information and contacts as we move forward with the Village Brownfield Community Plan.

ADJOURNMENT

Resolution #36

Moved by Deputy Mayor Robson

Seconded by Councillor Bourrie

THAT the Council Meeting be adjourned at 8:10 p.m. until the April 11th, 2006 call of the Chair or at such time as a Special Committee meeting is held to discuss legal matters, property matters or personnel matters.

CARRIED.

Mayor Dick Kirkland

CAO Peggy Cramp