

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 5th day of February, 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

None.

Additions

- Southgate Rec Agreement - CAO
- General Discussion about 2015 Budget - CAO
- Southgate Recreation Advisory Committee - Deputy Mayor Elliott

Deletions

None.

Approval of Agenda

Moved by Besley, Seconded by Hannon 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 advised that he would be declaring on Dufferin Wind Power matters.

Minutes

Moved by Elliott, Seconded by Webster that the minutes of the January 15, 2015 Council meeting be approved as amended. Carried. Councillor Hannon was incorrectly mentioned as being on the Centre Dufferin Recreation Board but he is on the Shelburne and District Fire Board.

Business Arising from Minutes

Deputy Mayor Elliott asked about the Establishment of Fire Sub-Committee and was advised that it is under Unfinished Business.

Point of Privilege or Personal Privilege

None.

Public Question Period

Sue Grant was in attendance and asked when she would be getting an answer to her email that was on the Agenda? It was answered that it will be discussed later in the meeting.

Road Business

Letter from Linda Barton regarding a broken culvert - Lot 298, Concession 3 SW

The letter was reviewed and discussed. Township Policy is that the property owner is responsible for purchasing and installing the culvert so it belongs to them, even though it is on Township owned land. Mr. Barton has been made aware of this by the Road Superintendent. Staff were directed to check with the Township's Insurance company regarding liability. This item will be referred to the Roads Sub-committee which is meeting on February 9th.

Unfinished Business -Mulmur Melancthon Townline Agreement - clause for capital projects

Craig advised that all of the other Townlines we have, we split the costs 50/50 with the other municipality. Further discussion on this matter and Staff were directed to send a letter to Mulmur Township advising that the word "paving" be removed from what is included in the infrastructure capital, both Councils must agree on the project and Council would like the information on the project to be received in a timely fashion to be considered as part of the budget process. Also, the capital project to be considered must be driven by both Mulmur and Melancthon's Asset Management Plans.

Other - Accounts

Craig presented the road accounts in the amount of \$66,815.80. Moved by Elliott, Seconded by Webster that the road accounts be approved as presented by the Road Superintendent. Carried.

County Council Update - no meeting since the last one. Mayor White's stance still has not changed on the hospital funding.

Committee Reports

Verbal reports are given and the written reports provided by the Members are kept on file.

Councillor Besley - January 20th - Shelburne Library Board

Councillor Hannon - February 3rd - Shelburne Fire Board

Correspondence

***Board & Committee Minutes**

1. Horning's Mills Hall Board of Management - Meeting November 11, 2014
2. Shelburne & District Fire Board - Meeting November 4, 2014
3. Grand River Conservation Authority Group 1 Member Appointed - Meeting Friday January 16, 2015
4. Dufferin Municipal Officers Association - Meeting December 18, 2014

Moved by Hannon, Seconded by Besley that the Board and Committee Minutes Items 1-4 be received as information. Carried.

*** Items for Information Purposes**

1. Cornerstone Standards Council - Responsible Aggregate Standard Version 3.0 - http://www.cornerstonestandards.ca/wp-content/uploads/2015/01/APPROVED_Responsible-Aggregate-Standard_Version3.pdf
2. Email from Susan Stone dated January 28, 2015 to Ministry of Municipal Affairs and Housing, Re: Unclaimed Ice Storm Money / ODRAP and Response from Ministry
3. Letter to Kathleen Wynne, Premiere from the City of Pembroke dated January 13, 2015, Re: OPP Billing Model
4. Letter from Grand River Conservation Authority dated January 6, 2015, Re:

- Highway 10 Rehabilitation from Dufferin County Road 17 to Flesherton Dufferin and Grey Counties
5. Nottawasaga Valley Conservation Authority - For Immediate Release - Doug Lougheed of Innisfil to lead NVCA Board of Directors 2015
 6. AMO Communications - AMO Policy Update - Do Lower Gas Prices Mean Lower Federal Gas Tax Fund Payments?
 7. Letter from Tom Pridham, Drainage Engineer, R.J. Burnside & Associates Limited dated January 12, 2015, Re: Drainage Superintendent Services File No.: D-ME-SUP, Project No.: MSO019743.2014
 8. MPAC News - January 2015
 9. Letter from Ministry of Municipal Affairs and Housing to Head of Council, Re: 2014 Municipal Performance Measurement Program (MPMP)
 10. Letter from Sheryl Flannagan, Director, Corporate Services, Nottawasaga Valley Conservation Authority dated January 15, 2014, Re: NVCA Board Member's Per Diem and Expenses
 11. Email from Saira Bozin Ilisinovic, Partnership and Program Coordinator, Ministry of the Environment and Climate Change dated January 20, 2015, Re: Melancthon: Approved SPMIF Collaboration Statement
 12. Email from OGRA (Ontario Good Roads Association) dated January 21, 2015, Re: OGRA Heads Up Alert - A Superior Court decision over Road Salt use sets a dangerous precedent for Ontario municipalities
 13. Heads Up Alert dated January 23, 2015 - OGRA Board Approves multi-prong Approach in Response to the Superior Court Ruling in Steadman v. Corporation of the County of Lambton
 14. Email from Vaughan Allan, Ministry of Agriculture and Food and Ministry of Rural Affairs dated January 22, 2015, Re: Noxious Weed List Changes Effective January 1, 2015
 15. AMO Watch File dated January 22, 2015
 16. AMO Communications - AMO Policy Update - 2015 Pre-Budget Submission
 17. Email from Tom Campbell, The Royal Canadian Legion dated January 23, 2015, Re: The Military Service Recognition Book
 18. Letter from the Ontario Provincial Police dated January 22, 2015, Re: Court Security and Prisoner Transportation (CSPT) Program Grant Funding
 19. Email from South Georgian Bay Lake Simcoe Source Protection Region dated January 27, 2015, Re: Invitation to Municipal Council Workshop March 4 (Sharon) or March 5 (Orillia)
 20. 2014 Statement of Remuneration Expenses
 21. Nottawasaga Valley Conservation Authority Flood Contingency Plan
 22. Report from Keith Palmer, Director of Community Services, County of Dufferin dated January 27, 2015, Re: County of Dufferin and Local School Boards Emergency Management Enhancements
 23. News Release - For Immediate Release - January 29, 2015, County of Dufferin Budget Update
 24. Nottawasaga Valley Conservation Authority - For Immediate Release - January 29, 2015, Plan to further protect local sources of drinking water approved by Minister

Moved by Webster, Seconded by Elliott that Correspondence Items 1-24 for information purposes be received as information except for #2, 7, 18, 22 for further discussion. Carried.

2 - the CAO confirmed that the money set aside for the Ice Storm Assistance Program for the ice storm in December 2013 cannot be used for ODRAP as it was specifically allocated for this purpose.

7 - concerns raised regarding the cost for Drainage Superintendent. Staff were directed to find out the possibility of using someone else for this.

18 - Mayor White updated Council on the 9-1-1 Dispatch Agreement.

22 - Mayor White updated Council further on the County of Dufferin and Local School Boards Emergency Management Enhancements.

*** Items for Council Action**

1. Letter from Autism Ontario dated January 21, 2015, Re: Invitation to participate in Autism Ontario's "Raise the Flag" campaign on April 2nd 2015 in celebration of World Autism Awareness Day
2. Letter from Grand River Conservation Authority dated January 23, 2015, Re: 2015 Budget and Levy Meeting
3. Letter from Shelburne & District Agricultural Society dated January 9, 2015, Re: Thank you for your 2014 support of our Society and continued support
4. Horning's Mills Community Hall Board of Management - Motion to encourage the involvement of youth members of the community
5. Email from Michelle Steele, Senior Manager, RLB LLP Chartered Accountants and Business Advisors dated January 20, 2015, Re: Pre-audit letter to Council
6. Email from Joel Swagerman, Fontur International Inc. dated January 13, 2015, Re: Request for Concurrence - Bayshore Broadcasting - 358112 10th Line NE
7. Email from Jerry Jorden, G.W. Jorden Planning Consultants Limited dated January 29, 2015, Re: Bayshore Broadcasting Tower Planning Report

1 - Moved by Elliott, Seconded by Webster that the Corporation of the Township of Melancthon proclaims April 2, 2015 as World Autism Awareness Day and will raise the Autism Ontario Flag to show its support to raise public awareness about Autism. Carried.

2 - Moved by Hannon, Seconded by Besley that the correspondence from the Grand River Conservation Authority regarding the 2015 Budget and Levy meeting be received and Staff be directed to include the amount of \$18,486.00 (Melancthon's Levy) in the 2015 Operating Budget. Carried.

3 - Moved by Webster, Seconded by Elliott that we contribute a grant of \$300.00 to the Shelburne & District Agricultural Society for the 2015 Fall Fair. Discussion ensued on the motion about possibly increasing the contribution. It was decided by the mover and seconder to table the motion until April 2, 2015 so Council can see where we are at with the Draft 2015 Budget.

4 - Discussion regarding a youth member sitting on the Board as per the Hall Board motion. The CAO advised that she had received a voice mail from the Ministry of Municipal Affairs and Housing stating that the Ministry that oversees the Community Centres Recreation Act does not see a problem with this from a policy perspective but they were seeking a legal opinion and if there was a problem, the Ministry would follow up with the Township. Further discussion and it was noted that there needs to be provisions put in place for dealing with youth – i.e. does the Board require Police Checks or full background checks? Consensus of Council is this is a great initiative to involve the youth, but how do we deal with it? The Hall Board By-law would have to be amended to do this. Councillor Webster was asked to go back to the Hall Board and relay Council's concerns and get further direction from the Hall Board on where to go with this.

5 - Moved by Besley, Seconded by Hannon that Action Item # 5 regarding the Pre-audit Letter from RLB be received as information. Carried.

6 & # 7 - Discussion ensued and a concern was raised with respect to ice falling off the structure. It was advised by James Kennedy, a Representative with Bayshore Broadcasting who was in attendance for the meeting, that the liability issues are addressed in the lease agreement with the owner and the structures are over

engineered and legs are too thin for this to happen. A question was raised about one of the barns on the property and what the zoning and taxation of it was as it was felt that the use of the building was important due to the use of the road. It was advised by Mr. Martin, owner of the property who was also in attendance that the barn was a shop that was used for a workshop. A question was also raised about setbacks from the neighbouring property owner. As there were no further issues or objections on the matter, the following resolution was introduced and passed: Moved by Elliott, Seconded by Webster that the Council of the Township of Melancthon accept the recommendations as outlined in GW Jordan's Report to Council dated January 29, 2015 and Bayshore Broadcasting be advised of same. Carried.

6:28 p.m. - Council took a two minute break, then reconvened.

Delegations

6:30 p.m. Martin Keller, Source Protection Program Manager, GRCA & Ryan Post, NVCA & RMO - Town of Shelburne - Overview of the Source Protection Program relating to Shelburne Well 7 & Memorandum of Agreement. The PowerPoint Presentation in the Agenda Package was reviewed. It was advised that there was one property owner who would be affected by the restrictions due to the Well Head Protection Area and the GRCA will be notifying them about this. A public meeting is being planned for the middle of March and they hope to submit the Plan by May or June for approval.

Moved by Elliott, Seconded by Webster that the Mayor and CAO/Clerk be directed to sign the Memorandum of Agreement dated the 26th of January, 2015 between the Grand River Conservation Authority and the Corporation of the Township of Melancthon. Carried.

*** Items for Council Action - Cont.**

8. Letter from Van Harten Surveying & Engineering dated January 15, 2015, Re: approval of Survey for Applications for Consent B1/14 and B2/14
9. Letter from P.J. Williams, Ontario Land Surveyor dated August 25, 2014, Re: One-Part Reference Plan for Application B11/14, Part of the East Half of Lot 27, Concession 3, Old Survey, Township of Melancthon (#478418 3rd Line)
10. Notification For Maintenance and Repair - Henderson Municipal Drain

8 - Moved by Besley, Seconded by Hannon that the survey prepared by Van Harten Surveying and Engineering for Bonnefield GP III Inc. for Consent Applications B1/14 & B2/14 be approved as it conforms to the terms and conditions of the severance. Carried.

9 - Moved by Webster, Seconded by Elliott that the survey prepared by PJ Williams, OLS for Stan and Ashley Coe, Consent Application B11/14 be approved as it conforms to the terms and conditions of the severance. Carried.

10 - Moved by Elliott, Seconded by Webster that we accept the notification for the maintenance and repair of the Henderson Drainage Works under Section 79 of the Drainage Act, 1990 signed by Howard Cunnington, owner of Lots 261 & 262, Concession 3 SW. We direct Tom Pridham, P. Eng. Drainage Superintendent to investigate and report back to Council on his findings and recommendations. Carried.

***Items regarding Dufferin Wind Power** *(Councillor Hannon declared a conflict of interest on the next item as he is involved in the Dufferin Wind Project and left the Council Chambers.)*

1. Email from Paula Peel, Secretary, APEC dated January 29, 2015, Re: APPEC Letter to Mayor White and 50 Limitation Distribution (collector) Lines

Discussion ensued regarding the letter (Mayor White advised that this was an unsolicited letter) and consensus was to wait and see what happens on their end. In the meantime, Mayor White was directed by Council to send a letter back to them with a suggestion to fight this at the legislative level. A copy of that letter will be in the Agenda package after it is sent. *(Councillor Hannon returned to the Council Chambers).*

General Business

Accounts

Wendy Atkinson, Treasurer presented the accounts in the amount of \$88,032.76. Moved by Besley, Seconded by Hannon that the general accounts be approved as presented by the Treasurer. Carried.

At the approval of Council, Item No. 6.6 (Hill Machinery Sales - Cleanup of property) was moved up in the Agenda as there were persons in the gallery interested in receiving an answer to their email on the Agenda.

The CAO advised that she spoke to Mr. Hill and he advises that he will have his work plan to Council for the February 19th meeting. The members of Council have said that they want the property cleaned up by end of May, first part of June. There were concerns about spring melt and water run-off. The MOE has said there will be ongoing monitoring. The Township will send the work plan to the MOE and encourage them to be part of the solution.

General Business - Cont.

By-law to impose special annual drainage rates upon land in respect of which money is borrowed under the *Tile Drainage Act* (Ken North Tile Drainage Debenture)

Moved by Besley, Seconded by Hannon that leave be given to introduce a by-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 5-2015.

Email from Steven Sills, Detachment Commander, Dufferin Detachment dated January 14, 2015, Re: Melancthon OPP 6 month contract

Deferred pending information from the Commander of the Municipal Policing Bureau on the 2015 Municipal Policing Billing Statement which includes turbines in the Base Service costs.

By-law to Amend the Remuneration By-law to allow Deputy Mayor to receive an allowance for IT and supplies

Moved by Hannon, Seconded by Besley that leave be given to introduce a by-law to amend By-law No. 14-2014 (Remuneration By-law) and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 6-2015.

New/Other Business & Additions

Corbetton Park - Discussion - Mayor White - deferred

Council Chambers - Furniture - Mayor White - Staff were directed to obtain some prices for new desks for the Council Chambers so that the Treasurer is able to sit at the Council table and not in the gallery.

Speeding in Horning's Mills - Councillor Hannon - deferred to the Police Services Board.

Agendas and Minutes of other Boards - Discussion - Councillor Hannon - Deputy Mayor Elliott chaired this portion of the meeting so Mayor White could speak to the matter and explained the reasoning behind the verbal reports at Council because the minutes don't necessarily reflect what took place at the meeting as they are to reflect what was done and not what was said. After the discussion, Councillor Hannon was asked to bring a motion forward as to how he would like to see it changed.

SWEA - Discussion & Direction on asking them to take the Food & Water First Pledge - Councillor Hannon - Mayor White advised that Laura Ryan, Mayor of Mono sits on this Committee at the County Level and he would talk to her about this.

Asset Management Symposium 2015 - Councillor Hannon - Discussion ensued and the consensus was that Staff would have our Asset Management person from RJ Burnside and Associates come up and do a presentation to Council on the Township's Asset Management Plan so that all could be involved.

Dog Tags & Animal Control Expenses - Discussion and Direction - CAO/Clerk - Discussion regarding animal control costs and the number of dog tags being sold. Staff were directed to look at increasing fines for dogs that are picked up and to look at increasing the cost of our dog tags. The Canine By-law has not been updated since 2003. The Mayor and Clerk will also meet with Olympus regarding some concerns that were posted on Social Media a few days ago.

Third Reading - By-laws - Moved by Besley, Seconded by Hannon that By-laws 5-2015 & 6-2015 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Unfinished Business

By-law Enforcement - Discussion & Direction - Staff were directed to have Shelburne's By-law Enforcement Officer come to a future meeting of Council for discussion on enforcing Melancthon's By-laws.

Beaver Program - Discussion & Direction - deferred to a future meeting as the CAO advised that she and Andy Jorissen have not been able to connect for a meeting on this.

DWPI - Tree Replacement Program - Discussion & Direction for placement of trees (*Councillor Hannon declared a conflict of interest on this matter as he is involved in the Dufferin Wind Project and left the Council Chambers*).

The Park in Horning's Mills can likely take 12 trees and maybe one at the Hall. Mayor White suggested having a get together in the Spring and giving the trees away to Melancthon residents to plant. Staff were directed to contact Dillon about this and see if DWPI would be agreeable. Deputy Mayor Elliott asked the CAO to speak to the Road Superintendent to see if there might be some areas on road allowance that the planting of trees would work to our benefit instead of being an interference. (*Councillor Hannon returned to the Council Chambers*).

Establishment of Fire Sub-Committee - Deputy Mayor Elliott still thinks this is a good idea but now rather than have it as a Sub-committee, it will be dealt with as Committee of the Whole so that all of Council is involved. A meeting was then scheduled for March 4th at 4:00 p.m. Deputy Mayor Elliott will have staff put together a package of information that everyone will receive for that meeting.

Mulmur Melancthon Recreation Agreement - deferred as we are still waiting on

comparisons from Mulmur Township. Staff will contact Mulmur for this information.

Additions

Deputy Mayor Elliott - Southgate Advisory Board - Deputy Mayor Elliott advised that she is having trouble making the meetings and is going to have to resign from the Board. The next meeting is scheduled for Tuesday February 17th at 2:00 p.m. Moved by Webster, Seconded by Besley that Councillor Wayne Hannon replace Deputy Mayor Elliott as the Melancthon Representative to the Southgate Recreation Advisory Board effective immediately. Carried.

Staff will bring an amending By-law to the Municipal Officials By-law for the next meeting.

CAO - Southgate Recreation Agreement - Council agreed to a one year term and directed Staff to advise the Township of Southgate. Staff were also asked to obtain the numbers of how many Melancthon residents use the pool and arena.

CAO - General Discussion on 2015 Budget - Council asked the Treasurer to have a draft budget for the next meeting. After discussion it was decided to do this as a Committee of the Whole meeting at 4:00 p.m. The goal is to have the budget approved on the first meeting in April.

Closed Session

9:40 p.m. - Moved by Hannon, Seconded by Besley that Council move into Closed Session pursuant to Section 239 of the Municipal Act, as amended for the following reason:

the receiving of advice that is subject to Solicitor/Client privilege, including communications necessary for that purpose - potential conflict of interest - public member to Roads Sub-Committee and Snow plowing Southgate Road # 22. Carried.

9:43 p.m. - Moved by Webster, Seconded by Elliott that we rise from Closed Session with report. Carried.

Report - Staff be directed to advise the Township of Southgate that Melancthon cannot snowplow a portion of Road # 22 because of liability issues associated with doing it.

Confirmation By-law

Moved by Elliott, Seconded by Webster that leave be given to introduce a By-law to confirm the proceedings of the Council Meeting held on February 5, 2015 and it be given the required number of readings. Carried. By-law numbered 7-2015 and read three times.

Adjournment and Date of Next Meeting

9:45 p.m. - Moved by Besley, Seconded by Hannon that we adjourn Council to meet again on Thursday, February 19, 2015 at 5:00 p.m. or at the call of the Mayor. Carried.

MAYOR

CLERK