

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2010-09

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday May 3, 2010 at 7:00 pm

Meeting was called to order at 7:00 p.m.

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

ABSENT:	Rick Phillips	Vacation
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High School student Chris Cook was in the gallery as part of the requirements for his school curriculum

Declaration of Pecuniary Interest: none declared

MOVED BY: Councillor Chris Brady
SECONDED BY: Councillor Iain Gardiner
THAT the Agenda of May 3, 2010 be adopted.

CARRIED

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Deputy Reeve Fred Lang
THAT the minutes of the April 19, 2010 Regular Meeting be approved as presented.

CARRIED

DELEGATIONS

Constantine Koutakis

- Mr. Chris Kardassis spoke for Mr. Koutakis
- Primarily he is concerned about the water flow at the south end of Plumb Rd.
- The east west culvert situated just to the south of his driveway directs water from the east side of Plumb Rd onto Mr. Koutakis' property
- Mr. Koutakis feels it is the municipalities responsibility to prevent water along the ditch lines of the road allowance from being directed onto his (private property)
- Requests that if we were to remove this culvert, and ditch approximately 150 ft to the south on the east side of Plumb Rd that the water would be diverted through a culvert further to the south and have less impact on his property
- Photographs and aerial maps of the area were shared so that the situation could be more easily illustrated
- The roads supervisor shared that this culvert was installed because frequently in the spring water would just wash over the road
- The culvert really only takes the water from over the road to under it

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- This solution was achieved in conjunction with discussions with the previous owner who was fully supportive of this solution to the seasonal flooding issue and worked with the roads department to achieve this solution
- The Council explained that this configuration was in place with the support of the owner prior to Mr. Koutakis purchasing the property
- Mr. Koutakis was insistent that it is the placement of the culvert that is having seasonal impact on his property
- Council was asked to look at the situation and to please have a full discussion on this ditching request
- The Council agreed that the Roads Supervisor would do a site visit and the Clerk would do some research into municipal drainage responsibilities and that the matter would be discussed at the next Council meeting scheduled for May 17, 2010

PASSING OF ACCOUNTS

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

General Government	7,378.46
Roads Department	10,833.64
Recreation Department	467.59
Protective Services	0.00
Fire Department	1,958.13

CARRIED

STAFF REPORTS

John Farrell, Roads Supervisor
Provided written report

Highlights

- Bridges have been swept
- Ditching along Lazier, in preparation for road resurfacing later in the summer
- Ditching will then take place along McCullough and Hogs Back once Lazier is complete
- There was some discussion concerning some tree cutting in the vicinity of Post's garage
- Councillor Gardiner asked about some particulars regarding the closure of Old Highway #2 this summer at the CN overpass and that the road needs some work in that area
- John explained that the area will be single laned for much of the summer with a full closure of the road for roughly two weeks
- We hope to work in consort with CN to see that the road in the area is well taken care of prior to CN leaving the area
- It appears at this point the detour will be north on Wyman and west on Lazier
- John will keep the Council apprised as construction plans unfold

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Stan Laton, Fire Chief
Provided written report

Highlights

- There have been 4 calls for service since the last reporting period
- The Survivor Night scheduled for May 7 is gaining momentum and all of Council is encouraged to attend the VIP portion scheduled for early Friday evening
- The Chief in his role as CEMC shared some of the material that will be used during the evening including “passport” that the kids will use to log their activities
- At the event Emergency Services partners will be educating participants about their specific roles and responsibilities during a declared emergency
- Councillor Gardiner inquired about the vehicle fire on Marysville Road and if any road reconstruction costs be billed to the insurance company of the owner
- The Chief assured Council that we would be attempting to recover all costs related to the incident

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT this Council accepts the staff reports as presented.

CARRIED

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

Clerk Steve Mercer	1 item- in camera
Deputy Reeve Fred Lang	0 items
Reeve Margaret Walsh	1 item
Councillor Chris Brady	0 items
Councillor Iain Gardiner	0 items

CORRESPONDENCE

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the correspondence:

- Invitation- Celebrate Signs of the Salmon- Saturday May 29 1:00 pm
- Invitation-Inclusive Education Symposium – Wednesday May 5, 4:00pm

CARRIED

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NEW BUSINESS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

The Council of the Township of Tyendinaga hereby applies for funding for the purpose of collecting, collating, compiling and formatting bridge asset and condition data, and agrees to submit asset and condition data for inclusion in Municipal DataWorks by March 31, 2011

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That Council approves a severance by OGDEN (B29/10), Concession 6, Part Lot 12 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 retained portion be rezoned Marginal Agriculture, Mineral Extraction and Environmental Protected to Marginal Agriculture and Environmental Protection
5. 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

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That Council approves a severance by BERKHUIZEN (B32/10), Concession 5, Part 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. 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 "SPECIAL RURAL RESIDENTIAL (RR-X)" 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

- Mr. Oliver Haan attended and spoke to Council regarding concerns he had with the Whalen proposed severance

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That Council defers a severance by WHALEN (B30/10 & B31/10), Concession 3, Part Lot 27 until the following concerns are addressed

- Recognition of all buildings on neighbouring property
- Distance calculations to livestock facilities be corrected from those presented on the application
- Issues regarding continued use of neighbours property be explored so that neighbouring farmer does not have to restrict current activity
- That well and groundwater issues be addressed, so that the proposed severances are able to access good water
- That questions regarding fencing be addressed

CARRIED

Reeve Margaret Walsh

- Tabled for Councils information a media release from the Canadian Environmental Law Association dated April 29, 2010 demonstrating their displeasure of a new application from Waste Management to build a waste facility on the Richmond Dump site

MEMBERS REPORTS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT Council receives the Quinte Waste Solutions Board minutes of March 29, 2010

CARRIED

BY-LAWS

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

That this Council hereby passes By-law 10-11, Being a By-law to approve the 2010 municipal budget and associated municipal levy and tax rate.

CARRIED

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

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MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

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

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

ADJOURNMENT

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

That this Regular Council Meeting be adjourned 8:12 pm.

CARRIED

Margaret Walsh, Reeve

Steve Mercer, Clerk - Treasurer