

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 19th day of June, 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

The CAO announced that the new 3rd Line opened at 7:00 a.m. today. The redundant 3rd Line section is being removed and will be reinstated as per the approved drawings.

Additions

Mayor Hill - email from Marni Walsh regarding Dufferin Wind Power transmission lines
Mayor Hill - OFM Report - Update
Deputy Mayor White - information for the Horning's Mills Community Hall Lift

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 White, Seconded by Crowe that the minutes of the June 5, 2014 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

The CAO advised that Chris Jones had amended his memo regarding the Draft County Official Plan with respect to his comments about On Farm Business Uses. The CAO was directed to send the comments to the County.

Point of Privilege or Personal Privilege

None.

Public Question Period

No questions asked.

Correspondence

*** Items for Information Purposes**

1. GRCA Current - June 2014 Volume 19, Number 6
2. 39th Annual Review 164 Royal Canadian Air Cadet Shelburne Squadron
3. The Corporation of the Municipality of Grey Highlands - Notice of Open House, Saturday June 21, 2014

4. Copy of a resolution passed by the Township of Amaranth June 4, 2014, Re: Report CL-2014-08, to support the creation of a 5 member Joint Compliance Audit Committee with the Dufferin County local municipalities
5. AMO Communications - New Building Canada Fund - Member Update
6. Copy of a resolution passed by the Town of Mono May 27, 2014, Re: Town of Mono Council supports Centre Dufferin Recreation Complex Staff obtaining quotes to purchase an ice resurfacers
7. Email from Bill Hill, Mayor to Denise Holmes dated June 10, 2014, Re: Canada Day campaign for vets
8. Letter sent to Premier Wynne from Mayor Hill congratulating her on her victory and requesting a meeting to discuss issues regarding the Green Energy and Economy Act

Moved by Elliott, Seconded by Malek that Correspondence Items 1-8 for information purposes be received as information. Carried.

*** Items for Council Action**

1. Copy of a resolution passed by the Township of Amaranth June 4, 2014, Re: County Garbage Stickers
2. Report to Council from Denise Holmes dated June 4, 2014, Re: Joint Compliance Audit Committee
3. Letter from Burnsides dated June 9, 2014, Re: Notification for Maintenance and Repair of the Stinson Municipal Drain
4. Letter from Burnsides dated June 10, 2014, Re: Notification for Maintenance and Repair of the McCue Municipal Drain
5. Petition for Drainage Works by Owners

1 - Verbal motion - Moved by White, Seconded by Malek that we receive this item as information. Carried. Deputy Mayor White advised that he would like to bring this back up at the County next June.

2 - Moved by White, Seconded by Crowe that Report of Denise Holmes, CAO/Clerk with respect to a Joint Compliance Audit Committee, be received; And that Council supports the creation of a 5-member Joint Compliance Audit Committee with the Dufferin County local municipalities; And that Councillor Janice Elliott be appointed to represent Melancthon Township Council on the Selection Committee to review applications for appointment to the Joint Compliance Audit Committee; And that members of the Joint Compliance Audit Committee not be required to be residents of the Township of Melancthon; And that Staff be authorized to participate as necessary in the establishment and operation of the Joint Compliance Audit Committee; And that Council approve the Terms of Reference attached to this Report. Carried.

3 - Moved by Malek, Seconded by Elliott that we direct the Drainage Superintendent to proceed with the maintenance work on the Stinson Drainage Works as outlined in his letter of June 9, 2014. Carried.

4 - Moved by White, Seconded by Crowe that we direct the Drainage Superintendent to proceed with the maintenance work on the McCue Drainage Works as outlined in his letter of June 10, 2014. Carried.

5 - Moved by Malek, Seconded by Elliott that Council accept the petition under Section 4 of the Drainage Act, signed by Richard Wallace on behalf of Richard Wallace Farms Limited and Richard and Elaine Wallace describing the E. Pt. Lot 6, Concession 3 NE and Pt. Lot 7, Concession 4 NE as requiring drainage and directs the Clerk to notify the petitioners and the Nottawasaga Valley Conservation Authority as required by Section 5 of the Drainage Act of its decision to proceed. Be it further resolved that the Council appoint Tom Pridham, P. Eng., of RJ Burnside and Associates Ltd. to prepare a report plan and profile in

accordance with Section 8 of the Drainage Act. Carried.

***Melancthon Official Plan**

1. Letter from Nottawasaga Valley Conservation Authority dated May 30, 2014, Re: Draft Official Plan Update, Township of Melancthon, MMAH File: 22DP-0002-13001
2. Letter from Grand River Conservation Authority dated May 30, 2014, Re: Township of Melancthon - Draft Official Plan
3. Letter from Niagara Escarpment Commission dated May 30, 2014, Re: Township of Melancthon Draft Official Plan (March 2014)
4. Letter from Grey County Planning and Development dated June 9, 2014, Re: Proposed New Township Official Plan
5. Memo from Denise Holmes, CAO/Clerk, Re: Proposed New Official Plan Open House-Update

Moved by White, Seconded by Crowe that Correspondence Items 1-5 regarding the Melancthon Township Proposed New Official Plan be received as information. Carried.

***County Official Plan**

1. Meeting Report from MMM Group, Technical Committee Meeting dated May 30, 2014, Re: County of Dufferin Official Plan
2. Inter-Office Memo from MMM Group dated June 9, 2014, Re: Consultation Report of the Draft Dufferin County Official Plan, May 2014
3. E-mail from Pam Hillock, Re: County of Dufferin Official Plan Meetings

Moved by Elliott, Seconded by Malek that Correspondence Items 1-3 regarding the Dufferin County Official Plan be received as information. Carried.

General Business

Energy Conservation and Demand Management Draft Plan

Moved by Elliott, Seconded by Malek that Council accept the Township of Melancthon Conservation and Demand Management Plan (2014-2019). Carried.

Applications to Permit

The CAO presented an application to permit a single family dwelling on Part of Lot 293, Concession 1 SW (L. Purdie). The CAO advised that because there is an existing farm house on the property, the owner will have to enter into an agreement that the existing house will be removed when the new one is built. The owner has already paid the required \$5,000.00 security deposit.

Resolution to return trailer security deposit to M. Quail in the amount of \$5,000.00

Moved by White, Seconded by Crowe that we return the trailer security deposit in the amount of \$5,000.00 to Mike Quail as the trailer on the East Part of Lot 10, Concession 4 OS has been removed. Carried.

New/Other Business

Verbal update from Mayor Hill regarding the Horning's Mills Hall Lift - Mayor Hill advised that he had met with Mark Hicks regarding the lift. Mr. Hicks has gone back to the manufacturer but he is away on holidays. Mayor Hill advised that Mr. Hicks is going to personally review this file and said that he will not be recommending Federal Elevator in the future. Mayor Hill also advised Council of a chat he had with David Onley, Lieutenant Governor this past weekend at the Heritage Festival in Shelburne and he indicated that a lot of these lifts are just over engineered and that is why they don't work

correctly.

Delegations

6:20 p.m. - Jeff Demmans of Demmans Excavating attended Council with concerns regarding the Township's fees for wide load permits. He presented Council with a spreadsheet on what it will cost him annually with these costs (approximately \$9,125.00). This item was referred to the Roads Subcommittee to revisit the fees or to look at possibly imposing an annual float permit.

6:30 p.m. - John Telfer, CAO for the Town of Shelburne; Steve Wever, Planner for the Town of Shelburne; Ryan Post, NVCA; Martin Keller, GRCA; Bill Banks, Banks Groundwater Engineering and Steve Burnett, S. Burnett and Associates attended Council regarding the Zoning By-law Amendment for the new municipal well project (Well 7) in Melancthon. Information was submitted prior to the meeting and included in the Agenda package. This information was reviewed by those in attendance at the meeting. There was discussion on the well-head protection area and the Town will prepare mapping which is the GRCA's area. This will be done in coordination with Martin Keller and Ryan Post. Mr. Keller will prepare it, take it back to the Committee and re-submit to the Province.

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 and it be hereby read a first and second time (Shelburne Municipal Well - Part of Lot 301, Concession 3 SWTSR). Carried. By-law numbered 31-2014 and read a first and second time.

7:00 p.m. - A public meeting had been called to consider the Township's Proposed New Township Official Plan. Jerry Jorden, Township Planner was in attendance for the Public Meeting as well as a few members of the Public. Mr. Jorden opened the Public Meeting by giving some background information on the current OP, described the Nature and Effect of an Official Plan and went on to speak on the draft OP that is before the Township tonight. Mr. Jorden described the policies of the seven proposed land use designations in the new Official Plan, as follows:

1. Agricultural
2. Rural
3. Environmental Protection
4. Environmental Conservation
5. Extractive Industrial
6. Community
7. Light Industrial

Mr. Jorden also spoke on the servicing and roads policy, impact studies, road use agreements, vision, objectives, water protection, implementation policies and definitions.

Mr. Jorden advised that the Township does not approve the Plan, it adopts it and then it is sent to the Ministry for approval. The Ministry makes a decision and then there is a right to appeal. He asked that comments be submitted on the comment sheets and that they be submitted by July 4, 2014. He advised that notes would be taken of the comments received tonight and those comments would serve as formal record of the meeting and be submitted to the Province.

Mayor Hill thanked Mr. Jorden and said this plan before us today has been considerably revised by the Government. He said he would like to take the original draft of the Official Plan that the Council and the public wanted to see as well as the one the Ministry told us we were having and have them sitting side by side at the counter. He said we are being very dictated to by the Province and this is not our OP, it's the Ministry's.

Councillor Crowe said he was on Council when this process was started in 2004 and we still do not have an approved OP yet.

Mayor Hill opened the meeting to comments from those in attendance in the gallery.

Wayne Hannon - Asked Mr. Jorden to explain the methodology used for the mapping of provincially significant wetlands and farmland. Under the Provincially significant wetland, it follows the contour of the land but for farmland, it follows the lot lines and asked Mr. Jorden to explain the difference. Mr. Jorden replied that he did the lot lines for agricultural lands but the mapping on the wetlands comes from the province and doesn't follow lot lines to a certain extent. The Ministry's approach is to go lot lines for agriculture and he wanted to keep consistent – didn't want a little bit here and a little bit there.

Mr. Hannon also raised concerns about the properties along the 8th Line NE with a rural designation but said it is good potato land and has concerns that things will pop up in those rural areas. Mr. Jorden advised that if the Rural designated lands were being farmed, there would be no severances permitted because the policies under the Agricultural designation would apply. Mr. Hannon raised a point that the Township needs to specify a time frame that the land is out of farming before severances would be permitted. Mr. Jorden advised that he is currently working on wording for this policy.

Harvey Lyon inquired about well head protection in Section 4.4. Mr. Lyon raised concerns and asked if there was a process for handling this issue? Mr. Jorden advised that much of this will be out of our hands and it will be covered under the Source Water Protection Plans.

Mr. Lyon also commented under Section 5.4.1 - Environmental Protection Permitted Uses within the Environmental Designation and said we need to be very specific about existing agricultural uses. He would like to see another point added (vi) that says "*legally existing uses*" because in some areas there has been pasturing that has taken place for years. Mr. Jorden said he has had a number of discussions on the draft's before this one. The Ministry had concerns about Environmental Policies and when he asked for examples of policies, he was told about Grand Valley's policies in their recently approved OP. Therefore, much of the wording is exactly out of the Grand Valley OP.

Mr. Lyon then commented on Environmental Conservation Lands. He has difficulty understanding the locally significant and unevaluated wetlands. There has been a lot of improvement on agriculture lands with tiling and a lot of these wetlands have disappeared and we should continue to encourage farmers to improve the land. He would like to see 5.5.1 vii expanded and the following added: "*or clearly indicated prior agricultural uses*" as well as after 5.5.1 b expanded and the following added "*or the re-establishment of prior agricultural operations*". Mr. Jorden advised that this throws every wetland wide open of being drained and said he needed to think about this.

Mr. Hannon spoke on Provincially significant wetland and wanted to know if deer pasture areas were included. Mr. Jorden said yes they were in the Environmental Conservation Area. Mr. Hannon's farm is showing Provincially Significant Wetland and this is farmland that he is cutting hay on. Mr. Jorden said he would photocopy the mapping and would ask that Mr. Hannon show where on the map the line should be and why. Mr. Hannon wanted to know if background data would be available on this? Mr. Jorden said that the only thing he has is what he sees (the maps). He said if you go to the Ministry of Natural Resources website and put in "deer wintering areas" you can get a map or the technical manual for natural heritage areas. Mr. Jorden said he has no real documentation on it.

Jim Funston owns a pie-shaped property at the north end of Horning's Mills. He was wondering if the three severances per 100 acres would apply to him when he only owns

6.98 acres. What is the potential for a severance? Mr. Jorden advised that in the draft OP that went to the Ministry, it was designated in the Community zone but the Province or NEC removed it. He said he would have to look at this more and wondered if infilling policies might apply to this.

As there were no further questions or comments, Mayor Hill thanked Mr. Jorden and the people for attending the public meeting.

Moved by Malek, Seconded by Elliott that the Council of the Township of Melancthon requests that written comments on the Draft Official Plan (March 2014) be submitted to the CAO/Clerk by 12 noon on July 4, 2014. Further we direct the CAO/Clerk to refer all written comments received to Jerry Jorden, Township Planner for review, report and preparation of any necessary revisions to the draft Official Plan. Carried.

The public meeting concluded at 8:13 p.m.

Council took a five minute break and reconvened.

New/Other Business - Cont.

Addition: Deputy Mayor White - Horning's Mills Hall Lift - Jim Webster who is the Hall Manager was in attendance for the Council meeting and he advised that the lift is currently working. Mr. Webster has talked to Delta Elevators and the Hall Board will look at the Maintenance Agreement with them. A quote to fix the lift was also received in the amount of \$2,300.00 and this is worst case scenario. Delta will not take on the Maintenance agreement until the lift is working. It was suggested that the lift should have an operator and the lift is only to be used for disabled people. Mr. Webster said he could train someone that is booking the hall. Moved by Elliott, Seconded by Malek that the Township of Melancthon pay the cost of the work outlined in Quotation PR148203 from Delta Elevator "not to exceed" \$2,300.00 (HST not incl.) and that the Township enter into a maintenance contract with Delta Elevator as outlined in Agreement Number DEG143074 and cover the cost of this agreement for a 1 year period at a cost of \$958.00. Carried.

Unfinished Business

Horning's Mills Park Play Structure

Councillor Malek advised that due to the fact that the Township has limited funds, the Park Board is going to take a different approach on the play equipment. Instead of purchasing a full structure, they are going to go with individual items i.e. - slide, tire swing (made of plastic), etc. She will present a new budget at the next meeting. The CAO advised that the \$5,000.00 cheque from Hydro One has been received.

Corbetton Streetlight Proposal

Deputy Mayor White advised that EARTH Corporation finally got back to him with a quote. They have prepared a business case and Deputy Mayor White would like them to come to a future Council meeting. Concerns raised about back end liability as this company is owned by nine municipalities. Council would like to see the contract.

Application to Permit of Levi Martin - Part Lot 30, Concession 7 NE

The CAO advised that there has been no rezoning on this particular property and the application was then approved.

Tabled motion regarding proposed transfer station (tabled on January 9, 2014 and re-tabled April 3, 2014)

Discussion ensued about the motion. Councillor Crowe, the mover on the motion spoke on it. He said there is no money in the budget for it and there doesn't seem to be an appetite for it to proceed, although he still thinks there is a need for it. There are a couple options that Council could go with to deal with the motion. The first one (and he wasn't sure on procedure) is to adjourn the motion sine die (no fixed date) and it would have to come back within a year or withdraw it at this point and have a future Council revisit it. Mayor Hill commented that the situation has changed since we first looked at this proposal and the County is offering all the different services of waste removal that wasn't initially there and if we opened up the landfill, it would just be to accept clean wood. Also, there were concerns about amending our COA. It was felt that the cleanest way to deal with the motion was to have the motion withdrawn by the mover and seconder and therefore Councillor Crowe and Deputy Mayor White withdrew the motion.

Road Business

Craig Micks, Acting Road Superintendent attended Council. He presented a letter received from Frank Maltby who had damage done to his vehicle by a passing gravel truck on a muddy section of road on the 4th Line OS. Council advised that they would not be paying for the damages and directed the CAO to send the letter to Strada Aggregates and Jim Brown Trucking.

Culvert on 10th Line SW - Craig advised that there is a culvert before 280 Sideroad that crosses the 10th Line SW and Martin Drainage is wanting to tile through the culvert to the Grand River and apparently the Grand River has approved this. Council would like to see the permit and Martin Drainage needs to put the request in writing. Also, Martin Drainage is putting a culvert on the Southgate-Melancthon Townline and Southgate wants Melancthon's approval. This also to be put in writing.

Structure 2028 in Horning's Mills - Craig advised that an email was received from our Engineer that the contractor is wanting to substitute material in the construction of the bridge. The CAO was asked to send out the email which was just received today.

Dufferin Wind - Craig advised that he heard that Dufferin Wind intended to close the 4th Line OS from County Road 21 to 30 Sideroad for a number of days while installing poles for the transmission lines. Council advised that under no circumstances were DWP to close the road as this is unacceptable. The CAO to send a letter to DWP. While on the topic of DWP, Craig advised that their construction activities are causing the Township to get behind in its road work. Craig was advised to keep documenting everything and we would send them an invoice.

Additions to Agenda

Mayor Hill - email from Marni Walsh - Mayor Hill wanted to update Council on an email he received from Marni Walsh about Shelburne stopping DWP for putting more poles up in case they read something in the paper about it. Shelburne has their engineers involved in this and the County is involved. There are concerns about how the poles are being buried in large steel conduits. Melancthon has spoken with its Engineer and he advises that this is normal in wetland areas but not for every pole.

OFM Report - Update - the Mulmur Melancthon Fire Department Reps provided a new updated Report to Council that Chief Jim Clayton completed. There are approximately three outstanding items on Melancthon's list that need to be completed and the CAO is currently working on the Simplified Risk Assessment. It was mentioned about the Mulmur Township Council Meeting to be held on July 2, 2014 and Reps from the Ontario Fire Marshall's Office would be in attendance. Concerns were raised that Shelburne Fire Department's Chief was not fulfilling his obligations regarding the recommendations

in the report and it was felt that the our members of the fire board need to bring it up at the next meeting that it is the Chief's responsibility to answer to do these recommendations.

Third Reading - By-laws

Moved by Elliott, Seconded by Malek that By-law No. 31-2014 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Closed Session

The Closed Session as outlined on the Agenda was deferred to the next meeting.

Confirmation By-law

Moved by Malek, Seconded by Elliott that leave be given to introduce by-law to confirm the proceedings of the Council meeting held on June 19, 2014 and it be given the required number of readings. Carried. By-law numbered 32-2014 and read three times.

Adjournment

9:30 p.m. - Moved by White, Seconded by Crowe that we adjourn Council to meet again on Thursday, July 3, 2014 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK