

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-18**

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Tuesday September 4, 2007 at 7:00 pm**

Meeting was called to order at 7:10 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 Chris Brady  
SECONDED BY: Councillor Rick Phillips  
THAT the Agenda of September 4, 2007 be adopted.

**CARRIED**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
THAT the minutes of the Regular Council Meeting of Monday August 13, 2007 and the Public Meeting of August 13, 2007 be approved.

**CARRIED**

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

Reeve Margaret Walsh	0 items
Deputy Reeve Fred Lang	0 items
Councillor Chris Brady	0 item
Councillor Rick Phillips	2 item
Councillor Iain Gardiner	0 items
Clerk Steve Mercer	0 item

**DELEGATIONS**

**Margaret Whalen**

- Inquired about Councils plans to Hardtop the remainder of Whalen Rd
- A few years ago a portion was paved just south of Blessington Rd
- The bridge in the area has been repaired
- Residents along the road would like it paved

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Council indicated to Mrs. Whalen that:

- The roads crew is currently tied up for the balance of 2007
- A roads needs study was commissioned by Council
- The Whalen Road synopsis was shared with Mrs. Whalen
- Council indicated that it is delegations such as these that bring these desires to the forefront
- The group should approach Council in 2008 to see what can be done
- Council will consider this request in conjunction with the 2008 budget

**PASSING OF ACCOUNTS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT the following accounts be approved as presented:

General Government	42734.79
Roads Department	126959.39
Recreation Department	12353.16
Fire Department	14019.46
Protective Services	61222.10

**CARRIED**

**STAFF REPORTS**

**Liette Osborne, Recreation Coordinator**

Provided written report

Highlights

- Plowing match was a success, Liette thanks Council for their participation
- Volunteer appreciation barbecue is scheduled for September 23 from 12:30-2:00pm
- Liette asked for support to contact and work with the three Township schools on the upcoming Walkalution project scheduled for October 3, 2007 where there will be an attempt to break a world record for largest number of people walking 1KM simultaneously
- Work on Field #4 is underway
- Lighting for playground, holding tank and sprinkler system will be concluded shortly
- Liette asked for support to attend the Canadian Parks & Recreation Conference

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council supports the \$260 request from the Recreation Coordinator to attend the Annual Canadian Parks and Recreation Association annual conference in Ottawa.

**NOT CARRIED**

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**John Farrell, Road Supervisor**

Provided written report

Highlights

- Blasting of Deseronto Rock Cut is complete
- 3 inch gravel has been applied to the east end of Blessington Rd
- 5/8 gravel application has begun
- it appears as if there may be as much as 25,000 extra tonnes of rock than expected
- crushing costs are \$3 per tonne
- John was asked to stay within budget and to bring to Council, on September 17, a financial report concerning expenditures on this project
- Two area schools have asked for some “slab rock” from the project which they want to incorporate into their new playground design
- Council agreed that the schools could have some of this slab rock but indicated that transportation etc was to be arranged by the schools. The roads department is not to incur costs associated with this request.
- The transmission in the loader has failed, perhaps due to the strenuous workload on the unit. Estimated repairs are \$10,000

As requested at the August 13 Council Meeting, Roads Supervisor Farrell brought forth options for ditching based on a proposed budget of \$25,000:

- John presented a listing of ditching projects that appeared to be getting the most attention from Council
- John further advised that the cost to contract this work would be approximately \$300/hr, and this did not include supervision
- The roads crew is currently committed to the Rock Cut project
- There was significant discussion regarding priorities and options based on Farrell’s presentation
- It was agreed that due to lack of consensus and the current commitments of the Roads Department that this initiative be tabled in the new year

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

THAT this Council accepts the staff reports as presented.

**CARRIED**

**CORRESPONDENCE**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the following correspondence

- Mosey and Mosey – August 17 – 9 Month Claims Experience and Renewal Projection
- Ontario 911 Advisory Board – request for financial assistance
- IIPT – August 23, Peace Parks
- MP Daryl Kramp – August 24 – 2 letters – Culbertson Tract Land Claim

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- Minister John Gerretsen – August 22 – re: National Day of Protest
- AMO – August 24 – Local Municipal Official Elected to AMO
- Ontario, MAFRA – August 29 – Eastern Ontario Revitalization Project
- Jim Pine, County Council – August 27 – Broadband Application

**CARRIED**

**NEW BUSINESS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council has considered the Executive Summary of the Issues and Options paper circulated by County of Hastings in relation to proposed amendments to the Official Plan. Be it further moved that Council is concerned about any initiative to increase minimum lot size to anything resembling 25 acres. Be it finally moved that the Clerk is to convey to the County Planning Department that this Council feels that a two-acre residential lot with 200ft of frontage is adequate.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council defers the request for a speed limit reduction on Cross Rd until Council is able to get more information on processes and other considerations.

In the meantime the Clerk is asked to write to the OPP asking them to increase patrols of the area so that the speeding concerns can be alleviated.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council will allocate \$65,000 towards the 2008 Fire Budget to facilitate the hiring of a fulltime Fire Chief – Fire Inspector – By-law Officer – Community Emergency Management Coordinator. Be it further moved that this Council will undertake a review of all departments 2008 budgets to eliminate the 2008 municipal tax impact for this expenditure.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council approves the Job Description as presented for the Fire Chief – Fire Inspector – By-law Officer – Community Emergency Management Coordinator.

