

## MINUTES

### SEVENTY-SEVENTH MEETING OF THE FIFTH COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

The Seventy-Seventh Meeting of the Fifth Council of the Corporation of the Township of South Dundas was held in the Council Chambers at 7:00 p.m., Tuesday, July 16, 2013.

Present: Mayor Byvelds  
Deputy Mayor Locke  
Councillors Delegarde, Graham, Mellan  
CAO McDonald  
Clerk Brunt  
Managers of Public Works and Planning & Enforcement

### CALL TO ORDER

### CONFIRMATION OF AGENDA – Additions, Deletions or Amendments

Additions: South Branch Wind Opposition Group Resolution; In Camera -  
Legal

### DECLARATION OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

Councillor Mellan disclosed a pecuniary interest in the matter pertaining to the South Branch Wind Opposition Group.

Councillor Delegarde disclosed a pecuniary interest in the matter pertaining to the Morrisburg Water Tower Agreement with Wire IE.

### ADOPTION OF MINUTES

Resolution No. 10-14-888

Moved by Deputy Mayor Locke  
Seconded by Councillor Graham  
THAT the minutes of the Seventy-Fifth Meeting and the minutes of the Seventy-Fifth In Camera Meeting of the Fifth Council of the Corporation of the Municipality of South Dundas be adopted as circulated.  
CARRIED

### GENERAL CONSENT

Resolution No. 10-14-889

Moved by Councillor Mellan  
Seconded by Deputy Mayor Locke  
THAT all items listed under the General Consent section of the Agenda be adopted as presented.  
CARRIED

#### **1. Cemetery Board – Minutes**

Action Recommended  
That Council receive and file for information purposes.

#### **2. Morrisburg & District Lions Club Tubie Festival – Facilities Request**

Action Recommended  
That Council approve and refer back to the Administration, Planning & Enforcement and Recreation Departments.

GENERAL CONSENT (Cont'd)

3. **Morrisburg Business Improvement Area – Washroom Facilities in Morrisburg Plaza**  
Action Recommended  
That Council receive and refer back to the Administration Department.
4. **Whispering Winds Park – Waste & Recycling Pickup**  
Action Recommended  
That Council receive and refer back to the Public Works Department.
5. **Water/Wastewater Monthly Report – May 2013**  
Action Recommended  
That Council receive and file for information purposes.
6. **Clerk – 2013 Permit Summary (April-June)**  
Action Recommended  
That Council receive and file for information purposes.
7. **Activity Reports**
  - Economic Development Officer
  - Manager of Recreation & Facilities
  - Manager of Planning & Enforcement
  - Fire Chief
  - Clerk
  - CAOAction Recommended  
That Council receive and file for information purposes.

DEPUTATIONS/PETITIONS/PRESENTATIONS

1. Ken Little of EDP Renewables updated Council about the South Dundas Windfarm Project. Mr. Little also addressed the issues raised at a previous Council meeting from the South Branch Wind Opposition Group.  
  
At this point in the meeting Mayor Byvels announced: "The Municipality has received notification that a group of local ratepayers have retained legal representation and as such Council will listen to the deputations however there will be no questions or comments".
2. Chris Rowntree spoke on behalf of a concerned citizen's group in opposition of the proposed grain bin project. Mr. Rowntree presented two petitions, electronic and handwritten formats, of over 600 names who oppose the project. Gerben Schaille then read correspondence from AGB Lawyers, in particular Mr. D. Good, protesting the building permit process for this project.
3. Tom Kaneb of Universal Terminals Incorporated introduced Ben Currelly of NorAg Resources and explained his grain bin proposal to Council and why he felt there was a need for it in this area.
4. Warren Schneckeburger, President of Grain Farmers of Ontario, District 14, provided facts from the grain production side in support of the grain bin project.

DEPUTATIONS/PETITIONS/PRESENTATIONS (Cont'd)

5. Ken Becking of AECOM Canada Limited described the need for SBR covers at the Iroquois Wastewater Treatment Plant and requested Council to consider the masonry structure as presented by the CAO in a report later in the evening.

COUNCIL/DEPARTMENTAL/COMMITTEE REPORTS

1. **Manager of Public Works**

**A) Report No. MPW2013-08 – Road Use Agreement – South Branch Windfarm**

Resolution No. 10-14-890

Moved by Deputy Mayor Locke  
Seconded by Councillor Delegarde  
THAT the Council of the Municipality of South Dundas accept Report No. MPW2013-08 to authorize Staff to enter into a Road Use Agreement with South Branch Windfarm Ltd.  
CARRIED

**B) Report No. MPW2013-09 – 10,000 Lbs Vehicle Hoist**

Resolution No. 10-14-891

Moved by Councillor Mellan  
Seconded by Deputy Mayor Locke  
THAT the Council of the Municipality of South Dundas approve Report No. MPW2013-09 to accept the quote from R.A.E. Automotive in the amount of \$4,853.00 plus HST for a 10,000 pound vehicle hoist.  
CARRIED

**C) Report No. MPW2013-10 – Tower Agreement with WireIE**

Resolution No. 10-14-892

Moved by Councillor Graham  
Seconded by Councillor Mellan  
THAT the Council of the Municipality of South Dundas accept Report No. MPW2013-10 to authorize Staff to enter into an Agreement with Wire Holdings International Inc. (WireIE).  
CARRIED

2. **Fire Chief**

**A) Report No. FC2013-03 – Sale of Vehicle**

Resolution No. 10-14-893

Moved by Councillor Mellan  
Seconded by Councillor Graham  
THAT the Council of the Municipality of South Dundas approve Report No. FC2013-03 to authorize Staff to proceed with the sale of surplus equipment, Vehicle No. 1-8, a 1987 Fire Rescue Vehicle by sale at Rideau Auctions or by sealed bid process as per the Procurement Policy.  
CARRIED

**B) Report No. SDFES2013-04 – Generator Tender**

Resolution No. 10-14-894

Moved by Deputy Mayor Locke  
Seconded by Councillor Mellan  
THAT the Council of the Municipality of South Dundas approve Report No. SDFES2013-04 to accept the tenders for supply and installation of natural gas stand-by generators from N. Beehler & Sons Electric for Iroquois Station and Williamsburg Station in the amount of \$12,180.35 plus HST and \$12,724.95 plus HST respectively and from Arthur Thom Electric Ltd. for the Morrisburg Station in the amount of \$25,635.00 plus HST.  
CARRIED

COUNCIL/DEPARTMENTAL/COMMITTEE REPORTS (Cont'd)

**3. Clerk**

**Report No. CLK2013-11 – Integrity Commissioner**

Resolution No. 10-14-895

Moved by Councillor Graham

Seconded by Councillor Mellan

THAT the Council of the Municipality of South Dundas approve Report No. CLK2013-11 to award RFP No. SS/SD-2013 to Robert J. Swayze, for Professional Services of an Integrity Commissioner on an "as required basis";

AND THAT Staff be authorized to prepare all necessary documents required to give effect to this matter.

CARRIED

**4. CAO**

**A) Report No. CAO2013-12 – Williamsburg Library – Alternate Service Delivery**

Resolution No. 10-14-896

Moved by Councillor Delegarde

Seconded by Councillor Mellan

THAT the Council of the Municipality of South Dundas receive Report No. CAO2013-12 regarding the Williamsburg Library – Alternate Service Delivery and provide direction to Staff.

CARRIED

**B) Report No. CAO2013-13 – IWWTP – SBR Tank Covers**

Resolution No. 10-14-897

Moved by Councillor Delegarde

Seconded by Deputy Mayor Locke

THAT the Council of the Municipality of South Dundas accept Report No. CAO2013-13 to approve the construction of a masonry enclosure around the SBR tanks at the Iroquois Wastewater Treatment Plant.

CARRIED

**C) Report No. CAO2013-14 – Iroquois Infiltration and Inflow Study, Phase II**

Resolution No. 10-14-898

Moved by Councillor Delegarde

Seconded by Councillor Graham

THAT the Council of the Municipality of South Dundas accept Report No. CAO2013-14 to approve the proposal from AECOM to complete the second phase of the Infiltration and Inflow Study in Iroquois.

CARRIED

**D) Report No. CAO2013-15 – County Road 4/Lakeshore Drive Sanitary Sewer and Watermain Replacement Tender**

Resolution No. 10-14-899

Moved by Councillor Graham

Seconded by Councillor Delegarde

THAT the South Dundas Council receive Report No. CAO2013-15 and approve the tender from Cornwall Gravel Company Ltd. for the Lakeshore Drive sanitary sewer, watermain replacement and associated works at a total cost of \$2,020,389.15 includes HST.

CARRIED

CORRESPONDENCE – Nil

NOTICES OF MOTIONS – Nil

**UNFINISHED BUSINESS/DISCUSSION ITEMS**

1. Summary received and clarification on projects discussed.

2. Councillor Delegarde presented a resolution from the South Branch Wind Opposition Group to say that South Dundas is not a willing host to wind turbines.

Resolution No. 10-14-900

Moved by Councillor Delegarde  
Seconded by Deputy Mayor Locke

WHEREAS the Premier of Ontario has recently conveyed the Governments desire to limit Industrial Wind Turbine projects to communities that are willing hosts;

AND WHEREAS the Municipality of South Dundas has heard a presentation from those opposed to the construction of wind turbines in our community;

AND WHEREAS the Province of Ontario has stripped the municipal Council's authority to reject or block approval of wind power projects within their communities;

AND WHEREAS the Ontario Federation of Agriculture which is Ontario's largest farm organization has asked the Provincial Government to suspend the building of Industrial Wind Turbines across the province as of January 20, 2012;

AND WHEREAS Municipal Councils across the province have expressed their frustration and dismay with the lack of local input and decision making to little avail;

AND WHEREAS there are many potential negative aspects such as community divisiveness, health, environmental and wildlife concerns, property devaluations and lack of economic benefits to municipalities;

AND WHEREAS Section 41 of the Electricity Act requires that a municipality provide to wind project developers without charge access to and use of its roads for both construction and maintenance of its turbines and electrical infrastructure, including transmission lines;

THEREFORE BE IT RESOLVED that the Municipality of South Dundas will support the request of South Branch Wind Opposition Group who ask that an immediate moratorium on any industrial wind turbine projects within our municipality have independent studies completed on the health effects of industrial wind turbines within a minimum but not limited to a 2km radius, on humans, animals and wildlife; on the destruction of the environment in the building and operation of these wind facilities; and on the effects on property values and the resulting devaluations that are being experienced province-wide; the Province of Ontario and the Ministry of Environment be now advised that the Municipality of South Dundas is "Not a Willing Host" for IWTs.

FURTHER THAT this motion and resolution be forwarded to AMO, Premier Wynne, local Members of Provincial Parliament, Minister of Energy, Minister of Environment, Minister of Rural Affairs and the Minister of Municipal Affairs and Housing.  
DEFEATED

**UNFINISHED BUSINESS/DISCUSSION ITEMS (Cont'd)**

3. Manager of Planning & Enforcement presented a Key Information Report concerning the grain bin project.
  
4. Correspondence was received from the BIA requesting funding.  
  
 Resolution No. 10-14-901 Moved by Councillor Mellan  
 Seconded by Councillor Delegarde  
 THAT South Dundas Council support the BIA's financial assistance request for \$420.00 for Antiquefest to support a breakfast for the vendors.  
 CARRIED

**BY-LAWS**

1. **Tile Loan**  
 Resolution No. 10-14-902 Moved by Councillor Delegarde  
**No. 2013-48** Seconded by Deputy Mayor Locke  
 THAT By-Law No. 2013-48, being a by-law to impose special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act, be read and passed in open Council, signed and sealed.  
 CARRIED
  
2. **Roadside Mowing Agreement**  
 Resolution No. 10-14-903 Moved by Councillor Delegarde  
**No. 2013-49** Seconded by Deputy Mayor Locke  
 THAT By-Law No. 2013-49, being a by-law to enter into an Agreement with Spring Breeze Yard Care Limited for roadside grass and weed cutting, be read and passed in open Council, signed and sealed.  
 CARRIED
  
3. **Supply of Hamlet Signs Agreement**  
 Resolution No. 10-14-904 Moved by Councillor Graham  
**No. 2013-50** Seconded by Deputy Mayor Locke  
 THAT By-Law No. 2013-50, being a by-law to enter into an Agreement with Maximum Signs for the supply of hamlet signs, be read and passed in open Council, signed and sealed.  
 CARRIED
  
4. **Micro Surfacing Agreement**  
 Resolution No. 10-14-905 Moved by Councillor Graham  
**No. 2013-51** Seconded by Deputy Mayor Locke  
 THAT By-Law No. 2013-51, being a by-law to enter into an Agreement with Duncor Enterprises Incorporated for Micro Surfacing, be read and passed in open Council, signed and sealed.  
 CARRIED
  
5. **Industrial Road Construction**  
 Resolution No. 10-14-906 Moved by Councillor Delegarde  
**No. 2013-52** Seconded by Councillor Graham  
 THAT By-Law No. 2013-52, being a by-law to enter into an Agreement with David Brown Construction for the construction of Industrial Road, be read and passed in open Council, signed and sealed.  
 CARRIED

BY-LAWS (Cont'd)

**6. Confirmatory**

Resolution No. 10-14-907

Moved by Councillor Graham

**No. 2013-53**

Seconded by Councillor Delegarde

THAT By-Law No. 2013-53, being a by-law to adopt, confirm and ratify matters dealt with by resolution, be read and passed in open Council, signed and sealed.

CARRIED

IN CAMERA – Property & Legal Matters

Resolution No. 10-14-908

Moved by Councillor Delegarde

Seconded by Councillor Graham

THAT Council proceed In Camera in order to address a matter pertaining to security of the property of the municipality or local board; and, the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose.  
CARRIED

Resolution No. 10-14-909

Moved by Councillor Mellan

Seconded by Deputy Mayor Locke

THAT the Council of the Municipality of South Dundas rise and reconvene and authorize staff to proceed as directed.  
CARRIED

ADJOURNMENT

Resolution No. 10-14-910

Moved by Councillor Graham

Seconded by Councillor Mellan

THAT Council now adjourn to meet again at the call of the Chair.  
CARRIED



**MAYOR**



**CLERK**