

Minutes - The Blue Mountains Council Meeting



MEETING DATE: December 12, 2011
LOCATION: Town Hall, Council Chamber
PREPARED BY: Corrina Giles, Town Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Ardiel, absent due to illness

Also in attendance Director of Engineering and Public Works Reg Russwurm, Director of Finance and IT Services Rob Cummings, Communications and Economic Development Coordinator Lisa Kidd, Chief Librarian Carol Cooley, Manager of Solid Waste & Environmental Initiatives Jeff Fletcher, Manager of Water and Wastewater Services John Caswell, Capital Accountant Darcy Chapman

- Council then paused for a moment of Personal Prayer or Reflection.
- Approval of Agenda:

Moved by: R.J. Gamble Seconded by: John McKean

THAT the Agenda of December 12, 2011 be adopted as circulated, including additions at Agenda item C.20 correspondence from L. Posen and C.21 correspondence from P. Stout, both received for information, and revised Special Meeting of Council - Budget schedule, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda save Councillor McKean with respect to Agenda Item F.2 Invoices and his place of employment
- Adoption of Consent Agenda

Moved by: Joe Halos Seconded by: R.J. Gamble

THAT the Consent Agenda of December 12, 2011 be adopted as circulated, less any items requested for separate review and discussion, Carried.

NOTE: Councillor McKean earlier declared a pecuniary interest with respect to Agenda Item F.2 Invoices and did not participate in related discussion or voting.

- Previous Minutes

Moved by: John McKean Seconded by: R.J. Gamble

THAT the Council minutes of November 28, 2011, Special Meeting of Council minutes of November 28, 2011 and Special Meeting of Council minutes of November 30, 2011 be adopted as circulated, including any revisions to be made, unanimously Carried.

There was no business arising from the Minutes at that time.

B. Deputations

B.1 Chris Visser, Project Manager and Waste Specialist and Paul Dewaele, Senior Geo-Environmental Engineer, Golder Associates
Re: Landfill Expansion and Mining Environmental Screening Process Update

Mayor Anderson welcomed Chris Visser and Paul Dewaele of Golder Associates.

Chris spoke identifying the site layout, including the active landfill and the old Thornbury landfill site, and referenced neighbouring agricultural and aggregate extraction activities.

Chris reviewed the known environmental impacts at the landfill site, noting the groundwater from the Thornbury landfill site is migrating eastward and toward the Indian Brook, impacts as defined by low to moderate concentrations of chloride are observed in the lower aquifer north of Thornbury and the Blue Mountains landfill.

Chris then reviewed the four expansion and mining scenarios available based on the criteria: 100,000 m³ maximum expansion, mining of previous waste disposal areas to gain a maximum 100,000 m³ without increasing the original waste disposal volume of the landfill site, address known or predicted impacts and pathways, all scenarios also assessed based on constructing cells with and without a liner.

Chris reviewed the future life assessment and noted construction demolition waste affects the life of the landfill and contaminated soil takes away capacity of the landfill.

Chris noted that Scenarios 1 and 2 would provide an estimated site life extension of 20 years to 30 years and up to 40 years with the diversion of Industrial, Commercial and Institutional ("ICI") Waste.

Chris noted that Scenario 3 would provide an estimated site life extension of 15 years to 20 years and up to 30 years with ICI diversion. Chris noted that Scenario 4 would provide an estimated site life extension of 10 years to 14 years and up to 20 years with ICI diversion.

Chris then reviewed the factors to extend the site life, including improved compaction densities.

Chris reviewed the environmental impact modelling conclusions noting that it is predicted that unlined cells would result in exceedance of the compliance criteria, and that because the current impact exceeds compliance criteria, that a lining is recommended for the landfill expansion. Removal of the waste and the lining of the Thornbury and the eastern portion of the Blue Mountains landfill will provide an opportunity to address the environmental concerns closest to the Indian Brook.

Chris then spoke regarding the Saugeen Ojibway Nation ("SON") technical review noting an agreement was entered into with the SON in July 2011 and noted the objective of this review includes cultural heritage, natural heritage, hydrogeology, aquatic ecosystems and limnology.

Chris referenced the construction costs, noting the figures indicated are 2010 construction cost rates and all include fill lining and a leachate collection system.

Chris reviewed the leachate management and cost and referenced the annual leachate generation rates, annual leachate generation and estimated annual costs to haul and treat leachate from the site.

Chris then spoke regarding leachate pumping options.

Mayor Anderson spoke questioning the benefits of drilling as opposed to attaching under a bridge structure, Director of Engineering and Public Works Reg Russwurm spoke noting we need to ensure the pipe does not freeze, further noting the details would have to be worked out, further noting no chemicals are used during the drilling process.

Ellen then questioned the depth of the clay cap, Christ replying one metre.

Manager of Solid Waste and Environmental Initiatives Jeff Fletcher spoke regarding the costs noting a 6% increase on taxation is budgeted for, with the net cost being \$315/tonne.

Jeff then spoke regarding the two public information centres held, noting a very low attendance by ratepayers and noted response to the survey indicated 98% of the 91 people surveyed are in favour of expansion, with 2% being in favour of export.

Jeff then spoke regarding the next steps, including SON review, complete Environmental Screening Report, Notice of Completion of Environmental Screening Report, Design and Operations Plan and Certificate of Approval Application.

Jeff noted that the site survey has been completed and confirmed three years of life remaining at the landfill site and referenced the need to focus on the existing parts of the project and move forward.

Chris then spoke regarding the SON technical review recommendation referencing the cultural heritage recommendations, natural heritage recommendations, hydrogeology recommendations and aquatic ecosystems and limnology recommendations. Chris noted that a site visit was held earlier this day with the SON and that discussions took place regarding the form of letter of agreement for ongoing SON consultation. Chris noted he anticipates receipt of the SON technical review comments in early 2012.

Councillor Halos then spoke questioning the contaminated attenuation zone, Chris replying the northern and eastern part. Joe then questioned why the Town's compaction rates are low, Chris replying good compaction is based on good landfill practices, including placement and not using excessive soil, further noting the Town is reducing its landfill site life in not performing proper landfill compaction practices. Joe then questioned if a larger machine is required, Jeff replying that a heavier machine compacting more often will increase densities and compaction.

Jeff then noted that one option would be to contract a larger machine.

Joe then questioned if the Town could deal with its own leachate, Chris replying this would be more feasible than trucking the leachate and that a waste water treatment plant could be built on site to deal with leachate.

Jeff then spoke regarding the costs of trucking the leachate, noting it would be \$220,000 per year versus \$1 million to build a pipeline, further noting the operational costs to pump would be lower than trucking.

Councillor McKean then questioned if the leachate includes rainfall, Chris replying yes as rainfall becomes impacted when in contact with waste.

Councillor Gamble then spoke noting the mining should be completed in phases over a 5 – 7 year period in scenario 2. Bob then questioned if construction waste, including broken boards and cement blocks, could be sorted before it goes into the landfill, Chris replying that developers can be asked to perform a pre-separation of materials and noted some facilities take this type of waste specifically. Chris then noted the Certificate of Approval Amendment would be required if on-site sorting is performed.

Bob then questioned what would happen to the covered material when the landfill is mined, Chris replying that the material would be removed and stored on site and reused for cover material.

Chris then noted that staging of landfill mining is not uncommon.

Deputy Mayor McKinlay then referenced the Certificate of Approval required for composting construction waste, Chris replying construction demolition waste, if accepted, would need a revised Certificate of Approval.

Duncan then questioned the post cost of leachate and infiltration, Chris replying that the HDPE liner has zero penetration, further noting that clay allows some penetration.

Duncan then referenced the Indian Brook noting this Brook dries up on occasion, Chris replying that it is a valid stream that could easily be impacted, noting it is fed by groundwater.

Bob then questioned the possibility of piping leachate to the 7th Line, Chris replying that the County Roads have large gravel shoulders making it easier to accommodate buried utilities. Bob then questioned if an easement over private property could be suggested, Reg spoke in response noting that the leachate pipeline can be dealt with at a later time as the leachate can be transported by truck in the interim. Reg noted this is a high level discussion at this point to deal with the scenarios available for the landfill.

Capital Accountant Darcy Chapman spoke regarding Industrial, Commercial and Institutional waste noting a full cost recovery system may drive the commercial waste away, further noting that taxation would have to be used to supplement the costs if this rate is not increased. Darcy noted that compaction is the largest issue at the landfill, and noted when Council has made a decision as to which scenario it will proceed with that the consultant will give operational details and best practices to meet the benchmark so that the landfill gets the compaction we need to achieve a full landfill life.

Duncan then questioned if it is possible to achieve the recommended compaction with building and construction waste, Chris replying that some of this material needs to be removed from the landfill to achieve ideal compaction.

Mayor Anderson then thanked Chris and Paul for attending this evening and presenting to Council.

C. Correspondence as previously circulated

Author

Recommendation/Action

C.1 Georgian Triangle Humane Society
Re: Request for Support of \$200 for
Tips 'n Tails Ski and Snow Shoe Event For Council Consideration

Moved by: R.J. Gamble Seconded by: Joe Halos

THAT Council of the Town of The Blue Mountains sponsor the Georgian Triangle Humane Society Tips 'n Tails event at Alpine Ski Club on January 26, 2012 in the amount of \$200, Carried.

C.2 Goderich & Area Disaster Relief
Re: thank you Received for information

C.3 The Blue Mountains Public Library
Re: Contribution from S. Marguerite
Walker Memorial Fund Received for information

C.4 Dr. Kellie Leitch, MP
Re: Update on direct Gas Tax Fund
allocations to The Blue Mountains Received for information

Councillor Gamble spoke regarding Agenda Item C.4 and noted he would appreciate correspondence being sent to MP Dr. Kellie Leitch indicating that Gas Tax Funds should be calculated based on the number of households, not population.

C.5 Travis & Associates Re: Status of
Millpond Homes development Received for information

C.6 Penny Preston Re: Support to initiate
Short Term Accommodation Licencing
System Received for information

Councillor Gamble spoke regarding the many correspondences included in the Council Package relating to Short Term Accommodation licencing and enforcement, noting that the Town needs to get the message out that it will take time to resolve short term accommodation issues.

Mayor Anderson then spoke noting she attended a meeting with Michael Seguin of Blue Mountain Ratepayers Association and noted their concern is that by-laws be created to move forward.

C.7 Greg Wallace & Betty Schiwkow Wallace
Re: Support to initiate Short Term
Accommodation Enforcement Program
in 2012 Received for information

C.8 Vicki & Terry Kellar
Re: Support to initiate Short Term
Accommodation Enforcement Program Received for information

C.9 Blue Mountain Ratepayers Association
Re: 2012 Budget Priority & Funding Consideration
- Short Term Accommodation By-Law
Enforcement and Licencing Received for information

C.10 Nottawasaga Valley Conservation
Authority Re: Draft Budget & Municipal
Levy Circulation Notice Received for information

C.11 Georgian Triangle Tourist Association
Re: Request for Support Received for information

C.12 Anne Cauley
Re: Support to implement
Short Term Accommodation Enforcement
Program Received for information

C.13 Dave & Jan Burton
Re: Support to implement
Short Term Accommodation Enforcement
Program Received for information

- | | |
|---|---|
| C.14 George & Maureen Potton
Re: Support to implement
Short Term Accommodation Enforcement
Program | Received for information |
| C.15 Ingersoll, Re: Request for Support
in recognizing Bullying Awareness and
Prevention Week and Initiatives | Referred to Event & Youth
Coordinator |
| C.16 Ministry of Citizenship and Immigration
Re: Seeking Nominations for Ontario
Medal for Young Volunteers | Referred to Communications and
Economic Development Coordinator
and Event and Youth Coordinator |

Deputy Mayor McKinlay spoke regarding Agenda item C.16 and questioned if any of the winners at the Town's volunteer award ceremony would be worthy of this award, Communications and Economic Development Coordinator Lisa Kidd replying that she forwards correspondence such as this one to local community groups for their consideration.

- | | |
|--|---|
| C.17 Ministry of Citizenship and Immigration
Re: Request for Nominations for
2012 Volunteer Service Awards Program | Referred to Communications and
Economic Development Coordinator
and Event and Youth Coordinator |
| C.18 Michael Pocock
Re: Fees associated with Zoning
Change | Referred to Planning |
| C.19 Sylvia McMurchy
Re: Support for Replacement of
Commercial Dishwasher at BVCC
Hall Kitchen | Referred to Recreation |

Moved by: R.J. Gamble Seconded by: John McKean

THAT this Council does hereby receive the Correspondence of December 12, 2011 and further does support the Staff Recommendation made with regard to the Correspondence items, including any additional direction given to Staff through discussion, with an appropriate Staff action or response awaited for report back to Committee or Council where indicated, Carried.

D. Motions and Staff Reports

D.1 Display of Two Hartman Paintings, PAECOMM.11.1

Moved by: D. R. McKinlay Seconded by: Michael Martin

THAT Council receive The Blue Mountains Public Art Evaluation Committee Report PAECOMM.11.01 "Display of Two Hartman Paintings"; and

THAT Council approve the following Public Art Evaluation Committee Recommendations:

- (i) That the Hartman "Farm Landscape" Painting be displayed on the West Wall of the Building Meeting Room; and
- (ii) That the Hartman "Tall Ships" Painting be displayed on the wall directly in front of the Building and By-law Services Desk, behind the front counter, Carried.

D.2 Aboriginal Consultation and Accommodation Letter of Agreement – Landfill Expansion and Mining, EPW.11.110

Manager of Solid Waste and Environmental Initiatives Jeff Fletcher spoke referencing a meeting with the Saugeen Ojibway Nation (“SON”) on December 6, noting SON have an interest in the landfill project and have identified they would like to perform an additional review. Jeff noted the Town must accommodate the additional review requested in order to move forward, and noted this review is an opportunity to protect the Indian Brook and their fishery and to form a letter of agreement that will bridge an agreement between the current and future agreement. Jeff noted that SON will identify their needs.

Councillor Martin questioned the reference to “reconciliation” in the report, Jeff noted that “reconciliation” was referenced in the original agreement, and confirmed the Town’s relationship with SON has been amicable.

Michael then questioned the cost of the previous agreement, Jeff replying \$17,300 has been paid to SON for their costs of consultants and legal fees.

Michael then noted the Letter of Agreement in the Report seeks an additional \$20,000, and references a 5 year audit and questioned if the Town can receive a grant from the Ministry of the Environment to assist with the costs, Director of Engineering and Public Works Reg Russwurm spoke noted SON have heritage in The Blue Mountains area and we want to ensure that their interests are protected. Reg noted SON do not have a lot of technical staff, but are building abilities in their communities. Reg confirmed that the Town will have an ongoing relationship with SON throughout the life of the project and confirmed this is due diligence. Reg then confirmed that there is no funding available through the Ministry of the Environment, either Provincially or Federally.

Michael then expressed concern with the costs, Mayor Anderson then spoke noting the First Nations have a right to comment and the Town has an obligation to respect that right, further noting this is not uncommon. Reg then spoke noting the Ministry of Environment ensures that the First Nations are consulted.

Deputy Mayor McKinlay then spoke noting he would like to receive a background report of applicable legislation that empowers First Nations with respect to planning matters so that Council can have a better understanding.

Councillor McKean spoke noting he understands the capacity issue facing SON, and noted he would like to see improved accounting from SON in the future for our ratepayers.

Reg then noted if the Motion does not pass this evening that the project will come to a standstill, further noting he understands Council’s concerns with the costs. Reg confirmed he will provide further information to Council in January.

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council receive report entitled “Aboriginal Consultation and Accommodation Letter of Agreement – Landfill Expansion and Mining” EPW.11.110; and

THAT Council approves providing additional capacity to the Saugeen Ojibway Nations’ review of the Environmental Screening Process in the sum of \$19,300 as outlined in the Letter of Agreement; and

THAT the Mayor and Clerk be authorized to execute the Aboriginal Consultation and Accommodation Letter of Agreement, upon approval of the Director of Engineering and Public Works and the Town’s Solicitor.

**E.2 Zoning By-Law Amendment, Part Lot 35, Concession 11
(Beaver Valley Apple Orchards c/o Tom Kritsch)**

Moved by: D.R. McKinlay

Seconded by: Michael Martin

THAT By-law No. 2011 - 79, being a By-law to rezone a portion of the lands known as Part Lot 35, Concession 11 from the Rural Estate Residential (RER(a)) Zone and General Rural (A1) zone to the General Rural Exception 231 (A1-231) Zone, General Rural (A1) Zone and Hazard (H) Zone be hereby passed this twelfth day of December, 2011, unanimously Carried.

F. Consent Agenda

Accounts

- F.1 Accounts
- F.2 Invoices separated for pecuniary interest
(E.C. King)

Reports List (Adopt)

- F.3 Planning and Building Committee Report, November 16, 2011
- F.4 Planning and Building Committee Report, December 5, 2011

Minutes List (Receive)

- F.5 Police Services Board Minutes, September 7, 2011
- F.6 Beaver River Watershed Advisory Committee Minutes, October 11, 2011
- F.7 Agricultural Advisory Committee Minutes, October 4, 2011
- F.8 Public Art Evaluation Committee Minutes, November 10, 2011
- F.9 Nottawasaga Valley Conservation Authority Highlights, November 25, 2011

G. New and Unfinished Business

G.1 Grey County Council Update

Deputy Mayor McKinlay spoke noting the Economic Development Consultant will be reporting to the Steering Committee tomorrow, the Governance Committee is proceeding, the Development Charges Report By-law will be before County Council on January 3, 2012 and the County Budget will be before County Council on January 3, 2012 with a fallback date of January 10, 2012

G.2 Notice of Motion

None

G.3 Additions to Agenda

None

G.4 Staff Discussion

None

H. Notice of Meeting Dates

Infrastructure and Recreation Committee, December 13, 2011 7:00 p.m.
Town Hall, Council Chamber

~~Special Meeting of Council – Budget – Meeting Cancelled
December 14, 2011 9:00 a.m., Town Hall, Council Chamber~~

Special Meeting of Council – Budget
December 16, 2011 9:00 a.m., Town Hall, Council Chamber

Finance and Administration Committee, December 20, 2011 2:00 p.m.
Town Hall, Council Chamber

Special Meeting of Council – Budget
December 21, 2011 9:00 a.m., Town Hall, Council Chamber

Special Meeting of Council – Presentation of Draft Discussion and Options Paper
for 5 Year Official Plan Review
December 22, 2011 6:00 p.m. to 9:00 p.m.
Town Hall, Council Chamber

Council Meeting, January 9, 2012 7:00 p.m.
Town Hall, Council Chamber

Planning and Building Committee, January 16, 2012 7:00 p.m.
Town Hall, Council Chamber

I. Confirmation By-law and Adjournment

Moved by: R. J. Gamble Seconded by: D.R. McKinlay

THAT By-law No. 2011 - 80, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on December 12, 2011, be hereby enacted as passed this twelfth day of December, 2011, Carried.

Moved by: D.R. McKinlay Seconded by: Michael Martin

THAT this Council does now adjourn at 8:35 p.m. to meet again January 9, 2012 7:00 pm, Town Hall, Council Chamber, or at the call of the Chair, Carried.

.....
Ellen Anderson, Mayor

.....
Corrina Giles, Town Clerk