**CARRIED**

There was discussion concerning the recruitment of the new position and the final disposition of the current Fire Chief and Deputy Fire Chief volunteer roles. It was agreed that the Fire Committee would meet independently and bring their recommendations back to full Council on these matters.

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MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council approves the purchase of a new Rescue Pumper Fire Truck offered by Asphodel Fire Trucks Ltd. Be it further moved that the Clerk is directed to take \$70,000 from the Fire Reserves and to obtain financing for the balance of \$124,000. Be it finally moved that the Clerk is to arrange financing of this amount based on a five-year term with the interest rate at approximately 6.75%.

**CARRIED**

Moved by: Deputy Reeve Fred Lang

Seconded by: Councillor Chris Brady

That Council approve a severance by WAKELIN, LINDSAY, Severance B97/07 Concession 7, Lot 13 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)
2. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. That the lot be rezoned to Rural Residential
4. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance must be applied for and be established suitable to the Township Road Supervisor.

**CARRIED**

Moved by: Councillor Rick Phillips

Seconded by: Councillor Chris Brady

That Council approve a severance by SHERMAN, CHRIS, Severance B85/07 Concession 4, Lot 6 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)
2. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. That the lot be rezoned to Rural Residential
4. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance must be applied for and be established suitable to the Township Road Supervisor.

**CARRIED**

Moved by: Councillor Iain Gardiner

Seconded by: Councillor Chris Brady

That Council approve a severance by SHERMAN, CHRIS, Severance B86/07 Concession 4, Lot 6 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)

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2. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. That the lot be rezoned to Rural Residential
4. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance must be applied for and be established suitable to the Township Road Supervisor.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Iain Gardiner  
THAT the Livestock Valuer Report for the following be approved as presented:  
Harold Enright Red Angus X Calf \$450.00

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Iain Gardiner  
That as required by procedural by-law that this Council, via motion, will continue the meeting beyond 11pm.

**CARRIED**

***Councillor Rick Phillips***

- *Brought forward constituents concern regarding the dam at Chisholms along the Moira River. Deputy Reeve Lang agreed to bring this concern forth at the next Quinte Conservation meeting*
- *Brought forward an ongoing constituent concern regarding the state of repair of the Smith Rd.*
- *Brought forward that the Council Chambers needs “spruced up”. The Chambers lack decoration and atmosphere*

**OLD BUSINESS**

The Clerk and Reeve updated Council on developments in Land Claim discussions

- Reeve and Clerk and Town of Deseronto representatives met with Minister Dombrowsky on Monday August 20
- As an outcome the Minister agreed to arrange a meeting between ourselves with the Minister of Aboriginal Affairs
- Clerk responded to a subpoena to attend the Shawn Brant Preliminary hearing on August 27. There was a publication ban so the Clerk was quite limited in his presentation except to say that the questions posed in court were the ones that we would generally expect given the events of June 28/29.

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

WHEREAS the Aboriginal National Day of Action was scheduled for June 29, 2007

AND WHEREAS dissident Mohawks from the Mohawks of the Bay of Quinte elected to take a less peaceful approach than other First Nation Groups

AND WHEREAS for safety reasons the Ontario Provincial Police shut down the 401 at approximately 11:00pm on June 28

AND WHEREAS the detours designed for bypass had little effect

AND WHEREAS there was significant damage to the roads and signage in the Township

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THEREFORE BE IT RESOLVED that this Council has determined that the cost to Tyendinaga Township concerning the National Day of Action was \$28,939.05  
BE IT FURTHER RESOLVED that this Council seeks reimbursement from Ministry of Municipal Affairs and Housing of this said amount  
BE IT FINALLY RESOLVED that the Clerk is to forward this resolution and all particulars to the MMAH to ask for reimbursement

**CARRIED**

There was discussion concerning the upcoming community meeting scheduled for September 18,2007. The Clerk was asked to approach Mr. Mike Bossio to moderate the meeting. It was agreed that the “head table” would each offer a few comments as to their role in these affairs and that the bulk of the evening would be a Q&A and town hall format. Clerk to bring details to the September 17 Council Meeting.

**BY LAWS**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Rick Phillips  
That this Council hereby passes by-law 07-35, Being a by-law to amend by-law 03-16 regarding Concession 6, Part Lot 30, its short title being the Rexe By-law. B28/07

**CARRIED**

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Iain Gardiner  
That this Council hereby passes by-law 07-36, Being a by-law to amend by-law 03-16 regarding Concession 5, Part Lot 6, its short title being the Speck By-law. B30/07 (A)

**CARRIED**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Deputy Reeve Fred Lang  
That this Council hereby passes by-law 07-37, Being a by-law to amend by-law 03-16 regarding Concession 5, Part Lot 6, its short title being the Speck By-law. B31/07 (B)

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
That this Council hereby passes by-law 07-38, Being a By-law to Authorize an Agreement between the Township of Tyendinaga And Her Majesty The Queen in Right of Ontario with Respect to the Canadian Ontario Municipal Rural Infrastructure Fund – AMP Submission

**CARRIED**

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday September 17, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady

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That this Regular Council Meeting be adjourned 11:20 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer