

MINUTES OF A SPECIAL MEETING OF COUNCIL of the Township of North Frontenac, held Friday, January 25, 2008, at the Upstairs Multi-purpose Room above the Fire Hall, Plevna, ON.

PRESENT: Mayor Ron Maguire; Councillor Wayne Good and Councillor Fred Perry – Ward 1; Councillor Lonnie Watkins and Councillor Wayne Cole – Ward 2 and Councillor Bob Olmstead – Ward 3.

ALSO PRESENT: Cheryl Robson, CAO/Treasurer; Brenda Defosse, Clerk/Planning Coordinator and Corey Klatt, Recreation/Economic Development Program Coordinator.

ABSENT WITH REGRETS: Deputy Mayor Jim Beam, Ward 3.

CALL TO ORDER

The Mayor called the Meeting to order.

DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None declared.

MAYOR'S OPENING REMARKS

Mayor Maguire welcomed Bob Walroth and Mitch Close from the Ministry of Natural Resources (MNR) and explained that today's meeting is a Special Meeting to discuss matters related to Crown Lands within our Township boundaries.

PINE LAKE – MNR Notice of Completion of Environmental Assessment

Walroth advised that MNR have now completed its part of the Environmental Assessment (EA). Six submissions were received. Some dialogue with AAFNA and have decided now to wait to proceed with the process to build the large cultural centre. A Notice was circulated in November that the project had changed to now only the multi access building at the launch site. Detailed responses to all submissions were prepared. The Notice of Completion was circulated giving 30 days to respond (until mid February). This will end the formal Environmental Assessment, and then the Ministry will be in a position to make a decision. An individual can ask the Ministry of Environment under Part 2 for an Order/Bump up for an individual EA (not usually granted). As a point of interest, Kingston Frontenac Lennox and Addington Health Unit representatives have been on site with MNR and confirmed suitability for a septic system, not a traditional system but a "tertiary treatment system" and such system meets the Ontario Building Code Act requirements. This system takes very little room compared to the standard system.

At the end of the response period, MNR will be in a position to dispose of and issue a LUP. The LUP will cover a .32 acre area for the multi-purpose building (approximately 3000 square feet), septic system and well. Walroth stated MNR has had no formal dialogue with AAFNA for the last few months. This area may include part of the Township Road Allowance and may need adjusting.

Maguire asked if the Cultural Centre is off the table indefinitely. Walroth stated it is in AAFNA's long term vision but decided it is not imminent at this time.

Cole asked if drawings, including plumbing, were provided to evaluate the proposed building. If not, how did the Health Unit determine what system could work? Walroth stated the rate of flow was based on the square footage and type of use of the building. (i.e. including food preparation)

Perry asked if there are any assurances from AAFNA that they have no intention of closing or blocking access to the lake. Walroth advised AAFNA assures us they have no intention to close/block the access to the lake except during the annual POW WOW when there will be numerous persons on the site which will generate restriction, perhaps for a day or so. Also, perhaps during construction at the site there may have to be restrictions.

Cole asked if it is the intention of MNR to issue a LUP. Walroth responded after the EA is completed an LUP will be issued, even though AAFNA has indicated they are not prepared to sign same.

Cole asked if MMAH had been consulted as to how that would be approached in the Township. (i.e. Ontario Building Code) Walroth advised MMAH have been a consulting party throughout the process.

Cole asked if the LUP is not signed would building be permitted by MNR. Walroth stated that MNR have legal advice and they can issue the LUP. Cole expressed concern if the LUP is not signed, about conditions being enforced. Close advised once the EA and social review are completed, building construction would be permitted provided same meets with the Building Code Act, the municipal Zoning and MNR environmental guidelines.

Maguire stated AAFNA did not apply for an Application for the LUP however, being good stewards of the land, AAFNA agreed the EA would be a good process and will respect same. Walroth stated the parking lot on the other side of the road will be permitted as well and AAFNA will be coming to Council to discuss signage and reduced speed limits. Close advised that in accordance with the Certificate of Completion any member of the public can ask the Minister for a Part 2 Order and if approved it would hold up the project, until there is a thorough exam by the MOE for any outstanding environmental or social concerns/conditions. The MOE determines if the project goes ahead and it is then out of the MNR's hands. Walroth added if no Part 2 is requested, MNR would be in a position to issue the LUP. The LUP would not be issued on February 16th as MNR will need to dialogue with AAFNA again first.

2007 CROWN LAND STEWARDSHIP PROGRAM

The CAO/Treasurer explained the following with respect to the 2007/8 Crown Land Stewardship Program:

- The preliminary 2008 draft budget shows the Crown Land Stewardship Program costing the Township of North Frontenac approximately \$40,000 (i.e. The proposed program would not be revenue neutral)
- There are proposed necessary enhancements to the program, such as By-law Enforcement; Staff Supervision; Weekend Trouble Shooting; Computer Website

updates and cancellation policy requirements; Radios/Dispatch required for safety issues and complaints; etc.

- The \$40,000 proposed increase expense in the program, still only allows for \$10,000 in total for road maintenance of 58 kms of Crown Roads.
- Some years the Township had to take monies from our Special Parks Reserve Funds to ensure the program maintains revenue neutral (i.e. \$68,500 in 2006). In 2007 the Township's draft year-end shows a surplus of approximately \$1,400 – 2007 year end is not complete yet. However, in 2007 we saw an increase in camping due to extremely excellent weather conditions (unknown in future years) and little monies were spent on road maintenance. (i.e. additional urgent unbudgeted expenses took priority and no program monies were left for road maintenance).
- Increasing operating costs – Fuel, Insurance, Vehicles (purchase and repairs) – large area covered and rough roads traveled, Occupational Health and Safety requirements (training, etc), signs to promote and enforce the program, increased aggregate costs/legislation, etc.
- The municipality requires financial assistance from the Province. (i.e. In 2007 only \$10,000 received that was restricted to the Crotch Lake area only)

The CAO and REDPC circulated a draft Statement of Revenue and Expenditures for 2007. The CAO confirmed the statement shows a surplus of \$1,400.00, presently and reminded everyone this statement is unaudited and there may be changes as there still may be outstanding invoices. The CAO noted only \$5,500 of the \$10,000 grant for the Crotch Lake area has been spent and this is due to a difference in year-ends and the balance is to be spent in January/February.

Walroth confirmed it is critical MNR be invoiced for the full \$10,000 before March 1, 2008.

The CAO confirmed privies are yet to be installed at Crotch Lake. She stated in past years monies have been taken from the Special Parks Reserve to cover this program's deficit. She added the municipality is looking for \$40,000 for program enhancements, to include By-law Enforcement, purchase of another vehicle and Occupational Health and Safety training for students. The Municipality is requesting MNR funding/grant monies of \$40,000 which is included in the draft 2008 budget. Should the funding/grant monies not be received, options include cutting the proposed enhancements and/or looking to the taxpayers.

The CAO confirmed the program has not met the targets as set out in the Marketing Study carried out for this program.

The Mayor added external factors have an impact on the viability of the program, including the volatile Canadian dollar, increasing oil/fuel prices, Canada/USA boarder regulation changes, etc.

Walroth questioned if an analysis of the programs economic spin-off had been undertaken. This has not been done.

Cole recommended looking at more diligence in monitoring the campsites. The REDPC advised this should be covered in the proposed enhancements, which include the hiring of an adult supervisor to travel with a student and this adult will have access to the computer reservation system.

Perry asked if campsites on Mississaugaugon Lake could be added, thus eliminating the need to travel from Mazinaw Lake all the way to the sites offered on Kashwakamak Lake. Close advised an Application could be submitted to MNR for review of the proposed campsites, indicating where these proposed sites would be located. He added a Public consultation may be required.

After this discussion Walroth stated he expects more funds under this program are required by the Municipality, and asked that such a request be submitted to MNR in writing setting out what the issues are, what the additional funds will be used for and that Council has agreed to continue the program for another year.

Walroth also confirmed the funds received from MNR in 2007 for the "Crotch Lake area" can also be used for regular business on "campsites" on Crotch Lake, including labour and added the Municipality must be creative.

The MNR representatives indicated their willingness to do whatever they could to help keep this program viable.

2008 Land Use Permit (LUP)

The MNR representative was questioned about the removal of the Shabomeka Lake and Pine Lake boat launch locations from the LUP.

Shabomeka Lake boat launch location – Walroth confirmed that there are two road allowances in this location, the shore road allowance and the road established by the MNR subdivision when the lakefront lots were created which roadway, dedicated to the Municipality, intersecting with the Shabomeka Lake Road. Walroth felt because the area is mainly municipal property it should be removed from the LUP, and this would require a written request to the MNR. Close added MNR would need to check in the field to ensure no Crown Land is involved.

Pine Lake boat launch location – Walroth stated the Municipality can choose to remove any of the areas set out in the LUP. Cole stated this launch is essential to island cottage owners in accessing their cottages and he definitely would not like to see this launch removed from the LUP. As indicated before, has MNR looked at another access site on Pine Lake? Walroth advised another access was only a suggestion and there has been no MNR commitment and he wanted to make it clear that the Ministry has no intention of closing this Crown Land access point but the location would be removed from the LUP, if that is what the Municipality chooses. He advised that the LUP in favour of AAFNA is for the building only being a .32 acre area. The POW WOW grounds are for free use.

Walroth noted that a small part of the LUP covers part of the Municipal Road Allowance (being part of the old Ardoch Road). The Mayor noted there is a Municipal Shoreline Road Allowance also.

The CAO asked for direction with respect to the Municipality's building permit and entrance permit requirements. Walroth advised that AAFNA has stated they will meet the existing Building Code Act and regulations relating to the building. Also, the LUP states all Municipal and other agency requirements must be met.

Cole stated this is why I asked earlier if MMAH has been involved in this process. He also asked if MMAH representatives have met with AAFNA. Walroth advised this is unknown.

Cole asked where this leaves the Municipality, with AAFNA not accepting/signing the LUP. Walroth advised MNR will issue the LUP to allow the building to be constructed and the recipient is to meet all Municipal and other agency requirements. Cole asked if AAFNA is not accepting the LUP will MNR create a Reservation. Walroth stated no, and explained on the flip side if no LUP is given they may continue to build anyway. As far as compliance and enforcement issues, I am not in a position to address these.

The CAO confirmed that AAFNA had been provided with the Municipal requirements with respect to the Building Code Act and an entrance. Cole asked if MMAH will notify AAFNA of the Ontario Building Code requirements, not just the Township. The Mayor explained these are Federal/Provincial issues above the municipality; AAFNA hired an Architect and we are only speculating at this time.

Moved by Councillor Watkins, Seconded by Councillor Olmstead #41 -08

THAT, the Recreation/Economic Development Program Coordinator (REDPC) be instructed to promote the Crown Land Stewardship Program (CLSP) for 2008, such as opening the website for rental purposes immediately to try and meet our revenue expectations for this program;

AND THAT, Council remove Shabomeka Access Point and Pine Lake Access Point from the CLSP program;

AND THAT, when received the Ministry of Natural Resources (MNR) Land Use Permit (LUP) shall be provided to Council for approval.

Carried

MNR Update Re: Environmental Assessment for Kashwakamak Lake

-due to a Land Use Permit (LUP) request received by MNR for mainland docking and parking, from water access cottage owners.

Walroth advised this Class Environmental Assessment is being carried out as a Category "B" project as no opposition has been received to the evaluation and consultation process. However, a lot of comments have been received which will be addressed. The next step is to circulate a Notice of Completion providing time for parties having concerns to request a Part 2 Order requiring the Ministry of Environment (MOE) to carry out a full environmental assessment under the Environmental Assessment Act.

Walroth confirmed that this project proposal does not include any municipally owned property.

MNR Update Re: Environmental Assessment for Big Gull Lake

-due to request received by MNR for mainland docking and parking, from water access cottage owners

Walroth advised a draft Class Environmental Assessment has been prepared as a Category "C" project which will look at different options available to secure docking and parking. The proposed location is at the east end of Big Gull Lake adjacent the existing launch on Helen Lane and parking will be on the hill. The Municipality and the public will be circulated with the "preferred option" which includes the use of part of the shore road allowance for a dock. Parking is on part of the snowmobile trail being part of the off set of the Old Frontenac Road. Parking space will be one for the cottage owner, one for a guest per cottage, and one boat docking space per cottage. A comment period will be provided for submission of concerns.

Land Use Permit Proposal Request to MNR on Mazinaw Lake

Perry asked where the LUP proposal request for Mazinaw Lake was at.

Walroth advised he has not had further discussions with anyone, and had not received anything for MNR to look at to date.

Close confirmed upon receipt of LUP requests the MNR start a project evaluation and consultation process, done in stages or categories. Projects start at Category A and move forward according to the amount of environmental impact and the degree of public concern voiced.

Category A = little to no environmental affects and no public concerns;

Category B = low to medium environmental/negative affects and no public concerns received;

Category C = low to high environmental/negative affects and no public concerns received, then alternatives are reviewed;

Category D = a definite Environmental Assessment is required.

The Mayor thanked MNR for attending. Following lunch Walroth and Close left the meeting. John Ibey, PWM joined the Meeting at this time.

OTHER BUSINESS

a) Municipal Infrastructure Investment Initiative (MIII)

Three options were on the table since the last discussion by Council.

1. Mississippi Bridge – an Environmental Assessment is required as well as an update on the state of the bridge.
2. Ardoch Road – being a main artery into North Frontenac which needs to be rebuilt. The PWM advised it was originally built to a "development road standard" being lesser of an engineered value. Traffic on this road increases yearly with larger vehicles (i.e., transport trucks) now using this road as part of their route to Pembroke and Renfrew. A 2006 long-weekend three-day passenger vehicle count taken at Lodge Road was 2000 passenger vehicles. The PWM proceeded to pin point some of the most problematic areas in this road, namely where it crosses swamps in several areas, suggesting that geo-textile be used to assist with

stabilization. The Mayor explained the Economic Development benefits. Perry wanted it noted that if funding is received for Ardoch Road that any extra monies approved in the Roads budget should go to 506/509 Roads as the Provincial Grant received for these downloaded highways has been depleted.

3. Road 506/509 – The PWM advised this Road was originally built to a higher standard by MTO. The original Grant received for this road at amalgamation nine years ago has now been depleted. The PWM estimated 1 km of pavement is worth \$100,000. A road count was done on Road 506 in Plevna two years ago, Friday night until Monday morning, totaling 7,000 passenger vehicles.

Moved by Councillor Watkins, Seconded by Councillor Olmstead #42-08

THAT the Council for the Township of North Frontenac identifies Ardoch Road improvements as their top priority in applying for grant funding under the 2008 Municipal Infrastructure Investment Initiative.

Carried

The PWM is to meet with TSH's Engineer immediately to determine actual area/details for the grant application. (i.e. deadline is February 15, 2008)

b) Personnel and Audit Committee Meeting

Perry, Chair of the Personnel and Audit Committee advised he was canceling the January 30th Personnel and Audit Committee Meeting, until sometime in February. With the budget meetings being held earlier this year the CAO and Departments have not had time to prepare and there are no urgent issues at this time.

c) Warden's Address

Maguire informed Council at the last County Meeting the new Warden gave his Address setting out his personal vision for the Frontenacs. He proposes to visit each of the Townships in the County to get feedback on his address, and North Frontenac's visions and comments. The Address proposed the creation of a Frontenac Development Fund to create cultural, community and financial wealth in the County of Frontenac.

Maguire put five motions forward at the County Meeting and none were passed. He was looking for support for Pine Meadows and for the Rural Routes program. A North and South split was evident and it would appear there is no appreciation for the problems we have in rural areas. Central Frontenac's Mayor added her support and added her arguments.

d) Meeting with Counter Parts

Maguire advised he and the CAO met yesterday with our neighbours Greater Madawaska, Addington Highlands and Lanark Highlands and felt the meeting was very productive. There is strength in numbers.

e) Open House for Dr. Ubakata (Dr. Bob) and his wife, Marjorie

Maguire reminded everyone of the Open House on Sunday for Dr. Bob and Marjorie Ubakata at the Legion in Northbrook. He asked that a Certificate of Appreciation be prepared by the Clerk's Department for his presentation.

f) Robertsville Update

Mohawk Nation – Cole had obtained an article from the Mohawk Nation’s News website which he circulated to the Mayor, CAO and OPP, via Marvin MacDonald, MELT and he noted it should be read with an open mind. Maguire stated he appreciated Cole passing information on. Maguire explained the history and other interested groups. He stated he was aware of these articles and Council should try to be honest brokers in this and make as few waves as possible (i.e., owner of the trailer and placement of same) and not become a part of the problem. This is a Federal vs. Aboriginal problem, and we need to reassure the taxpayers Council is monitoring the situation and will keep them informed. However, it is being handled by higher levels of government and the Aboriginals. They claim there is a lot of truth to Mohawks and Algonquins but such internal conflict increases the timeframe in the process to carry the situation to an answer. Good explained the articles have opinions only, in most cases. There was a meeting in Sharbot Lake last week with Provincial and Federal Representatives present. Good felt the Township should stay out of it and leave it up to the Federal Government. Cole stated he concurred.

ADJOURNMENT

Moved by Councillor Watkins, Seconded by Councillor Olmstead #43-08
THAT the meeting adjourns at 2:02 P.M. until January 31, 2008 or at the call of the Chair.
Carried

Mayor

Clerk