

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

June 16, 2009

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

MEMBERS ABSENT: Councillors: None

STAFF PRESENT: Allen Forrester, Clerk-Treasurer Administrator

MEETING 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 Jay Heaman
Seconded by D. Anne Vanhoucke

RESOLVED that the agenda for the June 16, 2009, Council Meeting be accepted.

DISPOSITION: Motion Carried.

MINUTES:

Resolution No. 2 –

Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the minutes of the June 2, 2009, Regular Meeting of Council be accepted.

DISPOSITION: Motion Carried.

Resolution No. 3 –

Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the minutes of the June 2, 2009, Closed Meeting of Council be accepted.

DISPOSITION: Motion Carried

DECLARATION OF PECUNIARY INTEREST

There were no declarations.

DELEGATION: BRODERICK CAREY, PRESIDENT, OXFORD REGIONAL LABOUR COUNCIL

Broderick Carey, President, Oxford Regional Labour Council spoke to Council about the current unemployment situation in the Oxford County area and proposed changes to Employment Insurance (EI) System.

Some points from his address were:

- The Oxford Regional Labour Council has 8,500 members in the Oxford area.
- There is over 10% unemployment in this area.
- To-day only 35% of the unemployed qualify for EI where previously 85% of the unemployed could qualify.
- Seasonally unemployed persons and new workers need 910 hrs which is approximately 6 months so it is very difficult for them to qualify for EI support.
- Short work weeks and layoffs affect how much EI support people receive.
- People who do not receive EI support often end up on social assistance.

Resolution No. 4 –

Moved by Gerry Mitchell
Seconded by Ron Sackrider

Whereas a healthy unemployment insurance system is the most powerful of all economic stabilizers. In the recessions of the early '80s and '90s, UI prevented deeper, longer downturns and reduced the shock of job and GDP losses;

Whereas we have entered this new economic crisis with a much weaker EI system. It provides only half the coverage it did in the last recession. Now only one third of the unemployed receive EI at any given time – because fewer workers qualify and benefit weeks are reduced.

Whereas the federal Government stopped contributing to EI and diverted EI premiums to other spending (54 Billion between 1994-2007 instead of restoring EI benefits);

Whereas even the US government has shown leadership through major improvements in the duration of UI benefits and a universal benefit top-up as part of a stimulus package to deal with the crisis;

Whereas there will be a negative fiscal impact on all municipalities if residents are unable to access EI benefits or otherwise maintain incomes during this economic downturn, due to the increased reliance on locally

provided social programs,

Therefore be it resolved that the Township of South-West Oxford call upon the Government of Canada to investigate the following changes to the Employment Insurance system such as:

1. 360 hours to qualify for EI benefits in all regions of Canada
2. Increase benefits duration to at least 50 weeks in all regions, and
 - Provide an additional year of 'Special Extension' benefits if national unemployment exceeds 6.5% - paid from federal general revenues.
 - Extend EI benefits while a worker is in approved training.
3. Increase benefits to at least 60% of normal earnings, using workers' 12 best weeks, and raise the maximum. Suspend the allocation of severance pay, and eliminate the 2 weeks waiting period.

DISPOSITION: Motion Carried

BY-LAW NO. 27-2009

SUBJECT: TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN CORNELIUS A.J.M. VAN IPEREN AND THE TOWNSHIP OF SOUTH-WEST OXFORD TO PERMIT THE HOUSE CURRENTLY ON THE SUBJECT PROPERTY, IN PART OF LOT 13, CONCESSION 5 (DEREHAM) TO BE OCCUPIED AS A RESIDENCE WHILE A NEW HOUSE IS CONSTRUCTED

Henry Domm, contractor, was present in support of the proposed agreement on behalf of Anne Hendrik Postmus and Egbertha Postmus-Borgess who will occupy the new residence.

Resolution No. 5 –

Moved by George Klosler

Seconded by D. Anne Vanhoucke

RESOLVED that the mover be granted leave to introduce a by-law to authorize the execution of an agreement between Cornelius A.J.M. Van Iperen, of the First Part, and the Corporation of the Township of South-West Oxford of the Second Part and this shall constitute the First and Second Reading thereof. (By-Law No. 27-2009)

DISPOSITION: Motion Carried

Resolution No. 6 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the By-Law to authorize the execution of an agreement between Cornelius A.J.M. Van Iperen, of the First Part, and the Corporation of the Township of South-West Oxford of the Second Part be now Read a Third time and Finally Passed, signed, sealed and numbered 27-2009.

DISPOSITION: Motion Carried

WORKS DEPARTMENT

Works Superintendent, Bill Freeman gave his Report Numbered W.D. 12-2009 on the following subjects:

- 1) Infrastructure Funding
- 2) Paving Tender 2008 (Cranberry Line and Union Road)
- 3) Oak and vine Street
- 4) Mailboxes
- 5) Works Department Activity

Resolution No. 7 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Works Superintendent's Report No. W.D. 12-2009 be received.

DISPOSITION: Motion Carried

The Works Superintendent was also given approval to advertise for tenders for the supply of a new loader.

APPOINTMENT OF MEMBERS OF THE COURT OF REVISION FOR THE QUINN DRAIN 2009

Resolution No. 8 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that the following persons be appointed as members of the Court of Revision for the Quinn Drain 2009:

Chair: Jay Heaman
Member: George Klosler
Member: Ron Sackrider

DISPOSITION: Motion Carried

ADJOURN FOR A MEETING OF THE COURT OF REVISION FOR THE QUINN DRAIN 2009

Resolution No. 9 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that Council adjourn in order that a meeting of the Court of Revision for a municipal drain may be held.

DISPOSITION: Motion Carried

The Court of Revision having completed its business and adjourned, the Council Meeting was resumed.

BUILDING DEPARTMENT

Chief Building Official's Report No. B.D. 11-2009 on the following subjects was considered by Council.

- 1) Community Adjustment Fund
- 2) Building Permits for the Month of May
- 3) Inspections

Resolution No. 10 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Chief Building Official's Report No. B.D. 11-2009 be received.

DISPOSITION: Motion Carried

CORRESPONDENCE ITEM NO. 493 FROM WALLACEBURG DISASTER RELIEF COMMITTEE ICE JAM FLOODING IN WALLACEBURG ON FEBRUARY 12, 2009

Resolution No. 11 –

Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that Correspondence Item No. 493 from the Wallaceburg Disaster Relief Committee be noted and filed.

DISPOSITION: Motion Carried

CORRESPONDENCE ITEM NO. 494 FROM ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE RE. SPECIES HABITAT REGULATIONS EMERGING FROM ENDANGERED SPECIES ACT

Resolution No. 12 –

Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that Correspondence Item No. 494 from the Ontario Property and Environmental Rights Alliance be noted and filed.

DISPOSITION: Motion Carried

CORRESPONDENCE ITEM NO. 521 FROM MR. DON BURGESS, MEMBER SERVICE REPRESENTATIVE, ONTARIO FEDERATION OF AGRICULTURE (OXFORD COUNTY)

RE: MAINTENANCE OF CIVIC ADDRESS SIGNS

Council directed that this item be referred to the Works Superintendent.

CORRESPONDENCE ITEM NO. 496 FROM THE TOWN OF FORT ERIE PROPOSING THAT HOSPITALS BE INCLUDED UNDER THE JURISDICTION OF THE OMBUDSMAN

Resolution No. 13 –

Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the resolution of the Town of Fort Erie petitioning the Premier of Ontario to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman be supported.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 497 FROM THE CITY OF PICKERING
RE: PROVINCIAL HARMONIZED SALES TAX**

Resolution No. 14 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the resolution of the City of Pickering requesting the Province of Ontario to stop implementation of the Provincial Harmonized Sales Tax until more public consultation and input is received be supported.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 500 FROM TOWN OF HAWKESBURY
RE: PROTECTING CANADIAN INDUSTRIES DURING ECONOMIC SLOW-DOWN**

Resolution No. 15 –

Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the resolution of the Town of Hawkesbury, with regard to lobbying the Governments of Ontario and Canada to ensure that investments made by Canadians in industries be protected on a long term basis and secured against being moved outside the country or closed without consultation with Canadian investors, be noted and filed.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 510 FROM HON. JIM KARIGIANNIS, M.P. FOR
SCARBOROUGH-AGINCOURT
RE: BILL C-319 AN ACT TO AMEND THE MOTOR VEHICLE SAFETY ACT
(SPEED LIMITERS)**

Resolution No. 16 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that Bill C-139 to amend the Motor Vehicle Safety Act to require speed limiters set to a maximum of 150 kilometres per hour on motor vehicles be noted and filed.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 536 FROM MUNICIPALITY OF HASTINGS
HIGHLANDS**

**RE: RECOVERY OF FIRE DEPARTMENT COSTS FOR SECURING SITES DUE
TO DANGER FROM POWER LINES DOWNED BY WINDSTORMS**

Resolution No. 17 –

Moved by George Klosler
Seconded by David Mayberry

RESOLVED that the resolution of the Municipality of Hasting Highlands with regard to recovery from Hydro One of the cost of the Fire Department protecting and securing sites from the danger of fallen power lines due to wind and storms be supported.

DISPOSITION: Motion Carried

**STOCKVALUER'S REPORT RE: CLAIM OF WILLIAM HAWLEY & SON LTD.
RE: LIVESTOCK KILLED ON OR ABOUT JUNE 9, 2009**

Resolution No. 18 –

Moved by Jay Heaman
Seconded by George Klosler

RESOLVED that the Stockvaluer's report re. claim of Wm. Hawley & Sons Ltd. with regard to livestock killed on or about June 9, 2009, be accepted and the Stockvaluer's fee and mileage paid.

DISPOSITION: Motion Carried

**CONSIDERATION OF ENGINEER'S REPORT FOR THE WOOLLEY MUNICIPAL
DRAIN 2009**

William (Bill) Dietrich, P.Eng., of Dietrich Engineering Ltd., presented the Engineer's Report for the Woolley Municipal Drain.

Drainage Superintendent Wray Ramsay was present for the consideration of the report.

Larry Godelie asked if Wayne Rockx (Rockx Farms Ltd.) had been assessed properly for Branch 1 of the Drain.

Bill Dietrich explained, with reference to the Assessment Schedule for Branch 1 in the Engineer's Report, that Rockx Farm Ltd. had been assessed for the approximately 2.02 hectares of land that could be systematically drained into Branch 1 of the Woolley Drain, which was its share of the area that could be drained into Branch 1.

Mr. Dietrich also commented about the Schedule of Assessment for Maintenance contained in the Report. He also explained what "allowances" are under the Drainage Act and referred to the Schedule of Allowances in the Report (Page 5).

Peggy Andrews asked why no improvements were made to Branch 2 of the Woolley Drain for the Township Park.

Bill Dietrich responded that under the Report the existing drain would be replaced up to the boundary of the park. The Township could make private drain improvements in the park and connect them to Branch 2.

Bill Riley inquired about the catch basin on Branch 1 of the Drain at the boundary of his property.

Mr. Dietrich explained that the catch basin will be changed. Surface water will be able to drain into it. If the catch basin can't handle the flow the water will drain overland.

Bill Godelie said that he didn't like the \$15,000 assessment against his land. His land is not systematically tiled.

Bill Dietrich commented that the existing Woolley Drain is grossly undersized by current standards.

Bill Godelie said that he had missed the first (on site) meeting on the farm. He had attended the meeting (with the engineer) at the municipal office and it was all explained to him. But he is 61 years old and does not appreciate receiving an assessment for \$15,000 for a drain. He said he will not be tiling his land.

Drainage Superintendent Wray Ramsay explained the procedure that was followed for notifying directly affected owners about the site meeting and the information meeting held at the municipal office.

In response to a question, Bill Dietrich explained that people could petition for further extensions to the drain at any time.

This Report is under Section 78 of the Drainage Act for repair or improvement of an existing drain and one person can request such an improvement.

The procedure is different from that for a new drain (Section 4 of the Drainage Act) where a petition is required.

Drainage Superintendent Wray Ramsay in response to a question said that all the assessed owners listed in the report could have been notified of the preliminary meetings but to keep the numbers attending manageable only those directly affected, that is those whose land was actually crossed by the drain, were notified.

Resolution No. 19 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Engineer's Report on the Woolley Municipal Drain be accepted.

DISPOSITION: Motion Carried

Mr. Ramsay commented that there would be a Court of Revision for the Woolley Drain 2009 to hear appeals of assessments.

Bill Dietrich said that the Engineer's Report is based on estimates of the cost of the work. The final assessments will be based on the actual cost of the work, which depending on the tenders for the work could be higher or lower than the estimated cost.

CLOSED MEETING

Resolution No. 20 –

Moved by Jay Heaman
Seconded by George Klosler

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 8:51 p.m. and reconvened "in public" at 9:31 p.m.

ACCOUNTS

Resolution No. 21–

Moved by Jay Heaman
Seconded by George Klosler

RESOLVED that the following Accounts be approved for payment:

Accounts Payable Council Report	\$75,393.05
Accounts Payable Council Report	\$ 688,271.24
Gst recoverable	\$36,172.16
Bi-Weekly #12	\$ 29,013.46
Council Remuneration for May, 2009	\$8,987.98
TOTAL	\$837,738.89

DISPOSITION: Motion Carried

INFORMATION CORRESPONDENCE

Resolution No. 22 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that the following Correspondence be noted and filed.
#479, #492, #495, #498, #499, #501, #502, #504, #505, #506, #507,
#508, #511, #514, #517, #529, #530, #531, #532, #533, #534, #535,
#537.

DISPOSITION: Motion Carried

Council directed that Correspondence Item No. 480 from Criterion Pictures be forwarded to the Township's hall boards.

FIRE CHIEF REPORTS

Resolution No. 23 –

Moved by Gerry Mitchell
Seconded by David Mayberry

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

DISPOSITION: Motion Carried

Resolution No. 24

Moved by Gerry Mitchell
Seconded by Ron Sackrider

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

DISPOSITION: Motion Carried

Resolution No. 25 –

Moved by Gerry Mitchell
Seconded by David Mayberry

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

DISPOSITION: Motion Carried

BY-LAW NO. 28-2009

SUBJECT: TO RE-ZONE PROPERTY OF JANET E. JUSTUS ON THE NORTH SIDE OF BROWNSVILLE ROAD IN PART LOT 18, CONCESSION 10 (DEREHAM) FROM GENERAL AGRICULTURE (A2) TO RURAL RESIDENTIAL (RR) TO IMPLEMENT A DECISION OF THE OXFORD LAND DIVISION COMMITTEE TO PERMIT A FARM LOT ADDITION WITH THE OWNER RETAINING THE SURPLUS FARM DWELLING

Resolution No. 26 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the mover be granted leave to introduce a by-law to amend Zoning By-Law No. 25-98 by changing to "RR" the zone symbols of the lands so designated "RR" on Schedule "A" and this shall constitute the First and Second Reading thereof. (By-Law No. 28-2009)

DISPOSITION: Motion Carried

Resolution No. 27 –

Moved by George Klosler
Seconded by D. Anne Vanhoucke

RESOLVED that the By-Law to amend Zoning By-Law No. 25-98 by changing to "RR" the zone symbols so designated "RR" on Schedule "A" be now Read a Third time and Finally Passed, signed, sealed and numbered 28-2009.

DISPOSITION: Motion Carried

BY-LAW NO. 29-2009 (1st and 2nd Reading)

**SUBJECT: TO PROVIDE FOR REPAIRS AND IMPROVEMENTS TO THE
WOOLLEY MUNICIPAL DRAIN**

Resolution No. 28 –

Moved by George Klosler
Seconded by Jay Heaman

RESOLVED that the mover be granted leave to introduce a by-law to provide for repairs and improvements to the Woolley Municipal Drain and this shall constitute the First and Second Reading thereof.

DISPOSITION: Motion Carried

REVENUE OFFICER'S REPORT NO. R.O. 2-2009

Resolution No. 29 –

Moved by Jay Heaman
Seconded by George Klosler

RESOLVED that the Revenue Officer's Report No. R.O. 2-2009 be accepted.

DISPOSITION: Motion Carried

CLOSED MEETING

Council went into Committee of the Whole "in camera" at 9:51 p.m. and reconvened "in public" at 10:22 p.m.

Resolution No. 30 –

Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED THAT Council hold a closed meeting in order to address a matter pertaining to:

- A proposed or pending acquisition or disposition of land by the municipality or local board.

DISPOSITION: Motion Carried

ADJOURNMENT

Resolution No. 31 -

Moved by Jay Heaman

Seconded by George Klosler

RESOLVED that there being no further business Council adjourn at 10:22 p.m. to meet again on July 7, 2009, commencing 9:00 a.m.

DISPOSITION: Motion Carried

These minutes were adopted by Council on the 7th day of July, 2009.

MAYOR: James Hayes

CLERK: Allen Forrester