

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

Municipal Council Chambers, 859 Melrose Road, Shannonville  
Monday November 15, 2010 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

Reagan McFarlane and Breanna Wright were in the gallery as part of their high school curriculum requirements.

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Deputy Reeve Fred Lang  
THAT the Agenda of November 15, 2010 be adopted.

**CARRIED**

**Declaration of Pecuniary Interest:** None declared

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the minutes of the October 12, 2010 Regular Meeting and minutes of the October 12, 2010 Public Meeting be approved as presented.

**CARRIED**

**STAFF REPORTS**

John Farrell, Roads Supervisor  
Provided written report

Highlights

- Grading throughout the Township
- McCullough Rd project is in full swing and on schedule
- Brushing along Phillips Rd and Shannonville Rd
- Hot mix patching on Shannon Rd
- Railroad tracks upgrade at the CP crossing on Lazier

Council was concerned that the work on the tracks at Lazier was not adequate and that it is hoped that this was due to the season and that the final fix would be next spring

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
THAT this Council accepts the staff report as presented.

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

**PASSING OF ACCOUNTS**

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Iain Gardiner  
THAT the following accounts be approved as presented:

General Government	\$65,516.30
Roads Department	\$212,482.17
Recreation Department	\$16,049.00
Protective Services	\$54,484.36
Fire Department	\$18,613.31

**CARRIED**

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

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

**CORRESPONDENCE**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
That this Council receives the correspondence:

- Note of Thanks – Shannonville Agricultural Society
- Invitation – Town of Bancroft – Lloyd Churchill – Retirement
- Bay of Quinte Remedial Action Plan – October 2010

**CARRIED**

**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner

WHEREAS the “Farmland Tax Program” and the “Managed Forest Tax Incentive Program” are designed by the Ontario Government to support lower food costs and protect forests for recreational and environmental purposes;

AND WHEREAS the Farm Tax Rebate Program and the Managed Forest Tax Incentive Program were previously funded in full by the Ontario Government yet are now funded mainly by municipalities through the municipal property tax base;

AND WHEREAS rural municipalities are being forced to absorb the loss of 75% of the property tax revenue from their farmland and management forest properties while all residents of Ontario have a vested interest in maintaining lower-cost foods and protecting forests;

AND WHEREAS the farm tax rebate program provides lower-cost foods across the province, as well as the economic benefit of provincial exporting and is truly an income-redistributive program with

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

province wide significance and should not be financed from local property taxes which results in those who are supposed to be benefiting from the program, actually paying for the program;  
THEREFORE BE IT RESOLVED that the Province of Ontario calculate the Farmland and Managed Forest component of the Ontario Municipal Partnership Fund (OMPF) so that all municipalities receive full provincial reimbursement of their lost property tax revenue on farmland and managed forest properties, while land-owners maintain the streamlined process and the 25% ratio currently in place;  
AND FURTHER that this resolution be forwarded to the Premier of Ontario, Minister of Finance, Minister of Agriculture Food and Rural Affairs, Minister of Municipal Affairs & Housing, local MPP's, all Ontario municipalities and any other individual or association as deemed appropriate.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council receives correspondence from Mr. Trevor Howard dated October 18, 2010. Be it further moved that the Township supports the renewal of the event previously known as Shannonville Country Music Festival to be held on the Howard property, Lot 11, Concession 2 in the summer of 2011. Be it finally moved that the proponents fully respect all regulations that pertain to an event of this sort.

**CARRIED**

Note to minutes: while this approval is for one year only it is anticipated that as long as the described event remains unsubstantially unchanged for further years that Council will be supportive of its continuance.

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Council defers any immediate decision regarding the various options discussed in the correspondence from County of Lennox and Addington regarding the rehabilitation of County Rd 10 (Deseronto Rd) at the southern end.

Be it further moved that Council understands that any work considered will be at an apportioned cost share recognizing road frontage in each involved municipality.

Be it further moved that Council recognizes the various options range in cost from \$556,060 to \$1,885,050 with our share being approximately 27% of the total.

Be it finally moves that recommendation be put forward to the new Council that a meeting between all involved municipalities takes place so that the matter can be fully addressed.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council receives the CN authored minutes dated October 7, 2010 from the Community meeting held at the Recreation Hall with Council and concerned community members. Be it further moved that receiving of the item does not imply either agreement or disagreement on the part of Council.

**CARRIED**

- Councillor Rick Phillips added that this item was related to one of the new business items later in the agenda and Council agreed that this would be a good time to speak to it.
- Phillips explained to Council that he had a call and he and Reeve Walsh met with Dave Reynolds from CN after the meeting

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

- According to Mr. Reynolds, CN will satisfy the people to the north side of the road allowance and is working with those on the south to try to alleviate their concerns
- Councillor Phillips relayed that CN would like to meet with any interested members of Council so they can provide an update on progress and possible next steps
- CN has suggested Wednesday November 17 if Council concurs
- Council agreed to the meeting, at 7pm, the Clerk to manage logistical matters

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

THAT THIS Council receives and approves the 2009 Consolidated Tyendinaga Township Municipal Audit as prepared and received by Collins-Barrow, chartered accounts.

**CARRIED**

In relation to the item regarding the composition of the Library Board the Council directed the Clerk to bring to Council as soon as possible and prior to appointments being made, a by-law, describing the composition of the Tyendinaga Township Public Library Board to be seven members, two to be from Council and the other five being ratepayers of the Township.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council declines any reimbursement to the Library Board/Friends of the Library in relation to the rental of November 5 & 6. Be it further noted that the rental fee was waived and the charges were for the cleaning portion only.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council writes a letter to the Library Board apologizing for the poor situation that occurred at the rental function whereby some people had to make alternate cooking plans.

**NOT CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That Council approves a severance by GOLDEN (B93/10), Concession 7, Part Lot 15 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. Proof of potable water and adequate flow rate.
3. 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 can be established suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)
5. That the retained lot be rezoned to Special Marginal Agriculture (MA-X) to prohibit the keeping/raising of livestock

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

That Council approves a severance by ROACH (B89/10), Concession 3, Part Lot 29 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. Proof of potable water and adequate flow rate.
3. 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 can be established suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)

**CARRIED**

***Councillor Chris Brady***

- *Brought forward an item from the Library Board meeting concerned that the Clerk had not authorized an application to the Trillium Foundation by the Library so that the only one submitted for this intake was for the project proposed to pave the parking lot at the Recreation Centre*
- *The Library felt that their application would be considered independently of the Township proposal*
- *The Clerk disagreed, saying that the Township could apply as many times as they wished but there would be only one award per municipality per intake and that he wanted the paving project to sit at the top of the pile*
- *The Clerk also noted that applications from the Library are actually signed off by the Clerk as Municipal applications*

***Councillor Iain Gardiner***

- *Wanted to express his thanks for fellow Council Members, Chris Brady and Deputy Reeve Fred Lang for their service to Council and the community*
- *Councilor Gardiner added that even at times where agreement was not reached, a professional attitude was taken by all Councillors and we moved on with support for the decisions of Council*
- *Councillor Iain Gardiner also wished to make a very special thank you to Reeve Margaret Walsh for her 16 years serving as Reeve of Tyendinaga Township*

*Council concurred and wished all the best for each other*

***Councilor Rick Phillips***

- *Brought to Council a couple of concerns brought to his attention in regards to the Milltown Dam*
- *Some are concerned about the upstream water levels and that clearing of the dam of trees and such was having a negative impact on upstream water levels, thus possible compromising the wells in the area*
- *The Milltown Power Project proponents will be using this dam to install a small hydro power generator in the immediate area where the debris has been removed and flow is strong*

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

- *Who is clearing out the debris?*
- *The Clerk and Councillor had visited the site, and when arriving the CN contractors who are also doing work in the area were removing debris to presumably increase water flow as it is to the advantage of the workers in the area to have lower levels of water to work on the bridge*
- *They stopped when asked*
- *The Clerk offered that he had contacted the Milltown Power Project proponents and they would be attending Council on December 13 to answer any questions and address any concerns Council may have about the project, particularly in relation to maintaining adequate upstream water levels*
- *The Clerk concluded that the group was presently working within the regulatory and approval regime, with Quinte Conservation, MNR, MOE and Fisheries and Oceans and it is expected that any substantial work in the area would not commence until the summer of 2011 once the initiative had passed through and been approved by all the regulatory authorities who have a stake in a project of this nature*
  
- *The Councillor also brought forward that he was contacted by Rick Seminuk, from Waste Management (presumably as Reeve Elect) to see if he wished to have a meeting and tour the facility*
- *Councillor Phillips declined any meeting and advised that any communication with Waste Management would be at the wishes of full Council as our position is that that Beachwood facility is a very poor idea given the poor location where it is proposed*

**MEMBERS REPORTS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council receives the Quinte Waste Solutions – Board Minutes September 27, 2010

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the BISC – September Report

**CARRIED**

**BY-LAWS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council hereby passes By-law 10-22, being a borrowing by-law with the CIBC to allow continuance of our \$300,000 line of credit

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes By-law 10-23, being a borrowing by-law with the CIBC to allow continuance of our \$12,898 remaining on our loan for the back-hoe

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2010-18**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes By-law 10-24, being a borrowing by-law with the CIBC to allow continuance of our \$49,200 remaining on our loan for the Fire Truck

**CARRIED**

**ADJOURNMENT**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That this Regular Council Meeting be adjourned 9:12 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk - Treasurer