

## **CORPORATION OF THE TOWNSHIP OF MELANCTHON**

The Council of the Corporation of the Township of Melancthon held a meeting on the 13<sup>th</sup> day of August, 2015 at 5:00 p.m. in the Council Chambers. Mayor D. White, Deputy Mayor J. Elliott, Councillor D. Besley, Councillor W. Hannon and Councillor J. Webster were present. Denise Holmes, CAO/Clerk and Wendy Atkinson, Treasurer/Deputy Clerk were also present. Mayor White presided and called the meeting to order.

### **Announcements**

Councillor Besley reported on a story in the Dundalk Herald Newspaper regarding Ted Clarke, a resident of Southgate Township, who was chosen to attend the World Dairy Expo in Madison, Wisconsin. This is a very prestigious opportunity and Staff were directed to send him a card of congratulations.

### **Additions**

Councillor Hannon - update on the Keating Drain.

### **Deletions**

None.

### **Approval of Agenda**

Moved by Besley, Seconded by Elliott that the agenda be approved as amended.  
Carried.

### **Disclosure of Pecuniary Interest and the General Nature Thereof**

Can be declared at this time or anytime throughout the meeting. Councillor Hannon to declare on the General Accounts as there was an invoice pertaining to Dufferin Wind Power as he has a lease with DWP.

### **Minutes**

Moved by Webster, Seconded by Elliott that the minutes of the July 16, 2015 Council meeting be approved as amended. Carried.

\* the amendment was a line missing from one of the motions.

### **Business Arising from Minutes**

None.

### **Point of Privilege or Personal Privilege**

None.

### **Public Question Period**

A question was asked by a resident who had a submission on the Council Agenda and she wondered when it would be discussed and if she would be getting the response in writing.

**Road Business** - Craig Micks, Road Superintendent was in attendance for this portion of the meeting.

Accounts - the accounts were presented in the amount of \$157,537.69. Moved by Hannon, Seconded by Besley that the road accounts be approved as presented by the Road Superintendent. Carried.

Data from road traffic counters - 8<sup>th</sup> Line NE, 5<sup>th</sup> Line, 3<sup>rd</sup> Line - reviewed and received as information.

Report to Mayor White and Members of Council dated August 13, 2015, Re - Recommendations From The Roads Sub-Committee

**Recommendation 1** - Moved by Besley, Seconded by Hannon that Council directs staff to send official notices to Mr. James Turner and adjoining land owners to clean up the road allowance on Shook Street in Corbetton and Mr. Norman Patterson to clean up the road allowance on Poulton Place in Corbetton. Both notices should indicate the concern regarding fire route regulations. Carried.

**Recommendation 2** - Moved by Webster, Seconded by Elliott that Council directs Staff to pay Allan Wargon the amount of \$135.60 (\$120 + HST of \$15.60) for the remaining 2014/2015 invoice for snowblowing. Carried.

**Recommendation 3** - Moved by Hannon, Seconded by Besley that Council invites Glenn Clarke from R.J. Burnside & Associates to speak on recommendation to the 3rd Line Realignment of Bell Cables. Lost.

Staff were directed to contact Glenn Clarke at R.J. Burnside and Associates and advise that Council wants the Bell Cables relocated as per the Agreement between Vandyk and the Township of Melancthon. The cables are to be relocated to the least obtrusive place.

**Recommendation 4** - Moved by Elliott, Seconded by Webster that Council directs Staff to erect a "No Engine Break" sign on the 20 Sideroad at County Road 124. Carried.

**Recommendation 5** - Moved by Besley, Seconded by Hannon that Council enters a road agreement with the Township of Grey Highlands to construct two culverts. One would be on the 2nd Line NE and the Melancthon/Grey Highlands Townline. The second culvert would be on the Melancthon/Grey Highlands Townline east of Melancthon Sideroad 30.

Discussion ensued on this motion and it was advised by Craig, that the Municipality of Grey Highlands wants the Township to split the costs of two culverts. Craig was directed to get a letter from them stating this, as well as the quote for the two culverts. The motion was then withdrawn by the mover and seconder.

Roads Agreement for the 4<sup>th</sup> Line OS from former CP Railway Tracks to Highway 89 - the CAO and Road Superintendent were directed to set up a meeting with Town Staff to work out a new agreement as the original agreement was put in place in 2002 and road conditions have changed from pavement to gravel surface which is costing the Township more money to maintain.

Onsite to 121 Main Street in Horning's Mills regarding snow placement - Set a date and time - Craig presented some pictures he had taken of the above noted property and advised that the property owner's is the spring melt and the water running into the garage on the property. There is an old retaining wall on the property that appears to need some attention. As Council did not feel this was their responsibility, no onsite was scheduled. Craig to speak to the property owner about the retaining wall.

Other ~ Horning's Mills Line Painting - Craig reported on the price to have lines painted

in front of the Stop signs and a yellow line from County Road 124, along Main Street. Craig is to proceed with the work in Horning's Mills.

Addition - Update on Keating Drain - Craig reported that the high hoe was in and removed the dams from the drain. It was also advised that the County Trapper would not be returning to remove the rest of the beaver due to someone being in there and shooting at the beaver. The trapper has advised that he cannot get the remaining beaver due to this. Staff were directed to contact the County and have them send in the next trapper on the list and to get an information summary on what has been done, how often the trapper was in and number of beaver removed.

### Delegations

5:45 p.m. - A public meeting had been called to consider a proposed zoning by-law amendment that would change a zoning provision on a property zoned Rural Commercial Exception (C3-6) in the West Part of Lot 20, Concession 1 OS. The purpose of the proposed amendment is to increase a maximum height provision related to a fertilizer blending facility proposed as part of the development of the subject property. Jeff Holmes, President of Holmes Agro was in attendance for the Public Meeting. Mr. Holmes had submitted a letter in advance of the meeting advising why he required the extra height. Comments were read from the NVCA on the application and the NVCA had no objection to its approval. Council had no concerns or issues with the proposed amendment.

Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to amend the main governing Zoning By-law of the Corporation being 12-1979 as amended and it now be read a first and second time. (Holmes Agro - West Part of Lot 20, Concession 1 OS) Carried. By-law read a first and second time and numbered 37-2015.

### County Council Update

Council In Brief for Thursday, July 9, 2015 - was reviewed. Mayor White also updated Council on the County's New Procedural By-law.

### Committee Reports

**Councillor Webster** - July 28<sup>th</sup> - Horning's Mills Cemetery Meeting

**Deputy Mayor Elliott** - Shelburne Fire Board - July 7<sup>th</sup> and CDRC - July 22<sup>nd</sup>

**Mayor White** - Emergency Mulmur Melancthon Fire Board Meeting - August 12, 2015

**5:58 p.m. - Council took a two minute break and reconvened at 6:00 p.m.**

Moved by Besley, Seconded by Hannon that we adjourn Council to go into Committee of Adjustment and reconvene as Council. Carried.

6:12 p.m. - Council reconvened.

Mayor White asked that the item under General Business pertaining to the opening of quotes for the Guide Rail at 10 Line SW and Highway 89 (#13.2) be moved up in the Agenda as Glenn Clarke, Engineer from R.J. Burnside and Associates was in attendance for this item.

Mayor White opened the four quotes received (in no particular order):

1. Demmans Excavating Inc. - \$26,099.72 (incl. HST)
2. TDI International Ag. Inc. - \$22,545.85 (incl. HST)
3. Drexler Construction Limited - \$42,736.60 (incl. HST)
4. Staveley Construction Inc. - \$24,520.43 (incl. HST)

Mr. Clarke left the Council Chambers with the quotes so he could review them and make a recommendation to Council.

### **Correspondence**

#### **\*Outside Board & Committee Minutes**

1. Centre Dufferin Recreation Complex Board of Management - Meeting May 27, 2015
2. Centre Dufferin Recreation Complex Board of Management - Meeting June 8, 2015
3. Grand River Conservation Authority General Membership Meeting - Friday June 26, 2015
4. Minutes of the Mulmur-Melancthon Fire Board - Meeting April 20, 2015
5. Minutes of the Mulmur-Melancthon Fire Board - Meeting May 25, 2015
6. Shelburne & District Fire Board - Meeting May 5, 2015
7. Minutes of the Roads Sub-Committee - Meeting April 29, 2015
8. Minutes of Police Services Board - Meeting February 18, 2015

Moved by Elliott, Seconded by Webster that the Outside Board and Committee Minutes - Items 1-8 be received as information. Carried.

#### **\* Items for Information Purposes**

1. Email from Tristin McCredie, Municipal Advisor dated July 30, 2015, Re - Applications Now Open for Ontario Community Infrastructure Fund
2. Email from Pam Hillock, County Clerk, County of Dufferin dated July 13, 2015, Re - Integrity Commissioner and Bill 8
3. Email from Pam Hillock, County Clerk, County of Dufferin dated July 13, 2015, Re - Response to Consultations
4. Copy of a resolution passed by the County of Dufferin dated July 15, 2015, Re - Proposed Privatization of Hydro One
5. Normal Farm Practices Protection Board - Pre-Hearing Conference Order No. 3, Cox V. Mono
6. AMO Communications - AMO Policy Update - Infrastructure Funding
7. Email from Steven Sills, Detachment Commander dated July 28, 2015, Re - Horning's Mills
8. Letter from Randy Pettapiece, MPP Perth-Wellington dated July 21, 2015, Re - Resolution for Fairness in Provincial Infrastructure Funds
9. Press Release - Town of Shelburne dated July 24, 2015, Re - Coors Banquet One Horse Town Competition
10. Email from Great Lakes and Water Policy Section (MNRF) dated July 20, 2015, Re - Notification of Environmental Registry Posting of the Conservation Authorities Act Review Discussion Paper

Moved by Besley, Seconded by Hannon that Correspondence Items 1-10 for information purposes be received as information except 1, 5 & 7. Carried.

# 1 - Wendy Atkinson, Treasurer will check on the criteria for this grant funding. Deadline for the Expression of Interest is September 11, 2015. A suggestion about putting a line item in next year's budget for a Grant Writer was commented.

# 5 - Mayor White advised that the County requested and received a Delegation at the AMO Conference to speak to the Minister of Environment on a policy regarding excess soils.

# 7 - Discussion ensued and there has been a lot of positive feedback from the residents in Horning's Mills regarding the stop signs.

### **Delegations - cont.**

6:30 p.m. - Jerry Jorden, Township Planner attended Council to update the members on the status of matters relating to the appeal of the Official Plan. He advised of the two teleconference calls that had taken place between Staff and the Ministry of Municipal Affairs and Housing. On the issue of the Aggregate appeal, the Ministry has recommended deferral. This was one of the options that Mr. Jorden had put forth to the Ministry as a result of his meeting with Council on June 18, 2015. He explained that what this means is that the policy has not been deleted from the Official Plan, but has been deferred and can be reviewed before the 5 year mandatory Official Plan review if new information comes to light. The reason for this is because we are much dependent on what happens in the Region of Waterloo on its similar policies and the decision that has been reached in that municipality is that the issue has also been deferred until its next comprehensive review in 2019. The other appeal is that of Schedule G (aquifer vulnerability mapping). It was noted that the mapping is different in the two source water protection plans for Melancthon (GRCA and NVCA) but that our mapping has been included in the GRCA source water protection plan which has been sent to the MOECC for approval. As this is going to take 3-4 months, Mr. Jorden advised that we are proposing to ask the OMB to adjourn the hearing next Wednesday until the Ministry approves the mapping. Mr. Jorden did advise Council that through this process, it was discovered that the Schedule G mapping in our Official Plan was incorrect. The medium and low vulnerability were switched but also indicated that the GRCA had the correct mapping from the Harden Environmental Report. Council were ok with both decisions and felt that if the MOECC approves the GRCA SWP mapping, the NVCA may want to change it in their SWP Plan too. It was suggested by Mr. Jorden that if the OMB approves the adjournment, that a letter be sent asking them to hold off on the County appeal until a decision has been made on our appeal.

### **Open Quotes Received for the Guide Rail at 10 Line SW and Highway 89 - Cont.**

Glenn Clarke, R.J. Burnside and Associates returned to the Council Chambers with his recommendation:

Moved by Elliott, Seconded by Webster that we award the quote to TDI International Ag. Inc. in the amount of \$22,545.85 (includes HST) for the installation of new guide rail works at 10 Line SW and Highway 89. The Township will be reimbursed for the costs of such works by the Ministry of Transportation as per the Specific Road Service Agreement dated April 15, 2015. This quote complies with the Procurement Policy of the Township of Melancthon and is subject to MTO approval. Carried.

### **Delegations - Cont.**

7:15 p.m. (Scheduled for 7:00 p.m.) - Tom Pridham, Drainage Superintendent, R.J. Burnside and Associates attended Council to present two drainage reports. The first Report being the Bauman Drainage Works. Mr. Pridham advised that because Mr. Bauman was unable to reach a private agreement with his neighbour for a tile drain outlet he petitioned for one under the Drainage Act. He further advised that this is a very straight forward drain affecting two landowners. He reviewed the plan and profile, as well as the net costs to owners. Moved by Webster, Seconded by Elliott that we receive the Engineer's Report entitled the Bauman Drainage Works, dated August 5, 2015 and the date and time for the Consideration of the Report be set for September 3, 2015 at 6:00 p.m. Be it further resolved that Staff be directed to circulate the Report to the affected owners and agencies pursuant to Section 41 of the Drainage Act. Carried.

Mr. Pridham also reviewed the Fluney Drainage Works Report. This drainage works is the result of three separate drainage petitions. There are approximately 900 trucks loads of material that will be spread in a low area on the Fluney Farm. There have

been information meetings for this drain and Mr. Pridham noted to Council that D. VanderZaag, who has not been in attendance for any of the information meetings, has raised concerns regarding his assessment of this drain. Mr. Pridham shared and explained information to Council that in the 1993 Stinson Drainage Report and the 1994 McCue Drainage Works Report, approximately 70 acres of Mr. VanderZaag's land was taken to the north at that time, but this time, the water is actually flowing to the south and they have video footage to show the water flow. He advises that this may be due to some changes that have been made to the land since 1993/94 that has redirected the water. Mr. Pridham advised that he would be meeting with Mr. VanderZaag tomorrow about his concerns. Moved by Besley, Seconded by Hannon that we receive the Engineer's Report entitled the Fluney Drainage Works, dated August 6, 2015 and the date and time for the Consideration of the Report be set for September 3, 2015 at 6:15 p.m. Be it further resolved that Staff be directed to circulate the Report to the affected owners and agencies pursuant to Section 41 of the Drainage Act. Carried.

At this time, Councillor Besley asked for an update on the Ballinger Drain and Mr. Pridham advised that he would need to check with Gerd Uderstadt about the status of this drain.

7:40 p.m. - Council took a 10 minute break and reconvened at 7:50 p.m.

**\* Items for Council Action**

1. Letter from Atkinson Farms Ltd. dated July 16, 2015, Re Renewal of Agreement for Irrigation Purposes
2. Letter from Carol Hawton, Re - File No. B4/15
3. Letter from H.J. Lyon dated July 8, 2015, Re - Proposed Severance Part Lot 32 Con 3 NE Moratorium on any future applications for On-Farm Shops
4. Email from Shari Page, Triton Engineering dated July 13, 2015, Re - Township of Southgate, Notice of Project Commencement, Class EA, Dundalk Water System Drainage Report
5. Copy of a resolution from the Police Services Board dated June 11, 2015, Re - Invitation to Council to September 10, 2015 meeting to discuss roles and responsibilities

# 1 - Moved by Webster, Seconded by Elliott that the the CAO/Clerk be directed to sign the Agreement between Atkinson Farms Limited and Marc Atkinson and the Corporation of the Township of Melancthon to allow them to locate pumping and piping equipment on Township Property. Carried.

# 2 - the letter from Mrs. Hawton was reviewed and responses given. Staff will provide the responses to her in writing.

# 3 - the letter from Mr. Lyon was reviewed and responses given. Mr. Lyon indicated that he did not require the responses in writing. A lot of the discussion centered around the On Farm Uses By-law and the traffic on the roads as a result of the machine shops being approved. There are some similar issues in Southgate Township and it was suggested that we will gather information on what is going on in that Municipality. Mr. Lyon was advised that if he wished to discuss this further, that he could book in as a Delegation.

# 4 - no concerns, received as information.

# 5 - the next Police Services Board meeting is September 10, 2015 at 4:30 p.m. and Council will attend.

**General Business**

Accounts (Councillor Hannon declared a conflict of interest on the invoice of R.J.

Burnside and Associates as it pertains to Dufferin Wind Power Inc. as he has a lease with DWP and left the Council Chambers). The Treasurer presented the accounts in the amount of \$146,443.73. Discussion ensued regarding the Township of Mulmur invoice for the arena levy. The accounts were deferred till later in the meeting when the Draft Recreation Agreement will be discussed. (Councillor Hannon returned to the Council Chambers.)

### Applications to Permit

Mayor White signed the following applications to permit:

- Marcoat Enterprises/Eli Sherk - utility room on Lot 28, Concession 4 NE.
- Shamsollah Khan - a modular home at 682369 260 Sideroad - Part of Lot 260, Concession 1 SW
- David Frey - Tower Silo c/w attached feed room - Lot 29, Concession 9 NE
- 1727560 Ontario Inc. (Holmes Agro) - construct footings for future structures and concrete pad - West Part of Lot 20, Concession 1 OS

The following application to permit was presented and not approved as comments are pending from the Planner:

- Manassa B. Martin - two buildings – one for shelter when he comes up to plant his crops and one building for a storage shed as his current buildings are rented out - Part Lot 245, Lot 246, Concession 3 SW.

The following application to permit was presented and not approved as it does not conform with the zoning by-law for lot coverage area:

- Isaac Martin - 10' x 30' power room - Part of Lot 25, Concession 9 NE.

### New/Other Business

#### Canada Post Mailbox Replacement in Corbetton & Riverview - Mayor White

Mayor White advised that the Community Mail Boxes in Corbetton and Riverview need to be replaced. There are some without latches and one box in Corbetton is off its footings and leans back and after a rain, everyone's mail is wet. Staff were directed to send a letter to Canada Post requesting the boxes to be replaced, with a copy to David Tilson, MP.

#### NVCA - Efficiency Audit Report - Mayor White

Mayor White updated the new Council members on the recommendations contained in the efficiency audit. One of those recommendations is to reduce the Board size, leaving Melancthon without a vote as we would be joining Mulmur and Grey Highlands together for one vote and one member. The next meeting is August 28<sup>th</sup> when this issue is going to be discussed and Mayor White is requesting Council to pass a motion to not support this recommendation.

Moved by Elliott, Seconded by Webster that the Corporation of the Township of Melancthon does not support or approve Recommendation 11 which would implement a new voting protocol and which would result in the Township of Melancthon sharing their 1 vote with two other municipalities. Carried.

### Unfinished Business

#### Hill Agra Machinery Inc. - Fire Cleanup Lot 4, Lot 5, Plan 30A - Letter from Jim Hill

The letter from Mr. Hill was reviewed. Mayor White reported that the property is substantially cleaned up and vast majority of damaged steel is gone and the ashes have been all removed. The burnt trees and brush are gone and Mr. Hill plans to have Demmans Excavating in to remove the concrete. Discussion ensued about the fence and it was advised that the neighbours to the South do want a fence (as it was indicated in Mr. Hill's letter that no one wanted a fence put up). Staff were directed to send Mr. Hill a letter and thank him for cleaning up the property, wish him well in his future endeavours and that the Township looks forward to working with him in the future.

#### North Dufferin Recreation Centre - Agreement

Discussion ensued regarding the draft agreement and the Township's delegation to the Mulmur Council meeting. All were in agreement that there needs to be a different Committee Structure put in place. A suggestion was put forth about establishing a Board of Management for the Arena and the Township would deal with the monetary contributions at a later date. Mayor White to speak to Mulmur Township about this. The CAO asked about the payment of the levy that is in the accounts and Staff were directed to pay it as the Township has made an obligation to contribute the amount of \$16,100.00 for 2015. Moved by Webster, Seconded by Elliott that the general accounts be approved as presented by the Treasurer. Carried. (Note: Councillor Hannon did not participate in the vote as he had declared a conflict of interest earlier in the meeting pertaining to the accounts).

#### Corbetton Park - Update

Mayor White advised that not much work has been done over at the Park as it is too wet right now.

#### Information Flyer - Update

Mayor White is still compiling information for the flyer and advised that if Council has any suggestions, to please send them to him.

#### Southgate Recreation Agreement

Deferred.

#### Ark II Shelter in Horning's Mills - Update

There is no new information on this issue. The CAO advised that she has tried to contact the Township Solicitor to see if the letter had been sent but has not heard back from him. Tom Egan, Chair of the Shelburne and District Fire Board is trying to set up a meeting between with Mayor White, CAO Holmes, the Ontario Fire Marshall's Office, the Acting Fire Chief and himself. No date has been set yet. Mayor White has sent an email to Mr. Egan suggesting a meeting anytime after September 8<sup>th</sup> but has yet to receive a response. There was an article in the Toronto Star regarding the Preppers Event and the CAO advised she would send it out to Council. The CAO also to let Deputy Mayor Elliott and Councillor Hannon (Shelburne Fire Board Reps) know when the meeting has been set.

#### Third Reading By-law No. 37-2015

Moved by Hannon, Seconded by Besley that By-law 37-2015 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

#### Confirmation By-law



Moved by Webster, Seconded by Elliott that leave be given to introduce a By-law to confirm the proceedings of the Council Meeting held on August 13, 2015 and it be given the required number of readings. Carried.

**Adjournment**

9:36 p.m. - Moved by Hannon, Seconded by Besley that we adjourn Council to meet again on Thursday, September 3, 2015 at 5:00 p.m. or at the call of the Mayor. Carried.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK