

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 4th day of November, 2010 at 9:00 a.m. in the Council Chambers. Mayor D. Fawcett (10:15 a.m.), Deputy Mayor Hill, Councillor J. Crowe, Councillor J. Elliott and Councillor D. White were present. Denise Holmes, CAO/Clerk-Treasurer was also present. In Mayor Fawcett's absence, Deputy Mayor Hill presided.

Additions

- Councillor Crowe - item for Closed Session - Personal Issues about an Identifiable Individual - Mulmur Melancthon Fire Department
- RJ Burnside - 40th Birthday Celebration Donation to Charity
- Email from John Thompson, Dundalk Fire Chief in response to submission number 9 in Correspondence
- Discussion about whether or not to have the November 18th Council meeting and if Council chooses not to, a Confirmation By-law has been prepared.

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 Council meeting held on October 21, 2010 be approved as amended. Carried. (Typo fixed in minutes)

Business Arising from Minutes

None.

Point of Privilege or Personal Privilege

None.

County Council Update

The CCU of October 14, 2010 was reviewed.

Committee Reports

Each Council member reported on the meetings they had attended and the written reports are kept on file:

Councillor Crowe - GRCA Cumulative Impacts of Aggregate Meeting on October 27, 2010
Councillor Elliott - Shelburne Fire Board, Intermunicipal Wind Turbine Committee,
Southgate Recreation Advisory Committee

Councillor White - spoke on Shelburne Public Library - this was the last meeting and accounts were approved, the Holiday Home Tour was discussed, the Library will be closed on Remembrance Day as well as over the Christmas Holidays from December 24 - January 3. Discussion regarding quotes on parking lot and where the capital money is going to come from for this.

Deputy Mayor Hill - CDRC - was supposed to have occupancy last week but that did not happen. The ice is in and the Muskie Home Opener and Dance was held on October 30th. The sub-committee says we are still on budget and the Board is asking for an updated report. The sub-committee set up to look at space for storage and offices.

Correspondence

1. Letter from RJ Burnside and Associates regarding the DeMelo Drainage Works
2. Request from Royal Canadian Legion (Shelburne Branch) to purchase a wreath in support of their Poppy Campaign
3. Email that Karren Wallace received from the Ministry of Environment and presented to Council at its October 21, 2010 Council meeting regarding the Contaminated Soil Removal at West Part of Lot 20, Concession 1 OS
4. Information from the Township of Wellesley and GW Jordan regarding Farm Related Occupations and Zoning Provisions
5. Press Release from the Dufferin County Museum and Archives - Architecturally Significant Log House Donated to Dufferin County Museum and Archives
6. GRCA Minutes - October 2010
7. Request for Comments - West Part of Lot 17, Concession 1 OS - McClean/Lemcke
8. Letter from the Municipality of Huron East regarding a Low Frequency By-law
9. Email from Robin Tripp and Brenda Serbin concerning a fire call invoice
10. Request from Wayne Hannon (Candidate for Councillor in the October 25th Election) for a recount of votes

1 - CAO to send out letter

2 - Moved by Crowe, Seconded by Elliott that the Council of the Township of Melancthon hereby supports the Royal Canadian Legion and their poppy campaign by purchasing a large wreath at a cost of \$65.00 to be presented on behalf of the Township on Remembrance Day. Carried.

4 - the CAO directed to obtain information from Municipality of Grey Highlands on this

7 - CAO to advise NEC that there are no objections to application

8 - Deputy Mayor Hill and Councillor Elliott unable to attend. The CAO to find out if Mayor Fawcett (Alternate) can go

9 - CAO to forward response of Fire Chief to Mr. Tripp and Ms. Serbin and advise that they are still responsible for fire invoice

10 - Moved by White, Seconded by Elliott that Under Section 57 of the Municipal Elections Act, the Council of the Township of Melancthon hereby requires a recount of the votes cast for the office of Councillor as per the request of Wayne Hannon, Candidate for Councillor in the October 25, 2010 Election. Carried.

Correspondence on File at the Clerk's Office

1. Thank you card from the 1st Shelburne Scout Troop for the donation towards their Shelburne Scout's Haliburton Adventure
2. Thank you card from the Ontario SPCA for the donation in memory of the late Garry Matthews
3. Thank you from Epilepsy Simcoe County for the donation to the Shelburne Baseball Tournament for Epilepsy
4. Copies of resolutions from the Town of Mono regarding the Town of Shelburne's resolution regarding the Headwaters Healthcare Corporation and the Town of Caledon support for the Halton Hills resolution regarding appeal costs to the OMB for Growth Plan Conformity Exercises
5. AMO Watch File - October 21, 2010 and October 28, 2010
6. Shelburne Public Library Board - Minutes - September 21, 2010

7. Minutes of the Mulmur Melancthon Fire Board meeting held on October 21st and 27th, 2010
8. Niagara Escarpment Commission - Comments on the Five Year Review of the PPS, 2005

General Business

Accounts

Moved by White, Seconded by Elliott that the general accounts in the amount of \$97,880.03 be approved as circulated. Carried.

Applications to Permit

Deputy Mayor Hill signed the following applications to permit:

- a meteorological tower on Lot 13, Concession 7 SW - TransAlta (Applicant), Larry Gray (Owner)
- a meteorological tower on Lot 268, Concession 2 NE - TransAlta (Applicant), Terry Bolton (Owner)

New/Other Business

RJ Burnside and Associates 40th Anniversary

The CAO advised that she and Deputy Mayor Hill were chosen, as part of Burnside's 40th Anniversary, to have a donation made on their behalf to their chosen charity by Burnside's. The Horning's Mills Hall and Food Bank were named. A charity will be chosen for the monies to go to. The celebration takes place November 10, 2010.

November 18th Council Meeting

Discussion ensued and it was advised that many municipalities are not having their mid meeting in November. Moved by Crowe, Seconded by Elliott that the Council of the Corporation of the Township of Melancthon has reviewed the necessity to hold a regular Council meeting on November 18, 2010 and it has been decided to cancel this meeting and adjourn Council Sine Die following today's meeting. This does not preclude calling a special or emergency meeting at the call of the Mayor. Carried.

Unfinished Business

Southgate Recreation Agreement

The Agreement was reviewed and there were changes made by Southgate. There are still concerns with the capped reserve as Council does not want this. The Township will pay their capital costs every year and what is not used, is to be placed into a reserve fund. Changes were made to this part of the Agreement and it was also asked if we could have the Agreement for the term of this Council – January 1, 2011 until December 31, 2014. The CAO to make the changes and send to the Township of Southgate for review and approval.

Sherk Rezoning

Discussion ensued on this application. There are various concerns relating to height of building, the type of business being carried on in the machine shop, size of the machine shop and whether or not it is compatible in the area. The CAO to send a letter to Mr. Sherk to advise of Council's concerns and that they would like him to attend a future Council

meeting.

Road Business

Allen Braiden, Road Superintendent attended Council and presented the road accounts. Moved by Crowe, Seconded by Elliott that the road accounts in the amount of \$43,727.06 be approved as circulated. Carried.

Allen advised that the seasonal help will be starting on December 1, 2010 and asked permission for the afternoon guys to start too. Permission granted.

Allen advised that the traffic count for the 5th Line was done and results have been reviewed. He has also spoken with Bart Malloy regarding the results. Allen said that trucks are not the issue as it is the speeding of vehicles that is the issue. Council asked for a copy of the Report for the next meeting.

9:51 a.m. - Council took a break and reconvened at 10:00 a.m.

Delegations

10:00 a.m. - Ron Breadner, Vanderzaag Farms attended Council and asked permission to bore a 6" water main under the 3rd Line OS at the East Part of Lot 24, Concession 3 OS and West Part of Lot 24, Concession 2 OS. This would be done by directional bore outside the property line on the base of the ditch. Councillor Elliott asked for a written submission and a map showing where this would be. The company doing the work would be Avertex. Allen Braiden, Road Superintendent was in attendance and does not have a problem with this and prefers that they are going with the directional bore. Mr. Breadner advised that he would get something in writing to Council before the end of the meeting.

Closed Session

10:08 a.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 re: Mulmur Melancthon Fire Department. Carried.

10:15 a.m. - Moved by Crowe, Seconded by Elliott that we rise from Closed Session with no report. Carried.

Mayor Fawcett arrives and assumes the Chair.

Delegations - Cont.

At this time, Ron Breadner returned with his written submission. Moved by Crowe, Seconded by Hill that the Council of the Corporation of the Township of Melancthon has reviewed a request from Vanderzaag Farms to do a directional bore under Concession 3 Old Survey at Lot 24. This would be for the installation of a 6" pipe for irrigation purposes. Further there will be a removal of the tail pipe crossing no later than August 31, annually. Permission is hereby granted to complete the required work which will be subject to inspection by the Township Road Superintendent. Carried.

10:30 A.M. - PUBLIC QUESTION PERIOD

Joan Lever - regarding Councillor Crowe's Committee Report on the Cumulative Effects meeting held on October 27, 2010. She wanted to know what aboriginal person is on the implementation group and felt it was ridiculous that Melancthon is not a priority in this. She feels that Garry Hunter and Darren White should be part of the group. Councillor Crowe advised her that this was for sand and gravel and not a quarry and that Melancthon representatives did not have to go to the meeting but they did. There is a rep from MNR, MOE, OSSGA and GRCA. This process is only for new or amendments

to existing pit application for sand and gravel. They can't force them (companies) to do it.

Marni Walsh - are there any best practices that could be adopted as by-laws? Council advised that they did not know the answer to this as it is just at the implementation stage. It is a very important resource for municipalities to look at in the future. There is a lot of technical information and has been five years in the making. This is watershed specific and NVCA will look at this. We want to keep following it, now that we are into it and we are going to keep corresponding with Barbara Veale of the GRCA. Even though this is not regulatory, it does not preclude us from asking for this study.

Wayne Hannon - is this a Provincially funded initiative – could funding be dropped? Mayor Fawcett's understanding is that it was a collaborative initiative with the GRCA, MOE, MNR and OSSGA and that it was these specific agencies that funded it.

Harvey Lyon - this is not a very in depth study. These things should be included in the OP and some of them are – not a great study on below the water impacts.

Councillor Crowe said it's a little too early for us to take this and put it in a by-law.

Marni Walsh - should we be fighting for the status of not being a priority. Councillor Crowe indicated that Melancthon was not a priority for the purpose of this study group. Waterloo is a priority because there is a lot of sand and gravel activity there. Councillor Crowe feels comfortable that we are recognized as a priority watershed and has a commitment from Barbara Veale to keep them comprised.

John Lever - does this Council have any idea of how many more turbines TransAlta is going to be putting up (regarding test towers approved earlier)? CAO advised that she is not aware of any more turbines going up and believes the met towers are going up to re-measure the wind in those areas.

Wayne Hannon - regarding the Mennonites machine shops – there are entrance issues, road traffic issues because of the width of roads, fire issues, etc. Will Council have a fairly comprehensive look at this? Council responded that yes, there needs to be more stringent rules on this and they need to gather more information on this.

Harvey Lyon (regarding Mr. Hannon's question above) - do you see this involving into a zoning by-law? Yes, and there would be public meetings. Councillor Crowe commented that with respect to the fire issue (above), the Fire Chief would have to go in and do a Risk Assessment Report.

Michael Daniher regarding the Vanderzaag directional bore request approved earlier. He asked the about the quantity of water involved, the nature and impact of the source of water and whether the Township's Hydrogeologist would be involved? He asked if any of this information was included with the request so that Council could make a decision? Mayor Fawcett said there is a maximum amount of water they could take. Mr. Daniher inquired as to whether or not Council should postpone this until the above information is received. Mayor Fawcett said it is up to the MOE to limit the water and doesn't know if this only applies to ponds and streams and she said she doesn't have a problem asking them to provide this information. We have looked at other applications this way and approved them. We are only approving one part of a system – we are not approving any water taking – only the part that affects our road and the ability to get it there. We are not in a regulatory position for this. Council directed the CAO to obtain the MOE water taking permit from Mr. Vanderzaag.

Marni Walsh - when the first issue of the wind turbines came up were there any by-laws to protect the residents of Hamlets? The answer was no. She asked that considering the loss of power (to the Province), would it not be wise to pass a by-law to protect the Hamlets from turbines (setbacks) as she is concerned about sickness. Mayor Fawcett advised that this control has been taken out of our hands. GW Jorden, Township

Planner was in attendance and said the Mayor is correct that we don't have any jurisdiction on setbacks – Province has set it at 550 metres. He did say that if there was Hamlet expansion, we do have control in our zoning by-law on properties vis a vie distance from the turbine. There is nothing that says a receptor (house) couldn't be closer. He said Council could do a provision for existing lots of record and how restrictive we want to get. Deputy Mayor Hill said that if those are the only areas we are allowed to grow in the Places to Grow legislation, could we make this a catchment area and have boundary areas for turbines. It was asked if we could get a report on this from Mr. Jorden and how quickly can we get it? Mr. Jorden said he could have a report to Council for the December 2nd meeting.

Wayne Hannon spoke on a report by Gord Miller about a program the MNR funded to plant one billion trees for shelter belt and windbreaks and would Council obtain this report and support it and forward that motion to other municipalities in Southern Ontario? The CAO was directed to get the report.

11:00 a.m. - GW Jorden, Township Planner attended Council and presented and reviewed his Planning Report on the Strada Planning Applications with the members. When Mr. Jorden completed his review, Mr. James Parkin, Strada Consultant with MHBC Planning said they agreed with the conclusions and recommendations by Mr. Jorden. Mr. Parkin presented Council with a new setback and berm realignment to the Jackson property and said the technical requirements have been met with the 30 metre setback. Discussion regarding the landscaping of the berm and he indicated that the plantings will be in front of the berm, that way they can be saved when the berm is removed. Council asked if the Jackson's have seen the revised proposal and the Strada reps advised that it had been put in their mailbox. Joan Lever raised several concerns which were answered by Mr. Jorden. Mr. Jorden advised that he is content with the change being proposed. Discussion ensued about the need for a Development Agreement before the amendments were passed. Also, Council would feel more comfortable if the new berm realignment was peer reviewed by the Township's noise consultant and they would also like to hear from the Jackson's on the proposal. It was explained by Mr. Jorden that the bulk of what is required in the Development Agreement is already in the OP Amendment. After further discussion, staff were directed to have the berm realignment peer reviewed, direct Mr. Osyany to get working on the Development Agreement and the CAO is to follow up with the Jackson's and get their comments on the proposal.

Confirmation By-law

Moved by White, Seconded by Elliott that leave be given to introduce a by-law to confirm the proceedings of the Council of the Corporation of the Township of Melancthon at its meetings held during the term of Council - 2006-2010 and it now be read a first, second and third. Carried. By-law was numbered 26-2010 and given the necessary number of readings

At this time, as the meeting was about to adjourn, Deputy Mayor Hill thanked Mayor Fawcett for her years on Council and wished her well in her retirement.

Adjournment

12:25 p.m. - Moved by Hill, Seconded by Crowe that we adjourn this meeting sine die. Carried.

MAYOR

CLERK