

**MINUTES**  
**REGULAR MEETING**  
**MUNICIPAL COUNCIL**  
**CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL**  
**SPENCERVILLE MUNICIPAL OFFICE**  
**MONDAY, MARCH 14, 2011**  
**6:30 P.M.**

**PRESENT:**

Bill Sloan, Mayor  
 John Hunter, Deputy Mayor  
 Brenda Ball, Councillor  
 Charlie Burrell, Councillor  
 Gerry Morrell, Councillor  
 Pat Sayeau, Councillor  
 Joe Scott, Councillor

**STAFF:**

Michael Wildman, Chief Administrative Officer  
 Russell Trivett, Treasurer  
 Debra McKinstry, Clerk/Planning Administrator  
 Jason Vezina, Chief Building Official

1. Call to Order

Mayor Sloan called the meeting to order at 6:30 p.m.

2. Amendments to Agenda – None

3. Disclosure

Mayor Sloan advised that while there was no pecuniary interest, the applicant for tile drain loan under Item 7e) is his first cousin.

**Consent Agenda**

Mayor Sloan reviewed the agenda one item at a time to establish matters that could be carried on the consent agenda:

Item 4a)	Minutes of Regular Meeting February 14	Carried
Item 6a)	Minutes of Port Management February 11	Carried
Item 6b)	Minutes of Port Management February 11	Carried
Item 6c)	Minutes of Committee of the Whole Feb. 22	Carried
Item 6d)	Minutes of Com. of the Whole March 7, 6:30	Carried
Item 6e)	Minutes of Com. of the Whole March 7, 7:00	Carried
Item 7a)	UCLG – Major Solar Installations	Held
Item 7b)	Proclamation – MS Awareness Month	Carried
Item 7c)	2010 Council Remuneration & Expenses	Carried
Item 7d)	Appoint Signing Officers – RBC Dominion Securities	Carried
Item 7e)	Application for Tile Drain Loan – Kevin Sloan	Carried
Item 9	Correspondence	Carried
Item 10a)	Municipal Accounts	Carried
Item 10b)	Port Accounts	Carried

**Moved** by J. Hunter and seconded by C. Burrell that items carried on the consent agenda are approved by Council. Carried.

4. Minutes of Previous Meetings

a) Regular Meeting of February 14, 2011

R2011-051

**Decision:** Moved by: G. Morrell seconded by: B. Ball that Municipal Council approves the minutes of the regular meeting of Council dated February 14, 2011.

Carried by Consent

5. Deputations – None

6. Committee Reports

a) Port Management Committee February 11, 2011

R2011-052

**Decision:** Moved by: B. Ball seconded by: C. Burrell that Municipal Council approves the minutes of the Port of Prescott Management Committee meeting dated February 11, 2011.

Carried by Consent

b) Port Management Committee February 16, 2011

R2011-053

**Decision:** Moved by: J. Hunter seconded by: P. Sayeau that Municipal Council approves the minutes of the Port of Prescott Management Committee meeting dated February 16, 2011.

Carried by Consent

c) Committee of the Whole February 22, 2011

R2011-054

**Decision:** Moved by: P. Sayeau seconded by: J. Hunter that Municipal Council approves the minutes of the Committee of the Whole meeting dated February 22, 2011.

Carried by Consent

d) Committee of the Whole March 7, 2011, 6:30 p.m.

R2011-055

**Decision:** Moved by: C. Burrell seconded by: P. Sayeau that Municipal Council approves the minutes of the Committee of the Whole meeting dated March 7, 2011 at 6:30 p.m.

Carried by Consent

e) Committee of the Whole March 7, 2011, 7:00 p.m.

R2011-056

**Decision:** Moved by: J. Scott seconded by: G. Morrell that Municipal Council approves the minutes of the Committee of the Whole meeting dated March 7, 2011 at 7:00 p.m.

Carried by Consent

7. Action Items

a) UCLG – Resolution re Major Solar Installations

Deputy Mayor Hunter suggested that other alternate energy installations such as wind turbines should be addressed as well.

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Councillor Sayeau noted that the Provincial Green Energy Act had removed much of municipal control in this regard, but questioned the need for a ground water study. He said he would need more information before supporting the resolution.

Councillor Burrell said that he did not understand the requirement for a ground water study either, but noted that these major installations are not very attractive.

Mayor Sloan said the resolution was a result of difficulties experienced in Rideau Lakes Township because of ground-mounting solar panels to exposed bedrock.

R2011-057

**Decision:** Moved by G. Morrell seconded by B. Ball that Municipal Council supports the United Counties of Leeds & Grenville resolution dated January 20, 2011 requesting that:

- The Province of Ontario establish minimum setback requirements for major solar farms;
- The Province of Ontario require a solar installation developer to receive approvals for landscaping from the host municipality;
- The Province of Ontario require the impacts to groundwater quality for all residential properties adjacent to the facility be assessed prior to work commencing.

Recorded vote requested by P. Sayeau

Councillor B. Ball		Nay
Councillor C. Burrell		Nay
Councillor J. Hunter	Yea	
Councillor G. Morrell	Yea	
Councillor P. Sayeau		Nay
Councillor J. Scott		Nay
Mayor B. Sloan	Yea	
Total	3	4

**Defeated**

b) Proclamation – MS Awareness Month

R2011-058

**Decision:** Moved by: B. Ball seconded by: C. Burrell that whereas the Leeds Grenville chapter of the Multiple Sclerosis Society of Canada provides assistance to residents of the Township of Edwardsburgh/Cardinal; And whereas their annual Carnation Campaign will take place on Mother's Day Weekend, May 5, 6 and 7; Now therefore be it resolved that Municipal Council proclaims the month of May, 2011 as MS Awareness Month in the Township of Edwardsburgh/ Cardinal.

Carried by Consent

c) 2010 Statement of Council Remuneration & Expenses

R2011-059

**Decision:** Moved by: J. Hunter seconded by: P. Sayeau that Municipal Council acknowledges receipt of the statement of Council Remuneration and Expenses for 2010.

Carried by Consent

d) Appoint Signing Officers – RBC Dominion Securities

R2011-060

**Decision:** Moved by: P. Sayeau seconded by: J. Hunter that Municipal Council appoints Treasurer Russell Trivett, and in his absence, Chief Administrative Officer Michael Wildman; and either of Mayor William Sloan or

Deputy Mayor John Hunter as signing officers for the Corporation of the Township of Edwardsburgh/Cardinal at RBC Dominion Securities and authorizes execution of the Client Account Agreement and Authorizing Resolution.

Carried by Consent

- e) Application for Tile Drain Loan – Kevin Sloan

R2011-061

**Decision:** Moved by: C. Burrell seconded by: P. Sayeau that Municipal Council approves the application of Kevin Sloan for a Tile Drain Loan in the amount of \$15,700.00.

Carried by Consent

8. By-laws

- a) Waste Disposal By-law

Councillor Sayeau noted his objection to section 4.1.2 of the by-law, suggesting the meaning of “commercial construction” waste was not well-defined.

R2011-062

**Decision:** Moved by: J. Scott seconded by: G. Morrell that a by-law to establish, maintain and regulate a system for the disposal of municipal waste and to provide for the establishment of policies, regulations and fees for the disposal of municipal waste, garbage and other refuse be now read a third time and finally passed, signed, sealed and numbered 2011-07.

**Moved** by J. Hunter and seconded by G. Morrell that the by-law be deferred back to Committee for clarification.

Carried

- b) Amend Employment & Personnel Policies By-law

R2011-063

**Decision:** Moved by: G. Morrell seconded by: B. Ball that a by-law to amend By-law 2010-47 to establish employment and personnel policies for non-unionized salaried and hourly rated employees of the Township of Edwardsburgh/Cardinal be now read a third time and finally passed, signed, sealed and numbered 2011-08.

Carried

- c) Procedure By-law

Deputy Mayor Hunter reviewed comments received from a member of the public, saying he agreed with some of the suggestions. Councillor Sayeau advised that he does not support the by-law for reasons discussed in other meetings. The remaining members said they support the by-law as presented, with Councillor Ball noting the increased engagement of the public as a positive step.

R2011-064

**Decision:** Moved by: B. Ball seconded by: C. Burrell that the mover be granted leave to introduce a by-law to govern the proceedings of council and committees of council and this shall constitute first and second reading thereof.

Recorded vote requested by P. Sayeau

Councillor B. Ball	Yea
Councillor C. Burrell	Yea
Councillor J. Hunter	Yea
Councillor G. Morrell	Yea

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Councillor P. Sayeau		Nay
Councillor J. Scott	Yea	
Mayor B. Sloan	Yea	
Total	6	1

Carried

d) Interim Assessment – James Reilly/Dewit-Richter Drain

R2011-065

**Decision:** Moved by: J. Hunter seconded by: P. Sayeau that the mover be granted leave to introduce a by-law to levy an interim assessment of cost for the maintenance and improvement of the James Reilly/Dewit-Richter Drain and this shall constitute first and second reading thereof.

Carried

Councillor Sayeau inquired as to the likely variance between the interim and final assessment and was advised by staff that it would be in the range of \$35,000 to \$50,000.

R2011-066

**Decision:** Moved by: J. Hunter seconded by: P. Sayeau that a by-law to levy an interim assessment of cost for the maintenance and improvement of the James Reilly/Dewit-Richter Drain be now read a third time and finally passed, signed, sealed and numbered 2011-12.

Carried

e) Amend Code of Conduct for Employees

R2011-067

**Decision:** Moved by: P. Sayeau seconded by: C. Burrell that the mover be granted leave to introduce a by-law to amend By-law 2007-29 being a by-law to establish a code of conduct for the employees of the Township of Edwardsburgh/Cardinal and this shall constitute first and second reading thereof.

Carried

R2011-068

**Decision:** Moved by: P. Sayeau seconded by: C. Burrell that a by-law to amend By-law 2007-29 being a by-law to establish a code of conduct for the employees of the Township of Edwardsburgh/Cardinal be now read a third time and finally passed, signed, sealed and numbered 2011-13.

Carried

f) Amend Code of Conduct for Council

R2011-069

**Decision:** Moved by: C. Burrell seconded by: B. Ball that the mover be granted leave to introduce a by-law to amend By-law 2010-70 being a by-law to establish a code of conduct for the council of the Township of Edwardsburgh/Cardinal and this shall constitute first and second reading thereof.

Carried; 6 for, 1 against

Councillor Sayeau said he opposed the provisions of Bill 168 and he does not answer to the Province of Ontario, only to the taxpayers he represents.

g) Appoint Chief Building Official

R2011-070

**Decision:** Moved by: J. Scott seconded by: G. Morrell that the mover be granted leave to introduce a by-law to appoint a Chief Building Official/Zoning Officer and this shall constitute first and second reading thereof.

Carried

Councillor Sayeau said that while he supported the by-law he was disappointed not to be more involved in the hiring process.

R2011-071

**Decision:** Moved by: J. Scott seconded by: G. Morrell that a by-law to appoint a Chief Building Official/Zoning Officer be now read a third time and finally passed, signed, sealed and numbered 2011-15.

Carried

h) Authorize Interim Tax Levy

R2011-072

**Decision:** Moved by: G. Morrell seconded by: B. Ball that the mover be granted leave to introduce a by-law to authorize an interim tax levy in advance of the adoption of the estimates for 2011 and this shall constitute first and second reading thereof.

Carried

R2011-073

**Decision:** Moved by: G. Morrell seconded by: B. Ball that a by-law to authorize an interim tax levy in advance of the adoption of the estimates for 2011 be now read a third time and finally passed, signed, sealed and numbered 2011-16.

Carried

i) Spencerville Sewer Rates

R2011-074

**Decision:** Moved by: B. Ball seconded by: G. Morrell that the mover be granted leave to introduce a by-law with respect to Spencerville sewage system (operation and maintenance) and this shall constitute first and second reading thereof.

Carried

Deputy Mayor noted that he would like to see a better rate provided for commercial users of the Spencerville system.

R2011-075

**Decision:** Moved by: B. Ball seconded by: G. Morrell that a by-law with respect to Spencerville sewage system (operation and maintenance) be now read a third time and finally passed, signed, sealed and numbered 2011-17.

Carried

i) Cardinal Water & Sewer Rates

R2011-076

**Decision:** Moved by: J. Hunter seconded by: C. Burrell that the mover be granted leave to introduce a by-law to impose water and sewer rates for users of the water treatment system and the sanitary sewer system in Cardinal and this shall constitute first and second reading thereof.

Carried

Deputy Mayor noted that he would like to see a better rate provided for commercial users of the Cardinal systems.

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R2011-077

**Decision:** Moved by: J. Hunter seconded by: C. Burrell that a by-law to impose water and sewer rates for users of the water treatment system and the sanitary sewer system in Cardinal be now read a third time and finally passed, signed, sealed and numbered 2011-18.

Carried

9. Correspondence

R2011-078

**Decision:** Moved by: P. Sayeau seconded by: G. Morrell that the correspondence as circulated and read be actioned as directed.

Carried by Consent

10. Accounts

a) Municipal Accounts

R2011-079

**Decision:** Moved by: C. Burrell seconded by: J. Hunter that Municipal Council approves payment of municipal invoices as attached:

Report dated 2/16/2011	\$ 173,162.16
Report dated 2/18/2011	\$ 316,063.72
Report dated 3/4/2011	\$ 70,346.83
Report dated 3/10/2011 9:10 a.m.	\$1,073,881.40
Report dated 3/10/2011 3:44 p.m.	\$ 183,709.07

Carried by Consent

b) Port Accounts

R2011-080

**Decision:** Moved by: J. Scott seconded by: G. Morrell that Municipal Council approves payment of Port of Prescott invoices on the attached listings:

Batch No. 5	\$ 75,126.31
Batch No. 6	\$ 72,966.35
Batch No. 7	\$ 18,767.14
Batch No. 8	\$259,914.12

Carried by Consent

c) Amendments to Budget – None

11. Mayor's Report

Mayor Sloan noted that the United Counties' budget is likely to be set at a meeting March 24 with a 3% increase. He also reminded everyone of the Township's budget meeting scheduled for March 21.

12. Staff Reports

a) CAO's Report – None

b) Clerk's Report

The Clerk advised of the following:

- Estimated OMB costs had been provided at Committee of the Whole, which are estimates only due to uncertainties with respect to the potential length of a hearing
- Workplace Violence & Harassment Policy Training scheduled April 5
- By-law Enforcement Officer on vacation March 14-18.

c) Treasurer's Report – None

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13. New Business

Councillor Sayeau reminded those present that the Prescott & District Chamber of Commerce Annual Meeting and dinner is scheduled for March 24.

14. Question Period

Questions were asked with respect to the rate increases for the Spencerville sewer system and the Cardinal systems.

15. Closed Session

R2011-081

**Decision:** Moved by: G. Morrell seconded by: B. Ball that Municipal Council proceeds into closed session at 7:25 p.m. in order to discuss a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees.

Carried

Council recessed for approximately ten minutes.

Council discussed appointments to the Community Development Committee. Deputy Mayor left the meeting for this part of the discussion due to his relationship with one of the applicants.

The CAO updated Council with respect to an issue with a resident of Cardinal. The CAO outlined the normal course of action that would be taken.

R2011-082

**Decision:** Moved by: B. Ball seconded by: G. Morrell that Municipal Council does now convene in open session at 8:00 p.m.

Carried

16. Confirmation By-law

R2011-083

**Decision:** Moved by: J. Hunter seconded by: C. Burrell that the mover be granted leave to introduce a by-law to adopt, confirm and ratify matters dealt with by resolution and this shall constitute first and second reading thereof.

Carried

R2011-084

**Decision:** Moved by: J. Hunter seconded by: C. Burrell that a by-law to adopt, confirm and ratify matters dealt with by resolution be now read a third time and finally passed, signed, sealed and numbered 2011-19.

Carried

17. Adjournment

R2011-085

**Decision:** Moved by: P. Sayeau that Municipal Council does now adjourn at 8:02 p.m.

Carried

These minutes were adopted by Council this 28<sup>th</sup> day of March, 2011.

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Mayor

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Clerk