

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Monday March 3, 2008 at 7:00 pm**

Meeting was called to order at 7:05 p.m.

PRESENT:	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: None was declared at this time

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of March 3, 2008 be adopted.

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Rick Phillips  
THAT the minutes of the February 19, 2008 Regular Meeting, the Public Meeting of February 19 and Special Closed Meeting of February 21, 2008 be approved as corrected.

**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 items
Councillor Iain Gardiner	2 items
Councillor Rick Phillips	1 item
Clerk Steve Mercer	0 items

**DELEGATIONS**

**Tracy Bowley**

- Approached Council regarding an exemption from by-law 03-16 towit – to allow her horse to reside on her property zoned Rural Residential
- Ms. Bowley indicated to Council that the two previous owners kept horses on the property.
- When she purchased the property she just logically thought that it was allowed and continued past practice
- It was not until a complaint came forth and she was visited by our By-Law Enforcement personnel that she even became aware it was an issue

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

- She indicated that she was a responsible owner and that the animal received the best of care
- Council had a long discussion regarding how we direct our by-law officers and to what degree do we “look” for issues
- Should by-law enforcement be compliant based?
- Should complainant live in some reasonable proximity to the complaint?
- To what degree do we go looking for violations?
- Council agreed that these questions were a discussion best suited for full Council and that the immediate situation needed dealt with
- Council indicated that ultimately she requires her horse to be on property that is zoned Marginal or Prime Agriculture, but will also be cognizant of her current situation
- Council indicated that there is lots of MA property abutting the 1-acre parcel.
- Council asked that Ms. Bowley work with her neighbors to acquire, get permission or some sort of agreement with a neighbor who is properly zoned so that the presence of the horse is not contradictory to the by-law
- Council asked that Ms Bowley get back to them in early April regarding progress to this end

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the following correspondence

- Hastings County Social Services – February 19, 2008 – Deborah Kinsman
- Ministry of Community, Safety and Correctional Services – February 12, 2008 – Jay Hope – EMO 2007 Compliance complete
- Agriculture, Food and Rural Affairs – February 4, 2008 – Mike Crowbrough – Area Weed Inspectors
- Federation of Canadian Municipalities – Feb 26/08 Budget 2008 Delivers Good News For Cities and Communities
- Collins Barrow – Feb 26/08 – 2008 Federal Budget Commentary
- MMAH – Feb 14/08 – Minister Watson - Culbertson

**CARRIED**

**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

WHEREAS This Council is absolutely committed to legislation surrounding a safe workplace

AND WHEREAS This Council is most respectful of the Occupational Health and Safety Act and the role it plays in helping us be a safe workplace

AND WHEREAS this Council is respectful of the Ministry of Labour and the role they play in helping us be a safe workplace

AND WHEREAS this Council engaged Employers First to be our consultant in ensuring that we are safe and compliant with legislation

AND WHEREAS Employers First supplied Tyendinaga Township in July 2007 with a draft policy manual

AND WHEREAS this policy remains in draft form and must be completed

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

BE IT RESOLVED that the draft "Safety Manual" reviewed by Council be adopted as the Interim Policy Manual concerning our obligations surrounding safety in the workplace

BE IT FURTHER RESOLVED that Bill McFarlane is formally appointed as the Occupational Health and Safety representative for the organization

BE IT FURTHER RESOLVED that this Council acknowledges that this endeavor will take time and effort

BE IT FURTHER RESOLVED that the Council directs the Roads Supervisor to review scheduling so that Bill is able to carry out this role during regular working hours

BE IT FINALLY RESOLVED that Bill McFarlane be paid an honorarium of \$100 per month to lead the Municipality's Occupational Health and Safety initiatives

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council receives the letter from Shannonville Agricultural Society dated February 11 2008, requesting \$3,000 to help offset the cost of the new bleachers. Be it further moved that the overall costs were \$25,000 and that only \$15,000 was covered through a grant from Ontario Trillium Foundation. Be it further moved that this request be deferred to the upcoming meetings concerning the 2008 Municipal Budget. Be it finally moved that the SAS be asked to get Council a letter outlining their financial and non-financial requests for 2008 so that decisions are made with all information at hand.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council receives the correspondence from Andrew Redden, County of Hastings, dated February 19, 2008 and supports the proposed Investment Lead Handling Protocol associated with the Hastings County Economic Development Strategy.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council supports the efforts of Eugene Craig's Septic Service to install a waste transfer site on their property. Be it further moved that this support is contingent upon Mr. Craig working with all approval agencies that are required to open such a facility. Be it finally moved that this Council assumes that it is the Ministry of Environment and their colleagues who are the primary partners who Mr. Craig needs to work with so that environmental risk is mitigated to the fullest extent possible.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That Council approves a severance by Jerry St Denis (B16/08), Concession 5 Lot 2 Part 2 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. An entrance permit must be applied for with the Township of Tyendinaga
4. That the lot be rezoned to Rural Residential

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

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 can be established suitable to the Township Road Supervisor.
6. That the existing dilapidated barn on the property be removed.

**CARRIED**

*Councillor Iain Gardiner*

- Brought up a concern that regarding cleanliness of the Kitchen at the Rec. Hall
- It appears as if some of our renters may not be satisfactorily cleaning up the kitchen after themselves
- Suggested that Liette introduce a checklist that can be signed off by the renter that is tied to the deposit
- Liette will investigate options
- Councillor Gardiner also asked that we make sure no vermin are infesting the Hall
  
- asked if anyone who attended OGRA – ROMA will be giving a report
- Reeve Walsh indicated that she would be doing so

*Councillor Rick Phillips*

- Inquired about the costs and processes for obtaining blue boxes for recycling
- Present practice is that the boxes are \$6 and if people bring in broken ones that they would be replaced for free
- Councillor Phillips asked if we could look at this structure during our budget deliberations
  
- As an add-on Councillor Phillips brought up a concern that he had during the earlier dialogue concerning the request for consideration on the zoning delegation
- Phillips felt that since Council was not in consensus regarding our approach that we do not appear to be consistent in the eyes of the public
- Phillips asked that whatever our direction to our by-law officers be consistent across the board
- Indicated that having laws is only part of the equation and that we need Council to be in consensus regarding their application
- Council had a discussion regarding our resources, our approach and how by-law enforcement should be conducted
- Consensus was not reached

*Reeve Margaret Walsh*

- Provide a verbal report on her recent attendance at the annual OGRA – ROMA Conference held in Toronto
- Advised that premier McGuinty made the announcement to increase the funding of the newly announced Municipal Infrastructure Investment Initiative and that with these new funds applied we may be looked upon more favorably in regards to our \$1,150,000 application for reconstruction of Wymans Bridge
- Did not get as much information on our new PSAB (accounting requirements) for 2008. It appears that we are ahead of others in our completion of the required duties

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

- Minister Caplan spoke of the 100 Billion Ontario Infrastructure deficit and that the Federal Government has a large role to play if we are to overcome this
- Updated Council on the progress of the LHIN (Local Health Integration Network) initiative
- Provided Council with an overview of an interesting project Eden Mills is undertaking. They are looking at a community wide carbon neutral footprint which includes car pooling and participation from the entire community
- Attended the Bear Pit. This is a session that is regularly held at these conferences where the delegates are afforded an opportunity to ask various Ministers questions in a town hall format
- John Tory and Howard Hampton (opposition leaders) also spoke at the conference

**STAFF REPORTS**

Liette Forestell, Recreation Coordinator

Provided written report

Highlights

- March Break Camp planning well underway, enrollment looks strong
- Laser tag event is scheduled for March 7 as a joint effort between Tyendinaga, MBQ and Deseronto
- Spring and summer program registration is scheduled for March 4 and March 6 at 7pm at the Municipal Office
- Liette is working on the Lease Agreement and Memorandum of Understanding with Shannonville Agricultural Society in regards to the SAS facilities at the Melrose Recreation Complex
- Liette anticipates that we can bring forward a document to Council shortly, work is substantially complete

John Farrell, Road Supervisor

Provided written report

Highlights

- With the near record amounts of snow we have experienced this year, the bulk of time has been spent doing winter maintenance
- Our salt inventory is getting quickly depleted
- We will be low on salt but John anticipates that we will have a sufficient amount for the duration of the winter
- Salt is scarce across Ontario
- There is a six hour wait for trucks in Goderich
- Half load signs are up

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council agrees to the disposal of our Tandem Dump Truck VIN # 1FDYK90J2FVA20946 to Mr. Sean Macdonald for the sum of \$880 to be offset by services already received and to be received

**CARRIED**

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

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

**PASSING OF ACCOUNTS**

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

General Government	33944.18
Roads Department	31048.28
Recreation Department	2754.04
Fire Department	5557.45
Protective Services	350.00

**CARRIED**

**MEMBERS REPORTS**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
That this Council receives the Building Inspection Services Committee Statement of Activities/Financial Report for the year ended December 31, 2007.

**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 Tax Sale matters where confidentiality requires protection.  
**CARRIED**

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Rick Phillips  
THAT as Council has completed the discussion dealing with Tax Sale matters where confidentiality requires protection.  
**CARRIED**

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Iain Gardiner  
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 March 17, 2008 at 7:00 pm or at the call of the Reeve.

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2008-06**

Council has also previously agreed to hold our first public budget session on March 7, 2008 starting at 9:00am. This will be an opportunity for staff to do an initial presentation of departmental budgets.

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Regular Council Meeting be adjourned 9:25 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer