

**TOWNSHIP OF SOUTH-WEST OXFORD  
COUNCIL MINUTES**

January 20, 2009

**MEMBERS PRESENT:** Councillors: Anne Vanhoucke, Ron Sackrider,  
George Klosler, David Mayberry,  
Gerald Mitchell

**MEMBERS ABSENT:** Mayor: James Hayes  
Councillor: Jay Heaman

**STAFF PRESENT:** Mary Ellen Greb, Deputy Clerk-Treasurer

**MEETING CALLED TO ORDER**

The meeting was called to order at 7:00 p.m.

**APPOINTMENT OF CHAIR**

Resolution No. 1 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that Councillor David Mayberry  
be appointed to chair the Council Meeting as Acting  
Mayor in the absence of Mayor James Hayes.

DISPOSITION: Motion Carried

**APPROVAL OF AGENDA**

Resolution No. 2 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that the agenda for the January 20, 2009,  
Council Meeting be accepted.

DISPOSITION: Motion Carried.

**MINUTES:**

Resolution No. 3 Moved by George Klosler  
Seconded by Ron Sackrider

RESOLVED that the minutes of the December 16, 2008, Regular  
Council Meeting be accepted.

DISPOSITION: Motion Carried.

Resolution No. 4 Moved by George Klosler  
Seconded Ron Sackrider

RESOLVED that the minutes of the December 16, 2008, Closed Meeting of Council be accepted.

DISPOSITION: Motion Carried

**DECLARATION OF PECUNIARY INTEREST**

There were no declarations.

**FIRE DEPARTMENT**

*Brownsville Fire Station*

Fire Chief Dirk Verboom gave his report for Brownsville Fire Hall. The report contained no recommendations.

*Mount Elgin Fire Station*

Fire Chief Eric Johnson gave his report for Mount Elgin Fire Hall. The report contained no recommendations.

*Beachville Fire Station*

Fire Chief Wayne Lillywhite gave his report for Beachville Fire Hall. The report contained no recommendations.

*30 Year Pin Presentation*

Acting Mayor David Mayberry presented Fire Chief Dirk Verboom with his 30 year service pin. He thanked him for his many years of committed service and expressed his appreciation on behalf of Council and the Community.

Resolution No. 5 Moved by George Klosler  
Seconded by Ron Sackrider

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

DISPOSITION: Motion Carried

Resolution No. 6 Moved by Ron Sackrider  
Seconded by George Klosler

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

DISPOSITION: Motion Carried

Resolution No. 7 Moved by Ron Sackrider  
Seconded by George Klosler

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

DISPOSITION: Motion Carried

**WORKS DEPARTMENT**

Works Superintendent Bill Freeman gave his report numbered W.D. 1-2009.

1. He recommended Council give pre-budget approval to excavate approximately 40,000 tonne of gravel from beneath the water table and crush approximately 25,000 tonne of 5/8" gravel required for resurfacing early in the Spring of 2009.

He will proceed with getting quotations/tenders for the required work and bring the information back to Council for approval.

2. The new packer truck ordered in 2008 has not yet been delivered. It was hoped that it would be here by January 1<sup>st</sup>, 2009 however there is a delay of at least 30 days. He will continue to pursue the company to confirm the delivery date. It is hoped the new truck will be delivered and operating by March 1, 2009.

Information concerning the new two-stream recycling system will be circulated to residents in advance of the new truck being put into operation.

He noted that there will not be any route changes in 2009 due to the late delivery of the truck.

Resolution No. 8 Moved by George Klosler  
Seconded by Ron Sackrider

RESOLVED that the Works Superintendent's Report No. W.D. 1-2009 be accepted.

DISPOSITION: Motion Carried

**BUILDING DEPARTMENT**

Chief Building Official Dwayne Daniel gave his report numbered B.D. 1-2009. The report contained no recommendations.



**PUBLIC MEETING FOR ZONE CHANGE APPLICATION NO. ZON 4-07-10 AND OFFICIAL PLAN AMENDMENT OP 11-164 OF HENRICA WIGGERS, PART LOT 10, CONCESSION 5 (DEREHAM).**

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The Public Meeting was held for zone Change Application No. ZON 4-07-10 and Official Plan Amendment OP 11-164.

Property owner Henrica Wiggers and Applicant Oxford Reformed Christian School Society representative Scott De Jong were present in support of the applications.

Also present were:

Melissa Sherron, Planner, Community and Strategic Planning, County of Oxford

Dwayne Daniel, Chief Building Official, Township of South-West Oxford

Wray Ramsay, Drainage Superintendent, Township of South-West Oxford

Bill Freeman, Work's Superintendent, Township of South-West Oxford

Eric Johnson, Mount Elgin Station Fire Chief

Ross Albright, Dawne Fewster, Winnie Decloedt and Lloyd Irwin of the Mount Elgin Community Centre Board

Gary Dawson of the Mount Elgin Park and Recreation Board.

Others present were:

Steve Albright, Milt Chesterman, William Van Brugge, John Wiggers, Seth Allen, David Lucas, Ivan Baldwin, Corbett C. Baldwin, F.C. Baldwin, Steve McQueen, Wilma Van Gulp, Janet Justus and Gilbert Roos

Melissa Sherron gave the Planning Report which favoured the approval of the Official Plan Amendment as well as the 'approval in principle' of the zone change. The report reviewed the various concerns of the circulated agencies and noted that all of the concerns would be dealt with to the satisfaction of the agencies prior to any final approval of zone change being given by Township Council. A site plan will be developed by the applicant in conjunction with the County of Oxford and the Township of South-West Oxford.

She noted that Oxford County Council would hold a second public meeting to deal with the Official Plan Amendment at the regular meeting of County Council in Woodstock on January 28, 2009.

Oxford Reformed Christian School representative Scott De Jong spoke in support of the application.

- The school draws students from north of Burgessville, Norwich, Springford, Otterville, Tillsonburg and Salford.
- The current school in Springford is too small and therefore a new facility is needed.
- Phase 1 of the school will accommodate 210 students with plenty of room to expand.
- Servicing for water and sewer by the County of Oxford will take place in 12-18 months with holding tanks providing service on a temporary basis.

- The school membership is looking forward to becoming a member of the Mount Elgin Community.
- There is the opportunity for partnerships to be forged for sports fields and playgrounds which will be constructed on the site.
- Many issues that the community has can be dealt with through site plan control.

Deputy Clerk-Treasurer Greb noted that no correspondence in favour of or against the application had been received by the Township office.

Florence Baldwin spoke on behalf of her husband Ivan and son Corbett in opposition to applications:

- They live right next to the property and don't want the development to proceed.
- She invited those present to sit in her driveway for a day and count the vehicles that go by.
- A stop light will be required to keep control of the traffic.
- There are lots of times they have to leave the house 15 to 20 minutes early to allow adequate time to get out on the highway.
- Her family wants the property to stay as farmland

Corbett Baldwin spoke in opposition to the applications:

- Can't understand why anyone would want to put a school on that property when there is no safe access.
- He spoke with John Morrissey from the Ministry of Transportation who stated that the Ministry can't deny access to the property. That does not mean that M.T.O. is in favour of the application.
- Diesel school buses don't accelerate the same as other vehicles and pulling onto Highway #19 with the existing grade and the deep ditch is an accident waiting to happen.
- People elect their local government to keep citizens safe and hope they will take care of everything. Highway #19 is a very dangerous roadway and Council needs to take care of its' citizens.

Dave Lucas owner of the property to the west of the proposed school expressed concern:

- Can the existing water system handle the additional capacity of filling the holding tank for the school?
- Cars cresting the hill on Highway #19 cannot see school bus lights creating a dangerous situation.

Planner Sherron noted the following:

- Water going to the school is coming from Mount Elgin Water system and being held in a holding tank on school site. Water will be pumped in off peak hours with a permanent connection to water service to be established in 12-18 months.

- Mount Elgin well has capacity for the existing subdivision when it is completely filled and that was taken into consideration by Public Works in their comments.
- Approximately one third of the site will be developed for the school and the remaining two-thirds will remain vacant land zoned Development (D). No new use will be permitted in the (D) zone without an additional approved zone change.
- Any questions regarding a feasibility study should be directed to public works at the County.

Dawne Fewster president of Mount Elgin Community Hall Board expressed concern:

- There are currently two catch basins – one on the east side of the parking lot and one at the ball diamond. In addition to this there is no record of drainage work that was for Mount Elgin Community Centre over 25 years ago and therefore it is possible that a tile will be broken during the development process.
- The Community Centre property has good drainage and the Board needs to ensure that it stays that way. The Board doesn't want to be required to pay into a new capital drain due to the proposed development.
- The new well in Mount Elgin was developed to service new subdivision. Will there be enough water to service the existing homes, the new school and the rest of the subdivision when it is finished?
- What will the cost be for those on the water system to accommodate this proposed development?
- It is proposed that initially the sewage issue will be addressed with holding tanks. How often will they be pumped? Will the sewage system need to be expanded and how will the waste water be brought down to the existing waste water plant?

Applicant representation Scott De Jong noted that it is possible the County could put a grey water system in front of the proposed school.

Other concerns raised:

- Fencing should be erected around the entire school property
- Don't want water backing up into basements in the area due to development.
- Entire Mount Elgin Community should have been notified about the public meeting for the zone change. If they knew they were going to have to contribute for the additional water and waste water expense they would have been at this meeting.
- If Campbell Drain cannot handle additional water volumes the residents shouldn't have to pay for it.
- Mount Elgin Parks and Recreation Board would like to see a fence around the property.
- Normal farming practices must not be interfered with. Spreading of manure, crop spraying etc. needs to continue as it always has.
- Horses and other livestock in the area must not be interfered with.

- Garbage on the site must be taken care of so that there are no blowing papers from the school yard into the ditches and roadway.
- If development proceeds, turning lanes on Highway #19 should be considered.

John Wiggers of Delmer, son of property owner Henrica Wiggers, spoke in favour of the applications.

Applicant representative Mr. Scott De Jong noted the following:

- Appreciates the concerns of the community and as previously stated the school members want to be good members of the community.
- Hope and pray that there is never an accident with the school bus and measures will be taken to help ensure this doesn't happen.
- There are no plans to develop the balance of the property into residential lots.
- Drainage concerns will be addressed and further meetings are planned with Township Drainage Superintendent Wray Ramsay. In addition any tile damage that is done during construction will be repaired. The school members want to be good stewards of the land.
- The school could be looked upon as sharing in the cost to further develop the community.
- The site plan will ensure that the site is properly developed.

Councillor Ron Sackrider noted that there was a great deal of concern from the community regarding the entrance onto Highway #19. It is understood that this falls within the responsibility of the Ministry of Transportation. However this does not alleviate the concerns of the area residents.

Applicant representative Scott De Jong noted that M.T.O. had been provided with all the information concerning the development including drawings. Elevation shots have been taken where the proposed driveway will be developed and everything falls within M.T.O. guidelines for allowable access to Highway#19.

In addition he noted that there will be quite a bit of grading done for water runoff and a retention pond constructed on the site. Cutting and filling will be done on the site. The school has hired technical people to work out the details.

Councillor George Klosler noted that many issues had been discussed tonight including:

- Traffic, water and sewage, fencing and drainage. Issues had also been raised in the planning report by Ministry of Transportation and the Ministry of the Environment and Energy.

Planner Melissa Sherron noted the following:

- Water & Sewer concerns are being addressed by Oxford County Public Works Department. The criteria set out by this department must be met for the development to proceed.

- Drainage issues can be addressed in the site plan and further discussion is needed before an acceptable solution can be finalized.
- The Ministry of the Environment and Energy will not approve a development of this type in a serviced village if it is not connected to the existing sewage system.
- The Ministry of Transportation has jurisdiction over the Highway and has the final say
- Oxford County Public Works has been planning to phase in sanitary sewer system in Mount Elgin for quite some time....not just because of this proposal. In terms of connection fees it is something Public works needs to speak to.
- The Township has an extensive 40 page document dealing with every aspect of site plan control. The document will be prepared by the applicant with input by the County and the Township and will only be approved when all concerns for the site are addressed.

John Wiggers noted that the speed sign in Mount Elgin should be moved approximately 400 feet to the entrance of the Village so that people are given more time to slow down when entering the village.

No one else spoke in favour of or in opposition to the applications.

The Chair declared the Public Meeting concluded.

The Council meeting was resumed.

Resolution No. 11 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that Zone Change Application No. 4-07-10  
Applicants: Oxford Reformed Christian School Society  
(Owner: Henrica A. Wiggers) Part Lot 10, Concession 5,  
Registered Plan No. 41R-1373 (Dereham Township), to  
Rezone subject land from Agricultural (A2) to Institutional (I)  
be approved in principle, subject to site plan control approval.

DISPOSITION: Motion Carried

Resolution No. 12 Moved by George Klosler  
Seconded by Ron Sackrider

RESOLVED that the Council of the Township of South-West  
Oxford recommend to Oxford County Council approval of an  
Application to amend the Official Plan by the Oxford Reformed  
Christian School Society on lands consisting of Part Lot 10,  
Concession 5, 41R-1373, in the Village of Mount Elgin, in the  
Township of South-West Oxford from 'Service Commercial' to

'Low Density Residential' to permit the development of an Elementary/secondary school on the subject site.

DISPOSITION: Motion Carried

AGENDA ITEMS CORRESPONDENCE

*Beachville Museum 2009 Budget*

Acting Mayor David Mayberry noted that the Township traditionally forwards 50% of the grant to the Beachville Museum in advance of the Township budget being passed for cash flow purposes.

Resolution No. 13 Moved by G. Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Council of the Township of South-West Oxford approve the prepayment of \$24,105.00 of the 2009 grant to the Beachville Museum.

DISPOSITION: Motion Carried

PLANNING AND ZONING (continued)

*#1104 Oxford County Land Division Committee Consent and Minor Variance  
Application Nos. B-62/08 & A-20/08 Keith and Marjorie Brown*

The application has been deferred by the Committee to give the applicant time to revise it to reduce the size of a 40' x 80' drive shed on the property.

Acting Mayor Mayberry informed Council that he had been contacted by the applicant who asked if Township Council would consider drafting a letter to the County indicating their support for his application without altering the drive shed on the property.

Resolution No. 14 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that Keith & Marjorie Brown be advised that South-West Oxford Council suggest that they follow the advice of County Planning Staff.

DISPOSITION: Motion Carried

CLOSED SESSION

Council went into Committee of the Whole "in camera" at 10:07 p.m. and reconvened "in public" at 10:20 p.m.

Resolution No. 15 Moved by G. Mitchell  
Seconded by Ron Sackrider

RESOLVED that Council hold a special meeting in order to address a matter pertaining to:

- Personal matters about an identifiable individual, including municipal or local board employees.

DISPOSITION: Motion Carried

Resolution No. 16 Moved by George Klosler  
Seconded by Ron Sackrider

RESOLVED that the Works Superintendent's Report No. W.D. 2-2009 be accepted and that he be authorized to hire as he sees fit.

DISPOSITION: Motion Carried

### **NEW BUSINESS**

#### *ERTH Shareholders Special Meeting*

Resolution No. 17 Moved by G. Mitchell  
Seconded by George Klosler

RESOLVED that Councillor Ron Sackrider be appointed as the designated voting representative for the Township of South-West Oxford at the upcoming ERTH meeting on January 29, 2009.

DISPOSITION: Motion Carried

### **AGENDA ITEMS CORRESPONDENCE** (continued)

#### *Breakfast with the Boards*

All council members are invited to attend Breakfast with the Boards on Saturday, February 7<sup>th</sup>, 2009 at 8:30 a.m. at the Mount Elgin Community Centre. The draft agenda was reviewed by Council

#### *#1110 Municipality of Clarington – request for support of resolution*

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

RESOLVED that the resolution from the Municipality of Clarington requesting the Alcohol and Gaming Commission of Ontario to expedite its Modernization of Charitable Gaming Project, in particular the application, reporting and administration

processed respecting Break Open Ticket and Raffles be supported.

DISPOSITION: Motion Carried

*#1106 Township of Malahide – Court of Revision for the Teskey Drain*

Resolution No. 19 Moved by Ron Sackrider

Seconded by G. Mitchell

RESOLVED that the Council of the Township of South-West Oxford appoint Councillor Anne Vanhoucke to sit on the Court of Revision for the Teskey Municipal Drain.

DISPOSITION: Motion Carried

*#1114 A.M.O. Federal Gas Tax Fund payment schedule*

Council reviewed the schedule.

*#1122 Ontario Egg Farmers – Purchase of Ontario Eggs*

Resolution No. 20 Moved by Ron Sackrider

Seconded by G. Mitchell

WHEREAS the Council of the Township of South-West Oxford supports the practices that contribute to the creation of a sustainable environment;

AND WHEREAS Ontario egg farmers currently provide our Community with fresh, locally produced Grade A eggs which travel from farm to table in 4 to 7 days;

AND WHEREAS Ontario egg farmers take pride in caring for their hens while offering consumers a variety of egg choice;

THEREFORE BE IT RESOLVED that the current procurement practice of eggs by the Council of the Township of South-West Oxford, produced by Ontario egg farmers be, identified as the preferred local sustainable procurement practice;

BE IT FURTHER RESOLVED that the purchase of all Ontario eggs contributes to the creation of a sustainable environment in which consumers and farmers benefit.

DISPOSITION: Motion Carried

*#05 Ministry of Natural Resources – Endangered Species Act Information Session*  
Resolution No. 21 Moved by George Klosler  
Seconded by G. Mitchell

RESOLVED that Wray Ramsay attend the information session of the Endangered Species Act 2007 (ESA 2007) on January 29, 2009 in Woodstock.

DISPOSITION: Motion Carried

*#06 Town of Ingersoll – Doctor Recruitment Committee Funding*  
Council requested financial details from the Town of Ingersoll.

*#09 Oxford County Planning Department – request for comments from Council on the Minor Exemption request for tree removal/replanting by Marklane Farms.*  
Deputy Clerk Greb noted that the application did not include any information on how the trees would be harvested or what species of trees were proposed for replanting. She noted that the County Tree Commissioner was preparing a negative report on the application.

Council did not comment on the application.

*#13 A.M.O. Municipal Leaders Forum on Green Building*  
Resolution No. 22 Moved by Ron Sackrider  
Seconded by G. Mitchell

RESOLVED that David Mayberry attend the 2009 Municipal Leaders Forum on Green Building on February 4, 2009 at Black Creek Pioneer Village in Toronto.

DISPOSITION: Motion Carried

Staff was encouraged to attend the workshop.

*#14 Request for outdoor skating surface in Sweaburg from resident George Friesen.*  
Council reviewed the request as well as an email for Councillor Jay Heaman who was in favour of the proposal.

Deputy Clerk Greb noted that the executive of the Oxford Heights Peace Park had been notified by email of the request and that all were supportive provided the annual park budget was not impacted and the surface was located away from where children toboggan.

Greb also noted that Beachville Fire Chief Wayne Lillywhite was in favour of the proposal and would have several volunteers from the Fire Department flood the ice using the tanker truck.

Resolution No. 23 Moved by Gerald Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Beachville Fire Department be given permission to flood the outdoor ice surface in Sweaburg.

DISPOSITION: Motion Carried

*#13 A.M.O./L.A.S. Municipal Energy Workshops*

Resolution No. 24 Moved by George Klosler  
Seconded by Ron Sackrider

RESOLVED that Jay Heaman or alternate attend the 2009 AMO/LAS Energy Management Workshops.

DISPOSITION: Motion Carried

Staff was encouraged to attend the workshops.

*#22 Steve Beatty – Emergency Measures Ontario Workshop*

Resolution No. 25 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that up to two staff members attend the Emergency Management Training workshop for Senior Management and Elected Officials in Clinton on February 12, 2009.

DISPOSITION: Motion Carried

*Petition for Drainage Works – Branch “A” extension of Butler Drain*

Resolution No. 26 Moved by G. Mitchell  
Seconded by Ron Sackrider

RESOLVED that South-West Oxford Council accept the petition for drainage Part Lots 26 & 27 Concession 2 former Township of Dereham.

DISPOSITION: Motion Carried

*Beachville Museum 2009 Budget*

Resolution No. 27 Moved by G. Mitchell  
Seconded by George Klosler

RESOLVED that the Council of the Township of South-West Oxford support the 2009 budget for the Beachville Museum.

DISPOSITION: Motion Carried

**ACCOUNTS PAYABLE**

Resolution No. 28 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that the following Accounts be approved for payment:

Accounts payable council report	\$302,422.03
Gst recoverable	6,726.61
Pre-authorized payments	18,850.44
Council December Remuneration	5,494.13
Bi-Weekly #26-2008	33,532.97
Bi-Weekly #01-2009	32,512.91
Bi-Weekly #02-2009	31,162.27
Firehall #1 Oct – Dec 2008	22,469.61
Firehall #2 Oct – Dec 2008	24,593.86
Firehall #3 Oct – Dec 2008	<u>\$ 31,185.05</u>
TOTAL	<u>\$508,949.88</u>

**INFORMATION CORRESPONDENCE ITEMS**

Resolution No. 29 Moved by G. Mitchell  
Seconded by Ron Sackrider

RESOLVED that the following information correspondence be noted and filed:

#1096, #1097, #1100, #1103, #1113, #1121, #24

DISPOSITION: Motion Carried

**NEW BUSINESS**

*Energy and Environment Council Committee Minutes of January 13, 2009*

The minutes outlined the following five action items:

1. New Building Protocol – Council should consider a protocol that would require longevity and sustainable technologies inherent in the design.
2. Staff Training – Council should encourage operational and senior management staff to attend relevant workshops. The C.B.O. and C.A.O.

positions are pivotal and should be encouraged to explore opportunities and report back to Council.

3. Main Meeting Format – Council should consider including a portion on the regular day meeting agenda that would see an educational update section at the end of the meeting.
4. Monitoring and Measuring – A member of the committee will contact Erie Thames Power (ERTH) and request Interval or Smart metering installations in all South-West Oxford buildings serviced by ERTH. In addition Councillor Gerald Mitchell's residence in Beachville could be suggested as a possible site for smart metering evaluation.
5. Committee Makeup/Participation – Council should consider expanding the current Committee to include the following:
  - a. Four members of council
  - b. Two members of staff (senior management member and C.B.O.)
  - c. Two members of the public

Acting Mayor David Mayberry asked council to consider the direction it wished to take.

### **BY-LAWS AND AGREEMENTS**

BY-LAW NO. 1-2009 Interim Tax Levies for the year 2009

*First and Second Reading*

Resolution No. 30 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that the mover be granted leave to introduce a by-law to provide for interim tax levies for the year 2009 for the Township of South-West Oxford and this shall constitute the First and Second Reading thereof. (By-Law No. 1-2009)

DISPOSITION: Motion Carried

*Third and Final Reading*

Resolution No. 31 Moved by Ron Sackrider  
Seconded by George Klosler

RESOLVED that the By-Law to provide for interim tax levies for the year 2009 for the Township of South-West Oxford be now read a third time and Finally Passed, signed, sealed and numbered 1-2009.

DISPOSITION: Motion Carried

**ADJOURNMENT**

Resolution No. 32 Moved by George Klosler  
Seconded by G Mitchell

RESOLVED that there being no further business Council adjourn at 11:16 p.m. to meet again on February 3, 2009, commencing at 9:00 a.m.

DISPOSITION: Motion Carried

These minutes were adopted by Council on the 3rd day of February, 2009.

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MAYOR

\_\_\_\_\_  
CLERK-TREASURER