

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held an electronic meeting on the 4th day of June, 2020 at 5:00 p.m. Mayor D. White, Deputy Mayor D. Besley, Councillor W. Hannon, Councillor M. Mercer and Councillor D. Thwaites 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

None.

Additions

Councillor Hannon - Horning's Mills Community Hall

Deletions

None.

Approval of Agenda

Moved by Besley, Seconded by Hannon 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 and indicated that declarations must now be submitted in writing.

Councillor Thwaites indicated that he would be declaring an interest on the matter in Closed Session pertaining to the LPAT Appeal and has submitted his declaration in writing to the Clerk. The reason for the declaration is that he is a neighbouring resident/owner to the subject property.

Minutes

Moved by Mercer, Seconded by Hannon that the minutes of the Council meeting held on May 21, 2020 be approved as circulated. Carried.

Business Arising from Minutes

Councillor Mercer asked about the Town of Shelburne re-opening date and the CAO advised that it has now been pushed back to July 6, 2020.

Point of Privilege or Personal Privilege

None.

Public Question Period

A question was asked about the number of COVID -19 cases in Melancthon.

Public Works

Craig Micks, Public Works Superintendent was in attendance for this portion of the meeting.

1. Accounts

Craig presented the accounts in the amount of \$75,483.72. Moved by Besley, Seconded by Mercer that Council receive the public works accounts as presented. Carried.

2. Report from Kaitlin Chessell - Recommendations from Roads Sub-Committee Meeting

Deputy Mayor Besley (Chair of the Roads Sub-Committee) spoke to the report and recommendation. Deputy Mayor Besley advised that Craig had been speaking with Graham Bros. Construction about the quote they submitted and advised of the recommendation to remove the pulverization and they advised that they would have to adjust their numbers accordingly, if that was the case. Deputy Mayor Besley recommends that the tender be awarded to Graham Bros. but to let them do the pulverizing, as we are going to be under budget with these projects anyway. A friendly amendment was made to the proposed motion on the Agenda. Moved by Hannon, Seconded by Besley that Council accept the recommendation from the Roads Sub-Committee and awards Tender 03-2020 for the Placement of HL4 Hot Mix Asphalt, Geo-Grid and Shoulder Gravel to Graham Bros. Construction Limited in the amount of \$342,316.55, including HST. Location: 2nd Line SW, approximately 2 KM section north from Highway 89. Project to be completed by no later than August 31, 2020. We further direct Staff to return the tender cheque to the unsuccessful bidders and thank them for their submission. This tender complies with the Township's Procurement By-law. Carried.

Moved by Hannon, Seconded by Besley that Council accept the recommendation from the Roads Sub-Committee and awards Tender 04-2020 for the Placement of HL4 Hot Mix Asphalt to The Murray Group Limited in the amount of \$195,603.00, including HST. Location: 2nd Line SW, approximately 2 KM South from Ida Street to North of 250 Sideroad. Project to be completed by no later than July 31, 2020. We further direct Staff to return the tender cheque to the unsuccessful bidders and thank them for their submission. This tender complies with the Township's Procurement By-law. Carried.

3. Letter from WSP - Submission to Amend Site Plan Agreement for 117287 2nd Line SW & Background Information

Chris gave the background information on this matter, and what has led to the amendments to the Site Plan Agreement. The letter from WSP speaks to all the changes of the SPA which include stormwater management, locations of buildings and septic system. Chris is in the process of reviewing it. The other aspect that is outstanding is the issue relating to road assessment and the only update that Chris has is that they have given us confirmation that they intend to be onsite next week to begin the boreholes to confirm the state of the road. The information obtained will result in Reports to the Township. He advised that we are still awaiting that and if that comes in and we are comfortable with it, it will make its way back to Council for an amendment. Discussion on timelines but the answer is unknown as it will all depend on how quickly WSP can get the Report back to us.

4. Email from Mat Nayagam, Geotechnical Engineer, WSP, - Road Occupancy Permit Inquiry for 117287 2nd Line SW

Discussion on the correspondence and Council had no issues with WSP moving forward on this matter. Staff noted that they would like to see signage at 260 Sideroad and County Road 17 to give prior warning to the work ahead on the 2nd Line SW, due to concerns of farm equipment using the road and there being no place to get turned around.

5. Other

Deputy Mayor Besley advised that they are working on the sidewalk proposal in Corbetton.

Planning

1. Applications to Permit

The following applications were submitted and reviewed by Chris and subsequently approved:

Norman Martin - Part of Lots 261-265, Concession 1 SW, Part of Lot 261, Concession 2 SW - single family dwelling, horse and cattle barn, feed bin and on farm shop.

Isaac Martin - West Part of Lot 23, Concession 4 OS - tower silo

Chris asked if there were any questions regarding the building permits on the spreadsheet in the package and there were none.

2. Application for Temporary ZBA - West Part Lot 13, Concession 3 O.S.

Chris spoke to his Report on the Temporary ZBA and advised that the Statutory Public Meeting would be held on June 18, 2020. There were some concerns raised by Council on this matter which will be further discussed at the Public Meeting on June 18th.

3. Other

Chris advised that there will be another Statutory Public Meeting for a Zoning By-law Amendment at the June 18, 2020 Council meeting at the West Part of Lot 5, Concession 4 OS. This is the former Ken Copeland property and the new owner is applying to have the zoning reinstated on the property for an auto repair business.

Strategic Plan

No discussion for this meeting.

Climate Change Initiatives

Discussion on shade in parks and retrofitting of the older parks for this purpose. Council to keep it on their radar for the future.

Police Services Board

There is an electronic meeting on June 16, 2020.

Committee Reports

None.

Correspondence

*Board & Committee Minutes

1. Shelburne & District Fire Board - March 3, 2020
2. NDCC - April 16, 2020

Moved by Mercer, Seconded by Besley that the Board and Committee Minutes, Items 1 & 2, be received as information. Carried.

* Items for Information Purposes

1. NVCA Board Meeting Highlights May 22, 2020
2. GRCA Summary of General Membership Meeting - May 22, 2020
3. Shelburne Fall Fair 2020
4. Statement of Financial Position of NDCC as at December 31, 2019
5. Shelburne & District Fire 2019 Financial Statements
6. Mulmur-Melancthon Fire Department 2019 Year End Report
7. Shelburne Water Supply and WPCP Municipal Class EA Projects

Moved by Thwaites, Seconded by Besley that Correspondence Items 1-7, for information purposes, be received as information. Carried.

* Items for Council Action

1. Horning's Mills Cemetery - Request to Repair Monument

Staff were directed to obtain quotes for the repair of the Webster Monument in the Horning's Mills Cemetery.

General Business

1. Accounts

Wendy presented the accounts in the amount of \$89,567.30. Moved by Hannon, Seconded by Besley that Council receive the general accounts as presented. Carried.

2. Notice of Intent to Pass By-law

1. By-law to Authorize a Dispatch Service Agreement Between The Corporation of the Town of Tillsonburg and The Mulmur Melancthon Fire Board

Moved by Mercer, Seconded by Besley that leave be given to introduce a By-law to authorize a Dispatch Service Agreement between the Corporation of the Town of Tillsonburg and the Mulmur Melancthon Fire Board and it be given a first and second reading and numbered 32-2020. Mayor White asked for discussion on the matter. Councillor Thwaites raised a number of concerns relating to the Agreement and advised that he would be opposing the By-law/signing of the Agreement. There was further discussion on the matter and other Council members spoke to the Agreement. Mayor White advised that he will be requesting the Mulmur Melancthon Fire Board to call a special meeting to address the issues that Councillor Thwaites has raised in the Agreement before it is signed. The matter was deferred to the June 18th Council meeting. It was noted that the Township of Mulmur Council passed its By-law to approve the signing of the Agreement yesterday.

Delegation

6:00 p.m. - Nancy Neale, Watson & Associates attended Council (invited by Council) to speak on the Community Benefit Charge. She explained the background on the draft regulation (Bill 108), with one of the most significant changes being to remove the soft services. For Melancthon, that means Parks, Recreation, Library and Community Benefit portion of Studies. When Melancthon's By-law was passed, they (Watson) separated the charges into two schedules, in hopes that when the legislation was fully in place, they could easily move the services that were deemed to become ineligible over to the new Community Benefit regime. Since Melancthon's By-law passed, there has been further consultation on the legislation and they were fully expecting that this would be in place last Fall, it was delayed until December 2019 and further delayed again. In February of this year, there was a new draft regulation issued and the proposed changes in that regulation, would see the Parks, Recreation, Library services staying with the DC. The only potential change may be for the fee we are collecting for planning studies. She indicated that there will be a need when the legislation is finalized to amend the DC Background Study and By-law to remove whatever becomes ineligible and we will have a choice as to whether we want to impose a new community benefit charge under the Planning Act, to collect any eligible costs that can be collected under that. She went on to speak about the changes to parkland acquisition fees and cash in lieu of parkland development. If we choose not to put a community benefit plan in place, we can still collect under the old rules for Parkland. She indicated that they don't know when the legislation will be proclaimed and in place as the Province has received 100's of submissions. The transition period will be one year for municipalities to put in place a community benefit charge and update their DC By-law once the legislation has been proclaimed. There is still no definitive answer on what the Township will have to do once the legislation is proclaimed. There were concerns raised about the process of DCs and accessing the funds in the DC Account and discussion on using the funds in the account and for what purpose.

General Business - Cont.

Notice of Intent to Pass By-laws

2. ZBA for lands legally described as Part 1, Plan 7R-6635, located in the West Half of Lot 9, Concession 2 O.S. (Allen/Atherton)

Moved by Thwaites, Seconded by Besley that leave be given to introduce a By-law to amend By-law No. 12-79, as amended for lands legally described as Part 1, Plan 7R-6635, located in the West Half of Lot 9, Concession 2 OS and it be given a first and second reading and numbered 33-2020. Carried.

3. New/Other Business/Additions

Horning's Mills Community Hall

Councillor Hannon asked that this matter be added to the Agenda, as he heard there were several letters that came into the Township in support of the Hall. Staff did confirm that several letters were received but were placed in the file, pending the public meeting (which had been set for April 6th, but was subsequently cancelled due to COVID-19). He wondered if we should be looking at these letters and moving forward. He advised that he has someone interested in using the Hall right now but he was advised that the Hall is closed due to COVID-19 and under the Emergency Declaration and until that is rescinded no one can go into the Hall. It was also advised that the locks had been changed on the building, as there have been people in there and numerous keys out in the public. Discussion ensued about moving forward with a virtual public meeting. The date will be June 29th, 7:00 p.m. to 9:00 p.m. through Zoom. The meeting will be advertised via MailChimp, Twitter, Website and Facebook.

Joint Council Meeting with Mulmur Township last night

There was a short discussion on the meeting that was held with Mulmur Township last night with regards to the NDCC Recreation Study.

4. Unfinished Business

Closed Session

6:57 p.m. - Moved by Hannon, Seconded by Besley that Council move into a Closed Session Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s): litigation or potential litigation, including matters before administrative tribunal, affecting the local board - LPAT Appeal and Notice of Application. Carried.

Councillor Thwaites declared an interest earlier in the meeting under "Declaration of Pecuniary Interest and the General Nature Thereof" regarding the item on the Agenda concerning the LPAT Appeal. The Clerk put Councillor Thwaites in the "waiting room" of the Zoom application until the discussion regarding that matter was finished.

7:28 p.m. - Moved by Besley, Seconded by Mercer that we rise from Closed Session with Report. Carried.

Third Reading of By-laws

Moved by Hannon, Seconded by Besley that By-law 32-2020 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Notice of Motion

None.

Confirmation By-law

Moved by Mercer, 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 June 4, 2020 and it be given the required numbers of readings and numbered 33-2020. Carried.

Adjournment and Date of Next Meeting

Moved by Besley, Seconded by Hannon that we adjourn Council at 7:30 p.m. to meet again on Thursday, June 18, 2020 at 5:00 p.m. or at the call of the Mayor.

MAYOR

CLERK