

## CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 14<sup>th</sup> day of August, 2014 at 6:00 p.m. in the Council Chambers. Mayor B. Hill, Deputy Mayor D. White, Councillor J. Crowe, Councillor J. Elliott and Councillor N. Malek were present. Denise Holmes, CAO/Clerk and Wendy Atkinson, Treasurer/Deputy Clerk were also present. Mayor Hill presided and called the meeting to order.

### Announcements

None.

### Additions

Deputy Mayor White - NVCA

### Deletions

None.

### Approval of Agenda

Moved by Malek, 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.

### Minutes

Moved by Crowe, Seconded by White that the minutes of the July 17, 2014 Council meeting be approved as circulated. Carried.

### Business Arising from Minutes

None.

### Point of Privilege or Personal Privilege

None.

### Public Question Period

A question was asked about whether there would be an update about the Lystek Onsite and whether the Biosolids By-law would be re-addressed at this time? It was advised that yes there would be an update later in the meeting.

### Correspondence

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

1. Copy of a resolution passed by the Town of Grand Valley June 24, 2014, Re: The use of neonicotinoids
2. Letter from Nathan Garland, Resource Planner, Grand River Conservation Authority dated July 4, 2014, Re: Notice of Study Commencement - Highway 10 Rehabilitation and Drainage Improvements from Shelburne to Flesherton
3. Letter to Heads of Council from Ted McMeekin newly appointed Minister for the Ministry of Municipal Affairs and Housing dated July 10, 2014
4. Letter to Mayor Hill from Kathleen Wynne, Premier dated July 9, 2014, Re: Green

Energy Projects

5. Heads Up Alert - Ontario Good Roads Association - No Surprises as Government Re-introduces Budget
6. AMO Communications - The 2014 Provincial Budget
7. Copy of a resolution passed by the Regional Municipality of Halton July 11, 2014, Re: Protection of Public Participation Act, 2014 (Bill 83)
8. Copy of a resolution passed by the Township of Amaranth July 16, 2014, Re: Dufferin County Forest Management Plan 2015-2035, Proposal to Permit Off Road Motorized Vehicle Use of County Forest Properties
9. Dufferin County Press Release - July 17, 2014, New Affordable Housing in Shelburne - Units Available
10. Notice of Proposed Change to a Renewable Energy Project - Grand Valley Wind Farms - Phase 3 Wind Project
11. Save The Date - Tuesday November 18, 2014 - Township of Amaranth Annual Economic Development Breakfast
12. Letter to Bill Hill from Ernie Hardeman, M.P.P. Oxford dated July 17, 2014 introducing himself as the recently appointed official opposition critic for Municipal Affairs and Housing
13. Save The Date - October 29 & 30, 2014 - Municipal Agriculture Economic Development Forum
14. Email from Nimet Manji, Executive Assistant, Ontario Heritage Trust dated July 30, 2014, Re: Nominations for the 2014 Young Heritage Leaders Program and Lieutenant Governor's Ontario Heritage Awards
15. Nottawasaga Valley Conservation Authority - For Immediate Release - July 23, 2014 - Groundwater study to enhance source water protection in central Simcoe County
16. Email from Kim Fraser, Centre Dufferin Recreation Complex Facility Administration Manager dated August 4, 2014, Re: CDRC - Fall/Winter 2014-2015 Recreation Guide
17. Nottawasaga Valley Conservation Authority - For Immediate Release - July 31, 2014 - Go Green to Keep it Blue! NVCA offers grants to improve stream habitat and water quality
18. Letter to Mayor Hill from Ted McMeekin, Minister of Municipal Affairs and Housing dated July 23, 2014, Re: Municipalities request for funding under the Ontario Disaster Relief Assistance Program (ODRAP)
19. Letter from Mark Christie, MCIP, RPP, Manager, Community Planning and Development, Ministry of Municipal Affairs and Housing dated July 25, 2014, Re: Township of Melancthon - Draft Official Plan (Revised March 2014) MMAH File #: 22-DP-0002-13001
20. Letter from R.J. Burnside & Associates Limited dated July 21, 2014, Re: Drainage Superintendent Services File No.: D-ME-SUP, Project No.: MSO019743.2014

Moved by Crowe, Seconded by White that Correspondence Items 1-20 for information purposes be received as information, except items 5, 7, 12 & 18 for further discussion. Carried.

# 5 - Staff to highlight what applies to Melancthon Township

# 7 - Councillor Elliott to prepare a motion for the next meeting to support this.

# 12 - the CAO to invite Ernie Hardeman to a future Council meeting. Council to compile the issues to be discussed.

# 18 - a letter to be sent to the County to see if Melancthon can access the Emergency Fund they have set up. A letter to be sent to MMAH explaining the 3% increase in the tax rate due to their decision to deny the application and also to correct the inaccuracies in the letter.

**\* Items for Council Action**

1. Request for Comments - Niagara Escarpment Commission dated August 1, 2014, Re: D/R/2014-2015/89 Patrick Bourdin

The CAO to advise that there are no concerns regarding this application.

**\*Dufferin Wind Power**

1. Letter from Dufferin Wind Power Inc. dated August 5, 2014, Re: Construction Update
2. Email from Gary Tomlinson, MOE dated August 6, 2014, Re: DWP Utility Poles

Moved by White, Seconded by Crowe that Correspondence Items 1 & 2 regarding Dufferin Wind Power be received as information. Carried.

**\*County Official Plan**

1. Email from Tracey Atkinson dated July 15, 2014, Re: DCOP
2. Copy of a resolution passed by the Township of Amaranth July 16, 2014, Re: County of Dufferin Official Plan
3. Email from Sonya Pritchard, Chief Administrative Officer County of Dufferin dated July 17, 2014, Re: County Official Plan
4. Email from Christine Gervais, Township Planner (Amaranth/East Garafraxa) dated August 5, 2014, Re: East Garafraxa Comments - Draft County OP July 2014
5. Email from Christine Gervais, Township Planner (Amaranth/East Garafraxa) dated August 5, 2014, Re: Amaranth Comments - Draft County OP July 2014
6. Dufferin County Official Plan | Draft issued for Statutory Public Meeting July 2014, [www.dufferincounty.ca/files/content-pdf/final-draft-op-july-2014](http://www.dufferincounty.ca/files/content-pdf/final-draft-op-july-2014)

Moved by Elliott, Seconded by Malek that Correspondence Items 1-6 regarding the Dufferin County Official Plan be received as information. Carried.

**Road Business**

Craig Micks, Acting Road Superintendent attended Council and presented the road accounts in the amount of \$304,368.99. Moved by White, Seconded by Crowe that the road accounts be approved as presented by the Acting Road Superintendent. Carried.

The tenders for resurfacing various roads in the Township were opened as follows:

1. Murray Group - \$372,318.25 + HST = \$420,719.62
2. AECON - \$337,060.00 + HST = \$380,877.80

Moved by White, Seconded by Crowe that the Council for the Township of Melancthon accepts the tender from AECON in the amount of \$337,060.00 + tax for surface treatment and repaving in the Township. Total tender amount is \$380,877.80. This tender complies with the Townships procurement policy. Furthermore, cheques should be returned to the unsuccessful bidders. Carried.

Craig updated Council on the bridge construction in Horning's Mills and said the road will be open next week as gravel and then be paved the following week. He raised concerns about the style of bridge and felt that we had asked for a specific style bridge that we didn't get. Craig to speak to the Engineer about this.

The DWP tour with the Engineer is going to start tomorrow to address the deficiencies list.

**General Business**

**Accounts**

The Treasurer presented the accounts in the amount of \$152,168.91. Moved by Malek, Seconded by Elliott that the general accounts be approved as presented by the Treasurer. Carried.

#### Report to Council regarding the New Official Plan

Deferred to Delegations.

#### Applications to Permit

Mayor Hill signed the following applications to permit:

- an insulated garage/shop addition for personal use on the West Part of Lot 16, Concession 3 OS - B. & L. Honing
- a 24' x 24' carport on Part of Lot 248, Concession 2 SW - S. Wilson
- an addition to an existing house on Lot 285-286, Concession 1 SW - M. Kay & A. Lalli

The CAO advised that she had signed an application for an addition to an existing house on East Part of Lot 21, Concession 2 OS - B. French.

The CAO presented an application for an agricultural storage shed on Part of Lot 221-222, Concession 2 NE and Part of Lot 222, Concession 1 NE - E. Martin. It has been sent to the Planner for comment. Council directed the CAO to sign the application if the Planner approves the application.

#### Tile Drainage By-law

Moved by Malek, Seconded by Elliott that leave be given to introduce a By-law to raise money to aid in the construction of drainage works under the *Tile Drainage Act* and it now be read a first and second time. Carried. By-law read a first and second time and numbered 36-2014.

Tile Drainage Loan Applications - deferred until after the 3<sup>rd</sup> reading of the Tile Drainage By-law

#### Delegations

6:45 p.m. Ryan Post, NVCA attended Council to have a preliminary discussion on NVCA's proposal to provide services for a Risk Management Officer under the Clean Water Act. He reviewed the proposal that he prepared and advised that an RMO is required as Melancthon has two well head protection areas in its municipality and two plans to implement. Discussion ensued by Council and it was felt that it was premature to commit to this when the plans have not been approved yet. The CAO was directed to contact Shelburne and Southgate and explore partnering with them.

7:00 p.m. - Andrew Kovacs and Rob Coordas from Life Entertainment Group attended Council regarding the Music Festival at Highpoint Maples Park on August 22-24, 2014. Mr. Kovacs advised that they would be withdrawing the Special Event Permit Application as a result of the incident that took place in Downsview a couple weeks ago which is getting lots of negative press. They said they would be considering holding the event next year but would look towards a Country music festival. Mayor Hill wished them luck in their future endeavours.

#### General Business - Cont.

Resolution to appoint a Tile Drainage Inspector

Moved by White, Seconded by Crowe that we appoint Steve Tupling as the Township's Tile Drainage Inspector and his fee per inspection is \$200.00 and the cost of the inspection will be the Applicant's responsibility. Carried.

Site Alteration By-law No. 29-2004 and 40-2012 - Discussion for possible amendment to the By-law

As a result of a situation that occurred a couple weeks ago with fill being brought in outside of Dufferin County through an exemption to the By-law, Councillor Crowe and the CAO were directed to work on an amendment to the By-law to control this from happening again and the easiest way to do it.

New & Other Business/Additions

Addition: Deputy Mayor White - NVCA - Deputy Mayor White updated Council on the process of the Efficiency Audit to improve operations at the NVCA. There have been a number of closed session meetings and he has raised his opposition in this. There will be recommendations coming forward tomorrow and these are to be made public except for three. He urged Council to go on the NVCA website and read the recommendations. He said there are recommendations to revisit the planning fees and how to lower them, reduce the size of the Board and one of the ways is to eliminate the seats of three municipalities and Melancthon is one of them. Grey Highlands and Mulmur are the other two. If there are any concerns regarding the recommendations, Deputy Mayor White asked that they be sent to him ahead of the August 22, 2014 meeting.

Unfinished Business

Response to the 30 OFM Recommendations on Fire Protection Services (Fire Prevention)

Moved by Malek, Seconded by Elliott that Council receive the responses from and give thanks to Jim Clayton, Mulmur Melancthon Fire Chief; the Mulmur Melancthon Fire Board; Joe Casey, OFMEM; Mayor Bill Hill and CAO Denise Holmes, for their assistance and efforts in preparing the written responses to the Ontario Fire Marshal's 30 recommendations on Fire Protection Services/Fire Prevention in the Township of Melancthon. Council appreciates their continued follow through and cooperation with the OFMEM to continue to improve fire service for Melancthon Township. And further that Council directs staff to follow up with the Fire Chiefs to ensure receipt of documentation as required in the 30 recommendations on an annual basis. And further that Council directs staff to forward the responses to the OFMEM and express appreciation to them, specifically Joe Casey, Program Specialist for his assistance in this matter. Carried.

Discussion ensued about the recommendations for the Shelburne Fire Board and it was noted that it is not the Fire Board's responsibility but that of the Town Council to complete the recommendations.

Email from Nancy Neale, Watson & Associates dated July 30, 2013 regarding the Development Charges Addendum Report

The CAO advised that a second public meeting has been set for September 4, 2014 at 11:00 a.m. to deal with the changes to the Non-residential charge. Council did not think that Ms. Neale needed to come to the meeting but asked that a report be prepared with regards to the recalculation of the charge.

Delegations - Cont.

7:30 p.m. - A public meeting had been called to consider a proposed zoning by-law amendment for lands located in Part of the East Part of Lot 24, Concession 3 OS. The purpose of the proposed by-law is to amend the Restricted Area (Zoning) By-Law No.

12-79 as amended to zone a lot approved by the Committee of Adjustment through application B1/13 to permit the creation of a new rural residential lot. The new lot will also be zoned to reflect environmental features within the lot and proximate to the lot as recommended by the Nottawasaga Valley Conservation Authority. The proposed rezoning will also zone a former rural-residential lot back to the Agricultural (A1) Zone. This aspect of the amendment is required because the former rural residential lot is vacant and was required to be merged in title with the adjacent farm parcel as a condition of creating the new lot. No one notified of the public meeting was in attendance. The NVCA commented that they support the application.

Moved by White, Seconded by Crowe 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 for lands located in Part of the East Part of Lot 24, Concession 3 OS and it be hereby read a first and second time. Carried. By-law read a first and second time and numbered 37-2014.

As there were a few minutes before the next Delegation was scheduled Mayor Hill took this time to update the members of the gallery regarding the Lystek Onsite as a result of a question during PQP. Mayor Hill advised that approximately two weeks ago, the Township received a request from Lystek to go tour their facility. Someone in the Township was having the product applied to their land and then they stopped and Mayor Hill met with representatives of Lystek and this is how the onsite came about. Mayor Hill advised that we didn't get a tour of the plant because we ran out of time. They provided us with information and we will be forwarding this to our Hydrogeologist for comment. Lystek says our By-law does not apply because their product is fertilizer and not biosolids and they have more than enough land to spread it on but Melancthon residents are asking for it. We have requested that they do not spread in our Municipality until we get comments back from our Hydrogeologist but they want to move with this stuff by October. Mayor Hill advised that we have no intention of changing our by-law.

7:40 p.m. - Council took a break for 5 minutes and reconvened.

**Delegations - Cont.**

7:45 p.m. - Jerry Jorden, Township Planner attended Council to review the information on the New Official Plan and be present for its adoption. He went over the changes to this draft and also reviewed his Report. It was noted about a couple of minor changes in the Report and Street names that were incorrect. He will ask the Ministry to make modifications to the OP.

Moved by Hill, Seconded by Crowe that leave be given to introduce a By-law to adopt the New Official Plan for the Township of Melancthon and it be hereby read a first and second time. Councillor Malek asked for a recorded vote:

Councillor Malek - Nay  
Councillor Elliott - Yea  
Councillor Crowe - Yea  
Deputy Mayor White - Yea  
Mayor Hill - Yea

Carried.

By-law read a first and second time and numbered 38-2014.

**Unfinished Business - Cont.**

**Establishing and Regulating By-law**

Moved by Malek, Seconded by Elliott that leave be given to introduce a By-law to Establish and Regulate a Fire Department for the Corporation of the Township of

Melancthon and to Repeal By-law No. 15-2014 and it now be read a first and second time. Carried. By-law read a first and second time and numbered 39-2014.

Horning's Mills Community Park - Play Structure

Councillor Malek presented a quote from PlayPower LT Canada Inc. for some play equipment. She is currently sourcing surface materials. She said she would take out the Jacob's Ladder and put that money towards materials but Council felt that it should be left in and the Township would find the money for the other materials. She will bring back further information to the next meeting.

Action Correspondence # 2 from July 17, 2014 meeting re: Amendments to Industry Canada's Antenna Tower Siting Procedures

Councillor Malek advised she had nothing further on this and it could be removed from future agendas.

Third Readings

Moved by White, Seconded by Crowe that By-laws 36-2014, 37-2014, 38-2014 and 39-2014 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

**General Business - Cont.**

Tile Drainage Applications

Moved by Malek, Seconded by Elliott that The Council of the Corporation of the Township of Melancthon accept the application by Randall Trent Martin for a tile drainage loan under the Tile Drainage Act in the amount of \$23,000.00 to drain Part of Lot 8, Concession 3 NE. This is subject to funds being available from the Ontario Ministry of Agriculture, Food and Rural Affairs. Carried.

Moved by White, Seconded by Crowe that The Council of the Corporation of the Township of Melancthon accept the application by John M. Martin and Ruby June Martin for a tile drainage loan under the Tile Drainage Act in the amount of \$50,000.00 to drain Part of Lot 7, Concession 3 NE. This is subject to funds being available from the Ontario Ministry of Agriculture, Food and Rural Affairs. Carried.

Moved by White, Seconded by Crowe that The Council of the Corporation of the Township of Melancthon accept the application by Nevin Bradley Martin for a tile drainage loan under the Tile Drainage Act in the amount of \$50,000.00 to drain Part of Lots 276 & 277, Concession 2 NE. This is subject to funds being available from the Ontario Ministry of Agriculture, Food and Rural Affairs. Carried.

Confirmation By-law

Moved by Elliott, Seconded by Malek that leave be given to introduce a by-law to confirm the proceedings of the Council meeting held August 14, 2014 and it be given the required number of readings. Carried. By-law numbered 40-2014 and read three times.

Adjournment

Moved by Elliott, Seconded by Malek that we adjourn Council to meet again on Thursday, September 4, 2014 at 9:00 a.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK