

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a meeting on the 6th day of October, 2011 at 9:00 a.m. at the Horning's Mills Community Hall. Mayor B. Hill, Deputy Mayor D. White, Councillor J. Elliott and Councillor N. Malek were present. Councillor J. Crowe was absent with notice given. Denise Holmes, CAO/Clerk-Treasurer was also present. Mayor Hill presided.

Announcements

Public Consultation - EFW Facility and Draft Waste and Recycling Strategy Reports - October 26, 2011 from 4:00 p.m. - 8:00 p.m. - Shelburne Arena

Additions

- 2011 Accessibility Plan
- Trillium Grant Contracts
- Tile Drainage Debenture

Deletions

- None

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 Malek that the minutes of the Council meeting held on September 22, 2011 be approved as circulated. Carried.

Business Arising from Minutes

The CAO advised that she had received an email from Mike Giles, County of Dufferin in response to Council's request for the County to provide comments on the County of Grey's Official Plan Amendment. Mr. Giles commented that if the County had a Planning Department and Official Plan, he is sure they would be interested but because they don't, he says that it is strictly a Municipal Issue.

Point of Privilege or Personal Privilege

None.

County Council Update

The CCU for September 8, was reviewed.

Committee Reports

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

Mayor Hill - CDRC and Library
Deputy Mayor White - GRCA Watershed Forum, Roads Committee, North Dufferin Recreation Advisory Committee
Councillor Malek - Horning's Mills Park Board
Councillor Elliott - Horning's Mills Hall Board, Southgate Recreation, Shelburne Fire Board
Councillor Crowe - Police Services Board (given by CAO in his absence)

Correspondence

1. Municipality of Grey Highlands Notice of Public Meeting concerning Two Proposed Official Plan Amendments and a Zoning By-law Amendment, Lots 74 & 75, Concession 3 SDR, October 12, 2011 at 6:00 p.m. - Municipal Council Chambers, Markdale
2. Municipality of Grey Highlands Notice of Public Meeting concerning a Proposed Zoning By-law Amendment Part Lot 41, Concession 3, Part 1, Plan 17R-2843, October 12, 2011 at 6:00 p.m. - Municipal Council Chambers, Markdale
3. E-mail from John Lever re: Arran-Elderslie bylaw
4. Letter from Don Bell, Chief Superintendent Commander, Highway Safety Division, responding to Council's concerns, re: Request for Proposal issued by the OPP for towing and impound services in Ontario
5. AMO Watch File - September 22, 2011
6. E-mail from Geoff FitzGibbon, Executive Director, Ontario One Call re: Special Offer for Municipalities
7. Appreciation & Thanks e-mail from Merv Parker, Spokesperson for the Shelburne Veterans Association regarding the rededication ceremony for the Horning's Mills Veterans Memorial Cenotaph September 24, 2011
8. E-mail from Cory Conley sending congratulations on the rededication ceremony for the Horning's Mills Veterans Memorial Cenotaph
9. AMO Watch File - September 29, 2011
10. Copy of Amberley Gavel Ltd. report submitted to The Council of The Township of Mulmur and to the Mulmur Melancthon Fire Board regarding their investigation into complaints re meetings of the Township of Mulmur and the Mulmur Melancthon Fire Board

Moved by Elliott, Seconded by Malek that Correspondence Items 1-10 (For Information Purposes Only) be received as information with the exception of items 6 & 10 further discussion on these two items. Carried.

6 - CAO to obtain further information on this item.

#10 - Deputy Mayor White noted some discrepancies in dates for this report. Mayor Hill indicated that he would comment later on this report.

* Items for Council Action

1. E-mail from Christine FitzSimmons, CAO/Clerk Wollaston Township requesting circulation of resolution and accompanying letter, regarding solar panel in ground installations, for review and endorsement
2. Memorandum of Understanding between County of Dufferin and Township of Melancthon regarding provision of information technology services to the Township of Melancthon
3. Copy of letter sent to Town of Shelburne, Town of Mono, Township of Amaranth, Township of Mulmur, re: Shelburne and District Fire Board
4. Niagara Escarpment Commission request for comments regarding an application to install 45 roof-mounted photovoltaic panels in conjunction with an existing horse barn located at Pt. Lot 15, Concession 1 O.S. 303 Main Street, Horning's Mills

1 - Moved by Malek, Seconded by Elliott that the Council of the Township of Melancthon directs the CAO to draft a letter to the new Minister of Energy reflecting Council's disagreement with the lack of municipal control over in ground solar panel installations resulting from the Ontario Green Energy and Green Economy Act. Carried.

2 - Moved by White, Seconded by Elliott that we direct the Mayor and CAO to sign the Memorandum of Understanding between the County of Dufferin and Township of Melancthon for IT Services. Carried.

4 - the CAO to advise the NEC that they have no objection to the application and no comment to make.

*** Items regarding The Highland Companies Quarry Application**

1. Letter from George Karlos, Manager EA Project Coordination Environmental Assessment and Approvals Branch

The CAO read an email she received from Barbara Slatterly, MOE regarding the EA Process and what can be done and cannot be done during this time - re: Highland Companies activities. The CAO to forward to the Council members.

Correspondence on File at the Clerk's Office

1. Thank you from the Mayor, Town of Slave Lake for the Township of Melancthon's financial support
2. Minutes for Shelburne Public Library Board Meeting June 21, 2011
3. Minutes of Grand River Conservation Authority General Membership/Committee of the Whole Meeting held on September 8, 2011

General Accounts

The Treasurer presented the accounts in the amount of \$802,953.39. Moved by Malek, Seconded by White that the general accounts be approved as presented by the Treasurer. Carried.

Addition - Tile Drainage Debenture

The CAO explained that the Tile Drainage Debenture package did not make it to the OMAFRA Office by October 1st and because the Ministry only issues debentures at the first of the month, the by-law passed at the last meeting had to be rescinded and a new one (with new dates) had to be passed.

Moved by White, Seconded by Malek that By-law No. 30-2011 be rescinded. Carried.

Moved by Elliott, Seconded by Malek that leave be given to introduce a by-law to impose special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act and it now be read a first and second time. Carried. By-law read a first and second time and numbered 32-2011.

Horning's Mills Community Hall Board of Management - Amending By-law

Moved by Elliott, Seconded by Malek that leave be given to introduce a By-law to amend By-law No. 2-2011 (Board of Management for the Horning's Mills Community Hall) and it now be read a first and second time. Carried. By-law read a first and second time and numbered 33-2011.

Applications to Permit

Mayor Hill signed an application to permit a house addition on Part of Lot 32, Concession 8 NE - S. Galbraith, J. Demmans.

New/Other Business

2010 Budget - Re-stated as per Regulation 284/09

Moved by Malek, Seconded by Elliott that the Report of Denise Holmes, CAO regarding the re-stating of the 2010 Budget as per Ont. Reg. 284/09 be approved. Carried.

Road Business

Accounts

Allen Braiden, Road Superintendent attended Council and presented the accounts in the amount of \$97,769.91. Moved by Elliott, Seconded by Malek that the road accounts be approved as presented by the Road Superintendent. Carried.

Discussion on 2nd Line SW regarding Lystek Development in Southgate

Councillor Elliott spoke on the above and the meetings that she has attended. The Township of Southgate is entertaining proposals for use of their Eco Park. The CAO of Southgate assured Councillor Elliott that Southgate would be building their own road into the Eco Park but a Southgate Council member has stated that the 2nd Line SW is a public road and they would use it. There will be approximately 90 trucks per day. The Township's PSAB report indicates that there are seven years left on sections of it but that is at the current rate of traffic – not 90 trucks per day. The CAO was directed to contact the Southgate CAO to have Southgate Council come to the next Council meeting for discussion on this. The Township is prepared to entertain a "No Trucks By-law" if need be.

1994 Champion Grader

Moved by White, Seconded by Malek that leave be given to sell the 1994 Champion Grader privately at the Township Office until such time as deliver of the new Nortrax Grader is expected. If the Township is unable to sell the Champion Grader privately before the new grader is delivered, the grader will then become a trade in per the original tender document. Carried.

Return Tender Cheque to John Deere

Moved by Elliott, Seconded by Malek that we return the tender cheque in the amount of \$35,000.00 to NORTRAX. This cheque was submitted with the tender for the 2011 Motor Grader and is to be returned after the municipality's acceptance of the tender. Carried.

Other

Allen advised that ATS Tree Cutting Inc. came in and took down a tree at the Horning's Mills Ball Park and did not charge for it as it was the company's donation to the Park. The CAO to advise the Park Board of this so that a thank you could be sent from the Board.

10:25 a.m. - Council took a five minute break and reconvened at 10:30 a.m.

10:30 a.m. - Public Question Period

A public question period was held and some of the questions/issues/concerns during this time were: On Farm Business Report - does it have listed what machine shops are already in the Township, County of Dufferin Waste Proposal, status update for Official Plan.

Unfinished Business

Salvage By-law - the By-law was circulated to our Solicitor and she is recommending minor changes. A letter was also received from Inch Hammond, Solicitors for Shelburne Iron and Metal requesting further changes to the By-law. The By-law was deferred to the October 20th meeting. Councillor Malek and the CAO to get together and make the minor changes to the by-law.

County of Dufferin - Waste Recycling Strategy and Waste Management Collection Plan - Comments

Comments were received from Rick Riddall, Landfill Supervisor. The CAO was directed to send the comments to the County of Dufferin - Community Development Committee for the next Agenda.

New/Other

Shelburne Fire Department - A resolution was received from the Township of Amaranth requesting the formation of a steering committee to facilitate the acquisition of the new fire truck and expansion of fire hall. After brief discussion, the following resolution was passed:

Moved by White, Seconded by Malek that The Council of the Township of Melancthon supports the motion from the Township of Amaranth to form a Steering Committee with a Representative from each Participating Municipality and a Representative from the Fire Department Administration Personnel to facilitate the acquisition of the new fire truck and an extension of the Fire Hall for the Shelburne and District Fire Department. Carried.

Third Reading - By-laws

Moved by White, Seconded by Malek that By-laws 32-2011 and 33-2011 now be read a third time, signed by the Mayor and Clerk, sealed and engrossed in the By-law Book. Carried.

Addition

2011 Accessibility Plan

Moved by White, Seconded by Malek that the Council of the Township of Melancthon approves the 2011 Accessibility Plan. Carried.

Trillium Grant - Contract with Dickinson and Hicks

Moved by Elliott, Seconded by Malek that CAO Denise Holmes be directed to sign the Canadian Standard Form of Agreement between the Township of Melancthon and Dickinson and Hicks Architects Inc. which incorporates amendments as identified by our Solicitor. This Agreement has been adapted for Project #11-122, Horning's Mills Community Hall - Lift. Carried.

Unfinished Business

On Farm Business Uses - discussion continued from the last meeting. Councillor Crowe provided comments on the Report regarding secondary uses which the CAO read out.

After the allotted half hour discussion regarding defining of size and height of buildings and secondary uses, it was decided that Council would look at the Southgate and Wellesley By-laws and form one or our own. We also need to look at impact of traffic and define haul routes.

Notice of Motion

This notice of motion was given at the September 22, 2011 Council meeting. Mayor Hill read the motion and asked for discussion. It was asked if a friendly amendment could be made to the motion to change the wording "more than half" in the 4th Whereas paragraph to the word "significantly". The mover and seconder agreed to the amendment and the motion was passed:

Moved by Malek, Seconded by Elliott that Whereas the Province of Ontario has enacted the Green Energy and Green Economy Act, 2009 an Act to Govern the Establishment, Construction and Location of Green Energy or Renewable Energy Projects such as Solar and Wind Energy within the Province of Ontario; And Whereas the Green Energy and Green Economy Act, 2008 sets by Regulation Standards for the operation of industrial wind turbine energy such as permissible operating levels of noise (40 dBA) and setback distances from residential buildings among other such standards; And Whereas the Township of Melancthon has been at the forefront of industrial wind turbine energy in the Province of Ontario with a total 111 industrial wind turbines currently in operation and 7 more just finishing construction; And Whereas the Township of Melancthon is significantly covered geographically by industrial wind turbine installations or the associated "works" of industrial wind turbine installations with the "works" being specifically transmission wires, substations and access right of ways, etc.; And Whereas "The Growth Plan for the Greater Golden Horseshoe" has set targets for growth for all Municipalities in the Greater Golden Horseshoe Area with said targets being for residential, economic and job growth; Therefore be it resolved that the Township of Melancthon requests that the Province of Ontario install a "cap" on the number of industrial wind turbines that any one Municipality can have constructed within its boundaries and further that this "cap" be based on the total land area of the Township, expressed as a measurement, and that the formula to calculate this cap be as follows: Area of Land in Sq. Km/2.5 sq km - CAPPED NUMBER OF TURBINES, For example, Melancthon (302 sq km)/2.5 sq km = 121 CAPPED NUMBER OF TURBINES. And Furthermore, that this resolution be forwarded to all Dufferin Municipalities, Grey County, any Municipality currently hosting industrial wind turbine development in Ontario, the Minister of Energy, the Minister of the Environment, the Minister of Municipal Affairs and Housing, the Minister of Agriculture, Food and Rural Affairs and the Premier of the Province of Ontario and to the Inter-Municipal Turbine Working Group. Carried.

Councillor Malek advised that she had responded to Bart Malloy's questions regarding the motion.

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 meeting held on October 6, 2011 and it be numbered and given the required number of readings. Carried.

Adjournment

12 Noon - Moved by White, Seconded by Malek that we adjourn Council to meet again on Thursday, October 20, 2011 at 6:00 p.m. or at the call of the Mayor. Carried.

MAYOR

CLERK