

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

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Monday September 17, 2007 at 7:00 pm**

Meeting was called to order at 7:00 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: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of September 17, 2007 be adopted.

**CARRIED**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
THAT the minutes of the Regular Council Meeting of Tuesday September 4, 2007 and the Public Meeting of September 4, 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	1 item
Deputy Reeve Fred Lang	0 items
Councillor Chris Brady	0 item
Councillor Rick Phillips	1 item
Councillor Iain Gardiner	1 item
Clerk Steve Mercer	0 item

**DELEGATIONS**

**Mr. Charles Ross – Garrison Cemetery**

- The rehabilitation of the Garrison Pioneer Cemetery is a project of the Kawarthas Branch of the United Empire Loyalists
- Have applied for funding to restore and repair the cemetery
- The land was received into Tyendinaga Township in 1834 – Lot 3 Concession 3
- Many of the Townships first settlers are interred in this cemetery
- The group hopes to create a trust account, so that the interest on the trust can pay for perpetual care.

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The group has two requests

1. Would the Township be willing to do the perpetual care for the cemetery with the interest from the trust funds? There would be no incremental costs to the municipality.
  2. Several years ago the Blessington Rd was built up and now the entryway to the cemetery is very steep. Would the Council consider building up the entryway so that passage to and from the road is made easier?
- Council indicated that our resources are limited
  - We only have a few staff
  - This could be precedent setting as there are other small cemeteries in the Township that are looked after by community groups and interested families
  - Council advised that this group may have more control over the cemetery if they invested the trust money themselves and took the lead role in perpetual care
  - Unfortunately the Council does not have the resources to commit to perpetual care

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council declines the request to administer perpetual care for the Garrison Cemetery. Be it further moved that this Council fully supports and recognizes the worthy efforts of the Kawarthas Branch of the United Empire Loyalists. Be it finally moved that this Council directs the Roads Department to do some work to alleviate the access concerns at the Garrison Cemetery.

**CARRIED**

**PASSING OF ACCOUNTS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT the following accounts be approved as presented:

General Government	31498.96
Roads Department	34553.40
Recreation Department	4486.72
Fire Department	80855.18
Protective Services	1392.97

**CARRIED**

**STAFF REPORTS**

**Liette Osborne, Recreation Coordinator**

Provided written report

Highlights

- Has secured Yoga instructor and some have signed up, please help spread the word
- Mixed 3-pitch tournament was a great success, 9 teams and a successful social afterwards
- Volunteer appreciation barbecue is Sunday September 23<sup>rd</sup>, 12:30pm – 2:00pm
- Queens University has requested to use our baseball facility for Varsity team use. This is a real compliment to our fine facilities

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**John Farrell, Road Supervisor**

Provided written report

Highlights

- Blasting of Deseronto Rock Cut is complete, crushing activities have now moved to the south end of the project, near the top of the hill
- Blessington has had 3 inch applied and application of 5/8ths is well underway
- 3 inch has been applied to the South River Road
- approximately 50,000 tonnes has been crushed, about 30,000 to go
- As previously reported we had underestimated the total to be crushed and some of the extra material has been applied to McCullough Rd
- The overage in material will put pressure on total costs vis a vis budget
- Council asks that John do what is necessary to stay within the budgeted amount for the project
- The Road should be open by October 5<sup>th</sup>, as planned
- Wymans Road has now had a layer of resurfacing applied as per agreement with MTO concerning reconstruction of Salmon River Bridge along 401

**Dan Callaghan, Fire Chief**

Provided written report

Highlights

- In August, Fire Department responded to 11 calls for assistance
- Thanks Council for decision to hire a full-time Fire Chief
- Also thanks Council for purchasing the new pump/rescue truck
- The Township of Tyendinaga Volunteer Firefighters Association is also contributing \$5,000 to install a fire fighting foam system on the new Pumper/rescue unit, Dan thanks the Association for their continued efforts

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

THAT this Council accepts the staff reports as presented.

**CARRIED**

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the following correspondence

- Invitation – National Philanthropy Day – AFP
- Municipal Status Report – Second Quarterly Report 2007 – MPAC
- Minister Gerretsen – September 6 Special Assistance Grant

**CARRIED**

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**NEW BUSINESS**

Council elected to receive the correspondence from Deborah Kinsman in regards to emergency shelters for area residents in case of emergency and the Clerk is directed to contact Ms. Kinsman and ask her to appear as a delegation at an upcoming Council meeting.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council receives the request to proclaim November 18-25 Restorative Justice Week by Correctional Services Canada

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council receives the request to proclaim October 15-21 Citizenship Week by the Minister of Citizenship & Immigration

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council receives the Clerks information concerning the 2007 Legislated Requirements concerning Bill 130.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council upon receiving further information concerning the Livestock, Poultry and Honeybee Protection Act and has decided to reconsider the Livestock Loss Application put forward by Dave Whalen. Be it further moved that this Council now approves the payment of \$375 for one limo x heifer calf based on the Livestock Valuers Report. Be it finally moved that since the livestock appears to be killed by neighboring dogs, that the Clerk is asked to pursue reimbursement from the dog owner.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

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

Dan Mastin Red Angus Heifer \$680.00

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That Council approve a severance by KENNELLY, Concession 4, Lot 23 to 25 (B91/07) 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.
5. That Ministry of Natural Resources is satisfied in relation to any Loggerhead Shrike habitat issues and that proof be lodged with the Township of Tyendinaga.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

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5. That Ministry of Natural Resources is satisfied in relation to any Loggerhead Shrike habitat issues and that proof be lodged with the Township of Tyendinaga.

**CARRIED**

***Councillor Rick Phillips***

- Spoke briefly about his attendance at the recent Quinte Waste Solutions meeting
- The most interesting item was QWS position that greater education is needed in regards to hazardous waste disposal and marketing of Hazardous Waste pick-up days throughout the County

***Councillor Iain Gardiner***

- Spoke to Council regarding the last weeks near deadly car accident at Shannon and Shannonville Rd.
- We need to do something about these concession roads that cross the Shannonville (Gravel) Rd.
- Accidents are occurring along the length of the Shannonville Rd
- Rumble strips do not work on surface treated Concession roads
- Gardiner implored the Roads Supervisor to come back to Council with some safety mitigation measures concerning this reality

***Reeve Margaret Walsh***

- Attended the Ontario East Municipal Conference in Kingston September 12-14
- Had opportunity to meet with County officials regarding support in our Land Claim issue
- Had opportunity to meet with senior MMAH staff to discuss the Townships costs in relation to the National Day of action

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- As per letter from Minister, we can claim INCREMENTAL costs not to exceed \$28,939.05
- The focus of the conference was on Economic development in Eastern Ontario
- Reeve Walsh also had opportunity to meet with our municipal auditors

**OLD BUSINESS**

Councillor Iain Gardiner spoke on behalf of the Fire Committee

The Fire Committee met on September 12 to discuss the logistics of hiring a fulltime Fire Chief with the Township and presented the following recommendations to Council

- That the primary advertising avenue be the Association of Ontario Fire Chiefs website (est. \$300)
- That the competition closes on October 26, 2007
- That an initial screening is held shortly after the closing date to obtain a list of candidates for interview
- Bob Branscombe from the Ontario Fire Marshall's Office has been contacted in order to assist with the process
- The Fire Committee feels that initial interviews be conducted by a panel somewhat distinct from Council, possibly on the recommendation of Mr. Branscombe
- It is anticipated that these first interviews would take place November 9, 2007
- It is estimated that the total recruitment costs will be approximately \$1,000 which can be found within the existing Fire Department budget
- This panel to be determined would recommend two or three candidates for Council to interview to determine suitability
- Estimated start date is January 1, 2008

**Members Reports**

Councillor Rick Phillips tables a written report he prepared from his attendance at the most recent Building Inspections Services Committee on September 6, 2007

Highlights:

- Tyendinaga building activity is very high
- This activity and high activity in other municipalities within the BISC family prompted discussion regarding the need for additional building inspectors, and also in regard to succession planning
- A localized concern was brought forth by Town of Deseronto

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT Council agreed to continue with the Council Meeting in camera as the subject matter deals with legal matters where confidentiality requires protection.

**CARRIED**

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MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Rick Phillips  
THAT as Council has completed the discussion dealing with legal matters where confidentiality requires protection, the meeting can continue in open format

**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**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
That this Council agrees to meet with Sean Kennedy, Chief Federal Negotiator on October 3 at 6 pm to discuss the reports that have been forwarded to the negotiating team regarding the concerns brought forth by Council in relation to the Culbertson Land Claim discussions.

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
That this Council approves to complete the work to repair the roads affected by the National Day of Action, Be it further moved that the estimate from Fitzgibbon Construction of \$17,500 be accepted as the basis for engagement. Be it finally moved that this Council considers this work to be incremental and that the invoice for the work, when received, be included in the submission to MMAH under the Special Assistance Grant offered by same in relation to the National Day of Action

**CARRIED**

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday October 1, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Councillor Chris Brady  
SECONDED BY: Deputy Reeve Fred Lang  
That this Regular Council Meeting be adjourned 9:40 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer