

## CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 18<sup>th</sup> day of June, 2009 at 6:00 p.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.

Mayor Fawcett called the meeting to order and advised that Council is now working with a new Procedural By-law. She laid out the format of the meeting and said that there would be no talking during the meeting, no interruptions during any of the business of the meeting, no personal remarks about any Council member and that there would be one question per person during Public Question Period. She also advised that under the By-law, she has the ability to adjourn the meeting at any time and would, if necessary.

### Additions

- motion to suspend new Procedural By-law - the following motion put forth:

Moved by Crowe and Hill that Section 2 - Council and Council Meetings of Procedural By-law 8-2009 be suspended for a period of 6 months - June - November, 2009 as the meetings on the 3<sup>rd</sup> Thursday of the month will begin at 6:00 p.m. in stead of 9:30 a.m. Carried.

- Mayor Fawcett - motion to support an item in correspondence
- Mayor Fawcett - letter to be read dealing with item no. 4 in correspondence

### Deletions

- None

### Approval

S Show of hands

### Disclosure of Pecuniary Interest

No one disclosed any pecuniary interest at this time.

### Approval of Draft Minutes

Moved by Elliott and Kumprey that the minutes of the June 4, 2009 Council meeting be approved as circulated. Carried.

### Business Arising from Minutes

CDRC - Deputy Mayor Hill who sits on this board advised that CDRC was successful in receiving infrastructure dollars so the renovation project will go ahead. The tender is out for the Engineering and the start date is September 2009. It will be done in two phases so it doesn't interrupt the hockey/figure skating/swimming. A thank you letter to be sent to John Telfer and Kelly Clarke at the Town of Shelburne for their work on the funding application.

NDACT Invitation - All of Council plans to be in attendance at the meeting.

### Point of Privilege or Personal Privilege

Councillor Kumprey spoke on the letters addressed to her in today's agenda package

regarding a comment made at the last meeting. She advised that she personally hadn't heard any negative comments from anyone about the Highland Companies and that is what she meant by her comment.

### Road Business

Council decided to deviate from the Agenda and discuss the road business at this time.

Allen Braiden was present and reviewed a proposal from RJ Burnside and Associates regarding the Horning's Mills Main Street Project. As the Township did not receive any Infrastructure money, the project will have to be done in a couple of phases. He explained the different options with Council and said he recommends the \$618,000.00 option.

He asked if we were going to continue with the resurfacing of the 2<sup>nd</sup> Line SW and the 4<sup>th</sup> Line OS - Council advised him to proceed because the money was in the budget.

Signs - Allen advised that it will cost approximately \$3,000.00 to install the signs (discussed at last meeting). This money has not been budgeted. The Clerk to check to see if monies can be taken from Development Charges for this purpose.

Bridge on 5 Sideroad - a tractor trailer full of skids of potatoes got stuck on the bridge and there is extensive damage. Allen received a quote from K. Smart and Associates (\$400) and Burnside's (\$300) to inspect the bridge. Allen was advised to go with Burnside's on this.

4<sup>th</sup> Line OS - Mayor Fawcett advised that she had received a dust complaint from June and Aubrey Collins. When the gravel trucks go by their place, the dust swirls and is covering their vehicle, flowers, etc. Some remediation needs to take place. A letter is to be sent to Nelson Arnold Construction and Strada requesting some dust control on the shoulders of the 4<sup>th</sup> Line OS from the pit entrances south to County Road 17.

Vanderzaag Agreement - the Agreement for the laying of irrigation pipe in Township ditches expires on June 19<sup>th</sup>. The Clerk was directed to renew the Agreement for one more year.

### Correspondence

#### Addition

1. Mayor Fawcett read a letter reporting on the Release of Information Resulting from Discussion with Township Planner at the Township Office

#### Agenda Package

1. AMO Member Communication Alert - Federal and Provincial Governments Commit \$2.3 Billion to Municipal Infrastructure in Ontario
2. AMO Member Communication Alert - Green Energy Act Planning Approval Regulation Consultation
3. Letter from Tom Watt regarding Proposed Costing for Policing Services
4. Letter from GW Jordan concerning a meeting with Representatives of The Highland Companies
5. Municipality of Grey Highlands Planning Department - regarding NDACT Specialty Agriculture Designation
6. Status Update from the Grand River Conservation Authority regarding Cumulative Impacts of Aggregate Extraction Below the Water Table
7. Letter from Chair Bob Borden, Upper Grand School Board regarding Melancthon's Invitation to attend this week's Council meeting
8. News Release from the North Dufferin Agricultural and Community Taskforce -

