



TOWNSHIP OF AMARANTH COUNCIL MINUTES

Wednesday, June 15, 2011

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on June 15, 2011, commencing at 7:00 p.m.

PRESENT:	Mayor	D. MacIver
	Deputy-Mayor	W. Kolodziechuk
	Councillor	J. Aultman
	Councillor	B. Besley
	Councillor	H. Foster
	CAO/Clerk-Treasurer	S. Stone
	Director of Public Works	D. Price
	Planner	C. Gervais (Planning Matters)
	Deputy-Clerk	C. Doherty

7:00 p.m.

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 H. Foster - Seconded by W. Kolodziechuk

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

1. Municipal Drain No. 24 - West Half Lot 12, Concession 9
Request for maintenance and repair
2. Gilmor Property (Concession 1, Lot 22)
Email from Solicitor Arkadi Bouchelev (June 14/11)

Carried.

3. **APPROVAL OF AGENDA**

3.1 **Resolution # 2**

Moved by W. Kolodziechuk - Seconded by H. Foster

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**

5.1 Regular minutes of meeting held June 1, 2011

Resolution # 3

Moved by J. Aultman - Seconded by B. Besley

Resolved that Council do hereby approve the minutes of the regular meeting held June 1, 2011 as circulated.. **Carried.**

7:00 - 7:15 p.m.

6. **PUBLIC QUESTION PERIOD**

Nothing at this time.

7:30 p.m.

7. **DELEGATIONS**

7.1 **Grand River Conservation Authority**

7.1.1 Process and procedure for large fill operations within the GRCA regulated areas. Attending - Nancy Davy (Director of Resource Management), Tom Nevills, (GRCA Representative), Fred Natolochny (Supervisor of Resource Planning), Liz Yerex (Resource Planner).

Fred Natalochny addressed Council regarding fill and site alteration issues and presented the draft Procedural Guideline for Handling Permit Applications that Deal with Large Volumes of Fill Material (1000³ or greater).

Discussion ensued regarding growing issues with the placement of fill material on sites throughout the watershed, and municipal by-laws not being applicable on lands that are regulated by the conservation authority.

Several questions were addressed by Council as enforcement and follow-up procedures, testing of fill, stop orders, cease and desist, limitations, fines, tribunals, etc.

Council concluded that the draft needs to be strengthened with tighter requirements and updated regulations.

It was agreed that a motion be brought back to the next meeting of Council and the Mayor thanked delegation for attending.

7.2. **RLB Auditors**

7.2.1 2010 Audit

Murray Short and Matt Venne of RLB Auditors presented the 2010 Audit and copies were provided to Council.

Reported were the financial position, operations, changes in net financial assets, cash flow, consolidated financial statements, etc.

Review and discussion resulted in the following resolution.

Resolution # 4

Moved by J. Aultman - Seconded by B. Besley

Resolved that Council do hereby accept the 2010 RLB Financial Audit Report as presented. **Carried.**

8:00 p.m.

8.

PUBLIC MEETING

Resolution # 5

Moved by W. Kolodziechuk - Seconded by H. Foster

Resolved that Council do now hold a Public Meeting regarding the following:

1. Rezoning Application Z1-11 - Judyanne Faulkner & Peter Walton (Owners) / Wayne D. Ball (Agent), Concession 2, East Part Lot 14

To propose a temporary use by-law to allow a mobile home for farm help

Carried.

8.1

Rezoning Z1-11 - Judyanne Faulkner & Peter Walton (Owners) / Wayne D. Ball (Agent) - Concession 2, East Part Lot 14

To proposal a temporary use by-law to allow a mobile home for farm help.

In attendance were Judyanne Faulkner and Peter Walton, Owners, Wayne Ball, Agent, Dwayne & Amber Faulkner, and approximately 10 members of the public.

Township Planner Christine Gervais presented and reviewed the application for a temporary use by-law to allow a mobile home for farm help, at Concession 2, East Part Lot 14, noting that a mobile home was recently moved on the property to replace a chicken coop which was being used as a residence.

No municipal approvals, nor building permits have been issued for the trailer, and the Township has no record of any farm operation, including a tree farm on the property.

The applicants have indicated that the owner's son and his family are presently residing in the trailer, which is 98 square metres in size and serviced by existing electricity, well and septic system.

The owners have provided letter of support from neighbouring landowners.

Comments:

Grand River Conservation Authority - application is located in the Nottawasaga Valley Conservation Authority watershed.

Nottawasaga Valley Conservation Authority - no objection.

E & J Collins Ltd. - asked if the owners have a farm business number / farm business plan, and would like to be notified of decision when given.

There were no letters of objection.

Wayne Ball, Applicant/Agent addressed Council stating in 1988 the property was purchased and an existing chicken coop (which had been rented) was converted into a residence.

The owners state they have a forest management agreement with the Ministry of Natural Resources to eventually harvest trees on the property, and in the meantime, maintain and care for them.

With their age and health declining, they now have their son and his family assisting them.

There is a 4.04 ha. (10 ac) tree crop, a small apple orchard and a 12 ha.(30 ac) parcel of farmland rented for crops to neighbouring farmers.

Due to the uninhabitable condition of the converted chicken coop, a mobile trailer was brought in for their son and family to live.

Mrs. Faulker commented the property was purchased as a 2 dwelling property.

Mr. Walton stated there were no permits for the buildings on the land, including the one they removed.

Mr. Gray addressed Council, remarking he brought the trailer to the property, as the condition of the converted chicken coop was a serious health and safety issue.

Comments from the public in attendance were supportive and no one opposed the

application.

Council thanked everyone for attending and matter to be brought back to the July 20, 2011 meeting for decision.

Resolution # 6

Moved by J. Aultman - Seconded by B. Besley

Resolved that Council do now adjourn public meeting and resume regular business.
Carried.

9. **UNFINISHED BUSINESS**

The following matters were received and/or dealt with.

9.1 **County of Dufferin**

9.1.1 Draft Forest Conservation By-law / Resolution

Comments from Council indicated they were not in favour of this draft by-law and that matter be deferred in order to address the issues.

9.2 **Shelburne Public Library**

9.2.1 2011 Revised / Amended Library Board Budget & Agreement

Matter deferred as no revised budget has been received from the library.

9.3 **Other**

Nothing at this time.

10. **ROAD BUSINESS**

The following matters were received and/or dealt with.

10.1 **Director of Public Works Report**

10.1.1 Report

Director Doug Price reported on various matters pertaining to the roads department. Equipment is running well, line painting is completed and calcium spreading is about two-thirds completed.

Deputy-Mayor Kolodziechuk passed along a compliment from a township resident, with respect to a a ditch clean-out.

10.2 **Landfill Site**

10.2.1 Update

A by-law will be presented to Council later in the meeting, under Item # 15, in order to execute an amended Letter of Intent regarding the landfill site.

10.3 **Other**

Nothing at this time.

11. **PLANNING**

The following matters were received and/or dealt with:

11.1 **Development Updates**

Township Planner Christine Gervais addressed the Hamount matter and the issue of street naming after veterans, as per township by-law.

Staff instructed to advise the developer to contact either Wayne Townsend or Steve Brown of the Dufferin Museum & Archives for assistance in contacting family members for approval.

11.2 **SPA5-10 - Gilmor / Spratley (Con. 1, Lot 22)**

11.2.1 Decision

Township Planner addressed Council, recommending deferral until after the Nottawasaga Valley Conservation Authority hearing on June 24, 2011, and the following resolution was passed:

Resolution # 7

Moved by H. Foster - Seconded by W. Kolodziechuk

Resolved that Rezoning Application Z6-10 East Part Lot 22, Concession 1, Parcel 8, (Alex & Tania Gilmor/James Spratley) to rezone the front part of the property to allow for a residential dwelling and accessory building (shed) within the area zoned Environmental Protection, be hereby deferred until the July 20, 2011 Council meeting, pending outcome of appeal of Nottawasaga Valley Conservation Authority decision. **Carried.**

11.3 **Township of East Luther Grand Valley**

11.3.1 Z2-11 - Public Meeting - June 28/11 @ 11:30 a.m. Concession 1, Part Lot 27

11.4 **Clean Fill (Concession 6, East Part Lot 13)**

11.4.1 Request for clean fill (approximately 1200 truck loads) for cattle to graze and grow crops

Township Planner reviewed the application to dump approximately 1200 loads of clean fill on property.

It was noted that if the location of the fill is in a regulated area, then approval from the Grand River Conservation Authority will be required.

The question of fill content and other methods of draining the land, such as tile drains, were discussed. It was agreed to invite the applicants to attend upcoming meeting of council to discuss further.

11.5 **Request to rehabilitate former gravel pit (Concession 8, Lot 2)**

Township Planner addressed the request to rehabilitate the former gravel pit on Concession 8, Lot 2, and the following resolution was passed:

Resolution # 8

Moved by B. Besley - Seconded by J. Aultman

Resolved that Council do hereby concur with request by Jim Alexander to rehabilitate former gravel pit at Concession 8, Lot 2, including importation of fill and subject to Grand River Conservation Authority approval in areas regulated under the Conservation Authority Act. **Carried.**

- 11.6 **OPA No. 4**
 11.6.1 Conformity with Greenbelt and Growth Plans - Update
- Matter deferred until next meeting on July 20, 2011.
- 11.7 **Mud Bog Events (Concession 6, West Half Lot 6)**
 11.7.1 June 5/11, August 12, 13, 14/11, October 2/11
- CAO stated the June 5th, 2011 mud bog event went smoothly, the police reported no incidents.
 Discussion of upcoming events and issue of camping at the 3 day August event resulted in staff being instructed to contact the applicants to review, and if necessary, invite them to the July council meeting.
- 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 **Source Water Protection**
 13.1.1 Lake Erie Region Committee Meeting Minutes - May 5/11
 13.1.2 Credit Valley Conservation - Early Response Program / odium, chloride and nitrate concentrations
- 13.2 **Amaranth Building Committee**
 13.2.1 Update
- CAO updated Council on the Waldemar Park playground equipment.
 It was suggested that OPP Staff Sergeant Steven Sills attend the next meeting to discuss the Waldemar Park issues.
- 13.3 **Amaranth Economic Development Committee (EDC)**
 13.3.1 Update
- Councillor Aultman reported that today is the first day of the Farmers Market, open from 5:00 p.m to 8:00 p.m. and it appears to be a success so far.
 The Grand Opening is scheduled for July 13, 2011 with the Warden of Dufferin County and MPP Sylvia Jones attending.
- 13.4 **Police Services Board**
 13.4.1 Update
- Mayor MacIver updated Council and discussed the low revenue issue.
- 13.5 **Dufferin Municipal Officers Association**
 13.5.1 Minutes of Meeting - May 6/11
- 13.6 **Shelburne Public Library Board**
 13.6.1 Minutes of April 19/11
- 13.7 **Grand Valley & District Community Centre**

13.7.1 Minutes of May 9/11

Councillor Aultman reported on the upgrades taking place at the community centre and that the use of the facility has increased.

13.8 **Grand Valley Sesquicentennial Committee**13.8.1 Celebrating 150 Years - July 1st - 3rd, 2011 - Schedule

It was agreed that Amaranth Township present to the Township of East Luther Grand Valley a certificate in celebration of their Sesquicentennial Anniversary to be held July 1st to July 3rd, 2011.

13.9 **Nottawasaga Valley Conservation Authority**

13.9.1 Financial Statements (Year Ending December 31/10)

13.10 **Credit Valley Conseration**

13.10.1 Minutes of May 13/11

13.10.2 CreditCascades Newsletter

13.10.3 Briefing Note - NW Brampton / Mount Pleasant - Heritage Heights

13.11 **Other**

Nothing at this time.

14. **GENERAL BUSINESS & CORRESPONDENCE**

All matters read, received and dealt with.

14.1 **Alternative Energy**

14.1.1 Emails from P. Crawley - nothing at this time

14.1.2 Bennett - Jones Update - Closing submissions for the Ken Breeze Wind Farm Project Appeal Hearing

14.1.3 Letter from resident on the Mono-Amaranth Townline - Concerns regarding Whittington Wind Project

14.2 **A.M.O.**

14.2.1 Mandatory Retirement for Salaried Firefighters - Age 60

14.2.2 Ontario PCs Pledge to Municipalities not receiving PST for transit

14.2.3 Ontario PC - Highlights of Municipal Related Policies

14.2.4 2011 Federal Budget

14.3 **Eco-Choice Recycling (ECR) and Ice River**

14.3.1 Open House and lunch at Blue Mountain Plastics - June 21, 2011 - 10:30 a.m. to 2:00 p.m.

Councillor Besley, CAO/Clerk-Treasurer Susan Stone and Township Planner Christine Gervais to attend.

14.4 **Other**

Nothing at this time.

15. **BY-LAWS**15.1 **Sign By-Law**

To be brought back to the August council meeting.

15.2 **Other**

The following was dealt with at this time.

Road Business - Landfill Site - Item # 10.2

Resolution # 9

Moved by W. Kolodziechuk - Seconded by H. Foster

Resolved that leave be given to introduce a by-law to authorize the Mayor and Clerk to execute an amending Letter of Intent regarding the Township Landfill Site; and that it be given the necessary readings and be passed and Numbered 32-2011. **Carried.**

16. **LATE SUBMISSIONS**

All matters read, received and/or dealt with.

16.1 **Municipal Drain No. 24** (West Half Lot 12, Concession 9)
Request for maintenance and repair

The following resolution was set forth.

Resolution # 10

Moved by H. Foster - Seconded by W. Kolodziechuk

Resolved that Council concurs with R.J. Burnside & Associates report and recommendation dated June 10, 2011 with respect to the application of Steve Irvine for the repair and maintenance of the Municipal Drain No. 24, and that affected land owners be notified accordingly. **Carried.**

16.2 **Gilmor Property** (Concession 1, Lot 22)
Email from Solicitor Arkadi Bouchelev (June 14/11)

Dealt with earlier in the meeting under Planning Matters - Item # 11.2

17. **ACCOUNTS**

17.1 **General Accounts**

Resolution # 11

Moved by H. Foster - Seconded by W. Kolodziechuk

Resolved that General bills and accounts in the amount of \$131,054.24 for the period of May 18th, 2011 to June 10th, 2011 be approved for payment. **Carried.**

17.2 **Road Accounts**

Resolution # 12

Moved by J. Aultman - Seconded by B. Besley

Resolved that Road Department bills and accounts in the amount of \$63,700.04 for the period of May 18th, 2011 to June 10th, 2011 be approved for payment. **Carried.**

17.3 **Recreation Accounts****Resolution # 13**

Moved by B. Besley - Seconded by J. Aultman

Resolved that Recreation account in the amount of \$298.52 for the period of May 18th, 2011 to June 10th, 2011 be approved for payment. **Carried.**

18. **BUDGET**

Nothing at this time.

19. **NEW BUSINESS**

The following were received and/or dealt with:

19.1 **Other**

WPD - Tulloch Engineering will be conducting geotechnical work in the next two weeks.

20. **CLOSED MEETING**20.1 **Litigation or Potential Litigation**

Resolution # 14 (approximately 9:55 p.m.)

Moved by W. Kolodziechuk - Seconded by H.Foster

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, including matters before administrative tribunals, affecting the municipality or local board. **Carried.**

Resolution # 15 (approximately 10:00 p.m.)

Moved by B. Besley - Seconded by J.Aultman

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**21.1 **Resolution # 16**

Moved by H. Foster - 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 June 15, 2011 and that it be given the necessary readings and be passed and Numbered 33 -2011. **Carried.**

