

## CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 1<sup>st</sup> day of December, 2011 at 9:00 a.m. in the Council Chambers. Mayor B. Hill, Deputy Mayor D. White, Councillor J. Crowe, Councillor J. Elliott and Councillor N. Malek were present. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Hill presided.

### Announcements

None

### Additions

- Municipal Officials By-law
- Return tender deposit to AJN Builders
- Email received from ratepayer regarding wind turbines/draft letter to Premier
- letter from Solicitor on the Skyway 8 Wind Farm Project
- approval of survey regarding Vanderzaag Application for Consent
- Committee of Adjustment meeting on January 12, 2012 - start time
- Councillor Elliott - Southgate Recreation

### Deletions

- Rick Riddall Delegation

### Approval

Moved by Malek, Seconded by Elliott that the agenda be approved as amended.  
Carried.

### Disclosure of Pecuniary Interest and the General Nature Thereof

Can be declared at this time or anytime throughout the meeting.

### Minutes

Moved by White, Seconded by Crowe that the minutes of the November 17, 2011 Council meeting be approved as circulated. Carried.

### Business Arising from Minutes

None.

### Point of Privilege or Personal Privilege

None.

County Council Update - November 10, 2011 was reviewed.

### Committee Reports

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

Mayor Hill - Library Board

Deputy Mayor White - North Dufferin Recreation Committee, Mulmur Melancthon Fire Department, NVCA

Councillor Crowe - Roads Sub Committee meeting  
Councillor Elliott - Shelburne Fire Board Special Meeting

During this time, Deputy Mayor White advised that he attended the Special Fire Board meeting where the quint truck was discussed and said he was disgusted by the way our Representatives were treated by others on the Board at that meeting.

#### Correspondence

##### **\* Items for Information Purposes**

1. Letter from Township of Ashfield-Colborne-Wawanosh advising of their support of Melancthon's resolution regarding industrial wind turbine development
2. GRCA Minutes November 2011
3. CDRC - 2012 Approved Budget
4. Copy of letter sent to Dufferin Federation of Agriculture from Mayor John K. Oosterhof, Township of East Luther Grand Valley re: ATV's trespassing on private property
5. Letter from Ted McMeekin, Minister of Agriculture, Food and Rural Affairs re: Melancthon's invitation to discuss the land uses facing Melancthon Township Council
6. E-mail from Terry Horner, CAO/Clerk, Township of Mulmur advising of resolution supporting Melancthon's resolution on placing a cap on the number of wind turbines
7. Copy of two motions passed by Township of Mulmur on November 16, 2011 and forwarded to Shelburne & District Fire Board
8. Copy of resolution passed by Township of Amaranth on November 16, 2011, re: Adaptation and Impacts Research Division of Environment Canada
9. Letter from OPP Commissioner Chris D. Lewis, re: Updated Municipal Policing Cost Recovery Formula

Moved by Elliott, Seconded by Malek that Correspondence Items 1-9 (For Information Purposes) be received as information with the exception of items # 5 & # 8 – further discussion on these two items. Carried.

# 5 - a letter to be sent to the Honourable Ted McMeekin advising that Council would still like to meet with him regarding the Specialty Crop Designation issue.

# 8 - the CAO to obtain more information from David Tilson, MP and bring back to the next meeting.

##### **\* Items for Council Action**

1. E-mail from Terry Horner, CAO/Clerk, Township of Mulmur, re: Fire Board meeting minutes
2. Copy of letter sent to Grand River Conservation Authority from Township of Amaranth, re: Lake Erie Region Source Protection Committee Member Renewal
3. Letter from Shelburne District Agricultural Society thanking Council for their support in 2011 and requesting continued support for the 2012 Shelburne District Agricultural Society's 146<sup>th</sup> Annual Fall Fair
4. Letter from Grand River Conservation Authority, re: Lake Erie Region Source Protection Committee Member Renewal Confirmation
5. Copy of resolution passed by the Corporation of The County of Huron on October 5, 2011 and sent to Hon. Kathleen Wynne, Minister of Municipal Affairs & Housing, re: woodlot landowners within the Province of Ontario and assistance under ODRAP
6. Copy of resolution passed by the Corporation of The County of Huron on November 2, 2011, re: Province of Ontario infringing on property rights
7. E-mail from Garry Perfect, Transalta, re: Public Notification Package - Radio Communication Tower

# 1 - the email from Terry Horner indicated that the Fire Board is looking at a possible increase in the capital contribution from \$12,500 to \$25,000 each. Deputy Mayor White was asked to look into how long this amount was going to be bumped up for. Council does not have a problem in principle with this request but want more information and review of the 5-yr plan.

