

## CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held its Inaugural Meeting Thursday, December 2, 2010 at 9:00 a.m. in the Council Chambers.

The Clerk, Denise Holmes, opened the meeting and congratulated the members on their election and conducted the swearing in ceremonies. Each member took their Declaration and Oath of Allegiance and the Clerk introduced them as the Council for the 2010-2014 term.

The Council Members for the 2010-2014 Term are as follows:

Bill Hill - Mayor  
Darren White - Deputy Mayor  
John Crowe - Councillor  
Janice Elliott - Councillor  
Nancy Malek - Councillor

Mayor Hill called upon Reverend Johanna Vanderspek who gave the Minister's Inaugural Speech. Mayor Hill thanked Reverend Vanderspek for her kind words and presented her with a token of appreciation from Council.

Mayor Hill welcomed everyone to the meeting and gave his Inaugural Speech. (Note: Inaugural Speech is posted on the website).

9:30 a.m. - 15 minute break for refreshments

9:45 a.m. - Council reconvened.

Mayor Hill called the meeting of Council to order and welcomed those in attendance.

### Delegation

9:45 a.m. - Rick Riddall, Landfill Supervisor attended Council and updated Council on the events at the landfill.

### Additions

- Mayor Hill - Discussion about purchase of computer
- Councillor Malek - update on Demolition Control By-law
- CAO Holmes - email from Marni Walsh, information about CANWEA Awards and application to permit

### Deletions

- None

### Approval

S Show of hands

### Disclosure of Pecuniary Interest

Nothing at this time.

### Minutes

Moved by White, Seconded by Crowe that the minutes of the November 4, 2010 Council meeting be approved as circulated. Carried.

## Business Arising from Minutes

Update on Southgate Agreement  
Update on Mennonite Machine Shops  
Water Taking Permit for Vanderzaag - received

## Point of Privilege or Personal Privilege

None.

## County Council Update

No meeting in November. Mayor Hill advised that the Inaugural Meeting will be held on Thursday, November 9, 2010 at 9:00 a.m.

## Committee Reports

The following members reported on the meetings they had attended and the written reports are kept on file:

Councillor Crowe - Provincial Offences Act, Police Services Board and Remembrance Day Service in Dundalk

Councillor Elliott - no written report on the Horning's Mills Hall Board but she updated that it was a wrap-up meeting. The status of Trillium Grant was discussed as well as various fundraising activities for 2011.

Mayor Hill - CDRC

Past Mayor Debbie Fawcett - Report on the Arran-Elderslie Meeting held on November 9, 2010 in Seaforth - ON FILE

## Correspondence

1. Email from Israel Bowman regarding a development proposal for the West Part of Lot 25, Concession 4 OS
2. GRCA Minutes - November 2010
3. Email from Joan Lever - Article on Wind Turbines
4. Email from Joan Lever - Article on Wind Turbines
5. Memorandum from Ministry of the Environment regarding the contaminated soil removal at West Part of Lot 20, Concession 1 OS
6. Memorandum from Ministry of the Environment regarding the County of Dufferin's By-law 2010-29
7. Report from CAO regarding Vote by Mail Follow-up
8. 2011 Municipal Policing Cost Estimates - Ontario Provincial Police
9. Information Report to Council - Bill Hill
10. Email from Carl Cosack regarding the August 13, 2009 Delegation of Marni Walsh
11. Memo from OGRA - Minimum Maintenance Standards Litigation - Status Report
12. Letter from GW Jordan, Township Planner regarding Setbacks Relating to Wind Turbines and Built-up Areas
13. Memorandum from the Ministry of the Environment regarding Shelburne Iron and Metal's request to dispose of Clean fill at the landfill
14. Letter from Karren Wallace regarding the Plateau Wind Agreement
15. Email from Karren Wallace regarding the Destruction of Structures in the Township of Melancthon
16. Email from Karren Wallace regarding the James Dick Construction OMB Decision regarding Caledon Quarry
17. Email from Joan Lever regarding Karst
18. Email from Joan Lever regarding the Strada Applications
19. Motion to be debated at Municipalities across Ontario regarding the Hydro rates
20. Letter from Stormont, Dundas and Glengarry requesting support for a resolution

regarding Farmland and Managed Forest Component of the Ontario Municipal Partnership Fund

Moved by White, Seconded by Crowe that Correspondence items 1 through 12 be received as information and the CAO be directed to forward the letter of GW Jordan Item # 12 to Marni Walsh. The CAO also directed to contact Mr. Bowman and advise that the Township is reviewing its policies pertaining to machine shops. Carried.

Moved by Elliott, Seconded by Malek that Correspondence Item # 13 dated November 19, 2010 from the Ministry of the Environment be received as information and that the CAO be directed to forward the letter to Shelburne Iron and Metal. Carried.

Moved by White, Seconded by Crowe that Correspondence items 14 & 15 from Karren Wallace be received as information and that the CAO be directed to respond to Ms. Wallace's inquires by December 31, 2010. The CAO may use whatever resources necessary to answer the inquiries. Carried.

Moved by Malek, Seconded by Elliott that Correspondence #16 dated November 22, 2010 from Karren Wallace be received as information and that the correspondence be forwarded to the Township's Planning Consultant to be considered in his report of the OMB Decision. Carried.

Moved by Malek, Seconded by White that Correspondence # 17 dated November 23, 2010 from Joan Lever be received as information and that the correspondence be forwarded to the Township's Hydrogeologist for comment. Carried.

Moved by White, Seconded by Crowe that Whereas extreme heat or cold can lead to adverse health effects and Hydro is a sine qua non for staying alive, municipalities across Ontario also have a public health responsibility. Whereas the Hydro file is primarily a provincial responsibility, some cities own hydro distribution companies and others have a stake in the waste to energy policy as an alternative to landfills and the location of turbines. Whereas The Federal Government Department Measurement Canada has warned Ontario's Independent Electricity System Operator and the Ministry of Energy and Infrastructure that Ontario residents might be treated unfairly because of the smart meters problem. Whereas the Competition Bureau has the responsibility to; Ensure that small and medium-sized enterprises have an equitable opportunity to participate in the Canadian economy, Provide consumers with competitive prices and product choices, Promote the efficiency and adaptability of the Canadian economy. Whereas Hydro in Ontario is the fastest rising consumer necessity due to the size of renewable energy contracts, transmission infrastructure investments required to handle the renewable energy, cost and implementation of smart meters, Hydro One acquisitions and the merging of rates. Whereas current Hydro costs average of 6.5 cents per kWh and the Province is signing contracts to supply renewable energy power for as much as 80.2 cents per kWh. Whereas overhead costs are rising at Ontario Power Authority, Ontario Power Generation, Hydro One, Independent Electricity System Operator, Ontario Energy Board, Ontario Electricity Financial Corp, Ontario Hydro. Be it resolved that this Council send a letter to the Premier of Ontario and the Ontario Minister of Energy asking for the removal of the PST portion on the Hydro HST bill. Be it resolved that this Council send a letter to the Premier of Ontario and the Ontario Minister of Energy asking that any increase in Hydro rates does not exceed the rate of inflation. Be it resolved that this Council send a letter to the Premier of Ontario and the Ontario Minister of Energy, Ontario Minister of the Environment asking that municipalities be consulted in drafting waste to energy policies and choosing locations for turbines. Be it further resolved that this Council send a letter to the Minister of Industry asking them to publish the results of the Competition Bureau investigation of the 7 billion Samsung Contract. Carried.

Correspondence on File at Clerk's Office

1. Shelburne and District Fire Board Minutes - July 6, 2010, September 7, 2010 & October 5, 2010
2. AMO Watch File - November 4, 2010, November 10, 2010 and November 25, 2010
3. Lake Erie Region SPC - Minutes - October 7, 2010
4. Shelburne Public Library - October 19, 2010
5. Email from Joan Lever regarding her Letter to the Editor regarding the Strada Applications and Wind Turbines
6. Resolution from Township of Amaranth in support of Caledon's resolution regarding OMB Appeal Hearings related to Growth Plan Conformity and that the Province should take financial responsibility

#### 10:30 a.m. - PUBLIC QUESTION PERIOD

A public question, answer and comment period was held from 10:30 - 11:00 a.m. and some of the issues during this time were the Mennonite machine shop concerns, demolition of homes and the zoning status on them, Strada applications, wind turbines and weed control.

#### General Business

##### By-law to appoint a Committee of Adjustment for Term of Council

Moved by White, Seconded by Crowe that leave be given to introduce a by-law to appoint a Committee of Adjustment for the Township of Melancthon for the term of Council and it now be read a first and second time. Carried. By-law read a first and second time and numbered 27-2010. Carried.

##### By-law to amend By-law No. 4-2009

Moved by White, Seconded by Crowe that leave be given to introduce a by-law to amend By-law No. 4-2009 (Designating a Head for the Purposes of the Municipal Freedom of Information and Protection of Privacy Act) and it now be read a first and second time. Carried. By-law read a first and second time and numbered 28-2010.

#### Approval of Accounts

Moved by Malek, Seconded by Elliott that the general accounts in the amount of \$233,899.67 be approved as presented. Carried.

#### Draft Salvage By-law

The letter and draft By-law were reviewed. The CAO was directed to post the letter and by-law on the website and request public comments for the January 6, 2010 Council meeting. The CAO also to forward the letter and by-law to the three businesses that this would pertain to in the Township.

#### Discussion Regarding the Appointment of Municipal Officials

The CAO was directed to advertise for the vacant citizen positions on the various boards.

#### Resolutions

Moved by Malek, Seconded by Elliott that we appoint Deputy Mayor Darren White to sit on the Nottawasaga Valley Conservation Authority commencing January 1, 2011 to January 31, 2013. Carried.

Moved by White, Seconded by Crowe that Nancy Malek be appointed to the Procedural By-law Sub-Committee in the place of Debbie Fawcett. Carried.

Moved by Elliott, Seconded by Malek that the Mayor and Clerk be authorized to pay all accounts to December 31, 2010. Carried.

Moved by White, Seconded by Crowe that the tender cheque from Strada Aggregates in the amount of \$17,540.00 be returned as the supply and haul of approximately 20,000 tonnes of A gravel has been completed. Carried.

Moved by Elliott, Seconded by Malek that the tender cheque from GCCL Contracting Limited in the amount of \$17,000.00 be returned as the resurfacing on 20<sup>th</sup> Sideroad between County Road 124 and 3<sup>rd</sup> Line OS has been completed. Carried.

Moved by White, Seconded by Malek that we transfer the following to the general account as per the 2010 budget:

- \$12,000.00 from the Emergency Relief Reserve Fund
- \$50,000.00 from the Road Equipment Reserve Fund

The CAO/Clerk-Treasurer be directed to close the Emergency Relief Reserve Fund Account. Carried.

Moved by Malek, Seconded by Elliott that we transfer the amount of \$10,000.00 from the general account to the Landfill Rehabilitation Reserve Fund as per the 2010 Budget. Carried.

Moved by Crowe, Seconded by White that we transfer the following amounts from the Development Charges Account to the General Account for growth related capital expenses:

1. \$50,000.00 - Roads - New Truck
2. \$10,000.00 - Administration (Draft New Official Plan)
3. \$25,000.00 - Recreation (CDRC Renovations)

Carried.

Moved by Malek, Seconded by Elliott that we transfer the amount of \$60,000.00 to the Tax Rate Stabilization Reserve Fund Account as per the 2010 Budget. Carried.

Moved by White, Seconded by Crowe that we transfer the amount of \$100,000.00 to the Quarry Reserve Fund Account as per the 2010 Budget. Carried.

Moved by Malek, Seconded by Elliott that the amount of \$109,917.21 be transferred from the Federal Gas Tax Reserve Fund Account regarding the resurfacing of 20 Sideroad from County Road 124 to the 3<sup>rd</sup> Line OS. Carried.

Moved by Malek, Seconded by Elliott that we transfer \$5,381.28 from the General Account (insurance surplus - \$1,457.76 & Road - \$3,923.52) to the Insurance Reserve Fund Account. Carried.

Moved by White, Seconded by Crowe that we reduce taxes on the following properties under Section 352 of the Municipal Act -

1. 6-61003 - Part of Lot 241-300, Concession 1 SW, Part of Lot 4 & 5, Concession 4 OS, Part of Lot 3, Concession 3 OS - from January 1 - December 31, 2010 - property became exempt
2. 4-06300 - Lot 19, Plan 54 - April 24 - December 31, 2010 - House demolished
3. 3-06300 - Part of Lot 34, Concession 4 NE - August 15, 2009 - December 31, 2009 - house demolished (new one built)
4. 5-05300 - Part of Lot 290, Concession 1 NE - January 9, 2008 to December 31, 2009 - buildings were demolished

Carried.

Moved by Malek, Seconded by Elliott that By-laws 27-2010 and 28-2010 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book.

Carried.

#### New/Other Business

##### Discussion regarding the establishment of a Sub-Committee to look at the Status of the Mulmur Melancthon Fire Department Agreement

The Sub-Committee will consist of Councillors John Crowe, Janice Elliott and Nancy Malek who will review the Agreement to re-address a couple of issues and make recommendations to Mulmur Township.

##### Purchase of Computers

Discussion ensued regarding the use of computers during Council meetings and the CAO was directed to obtain information and prices from the County of Dufferin.

##### Application to Permit

The Clerk presented an application from Colin Black for a potato storage, office and washrooms on the West Part of Lot 23, Concession 4 OS. As the application did not have any of the rear or side yard setbacks on the application, the Clerk advised that once that information was received, and if in compliance, she could sign the application. Council agreed.

##### Email from Marni Walsh regarding her August 13, 2009 Delegation

Moved by Elliott, Seconded by Malek that we refer the correspondence dated November 30, 2010 from Marni Walsh in reference to the delegation of herself and Karren Wallace on August 13, 2009 to staff for review and response to Council when response is available. Carried.

##### CANWEA Awards

The Clerk advised that the late Garry Matthews was the recipient of the "Friend of Wind Award" given out by the Canadian Wind Energy Association last month.

##### Unfinished Business

##### Strada Official Plan and Zoning By-law Amendments

The CAO provided an update on the status of the Amendments and advised that the Township Solicitor is still working on the Development Agreement. It is expected that the Amendments will be on the Agenda for the December 16, 2010 meeting.

##### Closed Session

11:45 a.m. - Moved by White, Seconded by Crowe that Council move into a closed session meeting pursuant to section 239 of the Municipal Act, 2001, as amended for the following reasons - personal matters about an identifiable individual, including municipal employees regarding an update on the Mulmur Melancthon Fire Board and labour relations or employee negotiations regarding the wages of the Seasonal Road Employees. Carried.

12:19 p.m. - Moved by Malek, Seconded by Elliott that we rise from Closed Session with report. Carried.

The report is that the new seasonal road employee will be paid an hourly rate of \$18.00 and that Councillor Crowe and the CAO will work on the wage grids.

12:20 p.m. - Verbal motion - Moved by Elliott, Seconded by Malek that we adjourn for

lunch. Carried.

1:00 p.m. - Council reconvened.

#### Delegations

1:00 p.m. - Yvonne Hurst, Municipal Advisor and Terry Fenton, Senior Advisor from the Ministry of Municipal Affairs and Housing attended Council. Ms. Hurst and Ms. Fenton presented the following modules for Council:

1. Building a Stronger Municipal-Provincial Partnership
2. Municipal Freedom of Information and Protection of Privacy
3. Municipal Act 101
4. Relationship Building - Councillor-Staff-Citizen Roles and Relationships
5. Meetings - Open and Closed

There was one more module to be presented (Municipal Conflict of Interest Act) but due to time constraints, they did not get to that one. Ms. Hurst advised that she could attend a future meeting to present that module. Mayor Hill thanked them for their presentation.

#### Road Business

Allen Braiden, Road Superintendent attended Council and presented the road accounts. Moved by White, Seconded by Crowe that the road accounts in the amount of \$48,492.21 be approved as presented. Carried.

#### Waste Oil Tank

Moved by Crowe, Seconded by White that the Council of the Corporation of the Township of Melancthon has reviewed quotes to supply a waste oil tank with a capacity of 1300 litres. This tank would be delivered to the Township Yard. We hereby accept the quote from Highland Supply for a cost of \$2,377.50 plus applicable taxes. This purchase complies with the Township of Melancthon Procurement By-law. Carried.

#### Submission from Bart Malloy

Discussion and Allen recommended that the 2<sup>nd</sup> Line NE be given a double run of calcium in the Spring to see if that will cut down on the dust and he could increase the amount of calcium being put on the roads. This will be dealt with during the 2011 budget. The issue of the speed will be forwarded to the Police Services Board for enforcement.

Allen advised that Da-Lee will guarantee the 2010 price for calcium in 2011. The CAO directed to sign the price guarantee as Da-Lee is the only company that provides the preferred type of calcium for the roads.

#### Wayne Hannon concern - Leafy Spurge

Allen advised that the roadsides could be sprayed next year for this. To be dealt with as part of the 2011 budget process.

#### Adjournment

4:25 p.m. - Moved by Malek, Seconded by Elliott that we adjourn Council to meet again on Thursday, December 16, 2010 at 6:00 p.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK