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Aug 14, 2009

Dear Sirs

re: Airpowergen Wind Power Applications.

Further to the point I raised at the August 13, 2009 Council Meeting regarding the processing of these applications, I request that any action be deferred until I have the opportunity to address Council at its next meeting.

The policies in OPAIS requiring 1) the four technical studies and 2) peer reviews of these studies at the expense of the applicant, flowed directly from the 2007 OMB hearing regarding CTD's Phase II application.

Mr. Jordan's proposal that the MOE decision on the ISR document could be deemed to fulfill the requirements of OPAIS and Council's acceptance of that proposal will be challenged.

Please book me in for a 15 minute delegation slot at the next Council meeting to address processing these applications.

Sincerely



SEP - 3 2009

## Delegation to Mayor and Council September 3, 2009

I would have preferred to be here in person to present this delegation, however as this meeting is being held during business hours I am unable to appear. It is important to note that while this delegation is being presented by someone else on my behalf, the comments and statements herein are my own opinions and comments, and are not representative of either the speaker today or any grassroots organization.

I wish to speak with respect to the information in the planning document compiled by Deputy Mayor Hill and Councillor Elliott and listed on the August 13, 2009 Melancthon agenda, although not publicly circulated with the agenda material.

While the effort in putting this report together by the Deputy Mayor and Councillor Elliott is appreciated, I find it difficult to understand why elected officials would compile something this complex as opposed to a subject matter expert.

Also, all of this information can be found on various websites in a matter of minutes with a quick google search. Here are the links with information and flow charts setting out the entire process:

<http://www.mah.gov.on.ca/Page338.aspx> or

<http://www.stopthequarry.ca/Process/process.php> and [www.ndact.com](http://www.ndact.com)

This Council seems more intent on advising the public why they *cannot* take a proactive stand as opposed to taking action in advance of an application. Other elected officials and municipalities have taken proactive approaches in ADVANCE of formal applications. It is done all the time.

It is reassuring to note that at the August 13, 2009 meeting, however, Melancthon Council had a fulsome discussion and immediately passed a resolution to protect their ratepayers against the dreaded invasive species giant hogweed. I would respectfully suggest, however, that Council set their vision and expend energy on the real battle facing Melancthon: Highland Companies massive 2,400 acre open pit limestone mine proposal and the resultant implications for residents on their water and environment.

In fact Melancthon's Official Plan is hopelessly outdated, I believe in fact goes back to the 1970's when Reeve Gordon Oldfield and Clerk Marion Hunter were still around.

As Council was advised in a delegation on August 13, 2009, without a complete and comprehensive list of studies listed in the municipality's OP, the proponent can file an application with what they feel are appropriate and complete studies and Council can NOT deem the application incomplete.

That is exactly what happened with the wind turbines. Council continued to request more studies and the applicant refused to comply. As a result Council made no decision within the prescribed 180 day time period, citing a lack of information, after which the proponent appealed to the OMB. In a case where a Council makes no decision, the approval authority is NOT MMAH, it goes directly to the OMB and no peer reviews are done by any Ministry.

With respect, Councillors are NOT planning or aggregate experts. This Council needs to take immediate action to get subject matter experts in place to provide their expertise now and after a formal application is filed. While Jerry Jordan and Andrew Osyany have a role to play in this exercise, other experts are required and in fact demanded by ratepayers. If it costs money, so be it. The cost of doing nothing is too great a price to pay.

The document as prepared by Deputy Mayor Hill and Councillor Elliott shows a public meeting is to be held by the municipality with the following in attendance:

Ministry of Natural Resources MNR  
Ontario Ministry of Food, Agricultural and Rural Affairs OMAFRA  
Ministry of Environment MOE  
Ministry of Municipal Affairs and Housing MMAH  
Nottawasaga Valley Conservation Authority NVCA;  
Township Planner.

I am perplexed as to why all the other ministries and agencies with jurisdiction and interests in this issue are not involved, including:

Ministry of Economic Development and Trade MEDT  
Ministry of Transportation MTO  
Ministry of Health Promotion  
Ministry of Education  
Ministry of Aboriginal Affairs  
County of Dufferin  
Grand River Conservation Authority GRCA  
Guelph Wellington District Health Unit  
Town of Shelburne  
Township of Mulmur

Township of Clearview  
Town of Mono  
All municipalities in the Grand and Nottawasaga watershed

There is nothing in the document as prepared by Deputy Mayor Hill and Councillor Elliott to indicate that Council has requested an inter-ministerial technical working group with Ministry and agency staff to assist with this process, both in advance and after a formal application is filed. This would not cost the municipality anything.

Additionally there is no indication that a legal expert, agrologist or other subject matter experts are to be in attendance at this meeting. It is my recollection that the Mayor indicated Melancthon is seeking out these experts. You can be assured that Highlands will have their highly paid subject matter experts there.

Putting together reports on information the public already has readily available to them and of which they are aware is NOT what is needed from our Council. Concrete action by this Council right now, to protect their ratepayers is needed and has been demanded by residents at almost every single Council meeting since January 2009.

In January 2009, once ratepayers began questioning Council's lack of action, Council sought what appeared to be justification to their inaction by way of a letter from the municipal solicitor, in which he advised in correspondence dated February 27, 2009, "Neither the Township Planner nor I think that there is anything useful or constructive that the Township can do in regard to future developments, except to process them through the existing framework." I would respectfully suggest that this is poor advice and in fact wrong. The municipal solicitor and planner need only to do a bit of research to find that other communities have in fact been very successful in stopping these very types of initiatives.

This should be a planning exercise, not just one of processing whatever is thrown before Council with the statement their hands are tied. An example of what happened when Council and their "experts" (lawyer and planner) processed the wind turbine application as opposed to doing any real planning or mounting an type of offence whatsoever, is that the wind company is now paying, approximately \$300,000.00 per year over and above the very low taxes they pay, which are being subsidized by other residential ratepayers. Is this the best and safest deal our Council could negotiate? How does that help those who claim the turbines have caused them illness, property devaluation or have been impacted by ice being thrown from the blades? What is very strange still is that the wind turbines company sets conditions on where the money can be spent.

In my opinion, it appears that Melancthon was an experiment for wind turbines. Lessons learned here are benefitting other Ontario communities with respect to noise and setbacks. This can NOT and must NOT happened with respect to the 2,400 acre, 200 feet deep, open pit mine proposal by Highland Companies.

**As a recap the options that have been presented to this Council by ratepayers are:**

Prepare a Strategic Plan – **no action taken**

Meet with Ministers at the Association of Municipalities of Ontario AMO conference in August 2009 – **no action taken**

Move to have the subject lands designated under the Environmental Protection Act – **no action taken**

Seek and obtain a specialty crop designation for the subject lands – **no action taken**

Appeal to the OMB to force the province to take action on the five year review of the Official Plan that has been at the province for years – **no action taken**

Amend the OP to include a comprehensive list of studies required when an OPA is filed to have criteria to determine whether an application is considered complete – **no action taken**

Amend the OP to provide that that all studies in the OP have to be municipally directed and paid for at the expense of the applicant –**no action taken**

Incorporate the AEMOT study into the OP – **no action taken**

Update the OP and aggregate policies and/or fees which could include amending the fees and charges for an OPA for an aggregate application of at least \$100,000.00 – **no action taken**

Put conditions in place where a deposit of ½ billion dollars is on deposit by the applicant of a gravel application of this magnitude, so that residents can access that to prove their water issue problems against Highlands – **no action taken**

As recommended more than five years previously by opponents of Strada hire an aggregate specialist to guide the municipality through the process AT THE EXPENSE of the applicant NOT taxpayers – **no action taken**

Pass a municipal tree cutting bylaw – **no action taken**

Pass a bylaw under Section 33 of the Planning Act regarding demolition of structures – **no action taken**

Move a motion at County Council to fine Highland Companies for the nine proven contraventions by Highland Companies with respect to tree cutting – **no action taken**

Heritage Designation for century homes – **no action taken**

Interim control bylaw under Section 38 of the Planning Act – **no action taken**

Request the assistance of an inter-ministerial technical working group with representatives from all impacted ministries and agencies to guide the municipality through the process –**no action taken**

Protecting ratepayers from the invasive species giant hogweed –**fulsome discussion and immediate action taken**

Lobbying together with the Highland Companies for a YMCA to be located in the Town of Shelburne while Melancthon tax payers already support three arenas (Dundalk, Shelburne and Honeywood) and two pools (Shelburne and Dundalk) – **immediate action taken**

Despite continued requests from ratepayers, the lack of action on the part of this Council is troubling and is cause for much speculation in the community. In the meantime, Highlands continues with their plans to make billions of dollars for private investors through the destruction of our community. The only thing this community will realize out of this proposal is the loss of thousands of acres of prime agricultural land and the threat to their water source, leaving us without the ability with local food and water sources. While they are shipping their aggregate out of the country to foreign markets, we will be paying a premium to ship food and water here. Does that make sense to anyone?

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