

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

November 3, 2009

MEMBERS PRESENT: Mayor: James Hayes
Councillors: David Mayberry, Gerry Mitchell,
Ron Sackrider, Jay Heaman (vacates 12:05 p.m.)
D. Anne Vanhoucke (arrived 12:50 p.m.)

MEMBERS ABSENT: Councillor: George Klosler

STAFF PRESENT: Mary Ellen Greb, CAO/Clerk-Treasurer
Dianne Harnett, Deputy Clerk

MEETING CALLED TO ORDER

The meeting was called to order at 9:02 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 November 3, 2009, Meeting of Council be approved.

DISPOSITION: Motion Carried

MINUTES

Resolution No. 2 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the minutes of the October 20, 2009, Regular Meeting of Council be approved.

DISPOSITION: Motion Carried

Resolution No. 3 Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the Closed Session Council Minutes of August 4, 2009 be approved.

DISPOSITION: Motion Carried

Resolution No. 4 Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the Closed Session Council Minutes of September 1, 2009 Regular Meeting of council be approved.

DISPOSITION: Motion Carried

Resolution No. 5 Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the Closed Session Council Minutes of September 15, 2009 be approved.

DISPOSITION: Motion Carried

Resolution No. 6 Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the Closed Session Council Minutes of September 22, 2009 be approved.

DISPOSITION: Motion Carried

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

RESOLVED that the Closed Session Minutes of October 6, 2009 be approved.

DISPOSITION: Motion Carried

BUSINESS ARISING FROM MINUTES

None

DECLARATION OF PECUNIARY INTEREST

There were no declarations.

STAFF REPORTS

WORKS DEPARTMENT REPORT NO. W.D. 22-2009

Works Superintendent, Bill Freeman gave his report as follows:

1. New Power Washer Recommendation

The existing power washer is not working and it is not cost efficient to repair it. The quotes for a new system were as follows:

- a) Hotsy Cleaning Systems - \$6,758.70 (incl. taxes)
- b) Power Pressure Systems Inc. - \$7,821.86.

He recommended the purchase of the Hotsy Cleaning System.

Resolution No. 9 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Chief Building Officials Report B.D. No. 20-2009 be accepted.

DISPOSITION: Motion Carried

DRAINAGE SUPERINTENDENT'S REPORT NO. D.D. 26-2009

Drainage Superintendent Wray Ramsay gave his report as follows:

1. Buffer strips on municipal drains
The program pays the landowners for a three-year program depending on the availability of money. The Ministry of Natural Resources program is available mostly for cold water streams to protect the fish and habitat.
2. Clear Creek Drain Discovery
He attended the Discovery for the Clear Creek Drain on October 22, 2009 and was extensively questioned over the course of the day regarding the matter by various lawyers.
3. Gary Wilson's Farm – 10 inch tile repaired.
Blair Breddy repaired a broken ten inch tile and hooked it up to the Lobb Drain. The tile was not hooked up when the work was done by A.G. Hayter Ltd. The company will therefore be paying for the expense of the repair and not the property owners.
4. Review of municipal drains with UTRCA classification
Met with the Upper Thames River Conservation Authority and have agreed on an updated list which it is now being finalized.
5. Quinn Drain will be completed by November 6, 2009
6. Mud Creek Drain
The contractor will be returning to excavate the ditch to the bush area.
7. 41st Engineers Conference in Guelph
He attended the two day course on October 29 and 30, 2009 and reviewed some of the sessions.

There were no recommendations contained in the report.

Resolution No. 10 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Drainage Superintendent's Report No. D.D. 26-2009 be accepted.

DISPOSITION: Motion Carried

C.A.O. CLERK-TREASURER REPORT C.A.O. 7-2009

C.A.O. Mary Ellen Greb gave her report as follows:

1. Masson Top Soil Removal Application

The background information of the report was reviewed with Council. The report recommended that Council choose one of the following two options:

- a) Approve the permit application
- b) Seek legal advice on the implications of denying the application as well as ordering the top soil to be redistributed on the property.

