

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

July 7, 2009

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

**MEMBERS ABSENT:** Councillor: Jay Heaman

**STAFF PRESENT:** Mary Ellen Greb, Chief Administrative Officer  
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 Gerry Mitchell  
Seconded by David Mayberry

RESOLVED that the agenda for the July 7, 2009,  
Council Meeting be accepted.

DISPOSITION: Motion Carried.

**MINUTES:**

Resolution No. 2 –

Moved by Gerry Mitchell  
Seconded by David Mayberry

RESOLVED that the minutes of the June 16, 2009, Regular Meeting of  
Council be accepted.

DISPOSITION: Motion Carried.

Resolution No. 3 –

Moved by Gerry Mitchell  
Seconded Ron Sackrider

RESOLVED that the minutes of the June 16, 2009, Closed Meeting of  
Council be accepted.

DISPOSITION: Motion Carried

**DECLARATION OF PECUNIARY INTEREST**

There were no declarations.

**BUILDING DEPARTMENT**

Chief Building Official Dwayne Daniel gave his report as follows:

Report No. B.D. 12-2009, Subject (s):

- 1) Community Adjustment Fund Application
- 2) Stewardship funding application, Septic System Replacement  
Fund re: Dereham Centre Community Hall
- 3) Inspections

The Chief Building Official was directed to take a look at the Dereham Centre Hall to see what maintenance needs to be done on the building, what it would cost to keep it up to date, such as repointing concrete block walls.

Resoltuion No. 4 –

Moved by Gerry Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Chief Building Official's Report No. B.D. 12-2009 be accepted.

DISPOSITION: Motion Carried

**WORKS DEPARTMENT**

Works Superintendent Bill Freeman gave his report as follows:

Report No. W.D. 13-2009, Subject (s):

- 1) Former Recycling Depot : Completion of Repairs to Building, Sale of Equipment
- 2) Tender for Loader
- 3) Reconstruction of Oak and Vine Streets, Beachville
- 4) Works Department Activity
- 5) Beaconsfield Road Reconstruction

Resolution No. 5 –

Moved by Gerry Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Works Superintendent's Report No. W.D. 13-2009 be accepted.

DISPOSITION: Motion Carried

**TIRE RECYCLING**

Staff was directed to prepare a report about tire recycling.

**PROJECT FUNDING – DISCUSSION ITEM FOR NEXT MEETING**

Council directed that the issue of funding the Township share of projects for which application for grant has been made under a Federal/Provincial program be included on the agenda for the next meeting of Council as a discussion item. If such an application is approved, how will the Township's one-third share be funded?

If such an application is not approved but the Board concerned wants to proceed with the project, will Council fund part of the cost (eg. Paving parking lot at Salford Hall)?

**DRAINAGE DEPARTMENT**

Drainage Superintendent Wray Ramsay gave his report as follows:

Report No. D.D. 14-2009, Subject(s);

1) Drainage Activity for June

Resolution No. 6 –

Moved by Ron Sackrider

Seconded by Gerry Mitchell

RESOLVED that the Drainage Superintendent's Report No. D.D. 14-2009 be accepted.

DISPOSITION: Motion Carried

Drainage Superintendent Wray Ramsay gave his report No. D.D. 15-2009

Subject: Petition for New Municipal Drain in Lot 9, Concession 5 (Dereham)

Resolution No. 7 –

Moved by Ron Sackrider

Seconded by Gerry Mitchell

RESOLVED that the Drainage Superintendent's Report No. D.D. 15-2009 be accepted.

DISPOSITION: Motion Carried

Drainage Superintendent Wray Ramsay gave his report No. D.D. 16-2009

Subject: Request to clean out Campbell Municipal Drain

Resolution No. 8 –

Moved by Ron Sackrider

Seconded by Gerry Mitchell

RESOLVED that the Drainage Superintendent's Report No. D.D. 16-2009 be accepted.

DISPOSITION: Motion Carried

**APPOINTMENT OF MEMBERS OF COURT OF REVISION FOR WOOLLEY DRAIN 2009**

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Resolution No. 9 –

Moved by Ron Sackrider  
Seconded by David Mayberry

RESOLVED that the following persons be appointed as members of the Court of Revision for the Woolley Drain 2009.

Chair: George Klosler  
Member: Ron Sackrider  
Member: Anne Vanhoucke

DISPOSITION: Motion Carried

**TENDERS FOR CONSTRUCTION OF QUINN DRAIN 2009**

Resolution No. 10 –

Moved by Ron Sackrider  
Seconded by David Mayberry

RESOLVED that the tender of Van Bree Drainage and Bulldozing Limited in the amount of \$174,557.25, including taxes, for construction of the Quinn Drain 2009 be accepted and the Mayor and Clerk authorized to sign the contract.

DISPOSITION: Motion Carried

**REPORT ON POLICING FOR 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTER OF 2009**

Inspector Jack Goodlett, Detachment Commander, and Sgt. John Rutkauskas, Oxford Detachment of the Ontario Provincial Police reviewed with Council the Report on Policing in the Townships of Zorra and South-West Oxford for the 1<sup>st</sup> and 2<sup>nd</sup> Quarter of 2009.

Inspector Goodlett suggested that Council consider passing a by-law similar to the one passed by the Municipality of Chatham-Kent to prohibit excessive fortification of properties.

Resolution No. 11 –

Moved by Ron Sackrider  
Seconded by Gerry Mitchell

RESOLVED that the report of the Oxford Detachment of the Ontario Provincial Police for the Townships of South-West Oxford and Zorra for the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of 2009 be accepted.

DISPOSITION: Motion Carried

**ADJOURN FOR PUBLIC MEETING FOR A ZONE CHANGE APPLICATION**

Resolution No. 12 –

Moved by Gerry Mitchell  
Seconded by Ron Sackrider

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 4-09-5 OF JOHN AND TINA HIEBERT FOR LAND IN PART LOT 21, CONCESSION 11 (DEREHAM) IN BROWNSVILLE, 163554 BROWNSVILLE ROAD**

John Hiebert was present in support of the application.

Melissa Sherran, Planner, Community and Strategic Planning, County of Oxford, gave the Planning Report for the application.

John Hiebert said that he had no comment on the Planning Report, that it covers everything.

No one else appeared for or against the application.

The Chair declared the Public Meeting concluded.

The Council Meeting was resumed.

Resolution No. 13 –

Moved by Gerry Mitchell  
Seconded by George Klosler

RESOLVED that Zone Change Application No. ZON 4-09-5 of John and Tina Hiebert to rezone land in Part Lot 21, Concession 11 (Dereham) in Brownsville, from Residential Type 1 Zone (R1) to Special Restricted Industrial Zone (MR-4) be approved.

DISPOSITION: Motion Carried

**CHIEF ADMINISTRATOR'S REPORT NO. C.A.O. 1-2009**

**SUBJECT: REQUEST FROM JIM AND KELLY BULA FOR THE TOWNSHIP TO TAKE A 1ft SQUARE PIECE OF LAND FROM THEIR PROPERTY IN PART LOT 29, CONCESSION 1 (WEST OXFORD) TO UNDO A PREVIOUS SEVERANCE**

Melissa Sherran, Planner, Community and Strategic Planning, County of Oxford explained the procedure for undoing a previous severance.

Resolution No. 14

Moved by Gerry Mitchell  
Seconded by David Mayberry

RESOLVED that Staff Report No. C.A.O. 1-2009 be accepted.

DISPOSITION: Motion Carried

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**CLERK-TREASURER ADMINISTRATOR'S REPORT NO. C.T.A. 15-2009**  
**SUBJECT: SEVERANCE APPLICATION NO. B-45/08 OF 1625824 ONTARIO INC.**  
**(VERSPEETEN CARTAGE) AND RECOMMENDING THAT A**  
**SEVERANCE AGREEMENT NOT BE REQUIRED**

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Resolution No. 15 –

Moved by Gerry Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Clerk-Treasurer Administrator's Report No. C.T.A. 15-2009 be accepted.

DISPOSITION Motion Carried

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**CLERK-TREASURER ADMINISTRATOR'S REPORT NO. C.T.A. 16-2009**  
**SUBJECT: DRAINAGE ASSESSMENT RE-APPORTIONMENT FOR SEVERANCE**  
**APPLICATION B-47/08, OWNER: D & J PATON LTD., PART LOT 20,**  
**CONCESSION 5 (DEREHAM)**

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Resolution No. 16 –

Moved by Gerry Mitchell  
Seconded by Ron Sackrider

RESOLVED that the Clerk-Treasurer Administrator's Report No. C.T.A. 16-2009 be accepted.

DISPOSITION: Motion Carried

**CLOSED MEETING**

Resolution No. 17 –

Moved by George Klosler  
Seconded by D. Anne Vanhoucke

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 11:27 a.m. and reconvened "in public" at 12:02 p.m.

Council adjourned for lunch at 12:02 p.m. and reconvened at 1:00 p.m.

**CHIEF ADMINISTRATIVE OFFICER'S REPORT NO. C.A.O 2-2009**  
**SUBJECT: AMCTO CONFERENCE 2009**

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Chief Administrative Officer Mary Ellen Greb reviewed her report numbered C.A.O. 2-2009 with regard to the Association of Municipal Managers, Clerks and Treasurers of Ontario's annual conference that was held in Sault Ste. Marie, June 14 to June 17, 2009.

Resolution No. 18 –

Moved by Gerry Mitchell  
Seconded by David Mayberry

RESOLVED that staff report No. C.A.O. 2-2009 be received.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 605 FROM MT. ELGIN FAST BALL TEAM FOR  
BEER GARDEN AT SLO-PITCH TOURNAMENT ON AUGUST 15, 2009**

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Resolution No. 19 –

Moved by George Klosler  
Seconded by D. Anne Vanhoucke

RESOLVED that the proposal of the Mount Elgin Mets Fastball Team for a beer garden in connection with their slo-pitch tournament on August 15, 2009, be approved subject to the condition that the Township of South-West Municipal Facilities Alcohol Management Policy is complied with.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 550 FROM TOWN OF ARNPRIOR  
RE: CANADIAN NUCLEAR TECHNOLOGY**

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Resolution No. 20 –

Moved by Ron Sackrider  
Seconded by David Mayberry

RESOLVED that the resolution of the Town of Arnprior requesting the Federal and Provincial governments to commit to Canadian nuclear technology be noted and filed.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 554 FROM TOWN OF INNISFIL  
RE: REQUESTING PROVINCE OF ONTARIO TO EXEMPT ELECTRICITY SALES  
FROM PROVINCIAL PORTION OF HARMONIZED SALES TAX**

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Resolution No. 21 –

Moved by David Mayberry  
Seconded by Ron Sackrider

RESOLVED that the resolution of the Town of Innisfill, requesting the Province of Ontario to exempt electricity sales from the provincial portion of the single harmonized sales tax until the stranded debt of Ontario Hydro is fully retired, be noted and filed.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 562 FROM TOWNSHIP OF STIRLING-RAWDON  
RE: MUNICIPAL DRINKING WATER LICENSING PLANS FOR ITS WATER  
SYSTEM**

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Resolution No. 22 –

Moved by David Mayberry  
Seconded by Ron Sackrider

RESOLVED that the portion of the Township of Stirling-Rawdon with regard to Municipal Drinking Water Licensing Plans for its Water Treatment Plant and Water Distribution System be noted and filed.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 582 FROM CITY OF WELLAND  
RE: PROVINCIAL FUNDING FOR HOSPITALS**

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Resolution No. 23 –

Moved by David Mayberry  
Seconded by Ron Sackrider

RESOLVED that the resolution of the City of Welland with regard to developing an improved Provincial funding model to ensure that every citizen has equal and reasonable access to necessary medical and health services provided through the hospital system be supported.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 583 FROM CANADIAN UNION OF POSTAL WORKERS**

**RE: RURAL AND SMALL POST OFFICES AND RURAL MAIL DELIVERY**

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Resolution No. 24 –

Moved by George Klosler

Seconded by D. Anne Vanhoucke

WHEREAS the report of the Canada Post Corporation Strategic Review (CPCSR) recommends that the current moratorium on post office closures in rural and small towns be replaced with a mechanism involving new rules and procedures, including the ability to replace public post offices with private outlets.

WHEREAS the report also recommends that rural mailbox delivery be reconsidered.

WHEREAS these recommendations, if implemented by the federal government, would undermine public postal service and jobs in our community and fundamentally change the nature of Canada Post's retail and delivery network.

WHEREAS the report proposes that Canada Post's highly inadequate community consultation process be used when closing or "rationalizing" a post office/outlet and that a similar process be used when replacing rural mailbox delivery with delivery to a community box, green box or post office.

BE IT RESOLVED THAT a letter be sent to Rob Merrifield, the Minister responsible for Canada Post, and request that the government preserve public postal service and jobs in our community by rejecting CPCSR recommendations that would:

1. Put an end to the moratorium on post office closures in rural and small towns and give Canada Post the flexibility to close post offices covered by the current moratorium or convert these public post offices to private outlets.
2. Cut delivery to rural mailboxes without exploring all options or properly consulting with residents or the representatives of rural delivery workers.

BE IT FURTHER RESOLVED that we request the Minister Merrifield consult with the public, postal unions and other major stakeholders to develop a uniform and democratic process for making fundamental changes to Canada Post's retail and delivery network.

DISPOSITION: Motion Carried

**CORRESPONDENCE ITEM NO. 590 FROM INSPECTOR JACK GOODLETT,  
DETACHMENT COMMANDER, OXFORD DETACHMENT, ONTARIO PROVINCIAL  
POLICE**

**RE: CHATHAM-KENT BY-LAW PROHIBITING EXCESSIVE FORTIFICATION**

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The Municipality of Chatham-Kent by-law prohibiting excessive fortification was referred to the Chief Building Official for review.

**ACCOUNTS PAYABLE**

Resolution No. 25 –

Moved by George Klosler  
Seconded by David Mayberry

RESOLVED that the following Accounts be approved  
for payment:

Accounts payable council report	\$26,369.29
Accounts payable council report	\$358,798.34
Gst recoverable	\$11,710.91
Bi-Weekly #13	\$29,421.93
Pre-Authorized Payments (PAP)	\$10,113.46
<b>TOTAL</b>	<b><u>\$463,413.93</u></b>

DISPOSITION: Motion Carried

**BY-LAW NO. 22-2009**

**SUBJECT: RECONSTRUCTION OF THE QUINN MUNICIPAL DRAIN (Third  
Reading)**

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Resolution No. 26 –

Moved by D. Anne Vanhoucke  
Seconded by George Klosler

RESOLVED that the by-law to provide for the construction of the Quinn  
Drain 2009 be now read and finally passed, signed, sealed and numbered  
22-2009.

DISPOSITION: Motion Carried

**BY-LAW NO. 30-2009**

**SUBJECT: TO PROVIDE FOR THE ERECTION OF STOP SIGNS AT INTERSECTIONS (1<sup>st</sup> and 2<sup>nd</sup> Reading)**

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Resolution No. 27 –

Moved by George Klosler  
Seconded by David Mayberry

RESOLVED that the mover be granted leave to introduce a by-law to provide for the erection of stop signs at intersections and this shall constitute the First and Second Reading thereof. (By-Law No. 30-2009)

DISPOSITION: Motion Carried

**BY-LAW NO. 31-2009**

**SUBJECT: TO DESIGNATE THROUGH HIGHWAYS (1<sup>st</sup> and 2<sup>nd</sup> Reading)**

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Resolution No. 28 –

Moved by David Mayberry  
Seconded by George Klosler

RESOLVED that the mover be granted leave to introduce a by-law to designate through highways and this shall constitute the First and Second Reading thereof. (By-Law No. 31-2009)

DISPOSITION: Motion Carried

**BY-LAW NO. 32-2009**

**SUBJECT: TO REZONE PROPERTY OF JOHN AND TINA HIEBERT, 163554 BROWNSVILLE ROAD, BROWNSVILLE , FROM RESIDENTIAL TYPE ONE ZONE (R1) TO SPECIAL RESTRICTED INDUSTRIAL ZONE (MR-4) TO ALLOW A CONTRACTOR'S YARD FOR AN EXTERIOR RENOVATION/FINISHING BUSINESS AS WELL AS AN ACCESSORY SINGLE DETACHED DWELLING**

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Resolution No. 29 –

Moved by George Klosler  
Seconded by David Mayberry

RESOLVED that the mover be granted leave to introduce a by-law to amend Zoning By-Law No. 25-98 by changing to “MR-4” the zone symbols of land designated as Part Lot 21, Concession 11, to “MR-4” and this shall constitute the First and Second Reading thereof. (By-Law No. 32-2009)

DISPOSITION: Motion Carried

Resolution No. 30 –

Moved by George Klosler  
Seconded by David Mayberry

RESOLVED that the By-Law to amend Zoning By-Law No. 25-98 by changing to “MR-4” the zone symbols designated as Part Lot 21, Concession 11, to “MR-4” be now Read a Third time and Finally Passed, signed, sealed and numbered 32-2009.

DISPOSITION: Motion Carried

### **INFORMATION CORRESPONDENCE**

Resolution No. 31 –

Moved by Ron Sackrider  
Seconded by David Mayberry

RESOLVED that the following information correspondence be noted and filed:

#538, #540, #541, #542, #543, #549, #553, #559, #560, #561, #563, #565, #566, #568, #569, #570, #572, #573, #575, #576, #577, #580, #591, #592, #593, #594, #595, #597, #599, #600

DISPOSITION: Motion Carried

### **ADJOURNMENT**

Resolution No. 32 –

Moved by David Mayberry  
Seconded by Gerry Mitchell

RESOLVED that the following persons be appointed as a committee to interview applicants for the position of Deputy Clerk and Deputy Treasurer.

Mayor James Hayes  
Councillors: Ron Sackrider and George Klosler  
Chief Administrative Officer Mary Ellen Greb  
Clerk-Treasurer Administrator Allen Forrester

DISPOSITION: Motion Carried

**ADJOURNMENT**

Resolution No. 33 –

Moved by David Mayberry  
Seconded by George Klosler

RESOLVED that there being no further business Council adjourn  
at 1:30 p.m. to meet again on July 21, 2009, commencing at 7:00  
p.m.

DISPOSITION: Motion Carried

These minutes were adopted by Council on the 21<sup>st</sup> day of July, 2009.

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MAYOR: James Hayes

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CLERK: Allen Forrester