

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Monday November 19, 2007 at 7:00 pm**

Meeting was called to order at 7:04 p.m.

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

**Absent:** None

**Declaration of Pecuniary Interest.**

Councillor Rick Phillips declared pecuniary interest in relation to two applications for consent to be heard later in the evening and will withdraw from discussion and decision.

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of November 19, 2007 be adopted.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Rick Phillips  
THAT the minutes of the Regular Council Meeting of Monday November 5, 2007 be approved as presented.

**CARRIED**

Councillor Phillips asked that the dialogue of a meeting between ourselves and Quinte Conservation on November 7, 2007 be part of the public record.

- Deputy Reeve Lang, Councillor Phillips and Roads Supervisor Farrell met with Quinte Conservation regarding the rehabilitation of five Township bridges
- The meeting was positive and there appears to be a way to meet our needs and Quinte Conservation's needs
- The bridges will require some degree of engineering
- Bridges visited were two on Daley, one on Blessington, one on Cross and one on Marysville
- These are all identified in the 2007 bridges study as needing major work in the next 1-5 years
- The Daley bridge crossing Parks Creek may require the involvement of DFO
- QC will get back to us with a full report
- The dialogue was positive and we remain optimistic that costs may be kept in check

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

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

|                          |         |
|--------------------------|---------|
| Reeve Margaret Walsh     | 1 items |
| Deputy Reeve Fred Lang   | 1 item  |
| Councillor Chris Brady   | 0 items |
| Councillor Iain Gardiner | 1 items |
| Councillor Rick Phillips | 4 item  |
| Clerk Steve Mercer       | 0 items |

**PASSING OF ACCOUNTS**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Chris Brady  
THAT the following accounts be approved as presented:

|                       |            |
|-----------------------|------------|
| General Government    | 24125.58   |
| Roads Department      | 188,957.96 |
| Recreation Department | 9631.43    |
| Fire Department       | 11,231.06  |
| Protective Services   | 30,719.99  |

**CARRIED**

**STAFF REPORTS**

Liette Osborne, Recreation Coordinator  
Provided written report

Highlights

- Next community lunch is scheduled for Thursday November 22 – it will be a festive dinner
- Liette presented a spreadsheet in relation to the holding tank project and provided actuals for the project – Council discussed the figures presented and the reasons for the cost overruns
- It has become clear the Hall Rental Policy may not be meeting needs and that perhaps we need to revisit the fee schedules. Liette suggested that updates take place and that a by-law be presented to Council at the meeting of December 3
- Fire inspections are scheduled for November 22, 2007
- We are currently working on a grounds lease and letter of agreement with Shannonville Agricultural Society in relation to the two buildings they have situated at the Recreation Complex
- Next Recreation Committee update is December 4, 2007
- Draft advertisement for Minor Soccer and Minor Baseball Associations was presented

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Rick Phillips

That this Council approves a total cost of \$14,259.00, as presented to Council, in relation to the Holding Tank Project at the Recreation Complex.

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

John Farrell, Road Supervisor  
Provided written report

Highlights

- Fall ditching work is in full swing
- All gravel roads have been graded
- All surface treated roads have been shoulder graded
- Entryways are being constructed in relation to summer severances and re-zoning applications
- Plow mounts are on and ready to go
  
- We have been approached by Sean MacDonald in relation to the single axle dump truck that has been sitting derelict for three years
- We owe approximately \$1,000 to Mr. MacDonald, invoice to come
- John inquired if we would be willing to trade the single axle for the amount owing
- Council appeared agreeable, since there were no offers on original disposal tender
- Clerk advised that a paper trail will be required

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT this Council accepts the staff reports as presented.  
**CARRIED**

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Rick Phillips  
That this Council endorses the nomination of Ron Hamilton as Quinte Source Water Protection Committee member representing our group of municipalities.  
**CARRIED**

**NEW BUSINESS**

An agenda item was presented in relation to Municipal Insurance and Group Employee Benefits.

Deputy Reeve Fred Lang declared conflict of interest and withdrew from the discussion.

- Council considered the matter of soliciting for a new broker/ carrier for Municipal Insurance and Group Benefits.
- Peter Goyer was in the audience and provided insight into the world of Municipal Insurance
- After discussion it was a matter of consensus that Council receive the information for future consideration

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council approves for the Reeve and Clerk to sign the two 2007 engagement letter from Collins Barrow, the first being the Audit of the Consolidated Financial Statements of the Township of Tyendinaga and the second being Objective Scope and Limitations, both dated November 6, 2007.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council approves of using Mr. John Maddox as Closed Meeting Investigator for Tyendinaga Township. Be it further moved that this investigator function is a requirement under section 239 of the Municipal Act coming into force on January 1, 2008. Be it finally moved that Council supports the consortium approach brought forward by the Upper Tier.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council approves the Municipal Closed Meeting Investigator policy statement presented by the Clerk. Be it further moved that this policy is generic to all member municipalities. Be it finally moved that the generic policy is merely amended for local use from the one presented across Hastings County.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the update concerning Broadband in Tyendinaga Township that describes the withdrawal of Bell Alliant as the successful bidder and that the County is revisiting the tender for broadband service – Melrose service area.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the 2007 (in relation to 2006) Financial Indicator Report (FIR) prepared by our auditors and forwarded to the Ministry of Finance and the Ministry of Municipal Affairs and Housing.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That Council approves a severance by WALSH, Anthony, Severance B115/07 Concession 4, Part Lot 20 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.

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

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**

Councillor Phillips excused himself from discussion on the following two consent applications.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That Council approves a severance by Phillips, Rick B121/07 Concession 7, Lot 5 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. That the retained land also be rezoned to Rural Residential
5. 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 Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That Council approves a severance by Phillips, Rick B122/07 Concession 7, Lot 5 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**

***Deputy Reeve Fred Lang***

- Brought up a concern brought to his attention by Ms Margaret Whalen regarding the state of repair of Whalen Road
- The Roads Supervisor and Council discussed the concern and any measures that could be taken to rectify

***Councillor Iain Gardiner***

- Brought up a matter concerning a road counter on Marysville Rd north of Callaghan Rd.

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

- Roads Supervisor explained that it belonged to MTO and he was unaware of its purpose, will follow up

***Councillor Rick Phillips***

- Relayed the same concern brought forward by Deputy Reeve Lang in relation to Whalen Rd
- Brought up concern about a truck, which is regularly parked on the north side of Hwy #2 west of the Waste Disposal Site. Inquired about any mechanism we may have in order to stop it
- Clerk advised that without a parking by-law there is little we could other than ask him to keep it off the shoulder
- Brought up that the Waste Transfer Station required a suitable container to store small household batteries (A, AA, 9 Volt) before they are transported for hazardous waste disposal. These items although not allowed at the transfer station do appear and Operator correctly wants to separate
- Budget discussions are just getting underway with Quinte Waste Solutions, will keep Council posted on progress

***Reeve Margaret Walsh***

- Brought forward the County Doctor Recruitment Program and how Tyendinaga Township may take advantage
- It is unclear what other municipalities are offering
- Space for a practice appears to be an issue in the Township.
- Reeve Walsh asked for support to do some investigations with the County and other member municipalities to see what the playing field may be in this regard. Council was supportive of further investigation

**OLD BUSINESS**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council approves of the content of the e-mail sent by the Clerk to MP Daryl Kramp in regards to the MP's commitment to send a letter under his signature to the Minister of Indian Affairs and Northern Development.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council approves to send the draft letter presented to Council, post dated to November 20, to the Kingston Office of the Ministry of Municipal Affairs and Housing as cover letter to the municipal claim for the MMAH Special Assistance Grant authorized by Council on November 5, 2007. Be it further moved that Council authorize the claimed amount to be \$26,543.77 based on the schedule provided to Council on November 19, 2007.

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the letter from MPP Leona Dombrowsky dated November 9 to Reeve Walsh.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That this Council receives the letter from Hastings County CAO Jim Pine dated November 1 to Clerk Steve Mercer.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council receives the letter from Hastings County Warden Terry Clemens dated November 5 to The Ontario Minister of Aboriginal Affairs, the Minister of Municipal Affairs and Housing and to MPP Leona Dombrowsky.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council approves to send the draft letter to Minister Michael Bryant presented to Council under Reeve Walsh's signature concerning our request for a meeting with the Minister and the question of Ontario's participation in several Land Claims in Ontario with the noticeable exclusion of the Culbertson Tract.

**CARRIED**

**BYLAWS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council passes By-law 07-40, Being a By-Law to amend By-Law No. 05-16, being a by-law to provide for the issuance of Building Permits, Demolition Permits, Plumbing Permits, Change of Use Permits, Sewage System Permits and Swimming Pool Permits and to set fees for same.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council hereby passes By-law 07-41, Being a By-law to amend by-law 03-16 regarding Concession 7, Part Lot 13, its short title being the Wakelin By-law in reference to severance application B90/07.

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-23**

**IN CAMERA**

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 personnel matters where confidentiality requires protection.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

THAT as Council has completed the discussion dealing with personnel and legal matters where confidentiality requires protection.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

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

**CARRIED**

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday December 3, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Regular Council Meeting be adjourned 10:03 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer