

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 19th day of February, 2009 at 9:30 a.m. in the Council Chambers. Mayor D. Fawcett, Deputy Mayor B. Hill, Councillor J. Crowe, Councillor J. Elliott and Councillor B. Kumprey were present. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Fawcett presided.

Additions

- None

Deletions

- None

Approval

S Show of hands

Minutes

Moved by Hill and Crowe that we approve the minutes of the Council meeting held on February 5, 2009 as circulated. Carried.

Business Arising from Minutes

No business arising.

Members Privilege

Nothing at this time.

Correspondence

1. AMO Communication Alert - Municipal Support of Earth Hour and Energy Conservation Week Needed
2. AMO Communication Alert - AMO Report to Members on January 2009 Board Meeting
3. AMO Communication Alert - Communities Component Funding for \$1 Billion in Municipal Infrastructure Projects Announced
4. Source Water Protection Municipal Workshops
5. GRCA Minutes - February 2009
6. Lake Erie Region Source Protection Committee Meeting Minutes - November 6, 2008
7. Copy of a letter that the Town of Mono sent to Mulmur Township regarding the Shelburne Library User Fees
8. Grand Actions Newsletter - January - February 2009
9. Letter from the Township of East Luther Grand Valley regarding representation at County Council
10. Plateau Wind Farm Newsletter - January 2009
11. Letter from the Assistant Deputy Minister and Chief of the Ministry of Community Safety and Correctional Services congratulating the municipality for completing all of the mandatory emergency management activities required under the Emergency Management and Civil Protection Act for 2008
12. Resolution from the City of Hamilton regarding Bill 128 - Protection of Public Participation Act, 2008
13. Comments from GW Jordan regarding the County of Dufferin Growth Management Study Final Report
14. Letter and information from the Ministry of Finance regarding the Ontario Municipal Partnership Fund allocations for 2009
15. Article provided by K. Wallace to Council - "Mayor, Ethanol officials comment on MOE Report" dated January 19, 2009
16. Article provided by K. Wallace to Council - "Council protects Barclay House" - dated January 23, 2009
17. Copy of a letter that The Highland Companies sent to the County of

- Dufferin regarding Tree Removal Practices and Upcoming Museum Board Meeting
18. Letter from The Highland Companies updating Council on several developments since the submission of their last written letter of September 2008
 19. Copy of a letter that Karren Wallace sent to the County Warden and Council regarding the Proposed Sale of the Rail Line
 20. Letter from the Ministry of Environment regarding Waste Comprehensive Certificate of Approval

9 - Report being brought back to County Council – defer this item until the County recommendation

#12 - item deferred

#13 - the County did not receive/approve the Growth Management Report at its meeting held on February 12, 2009

14 - Moved by Hill and Crowe that Whereas the Province has provided OMPF funding to the Township of Melancthon for a number of years; AND WHEREAS that funding is used by Melancthon Township to offset the various downloading costs from the Province; AND WHEREAS the Township of Melancthon has been notified that the OMPF funding will be significantly reduced in 2010; AND WHEREAS this will have a significant impact on the ratepayers of Melancthon Township as the Township relies on this vital component of funding when dealing with its budget process; NOW THEREFORE BE IT RESOLVED that the Council of the Township of Melancthon requests that the Province revisit this decision and that the Province maintain the existing level of OMPF funding in 2010 and in future years. Carried.

#17 - Tree Cutting By-law – Mayor Fawcett spoke to Caroline Mach at the County and she advised that Melancthon can pass their own by-law but Mayor Fawcett's concern is the enforcement of the By-law if the County does not want to enforce it. The Council needs to be careful with this issue as no one would be able to cut one tree on their property without a permit if such a by-law is passed. The Highland Companies are contacting and complying with the County's rules.

18 - Received as information

#19 - Received as information

#20 - The Clerk to encourage Bret Lemeux, Township Engineer to attend the Sessions.

Correspondence on File At The Clerk's Office

1. Resolution from the Township of East Luther Grand Valley regarding Indigent Funeral Payment
2. Resolution from the Township of East Luther Grand Valley supporting the resolution from the Township of East Garafraxa regarding representation at County Council
3. BDO Newsletter - Federal Budget Report
4. AMO Member Communication Alert - AMO Expresses Concern, Provides Recommendations to Minister on Proposed AODA Information and Communications Standard
5. AMO Member Communication Alert - Municipal Action on Bottled Water
6. Email from NVCA regarding upcoming Source Water Protection Workshops
7. Notice of Adoption of Official Plan Amendment No. 1 - Eco Energy Facility from the Township of East Luther Grand Valley
8. Minutes of the Mulmur Melancthon Fire Board - January 14, 2009
9. Notice of Complete Application and Public Meeting for a Proposed Official Plan Amendment and Zoning By-law Amendment from the Township of East Luther Grand Valley

10. Notice of Passing of a Zoning By-law from the Township of Southgate

General Business

PJ Williams - Survey of Landfill

The preliminary survey was reviewed. The Clerk was directed to advise Mr. Williams that Council approves the survey.

Applications to Permit

None received.

Budget Discussions - 2009

Deputy Mayor Hill advised that he would like to see during the budget process, a special reserve fund set up for training sessions, programs, etc. This would be a one time reserve fund of approximately \$25,000.00 to help people in Melancthon Township that have lost their jobs due to the economic times. These funds would come from the CHD Amenities Agreement for Community Betterment. Deputy Mayor Hill was advised that the County of Dufferin Social Services deals with this type of situation and Deputy Mayor Hill will speak to Dan Best, Social Services Director about same.

New/Other Business

None.

Unfinished Business

Source Water Protection - Establish a Committee

Discussion ensued regarding the need for this Committee as it is going to have a major impact on municipal staff once passed. The Committee will consist of Deputy Mayor Hill and Garry Matthews (who was in attendance for the discussion). The Source Water Protection Plans are to be reviewed and comments brought back to the March 19, 2009 Council meeting.

10:30 a.m. - PUBLIC QUESTION PERIOD

Michael Daniher asked to be provided with an update on the Township's draft Official Plan because of the recent news that the County of Dufferin did not receive the Growth Management Study. Council advised that Jerry Jorden would be in attendance for the meeting today and they would ask him.

Harvey Lyon asked what is happening with the Grand River Conservation Authority and their Source Water Protection Plans. Council advised that Dale Murray is supposed to be providing Council with an Executive Summary of the SWP Plan.

Nancy Malloy spoke on the 2009 Budget and the Canadian Hydro monies to be received this year. She feels that the residents should have their taxes reduced by this money because the residents have to put up with noise issues, flicker affects, etc. and wanted to know if Council had thought of this. Council advised that there would be public input into the Canadian Hydro monies.

Ms. Malloy also wanted to know if Council was aware of the person buying all the land in the Township and the proposed blasting of aggregate. She inquired if the Township had a map of the properties he has purchased. Mayor Fawcett advised that Council is aware of the properties and we do have a map for internal purposes. There has been no planning applications received. Ms. Malloy asked if the map was public and Council advised they were looking into the matter and would get back to her.

Sandra Heck asked how the review of the procedural by-law was coming along? Mayor Fawcett advised that they were reviewing a draft of the by-law at today's meeting which starts at 1:30 p.m.

Ms. Heck also wanted to know if a decision had been made on releasing complete agenda packages to the public? Mayor Fawcett advised that we haven't made a decision on it. The Agenda is available and she said that a lot of the correspondence on the Agenda can be found on other websites such as the AMO Alerts, GRCA Minutes, etc.

Garry Matthews advised that the NVCA Budget was reduced to 3% and passed.

Deputy Mayor Hill asked at this time whether the request received two weeks ago under FOI was fulfilled by the Staff and the Clerk advised that the agenda package had been copied. He inquired as to whether or not it had been picked up. The Clerk advised that it had not and staff were directed to send the package to the requester with an invoice.

10:45 a.m. - Council took a 15 minute break and reconvened the meeting at 11:00 a.m.

Delegations

11:00 a.m. - GW (Jerry) Jorden, Township Planner attended Council regarding In-House Planning Services Proposal. This item will be dealt with in closed session but before Council went into Closed Session, Mr. Jorden was advised that the County did not receive/approve the Growth Management Study and Council is wondering what will happen with the Township's Draft Official Plan because of this? Mr. Jorden advised that he would be moving forward on the basis of the broad outline of things in the Growth Plan for the Greater Golden Horseshoe. He said nothing has changed with respect to the game plan and says that the Growth Plan is reasonable in what it says about Melancthon. He said that the County municipalities as a whole may want to ask for an extension to their Official Plans (the deadline for municipal official plans to conform to the Growth Plan is June 2009). He said that the municipalities are going to be hard pressed to meet this deadline due to public participation, process and agency review.

11:15 a.m. - Moved by Hill and Crowe that we move into Closed Session in order to discuss a matter pertaining to labour relations or employee negotiations. Carried.

11:35 a.m. - Moved by Elliott and Kumprey that we rise from Closed Session with report. Carried.

Moved by Hill and Crowe that the Council of the Township of Melancthon accepts the proposal from GW Jorden Planning Consultants to provide planning services to the Township one day per month in the Township Offices. Start date to be finalized by the CAO and Mr. Jorden, however, both parties will strive to start in March and preferably the fourth Thursday of each month. Criteria of services provided for the Township and Melancthon ratepayers will be formalized as well. Carried.

11:40 a.m. (Scheduled for 11:30 a.m.) - Andrew Osyany, Township Solicitor attended Council regarding a closed session matter on Six Nations and Bretton Estates. Before Council moved into Closed Session, Deputy Mayor Hill advised both Mr. Osyany and Mr. Jorden that there has been a lot of public activity going on lately in the newspaper about transparency and accountability and Council is being accused of keeping secrets and having no leadership because of these land acquisitions. He wonders from a legal and planning point of view, what is it that Council can do today and bearing in mind that no applications (planning) have been received? Deputy Mayor Hill has advised the newly established Committee to put their concerns in writing but nothing has been received. Mr. Jorden asked that this Committee put their concerns and questions in writing and he and Mr. Osyany can answer them. Mr. Osyany advised that he would pull together a written public response to this inquiry.

12 Noon - Moved by Kumprey and Elliott that we move into Closed Session in order to discuss a matter pertaining to litigation or potential litigation, including matters before administrative tribunal, affecting the local board and the receiving of advice that is subject to Solicitor/Client privilege, including communications necessary for that purpose. Carried.

12:30 p.m. - Moved by Crowe and Hill that we rise from Closed Session with no report. Carried.

Questions were raised with Mr. Osyany in public session regarding the Freedom of Information Act and with respect to the request of a map of properties owned by the Highland Companies. Mr. Osyany advised that ownership is not personal information and that the map can be released to the Public.

Also, Mr. Osyany was asked questions pertaining to the Canadian Hydro Developer's Inc., Applications for Consent and he advised that this is a matter under the Planning Act which deals with leases that affect part of the lands for more than 21 years and the same procedures should be followed as if it were a severance application. He said the Committee should be obtaining the leases on the properties and have them on file. He said we have already dealt with the turbines under the Planning Act for approvals.

Correspondence - Cont.

#19 - Karren Wallace correspondence - Moved by Crowe and Elliott that the Council of the Corporation of the Township of Melancthon has reviewed a letter from Ms. Karren Wallace, dated February 13, 2009 regarding the proposed sale of the County owned rail line and we agree with and support that "*Public Meetings be held in various locations throughout the County to engage the residents of Dufferin County as to their views on this issue*". Carried.

Unfinished Business - Cont.

South Georgian Bay Lake Simcoe Source Protection Region - Two Year Time of Travel

Moved by Kumprey and Elliott that the Township of Melancthon adopt the draft Two Year Time of Travel Zones that have been delineated on the maps for the purposes of Ontario Drinking Water Stewardship Program. Carried.

Dundalk and District Community Centre Agreement

Councillor Elliott advised that she had looked at the current agreement between the Township of Melancthon and Township and Southgate and Melancthon pays 10% of the capital and operating of the arena and has concerns regarding the capital projects. She wanted to know who makes the decisions with respect to the capital expenditures of the Arena and if they consult with anyone prior to approving the capital expenditures. Councillor Elliott advised that she would speak to Dave Milliner, CAO of the Township of Southgate.

Road Business

Allen Braiden, Road Superintendent attended Council. The letter of Allan Wargon, requesting an increase to his snow clearing fees was reviewed. As the Township has no other option then to have Mr. Wargon remove the snow, the following resolution was approved: Moved by Crowe and Hill that the Council approves the request of Mr. Allan Wargon dated February 2, 2009 to increase his rate for snowblowing to \$50.00 per single snow clearing on the deviation road of the Melancthon Nottawasaga Townline. Carried.

Mr. Braiden discussed the Horning's Mills Reconstruction of Main Street with Council. He said in order to be ready to go to tender, the Township needs to hire an engineer to complete the drawings and he recommends using Burnside as they have just completed the road inventory for PSAB. Burnside's proposal dated April 30, 2008 was reviewed and Glenn Clarke of Burnside's advised that they would

honour their estimate in that letter. The Township's Procurement By-law allows for "non-competitive" procurement. Moved by Crowe and Hill that the Council of the Corporation of the Township of Melancthon hereby appoints Burnside and Associates Limited to complete engineering requirements for the main Street Reconstruction in Horning's Mills and to prepare tender documents. Carried.

Discussion ensued regarding the sidewalks in Horning's Mills and what liability issues the Township may face if the Township were to remove them. A question was also raised regarding snow removal from the sidewalks after the reconstruction takes place.

The issue of signage with the Dufferin Grey ATV Club was discussed. Allen to speak with Vera Lloyd of the ATV Club about this.

Allen advised Council of a situation regarding a snow clearing incident on the 8th Line NE and County Road 21.

Adjournment

1:36 p.m. - Moved by Hill and Crowe that we adjourn Council to meet again on Thursday, March 5, 2009 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK