

**THE CORPORATION OF THE TOWNSHIP OF CHAPPLE
COUNCIL MEETING
July 14, 2015**

The regular meeting of the Municipal Council of the Corporation of the Township of Chapple was held on Tuesday, July 14, 2015 at 9:30 a.m. in the Municipal Office, Barwick Ontario.

PRESENT: Reeve Peter Van Heyst, Councillors: Ken Wilson, Ted Zimmerman, James Gibson, and Rilla Race and CAO/Clerk Treasurer Peggy Johnson.

Reeve Peter Van Heyst welcomed everyone and declared the meeting open for the transaction of business.

DECLARATIONS:

1. Moved by: Rilla Race - Ted Zimmerman

That the agenda for the regular meeting of July 14, 2015 be here-by approved with the following addendum:

- 1:30 Frank Sheppard/Gerry Armstrong
CN – Lee Nelson, Dangerous Goods
Re: Declared Emergency/Train Derailment
- Dave Torkelson – Permitted Use/Judson Property

Carried.

2. Moved by: Ted Zimmerman - James Gibson

That the minutes of the regular meeting of June 16, 2015 be hereby approved.

Carried.

Ministry of Transportation/James McKeever was advised on June 22, 2015 that the resolution to accept a transfer of the section of Hwy 600 located between Tait Road and Teeple Road was tabled until such time as more information is available as to the condition of the road, culverts, etc. To date, no response has been received.

FINANCIAL:

3. Moved by: James Gibson - Ken Wilson

That the financial statement be accepted and the following accounts be paid:

GENERAL	(14,658-14,669)	\$	53,549.61
GENERAL	(14,661 VOID)	\$	-34,036.56
GENERAL	(14,670-14,686)	\$	10,355.16
GENERAL	(14,687)	\$	214,135.00
GENERAL	(14,688-14,723)	\$	229,174.45
GENERAL	(14,724-14,731)	\$	50,321.44
PAYROLL	(1963-1973)	\$	15,736.23

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PAYROLL	(1974-1978)	\$	7,669.57
PAYROLL	(1979-1991)	\$	<u>16,571.13</u>
		\$	<u>563,476.03</u>

Carried.

Ray Boivin/Senior Environmental Officer for the Ministry of the Environment and Climate Change was in the area to inspect the CN Derailment Site and asked if he could provide an update to Council.

Mr. Boivin advised that the substance spilled at the derailment site is a petroleum product called Alpha Olefin C12. This product is currently being vacuumed up, has travelled very little distance and will not impact the community.

Lee Nelson/CN is co-ordinating the removal of the product from tank cars on-site. A fire was ignited by sparks from a chop saw but was contained. This fire did burn off a certain amount of the petroleum product.

It is expected to take weeks for the clean-up. Security is now in place. MOE has written an order but CN is doing everything necessary already. Ray Boivin did not recommend hauling the spilled grain and waste to the municipal landfill. Non-hazardous waste can be hauled to our landfill but the volume of grain etc. would be a negative impact to the small landfill and with the grain fermenting there could be an issue with attracting bears, etc.

The Ministry of Environment will continue to monitor the derailment site and clean-up process.

DELEGATIONS:

10:15 a.m. NEW GOLD/Rick Neilson

Darcy Cowan and Doug Desaulniers attended on behalf of New Gold.

Prior to the Environmental Assessments, the Township of Chapple had given approval for New Gold to locate a water pipeline along municipal road allowance. Rick Neilson attended the meeting to request that this section of road allowance be brought up to municipal standards.

New Gold advised that this was not something they were willing to do. To build this road, there would need to be a bridge and construction costs would be \$ 16 Million. The area has over-saturated organics (swamp) and is too fibrous. Construction of the pipeline and maintenance access is expected to cost \$ 11 Million.

11:00 a.m. Susan and Bill Tilley

Susan expressed concern over the increased traffic along Hwy 600 as a result of the mine development. Tilley's reside at the corner of Hwy 600 and Barwick Road. Concerns included the condition of the road, dust, vibration, increased traffic and safety of their children.

Susan and Bill were advised that Hwy 600 is not a municipal road and is the responsibility of the Ministry of Transportation. It was noted that New Gold has been reducing speeds in this area, dust suppressant has been placed on the road, increased OPP monitoring has been requested, etc. to protect the

public. Public Works Superintendent/Randy Both has increased patrols in the area to monitor conditions.

When expressing concerns over environment, proximity to a mine site, etc Council questioned Tilley's as to if they had participated in the public consultation and provided comments during the Environmental Assessment. They advised that they had not.

The municipality will request increased police presence and investigate further into additional road signage.

11:30 a.m. Allen Jolicouer – Line Fences Dispute

A request for a Line Fence Viewing was submitted by Wes and Debra Morriveau. At the time the request was filed, it was indicated on the application that there was no dispute over the location of the property line.

A fence viewing was scheduled and completed. Prior to the Form 4 and the award being completed, Mr. Jolicouer disputed the location of the property line. As soon as it became a dispute over the property line it became a civil matter and no longer an issue of the municipality.

An invoice was issued to each party for 50% of the fence viewing and administration costs as per the direction of the Ministry of Municipal Affairs and Housing.

Mr. Jolicouer was advised that this process is regulated by the Line Fences Act and that Council has no authority to review decisions of the fence viewers and no role in an appeal procedure. Allen was provided with contact information for the Ministry of Municipal Affairs and Housing.

1:30 p.m. CN Train Derailment

- Frank Sheppard/ Fire Chief – Town of Fort Frances
- Gerry Armstrong/Chapple Fire Chief
- Lee Nelson – CN/Senior Dangerous Goods Officer
- Harri Liivamagi – CN/Environmental Engineer
- KGS Engineering
- Dorothy Huitikka/Alternate CEMC
- Dave McKelvie/WTP Operator
- Randy Both/Public Works Superintendent

Discussion was held with regards to the July 10, 2015 CN train derailment.

Fire Chief/Gerry Armstrong-Chapple

Gerry reported that initially the Chapple Fire Department was light on response but Township of Emo and Town of Fort Frances came with additional support. Town of Fort Frances was able to provide hazmat. There were issues with repairs/replacement of Chapple fire equipment that will have to be followed up on.

Fire Chief/Frank Sheppard – Town of Fort Frances

Frank commended the OPP for how they handled the event and initiated the evacuation. It was a wise decision to declare an emergency as this allows responders to encroach on private property to deal with the derailment. Frank also identified issues with respect to fire equipment.

Harri Liivamagi – CN/Environmental Engineer

Harri reported that the petroleum product is being contained. MOE is on site. Snow fence has been placed around the ditch to isolate. There was a fire. This did burn up some of the spill. Trees that were burnt on the abutting property will be removed and replaced. Three private security personnel are on site 24 hrs/day.

Lee Nelson – CN/Dangerous Goods

Lee reported on the removal of the product and the tank cars. The fire was a result of a rail saw being clamped the wrong way and dispersing sparks into the ditch. They will be reviewing this and following up with formalized training. Transfers of product from tank cars will be completed by weekend and the start of next week will begin clean-up and remediation.

A representative for KGS was also in attendance with regards to water quality. There should be no threat to the municipal wells. There is 20m – 30m of clay overburden and the municipal wells are into bed rock. Alpha Olefin C12 is not very mobile as it adheres to solids and will not want to sink through the soil. As a precaution, leeching points will be placed around the site. Council recommended that private wells also be tested to ensure safety of residents. CN is to be provided with a map to identify surrounding property owners. CN will pay all costs for testing and monitoring.

Randy Both – Public Works Superintendent

Randy advised that there are several ruts along the streets that will need to be repaired. There may also be the need to rent a street sweeper to clean the streets.

REPORTS:

- A. AMBIS: The contract for the provision of a Building Official/Large Buildings remains outstanding. Requests have been sent to Glen Goodman.
 - B. RRDSSAB: James Gibson will provide minutes at the next meeting.
 - C. RECREATION: Recreation Financial Statement was reviewed.
4. Moved by: Rilla Race - Ted Zimmerman

ACCOUNTS PAYABLE FOR Chapple Recreation – June and July 2015
BE PAID AS FOLLOWS:

Chq #2602	New Gold	\$	100.00
Chq #2603	Kevin Gemmell	\$	100.00
Pre-Auth	Union Gas (May 25-June 23/15)	\$	731.00
Pre-Auth	Hydro One – BP (May 8-June 10/15)	\$	39.48
Pre-Auth	Hydro One – Rink (May 8-June 10/15)	\$	35.26
Pre-Auth	Hydro One – Hall (May 8-June 10/15)	\$	457.68
Chq #2604	Mallory Woolsey	\$	100.00
Chq #2605	Bell Canada	\$	90.09
Chq #2606	Township of Chapple	\$	191.43
Chq #2607	Barwick Blue Knights	\$	100.00
Chq #2608	Barwick Village Restaurant	\$	43.50
Total Paid			<u>\$ 1,988.44</u>

Carried.

Krista Anderson has been advised of the establishment and appointment of members to the Chapple Recreation Committee and that the municipal office is available for their meetings. A schedule of meeting dates will have to be determined.

D. HERITAGE: The Chapple Community Picnic Committee continue to make plans for the Community Picnic scheduled for August 1, 2015. The municipal tent, which is currently stored in the municipal garage beside the Water Plant, will be used for the event. Committee member, Ted Zimmerman, questioned potential liability if he should provide a "wagon train" ride behind his ATV. Gillons' Insurance will be contacted with regards to this and if waivers would suffice. Rilla has requested barricades from Public Works to block some of streets that day.

E. EMO PUBLIC LIBRARY: No report.

F. FIRE DEPARTMENT: Minutes of the June 24, 2015 Fire Chief Recruitment Committee were reviewed.

Three applications have been received for the position of Fire Chief. Interviews will be scheduled. Larry Lundy/Fire Marshal's Office had provided sample interview questions. This information will be forwarded the committee members.

G. HEALTH AND SAFETY: No report.

H. DRAINAGE: OMAFRA/Sid Vander Veen was contacted with regards to appointing two drainage superintendents in the event one wasn't available. Sid advised that OMAFRA will only provide drainage grant for one superintendent. The drainage superintendent may make recommendations but it is a municipal drain and decisions with regards to what contractor completes the work and when the work will be done need to be to the satisfaction of the municipality and the property owner.

Direction was given to Public Works/Randy Both to contact a contractor to complete brushing on the Schmutz Drain. Brushing and clean-up is to take place at the same time. Council does not wish to leave the clean-up until 2016. The project will commence after August so that crops can be taken off.

I. RAINY RIVER DISTRICT MUNICIPAL ASSOCIATION: No report.

J. PUBLIC WORKS SUPERINTENDENT – Randy Both

5. Moved by: Ken Wilson - Rilla Race

As per Order-in-Council dated Sept 11, 1945 a section of Hwy 71 as per Plan No A-50-7 was transferred to the Township of Chapple. The Township of Chapple agrees to proceed with the transfer of specific section abutting POTTS Pt N ½ Lot 10 CON 5, PCL 16641 to Donald Huitikka. All such related expenses to complete this transfer will be the sole responsibility of Donald Huitikka.

Carried.

Randy Both reported that New Gold has some outstanding work to complete as per the Half Loading Agreement. Prior to the municipality resuming maintenance and grading of Teeple Road, New Gold needs to return the road to an acceptable standard as per the agreement.

The Ministry of Natural Resources has given notice of consideration to an amendment to the Crossroute Forest Management Plan. The public may make comment until July 30, 2015. Direction was given for Public Works/Randy Both to contact Ralph Horn/Resource Management Supervisor as to any potential impact to municipal roads such as Lampi Road and Off Lake Road.

The VOLVO grader needs to have approximate \$ 8,000.00 in warranty work completed. There could be a cost of \$400 to transport to Thunder Bay for the work.

K. CAO/CLERK-TREASURER – Peggy Johnson

Council reviewed the Administrative Report that was provided.

New Gold would like to begin discussions in August with regards to a compensation agreement. At this point, all of Council will participate in discussion, not just the New Gold Committee.

A request for a letter was received from Dave Torkelson with regards to continued use of the wrecking yard/Gary Judson property on Hwy 11. This commercial operation is currently legal non-conforming as it is located in the Wellhead Sensitivity Protection Area. Fotenn will be contacted to confirm that the existing use can continue "as is" in the event ownership changes.

L. WATER TREATMENT PLANT REPORT – David McKelvie

Council reviewed the June 2015 Operating Report.

6. Moved by: Rilla Race - Ken Wilson

That the reports for July, 2015 be hereby approved.

Carried.

7. Moved by: James Gibson - Ted Zimmerman

That the following meeting minutes be received:

Fire Recruitment Committee: June 24, 2015 Meeting Minutes
Heritage Committee: June 8, 2015 Meeting Minutes

Carried.

RESOLUTIONS:

8. Moved by: Ted Zimmerman - Rilla Race

That By-law 1537, being a by-law to authorize the Reeve and CAO/Clerk Treasurer of the Corporation of the Township of Chapple to enter into an agreement with Telcom Enterprises to provide a telecommunication audit, be read a first, second and third time and finally passed this 14th day of July, 2015.

Carried.

9. Moved by: Rilla Race - Ted Zimmerman

That the Township of Chapple appoint the following individuals to the Chapple Heritage Committee:

Rilla Race
Glen Jackson

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June Wheatley
Heather Oltsher
Steve and Joan Both
Wayne and Eleanor Barron
Doug and Yvonne Barron
Betty Scheibler
Deb Morriseau
Tracy Nielson
Bert Race
Seth Lauzon

Carried.

10. Moved by: Ken Wilson - Ted Zimmerman

That the Township of Chapple approve the following payments for reimbursement of livestock damages subject to pre-approval from OMAFRA:

Allen LaRocque	\$ 2,625.00
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Carried.

An application for livestock damages was received from Dale and Melissa Teeple. Livestock Valuer/Stefan Szeder did not find sufficient evidence to approve such an application. Dale and Melissa submitted an written request and required fee for a second livestock valuers opinion. Livestock Valuer/Robert Gibson was provided a copy of the application and pictures provided. Robert supported Stefan Szeders recommendations. Dale and Melissa Teeple are to be advised of this and that their next option is to file an appeal with the *Director of OMAFRA*.

11. Moved by: Ted Zimmerman - James Gibson

As per request of the Ontario Federation of Anglers & Hunters, the Township of Chapple shall express support of the reinstatement of the spring bear hunt to Bill Mauro/Ministry of Natural Resources and our local MPP.

Defeated.

12. Moved by: Rilla Race - Ken Wilson

That By-law 1538, being a by-law to authorize the Reeve and CAO/ClerkTreasurer of the Corporation of the Township of Chapple to enter into a communication agreement with Rainy River First Nations, be read a first, second and third time and finally passed this 14th day of July, 2015.

Carried.

13. Moved by: James Gibson - Ken Wilson

That By-law 1539, being a by-law to authorize the Reeve and CAO/ClerkTreasurer of the Corporation of the Township of Chapple to enter into a service agreement with Rainy River First Nations, be read a first, second and third time and finally passed this 14th day of July, 2015.

Carried.

14. Moved by: Ken Wilson - James Gibson

That the Township of Chapple support the Township of Montague in their request to Canada Post to cease the installation of community mailboxes and enter into consultation with stakeholders.

Carried.

15. Moved by: Rilla Race - Ken Wilson

That utility arrears of account 00000208.000 in the amount of \$ 68.96 be transferred to Property Roll No. 59 24 010 000 04500 0000.

Carried.

16. Moved by: James Gibson - Rilla Race

That By-law 1540, being a by-law to authorize the Reeve and CAO/ClerkTreasurer of the Corporation of the Township of Chapple to enter into a conditional building permit agreement with New Gold, be read a first, second and third time and finally passed this 14th day of July, 2015.

Carried.

17. Moved by: James Gibson - Ted Zimmerman

That we adjourn at 4:10 p.m. to meet again August 11, 2015 at 9:00 a.m. for regular meeting of Council.

Carried.



Reeve



CAO/Clerk Treasurer