



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
COUNCIL MINUTES**

**TUESDAY, JANUARY 31, 2012  
7:00 P.M.**

**MUNICIPAL OFFICE – COUNCIL CHAMBERS – 217 HARPER ROAD**

**Members Present:** Chair, Reeve Keith Kerr  
Deputy Reeve Susan Freeman  
Councillor Wayne Jordan  
Councillor RoxAnne Darling  
Councillor Brian Campbell  
Councillor Greg Hallam  
Councillor Mark Burnham  
Councillor Bill Avery

**Staff Present:** Malcolm Morris, Chief Administrative Officer  
Amanda Mabo, Clerk  
Noelle Reeve, Planner

**Regrets:** None.

**1. CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m.  
A quorum was present.

**2. AMENDMENTS/APPROVAL OF AGENDA**

The agenda was approved as presented.

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

There was no disclosure of pecuniary interest at this time.

#### 4. APPROVAL OF MINUTES

- i) **Council Meeting – January 17<sup>th</sup>, 2012.**

**RESOLUTION #C-2012-01-21**

**MOVED BY:** Bill Avery

**SECONDED BY:** Greg Hallam

“**THAT**, the minutes of the Tay Valley Township Council meeting held on January 17<sup>th</sup>, 2012 be approved as circulated.”

**ADOPTED**

- ii) **Committee of the Whole Meeting – January 24<sup>th</sup>, 2012.**

**RESOLUTION #C-2012-01-22**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Mark Burnham

“**THAT**, the minutes of the Committee of the Whole meeting held on January 24<sup>th</sup>, 2012 be approved as circulated.”

**ADOPTED**

#### 5. DELEGATIONS AND PRESENTATIONS

- i) **Public Meeting - Request to Close Unopened Road Allowance – Thibodeau.**

- a. CLERK REVIEW OF FILE

The Clerk reviewed Report #C-2012-01 - Request to Close Unopened Road Allowance – Thibodeau.

- b. APPLICANT COMMENTS

None.

- c. PUBLIC COMMENTS

A neighbour attended the meeting and had no objections.

#### 6. CORRESPONDENCE

None.

## 7. MOTIONS

- i) **Stanley Road Drainage Improvements – Flow Rate Analysis.**

**RESOLUTION #C-2011-12-26**

**MOVED BY:** Brian Campbell

**SECONDED BY:** Wayne Jordan

“**THAT** McIntosh Perry be retained to conduct a Flow Rate Analysis for the Stanley Road Drainage Improvements at an upset cost of \$5,500, excluding tax.”

**DEFEATED**

- ii) **Report #FIN-2011-06 – Council Chambers Audio/Visual Enhancements.**

**RESOLUTION #C-2011-12-14**

**MOVED BY:** Susan Freeman

**SECONDED BY:** Greg Hallam

“**THAT**, Solotech be awarded the contract to update the Council Chamber audio/visual system, unless their quotation for such work exceeds the budget estimate of \$10,000.”

**ADOPTED**

- iii) **Report #PD-2012-03 – Tay Valley Township Official Plan Compared to the County Sustainable Community Official Plan (SCOP).**

**RESOLUTION #C-2012-01-23**

**MOVED BY:** Mark Burnham

**SECONDED BY:** Greg Hallam

“**THAT**, Council support the Lanark County SCOP in principle subject to the clarification and change to those items of concern listed in summary below.”

item ii) - add the word “may”

item iv) - needs clarification, concerns with future development on that piece of property, the breaking up of the land and isolation, what if the holdings are in different Township’s?

item v) - this statement limits growth in the hamlets or extension of hamlets, recommendation is to eliminate this provision

item vi) - how will significant areas be defined? Should follow the provincial legislation, suggest to eliminate

item vii) - suggest to use wording from the Tay Valley official plan.”

**ADOPTED**

iv) **MNR Rat Snake Proposal on Stopping Development.**

**RESOLUTION #C-2012-01-24**

**MOVED BY:** Susan Freeman

**SECONDED BY:** RoxAnne Darling

**“WHEREAS**, local residents were recently notified of proposed regulations concerning species at risk, specifically the Gray Ratsnake;

**AND WHEREAS**, the municipality was not notified of the proposed regulations;

**AND WHEREAS**, no scientific research has been made available to the municipality to justify these regulations, no consultation with effected stakeholders has occurred and no public consultation has occurred;

**AND WHEREAS**, the proposed regulations would have a dire and drastic impact on the future of the municipality, for instance:

- pose a real threat to development
- private landowners will no longer be able to carry out even the simplest task on their property such as cutting dead or dangerous trees that threaten buildings or human safety;
- provincial park personnel and conservation authorities will no longer be able to put in new camp sites, clear areas, erect or tear down buildings, remove trees or branches, build or grade roads, or anything that would violate the rules of the regulation
- Hydro One and Bell will not be able to add or remove poles, brush trees or remove vegetation for new lines
- County and Township municipalities will no longer be able to grade roads, control noxious weeds along roadways, repair or build fences, issue building or demolition permits without extreme red tape

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of Tay Valley Township recommends that education, along with stewardship is a far better method to save the Ratsnake population than burdensome restrictions that could result in property owner actions that run counter to protecting Species at Risk;

**THAT**, notification to the Township, as well as its residents occur when a species at risk regulation is proposed in our area;

**AND THAT**, this resolution be circulated to AMO to seek support from all municipalities in Ontario; the Ministry of Municipal Affairs and Housing, the Rideau Valley Conservation Authority, the Mississippi Valley Conservation Authority, Lanark County and its local municipalities, and the local MP and MPP.”

**(SEE RESOLUTION #C-2012-01-25)**

**RESOLUTION #C-2012-01-25**

**MOVED BY:** Susan Freeman

**SECONDED BY:** RoxAnne Darling

**“THAT,** Resolution #C-2012-01-24 be amended to include the following points:

- compensation for the natural capital that is being protected by the land owner
- the regulation appearing to be overly restrictive on landowners and farmers without offering genuine compensation;
- the inadequacy of the funding approach currently offered by the Province which focuses on one time projects and education rather than creating a market approach involving the transfer of development rights that would provide landowners and farmers with compensation for providing an ecological service.”

**ADOPTED**

**RESOLUTION #C-2012-01-24**

**MOVED BY:** Susan Freeman

**SECONDED BY:** RoxAnne Darling

**“WHEREAS,** local residents were recently notified of proposed regulations concerning species at risk, specifically the Gray Ratsnake;

**AND WHEREAS,** the municipality was not notified of the proposed regulations;

**AND WHEREAS,** no scientific research has been made available to the municipality to justify these regulations, no consultation with effected stakeholders has occurred and no public consultation has occurred;

**AND WHEREAS,** the proposed regulations would have a dire and drastic impact on the future of the municipality, for instance:

- pose a real threat to development
- private landowners will no longer be able to carry out even the simplest task on their property such as cutting dead or dangerous trees that threaten buildings or human safety;
- provincial park personnel and conservation authorities will no longer be able to put in new camp sites, clear areas, erect or tear down buildings, remove trees or branches, build or grade roads, or anything that would violate the rules of the regulation
- Hydro One and Bell will not be able to add or remove poles, brush trees or clear remove vegetation for new lines
- County and Township municipalities will no longer be able to grade roads, control noxious weeds along roadways, repair or build fences, issue building or demolition permits without extreme red tape

**AND WHEREAS,** the regulation appears to be overly restrictive on landowners and farmers without offering genuine compensation;

**AND WHEREAS**, the inadequacy of the funding approach currently offered by the Province focuses on one time projects and education rather than creating a market approach involving the transfer of development rights that would provide landowners and farmers with compensation for providing an ecological service;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of Tay Valley Township recommends that education, along with stewardship is a far better method to save the Ratsnake population than burdensome restrictions that could result in property owner actions that run counter to protecting Species at Risk;

**THAT**, notification to the Township, as well as its residents occur when a species at risk regulation is proposed in our area;

**THAT**, a compensation policy for the natural capital that is being protected by the land owner be developed;

**AND THAT**, this resolution be circulated to AMO to seek support from all municipalities in Ontario; the Ministry of Municipal Affairs and Housing, the Rideau Valley Conservation Authority, the Mississippi Valley Conservation Authority, Lanark County and its local municipalities, and the local MP and MPP.”

**ADOPTED**

Staff will draft a letter to be included with the resolution.

- v) **Perth & District Food Bank – Funding Request AND Perth & Smiths Falls District Hospital – Redevelopment of the Smiths Falls Site – Funding Request.**

**RESOLUTION #C-2011-01-26**

**MOVED BY:** RoxAnne Darling

**SECONDED BY:** Wayne Jordan

“**THAT**, the Perth & District Food Bank – Funding Request be referred to the 2012 Budget Process;

**AND THAT**, the Perth & Smiths Falls – Redevelopment of the Smiths Falls Site – Funding Request, be referred to the 2014 Budget Process.”

**ADOPTED**

- vi) **12-01-19 Council Communication Package.**

**RESOLUTION #C-2011-01-27**

**MOVED BY:** Wayne Jordan

**SECONDED BY:** RoxAnne Darling

“**THAT**, the 12-01-19 Council Communication Package be received for information.”

**ADOPTED**

**8. BY-LAWS**

- i) **By-Law No. 2012-005: Stop Up, Close and Sell a Portion of an Unopened Road Allowance.**

**RESOLUTION #C-2011-01-28**

**MOVED BY:** Susan Freeman

**SECONDED BY:** Bill Avery

“**THAT**, By-Law No. 2012-005, being a by-law to Stop Up, Close and Sell a portion of an Unopened Road Allowance between Concessions 1 and 2, Lot 17, geographic Township of South Sherbrooke (Thibodeau), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- ii) **By-Law No. 2012-006: Zoning By-Law Amendment – Davidson & Forget.**

**RESOLUTION #C-2011-01-29**

**MOVED BY:** Bill Avery

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2012-006, being a by-law to Amend Zoning By-Law No. 2002-121 (Davidson & Forget – Part Lot 19 & 20, Concession 8, Geographic Township of Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

## 9. COMMITTEE AND STAFF REPORTS

### i) Report #PW-2012-04 – Maberly Hall and Garage Plumbing.

#### RESOLUTION #C-2011-01-30

**MOVED BY:** Greg Hallam

**SECONDED BY:** Mark Burnham

“**THAT**, the quote from England Plumbing for the relocation of the existing pressure tank and UV system in the Maberly garage to the Maberly Hall basement submitted in December 2011, in the amount of \$2,364.41, including tax, be accepted.”

**ADOPTED**

### ii) Council Updates.

#### i) Deputy Reeve Freeman

The Deputy Reeve reported the following:

- attended an AMO meeting last Friday;
- a report will be brought forward next week

#### ii) Councillor Avery

No Report.

#### iii) Councillor Burnham

Councillor M. Burnham reported the following:

- this morning attended the Building Committee meeting for MVC
- the plans for the new building were tentatively approved

#### iv) Councillor Campbell

No Report.

#### v) Councillor Darling

No Report.

#### vi) Councillor Hallam

Councillor G. Hallam reported the following:

- a nurse practitioner clinic will be opening up in Smiths Falls in April

#### vii) Councillor Jordan

No Report.

viii)Reeve Kerr

No Report.

**10. OTHER BUSINESS/GIVING NOTICE**

None.

**11. QUESTIONS FROM THE PRESS**

None.

**12. CALENDARING: UPCOMING MEETINGS**

Public Meeting – Zoning By-Law Amendment	January 31	6:30 p.m.	Township Office
Council	January 31	7:00 p.m.	Township Office
Police Services Board	February 2	4:00 p.m.	Township Office
Waste Management Working Group	February 2	5:00 p.m.	Township Office
Committee of the Whole	February 7	7:00 p.m.	Township Office
“Special” Committee of the Whole – Budget	February 14	6:00 p.m.	Township Office
Council	February 14	7:00 p.m.	Township Office
Public Information Session – Tayside Estates Subdivision	March 6	6:00 p.m.	Township Office
Committee of the Whole	March 6	7:00 p.m.	Township Office
“Special” Committee of the Whole – Budget	March 13	6:00 p.m.	Township Office
Council Meeting	March 13	7:00 p.m.	Township Office

**13. CLOSED SESSION**

None.

**14. CONFIRMATION BY-LAW**

- i) **By-Law No. 2012-007: Confirmation By-Law – January 31<sup>st</sup>.**

**RESOLUTION #C-2011-01-31**

**MOVED BY:** Mark Burnham  
**SECONDED BY:** Greg Hallam

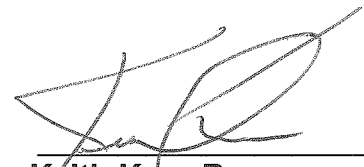
“**THAT**, By-Law No. 2012-007, being a by-law to confirm the proceedings of the Council meeting held January 31<sup>st</sup>, 2012, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**15. ADJOURNMENT**

Council adjourned at 7:40 p.m.

  
Amanda Mabo, Clerk

  
Keith Kerr, Reeve