

## **CORPORATION OF THE TOWNSHIP OF MELANCTHON**

The Council of the Corporation of the Township of Melancthon held a meeting on the 20<sup>th</sup> day of July, 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 was also present. Mayor White presided and called the meeting to order.

### **Announcements**

Councillor Besley reminded everyone about the Honeywood Beef BBQ being held this Saturday (July 22<sup>nd</sup>) from 5 - 7 p.m.

Councillor Hannon, on behalf of Councillor Dobreen from Southgate Township, advised that the Southgate Youth Action Committee was celebrating International Youth Day on Saturday, August 12<sup>th</sup> from 11 a.m. until 3:00 p.m. and any youth from Melancthon is more than welcome to attend.

### **Additions**

Councillor Besley - OMAFRA's Livestock Predator Program

### **Deletions**

None.

### **Approval of Agenda**

Moved by Webster, Seconded by Elliott that the agenda be approved as amended. 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 Besley, Seconded by Hannon that the minutes of the July 6, 2017 Council meeting be adopted as circulated. Carried.

### **Business Arising from Minutes**

At the last meeting, a resident asked a question during Public Question Period about whether a box culvert located on the 4<sup>th</sup> Line NE and County Road 21 was going to be replaced when the road was resurfaced. The CAO advised that she contacted the County Public Works Director and was advised that it was not being replaced. The PWD has advised that the structure is monitored through biennial OSIM inspections and will be replaced when deemed necessary. When it does come time for replacement, the Drainage Superintendent will be involved to determine elevation adjustments.

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

None.

### **Public Question Period**

A question was raised about the accident that occurred on the 2<sup>nd</sup> Line NE and County Road 21 regarding Township sight lines on corner lots. It was advised that this intersection is

controlled by the County of Dufferin.

## **Planning Matters**

### **1. Applications to Permit**

The applications as presented on the spreadsheet in the Agenda package were reviewed by Chris Jones, Township Planner for compliance. Mayor White signed the following application to permit:

- a storage shed on the West Part of Lot 11, Concession 2 OS - J. Squirrell.

The applications of Eliza Stuckey and Eli Sherk/Isaac Martin were not signed as more information was required. Staff will sign these applications when they are approved by the Planner.

### **2. Memorandum from Chris Jones, Planning Consultant, regarding Application for Official Plan and Zoning By-law Amendment (Strada)**

Chris Jones reviewed his Memorandum with Council. Strada Aggregates submitted their application for an OPA and ZBA on June 21, 2017 for the purpose of establishing new mineral aggregate operations in Part of the West Half of Lots 12 and 14, Concession 3 O.S. Chris spoke on the approval process and advised that the Ministry of Natural Resources and Forestry has deemed the ARA application complete. As such, this now initiates a 45 day consultation period starting next week and ending on September 8<sup>th</sup>. An Open House has been scheduled by Strada in Horning's Mills on August 24<sup>th</sup>. He advised that Council's obligations now are to deem the applications complete within 30 days. There is a schedule to the Ontario Regulations which constitutes what makes a complete application and once complete, the Township has 180 days to make a decision and if they don't, Strada can appeal to the Board. Chris outlined the next steps for Council: 1. Declare the application complete; 2. Prepare a notice of complete application and mail to various agencies, property owners within 400 metres; 3. Undertake peer reviews of the technical studies. All of the information will be made publicly available. A cost recovery agreement is also recommended. Grant Horan, Strada Representative was in attendance and advised that the ARA signs have been installed and notices have been hand delivered to all neighbours. The specialists that have prepared the technical reports in the binder that was delivered to the municipality will all be in attendance at the Open House.

Moved by Elliott, Seconded by Webster that the application for Official Plan and Zoning By-law Amendment submitted by Strada Aggregates be received together with this report and declared complete and that the Township of Melancthon coordinate the completion of peer reviews of technical reports submitted with the application. Carried.

Moved by Besley, Seconded by Hannon that Council request Strada Aggregates to enter into a Cost Recovery Agreement prepared by the Township's Solicitor, to cover all costs associated with the Official Plan and Zoning By-law Amendment Applications. Carried.

## **Road Business**

Craig Micks, Public Works Director was in attendance.

### **1. Report - Information and Recommendations from the July 11, 2017, Roads Sub-Committee Meeting**

Councillor Besley spoke to the Recommendations contained in the Report.

First recommendation: Moved by Besley, Seconded by Hannon that locking gates be

purchased and placed on the entranceway of the Municipal Yard to prevent unauthorized entrance. The Mayor called for discussion on the motion. Deputy Mayor Elliott advised that she was not prepared to vote on a motion with no financial information. All of Council agreed and the motion was tabled to August 17<sup>th</sup> so that Craig Micks could get some quotes. Also at this time, it was discussed about getting another security camera to pan over to the new building. The CAO/Clerk will look into the cost for this.

Second Recommendation - Moved by Elliott, Seconded by Webster that the following should be added to the Schedule of Fees By-law 35-2013, Equipment Rental Fees  
Grader with man \$225 per hour  
Gravel Truck with man \$225 per hour  
Pickup Truck with man \$75 per hour

Mayor White called for discussion on the motion. Deputy Mayor asked if insurance was factored into the rates and she was advised that it had been. Craig advised that these fees have been established mainly for the road crossing applications and if someone has damaged a road by equipment or otherwise, and the men have to go out and fix it, we will invoice the person responsible for the damage. There were no other questions and Mayor White called for the vote and the motion was carried.

## 2. Tender for Surface Treatment in Horning's Mills

There were two tenders received for the 2017 Tender for Surface Treatment in Horning's Mills. The Clerk advised that a third tender was submitted via email and because it was non-compliant with the tender process, it was not accepted.

1. Murray Group - \$197,272.06, including HST
2. Cox Construction - \$163,171.10, including HST

Craig was asked to review the tenders and come back to provide a recommendation to Council.

## 3. Other Road Business

Craig advised that the Engineer had obtained bids for the Bridge # 15 Rehabilitation on the 2<sup>nd</sup> Line SW and they are higher than what was budgeted due to the Township requesting tenders for this project. The contractors submitted bids based on two options. The first option was to maintain the existing platform driving width and option two, which was the preferred option, was to construct a cantilever on the new barrier curbs to widen the platform driving width and includes a concrete deck overlay. There were only two quotes received for option 1: AJN Builders - \$240,165.00, excluding HST and 2. Owen King - 388,057.33, excluding HST. There were three received for option 2: AJN Builders - \$260,165.00, excluding HST; 2. Reeves - \$267,176.00, excluding HST and 3. Owen King - \$447,246.58, excluding HST. Craig advised that he could cut back on some of the paving to save some money on this project. Craig's preference is Reeve's Construction as the Township has worked with them in the past.

Moved by Besley, Seconded by Hannon that the Municipality of the Township of Melancthon accept the tender of Reeves Construction Option 2 to Rehabilitate the bridge on the 2<sup>nd</sup> Line SW and do appropriate paving as per tender requirements. Carried.

## 4. Unfinished Business

### 1. Bridge Study 2017

This item deferred.

6:00 p.m. - Moved by Elliott, Seconded by Webster that we adjourn Council to go into Committee of Adjustment and reconvene as Council. Carried.

6:02 p.m. - Council reconvened and took a five minute break.

### **Police Services Board Matters**

Councillor Besley reported that the process is ongoing for the selection of the new Detachment Commander.

During this time, it was advised that the reduced speed limit signs would be up by the end of the day Friday and it was asked how Council wanted to handle enforcement. It was decided that the Public Works Department would put the electronic speed indicator signs out on both roads for approximately a week to 10 days to get people used to the new speed limits and then the CAO/Clerk would contact the OPP for enforcement.

At this time, Mayor White advised that he had received calls from a couple of people who had received tickets from the OPP for doing 85 kms in a 60 km zone on the 3<sup>rd</sup> Line but the signs have not been installed yet and, until the signs are installed, the speed limit isn't in effect. Through investigation, it was determined that the Chair of the Police Services Board had asked the OPP do an enforcement blitz on that road. The CAO was directed to contact the Acting Detachment Commander of the OPP and find out how many tickets were issued and then to contact the Provincial Offences Administration to ask the those tickets be thrown out. Councillor Besley will raise this matter at the next PSB meeting and to contact the Chair and advise of Councils decision with the enforcement on the 2<sup>nd</sup> Line SW and 3<sup>rd</sup> Line OS.

### **Road Business - Continued**

Craig returned to Council after reviewing the tenders for surface treatment. He advised that he required clarification on the Cox tender and would call them tomorrow. This item was deferred pending the clarification. Council advised that a Special meeting could be called to award the tender.

### **Other Road Business**

Craig advised that Nortrax wants to have the grader now so that it can be painted. They are willing to give us another grader on loan and will do this at no charge provided the Township can float the grader to be painted. The cost would be approximately \$1,000.00. Craig was advised to go ahead with this.

### **County Council Update**

Mayor White advised that the biggest issue at the meeting was the adoption of the Economic Strategic Plan and moving forward with the hiring of a full time person as a result. The County has started a new reserve fund for Broadband Internet and are putting \$2 million into the reserve.

### **Correspondence**

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

1. Shelburne & District Fire Board Meeting - April 4, 2017
2. Shelburne & District Fire Board Meeting - June 6, 2017
3. Centre Dufferin Recreation Complex Meeting - May 24, 2017
4. Melancthon Township Roads Sub-Committee Meeting - May 9, 2017

Moved by Besley, Seconded by Webster that the Board and Committee Minutes

Correspondence Items 1-4 be received as information. Carried.

**\* Items for Information Purposes**

1. Letter from Strada Aggregates, dated July 5, 2017, Re. Strada Aggregates Melancthon Pit - Announcement
2. Letter from Township of East Garafraxa to County of Dufferin CAO, Sonya Pritchard, dated July 7, 2017, Re. Dufferin County Economic Development Strategic Plan
3. GRCA Current - July, 2017 Volume 22 Number 7
4. Email from SWIFT Network, dated July 4, 2017, Re. Feedback on Internet Service
5. Email from SWIFT Network, dated June 23, 2017, Re. Connecting Windsor Essex joining SWIFT
6. AMO Communications - AMO Policy Update - Response to Ontario Asset Management Regulation Proposal
7. AMO Communications - AMO Policy Update - Ambulance Act Legislative Consultation Including Fire-Medic Proposal
8. Appointment for Hearing from the Environment and Land Tribunals, Ontario Municipal Board, dated June 27, 2017, Re. Proposed Official Plan Amendment 22-OP-142029
9. Dufferin County E-Newsletter - July 13, 2017

Moved by Hannon, Seconded by Besley that Correspondence Items 1-9 for information purposes be received as information. Carried.

**\* Items for Council Action**

1. Letter to Mayor Darren White, from Wayne Brohman, General Manager/Secretary -Treasurer Saugeen Conservation, dated July 5, 2017, Re. Memorandum of Agreement - Planning Services
2. Motion from Nicole Hill, Secretary of the Shelburne and District Fire Department regarding the Fire Department's New Deputy Fire Chief (By-law for Appointment under Section 14.2.2.2)

# 1 - no comments or issues and Staff directed put on the next agenda for passage.

# 2 - will be dealt with under General Business

**General Business**

Notice of Intent to Pass the following By-law

*By-Law to Authorize the Execution of an Agreement Between the Corporation of The Township of Melancthon and the Town of Shelburne for By-Law Enforcement Services*

Leave be given to introduce a By-law to authorize the execution of an agreement between the Corporation of the Township of Melancthon and the Corporation of the Town of Shelburne for By-law Enforcement Services and it be hereby read a first and second time. Carried. By-law numbered 37-2017 and read a first and second time.

*By-law to Authorize the Township of Melancthon to appoint a Deputy Fire Chief for the Shelburne and District Fire Department*

Moved by Webster, Seconded by Elliott that leave be given to introduce a By-law to authorize the Township of Melancthon to appoint a Deputy Fire Chief for the Shelburne and District Fire Department and it be hereby read a first and second time. Carried. By-law numbered 38-2017 and read a first and second time.

## New/Other Business/Additions

### CEMC Verbal Update

The CAO/Clerk provided a verbal update regarding the meeting she attended on July 13<sup>th</sup>. According to the Office of the Fire Marshall, the Municipality can pass a By-law appointing Steve Murphy as an employee for the municipality for the purposes of the position of the Community Emergency Management Coordinator (CEMC). The Township would also have to identify an alternate CEMC. The County, as well as the Town of Orangeville (on behalf of the lower tier municipalities) are in the process of obtaining legal opinions on this matter.

### Addition - OMAFRA Livestock Predator Program

Councillor Besley raised concerns about the new changes to the Livestock Predator Program and about the number of claims that are now being denied. Farmers are losing compensation and he feels we need to raise awareness of this and get support from other municipalities. Staff were directed to have an OMAFRA Rep come to a future Council meeting to discuss the concerns.

### Unfinished Business

#### North Dufferin Community Centre - Draft Board of Management Agreement

The Clerk advised that an email had been received from Terry Horner, CAO/Clerk of Mulmur Township advising that Mulmur Council had passed the following motion at its July 19<sup>th</sup> Council meeting: *"That Council approve the draft agreement between Mulmur and Melancthon Re: the North Dufferin Community Centre and the proposed Board to manage the facility with the amendment that item #26, e) be changed to "draft" minutes and subject to a legal opinion as to whether a public meeting is required"*.

Moved by Besley, Seconded by Hannon that The Council of the Township of Melancthon directs the Mayor and Clerk to sign the final North Dufferin Community Centre Board of Management Agreement when changes have been incorporated as per the resolution of Mulmur Council, dated July 19, 2017 and as outlined in the email from Terry Horner, CAO/Clerk dated July 20, 2017. Carried.

#### Bretton Estates - Further update

Mayor White advised that he had been to the property of Mr. Raymond Pidzamecky to have a look at the grading. Mr. Pidzamecky is happy with the way it is. Mayor White has spoken with the Engineer. The Engineer has concerns because the existing slopes on lots 15 and 16 are steeper than 2:1 and have been covered with loose stone. The Engineer advised that this negates the need for cutting grass but in their opinion does nothing at all for stability and suggested the following three options:

##### Option 1

Remove river stone and construct slopes to 3:1 slope as shown on the approved site plan and either replace decorative river stone on slope or restore with grass. This would be a massive undertaking due the location of the septic system on Mr. Pidzamecky's lot 15, which would need to be relocated. The benefit of this option is that it follows the approved engineering drawings.

##### Option 2a),

Remove river stone and construct slopes to 2:1 slope and replace decorative river stone on slope. The Engineer is uncertain if the 2:1 slope would impact the septic system and would need to complete some field work to determine any impact.

Option 2b) Remove existing slope river stone and construct retaining wall.

These options avoid the septic system on lot 15 and create stable slopes, but they involve some expense and the retaining wall may not be desirable to homeowners.

Option 3,

Obtain sign off letters from the homeowners of these two lots. The sign off would include that they accept the substandard grading and take all future responsibility for any future grading issues on their lot. The sign off would include a statement that by accepting the grading they waive all rights to future litigation with Township and/or Burnside. The benefit of this option is that it avoids disruption to the work that has already been done and does not require any further expenditure of money. The Engineer would prepare a letter for them to sign if option 3 is acceptable to the Township.

Council discussed and decided that Option 3 is the most favourably and directed the CAO/Clerk to advise the Engineer.

While on this topic, Mayor White advised that he had asked the County Building Department about septic inspections and they advised that the County inspects the septic system for the function of it. They don't look at the location, as they just want to make sure it is operating correctly.

With regards to the issue of the retaining wall on Lot 16, (which the site plan calls for), Staff were directed to send a letter to the developer advising that if the retaining wall is not installed on that lot as per the site plan, that the Township will go in and have the retaining wall built and use the monies from the grading deposit to pay for it. And the matter regarding the street sweeping, which still isn't done, Staff to advise the developer that if the streets are not swept within one weeks' time, the Township will have someone come in and do it and take the monies from the security deposit.

The moratorium on building permits, discussed at the last meeting, will be deferred for the time being.

#### Corbetton Hall Property - update

Mayor White advised that he had a discussion with Mr. Turner and had asked him if the asking price would change if the Township decided to purchase the property and keep the Corbetton Hall. Mayor White to go back to him to follow up on his best price.

#### **Third Reading of By-laws**

Moved by Webster, Seconded by Elliott that By-laws 37-2017 and 38-2017 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

#### **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 July 20, 2017 and it be given the required number of readings. Carried. By-law numbered 39-2017 and read three times.

#### **Adjournment and Date of Next Meeting**

7:40 p.m. - Moved by Hannon, Seconded by Besley that we adjourn Council to meet again on Thursday, August 17, 2017 at 5:00 p.m. or at the call of the Mayor. Carried.

---

MAYOR

---

CLERK