

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held an electronic meeting on the day of 5th day of May, 2022 at 5:00 p.m. Mayor Darren White, Deputy Mayor Dave Besley, Councillor Margaret Mercer and Councillor Bill Neilson were present. Councillor McLean had given notice that he would be absent for some of the meeting and arrived at approximately 7:20 p.m. 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 – Email from Brenda Serbin that she just received.

Deletions

None.

Approval of the Agenda

Moved by

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.

Mayor White declared an interest on Delegation – 5:30 p.m. Grant Ferguson, Notice of Libel for the reason that: Councillor Margaret Mercer has filed a Notice of Libel to both the Township and myself.

Councillor Mercer declared an interest on 18.1 – Delegation of Grant Ferguson, Notice of Libel for the reason that: I have brought these notices.

Minutes

Moved by Neilson, Seconded by Mercer that Council approve the minutes of the April 21, 2022 Council meeting as circulated. Carried.

Business Arising from Minutes

None.

Point of Privilege or Personal Privilege

None.

Public Question Period

There were no written questions. There was a question from a Member of the Public who attended the Candidate session in Shelburne this afternoon asking why there was no Staff Representation from Melancthon at the session and an inquiry about Candidate information packages. Another question asked by a resident was why the County cannot

stick to the construction haul routes (on County Road 21) as well as a question on when speed limit signs will be posted on 4th Line NE.

Councillor Mercer – Addition – She read the email she received from Brenda Serbin, who is requesting a written response to her letter of April 21, 2022.

Public Works

Accounts

Craig Micks, Public Works Superintendent presented the accounts in the amount of \$105,495.12.

Moved by Neilson, Seconded by Besley that Council receive the Public Works Accounts as presented by the Public Works Superintendent. Carried.

2022 Gravel Tender Recommendation/Award

The Memorandum from Craig Micks was reviewed.

Moved by Besley, Seconded by Neilson that Council award the tender for the supply and delivery of approximately 5,000 tonnes of "M" Gravel, 5/8", 5,000 tonnes of Granular "A" Gravel and 15,000 tonnes of 19mm Limestone Crusher Run to specified roads within the Township to Flesherton Concrete Products. The gravel is to meet the Ontario Provincial Standards Specifications and test is to be paid by the contractor, with the sample being supplied by the Township's Public Works Superintendent. Start time is approximately May 16, 2022. The accepted prices of the tender are as follows: M Gravel - \$9.20 per tonne + \$1.20 HST and Trucking \$5.75 per tonne + \$.75 HST; A Gravel - \$9.10 per tonne + \$1.19 HST and Trucking \$5.75 per tonne + \$.75 HST; 19mm Limestone Crusher Run - \$9.40 per tonne + \$1.23 HST and Trucking \$5.75 per tonne + \$.75 HST. We further direct Staff to return the tender cheques to the unsuccessful bidders and thank them for their submission. This tender complies with the Procurement By-law for the Township of Melancthon. Carried.

Unfinished Business

River Road Broken Pipe – Recommendation from Roads Sub-Committee

Discussion ensued on this matter. Deputy Mayor Besley advised that the Township has received opinions from legal and insurance that the pipe is not the responsibility of the Township because there is an agreement on title from 1958 that states the owner of the property (McKellar) is responsible for all costs. Concerns were raised about the public works department hitting the pipe in 2020 but Craig Micks advised that where the pipe was hit, it was fixed. He further stated that the pipe was plugged and they unplugged it and it was working up until last fall. He advised that the water is coming up through the road and every year, the road heaves in that particular spot and the crack in the road is a far distance from where they damaged the pipe in 2020. There was further discussion about the NVCA getting involved in this matter and due to the age of the pipe that is under the road, it needs to be replaced. It was suggested that the owner could obtain a legal opinion. Ms. McKellar asked for a letter from the Township on where Council stands on the matter but there was no direction given to Staff to provide the letter. The following motion was then passed:

Moved by Besley, Seconded by Mercer that the CAO, Public Works Superintendent and Deputy Mayor Besley meet with Ms. Loretta McKellar to try and come up with an equitable solution for the next meeting. Carried.

Environmental Sustainability Committee Recommendation from the March 18, 2022 meeting (Phragmites)

Councillor Mercer spoke to this matter and advised Council of the discussion at the Environmental Sustainability meeting held on April 29th, 2022. It was noted that the matter will be further discussed at the next meeting (May 13th, 2022) and an update provided to Council. It was advised that this item could be removed from future agendas.

Other

Nothing for this matter.

Planning

Applications to Permit

The applications on the spreadsheet were reviewed and there were no questions or concerns from Council.

Other

Nothing for this matter.

Strategic Plan

Nothing for this matter.

Climate Change Initiatives

Nothing for this matter.

Police Services Board

Nothing for this matter.

Committee/Board Reports & Recommendations

Recommendation from Joint Horning's Mills Hall Board and Horning's Mills Community Park Board from April 26, 2022 Meeting

Moved by Mercer, Seconded by Neilson that Council accept the recommendation from the Horning's Mills Community Park Board and the Horning's Mills Community Hall Board and the Township will cover the expense of the fireworks for Melancthon Day on Saturday, June 25, 2022 at a cost of \$1,500. Carried.

Recommendation from Horning's Mills Hall Board from April 27, 2022 Meeting

Moved by Mercer, Seconded by Neilson that Council accept the recommendation from the Horning's Mills Community Hall Board and that Ruth Plowright be selected as the Project Manager to oversee the Trillium Grant renovations at the Hall at a cost of \$5,590.00 plus HST. The monies for the Project Manager to come from the Tax Rate Stabilization Reserve Fund. Carried.

Recommendation from Environmental Sustainability Committee from April 29, 2022 Meeting

Proclamation – I, Mayor Darren White, on behalf of Council of the Township of Melancthon, do hereby proclaim June 4, 2022 as Environmental Sustainability Day in Melancthon Township.

Unfinished Business

Unfinished Business from April 7, 2022 - Report from Donna Funston, Secretary Environmental Sustainability Committee, Recommendations from March 18, 2022 Meeting – Deferred to Roads Sub-Committee

Tabled Motion: Moved by Mercer, Seconded by Neilson that Council accepts the recommendation from the Environmental Sustainability Committee regarding the engagement of the Roads Department in a mapping process to identify where phragmites is located in Melancthon, and how to deal with the areas as mapping. The tracking has to be done consistently to be effective, as well as educating the residents.

The motion was further tabled until the next Council meeting as the Environmental Sustainability Committee will be meeting on May 13th, 2022.

Correspondence

Board & Committee Minutes

1. Horning's Mills Hall Board and Horning's Mills Community Park Board – March 16, 2022
2. Shelburne Public Library – March 15, 2022
3. CDRC Board of Management – February 23, 2022
4. NVCA Board Meeting Highlights – April 2022
5. GRCA Summary of General Membership – April 22, 2022

Moved by Besley, Seconded by Neilson that the Board and Minutes Correspondence Items 1-5 be received as information. Carried.

Items for Information Purposes

1. Thank You from Together in Care for Markdale Hospital Donation
2. Township of Mulmur Motion regarding More Homes for Everyone Act
3. Township of Amaranth Resolution to Endorse Township of Mulmur's Resolution on Concerns with the More Homes for Everyone Act
4. Township of Amaranth Resolution Regarding 2023 International Plowing Match
5. Letter from Nature Canada's Ocean Protection Team regarding Climate Change
6. County Council Motion regarding Conformity Report to the Province until July 2023
7. Regulations and Policy under the Conservation Authorities Act – Ministry of the Environment, Conservation and Parks
8. Multi-Municipal Wind Turbine Working Group Resolution regarding Setback Recommendation
9. 2023 Municipal Policing Billing Statement Property Count
10. Letter from Town of South Bruce Peninsula Mayor Janice Jackson regarding New Home Tax Rebate Program
11. Ontario Land Tribunal Proceedings Clearview/Simcoe
12. Email from David Thwaites regarding Recreation and NDCC

Moved by Neilson, Seconded by Besley that Correspondence Items 1-12, for information purposes, be received as information except items 6, 8 & 12. Carried.

Mayor White - # 6 – advised that Dufferin County Council is going to reconsider the timeline on this.

Councillor Neilson - #8 – discussion on the Township revising the provisions in its Zoning By-laws for setbacks on wind turbines and to discuss with the new Planner. There was also discussion about becoming a voting member of this group and Councillor Neilson's name was suggested and he accepted. Staff will look into the process of becoming a member.

Mayor White & Councillor Neilson - # 12 – Staff were asked to put this matter on the next Agenda and Council was asked to give the email some thought for the next meeting.

Items for Council Action

1. Headwaters Food and Farming Alliance request for support of the Headwaters Farm Fresh Guide

Staff were directed to have Jennifer Payne, Executive Director of the Headwaters Communities in Action attend a future meeting regarding the Farm Fresh Guide to speak to the benefits to the farmers in Melancthon.

General Business

Accounts

Sarah Culshaw, Treasurer presented the accounts in the amount of \$1,051,307.41. Moved by Besley, Seconded by Neilson that Council receive the general accounts as presented by the Treasurer. Carried.

Notice of Intent to Pass By-law

By-law to amend By-law 16-2015 - Procedural By-law

Moved by Besley, Seconded by Neilson that leave be given to introduce a By-law to amend By-law No. 16-2015 (Procedural By-law) and it be hereby read a first and second time and numbered 28-2022. Carried.

New/Other Business/Additions

None – the Addition by Councillor Mercer dealt with under Public Question Period.

Unfinished Business

In-Person Council meetings Update

The CAO/Clerk advised that a Rep from the County IT Department and a Rep from Sight and Sound attended the Office to look at the Council Chambers and will be providing a quote. Concerns were raised by them regarding the bandwidth and being able to stream the meetings on YouTube, as well the capability for people to Zoom into the meeting. A quote will be forthcoming from Sight and Sound.

Township Diversity Policy

This matter was deferred.

Delegations

During the meeting, the following Delegation took place in Closed Session.

5:30 p.m. – Grant Ferguson, Berlach, LLP – regarding Notices of Libel served on the Township.

Moved by Besley, Seconded by Neilson that Council move into a Closed Session Meeting at 5:41 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason: the receiving of advice that is subject to Solicitor/Client privilege, including communications necessary for that purpose – Notices of Libel served on the Township. Carried.

Mayor White and Councillor Mercer were placed in the waiting room due to their disclosures of interest at the beginning of the meeting, as well as those in attendance for the meeting.

Moved by Neilson, Seconded by Besley that Council rise from Closed Session at 6:06 p.m. with no report. Carried.

Committee of the Whole

During the meeting, Council adjourned the meeting to go into Committee of the Whole and reconvene as Council.

6:30 p.m. – Moved by Neilson, Seconded by Besley that we adjourn Council to move into Committee of the Whole and reconvene as Council. Carried.

6:35 p.m. – Council reconvened.

Closed Session

Moved by Mercer, Seconded by Besley that Council move into a Closed Session Meeting at 7:03 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason: personal matters about an identifiable individual, including municipal or local board employees – Properties that are eligible for tax arrears registration. Carried.

Moved by Besley, Seconded by Mercer that Council rise from Closed Session at 7:33 p.m. without report. Carried.

Third Reading of By-laws

Moved by Neilson, Seconded by McLean that By-law 28-2022 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 for this meeting.

Confirmation By-law

Moved by Neilson, 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 Council meeting held on May 5, 2022 and it be given the required number of readings and numbered 29-2022. Carried.

Adjournment and Date of Next Meeting

Moved by Mercer, Seconded by Besley that we adjourn Council at 7:35 p.m. to meet again on Thursday, May 19, 2022 at 5:00 p.m. or at the call of the Mayor. Carried.

MAYOR

CLERK