Resolution No. 11 Moved by Jay Heaman
Seconded by Ron Sackrider

RESOLVED that the Township seek a legal opinion on denying the application for top soil removal submitted for the Masson property (Lots 16 & 17, Concession 2 West Oxford).

DISPOSITION: Motion Carried

CHIEF ADMINISTRATIVE REPORT NO. C.A.O. 8-2009

C.A.O. Greb recommended that Council extend the existing agreement with JGM Consulting for a period of one year to December 3, 2010. Council passed By-Law No. 06-2008 February 6, 2008 engaging their services for the function of investigating in an independent manner any complaint by the public of the inappropriate use of a closed meeting. All municipalities in Oxford County engaged the same company to achieve savings in the annual retainer.

Resolution No. 12 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the Chief Administrative Officer's Report No. C.A.O. 8-2009 be received.

DISPOSITION: Motion Carried

PLANNING & ZONING

Application for Consent – File: #B-33/09: James Bula
Council did not comment on the application.

AGENDA ITEMS – CORRESPONDENCE

#822 Township of Wainfleet – Resolution requesting support regarding Ministry of Natural Resources Wetland Mapping Proposal

Resolution No. 13 Moved by David Mayberry
Seconded by Ron Sackrider

RESOLVED that the resolution from the Township of Wainfleet requesting support in their objection to the wetland mapping proposal by the Ministry of Natural Resources be noted and filed.

DISPOSITION: Motion Carried

#823 Corporation of the County of Perth – Resolution requesting Support for Residential Farmland Property Tax

Resolution No. 14 Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the resolution from the Corporation of the County of Perth requesting support regarding Residential-Farmland Property Tax concerns be supported.

DISPOSITION: Motion Carried

ACCOUNTS PAYABLE

Resolution No. 15 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the following Accounts be approved for payment:

Council Report dated November 3, 2009	\$101,496.12
GST Recoverable	\$2,502.23
Bi-weekly Payroll #22	\$29,757.05
Pre-Authorized Payments	\$10,378.94

TOTAL **\$144,134.34**

DISPOSITION: Motion Carried

INFORMATION CORRESPONDENCE

Resolution No. 16 Moved by Ron Sackrider
Seconded by David Mayberry

RESOLVED that the following information correspondence be noted and filed:

#808, #809, #815, #816, #818, #819, #820

DISPOSITION: Motion Carried

BY-LAWS AND AGREEMENTS

BY-LAW NO. 46-2009 – Appoint a Closed Meeting Investigator

First and Second Reading

Resolution No. 17 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the mover be granted leave to introduce a by-law to appoint a Closed Meeting Investigator and this shall constitute the first and second reading thereof. (By-Law No. 46-2009).

DISPOSITION: Motion Carried

Third and Final Reading

Resolution No. 18 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that the By-Law to appoint a Closed Meeting Investigator be now read a third time and finally passed, signed, sealed and numbered 46-2009.

DISPOSITION: Motion Carried

STAFF REPORTS *(continued)*

C.A.O. CLERK-TREASURER REPORT C.A.O. 9-2009

C.A.O. Greb recommended that the Township enter into agreement for the services provided by Infrastructure Solutions Inc. for the professional engineering and consulting services in regards to the Provincial requirements for PSAB at a maximum cost of \$18,000.00.

Resolution No. 19 Moved by Ron Sackrider
Seconded by Jay Heaman

RESOLVED that the Chief Administrative Officer's Report No. C.A.O. 9-2009 be accepted.

DISPOSITION: Motion Carried

CLOSED MEETING

Council went into closed session to discuss the following:

- By-Law Officer's Report No. B.E. 9-2009.
- 2010 Wage Negotiations

Resolution No. 20 Moved by David Mayberry
Seconded by Ron Sackrider

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

- Labour relations or employee negotiations;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

DISPOSITION: Motion Carried

Council went into Committee of the Whole "in camera" at 10:59 a.m. and reconvened "in public" at 11:29 a.m.

Resolution No. 21 Moved by David Mayberry
Seconded by G. Mitchell

RESOLVED that the Township place cement barriers at the Underpass of the CN railway in Beachville,

DISPOSITION: Motion Carried

DELEGATIONS

BRYCE SIBBICK, REGIONAL MANAGER, FRANK COWAN INSURANCE CO. LTD.

Mr. Sibbick thanked Council for meeting concerning the Township's insurance renewal package. He informed Council and Staff that there is an increase to every municipality with all the changes to how insurance is being utilized now in all communities.

Most municipalities are going up about 8% for the yearly premium, though some are going up to 40% increases for next year. In the past few years there has been no or very little increase in insurance premiums. In years past, a municipality would see on average 45% of accidents claims sent to municipalities. Accidents occurred but people did not appoint municipalities in their claims. There are now 65% of claims being sent in perhaps due to economic conditions (i.e. job loss increases) which is driving the increase in insurance premiums.

The "1% fault" is continuing to increase premiums. He is happy to see that AMO is drafting a lobbying on behalf of all municipalities to try to have this legislation changed from 1% to 50% liability.

Councillor Sackrider asked Mr. Sibbick about the liability of having basketball nets on cement pad owned by the municipality at the former Recycling Depot in Dereham Centre. Mr. Sibbick noted he would have a look at the property.

CAO Greb inquired about skateboard parks from a liability standpoint. Mr. Sibbick explained that the skateboard park claims are not as prevalent as most would think. The skateboard park needs to be done properly as the structures in them have to be maintained (i.e. jumps/ramps). The best skateboard parks are concrete with steel structures. Mr. Sibbick reported that from a claims perspective and premium perspective, they are not as costly from an insurance point of view as would be suspected.

Mr. Sibbick informed Council and Staff that for the Township's limit of liability, it is currently sitting at 15 million with the average in the province at 20-25 million. He doesn't recommend changes at this time in limit of liability.

Mr. Sibbick thanks Council for their time in reviewing the Township's insurance.

Brownsville Complex Project

In attendance for the presentation were:

Building Design & Construction representatives:

Brad Skinner of Skinner & Skinner (Architect), Bruno Porciello of Bronnenco Construction Ltd., Grant Hall P. Eng of Callidus Engineering,

Committee representatives:

Milt Chesterman, George Beard, Brad Holcombe, Dirk Verboom, Peter Ypma,

Staff liaison:

Dwayne Daniel, C.B.O.

Mr. Skinner made a presentation to Council with handouts/drawings. Mr. Skinner presented his rendered drawings for the Brownsville Community Centre/Library and Fire Hall. The main issue he understands is the deadline of March 2010 for substantial completion of the facility to secure the federal funding from Industry Canada. Mr. Skinner informed Council that they will need to get in the ground for this project in 4 weeks. The proposed building was 9,500 sq. feet, but it was decided it was best for the budget to reduce the square footage to 8,600.

Mr. Porciello thanked Council for meeting him and offered references from other similar projects if they would like to follow-up on his credentials (i.e. workmanship, insurance etc.) Mr. Porciello reported that they budgeted for a septic system but took out the asphalt/paving component so that budget requirements could be met.

Council inquired to the heating/cooling system of the building i.e. conventional or geo-thermal systems. Mr. Hall from Callidus Engineering remarked he would get quotes for both types of systems for Council to decide.

CAO Greb commented that an environmental screening requires 30 days timeframe and Township is still waiting for this to proceed. Mr. Porciello hoped the site plan approval process would not be held up.

Discussion concerning the main doors of the fire hall doors, square footage of the various rooms, types of windows, kitchen appliances etc. ensued.

Council asks Architect/Contractor to proceed with a 75-80% completion for end of March 2010 if possible.

Resolution No. 22 Moved by David Mayberry
Seconded by Gerry Mitchell

RESOLVED that Township proceed immediately with the Brownsville Complex Project.

DISPOSITION: Motion Carried

ADJOURNMENT

Resolution No. 23 Moved by Gerry Mitchell
Seconded by David Mayberry

RESOLVED that there being no further business Council adjourns at 3:40 p.m. to meet again on November 17, 2009, commencing 7:00 p.m.

DISPOSITION: Motion Carried

MAYOR: Jim Hayes

CLERK: Mary Ellen Greb

These minutes were adopted by Council on the 17th day of November, 2009.