

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 15th day of April, 2010 at 6:00 p.m. in the Council Chambers. Mayor D. Fawcett, Deputy Mayor Hill, Councillor J. Crowe, Councillor J. Elliott and Councillor D. White were present. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Fawcett presided.

Additions

- Mayor Fawcett - AMO Joint and Several Liability Reform in Ontario
- Quotes to supply fill at landfill as Nelson Arnold Construction has been sold
- Trip to Pennsylvania regarding DEEP Project

Deletions

- None

Approval

S Show of hands

Disclosure of Pecuniary Interest

Nothing at this time.

Minutes

Moved by White, Seconded by Elliott that the minutes of the April 1, 2010 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

Councillor Crowe inquired if Harvey Lyon was given the Policing Cost information and the CAO responded yes.

Councillor Crowe advised that he had the latest information for Wayne Hannon regarding Policing Complaint Procedure and would give it to him.

Point of Privilege or Personal Privilege

None.

Correspondence

1. GRCA Minutes - April 2010
2. Letter from NVCA regarding NVCA Land Acquisition through the Planning Process
3. Letter from the Ministry of Environment in response to Melancthon's letter to the Honourable Jim Bradley, Minister of Municipal Affairs and Housing regarding Wind Power Development
4. Amended Report to Council from Andrew Fyfe regarding the Draft Demolition Control By-law
5. 2008 Groundwater Compliance Monitoring Report for Strada Aggregates - Melancthon Pit
6. Letter from the Town of Orangeville clarifying any misinformation the Township may have received regarding payments to the Town by the Highland Railway Group

3 - copy of this letter to be sent to 401 Energy as they did not consult with the Township

90 days before project application submitted

5 - CAO directed to send report to Bret Lemieux

Correspondence on File At Clerk's Office

1. Copy of a letter that the Township sent to Carl Cosack regarding his Delegation of March 4, 2010
2. Copy of a letter that the Township sent to NDACT regarding the Delegation of Carl Cosack on March 4, 2010

General Business

Vote by Mail By-law

Moved by Hill, Seconded by Crowe that leave be given to introduce a bylaw to authorize voting by mail for the 2010 Municipal Election and the entering into of an Agreement with DataFix to provide vote by mail services and it now be read a first and second time. Carried. By-law read a first and second time and numbered 10-2010.

By-law to Amend By-law No. 29-2009

Moved by White, Seconded by Elliott that leave be given to introduce a by-law to amend By-law No. 29-2009 (to appoint a Board of Management for the Horning's Mills Community Hall) and it now be read a first and second time. Carried. By-law read a first and second time and numbered 11-2010.

Emergency Preparedness Week Proclamation

Moved by Elliott, Seconded by White that **WHEREAS** the goal of Emergency Preparedness Week is to increase public awareness of the risks, planning and preparations that are necessary for any type of emergency. This is accomplished through the common and collaborative efforts of governments and other organizations of the emergency preparedness community; and **WHEREAS** The Dufferin Emergency Management Program assists the Township to identify risks, mitigate, prepare, respond to and recover from emergencies. While the Township is doing everything it can to prepare for disaster, residents also have an important role to play in ensuring their own safety during an emergency; and **WHEREAS** the safety of our community is the responsibility of each and every one of us we must prepare now and learn how to secure a strong and healthy tomorrow; and **WHEREAS** Each of us must understand the risks inherent to where we live and work and undertake actions that reduce those risks. In this way, we can limit the extent to which an emergency affects us; **THEREFORE** I, Debbie Fawcett, do hereby proclaim the week of May 2 to 8, 2010, to be "EMERGENCY PREPAREDNESS WEEK" in the Township of Melancthon and encourage all citizens to participate in educational activities on emergency preparedness. Carried.

Applications to Permit

Mayor Fawcett signed an application to permit a garage on the East Part of Lot 11, Concession 2 OS - L. Bye.

New/Other Business

Landfill Quotes for Fill

The CAO advised that Nelson Arnold Construction has been sold and the Township needs to quote for someone to provide fill and to cover the fill over the debris pile. The CAO

was directed to put out a request for quote/proposal and to work with Councillor Crowe and Rick Riddall on this.

