

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-16**

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Monday, July 9, 2007 at 7:00 pm**

Meeting was called to order at 7:45 p.m.

PRESENT:	Margaret Walsh	Reeve
	Fred Lang	Deputy Reeve
	Iain Gardiner	Councillor
	Chris Brady	Councillor
	Rick Phillips	Councillor
	Steve Mercer	Clerk-Treasurer

Absent: none

Declaration of Pecuniary Interest – None was declared at this time.

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of July 9, 2007 be adopted.

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the minutes of the Regular Council Meeting of Monday June 18, 2007 and the Public Meeting of June 18, 2007 be approved as corrected.

**CARRIED**

The following declarations were provided for items to be added to the agenda under 'New Business':

Reeve Margaret Walsh	2 items
Deputy Reeve Fred Lang	3 items
Councillor Chris Brady	0 items
Councillor Rick Phillips	1 item
Councillor Iain Gardiner	5 items – 1 in-camera
Clerk Steve Mercer	1 item

**DELEGATIONS**

**Bart Walsh**

- Attended Council regarding the state of the Weese Rd.
- Mr. Walsh has now read the recently received roads condition report contracted by Council
- Mr. Walsh wanted to get clarification if in fact the roads study was now the planning agenda for roads work and reconstruction over the next several years
- i.e. was the roads study now the capital plan or was Council planning on deviating from it. Is Council committed to the plan?
  
- Council advised Mr. Walsh that Councils change every few years and that events occur that make planning to this degree very difficult

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- Council advised Mr. Walsh that the Roads Study would be in fact the lead document considered when it came to expenditures in these areas, but that funding was not consistent and that due to financial constraints Council would require a reasonable degree of latitude
- Council expects to meet in the fall in a separate meeting to plan for the next three years (current mandate) in terms of roads and bridges work

**Ron Marsh**

- Spoke to Council on behalf of a few community members who were concerned about recent protest activity and potential land claims in Tyendinaga by the Mohawks of the Bay of Quinte
  - Was concerned about property values
  - Was concerned about safety the evening of June 29 when the 401 was closed and large trucks were detoured through the Township
  - What was Council doing to protect the Municipal interest?
  - Council needs to communicate more with the general public
- 
- Council advised Mr. Marsh that they too are frustrated by their lack of influence in these processes
  - Tyendinaga Township does not have a place at the negotiating table
  - Council has written a letter to the Ontario and Federal Governments outlining our frustration concerning the events of June 29 and asking for reimbursement of our costs associated with the day
  - Council has a meeting planned for June 17 with Town of Deseronto and Federal officials to get an update on progress
  - Council agreed that a communications piece should be released to the Community at large after the June 17 meeting to keep tax payers up to date
  - Any talk of future claims is pure speculation. Our knowledge is that no others have been filed beyond the Culbertson Claim

**Pat Calnan**

- Approached Council regarding an exception to the Building by-law section 5.25.6
- Mr. Calnan would like to build his detached garage prior to the construction of a new home.

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

That this Council approves the request of Patrick Calnan build a workshop/garage prior to building a new home.

**CARRIED**

**PASSING OF ACCOUNTS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

THAT the following accounts be approved as presented:

General Government	429,887.19
Roads Department	70550.27
Recreation Department	18509.26
Fire Department	22747.46
Protective Services	5231.00

**CARRIED**

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**STAFF REPORTS**

**Liette Osborne, Recreation Coordinator**

Provided written report

Highlights

- Seniors lunch attendance is showing steady progress in terms of attendance. 32 meals were served at the last lunch.
- Annual Township golf tournament was a success. 76 golfers competed and the net profit was in excess of \$2,600. Income statement was presented.
- Canada Day Barn Dance showed a minimal loss of under \$400. The barn dance was a new event and it is understood that it may take some time before it turns a profit. The activities were well attended. Income statement was presented for the barn dance and a consolidated income statement for Canada Day will be presented at the next Council meeting.
- Hastings County Plowing Match is scheduled for August 22 hosted by Quinte West. Tyendinaga will be participating in the County Tent. Council will coordinate with Liette concerning the volunteer schedule for the tent. There was some discussion about give-aways and promotional items. Liette to investigate
- The fencing project at the ballfields is now complete.
- Liette provided an overview of her 6 month financial position vis a vis her approved budget.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council approves the waiving of the Hall Fee for Saturday September 15 for the year end adult 3-pictth tournament.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council approves to waive the Hall fees for the Tyendinaga Public Library on August 9, 2007 so they can host a children's entertainer.

**CARRIED**

**John Farrell, Road Supervisor**

Provided written report

Highlights

- Provided an overview to Council of damages on the municipal roads system associated with the National Day of Action and the closing of the 401 on June 28/29, 2007
- Engineers have been called in to determine if there has been any structural damage to the local bridges in Lonsdale and on Wymans Road
- The work on the Tracy Road extension has been completed. Signage has been ordered that demonstrates that Council has no interest in maintaining this northbound extension
- Grass cutting continues
- There has been extensive grubbing done in preparation for the construction at the Deseronto Rock Cut
- John provided an overview of his 6 month financial position vis a vis his approved budget

**Dan Callaghan, Fire Chief**

Provided written report

Highlights

- The Fire Department responded to 21 calls this past month
- Fire Department is working with CP rail in regards to appropriate storage of used railway ties

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- Briefed Council on the Fire Department's activities concerning the National Day of Action
- Fire Committee will meet July 10 to discuss the future of Fire Department staffing and bring back recommendations to Council
- Dan provided an overview of his 6 month financial position vis a vis his approved budget

**Steve Mercer – Clerk**

- Provided an overview of the 6 month financial position vis a vis approved budgets for General Government, Protective Services and Waste Services

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

THAT this Council accepts the staff reports and 6 month variance reports as presented.

**CARRIED**

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council receives the correspondence from Mosey & Mosey – June 15, 2007 – 6 month claims experience and renewal projection.

**CARRIED**

**NEW BUSINESS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council supports the resolution put forth by the United Counties of Stormont, Dundas and Glengarry of June 18, 2007 regarding changes to the Farm Tax Rebate Program so municipalities can be compensated for the diminished tax rate for these properties.

**CARRIED**

Council reviewed the request for comments from Hastings County in relation to proposed amendments to the Official Plan. Council agreed that it was difficult to discuss this wealth of information and asked for time to review. It was agreed that individual Councillors would forward their comments to the Clerk by July 25. The Clerk will compile these comments and forward to Hastings County by the July 31 deadline.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

THAT the Livestock Valuer Report for the following be approved as presented:

Joe Brennan	Lamb	\$85.00
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**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council accepts the correspondence dated June 21, 2007 from Quinte Waste Solutions regarding mercury switches. Be it further moved that the Clerk is asked to invite Mr. Matt Taft to an upcoming Council meeting together with our Waste Site staff to receive further information.

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**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council accepts the correspondence dated June 20, 2007 from Quinte Conservation and puts forth Councillor Iain Gardiner's name as potential community representative on the proposed Source Protection Committee to deal with issues under the Clean Water Act. Be it further moved that Council is most supportive of Scenario A: County based appointments, as an option for membership within this group.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council approves for the Clerk and Reeve to sign the Funding Agreement with COMRIF regarding the Asset Management Project to be undertaken so that the Township is in PSAB compliance by January 2009.

**CARRIED**

***Clerk Treasurer Steve Mercer***

- *brought up a motion that is required in relation to our 2006 audit*

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council approves for the Clerk and Reeve to sign the auditor's engagement letter in relation to the completion of the 2006 Municipal audit.

***Councillor Rick Phillips***

- *Brought forward constituents concern regarding dust control along Whalen Road. John to follow up*

***Deputy Reeve Fred Lang***

- *Brought forward his desire to possibly establish a 200 metre building moratorium in the area of the recreation complex. The Deputy Reeve is concerned about safety, particularly in relation the annual fireworks display*
- *Is concerned about the safety of the railway crossings on Lazier & Hinchey Roads. There are bolts protruding and the tracks are rough and uneven. Staff to follow up*
- *One item to be brought forward in camera*

***Councillor Iain Gardiner***

- *First item was covered by Councillor Phillips*
- *Brought forward a concern about the storage of pools on the northeast corner of 401 and Marysville Road. Councillor Gardiner believes that this area is designated as Environmental Protection. Clerk is asked to follow up with the By-law Officer*
- *There is signage within the road allowance at the corner of #49 and Belleville Road. This has line of site considerations in relation to safety. The Roads Department is asked to remove the signage.*
- *Would like Council to set up a planning meeting to go over the Roads Study so that appropriate planning can take place for the next three years*

***Reeve Margaret Walsh***

- *Briefed Council on her participation at the annual Federation of Canadian Municipalities meeting she recently attended on behalf of Hastings County*
- *One item in camera*

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**OLD BUSINESS**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council receives the correspondence from the Hastings Prince Edward Health Unit and the request to reconsider Council's decision to disallow larvaciding for West Nile in the Township. Be it further moved that this Council re-affirms its earlier decision to disallow larvaciding for West Nile in the Township.

**CARRIED**

The Clerk provided information and a sample resolution to Council concerning Emergency Detour Routes and associated signage in relation to the 401. Ministry of Transportation has the lead in designating these routes. It was agreed that since the Emergency Detour Route associated with Tyendinaga Township requires that the City of Belleville and Mohawks of the Bay of Quinte be supportive of the same route, that a meeting be arranged to gain consensus.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council directs the Clerk to contact the MTO for them to arrange a meeting with all affected parties to the proposed EDR off the 401 and through Tyendinaga Township.

**BY LAWS**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-23, Being a by-law to amend by-law 03-16 regarding Concession 7, Part Lot 6, its short title being the Winstanly By-law.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-24, Being a by-law to amend by-law 03-16 regarding Concession 7, Part Lot 6, its short title being the Winstanly By-law.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-25, Being a by-law to amend by-law 03-16 regarding Concession 6, Part Lot 11, its short title being the Hannafin By-law.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-26, Being a by-law to amend by-law 03-16 regarding Concession 6, Part Lot 11, its short title being the Hannafin By-law.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-27, being a by-law to authorize a line of credit for the municipality, not to exceed \$300,000.

**CARRIED**

MOVED BY: Councillor Chris Brady

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SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-28, being a by-law to authorize the financing of \$121,000 for the construction of the recreation hall and ballfields.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes by-law 07-29, being a by-law to authorize the financing of \$64,490 for last year's purchase of a new backhoe

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

THAT Council agreed to continue with the Council Meeting in camera as the subject matter deals with legal matters where the Township may be a party to the proceedings

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

THAT as Council has completed the discussion dealing with legal matters where the Township may be a party to the proceedings.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT this Council confirms the discussion of the in-camera portion of the open meeting.

**CARRIED**

Deputy Reeve Fred Lang shared with Council copies of the Tyendinaga Public Library's six month report for 2007.

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday August 13, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Regular Council Meeting be adjourned 10:55 pm.

**CARRIED**

**COUNCIL was reconvened at the request of the Reeve at 8:30am Tuesday July 10, 2007.**

PRESENT:	Margaret Walsh	Reeve
	Iain Gardiner	Councillor
	Chris Brady	Councillor
	Rick Phillips	Councillor
	Donna Ward	Deputy Treasurer
	Ken Buxton	Chief Building Official

ABSENT:	Fred Lang	Deputy Reeve
	Steve Mercer	Clerk-Treasurer

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No pecuniary interest was declared

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council re-opens the Regular Meeting of July 9, 2007 at the request of the Reeve.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council rescinds the motion of July 9, 2007 concerning the permission for Mr. Patrick Calnan to construct a permanent garage prior to the construction of a new home.

**CARRIED**

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday, August 13, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council adjourns the Council meeting of July 9 and 10, 2007

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer