



## TOWNSHIP OF AMARANTH COUNCIL MINUTES Wednesday, March 3, 2010

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on March 3, 2010 at 10:00 a.m.

PRESENT:

Mayor	D. MacIver
Deputy-Mayor	W. Kolodziechuk
Councillor	P. Way
Councillor	B. Cowie
Councillor	J. Aultman
CAO/Clerk-Treasurer	S. Stone
Director of Public Works	D. Price
Township Planner	C. Gervais
Deputy-Clerk	C. Doherty

### 1. **OPENING OF MEETING**

Mayor MacIver called meeting to order.

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

#### **Resolution # 1**

Moved by B. Cowie - Seconded by P. Way

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

#### Added

1. Grand River Conservation Authority – 2010 Budget and General Levy
2. OMB Decision dated February 25/10 re: Appeal by Allto Holdings Inc.
3. Ministry of Energy & Infrastructure Growth Plan Meeting March 9/10
4. Nottawasaga Valley Conservation Authority – 2010 Budget and Municipal Levy
5. Extension Agreement re: Tax Arrears (Closed Meeting)

#### Deleted

1. Hans Tijssen – Banks Drainage Works  
Letter from Mr. Tijssen withdrawing his request as a delegation to Council.

**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 February 17, 2010

**Resolution # 3**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**Resolved** that Council do hereby approve the minutes of the regular meeting of Council held February 17, 2010, as circulated. **Carried.**

6. **PUBLIC QUESTION PERIOD**

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

Mr. Tijssen indicated that although he had withdrawn his request as a delegation with respect to the Banks Drain, he had questions regarding the proposed drain clean out, with respect to timing, cost and contractor. CAO indicated that the Township Drainage Engineer, Gerd Uderstadt, had been scheduled to appear at council with respect to this matter but was cancelled once Mr. Tijssen withdrew his request. Mr. Uderstadt did however provide information regarding the timing of the work, which was dependent on a number of factors including weather and Department of Fisheries restrictions. Mr. Tijssen indicated that he now understood the timing issue; however still had concerns about cost and the contractor chosen; therefore, Council indicated that he should come back to a future council meeting at which time the Township Drainage Engineer can also be in attendance to address matters further. Staff to arrange.

Mr. Tijssen also questioned the possibility of paving of the 4<sup>th</sup> Line, up to 15 Sideroad, due to the number of trailers and vehicles using the roadway and was advised that this would be further considered during budget deliberations.

Mr. Bruce Horsley requested copy of the minutes of the last meeting, noting that he felt there was improper procedure with respect to a resolution passed to go into Public Meeting which was subsequently changed due to an incorrect property description and that the resolution was also re-signed by another member of council. Discussion ensued as to the timing of the changes and it was agreed that the clerical error on the motion was changed with council concurrence. Mr. Horsley indicated concern about procedural error, and Council requested that the CAO review the matter further and report back to council accordingly.

7. **DELEGATIONS**

**10:15 P.M.**

7.1. Hans Tijssen – Banks Drain  
Matter withdrawn by Mr. Tijssen and deleted from the agenda.

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

PSAB work proceeding and auditors coming later in month.

9.2. **Other**

Nothing at this time.

10. **ROAD BUSINESS**10.1 **Director of Public Works**

## 10.1.1. Report

Director of Public Works provided his report with respect to road department matters, and it was suggested that the 5 year plan be brought forward at budget time for further consideration.

10.2. **Landfill Site**

## 10.2.1. Update

Tire Program is now being offered at the Landfill Site, whereby residents can bring up to four tires per trip, no rims, to the site for disposal for free, and that approximately 50 tires have been brought to date.

Deputy-Mayor Kolodziechuk reported that there has been considerable discussion, at the County, regarding the energy to waste facility and waste management assumption, and discussion ensued with respect to proposed use of existing landfill sites, compensation, opting in or out, and whether the MOE will require waste assumption be assumed by County in order to issue Certificate of Approval for DEEP project. Meeting has been scheduled for March 27<sup>th</sup>, for all council members county-wide, and staff, to further discuss matters.

10.3. **Other**

Nothing at this time.

**Councillor Bill Cowie** indicated he would have to leave to attend an **emergency meeting in Shelburne** at noon; however will return to Council immediately following the meeting.

11. **PLANNING MATTERS**

The following matters were received / and or dealt with.

Township Planner Christine Gervais in attendance to address planning issues.

11.1. **Trans Alta** (formerly CHD) – Wind Farm Correspondence

## 11.1.1. Paulette Crawley – Daily Noise Reports

## 11.1.2. Orangeville Citizen Article – Melancthon petitions Ministry

## 11.1.3. Amaranth Transformer Station, Acoustic Audit Fall 09

## 11.1.4. Report: Effects of Wind Energy on Real Estate Values

## 11.1.5. Township of Mulmur re: moratorium

The moratorium to support resolutions from the Township of Mulmur and Melancthon was discussed. Staff instructed to bring motion of support back to the next meeting of Council.

Also discussed was the ROMA/OGRA conference and discussions with Ministry with respect to Green Energy Act and impact on municipalities. Staff to arrange meeting with Minister.

**Councillor Percy Way** declared **pecuniary interest** on the following matter, and left the council chambers.

11.2. **Consent Application B1-10 – 2176532 Ontario Ltd. / Foreign Express**  
(Decision)

Township Planner addressed application and reviewed planning report, along with previous application B1-08 and conditions, and recommended that B1-10 be approved with conditions. Matter deferred until later in meeting.

**Councillor Percy Way returned** to the council chambers and his seat, to resume regular business.

11.3. **Development Updates**

Official Plan and Conformity Exercise under Section 26 of Planning Act was discussed.

Report at next meeting and Public Meeting in April 2010.

11.4. **Green Energy Act**

11.4.1. Municipalities and the Green Energy Act

11.4.2. Municipalities and Renewable Energy Project

Township Planner Christine Gervais reported on article written by Tim Cane et al, indicating areas of control that municipalities might have through other acts and legislative authority.

11.5. **Other**

Item # 16 – Late Submissions

Ontario Municipal Board Decision dated February 25//10 re: Appeal by Allto Holdings Inc.

Decision received.

12. **BY-LAW ENFORCEMENT**

12.1. **Superior Court of Justice Decision** re: West Part Lot 16, Concession 8 Kraus decision was received.

12.2. **Other**

Nothing at this time.

**Councillor Bill Cowie returned to the council meeting** and resumed his seat.

13. **COMMITTEE REPORTS**

The following matters were received and / or dealt with.

13.1. **County of Dufferin**

13.1.1. Council In Brief – February 11, 2010

13.1.2. By-law to Control Nuisance Coyotes

13.1.3. Invitation – Waste Management Discussion March 27/10 – Mel Lloyd Centre

13.1.4. Household Hazardous Waste Events

13.1.5. Potential Sale of Rail Line

County Nuisance Coyotes by-law was discussed, in particular the authorization of payment and designated person to ‘mark” coyote as per Section 11 of the Act. Motion tabled pending further discussion at the Dufferin Municipal Officers Association meeting regarding process.

13.2. **Town of Caledon**

13.2.1. POA January Revenue

13.3. **Source Water Protection**

13.3.1. Lake Erie Region Source Protection Committee Meeting Minutes – January

13.3.2. Source Protection Presentation February 24, 2010

13.4. **Police Services Board – (OPP) Dufferin County**

13.4.1. Meeting March 4, 2010

13.5. **Economic Development Committee (EDC)**

13.5.1. Update

13.5.2. Agenda – March 3, 2010

- 13.5.3. Minutes – February 11, 2010 (draft)
- 13.5.4. Breakfast Meeting Invitation – March 25, 2010

Councillor Aultman updated Council on the activities of the EDC Committee. She addressed the new EDC website link which will be on our municipal site, which will be launched at the EDC Breakfast meeting set for March 26, 2010 in the Amaranth Recreation Hall.

- 13.6. **Amaranth Building Committee**
- 13.6.1. Update – next meeting March 11, 2010

Meeting to be rescheduled.

- 13.7. **Shelburne Public Library Board**
- 13.7.1. Minutes – January 19, 2010
- 13.7.2. Budget 2010 (deferred from last mtg.)
- 13.7.3. 2010 Library Agreement

Councillor Cowie reported that he has requested that information regarding reserves and wage increases concerning the 2010 Budget, be forward to the Township for their review; however it appears nothing has been received as yet. Matter deferred.

- 13.8. **Shelburne & District Agricultural Society**
- 13.8.1. Request for support

Support will be considered at budget time.

- 13.9. **Grand Valley, Shelburne, Orangeville Libraries**
- 13.9.1. Joint response to Internet Filtering
- 13.9.2. Grand Valley Library Budget 2010 (deferred from last mtg.)

Further information and revised budget received, which was discussed and the following resolution was passed:

**Resolution # 4**

Moved by P. Way – Seconded by B. Cowie

**Resolved** that Council do hereby support the Grand Valley Public Library Budget for 2010, in the amount of \$204,762.00; Amaranth's share being \$51,922.00. **Carried.**

- 13.10. **Grand Valley Medical Dental Board**
- 13.10.1. 2010 Budget
- 13.10.2. Minutes – February 1, 2010

**Resolution # 5**

Moved by J. Aultman – Seconded by W. Kolodziechuk

**Resolved** that Council do hereby support the Grand Valley Medical & Dental Board Budget for 2010, as presented. **Carried.**

- 13.11. **Orangeville Fire Advisory Committee**
- 13.11.1. Minutes – February 18, 2010
- 13.11.2. Fire Department Notes
- 13.11.3. 2009 Year End Report

- 13.12. **Nottawasaga Valley Conservation Authority**
- 13.12.1. Nottawasaga Board Meeting – February 12, 2010
- 13.12.2. News – February 2010

Late Submission – Item # 4

Nottawasaga Valley Conservation Authority – 2010 Budget and Municipal Levy

Discussion resulted in the following motion.

**Resolution # 6**

Moved by W. Kolodziechuk – Seconded by J. Aultman

**Resolved** that Council do hereby support the Nottawasaga Valley Conservation Authority's 2010 Budget in the amount of \$1,817,897.06; Amaranth's share being \$4,159.35. **Carried.**

- 13.13. **Grand River Conservation Authority**
- 13.13.1. January/February 2010 Grand Actions

Late Submission – Item # 1

Grand River Conservation Authority – 2010 Budget and General Levy

Discussion resulted in the following motion.

**Resolution # 7**

Moved by B. Cowie – Seconded by P. Way

**Resolved** that Council do hereby support the Grand River Conservation Authority's 2010 Budget, in the amount of \$32,987,894.00; Amaranth's share being \$29,383.00 for operating and \$3,994.00 for capital, for a total of \$33,377.00. **Carried.**

- 13.14. **Credit Valley Conservation**
- 13.14.1. Minutes – January 22, 2010

- 13.15. **Other**

Nothing at this time.

14. **GENERAL BUSINESS AND CORRESPONDENCE**

The following matters were received and / or dealt with.

14.1. **A.M.O.**

- 14.1.1. 2010 ROMA/OGRA Combined Conferences, Message from President
- 14.1.2. AMO Annual Conference Aug. 15 – Aug. 18, 2010
- 14.1.3. AMO Releases Municipal Gas Tax Agreement Amendment
- 14.1.4. AMO Early Learning & Child Care Program Legislation
- 14.1.5. AMO Guidelines Seek to Optimize Use of School Space
- 14.1.6. AMO Calls on Province to Pay its Bills
- 14.1.7. AMO Bill 236 to amend Pension Benefits Acts
- 14.1.8. AMO January 2010 Board Meeting

Councillor Cowie indicated he would like to attend the AMO Annual Conference in August, 2010.

14.2. **Eastern Farmers Forum**

- 14.2.1. Back Off – Why some farmers & townships are fed up with conservation authorities

14.3. **Prince Edward County**

- 14.3.1. Motion re: Request MNR consider Ontario Wide Coyote/Wolf Program

14.4. **Town of Gravenhurst**

- 14.4.1. Motion re: Petition to Premier of Ontario to include hospitals under the Ombudsman Act

14.5. **Township of Madawaska Vally**

- 14.5.1. Motion re: Petition to Premier of Ontario re: Respite Care and Home Care

- 14.6. **Ontario Power Authority**
- 14.6.1. Power Pledge Campaign – launch April 7, 2010
  
- 14.7. **Land Use Council**
- 14.7.1. Land Management in Ontario dated February 17, 2010
  
- 14.8. **Ministry of Municipal Affairs and Housing**
- 14.8.1. 2010 ROMA/OGRA Conference – remarks from Hon. Jim Bradley
  
- 14.9. **Province of Ontario**
- 14.9.1. 2010 ROMA/OGRA Conference – remarks from Premier
  
- 14.10. **Other**

Nothing at this time.

15. **BY-LAWS**

None at this time.

16. **LATE SUBMISSIONS**

The following matters were received and / or dealt with:

- 16.1. **Grand River Conservation Authority** – 2010 Budget and General Levy  
Dealt with under Committee Reports - Item # 13.13
- 16.2. **OMB decision** dated February 25/10 re: Appeal by Allto Holdings Inc.  
Dealt with under Planning – Item # 11.4.3
- 16.3. **Ministry of Energy & Infrastructure Growth Plan** - Meeting March 9/10  
Township Planner Christine Gervais to attend the March 9/10 meeting.
- 16.4. **Nottawasaga Valley Conservation Authority** – 2010 Budget & Municipal Levy  
Dealt with under Committee Reports – Item # 13.12
- 16.5. **Extension Agreement** re: Tax Arrears (closed meeting)  
Dealt with under Closed Meeting – Item # 20
- 16.6. **Hans Tijssen** – Banks Drainage Works  
Letter from Mr. Tijssen withdrawing his request as a delegation to council.  
Dealt with under Delegation – Item # 7.1

17. **ACCOUNTS**

- 17.1. **General Accounts**
- 17.2. **Road Accounts**

Nothing at this time.

18. **BUDGET REPORT**

Matter deferred.

19. **NEW BUSINES**

- 19.1. **2010 Municipal Elections**
- 19.1.1. Vote by mail information

CAO explained the vote by mail process; however, Council expressed concern with respect to the accuracy of voting by this method and were not in favour.

19.2. **Other**

Councillor Aultman and Deputy-Mayor Kolodziechuk to attend the meeting on Friday, March 5/10 in Shelburne, concerning underserviced areas.

**Councillor Percy Way** declared **pecuniary interest** on the following matter, left his seat and council chambers.

**Planning Application B1-10** (under Planning Matters - Item # 11.2 , was again discussed and the following resolution was set forth.

**Resolution # 8**

Moved by W. Kolodziechuk – Seconded by J. Aultman

**Resolved** that Consent Application B1-10 by 2176532 Ontario Ltd. (Owner) & Foreign Express Trucks c/o Domenic Alati (Applicant) for consent to sever 0.831 ha. (2 ac) from subject property – Concession 6, West Part Lot 14 – for a lot boundary adjustment in favour of the existing property abutting to the west, be approved.

Conditions:

Taxes paid in full on both severed and retained parcels.

Section 50(3) or (5) of the Planning Act shall apply and consolidation of parcels required.

Rezoning required on severed and retained parcels.

Site Plan Agreement to be registered on severed and retained parcels, including road widening in accordance with applicable road authority policies and fencing and screening as appropriate.

Conservation Authority approval on severed and retained parcels.

Plan of Survey required on severed and retained parcels, including existing parcel. (paper & digital format)

Consent Agreement to be registered, if required, on severed and retained parcels.

Road widening shall be conveyed to appropriate road authorities on the retained parcel, 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 authority.

Removal of house trailer on the existing parcel being Part 1 on 7R-2871, to be addressed through site plan agreement.

Subject to removal of additional vehicles on proposed severed and retained parcels, and no further vehicles to be placed on subject property prior to completion of consent.

Subject to confirmation by the Township Planner that there are no contraventions of the Township Zoning By-law(s)

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 issue 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.**

20. **CLOSED MEETING**

20.1. Litigation / Potential Litigation

20.2. Personal Matters

**Resolution # 9** (approximately 2:30 p.m.)

Moved by B. Cowie – 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;

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

**Resolution # 10** (approximately 3:30 p.m.)

Moved by J. Aultman – Seconded by W. Kolodziechuk

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

The following resulted from the closed meeting.

Late Submission – Item # 5

Extension Agreement re: Tax Arrears (closed meeting)

The following resolution was set forth.

**Resolution # 11**

Moved by J. Aultman – Seconded by W. Kolodziechuk

**Resolved** that leave be given to introduce a by-law to authorize the execution of an Extension Agreement for tax arrears; and that it be given the necessary readings and be passed and Numbered 8-2010. **Carried.**

21. **CONFIRMING BY-LAW**

**Resolution # 12**

Moved by J. Aultman - Seconded by W. Kolodziechuk

**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 3, 2010; and that it be given the necessary readings and be passed and Numbered 9-2010. **Carried.**

22. **ADJOURNMENT**

**Resolution # 13** (approximately 3:35 p.m.)

Moved by B. Cowie - Seconded by P. Way

**Resolved** that Council do now adjourn to meet again on March 17, 2010 at 7:00 p.m. or at the call of the Mayor. **Carried.**

*Susan M. Stone*

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CLERK

*Don MacIver*

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HEAD OF COUNCIL