

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held an electronic meeting on the 9th day of December, 2021 at 9:00 a.m. Mayor Darren White, Deputy Mayor Dave Besley, Councillor Wayne Hannon, Councillor Margaret Mercer and Councillor James McLean were present. Denise Holmes, CAO/Clerk and Sarah Culshaw, Treasurer/Deputy Clerk were also present. Mayor White presided and called the meeting to order.

Land Acknowledgement Statement

Mayor White shared the Land Acknowledgement Statement.

Announcements

None.

Additions

Councillor Mercer – Update on the Road Safety Task Force Public Consultations

Deletions

None.

Approval of the Agenda

Moved by McLean, Seconded by Besley that Council approve the Agenda 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 by giving the general nature thereof and that declarations must be submitted to the Clerk in writing.

Deputy Mayor Besley declared on Item 11.2 – Property Tree Clearing on Lots 227-230, Concession 1 NE for the reason that the recent seller of this property was my client.

Councillor McLean declared on Items for Council Action # 1 – Mulmur-Melancthon Fire Board Final Approved Budget for the reason that I am a member of the MMFD and could benefit from changes to the budget.

Minutes

Moved by Mercer, Seconded by Besley that the minutes of the November 18, 2021 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

None.

Point of Privilege or Personal Privilege

None.

Public Question Period

Bill Neilson – A comment was made thanking the Road Safety Task Force for hosting two public meetings.

Public Works

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

Accounts

The accounts were presented in the amount of \$18,609.97. Moved by Hannon, Seconded by McLean that Council receive the Public Works accounts as presented by the Public Works Superintendent. Carried.

Bretton Estates Request for School Bus Stop (Councillor McLean)

Councillor McLean spoke to this matter and the various letters in the Agenda package and presented a visual of the number of stops that school buses (three) make in a month at the County Road 124 pickup location. Councillor McLean presented options for Council to consider and discussion ensued. Each Council member was given an opportunity to weigh in on the discussion. It was then moved by Mercer, Seconded by McLean that Staff be directed to set up a meeting with Township Staff, the Upper Grand District School Board, the Township's Solicitor, the Township's Insurance Company, the Township's Engineer and two Representatives of Council regarding a school bus pick up location in the Bretton Estates Subdivision. Carried. Discussion ensued on the Council representatives and the motion was then amended to read three representatives of Council, instead of two. Those representatives will include: Mayor White, Councillor McLean and Councillor Hannon.

Moved by McLean, Seconded by Hannon that Council direct Staff to work with the Township Lawyer to see how we can reopen the Bretton Estates Subdivision Agreement to assume a portion of Rutledge Heights so that children in the subdivision can be picked up there instead of County Road 124. Carried.

Public Works Building – Flat Roof Replacement Bid Summary and Analysis

Moved by Mercer, Seconded by Besley that Council award the tender for the Public Works Building Flat Roof Replacement Project to Wilken Roofing and Sheet Metal at a cost of \$132,775.00 (HST included). This procurement complies with the Procurement By-law of the Township of Melancthon. Carried.

Other

Craig reported that the new plow truck has been delivered to Viking.

Unfinished Business

Recommendation from the Roads Sub-Committee regarding the paving of the 4th Line NE and 5th Line OS

The item under Unfinished Business – Tabled Motion from the August 12, 2021 Council meeting regarding the paving of the 4th Line NE and 5th Line OS were moved up in the Agenda to be discussed here. Councillor Mercer was asked at the last meeting to bring back two motions for this meeting for consideration:

Moved by Mercer, Seconded by Hannon that the gravel portion only of Fourth Line Northeast be included in the budget for 2022 for paving in 2022. Discussion ensued and each member was given an opportunity to speak to the motion and advise of concerns. Mayor White called for the vote and it was carried.

Moved by Mercer, Seconded by Hannon that the funding for paving of Fifth Line be reviewed in 2022 for paving in 2023. Discussion ensued and each member was given an opportunity to speak to the motion. Mayor White called for the vote and it was carried.

Planning

Applications to Permit

There were no questions regarding the one application on the spreadsheet.

Property Tree Clearing at Lots 227 to 230, Concession 1 NE

Deputy Mayor Besley declared an interest on this matter for the reason that the recent seller of this property was his client. The Clerk put Deputy Mayor Besley in the waiting room while Council discussed this matter.

The request from Michael Hayward of C to C Group to clear trees on property near Dundalk (Lots 227 to 230, Concession 1 NE) was reviewed and discussed. Chris Jones advised that he could draft a motion for Council and bring it back later in the meeting. Council concurred.

Deputy Mayor Besley was put back in the meeting.

Other

Nothing for this matter.

Strategic Plan

Nothing for this matter.

Climate Change Initiatives

Dufferin County Celebrates New Electric Vehicle Charging Stations & Electric Vehicle Station Launch

Mayor White spoke to the event that occurred on December 7, 2021, which he attended.

Police Services Board

Letter of Request from Chair Alan Blundell to receive a copy of the recordings of the Road Safety Task Force Consultations held on November 23, 2021 and November 30, 2021 (Addendum)

Discussion ensued on the request of the Police Services Board and the request was denied.

Committee Reports

The following Council members gave verbal updates:

Councillor Mercer – Heritage Committee – December 5, 2021

Councillor Hannon – Shelburne and District Fire Board – December 7, 2021

Deputy Mayor Besley – Mulmur Melancthon Fire Board – November 16, 2021

Correspondence

Board & Committee Minutes

1. Shelburne Public Library – October 19, 2021
2. Joint Recreation Subcommittee – September 22, 2021
3. Mulmur Melancthon Fire Board – September 21, 2021
4. Heritage Advisory Committee – September 29, 2021

5. Roads Sub-Committee – October 12, 2021
6. GRCA Summary of General Membership – November 26, 2021
7. NVCA Board Meeting Highlights – November 2021

Moved by Besley, Seconded by Mercer that the Board and Committee Minutes correspondence Items 1-7 be received as information. Carried.

Items for Information Purposes

1. Township of Southgate New Official Plan – Request for Comments
2. RLB Chartered Professional Accountants Pre-Audit letter to Council
3. Dufferin County Resolution in Support of Township of Melancthon Additional COVID-19 Financial Relief
4. Town of LaSalle Resolution for COVID-19 Testing Requirements at Land Border
5. Municipality of Mattice-Val Cote Resolution to Reconsider MPAC postponement of Assessments
6. Township of Adelaide Metcalfe Resolution – Support Federal and Provincial Funding of Rural Infrastructure Projects
7. Township of Wainfleet Resolution - Support Federal and Provincial Funding of Rural Infrastructure Projects
8. Township of Amaranth Resolution to Proclaim an International Day for the Elimination of Violence Against Women
9. Grand River Conservation Authority Draft Transition Plan – Conservation Authorities Act
10. Canadian Agricultural Partnership Initiative Aimed at Increasing Deadstock Management Capacity
11. Township of Clearview ZBA – Cannabis Cultivation and Cannabis Production Facilities
12. Municipality of Grey Highlands, Notice of Passing – Extension of Cannabis Interim Control By-law
13. Building Broadband Faster Act Guidelines and Regulations
14. Updates to the Directory's Technical Rules for Source Protection under the Clean Water Act
15. NVCA Transition Plan to Compliance

Moved by Besley, Seconded by McLean that Correspondence Items 1-15, for information purposes, be received as information with the exception of 8, 10 and 15. Carried.

8 – Councillor McLean – Councillor McLean would like to look into this further with another member of Council on which days the Township should proclaim on various issues. Councillor Mercer to work with Councillor McLean on this initiative.

10 – Deputy Mayor Besley – asked that the item be deferred to January 13th meeting under New/Other Business for more discussion.

15 - Councillor Mercer – spoke to the matter and advised of its importance.

Items for Council Action

1. Mulmur Melancthon Fire Board Final Approved Budget

Councillor McLean declared an interest in this matter for the reason that he is a member of the MMFD and could benefit from changes to the budget. The Clerk put him in the waiting room.

Moved by Mercer, Seconded by Besley that Council refer the MMFB 2022 Budget to the Treasurer to be included in the Township's 2022 Budget. Carried.

Councillor McLean was returned to the meeting.

General Business

Accounts

Sarah Culshaw, Treasurer presented the general accounts in the amount of \$168,371.53.

Moved by Besley, Seconded by McLean that Council receive the general accounts as presented by the Treasurer. Carried.

Notice of Intent to Pass By-laws

By-law to provide remuneration, allowances and expenses for Members of Council

Moved by Mercer, Seconded by Hannon that leave be given to introduce a By-law to provide remuneration, allowances and expenses for Members of Council and it be hereby read a first and second reading and numbered 69-2021. Carried.

By-law to appoint Officials from January 1, 2022 to November 14, 2022

Moved by McLean, Seconded by Mercer that leave be given to introduce a By-law to appoint Officials from January 1, 2022 to November 14, 2022 and it be hereby read a first and second time and numbered 70-2021. Carried. The changes to the Municipal Officials is that Councillor Hannon was appointed to the North Dufferin Community Centre Board of Management in the place of Deputy Mayor Besley who did not wish to stay on the Board after December 31, 2021 and the remuneration for the Livestock Investigator will be increased to \$75.00 per call for consistency purposes.

By-law to Constitute and Appoint a Committee of Adjustment

Moved by Besley, Seconded by Mercer that leave be given to introduce a By-law to Constitute and Appoint a Committee of Adjustment and it be hereby read a first and second time and numbered 71-2021. Carried.

By-law to Appoint a Municipal Services Board for the Horning's Mills Community Hall

Moved by McLean, Seconded by Hannon that leave be given to introduce a By-law to appoint a Municipal Services Board for the Horning's Mills Community Hall and it be hereby read a first and second time and numbered 72-2021. Carried.

By-law to adopt an Emergency Management Program and Emergency Response Plan

Moved by Besley, Seconded by Hannon that leave be given to introduce a By-law to adopt an Emergency Management Program and Emergency Response Plan and to meet other requirements under the *Emergency Management and Civil Protection Act* and to repeal By-laws 29-2007 and 44-2013 it be hereby read a first and second time and numbered 73-2021. Carried.

Councillor Hannon and Deputy Mayor Besley withdrew their motion of March 19, 2020 which had been tabled pending further information regarding Covid-19 and the Emergency Response Plan that had been presented at that meeting.

New/Other Business/Additions

2022 Draft Capital and Operating Budget

Sarah Culshaw, Treasurer presented a very preliminary budget for Council to review. She spoke on how budgets are to be formatted and advised that the first few pages are

a summary for Council and the rest of the pages go into more detail. She spoke on grant financing, reserves and reserve funds. She will provide another draft at the January 13th Council meeting.

Development Charges and Modernization Fund – Rules for Use of these monies in the Budget (Councillor McLean)

Sarah Culshaw, Treasurer provided the Development Charges Act, 1997 and the Development Charges Background Study to Council.

Update on Healthy Community Initiative Grant (to pave Horning’s Mills Parking Lot) (Councillor McLean)

Sarah Culshaw, Treasurer advised that the Township was not successful with this grant application.

NVCA Appointment – Councillor Mercer’s appointment to the NVCA expires on December 31, 2021

Moved by Hannon, Seconded by Mercer that Councillor Mercer be appointed to the NVCA until November 14, 2022. Carried.

Motion to authorize the CAO/Clerk and Treasurer to pay all accounts to December 31, 2021

Moved by Besley, Seconded by Mercer that the CAO/Clerk and the Treasurer be directed to pay all accounts to December 31, 2021. Carried.

This item will be removed from future agendas as Council now receives the accounts and does not approve them.

Motion to transfer of surplus, if any, to the Insurance Reserve Fund

Moved by Besley, Seconded by McLean that Council transfer the 2021 insurance surplus of \$8,905.06 (Admin – \$6,257.65 and Public Works - \$2,647.41) to the Insurance Reserve Fund. Carried.

Note – the above motion was rescinded later in the meeting as the Township did not have a surplus of funds as previously thought and it was Moved by Besley, Seconded by McLean that Council rescind the motion to transfer the 2021 insurance surplus of \$8,905.06 (Admin – \$6,257.65 and Public Works - \$2,647.41) to the Insurance Reserve Fund. Carried.

Motion to approve the Reduction of Taxes for Section 357 Applications

Moved by Besley, Seconded by McLean that Council approve the 2021 Write-Offs/Assessment Reviews in the amount of \$50,917.78 as outlined on the 2021 Supplemental/Write-off Summary presented by the Treasurer. Carried.

Addition

Road Safety Task Force Update (Councillor Mercer)

Councillor Mercer provided the update. The Task Force has had two public consultations. There will be another meeting on December 16th at 7:00 p.m. to discuss the direction going forward and creation of survey. A report will be brought forward to Council in the new year.

Unfinished Business

Tabled Motion from the August 12, 2021 Council meeting regarding the paving of the 4th Line NE and 5th Line OS

As this item was dealt with earlier under Public Works (the matter broken into two motions and the motions carried), Councillors Mercer and Hannon withdrew the motion made on August 12th, 2021 which had been tabled.

Township Diversity Policy

Deferred. Staff will continue to monitor what happens at the County level.

Resignation Letter from Clayton Rowbotham for NDCC – Melancthon Member

This item was deferred. An update on this matter will be provided in Closed Session on January 13, 2022.

Property Tree Clearing at Lots 227 to 230, Concession 1 NE – continued from earlier in the meeting.

The Clerk put Deputy Mayor Besley in the waiting room. The Clerk presented the motion prepared by the Township’s Planner, Chris Jones on this matter.

Moved by Hannon, Seconded by Mercer that Whereas the owner of Lots 227-230, Concession 1 NE has acquired the subject lands for the purpose of urban development;

And Whereas the owner has requested the Township of Melancthon to confirm that trees may be removed from the subject lands;

And Whereas the Township of Melancthon has a Tree Canopy Policy, adopted by Council on February 21, 2019, as well as an Official Plan which identifies the subject lands as being part of a significant woodland which would require assessment at the time of a Planning Act approval;

And Whereas neither the Township nor the County of Dufferin has a tree cutting by-law that would prohibit the removal of trees;

Now therefore, Council for the Township of Melancthon cannot prohibit the removal of trees from the subject lands but suggests the owner refrain from removing trees at this juncture. Carried.

Deputy Mayor Besley was returned to the meeting.

Delegations

Council heard from the following Delegations during the Council meeting.

10:45 a.m. – Janet Horner, NEC Representative, attended Council as she was invited by Council regarding 140 Mill Lane in Horning’s Mills. Ms. Horner spoke to Council on the procedures for complaints at NEC and that she cannot get involved in them but she can take back the concerns to the Chair of the NEC. Discussion then ensued on the matter and Council members spoke on the various concerns regarding the NEC’s handling of this complaint. It was also advised that Council would appear as a Delegation at the NEC if need be. The Clerk and Councillor Mercer to provide some additional information to Ms. Horner on this file so that she can have a meeting with the Chair of the NEC.

11:00 a.m. – Council invited Representatives from the Town of Mono and Townships of Amaranth and Mulmur to have a discussion on the Town of Shelburne proposal

regarding the dissolution of the Centre Dufferin Recreation Complex and Shelburne and District Fire Boards of Management. There were representatives in attendance from the Town of Mono and Township of Amaranth for the meeting. A lengthy discussion ensued and those in attendance were given an opportunity to speak to the matter and give their thoughts on moving forward. The consensus by all in attendance was that the next step would be the formation of an Inter-Municipal Council Working Group with one Council member appointed to the Working Group from the Township of Melancthon, Township of Amaranth, Township of Mulmur and Town of Mono. The group will meet and stay on top of this as new information becomes available and also to formulate a list of concerns and questions to be submitted to a lawyer (lawyer to be decided by the Working Group) and to have both Agreements reviewed by a lawyer and a legal opinion on what can and cannot be done.

Committee of Adjustment

Council, adjourned the meeting at 10:00 a.m. to move into Committee of Adjustment and reconvened to Council at 10:23 a.m.

Closed Session (Addendum – Councillor Mercer)

12:43 p.m. – Moved by McLean, Seconded by Mercer that Council move into a Closed Session meeting pursuant to Section 239 of the Municipal Act, 201, as amended for the following reason: litigation or potential litigation, including matters before an administrative tribunal affecting the local board – Tripp/Serbin LPAT Fees. Carried.

12:52 p.m. Moved by Mclean, Seconded by Besley that Council rise from Closed Session with report. Carried. The Report being the directives given in the Closed Session meeting.

Third Reading of By-laws

Moved by Besley, Seconded by Mercer that By-laws 69-2021, 70-2021, 71-2021, 72-2021 and 73-2021 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Notice of Motion

Moved by Hannon that the Corporation of the Township of Melancthon develop a complaint registry.

Confirmation By-law

Moved by McLean, Seconded by Besley 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 December 9, 2021 and it be given the required number of readings and numbered 74-2021. Carried.

Adjournment and Date of Next Meeting

Moved by Mercer, Seconded by McLean that Council adjourn this meeting at 1:00 p.m. meet again on Thursday, January 13, 2022 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK