

TOWNSHIP OF MELANCTHON

AGENDA

Thursday, October 1, 2015 - 5:00 p.m.

- 1. Call to Order
- 2. Announcements
- 3. Additions/Deletions/Approval of Agenda
- 4. Declaration of Pecuniary Interest and the General Nature Thereof
- 5. Approval of Draft Minutes September 17, 2015
- 6. Business Arising from Minutes
- 7. Point of Privilege or Personal Privilege
- **8. Public Question Period** (Please visit our website under Agendas and Minutes for information on Public Question Period)

9. <u>Road Business</u>

- 1. Accounts
- 2. New/Other Business

10. County Council Update

1. Council In Brief for Thursday, September 10, 2015

11. Committee Reports

12. Correspondence

*Outside Board & Committee Minutes

1. Grand River Conservation Authority General Membership Meeting - Meeting date Friday July 24, 2015

* Items for Information Purposes

- 1. AMO Communications AMO Policy Update Ministry of Municipal Affairs and Housing Legislation Review - AMo Makes Initial Submission
- 2. Email from Pam Hillock, County Clerk dated September 21, 2015, Re POA Report

* Items for Council Action

1. Email from Raylene Martell, Municipal Clerk, Southgate dated September 21, 2015, Re-Southgate Recreation Agreement

13. General Business

- 1. Accounts
- 2. Application(s) to Permit
- 3. New/Other Business/Addition to Agenda
 - 1. Open Tenders for the Stinson D., Bauman and Fluney Drainage Works (to be opened after Court of Revision under Delegations)
 - 2. Discussion regarding the distribution of Information Flyer for Community Meeting to be held October 22, 2015 at the Corbetton Hall
- 3. Unfinished Business
 - 1. Memorandum to Mayor White and Members of Council from Denise Holmes dated September 24, 2015, Re - Third Reading on By-law to Permit Off Road Vehicles on Municipal Roads & Third Reading of the By-law
 - 2. North Dufferin Recreation Agreement
 - 3. Conservation Authorities Act does Council have any comments to submit -

deadline is October 19, 2015

- 4. Ark II Shelter Update
- 5. Information flyer Update
- 6. Rogers Telecommunications Tower Request for Concurrence
- 7. Chris Jones Memo Home Occupations and On Farm Business'
- 8. Corbetton Scrap Yard (Mayor White)

14. Delegations

- 1. 5:45 p.m. Trevor Downey, Downey Farms to request Council to reconsider its decision on the FIT application for roof top solar project
- 2. 6:00 p.m. Court of Revision on the Bauman Drainage Works
- 3. 6:15 p.m. Court of Revision on the Fluney Drainage Works
- 4. 7:00 p.m. Dennis Ramsarran Provide an update to Council in regards to High Point Maples Trailer Park purchase

15. Closed Session

- 1. Approval of Draft Minutes July 16, 2015
- 2. Litigation or potential litigation, including matters before administrative tribunal, affecting the local board NVCA issue property in Township of Amaranth (Deputy Mayor White)
- 16. Notice of Motion
- 17. Confirmation By-law
- 18. Adjournment and Date of Next Meeting Thursday, October 15, 2015 5:00 p.m.
- 19. On Sites
- 20. Correspondence on File at the Clerk's Office

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Past Issues

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COUNCIL IN BRIEF

For Thursday, September 10, 2015. For the full agenda and minutes, please visit our website.



TRIBUTE TO LOUISE KINDREE

Warden Warren Maycock paid tribute to Louise Kindree. Louise joined the Physician Search Committee in 2000 and became the Chair in 2003. Over her 15 years of service, she has played a leading role in many accomplishments and has been an instrumental part of physician recruitment, improving healthcare and long-term care in Orangeville and surrounding areas. Louise's efforts have been integral to establishing Dufferin County as a go-to destination for medical students and residents.

HUNGER AWARENESS

Warden Warren Maycock officially proclaimed the week of September 21 to 25 "Hunger Awareness Week" in Dufferin County. Aimee Raves and Sarah Hurson accepted the proclamation from the Orangeville Food Bank. Aimee addressed council following the presentation. Pictured below are Warden Maycock, Aimee Raves and Sarah Hurson accompanied by Ella and Orla. To show support, use the hash tag, #HungerWeek on social media. For more information regarding Hunger Awareness, visit the official website at:

http://hungerawarenessweek.ca/home



DUFFERIN COUNTY AGENCY COLLABORATION INITIATIVE (DC MOVES)

County Council endorsed the report of the Director of Community Services, dated August 27, 2015, regarding the Dufferin County Agency Collaboration Initiative. The initiative will see local agencies better working together to address local service needs.

LOCAL POVERTY REDUCTION AND TASK FORCE STRATEGY

County Council endorsed the report of the Director of Community Services dated August 27, 2015, regarding the creation of a Dufferin County Poverty Task Force. During the 2016 Draft Budget discussion, there will be consideration of a \$30,000 funding for a Full-Time or Part-Time Task Force Coordinator through a partner agency.

COUNTY OFFICIAL PLAN IMPLEMENTATION - UPDATE

MMM will serve as Dufferin County's Consulting Planner of record and will administer the County planning process. A transition meeting with MMAH, County planning consultants and local planners is scheduled for September 2015. Documents circulated to local planners are as follows:

- Flow Charts outlining typical County OPA and typical Local Circulations (Commenting/Approval Process)
- Handbooks with respect to Flow Charts
- County OPA Application Forms
- Major/Minor Application Screening Checklist

• Supporting Study Checklist (for Pre-consultation and County OPA Application)

Short term items:

- Finalize approval process for Minor and Major Local OPAs and County OPAs
- · Determine role and composition of a Planning Advisory Committee
- · Draft fees bylaw and set planning fees
- · Update website with application forms, handbooks and fees
- Develop annual reporting templates & growth monitoring

Longer term projects:

- Natural Heritage Systems Strategy Study (funds are included in the 2016 draft budget)
- Aggregate Resources Master Plan (if desired)
- Five year updates of local official plans and County Official Plan (Orangeville has commenced a review)

Ongoing planning tasks:

- Administer pre-consultation process
- · Review and provide comments as required on local planning applications
- Provide comments on provincial policy matters related to current reviews
- Process application for County OPAs

WOWC - SWIFT PROJECT UPDATE

Work on the Western Ontario Warden's Caucus South West Integrated Fibre Technology (SWIFT) project is moving forward and gaining interest across the region. In recent months, there has been considerable activity and efforts to advance SWIFT. Much of the recent focus was on providing requested information to the provincial and federal governments in anticipation of a decision on funding. It is expected that a decision will be delayed due to the upcoming federal election. The focus will now shift to communications with potential public sector partners and federal election candidates. Work with respect to incorporating SWIFT will also be required in the coming months.

Developing ultra-high speed fibre broadband is necessary for future economic vitality. Participation in the Western Ontario Warden's Caucus SWIFT initiative is in line with the corporate strategic directions and principals.

ASSET MANAGEMENT PRESENTATION

Treasurer Alan Selby made a presentation to County Council regarding asset management. The presentation provided information such as statistics, trends, analysis, strategic plans and strategies for financial stability. The presentation can be viewed on the Dufferin County official website at: http://bit.ly/1F9IPVC

TENDERS AWARDED

Tenders were awarded as follows:

Dufferin County Forest

Moggie Valley Timber, in the amount of \$28,250.00 Kaster Logging Ltd., in the amount of \$27,120.00 Breen's Lumber, in the amount of \$8,023.00

UPCOMING MEETINGS - all at 55 Zina Street, Sutton Room

Public Works Committee - September 22-- 7 am General Government Services - September 22 - 4 pm Community Services/Dufferin Oaks Committee - September 22 - 7 pm Forest Operation Review Committee - September 29 - 7 pm As part of the October 8 County Council meeting, there will be a budget information session. Council will start at 6 pm.





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Grand River Conservation Authority General Membership Meeting

Friday, July 24, 2015

The following are the minutes of the General Membership Meeting held at 9:30 a.m. on Friday, July 24, 201S at the Administration Center, Cambridge, Ontario.

Members Present:

J. Mitchell, Chair, L. Armstrong, B. Banbury, B. Bell, B. Coleman, B. Corbett, S. Foxton, G. Gardhouse, G. Lorentz, C. Lunau, V. Prendergast, W. Roth, M. Salisbury*, P. Salter, S. Shantz*, S. Simons, W. Stauch, G. Stojanovic, C. White, G. Wicke

Members Regrets:

H. Jowett, K. Linton, F. Morison, D. Neumann, J. Nowak

Staff:

J. Farwell, K. Murch, D. Bennett, D. Boyd, N. Davy, K. Armstrong, J. Griffin, S. Lawson, S. Radoja, D. Schultz, B. Brown, B. Parrott, L. Stocco, S. Wilbur

Also Present:

R. Martin, Cambridge Times

1. Call to Order:

J. Mitchell, Chair, called the meeting to order at 9:30 a.m.

2. Roll Call and Certification of Quorum – 13 members constitute a quorum (1/2 of members appointed by participating municipalities)

The Secretary-Treasurer called the roll and certified a quorum with 18 members present. A total of 20 members attended the meeting.

3. Chair's Remarks:

J. Mitchell welcomed members, staff and guests and made the following comments:

- On May 24, 2015 J. Mitchell participated in the Caldwell Cambridge to Paris Paddle which was hosted by the Grand River Conservation Foundation (GRCF).
- On May 27, 2015 J. Mitchell attended the Brant Waterways Foundation Fundraising Dinner. Brant Waterways Foundation has contributed to a number

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of Grand River Conservation Authority (GRCA) and GRCF projects including the canoe portage at Wilkes Dam and the Jerseyville trail parking area.

- On July 6, 2015 J. Mitchell chaired the Lake Erie Region Management Committee Meeting for Source Protection Planning. C. Ashbaugh has resigned as the Chair of the Lake Erie Region Source Protection Committee effective December 31, 2015. Most of the work of the Committee has been completed and it will be moving into the monitoring stage.
- Today J. Mitchell will be attending the Guelph Rotary Club meeting at which time the Club will receive an International Rotary Award for its work with the Rotary Forest at Guelph Lake.
- The members of the Special Recognition Committee were reminded that they would meet in the Conference Room following this meeting.
- J. Mitchell invited D. Schultz to introduce L. Stocco, the new Manager of Communications.
- D. Schultz indicated that L. Stocco joined the GRCA on July 20, 2015. She is an Accredited Public Relations professional and a Certified Public Participation practitioner. She most recently worked in the education sector with the Halton Catholic District School Board. She will officially begin in her capacity as the Manager of Communications on August 4, 2015.

*S. Shantz and M. Salisbury joined the meeting at 9:40 a.m.

4. Review of Agenda:

There were no additions to, or deletions from, the agenda.

Moved by: S. Foxton Seconded by: L. Armstrong (Carried)

THAT the Agenda for the General Membership Meeting of July 24, 2015 be approved as circulated.

5. Declarations of Pecuniary Interest:

There were no declarations of pecuniary interest made in relation to the matters to be dealt with.

6. Minutes of the Previous Meeting:

General Membership Meeting – June 26, 2015

There were no questions or comments with respect to the minutes of the General Membership Meeting of June 26, 2015

> Moved by: B. Corbett Seconded by: W. Stauch (Carried)

THAT the Minutes of the General Membership Meeting of June 26, 2015 be approved as circulated.

- 7. Business Arising from Previous Minutes: None
- 8. Hearing of Delegations: Not applicable
- 9. Presentations:

None

- 10. Correspondence:
 - a) Copies for members
 - i. Correspondence from Jeanette Jamieson (undated) Re: Service as a Member of Grand River Conservation Authority.
 - b) Not copied
 - i. Thank You card from Marilyn Wettlaufer to GRCA staff and members.

Moved by: S. Foxton Seconded by: Pat Salter (Carried)

THAT correspondence from Jeanette Jamieson (undated) Re: Service as a Member of Grand River Conservation Authority and the Thank You card from Marilyn Wettlaufer be received as information.

11. 1st and 2nd Reading of By-Laws:

None

- 12. Presentation of Reports:
 - a) GM-07-15-71 Financial Summary for the Period Ending June 30, 2015

There were no questions or comments with respect to this report.

Resolution 82-15

Moved by: G. Gardhouse 5econded by: B. Banbury (Carried)

THAT the Financial Summary for the Period Ending June 30, 2015 be approved.

b) GM-07-15-72 Access Control Gates - Shade's Mills Park

B. Corbett asked if others would have bid if they knew there were going to be a number of gates. D. Bennett answered that there are not a lot of companies that offer the kind of system that GRCA wants. He believes there would have been the same outcome if it was known that there would be a number of gates at GRCA parks. He also said that they estimated payback time is conservative. V. Prendergast said the members are being asked to approve a test of the system and he assumed staff would come back to the members to move forward or find another direction. D. Bennett answered that staff intend to move forward. He then said that the gate system is being used in Provincial Parks and by other conservation authorities. He said staff did not intend to seek further approvals from the members. V. Prendergast said he has reservations because of GRCA's "tight" economic situation and there has been no estimate for the total system. D. Bennett said staff could report to the members on the payback in one year.

S. Foxton referred to year round access at Pinehurst Park. She asked if the gate will be at the road or at the gatehouse. D. Bennett said that staff have not yet evaluated Pinehurst Park. S. Foxton asked if staff have taken into account the cost of ploughing the laneway into the park. D. Bennett said that the laneway to the park has always been ploughed in winter.

B. Corbett asked about maintenance and longevity. D. Bennett answered that maintenance will be low and will be done by the company who installs the gates. He estimated the life span of the gates to be 15 to 20 years.

Resolution 83-15

Moved by: V. Prendergast Seconded by: L. Armstrong (Carried)

THAT the Grand River Conservation Authority approve the purchase of equipment and software for the installation of an access control gate system at Shade's Mills Conservation Area from Key West Industries in the amount of \$35,660 excluding HST;

AND THAT Grand River Conservation Authority endorse the use of Key West Industries as the supplier of equipment and software for access control gate systems to be installed at other Grand River Conservation Authority locations over a five year implementation period.

- c) GM-07-15-73 Chief Administrative Officer's Report
 - J. Farwell highlighted the following:
 - The Hillside Festival will take place at Guelph Lake from July 24 to July 26, 2015.
 - The Canadian National Men's Rowing Team will be using Guelph Lake for a training camp this summer as it prepares for an Olympic qualifying event.
 - The members were provided with information regarding the 50 Awesome Things Contest.
 - Rockwood Park continues to be a popular site for film production. An episode of *Reign* was filed on July 13, 2015 with an expected release date in November, 2015.
 - The Conservation Authorities Act is being reviewed by the Province and a
 Discussion Paper has been prepared seeking feedback. Members were asked to
 encourage their municipalities to respond. A copy of the Discussion Paper will
 be circulated to the members.

Resolution 84-15

Moved by: S. Foxton Seconded by: S. Simons (Carried)

THAT Report GM-07-15-73 – Chief Administrative Officer's Report be received as information.

d) GM-07-15-74 Cash and Investments Status Report as of June 30, 2015

There were no questions or comments with respect to this report.

Resolution 85-15

Moved by: B. Coleman Seconded by: G. Gardhouse (Carried)

THAT Report GM-07-15-74 – Cash and Investments Status as of June 30, 2015 be received as information.

e) GM-07-15-75 Five Year Forecast 201S to 2019

S. Radoja conducted a PowerPoint presentation indicating that:

- GRCA's 2015 budget is approximately \$29.2 million
- The budget consists of three main categories: Operating Budget, Capital Budget and Special Projects.
- Major assumptions included in the forecast are: continued operation of existing programs; inflationary increases in compensation and benefits, property taxes, administration and operating costs; capital expenses for water control structures being held constant at \$1.5 million; and conservation area capital expenses being held constant at \$600,000.
- The forecast assumes up to \$8.0 million in spending related to the Emerald Ash Borer (EAB) infestation, which is assumed to be funded by special project funding and/or reserves.

M. Salisbury referred to EAB and the inclusion of \$8.0 million in the forecast while staff said they could "get by" with \$2.0 million. S. Radoja said that the reference to \$2.0 million is just a portion of the anticipated cost over five years. M. Salisbury said GRCA is not treating trees and asked if this is the cost for harvesting. S. Radoja responded in the affirmative.

B. Corbett said he would not support the recommendation. He said this had to do with Ontario Power Generation (OPG) and the Province not "stepping up to the plate". J. Mitchell reminded the member that the report is to be received as information.

S. Shantz referred to EAB and "front end costs". She asked what will occur if the infestation moves more quickly. She also asked if funding would come from reserves. S. Radoja said that staff would have to come back to the members with some options. S. Shantz said the "general flavor" is to keep the municipal levy down. G. Lorentz pointed ut that the Region of Waterloo funds the levy out of water and sewer rates.

S. Simons asked if the ash trees being removed are being replaced and if so, whether the cost is included in the budget. S. Radoja said she does not believe replanting will be a large cost and that it will be done mostly with external funding. S. Radoja reminded the members that Operations staff will provide regular updates to the members regarding EAB work.

G. Wicke noted there is nothing in the forecast dealing with the emergency spillway at Conestogo Lake. He asked if this project was still ongoing. D. Boyd said staff continue to deal with the Ministry regarding the size of the spillway that would be required. G. Wicke said that this is a matter of safety to property and life. He asked if the government has come up with a different plan. D. Boyd said that the Ministry of Natural Resources and Forests is the regulator and staff expect that a less expensive alternative will meet new Dam Safety Guidelines.

> Resolution No. 86-15 Moved by: Seconded by: (Carried – 1 opposed)

THAT Report GM-07-15-75 – Five Year Forecast 2015 to 2019 be received as information.

J. Mitchell referred to the September 10, 2015 Special Budget Meeting noting that there are not many changes. She suggested that the budget be discussed at the General Membership Meeting in September, 2015.

Resolution No. 87-15

Moved by: B. Coleman Seconded by: B. Beli (Carried)

THAT the Special Budget Meeting scheduled for September 10, 2015 be cancelled.

f) **GM-07-15-76** Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations

There were no questions or comments with respect to this report.

Resolution No. 88-15

Moved by: W. Roth Seconded by: B. Coleman (Carried)

THAT Report GM-07-15-76 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations be received as information.

g) GM-07-15-77 Environmental Assessments

There were no questions or comments with respect to this report.

Resolution No. 89-15

Moved by: L. Armstrong Seconded by: P. Salter (Carried)

THAT Report GM-07-1S-77 – Environmental Assessments be received as information.

h) GM-07-15-78 Breach of Probation Decision, Implementation of Court Restoration Orders under Section 28(16) of the *Conservation Authorities Act*

B. Brown conducted a PowerPoint presentation indicating that:

- The landowner first developed in a GRCA regulated area without a permit in 2009.
- Between 2009 and 2015 GRCA was successful with respect to three separate charges.
- Lands that were graded and filled were subject to rehabilitation orders imposed by the Courts and registered on title to the subject property.
- GRCA has now been successful in obtaining a conviction with respect to a breach of probation charge.
- The landowner completed rehabilitation in June, 2015.
- A sentencing hearing is set for September 15, 2015 with respect to the breach of probation charge.

W. Roth referred to legal costs incurred with respect to this matter. He asked if there was any estimate of the cost of staff time. B. Brown answered there was not.

M. Salisbury said that he has heard some frustration with the penalty being one and one-half times the permit fee. He asked at what point GRCA takes this kind of action. B. Brown answered that the majority of landowners co-operate and were not aware that they required a permit. She said staff's first approach is to work with landowners. When charges are laid one of the considerations is whether the landowner is a multiple offender and whether it is a major infraction. She said each case is looked at individually.

G Wicke referred to legal costs of \$21,000 plus all staff time. He said GRCA has to get a different "deal" with the province. He then said GRCA is protecting wetlands in Ontario for all people in Ontario. He asked if Conservation Ontario could look into compensation from the province. J. Farwell said that the Discussion Paper from the Province addresses roles and once again encouraged the members to ask their municipalities to respond. G. Wicke asked whether it would be a good idea for the Chair and staff to visit councils to explain what is happening. He said GRCA may have to decide not to enforce the regulations. B. Brown indicated that \$21,000 relates only to the breach of probation charge.

C. Lunau referred to the upcoming sentencing hearing and asked if there would be an opportunity for GRCA to speak to sentencing and recover legal costs. B. Brown said staff will have an opportunity to speak but recovery of legal costs is not an option. C. Lunau said this could be incorporated into changes to the Act where it is a willful action. She said staff time is a cost to GRCA when they could be doing something else.

S. Foxton asked for a copy of the presentation. She said that she spoke with Premier Wynne. She referred to dumping fill on farmlands and said that the municipalities and conservation authorities cannot afford enforcement. She indicated that she, the Chair and J. Farwell will be meeting with three ministers at the upcoming Association of Municipalities Ontario (AMO) conference.

C. White said AMO is working on these issues which are complicated and require provincial legislation.

G. Stojanovic asked for clarification as to why legal costs cannot be recovered. N. Davy answered that these are not civil proceedings.

Resolution No. 90-15

Moved by: V. Prendergast Seconded by: W. Stauch (Carried)

THAT Report GM-07-15-78 – Breach of Probation, Implementation of Court Restoration Orders under section 28(16) of the *Conservation Authorities Act* be received as information.

i) GM-07-15-79 Current Watershed Conditions as of July 20, 2015

Dwight Boyd conducted a PowerPoint presentation indicating that:

- July, 2015 precipitation has been variable across the Grand River watershed.
- The average air temperature in July, 2015 was below the long term average.
- The level of Lake Erie is well above the long term average.
- Water levels in the large reservoirs are at or slightly above the normal operating range.
- Environment Canada predicts normal temperatures for the watershed for the July to September, 2015 period.

B. Corbett said he noticed boats and government vehicles in Dunnville testing soil and water. D. Boyd said that this activity does not involve GRCA but he can follow up with the Ministry of the Environment and Climate Change.

Resolution No. 91-15

Moved by: L. Armstrong Seconded by: G. Gardhouse (Carried)

THAT Report GM-07-15-79 – Current Watershed Conditions as of July 20, 2015 be received as information.

*C. White left the meeting at 10:45 a.m.

13. Committee of the Whole:

None

14. General Business:

None

15. 3rd Reading of By-Laws:

None

16. Other Business:

None

17. Closed Meeting: (motion required pursuant to Section 36 of By-Law 1-2014)

Resolution 92-15

Moved by: B. Coleman Seconded by: S. Foxton (Carried)

THAT the meeting adjourn into closed session to discuss a property acquisition and labour relations matter.

The meeting adjourned at 10:50 a.m.

The meeting reconvened at 11:0S a.m.

a) GM-07-15-80 Property Acquisition – Township of North Dumfries (formerly Village of Ayr) [confidential]

Resolution 93-15

Moved by: B. Corbett Seconded by: L. Armstrong (Carried)

THAT the Grand River Conservation Authority accept title to a 0.22 hectare (0.55 acres) parcel of land adjacent to other Grand River Conservation Authority holdings in the former Village of Ayr, legally described as Lot 39 and Part Lot 40, Plan 673, Township of North Dumfries, Regional Municipality of Waterloo, to be more particularly described on a Reference Plan to be deposited at the nominal consideration of \$2.00.

b) GM-07-15-81 Report of the Labour Relations Steering Committee [confidential]

The Chair read the staff recommendation and suggested an addition to deal with nonunion salaries. B. Coleman requested a recorded vote.

K. Murch spoke to the recorded vote that had been called for. He said that he would ask the members in favour of the recommendations to stand and be counted and then he would ask the members opposed to the recommendations to stand and be counted.

MEMBER	IN FAVOUR	OPPOSED	ABSENT
Armstrong	x		

RECORDED VOTE

Banbury	X		
Beli	X		
Coleman		x	
Corbett	X		
Foxton	x		
Gardhouse	X		
Jowett			X
Linton			x
Lorentz			- X
Lunau	x		·····
Mitchell	x		
Morison			X
Neumann			x
Nowak			x
Prendergast	x		
Roth	x		
Salisbury	x		
Salter	x		
Shantz	x		· · · · · · · · · · · · · · · · · · ·
Simons		x	
Strojanovic	x		
Stauch	x		
White			x
Wicke	x		
TOTAL	16	2	7

Resolution 94-15

Moved by: V. Prendergast Seconded by: G. Stojanovic (Carried – 2 opposed.)

THAT the Grand River Conservation Authority ratify the Collective Agreement as negotiated with OPSEU Local 259 for the period January 1, 2015 to December 31, 2017;

AND THAT the Human Resources Policies be amended to incorporate the applicable changes for non-union staff;

AND THAT the salary ranges for non-union positions be increased by 2.0% effective January 1, 2016.

18. Next Meetings:

- General Membership Meeting Friday, August 28, 2015 – 9:30 a.m. Auditorium/Boardroom, Administration Centre, Cambridge
- General Membership Meeting Friday, September 25, 2015 – 9:30 a.m. Auditorium/Boardroom, Administration Centre, Cambridge

19. Adjourn

The meeting adjourned at 11:40 a.m.

20. Grand River Source Protection Authority Meeting (if required)

Chair

Secretary-Treasurer

Denise Holmes

From:	AMO Communications < communicate@amo.on.ca>
Sent:	Friday, September 11, 2015 3:58 PM
То:	dholmes@melancthontownship.ca
Subject:	AMO Policy Update - MMAH Legislation Review - AMO Makes Initial Submission

September 11, 2015

Ministry of Municipal Affairs and Housing Legislation Review – AMO Makes Initial Submission

AMO's Board of Directors has approved its initial recommendations, <u>AMO Submission</u>, to the Ministry for the five-year review of the *Municipal Act* as well as the *Municipal Conflict of Interest Act*.

In terms of the five-year review of the *Municipal Act*, the Board confirmed that the principles it established 10 years ago for the initial drafting of the Act remain applicable. It also believes that the broad powers of municipal government, the spheres of jurisdiction, and natural person powers of the Act are working well and that no major overhaul is needed. Generally, the Act's framework provides councils with the ability to make policy decisions in most instances that can reflect local circumstances and local needs as they may evolve over time. Permissive authority is the appropriate route. A one-size-fits-all, top down approach does not work for Ontario's municipal governments which stretch from Pickle Lake to Pelee Island and from Windsor to Ottawa.

There are several areas in the Act where clarity and some additional authority would be helpful. For example, there needs to be a better definition of a 'meeting' given the different approaches being used by investigators of closed meetings. The Ontario Ombudsman uses a very sweeping definition. AMO raised the need for clarity and consistency during the hearings on Bill 8 and believes a definition that has support in jurisprudence should be incorporated in the Act. AMO's submission offers direction on this. The AMO Board will also be reviewing the suggested technical amendments of the Municipal Finance Officers Association as they come forward.

In terms of the *Municipal Conflict of Interest Act*, the legislation has not been the subject of any major review in many years. The Board has set out four desired outcomes that should be used to evaluate any change. They include:

- Any municipal accountability framework shall recognize that municipal governments are mature, responsible, and accountable levels of government. The provincial government has recognized municipalities, both generally and specifically, as responsible governments and, as such, any changes should not undermine this position.
- Any municipal accountability framework should be straightforward and it should be easily understood by elected officials and the public. In other words, it should not be complex or legalistic. Additionally, any changes to the framework must not expose staff and municipal governments to increased liability.
- Elected officials should have access to a person who is able to provide them with advice on potential conflicts of interest and they should be able to rely on that advice. Certainty and affordability are key values in any process, including conflicts of interest.
- An accountability framework should have safeguards to prevent and to address frivolous and vexatious complaints. Without these safeguards, it could be misused for political and other ends.

In addition, the Board's submission sets out 10 specific recommendations that complement the above stated desired outcomes, including providing a broader range of penalties, greater clarity on obligations to help elected officials understand those obligations for which they bear personal responsibility for compliance, and that the Act offer the ability to seek advice from integrity officers and be able to rely on that advice. AMO expects that there will be discussions with the Ministry on the Board's submission and other advice the Ministry may receive through its broad consultation process.

AMO Contact: Pat Vanini, Executive Director, E-mail: pvanini@amo.on.ca, 416.971.9856 ext. 316.

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Denise Holmes

From:	Pam Hillock <phillock@dufferincounty.ca></phillock@dufferincounty.ca>
Sent:	Monday, September 21, 2015 11:37 AM
To:	Denise Holmes; Jennifer Willoughby; John Telfer; jwilson@eastluthergrandvalley.ca;
	keith@townofmono.com; suestone@amaranth-eastgary.ca; Susan Greatrix;
	thorner@mulmurtownship.ca
Cc:	vdouglas@orangeville.ca
Subject:	POA Report
Attachments:	GGS 2015-09-22 Provincial Offences Court Administration.doc
Attachments:	GGS 2015-09-22 Provincial Offences Court Administration.doc

Hi All:

As discussed on Friday, here's the report going to committee tomorrow regarding the POA administration.

Regards,

Pam Hillock|County Clerk/Director of Corporate Services County of Dufferin|Phone: 519-941-2816 Ext. 2503| phillock@dufferincounty.ca |55 Zina Street, Orangeville, ON L9W 1E5

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REPORT TO GENERAL GOVERNMENT SERVICES

То:	Chair McGhee and Members of the General Government Services Committee
From:	Pam Hillock, Clerk/Director of Corporate Services
Meeting Date:	September 22, 2015
Subject:	Provincial Offences Administration

In Support of Strategic Plan Priorities and Objectives

Communication and Connections: 2.2 Foster two-way communication with lower tier municipalities and neighbouring municipalities; Service Excellence: 4.3 Enhance Value for Money.

Purpose

The purpose of this report to provide information and updates on the administration of the Provincial Offences Act in Dufferin County as a result of the motion by the Town of Mono. County Council directed staff to prepare a report for committee.

The Town of Mono passed a motion at its meeting held April 28, 2015:

We request, with the consent of the Dufferin County municipalities, that the County of Dufferin, in co-operation with the Town of Caledon, investigate delivery of the of POA service within the County, and that a discussion paper be prepared for consideration of the County, the Dufferin local municipalities, the Town of Caledon and the Province.

AND THAT this resolution be circulated to the County of Dufferin, the Town of Caledon, the Ministry of the Attorney General, and Dufferin local municipalities.

County Council passed the following motion at its meeting held on May 14, 2015:

THAT the correspondence from the Town of Mono dated April 30, 2015, recommending that, with the consent of the Dufferin County municipalities, that the County of Dufferin, in co-operation with the Town of Caledon, investigate delivery of the POA service within the County, and that a discussion paper be prepared for consideration of the County, the Dufferin local municipalities, the Town of Caledon and the Province, be referred to staff for a report to the General Government Services Committee.

Background & Discussion

In 1998, the Province of Ontario enacted Bill 108, Streaming of Administration of Provincial Offences Act. The result was the downloading of the Administration of the Provincial Offences Courts. In many jurisdictions, the upper tier municipality took on the responsibility.

In the case of Dufferin County, the Town of Caledon provides POA court administration. Caledon entered into an MOU with the Province to become a "Municipal Partner" with the Province. There is also a Local Side Agreement with the Attorney General. The MOU with the Province refers to Caledon as the Municipal Partner. It requires that the Municipal Partner enter into Service Agreements with the County of Dufferin and the area municipalities.

The agreement with Dufferin County recognizes that activities associated with and under the Act within the geographical areas of Dufferin County will be carried out by the various lower tier municipalities, but that the agreement was required in order to comply with the request of the Ministry of the Attorney General. Aside from minimal parking ticket revenue for tickets issued on County roads, the County does not participate directly in the Provincial Offences Administration; however, it provides office and court space at 55 Zina Street, Orangeville. The County also provides internet and phone service for the POA function on a cost recovery basis. The County's IT staff also supports courtroom AV equipment and minor IT requests from POA staff.

Initial discussions have taken place with the Town of Caledon staff regarding the motion from the Town of Mono. One board meeting has taken place and there was some discussion the Mono motion. After the board meeting, the Dufferin staff and Councillors Foster and McGhee met to discuss possible next steps. They asked that the Clerk of Dufferin County start with contacting the Ministry of the Attorney General asking if to see if it is possible for Dufferin County take on the administration of the POA courts. They also asked that as the process moves forward that regular reports be provided to County Council and the local councils.

There are different scenarios for service delivery that can be presented in a future report pending the outcome of discussions with the Ministry of the Attorney General.

Local Municipal Impact

The local municipalities are directly involved in the process and they are affected by the loss of revenue and additional costs, for example the additional cost imposed by the Province for adjudication services as of January 1st, 2016.

Financial, Staffing, Legal or IT Considerations

There are no financial, staffing, legal or IT consideration as a result of this report.

Strategic Direction and County of Dufferin Principles

Working with the local municipalities to investigate a "made in Dufferin" solution to the Provincial Offences Court Administration, promotes better communication and connections by fostering two-way communication with lower tier municipalities and neighbouring municipalities, enhances value and adheres to the Dufferin County principles:

- 1. We Manage Change by proactively investigating alternative service delivery to achieve efficiencies
- 2. We Deliver Quality Service by collaborating and investigating other methods of service delivery
- 3. We Communicate We provide information to the local media, posting information on the website, social media posts, electronic newsletters and newspaper advertising
- 4. We Make Good Decisions By collaborating with our municipal partners, we can recommend the best options for Council to consider

Recommendation:

THAT the report from the Clerk/Director of Corporate Services regarding Provincial Offences Administration dated September 22, 2015, be received.

Respectfully Submitted,

Pam Hillock County Clerk/Director of Corporate Services

Denise Holmes

From:Martell, Raylene <rmartell@southgate.ca>Sent:Monday, September 21, 2015 11:33 AMTo:Denise HolmesSubject:RE: Southgate Recreation Agreement

Hi Denise,

On September 16, Council passed the following resolution: **Moved by Councillor Woodbury, seconded by Councillor Dobreen; Be it resolved that** Council receive staff report Clerk 2015-31; and **That** Council agree to extend the current recreation agreement for a further four (4) year term to expire December 31, 2019. **Carried.** No. 629-15

Thanks,

Raylene Martell

Municipal Clerk, Southgate 519-923-2110 ext. 230



From: Denise Holmes [mailto:dholmes@melancthontownship.ca] Sent: September 10, 2015 2:38 PM To: Martell, Raylene Cc: 'Wendy Atkinson' Subject: Southgate Recreation Agreement

Hi Raylene,

Council, at its meeting held on September 3rd, decided that they would like to maintain the current Agreement and the same capital/operating contributions for another four years.

Please let me know if this is acceptable to your Council?

Thanks so much.

Regards,

Deníse Holmes



Denise B. Holmes, AMCT | CAO/Clerk | Township of Melancthon | <u>dholmes@melancthontownship.ca</u>| PH: 519-925-5525 ext 101 | FX: 519-925-1110 | <u>www.melancthontownship.ca</u> |

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ACT 1 - OCT - 1 2015

THIS AGREEMENT made in duplicate this 16th day of December, 2010

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE hereinafter called "Southgate" of the First Part;

And

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

hereinafter called "Melancthon" of the Second Part;

WHEREAS each of the Parties hereto wishes to clarify its obligations to the other Party with respect to the Southgate Recreation Services in Dundalk providing access to the residents of Melancthon in the Dundalk services area. These services include access to the Dundalk Arena & Community Centre facilities, Dundalk Swimming Pool, Baseball diamonds, soccer fields, parks, playgrounds and other recreation infrastructure in the Village of Dundalk;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants of each Party, the one with the other, the Parties hereto covenant and agree as follows:

- The Dundalk Recreation services and facilities shall be used jointly by the parties hereto with all parties to have equal rights, and shall be under the management and control of the Recreation Department of the Township of Southgate and will report to the Southgate Recreation Advisory Board (Board) or its future committee structure and the Township of Southgate Council.
- It is agreed that the Board or committee shall be appointed every four years by resolution, by the Council of Southgate, and shall be composed of membership of the Township of Southgate and qualify to be elected as members of the Council of Southgate, and one (1) of whom shall be from Melancthon Council.
- 3. The Council members that act as committee members at recreation committee level take part in the budget discussions. Discussions and proposals will be communicated through meeting minutes and council representatives to both municipal councils. Concerns from Melancthon Council on recreation budget concerns should be sent in writing to Southgate Council prior to the 15th day of April in every year.
- 4. It is agreed that subject to the provisions of Section 5 of the Act, the Board shall formulate policies, rules and regulations for and relating to the administration and the use of the Dundalk Community Recreation facilities with Southgate Council approval.

5. It is agreed that the operating and capital cost deficits for the operating of the facilities shall be split by the municipalities as follows:

Southgate	90%
Melancthon	10%

Further Melancthon's deficit contributions are capped and will not exceed \$8,000.00 for operating and \$6,000.00 for capital per year.

6. It is in Southgate councils best interest seeing as 90% of all recreation deficits in Dundalk is the burden of Southgate tax payers to manage these costs, which ultimately Melancthon council benefits from as well. However large capital requirements are necessary from time to time. In light of this capital costs will be managed as low as possible. However the replacement of high cost infrastructure and unforeseen failures periodically cause larger than normal capital costs. Some are budgeted and predictable and some are not. Southgate maintains reserve accounts for higher than normal and these unforeseen expenses.

Southgate will maintain a Melancthon Recreation reserve account to hold any unused capital contributions each year. This reserve will be to absorb the impact of large purchases and or unforeseen emergency capital requirements in future years where capital costs or failures of a single purchase exceeds \$50,000.00. Melancthon will not be indebted to Southgate for more than the annual capital plus the balance of the Melancthon reserve account at that point in time. A report on the balance of the Melancthon recreation reserve will be provided on an annual basis by the Southgate Treasurer.

- 7. It is further agreed that Capital costs shall be shared by the participating municipalities in the same proportions as set out in Clause 5 providing that a five year capital plan be presented to the Councils for approval and that they are kept current.
- 8. It is agreed that this agreement shall be for a period of 4 years starting January 1, 2011 and expire December 31, 2014. At that time the agreement will be reviewed and may be extended by agreement of both parties.
- 9. The parties hereto shall execute such further assurance as may be reasonably required to carry out the terms hereof.
- 10.It is further agreed that these presents and everything herein shall respectively ensure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
- 11. The parties agree that this agreement may be amended at any time by the mutual consent of the parties, after the party desiring the amendment(s) gives the other party a minimum of thirty (30) days written notice of the proposed amendment(s).

12. The previous agreement dated September 5, 2007 shall be in effect until December 31, 2010.

In WITNESS WHEREOF each of the parties hereto has affixed it corporate seal attested to by the proper officers duly authorized in that behalf;

SIGNED, SEALED AND DELIVERED in the presence of:

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THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE

Mayor

Clerk

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

Mayor

<

CAO/Clerk - Treasurer



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Hwy. 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525 Fax No. - (519) 925-1110 Website: <u>www.melancthontownship.ca</u> Email:<u>info@melancthontownship.ca</u>

CORPORATION OF THE TOWNSHIP OF MELANCTHON

MEMORANDUM

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: DENISE HOLMES, CAO/CLERK

SUBJECT: THIRD READING ON BY-LAW TO PERMIT OFF ROAD VEHICLES ON MUNICIPAL ROADS

DATE: SEPTEMBER 24, 2015

At the September 17, 2015 Council meeting, Council gave a first and second reading to the By-law to Permit Off Road Vehicles on Municipal Roads and directed Staff to inquire about the legal hours of hunting.

The legal hours of hunting are a half hour before sunrise to half hour after sunset. Therefore, I have made a change to the By-law to allow the off road vehicles to be on Municipal Roads, one hour before sunrise to one hour after sunset. The reason being is most hunters like to be out and utilize this time frame and therefore may take them half hour to get to their destination and home again.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. <u>43</u> 2015

BEING A BY-LAW TO PERMIT OFF ROAD VEHICLES ON MUNICIPAL ROADS

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3), provides that the Council of a municipality may pass by-laws permitting the operation of off-road vehicles, with three or more wheels and low pressure bearing tires on any highway (roadway) within the municipality that is under the jurisdiction of the municipality or on any part or parts of such highways and may prescribe a lower rate of speed for off-road vehicles by regulation on any highway (roadway) within the municipality that is under its jurisdiction, or any part or parts of such highway.

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it desirable to enact such a By-law for off road vehicles;

NOW THEREFORE the Council of the Corporation of the Township of Melancthon enacts as follows:

1. Definitions:

In this by-law,

"All Terrain Vehicle" means an off-road vehicle that:

- a) has four wheels, the tires of which are all in contact with the ground,
- b) has steering handlebars,
- c) has a seat that is designed to be straddled by the driver, and
- d) is designed to carry,
 - (I) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle
 - (A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - (B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver;

"Multi-Purpose Off-Highway Utility Vehicle" means an off-road vehicle that:

- a) has four or more wheels, the tires of which are all in contact with the ground
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled,
- d) has a minimum cargo capacity of 159 kilograms;

"Recreational Off-Highway Vehicle" means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has an engine displacement equal to or less than 1,000 cubic centimeters;

"Municipality" means the Corporation of the Township of Melancthon.

"Highway" includes any open and maintained road allowance under the sole jurisdiction of the Corporation of the Township of Melancthon, including common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines, thereof.

"Low Pressure Bearing Tires" means a wide, balloon-type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressure of no greater than 70KPA (10psi)

"Off Road Vehicle" means an off-road vehicle within the meaning of the Off-Road Vehicles Act, as amended.

"Seat Belt Assembly" means a device or assembly composed of a strap or straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person.

II. General Regulations of All Off-Road Vehicles on Highways:

- 1. That off-road vehicles shall not be operated on highways unless it meets the equipment requirements of Section 7 to 15 of O. Reg. 316/03 and it is operated in accordance with Sections 16 to 24 of O.Reg 316/03 made under the Highway Traffic Act.
- 2. That off-road vehicles shall not be driven at a rate of speed greater than:
 - a) 20 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-law for that part of the highway is not greater than 50 kilometres per hour, or
 - b) 50 kilometres per hour, if the speed limit established under the Highway Traffic or by Municipal By-law for that part of the highway is greater than 50 kilometers per hour.
- 3. That off-road vehicles with four wheels and low pressure bearing tires shall be permitted on all municipal roads within the Township of Melancthon under and in accordance with Ontario Regulation 316/03 made under the Highway Traffic Act and the Off Roads Vehicles Act as amended.
- 4. No person shall park or ride any off-road vehicle on any sidewalk within the Township of Melancthon, on Township owned lands or in Township Parks.
- 5. No one shall operate an off-road vehicle except between one hour before sunrise to one hour after sunset.
- 6. Any person who contravenes any of the provision of this By-law is guilty of an offence and upon conviction is liable to a fine provided for under the Highway Traffic Act and/or the Provincial Offences Act.
- 7. The Exemptions set out in Ontario Regulation 316/03 and Ontario Regulation 135/15, as amended from time to time, regarding the operation of off-road vehicles on highways shall apply to this By-law and the permission granted thereunder.
- 8. The provisions of the by-law shall come into force and take effect on the final passing hereof.
- 9. By-law 27-2004 is hereby repealed in its entirety.

By-law read a first and second time this <u>17</u>	May of _	September, 2015
By-law read a third time and passed this	day of	, 2015

MAYOR

CLERK



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

September 23, 2015

Denise B. Holmes, CAO/Clerk Township of Melancthon 157101 Highway 10 Melancthon, ON L9V 2E6

Dear Ms. Holmes,

Re: Bauman Drainage Works Part of Lots 261 and 262, Concession 3 SW, Township of Melancthon

Grand River Conservation Authority (GRCA) staff have now had the opportunity to review the Bauman Drainage Works Report (dated August 5, 2015, prepared by R.J. Burnside & Associates Limited). The GRCA has no objection to the adoption of the report by Township Council.

We trust that appropriate erosion and sediment controls will be implemented for the construction of the proposed tile outlet to the Henderson Drainage Works.

If you have any questions regarding this letter, please contact me at 519-621-2763 ext. 2236.

Yours truly,

noh

Andrew Herreman Resource Planner Grand River Conservation Authority

c.c. Tom Pridham, R.J. Burnside & Associates Limited (email)