

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 20th day of November, 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

Mayor Hill congratulated the newly elected Council and wished them the best of luck and successes for the future. He spoke on the loss of electors and the need to identify the vacant lots in the Township and get them developed to build our population as well as to get a better handle of the tenants in the municipality and get them added to the list of electors.

Also, during this time, Mayor Hill spoke on the various Council successes over the past term of Council and asked that it form part of the Public Record. The list of successes will follow the minutes.

Councillor Malek advised of a fundraiser at the Park next Spring and the opening of the new play structure. The wood chips still need to go in but that date is to be determined.

Road Business

Item moved up to accommodate the Road Superintendent due to the weather as he has to be up early to patrol.

Craig Micks, Road Superintendent attended Council and presented the Road Accounts in the amount of \$491,041.04. Moved by Malek, Seconded by Elliott that the road accounts be approved as presented by the Road Superintendent. Carried.

Mulmur Melancthon Road Agreement

The letter from Terry Horner, CAO was reviewed. This item was deferred to the new Council. It was suggested that the Council of the Township of Mulmur should attend a Council meeting regarding this.

Melancthon/Clearview Townline

Craig advised that Mr. Wargon is looking to up his fee for snow removal again. This item was deferred to the new Council.

Additions

None.

Deletions

None.

Approval of Agenda

Moved by Malek, Seconded by Elliott that the Agenda be approved as circulated. Carried.

Disclosure of Pecuniary Interest and the General Nature Thereof

Can be declared at this time or anytime throughout the meeting.

Minutes

Moved by Malek, Seconded by Elliott that the minutes of the October 16, 2014 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

None.

Point of Privilege or Personal Privilege

None.

Public Question Period

No questions asked.

County Council Update

In package for the October 9, 2014 County Council meeting.

Committee Reports

Deputy Mayor White - Mulmur Melancthon Fire Board - final meeting is next Thursday. The review of the Chief will be done at that meeting. They started the term with a review and they are doing this for the last meeting to see how he has done over the four year term.

Councillor Elliott - Shelburne Fire Board - at the last meeting, they addressed the 30 Recommendations, discussion regarding Presumptive Legislation. The first job of the new Board will be to start with the budget.

Mayor Hill - Centre Dufferin Recreation Complex - things are really working well. They lost the Red Wings so there has been a financial loss of \$25,000.00 - staff has been adjusted to lessen the impact. The new zamboni is scheduled for mid-December and an expression of interest has gone out for advertising on it.

Councillor Crowe - St. Paul's Cemetery for November 13th - written report is on file.

Delegations

6:30 p.m. - Sylvia Jones, MPP and Doug DeRabbie, Insurance Bureau of Canada attended Council and presented a cheque to Council in the amount of \$5,000.00 for Disaster Relief Assistance to help the Township with the costs incurred as a result of the storm last January. The Township applied through the Ontario Disaster Relief Assistance Program but was denied by the Province. MPP Jones brought this issue up in the Legislature asking the Minister to reconsider his decision and as a result of that, the Insurance Bureau of Canada decided they would like to help out with a donation of \$5,000.00. Mayor Hill thanked Ms. Jones and Mr. DeRabbie for this.

6:45 p.m. - A public meeting had been called to consider a proposed zoning by-law amendment to zone lands located in the West Part of Lot 20, Concession 1 OS to Rural Commercial Exception (C3-6) Zone to permit their combined use for a farm service and supply depot. Jeff Holmes was in attendance for the public meeting. The CAO read

the comments from the NVCA and there was no objection from the Authority for the approval of the application.

Moved by Malek, Seconded by Elliott 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 the West Part of Lot 20, Concession 1 OS and it be hereby read a first and second time. (Holmes Agro/Bonnefield). Carried. By-law read a first and second time and numbered 51-2014.

Correspondence

*** Items for Information Purposes**

1. Letter from R.J. Burnside & Associates Limited dated October 7, 2014, Re: Drainage Superintendent Services File No. D-ME-SUP, Project No.: MSO019743.2014
2. Letter from Warden Bill Hill, County of Dufferin to Peter Hill, Director General, Spectrum Management Operations Branch dated October 8, 2014, Re: Consultation on Policy Changes in the 3500 MHz Band and a New Licensing Process in Rural Areas
3. Letter from Grand River Conservation Authority dated September 30, 2014, Re: Appointment of Members to Grand River Conservation Authority (GRCA)
4. Email from Tom Nevills dated October 9, 2014, Re: GRCA Appointment
5. Email from Michelle Dunne, Deputy Clerk, Corporate Services dated October 15, 2014, Re: Disaster Relief Reserve
6. Email from D. Woodworth dated October 15, 2014, Re: Peel-Dufferin Plowing Match Thank You
7. Letter from Bob Chiarelli, Minister of Energy dated October 14, 2014, Re: Green Energy Projects in your Community
8. Nottawasaga Valley Conservation Authority - For Immediate Release - October 17, 2014 - Grants available for manure runoff reduction projects in south Simcoe
9. Letter from The Honourable Candice Bergen, P.C., M.P.P. dated October 7, 2014, Re: Response to letter to the Honourable Jason Kenney, Ministry of Employment and Social Development and Minister for Multiculturalism
10. AMO Communications - Good Start to New Legislative Session - POA Tools Re-introduce Road Safety Bill
11. Letter from MPAC Municipal Property Assessment Corporation dated October 24, 2014, 2014 Information Kits Now Available
12. Highlights of the NVCA Board of Directors Meetings No. 11/14 - October 24, 2014
13. Email from Accessibility Directorate of Ontario dated October 28, 2014, Honourable David C. Only Appointed as Special Advisor
14. Letter from Laura Daly, MCIP, RPP, Planner, Municipal Services Office - Central MMAH dated October 24, 2014, Re: Town of Mono Official Plan Amendment No. 39 MMAH File No. 22-OP-136482
15. Letter from Laura Daly, MCIP, RPP, Planner, Municipal Services Office - Central MMAH dated October 24, 2014, Re: Town of Mono Official Plan Amendment No. 37 MMAH File No. 22-OP-142478
16. Copy of a resolution passed by the Town of Bancroft dated October 22, 2014, Re: Policing Costs Associated with Unorganized Townships
17. Email from Carey Holmes, AMCT, Deputy-Treasurer, Town of Shelburne, Secretary-Treasurer, Shelburne & District Fire Board, Re: Firefighters Presumptive Legislation & WSIB rates
18. Email from Gary Tomlinson, Ontario Ministry of Environment and Climate Change dated October 27, 2014, Re: Jim Hill Fire in Horning's Mills
19. CBC News Article - Wind turbine noise not linked to health problems, Health Canada finds
20. Copy of resolution passed by the Township of McKellar dated November 5, 2014, Re: The New Municipal Policing Cost-Recovery Billing Methodology for O.P.P. services
21. Email from Carey Holmes, AMCT, Deputy-Treasurer, Town of Shelburne,

- Secretary-Treasurer, Shelburne & District Fire Board, Re: OFM 30 Recommendations - Shelburne Response
22. Report from Denise Holmes to Mayor Hill and Members of Council dated October 30, 2014, Re: Accessibility Report 2014 Municipal Election
 23. Letter from Joe Locklin, Manager (A), Programs Operations OMAFRA dated November 10, 2014, Re: Ontario Community Infrastructure Fund (OCIF) Application-Based Component
 24. Nottawasaga Valley Conservation Authority - For Immediate Release - NVCA supports Ontario's efforts to combat invasive species
 25. Copy of a resolution passed by the Town of Mono dated November 11, 2014, Re: Protection of Public Participation Act, 2014 (Bill 83)
 26. News Article - The New York Times - Sun and Wind Alter Global Landscape, Leaving Utilities Behind
 27. News Article - As Toronto dithers, Guelph sets sights on 21st century
 28. AMO Communications - Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014

Moved by White, Seconded by Crowe that Correspondence Items 1-28 for information purposes be received as information, except 3, 4, 17, 18, 19, 21 for further discussion. Carried.

3 & 4 - CAO Denise Holmes asked that these two items be deferred to the new Council.

7 - Mayor Hill commented that he will leave this up to the new Mayor and whether he wants to meet with the Parliamentary Assistant regarding Large Feed-in Tariff Program.

17 & 21 - Councillor Elliott advised that because the Township has the responsibility for fire services and things are getting so complicated now with the Presumptive Legislation, among other things, she recommended that the new Council should put a Fire Service Sub-Committee in place to deal with these items.

18 - Deputy Mayor White said the MOE's email is non-committal and advised that a gentleman had come in to office today and wanted to know what was going on. Deputy Mayor White felt that at some point, action needs to be taken on this matter. The CAO was directed to send the By-law Enforcement Officer in on the matter and to go back to Gary Tomlinson, MOE and ask him to provide more detailed information on what MOE's plans are going forward.

19 - Deputy Mayor White advised that we all knew what the Health Study was going to say and basically annoyance is directly attributable to health affects. Mayor Hill commented that he attended the Down Wind presentation at the Grace Tipling Hall.

*** Items for Council Action**

1. Letter from Niagara Escarpment Commission dated October 30, 2014, Request for Comments - Part Lot 13-14, Concession 1 OS
2. Copy of a resolution passed by the Town of Collingwood dated October 20, 2014, Re: Reconsider Decision to Eliminate Home to Home Postal Delivery
3. Notice of Request for Drain Improvements - Lot 259, Part Lot 260 Con 2 NE

1 - Council had no comments to make on the application

2 - Council did not support this resolution

3 - Moved by Malek, Seconded by Elliott that we accept the notification for the maintenance and repair of the Ballinger Drainage Works under Section 79 of the Drainage Act, 1990, signed by Gary Halbert, President of 1406963 Ontario Limited, owner of Lot 259, Part Lot 260, Concession 2 NETSR. We direct Tom Pridham, P. Eng. Drainage Superintendent to investigate and report back to Council on his findings and

recommendations. Carried.

***Dufferin Wind Power**

1. Email from Temara Brown, GPO dated October 3, 2014, Re: Dufferin Wind and Melancthon - Request for a Hearing
2. Construction Update - Dufferin Wind Power Inc. dated October 10, 2014
3. Email from Rebecca Crump dated October 16, 2014, Re: Community Liaison Committee
4. Email from Rebecca Crump dated October 23, 2014, Re: Municipal Tree Replacement Tally
5. Email from Rebecca Crump dated October 25, 2014, Re: Dufferin Wind Power - Pre-Commissioning
6. Letter from Environment and Land Tribunals Ontario - Environmental Review Tribunal dated November 5, 2014, Re: Notice of Preliminary Hearing

Moved by Elliott, Seconded by Malek that Correspondence Items 1-6 regarding Dufferin Wind Power be received as information. Carried.

The CAO was directed to contact Rebecca Crump regarding the Community Liaison Committee and request that they try harder to form a Committee as it is a requirement in the Renewable Energy Approval. The CAO also to advise Ms. Crump that Council wants the trees replaced as per the Dufferin Wind Agreement.

***Melancthon Official Plan**

1. Letter from Marcia Wallace, Regional Director, MMAH dated November 3, 2014, Re: Township of Melancthon Official Plan - MMAH File No. 22-OP-142029

The CAO advised that there were several letters like this one that had been sent out, but she just chose one to put in the Agenda package.

Moved by White, Seconded by Crowe that Correspondence Item 1 regarding the Melancthon Official Plan be received as information. Carried.

***Lystek**

1. Email from Kevin Litwiller, Director of Business Development, Lystek International dated November 4, 2014, Re: Response to Letter & Report re-LysteGro in Melancthon

Moved by Elliott, Seconded by Malek that Correspondence Item 1 regarding Lystek be received as information. Carried.

General Business

Accounts - The Treasurer presented the accounts in the amount of \$178,836.74. Moved by White, Seconded by Crowe that the general accounts be approved as presented by the Treasurer. Carried.

Application(s) to Permit

Mayor Hill signed the following applications to permit:

- Kevin McGriskin - East Part of Lot 12, Concession 3 OS - Addition to existing Dairy Barn
- Simon Martin - Lot 34, Concession 6 NE - engine room & skid steer loader storage

Financials

Resolution to transfer monies from the Development Charge Account (Transportation) to

the General Account, re: roads new equipment (truck), as per the 2014 budget
Moved by Malek, Seconded by Elliott that we transfer \$209,026.23 from the Development Charge Account - Transportation Category to the General Account, re: roads new equipment (truck) - as per the budget. Carried.

Resolution to transfer monies from the Gas Tax Reserve Account to the General Account, re: roads paving, as per the 2014 budget

Moved by White, Seconded by Crowe that we transfer \$180,000.00 from the Gas Tax Reserve Account to the General Account, re: roads paving, as per the budget. Carried.

Resolution to transfer monies from the Development Charge Account (Administration) to the General Account, re: Development Charge Study, as per the 2014 budget

Moved by Elliott, Seconded by Malek that we transfer \$24,727.05 from the Development Charge Account (Administration) to the General Account re: Development Charge Study as per the 2014 Budget. Carried.

Resolution to transfer monies from the Tax Rate Stabilization Reserve Account to the General Account as per the 2014 budget

Moved by Crowe, Seconded by White that we transfer \$50,000.00 from the Tax Rate Stabilization Reserve Account to the General Account as per the 2014 Budget. Carried.

Resolution to transfer monies from the Quarry Reserve Account to the General Account as per the 2014 budget

Moved by Malek, Seconded by Elliott that we transfer \$75,000.00 from the Quarry Reserve Account to the General Account as per the 2014 Budget. Carried.

Resolution to transfer monies from the Insurance Reserve Account to the General Account as per the 2014 budget

Moved by White, Seconded by Crowe that we transfer \$30,000.00 from the Insurance Reserve Account to the General Account as per the 2014 Budget. Carried.

Resolution to transfer monies from Insurance Reserve Account to the General Account - 2014 third party deductible billing - roads

Moved by Elliott, Seconded by Malek that we transfer \$5,000.00 from the Insurance Reserve Account to the General Account - 2014 third party deductible billing - roads. Carried.

Resolution to transfer monies to the Landfill Rehabilitation Reserve Fund from the General account as per the 2014 budget

Moved by White, Seconded by Crowe that the amount of \$10,000.00 be transferred to the Landfill Rehabilitation Reserve Fund from the general account as per the 2014 Budget. Carried.

New/Other Business & Additions

1. Sign on County Road 124 - Verbal Update - Mayor Hill

Mayor Hill advised that he had received a complaint regarding a sign on private property on County Road 124 at 30th Sideroad for orthotics. As it turns out, the sign is on a part of the County Road Allowance and will therefore have to be moved onto private property. It was noted that the Township does not have a

by-law to regulate signs.

2. **Declaring a “Farm Day” in Melancthon Township/Dufferin County - Discussion - Mayor Hill**

This topic is as a result of Cory Conley’s Delegation to Council when she had the winning poster for the Royal Winter Fair. She asked if Council would declare a National Farm Day but Council felt that a Melancthon or County Farm Day would be more appropriate. This item was deferred to the new Council and it was mentioned that perhaps it could be called “Celebrate Melancthon Farm Days” and coincide with the Royal Agricultural Winter Fair next year. The CAO will bring this matter back to the new Council next year for further discussion.

3. **Township of Melancthon - Cheque Signing Policy - Updated**

Moved by White, Seconded by Crowe that Council adopts the Township of Melancthon Cheque Signing Policy as presented by the CAO/Clerk dated November 20, 2014 and that the Bank be advised accordingly. Carried.

4. **Appoint Drainage Engineer for the Bradley Drain - A & C**

Moved by Crowe, Seconded by Elliott that we appoint Tom Pridham, P. Eng., of R.J. Burnside and Associates Limited to prepare a report pursuant to Section 78 of the Drainage Act for the repair and improvement of A Drain and C Drain of the Bradley Drainage Work as requested by Mr. Paul S. Martin owner of Lot 34, Con. 6 N.E. Carried.

5. **Town of Shelburne - Well # 7 - Disposition of Property - direction to start proceedings under By-law No. 24-1995**

With regards to the easement for the Town of Shelburne’s new well, the Township will have to begin the process under the Disposition By-law. The CAO to get more details on why this is required and report back to the next meeting.

6. **Unfinished Business**

1. **Electronic Recycling**

Council has reconsidered its position on the program and won’t be participating in it after reading the Agreement that was required to be signed. Council had too many concerns with the Agreement.

2. **AMO - Double Hatter Issue - Motion**

Moved by White, Seconded by Crowe that **WHEREAS** the training and certification of professional firefighters is established and mandated by the Province of Ontario under the Fire Protection and Prevention Act 1997, **AND WHEREAS** it is the responsibility of municipalities to establish fire departments and appoint fire chiefs to provide fire protection services as they determine may be necessary in accordance with their needs and circumstances, **AND WHEREAS** the Township of Melancthon relies on no less than three (3) volunteer fire departments to provide mandated fire protection and suppression services to its residents, **AND WHEREAS** the International Association of Fire Fighters (IAFF) Constitution prohibits full time firefighters from volunteering as firefighters in another municipal jurisdiction, known as double hatting, **AND WHEREAS** the IAFF’s stance on Double Hatting is specifically prohibited by legislation in almost all provinces in Canada and much of the United States,

AND WHEREAS the right of individuals to use their free time in service of their community is a fundamental right in a free, open and democratic society, **NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Melancthon requests that the Province of Ontario amend the Fire Protection and Prevention Act 1997 with respect to salaried firefighters who also work as volunteer firefighters, such that if a person is denied membership in an association of firefighters, is expelled or disciplined by the association or engages in reasonable dissent within the association in connection with this type of dual role, the association is not permitted to require the employer to refuse to employ the person as a salaried firefighter, terminate his or her employment as a salaried firefighter or refuse to assign the person to fire protection services.

AND THAT this resolution be forwarded to all Dufferin County Municipalities, The County of Dufferin, all fire departments that provide services under "FPPA, 1997" to residents of Dufferin County for their consideration and support,

AND FURTHER THAT resolutions of support be forwarded to
Hon. Kathleen Wynne, Premier of Ontario
Hon. Madeline Meilleur, Attorney General
Hon. Kevin Flynn, Minister of Labour
Hon. Yasir Naqvi, Minister of Community Safety and Correctional Services
Hon. Ted McMeekin, Minister of Municipal Affairs and Housing
Sylvia Jones, MPP, Dufferin Caledon

Discussion ensued and members felt that the section "Now Therefore Be it Resolved" was not worded properly. The motion was then withdrawn by the mover and seconder.

Deputy Mayor White will revise motion for next meeting.

3. **Amendments to Working Agreement For Employees of the Township of Melancthon - Employee Recognition**

Moved by Malek, Seconded by Elliott that the CAO the CAO/Clerk be directed to amend the Corporation of the Township of Melancthon Working Agreement for Employees as follows:

18. Employee Recognition Policy

In recognition of dedicated service to the Citizens of Melancthon Township, all full time and part time employees with five (5) or more years of full time equivalent service, and thereafter in five (5) year increments, shall receive a certificate (wooden plaque after 20 years service) and \$10.00 per year of service. Retirement Gift as appropriate.

4. **Risk Management Officer under the Clean Water Act**

The CAO advised that an Agreement is being prepared for Melancthon to delegate the duties to the Town of Shelburne.

Closed Session

8:00 p.m. - Moved by Malek, Seconded by Elliott that Council move into a Closed Session Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason: labour relation or employee negotiations - Amendment to Working Agreement for Employees. Carried.

8:05 p.m. - Moved by Elliott, Seconded by Malek that we adjourn this Closed Session meeting and rise with Report. Carried.

Moved by Malek, Seconded by Elliott that the CAO/Clerk be directed to amend the Corporation of the Township of Melancthon Working Agreement for Employees as follows:

- 10 c) Permanent salaried employees shall be paid time and one-half, after 37.5 hours per week regular service and for emergency call back after hours, weekends or Statutory Holidays. Salaried employees shall be given the option of either being paid for the overtime or banking a maximum of 37.5 hours (one week) to be taken throughout the calendar year. The on-going bank to be administered by the Township Treasurer. Any banked hours remaining at the end of the year are to be paid out at the employee's regular rate of pay (i.e. - regular salary / 52 weeks / 37.5 hours). Carried.

Third Reading

Moved by Elliott, Seconded by Malek that By-law No. 51-2014 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.
By-law read a third time.

Confirmation By-law

Moved by White, Seconded by Malek that leave be given to introduce a by-law to confirm the proceedings of the Council meeting held November 20, 2014 and it be given the required number of readings. Carried.

Adjournment

8:07 p.m. Moved by Hill, Seconded by Crowe that we adjourn Council sine die. Carried.

MAYOR

CLERK

Mayor Hill - Council Successes (read our during Announcements)

I have said that over the last term Council has been operating in a reactionary mode dealing with issues that have been thrust upon us. (I.e. the mega quarry, turbine issues). However looking back we have accomplished a lot and I thought I would mention some of them. In no particular order the things I feel worth mentioning are;

By -Law review. Thanks primarily to John Crowe all the by-laws have been reviewed and brought into line. A tremendous task and the extra effort is appreciated.

The establishment of sub Committees such as Roads, Human Resources, Procedural By-law and F.O.I.

Human Resources have set up a job evaluation system and all employees have had annual reviews done during this term of Council.

The new addition was completed. It was a Council effort and it turned out great. I believe we were responsible to our ratepayers and considerate of the needs of our Staff.

The administration was totally revamped with the appointment of Wendy as treasurer. This allowed duties to be delegated by Denise and the conversely by Wendy. Denise can

now focus on the ever demanding job of CAO knowing that the rest of the Township business is being looked after.

Council has switched to E- agendas with the introduction of laptops and soon to be iPads for the Council.

The on farm business bylaw was completed after many lengthy discussions. Thus by-law was done as a result of an order from the OMB.

After a lengthy, lengthy process the Townships Official Plan was finally adopted by Council and sent off to the Government for approval/comments. The new Council will deal with the Ministry's decision.

The Dufferin Wind project has been a challenge and will continue to be something that the New Council will have to be involved with. I.E. Tree planting, remediation etc.

Going forward I think the new council should finish what was started by clearly identifying the vacant lots that could be developed. A meeting should be set up with developers, builders etc., and could know the Melancthon is open for business as future growth is limited with the Provincial Policy Statement.