



TOWNSHIP OF AMARANTH COUNCIL MINUTES Wednesday, April 7, 2010

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on April 7, 2010 at 10:00 a.m.

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

1. **OPENING OF MEETING**

Mayor Maclver called meeting to order.

2. **LATE SUBMISSIONS** (to be in the office prior to the meeting)

Resolution # 1

Moved by B. Cowie - Seconded by W. Kolodziechuk

Resolved that the following items be hereby added to the agenda.

Added

- 1. Non Resident Fees Refund Request
- 2. Waldemar Park Fencing
- 3. Canada Day
- 4. Municipal Banking

Carried.

3. **APPROVAL OF AGENDA**

Resolution # 2

Moved by W. Kolodziechuk - Seconded by J.Aultman

Resolved that Council do hereby approve the agenda as amended.

Carried.

4. **DISCLOSURE OF PECUNIARY INTEREST WITH REASONS**

Can be declared now or at anytime during the meeting.
None declared at this time.

5. **APPROVAL OF MINUTES**

- 5.1. Regular meeting minutes of March 17, 2010
- 5.2. Special meeting minutes of March 26, 2010

Resolution # 3

Moved by J. Aultman - Seconded by W. Kolodziechuk

Resolved that Council do hereby approve the minutes of the regular meeting March 17, 2010 and special meeting March 26, 2010, as circulated. **Carried.**

6. **PUBLIC QUESTION PERIOD**

10:00 A.M. TO 10:15 A.M.

Nothing at this time.

7. **DELEGATIONS**

10:15 A.M.

7.1. **Hans Tijssen/Gerd Uderstadt–Banks Drainage Works**
(Con.4, Pt. E ½ Lot 12)

Township Engineer, Gerd Uderstadt of R.J. Burnside & Associates addressed the issues previously raised by Mr. Tijssen concerning the Banks Drain, being choice of contractor, timing and estimated cost.

Mr. Uderstadt indicated that Hanna & Hamilton Construction, who have been retained for this project, are experts in drainage works, and due to the quality of their work, proper equipment, and experienced operators, they are the most qualified, and that tendering for these projects would not be a cost saving or time saving venture, as there are very few companies who do this type of work, and additional engineering costs would result with respect to the preparation of tenders and tendering process. Timing for the project is September 2010, to accommodate the Department of Fisheries restrictions, and to allow for neighbouring property owners time to harvest crops, and avoid crop damage.

Mr. Tijssen stated he has concerns with Hanna & Hamilton doing the work, and suggested another company may be less expensive, with a shorter time frame. He also feels the section of the drain on his property does not require a clean-out, however the slope of the bank should be changed. He was advised that changing the slope of bank would require re-engineering, a new report and additional costs would result, and would not be just a clean out. The Director of Public Works noted that the entire drain should be cleaned out as there will be two new culverts installed with respect to the No. 1 Drainage Works, which will be lower and will be impacted by the Banks Drain Clean Out.

Further discussion resulted in Council concurring with Mr. Uderstadt's recommendation for clean-out in accordance with his report, pursuant to resolution passed at the February 17, 2010 council meeting.

10:45 A.M.

7.2. **Mark Slotwinski of Den-Mar Brines Limited**
Dust Suppressant Tender – Alternative Products

Mr. Slotwinski of Den-Mar Brines Limited addressed Council with an overview of their company and a power point presentation of alternative products for dust control on Township roads.

Following questions and concerns raised by Council and staff, Council thanked Mr. Slotwinski for his presentation and indicated that use of alternative products will be further discussed and investigated.

8. **PUBLIC MEETING**

Nothing at this time.

9. **UNFINISHED BUSINESS**

The following matters were received / and or dealt with.

9.1 **PSAB/Asset Management**

9.1.1. Update

CAO reported that the final audit will be next week, and that term of the temporary position in the office will depend on the outcome of the audit and any further work required with respect to PSAB.

9.2. **Shelburne Physician Recruitment**

9.2.1. Request for funds

Follow-up by staff indicated no financial contribution was committed by the Township of Amaranth, and Councillor Cowie noted that the Committee is not functioning at the moment as a result of the Family Health Team's activities.

- 9.2.2. Letter from Family Health Team to Centre Dufferin Medical Recruitment Committee (dated March 12/10)
Motion from Centre Dufferin Medical Recruitment Committee (dated March 17/10)

- 9.3. **Shelburne Public Library**
- 9.3.1. 2010 Library Board Agreement

The following resolution was set forth.

Resolution # 4

Moved by J. Aultman – Seconded by W. Kolodziechuk

Resolved that leave be given to introduce a by-law to authorize the execution of an agreement for 2010, between the Shelburne Public Library Board and the Township of Amaranth; and that it be given the necessary readings and by passed and Numbered 13-2010. **Carried.**

- 9.4. **Other**

Nothing at this time.

10. **ROAD BUSINESS**

- 10.1 **Director of Public Works**
- 10.1.1. Report

Director of Public Works updated Council on current road matters.

- 10.2. **Landfill Site**
- 10.2.1. Update

Variety of issues discussed, along with the tire program, which allows up to 4 tires from Township residents to be deposited at the site free; however, larger quantities of tires, and tires from non-residential sources, must deal directly with the Tire Stewardship organization.

- 10.3. **Roadside Grass Cutting Tender**

Tenders were reviewed and insurance requirements confirmed.
The following resolution was set forth.

Resolution # 5

Moved by B. Cowie – Seconded by J. Aultman

Resolved that Council do hereby award the grass cutting tender to Doug McKechnie in the amount of \$ 3,190.50 (incl. taxes) for the cutting of grass along Township roads. **Carried.**

- 10.4. **Other**

Nothing at this time.

11. **PLANNING MATTERS**

The following matters were received / and or dealt with.

Township Planner Christine Gervais addressed planning issues.

- 11.1. **Trans Alta** (formerly CHD) – Wind Farms
- 11.1.1. Paulette Crawley – Daily Noise Reports – March 12, 13, 18, 22, 23, 2010
- 11.2. **Consent Application B2-10 & B3-10 – Melen: Don (Con. 3, E. Pt. Lot 9)**
- 11.2.1. Creation of two new lots of 2 ha. each

Applicant Don Melen was in attendance.
 Further to Public Meeting held on March 17, 2010, Township Planner provided planning report, stating that the lands west of the railway lands are to be amalgamated with adjacent parcels to west by way of a common ownership agreement to be registered on title.
 Minimum Distance Separation has no impact and applications do not conflict with the Provincial Policy Statement, Official Plan or Zoning By-law.
 The County of Dufferin Public Works department requires a 5 metre road widening and entrance approval granted for each parcel, subject to location restrictions, and are requesting a line of trees to be planted for safety measures regarding blowing snow.
 Nottawasaga Valley Conservation Authority have no objections; however request that the owner obtain NVCA's approval prior to the issuance of a building permit for any future buildings on the northerly proposed severed parcel (B2-10), including building envelope to be set back 30 metres from existing ditch running along the northerly lot line.
 Township Planner recommends approval of the application, subject to conditions of consent.
 The following resolution was set forth.

Consent B2-10

Resolution # 6

Moved by B. Cowie – Seconded by W. Kolodziechuk

Resolved that Consent Application B2-10 by Don Melen – Owner/Applicant, Concession 3, East Part Lot 9, for consent to sever a new parcel of approximately 2 ha. (5 ac) be approved.

Reasons: Conforms to Official Plan

Conditions:

Park Dedication in the amount of \$250.00.

Taxes paid in full on severed and retained parcels.

Conservation Authority approval on severed and retained parcels.

Entrance permit approval from County of Dufferin required on severed and retained parcels.

Approval of septic system on severed and retained parcels.

Plan of Survey required on severed and retained parcels (paper & digital format)

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

Consent Agreement to include requirement for fencing around boundaries of severed parcel when required by adjacent landowner (with exception of road frontage).

Consent Agreement for B2-10 shall include a condition for NVCA's approval for any future buildings on the land

Road widening required on severed and retained parcels of 5 metres dedicated to County of Dufferin.

Arrangements to be made with County of Dufferin – Public Works Department for tree planting on each parcel to reduce snow blowing on County Road 11.

Execution of a common ownership agreement and registration on title of the 67 acre parcel west of the railway with the land further west being Part West Half Lot 9, Concession 3, of approximately 109 acres.

Road widening shall be conveyed to the appropriate road authority, in accordance with applicable road authority policies.

If road widening has been obtained at an earlier date, condition would not apply.

Any unregistered road widening 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 widenings 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.**

Consent B3-10

Resolution # 7

Moved by W. Kolodziechuk - Seconded by B. Cowie

Resolved that Consent Application B3-10 by Don Melen – Owner/Applicant, Concession 3, East Part Lot 9, for consent to sever a new parcel of approximately 2 ha (5 ac) be approved.

Reasons: Conforms to Official Plan

Conditions:

Park Dedication in the amount of \$250.00.

Taxes paid in full on severed and retained parcels.

Conservation Authority approval on severed and retained parcels.

Entrance permit approval from County of Dufferin required on severed and retained parcels.

Approval of septic system on severed and retained parcels.

Plan of Survey required on severed and retained parcels (paper & digital format)

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

Consent Agreement to include requirement for fencing around boundaries of severed parcel when required by adjacent landowner (with exception of road frontage).

Road widening required on severed and retained parcels of 5 metres dedicated to County of Dufferin.

Arrangements to be made with County of Dufferin – Public Works Department for tree planting on each parcel to reduce snow blowing on County Road 11.

Execution of a common ownership agreement and registration on title of the 67 acre parcel west of the railway with the land further west being Part West Half Lot 9, Concession 3, of approximately 109 acres.

Road widening shall be conveyed to the appropriate road authority, in accordance with applicable road authority policies.

If road widening has been obtained at an earlier date, condition would not apply.

Any unregistered road widening 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 widenings 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.**

11.3. **Consent Application B4-10 – Shortt: Robert (Con. 2, E ½ Lot 13)**

11.3.1. Creation of new lot of approximately 4 ha.

Applicant was not in attendance.

Further to Public Meeting held March 17, 2010, Township Planner provided planning report, stating the proposed new lot will be developed for residential purposes.

There are no barns within 500 metres of the property, therefore there is no need for Minimum Distance Separation (MDS) calculation. The application does not conflict with the Provincial Policy Statement, Official Plan or Zoning By-law

The Nottawasaga Valley Conservation Authority has no objection.

Township Planner recommends approval of the application, subject to standard conditions of consent, along with land dedication as required by the Township for road widening.

The following resolution was set forth.

Resolution # 8

Moved by B. Cowie – Seconded by J.Aultman

Resolved that Consent Application B4-10 by Robert Shortt - Owner/Applicant Concession 1, East Half Lot 13, for consent to sever a new parcel of approximately 4 ha. (10 ac) be approved.

Reasons: Conforms to Official Plan

Conditions:

Park Dedication in the amount of \$250.00.

Taxes paid in full on severed and retained parcels.

Conservation Authority approval on severed and retained parcels.

Entrance permit approval required on severed and retained parcels.

Approval of septic system on severed parcel.

Plan of Survey required on severed parcel (paper & digital format)

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

Consent Agreement to include requirement for fencing around boundaries of severed parcel when required by adjacent landowner (with exception of road frontage).

Road widening required on severed and retained parcels.

Road widening shall be conveyed to the appropriate road authority, in accordance with applicable road authority policies.

If road widening has been obtained at an earlier date, condition would not apply.

Any unregistered road widening 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 widenings 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.**

11.4. **Development Updates**

CAO Susan Stone reported that notices have been sent to the newspapers with respect to the Official Plan Review Public Meeting.

Also, Minutes of Settlement for the Pullen severances have been signed, and are now waiting on the Ontario Municipal Board hearing to issue decision.

11.5. **Township of East Luther Grand Valley**

11.5.1. Notice of Zoning By-law Amendment Public Meeting – Housekeeping By-law re: changes to Comprehensive Zoning By-law – April 13, 2010 @ 7:00 p.m.

11.5.2. Notice of Zoning By-law Amendment Public Meeting – Z2-10 – April 13, 2010 @ 7:00 p.m.

11.5.3. Notice of Public Meeting – Township’s Background Study and Proposed Amendments to the Development Charge

Township Planner reviewed and discussed the Zoning By-law Amendment with respect to housekeeping matters and has no concerns.

11.6. **Town of Orangeville**

11.6.1. Notice of Official Plan & Zoning Amendment OPZ2/10 – 48 C Line

Township Planner indicated no concerns.

- 11.7. **Avertex**
- 11.7.1. Approved Site Plan SPA6-08 – Maintenance Guarantee

Township Planner addressed site plan SPA6-08 and the final completion of the works. A Letter of Completion has been issued. A maintenance guarantee is required for landscaping, grading and services. Discussion as to the amount of the guarantee resulted in the following:

Resolution # 9

Moved by B. Cowie – Seconded by W. Kolodziechuk

Resolved that Council do hereby agree to Performance Guarantee associated to the approved Site Plan Application SPA6-08, to be in the amount of \$5,000.00. **Carried.**

- 11.8. **Other**

Nothing at this time.

12. **BY-LAW ENFORCEMENT**

- 12.1. **Other**

CAO updated Council with respect to court decision regarding West Part Lot 16, Concession 8, which is being appealed by the owner. Also court dates for other bylaw enforcement matters scheduled for June, 2010.

13. **COMMITTEE REPORTS**

The following matters were received and / or dealt with.

- 13.1. **County of Dufferin**

- 13.1.1. Council In Brief – March 11, 2010

- 13.2. **Source Water Protection**

- 13.2.1. Lake Erie Region Source Protection Committee Meeting Minutes Feb.4, 2010

- 13.2.2. Lake Erie Region – example letters re: Region of Waterloo Drinking Water Protection Census

- 13.3. **Police Services Board – (OPP) Dufferin County**

- 13.3.1. Ontario Provincial Police – Year 2009 Reconciled Contract Policing Costs

- 13.3.2. Amaranth Police Service Board – Approved Minutes of November 19, 2009 and Draft Minutes of March 4, 2010

- 13.3.3. East Garafraxa Police Service Board – Draft Minutes of November 26, 2009 and Draft Minutes of February 25, 2010

The 2009 Reconciled Contract Policing Costs received.

Council asked that the issue of ATV's using trails and causing damage to gates etc.be raised at the next police services board meeting on April 15/10; along with request for additional police presence.

- 13.4. **Economic Development Committee (EDC)**

- 13.4.1. Update

- 13.4.2. Agenda – April 7, 2010

- 13.4.3. Minutes – March 3, 2010 & March 17, 2010

Councillor Aultman gave update on the EDC meeting and proposed 2010 budget.

- 13.5. **Amaranth Building Committee**

- 13.5.1. Update

CAO reviewed road's department repairs to eavestrough, at approximate cost of \$1,515.00 plus tax, also oil and grease interceptor at cost of \$1,260. plus tax, and work authorized by Council accordingly. Other roads department building matters to be discussed during budget deliberations. Office renovations and quotes also discussed, and the following resolutions passed:

Resolution # 10

Moved by B. Cowie – Seconded by W. Kolodziechuk

Resolved that Council accept quote for dividing wall and doorway in administration hallway from Fuller Contracting Inc. in the amount of \$2,000.00 plus G.S.T., cost to be shared with Township of East Garafraxa, plus the cost of a window in door. **Carried.**

Resolution # 11

Moved by J. Aultman – Seconded by B. Cowie

Resolved that Council accept quote for flooring for office and common area from Generations Flooring dated February 27, 2010, in the amount of \$12,308.73 plus G.S.T., cost to be shared with Township of East Garafraxa. **Carried.**

Resolution # 12

Moved by J. Aultman – Seconded by W. Kolodziechuk

Resolved that Council accept quote for office panels from Tom Vanderkolk, dated March 9, 2010 in the amount of \$ 4,530.00 plus applicable taxes, cost to be shared with Township of East Garafraxa. **Carried.**

13.6. **Shelburne Public Library Board**

13.6.1. Minutes of Meeting – February 19, 2010

13.7. **Shelburne & District Agricultural Society**

13.7.1. Invitation to EDC Breakfast – Thurs. April 22/10 – 7:00 a.m. to 8:30 a.m. Shelburne Legion, 203 William St. Shelburne, Ont.

13.8. **Grand Valley & District Community Centre**

13.8.1. Minutes of February 8, 2010

13.9. **Grand Valley Medical Dental Board**

13.9.1. Twp. of East Garafraxa – Motion of Support for Board's budget

13.10. **Other**

Nothing at this time.

14. **GENERAL BUSINESS AND CORRESPONDENCE**

The following matters were received and / or dealt with.

14.1. **2010 Strategy Institute Conference** (April 13 & 14, 2010 – Toronto)

14.1.1. Don MacIver – Speaker “Asset Management Planning – A Rural Municipal Perspective”

14.2. **The Highland Company**

14.2.1. Letter to farm personnel (March 16/10)

14.3. **Taoist Tai Chi Society of Canada**

14.3.1. Invitation to annual Mother’s Day Banquet – Mah 1/10 – 6:00 p.m. in Richmond Hill, Ont.

14.4. **Hydro One**

14.4.1. Bruce to Milton Connection – March 2010 Issue

14.5. **Association of Ontario Road Supervisors**

14.5.1. AORS/OGRA Partnership

14.6. **Municipal Property Assessment Corporation**

14.6.1. OPSUE re: Service quality issues at MPAC (March 16/10)

- 14.6.2. Negotiations with OPSUE (March 19/10)
 - 14.7. **Headwaters Communities in Action**
 - 14.7.1. Rails – With - Trails

 - 14.8. **Ministry of Citizenship and Immigration**
 - 14.8.1. 2010 Senior of the Year Award Nominations

 - 14.9. **Premier of Ontario**
 - 14.9.1. Letter – Acknowledgement of Council motion re: wind turbines

 - 14.10. **Sylvia Jones, M.P.P.**
 - 14.10.1. Letter – Acknowledgement of Council motion re: moratorium on wind turbines

 - 14.11. **Other**
- Nothing at this time.

15. **BY-LAWS**

Nothing at this time.

16. **LATE SUBMISSIONS**

The following matters were received and / or dealt with:

16.1. **Non Resident Fees Refund Request**

Request received from a resident for reimbursement of the non-resident fee paid to Town of Orangeville for recreation programs. Staff instructed to write resident explaining the non-resident fee is not refundable, as Amaranth Township provides their own recreational activities for residents, and are in partnership with both the Town of Shelburne and Grand Valley, who offer various recreation activities, at no extra fee.

16.2. **Waldemar Park Fencing**

It has been reported that vehicles have been in the Waldemar Park, damaging grounds and ball diamond. Staff to contact the OPP for increased surveillance, and matter to be raised at the next PSB meeting.

16.3. **Canada Day**

Deputy-Mayor Kolodziechuk spoke on upcoming Canada Day celebrations, and requested suggestions and assistance for the event. Councillor Aultman indicated that the Economic Development Committee will be organizing an “Art in the Park” event for Canada Day.

16.4. **Municipal Banking**

Councillor Cowie enquired if tendering was ever considered for municipal banking needs as he has been approached by the TD Canada Trust bank for consideration. Staff indicated that they have also been approached by various financial institutions and may go out to tender at some future time.

17. **ACCOUNTS**

17.1. **General Accounts**

17.2. **Road Accounts**

Nothing at this time.

18. **BUDGET REPORT**

Nothing at this time; however, preliminary budget meeting scheduled for May 3, 2010 at 5:00 p.m.

19. **NEW BUSINES**

19.1. **Other**

Discussion regarding Closed Meeting matters, and providing through agenda process. Staff to follow up.

20. **CLOSED MEETING**

- 20.1. Litigation / Potential Litigation
- 20.2. Proposed or pending acquisition or disposal of land
- 20.3. Personal Matters

Resolution # 13 (approximately 2:20 p.m.)

Moved by B. Cowie – Seconded by J. Aultman

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;
A proposed or pending acquisition or disposition of land
Litigation or potential litigation.

Carried.

Resolution # 14 (approximately 2:55 p.m.)

Moved by J. Aultman – Seconded by B. Cowie

Resolved that Council do now rise and report from Closed Meeting, and resume regular business. **Carried.**

Staff instructed in accordance with Closed Meeting discussions.

21. **CONFIRMING BY-LAW**

Resolution # 15

Moved by B. Cowie - Seconded by J. Aultman

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 April 7, 2010; and that it be given the necessary readings and be passed and Numbered 14-2010. **Carried.**

22. **ADJOURNMENT**

Resolution # 16 (approximately 3:10 p.m.)

Moved by W. Kolodziechuk - Seconded by J. Aultman

Resolved that Council do now adjourn to meet again on April 21, 2010 at 7:00 p.m. or at the call of the Mayor. **Carried.**

Susan M. Stone

CLERK

Don MacIver

HEAD OF COUNCIL