# 2 & # 4 - the CAO to invite Dale Murray to the next meeting of Council.

# 3 - this item of correspondence was referred to the Budget Sub Committee. The CAO to advise the Agricultural Society of this.

# 5 - Councillor Malek to obtain more information about this from Carolyn Mach, Forest Manager at the County of Dufferin

# 6 - the CAO was directed to send this out to the three Fire Boards and find out how they are dealing with it.

**\*Items regarding the Highland Companies Quarry Application**

1. Letter from The Highland Companies re: Melancthon Quarry
2. Letter to The Highland Companies from Mayor Hill responding to letter dated November 28, 2011 re: Melancthon Quarry

# 1 - the CAO was directed to contact The Highland Companies and advise that Council will accept the invitation for a tour of the farm and discussion on the proposal and to set this up in the new year – preferably a Council day.

**General Business**

**Accounts**

The Treasurer presented the accounts in the amount of \$109,370.12. Moved by Malek, Seconded by Elliott that the general accounts be approved as presented by the Treasurer. Carried.

**Applications to Permit - None**

**Resolution for Mayor and Clerk to pay the accounts to December 31, 2011**

Moved by White, Seconded by Crowe that the Mayor and Clerk be authorized to pay all accounts to December 31, 2011. Carried.

**New/Other Business**

**Food Bank Challenge** - Deputy Mayor White asked if he and Councillor Malek could go around and collect food for the food bank challenge and to go to the landfill and collect money for the food bank challenge to buy food for it? Discussion ensued and the other members raised their concerns and felt that it was not a good idea to do this. Deputy Mayor White withdrew his request.

**Delegations**

10:00 a.m. - Sylvia Cheuy, Executive Director of Headwaters Communities in Action and Kerry Braniff attended Council and shared with Council the "Headwaters Community Well Being Report".

10:15 a.m. - Robin Tripp, owner of Lot 20, Concession 4 NE attended Council regarding drainage concerns on his property and said he has surface water and road water running

across his land as there is no culvert at 250 SR where it meets 4<sup>th</sup> Line NE. Mayor Hill advised that he spoke to the Road Superintendent about his concern and said that the culvert will be installed and that if it is not done this fall, it will be done in the Spring. Mr. Tripp asked that this be put in writing. Mr. Tripp spoke about a culvert that the Plateau Wind Project Construction Company installed – which is a bigger culvert and the swale on his property. He wants that culvert removed and spoke about “right of drainage”. Mr. Tripp plans to put his own culvert in and wishes to be advised when the Township will be coming to do the culvert so that they can be done at the same time. He advised that the wind project company dug a swale on his property and have been driving and wandering around on his property. The CAO to send an email to the Project Manager to advise of Mr. Tripp’s concerns.

A five minute break was taken before Public Question Period.

#### PUBLIC QUESTION PERIOD

The following written question was received from Joan Lever: When is Melancthon Council going to hire a consulting company like Colville Consulting to perform a LEAR (Land Evaluation and Area Review) study for Melancthon Township? Answer: Melancthon Council is not going to be hiring a consulting company to do a LEAR Study for Melancthon. The reasons being are that OMAFRA has not done any mapping for the area outside of the Greenbelt and Planscape has put together a detailed analysis of land in Melancthon which has been submitted to the Ministries (OMAFRA and MMAH) and until Council receives comments from those Ministries on the material, Council is not going to spend money on mapping.

Other questions, comments, etc. during this time was one question asked about the CAUSE Application for OPA.

#### Road Business

Craig Micks, Acting Road Superintendent, attended Council and presented the road accounts in the amount of \$42,246.93. Moved by Elliott, Seconded by Malek that the road accounts be approved as presented by the Acting Road Superintendent. Carried.

Other items discussed:

- new pick up truck purchased from MacMaster in August of this year has a noise in the back end – sounds like the box is sliding on the axle. The Technicians at MacMaster have advised that there is nothing more they can do. The CAO is to contact Larry Soper, Salesman, about this because this is unacceptable, as the truck is only a few months old.
- the new plow truck is still causing problems. Craig to provide more details to the Roads Sub Committee.

#### New/Other Business - Cont.

Email from Ratepayer regarding wind turbines - an email was received from Neil Tyler regarding wind turbines and a response which he received from the Premier Dalton McGuinty which states: “As the issue of wind turbine development falls under the responsibility of the municipal government, you should continue to addresses your concerns with your municipal representative”. As Council was confused by his comment, Mayor Hill prepared a letter to the Premier to explain what he meant.

Return Tender Cheque to AJN Builders - Moved by White, Seconded by Crowe that we return the tender cheque of \$1,000.00 to AJN Builders Inc., as the bridge repairs to Culvert 2016 and minor repairs to Bridge 5 and Bridge 11 have been completed. Carried.

Vanderzaag Survey - Application for Consent B2/11 - Mayor Hill declared a conflict on this item as he was in the circulation area for the Application for Consent and he left the Council Chambers. Deputy Mayor White assumed the Chair position. Moved by Malek, Seconded by Elliott that the survey prepared by David J. Pesce Surveying for David Vanderzaag - Application for Consent B2/11 - East Part of Lot 5, Concession 3 OS conforms to the terms and conditions of the severance. Carried. Mayor Hill returned to the Council Chambers and resumed the Chair.

Municipal Officials By-law - Moved by White, Seconded by Crowe that leave be given to introduce a by-law to appoint the Municipal Officials from Dec. 1<sup>st</sup>, 2011 to November 30, 2012 and it now be read a first and second time. Carried. By-law read a first and second time and numbered 39-2011. Carried.

### **Delegations - Cont.**

11:00 a.m. - Mayor Brian Milne, CAO Dave Milliner and Jim Ellis, Water Operator attended Council regarding two issues. The first one dealing with the 2<sup>nd</sup> Line SW and there was general discussion about the Eco Park. Mayor Milne assured Council that the haul route from the Eco Park would not be the 2<sup>nd</sup> Line SW and it was made clear that Highway 10, in through the Town at the present is the haul route (for the short term) and a couple years down the road, they will be putting in a by-pass route at 240 SR as they bought a farm there last spring. A traffic study is being undertaken and they have had discussions with MTO.

The second issue was a Source Water Protection update. The SWP Plans have been scaled down and there is a 100 m radius around the well. Mr. Ellis presented Council with a map of Dundalk Well D4. The red zone doesn't affect Melancthon right now but there may be risk and a plan that will have to be put in place in the 2 year time of travel. The Township of Southgate will keep Council updated on this.

### **New/Other Business - Cont.**

Letter from Solicitor for Skyway 8 Wind Project - a letter was reviewed from David Flynn, Solicitor for the Skyway 8 Wind Project. The Company was billed by the Township for professional services rendered and Mr. Flynn advises that they will only pay the invoices if a cap is placed on the legal fees. Council advised that there will be no cap on legal fees as other developers in the Township have paid all the fees, with no issues.

Committee of Adjustment - Time of Meeting - the time of the meeting will be 9:00 a.m. on Thursday, January 12, 2012 and the regular Council meeting will start at 9:30 a.m.

Councillor Elliott - Southgate Recreation - Councillor Elliott advised that when they changed the structure of the Committee, they were going to have half evening meetings and half day meetings but when she got the schedule for 2012, there were seven days meetings and only 3 evening meetings. Councillor Elliott wants to stay on the Committee (and Council would like to see her stay on the Committee) but due to work commitments cannot always make the afternoon meetings. It was decided that Councillor Malek would be appointed as the alternate and the CAO was directed to send a letter to the CAO of Southgate Township advising of this and explain the reasoning behind the alternate person.

Third Reading of Municipal Officials By-law - Moved by Malek, Seconded by Elliott that By-law No. 39-2011 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

### **Unfinished Business**

On Farm Business Uses - there won't be anything further on this until January, 2012

Draft Official Plan - the CAO advised that she had received an email from Jerry Jorden,

Township Planner advising that he is making substantial progress on the many revisions to the draft Plan, however, he is involved in another matter that has just scheduled an OMB hearing on January 4<sup>th</sup> and that means that much of the latter part of December will be taken up with preparations for the hearing. He advised that finalization of the plan is his highest priority and will have it available by mid December or by mid to late January.

**Closed Session**

12:05 p.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 reason(s): personal matters about an identifiable individual, including municipal or local board employees regarding an Employee Performance Review and the Mulmur Melancthon Fire Department. Carried.

12:35 p.m. - Moved by Malek, Seconded by Elliott that we rise from Closed Session with no report. Carried.

**Confirmation By-law**

Moved by White, Seconded by Crowe 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 meeting held on December 1, 2011 and it be numbered and given the required number of readings. Carried.

**Adjournment**

12:40 p.m. - Moved by Malek, Seconded by Elliott that we adjourn Council to meet again on Thursday, December 15, 2011 at 6:00 p.m. or at the call of the Mayor. Carried.

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MAYOR

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CLERK