

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 17th day of June, 2010 at 6:00 p.m. in the Council Chambers. Deputy Mayor Hill, Councillor J. Crowe, Councillor J. Elliott and Councillor D. White were present. Mayor Fawcett was absent with prior notice given. Denise Holmes, CAO/Clerk-Treasurer was also present. Deputy Mayor Hill presided in Mayor Fawcett's absence.

Additions

- Resignation of Peter Van Heemst from the Honing's Mills Hall Board
- McCarthy Signs - Letter regarding Street Light Maintenance
- Items for Public Question Period from Karren Wallace and Carl Cosack
- Item for Closed Session regarding personnel at landfill site
- Councillor White - Horning's Mills Cemetery

Deletions

- None

Approval

S Show of hands

Disclosure of Pecuniary Interest

Can declare now or anytime during the meeting – nothing at this time.

Minutes

Moved by White, Seconded by Elliott that the minute of the June 3, 2010 Council meeting be approved as circulated. Carried.

Business Arising from Minutes

The CAO advised of a number of things:

Calcium on 4th Line - Ken Galbraith of Strada advised that the calcium was applied to the road in front of Collins' place.

Nelson Arnold Dust Control Agreement - the CAO advised that the agreement was located and the Agreement was read.

Official Plan Mapping - the CAO advised that the maps should be arriving to the Township the week of June 21st.

Toronto Waste Trucks - the CAO advised that she had received an email from the Township of Southgate advising that they will advise the contractors of the Township's concerns.

Bluewater Geoscience concerns regarding Strada Report - Mr. Lemieux has met with Tecia White, Consultant and she will be drafting a response letter outlining their game plan with respect to the concerns.

401 Energy - a question was raised at the last meeting as to whether the Township was doing everything it should with respect to the application and the Planner advises that he believes we are doing everything necessary at this point.

Township of Southgate - new agreement - an email was received from the CAO of Southgate regarding the start dates and is suggesting a start date of January 1, 2010 - Councillor Elliott and the CAO to work out Agreement start dates.

Point of Privilege or Personal Privilege

None.

Correspondence

Additions

1 - Resignation from Peter Van Heemst from the Horning's Mills Hall Board.
2 - Letter from McCarthy signs advising that effective June 14, 2010 they will no longer be providing the maintenance on our streetlights.

1 - Moved by White, Seconded by Elliott that the Corporation of the Township of Melancthon hereby accepts the resignation of Peter Van Heemst from the Horning's Mills Hall Board to be effective as of June 17, 2010. Carried.

In package

1. 401 Energy - Letter and Draft Submission Draft Project Description Report
2. Resolution from the Township of Mulmur regarding Trails Master Plan
3. Letter from MMAH regarding the Five Year Review of the Provincial Policy Statement 2005
4. GRCA Minutes - June 2010
5. Letter from Councillor Crowe who wishes to resign as a Member and Chair of the Horning's Mills Hall Board
6. Letter from the City of Kawartha Lakes regarding the Standard Operating Procedure of the Ministry of the Environment

1 - concerns regarding the substation and Council would like as many details as possible on this in view of the problems in Amaranth., concerns regarding the size of the turbines because the ones currently in Melancthon are much smaller, with respect to the 35 km of high transmission voltage lines, Council would like all wires underground where possible, the waste and waste management section, Council is wanting to know if its landfill facility will be used, questions pertaining to waterways and road widening and the responsibility for this. The CAO to advise 401 Energy of the above concerns.

2 - deferred to next meeting for comments

3 - have Jerry Jordan respond on this. As this is an important issue, Council will also be commenting. Deferred to the next meeting

5 - Councillor Crowe asked Council to defer this item to the next meeting in view of the fact that Peter Van Heemst has also resigned from the Board. Councillor Crowe wants to ensure that the Board can still function if anything should arise before the next Council meeting.

6 - deferred to the next meeting. This has serious implications because of Joint and Several Liability Act. The CAO to obtain comments from the Solicitor with respect to supporting this.

Correspondence on File at the Clerk's Office

1. Thank you card from the Webster's for the garden dish
2. News Release from Headwaters Health - Local Residents Invited to Honour the History of Shelburne Hospital at Open House
3. Resolution from the Town of New Tecumseth regarding HST
4. East Luther Grand Valley - Notice of Complete Application and Public Meeting for Zoning By-law Amendment File No. Z3-10
5. AMO Watch File - June 3, 2010
6. Copy of a letter that the Township of Amaranth sent to the Minister of Energy and

- Infrastructure requesting an extension to the deadline for the Implementation of the Growth Plan
7. Copy of a letter that the Township of East Garafraxa sent to the Minister of Energy and Infrastructure requesting that an extension to the deadline for the Implementation of the Growth Plan
 8. A letter that the Township of Melancthon sent to the Minister of Energy and Infrastructure requesting an extension to the deadline for the Official Plan Conformity with the Growth Plan for the Greater Golden Horseshoe
 9. Response from the Ministry of Energy and Infrastructure regarding Melancthon's letter of request advising that Minister Duguid has been informed of the letter and will reply more fully at a later date.

General Business

CDRC Budget 2010

Moved by Crowe, Seconded by Elliott that the 2010 Centre Dufferin Recreation Complex Budget be approved as circulated with Melancthon's contribution being \$25,003.20. Carried.

Report of the CAO regarding a Compliance Audit Committee

Moved by Crowe, Seconded by White that the Report of Denise Holmes, CAO/Clerk dated June 11, 2010, with respect to a Compliance Audit Committee, be received; AND THAT Council supports a Joint Compliance Audit Committee; AND THAT Janice Elliott be appointed to a Selection Committee to review applications to sit on a Joint Compliance Audit Committee; AND THAT staff be authorized to participate as necessary in the establishment and operation of the Compliance Audit Committee. Carried.

Applications to Permit

Deputy Mayor Hill signed the following applications to permit:

- an extension to an existing barn on Part of Lots 285-286, Concession 2 SW - M. Carrera
- a garage and renovations to dwelling on Part of Lot 11, Plan 17A - B. Creasey

DEEP Project - Plant Tour Update and Decision Regarding Melancthon Waste

Discussion ensued regarding the Plant Tour. Council advised that they were expecting to see a full working facility but it was a model that was operational two days per week. They did see the plasma torch fire and were given a briefing of the project and did receive a lot of information on what it could handle, its future capabilities, etc. Deputy Mayor Hill provided Council with a County By-law No. 2010-28 which was given 1st and 2nd reading at the last meeting. The CAO was directed to put this on the July 8th agenda for more discussion.

Delegations

The delegations scheduled for 6:15 p.m. and 6:30 p.m. did not appear.

6:45 p.m. - Garry Hunter, Hunter and Associates attended Council regarding Water, Specialty Crop and the OGS Bedrock Potential Mapping as related to the draft OP. Mr. Hunter brought four updated exhibits and explained the changes to Council. The exhibits were: groundwater elevations (water table), bedrock aggregate resources, specialty crop mapping and Highland Companies Proposed Quarry mapping. There was discussion on the Specialty crop and he advised that he met with the Planner and he was advised by him, that there will not be specialty crop in the new OP unless Council directs

him. Mr. Hunter was advised that the Township has asked OMAFRA for the criteria and there has been no information given.

PUBLIC QUESTION PERIOD

Written question from Karren Wallace: The Centre Dufferin Recreation Centre budget shows an operating shortfall in 2009 of \$111,458.00 and the operating shortfall for 2010 is projected to be \$130,205.00. This Council has repeatedly advised that finances in Melancthon are critical, that a 1% tax generates only \$12,000.00 and they can not afford the expense of any OMB appeal and in fact most recently Council cited an estimated \$10,000.00 cost to Melancthon should a demolition control bylaw be passed by Council and challenged at the OMB. Question: What are the total net loss/profits for the Mulmur recreation centre and the Southgate arena/pool? Supplementary: Please advise if this Council as a whole (not individual councillors) is supportive of a YMCA to be located in the Town of Shelburne and funded by area municipalities, when Melancthon already contributes to three arenas and two pools and one arena alone is projecting operating losses of over \$100,000.00 for at least two budget years while the municipality has lost almost \$5 million in assessment from the demolition of homes in the municipality. **Answer:** Deputy Mayor Hill advised that the deficit may be reduced because the insurance may cover the lightning strike. He said that deficits are the norm and the only arena that he has ever known to make money was Honeywood because it only operated six months out of the year. We don't have numbers for Mulmur's deficit. Our arrangement with them is to pay a minimum fee of \$7,500/year or \$85.00 user fee per child. We also don't have the Southgate figures for 2009, however operating deficits over the years 2003 to 2008 averaged approximately \$5,040 per year. We are finalizing our agreement with Southgate to pay \$8,000 operating and \$6,000 capital per year. He advised that Council did not cite a \$10,000.00 cost at the OMB to defend an appeal to the demolition control by-law. The \$10,000.00 represents the cost to complete the by-law. In addition there would be the cost of establishing the criteria. If an appeal was launched, costs would be on top of everything else. Deputy Mayor Hill went on to advise of the YMCA sub-committee and that they have not had a meeting for a while. He read the motion passed by Council at the December 3, 2009 and Councils position still remains the same on the YMCA. The CAO was asked to explain the loss in assessment regarding the demolition of homes and she advised that no applications have been submitted for a reduction in assessment. A few months ago, a breakdown of assessment of homes demolished was presented to determine the loss in tax revenue if applications were filed and the total assessment was \$2,035,600 which would mean a loss in tax dollars of approximately \$5,641.38 (in 2009).

Wayne Hannon (regarding the Nelson Arnold Construction Dust Agreement) - is there anything to say that they are to put calcium on the sides of the road? The CAO read the Agreement but there didn't appear to be. Mr. Hannon also inquired about the Site Plan Agreement and the CAO advised that she would look for it in the file.

Harvey Lyon - concerns regarding the loss in residential assessment if Highland Companies decide to apply for the farmland tax class and said that Council will need to get a hold on this. He said if they decide to apply for it, Council will have to chop budgets and raise taxes to accommodate the loss and wanted to know what we were going to do. It was advised that we didn't have the increased assessment before when they were owned by the other people. Mr. Lyon said that he feels Highland Companies owes it to us to let us know if they are going to be applying for the farmland class.

Joan Lever - with respect to Mr. Hunter's presentation. She wanted him to expand further on what he said about the 30% of water would be lost going back to Agricultural land. Mr. Hunter advised that he didn't say that but spoke on the flow of water from the Pine River into the Nottawasaga River and gave the percentages on that.

Wayne Hannon - asked about the McNabb Drain and the costs incurred to date. The

CAO advised that she could not find where any costs had been levied. Mr. Hannon was concerned that nothing had been done on the drain regarding his request for maintenance and repair. The CAO found a letter in the file dated May 28, 2009 and read the letter out. The last paragraph in the letter advises that Mr. Hannon was satisfied with the action of trapping the beaver and dam removal and that he did not require any further drain clean out at this time. Mr. Hannon then asked about compensation for the 45 day waiting period.

Aubrey Collins - who is responsible for looking after the paving of the 4th Line OS as it is breaking up? He was advised that the Township has an agreement with Strada Aggregates and this would be mentioned to Allen Braiden.

Rob Uffen - wanted to know if there was something going on regarding the Horning's Mills Hall Board in light of the two resignations from the Board all at once? Councillor Crowe indicated his reason for resigning was personal and he does not want to say publicly why he is resigning.

Dennis Sanford - made a comment about the Arran-Elderslie By-law and also spoke about a 55 page report called Delay Denial and Disappointment – An Analysis of the Chief Medical Officer of Health of Ontario on Potential Health Impacts of Wind Turbines - May 2010. Deputy Mayor Hill told Mr. Sanford to book in as a delegation on this matter and Mr. Sanford left a copy of the report for Council.

Karren Wallace - regarding evenings meetings and wanted to know why items were being deferred to the day meeting. Deputy Mayor Hill told her that the items being deferred were important items and Council was not going to rush a decision on them.

Harvey Lyon - if we have not received the reports from 401 Energy, how do we fill out the Municipal Consultation form? The answer was that we will not be filling out the form.

Carl Cosack - at the last meeting he asked the following question: I am asking of both Councils to require Conestoga Rovers to name their client, to name the purpose of their activity and to commit to sharing the results of their findings with both the NVCA and the GRCA, as well as any other person or agency deemed appropriate by the respective Councils. The answer at that meeting was that the Mayor would inquire at the NVCA. Mr. Cosack does not want the Township to ask the NVCA, he wants the Township to contact Conestoga Rovers. Council advised that we could send a letter to them to see if they are willing to give us the information.

New Business

Deputy Mayor Hill - update regarding the County Rail Sale

Deputy Mayor Hill explained what happened at the last County meeting regarding motions that were defeated. Deputy Mayor Hill's motion was to table the meeting with the proposed purchaser until after the public meeting and Rob Adams moved a motion to have a closed session meeting with the proposed purchaser. The item of public meetings will be further discussed at the June 28th Rail line Subcommittee meeting regarding structure, dates and location. There will be no public meetings until after June 28th. Deputy Mayor Hill also advised that he was not happy about the article in the Banner regarding his letter that was discussed at the County meeting. Richard Vivian has since offered an apology for the headline which was misleading. When the Public Meeting dates are set, they will be on the website.

Review of Evening Meetings

Discussion ensued and because there are only five months left in this term, Council thought they could just suspend section 2 of the By-law until after the Election and let

the new Council decide. A comment was made from the gallery that this was an initiative of this Council and therefore the decision should be made by this Council. The CAO was directed to make an amendment to Section 2 of the By-law to have the meetings on the third Thursday, start at 6:00 p.m. instead of 9:30 a.m.

Nurse Practitioner Led Clinic in Shelburne - Letter of Support

The Administrator of the Dufferin Oaks is looking for a letter of support for the above noted initiative. The CAO was directed to send the letter.

Addition - Horning's Mills Cemetery

Councillor White advised that it is going to cost \$210.00 + tax to cut the tree down at the Cemetery and he would like to see the Township pay for this. He advised that this Saturday, he and Nanci Malek will be cleaning up at the Cemetery.

7:46 p.m. Council took a break and reconvened at 7:56 p.m.

Closed Session

7:57 p.m. - Moved by Crowe, Seconded by White 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.

8:25 p.m. - Moved by White, Seconded by Elliott that we rise from Closed Session with report. Carried.

The CAO to contact the Solicitor working on the Biosolids By-law and the IPC Agreement and advise of Councils comments.

Adjournment

8:26 p.m. - Moved by White, Seconded by Crowe that we adjourn Council to meet again on Thursday, July 8, 2010 at 9:00 a.m. or at the call of the Mayor. Carried.

MAYOR

CLERK