

## **CORPORATION OF THE TOWNSHIP OF MELANCTHON**

The Council of the Corporation of the Township of Melancthon held a meeting on the 21<sup>st</sup> day of January, 2010 at 6:00 p.m. in the Council Chambers. Mayor D. Fawcett, Deputy Mayor Hill, Councillor J. Crowe, and Councillor J. Elliott were present. Councillor B. Kumprey was absent. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Fawcett presided.

### Additions

- Item for Closed Session - Solicitor/Client Privileged Information regarding the Draft Demolition Control By-law
- New/Other Business - comments from Paula Boutis, Solicitor working on new Biosolids By-law, regarding EBR Registry No. 010-6658
- New/Other Business expression of interest from John Henderson for the Horning's Mills Hall Board
- Deputy Mayor Hill - item for New/Other Business

### Deletions

- 7:30 p.m. Delegation - Karren Wallace - unable to attend due to another commitment

### Approval

S Show of hands

### Disclosure of Pecuniary Interest

Nothing at this time.

### Minutes

Moved by Hill and Crowe that the minutes of the January 7, 2010 Council meeting be approved as amended. Carried.

### Business Arising from Minutes

Deputy Mayor Hill asked if the CAO had obtained any information from the Ministry regarding the municipality receiving notification of any applications under the Green Energy Act that have been filed with the Ministry? The CAO advised that the Ministry Rep is on vacation but will speak to her when she's back.

### Point of Privilege or Personal Privilege

None.

### Correspondence

1. GW Jordan - Revised Work Plan Outline for the New Official Plan
2. Resolution from the Township of Mulmur regarding Community Services Staffing
3. Resolution from the Township of Amaranth regarding a Community Emergency Management Coordinator/Accessibility Coordinator for the County and Local Municipalities
4. Resolution from the Township of East Garafraxa regarding a Community Emergency Management Coordinator/AODA Accessibility Coordinator
5. Copy of a letter that the Township of Mulmur sent to the County of Dufferin regarding the Assumption of Waste Authority
6. Letter from BDO, Auditor, regarding PSAB and the audit process

7. Letter from Stantec Consulting Limited regarding the Plateau Wind Project
8. Letter from AMO - Update
9. Copy of a letter that the Township of East Garafraxa sent to the County of Dufferin regarding Assumption of Waste Authority
10. Letter from Jim Watson, Minister of Municipal Affairs and Housing advising that he is resigning as Minister, effective immediately, as he has decided to seek the Mayoralty of his hometown of Ottawa
11. News Release from the Nottawasaga Valley Conservation Authority that Councillor Benotto of Shelburne has been re-elected as Chair
12. News Release from the County of Dufferin - County of Dufferin Tweeting Road Closures
13. Email from Nanci Malek who is interested in a position on the Horning's Mills Hall Board
14. Letter from 401 Energy regarding the January 7, 2010 Council meeting where questions were raised regarding its proposed Wind Farm Project
15. Letter from Andrew Osyany regarding Bretton Estates Update
16. Email from Joan Lever regarding Dufferin Gas Chambers - DEEP Dufferin Eco Energy Park
17. Resignation from Lindsay Keating from the appointed office of Tile Drainage Inspector
18. Report from Denise Holmes, CAO, regarding a Community Emergency Management Coordinator/Accessibility Coordinator
19. GRCA Minutes for January 2010
20. The Highland Companies response to Bart Malloy's email from the January 7, 2010 Council meeting

# 6 - PSAB - Deputy Mayor Hill spoke on this topic and advised that there would be a link put on our website regarding the County's PSAB report as it is really important that the people see this. We will need to look at our PSAB report in detail and have Alan Selby come to a future Council meeting to discuss PSAB.

# 14 - CAO to schedule a meeting with 401 Energy

# 16 - received as information and the CAO is to forward to Ed Crewson, Chair of Community Development

# 17 - the CAO to send a letter to Mr. Keating accepting his resignation and thanking him for his services over the years. In the interim, until we find another Tile Drainage Inspector, the Township will use another Municipality's Inspector

# 18 - Moved by Crowe and Hill that the Council of the Corporation of the Township of Melancthon hereby accepts the recommendation of CAO/Clerk-Treasurer Denise Holmes that Council support the replacement of the CEMC position at the County as a joint duty position of CEMC Emergency Management and AODA Accessibility Co-ordinator for the County and local municipalities. Carried.

# 20 - this item was not listed on the Agenda and the CAO advised that she would get it added to the one on the website.

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

1. Card of Thanks from the Webster Family
2. Minutes of the Shelburne Fire Board meeting held on November 3, 2009
3. Resolution from the Township of Mulmur supporting the resolution of Adjala-Tosorontio and Oro - Medonte regarding the minutes of the NVCA meeting held on October 9, 2009
4. Resolution from the Township of Oro - Medonte supporting the resolution from the Township of Adjala - Tosorontio - Third Party Review

## General Business

### Procedural By-law Committee Recommendation regarding Public Question Period

The recommendation was reviewed and another sentence was added pertaining to “comments”. The CAO will prepare the amendment to the By-law for the next meeting. The amendment to Section 14 (l) will be as follows:

Public Question Period - Council requests that questions be submitted ahead of the meeting (Friday 12 Noon prior to the meeting). Each person will be allowed to ask one question, either written or oral, during this time, and one question for clarification purposes only after the answer is given on the original question. Public Question Period is held at 10:30 a.m. for a day meeting and 7:00 p.m. for an evening meeting for a maximum of ½ hour. If less time is required and there are no further questions, the Mayor/Chair will declare Public Question Period to be closed and carry on with the regular business of the meeting, or if time permits, individuals will be allowed to ask an additional question. Also, with time permitting, anyone wishing to make a comment may do so and Council may choose to respond to the comment if felt to be in the Public interest.

### Application to Permit

Mayor Fawcett signed an application to permit a single family dwelling on Lot 30 & 31, Plan 20A - J. Pugliese.

### New/Other Business

#### Horning’s Mills Hall Board - Addition

The CAO received an expression of interest from John Henderson who would like to sit on the Horning’s Mills Hall Board.

#### Deputy Mayor Hill - Addition

Deputy Mayor Hill advised that he has apologized to Marni Walsh for a comment that he made at the January 7<sup>th</sup> Council meeting and Ms. Walsh has accepted his apology.

#### EBR Registry - 010-665 - Addition

Comments from Paula Boutis regarding the above were reviewed and the CAO was directed to advise Ms. Boutis to submit the comments.

### Delegation

6:30 p.m. - Mayor Morrison from the Town of Caledon attended Council to speak on Aggregate Policies. She provided an overview of the Caledon Community Resource Study (CCRS) and OPA 161 - Aggregate Resource Management Policies and spoke on the current quarry application which is at the OMB. She provided Council with an identification map of the Caledon High Potential Mineral Aggregate Resource Areas which is on the new Schedule to the Official Plan. Mayor Morrison stressed the need for the Township to work with the Aggregate Producer and have them accountable for roads and water. After the delegation a public question and answer period was held during regular PQP on aggregate issues.

Wayne Hannon - regarding the Provincially Significant Wetland, how close to the area do they need to be that it will have an affect on a future quarry? A - it depends on the aquifer and whether it is from the same vein and where the water flows. Caledon has setbacks in its policies and they have to be a certain number of metres away.

Joan Lever - if you have a property that is zoned Agriculture in your OP, would you change it for gravel extraction? A - we wouldn't do it unless someone came in with an application. They (Caledon) did the CCRS in good faith and everyone agreed on it. If it's in the certain "approved" area on the CCRS, yes they would change it.

Joan Lever - What is the total acreage in Caledon that you have as pits? A - over 4000 acres of sand and gravel. Caledon does not have any quarries. The first application they received is currently at the OMB.

Jeff Wilson - you suggest that it is a good idea to attach conditions to make the applicant liable but how enforceable is this and where does the enforceability with this lie? A - The Region of Peel is responsible for the roads but Mayor Morrison said to be honest, they don't have the resources to enforce it. The Province has to be on the hook for this.

Joan Lever - raised concerns about "numbered" companies because if they run into financial problems they can declare bankruptcy and walk away, as it is easier for them to close the doors and leave the huge problem for all of us. A - Mayor Morrison said the reason it is difficult is because a municipality only has so much money and has to decide will it be used for roads or for fighting this quarry and then we have to use tax dollars. She advised that the residents have to figure this out and be active and participate. The group fighting this quarry in Caledon has been at it for 11 years and raised \$1.2 million and they may still be \$250,000 short. Caledon has spent \$2 million and Peel Region has spent \$2 million.

Ted Metz - said this sounds like a political issue at a higher level. Has it always been Liberal? A - No, they all seem to have the same position – it is bureaucratic and in their mind set that aggregates are at the top and is a higher designation in policies than other things. Mr. Metz also mentioned about hearing on the CBC News regarding mining and if it got to a certain size, the Feds would get involved and wondered if she'd heard? A - No, she hadn't heard but could certainly ask and said it is very frustrating that other levels of government have the power over you and you don't have as much power. Mr. Metz also said that a major part of the aggregate is going offshore and will the municipality still get the money for the levy if that happens? A - Yes, anything that is pulled out the ground and goes over the scale is paid in levies to the municipality.

Glen Porter - of the 14 members (from other municipalities that get together for meetings-- which was discussed earlier in the delegation) - do any of those areas have a quarry that is below the water table and did any try a grout curtain? A - yes, Halton Hills and no, they didn't try a grout curtain. She did note that most of the gravel pits are below the water table.

#### **REGULAR PUBLIC QUESTION PERIOD**

Four written questions were received from Michael Daniher and Mayor Fawcett advised that this would be the last time for multiple written questions as these questions would be considered a Delegation.

1. Council indicated on December 17<sup>th</sup> that it would order and make available a revised workplan for the development of the new Official Plan as the existing workplan was considerably out of date. Council also indicated that it would provide for public consultation before submitting the draft plan to the province for review. Could Council please indicate the status of the promised and revised work plan? **A. - # 1 of Correspondence in today's package.**

2. Council indicated on January 7<sup>th</sup> that it would develop a budget process schedule, including provision for public consultation, at the January 12<sup>th</sup> meeting of the Committee of the Whole. Council also indicated that it would post that schedule following the

meeting. Could Council please indicate the status of the promised budget process schedule? **A - we did not do this at that meeting but we will do it at the next meeting scheduled for February 9, 2010.**

3. Council indicated on January 7<sup>th</sup> that it would check on the location of, and the identity of the landowners participating in, the 3,500 acre wind farm announced in November by 401 Energy. Could Council please indicate what steps have been taken since that time and report what it has learned? **A - the CAO sent a letter on January 15, 2010 requesting the information and no response has been received yet.**

4. Council indicated in Committee of the Whole on January 12<sup>th</sup> that the initial PSAB report estimate of road and infrastructure replacement costs was approximately \$26 million, quite apart from ongoing maintenance and repair costs. Could Council please confirm that it will begin allocating monies toward that end, indicate the amount to be allocated in the 2010 budget, and identify where that money will come from? **A - we are going to invite Alan Selby, Treasurer of the County of Dufferin to a meeting. Deputy Mayor Hill clarified the \$26 million as this was for roads with 0-5 years life span left. The total replacement cost is \$80,866,842.00. The Council will need to go back and look at the report because there will also be a depreciated value and it doesn't necessarily mean we will have to spend this money – it could just be a repair. Deputy Mayor Hill highly recommends looking at the County information.**

Questions from the gallery:

Rob Uffen - had a question regarding the deadline for responses for the draft Demolition Control By-law and wanted to know why the responses were not posted on the website. A - The CAO advised that all responses received would be included in the February 4, 2010 Agenda package when the issue will be discussed further.

John Lever - can Council put a temporary holding provision on this (the demolition of homes) until we pass the by-law? A- No we cannot because the motion would have no power in the law.

Harvey Lyon - asked a question with respect to Jerry Jorden's revised Official Plan Work plan and wanted to know if the public would be given the opportunity for input before it goes to the Province and wanted to know when we were going to have the Public Meeting? A - the CAO to speak to Mr. Jorden about this.

Rob Uffen - are there any updates on the YMCA situation? A - we have not met since the last update. There is a sub-Committee that is exploring some things but there has been no further discussions as the Township of Southgate is having problems attending meetings and we are working on another date.

Mary Lynne Armstrong - did the letter get sent to the County regarding the Tree By-law Exemption? A - Yes.

Rob Uffen - had a question pertaining to the last meeting when a letter from Ian Rowe, Solicitor was reviewed and it stated that we should be establishing a reserve to put \$100,000.00 away each year and this was to be discussed at the budget meeting and it wasn't discussed – but the perception is, that it was discussed. A - this amount was on a list provided by the CAO for consideration in the 2010 budget.

Joan Lever - were there any trained archeologists that looked at the Highland homes and the Indian Artifacts before they were demolished or burned? A - No.

Wayne Hannon - wondered if Melancthon had a class system for its roads? A - Yes we do have class systems and in 2002, a Minimum Maintenance Standards By-law was passed showing the maintenance standards for each class.

Rob Uffen - commented that this wouldn't be allowed to happen under the new by-law and the Mayor advised that she still has the discretion.

7:50 p.m. - The Mayor asked if there were any further questions from the gallery and seeing that they were none, Council took a break and reconvened at 8:05 p.m.

#### Closed Session

8:05 p.m. - Moved by Elliott and Hill 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.

8:58 p.m. - Moved by Crowe and Hill that we rise from Closed Session with report. Carried.

#### Report

The letter of Andrew Osyany dated January 18, 2010 regarding the Demolition Control By-law is to be released. The Mayor and CAO directed to sit down with John Lowndes of The Highland Companies for a meeting regarding the draft Demolition Control By-law.

Councillor Crowe to draft a letter to Six Nations regarding biosolids issue.

#### Adjournment

9:00 p.m. - Moved by Hill and Crowe that we adjourn Council to meet again on Thursday, February 4, 2010 at 9:00 a.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK