

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday March 2, 2009 at 7:00 pm

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

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

ABSENT: none

Declaration of Pecuniary Interest: None declared

MOVED BY: Councillor Chris Brady
SECONDED BY: Councillor Iain Gardiner
THAT the Agenda of March 2, 2009 be adopted.

CARRIED

MOVED BY: Deputy Reeve Fred Lang
SECONDED BY: Councillor Rick Phillips
THAT the minutes of the February 17, 2009 Regular Meeting be approved as corrected.

CARRIED

PASSING OF ACCOUNTS

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

General Government	56,968.26
Roads Department	124,770.03
Recreation Department	3919.35
Protective Services	0
Fire Department	5346.49

CARRIED

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

STAFF REPORTS

John Farrell, Road Supervisor
Provided written report

Highlights

- A close eye is being kept on water levels throughout the Township
- Plowing and sanding continues
- Some grading
- Brushing and replacing signage on local roads in preparation for summer work
- John provided a quick update on a cemetery situation that he and the Clerk are dealing with
- The Clerk will provide a full briefing at the next meeting

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

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 Rick Phillips	0 item
Councillor Iain Gardiner	1 items
Councillor Chris Brady	1 item
Clerk Steve Mercer	3 items

CORRESPONDENCE

MOVED BY: Councillor Chris Brady
SECONDED BY: Councillor Rick Phillips
That this Council receives the correspondence from:

- Spring Schedule - Clerk
- MTO Lobby – various e-mails from Fire Chief

CARRIED

In relation to the MTO lobby correspondence provided by Fire Chief Callaghan, Councillor Gardiner explained that he was able to get the ear of the Ministry of Transportation Minister, George Smitherman to further this point. This was at his attendance at the annual Ontario Good Roads Association conference recently held in Toronto. Councillor Gardiner indicated that the Ontario government is currently setting the Estimates and the Minister appeared receptive to the request that 401 standowns be somehow recognized in the compensatory process.

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

NEW BUSINESS

Regarding the revisiting of the Zegouras Severance B123/08). The matter was sent back to Council by the County of Hastings Planning Department for the Township to consider additional conditions regarding drainage due to concerns raised by Mark and Sue Kellar.

Mr. Arnold Vandermeer was present as were the Kellars to speak to this request for additional conditions.

- Drainage in the area takes water to the south, where the lot addition would be taking place
- They are concerned about water pooling near the house ever since the next door house was constructed
- There were no water issues on the property prior to the building of the neighbouring house
- The ditch that runs between the houses has been filled in due to lot landscaping and water is further inhibited
- A similar situation exists at the far south limit of each of these properties, deterring water from getting back into the vacant field
- The Kellars wish to be on record that they feel recent development has contributed to more water than normal pooling on their property
- They feel a lot grading plan would put their concerns to rest
- They feel that addressing this issue on this severance request is the only way they may be able to secure their point.

Mr. Keith Watson was present as was Mr. Frank Allin to speak against these additional conditions

- The severance application has nothing to do with drainage
- The drainage issue is preexisting to the severance application
- Mr. Allin wishes to work with the Kellars to rectify this mutual problem

Council then discussed the matter

- The idea of a condition be put on the building file be included as a condition rather than the drainage condition presented
- This would not help in the event of landscaping without putting up a building as the CBO plays no role
- Councillor Phillips suggested ditching along Lazier Rd at the north of the properties would help as there appears to be no real municipal drainage ditch
- John Farrell agreed, and had done some research that indicated if the ditch were cleared, it would drain a lot of the water from the front of the properties
- Both the Kellars and Mr. Allin agreed that this measure would help
- Council asked the neighbour if they were able to work together in a spirit of mutual cooperation to deal with the pooling water at the rear of the property
- They agreed that they could

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That Council declines to add the conditions suggested by the County of Hastings in relation to Severance B123/08 as suggested in their February 18, 2009 correspondence. Be it further moved that the

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

Roads Department is to do ditching along Lazier Rd in order to help alleviate drainage issues. Be it finally moved that the Council asks the neighbours in this matter to work collaboratively on matters pertaining to drainage which in reality affects both properties.

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That Council does not approve of severance B8/09 Chisholms Roslin due to concerns regarding lot size, water and septic, and proximity to an industrial operation.

A recorded vote was requested by Councillor Phillips

Margaret Walsh	Nay
Fred Lang	Yeah
Rick Phillips	Nay
Iain Gardiner	Yeah
Chris Brady	Yeah

CARRIED

The Council reviewed correspondence from the Clerk pertaining to a request to build a granny flat in a home. It appears the proponent may have been misinformed by staff and the Clerk wished to confirm the process with Council.

1. That the subject property be rezoned to multi residential
2. And that any construction be consistent with Zoning By-law 03-16 Section 14.3(c)

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That Council confirms the process established for construction of granny flats within the Township.

CARRIED

Clerk Steve Mercer

- Advised Council of the Due Diligence workshop being hosted by ourselves April 4, 2009 and any interested Councillors are invited but we need confirmation before offering extra seats for sale
- Councillor Gardiner and Reeve Walsh expressed interest in attending
- The Clerk explained that our auditors from Collins Barrow were in last week and he does not foresee any issues pertaining to our 2008 year end statements or financial position
- Tax bills are printed and will be mailed out this week
- A note of caution in that these bills are 35% of last year's tax rate multiplied against 2009 assessment and that although bills may appear high they will be reconciled for the final billing once the 2009 tax rate is set

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

Councillor Chris Brady

- Inquired if the Clerk has completed the reference letter for our departed Recreation Coordinator
- Clerk indicated letter is complete and ready for pick-up

Councillor Iain Gardiner

- Followed up on his earlier comments regarding the MTO lobby that during his discussion with Minister Smitherman
- There would be a new infrastructure intake shortly
- The intake would be for construction ready projects and that Council needs to be ready to select a project

Reeve Margaret Walsh

- Updated Council on an interesting project being steered by the Municipality of North Frontenac
- They are building an observatory as studies indicate the at the night sky in the area is very dark and suitable for this purpose
- Also advised Council that it appears the County levy will be increasing in a range from 7%-10% - Margaret will keep Council posted as discussions progress

BY-LAWS

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That this Council hereby passes By-law 09-03, Being a by-law to amend By-law 03-16 regarding Concession 1, Pt Lot 16, Lazier Rd, its short title being the Whalen By-law

CARRIED

IN CAMERA

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

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

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

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

CARRIED

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

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

CARRIED

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-05

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT this Council, upon review of the request for quotations pertaining to Canteen Services, awards the contract to Jennifer and Troy Shay and Leslie Buxton on the terms described in their February 6, 2009 submission to Council

CARRIED

ADJOURNMENT

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Regular Council Meeting be adjourned 9:08 pm.

CARRIED

Margaret Walsh, Reeve

Steve Mercer, Clerk-Treasurer