Joint and Several Liability Paper

Mayor Fawcett spoke on the above paper. The CAO was asked to contact our Insurers to attend the next meeting of Council to talk about this report and to offer any tips to minimize our liability. The Road Superintendent to be in attendance for this as well.

County Waste Management - DEEP Project

Mayor Fawcett advised of a bus tour to look at a facility similar to the one being proposed by the County which is in Pennsylvania. The tour will take place on June 16th and is open to Council members and senior staff. At this point, Mayor Fawcett and Councillors Crowe and White will be attending.

Third Reading of By-laws

Moved by Crowe, Seconded by Hill that By-laws 10-2010 and 11-2010 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Bale Wrap Recycling

The CAO advised that the Landfill Supervisor has been in touch with a bale wrap recycling company. The name is Turtle Island Recycling and the cost is \$200-300 per compact load and if the material is clean, there might be some money come back for that.

Setex Plant

Deputy Mayor Hill spoke on the new company that is going to be moving into the Setex Plant in the Town of Shelburne.

Wayne Hannon

At this time, Councillor Crowe provided Wayne Hannon with the information on his question at the last meeting regarding the Police Complaint Procedure.

Southgate Fire Agreement

The CAO directed to contact Southgate for another meeting regarding the fire agreement. Southgate looking at going assessment based for Melancthon's levy and Council is not sure what the assessment of properties has to do with this. The CAO to contact the other municipalities who use assessment based information to calculate the levy and find out why they do this.

Unfinished Business

Passage of 2010 Operating and Capital Budget

The proposed operating and capital budget reflects the changes made at the April 1, 2010 Council meeting. Those changes were to transfer \$7,500 from the Development Charge to the General Account for the Civilian Data Entry person approved at the April 1, 2010 meeting and to reduce the Landfill Study by \$2,276.00 as the actual cost is \$22,724.00 and there was originally \$25,000.00 put in the budget. At the meeting held on April 1st, the CAO/Clerk-Treasurer was asked to figure out the impact to the budget if Jerry Jordan were to work out of the office an additional day per month. The cost from May - December would be approximately \$7,000.00 and this has been included in this draft budget. Therefore, with the above changes made, the amount to be raised through taxation is \$1,345,066 an increase of \$34,818.00 from 2009. This amounts to a 2.6% increase from last year. The budget presented at the April 1, 2010 showed an

increase of 2.9% so Council has decreased this budget by 0.3% with the changes made. The taxes on a house assessed at \$250,000.00 (provided there were no increases in assessment from last year) would be approximately \$90.74 less in 2010.

Moved by Hill, Seconded by Crowe that leave be given to introduce a by-law to adopt the estimates of all sums required during the year and to strike the rates of taxation and to further provide for penalty and interest in default of payment thereof for the year 2010 and it now be read a first and second time. Carried.

Moved by White, Seconded by Elliott that By-law No. 12-2010 is hereby read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Delegation

6:45 p.m. - Glen Porter attended Council concerning the ROW to his property. He advised Council that he is going to be gating the road in order to deter the trespassing that is occurring on this ROW. Mr. Porter advises that he is paying taxes on this property and the CAO advised that Township staff have been trying to obtain information from MPAC on this but have not had any reply to their emails. Council advised that we cannot control what we do not own and we don't want to assume the liability on this ROW. Council will send Mr. Porter a letter confirming its position.

7:00 p.m. - PUBLIC QUESTION PERIOD

No written questions received.

Dennis Sanford was in attendance and wanted to know why the Strada Monitoring Report was a year late? CAO advised that Strada changed consultants and we did not get sent a copy. The CAO requested a copy of it and they thought they had sent it to us but we didn't receive it.

Michael Daniher - regarding 401 Energy and have they provided the information requested at the last meeting? The CAO advised that two emails had been sent to Ian Henderson of 401 Energy and no response. Mr. Daniher asked Council to keep on this because now 401 Energy is talking about putting in 40 turbines and having lines up by August 2011. The CAO was directed to contact William French who provided information at the meeting in February about this and also to send him a copy of the Ministry of Environment letter from today's correspondence – highlighting the part about the 90 day consultation before the application is submitted as this did not happen with this project.

Carl Cosack asked a question about OP and zoning and wanted to know if the zoning changed for the houses that were demolished? The CAO advised that the zoning does not change because a house is demolished. The CAO also explained the differences in tax rates when a house is demolished.

Glen Porter asked the difference between rural residential and residential zoning? The Clerk advised that there is no difference and that the Township has two residential zonings – one being rural residential and the other being Hamlet residential for Horning's Mills, Riverview and Corbetton.

Rob Uffen wanted an update regarding the Demolition Control By-law and what the impetus was behind it? He was advised that the By-law is on hold and we have not proceeded any further with it. The driving force behind it was that we asked our lawyer a question about putting an injunction in place to stop the demolition of homes and his answer was the draft demolition by-law. Discussion ensued regarding the by-law and the consensus of Council is that it will not appear again unless it has to.

Wayne Hannon wanted to know that if there are more houses demolished, is Council going to bring this back? He was advised that we have this in our hand now and we

didn't have it before. Deputy Mayor Hill advised those in attendance to go back and have another look at the report that is in the correspondence today from Andrew Fyfe. We cannot pass by-laws because of one person and it has to apply to the whole Township. Mr. Hannon feels that Council needs to get something in place to protect the future of Melancthon and not wait until the next demolition. Deputy Mayor Hill advised that there are a series of things that have to happen and he will obtain further information from Mr. Fyfe on this.

Carl Cosack - advised of several water measuring devices that are in waterways/streams/road allowance in the Township. Councillor White spoke on this and said that a tester can be placed in there but it cannot be a permanent one and said the only people that should be doing it are Conservation Authorities and suggested Mr. Cosack call them. Mr. Cosack advised that he did call them and have been out and taken pictures. Wayne Hannon asked if the Township's NVCA Rep could look into this and report back to Council. The answer was yes.

Wayne Hannon advised of wastewater coming out of a storage on 20 Sideroad between County Road 124 and the 3rd line and being put in the road ditch and is this permitted. He was advised that a person cannot direct water into Municipal ditches and asked Allen Braiden to go have a look at this.

Road Business

Allen Braiden was in attendance and presented the tenders for approximately 20,000 tonnes of A gravel. The tenders were opened as follows:

<u>Company</u>	<u>Gravel</u>	<u>Trucking</u>	<u>Total</u>
1. Strada	\$6.67	\$2.10	\$8.77
2. Donegan's	\$5.93	\$3.15	\$9.08
3. Greenwood's	\$6.21	\$3.05	\$9.26
4. Sadler's Haulage	\$4.52	\$6.62	\$11.14
5. CBM	\$7.74	\$5.25	\$12.99

Moved by Crowe, Seconded by Hill that the Council of the Corporation of the Township of Melancthon has reviewed tenders for the supply and hauling of approximately 20,000 tonnes of A gravel to be applied to Township Roads. We hereby accept the tender as presented by Strada Aggregates to supply the material at a cost of \$5.90 per tonne plus \$0.77 tax and trucking at \$2.00 per tonne plus \$0.10 tax for a total of \$8.77 per tonne. This purchase complies with the Melancthon Township Procurement by-law. Carried.

As the Council business for the evening was finished, Council took Garry Matthews at this time for his Closed Session delegation.

7:45 p.m. - Moved by White, Seconded by Elliott that we move into Closed Session in order to discuss a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees and the receiving of advice that is subject to Solicitor/Client privilege, including communications necessary for that purpose. Carried.

8:07 p.m. - Moved by Crowe, Seconded by Hill that we rise from Closed Session with report. Carried.

Report

The CAO to set up a conference call for the next Closed Session meeting with Paula Boutis, Solicitor working on new biosolids by-law regarding with draft by-law.

Garry Matthews will remain on the NVCA till the end of this term and will provide monthly written reports to Council as well as attending the meeting for any questions Council may have.

Adjournment

8:09 p.m. - Moved by Hill, Seconded by Crowe that we adjourn Council to meet again on Thursday, May 6, 2010 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK