

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 16th day of April, 2009 at 9:30 a.m. in the Council Chambers. Mayor D. Fawcett, Deputy Mayor B. Hill, Councillor J. Crowe, Councillor J. Elliott and Councillor B. Kumprey were present. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Fawcett presided.

Additions

- Infrastructure Funding Announcement
- Letter from Nancy Malloy - re: Turbine concerns
- # 17 in correspondence was in package but was not listed on the Agenda

Deletions

- None

Approval

S Show of hands

Minutes

Moved by Hill and Crowe that the minutes of the April 2, 2009 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

- Plateau ESR - the CAO advised that it would be coming in hard copy format
- Dundalk Community Centre - CAO advised that representatives had been invited to the May 7th meeting and were asked to bring the 5-year plan with them
- Chair of the Board of Education - CAO advised that the invitation has not yet been sent out

Members Privilege

Nothing at this time.

Correspondence

1. Copy of a letter that the Grand River Conservation Authority sent to the Minister of Energy and Infrastructure and the Minister of Natural Resources regarding the Green Energy Act
2. Letter from the President of the Greater Dufferin Area Chamber of Commerce regarding the amendment to the Chamber's By-laws regarding the removal of voting privileges of the municipal representatives
3. Request from the County of Dufferin - Emergency Management Department to proclaim May 3-9, 2009 as "Emergency Preparedness Week"
4. Letter from the OPP regarding the 2009 Cost Estimate Revision due to New Memorandum of Understanding
5. News Release from The Highland Companies - "The Highland Companies Provides Farm Information Update"
6. News Release from The Highland Companies - "The Highland Companies Welcomes Nurse Practitioner"
7. Letter from Sylvia Jones, MPP regarding an update on some of the long-term care issues the Progressive Conservatives have been raising
8. Letter from the Minister of Energy and Infrastructure regarding the Growth Plan conformity work

9. AMO Communication Alert - Federal Gas Tax Funding Reaches Maturity for Municipalities
10. Information from Carol Neumann, Rural Planner with OMAFRA regarding the Special Crop Areas
11. Resolution from the Township of Amaranth regarding Amaranth's representative on the Greater Dufferin Area Chamber of Commerce
12. Email from David and Christine Boyle requesting that Council meetings be held in the evening instead of during the day
13. Lake Erie Region Source Water Protection Committee Meeting Minutes for February 5, 2009
14. Grand Actions Newsletter for March/April 2009
15. NVCA 2009 Groundwater Overview
16. Request for Comments from the Niagara Escarpment Commission regarding the Proposed NEC Amendment PC 178 09 (Harmonization of the Niagara Escarpment Plan with the Endangered Species Act, 2007)
17. Letter from GW Jordan in response to Joan Lever's letter of March 27, 2009

Addition - Several news releases and announcements regarding the launch of Intake 2 of the Building Canada Fund Communities Component and the Infrastructure Stimulus Fund were received and reviewed.

2 - Deputy Mayor Hill to write a letter to the GDACC supporting the amendment – deferred to the next meeting.

3 - Moved by Kumprey and Crowe that **WHEREAS** Emergency Preparedness Week is designed to increase public awareness of the risks, planning and preparations that are necessary for any type of emergency. This is accomplished through the common and collaborative efforts of governments and other organizations of the emergency preparedness community; and **WHEREAS** The Dufferin Emergency Management Program assists the Township to identify risks, mitigate, prepare, respond to and recover from emergencies. While the Township is doing everything it can to prepare for disaster, residents also have an important role to play in ensuring their own safety during an emergency; and **WHEREAS** Emergency preparedness is a shared responsibility and each of us can reduce the risk we face by better understanding what could happen and learning how to better prepare ourselves, our families and our community; and **WHEREAS** Each of us must understand the risks inherent to where we live and work and undertake actions that reduce those risks. In this way, we can limit the extent to which an emergency affects us. **THEREFORE I, Debbie Fawcett, do hereby proclaim May 3 to 9, 2009 as "EMERGENCY PREPAREDNESS WEEK" in the Township of Melancthon.**
Carried.

7 - Moved by Kumprey and Elliott that we support the Petition to the Parliament of Ontario from our MPP Sylvia Jones regarding enhancing long term care issues for seniors.
Carried.

10 - waiting for comments from our Planner GW Jordan on the Specialty Crop Designation. Item deferred.

12 - discussion ensued with respect to evening meetings. Council advised that they could try this again – it would be one evening per month commencing at 6:00 p.m. – further discussion under the Procedural By-law Public Meeting.

#17 - the CAO was directed to send the Planner's letter to Ms. Lever.

Correspondence on File at the Clerk's Office

1. In The Trenches - March 2009
2. Mulmur Melancthon Fire Department - First Quarter Report Jan.-Mar. 2009
3. BDO - Budget Report - March 26, 2009

4. Resolution from the Township of Mulmur regarding Conservation Authorities (Municipality of South Bruce)

Delegations

10:00 a.m. - A public meeting had been called to deal with the draft procedural by-law. Karren Wallace was in attendance and raised some concerns/questions pertaining to the by-law specifically relating to Sections 13, 19 and 21. She wanted to know what prompted the review of the by-law and was advised that the Council is reviewing all of their old by-laws. Discussion ensued with respect to evening meetings. Council decided to hold the meeting on the 3rd Thursday during the evening from 6:00 p.m. - 10:00 p.m. with Public Question Period at 7:00 p.m. and this would be reviewed in 6 months. There was no decision on the start date as it depends on if there are any delegations booked for the May 21st meeting. Discussion also ensued with respect to agenda items being available on the website in advance of the meeting. Deputy Mayor Hill stated that extra funds had been put in the budget for this purpose and if the budget passes, the Township will have the resources to do this. The concerns of Ms. Wallace to be taken back to the Procedural By-law Committee for review before the by-law is passed.

10:30 a.m. - PUBLIC QUESTION PERIOD

Carl Cosack, Mulmur Township asked if the evening meetings were going to be for every meeting and he was advised that it would be one evening per month.

Tom Newson, Strada Aggregates was in attendance and asked if there were any applications filed yet by The Highland Companies for a quarry and he was advised that no applications have been filed.

Nancy Malloy was in attendance and spoke to the letter that she had submitted regarding her concerns with the turbines.

Karren Wallace spoke on the DVD, letters in the paper, etc. from The Highland Companies and wanted to know if Council has a strategic plan for this community and what is Council's vision as The Highland Companies seem to be setting the agenda for this Township. Mayor Fawcett advised that she had been looking at other websites for municipalities who have strategic plans.

Joan Lever was in attendance and raised an issue with a wind turbine article that appeared in the Owen Sound Times and her question was if anyone could provide a place for Barbara Ashbee, Amaranth Township to live because of her health issues with the turbines in Amaranth?

Marni Walsh was in attendance and asked if Council would consider extending the Public Question Period – Council advised they would consider this. Ms. Walsh also inquired about the rail line issue and made reference to Mulmur Mayor Gord Montgomery and that representatives of Orangeville should not have a vote and asked what Council was doing? Deputy Mayor Hill responded that the Mayor of Orangeville brought a closed session document about a conflict of interest into the public. Deputy Mayor Hill put a motion forth at the last County meeting to stop the proceedings until such time as the instructions from Orangeville to the Courts come forward. Melancthon is supporting this. Deputy Mayor Hill and Mayor Fawcett will not support the sale of the rail line but Deputy Mayor Hill indicated that he would support utilization of the rail line.

Kate Armstrong was in attendance and referenced the explosive plant in East Luther Grand Valley and asked if other municipalities were allowed to support or not support planning applications in other municipalities and if yes, has there been any thoughts on this by Melancthon? She was advised that this issue has not been discussed by Melancthon Council.

Harvey Lyon raised concerns about the County Growth Management Plan.

11:00 a.m. (scheduled for 10:45 a.m.) - Reuben Martin, owner of Part of Lots 27, 28 & 29, Concession 11 NE attended Council about building an accessory building on his property before a dwelling is built. He is in the process of applying for a zone change on his property and wanted to build a shop. Mr. Martin was advised of the accessory building by-law. Mr. Martin said he had some other options he could pursue. Council suggested he make an appointment with the Planner for April 22nd.

11:10 a.m. (Scheduled for 11:00 a.m.) - Leo Blydorp, Director of the Dufferin Federation of Agriculture; Vera Lloyd, Ken Lloyd, Tim Allen all of the ATV Club and Doug Walterhouse, Snowmobile Club attended Council regarding nuisance recreational vehicles causing damage to farmer's fields. A lengthy discussion ensued regarding this problem. The ATV Club has been to Mr. Blydorp's property and taken pictures. The ATV Club's resolution to the problem is to put up 'no trespassing' signs, 'stay on the trail' signs and to put articles in the local papers. The ATV Club will continue to monitor the situation and will keep in contact with Mr. Blydorp.

11:35 a.m. - Council took a five minute break and reconvened at 11:40 a.m.

11:40 a.m. (Scheduled for 11:30 a.m.) - Dave Besley and Lana Fleming, Part of Lot 28, Concession 5 SW attended Council about building a barn on their property before the house is built. Mr. Besley advised that he was not aware of the Township's By-law until he called the County of Dufferin. Mr. Besley has all his other permits/financing in place and is ready to start construction of the barn. Mr. Besley was advised of the Township's accessory building by-law and that exceptions have never been made to it. Mr. Besley stated that there was an existing barn already on the property which is full of sheep. It was suggested to him that an addition could be built onto the existing building and this would not contravene the by-law. It was suggested that Mr. Besley and Ms. Fleming meet with the Planner on April 22nd regarding this matter.

Road Business

Allen Braiden, Road Superintendent attended Council and presented the tenders to supply and deliver A Gravel and Screenings. Four tenders were received as follows (taxes included):

1. Strada Aggregates
A Gravel - \$8.82/tonne
Screenings - \$8.25/tonne
2. Nelson Arnold Construction
A Gravel - \$8.38/tonne
Screenings - \$8.38/tonne
3. CBM
A Gravel - \$11.43/tonne
Screenings - \$8.76/tonne
4. King Contracting
A Gravel - \$8.98/tonne
Screenings - \$8.98/tonne

Council asked Allen to review the tenders and make a recommendation to Council.

12:15 p.m. - verbal motion - Moved by Crowe and Elliott that we adjourn for lunch. Carried.

1:00 p.m. - Council reconvened.

General Business

Tax Rate By-law

The CAO recommended to Council that the budget be deferred because of the funding announcements that were received yesterday with respect to the "Infrastructure Stimulus Funding". Council agreed and the matter was deferred and it was decided that the Township would apply for the Horning's Mills Rehabilitation of Main Street as this was a very important project and the Township has been waiting for the funding announcement. Further discussion on projects during the continuation of Road Business.

Mutual Aid By-law

Moved by Hill and Crowe that leave be given to introduce a by-law to authorize the participation in the County of Dufferin Mutual Aid Plan and Program with the Shelburne and District Fire Department and the Mulmur Melancthon Fire Department and it now be read a first and second time. Carried. By-law read a first and second time and numbered 6-2009.

Draft Nuisance Coyote By-law - County of Dufferin

This by-law was reviewed at the last DMOA meeting and the Clerk's have concerns regarding the by-law and are to forward same to the County. Council also advised that they have concerns and that they do not recommend proceeding with this by-law until the Clerk's have addressed some of the concerns.

Mulmur Melancthon Fire Department Budget 2009

Moved by Crowe and Hill that the Council of the Corporation of the Township of Melancthon hereby receives and approves the 2009 Mulmur Melancthon Fire Budget as adopted February 11, 2009. The proposed budget total as presented by the Fire Board will total \$181,120.00. Melancthon Township share 25.24%. Carried.

Applications to Permit

Mayor Fawcett signed the following application to permit:

- a garden shed on the East Part of Lot 11, Concession 4 OS - P. Addison

New/Other Business

Permission to Close Municipal Office on May 13, 2009

The CAO asked permission to close the Municipal Office on May 13, 2009 for staff to attend a Keystone Computer Meeting. Permission was granted.

Highland Companies - DVD

Deputy Mayor Hill advised that he, as well as the rest of Melancthon Township, received a DVD from The Highland Companies with a letter advising of potential jobs in the future. Deputy Mayor Hill would like to invite John Lowndes of The Highland Companies to a future meeting of Council to discuss the letter as it pertains to the aggregate and wind power projects that would lead to these jobs. The CAO was asked to invite him to a future meeting of Council.

Addition - Nancy Malloy Letter

A letter was received from Nancy Malloy who has concerns with the wind turbines, her

property value because of the wind turbines and wants the Township to use the Canadian Hydro monies to reduce taxes for residential properties that are within 400-600 metres of the wind turbines. The CAO was directed to send Ms. Malloy a letter advising her that she should contact MPAC regarding her property assessment and also that the CHD Amenities Agreement monies are to be used for the betterment of the community and not to reduce residential property taxes for owners within the vicinity of the turbines. The CAO also to forward Ms. Malloy's letter to CHD for their information.

Unfinished Business

Dundalk and District Community Centre Agreement

Representatives have been invited to the May 7th Council meeting. The CAO was asked to obtain the 5-year plan in advance of the meeting so that it can be included in the Agenda packages.

Bill 138 - Protection of Public Participation Act, 2008

Moved by Hill and Crowe that **WHEREAS** Bill 138, an Act to encourage participation in public debate, and dissuade persons from bringing legal proceedings or claims for an improper purpose, was given first reading December 09, 2008; **AND WHEREAS** the Bill protects persons from being subjected to legal proceedings that would stifle their ability to speak out on public issues or to promote, in the public interest, action by the public or by any level of Government; **AND WHEREAS** the Council of the Corporation of The Township of Melancthon believes in the rights of people to participate in discussions on issues involving the Township and politics in general; **THEREFORE BE IT RESOLVED THAT** the Council supports this private Members Bill and requests our MPP Sylvia Jones support the Bill. In addition that this motion be sent to surrounding municipalities in Dufferin requesting they support the Bill. Carried.

Third Reading of By-law 6-2009

Moved by Elliott and Kumprey that By-law No. 6-2009 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Road Business - Cont.

A Gravel and Screenings

Allen Braiden, Road Superintendent returned to Council with his recommendation and the following resolution was passed:

Moved by Hill and Crowe that the Council of the Corporation of the Township of Melancthon has received tenders to supply and haul "A gravel and screenings for application on Township roads. We hereby award the tender to Nelson Arnold Construction to supply A gravel at a price of \$8.38/tonne including applicable taxes and \$8.38 per tonne including taxes for screenings. The quantities are as follows: 12,000 tonnes of A gravel and 8,000 tonnes of screenings. Total estimated price \$167,600.00. This purchase complies with the Melancthon Township Procurement By-law. Carried.

Horning's Mills Project

A resident of Horning's Mills is concerned with the knolls on the Main Street. The Engineer has been out to the street to have a look and it will be quite expensive to remove the knolls so the other alternative is to lower the speed limit. Allen is to meet with the Engineer on Friday morning at 8:00 a.m. Mayor Fawcett advised that she would like to attend that meeting as well.

Calcium

Moved by Kumprey and Elliott that we accept the quote from Da-Lee for calcium for 2009 in the amount of \$341.18 per FE Tonne. Carried.

Infrastructure Funding - Stimulus Fund

The CAO and Road Superintendent were directed to advise Burnside and Associates to complete an application to apply for funding for the Horning's Mills Project. As there are up to three projects allowed, it was decided that the Township would also apply for the bridge in Horning's Mills on Main Street as a separate application and Allen is to make a recommendation for the 3rd project.

Thomas Onsite

Council will be going for an onsite today to the Thomas property at Lot 301, Concession 2 SW regarding damage to the end of his laneway caused by the plow truck turning around.

Adjournment

2:35 p.m. - Moved by Hill and Crowe that we adjourn Council to meet again on May 7, 2009 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK