

TOWNSHIP OF SOUTH-WEST OXFORD
COUNCIL MEETING MINUTES
November 2nd, 2004

MEMBERS PRESENT: Mayor James Hayes
Councillors: D. Anne Vanhoucke, Ron Sackrider,
George Klosler, Gerald Mitchell, David Mayberry.

MEMBERS ABSENT: Jay Heaman

STAFF PRESENT: Allen Forrester, Clerk-Treasurer Administrator

MEETING CALLED TO ORDER

The meeting was called to order at 9:00 a.m. by Mayor James Hayes

APPROVAL OF AGENDA

Resolution No. 1 - Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the agenda for the November 2, 2004, meeting of Council be approved.

DISPOSITION: Motion Carried.

MINUTES:

Resolution No. 2 - Moved by David Mayberry
Seconded by G. Mitchell

RESOLVED that the minutes of the October 19th, 2004, meeting of Council be accepted.

DISPOSITION: Motion Carried.

MEMORIAL GATE AT BROWNSVILLE PARK

Councillor Anne Vanhoucke reported about the public meeting held at the Brownsville Community Hall on October 27th, 2004. She said that it had been a good meeting and she was pleased with the good turn-out.

There was a general agreement at the meeting that the archway and pillars need to be repaired.

Brownsville Hall and Park Boards

Councillor Vanhoucke reported that there will be a meeting on November 8th, of the Brownsville Hall and Park Boards to discuss future direction for the facilities.

DECLARATION OF PECUNIARY INTEREST

There were no declarations.

STAFF REPORTS:

Work's Department

Work's Superintendent Bill Freeman gave his report numbered No. W.D. 26-2004.

Resolution No. 3 - Moved by David Mayberry
Seconded by G. Mitchell

RESOLVED that the Works Superintendent's Report No. W.D. 26-2004 be accepted.

DISPOSITION: Motion Carried.

BUILDING DEPARTMENT:

Chief Building Official Geno Vanhaelewyn gave his report numbered B.D. 27-2004.

Resolution No. 4 - Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the C.B.O.'s Report No. B.D. 27-2004 be accepted.

DISPOSITION: Motion Carried.

ONTARIO PROVINCIAL POLICE (OPP) 3rd Quarter, 2004 Report

Inspector Jack Goodlett and Sergeant John Rutkauskas (Operations Manager) of the Oxford Detachment, O.P.P., reviewed with Council the report on policing for the 3rd Quarter of 2004.

The subject of brakes on farm trailers and farm machinery was also discussed.

BY-LAW ENFORCEMENT:

By-Law Enforcement Officer Ian MacInnes, gave his report numbered B.E. 10-2004.

Resolution No. 5 - Moved by G. Mitchell
Seconded by David Mayberry

RESOLVED that the By-Law Enforcement Officer's Report No.10-2004 be accepted.

DISPOSITION: Motion Carried.

FOOD SAFETY IN TOWNSHIP FACILITIES

Klaus Seeger, Supervisor, Health Protection, Oxford County Board of Health reviewed the minimum standards under the Food Premises Regulation for food handling by church groups, service clubs and fraternal organizations for functions that the general public may attend.

Mr. Seeger said that the bottom line is safety in food handling. There is more food handling going on for fund raising and there is a food safety concern related to that, so the Board of Health is doing some pro-active communication activity.

IMPROVEMENTS TO HIGHWAY 19 FROM MT. ELGIN TO HIGHWAY 401

Kevin English, P. Eng., Project Engineer, and Susan Wagter, Environmental Planner, Ministry of Transportation, described the proposed improvements to Highway 19 with reference to the plans, including

- Closing the Barrett Street access to Highway 19 in Salford and constructing a cul-de-sac.
- Re-aligning the Dereham Line intersection at Highway 19 to improve the connection to Highway 19, including adding a right-turn taper.

A public information centre was planned for November 9, 2004, at Salford Community Hall, from 2:00 p.m. to 8:00 p.m.

TOPSOIL REMOVAL APPLICATION, NORTH PART LOT 24, CON. 4 (DEREHAM),
ON SOUTH SIDE OF EBENEZER ROAD, APPLICANT: ROBERT CHARLES PATON

Bob Paton was present in support of his application, along with Glenn Harrington of Harrington and Hoyle Ltd., (landscape architects) who had prepared the Environmental Assessment Report.

Glenn Harrington reviewed the Environmental Assessment Report.

Kim Pembleton spoke in opposition to the application. She said that she owns the property to the north of the subject lands on the north side of Ebenezer Road. She submitted a petition signed by 20 neighbours from the area and stating reasons for opposing the extraction of topsoil from the properties of Robert Paton as well as the adjacent property owned by D. & J. Paton Bros. Ltd.

Ms. Pembleton expressed concern about the possible effect of the proposed topsoil extraction on her well. She said that her land is upstream and she asked who was responsible to drill a new well for her if the topsoil extraction caused it to run dry. Also would the applicant provide an interim water supply for animals if a well went dry?

Don Bucknell said that he lives on McBeth Road just west of the County Forest. He bought his property in 1961. He owns 111 acres of which 50 acres is wetlands. He has plans for conservation of wetland for his own property. He had concerns in the 1960's about loss of wetlands.

Mr. Bucknell said that he was pleased that Council requires restoration (after extraction of topsoil). Reforestation should be required where appropriate. He wanted to see wetlands and woodlands preserved for wildlife and supported Council's decision to look into this thoroughly.

Roy Brooks said that he owns property across the road (Ebenezer Road) and that he supported the points made by Kim Pembleton.

Bob Paton said that he had not been aware that a permit was required to remove topsoil.

Glenn Harrington contended that a permit was not required because the material it was proposed to extract was not included under the definition of topsoil in the Topsoil Preservation Act. However he thought the permit process was desirable.

Bob Paton commented:

- The property will not just be left
- There are a number of springs in the area.
- The topsoil extraction will not affect the water table.
- He wants to end up with a nice spot.
- He had let the trees grow up. That is his fault.

A person who said his property is to the east of the subject property asked if five years was enough time to finish the project. His well is 60 to 70 ft. deep. Will his water run out?
He said that the entrance onto the road is a blind spot.

Kim Pembleton said that, with regard to Mr. Paton's comments about springs, he is not an environmentalist – he doesn't know.

Gordon Phillips said that he is a member of the Ingersoll District Nature Club. If an area is disturbed and just left, invasive species, such as fragmites or Purple Loosestrife, tend to take over.

Resolution No. 6 - Moved by David Mayberry
Seconded by G. Mitchell

RESOLVED that decision on the Rob Paton topsoil removal application be deferred pending report from the Clerk-Administrator or designate.

DISPOSITION: Motion Carried.

TOPSOIL REMOVAL APPLICATION, NORTH PART OF LOT 23, CON. 4 (DEREHAM)
ON SOUTH SIDE OF EBENEZER ROAD, APPLICANT: D & J. PATON BROS. LIMITED
John Paton was present in support of the application.

Glenn Harrington of Harrington & Hoyle Ltd. stated his qualifications and experience in environmental planning.

Glenn Harrington commented that muck extraction does not remove water. When the material is removed water flows in. You get very minor removal of water.

Mr. Harrington reviewed the Environmental Assessment Report for the application. The report proposed phased extraction with restoration back to wetland. He recommended leaving woody debris in the wetland area because it is ecologically very valuable.

John Paton spoke in support of the application. He said that the natural restorative process takes time. He referred to some examples of this on properties on the 7th Concession where this could be seen.

With regard to the Geltink property, the rehabilitation work done there was done as advised by Glenn Harrington. It will improve with time.

He lives in the community and was guided by Glenn Harrington. He thought they were doing it properly.

Resolution No. 7 - Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that decision on the Topsoil Removal Application of D. & J. Paton Bros. be deferred pending report from Clerk-Administrator or designate.

DISPOSITION: Motion Carried.

DRAINAGE DEPARTMENT

Drainage Superintendent Wray Ramsay gave his report numbered D.D. 11-2004.

Resolution No. 8 - Moved by G. Mitchell
Seconded by David Mayberry

RESOLVED that the Drainage Superintendent's Report No. D.D. 11-2004 be accepted.

DISPOSITION: Motion Carried.

DELEGATION: JACK VAN HAM RE: CATTLE BEING ALLOWED ACCESS TO STONEY CREEK ON PROPERTY OF TED HILHORST IN LOT 16, CON. 8 (DEREHAM)

Jack and Gerry van Ham spoke to Council about their concerns about cattle being allowed access to Stoney Creek at the Ted Hilhorst property and the resulting damage to the creek.

Jack van Ham submitted a letter to Council describing his concerns.

Drainage Superintendent Wray Ramsay reviewed what had been done to date about the situation. The Ministry of the Environment had been contacted. Also an "occurrence report" had been submitted to Environment Canada.

Jack van Ham said that manure washes off back into the muck. The damages is done now, but it still should be cleaned up. The cattle should be fenced away from the creek.

The Drainage Superintendent was directed to see if there is any action that the Township can take.

The Clerk was directed to send a letter to the Ministry of the Environment and Long Point Region Conservation Authority informing them of the condition of Stoney Creek at the Hilhorst property.

APPOINTMENT REPRESENTATIVE ON SALFORD LANDFILL SITE LIAISON COMMITTEE

Resolution No. 9 - Moved by David Mayberry
Seconded by G. Mitchell

RESOLVED that George Klosler be appointed as the Council representative to the Salford Liaison Committee.

DISPOSITION: Motion Carried.

CLERK-TREASURER'S REPORT NO. C.T.A. No. B-16-2004,
SUBJECT: DRAINAGE ASSESSMENT RE-APPORTIONMENT FOR SEVERANCE APPLICATIONS:
B-68/04 – KEN & BETTY JACKSON, B-33/04 – Jan & Ann deDreu, B-34/04 – Jan & Ann deDreu

Resolution No. 10 - Moved by G. Mitchell
Seconded by David Mayberry

RESOLVED that the Clerk-Treasurer & Administrator's Report C.T.A. No. B-16-2004 be accepted.

DISPOSITION: Motion Carried.

CLERK-TREASURER ADMINISTRATOR'S REPORT NO. C.T.A. 17-2004,
 SUBJECT: REQUIREMENT FOR STANDARD SEVERANCE AGREEMENT FOR
SEVRANCE APPLICATIONS B-33/04 and B-34/04 OF Jan & Ann deDreu

Resolution No. 11 - Moved by D. Anne Vanhoucke
 Seconded by Ron Sackrider

RESOLVED that the Clerk-Treasurer Administrator's
 Report No. C.T.A. 17-2004 be accepted.

DISPOSITION: Motion Carried.

DEPUTY CLERK-TREASURER'S REPORT NO. D.C.T. 12-2004,
 SUBJECT: DOG LICENSING

Resolution No. 12 - Moved by G. Mitchell
 Seconded by David Mayberry

RESOLVED that the Deputy Clerk-Treasurer's
 Report D.C.T. No. 12-2004 be accepted.

DISPOSITION: Motion Carried.

DEPUTY CLERK-TREASURER'S REPORT NO. D.C.T. 13-2004,
 SUBJECT: FINANCIAL REPORT TO OCTOBER 31, 2004

Resolution No. 13 - Moved by D. Anne Vanhoucke
 Seconded by George Klosler

RESOLVED that the Deputy Clerk-Treasurer's
 Report No. 13-2004 be accepted.

DISPOSITION: Motion Carried.

ACCOUNTS:

Resolution No. 14 - Moved by Ron Sackrider
 Seconded by D. Anne Vanhoucke

RESOLVED that the following Accounts be approved
 For payment:

Accounts Payable Council Report	\$ 89,106.45
GST Recoverable (due back)	\$ 4,385.19
Pre-authorized payments	\$ 6,922.55
Bi-Weekly payroll #22	\$ 23,713.08
Total	<u>\$ 124,127.27</u>

DISPOSITION: Motion Carried.

ROMA/OGRA CONFERENCE, FEBRUARY 20, 2005

The Clerk was directed to register for accommodation for three members of Council and three staff persons.

INFORMATION CORRESPONDENCE

Resolution No. 15 - Moved by Ron Sackrider
 Seconded by D. Anne Vanhoucke

RESOLVED that correspondence numbered as follows be noted and filed.
 #891, #892, #894, #898, #900, #901, #905, #910, #912.

DISPOSITION: Motion Carried.

BY-LAWS NO. 45-2004,

SUBJECT: APPOINTMENT OF MEMBERS OF PROPERTY STANDARDS COMMITTEE

Resolution No. 16 - Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the mover be granted leave to introduce a by-law to Appoint Members of the Property Standards Committee and to fix Remuneration, and this shall constitute the first and second reading thereof (Bylaw No. 45-04)

DISPOSITION: Motion Carried.

Resolution No. 17 - Moved by Ron Sackrider
Seconded by D. Anne Vanhoucke

RESOLVED that a by-law to Appoint Members of the Property Standards Committee and to fix Remuneration be now read a third time and finally passed signed sealed and numbered No. 45-04

DISPOSITION: Motion Carried.

BEACHVILLE CEMETERY

Councillor Gerry Mitchell reported that the firm of Baker and Benedict had been retained to prepare a plan of part of Beachville Cemetery.

CLOSED SESSION:

Resolution No. 18 - Moved by G. Mitchell
Seconded Ron Sackrider

RESOLVED that Council hold a closed meeting in order to address a matter pertaining to: Personal matters about an identifiable individual, including municipal or local board employees.

DISPOSITION: Motion Carried.

Council went into Committee of the Whole “in camera” at 2:48 p.m. and reconvened “in public” at 3:32 p.m.

ADJOURNMENT:

Resolution No. 19 - Moved by Ron Sackrider
Seconded by D. Anne Vanhoucke

RESOLVED that there being no further business Council adjourn at 3:33 to meet again on November 16/04 commencing 6:30 p.m.

DISPOSITION: Motion Carried.

These minutes were adopted by Council this 16th day of November, 2004

MAYOR: James Hayes

CLERK: Allen Forrester

DISCLAIMER

This By-Law is not an official version but a reprint into this format for convenience of the user. The contents of this BY-Law are the same as the By-Law passed by the Council of the Corporation of the Township of South – West Oxford on the dates shown. An official version of this By-Law can be obtained by contacting the Municipal Office.