- Highlands Companies Contravenes County of Dufferin Tree Cutting By-law
9. Email from Marni Walsh regarding a Tree By-law
10. Letter from Ken Phillips/Karren Wallace addressed to Councillor Kumprey regarding The Highland Companies
11. Letter from Dale Rutledge addressed to Councillor Kumprey regarding The Highland Companies
12. Letter from Bill and Diane French addressed to Councillor Kumprey regarding The Highland Companies
13. Letter from Roselyn and Birks Bovaird addressed to Councillor Kumprey regarding The Highland Companies
14. Email/Letter from Carl Cosack addressed to Councillor Kumprey regarding The Highland Companies
15. Email/Letter from Katharin Cowan/Craig Downey addressed to Councillor Kumprey regarding The Highland Companies
16. Email from Lyle Parsons addressed to Councillor Kumprey regarding The Highland Companies
17. Email from Louise Marcoux Phillips addressed to Councillor Kumprey regarding The Highland Companies
18. Letter from Steven Karrys/Louise Adams addressed to Councillor Kumprey regarding The Highland Companies
19. Email from Howard Block addressed to Councillor Kumprey regarding The Highland Companies
20. Email/Letter from Bruce and Janice Parrinder addressed to Councillor Kumprey regarding The Highland Companies
21. Email from Anne Arrell addressed to Councillor Kumprey regarding The Highland Companies
22. Email from Marlene Brown addressed to Councillor Kumprey regarding The Highland Companies
23. Email from Catherine A. Brown addressed to Councillor Kumprey regarding The Highland Companies
24. Nottawasaga Valley Conservation Authority - NVCA 2008 Annual Report  
[http://www.nvca.on.ca/ws\\_par/groups/public/@pub/@nvca/documents/web\\_content/wspar\\_017879.pdf](http://www.nvca.on.ca/ws_par/groups/public/@pub/@nvca/documents/web_content/wspar_017879.pdf)

# 6 - Moved by Elliott and Crowe that Whereas the Council of the Township of Melancthon is in receipt of a Report from the Grand River Conservation Authority titled "Cumulative Effects Assessment Best Practices Paper for Below Water Table Aggregate Operations within the Grand River Watershed"; And Whereas Council has been advised that an application for a quarry with extraction below the water table will be forthcoming in the following 3 - 6 months from The Highland Companies; And Whereas the majority of land holdings of The Highland Companies is in Nottawasaga Valley Conservation Authority's Watershed; Now therefore be it resolved that the Council of the Corporation of the Township of Melancthon requests the NVCA to undertake a study regarding the Cumulative Effects of Aggregate Extraction Below the Water Table within the Nottawasaga Valley Conservation Authority Watershed and a copy of this resolution be forwarded to the Township's NVCA Representative. Carried.

# 2 - the Clerk to ask the Township Planner to review the regulation and provide comments if he sees anything that will affect the Township in the regulation

# 7 - the Clerk was directed to invite Bob Borden, Chair, Upper Grand District School Board to a future meeting of Council

#### Correspondence on File at the Clerk's Office

1. OGRA Board Brief April 2009
2. Resolutions from the City of Pickering - Harmonized Sales Tax & Bill 221 WSIB Amendment Act
3. MMFB - Minutes April 8, 2009

4. East Luther Grand Valley - Notice of Complete Application and Public Meeting for a Zoning By-law Amendment - Part of Lot 27, Concession 14 (Keldon Church Property)
5. Lake Erie Region Source Protection Committee Meeting Minutes - May 7, 2009
6. MRC - Minutes June 9, 2009

#### General Business

##### By-law to Amend By-law 16-2004 which provides for Establishing a Tariff of Fees for Fire Department Services

Moved by Kumprey and Elliott that leave be given to introduce a by-law to amend By-law No. 16-2004 which provides for establishing a tariff of fees for fire department services and it now be read a first and second time. Carried. By-law read a first and second time and numbered 9-2009.

##### Stantec Consulting Limited - Notice of Completion - Environmental Screening Report for Plateau Wind Project - 30 day Stakeholder Commenting Period - June 12, 2009-July 11, 2009

The Clerk advised that one copy of the ESR is available for viewing at the Township Office. The Clerk was directed to ask the Township Planner to review the ESR and provide comments before July 11, 2009.

##### Development Charges Summary Report as at December 31, 2008

The Clerk advised that pursuant to Section 43(1) of the Development Charges Act, the Treasurer is to submit a summary report to Council. Upon reporting to Council, the Treasurer then has 30 days to submit the report to the Ministry of Finance.

#### Applications to Permit

Mayor Fawcett signed the following applications to permit:

- two granaries on the East Part of Lot 20, Concession 3 OS - 1712665 Ontario Inc.
- a barn on Part of Lot 28, Concession 5 SW - D. Besley/L. Fleming

##### Development Charges Request for Proposal to Develop a DC Background Study and By-law

The Clerk advised that she had sent out three requests for proposal to Meridian Planning, Hemson Consulting and Watson and Associates. Only one was received. Meridian Planning did not submit a proposal as they felt they had a conflict (they are working with a Developer in the Township) and Hemson couldn't meet the deadline for the expiry of the current DC By-law.

The proposal from Watson and Associates was opened. Moved by Hill and Crowe that we authorize the CAO to review the request for proposal for Development Charge Study and By-law presented June 18, 2009 from Watson and Associates and if satisfied with the proposal, award the proposal at a cost of \$23,000.00 as outlined in the report. Carried.

#### New/Other Business

None

#### Unfinished Business

Dundalk Community Centre Agreement - As Council has not yet heard back from Southgate Council, Councillor Elliott put forth a proposal to cap the operating and capital

expenditures at \$5,000.00 each. The Clerk was directed to send a letter to Southgate with this proposal and ask that it be put on the next SRAC agenda for discussion and decision.

6:45 p.m. - Council took a 5 minute break.

### Third Reading - By-law

Moved by Hill and Crowe that By-law No. 9-2009 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

### PUBLIC QUESTION PERIOD

As no questions were received in advance of the meeting, the Mayor advised that the questions asked tonight may or may not be answered.

Kate Armstrong was in attendance and asked if any documentation from the Highland Companies during the meeting with the Planner on May 27<sup>th</sup> would be made public? She was advised that there was no documentation given at that meeting, but was advised that any future documentation would become public.

Joan Lever spoke on the noise levels in Phase 1 and Phase II and wanted to know if Melancthon would oppose the six turbines in the Shrigley Project area because of the excessive noise and improper setbacks? Mrs. Lever was advised to submit her question in writing. She also asked why Council cannot put a cap on the number of turbines in the Township as she feels we have enough. She was advised that the powers regarding this have now been taken from Council due to the Green Energy Act being passed.

Karren Wallace - she said that Melancthon Council has just passed a motion asking the NVCA to conduct a study on the cumulative impacts of aggregate extraction below the water table and she wanted to know why Melancthon doesn't undertake their own studies?

Cam McLean - AEMOT study - would this not come into effect for any studies? Cam was advised that the MOE does not recognize the study because of the outstanding issues. The Clerk to ask the NVCA to pursue the AEMOT study.

Marni Walsh - inquired about the Source Water Protection Sessions – what kind of advice would those at the sessions give about protecting Melancthon's water in the situation with aggregate below the water table? Mayor Fawcett advised that she attended a session and right now they are just letting people know what stage they are at. By 2012, they will physically be doing something. Marni asked what Mayor Fawcett has learned that she can apply and asked Council to do something about their water. Marni was asked to submit this question in writing.

Joan Lever - spoke on the water level in the stream beside her property. She wanted to know how 4-6 months of testing could erase the water taking that has taken place over the past 20 years? She was asked to submit this question in writing.

Rob Uffen - concerns with the traffic patterns along River Road and asked for greater police presence? He was asked to submit this in writing so that it could be forwarded to the OPP.

Dennis Sanford advised that he had a problem with having to submit questions in advance of the meeting (Friday at noon before the meeting the following Thursday) when the correspondence doesn't get posted until Monday. Council advised that they would reconsider this but said this request was in place before the correspondence was posted on the website.

## Delegations

7:15 p.m. - Jason Keating attended Council representing the Dufferin Landowners Association and wanted to talk about tree cutting by-laws. He understands that anything under 1 hectare in size is the responsibility of the local municipality. He was advised that it is local responsibility only if the local municipality has a tree cutting by-law in place – and Melancthon does not. He was advised that if we put a by-law in place, the County would be asked to enforce it and we have been advised that they may not enforce it. Mr. Keating is requesting that Melancthon stay as is and not pass a tree cutting by-law. Mr. Keating was advised that the County is re-visiting their own by-law and it was suggested to him to submit his comments if he doesn't want any restrictions placed on tree cutting under 1 hectare.

7:30 p.m. - A public meeting had been called to deal with the draft salvage yard by-law.

Those in attendance included:

W. Petrick - Gord's Auto Wrecker's

Dave Green - D & W Tractor Parts

Steve Lehmann, Marilyn Lehmann, Katelyn Lehmann, Stewart Lehmann and Kyle Duncan - Shelburne Iron and Metal

David Launchbury, Deanne Parsons, Henry Kelly - neighbours (Shelburne Iron and Metal)

Comments were submitted from Mr. Petrick, Mr. Green, Mr. Lehmann and Mr. Lehmann's Solicitor - James McNeill. These comments were reviewed.

The By-law was reviewed in detail with each person in attendance voicing his/her concern. The concerns were noted by Council and the CAO and Council advised that the changes would be made and the draft by-law brought back to a future Council meeting in October.

## Closed Session

N/A.

## Adjournment

8:40 p.m. - Moved by Hill and Crowe that we adjourn Council to meet again on Thursday, July 2, 2009 at 9:00 a.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK