

TOWNSHIP OF AMARANTH

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on March 4, 2009, commencing at 10:00 a.m.

PRESENT:	Mayor	D. MacIver
	Deputy-Mayor	W. Kolodziechuk
	Councillor	P. Way
	Councillor	B. Cowie
	CAO/Clerk-Treasurer	S. Stone
	Director of Public Works	D. Price
	Planner	C. Gervais
	Deputy-Clerk	C. Doherty
ABSENT:	Councillor	J. Aultman (with notice)

1. **Opening of Meeting**

Mayor MacIver called the meeting to order.

2. **Late Submissions** (to be in the office prior to the meeting)

2.1 **Resolution # 1**

Moved by P. Way - Seconded by B. Cowie

Resolved that the following items be hereby added to / deleted from the agenda.

Added:

1. Delegation - Closed Meeting Session
2:00 p.m. Jeff Wilker & Al Burton - Township Solicitors
Re: Ontario Municipal Board
2. Town of Shelburne Planning & Development Dept.
Shelburne Fiddle Park - Site Plan Application (File # SPA 09/01)

Carried.

3. **Approval of Agenda**

3.1 **Resolution # 2**

Moved by P. Way - Seconded by B. Cowie

Resolved that Council approve the agenda as amended. **Carried.**

4. **Disclosure of Pecuniary Interest**

Can be declared at any time during the meeting. None declared at this time.

5. **Approval of Minutes**

Regular Council Meeting - February 18, 2009

5.1 **Resolution # 3**

Moved by B. Cowie - Seconded by W. Kolodziechuk

Resolved that Council do hereby approve the minutes of the regular meeting of Council held February 18, 2009 as printed and circulated. **Carried.**

10:00 a.m. to 10:15 a.m.**6. Public Question Period**

- 6.1 Gary Keating, resident, questioned the MET tower application, its distance to airstrips and safety issues. Mayor MacIver explained that staff are producing a map, showing all the airstrips in the Township and forwarding to IPC, and that this application will be dealt with later in the meeting, under Planning Matters (at approximately 1:00 p.m.), but likely to be deferred pending further information, pursuant to Public Meeting on February 18/09 and written correspondence.

10:15 a.m.**7. Delegations****10:15 a.m.**

- 7.1 **Joe Miedema - Dufferin Water Co. Ltd.**
Waldemar Heights Water Supply System - Annual and Summary Reports for 2008

Joe Miedema presented Council with the Annual and Summary Reports for 2008 and the following resolution was passed:

Resolution # 4

Moved by B. Cowie - Seconded by P. Way

Resolved that Council accepts the Annual and Summary Reports for 2008 for Waldemar Water System as prepared by Dufferin Water Co. Ltd.; and instructs that reports be made available for inspection by the users of the water system.
Carried.

10:30 a.m.

- 7.2 **Grand Valley Public Library**
2009 Budget

Shann Leighton - CEO, Chris Gazo - Past Chair, and Carol Maul - Trustee were in attendance on behalf of the Grand Valley Public Library to present the 2008 Annual Report and 2009 Budget. The budget shows a 3.5% increase. Mayor MacIver thanked the delegation for attending and the following resolution was set forth.

Resolution # 5

Moved by P. Way - Seconded by B. Cowie

Resolved that Council do hereby adopt the Grand Valley Public Library Budget for 2009, in the amount of \$198,653.00; Amaranth's share being \$50,835.00.
Carried.

11:45 a.m.

- 7.3 **Tom Nevills (Twp. Representative) - Grand River Conservation Authority**
2009 Budget

Township representative on the GRCA Board, Tom Nevills, addressed Council, to explain and clarify budget issues, and discussed Source Water Protection. Council indicated that, while they appreciate Mr. Nevill's input and representation, they also wish to see a 3% or less budget increase from GRCA in any given year.

11:00 a.m.

8. **Public Meeting**

Nothing at this time.

9. **Unfinished Business**

The following matters were received and/or dealt with.

9.1 **Building Maintenance Report**

9.1.1 Update

CAO/Clerk-Treasurer Susan Stone gave update on the ongoing maintenance of the municipal and recreation facility. Painting to be completed soon, and quotes regarding flooring being obtained, also drain pipes and soffits to be repaired.. Staff to investigate Trillium funding for new playground equipment.

9.2 **Adopt-A-Road Program**

Draft Adopt-A-Road Programme provided for Council's consideration. Further to discussion and additional amendments, the following resolution was set forth.

Resolution # 6

Moved by B. Cowie - Seconded by P. Way

Resolved that Council do hereby support the Amaranth Adopt-A-Road program, which is established for environmentally conscious citizens-volunteer(s) organizations to pick up litter along Township right-of-ways;
And to enter into an agreement with citizen-volunteer(s) organization to adopt a section of Township road;
And be recognized by signs erected by the Township, acknowledging their efforts.
Carried.

9.3 **PSAB/AMP**

CAO/Clerk-Treasurer reported that data being compiled for PSAB/AMP programme, and that a policy being prepared.

9.4 **Other**

A Source Water Protection workshop is being held on April 2nd, 2009, and Deputy-Mayor Kolodziechuk , Councillor Way, CAO Clerk-Treasurer Susan Stone and Township Planner Christine Gervais to attend.

10. **Road Business**

The following matters were received and/or dealt with.

10.1 **Director of Public Works Report**

10.1.1 Report

Doug Price updated Council on various issues of the road department.

10.2 **Opening of Tenders**

10.2.1 Gravel Crushing

10.2.2 Gravel Hauling

10.2.3 Calcium Spreading

Tenders were received and opened for gravel crushing, gravel hauling and calcium spreading.

10.2.1 **Gravel Crushing**

Three tenders were received as follows:

Dalton R. Lowe	(Unit Price \$2.04)	\$ 92,000.00
Wesley Riley Contracting Co. Ltd.	(Unit Price \$2.30)	\$103,960.00
Joe Kerr	(Unit Price \$2.64 - Pit 1 & \$2.69 - Pit 2)	\$120,175.50

Resolution # 7

Moved by P. Way - Seconded by B. Cowie

Resolved that Council do hereby award gravel crushing tender to Dalton R. Lowe & Sons in the amount of \$92,208.00 incl. taxes (unit price \$2.04), for the crushing of approximately 25,000 cubic yards - Hunter Pit and 15,000 cubic yards - Bennett Pit. **Carried.**

10.2.2 **Gravel Hauling**

Five tenders were received as follows:

Ralph MacDonald Construction & Aggregates Ltd.	\$2.30 per cubic yard
662117 Ontario Inc. c/o Jim Brown & Sons Trucking	\$2.39 per cubic yard
Dalton R. Lowe & Sons Construction Ltd.	\$2.48 per cubic yard
Donegan's Haulage Limited	\$3.60 per cubic yard
Joe Kerr Limited	\$4.17 per cubic yard

Resolution # 8

Moved by W. Kolodziechuk - Seconded by B. Cowie

Resolved that Council do hereby award gravel hauling tender to Ralph MacDonald Construction in the amount of \$2.30 / cubic yard and applicable taxes, for the loading & hauling of approximately 40,000 cubic yards of "A" gravel. **Carried.**

10.2.3 **Calcium Spreading**

One tender was received as follows:

513125 Ontario Limited o/a Da-Lee Dust Control	\$324.93/F.E. Tonne plus applicable taxes
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Resolution # 9

Moved by B. Cowie - Seconded by P. Way

Resolved that Council do hereby award calcium chloride tender to Da-Lee Dust Control in the amount of \$324.93/F.E. Tonne plus applicable taxes, to supply and apply approximately 300 flake tonnes of calcium for Township roads. **Carried.**

10.3 **Landfill Site**

10.3.1 Update

Director of Public Works commented on problems addressed regarding composting and recycling, whereby residents have been depositing composting and recycling in garbage bags; also, use of clear garbage bags being enforced. Garbage bag stickers are falling off the bags in the cold weather, resulting in Sandhill Disposal not picking the bags up. Staff instructed to contact Sandhill. New hours are now in place at the landfill site, effective March 4, 2009.

10.4 **Other**

Nothing at this time.

1:00 p.m.

