

TOWNSHIP OF SOUTH-WEST OXFORD
COUNCIL MINUTES

March 20, 2007

MEMBERS PRESENT: Mayor James Hayes
Councillors: D. Anne Vanhoucke, Ron Sackrider,
Jay Heaman, George Klosler, Gerry Mitchell

MEMBERS ABSENT: David Mayberry

STAFF PRESENT: Allen Forrester, Clerk-Treasurer Administrator

MEETING WAS CALLED TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor James Hayes.

APPROVAL OF AGENDA

Resolution No. 1 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that the agenda for the March 20, 2007, meeting of Council be approved.

DISPOSITION: Motion Carried.

MINUTES:

Resolution No. 2 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the minutes of the March 6, 2007, meeting of Council be accepted.

DISPOSITION: Motion Carried.

Resolution No. 3 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that the minutes of the March 12, 2007, special meeting of Council be accepted.

DISPOSITION: Motion Carried

DECLARATION OF PECUNIARY INTEREST

There were no declarations.

BY-LAW NO. 12-2007

SUBJECT: TO AUTHORIZE THE EXECUTION OF A SEVERANCE AGREEMENT
BETWEEN DALE WOOLLEY FARMS INC. AND THE CORPORATION OF THE
TOWNSHIP OF SOUTH-WEST OXFORD

Dale Woolley was present for the consideration of this matter.

Resolution No. 4 –

Moved by Gerry Mitchell
Seconded by Ron Sackrider

RESOLVED that the mover be granted leave to introduce a by-law to authorize the execution of a Severance Agreement between Dale Woolley Farms Inc. and the Corporation of the Township of South-West Oxford and this shall constitute the First and Second reading thereof. (By-Law No. 12-2007)

DISPOSITION: Motion Carried

Resolution No. 5 –

Moved by Gerry Mitchell
Seconded by Ron Sackrider

RESOLVED that the By-Law to authorize the execution of a Severance Agreement between Dale Woolley Farms Inc. and the Corporation of the Township of South-West Oxford now be read a Third time and Finally Passed, signed, sealed and numbered 12-2007.

DISPOSITION: Motion Carried

WORKS DEPARTMENT

Works Superintendent Bill Freeman gave his report numbered W.D. 08-2007.

Resolution No. 6 –

Moved by George Klosler
Seconded by Jay Heaman

Council discussed what type of fence would be appropriate for the Memorial Gate at Brownsville Park. The matter is to be looked into further.

RESOLVED that the Works Superintendent's Report No. W.D. 08-2007 be accepted.

DISPOSITION: Motion Carried

BUILDING DEPARTMENT

Chief Building Official Dwayne Daniel gave his report numbered B.D. 05-2007.

Resolution No.7 -

Moved by Jay Heaman
Seconded by George Klosler

RESOLVED that the Chief Building Official's Report No. B.D. 05-2007 be accepted.

DISPOSITION: Motion Carried

DEPUTY CLERK-TREASURER'S REPORT NO. D.C.T. 11-2007

SUBJECT: RECOMMENDATION OF BROWNSVILLE HALL COMMITTEE

Council discussed with the Chief Building Official, Dwayne Daniel, the recommendation of the Brownsville Hall Committee that the Chief Building Official conduct a study that estimates the cost of renovating the Hall to code.

Resolution No. 8 –

Moved by Ron Sackrider
Seconded by D. Anne Vanhoucke

RESOLVED that Report No. D.C.T. 11-2007, SUBJECT: Recommendation of
Brownsville Hall Committee, be accepted.

DISPOSITION: Motion Carried

FIRE DEPARTMENT

Fire Chief Dirk Verboom gave his report for Brownsville Fire Hall.

Fire Chief Eric Johnson reported for Mt. Elgin Fire Hall.

Fire Chief Wayne Lillywhite reported for Beachville Fire Hall.

Council directed that the Chief Building Official inspect the west wall of the Beachville Fire Hall
to see if it could be better insulated.

Fire Chief Wayne Lillywhite proposed that a mock disaster be planned involving a train and a
car. He was directed to coordinate this with the Community Emergency Management
Coordinator, Gerry Mitchell.

Resolution No. 9 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the Fire Chief's Report for the Brownsville Fire Hall be received.

DISPOSITION: Motion Carried

Resolution No. 10 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the Fire Chief's Report for the Mt. Elgin Fire Hall be received.

