

June 6, 2012

**The Township of Faraday
Council Meeting Minutes**

8:30 a.m.

The Council of the Township of Faraday met on Wednesday June 6, 2012 at the Township of Faraday Municipal Office for their regular monthly meeting with the following members present:

Reeve: C. Tinney

Deputy-Reeve: M. Nicholson

Councillors: A. Wilson; D. Purcell and W. J. Thomson

Also present:

Clerk-Treasurer: B. Vader

Absent:

Road Supt: S. Laundry (Working on Road Construction)

Meeting was called to order and opened with a moment of silence.

There was No Disclosure of Interest declared.

The minutes from the May 2, 2012 Regular Meeting of Council were reviewed and discussed.

Moved by: M. Nicholson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday approves the minutes from the May 2, 2012 Regular Meeting of Council as circulated.

- Carried –

The minutes from the May 17, 2012 Special Meeting of Council were reviewed and discussed.

Moved by: D. Purcell

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday approves the minutes from the May 17, 2012 Special Meeting of Council as circulated.

-Carried –

- Clerk was directed to ask the Road Supt to make arrangements to take Council for a Tour of all municipal maintained roads

Correspondence was reviewed and discussed as circulated.

Moved by: W. J. Thomson

Seconded by: D. Purcell

WHEREAS Ontario has been a leader in protecting the advancing human rights for more than 50 years;

WHEREAS the Ontario Human Rights Code was first proclaimed on June 15, 1962;

WHEREAS each person has the right to be free from discrimination and harassment and to reach their full potential – no matter their race, ethnic origin, place of birth, religion, ability level, sex, gender identity, sexual orientation, or any other status;

WHEREAS protecting human rights reduces tension and conflict and creates an atmosphere of mutual respect and belonging;

WHEREAS municipalities play a critical role in nurturing the human rights and creating equitable environments where everyone is included in work and services and able to enjoy the benefits of their community;

WHEREAS each one of us has a role to play in making sure that human rights are respected;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Faraday does hereby proclaim June 15th, 2012 Ontario Human Rights Code Day.

-Carried -

Moved by: A. Wilson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday supports the resolution from the City of Greater Sudbury RE: Adoption of a National Dementia Strategy, and urge all citizens of our communities to become more aware and engaged concerning the far-reaching effects of the devastating disease.

-Carried –

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Moved by: D. Purcell

Seconded by: W. J. Thomson

WHEREAS the construction of a new amalgamated County of Hastings Court House is underway in the City of Belleville;
AND WHEREAS the Hastings and Prince Edward Regiment has been invited to accept a proposal to having a memorial installed in its honour on the Court House property;
AND WHEREAS the Hastings and Prince Edward Regimental Association has formally requested the installation of an appropriate memorial to the Regiment
BE IT RESOLVED that the Council of the Township of Faraday agrees in principle that an appropriate memorial to the Hastings and Prince Edward Regiment be installed at the new amalgamated Court House in Belleville.

-Carried -

Moved by: M. Nicholson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday endorses the Grails Lady Faire as a Public Festival to be held on June 25 to 29, 2012 at the Grail Springs Retreat & Spa located at 2004 Bay Lake Road and have no objections to their application for a Special Occasion Permit for June 28, 2012 from 1:00 p.m. to 4:00 p.m.

-Carried -

Moved by: M. Nicholson

Seconded by: D. Purcell

Be it resolved that the Council of the Township of Faraday grant permission to Roger Stone to Open a portion of the Road Allowance between Concession 6 and 7 across Lot 28 and 29 to gain access to his property in Lot 27, Concession 6 in the Township of Faraday, County of Hastings with the following conditions:

1. That the Road Allowance be located and indentified by an Ontario Land Surveyor at no expense to the Township of Faraday
2. That the Road Allowance is opened to a sufficient width and length to allow Mr. Stone to gain access to his property located at Lot 27, Concession 6
3. That any work on the Road Allowance be done entirely without any participation from the Township, being it understood and agreed that the Township is not involved with the construction or opening of any such Road Allowance; and that appropriate erosion control be implemented at all times
4. That a sign be erected not less than 4'w x 3'h setting out the following, "Road Not Assumed by Municipality" "Use at Your Own Risk"
5. That an acknowledgment be signed by Mr. Stone regarding "Township assumes no liability, responsibility or obligation whatsoever to construct and/or maintain and/or repair the road allowance
6. That Mr. Stone agrees to enter into an agreement in writing to indemnify and save harmless the Township of any/all manner of actions, causes of action, claims or demands of every nature and kind if any arise for any reason whatsoever and without limiting the generality of the foregoing including as a result of any personal injury and/or property damage

-Carried -

Moved by: A. Wilson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday approves in principle the application by C. W. Bierworth & Sons Ltd. for the Closure of a portion of the Unopened Road Allowance between Lot 12 and Lot 11, Concession B in the Township of Faraday, County of Hastings with the following conditions: (1) That the expenses be shared between the owner/applicant and the Township providing the owner agrees to deed to the Township the existing Trout Lake Road 66' in width across the frontage of the applicants property where the Trout Lake Road travels through Lot 11 and Lot 12 Concession B in the Township of Faraday, County of Hastings in exchange for the entire width and length of the 66' Unopened Road Allowance as identified (in Yellow) on the map attached to the application.

-Carried -

Moved by: D. Purcell

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday approves the Crowe Valley Conservation Authority 2012 Budget as submitted with a 3.6089% increase for Faraday and Levy share of 2012 of \$24,995.67.

-Carried -

- Clerk was directed to send a letter to the Crowe Valley Conservation Authority Board of Directors requesting they get back to basics “Look After Water and Dams”

Moved by: M. Nicholson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday receive and file all correspondence not dealt with by resolution

-Carried –

Moved by: M. Nicholson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday go into a Public Meeting to deal with Rezoning Application by C. W. Bierworth & Son Ltd. for Part of Lot 12, Concession B, Township of Faraday, in the County of Hastings

-Carried –

9:00 a.m.

**Public Meeting
Proposed Rezoning
Property Owned by: C. W. Bierworth & Son Ltd.
Rezoning from Rural (RU) to Rural Residential (RR)
Part of Lot 12, Concession B
Township of Faraday, County of Hastings**

This application was as a result of a Condition of Severance Application.

Clerk advised those present when the application had been received, when notice had been given, who had been notified and the nature of the application.

No one was present to object.

No letters had been received either for or against the application.

Council had no objections and agreed to pass the By-Law later in the meeting.

Moved by: D. Purcell

Seconded by: M. Nicholson

Be it resolved that the Council of the Township of Faraday rise from Public Meeting dealing with Rezoning Application by C. W. Bierworth & Son Ltd

-Carried-

Moved by: W. J. Thomson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday go into a Public Meeting to deal with Rezoning Application by Scott Crossing and Jenise Durning for Part of Lot 30, Concession A, in the Township of Faraday, in the County of Hastings.

-Carried –

9:15 a.m.

**Public Meeting
Proposed Rezoning
Rezoning from Rural (RU) to Rural Exception Eight (RU-8)
Property Owned by: Scott Crossing and Jenise Durning
Part of Lot 30, Concession A
Township of Faraday, County of Hastings**

Clerk advised those present when the application had been received, when notice had been given, who had been notified and the nature of the application.

Owner Jenise Durning was present to answer any questions that Council may have.

No one was present to object.

No letters had been received either for or against the application.

Council had no objections and agreed to pass the By-Law later in the meeting.

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Moved by: M. Nicholson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday agrees to pass New Comprehensive Zoning By-Law taking into consideration all the required spelling/grammar corrections as presented By County of Hastings Planning Department (Letter of June 6, 2012); concerns from Novatech Engineering Consulting Ltd. (Letter of June 4, 2012) as well as Mapping changes.

-Carried-

Moved by: A. Wilson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday rise from Public Meetings dealing with New Comprehensive Zoning By-Law and resume regular business.

-Carried –

10:00 a.m. – Kyle Rees was present to speak to Council in regards to obtaining permission from Council to Open a portion of the Road Allowance between the Township of Faraday and the Municipality of Highlands East to gain access to his property located at 1104 Belair Ln. in the Municipality of Highlands East

Also present: Renee Schmidlechner
Andrew Martin
Dave Charette
David Guthier

Mr. Rees had written permission from all property owners involved in the process with the exception of one owner.

Mr. Rees explained the reason they were seeking permission to open a portion of the Road Allowance and the reason from changing access to their property from Belair Ln to using Rabbit Trail Lane and Rabbit Trail Road.

Moved by: W. J. Thomson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday grant permission to Kyle Reese to Open a portion of the Road Allowance between the Township of Faraday and the Municipality of Highlands East, Concession 8, Lot 31 and Concession 9, Lot 33 with the following conditions:

1. That the Road Allowance be located and indentified by an Ontario Land Surveyor at no expense to the Township of Faraday
2. That the Road Allowance is opened 24' w by 33' l, to allow Mr. Rees to gain access to his property located at Part of Lot 31, Concession (1104 Belair Ln., Municipality of Highlands East)
3. That any work on the Road Allowance be done entirely without any participation from the Township, being it understood and agreed that the Township is not involved with the construction or opening of any such Road Allowance
4. That a sign be erected not less than 4'w x 3'h setting out the following, "Road Not Assumed by Municipality" "Use at Your Own Risk"
5. That an acknowledgment be signed by Mr. Rees regarding "Township assumes no liability, responsibility or obligation whatsoever to construct and/or maintain and/or repair the road allowance
6. That Mr. Rees agrees to enter into an agreement in writing to indemnify and save harmless the Township of any/all manner of actions, causes of action, claims or demands of every nature and kind if any arise for any reason whatsoever and without limiting the generality of the foregoing including as a result of any personal injury and/or property damage

-Carried –

10:15 a.m. - Kyle Rees and Renee Schmidlechner were present to speak to Council in regards construction of small PV Solar System on Municipal owned lands

Mr. Rees explained:

- (i) his background in Toronto Hydro and Utility working group for the initial RESOP Program in Ontario and how he came about forming his own company.
- (ii) his company was looking for parcels of lands that were 3 acres or larger and close to the High Voltage Hydro Lines for the installation of 500 kilowatt systems.

Staff Reports were reviewed and discussed as circulated

Moved by: W. J. Thomson

Seconded by: M. Nicholson

Be it resolved that the Council of the Township of Faraday appoint Dawn Switzer as Alternate CEMC for the Township of Faraday to act in the place of the CEMC (Community Emergency Management Coordinator) if the CEMC is on Holidays or Sick.

And further that the Council of the Township of Faraday authorize the Alternate CEMC to take all necessary Training required for the position

-Carried –

Moved by: M. Nicholson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday accept the Quotation from Beacon Construction (Ontario) Limited in the amount of \$25,232.90 (including HST) for the work being performed under the Enabling Accessibility Fund Program.

-Carried-

- Clerk was given permission to have the interior of the municipal office painted

Moved by: M. Nicholson

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday accept the Quotation from Greenwood Paving Pembroke Ltd. in the amount of \$67,496.25 (including HST) for Double Surface Treatment as set out in Request for Quotation #R01-2012.

Moved by: M. Nicholson

Seconded by: A. Wilson

Be it resolved that the Council of the Township of Faraday accept the Staff Reports from the Clerk; Road Superintendent; Chief Building Official; By-Law Enforcement Office and Fire Chief as circulated and reviewed.

- Carried –

Moved by: D. Purcell

Seconded by: W. J. Thomson

Be it resolved that the Council of the Township of Faraday adjourn at 11:41 a.m. to meet again on July 4, 2012 at 8:30 a.m. at the Township of Faraday Municipal Office or at the call of the REEVE.

- Carried -

Brenda Vader
Clerk