11. **Planning**

The following matters were received and/or dealt with:

11.1 **Consent Application B3-09 - Todd & Lisa Austin - Owner (Con. 2, W. Pt. Lot 8, Pcl. 14)**

Lot Line Adjustment - to sever a 0.2 ac. parcel of land to be added to the abutting lot to the south (Decision)

Township Planner Christine Gervais provided and reviewed planning report, recommending approval, subject to conditions. Also, slight adjustment to the lot depth required to address conformity to setbacks. No additional correspondence or objections.

Further discussion resulted in the following resolution.

Resolution # 10

Moved by B. Cowie - Seconded by P. Way

Resolved that Consent Application B3-09 by Todd & Lisa Austin - Owner, Concession 2, West Part Lot 8, Parcel 14, for consent to sever approximately 812m² (0.2 ac) parcel of land to be added to the abutting lot to the south, creating a lot line adjustment be approved.

Reasons: Conforms to the Official Plan

Conditions:

Park Dedication in the amount of 25.00.

Taxes paid in full on severed and retained parcels.

Section 50(3) of the Planning Act shall apply and consolidation of parcels required.

Conservation Authority approval required.

Plan of Survey required on both the severed and retained parcels, and to verify setbacks and lot size (paper & digital format)

Consent Agreement to be registered on title on both severed and retained parcels.

Any unregistered road widenings to be deeded to the Township or appropriate road authority.

That any road widenings, easements, survey cost, legal cost and any other transaction pertaining to this application shall be borne by the applicant.

Certificate of Title to be supplied, showing no encumbrances on the land for road widening purposes.

That all conditions be fulfilled and certificate of Clerk issued within one year of the date of Notice of Decision was given, failing to do so will cause the application to be null and void. **Carried.**

11.2 **Rezoning Application Z1-09 - Kenneth Lavern Trimble - Owner & IPC Energy - Application (Con. 1, E. Pt. Lot 17)**

To allow a temporary meteorological tower for a period of up to three years (Decision)

Applicant Mr. Trimble was in attendance.

Planner Christine Gervais provided and reviewed planning report, recommending this matter be deferred to allow the applicant to address in writing the concerns and issues raised at the public meeting, by the public, the neighbouring municipality and Council, also, that input be sought from the Township Solicitor concerning issues raised, including the changing legislative framework.

Planner also reviewed letter received by email from IPC dated March 3/09, in response to planning report and correspondence/comments at public meeting.

After further discussion, Council agreed that more review is required and matter be deferred indefinitely.

The following resolution was set forth.

Resolution # 11

Moved by B. Cowie - Seconded by P. Way

Resolved that Rezoning Application Z1-09 by Kenneth Lavern Trimble (Owner) and IPC Energy (Applicant), Concession 1, East Part Lot 17, to allow a temporary meteorological tower for a period of up to three years, be hereby deferred and that matter be referred to Township Solicitor and staff. **Carried.**

11.3 **Green Energy Act**

11.3.1 Bill 150

11.3.2 Email from M.L. Anderson dated Feb. 26/09

Township Planner addressed The Green Energy Act which has received first reading by the Province, and proposes to amend several provincial acts, including the Planning Act. Township Solicitor is preparing a report, as this matter has not been thoroughly reviewed and if passed, would take power away from the municipalities, and any gains made through past OMB hearings, concerning airstrips and underground lines vs above ground, need to be preserved, not lost through the Green Energy Act. Township to respond to Province, in particular to Mr. Smitherman and Mr. McGuinty, objecting to the removal of municipal authority and power in the Planning Authority.

11.4 **Wind Concerns Ontario**

11.4.1 Proposal for a Green Energy Act for Ontario

Received.

11.5 **Wind Farms**

11.5.1 Letter from Barbara Ashbee - Thank you re: Public Meeting of Feb. 18/09 & Twp. of Essex Wind Turbine Issue

11.5.2 Email from Paul Thompson - Concerned Municipalities re: safety of wind turbines

Staff instructed to respond to Ms. Ashbee with respect to correspondence.

CAO provided copies of various noise complaints to Council. Staff to follow up with Township Solicitor.

11.6 **Ontario Municipal Board**

11.6.1 Decision on Consent B5-08 - Jamie Lundy (Con. 2, E. Pt. Lot 9)

Received.

11.7 **Development Updates**

Item # 16 - Late Submissions

Shelburne Fiddle Park

Township of Amaranth's Planner presented information and plans for the Shelburne Fiddle Park facility, submitted by the Town of Shelburne, for Amaranth's review and comments.

Proposal for new building included washrooms, snack bar, office, showers etc. Councillor Cowie stated that as a member of the Fiddle Park Committee, he was aware of discussions with respect to a facility; however, was not aware of this particular site plan. Therefore, Councillor Cowie requested that Amaranth do not respond to this plan until he has had an opportunity to discuss with the Fiddle Park Committee and Town of Shelburne.

It was agreed that matter be deferred and brought back to the next meeting of Council.

11.8 **Other**

Nothing at this time.

12. **By-Law Enforcement**

12.1 **Other**

Nothing at this time.

13. **Committee Reports**

All matters read, received and/or dealt with.

13.1 **County of Dufferin**

13.1.1 Council In Brief

13.1.2 Dufferin County Rail Right of Way:

Letter to County Council from The Highland Railway Group - Myths concerning Dufferin County Rail Right of Way

Letter to Editor of the Orangeville Citizen/Free Press from The Highland Railway Group - Myths concerning The Highland Companies & proposed sale of rail line

Letter to County Council from Karen Wallace - proposed sale of rail line

Resolution to County of Dufferin from Twp. of Melancthon - Proposed sale of rail line

13.1.3 Dufferin County Representation:

Resolution to Twp. of East Garafraxa from Twp. of Mulmur - Dufferin County Representation

Resolution to Twp. of East Garafraxa from Town of Mono - Dufferin County Representation

13.1.4 Dufferin County Forest - Annual Report / January 1, 2008 to December 31, 1008 & Annual Work Schedule - January 1, 2009 to December 31, 2009

13.2 **Source Water Protection**

13.2.1 Grand River Conservation Authority - Ontario Drinking Water Stewardship Program Review

13.2.2 South Georgian Bay Lake Simcoe - Municipal Workshops - April 2/09 8:30 a.m. to 1:00 p.m."Impact Through Understanding: Source Water Protection Strategies for Municipal Stakeholders"

13.3 **Amaranth Recreation Committee**

Nothing at this time.

- 13.4 **Amaranth Economic Development Committee**
 13.4.1 Agenda - March 4/09
- 13.5 **Police Services Boards**
- Nothing at this time.
- 13.6 **Shelburne & District Fire Board**
 13.6.1 2009 Budget
- Discussion resulted in the following resolution.
- Resolution # 12**
- Moved by B. Cowie - Seconded by W. Kolodziechuk
- Resolved** that Council do hereby adopt the Shelburne & District Fire Board budget for 2009, in the amount of \$422,957.00; Amaranth's share being \$46,193.98 for operating & \$13,020.00 for capital, for a total of \$59,213.98.
Carried.
- 13.7 **Shelburne Public Library Board**
 13.7.1 Town of Mono - Resolution of support for the 2009 Budget
- As per Council's direction, Councillor Cowie to address Amaranth's issues with the Shelburne Public Library Board.
- 13.8 **Upper Grand Watershed Committee**
 13.8.1 Agenda - February 26//09 & Minutes - November 27/08
- 13.9 **Centre Dufferin Recreation Complex**
 13.9.1 Board of Management Minutes - November 26/08
- 13.10 **Nottawasaga Valley Conservation Authority**
 13.10.1 Town of Mono - Resolution of support for the 2009 Budget
- 13.11 **Other**
- Grand Valley & District Community Centre
 Deputy-Mayor Kolodziechuk reported the Grand Valley & District Community Centre Board budget will have an increase of less than 2% for 2009.
 Budget will be brought to the next meeting of Council for their review.
14. **General Business & Correspondence**
- All matters read, received and dealt with.
- 14.1 **Town of Ajax**
 14.1.1 Resolution - Prohibit corporate and trade union contributions to municipal election campaigns
- 14.2 **City of Hamilton**
 14.2.1 Resolution - Bill 138, Protection of Public Participation Act, 2008
- 14.3 **City of Cambridge**
 14.3.1 Resolution - Internet Filtering Software on Computers

- 14.4 **A.M.O.**
- 14.4.1 Blue Box Program Plan Review
- 14.4.2 Municipal Infrastructure Projects Announced
- 14.4.3 Joint Paper on Poverty Reduction
- 14.4.4 The Saturday Series - Workshop
- 14.4.5 Infrastructure & Green Energy Act
- 14.5 **Ministry of Community Safety and Correctional Services**
- 14.5.1 Congratulations to Twp. of Amaranth re: Completion of Emergency Management Activities
- 14.6 **Ministry of Health and Long - Term Care**
- 14.6.1 Public Health Emergency Preparedness and Municipalities
- 14.7 **Municipal Law/Local Government (Prepared by Bruce Banting - Solicitor)**
- 14.7.1 Implications for Municipalities from New Ontario Municipal Caselaw
- 14.8 **Canada's Economic Action Plan**
- 14.8.1 Budget 2009 - Comprehensive Budget Plan
- 14.9 **Other**
- Nothing at this time.
15. **By-Laws**
- Nothing at this time.
16. **Late Submissions**
- 16.1 **Delegations - Close Meeting Session**
2:00 p.m. Jeff Wilker & Al Burton - Township Solicitor
 Re: Ontario Municipal Board
- Dealt with under Item #20 - Closed Meeting.
- 16.2 **Town of Shelburne Planning & Development Dept.**
Shelburne Fiddle Park - Site Plan Application (File No. SPA 09/01)
- Dealt with under Item # 11 - Planning Matters
17. **General Accounts and Road Accounts**
- Nothing at this time.
18. **Budget Report**
- Nothing at this time.
19. **New Business**
- 19.1 **Other**
- 19.1.1 The utilization of the Township works yard by the County for winter sand was discussed. Will be further discussed at staff level.
- 19.1.2 With respect to the ECO Energy Park, a meeting will be arranged with the County of Dufferin regarding improvements with respect to the Amaranth/ELGV Townline..

20. **Closed Meeting**

20.1 By-law Enforcement Matters

20.1.1 OMB Updates

Item # 16 - Late Submissions

Delegation - Jeff Wilker & Al Burton - Township Solicitors - Ontario Municipal Board

Mr. Wilker in attendance.

Resolution # 13 (Approx. 2:15 p.m.)Moved by P. Way - Seconded by B. Cowie**Resolved** that Council move into a closed meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

Litigation or potential litigation

Advice that is subject to Solicitor-Client privilege

Carried.**Resolution # 14** (Approx. 4:25 p.m.)Moved by W. Kolodziechuk - Seconded by P. Way**Resolved** that Council do now rise and report from closed meeting, and resume regular business. **Carried.**

Staff and Township Solicitor received instructions during closed meeting with respect to various matters, and Mr. Wilker left the meeting.

Following short break, Council commenced further Closed Meeting.

Resolution # 15 (approximately 4:45 p.m.)Moved by W. Kolodziechuk - Seconded by P. Way**Resolved** that Council move into a closed meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):Personal matters about identifiable individual(s), including employees. **Carried.****Resolution # 16** (approximately 5:25 p.m.)Moved by P. Way - Seconded by B. Cowie**Resolved** that Council do now rise and report from closed meeting, and resume regular business. **Carried.**

Staff received instructions during closed meeting with respect to staff evaluation process.

21. **Confirming By-law**21.1 **Resolution # 17**Moved by P. Way - Seconded by B. Cowie**Resolved** that leave be given to introduce a by-law to confirm the proceedings of the regular meeting of Council of the Township of Amaranth for March 4, 2009 and that it be given the necessary readings and be passed and Numbered 16-2009. **Carried.**

March 4, 2009

22. **Adjournment**

22.1 **Resolution # 18**

Moved by P. Way - Seconded by W. Kolodziechuk

Resolved that Council do now adjourn to meet again on March 18, 2009 at 7:00 p.m. or at the call of the Mayor. **Carried.**

Susan M. Stone
CLERK

Don MacIver
HEAD OF COUNCIL