

THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL

REGULAR COUNCIL MEETING

HELD WEDNESDAY, APRIL 30, 2003 at 7:00 P.M.

Present: Reeve P. Spadzinski
Councillor D. Adams
Councillor K. Dixon
Councillor J. Gilchrist
Councillor D. Robinson

and

CAO/Clerk-Treasurer R. Beachey
Public Works Supervisor T. Hunt

Regrets: Councillor J. Gilchrist

The Public meeting was called to order at 7:00 p.m.

PUBLIC MEETING PURSUANT TO SECTION 34 OF THE THE PLANNING ACT.

A Public meeting was called to order to consider a proposed zoning by-law amendment to rezone Part of Lot 3, Concession B being Part of Lot 55 Registrar's Compiled Plan 337 in the geographic township of Ferguson fronting Peninsula Shores Road and Highway No. 124 from the Waterfront Residential 1 (WF1) zone to the Rural Residential (RR) zone. The effect of the proposed rezoning is to recognize a consent of the Parry Sound Area Planning Board File No. B30/2002 (McD) that creates three new lots; one on Harris Lake; one on Peninsula Shores Road; and one on Highway 124.

There was no written correspondence on file nor did anyone come forward with an objection. The Reeve noted that the by-law may be passed at the discretion of Council later in the evening.

The public meeting was closed at 7:02 p.m.

The Council meeting was called to order at 7:02 p.m.

1. DECLARATIONS OF INTEREST

Nil.

2. ADOPTION OF MINUTES

i) Minutes of the regular meeting of Council held on April 9, 2003.

Resolution No. 2003/104 Dixon/Adams

THAT the minutes of the regular Council meeting held April 9, 2003 be adopted as circulated. "Carried"

3. DELEGATIONS AND PETITIONS

i) Darlene Bowen, Ontario Federation of Agriculture
Re: Nutrient Management

Present were:

Darlene Bowen Ontario Federation of Agriculture
David Armitage Ontario Federation of Agriculture
Dr. John FitzGibbon University of Guelph

Mr. Armitage began the presentation by explaining that the concerns about nutrient management go back 10 years. In the 1990's it was believed that municipal by-laws could regulate nutrient management with enough force, however it was discovered that because the by-laws were inconsistent the OFA decided to support uniform regulations by the province. It was explained that in November last year the province introduced draft regulations and they were deemed unacceptable. The province released a revised set of regulations in January. It was noted that on March 21, the province announced yet another direction on nutrient management.

Dr. FitzGibbon explained that the regulations as proposed now have been reviewed and it is noted that there are no proposed impacts for farms under 300 nutrient units (300 cow – calf) until at least 2008. Those present were informed that there are no operations at present in McDougall that are at or above 300 nutrient units. It was pointed out that the draft regulations regarding municipal well protection have been removed. Dr. FitzGibbon informed those present that additional legislation, the Source Water Protection Act, is proposed for this fall. A proposed regulation for setback and odour will be going to an advisory committee. It was pointed out that the intent is to have the Ministry of Agriculture and Food monitor compliance through inspection and the Ministry of Environment will do prosecutions.

Dr. FitzGibbon noted that a particular impact on municipalities is the requirement that there be a phase in under the provincial regulations for the application of untreated septage. In 5 years there the spreading of untreated septage on agricultural land will no longer be permitted. It is expected that municipalities will find outlet for this untreated septage. With respect to sewage sludge the prohibition against spreading is immediate.

Questions of Dr. FitzGibbons and Mr. Armitage included the following:

1. What is the involvement of the Department of Fisheries and Oceans (DFO) in nutrient management?

It was noted that DFO is very involved.

2. How does a farmers manure pile impact a fishery?

It was explained that DFO is taking a very broad interpretation of Section 36.3 of the Fisheries Act , and it has to be determined what constitutes a fish habitat, a deleterious substance and what is an allowable limit of the deleterious substance.

3. Does the new regulation apply to golf courses?

Yes, subject to phase in.

4. What is the role of the Federation in this matter?

To promote agricultural interests.

5. Nutrient management strategies for municipalities.

They are in effect now for 2003.

6. What about the application of fertilizer or nitrogen?

This is to be phased in as well.

Those present were informed that very specific and costly impacts will be on municipalities as a result of having to deal with septage. It is expected that the Source Water Protection Act will have a great impact on zoning and septic approvals amongst other items.

Reeve Spadzinski thanked the OFA representatives and Dr. FitzGibbon for an informative and enlightening presentation.

1. UNFINISHED BUSINESS

- i) Draft resolution endorsing report of Henderson Paddon on Leachate Treatment and authorizing action.

Council agreed that the draft resolution be tabled to a future meeting. It was agreed that Doug Thornton is to be contacted regarding potential treatment alternatives and for his thoughts on the report.

2. COMMUNICATIONS

- i) The Antique Timber Company
Re: Request for Log Recovery from Haines Lake

Council agreed that this is an area outside municipal jurisdiction. The CAO was instructed to forward the request to DFO and the MOE for their processing. The Antique Timber Company is to be advised that that we are forwarding their request to DFO and the Ministry of Environment

- ii) Jim Rudolf and Teresa Armstrong
Re: Request to meet with Council on a Saturday or Sunday to discuss water supply to 192 McDougall Road

Ms. Armstrong was present and explained to Council that she and Mr. Rudolf would like a permanent resolution to their water concerns. Suggestions by Ms. Armstrong included a new well or the purchase of the property by the municipality. Council indicated that they would take the matter under advisement.

On a separate matter, Ms. Armstrong indicated that the minutes have not been recently posted to the Web site. This is to be investigated.

- iii) Breathe East Parry Sound
Re: Non Smoking By-law.

Council noted that there will be a delegation on this matter.

- iv) Ministry of Finance
Re: Ontario Municipal Economic Infrastructure Financing Authority

Council was informed that the province has developed a new agency to facilitate municipal infrastructure financing. Low interest financing, at 50% of commercial rates, is available to assist in infrastructure investments. It was noted that while the hospital project is not an eligible project, other projects such as roads and landfill are.

- v) Frank Cowan Company
Re: Invitation to 75th Anniversary celebration June 4, 2003

3. ADOPTION OF MINUTES OF COMMITTEE MEETINGS

- i) Minutes of the General Committee Meeting of April 23, 2003.
Resolution No. 2003/105 **Dixon/Adams**
THAT the minutes of the General Committee meeting held April 23, 2003 be adopted as circulated. "Carried"
- ii) **Decisions arising from General Committee Meeting of April 23, 2003.**
- iii) Donation to Near North Outdoors Club.
Resolution No. 2003/106 **Dixon/Adams**
THAT the Council of the Municipality of McDougall donate \$100.00 to the Near North Outdoors Club to assist with their annual Pitch-In-Day.
"Carried"
- iv) Sponsor Municipal entry for Parry Sound Dragon Boat Festival.
Resolution No. 2003/107 **Dixon/Adams**
THAT the Council of the Corporation of the Municipality of McDougall sponsor a Municipality of McDougall entry in the Parry Sound Dragon Boat Festival at a cost of \$750.00.
"Carried"
- v) Accounts payable.

Councilor Adams declared a pecuniary interest regarding cheque No. 17499 and did not participate in discussion or vote regarding this matter.

- Resolution No. 2003/108** **Robinson/Dixon**
THAT the attached lists of Accounts Payable consisting of computer cheque registers AP08740/41 totaling \$83,835.68 and payroll register in the amount of \$22,928.34 dated April 17 and 23, 2003 be approved.
"Carried"

- vi) Haldimand County
Re: Requesting support of a resolution which requests that the Ministry of Environment reconsider the proposed five year phase-out of land application of untreated septage by further investigating, through consultation with septage haulers, the current policy regarding the use of septage lagoons and land application of untreated septage.

- Resolution No. 2003/109** **Robinson/Dixon**
THAT the Corporation of the Municipality of McDougall support the resolution of Haldimand County requesting that the Ministry of Environment reconsider the proposed five year phase out of land application of untreated septage by further investigating through consultation with septage haulers, the current policy regarding the use of septage lagoons and land application of untreated septage.
"Carried"

- vii) Approval to attend elections training seminar.
Resolution No. 2003/110 **Dixon/Robinson**
THAT the Council of the Corporation of the Municipality of McDougall authorize the attendance of the Deputy Clerk to an elections training seminar June 5, 2003 in Sudbury.
"Carried"

4. REPORT OF CAO

- i) Minutes of the meetings of April 24, 2003 have been provided to Council.

- ii) A request for support from the Almaguin Highlands Information Centre. Council agreed that this is not an area that is of concern.
- iii) Council was presented with a letter from Tony Agnello, indicating that he was very satisfied with the water plant operations.
- iv) Council was provided with a copy of the most recent CBC investment report on the contingency fund. It was noted that the bond market has been weakening and therefore the investments are not doing as well.
- v) Council was provided with a schedule of treatment for all water operations along with a time estimate to complete the requirements. Council agreed that this be discussed at a future meeting.
- vi) Council was informed that the Health Unit levy is up 14% from last years amount.
- vii) Council was informed that by leaving the tax rate the same as last year, \$103,000 more would be generated this year from proposed rate in the draft 2003 budget.

5. GENERAL ITEMS AND NEW BUSINESS

- i) The Public Works Supervisor was questioned on the amount of time being taken by DFO on the George Hunt dock. A meeting between the Supervisor and DFO is to be set regarding this matter. Councilor Robinson indicated that he wished to be kept informed regarding this issue.
- ii) The Public Works Supervisor was asked about the location of potential alternative sites for leachate haulage. The Supervisor indicated that he had made contact with Bracebridge and Huntsville and has yet to contact Sudbury.
- iii) Council was informed that Mike Burnside is to go on a Roads Course. Council agreed that a resolution be prepared for the next agenda.

6. BYLAWS

- i) By-law No. 2003-14
Being a By-law to amend By-law No. 2000-10 for Part of Lot 3, Concession B, being Part of Lot 55, registrars Compiled Plan 337 geographic township of Ferguson (Hinksman)
Read a First, Second and Third time, Passed, Signed and Sealed.
- ii) By-law No. 2003-19
Being a By-law to Confirm the Proceedings of the regular Meetings of Council held Wednesday, March 19 and April 9, 2003.
Read a First, Second and Third time, Passed, Signed and Sealed.

7. CLOSED SESSION

Resolution No. 2003/111

Dixon/Robinson

Be It Resolved that the next portion of the meeting be closed to the public in order to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

“Carried”

Councilor Adams declared a conflict of interest with respect to one of the items under discussion in closed session as his firm has done work in the past for a concerned party and did not participate in discussion regarding this matter.

Resolution No. 2003/112 **Robinson/Adams**
THAT Council reconvene in Open Session
"Carried"

11. **ADJOURNMENT**

Resolution No. 2003/113 **Dixon/Robinson**
THAT we do now adjourn at 9:55 p.m.
"Carried"

Reeve

Clerk