

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 22nd day of July, 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

- July 13, 2010 special meeting minutes
- July 15, 2010 special meeting minutes
- Mayor Fawcett - Closed Session - Identifiable Individual
- Deputy Mayor Hill - Arran-Elderslie By-law Update
- Councillor White - Mission Statement, Strategic Planning

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 July 8, 2010 Council meeting be approved as circulated. Carried.

Moved by Hill, Seconded by Crowe that the minutes of the July 13, 2010 Special Council meeting be approved as circulated. Carried.

Moved by White, Seconded by Elliott that the minutes of the July 15, 2010 Special Council meeting be approved as circulated. Carried.

Business Arising from Minutes

Regarding the questions from Merv Parker at the last meeting concerning Strada – the CAO advised that an email was received from Melanie Horton, Director of Land and Resources of St. Mary's - CBM Aggregate Division advising that CBM has an agreement with Strada to take out the common setback between the two pits. Strada will be working in the setback area this summer. CBM obtained approval from the Ministry of Natural Resources recently for a site plan amendment to remove the common setback. The CAO to forward the information to Mr. Parker.

Point of Privilege or Personal Privilege

None.

Correspondence

1. Request from CUPE to endorse a day of recognition for the many people who work providing care to children in our community
2. Email from Meredith Cudney regarding what is required for the Honeywood Play Park

3. Request from Bart Malloy to add some enhancements to the website
4. Request from the 1st Shelburne Scouts for some financial assistance to send 10 boys to the Haliburton Scout Reserve
5. Resolution from the Township of East Garafraxa regarding County of Dufferin By-law 2010-29
6. Factsheet from NVCA regarding Giant Hogweed
7. Invitation to attend the Grand River Watershed Forum on Friday, September 17, 2010 in Cambridge
8. Letter from Remo Odorico regarding water concerns
9. Comments from the Town of Mono regarding the County of Dufferin's Response to the Draft Forest Conservation By-law
10. Resolution from the Town of Atikokan regarding Utility Vehicles
11. GRCA Minutes of July 2010
12. OGRA News Release - Minimum Maintenance Standards Litigation Fund Well Accepted by Ontario Municipalities
13. Letter from the Highland Companies regarding the Farm Owned Power (Melancthon) Ltd. Wind Farm
14. Notice from the Town of Shelburne regarding File No. OPA 34 - Official Plan Review Provincial Conformity and comments from Township Planner GW Jordan on it
<http://shelburne.fileprosite.com/FileStorage/91D8219505ED478FB8208923D1EC729E-DRAFT%20OPA%2034%20-%20Changes%20Tracked%20May%202010.pdf>

1 - Moved by Crowe, Seconded by Hill that **Whereas** years of research confirm the benefits of high quality child care for young children's intellectual, emotional, social and physical development and later life outcomes; and **Whereas** child care promotes the well-being of children and responds to the needs of parents, child care workers and the broader community by supporting quality of life so that citizens can fully participate in and contribute to economic and social life of their community; and **Whereas** many studies show trained and knowledgeable Early Childhood Educators and Child Care Staff are the most important element in quality child care, and that good wages and working conditions are associated with higher job satisfaction and morale, lower staff turnover which leads to high quality education and care; **Therefore Be it Resolved** that October 27, 2010 be designated the 10th annual "Child Care Worker & Early Childhood Educator Appreciation Day" in recognition of the education, dedication and commitment of child care workers to children, their families and quality of life of the community. Carried.

2 - the CAO commented further on this as more information was received. The shortfall for the camp is over \$3,500 because when the camp finished its second week, the bills were paid out and items that were forgotten were picked up and these items were not foreseen at first. She advised that the parents are providing snacks for the children and No Frills as well as Pete's Donuts are donating food. The CAO to request further information on how many kids the camp has, has she gone back and asked for more money from the parents and how many Melancthon kids are signed up for the 2nd camp.

3 - Moved by Hill, Seconded by White that the Council of the Corporation of the Township of Melancthon supports the recommendation of the Net Now to upgrade our computer system at a cost of \$450.00 to \$600.00 as outlined in their email of June 1, 2010. Carried.

4 - Moved by Crowe, Seconded by Hill that the Council of the Corporation of the Township of Melancthon has reviewed a request for supplementary funding to send members of the # 1 Shelburne Scout Troop to send 10 boys to the Haliburton Scout Reserve for one week. We hereby grant \$100.00 to the troop for the purpose. Carried.

6 - the CAO to put this information in the Township newsletter as well as to post on the

Township website.

8 - received as information

14 - the CAO to send the comments to the Town of Shelburne from GW Jorden, Township Planner.

Correspondence on File at the Clerk's Office

1. AMO Watch File - June 30, 2010 and July 8 & 15, 2010
2. Shelburne and District Fire Board Minutes - May 4, 2010
3. News Release from GRCA that CAO Paul Emerson is retiring
4. Resolution from the Town of Mono regarding CDRC Budget and Support of New Tecumseth's resolution regarding HST

Delegations

6:30 p.m. - Ron Munroe, President of the Greater Dufferin Area Chamber of Commerce attended Council and presented the GDACC Marketing Strategy 2010-2014 Phase 1 Report to Council. The Plan was coordinated by the GDACC with contributions from varied community groups and municipal representatives. Information and data that existed about Dufferin County was incorporated into the Plan and as a result this information can be used to raise the profile of Dufferin County to potential regional, national and international businesses. The Plan will complement current activities within Dufferin's local municipalities and will help the County achieve its growth management goals. Mr. Munroe advised that the Plan was presented to the Community Development Committee and the Committee has recommended to County Council that \$150,000 be set aside in the 2011 budget--this was unanimously approved at County Council. The next step in the process is to take the plan to the lower tier municipalities for their comments. Mr. Munroe recognized and thanked Deputy Mayor Bill Hill because it was his insight that made this happen.

Moved by Elliott, Seconded by White that the Marketing Strategy 2010 for Dufferin County and Member Municipalities Phase 1 Executive Summary and Final Report be received; and that the County of Dufferin funding for the Marketing Dufferin Initiative be supported; and that the Municipality review and provide feedback to the Dufferin County Community Development Committee and the GDACC/Marketing Dufferin Committee by August 18, 2010. Carried.

6:45 p.m. - James Parkin, MHBC Planning, Dave Barrett, MHBC Planning, Mario Pietrolungo and Grant Horan from Strada Aggregates attended Council to explain the ARA process and consultation. Mr. Parkin also wanted to talk about the timing of the statutory public meeting and decision of Council. Mr. Parkin gave background information on the Strada Applications which were applied for in May of 2008. He explained that the application under the Aggregate Resources Act has been accepted. The notices have been placed in the newspaper and the signs are up. There will be an Open House on August 19, 2010 from 4:00 p.m. - 7:00 p.m. He advised that the extraction area has been reduced, there has been additional work on wildlife surveys, back up alarms, dust control measure and a policy for truck parking. With respect to First Nations Consultation, there was correspondence submitted in 2008 and said that the duty of the Crown is to consult with the Six Nations. He explained that the studies which have been prepared on behalf of Strada are being peer reviewed by the Township. The letter dated July 19, 2010 from GW Jorden, Township Planner was discussed and Mr. Jorden suggested that a second meeting is not required and that, at the appropriate time, it should be possible to proceed directly to the statutory public meeting under the Planning Act. He said in view of the timing of the municipal election and related limitation on Council decision making capacity after the close of nominations on September 10th, it appears unlikely that a final decision on these planning applications will be made during the term of this Council and it may be appropriate to leave the

scheduling of the statutory public meeting to the new Council. Mr. Parkin advised that he would like to have the meeting prior to September 10th as things are quite far along and it is their request that this Council deal with it. Mayor Fawcett advised that Council would discuss this later in the meeting and get back to them.

7:00 p.m. - PUBLIC QUESTION PERIOD

Written Questions:

Marni Walsh - Just a note to Council that I still want to know the following: name and address of the firm that went bankrupt while working on Melancthon maps for Mr. Jordan -exactly how much money they received and what Mr. Jordan's bill to Melancthon was for the work they did? -what maps were recovered for the money they received? As a ratepayer, I find this issue very disconcerting and respectfully ask Council to be accountable for how ratepayer's tax dollars were spent on this company. Secondly, I would like to thank Council for their positive response to Mr. Hunter's work and look forward to his presentation to the Source Water Protection Committee. There does seem to be some concern however, that in the past the Source Water Protection Committee's focus has been on "in town" water protection. I got the impression from the new regulations included in the July 8th agenda that things had changed and that this agency would now be a valuable resource to Melancthon. Could Council please enlighten us further on the Source Water Protection Committee's role in Melancthon, whether or not it is of real value, how these new regulations will benefit us, and update us on the plans for a meeting with the Committee and Mr. Hunter. Please extend an invitation to Council and staff to attend Trinity Church's next "Eco-mmunity" Environmental Forum on August 26th at 7pm. Speakers will be Rev. David Black and Steven Ogden, both of whom were deeply involved in the fight to save the water at Site 41. Rev. Black will address the issue of community involvement and Mr. Ogden talk about Genivar Engineering's involvement, focussing on issues of corporate and political transparency. **A - Mayor Fawcett read a letter from GW Jordan advising that no firm went bankrupt while working on Melancthon maps and it is most unfortunate that such a reference was included in the above email. The firm working on these maps is a one-person company which ceased operations due to that person's personal circumstances which had nothing to do with bankruptcy. The firm's name and address is: Everlasting - Letting In The Light Studio, Rhonda McDonald, 142 Cundles Road East, Barrie, Ontario, L4M 2Z9. That firm invoiced this company for a total of \$1,387.32. Those invoices were paid and that amount was included as a disbursement on this company's March 2009 invoice to the Township. That firm's work formed the basis for much of the material included on the current editions of the map schedules to the Official Plan. A lack of software needed for AutoCAD conversions of certain complex GIS based government agency mapping led to Ms. McDonald researching and providing the name of a firm that could finish the mapping work. That firm provided excellent service in completing the draft maps. Deputy Mayor Hill apologized for being wrong in what he said about the firm going bankrupt.**

Marni Walsh - Please tell me who in our local government is responsible for checking up on the Highland Companies' excuse for cutting trees "to improve farming operations" in violation of our by-laws? They received no fines for breaking our laws and are making our local council's look very gullible. The ratepayers will expect this issue to be followed up by Melancthon Council. Thank you. **A - The County By-law Officer would be responsible to see that they are developing into farmland.**

Joan Lever - If Melancthon does not support the Arran-Elderslie by-law, we will be inundated with an unregulated amount of 2.3 to 3.0 MW wind turbines. Our current GE 1.5 MW turbines are half the size of the 3.0 MW wind turbines proposed. Despite the larger size of 401 Energy's turbines, there is no change in setbacks. People will have ice thrown twice as far,(up to 1000m) and will not be safe in their own back yards.(a little over 51 metres to non-Participating neighbours property line) There is still no infrasound, or independent sound testing. Don't forget the GE 1.5 MW turbines are recording over 60 dBA at night. (Not 40 dBA) The noise of the proposed 401 Energy turbines could be twice that. The inner ear detects vibration as noise. This is why when people's bedrooms are vibrating at night, people are complaining of lack of sleep, and their animals are agitated. When wind turbines come to rural farmland, birds, animals, soil are all impacted... Some cattle are stillborn, and produce less milk. Soil microorganisms and

worms are moving away from wind turbine bases, resulting in soil compaction. Birds and bats are being killed at numbers far exceeding those reported. Bats breath with air sacks. When they are in close proximity to the low pressure of wind turbines, their air sacks expand to the point they explode, and the bat dies from suffocation. Have the four baskets of letters of complaint from the Melancthon One and Two Project taught Melancthon Council nothing? The few letters I did receive when I subpoenaed CAO Denise Holmes for all letters and e-mails dealing with Melancthon Phase one and two for the Amaranth OMB hearing, were primarily from those who had wind turbines on their properties. Helen Fraser wrote 6 letters of complaint, and I got two. Mark Benvenette wrote many letters of complaint, and I got one. Both now have Gag orders, and can't tell the deal they got after moving out of their Torture Chamber Homes. The proposed 401 Energy project has a 51.25 m road setback, a 550 m Non-Participating Resident Setback, a 100 m Participating Resident Setback, and a 51.25 m Non Participating Lot Setback. These setbacks can all be altered, if a sound test is done by the Developer. The only benefit of wind turbine Development, is to 401 Energy and a handful of farmers who could afford to pay money to participate, including two Highlands owned properties. It is our tax dollars paying for these green energy initiatives. While all the while our property values decline, and we get sick due to improper setbacks. Is Melancthon Council and Highlands Company trying to drive all Melancthon residents off their land, and out of their homes, so they too can be demolished? Is the intent to make residents sick, so they will sell for a depreciated value? Is the vision statement of Melancthon Council to have Highlands own all the land, and turn our Headwaters into sewage water, our Honeywood sandy loam soil into berms, and our limestone bedrock blasted out forever destroying the best cropland in Ontario?

I know Deputy Mayor Hill's position. Is there any Melancthon Councillor who would support the Arran Elderslie by-law? Does anyone care about the health and safety of Melancthon Residents? **A - Mrs. Lever was advised that this question was already dealt with at the last meeting of Council.**

Harvey Lyon - regarding the applications to permit of the Martin's. He said that Council should go up and visit Pine Grove Metals as we are ending up with more industry then the Dundalk Industrial Park. When Council rezones these, they want to be sure of what they are doing.

Karren Wallace - regarding the letter of Bluewater Geoscience and the Strada monitoring reports. The 2008 one was two years late and people were here two meetings ago about the dust. Have these reports been sent to MOE, if not, can a private citizen do this? **A - the 2008 report was late because they had changed consultants and they thought it had been sent to the Township until the CAO requested it. The Township has not sent the reports to the MOE.**

Nanci Malek - to Deputy Mayor Hill - the consultants for the Marketing Dufferin report - where do they live? Deputy Mayor Hill said he was not exactly sure. There was an RFP put out and four different consultants were selected for interviews and the firm was picked. They have done work for Orangeville. Ms. Malek said it would be great to get someone from Dufferin County to do this and that you need someone sitting at a computer 16 hours a day pumping out the information to 1000's of people when spending that kind of money. Deputy Mayor Hill advised that he would do up a report on the strategies and said part of the problem is that the County is one of two municipalities that doesn't have planning. The EDC went for four years at the County and did not do anything. Orangeville and Shelburne have a great EDC but they are not marketing Dufferin. We are getting information from local people to make this happen and are promoting everything.

Rob Uffen - he was on the Ministry of Municipal Affairs website and read about the upcoming AMO Conference and wondered if anyone was going and if they are, have they asked to be a delegation with the Ministers. Mayor Fawcett advised that she was going and has asked for delegations with the Ministry of Environment and the Ministry of Natural Resources.

John Lever - regarding Arran-Elderslie By-law and advised that 20 Councils have gotten together for the Mutual Defence Fund. At this time, Deputy Mayor Hill advised that he talked to AP Crawford who is the CAO of Arran-Elderslie and their Solicitor gave a verbal legal opinion quite consistent with the one our lawyer gave. There is a meeting on August 5, 2010 that he was invited to as well as another member of Council. Deputy Mayor Hill will go as the Council Rep and will report back at the meeting on August 11th the details of that meeting.

Wayne Hannon - there is a fund through Aggregate Resources Act for the rehabilitation of abandoned gravel pits and asked if Council will consider passing a by-law to look at old abandoned gravel pits or have them rehabilitated? Mayor Fawcett advised that this came through about 10 years ago and residents did this. Mr. Hannon said that some of them are being used for illegal wrecking yards. Mr. Hannon wanted to know if Council was prepared to do something to address this matter under the property standards by-law. He put a complaint in two years ago and nothing was done. The CAO to look into this. Dave Cowen commented that with respect to the gravel pit rehabilitation, property owners have been contacted recently. A pit is on a private individuals property and there shouldn't be an order to do so. Council will not be passing a by-law to rehabilitate abandoned gravel pits.

Joan Lever - wanted to know how many acres in total Strada is going to use to extract aggregate – the acres in Phase 1, Phase 2 and Phase 3. As Mr. Parkin, MHBC, was still in attendance, he advised that he would answer Ms. Lever's question outside of the meeting.

Rob Uffen - following up to a previous question about the delegation request, he wanted to know when this was done? The Mayor advised that she requested the delegation a couple weeks ago.

Karren Wallace - regarding the consultation with First Nations from the MHBC Delegation, she advised that the Crown and the Province are not going to go out and do this and it is the applicant's responsibility to do the consultation. It was implied that it is the Province that has to do this but it is the applicant.

Marni Walsh wanted to know if any steps have been taken yet regarding a Source Water Protection Meeting? The CAO advised that she has not done anything about it yet. Ms. Walsh also commented on Jerry Jordan's letter of July 19th regarding Strada, and said to take caution on skipping a second public meeting and felt that the next Council would have to push something through and she did not think it was solid advice.

7:30 p.m. - Council took a 15 minute break and reconvened at 7:45 p.m.

Discussion ensued regarding the Statutory Meeting for Strada (as the consultants were still in attendance) and it was advised that this Council may be in a lame duck situation after September 10, 2010 and therefore would have to have the meeting before this date. The CAO was directed to obtain a legal opinion from the Township's Solicitor. It is Strada's hope that this can be dealt with by the current Council. While on this topic, Council advised that past practice has been direct consultation with the Six Nations and encouraged them to re-think their decision and send the notice directly to the Six Nations for consultation.

General Business

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

Moved by Crowe, Seconded by Hill that leave be given to introduce a by-law to amend By-law No. 29-2009 (Horning's Mills Community Hall Board) and it now be read a first and second time. Carried. By-law read a first and second time and numbered 23-2010.

Agreement with Borea Construction to allow them to place a temporary trailer on Lot 21, Concession 6 NE to be used as an office during the construction stage of Plateau III Wind Farm

Council approved the agreement and directed the CAO to sign it. A \$1,000.00 deposit is required before the Agreement is signed.

Resolution to apply for funding under the Trillium Grant Program for Horning's Mills Community Hall Board

Moved by Crowe, Seconded by Hill that Whereas the Horning's Mills Community Hall is required to meet the Accessibility Standards by January 1, 2012; And Whereas there is a Trillium Grant available for accessibility issues which requires a motion from Council as the owner of the facility which gives Horning's Mills Hall Board permission to apply for the grant. Now therefore be it resolved that the Council of the Township of Melancthon directs the Horning's Mills Hall Board to apply for funding under the Trillium Grant Program - November 1, 2010 deadline. Carried.

Draft Township Newsletter

The draft was reviewed. A reference to Hogweed to be put in the newsletter as well as a slight change to the wording in the Township of Southgate Recreation user fee section.

Draft Service Delivery Policy

A couple changes were made to the policy which were made during the meeting. Moved by Hill, Seconded by Crowe that the Township of Melancthon Service Delivery Policy as attached be adopted effective immediately. Carried.

Applications to Permit

Mayor Fawcett signed the following application to permit:

- Linda Polonsky - Lot 271, Concession 2 SW - storage shed.

The CAO advised that the application of Jeremy Prins for a storage shed on the West Part of Lot 8, Concession 2 OS was changed by the applicant so that it conformed to the Township's zoning by-law and that she signed the application. As well, the CAO also clarified that the applications of Jesse Martin/EMS Construction had the wrong concession number and that it should have been 4 NE instead of 5 NE. The Building Department has been made aware of this amendment.

New/Other Business

Additions

Councillor White - Mission Statement/Strategic Planning - Councillor White advised that he has been doing some research on mission statements and believes that no major business operates without them. He would like to get everyone's input on one and would like to draft something to be submitted in the draft Official Plan as this has been done in other municipalities. It was advised that this has been suggested already by this Council.

Arran-Elderslie Meeting

Moved by Crowe, Seconded by White that Janice Elliott, Councillor and Deputy Mayor Hill be sent as a Delegation August 5, 2010 to the Arran-Elderslie Committee Meeting of the Inter-Municipal Working Committee with respect to Commercial Wind Farm Production. And further that Mayor Fawcett be appointed as an alternate. Carried.

Third Reading - By-law

Moved by Elliott, Seconded by Crowe that By-law No. 23-2010 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Unfinished Business

Five Year Review of the Provincial Policy Statement, 2005 - Comments - still waiting for comments from GW Jordan, Planner.

County of Dufferin - Trails Master Plan - Comments - deferred.

DEEP Project - County of Dufferin Waste - a resolution to be drafted for review/consideration at the August 11, 2010 Council meeting. Councillor Crowe kept the notes from the March 2010 meeting and will work with the CAO to draft the resolution.

City of Kawartha Lakes letter regarding Standard Operating Procedures of the MOE - find out if any other municipality has given financial support.

Letter from OGRA Minimum Maintenance Standards and contribution to a fund - same as above.

Closed Session

8:21 p.m. - Moved by Hill, Seconded by Crowe 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. Carried.

8:25 p.m. - Moved by White, Seconded by Elliott that we rise from Closed Session with no report. Carried.

Adjournment

8:26 p.m. - Moved by Hill and Crowe that we adjourn Council to meet again on Wednesday, August 11, 2010 at 5:00 p.m. or at the call of the Mayor. Carried

MAYOR

CLERK