

## CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 16<sup>th</sup> day of March, 2017 at 5:00 p.m. in the Council Chambers. Mayor D. White, Deputy Mayor J. Elliott, Councillor D. Besley, Councillor W. Hannon and Councillor J. Webster were present. Denise Holmes, CAO/Clerk and Wendy Atkinson, Treasurer/Deputy Clerk were also present. Mayor White presided and called the meeting to order.

### **Announcements**

Councillor Webster reminded all about the Spring Cellar Supper at the Horning's Mills Community Hall on Saturday, March 18, 2017 - tickets are \$25.00 per person and can be purchased at the Municipal Office.

### **Additions**

None.

### **Deletions**

None.

### **Approval of Agenda**

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

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

Mayor White advised that disclosure of pecuniary interest can be declared at this time or anytime throughout the meeting.

### **Minutes**

Moved by Elliott, Seconded by Webster that the minutes of the March 2, 2017 Council meeting be adopted as circulated. Carried.

### **Business Arising from Minutes**

Councillor Hannon declared a conflict of interest on Item # 1 as he has a lease with DWP and left the Council Chambers.

1. Response from Dan Bernhard, DWP regarding Parking on Township Roads -  
Discussion ensued and it was decided that because this will not likely be an issue now until next winter, nothing more needs to be done on this. Staff will have to be on top of this next winter.

Councillor Hannon returned to the Council Chambers.

2. Information update on By-law Enforcement Services - Town of Shelburne - the Clerk provided information to Council that she had received from the Town CAO. Shelburne's By-law Enforcement Officer cannot enforce the Half Loads By-law or the No Heavy Trucks By-law (basically anything that's moving – if it's parked on a road, they can). They can enforce Property Standards, as well as the Canine By-law. We have to work out the procedures of how they are going to deal with complaints. Discussion ensued on this matter and some members of Council would like to see them driving up and down the roads and others would like complaint based and a Council member could be the complainant. The Clerk

was directed to go back to the Town and inquire if the By-law Enforcement Officer would be willing to pro-actively find the issues and not wait for complaints? Also, to find out if they would go door to door selling dog tags. The length of contract was discussed and Staff are to find out if they would prefer 6 months or one year and lastly to find out if the Township will be billed on an hourly basis since they will only be dealing primarily with Property Standards and dogs.

At this time, Councillor Besley advised that they had discussed at the Roads Sub-Committee meeting on March 14<sup>th</sup> about hiring paid duty officers to patrol problem areas for the Half Load By-law and when the Roads Sub-Committee Secretary called to inquire about how much a paid duty officer would cost, the administrative person said just to let them know where the Township would like the OPP to go and she would send a car and officer to police that location. So for the time being, we will see how this plays out.

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

Nothing for this meeting.

#### **Public Question Period**

No questions asked.

#### **Road Business**

Craig Micks, Road Superintendent was in attendance for this portion of the Agenda.

Councillor Besley who is the Chair of the Roads Sub-Committee spoke to the recommendations from the March 14, 2017 Roads Sub-Committee meeting:

#### **RECOMMENDATION 1:**

**The Road Sub-committee recommends:**

**In the event of a storm resulting in an abundance of tree damage, the residents of Melancthon Township will put brush at the edge of their property on designated days for roadside pickup. A notification of the pickup will be prepared for advertising.**

Moved by Webster, Seconded by Elliott that in the event of a storm resulting in an abundance of tree damage, the residents of Melancthon Township will put brush at the edge of their property on designated days to be determined for roadside pickup. Carried.

#### **RECOMMENDATION 2:**

A resident informed staff that the Road's Mailbox policy does not comply with Canada Post's standards.

**The Road Sub-committee recommends:**

**The Road Sub-committee recommends to council the official policy on replacing mailboxes be adjusted to match Canada Post's policy.**

Moved by Besley, Seconded by Hannon that the official policy on replacing mailboxes be adjusted to include Canada Post's policy. Carried.

#### **RECOMMENDATION 3:**

**The Road Sub-committee recommends hiring an off duty police officer for four half days to help enforce the half load by-law.**

Already dealt with above during By-law Enforcement discussion. Nothing further on this at this time.

#### **RECOMMENDATION 4:**

**Due to the Road Department maintaining the roads above the Road Minimum Maintenance Standards, a change in road classification would not result in a change of maintenance.**

**The Road Sub-committee recommends lowering the speed limit on the 3<sup>rd</sup> Line OS and the 2<sup>nd</sup> Line SW to 60 kilometers per hour.**

The following motion was put forth: Moved by Elliott, Seconded by Webster that the speed limit on the 2<sup>nd</sup> Line SW be reduced to 60 kilometers per hour and the required By-law be presented to Council. Discussion ensued on the motion and it was felt that 60 kilometers was not appropriate for this road considering, when going south from the Township of Southgate, it starts at 50km, then goes to 70 km and if passed, would have them going down to 60 km. A friendly amendment was made to the motion by the mover and seconder as follows: "that the speed limit on the 2<sup>nd</sup> Line SW be reduced to 70 kilometers per hour and the required By-law be presented to Council. The motion was then carried.

Moved by Besley, Seconded by Hannon that the speed limit on the 3<sup>rd</sup> Line OS be reduced to 60 kilometers per hour from 15 SDRD to Hwy 10 and the required By-law be presented to Council. Carried.

Chair Besley also advised that the Roads Sub-Committee will be undertaking an initiative to develop a comprehensive plan on how to proceed going forward on maintenance on the gravel and paved roads. This will allow the Sub-Committee to determine which ones will remain paved and which ones may be turned to gravel. A road tour is planned for the end of April or first part of May.

#### Other Road Business

None.

#### Planning Matters

1. Applications to Permit

Mayor White signed the following applications to permit:

- single family dwelling - Lot 21, Plan 7M-48 (16 Rutledge Heights) - 2066390 Ontario Inc. (Bretton Estates) - Applicant: Greg Patton
- single family dwelling - West Part of Lot 13, Concession 4 OS - Ken and Nancy Fryer. As this is a replacement dwelling and Mr. and Mrs. Fryer wish to remain living in the existing house while they are building the new one, an Agreement will be executed with a \$5,000.00 security deposit before the approval is released.

The Clerk advised Council that on April 7, 2016, Council approved an application for a new dwelling for Steve Martin of the East Part of Lot 25, Concession 2 OS. Mr. Martin entered into an Agreement with the Township to allow the existing dwelling to remain on the property while he was building his new home. Mr. Martin has since been in contact with the Township about retaining the addition on the farmhouse to be used as a garage for storage. This has been forwarded to our Planning Consultant and he has no issues allowing part demolition so long as Mr. Martin enters into another agreement with the Township for this purpose.

#### Police Services Board Matters

1. Unfinished Business - Letter from Amanda Graham regarding Inclement Weather and Road Closures - the Clerk advised Council of what the PSB Chair's recommendation was for a response back to Ms. Graham on this matter.

Council directed the Clerk to advise Ms. Graham that because this road is a County Road, the Township cannot make an exceptions for Horning's Mills, as well as to provide the information from the Chair.

5:55 p.m. - Council took a five minute break and reconvened at 6:00 p.m.

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

6:27 p.m. - Council reconvened.

### **County Council Update**

Mayor White updated Council on some of the items discussed at the meeting held on March 9, 2017.

### **Correspondence**

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

1. Shelburne Public Library Board Minutes - December 20, 2016

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

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

1. Memo from Denise Holmes, CAO - Highlights of Bill 68 - Modernizing Municipal Legislation
2. Motion from the Town of Orangeville - Securing Mechanisms for Wheelchairs in Vehicles
3. Letter from the Ministry of Education - Impacts of Pupil Accommodations Review
4. MPAC News - March 2017 (attached is the Industrial Turbines Study 2016 Base Year Study)
5. Letter from MPAC - Assessing Properties in Proximity to Industrial Wind Turbines
6. Motion from the Township of Zorra - Requesting the Premier and Minister of Education to develop policy that allows AED in all schools
7. Motion from the Township of Killaloe-Hagarty-Richards - Proposed Amendments to Ontario Building Code - Change #08-09-03
8. Motion from Thames Centre - Requesting the Premier and Minister of Education to develop policy that allows AED in all schools
9. Information from the Ministry of Community Safety and Correctional Services - Transportation of Radioactive Materials in Ontario
10. Motion from the Township of McNab/Braeside Proposed Amendments to Ontario Building Code - Change #08-09-03
11. Email from Debra Robinson, Parent Volunteer Autism Ontario-Peel Chapter - Information on Autism Ontario's Raise the Flag Campaign - World Autism Awareness Day is Sunday, April 2, 2017
12. Motion from the Township of Amaranth - Provincial Gas Tax Funds
13. Letter from MPAC - 2017 Municipal Stakeholder Research
14. Letter from the Agriculture, Food and Rural Affairs Appeal Tribunal regarding the appeal of Evan Bearss - McCue Drain Works, Repair and Improvement, 1989
15. Information from the Ministry of Agriculture, Food and Rural Affairs regarding the 2017 Premier's Award for Agri-Food Innovation Excellence Program
16. Information from the Minister of Seniors Affairs regarding the 2017 Senior of the Year Award
17. Letter from the Wellington Dufferin Guelph Health Unit regarding Reduction and Restriction of Local Hookah Establishments
18. NVCA Board Meeting Highlights February 24, 2017
19. GRCA Current - March 2017
20. Melancthon Township Development Charges Yearly Breakdown - 2016
21. Semi Annual Groundwater Monitoring and Sampling Report - 2016 for the

Township Landfill Site (as this is a large Report, Appendix A, B & C are not included in the Agenda Package and are available on request)

Moved by Webster, Seconded by Elliott that Correspondence Items 1-21 for information purposes be received as information except items #11, 14 pulled for further discussion. Carried.

# 11 - Moved by Besley, Seconded by Hannon that the Corporation of the Township of Melancthon proclaims April 2, 2017 as World Autism Awareness Day and will raise the Autism Ontario Flag on April 3, 2017 to show its support to raise public awareness about Autism. Carried.

# 14 - the Clerk advised that the date of the Tribunal Hearing will be May 9, 2017 and be held at the Township Office in the Council Chambers.

**\* Items for Council Action**

1. Request for Comments from the NEC - D/R/2016-2017/361 (1392119 Ontario Ltd. - Metz)
2. Source Water Protection Funding Agreement Amendment # 3
3. Request from the Dundalk and District Agricultural Society for financial support for the 2017 Fall Fair
4. 2017 Shelburne and District Fire Department Capital Budget
5. 2017 Shelburne and District Fire Department Operating Budget
6. Drainage Engineer's Tender Report on the Petervale Farms Drainage Works

# 1 - no comments from Council as this is still in the planning application stage.

# 2 - Moved by Elliott, Seconded by Webster that the CAO/Clerk be directed to sign Amendment No. 3 to the Grant Funding Agreement under the 2013-14 Source Protection Implementation Fund between Her Majesty the Queen in Right of Ontario and the Corporation of the Township of Melancthon dated the 9<sup>th</sup> day of March, 2017. Carried.

# 3 - Moved by Hannon, Seconded by Besley that we give a grant of \$500.00 to the Dundalk and District Agricultural Society for the annual Dundalk Fall Fair taking place September 8-10, 2017. Carried.

# 4-5 - At this time there was discussion about the budget because the operating budget has an increase of 17%. Melancthon was the only municipality to vote against it at the Board level. It was asked if we should be opening up the Agreement as it is Council's decision to request a change to the Agreement. It was suggested that we should seriously look at contracting service from the fire department.

# 6 - Moved by Webster, Seconded by Elliott that the tender for the construction of the Petervale Farms Drainage Works submitted by Hanna and Hamilton Construction Co. Ltd. in the amount of \$90,328.81 including H.S.T. be accepted. Carried. At this time concerns were raised that estimates of the construction of drain are being provided in advance of the tenders being called on these drains.

**General Business**

1. **2017 Draft Operating and Capital Budget and Report from the Treasurer**

The third draft was reviewed. Several changes were made to the budget, including removing the policing proposal, reducing the By-law Enforcement Services and increasing the repairs for one of the trucks. Council advised that they would like the increase reduced to 4.5% in the tax rate. Staff will make the changes and bring it back to the next meeting for passage.

2. **Notice of Intent to Pass By-laws**

2.1 By-law to adopt the estimates of all sums required during the year and to strike the rates of taxation and to further provide for penalty and interest in default of payment thereof for the year 2017 -

This By-law was deferred to the next meeting, pending changes to the Draft 2017 Operating and Capital Budgets.

2.2 Third Reading - Petervale Farms Drainage Works By-law 6-2017 -

Moved by Besley, Seconded by Hannon that By-law 6-2017 (Petervale Farms Drainage Works) now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

3. New/Other Business/Additions

1. Connect to Innovate Program - Packetworks is looking for a Letter of Support from Melancthon Council for this initiative

Mayor White explained to Council about the Connect to Innovate Program as a result of a meeting that the CAO/Clerk and himself had with Representatives of Packetworks on March 6, 2017. Packetworks would build upon the network that SWIFT would put in and they refer to it as “the last mile”. There is no financial support required from the municipality – just moral support. Melancthon Office could be used as the “hub” for the connection if this goes ahead. Council will support the funding request and directed the Clerk to send the letter of support.

2. NDCC - Board of Management Mandate

Discussion ensued on the amended mandate that was provided by Mulmur Council and the following motion was put forth: Moved by Elliott, Seconded by Webster The Council of the Township of Melancthon has reviewed the mandate for the NDCC provided by Mulmur Township and we believe future success of that arena should be modeled on the CDRC Board of Management and be totally autonomous. It needs to consist of 1 member of Council from each of Melancthon and Mulmur, Bert and Chester Tupling and 4 additional members from Mulmur, Melancthon and/or surrounding Township(s) and should not include Township Staff from either Municipality. Carried.

**4. Unfinished Business**

1. Motion to Support the motion of the United Township’s of Head, Clara & Maria regarding Changes to the Building Code (regarding septic tank pumping)

Moved by Elliott, Seconded by Webster that WHEREAS the Ministry of Municipal Affairs and Housing has proposed a change to the Building Code, B-08-09-03, requiring mandatory five year septic tank pump out and records retention by the owner; AND WHEREAS that same change requires Municipalities to administer and enforce this change; AND WHEREAS the change document fails to identify the administrative costs to Municipalities; AND WHEREAS the change document fails to identify any transfer of Provincial funding to offset these downloaded costs; AND WHEREAS many Municipalities already have by-laws to regulate septic systems especially near waterways; AND WHEREAS the majority of homeowners pump out their septic tanks on a regular basis whether regulated to or not; AND WHEREAS there are many more important issues on which to spend taxpayer’s money than “enhancing” maintenance on existing functioning systems; AND WHEREAS adequate legislation already exists to correct malfunctioning systems; AND WHEREAS Premier Wynne stated on Monday, January 30<sup>th</sup>, 2017 at the ROMA Conference that the Province recognizes that “one size fits all” solutions do not always work in rural Ontario; NOW THEREFORE BE IT RESOLVED THAT the Township of Melancthon request the Honourable Bill Mauro, Minister of Municipal Affairs to rescind

proposed Building Code change B-08-09-03; AND FURTHER THAT a copy of this resolution be sent to the Honourable Kathleen Wynne, Premier of Ontario; the Honourable Bill Mauro, Minister of Municipal Affairs, Mr. Patrick Brown, Leader of the Progressive Conservative Party; Ms. Andrea Horwath, Leader of the New Democratic Party and Sylvia Jones, MPP, Dufferin -Caledon; AND FURTHER THAT a copy of this resolution also be sent to the Association of Municipalities of Ontario and the Rural Ontario Municipal Association and Municipalities in Dufferin County for consideration. Carried.

2. Legacy Project - Corbetton Park - County of Dufferin 150 Application -

Mayor White advised that for this project, a gazebo would be built in the Park under the funding that would resemble the old train station building that once stood there, as well as a flower garden in the shape of the Canada 150 logo. The Clerk was directed to proceed with the submission of an application.

**Closed Session**

8:00 p.m. - Moved by Besley, Seconded by Hannon that Council move into a Closed Session Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons: personal matters about an identifiable individual, including municipal or local board employees - Administration and Finance Assistant position and Properties eligible for tax arrears registration. Carried.

8:40 p.m. - Moved by Hannon, Seconded by Besley that we rise from Closed Session with report. Carried.

Report - as per the direction to Staff in Closed Session.

**Third Reading of By-laws**

N/A.

**Notice of Motion**

None.

**Confirmation By-law**

Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to confirm the proceedings of the Council of the Corporation of the Township of Melancthon at its meeting held on March 16, 2017 and it be given the required number of readings. Carried. By-law numbered 17-2017 and read three times.

**Adjournment**

8:42 p.m. - Moved by Elliott, Seconded by Webster that we adjourn Council to meet again on Thursday, April 6, 2017 at 5:00 p.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK