



TOWNSHIP OF AMARANTH COUNCIL MINUTES

Wednesday, November 16, 2011

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on November 16, 2011, commencing at 4:00 p.m.

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

4:00 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. Grand River Conservation Authority
Lake Erie Region Source Water Protection Committee Member Renewal Confirmation
 2. Town of Orangeville
Zoning Amendment Application Z7-11 - Part West Half Lot 1,
Concession 3, WHS., Public Meeting December 12, 2011 @ 7:00 p.m. -
Council Chambers, Orangeville, Ont.
 3. Hydro One Networks Inc.
Gift Agreement
 4. Report to Council
Replacement of colour copier - Options
- Carried.**

3. **APPROVAL OF AGENDA**

3.1 **Resolution # 2**

Moved by H. Foster - Seconded by W. Kolodziechuk

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 meeting minutes of November 2, 2011

Resolution # 3

Moved by J.Aultman - Seconded by B. Besley

Resolved that Council do hereby approve the minutes of the Regular Meeting held November 2, 2011 as circulated. **Carried.**

Jeff Wilker, Township Solicitor, Rob Stovel, Planning Consultant, and Gord Feniak, Township Engineer in attendance for Item 6.1 - Closed Meeting.

Jeff Wilker, Township Solicitor in attendance for Item 6.2 - Closed Meeting.

6. **CLOSED MEETING** (Approximately 4:10 p.m.)

6.1 **Jeff Wilker - Township Solicitor, Rob Stovel - Township Planning Consultant, Gord Feniak - Township Engineer**

6.1.1 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

6.2 **Jeff Wilker - Township Solicitor**

6.2.1 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

6.2.2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

6.2.3 A proposed or pending acquisition or disposition of land by the municipality or local board

Resolution # 4

Moved by B. Besley - Seconded by J. Aultman

Resolved that Council move to a Closed Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

A proposed or pending acquisition or disposition of land by the municipality or local board

Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Advice the is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried.

Resolution # 5 (approximately 6:40 p.m.)

Moved by J. Aultman - Seconded by B. Besley

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

Staff and/or Township Solicitor and/or Township Consultant/Engineer instructed in accordance with Closed Meeting discussions.

7:00 p.m. to 7:15 p.m.

7. **PUBLIC QUESTION PERIOD**

Amaranth resident Paul Thompson stated that Hanna & Hamilton unloaded an excavator on his property, which resulted in damage to his grass. Acting Director Ben Ryzebol will look into this complaint.

7:15 p.m.

8. **DELEGATIONS**

Nothing at this time.

8:00 p.m.

9. **PUBLIC MEETING****Resolution # 6**

Moved by B. Besley - Seconded by J. Aultman

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

1. Consent Application B10-11 - Van der Pas (Owner) & Weston Consulting Group Inc. c/o Alan Young (Applicant), West Part Lot 6, Concession 10 Farm consolidation; Severance of surplus dwelling
2. Rezoning Application Z4-11 - Fred & Carolyn Brown (Owners), East Half Lot 30, Concession 3
To rezone the retained parcel associated with the approved Consent Application B8-11 to prohibit any residential uses. **Carried.**

9.1 **Consent Application B10-11 West Part Lot 6, Concession 10 (Van der Pas & Weston Consulting Group Inc. c/o Alan Young)**
Farm consolidation; severance of surplus dwelling

Mr. Van der Pas (Owner) and Mr. Young (Applicant) were in attendance. Township Planner Christine Gervais presented application to sever surplus dwelling associated with farm consolidation.

Area to be severed is 35.8 ha. (8.5 ac) and retained area is 3.0 ha. (7.4 ac).

Zoning By-law application for exception was submitted previously with former consent application, which has been withdrawn; however, zoning exception will still need to be passed for this application. Official Plan designation and polices were reviewed, and zoning is agricultural under Zoning By-law 2-2009.

Public Comments:

Mr. Bachittar Singh (west part Lot 7, Concession 10) questioned plans for proposed development on the subject lands.

Mr. Yoost Heersche, Solicitor for the owner, clarified the intended use of the proposed parcels.

Council questioned rationale for splitting of two houses, noting it was a different application than would normally have been submitted for farm consolidation purposes.

Mr. Young explained that the secondary dwelling will become the principal dwelling on the new parcel. Council concerned that it could become subject of further severance for surplus dwelling if this severance approved. Mr. Heersche indicated it would be possible for Council to restrict that from occurring with their approval. Township Planner clarified that the Official Plan states severance of secondary dwellings is prohibited and that therefore, an Official Plan Amendment is required in order for this application to proceed.

No written comments have been received to-date and there were no further comments from members of the public. Decision for December 14, 2011 meeting.

9.2 **Rezoning Application Z4-11 East Half Lot 30, Concession 3 (Fred and Carolyn Brown)**

To rezone the retained parcel associated with the approved Consent Application

B8-11 to prohibit any residential uses

Owners were not in attendance.

Township Planner Christine Gervais presented application to rezone the retained parcel associated with the approved Consent Application B8-11 to prohibit any residential buildings or uses on lands for farm consolidation.

Official Plan designation is Agricultural and zoning under Zoning By-law 2-2009 is also Agricultural.

Comments:

Nottawasaga Valley Conservation Authority - no objection

There were no other comments received to date and no members of the public in attendance to support or oppose the application.

Matter to be brought back to the next meeting of Council on December 14, 2011 for decision.

Resolution # 7

Moved by J. Aultman - Seconded by B. Besley

Resolved that Council do now adjourn Public Meeting and resume regular business. **Carried.**

10. **UNFINISHED BUSINESS**

The following matters were received and/or dealt with.

10.1 **Other**

Nothing at this time.

11. **ROAD BUSINESS**

The following matters were received and/or dealt with.

11.1 **Director of Public Works Report**

11.1.1 Report:

Acting Director of Public Works Ben Ryzebol reported on various matters pertaining to the road department.

Ben updated Council on the meeting with Strongco and Volvo, regarding Township grader, and it has been agreed that the warranty will be extended for two years or 7,000 km. and in addition, they will upgrade machine at their cost. Also, Donegan's are crushing in the 8th Line pit and the last of the A gravel from the 7th Line pit is being placed on the roadways, and the 2nd dome at works yard is being filled with sand.

11.2 **Landfill Site**

11.2.1 Update

Roadway has been constructed to access the new area at the landfill site as per R.J. Burnside & Associates recommendations.

11.3 **Brine/Calcium - Report**

Report provided to Council and will bring map to next meeting.

There is too much moisture on the roads to judge which application is more effective; however, it was agreed to continue to use calcium and brine with comparison to be done in next year.

11.4 **Speed Limit By-law - 6th Line - 60 km.**

11.4.1 Repeal By-law 39-2011 & return speed limit to 80 km.

The following resolution was set forth.

Resolution # 8

Moved by W. Kolodziechuk - Seconded by H. Foster

Resolved that leave be given to introduce a by-law to repeal By-law 39-2011 which temporarily reduced the speed limit on the 6th Line, from County Road 10 to 20 Sideroad, and that it be given the necessary readings and be passed and Numbered 65-2011. **Carried.**

11.5 **Other**

Estimate for furnaces, lights and fans for shop received, for total of approximately \$9,000.00, which would result exceed budgeted amount. Therefore, Council agreed to new furnaces for 2011, which will help preserve the new cement floor; however the lights and fans will be budgeted in 2012.

The following resolution was set forth.

Resolution # 9

Moved by W. Kolodziechuk - Seconded by H. Foster

Resolved that Council do hereby accept quotation from Sparling Propane in the amount of \$5,523.00 plus H.S.T. for the purchase and installation of two furnaces, as per quotation dated November 8, 2011. **Carried.**

12. **PLANNING**

The following matters were received and/or dealt with:

12.1 **Development Updates**

Nothing at this time.

12.2 **Sign By-law Amendments**

12.2.1 Draft by-law at meeting

Matter **deferred** until December 14, 2011 meeting.

12.3 **Other**

Councillor Aultman summarized the November 10, 2011 Source Water Protection meeting and Township Planner Christine Gervais handed out draft policies.

Late Submissions - Item # 17.1 dealt with at this time.

Grand River Conservation Authority - Lake Erie Region Source Water Protection Committee Member Renewal Confirmation

Concerns were aired with respect to reappointment of the position, rather than having the option of an open competition process. Discussion ensued and staff instructed to contact the Grand River Conservation Authority and advise that there should be an open process for receiving nominations, with qualifications identified.

Submissions - Item # 17.2 dealt with at this time.

Town of Orangeville - Zoning Amendment Application Z7-11

Part West Half Lot 1, Concession 3, WHS, Public Meeting - December 12, 2011 at 7:00 p.m. Council Chambers, Orangeville, Ont.

Township Planner addressed the application stating no comments are required.

13. **BY-LAW ENFORCEMENT**13.1 **Other**

Nothing at this time.

14. **COMMITTEE REPORTS**

All matters read, received and/or dealt with.

14.1 **County of Dufferin**

14.1.1 Council Inaugural Session & Election of Warden for 2012 -
Thursday, December 8, 2011 at 4:00 p.m. Council Chambers, Court House,
51 Zina Street, Orangeville

14.1.2 County Council Agenda - November 10, 2011 & Minutes - October 13, 2011

14.1.3 County Council Addendum - November 10, 2011

14.2 **Source Water Protection**

14.2.1 Lake Erie Region - Headwaters Policy Planning Meeting - November 10, 2011
12:00 noon to 4:00 p.m. - Grand Valley Community Centre, Grand Valley

14.2.2 Credit Valley Conservation Authority - Source Protection Plan
Pre-Consultation. Dufferin Region - December 6, 2011 @ 8:30 a.m. Monora Park
Pavilion

14.3 **Amaranth Building Committee**

14.3.1 Update

14.4 **Amaranth Economic Development Committee (EDC)**

14.4.1 Update

14.5 **Amaranth Police Services Board**

14.5.1 OAPSB - White Paper on Unpaid Fines

14.6 **Hills of Headwater Tourism - Equine Round Table**

14.6.1 Resolution to appoint Councillor Heather Foster as representative for the
Township of Amaranth

Resolution # 10

J. Aultman - Seconded by B. Besley

Resolved that Council do hereby appoint Councillor Heather Foster as
representative for the Township of Amaranth to the Hills of Headwater Tourism
Equine Round Table. **Carried.**

14.7 **Grand Valley & District Community Centre Board**

14.7.1 Minutes - October 3, 2011

14.8 **Grand Valley Public Library**

14.8.1 Minutes of November 9, 2011 & October 12, 2011

14.9 **Shelburne Public Library**

14.9.1 Silent Auction, Book Sale & Open House - Saturday, November 26, 2011 from
10:00 a.m. to 4:00 p.m.
(Holiday Home Tour has been cancelled this year)

- 14.10 **Shelburne & District Fire Board**
- 14.10.1 Minutes of October 4, 2011
- 14.10.2 Tabled Resolution - Master Fire Plan

Mayor MacIver reported on the quint truck, stating both the Townships of Mulmur and Melachton do not support the purchase. It is hoped that with further investigation, the matter will move forward.

Also discussed were the addition to the fire hall, secretarial services and the Master Fire Plan, which Council are not interested in at this time. Staff instructed to respond accordingly.

Mayor MacIver declared pecuniary interest and left his seat and the council chambers with respect to the following matter as he is a member of the group being discussed.

- 14.11 **Credit Valley Conservation Authority**
- 14.11.1 Disbanding the Adaptation and Impacts Research Division of Environment Canada

Discussion resulted in the following resolution.

Resolution # 11

Moved by B. Besley - Seconded by J. Aultman

Resolved that Council do hereby support the Credit Valley Conservation Authority's letter of October 27, 2011 with respect to concerns regarding the Minister of Environment's decision to disband the Adaptation and Impacts Research Division of Environment Canada, especially the layoffs of co-recipients of the Nobel Peace Prize and other world-class scientist, and that motion be forwarded to the Ministry of the Environment, Dufferin Municipalities, Grand River Conservation Authority, Nottawasaga Valley Conservation Authority, M.P.P. and M.P. **Carried.**

Mayor MacIver returned to the council chambers and resumed his seat.

- 14.12 **Nottawasaga Valley Conservation Authority**
- 14.12.1 E-Newsletter - November 2011
- 14.12.2 Highlights - Board of Director's Meeting - October 28, 2011
- 14.12.3 Procedural Guideline for Placement of Large Quantities of Fill - Effective Oct. 28, 2011

- 14.13 **Other**

Nothing at this time.

15. **GENERAL BUSINESS & CORRESPONDENCE**

All matters read, received and dealt with.

- 15.1 **Alternative Energy**

wpd Canada Corporation consultation response pending. New reports being reviewed by Township consultant, and report for Council to follow.

- 5.2 **Municipal Property Assessment Corporation (MPAC)**
- 15.2.1 2011 Property Assessment Notice Mailing

- 15.3 **County of Brant**
- 15.3.1 Resolution - Commercial grain elevators

Resolution # 12

Moved by H.Foster - Seconded by W. Kolodziechuk

Resolved that Council do hereby support the resolution of the County of Brant, dated September 20, 2011 with respect to the Ontario Regulation 282/98 (Section 6(2), Paragraph 4 of the Municipal Tax Act) be amended to reflect that “elevators used to receive, store, clean, treat or transfer feed for livestock or grain” be removed from the industrial property class and included in the commercial property class. **Carried.**

15.4 **Municipality of Central Huron**

15.4.1 Resolution - Objection to Fire Marshal restricting use of farm buildings for parties and family functions

Resolution # 13

Moved by B. Besley - Seconded by J. Aultman

Resolved that Council do hereby support the resolution of the Municipality of Central Huron, dated October 11, 2011, with respect to the Fire Marshal’s Office restricting the use of farm buildings on private property for barn parties, shed parties, family functions; and responsibility be that of the owners for their actions and properties. **Carried.**

15.5 **Other**

Nothing at this time.

16. **BY-LAWS**

16.1 **Other**

16.1.1 **By-law # 66-2011** - Hydro One Networks & Township of Amaranth (Gift Agreement)

Resolution # 14

Moved by W. Kolodziechuk - Seconded by H.Foster

Resolved that leave be given to introduce a by-law to authorize the execution of a gift agreement between Hydro One Networks Inc. and the Township of Amaranth; and that it be given the necessary readings and be passed and Numbered 66-2011. **Carried.**

17. **LATE SUBMISSIONS**

All matters read, received and/or dealt with.

17.1 **Grand River Conservation Authority**

Lake Erie Region Source Water Protection Committee member renewal confirmation.

Dealt with under **Planning Matters - Item 12.3**

17.2 **Town of Orangeville**

Zoning Amendment Application Z7-22 - Part West Half Lot 1, Concession 3, WHS - Public Meeting December 12, 2011 @ 7:00 p.m. Council Chambers, Orangeville, Ont.

Dealt with under **Planning Matters - Item 12.3**

- 17.3 **Hydro One Networks Inc.**
Gift Agreement .

Dealt with under **By-laws - Item # 16.1**

- 17.4 **Report to Council**
Replacement of colour copier - options

Discussion resulted in replacement colour copier approved for 2012.

18. **ACCOUNTS**

18.1 **General Accounts**

Resolution # 15

Moved by B. Besley - Seconded by J.Aultman

Resolved that General bills and accounts in the amount of \$ 86,855.00 for period of October 15, 2011 to November 16, 2011 be approved for payment. **Carried.**

18.2 **Road Accounts**

Resolution # 16

Moved by W. Kolodziechuk - Seconded by H. Foster

Resolved that Road Department bills and accounts in the amount of \$ 325,603.49 for the period of October 15, 2011 to November 16, 2011 be approved for payment. **Carried.**

19. **BUDGET**

Nothing at this time.

20. **NEW BUSINESS**

The following were received and/or dealt with:

20.1 **Other**

CAO updated Council with respect to a livestock getting onto municipal park property, and that owners have been notified accordingly.

21. **CLOSED MEETING** (Not held)

21.1 **Personal matters about identifiable individual(s), including municipal or local board employees**

21.2 **A proposed or pending acquisition or disposition of land by the municipality or local board**

21.3 **Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local board.**

21.4 **Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

Nothing at this time.

21. **CONFIRMING BY-LAW**

21.1 **Resolution # 17**

Moved by W. Kolodziechuk - Seconded by H.Foster

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 November 16, 2011 and that it be given the necessary readings and be passed and Numbered 67- 2011. **Carried.**

22. **ADJOURNMENT**

22.1 **Resolution # 18** (approximately 9:10 p.m.)

Moved by J. Aultman - Seconded by B. Besley

Resolved that Council do now adjourn to meet again on November 30, 2011 at 2:00 p.m. for Special Council Meeting for the purpose of advice that is subject to solicitor-client privilege, including communication necessary for that purpose, and litigation, including matters before administrative tribunals, affecting the municipality or local board; and on December 14, 2011 at 10:00 a.m. for regular meeting of Council, or at the call of the Mayor. **Carried.**

CLERK

HEAD OF COUNCIL