DISPOSITION: Motion Carried

Resolution No. 11 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the Fire Chief's Report for the Beachville Fire Hall be received.

DISPOSITION: Motion Carried

ADJOURN FOR PUBLIC MEETING FOR ZONE CHANGE APPLICATION

Resolution No. 12 –

Moved by Jay Heaman
Seconded by George Klosler

RESOLVED that Council adjourn in order that a Public Meeting for a Zone Change
application may be held.

DISPOSITION: Motion Carried

PUBLIC MEETING FOR ZONE CHANGE APPLICATION NO. ZON 4-06-8, APPLICANTS:
MARK & CARRIE INNES

Stephen Couture, Planner, Community and Strategic Planning, County of Oxford gave the
Planning Report for the application.

A letter from David J. Beatty of the law firm of Beatty, Stock and Boddy supporting the application, was reviewed.

No one appeared either in support of or in opposition to the application.

Steve Couture, in response to a question, reported that the planner and the Chief Building Official had not been allowed to see the inside of the barn. No change of use permit was on file and since they had not been permitted to view the inside of it, they must conclude that it is still capable of housing livestock.

Mayor James Hayes declared the Public Meeting for Zone Change Application No. ZON 4-06-8 concluded.

The Council Meeting was resumed.

ZONE CHANGE APPLICATION NO. ZON 4-06-8, APPLICANTS: MARK & CARRIE INNES, PART LOT 6, CONCESSION 1 (WEST OXFORD), 474808 DODGE LINE

Resolution No. 13 –

Moved by George Klosler

Seconded by D. Anne Vanhoucke

RESOLVED that Zone Change Application No. ZON 4-06-8, Applicants: Mark & Carrie Innes, be denied.

DISPOSITION: Motion Carried

CONSIDERATION OF BY-LAW TO CLOSE AND SELL UN-NAMED LANE BETWEEN GLOVER STREET AND ANN STREET, REGISTERED PLAN 66, BROWNSVILLE

Mr. James Crane was present in support of the proposal to close and sell the lane between Glover Street and Ann Street. He explained that he wants to purchase the lane to provide driveway access to his lot from Glover Street. In order to build a house on the lot, according to the zoning by-law, it must have frontage on an improved street.

Jack Ulch was present. Mr. Ulch said that he owned a lot on the east side of the lane at the corner of Ann Street (unopened) and Culloden Line. He said that he would like to obtain half of the lane that abuts the rear of his lot.

Ken Dowling commented about drains in the area of Mr. Crane's property (Lots 65 and 66, R.P. 66). He said one of the drains (a municipal drain) had been cut off at Culloden Line by the County. He also said that he did not see why Hincks Street couldn't be used.

Drainage Superintendent Wray Ramsay said that if the County had altered the municipal drain the Township did not have a record of the change. He only had knowledge of the drainage plans in possession of the Township, but he could check with the County to see what records they have.

The matter was deferred so that more information could be obtained with regard to drains in the area.

DELEGATION – OXFORD 4H

Mr. Dwight Hargreaves was present in support of a request from Oxford 4H for a grant for 2007.

Mr. Hargreaves spoke about the estimates of the Oxford 4H in 2006 and their plans for 2007. He said that they had just under 300 members in Oxford County last year.

Mr. Hargreaves was thanked for his presentation and informed that a decision on their request would be made at the Grants Night special meeting of Council.

DELEGATION – EBENEZER CEMETERY

Mr. Ed Lovell and Mr. Frank Ellery presented a request for a grant for 2007 on behalf of the Ebenezer Cemetery Board. Mr. Lovell reviewed the Board's finances for the previous year. He also informed Council that the Board is looking at acquiring an additional 2 ½ acres of land.

The delegation was informed that its request would be considered at the Grants Night special meeting of Council.

DELEGATION – SALFORD RECREATION COMMITTEE

Mrs. Terry-Sue Coventry and Mr. Frank Houghton appeared in support of the Salford Recreation Committee's request for a grant for 2007.

They reviewed the activities at the Salford park in 2006 and their plans for 2007.

They will be running a "T Ball" program in 2007. They will also be advertising that the ball diamond is available for rent for practice or games.

With regard to grass cutting, they indicated that they want to include all the grass cutting at the community centre (hall and park) in their tender. The Township is to look into this.

DELEGATION: DAVID PATON

RE: APPLICATION TO REMOVE TOPSOIL PILE FORM STEVE MASSON PROPERTY, 524031 CURRY ROAD

Mr. David Paton was present in support of his proposal to remove the muck pile on the Steve Masson farm at 524031 Curry Road.

Mr. Paton said he wanted to remove the pile to the level of the surrounding ground and not excavate any deeper than that. Mr. Paton said that he had not excavated and piled the muck in the first place.

The pile has been there for several years. In Mr. Paton's opinion the land to the west of the pile would not grow a crop.

Wray Ramsay, Drain Superintendent, commented that the subject land was wetland in the year 2000 when a new municipal drain was constructed in the vicinity (east of the muck pile). The muck was pushed into a pile without a topsoil removal permit having been issued. Mr. Ramsay indicated that in his view the pile should be pushed back and leveled.

Mr. Paton indicated that he could understand the difficulty the precedent of granting his proposal would create. He said he would not object if it was refused.

Resolution No. 14 –

Moved by Gerry Mitchell

Seconded by George Klosler

RESOLVED that the application of David Paton to remove black muck from property identified as 524031 Curry Road be denied.

DISPOSITION: Motion Carried

CONSENT APPLICATION NO. B-102/06 AND ZONE CHANGE APPLICATION ZON 4-06-14, APPLICANTS BRIAN & CAROL MALOTT, PART LOTS 15 & 16, CON. 10 (DEREHAM)

Resolution No. 15 –

Moved by Gerry Mitchell

Seconded by Ron Sackrider

RESOLVED that with regard to Planning applications B-102/06; ZON 4-06-14 of Brian and Carol Malott, Council's comments with regard to the revised sketches be as follows: No objections.

DISPOSITION: Motion Carried

CORRESPONDENCE ITEM NO. 158 FROM COUNTY OF OXFORD
RE: NUTRIENT MANAGEMENT BY-LAWS

Resolution No. 16 –

Moved by Gerry Mitchell
Seconded by Ron Sackrider

RESOLVED that a zoning by-law amendment application be initiated to begin the process for updating the Zoning By-Law to include the new Minimum Distance Separation Formulae (MDSI and MDSII).

DISPOSITION: Motion Carried

CORRESPONDENCE ITEM NO. 211 – REQUEST FOR GRANT FROM EAST
OXFORD/SWEABURG SCHOOL COUNCIL

This request was referred to the Grants Night Special meeting of Council.

CORRESPONDENCE ITEM NO. 212 – INVOICE FROM UPPER THAMES RIVER
CONSERVATION AUTHORITY (UTRCA)
RE: 2007 CENTREVILLE DAM SAFETY PROGRAM

Staff was directed to contact UTRCA for more information about the work proposed.

CORRESPONDENCE ITEM NO. 224 FROM ONTARIO FORESTRY COALITION
RE: PROPOSED SPECIES AT RISK LEGISLATION

Resolution No. 17 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that Correspondence Item No. 224 be noted and filed.

DISPOSITION: Motion Carried

DEPUTY CLERK-TREASURER'S REPORT NO. D.C.T. 07-2007
SUBJECT: PRE-BUDGET APPROVAL FOR CONFERENCE

Resolution No. 18 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the Deputy-Clerk-Treasurer's Report No. D.C.T. 07-2007 be accepted.

DISPOSITION: Motion Carried

DEPUTY CLERK-TREASURER'S REPORT NO. D.C.T. 08-2007
SUBJECT: PURCHASE OF NEW COMPUTER HARDWARE

Resolution No. 19 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that Deputy Clerk-Treasurer's Report No. D.C.T. 08-2007 be accepted.

DISPOSITION: Motion Carried

DEPUTY CLERK-TREASURER'S REPORT NO. 09-2007
SUBJECT: DISCRETIONARY FIRE WAGES

Resolution No. 20 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the Deputy Clerk-Treasurer's Report No. 09-2007 be accepted.

DISPOSITION: Motion Carried

ACCOUNTS

Resolution No. 21 –

Moved by George Klosler
 Seconded by D. Anne Vanhoucke

RESOLVED that the following Accounts be approved for payment:

Accounts Payable Council Report	\$	965,289.78
GST recoverable	\$	3,332.02
Bi-weekly #6-2007	\$	29,457.62
Council-February remuneration	\$	5,562.46
TOTAL	\$	1,003,641.88

DISPOSITION: Motion Carried

PAYMENT FOR TWO TANKER TRUCKS FOR FIRE DEPARTMENT AS PER 2006 TENDER

Resolution No. 22 –

Moved by Gerry Mitchell
 Seconded by Ron Sackrider

RESOLVED that South-West Oxford Council approve payment of \$251,830.56 to MetalFab as per the 2006 tender for 2 tanker trucks.

DISPOSITION: Motion Carried

INFORMATION CORRESPONDENCE

Resolution No. 23 –

Moved by George Klosler
 Seconded by D. Anne Vanhoucke

RESOLVED that correspondence numbered as follows be noted and filed #167, #183, #184, #186, #194, #195, #196, #197, #198, #200, #201, #202, #203, #204, #208, #209, #210, #213, #214, #215, #216, #217, #218, #220, #221, #223.

DISPOSITION: Motion Carried

BY-LAW NO. 08-2007

SUBJECT: PROVISIONAL BY-LAW FOR DEER CREEK DRAIN – DRAIN “A”
 (1st & 2nd Reading)

Resolution No. 24 –

Moved by Ron Sackrider
 Seconded by Gerry Mitchell

RESOLVED that the mover be granted leave to introduce a by-law to provide for a drainage work entitled Deer Creek Drain – Darin “A” 2006 and this shall constitute the First and Second Reading thereof (By-Law No. 08-2007)

DISPOSITION: Motion Carried

BY-LAW NO. 13-2007

SUBJECT: TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN JAN KAPPERS AND THE CORPORATION OF THE TOWNSHIP OF SOUTH-WEST OXFORD

Resolution No. 25 –

Moved by D. Anne Vanhoucke
 Seconded by George Klosler

RESOLVED that the mover be granted leave to introduce a by-law to authorize an Agreement between the Corporation of the Township of South-West Oxford and Jan Kappers and this shall constitute the First and Second Reading thereof. (By-Law No. 13-2007)

DISPOSITION: Motion Carried

Resolution No. 26 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the By-Law to authorize the execution of an Agreement between the Corporation of the Township of South-West Oxford and Jan Kappers now be read a Third time and Finally Passed, signed, sealed and numbered 13-2007.

DISPOSITION: Motion Carried

BY-LAW NO. 16-2007

SUBJECT: TO REPEAL BY-LAW NO. 12-2005 WHICH BANNED THE ERECTION OF EARTHEN MANURE STORAGE FACILITIES AND REGULATED THE TEMPORARY STOCKPILING OF MANURE

Resolution No. 27 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the mover be granted leave to introduce a by-law to repeal By-Law No. 12-2005 which is a by-law to ban the erection of earthen manure storage facilities and regulate the temporary stock piling of manure and this shall constitute the First and Second Reading thereof. (By-Law No. 16-2007)

DISPOSITION: Motion Carried

Resolution No. 28 –

Moved by D. Anne Vanhoucke
Seconded by George Klosler

RESOLVED that the By-Law to repeal By-Law No. 12-2005 which is a by-law to ban the erection of earthen manure storage facilities and regulate the temporary stock piling of manure now be read a Third time and Finally Passed, signed, sealed and numbered 16-2007.

DISPOSITION: Motion Carried

WORKERS SAFETY INSURANCE BOARD (WSIB) AUDIT

In response to a question from Council the Clerk-Treasurer Administrator informed Council that the Township is on track for the WSIB Audit.

DRAINAGE SUPERINTENDENT'S REPORT NO. D.D. 06-2007

SUBJECT: REQUEST FOR MUCK REMOVAL

Resolution No. 29 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the Drainage Superintendent's Report No. D.D. 06-2007 be accepted.

DISPOSITION: Motion Carried

MINUTES OF MARCH 12, 2007, CLOSED MEETING OF COUNCIL

Resolution No. 30 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that the minutes of the March 12, 2007 Closed Meeting of Council be accepted.

DISPOSITION: Motion Carried

ADJOURNMENT

Resolution No. 31 -

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that there being no further business Council adjourn at 11:15 p.m. to meet again on April 3, 2007 commencing 9:00 a.m.

DISPOSITION: Motion Carried

These minutes were adopted by Council on the 3rd day of April, 2007.

MAYOR: James Hayes

CLERK: Allen Forrester