Corporation of the Township of Burpee and Mills

Special Council Meeting

September 22, 2017

The Corporation of the Township of Burpee and Mills Council met for a special council meeting with Reeve, Ken Noland and Councillors, Art F. Hayden and Wayne L. Bailey. Melanie Blair and Debbie Wright also attended the meeting. B. Bailey, Clerk recorded the minutes.

Reeve, K. Noland called the meeting to order at 1:00 p.m.

Landowner Presentation regarding Burpee Drain 1 engineer’s final report – Melanie Blair, landowner of the proposed Lorne Lake outlet presented her concerns regarding the Lorne Lake outlet being incorporated into the Burpee Drain 1. M. Blair stated that she was new to the process being a new home owner. She has concerns with the preservation the lake (Lorne Lake) and the stream especially with what could be lost especially as Council members change. It is seen as sitting on two sides with the Council wanting to move the water and they want to keep the environment and birds etc. and it is not a financial concern. It is the preservation of everything. The lake is small and doesn’t get fished very much and they would like to preserve it.

Councillor W.L.Bailey responded that he was born and raised here and he was happy about their proposal to keep the outlet cleaned up etc. He is most interested in preserving the lake. As there had been some fill taken out of the outlet because the Lake level was so high and no one had any control over what happened. If they as property owners decided to sell there is no guarantee what new owners would do with the outlet.

Property Owner Response – M. Blair commented that she doesn’t see any way to preserve it for themselves.

Councillor A.F.Hayden noted that he is very pleased that in the engineer’s report is included an elevation limit for the lake. It cannot be lowered from that level by the township. Council does not want to see the lake interfered with and want to see it preserved. Also there should not be a lot of work done at the outlet.

Reeve, K. Noland noted that when someone went down to the outlet and dug it out the Council did not have the right to interfere. The Ministry of Natural Resources and Forestry did not respond to property owner complaints and nothing was done. If something like this happened after the outlet becomes part of the drain the Municipality will have the right to bring in their drainage superintendent to assess the damage and determine remedial work that would need to be done.

Property Owner D.Wright noted that if the outlet becomes part of the Drain then Council has the right to change the creek.

Reeve K.Noland noted that the Council can not alter the creek without the drainage superintendent decision and that decision would fall under the drainage report. The incorporation of the Lorne Lake outlet into the Burpee Drain 1 is a compromise of the lake level. If we don’t incorporate the outlet into the drain and the drain gets built up the property owners and farms will petition that we start the process again. Reeve Noland stated that the Council can also be taken to the Ontario Drainage Tribunal if the report is not approved. He feels the Township needs to have control of the drain under the drainage act.

Property Owner Response – M. Blair stated that they lose control and you (Council) would be able to just go there and do what they we would be able to do.

Councillor W.L.Bailey noted that Council cannot do anything to the drain unless the drainage superintendent approve it.

Property Owners M. Blair and D. Wright presented several sheet of information from the Lorne Lake property owners, A Petition and letters of concern and support for the petition. The Clerk read the presented petitions and letters to the Council members.

No. 87

Moved by: Arthur F. Hayden

Seconded by: Lyle Honess

That we draft By – Law no. 09 – 2017 to improve Burpee Drain 1 and to provide new improved drainage in the watershed.

Carried Ken Noland

No. 88

Moved by: Arthur F. Hayden

Seconded by: Lyle Honess

That By – Law no. 09 – 2017 received its first and second reading and provisionally adopted.

Carried Ken Noland

No. 89

Moved by: Wayne L. Bailey

Seconded by: Arthur F. Hayden

That the Court of Revisions for the Burpee Drain 1 will be held on Wednesday October 18, 2017 at 1:00 p.m. at the Burpee and Mills Complex.

Carried Ken Noland

No. 90

Moved by: Wayne L. Bailey

Seconded by: Lyle Honess

That we draft By-Law no. 10 – 2017 to appoint members to the Court of Revision for the Burpee Drain 1.

Carried Ken Noland

No. 91

Moved by: Arthur F. Hayden

Seconded by: Lyle Honess

That By – Law No. 10 – 2017 received its required readings and finally passed.

Carried Ken Noland

No. 92

Moved by: Wayne L. Bailey

Seconded by: Lyle Honess

That we adjourn to meet at our next regular council meeting on Monday October 2, 2017 at 7:30 p.m.

Carried KN

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reeve, Ken Noland

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk, Bonnie Bailey